

Agenda for a meeting of the Policy & Regulatory Committee to be held via Audio-Visual Conference on **MONDAY, 31 AUGUST 2020** commencing at **9.30am**.

- 1. APOLOGIES AND LEAVE OF ABSENCE**
- 2. CONFIRMATION OF STATUS OF AGENDA**
- 3. DISCLOSURES OF INTEREST**
- 4. CONFIRMATION OF MINUTES**
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- 6. REPORTS**
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GJ Ion
CHIEF EXECUTIVE

Policy & Regulatory Committee

Reports to:	Council
Chairperson:	Cr Jan Sedgwick
Deputy Chairperson:	Cr Noel Smith
Membership:	The Mayor, all Councillors and Mrs Maxine Moana-Tuwhangai (Maangai Maaori)
Meeting frequency:	Six-weekly
Quorum:	Majority of the members (including vacancies)

Purpose

The Policy & Regulatory Committee is responsible for the Council's governance policies and bylaws, reviewing the District Plan and overseeing civil defence and emergency management issues.

In addition to the common delegations on page 10, the Policy & Regulatory Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To establish, implement and review the governance policy framework that will assist in achieving the Council's strategic priorities and outcomes.
2. To develop, review and approve the consultation process for Council bylaws.
3. To consider and determine changes to the schedules and parking restrictions in the Public Places Bylaw 2016, including hearing any submissions relating to those proposed changes.
4. To hear and determine matters arising under current bylaws, including applications for dispensation from compliance with the requirements of bylaws, unless such matters are otherwise delegated by Council.
5. To administer the Council's District Plan in accordance with the Resource Management Act 1991.
6. To monitor the performance of regulatory decision-making by the District Licensing Committee¹, Regulatory Subcommittee and officers under their respective delegations.
7. To monitor the Council's Civil Defence and Emergency Management framework.

¹ For clarity, the District Licensing Committee is a committee of Council under the Sale and Supply of Alcohol Act 2012.

The Committee is delegated the following powers to act:

Governance Policies

- Develop and agree governance policies for the purpose of consultation/engagement.
- Recommend to Council policy for adoption, amendment or revocation.
- Monitor and review policy, including recommending amendments to any policy as and when required.

Bylaws

- Develop and approve the statement of proposal for new or amended bylaws for consultation.
- Recommend to Council new or amended bylaws for adoption.

District Plan

- Review and approve for notification a proposed district plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), Schedule 1 of the Resource Management Act 1991)
- Withdraw a proposed plan or plan change under clause 8D, Schedule 1 of the Resource Management Act 1991.
- Make the following decisions to facilitate the administration of plan changes, variations, designation and heritage order processes:
 - a. To decide whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by the Council and authorise the resolution of any such appeal, provided such decisions are consistent with professional advice.
 - b. To consider and approve Council submissions on a proposed plan, plan changes, and variations.
 - c. To monitor the private plan change process.
 - d. To accept, adopt or reject private plan change applications under clause 25, Schedule 1, Resource Management Act 1991.

Other Resource Management Issues

- Pursuant to Section 34(1) of the Resource Management Act 1991, to exercise all of the Council's functions, powers and duties under that Act, except the functions, powers and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.
- Monitor and approve submissions in relation to National Policy Statements.

Civil Defence and Emergency Management

- Monitor the performance of Waikato District's civil defence and emergency management response against Council's requirements under the Civil Defence and Emergency Management Act including:
 - a. implementation of Government requirements; and
 - b. co-ordinating with, and receiving reports from, the Waikato Region Civil Defence and Emergency Management Group Joint Committee.

Other Delegations

- Exercise all of the Council's functions, powers and duties under the Building Act 2004, the Health Act 1956, and the Food Act 2014, and the respective regulations made under these Acts, except the functions, powers and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.
- Approval of attendance of elected members at conferences, seminars, training or events, in accordance with Council policy.

Open Meeting

To	Policy & Regulatory Committee
From	Gavin Ion Chief Executive
Date	7 August 2020
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1318
Report Title	Confirmation of Minutes

1. EXECUTIVE SUMMARY

To confirm the minutes of a meeting of the Policy & Regulatory Committee held on Monday, 20 July 2020.

2. RECOMMENDATION

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Monday, 20 July 2020 be confirmed as a true and correct record of that meeting.

3. ATTACHMENTS

P&R Minutes – 20 July 2020

Minutes of a meeting of the Policy & Regulatory Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 20 JULY 2020** commencing at **9.30am**.

Present:

Cr JD Sedgwick (Chairperson)
His Worship the Mayor, Mr AM Sanson [from 9.32am]
Cr AD Bech
Cr C Eyre
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire
Cr FM McNally
Cr EM Patterson
Cr NMD Smith
Mrs M Moana-Tuwhangai
Cr LR Thomson
Cr CT Woolerton

Attending:

Mr D Whyte (Chair, Huntly Community Board)
Mrs D Lovell (Chair, Taupiri Community Board)

Mr GJ Ion (Chief Executive)
Ms S O’Gorman (General Manager Customer Support)
Mr R MacCulloch (General Manager Service Delivery)
Ms A Diaz (Chief Financial Officer)
Ms AM D’Aubert (Consents Manager)
Mr J Ebenhoh (Planning & Policy Manager)
Mr W Hill (Consents Team Leader)
Ms M Russo (Corporate Planning Team Leader)
Ms S Solomon (Corporate Planner)
Ms B Clarke (Junior Corporate Planner)
Ms S Flay (Senior Communications Advisor)
Mrs LM Wainwright (Committee Secretary)

APOLOGIES AND LEAVE OF ABSENCE

There were no apologies.

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Gibb/Lynch)

THAT the agenda for a meeting of the Policy & Regulatory Committee held on Monday, 20 July 2020 be confirmed and all items therein be considered in open meeting;

AND THAT all reports be received;

AND FURTHER THAT the Chair of the Huntly Community Committee, Mr Whyte and the Chair of the Taupiri Community Board, Mrs Lovell, be given speaking rights for the duration of the open section of this meeting.

CARRIED

P&R2007/01

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Crs Thomson/McInally)

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Monday, 16 March 2020 be confirmed as a true and correct record of that meeting.

CARRIED

P&R2007/02

ACTIONS REGISTER

Agenda Item 6.1

The report was received [P&R2007/01 refers]. No discussion was held.

REPORTS

Delegated Resource Consents Approved for the months of March and April 2020

Agenda Item 6.1

The report was received [P&R2007/01 refers]. The Consents Manager and Consents Team Leader summarised the report and the following matters were discussed:

- Wong & Bull LUC0211/20.

ACTION: Staff to advise elected members of the definition of reverse sensitivity and amenity effects.

- Eastside Heights – changes to stormwater.

His Worship the Mayor joined the meeting at 9.32am during discussions on the above item.

Summary of Applications determined by the District Licensing Committee October – December 2019

Agenda Item 6.2

The report was received [P&R2007/01 refers].

Summary of Applications determined by the District Licensing Committee January – March 2020

Agenda Item 6.3

The report was received [P&R2007/01 refers].

Review of the Significance and Engagement Policy

Agenda Item 6.4

The report was received [P&R2007/01 refers]. The Corporate Planner summarised the report and the following matters were discussed:

- Significant Activity – Core services had been removed.
- Strategic asset – Museums were not a strategic asset for Waikato District Council.
- Community Boards and Committees are part of the process to help identify issues and views ensuring concerns and aspirations are understood and considered prior to decision-making.
- Community Boards and Committees were part of the process to help identify issues and views ensuring concerns and aspirations were understood and considered prior to decision-making.
- Removal of financial thresholds for Community Boards and Committees.

ACTION: Staff to update draft policy to replace “citizen panels” with “focus groups”.

Resolved: (Crs Bech/Eyre)

THAT the Policy and Regulatory Committee approves the proposed changes to the Significance and Engagement Policy as attached to the staff report, subject to any further changes as recommended by the Committee, for the purpose of public consultation;

AND THAT the proposed Significance and Engagement Policy, as amended, is publicly consulted on under Section 82 of the Local Government Act 2002;

AND FURTHER THAT submissions to the proposed Significance and Engagement Policy be presented to the October 2020 Policy and Regulatory Committee for consideration.

CARRIED

P&R2007/03

Lapsing of the Waikato District Council Fires in the Open Air Bylaw 2012
Agenda Item 6.5

The report was received [*P&R2007/01 refers*]. The Junior Corporate Planner summarised the report and the following matters were discussed:

- Smoke nuisance was covered under Section 30 of the Health Act.
- The Auckland/Waikato boundary areas were different to fire district areas, which caused confusion to ratepayers.

Chief Executive's Business Plan
Agenda Item 6.6

The report was received [*P&R2007/01 refers*]. The Chief Executive summarised the report and the following matters were discussed:

- Recovery plan - 35 laptops had been distributed to staff. The second round of surveys with residents and businesses would be completed by mid-August 2020.
- The Waters Governance Board was fulfilling its function on behalf of Council. The Asset Management Plan and Mid Waikato Strategy would be considered at the Board meeting on Thursday, 23 July 2020.
- Staff surveys – Positive results had been received, ensuring staff were connected to the organisation.
- Workplan for Zero Harm had been redefined.

- Flexible working arrangements were required when recruiting staff. Flexible working arrangements must work for the:
 1. customer,
 2. organisation,
 3. team, and
 4. individual.

- Committee members noted there had been some difficulties communicating with staff under the shift system in place. A better communication process would be required.

There being no further business the meeting was declared closed at 10.39am.

Minutes approved and confirmed this day of 2020.

JD Sedgwick
CHAIRPERSON

Open Meeting

To	Policy & Regulatory Committee
From	Sue O’Gorman General Manager Customer Support
Date	19 August 2020
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Actions Register

1. EXECUTIVE SUMMARY

To update the Policy & Regulatory Committee on actions arising from previous meetings.

2. RECOMMENDATION

THAT the report from the **General Manager Customer Support** be received.

3. ATTACHMENTS

Actions Register

Date	Action	Team Responsible	Status
29/7/2020	<p>REPORTS - <u>Delegated Resource Consents Approved for the months of March and April 2020</u> Agenda item 6.1</p> <ul style="list-style-type: none"> Wong & Bull LUC0211/20 <p>Staff to advise elected members of the definition of reverse sensitivity and amenity effects.</p>	Consents Team Leader, Wade Hill	<p>LUC0211/20 was issued on 21 January 2020. It provided for the relocation of two dwellings which would be located within 300 metres of two sites containing intensive farming activities.</p> <p>Usually intensive farming activities comprise such activities as chicken farms, piggeries, goat farms etc. However, the Operative District Plan has quite a broad definition of what comprises intensive farming activities. In this situation the intensive farming activities comprised the Hamilton Zoo and a bird aviary.</p> <p>The rules in the Operative District Plan which require a separation distance of residential activities from intensive farming activities seek to ensure that the occupants of the future dwellings will maintain a reasonable level of amenity and avoid reverse sensitivity effects on intensive farming activities.</p> <p>Amenity values are defined quite broadly in the RMA. However, in the scope of the Operative District Plan the relevant amenity effects that would be relevant to residential activities adjacent to intensive farming activities would likely relate to noise, odour and dust.</p> <p>Reverse sensitivity by definition is the vulnerability of an established less sensitive land use (such as intensive farming activities) to complaint from a newly establishing, more sensitive land use (for example, new houses). In practice such complaints can compromise the established land use by restricting when or how it can operate.</p> <p>Reverse sensitivity effects from intensive farming operations normally arise from complaints received about unreasonable noise, and objectionable dust and odour that the Council would be obliged to act on.</p> <p>In these circumstances, it was considered that the site where the residential dwellings were to be located was reasonably separated from the Zoo and the aviary by distance and topography; and that</p>

			given that the intensive farming activities were not likely to create the same degree of effects than a typical intensive farming activity, the likely amenity effects on the residents and the reverse sensitivity effects on the Zoo and aviary were considered acceptable.
29/7/2020	<u>Review of the Significance and Engagement Policy</u> Agenda Item 6.4 Staff to update draft policy to replace “citizen panels” with “focus groups”	Melissa Russo, Corporate Planning Team Leader	4/8/2020: Action has been completed, ready for consultation.

Policy and Regulatory Committee

Actions Register

Open Meeting

To	Policy & Regulatory Committee
From	Sue O’Gorman General Manager Customer Support
Date	12 th August 2020
Prepared by	Jessica Thomas Senior Consents Administrator
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Delegated Resource Consent Approved for the month of July 2020

1. EXECUTIVE SUMMARY

This report gives information relating to all delegated Resource Consents processed for the month of July 2020 excluding hearings.

2. RECOMMENDATION

THAT the report of the General Manager Customer Support be received.

3. APPOINTMENT OF COMMISSIONERS

Commissioner appointed in the month of July 2020

David Hill Appointed for the (joint WRC) hearing scheduled for the 30th September & 1st October 2020 of the application by McPherson Resources Ltd to expand and continue to operate the mineral extraction activities at the McPherson Quarry with associated overburden removal and placement, deposition of cleanfill and vegetation clearance of an Identified Significant Natural Area Schedule 5A area and Significant Natural Area within the Rural Zone

4. ATTACHMENTS

Delegated Authority Reports - attached

- July 2020

Delegated Authority Report

Period from 1 July 2020 to 31 July 2020

Awaroa ki Tuakau		Ward Total: 18		
Applicant	ID No	Address	Details	Decision
Omega Hospitality Limited	LUC0002/21	16 Horace Russell Road MERCER	Planning Certificate application for Konnexions Pizzeria and Fish & Chip Bar, Mercer.	Approved
Feng & Yi Property Limited	LUC0009/21	5 Loader Place POKENO	Construction of a new dwelling on a vacant site requiring Land Use Consent for earthworks greater than 100m ² in the Residential 2 Zone	Granted
G H Zhou, C Liu	LUC0026/21	47 Great South Road POKENO	Sale of Liquor on a site within the Business Zone	Approved
MJB Construction Limited	LUC0029/21	30 Calder Crescent POKENO	Undertake earthworks in excess of the allowable volume in association with the construction of a residential dwelling within the Residential 2 Zone.	Granted
Top End Properties Limited	LUC0403/20	7A High Street POKENO	To establish two residential dwellings in the Residential 2 Zone that fail various District Plan provisions including the delineated area, internal setback, coverage and earthworks and on a site that has been identified as a 'piece of land' and therefore requires consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES).	Granted
M E England, S T England	LUC0451/20	36 Harry Richards Way POKENO	Construct a new residential dwelling which infringes into the northern and southern boundary setbacks on a rear site in the Residential 2 Zone	Granted
Fletcher Concrete And Infrastructure Limited	LUC0456/20	138 Elbow Road PUKEKOHE	Storage yard and cleanfill deposition to create a hardstand area which exceeds the maximum volume on an Aggregate Extraction and Processing zoned site.	Granted

Delegated Authority Report

Period from 1 July 2020 to 31 July 2020

Kopuera Land Company Limited	LUC0467/20	336 Koheroa Road MERCER	Retrospectively undertake earthworks which exceed the permitted cut depth and volume in the Franklin Rural Zone.	Granted
J A Wahapa	LUC0471/20	51 Trig Road TUAKAU	Construction of a dwelling that infringes into the 10m front road boundary setback in the Rural Zone	Granted
P Chaplow, C Chaplow	LUC0472/20	71A Dean Road POKENO	Undertake earthworks that exceed the permitted volumes within the Village Zone to establish a suitable building platform for a residential dwelling	Granted
Ministry Of Education	LUC0477/20	54 Pokeno Road POKENO	Soil disturbance and removal of soil that exceeds the permitted thresholds, where the soil contamination exceeds the applicable standard in Regulation 7 under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 (NES).	Granted
G C K Denuwara, R Denuwara	LUC0478/20	21 Bellenden Crescent POKENO	Earthworks which exceed the maximum volume on a Residential 2 zoned site.	Granted
R Cooper	LUC0480/20	13 Booth Crescent TUAKAU	The construction of a garage that encroaches on the front yard and road boundary setback	Granted
DW Homes Limited	LUC0486/20	151 Hitchen Road POKENO	Construct a dwelling in the Residential 2 Zone that exceeds the maximum permitted building coverage of the site area	Granted
BNWT Holdings Limited	LUC0492/20	9 Loader Place POKENO	Undertake earthworks which exceed the permitted volume per 12 month period in the Franklin Residential 2 Zone.	Granted
Milestone Homes Franklin Limited	LUC0494/20	5 Herbert Oldham Road POKENO	Retrospective land use consent for exceeding the maximum cut depth at a site in the Residential 2 zone	Granted

Delegated Authority Report

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M C Potter, I G Potter, J M Sorraghan	SUB0016/20	9 Mcevoy Avenue TUAKAU	Subdivide a property in the Residential Zone to create two additional allotments.	Granted
Pokeno Village Holdings Limited	SUB0276/18.03	152 Hitchen Road POKENO	S127 to change/cancel conditions of subdivision consent to delete condition 10F2a of resource consent SUB0276/18.02 imposed as part of the original consent decision issued on 23 May 2018 and latest variation SUB0276/18.02 dated 13 October 2019	Granted

Eureka				
Ward Total: 5				
Applicant	ID No	Address	Details	Decision
D A Hopkins, C A Hopkins	LUC0436/20	226 Hoeka Road MATANGI	To construct an extension to an existing dwelling where the building coverage exceeds that permitted and where the existing vehicle entrance way fails to achieve minimum separation distance in the Rural Zone.	Granted
Charbelle Farms Limited	LUC0479/20	92 Friedlander Road EUREKA	To undertake earthworks in the Hauraki Gulf Catchment area to create suitable building foundations to construct a dwelling which encroaches the permitted setback within the Rural Zone.	Granted
P M Brown, W A Brown	SUB0089/20.01	389A Scotsman Valley Road TAUWHARE	Change to condition 1 of subdivision consent SUB0089/20 to provide for an alternate vehicle entrance location to Lot 2.	Granted
I S Randhawa	SUB0148/20	345 Tauwhare Road TAMAHERE	To undertake a subdivision in the Rural Zone (containing a significant natural area and a Maori site of significance) to relocated common boundaries so that no additional titles are created.	Granted
North End Law	SUB0153/20	639A Tauwhare Road TAUWHARE	Partial revocation of an existing right to convey water easement "B" and "C" created by Easement Instrument 5592814.2 pursuant to Section 243(e) of the Resource Management Act 1991.	Granted

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Period from 1 July 2020 to 31 July 2020

Hukanui - Waerenga		Ward Total: 3		
Applicant	ID No	Address	Details	Decision
G J Gardner Homes Limited - Hamilton	LUC0007/21	20 Oaktree Lane ROTOTUNA	To construct a Dependent Persons Dwelling that does not share an outdoor living court within the Rural Zone.	Granted
Homestead Oaks Limited	LUC0469/20	133 Goodin Road WAERENGA	To construct a third dwelling and new vehicle entranceway on a property within the Rural Zone.	Granted
S J Wright, M E Wright	SUB0144/20	453 Stannard Road WAERENGA	Subdivision to create three conservation allotments in the Rural Zone in two stages and covenants over Lot 2 DP 305036 comprised in Record of Title 20667	Granted
Huntly		Ward Total: 6		
Applicant	ID No	Address	Details	Decision
Pacific Membrane Group Limited	DES0001/21	26 McDiarmid Crescent HUNTLY	Outline Plan Waiver pursuant to Section 176A of the Resource Management Act 1991 to construct a shade structure over an existing courtyard area.	Granted
R-Log NZ Limited	LUC0395/16.01	86 Glen Murray Road RANGIRIRI	Change of conditions to Conditions I (General Accordance), 10 (Staff Numbers) and 11 (Vehicle Movements) to transport depot and industrial activity in the Rural Zone	Granted
Nikau Housing Limited	LUC0443/20	179 Hakanoa Street HUNTLY	To relocate a second hand dwelling to the site, that will be the second dwelling on the site for a temporary period and where the vehicle entranceway is unable to comply with required separation distance, in the Living Zone.	Granted
Georgie Girl Holdings Limited	LUC0463/20	86 Glen Murray Road RANGIRIRI	To expand the existing onsite warehouse activities with the construction of a 2820m ² warehouse and consent under the NESCS for a Discretionary Activity	Granted

Delegated Authority Report

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G C Dwight	LUC0484/20	34 Ohinewai South Road OHINEWAI	Construction of a dwelling on Lot 2 of SUB0147/20 that will encroach into the 300 m intensive farming buffer for two separate activities by 240 m and 300 m,	Granted
G C Dwight	SUB0147/20	34 Ohinewai South Road OHINEWAI	Subdivision in the Rural Zone involving the boundary adjustment of two existing allotments (including one that cannot meet the definition of a viable certificate of title) to create two new allotments both below the minimum lot size of 8,000 m ² , with one vacant allotment having a smaller permitted build area than what is required under the operative district plan. The creation of an allotment that will contain buildings that exceed the maximum permitted building coverage of 500 m ² by 294 m ² .	Granted

Newcastle

Ward Total: 3

Applicant	ID No	Address	Details	Decision
Ministry Of Education - Whatawhata Primary School Board Of Trustees	DES0027/20	School Road WHATAWHATA	Outline Plan of Works pursuant to Section 176A of the Resource Management Act 1991 to construct a new 4-classroom block at Whatawhata School.	AcceptPlan
Design Builders (Waikato) Limited	LUC0470/20	635 State Highway 23 WHATAWHATA	Land Use Consent sought for the compliances of the proposal related to building a dwelling that is with the minimum 32m setback required from a water body. To construct a dwelling within the required setback to a lake (pond) in the Rural Zone.	Granted
W M Morrison	LUC0490/20	116 Mason Road WHATAWHATA	To construct a new vehicle entranceway which does not comply with the required minimum separation distance, in the Rural Zone.	Granted

Delegated Authority Report

Period from 1 July 2020 to 31 July 2020

Ngaruawahia		Ward Total: 9		
Applicant	ID No	Address	Details	Decision
Whetu Group Limited	LUC0018/21	2 Durham Street NGARUAWAHIA	Application for Planning Certificate for New On-Licence for a quiet garden bar at 1/2 Durham Street, Ngaruawahia.	Approved
Mountain View Developments	LUC0066/19.01	28 Button Lane TAUPIRI	To change the conditions of the land use consent to reflect the updated subdivision plans	Granted
David Reid Homes Waikato Limited	LUC0421/20	9 Sherwood Downs Drive HORSHAM DOWNS	To construct a dwelling, attached dependent person's dwelling and attached garage that exceeds the permitted maximum height and does not provide a shared outdoor living court. Also, retrospective land use consent and new land use consent to undertake earthworks that exceed the permitted volume and cut depth and require imported fill, within the Country Living Zone.	Granted
C A Merritt, L K Merritt	LUC0442/20	9 Kernott Road HOROTIU	Undertake earthworks associated with the construction of a swimming pool on a site identified as a Maaori Area of Significance as listed Schedule 30.4	Granted
E T Hockenull-Jamieson, O H Davies	LUC0447/20	11 Speedy Road NGARUAWAHIA	To construct a principal dwelling that will exceed the permitted building coverage and earthworks provisions within the Rural Zone.	Granted
Parangon Building Limited	LUC0488/20	23 North Street NGARUAWAHIA	To construct a new dwelling where the earthworks required exceeds the permitted volume and includes imported fill, and that is unable to meet onsite car parking and manoeuvring requirements, within the Living Zone.	Granted
Parangon Properties Limited	LUC0489/20	27 North Street NGARUAWAHIA	To construct a new dwelling that will not meet manoeuvring requirements and will exceed the permitted volume of earthworks, within the Living Zone.	Granted

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Mountain View Developments	SUB0196/18.01	28 Button Lane TAUPIRI	To change conditions to remove the 'development lot' Stage 2A1 and to include two new areas for vesting, at a site within the New Residential Zone	Granted
Lake Areare Limited	VAR0001/21	83 Ormsby Road NGARUAWAHIA	To vary a consent notice to correct a reference number relating to a Site Suitability Report.	Granted

Onewhero-Te Akau		Ward Total: 3		
Applicant	ID No	Address	Details	Decision
Hinemoa Quality Producers Limited	LUC0289/19	163 Smeeds Quarry Road TUAKAU	Construction of a winter catchment storage dam for irrigation purposes on commercial growing farm.	Granted
A L Dahm	SUB0106/20.01	654 Klondyke Road TUAKAU	Change of conditions to remove references to consented Lot 1 created via the protection of indigenous vegetation under subdivision consent SUB0106/20. Conditions 1, 10, 11, 12, 21 and 22 as result need to be amended; imposed as part of the original consent decision.	Granted
Bicheno Cattle Limited	SUB0154/20	451 Wilton Collieries Road GLEN MASSEY	Operative Undertake subdivision by way of boundary relocation in the Rural Zone and where the balance lot will not be provided with connections to reticulated power and telecommunications. Proposed Undertake subdivision on a site containing a Significant Natural Area where the boundaries of every proposed lot is not divided.	Granted

Delegated Authority Report

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Raglan		Ward Total: 7		
Applicant	ID No	Address	Details	Decision
D R Ellison, K M Ellison	LUC0005/21	11 Calvert Road WHALE BAY	To construct a dwelling extension that will protrude through the daylight admission angle, on a property that does not meet the minimum site area when not connected to a reticulated wastewater system and where the existing vehicle entrance is unable to comply with the required separation distance, within the Living Zone.	Granted
Licensing Solutions Limited	LUC0019/21	3 Bankart Street RAGLAN	Application for Sale of Alcohol for an Off Licence on a site in the Business Zone pursuant to Section 100 of the Sale and Supply of Alcohol Act 2012.	Approved
Rangitahi Limited	LUC0309/18.02	30 Opororu Road RAGLAN	Proposed changes sought to update existing consent conditions of SUB0173/18 and LUC0309/18 relating to development activities within Precincts B and D.	Granted
Raggascruffin Limited	LUC0405/20	25 Government Road RAGLAN	Construction of one additional dwelling on a property in the Living Zone already containing three existing dwellings, and exceeding the maximum permitted daily vehicle movements of 30 cars by 10.	Granted
J Clarke, P H Clarke	LUC0468/20	8 Smith Street RAGLAN	To construct a DPD that does not meet car parking requirements, does not share a living court with the main dwelling, encroaches into the front yard setback and has an existing entrance that is unable to comply with separation distances.	Granted
Raggascruffin Limited	SUB0133/20	25 Government Road RAGLAN	Four lot subdivision in the Living Zone, also creating an access easement over an adjacent site. One created allotment shall fail the minimum frontage requirement of 15 m by 1.3 m, and the minimum width of an identified building area of 12 m by 0.8 m. The proposed access exceeds the maximum number of	Granted

Delegated Authority Report

Period from 1 July 2020 to 31 July 2020

			users of 4 by 1, and where the access serves three allotments, it shall fail the minimum formed width requirement of 4 m by 1 m.	
Rangitahi Limited	SUB0173/18.04	30 Opororu Road RAGLAN	Proposed changes sought to update existing consent conditions of SUB0173/18 and LUC0309/18 relating to development activities within Precincts B and D.	Granted

Tamahere Ward Total: 6

Applicant	ID No	Address	Details	Decision
Z Chu	LUC0411/20	617 Airport Road TAMAHERE	To construct a second dwelling to be used as a Dependent Person's Dwelling that is within 100 metres of Tamahere Commercial Area A and exceeds total impervious surface in Tamahere Country Living Zone.	Granted
A W K Low	LUC0412/20	282B Matangi Road MATANGI	To construct a second dwelling to be used as a Dependent Person's Dwelling and that is within the permitted building setback.	Granted
S E Bettley, Z Bettley	LUC0417/20	165A Matangi Road MATANGI	Land Use Consent to construct a second dwelling and associated dependent persons dwelling within RT 475510 within the notional boundaries of Lot 3 created as part of the subdivision with associated non-compliances until title is issued.	Granted
L Huang, T Guo	LUC0433/20	187 Webster Road MATANGI	To construct a dwelling and dependent persons dwelling within the Rural Zone that does not share an outdoor living court, and does not meet the permitted 25m setback for an adjoining property 6ha or more.	Granted
J C Macklow	LUC0454/20	212A Newell Road TAMAHERE	To breach the noise standards in the Country Living Zone for recreational use of a helicopter landing pad and associated helicopter movements/landings	Granted

Delegated Authority Report

Period from 1 July 2020 to 31 July 2020

S E Bettley, Z Bettley	SUB0140/20	165A Matangi Road MATANGI	Subdivision consent to relocate the boundaries (by way of the General Subdivision provisions) between four Records of Title within the Rural Zone	Granted
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Whangamarino		Ward Total: 5		
Applicant	ID No	Address	Details	Decision
Allied Petroleum Limited, Bradley Property Management	LUC0271/20	Monument Road MARAMARUA	Establish and operate a self serve service station in the Rural Zone and consent under the NESCS for a Controlled Activity to remove contaminated soil	Granted
W Kang, T J Giles	LUC0434/20	51 Steen Road MARAMARUA	To undertake a rural industrial activity for the processing of honey and relocates a used building that requires retrospective earthworks within the Hauraki Gulf Catchment area and is within 500m of an aggregate extraction policy area in the Rural Zone.	Granted
WTS Homes Limited	LUC0459/20	2 Rylstone Way TE KAUWHATA	Earthworks exceeding the permitted thresholds of the Te Kauwhata West Living Zone.	Granted
M S Wilson, M D Wilson	LUC0462/20	7 Merlot Place TE KAUWHATA	To construct a dwelling that exceeds impervious surface, earthworks volumes and area and does not comply with outdoor living location in the Living Zone.	Granted
M P Grimshaw	SUB0121/20	10 Heather Green Avenue MEREMERE	To create one additional allotment between two existing lots where two allotments cannot demonstrate 200m ² rectangle building platform in the Living Zone.	Granted

Open Meeting

To	Waikato District Council
From	S O’Gorman General Manager Customer Support
Date	18 August 2020
Prepared by	Christine Cunningham
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Summary of Applications Determined by the District Licensing Committee April to June 2020

1. EXECUTIVE SUMMARY

This report provides a summary of applications determined by the District Licensing Committee between April and June 2020.

2. RECOMMENDATION

THAT the report from the **General Manager Customer Support** be received.

3. ATTACHMENTS

Report: The Schedule of Applications Determined by the District Licensing Committee between April and June 2020.

LICENCES

Applicant/s Name	Application Type	Premises	Decision	Date Issued	Licence No.
Zenders Café and Venue Limited	Renewal On	Zenders Café and Venue, Ruakura	Granted	5/5/20	14/ON/10/2020
Everest Limited	Temporary Authority	Super Liquor, Huntly	Granted	12/5/20	14/TA/03/19.02
Mokai Awhina Sports Cultural & Recreation Club	Renewal Club	Mokai Awhina Sports Cultural & Recreation Club, Tuakau	Granted	19/5/20	14/CL/03/2020
Jammu Holdings Limited	Variation & Renewal Off	Thirsty Liquor Huntly	Granted	26/5/20	14/OFF/09/2020
Ulo's Kitchen Limited	New On	Ulo's Kitchen, Raglan	Granted	16/6/20	14/ON/12/2020
Ngaruawahia Squash Racquets Club Incorporated	Special	Ngaruawahia Squash Club	Granted	16/6/20	14/SP/016/2020
RN & LR Patel Limited	Temporary Off Licence	Supervalue Tuakau	Granted	30/6/20	TL14/OFF/05/2018

MANAGER'S CERTIFICATES

Applicant's Name	Application Type	Premises	Decision	Date Issued	Certificate No.
Claire Michelle Stevens	Renewal	Te Mata Social Club	Granted	1/5/2020	14/Cert/018/2019
Lee-Anne Michelle Rota	Renewal	Ngaruawahia Bowling Club	Granted	1/5/2020	14/Cert/017/2019
Alice Edginton	Renewal	The Shack, Raglan	Granted	1/5/2020	14/Cert/020/2019
Viktoriia Alexandrovna Kaliuzhnaia	New	Zealong Tea, Gordonton	Granted	19/5/2020	14/Cert/024/2020
Satinderpal Singh Sidhu	Renewal	Thirsty Liquor Raglan	Granted	2/6/2020	14/Cert/053/2016
Sharlene Waikaremoana Moore	New	Elsie's Restaurant, Tuakau	Granted	23/6/2020	14/Cert/027/2020
Sagar Sehrawat	New	Tuakau Wholesale	Granted	30/6/2020	14/Cert/028/2020
Kathryn Shelly Wilson	Renewal	Profs @Woodlands, Gordonton	Granted	30/6/2020	14/Cert/057/2016
Summer Grace Clisby	New	Profs @Woodlands, Gordonton	Granted	30/6/2020	14/Cert/029/2020

Manpreet Singh	Renewal	Super Liquor Pokeno	Granted	30/6/2020	14/Cert/07/2020
Rachael Ellen Hayward	Renewal	Onewhero Rugby Club	Granted	30/6/2020	14/Cert/038/2019

**Applications Determined at a District Licensing Committee Hearing
LICENCES**

Applicant's Name	Application Type	Premises	Decision	Date Of Hearing	Licence No.
SRP Holdings 2015 Limited	Renewal On	Bar 29, Tuakau	Granted	26/6/2020	14/ON/15/2020

Open Meeting

To	Policy and Regulatory Committee
From	Clive Morgan General Manager Community Growth
Date	17 August 2020
Prepared by	Will Gauntlett Resource Management Policy Manager
Chief Executive Approved	Y
Reference/Doc Set #	GOV1318/2715613
Report Title	Plan Change 22 Builtsmart Now Operative

I. EXECUTIVE SUMMARY

Plan Change 22 Builtsmart was a private plan change request to the Operative Waikato District Plan (Waikato Section) requested by Builtsmart Property Partnership. The plan change request was to alter the zoning of 2.45 hectares of land in Huntly South from Living Zone (Residential) to Light Industrial Zone.

Submissions on the private plan change were heard by independent commissioners on 5 March 2020. The panel issued its decision which was published in June 2020. The decision was to **approve** the plan change request.

No appeals were received. Therefore, the private plan change **became operative** in accordance with clause 20 of Schedule 1 to the Resource Management Act 1991 (RMA) on Friday 24 July 2020. A public notice was issued to this effect on Friday 17 July 2020.

2. RECOMMENDATION

THAT the report from the General Manager Community Growth be received.

3. BACKGROUND

Plan Change 22 was a private plan change to the Operative Waikato District Plan (Waikato Section) requested by Builtsmart Property Partnership. The plan change request was to alter the zoning of 2.45 hectares of land in Huntly South from Living Zone (Residential) to Light Industrial Zone. Council accepted the Plan Change request on 7 October 2019 in accordance with clause 25(2)(b) of Schedule 1 to the RMA.

Plan Change 22 was publicly notified on 23 October 2019. Five submissions were received. A summary of the five submissions was published on 4 December 2019 along with a request for further submissions. No further submissions were received. One submission opposed the plan change.

A panel of two independent commissioners heard submissions on the private plan change on 5 March 2020.

The panel issued its decision in March 2020, however due to the COVID-19 lockdown, Council was unable to publicly notify the decision until 5 June. The panel's decision was to approve the plan change request.

Submitters were notified of the decision and the appeals period which closed on 15 July 2020. A public notice of the decision was also released. No appeals were received.

4. DISCUSSION

4.1 DISCUSSION

As no appeals were received on PC22, the private plan change has become operative.

The plan change request was 'accepted' by Council under clause 25(2)(b) and as such, it does not fall within the definition of a 'proposed plan change' in s 43AAC of the RMA. Therefore clause 17(1) does not apply and the plan change has been approved by the Hearing Commissioner Panel under clause 29(4) of Schedule 1. It does not need Council's decision to make it operative.

Pursuant to Clause 20(1)(2) in Schedule 1 of the Resource Management Act 1991 (RMA), Council must publicly notify the date in which the Plan Change becomes operative, being at least five working days before the date on which it becomes operative. The public notice was issued on Friday 17 July 2020 and the private plan change became operative on Friday 24 July 2020.

5. CONSIDERATION

5.1 FINANCIAL

There have been financial costs involved with this plan change. Costs for private plan changes are not budgeted for as it is generally not known when a request will be received and further, the majority of related costs can be recovered from the requestor. Costs on Plan Change 22 have included staff time, consultancy services, public notices, hearing commissioners time and other hearing related costs. These costs will be recovered from the proponent of the private plan change in line with the RMA.

5.2 LEGAL

The private plan change process undertaken fits within the provisions of the RMA. This also matches to the consultation level of engagement contained in Council's Significance and Engagement Policy.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

A small private plan change of this nature is a business as usual activity for Resource Management Policy team.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

Highest levels of engagement	Inform <input type="checkbox"/>	Consult <input checked="" type="checkbox"/>	Involve <input type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <input type="checkbox"/>
The public notification process was undertaken as per Schedule 1 RMA.					

Stakeholders that have been engaged with:

Planned	In Progress	Complete	
		✓	Internal
		✓	Community Boards / Community Committees
		✓	Waikato-Tainui / Local iwi
		✓	Households
		✓	Business
		✓	Full public notification

6. CONCLUSION

The Private Plan Change, known as *Plan Change 22 Builtsmart*, was approved by independent commissioners and no appeals were received. The private plan change became operative in accordance with clause 20 of Schedule 1 to the Resource Management Act 1991 (RMA) on Friday 24 July 2020. A public notice was issued to this effect on Friday 17 July 2020.

7. ATTACHMENTS

Nil.

Open Meeting

To	Policy and Regulatory Committee
From	Clive Morgan General Manager Community Growth
Date	August 2020
Prepared by	Stacey Solomon Corporate Planner
Chief Executive Approved	Y
Reference #	GOV1318 / 2709714
Report Title	Update on Policy and Bylaw Review Programme – August 2020

I. EXECUTIVE SUMMARY

The purpose of this report is to update the Policy and Regulatory Committee on progress made on the Policy and Bylaw Review Programme since March 2020.

Progress made

Policies and bylaws are key decision-making and regulatory monitoring documents. They need to be kept up-to-date so any decision or enforcement action using the bylaw or policy that is taken by Council is appropriate and consistent.

Since March, the following bylaws and policies have had work carried out on them (details provided in attachments):

- Alcohol Control Bylaw
- Keeping of Animals Bylaw
- Livestock Movement Bylaw and Policy
- Significance and Engagement Policy.

Worked is being scoped for the following:

- Petitions Policy
- All of our Waters-related Policies
- Dog Control Bylaw and Policy.

The review timings noted in the attachments are an estimate only. If the committee would like to see the review of a policy or bylaw fast-tracked, then direction for staff is requested so that another review can be re-prioritised or delayed. This is because resourcing in the Corporate Planning team as well as from subject matter experts is limited.

Policies

Council has a number of policies that relate to a broad range of Acts. These policies cover a variety of activities and while some are on legislated review cycles, policies not required by legislation are intended to be reviewed every 3-5 years or as required. Policies that are required by legislation are generally given higher priority than those that are not.

Council currently has 57 external policies.

Bylaws

Under s.156 of the Local Government Act 2002 (LGA), bylaws must be reviewed 5 years after they are made and every 10 years thereafter. The LGA gives a grace period of 2 years (ie years 6 and 7 of the bylaw on its first review or years 11 and 12 on the second review cycle), within which the bylaw must be reviewed or it will expire automatically two years after the date on which it should have been reviewed by. It is generally considered best practice to review a bylaw before the start of the grace period.

Council currently has 14 bylaws (3 are in the former Franklin District Council area that have been previously approved by Council to be allowed to lapse without review).

Review Process

The process of review often starts with discussion in a Council workshop environment to identify any improvements / corrections / issues related to the policy or bylaw. Once these have been discussed and considered by Council, staff work through these and produce a report seeking consultation approval from the Policy and Regulatory Committee. Consultation then occurs as appropriate under s.82 or s.83 (which includes a hearing) of the LGA. The results of the consultation are presented to the committee who can request further changes or corrections to the policy or bylaw in response to submissions. The committee may recommend that the Council formally adopt the policy or bylaw. The adopted policy or bylaw is publicly notified, and the review is complete. The whole process can take anywhere from 6 to 18 months depending on the complexities of the document and related issues.

A review may be triggered by a legislated review period or change in legislation, a political driver or an issue having been identified that requires an amendment.

2. RECOMMENDATION

THAT the report from the General Manager Community Growth be received.

3. ATTACHMENTS

The following are attached to this report:

1. Register of bylaws
2. Register of external policies.

NOTE: Attachment 2 - Policies in red indicate they are overdue for review, policies in green are current and policies in beige have been tagged to be revoked. Charters are noted in purple.

Register of Bylaws

Bylaw	Status	Priority	Full Review Date	Bylaw Revoked (full review + 2 years)	P&R to approve draft for Consultation	Consultation	P&R Committee to recommend adoption	Progress Made at August 2020	Comments	Related Legislation
Alcohol Control Bylaw	new	1	Dec-18	Dec-18	Aug-20	Sep-20	Nov-20	Police have provided evidence to assist in drafting bylaw as required by legislation. Workshop with Councillors in August 2020 for staff to confirm Council's position and prepare documents for consultation. Consultation Approval Report to P&R August 2020, Report to November P&R for recommendation to Council to adopt new Bylaw at CCL December 2020 meeting.	S.11 of the Local Government Alcohol Reform Amendment Act 2012 gave all existing bylaws made prior to the commencement of the act an expiration date of December 2018	Sale and Supply of Alcohol Act 2012 and the Local Government (Alcohol Reform) Amendment Act 2012
Livestock Movement Bylaw	new	2	Jul-17	Jul-19	May-21	Jun-21	Sep-21	Earlier this year the Legal team confirmed this bylaw had lapsed without review in July of 2019. Work has started again to make a new bylaw and a number of councillors have been identified as being able to assist with the creation of this bylaw. A meeting with Federated Farmers has been scheduled for September.		Land Transport Act 1998
Water Supply Bylaw 2014	current	3	Oct-19	Oct-21	May-21	Jun-21	Sep-21	Watercare has been advised of upcoming review of the bylaw. A consultant has been engaged and it is anticipated the review process will start end of 2020 with consultation first half of 2021		Health Act 1956
Speed Limit Bylaw 2011	expired	4	Jun-16	n/a	TBC	TBC	TBC	This bylaw has expired but is still enforceable. Council have consulted with the community for the last 3-4 years on the schedules to the bylaw - this part of the process was completed this year. Staff will be looking into the review of this bylaw within the next 2 years. Should Council wish for this review to occur earlier then a discussion around reprioritisation will need to occur.	Section 6 of the Land Transport (Speed Limits Validation and Other Matters) Act 2015 validates the Speed Limits Bylaw ie: this bylaw can expire but cannot lapse	Land Transport Act 2015
Dog Control Bylaw 2015	Reached start of 2 year grace period	5	May-20	May-22	May-21	Jun-21	Sep-21	Animal Control Team advised of grace period having been reached. AC Team to look into resourcing for the review with first Council workshop (tentatively) September/October 2020	Dog Control Policy must be reviewed at the same time (s.10AA Dog Control Act).	Dog Control Act 1996
Keeping of Animals Bylaw 2015	Reached start of 2 year grace period	6	May-20	May-22	Oct-20	Oct-20	Mar-21	First Workshop with Council was held in July 2020. Workshop feedback to be collated and drafted into bylaw for further consideration at follow up workshop August/September 2020.		Health Act 1956
Freedom Camping Bylaw 2016	current	7	Oct-21	Oct-23	Sept-21	Oct-21	Feb-22	Query received from RCB in July regarding timings of the review. Advised work on the review unlikely to occur before July 2021, should Council wish for this review to occur earlier then a discussion around reprioritisation will need to occur.		Freedom Camping Act 2011

Bylaw	Status	Priority	Full Review Date	Bylaw Revoked (full review + 2 years)	P&R to approve draft for Consultation	Consultation	P&R Committee to recommend adoption	Progress Made at August 2020	Comments	Related Legislation
Public Places Bylaw 2016	current	8	Apr-21	Apr-23	Sept-21	Oct-21	Feb-22	Work has not yet started on this bylaw review. Noted that the Part 2 - Parking as well as the related schedules will need particular consideration when the bylaw is reviewed. The bylaw, when it is reviewed, will be rationalised to provide more clarity and consistency with other policies and bylaws we have. At this time The Public Places Bylaw is a "catch-all" and deals with many different issues.		Land Transport Act 1998
Cemeteries Bylaw 2016	current	9	Jul-21	Jul-23	TBC	TBC	TBC	An amendment was made to this bylaw during 2019. Work has not yet started on this bylaw review.		Burial and Cremation Act 1964
Reserves and Beaches Bylaw 2016	current	10	Sep-21	Sep-23	TBC	TBC	TBC	Work has not yet started on this bylaw review.		Reserves Act 1977
Trade Waste and Wastewater Bylaw 2016	current	11	Sep-21	Sep-23	TBC	TBC	TBC	Work has not yet started on this bylaw review.		Health Act 1956
Solid Waste Bylaw	new	-	-	-	-	-	-	The development of this bylaw is in response to the action plan contained in the Waste Minimisation Management Plan (WMMP)		
Fires in the Open Air Bylaw 2012	lapsed	n/a	Feb-18	Feb-20	n/a	n/a	n/a	The introduction of the FENZ Act made this bylaw unnecessary	July 2020 P&R - report to advise of bylaw having lapsed received by the Committee.	Fire and Emergency New Zealand Act (FENZ) 2017
Franklin Brothel Bylaw 2010	allowed to lapse	n/a	Mar-20	Mar-22	n/a	n/a	n/a	June 2019 P&R Committee recommendation: allow bylaw to lapse without consultation on review date +2 years. Council confirmed this recommendation in July 2019.		Prostitution Reform Act 2003
Franklin Food Hygiene Bylaw 2010	allowed to lapse	n/a	Mar-20	Mar-22	n/a	n/a	n/a	June 2019 P&R Committee recommendation: allow bylaw to lapse without consultation on review date +2 years. Council confirmed this recommendation in July 2019.		Food Act 2014
Franklin Liquor Control Bylaw 2008	lapsed	n/a	Nov-18	Nov-20	n/a	n/a	n/a	Lapsed in 2018 as per the Alcohol Reform Amendment Act 2012.		Sale and Supply of Alcohol Act 2012 and the Local Government (Alcohol Reform) Amendment Act 2012

Register of External Policies

	Council (WDC/FDC)	Group	Policy Owner	Date approved	Next review date	Required under Statute? If so, which act?	Talk to / Comments	Status
Control of Coastal Erosion on Council Reserves	FDC	Customer Support	Megan May (Community Connections Manager)	Jan 1997	Jan 2001	N/A	Much of this policy is now contrary to current thinking around foreshore / erosion management. Useful content has been identified and will be included as appropriate into other policies/plans/documents. Staff have been consulted and recommend that the policy be revoked. A report will go to October 2020 P&R recommending revocation.	REVOKE
Temporary Road Closures and Events on Roads and Banners	WDC	Service Delivery	Ross Bayer (Roading Team Leader)	Jan 2008	Jan 2011	N/A	Unable to locate, recommend revoking. A report will go to October 2020 P&R recommending revocation.	REVOKE
Code of Conduct – Council and Community Committees	WDC	Governance	Brendan Stringer (Democracy Manager)	Oct 2013	Oct 2016	N/A	This Policy is redundant. All that is required by legislation is for the Council to have a Code of Conduct in Place, which was revised and approved at the Council meeting in December 2019. No additional Policy is required, and staff don't believe it would be helpful to have such a policy. Revoke/discard. A report will go to October 2020 P&R recommending revocation.	REVOKE
Street Lighting and other security/amenity lighting	FDC	Service Delivery	Ross Bayer (Roading Team Leader)	Jan 1997	Jan 2000	N/A		REVIEW
Vehicle Crossings	FDC	Service Delivery	Ross Bayer (Roading Team Leader)	Jan 1997	Jan 2000	N/A		REVIEW
Leasing – Rural Halls	FDC	Service Delivery	Jordy Wiggins (Community Venues and Events Team Leader)	Jan 1998	Jan 2001	N/A		REVIEW
Reserve Contributions & Conservation Covenants	WDC	Service Delivery	Megan May (Community Connections Manager)	Jan 1998	Jan 2001	N/A		REVIEW
Control of Business Advertising Signs/Displays in public places	FDC	Customer Support	Tanya O'Shannessey (Monitoring Team Leader)	Jan 1998	Jan 2002	N/A		REVIEW
Sponsorship of, and advertising on, council properties and assets	WDC	Service Delivery	Megan May (Community Connections Manager)	Jan 2002	Jan 2005	N/A	Higher priority. Megan to check with Gavin if he wants it to go to Council. Review with Plaques Memorials and Monuments Policy	REVIEW
Rating for services		Finance	Alison Diaz (Chief Finance Officer)	Jan 2005	Jan 2008	N/A	Review all rating policies together	REVIEW
Water Policy	WDC	Service Delivery	Ian Cathcart (General Manager Service Delivery)	Jan 2005	Jan 2008	N/A	Merge Water Policy, Backflow Prevention Policy and Flow Restrictor Removal and Reinstallation in Rural and Country Living Zoning of the District Policy into one water policy. Was not reviewed with bylaw.	REVIEW
Stock Underpass Policy	WDC	Service Delivery	Ross Bayer (Roading Team Leader)	Dec 2006	Dec 2009	N/A		REVIEW
Bus Shelter - Public and Private	WDC	Service Delivery	Ross Bayer (Roading Team Leader)	Jan 2007	Jan 2010	N/A		REVIEW
Fencing - Council Reserves Land	WDC	Service Delivery	Nicolas Wells (Strategic Property Manager)	Jan 2007	Jan 2010	N/A		REVIEW

	Council (WDC/FDC)	Group	Policy Owner	Date approved	Next review date	Required under Statute? If so, which act?	Talk to / Comments	Status
Non-Standard Road Name Signs and Entrance Structures	FDC	Service Delivery	Ross Bayer (Roading Team Leader)	Not stated	Not stated	N/A		REVIEW
Backflow Prevention Policy	FDC	Service Delivery	Ian Cathcart (General Manager Service Delivery)	Jan 2008	Jan 2011	N/A	Retain, will need to be updated shortly. Merge Water Policy, Backflow Prevention Policy and Flow Restrictor Removal and Reinstallation in Rural and Country Living Zones of the District Policy into one water policy. Was not reviewed with bylaw.	REVIEW
Cellular Network Site Policy	FDC	Customer Support	Ana Maria d'Aubert (Consents Manager)	Jan 2008	Jan 2011	N/A		REVIEW
Footpath prioritisation	WDC	Service Delivery	Ross Bayer (Roading Team Leader)	Jan 2009	Jan 2011	N/A		REVIEW
Funding for road closures for community events	WDC	Community Growth	Lianne van den Bemd (Community Development Adviser)	Jan 2009	Jan 2011	N/A		REVIEW
Rating Rural Community Centre Areas	FDC	Finance	Alison Diaz (Chief Finance Officer)	Jan 2009	Jan 2012	N/A	Review all rating policies together	REVIEW
Relocatable Home Parks & Camping Grounds Policy	FDC	Service Delivery	Megan May (Community Connections Manager)	Jan 2009	Jan 2012	N/A		REVIEW
Roadside weedspraying – no spray zones	WDC	Service Delivery	Ross Bayer (Roading Team Leader)	Jan 2009	Jan 2012	N/A		REVIEW
Rural road lighting prioritisation	WDD	Service Delivery	Ross Bayer (Roading Team Leader)	Jan 2009	Jan 2012	N/A		REVIEW
Vehicle Entrance Policy	WDC	Service Delivery	Ross Bayer (Roading Team Leader)	Jan 2009	Jan 2012	N/A		REVIEW
Application of Interest to Council Reserves Policy	WDC	Finance	Alison Diaz (Chief Finance Officer)	Jan 2010	Jan 2013	N/A		REVIEW
Flow Restrictor Removal and Reinstallation in Rural and Country Living Zones of the District Policy	WDC	Service Delivery	Ian Cathcart (General Manager Service Delivery)	Jan 2010	Jan 2013	N/A	Merge Water Policy, Backflow Prevention Policy and Flow Restrictor Removal and Reinstallation in Rural and Country Living Zones of the District Policy into one water policy.	REVIEW
Leases to Individuals and Commercial Organisations Policy	WDC	Service Delivery	Nicolas Wells (Strategic Property Manager)	Jan 2010	Jan 2013	N/A	Will be merged into General Occupancy Policy. Revoke once General Occupancy Policy is reviewed.	REVIEW
Leasing of Reserve Land	WDC	Service Delivery	Nicolas Wells (Strategic Property Manager)	Jan 2010	Jan 2013	N/A		REVIEW
Property Management	WDC	Service Delivery	Nicolas Wells (Strategic Property Manager)	Jan 2010	Jan 2013	N/A		REVIEW
Trade Waste Bylaw Charging Policy	FDC	Service Delivery	Ian Cathcart (General Manager Service Delivery)	Jan 2010	Jan 2013	N/A		REVIEW
Livestock Movement Policy	WDC	Service Delivery	Ross Bayer (Roading Team Leader)	Jan 2011	Jan 2014	N/A	Can be reviewed in conjunction with the Livestock Movement Bylaw during 2020/21	REVIEW
Road Closure for Motor Sport Events Policy	WDC	Service Delivery	Gareth Bellamy (Road Safety Engineer)	Mar 2012	Mar 2015	N/A	To be reviewed in Jan 2021	REVIEW

	Council (WDC/FDC)	Group	Policy Owner	Date approved	Next review date	Required under Statute? If so, which act?	Talk to / Comments	Status
Refuse Collection and Disposal	WDC	Service Delivery	Phil Ellis (Solid Waste Team Leader)	Jan 2014	Jan 2017	N/A		REVIEW
Appointing Directors and Trustees to Council Controlled Organisations Policy	WDC	Governance	Chief Executive	Feb 2014	Feb 2017	N/A		REVIEW
Heritage Policy	WDC	Community Growth	Betty Connolly (Planner-Community development)	Apr 2014	Apr 2017	N/A	Hold off for now- Wait for work around Heritage Strategy to provide a better direction	REVIEW
Easements Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Dec 2014	Dec 2017	N/A		REVIEW
District Tree Policy	WDC	Service Delivery	Megan May (Community Connections Manager)	Apr 2015	Apr 2018	N/A		REVIEW
Declaration on Open and Transparent Government Policy	WDC	Information Management	Geoff King (Chief Information Officer)	Jun 2015	Jun 2018	N/A		REVIEW
Road Naming Policy 2016	WDC	Service Delivery	Ross Bayer (Roading Team Leader)	Mar 2016	Oct 2018	N/A		REVIEW
Petitions Policy	WDC	Community Growth	Melissa Russo (Corporate Planning Team Leader)	Dec 2015	Dec 2018	N/A	Looking in to replacing the policy with a set of guidelines. Progress anticipated by October 2020.	REVIEW
Roadside Fencing Policy	WDC	Service Delivery	Ross Bayer (Roading Team Leader)	Mar 2016	Feb 2019	N/A		REVIEW
Plaques, Memorials and Monuments Policy	WDC	Service Delivery	Megan May (Community Connections Manager)	Sep 2016	Sep 2019	N/A		REVIEW
Grass Verge Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Sep 2016	Oct 2019	N/A		REVIEW
Significance and Engagement Policy	WDC	Community Growth	Corporate Planner	Oct 2014	Oct 2020	Local Government Act 2002	Currently being reviewed as part of LTP 2021-31. Proposed amendments to the policy were presented to Councillors and Community Board and Committee Chairs in June, and the P&R Committee received a report on this Policy in July 2020. The amendments proposed largely reflect changes to the LGA and provide more flexibility for determining the significance of an issue or decision.	Current
Risk Management Policy	WDC	Projects and Innovation	Katja Jenkins (Risk Advisor)	Mar 2018	Mar 2021	N/A		Current
Development Contributions Policy 2018	WDC	Community Growth	Trish Forsyth (Development Contributions Officer)	Jun 2018	Jun 2021	Local Government Act 2002	Need to include a superseded or "date valid between" clause.	Current

	Council (WDC/FDC)	Group	Policy Owner	Date approved	Next review date	Required under Statute? If so, which act?	Talk to / Comments	Status
Discretionary Grants Policy	WDC	Community Growth	Lianne van den Bemd (Community Development Adviser)	Jun 2018	Jun 2021	N/A		Current
Gambling Venues Policy	WDC	Customer Support	Tony Pipe (Regulatory Manager)	Oct 2018	Oct 2021	Gambling Act 2003 and Racing Act 2003		Current
Treasury Risk Management Policy (including Liability and Investment Policies)	WDC	Finance	Alison Diaz (Chief Finance Officer)	Dec 2018	Dec 2021	Local Government Act 2002		Current
Easter Trading Policy	WDC	Community Growth	Melissa Russo (Corporate Planning Team Leader)	Apr 2017	Apr 2022	N/A		Current
Local Alcohol Policy 2017	WDC	Customer Support	Tony Pipe (Regulatory Manager)	Dec 2016	Dec 2022	N/A		Current
Psychoactive Substances Policy	WDC	Customer Support	Tony Pipe (Regulatory Manager)	Jul 2019	Jul 2024	N/A		Current
Library Policy	WDC	Customer Support	Brian Cathro (Customer Delivery Manager)	Oct 2019	Oct 2024	N/A	Replaces Library services policy and library lending policy. New single policy. Incorporates aspects of Library Services Policy and Library Lending Policy.	Current
Strategic Land Acquisition and Disposal Policy	WDC	Service Delivery	Nicolas Wells (Strategic Property Manager)	Oct 2019	Oct 2024	N/A		Current
CHARTER - Community Board Charter		Governance	Brendan Stringer (Democracy Manager)	Oct 2013	Oct 2016	N/A	Will revoke when the review of all delegations is complete.	To be revoked
CHARTER - Meremere Community Committee Charter		Governance	Brendan Stringer (Democracy Manager)	Oct 2013	Oct 2016	N/A	This was updated after the 2016 elections and will shortly be reviewed for this triennium. Therefore, no need for separate policy to be in place in addition to the Charter itself. Once charters have been updated and all delegations have been reviewed, the policy can be revoked.	To be revoked
CHARTER - Te Kauwhata Community Committee Charter	WDC	Governance	Brendan Stringer (Democracy Manager)	Oct 2013	Oct 2016	N/A	Was updated after the 2016 elections (current versions in the Delegations Register) and will shortly be reviewed for this triennium. Again, no need for separate policy to be in place in addition to the Charter itself. Once charters have been updated and all delegations have been reviewed, the policy can be revoked.	To be revoked

Open Meeting

To	Policy & Regulatory Committee
From	Sue O’Gorman General Manager Customer Support
Date	17 August 2020
Prepared by	Tony Pipe Environmental Health Team Leader
Chief Executive Approved	Y
Reference #	GOV1318
Report Title	Approval for Consultation: Proposed Waikato District Council Alcohol Control Bylaw 2020.

I. EXECUTIVE SUMMARY

This report seeks approval to carry out public consultation on the proposed Waikato District Council Alcohol Control Bylaw 2020 (“Bylaw”) in accordance with section 83 of the Local Government Act 2002 (“Act”).

In 2012, the Sale and Supply of Alcohol Act 2012 (**SSA Act**) was introduced by central government. The SSA Act allowed for amendments to the Act which gave power to local authorities to make bylaws for alcohol control purposes.

The proposed bylaw for consultation is a new bylaw that will replace the previous expired Waikato District Council Liquor Control Bylaw 2009 and the Franklin District Council Liquor Control Bylaw 2008.

The Bylaw has been drafted taking into account feedback provided by Councillors at two workshops on 10 February 2020 and 10 August 2020, and alcohol related crime data provided by the Waikato Police.

It is proposed that public consultation take place between 02 September 2020 and 05 October 2020. Targeted feedback will be sought from key stakeholders including Maori, Police, Community Boards, SSA On and Off Licence holders and the general public.

2. RECOMMENDATION

THAT the report from the **General Manager Customer Support** be received;

AND THAT, as required under section 83 of the **Local Government Act 2002**, the **Committee**:

(a) adopts the **Statement of Proposal**; and

(b) approves the commencement of public consultation on the proposed **Waikato District Council Alcohol Control Bylaw 2020** to be undertaken between **02 September 2020** and **05 October 2020**.

AND FURTHER THAT the **Committee** recommends that **Council** confirms it is satisfied that:

(a) The **Bylaw** can be justified as a reasonable limitation on people's rights and freedoms; and

(b) There is evidence that the areas to which the **Bylaw** is intended to apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption; and

(c) The **Bylaw** is appropriate and proportionate in the light of the crime and disorder.

3. BACKGROUND

The Act gives clear guidance on what local authorities should consider when making or continuing an alcohol control bylaw. This guidance has been closely followed in the drafting of the Bylaw.

The desired outcome of the Bylaw is to provide ways of controlling alcohol related harm in the community by supporting safe alcohol consumption habits through the use of clearly marked alcohol control (ban) areas, and signage that indicates where these areas are and the times that the bans apply.

Bylaws made under the Act specifically apply to 'public places' which are defined as "a place that is open to or used by the public including places where a fee or charge applies, such as, a parking area".

The restrictions within an alcohol ban area do not apply to areas or activities which are covered by a licence issued under the SSA Act.

The Bylaw will also provide Police with an additional tool under the Act which allows them to control the consumption or possession of alcohol through additional powers relating to arrest, search and seizure in areas where alcohol bans have been implemented through alcohol control bylaws such as the one proposed.

In addition, the Police have stated in their Alcohol Action Plan 2018 “AAP” (appendix 6 of the staff report) that they cannot reduce alcohol related harm alone, and would like to engage local partnerships to address this issue. The Bylaw is an example of such a partnership.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The Bylaw aims to reduce incidents of crime or disorder related to alcohol consumption by controlling where and when people can possess or consume alcohol in public places. The Bylaw will apply to the public places within the Waikato District specified in Schedules One and Two, and Council controlled parks, reserves and esplanades.

It should be noted that the purpose of the Act is not to enable district wide bans, but to allow for the identification of specific areas and the introduction of appropriate controls. The Bylaw therefore identifies and defines any ‘control area’ through its inclusion in the schedules.

Permanent alcohol control areas

During workshops, elected members discussed the merits of alcohol bans as they relate to beaches in our district. The concept of police exercising discretion was also discussed. For the purposes of consultation, staff propose the following in relation to permanent alcohol control areas.

Schedule One of the Bylaw sets out the areas which are proposed to be subject to a permanent alcohol control (ban) area, being 24 hours a day, 365 days a year. These areas include:

- Town centres (as defined in the maps in Schedule One); and
- Wainui Reserve (Raglan), Sunset Beach (Port Waikato), Karioitahi Beach (Waiuku), Maraetai Bay (Port Waikato) (as defined in the maps in Schedule One)

Town Centres

Permanent alcohol ban areas (24 hours a day, 365 days a year) are proposed for all town centre areas which contain both on-licence and off-licence premises. The rationale behind this is these areas are defined around town centres, to best allow for a focus on crime and disorder in areas where alcohol is readily available for purchase or where there are premises that have alcohol available for consumption.

Alcohol control areas on reserves and beaches

Permanent alcohol bans are also proposed for Wainui Reserve, Sunset Beach, Karioitahi Beach, and Maraetai Bay. These beach areas have previously been subject to permanent alcohol control with the exception of Maraetai Bay.

Maraetai Bay is a large reserve area which gives access to the Waikato River prior to the mouth of the River on the west coast. To ensure there is no antisocial behaviour, this area is currently highly patrolled by Waikato Police (refer appendix 5);

The Police have recommended that the areas in Schedule One be made permanent alcohol control areas (see appendix 3-5).

Seasonal alcohol control areas

Schedule Two of the Bylaw sets out the areas proposed to be subject to a 24/7 alcohol ban during specific dates. These areas include an extended Raglan area over the peak summer period from 23 December to 10 February (as defined in the maps in Schedule Two).

Raglan sees an influx of visitors during peak summer times and Council is proposing to prohibit alcohol consumption in public places during the peak holiday period.

The previous Waikato District Council Liquor Control Bylaw 2009 (“WDC Bylaw”) prohibited alcohol consumption in public places over the entire Raglan ward area. Feedback from elected members was that this was too restrictive, however due to the recommendations from the Police to reinstate the whole Raglan ward area, staff are proposing that the entire area prohibition remain, but will welcome feedback on this issue through the public consultation process.

Additionally, the Waikato Police recommend extending the timeframe to incorporate busy holiday weekends, in particular Auckland Anniversary and Waitangi day. As a result of this, it is proposed that the alcohol control area for Raglan be in place from 23 December to 10 February (previously 26 December – 06 January).

The Police have recommended that the areas in Schedule Two of the proposed bylaw are seasonal alcohol control areas (See appendix 2 maps).

Timed alcohol control areas (9pm-9am)

Alcohol control areas are those for which it is proposed to have specific times of the day where the consumption, bringing and possession of alcohol will be prohibited. It is proposed that all Council controlled parks, reserves and esplanades (which are not subject to permanent alcohol control areas) will be subject to the timed alcohol control areas.

The previous Franklin Liquor Control Bylaw 2008 (“FDC Bylaw”) imposed alcohol control times of 7pm to 7am, which are times that are supported by Tuakau Police.

The WDC Bylaw had control times of 10pm to 10am. The Police have provided support to consider these hours.

During the workshop on 10 August 2020, the elected members advised that the proposal to instate a 7pm alcohol control was too early, and that it limited people's rights and freedoms unnecessarily. The elected members also acknowledged that 10pm was too late in the evening considering that crime rates are higher at night according to the reports provided by Police.

As a result, it is therefore proposed that the alcohol control times be 9pm-9am. During the public consultation, key stakeholders and the community at large will be able to provide feedback on the proposed hours and the suitability of those hours in relation to the reduction of alcohol related harm.

Evidence from the Police on alcohol related incidents / offences

The data provided by Police relates to service calls received from members of the public and all police detected incidents and offences where alcohol was an influence or factor.

Table 1: The following figures are a total of all incidents that Police have dealt with ranging from assaults, public place disorder, driving matters, robbery, theft, Wilful damage and Graffiti type offending where alcohol was involved. The figures are grouped under the reporting Police station areas.

TE KAUWHATA	TOTAL INCIDENTS	POLICE REPORTED/ARRESTED
2017	17	12
2018	12	8
2018	14	9
HUNTLY		
2017	46	31
2018	48	29
2019	32	19
NGARUAWAHIA		
2017	65	43
2018	45	30
2019	37	17
RAGLAN		
2017	42	31
2018	29	20
2019	40	25

Table two: The Following statistics are reports of disorderly behaviour;

	Te Kauwhata	Huntly	Ngaruawahia	Raglan
2017	20	463	208	96
2018	16	391	188	71
2019	18	314	157	60

Table three: The information for the Northern stations in the Waikato have been grouped together and are therefore shown in a separate table;

	Calls	Arrests	Reports
Tuakau			
2017	86	9	14
2018	140	4	20
2019	126	4	27
Kariotahi Beach			
2017	2	0	1
2018	1	0	0
2019	2	0	0
Port Waikato			
2017	14	1	5
2018	20	0	4
2019	15	1	2
Meremere			
2017	26	1	3
2018	14	0	1
2019	124	2	5

4.2 OPTIONS

The options that have been identified are:

Option I: Do nothing

This option is **not** recommended.

This option would see no bylaw relating the control of alcohol within the Waikato District. As per the recommendations from the Police, it is likely that this would result in an increase of alcohol related harm. As such, the option is not recommended.

Option 2: Do not approve Public Consultation at this time

This option is **not** recommended.

In order to adopt the recommendations of the Police to have a bylaw in place as soon as possible, and ensure the introduction of an alcohol control bylaw in the Waikato District before the upcoming holiday season, this option is not recommended. If public consultation is approved for commencement on 2 September 2020, the Bylaw could be adopted by Council in December 2020, prior to the holiday period. As such, this option is not recommended.

Option 3: Approve Public Consultation in accordance with section 83 of the Local Government Act 2002 and make the relevant recommendations.

This option **is** recommended.

The approval of the public consultation will allow for the adoption and introduction of the Bylaw prior to the upcoming holiday period. In doing so Council will be following the recommendations of the Police and it is anticipated that there will be a reduction in alcohol related harm and incidents within the Waikato District. As such, this option is recommended.

5. CONSIDERATION

5.1 FINANCIAL

There is minor financial implication of the adoption of the Bylaw which is related to the costs of new signage for alcohol control areas. This cannot be accurately assessed until alcohol control areas are determined, which will occur after the consultation has taken place. Consultation under section 83 will require staff resources however it is anticipated these associated costs can be covered within existing available resources.

5.2 LEGAL**Legislative requirements**Determination of Significance

Section 156 of the Act requires the local authority to decide whether public consultation is undertaken in accordance with section 82 or section 83 of the Act. If it is determined that the bylaw concerns a matter which is identified in the Significance and Engagement Policy or there is or likely to be a significant impact on the public due to the proposed bylaw, then the special consultative procedure as set out in section 83 must be used.

Consultation under the special consultative procedure in accordance with section 83 of the Act requires Council to:

- Adopt a Statement of Proposal which includes information regarding Council's consideration of the matters referred to in section 155 of the Act;
- Provide an opportunity for people to make oral submissions (this will require Council to facilitate a public hearing); and
- Allow no less than one month for public consultation.

As the Bylaw is likely to have a significant impact on the public, the corporate planning staff have determined that the public consultation should be undertaken in accordance with section 83. In addition, the special consultative procedure allows for the community to respond to the proposed areas which may be affected by the Bylaw and for Council to hear any concerns through the holding of a public hearing.

Requirements for Special Consultative Procedure (section 83 of the Act)

Because it has been determined that the Bylaw should be subject to the special consultative procedure under section 83 of the Act, section 86 of the Act provides that additional information must be included in the Statement of Proposal.

The additional information to be included in the Statement of Proposal is a report on any determinations made under section 155 of the Act which requires Council to determine whether the proposed bylaw:

- a. is the most appropriate way of addressing the problem or perceived problem;
- b. is the most appropriate form of bylaw; and
- c. gives rise to any implications under the New Zealand Bill of Rights Act 1990.

Corporate planning staff have considered and determined that a bylaw the most appropriate way of addressing the problem (being incidents of crime or disorder related to alcohol consumption) and that the Bylaw, as drafted, is the most appropriate form of bylaw.

It is also considered that the Bylaw is not in conflict with, or gives rise to any implications under the New Zealand Bill of Rights Act 1990. This is highlighted by the fact that Waikato District Council previously adopted a bylaw which controlled the consumption and/or possession of alcohol.

Specific Requirements of an alcohol related bylaw

Section 147 of the Act specifically grants territorial authorities the power to may bylaws for the purpose of prohibiting or otherwise regulating or controlling the consumption, bringing and possession of alcohol in public places.

Before making such a bylaw, section 147A requires Council to be satisfied that:

- (a) It can be justified as a reasonable limitation on people’s rights and freedoms; and
- (b) There is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption; and
- (c) The bylaw is appropriate and proportionate in the light of the crime and disorder.

The considerations under section 147A are an extension of the analysis required under section 155 of the Act.

The Committee does not have the delegated authority to determine whether Council is satisfied but can make recommendations in relation to the same.

The Police have provided evidence that there are public areas within the Waikato district are more likely to be subjected to the adverse effects of alcohol consumption (see appendices 3, 4 and 5 of the staff report). It is those areas for which the Bylaw proposes to implement the alcohol control measures. It should also be noted that, for a number of the areas for which the evidence was provided, the WDC Bylaw was in place at the time.

Such evidence shows that, in accordance with section 147A of the Act, Council can be satisfied that:

- (a) It can be justified as a reasonable limitation on people’s rights and freedoms; and
- (b) There is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption; and
- (c) The bylaw is appropriate and proportionate in the light of the crime and disorder.

5.3 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

Highest levels of engagement	Inform <input type="checkbox"/>	Consult <input checked="" type="checkbox"/>	Involve <input type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <input type="checkbox"/>
<p><i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i></p>	<p>The proposed Waikato District Council Alcohol Control Bylaw triggers the Significance and Engagement Policy through the community interest threshold which is normal for this type of consultation.</p> <p>Information on the consultation will be made available to the public at all council offices and libraries, as well as online via the Council website on the 'Say It' page. The available information will include a statement of proposal, the proposed bylaw with attached schedules and maps, submission forms and a link to the online submission collector.</p> <p>Open and targeted consultation are proposed to run concurrently. Key stakeholders that will be targeted are: Waikato area Police, Community Boards, Iwi and SSA Liquor Licence holders.</p>				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
y			Internal
y			Community Boards/Community Committees
y			Waikato-Tainui/Local iwi
y			Households
y			Business
y			SSA licence holders in the district

6. CONCLUSION

This report seeks approval to undertake public consultation on the proposed Waikato District Alcohol Control Bylaw 2020 in accordance with section 83 of the local Government Act 2002 and make recommendations in relation to the Council's satisfaction around the introduction of a bylaw for alcohol control purposes.

The introduction of the Bylaw allows for additional powers to be granted to Police in the relevant areas and enables the control of alcohol related harm in the community.

During the consultation period, the community can provide feedback on the Bylaw as a whole including the proposed hours of control and specifically provide any further evidence of areas that they feel should be covered by this bylaw.

7. ATTACHMENTS

The following documents are included as appendices to this report:

- Appendix 1 – Proposed Waikato District Council Alcohol Control Bylaw 2020 including schedules.
- Appendix 2 – Proposed Waikato District Council Alcohol Control Bylaw Maps
- Appendix 3 – Report of evidence and support from the Waikato area Police
- Appendix 4 – Letter of support from Raglan area Police
- Appendix 5 – Letter of support from Tuakau area Police
- Appendix 6 – New Zealand Police Alcohol Action Plan 2018
- Appendix 7 – Statement of Proposal Proposed Alcohol Control Bylaw 2020

Appendix 1

**Proposed Waikato District
Council Alcohol Control Bylaw
2020 including schedules**



Proposed Waikato District Council Alcohol Control Bylaw 2020

Waikato District Council, in exercise of its powers under the Local Government Act 2002 hereby makes the following bylaw.

Introduction

1.0 Short title, commencement and application

- 1.1 The bylaw is the "Waikato District Council Alcohol Control Bylaw 2020".
- 1.2 The bylaw shall apply to the Waikato District.
- 1.3 The bylaw shall come into force on xxx xxx.

Part I – Preliminary provisions

2.0 Purpose

The purpose of this bylaw is to provide for the prohibition and control of the consumption or possession of alcohol in public places (including vehicles in public places) to reduce alcohol related harm.

3.0 Interpretation

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

Act	means the Local Government Act 2002
Alcohol	has the same meaning as 'alcohol' given by section 5(1) of the Sale and Supply of Alcohol Act 2012.
Council	means the Waikato District Council
Licensed premises	has the same meaning as 'licensed premises' given by section 5(1) of the Sale and Supply of Alcohol Act 2012 and means any premises for which a licence under the Sale and Supply of Alcohol Act 2012 is held.



Permanent

Alcohol Ban Area means an area described in schedule one in which alcohol restrictions are permanently in place in the public places within the area, during the times, days or dates specified in the Schedule.

Public place

has the same meaning as ‘public place’ given by section 147 of the Local Government Act 2002; and means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is entitled to exclude or eject any person from it; but does not include licensed premises.

Temporary

Alcohol Ban Area

means an area described in a resolution made under this bylaw in which alcohol restrictions are temporarily in place in the public places within the area during the times, days or dates specified in the resolution.

Waikato District

means the area within the boundaries under the territorial authority of the Waikato District Council and includes all coastal areas to the line of mean low water springs.

3.2 Any explanatory notes and attachments are for information purposes only and do not form part of this Bylaw.

3.3 The Interpretation Act 1999 applies to this Bylaw.

Part 2 – Control of Alcohol

4.0 Alcohol Ban Areas

4.1 Every person is prohibited from consuming, bringing into, or possessing alcohol in any public place (including a vehicle) in contravention of an alcohol ban made by the Council in accordance with clause 5.1.

Explanatory note:

As at 21 January 2020, under section 147(4) of the Local Government Act 2002, the prohibition in clause 6(1) does not apply to alcohol in an unopened container in the following circumstances:

- (a) The transport of the alcohol from licensed premises next to a public place, if –*
 - (i) it was lawfully bought on those premises for consumption off those premises; and*
 - (ii) it is promptly removed from the public place; or*
- (b) The transport of the alcohol from outside a public place for delivery to licensed premises*

next to the public place; or

- (c) *The transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or*
- (d) *The transport of the alcohol from premises next to a public place to a place outside the public place if—*
 - (i) *the transport is undertaken by a resident of those premises; and*
 - (ii) *the alcohol is promptly removed from the public place.*

5.0 Alcohol Control Areas

5.1 Council may, by resolution, declare alcohol control areas for the purpose of prohibiting or otherwise regulating or controlling, either generally or for one or more specified periods, any or all of the following:

- (a) the consumption, bringing into or possession of alcohol in public places; and
- (b) in conjunction with (a), the presence or consumption of alcohol in vehicles, or vehicles of stated kinds or descriptions, in public places.

5.2 Any resolution made under clause 5.1 must also:

- a) include a map of the alcohol control area;
- b) specify whether the alcohol control area is permanent or temporary and, if temporary, the time(s) that any prohibition or control applies;
- c) if consumption, bringing into or possession of alcohol is controlled rather than prohibited, specify the nature of the control.

5.3 The Council must, before making an alcohol controlled area in accordance with clause 5.1:

- (a) Be satisfied that the alcohol controlled area gives effect to the purpose of the bylaw; and
- (b) Comply with the decision-making requirements under Subpart 1 of Part 6 of the Local Government Act 2002; and
- (c) Comply with the criteria under section 147B of the Act, as follows:
 - (i) Be satisfied that there is evidence that the area to which the alcohol ban will apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and
 - (ii) Be satisfied that the alcohol ban is appropriate and proportionate in light of the evidence and can be justified as a reasonable limitation on people's rights and freedoms; and

- (d) Investigate and, where appropriate, implement community-focused solutions as an alternative to or to complement an alcohol controlled area; and
- (e) Consider the views of the New Zealand Police; and
- (f) Consider the views of Maori; and
- (g) Consider the views of owners, occupiers, or persons that the Council has reason to believe are representative of the interests of owners or occupiers, of premises within the area to which the alcohol ban will apply.

5.4 The Council may, at any time, amend or revoke alcohol controlled area in accordance with clauses 5.1, 5.2 and 5.3 with the necessary modifications.

5.5 Clause 5.3 does not apply to a person who is acting pursuant to, and in accordance with any conditions of, a consent granted under clause 10.1.

6.0 Permanent alcohol control areas

6.1 Council may by resolution, under clause 5.1 declare an area to be a permanent alcohol control area at all times; or for specified, repeated periods of time.

6.2 Permanent alcohol control areas are listed in Schedule One. Schedule one illustrates the specific areas that are permanent alcohol control areas and states the times, days or dates during which the alcohol restrictions apply to the public places.

6.3 Every person is prohibited from consuming, bringing into, or possessing alcohol in all Council Controlled Parks, Reserves and Esplanades (including a vehicle) between the hours of 7pm and 7am.

Explanatory note: All resolutions of Council declaring alcohol control areas are contained within the additional information for the Alcohol Control Bylaw 2018 - Register of Resolutions, attached to this Bylaw.

7.0 Temporary alcohol control area

7.1 Council may, by resolution, under clause 5.1 declare an area to be a temporary alcohol control area for a specific period not exceeding seven consecutive days.

7.2 Council will give public notice of a temporary alcohol control area at least 14 days before the temporary alcohol control area comes into force.

Explanatory note: Sections 147A and 147B of the Act are outlined in Section 3 of the Additional Information to this Bylaw.

7.3 Where a temporary alcohol control area applies to an event Council must consider:

- (i) the nature and type of the event;
- (ii) the history (if any) of the event;
- (iii) the number of people expected to attend the event;



- (iv) the area in which the event is to be held;
 - (v) whether the Police support the proposed temporary alcohol control area; and
 - (vi) whether the Police will be present at the event to enforce it.
- b) may consider any other information it considers relevant.

Explanatory note: Records of resolutions made for temporary alcohol controls will not be included in the 'register of resolutions' but are permanently recorded through the appropriate Council records of meetings, minutes and resolutions.

8.0 Signage

- 8.1 Where it is practicable or reasonable to do so, the Council will erect signage within alcohol control areas to provide information to the public about the restrictions. The size, location and content of the signage will be at the Council's discretion.
- 8.2 To avoid any doubt, the absence of signage in any alcohol control area does not authorise a breach of this bylaw.
- 8.3 This clause is subject to any regulations made under section 147C of the Act.

Part 3 – Enforcement offences and penalties.

9.0 Enforcement.

- 9.1 A constable may use their powers under the Act to enforce this Bylaw
- 9.2 This Bylaw authorises a constable to exercise the power of search under sections 169(2)(a) and 170(2) of the Act for temporary alcohol areas declared in accordance with clauses 6 and 8.

Explanatory note: Section 170(2) provides constables with additional powers of search in relation to temporary alcohol controls that have been notified and indicated by signs in accordance with section 170(3) of the Act.

10.0 Offences and penalties

- 10.1 Every person who breaches this bylaw commits an offence.
- 10.2 Every person who commits an offence under this bylaw is liable to a penalty under the Local Government Act 2002.

Explanatory note: As at 18 December 2013, the penalty for breaching an alcohol bylaw is an infringement fee of \$250 under the Local Government (Alcohol Ban Breaches) Regulations 2013.

Part 5 – Exceptions.

11.0 Exceptions

11.1 The restrictions within an alcohol ban area do not apply to areas or activities which are covered by a licence issued under the Sale and Supply of Alcohol Act 2012, including:

- (a) Any public place which is part of a licenced premises' outdoor area, where permission to occupy that area has been granted by the Council; or
- (b) The carrying of alcohol directly between one part of a licensed premises and another part of the same premises across a public place that separates the parts of the licensed premises; or
- (c) Any public place that is subject to a special licence, for the term of that licence; or
- (d) Any vehicle in a public place to which a licence under the Sale and Supply of Alcohol Act 2012 applies; or
- (e) Any event held in a public place at which alcohol is served under a section 38 endorsed licence under the Sale and Supply of Alcohol Act

Explanatory note:

A number exceptions for the transportation of unopened bottles or containers of alcohol through alcohol control areas are listed in section 147(4) of the Act, and are not restricted by this bylaw, including:

- Commercial deliveries to licensed premises;
- Carrying alcohol purchased from an off-licence (eg liquor store);
- Carrying alcohol to or from BYO licensed premises;
- Carrying alcohol to or from private residences.

Some of these exceptions require the alcohol to be promptly removed from any public places covered by alcohol restrictions.

11.2 Any resolution of the Council may be amended, rescinded, or reinstated by a further resolution of the Council.



This bylaw was made pursuant to a resolution passed by the Waikato District Council on **Add Date**.

THE COMMON SEAL of WAIKATO DISTRICT COUNCIL was hereto affixed in the presence of:

Mayor

Chief Executive



WAIKATO DISTRICT COUNCIL

PROPOSED ALCOHOL CONTROL BYLAW 2020

First Schedule

Specified Public Places where the consumption of alcohol, possession of alcohol and use of a vehicle in conjunction with alcohol is prohibited at all times.

1. **Raglan Township**, including Bow Street, Bankart Street, Cliff Street (from Bow Street to James Street), Wainui Road (from Bow Street to Ngarunui Beach Road), Wallis Street (from Bow Street to James Street), Wi Neera Street, as shown in red on the attached map called “Permanent Ban Area Raglan”.
2. **Ngaruawahia Township**, including Carlton Avenue, Durham Street between Newcastle Street and Waingaro Road, Ellery Street East, Ellery Street between Herschel street and Great South Road, Eyre Street, Galileo Street, Great South Road between River Road and Ellery Street East, Havelock Road between Whatawhata Ave and Kia Toa Street, Herschel Street between Newcastle Street and Ellery Street, Jesmond Street, Jordan Street, Lower Waikato Esplanade, Market Street, Regent street, River Road between Duke Street and Great South Road, Waikato Esplanade between Galileo Street and Ellery Street East, Waingaro Road between Great South Road and Herschel Street, as shown in red on the attached map “Permanent Ban Area Ngaruawahia”.
3. **Taupiri Township**, including Bob Byrne park, Te Putu Street, The Crescent0, Greenlane Road, Murphy Lane, and Great South Road between Gordonton Road and Lovell Avenue, as shown in red on the attached map called “Permanent Ban Area Taupiri”.
4. **Huntly Township**, including Alder lane, Bridge Street, Glasgow Street, Harris Street, Main Street between Bell Crossing and Tainui Bridge Road, Onslow Road, Paki Street between Harris Street and Baker Street, Ralph Street, Shand Lane, Taihua Street, Tainui Bridge Road to Harris Street, Tumate Mahuta Drive, Wight Street, William Street, Venna Fry Lane, as shown in red on the attached map called “Permanent Ban Area Huntly”.
5. **Te Kauwhata Township**, including Main Road, Tavern Park Lane, Te Kauwhata Road between Travers Road Main Road, and Waerenga Road up to Swan Road, as shown in red on the attached map called “Permanent Ban Area Te Kauwhata”.
6. **Meremere Township**, along Te Pua Avenue between Island Block Road and Springhill Road, as shown in red on the attached called “Permanent Ban Area Meremere”.



Specified Parks, Reserves, esplanades and beaches where the consumption of alcohol, possession of alcohol and use of a vehicle in conjunction with alcohol is prohibited at all times.

- 1 Sunset Beach, Port Waikato Permanent Ban Area**
- 2 Karioitahi Beach, Waiuku Permanent Ban Area**
- 3 Wainui Reserve, Raglan Permanent Ban Area**
- 4 Maraetai Bay, Port Waikato permanent Ban Area**



WAIKATO DISTRICT COUNCIL –

DRAFT ALCOHOL CONTROL BYLAW 2020

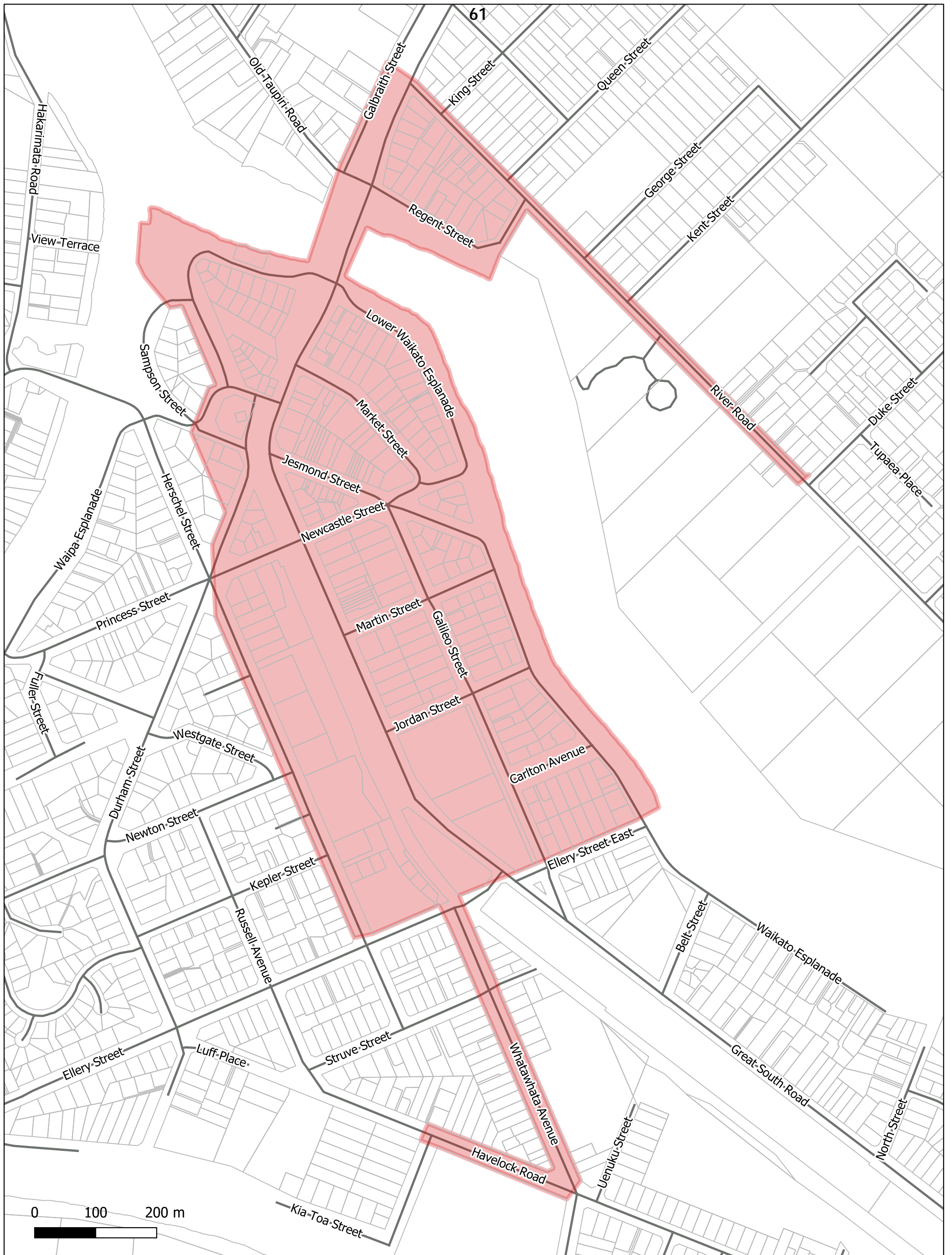
Second Schedule

Specified Public Places where the consumption of alcohol, possession of alcohol and use of a vehicle in conjunction with alcohol is prohibited at all times during a specific time period being 23 December through to 10 February.

- I Wider Raglan Ward area as per the attached map

Appendix 2

**Proposed Waikato District
Council Alcohol Control Bylaw
Maps**



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**Alcohol Control Bylaw Permanent
Ban Area: Ngaruawahia
24 Hours a Day, 365 Days a Year**

GIS Department
Created For: JBELL001
Date Created:
7/08/2020
Projection: NZTM
GD2000
Ref: ME17390
ME22783

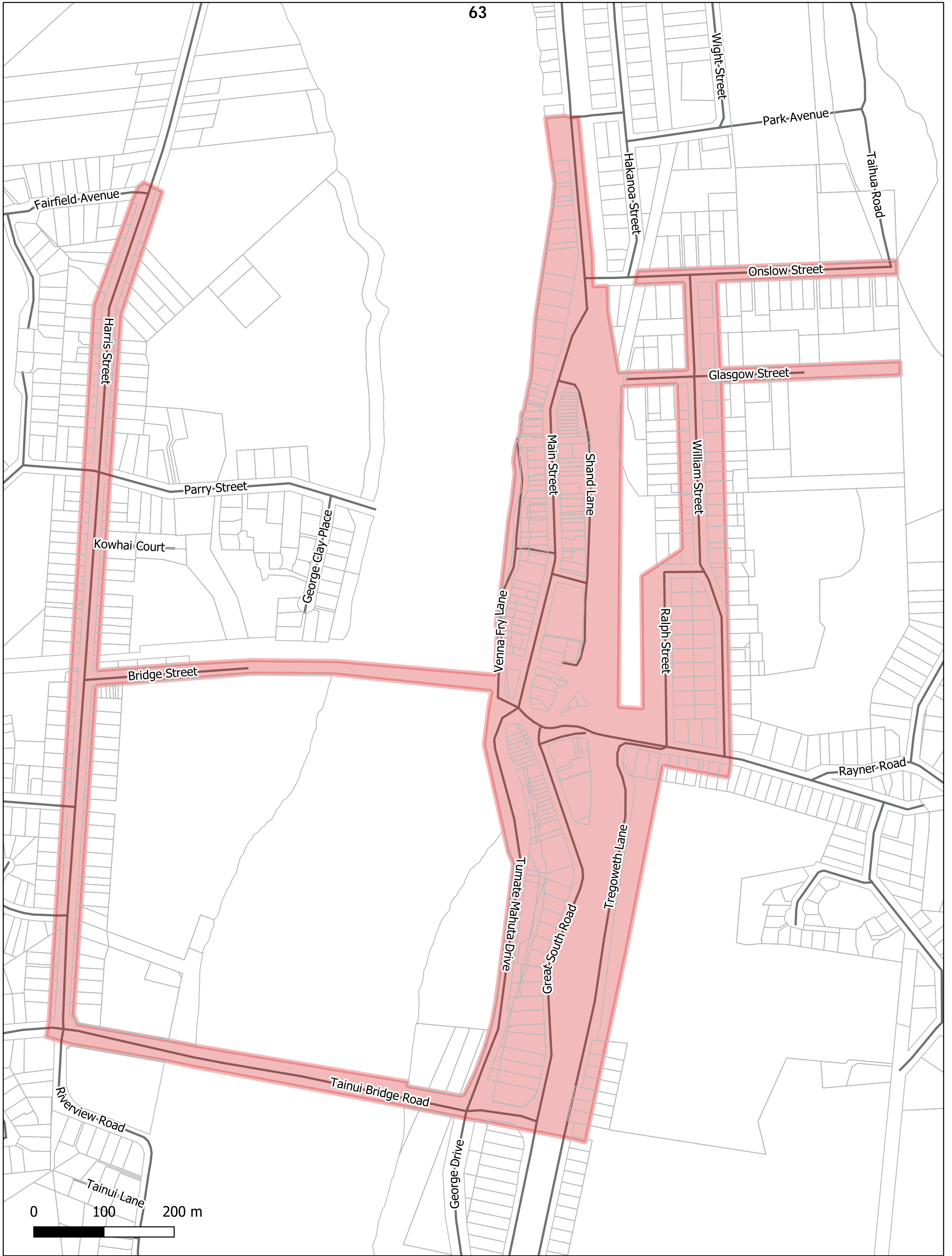
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**Alcohol Control Bylaw Permanent
Ban Area: Raglan
24 Hours a Day, 365 Days a Year**

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**Alcohol Control Bylaw Permanent
Ban Area: Huntly
24 Hours a Day, 365 Days a Year**

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64

Wright Street

Gordonton Road State Highway 1B

Onslow Avenue

Button Lane

Railway Road

Great South Road

Greenlane Road

The Crescent

Gleeson Place

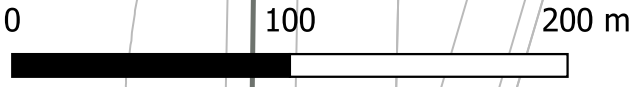
Te Putu Street

Murphy Lane

Kildare Crescent

Factory Lane

Lovell Avenue



Alcohol Control Bylaw Permanent
Ban Area: Taupiri
24 Hours a Day, 365 Days a Year

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 Ref: ME17390
 ME22783

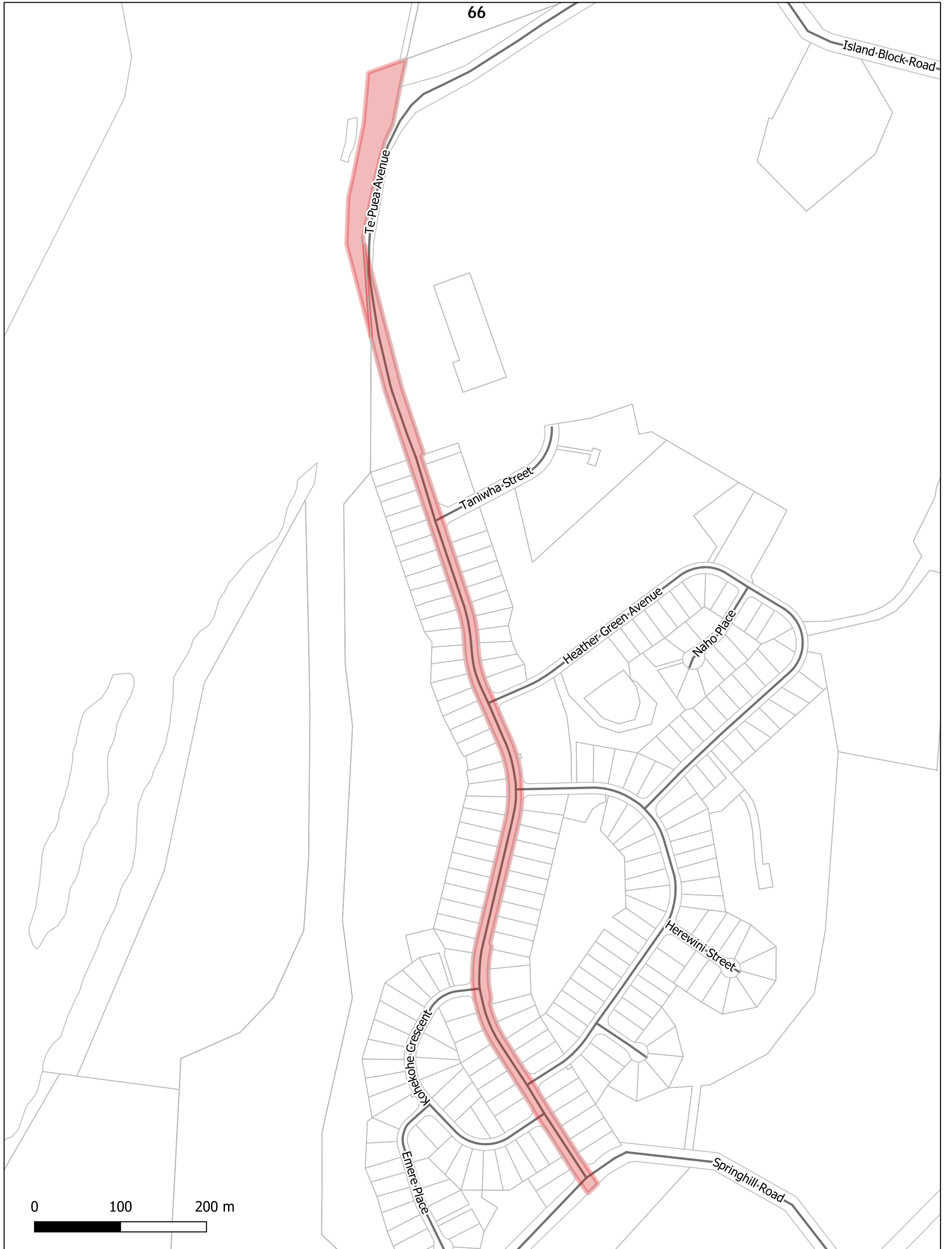
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**Alcohol Control Bylaw Permanent
Ban Area: Te Kauwhata
24 Hours a Day, 365 Days a Year**

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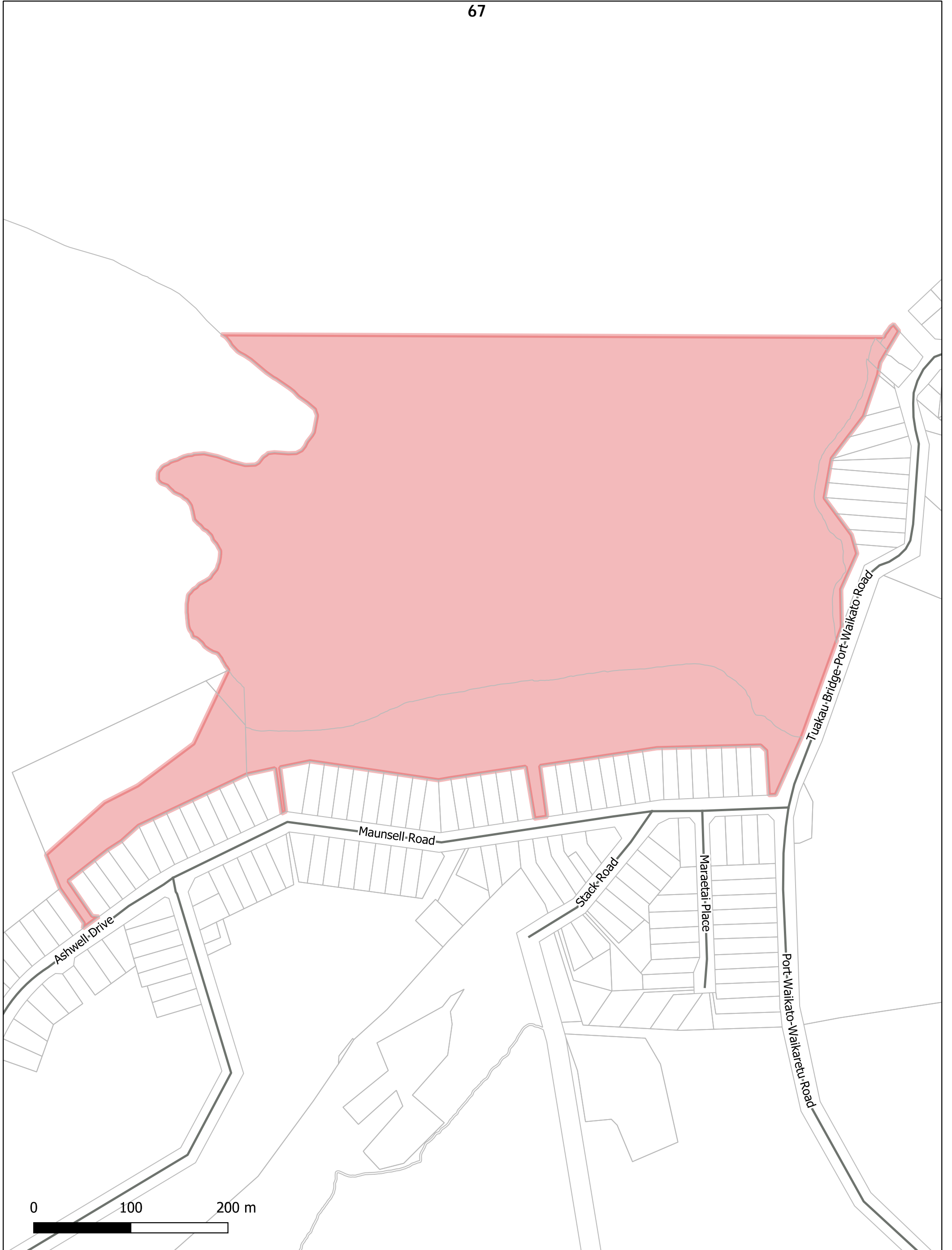
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**Alcohol Control Bylaw Permanent
Ban Area: Meremere
24 Hours a Day, 365 Days a Year**

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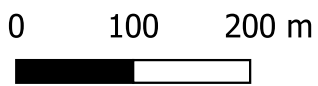
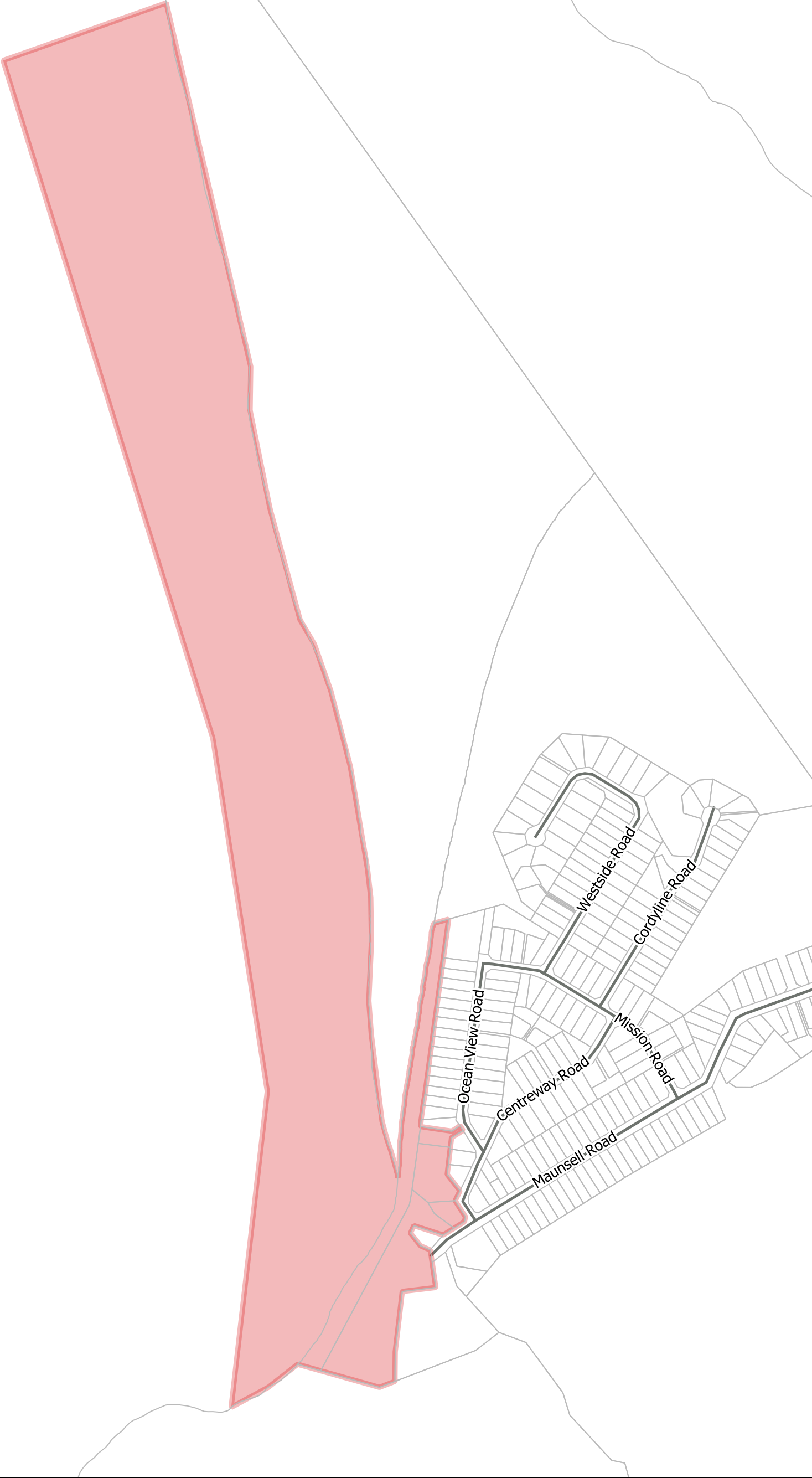
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**Alcohol Control Bylaw Permanent
Ban Area: Maraetai Bay, Port
24 Hours a Day, 365 Days a Year**

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ME22783

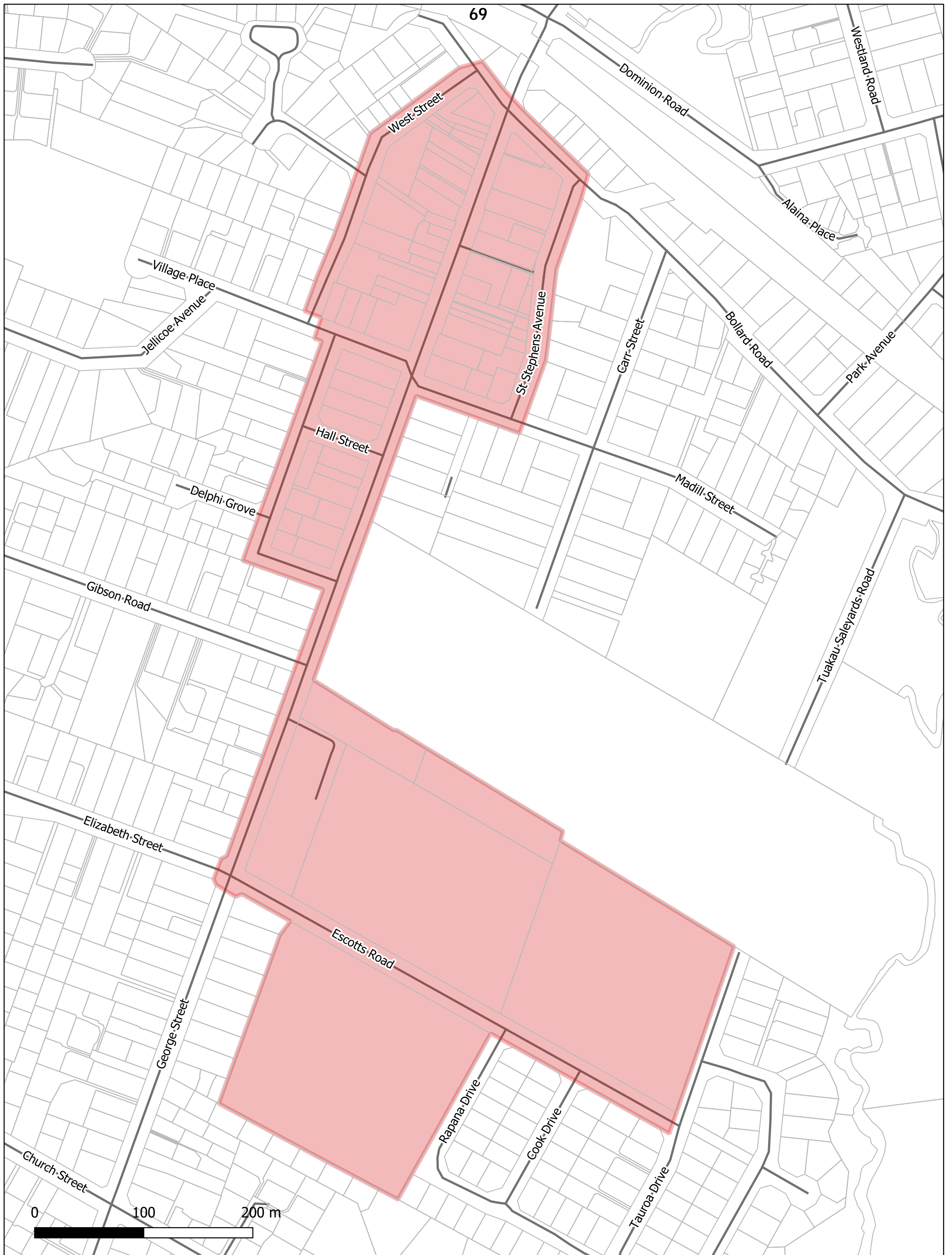
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Alcohol Control Bylaw Permanent
Ban Area: Sunset Beach, Port
24 Hours a Day, 365 Days a Year

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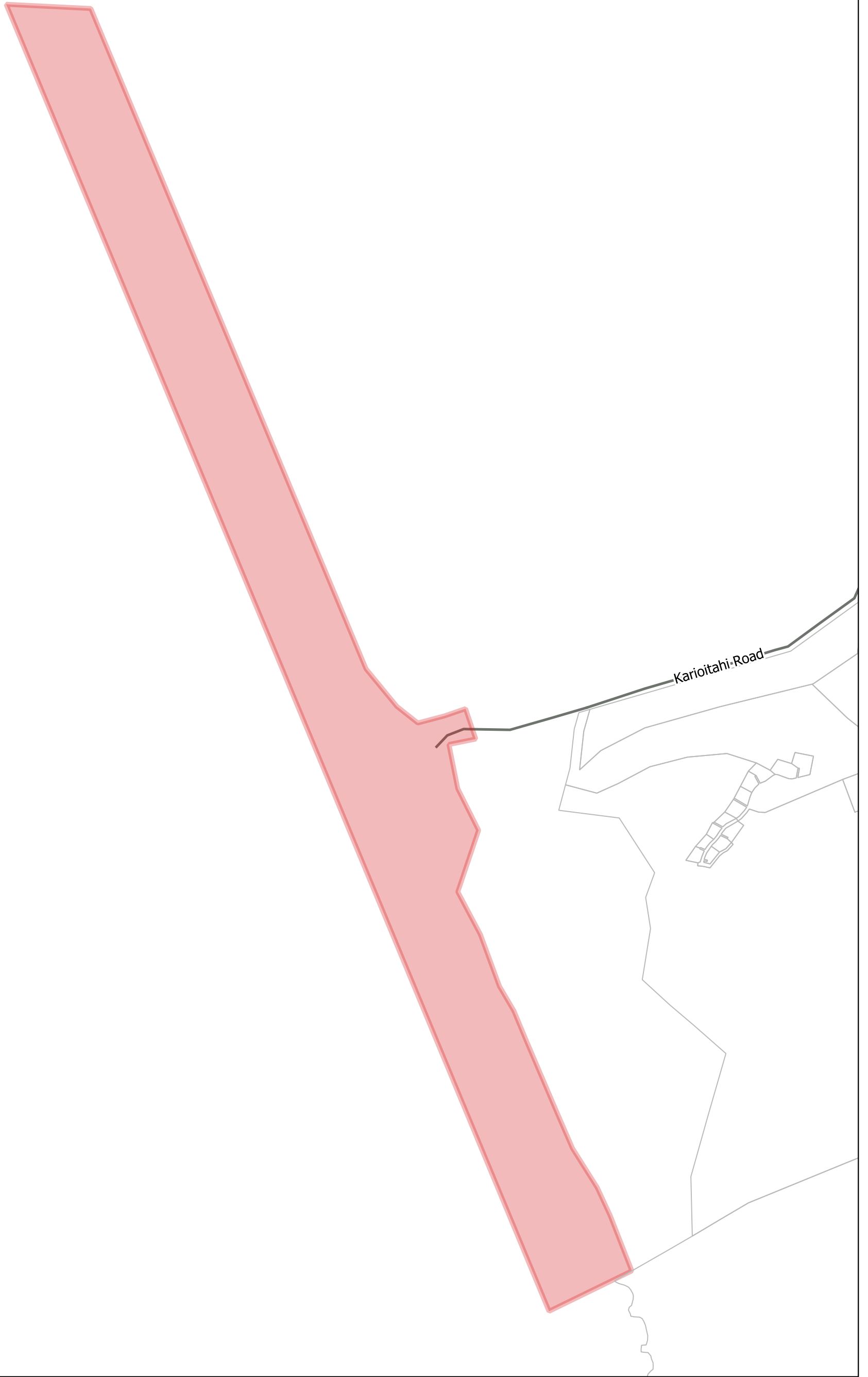
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Alcohol Control Bylaw Permanent
Ban Area: Tuakau
24 Hours a Day, 365 Days a Year

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**Alcohol Control Bylaw Permanent
Ban Area: Karioitahi Beach
24 Hours a Day, 365 Days a Year**

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Projection: NZTM
GD2000
Ref: ME17390
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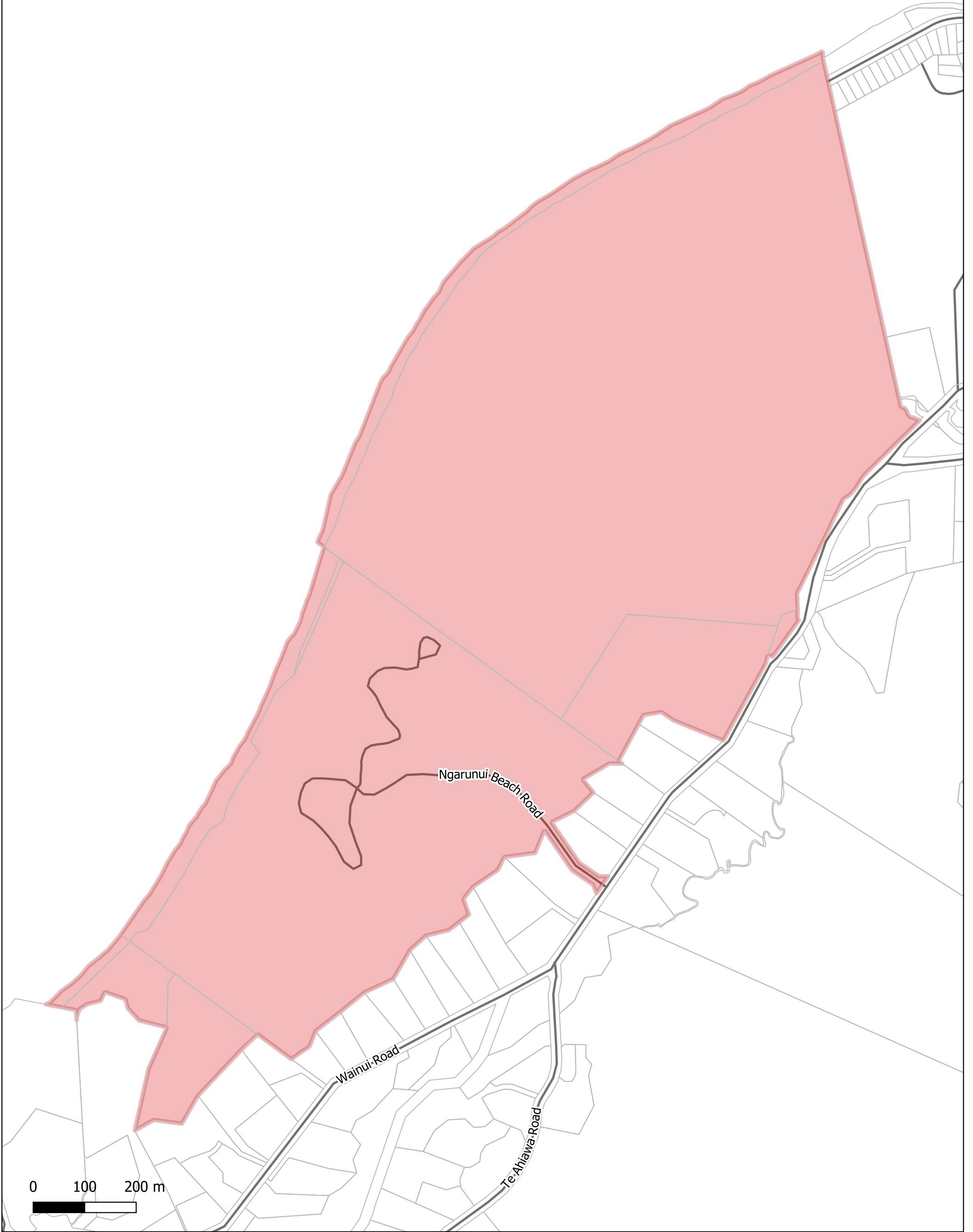
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**Alcohol Control Bylaw Permanent
Ban Area: Pokeno
24 Hours a Day, 365 Days a Year**

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**Alcohol Control Bylaw Permanent
Ban Area: Wainui Reserve
24 Hours a Day, 365 Days a Year**

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Te Akau Wharf Road

Cliff Street

Wallis Street

Riria Kereopa Memorial Drive

Nihinihi Avenue

Taipari Avenue

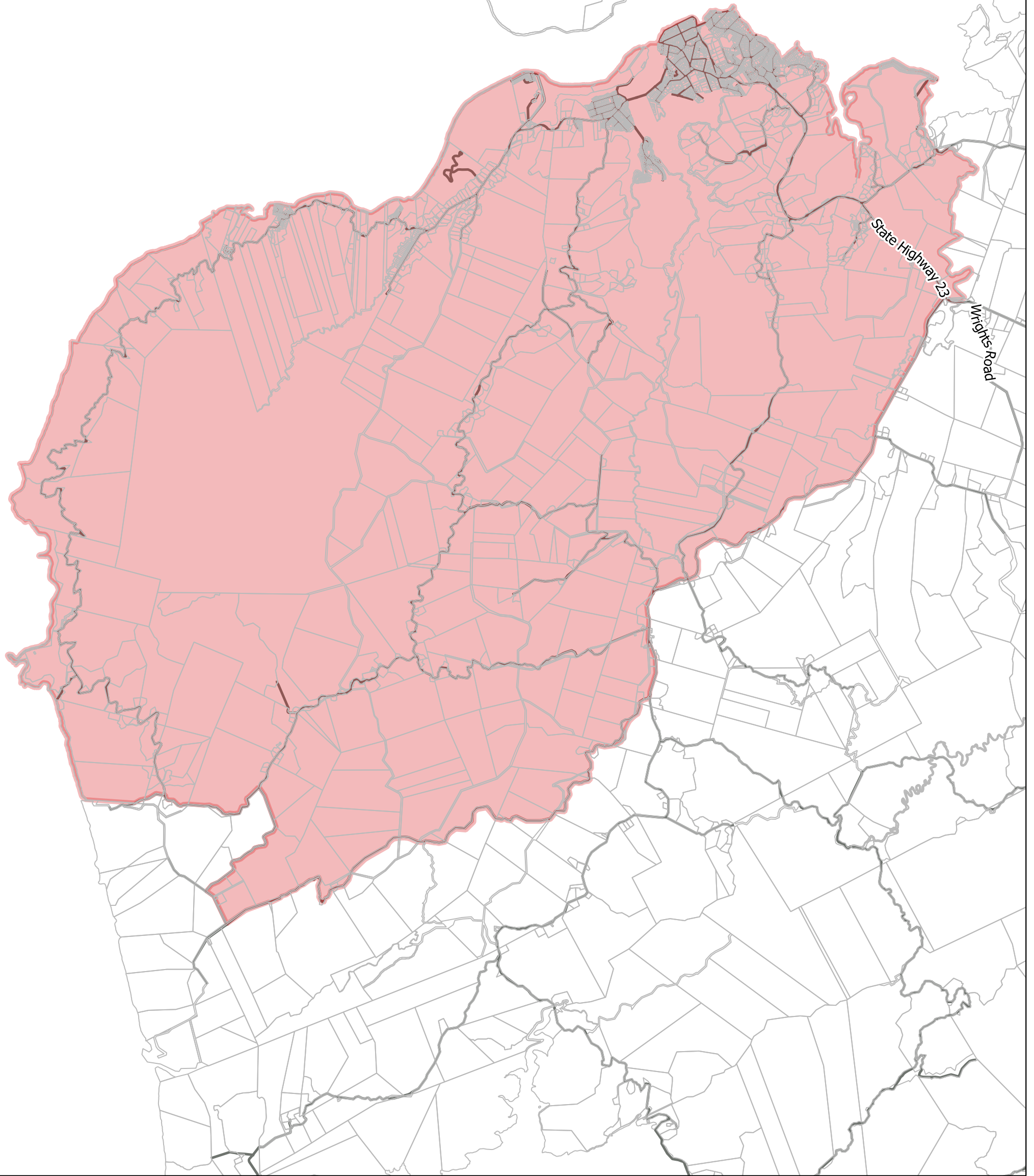
Wainui Road



Alcohol Control Bylaw Permanent
Ban Area: Raglan
24 Hours a Day, 365 Days a Year

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**Alcohol Control Bylaw Seasonal
Ban Area: Raglan District
24 Hours a Day, 23 December To 10 February**

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Appendix 3

**Report of evidence and
support from the Waikato area
Police**



**To: The Liquor Licencing Committee
Waikato District Council**

**Re: Summary of Reports to Police Involving Alcohol Incidents and Offences in the
Waikato District TLA – 2017 to 2019**

1. Introduction

- 1.1. The information and commentary to follow is based upon provisional statistical data from several Police information systems. There is also commentary regarding observations made by Police regarding the attitude and behaviours of the public in regard to alcohol consumption in public places.
- 1.2. The data includes all calls for service received by Police from members of the public and all Police detected incident and offences where alcohol was an influence or factor in the Waikato District TLA for the period January 2017 to December 2019.
- 1.3. It is noted that enforcement by Police of Liquor Bylaws ceased in July 2019. However, Police reports show that 30% of all calls for service to Police are directly linked to the causation of poor behaviour due to the influence excessive alcohol consumption. This report focusses solely on reports to Police that have some form of reference to alcohol being involved, and the location of the report is in a public place or licenced premises.

2. Analysis of Data

- 2.1. Interpreting the data held by Police needs an understanding of the manner in which calls to Police are received and handled, then acted upon. This report highlights a range of calls to the Police call centre that were triaged and assigned for Police to follow up or held for recording purposes only.
- 2.2. Where Police have attended an incident called in by a member of the public there are several means by which officers can deal with the information at the conclusion of investigating the matter. Police staff could
 - record the incident as attendance sufficient and nothing further is documented about it or,
 - record details of what has taken place, who was involved and submit a report into the National Intelligence Application (NIA) for future reference or,
 - make an arrest, summons to Court or issue of an instant fine notice was the result with reports entered into NIA.
- 2.3. The data to follow takes into consideration all calls to Police where alcohol is noted as being a factor or observed behaviours or locations indicate that alcohol is an influence on the participants of the event. The data then compares and contrasts the number of those calls that are reported or required further action such as an arrest, summons to Court or issuing an instant fine for Breach of Bylaw for Alcohol related offences.

- 2.4. During the period January 2017 to December 2019 there were 31 Breach of Liquor Ban Notices issued by Police in the Waikato District TLA. Of those notices 23 were issued in Raglan, four in Huntly and four in Ngaruawahia.
- 2.5. The following figures are a total of all incidents that Police have dealt with ranging from assaults, public place disorder, driving matters, robbery, theft, wilful damage and graffiti type offending where alcohol was involved. The figures are grouped under the reporting Police Station areas.

Te Kauwhata	Total Incidents	Police Reported/Arrested
2017	17	12
2018	12	8
2019	14	9

Huntly	Total Incidents	Police Reported/Arrested
2017	46	31
2018	48	29
2019	32	19

Ngaruawahia	Total Incidents	Police Reported/Arrested
2017	65	43
2018	45	30
2019	37	17

Raglan	Total Incidents	Police Reported/Arrested
2017	42	31
2018	29	20
2019	40	25

- 2.6. Indicator offences that Police would normally associate with alcohol consumption are reports from the public of disorderly behaviour as defined by the Summary Offences Act 1981. Section 3 of the act define this type of offence as;

2.6.1. Persons *“who, in or within view of any public place, behaves, or incites or encourages any person to behave, in a riotous, offensive, threatening, insulting, or disorderly manner that is likely in the circumstances to cause violence against persons or property to start or continue.”*

- 2.7. Over the same time period as the data above, reports of disorderly behaviour in the Waikato TLA were as follows;

	Te Kauwhata	Huntly	Ngaruawahia	Raglan
2017	20	463	208	96
2018	16	391	188	71
2019	18	314	157	60

- 2.8. When considering the information above it would appear that in total the recording of alcohol related offences has steadily declined over the past three years. Part of the reason for the decline could be that Police have focused on Licenced Premises in order to ensure

that they operate within the regulations required of them and are more active with regard to Host Responsibility.

3. Police Observations

- 3.1. During the summer of 2019-2020 there was some apprehension on the part of Police that the lack of a Liquor Ban in the Waikato TLA would lead to considerable problems in regard to public order in public spaces and particularly popular summer locations such as Raglan. What eventuated could best be described as Social Conditioning in that the majority of the public appeared to continue to observe the requirements of the Alcohol Bylaw despite there being no such Bylaw in place.
- 3.2. Police staff in Raglan in particular noted that for the most part members of the public were responsibly behaved while purchasing, consuming or carrying alcohol in a public place. It was noted over the peak holiday period of December to January that glass bottles in particular would be left on the ground of parks and reserves following consumption there overnight. Thankfully Council staff acted quickly each morning to clean up any mess of empty glass containers left in parks or reserve areas.
- 3.3. Police staff did not identify any prolonged problem locations linked to alcohol consumption and poor behaviour by the public. One of the worst events of alcohol being consumed in public places was the New Year Eve celebrations at Raglan.
- 3.4. During New Year's Eve 2019 hundreds of people gathered at the western end of Bow Street Raglan and in the Kopua Reserve area near the harbour walk bridge to observe the Fire-works display immediately after midnight. Police staff observed many people drinking alcohol from glass bottles, and noted the litter of empty containers (mostly glass bottles) left lying on the ground once the display ended and people dispersed. Despite having extra Police resources deployed for this event it was impractical and unsafe for Police to try and enforce any Alcohol Bylaw, had there been one in place, due to the sheer numbers of people present. At the time the crowd was well behaved and Licenced Premises had controlled persons leaving their establishment to ensure that they did not remove opened containers of alcohol.
- 3.5. Enforcing the Liquor Ban at locations such as Raglan in the time immediately around midnight on New Year's Eve is impractical. However, based on past experience the ability to Prevent and deter alcohol related offending in the lead up to such events is invaluable. Police are much more likely to be able to deal with isolated incidents of persons consuming alcohol in popular public places when engaging with smaller groups of people or individuals.
- 3.6. Police staff at Raglan also noted that previously when the Bylaw was in place it did not take into account covering popular weekends such as Auckland Anniversary weekend at the end of January, or Waitangi weekend in early February. Both of these weekends are very popular for visitors to Raglan and there can be issues with the poor behaviour of persons not from the area that are intent of consuming alcohol in public and leaving a deposit of dangerous litter after them.
- 3.7. Popular weekends also include the SoundSplash festival at Raglan in late January. This event has been problematic to Police for public order and alcohol offending on the fringe of the event due to the lack of an alcohol Bylaw at the time that the event takes place.

4. Conclusion

- 4.1. The statistics and observations noted above suggest that while poor public behaviour and recorded alcohol related offences have declined over the past few years, there continues

to be a need to have a Bylaw that enables enforcement agencies such as Police to prevent and deal with disorder as it arises.

- 4.2. The Police focus, with the assistance of the Council Licencing Officers, to educate and carry out enforcement where required with Licenced Premises, has brought about gains in regard to reduction in alcohol harm at these locations. To ensure that these gains are not eroded it would be advantageous to maintain a bylaw to control consumption of alcohol in public areas.
- 4.3. In order to have some control over the behaviour of persons in public places that behave poorly while under the influence of alcohol, a Liquor Bylaw such as a Liquor Ban in CBD's and some public parks will be required.

5. Recommendation

- 5.1. That the Waikato District Council gives consideration to reinstating Liquor Ban that was previously in place and extends the date that the ban would apply to cater for events in locations such as Raglan.

Yours faithfully,



Senior Sergeant David Hall
Western Waikato District
Contact MPH: (021) 1923715

Appendix 4

Letter of support from Raglan area Police



31 January 2020

Waikato District Council
Corporate Planning
Galileo Street
NGARUAWAHIA

Attention : Jodi BELL-WYMER

Dear Jodi

LETTER IN SUPPORT OF RAGLAN ALCOHOL BAN AREAS

Raglan Police is in full and wholehearted support of having the previous alcohol ban reinstated in Raglan as soon as possible.

The previous liquor ban areas were identified to address the level of alcohol related crime, violence, disorder and nuisance behaviour within the Raglan CBD in particular and also around the town's reserves. The CBD area in particular was subject to frequent alcohol fuelled anti-social behaviour when locals would disperse from the licensed premises at closing time, then loiter on Bow Street where they would continue to drink alcohol until they ran out, then drove home, or they would start fighting.

Without a liquor ban being in place, crime would certainly increase back to the pre-liquor ban levels, unnecessarily putting the community at risk.

When the liquor ban was in place, it enabled Police to use a graduated response to liquor ban breaches. The reasonable use of discretion allowed breaches to be assessed on a case by case basis where the "offender" could be dealt with by way of (1) verbal warning, (2) written warning, (3) instant fine, or (4) arrest.

More often than not when offenders were advised that they were drinking in a liquor ban area they would comply when asked to dispose of their liquor by tipping it out. No further action would be required, enabling a high profile Police presence to remain in the CBD area.

During the liquor ban era, there were very few arrests for liquor ban breaches. This showed the success of the liquor ban in curbing anti-social behaviour.



The liquor ban was a very effective tool for Police. It allowed for individuals likely to cause or be the victims of crime later in the evening to be targeted, i.e. a group of young males drinking a box of beers on Bow Street outside a bar, as opposed to harmless persons better dealt with by way of a warning and some brief education.

Raglan Police would support the former liquor ban coverage being reinstated as follows :

- 24/7, 365 days a year in the CBD area,
- 24/7, 365 days a year in all WDC Reserves from 2200hrs – 1000hrs,
- Whole area liquor ban 23 December – 6 January every year.

Common sense points to the positive effect of liquor bans in helping curb crime, specifically in public places.

Certainly in Raglan the establishment and enforcement of the liquor ban contributed immensely to a decrease in crime, specifically public place violence and disorder.

Without the liquor ban in place, anti-social crime will surely return and escalate in Raglan making the town unsafe for locals and the many tourists and visitors who come to our town to enjoy the relaxed atmosphere, the many cafes and restaurants, the surf and the great vibe.

We certainly do not want to go back to pre-liquor ban days when the town was littered with broken bottles, drunken fights were common-place after the licensed premises closed and drunks roamed the streets in the early morning hours, vandalising and breaching the peace of law abiding residents.

Please do not hesitate to contact me if further is required.

Kind regards

Raewyn McLACHLAN

Senior Constable RMJ440
RAGLAN

P 07 2117306

M 021 1911312

E raewyn.mclachlan@police.govt.nz

Appendix 5
Letter of support from Tuakau
area Police

Liquor Ban Areas Tuakau

On the 19th November 2019 I met with Sudhir Kumar the Waikato Council Environment Health Officer to discuss the renewal and application of liquor bans in the Tuakau, Port Waikato and Pokeno area.

The liquor ban areas are listed as below:

1. CENTENNIAL PARK

This a small park used by family and children on the fringes of the Tuakau CBD. This is also a popular park up area for vehicles and people passing through from out of town. This area was previously controlled by a 7pm-7am liquor ban which is still applicable and suitable for the park.

2. TUAKAU CBD

This covers the main shopping area of Tuakau and includes the ring roads surrounding and the popular Dr John Lightbody reserve. This was previously controlled by a 7pm – 7am liquor ban however Police are strongly recommending this be renewed to a 24/7 ban.

Police have been approached many times by the community including shop/business owners in the Tuakau main street. This area includes a central park very close to the CBD which in the past has attracted day time drinking in the area.

3. TUAKAU DOMAIN RECREATION RESERVE

This is a large sports area which is used by many different clubs in the Tuakau area ultimately being a family area. This area was previously controlled by a 7pm-7am liquor ban which is still applicable and suitable for the reserve.

4. ALEXANDER REDOUBT RESERVE

This is another park up area for both local and passers by. This area includes a cemetery and a dog walking area at the end. The reserve does attract sometimes anti-social behaviour. This area was previously controlled by a 7pm-7am liquor ban which is still applicable and suitable for the reserve.

5. LES BATKIN RESERVE

The Les Batkin reserve is a very popular area as it attracts by local and out of town members of the public to the shores of the Waikato River. This area caters for both children and adults with the main attraction being water access for sports. The reserve is often patrolled by Police and does attract anti-social behaviour. This area was previously controlled by a 7pm-7am liquor ban which is still applicable and suitable for the reserve.

Police would like to extend the area of the liquor ban for this reserve to further include Alder Road which leads to another river beach type access point often used by 4x4 vehicle, motorbikes. This is another gathering area which was not previously included in the liquor ban.

6. SUNSET BEACH PORT WAIKATO

Sunset Beach is located at the end of the Port Waikato settlement and is a popular park spot and gathering area for both local and out of town people to view and use the west coast beach. This area was previously controlled by a 24/7 liquor ban which is still applicable and suitable for the beach.

7. MARAETAI BAY

This bay is a large reserve area which gives access to the Waikato River prior to the west coast mouth. This is a popular area with families and another area highly patrolled by Police to ensure there is no antisocial behaviour. This area was previously controlled by a 7pm-7am liquor ban. Police recommend that this area also be controlled by a 24/7 liquor ban.

8. POKENO CBD

Pokeno is a fast growing town which currently and previously has not been controlled by a liquor ban. Police propose that the Pokeno CBD be controlled by a 24/7 liquor ban.

Summary

The above areas have previously been controlled by a liquor ban which has now created a culture and expectation from the public that alcohol consumption is not accepted in public areas.

Having a liquor ban gives the ability for Police to move on anti-social behaviour before any criminal offending begins. This allows Police to prevent crime in the listed areas.

Police data regarding incidents involving alcohol that took place in public locations or licenced premises;

Tuakau

2017 – 86 calls to Police resulting in 9 arrests and 14 Police reports created
 2018 – 140 calls, 4 arrests, 20 reports
 2019 – 126 calls, 4 arrests, 27 reports

Kariotahi Beach

2017 – 2 calls, 0 arrests, 1 report
 2018 – 1 call, 0 arrests, 0 reports
 2019 – 2 calls, 0 arrests, 0 reports

Port Waikato

2017 – 14 calls, 1 arrest, 5 reports
 2018 – 20 calls, 0 arrests, 4 reports
 2019 – 15 calls, 1 arrest, 2 reports

Meremere

2017 – 26 calls, 1 arrest, 3 reports
 2018 – 14 calls, 0 arrests, 1 report
 2019 – 124 calls, 2 arrests, 5 reports

Sergeant Craig Arvidson

O/C Tuakau Police

25.11.2019

Appendix 6

New Zealand Police Alcohol

Action Plan 2018

Alcohol Action Plan 2018



ALCOHOL ACTION PLAN 2018



NEW ZEALAND
POLICE
Ngā Pirihimana o Aotearoa



Our Prevention First Operating Model

Taking every opportunity to prevent harm

Taking every opportunity to prevent harm

Police's Prevention First operating model has helped us deliver outstanding results in reducing harm and increasing the safety of our communities. It continues to be vitally important in making New Zealand the safest country.

Alcohol has been identified as one of our drivers of demand. We know that excessive and inappropriate consumption of alcohol is a significant contributor to social harm, and is also linked to the other five drivers of demand.

This plan will assist in reducing alcohol related harm, offending, and victimisation.



Welcome

This plan will contribute to meeting our targets of 5% reduction in road deaths each and every year, 10,000 fewer serious crime victimisations by 2021, 25% reduction in reoffending by Māori by 2025, 90% of people feel safe and have trust and confidence in police by 2021.

In about 80 percent of cases that come before the District Court, the offender will have a substance dependency or abuse issue that is connected with their offending. Alcohol is also a significant factor in people being killed and injured on New Zealand roads. It was a proven factor in about 19 percent of fatal crashes in 2017, and at a much higher rate when combined with drug use. Those who have been drinking are more likely to overlook the basics, such as putting on their seatbelt, so are more likely to crash due to alcohol impairment and more likely to die when they crash due to not wearing a seatbelt. Even low amounts of alcohol can increase the risks of fatigue and inattention while driving.

No single agency can influence the societal change required to reduce the harm alcohol causes. While many people consume alcohol and do not experience harm to themselves and others, there are many who do. While New Zealand Police recognises it cannot reduce

alcohol-related harm alone, the way we police can make a significant impact.

There are many reasons individuals drink excessively and irresponsibly at times. By recognising this and working in partnership with iwi, community, government and non-government agencies the impact we make will be more sustainable long term.

This Alcohol Action Plan sets out guiding principles and key actions that will enable people at all levels of our organisation to use their judgement when responding to alcohol-related situations, to ensure the best outcomes for our communities. This principles-based approach is very much in keeping with the Police High Performance Framework.

Sandra Venables

Assistant Commissioner
Road Policing, Prevention



Our Alcohol Action Plan

This Alcohol Action Plan provides our staff with consistent guidance in dealing with alcohol-related harm.

The guiding principles outlined here are in keeping with Prevention First and taking every opportunity to prevent harm in our communities.

We will achieve better outcomes for people affected by alcohol harm

We will look for interventions and make referrals for all parties affected by alcohol harm to ensure better outcomes. Using alternative resolutions when dealing with offenders influenced by alcohol will contribute to fewer people entering the justice system.

We will meet our obligations under the Act

We will meet our statutory obligations to ensure we promote the purpose and object of the Sale and Supply of Alcohol Act 2012.

When harm occurs we have an obligation to investigate to identify the causes. If breaches of the Act are identified we will respond appropriately.

We will target our efforts to achieve greater impact

We will improve the capture and use of alcohol-related data to inform evidence-based decision making and target our efforts more effectively.

We will work in partnership, engage, and educate

We know that to reduce alcohol-related harm, offending, and victimisation we must engage collaboratively with our key stakeholders and our communities.

We will take a consistent approach

We will work in partnership, set standards and expectations, and use a response that ensures fair treatment. We will support a responsible approach to alcohol by vendors and consumers, and look beyond single situations to identify new opportunities for prevention.

We will apply the Graduated Response Model (Engage, Educate, Enforce) to engage and educate before prosecuting where appropriate.

On an 'average' day in New Zealand there will be:

72

*Alleged offenders detected
for drink driving offences*

85

*Licensed premises
compliance checked*

103

*Offences recorded where
the alleged offender had
consumed alcohol prior
to offending*

4,400

*Breath tests undertaken
(approximately)*

Activity Areas

This plan sets out clear expectations of Police staff. It supports them to meet these expectations by setting out appropriate training and identifying required resources to allow them to perform their role more effectively.

The five 'Activity Areas' that capture these expectations are:

1 *Using meaningful data*

2 *Understanding and implementing what works*

3 *Enhancing our capability*

4 *Engaging with partners*

5 *Consistent understanding and communication.*

Within each Activity Area, we have 'Set' our expectations, identified how we can 'Enable' the organisation to meet these expectations at both national and district level, and clarified what we can 'Expect' to see if we are being successful. This is consistent with the **SET > ENABLE > EXPECT™** philosophy of the Police High Performance Framework".





Using Meaningful Data

Set

We will identify, capture, and use internal and external information and data to apply an evidence-based approach to decision making.

Enable

At a national level:

- ▶ Identify and rationalise performance metrics to align with our strategic goals and outcomes.
- ▶ Conduct a stocktake of internal and external alcohol-related data systems and processes to determine the respective strengths and weaknesses of each system or process.
- ▶ Undertake a needs analysis for the districts, identify gaps, and develop the processes needed at the frontline to collect the required information.
- ▶ Develop national protocols for the collection and recording of alcohol data so our staff and partners have access to quality information.
- ▶ Develop and implement Alcohol Infringement Offence Notices (AION) capability on mobility devices.
- ▶ Explore other opportunities around the use of mobile technology.

At a district level:

- ▶ Ensure all data is collected and recorded correctly and in a timely manner.
- ▶ Ensure data is used to identify high risk victims, locations and offenders, and to inform evidence-based decision making and deployment.
- ▶ Ensure we provide information to support the development of Local Alcohol Policies in accordance with our obligations under section 78(4) of the Sale and Supply of Alcohol Act 2012.
- ▶ Ensure data is used to appropriately inform the Graduated Response Model (Engage, Educate, Enforce) process.

Expect

- ▶ Meaningful alcohol data is used in Local Alcohol Policies, and District Licencing Committee and Alcohol Regulatory and Licensing Authority hearings, resulting in better outcomes.
- ▶ Better insight into emerging crime problems, repeat victims, offenders, and locations.
- ▶ Evidence-based decisions are made that reduce alcohol related harm, offending, and victimisation.
- ▶ Our communities, partners, and staff have greater trust and confidence in the credibility and value of Police's alcohol-related data used for decision making.
- ▶ Our communities and partners have greater trust and confidence in Police's services.



Understanding and Implementing What Works

Set

We will provide our people with resources, tools, and tactics that have been shown to reduce alcohol-related harm more effectively.

Enable

At a national level:

- ▶ Scan the environment to identify evidence-based tactics that reduce alcohol-related harm.
- ▶ Identify the audience most at risk of alcohol-related harm and how best to reduce that risk.
- ▶ Provide support and advice to districts to trial initiatives effectively.
- ▶ Promote 'what works' through the Evidence-Based Tactical Toolkit and the Good Practice Index.

At a district level:

- ▶ Implement evidence-based tactics and initiatives.
- ▶ Ensure an evaluation is completed when implementing or piloting an initiative where appropriate.
- ▶ Submit completed initiatives to Police National Headquarters for consideration of publication on the Evidence Based Tactical Toolkit, the Good Practice Index, and Lessons Learnt databases.

Expect

- ▶ Increased understanding of what works in reducing alcohol-related harm.
- ▶ Increased examples of effective tactics available on the Alcohol Evidence-Based Tactical Toolkit.
- ▶ A greater number of evidence-based tactics and interventions are implemented.
- ▶ Better outcomes for people affected by alcohol-related harm.
- ▶ Increased trust and confidence in Police.



Enhancing our Capability

Set

We will increase our understanding of the capability of our staff, particularly our Alcohol Harm Prevention Officers. We will develop and provide the necessary training, support, and resources to enable them to perform their role more effectively.

Enable

At a national level:

- ▶ Confirm the role and responsibilities of an Alcohol Harm Prevention Officer to deliver on Our Business and reduce alcohol-related harm.
- ▶ Establish competencies and position descriptions.
- ▶ Process map Alcohol Harm Prevention Officer activities.
- ▶ Determine training needs and develop training to enable our people to effectively perform their role.
- ▶ Provide resources to staff (including RIOD, websites, e-learning, guidelines, practice notes, information sharing platform, and the Evidence-Based Tactical Toolkit).

At a district level:

- ▶ Connecting with other work groups to support and enable the implementation of this plan.
- ▶ Include alcohol-related demand in tasking and coordination processes to better inform decision making, resulting in more effective action.
- ▶ Encourage and support Police staff to attend alcohol related training, conferences, and workshops.
- ▶ Provide necessary support and resourcing to ensure Alcohol Harm Prevention Officers can perform their role effectively including peer review of files.
- ▶ Ensure Alcohol Harm Prevention Officers share their knowledge and experience to enhance our responses to alcohol-related harm.
- ▶ Ensure that the Graduated Response Model (Engage, Educate, Enforce) is applied appropriately at district level.

Expectations

- ▶ Increased effectiveness of staff, resulting in a reduction of alcohol-related harm and improved stakeholder partnerships.
- ▶ Enhanced evidence-based decision making and deployment.
- ▶ Increased trust and confidence in Police.



Engaging with Partners

Set

We will identify and strengthen our partnerships with iwi, key stakeholders, and communities to enable a collaborative and supportive approach.

Enable

At the national level:

- ▶ Carry out a needs analysis of our stakeholders to continue to develop each partnership (i.e. external/internal) to achieve mutual benefits.
- ▶ Develop a stakeholder management and communication plan to engage with our partners.
- ▶ Build the capacity of staff to enable successful engagement with iwi, Māori, and communities.

- ▶ Work collaboratively with iwi and across government agencies and key stakeholders to address alcohol-related harm, offending, and victimisation.
- ▶ Work collaboratively with the Strategic Leadership Group and sub-groups.
- ▶ Build understanding between agencies of evidence based information and tactics that reduce alcohol-related harm, and share these through the Evidence-Based Tactical Toolkit

At a district level:

- ▶ Engage and strengthen local partnerships and develop initiatives to address alcohol-related harm.
- ▶ Become actively involved with Alcohol Accords to ensure contribution of meaningful data and information in order to reduce alcohol-related harm.
- ▶ Apply the Graduated Response Model (Engage, Educate, Enforce) appropriately across licensed premises.
- ▶ Actively support Alcohol Harm Prevention Officers to ensure their understanding, and Manage rotations and secondments of Alcohol Harm Prevention Officer positions effectively to ensure sustainability of partnerships and of trust and confidence in Police.

Expect

- ▶ Increased collaboration with iwi, stakeholders, and communities, resulting in a reduction of alcohol related-harm.



Consistent Understanding and Communication

Set

We will be consistent in alcohol-related harm related information ensuring key messages are clear to our staff, iwi, communities, and stakeholder partners.

Enable

At a national level:

- ▶ Develop a strategic communications plan to clarify the key messages for all staff, and determine how these messages align to create a greater understanding of our alcohol-related priorities.
- ▶ Provide support and advice to districts for media engagement.
- ▶ Ensure the key messages and communications developed promote prevention of alcohol-related harm, offending, and victimisation.

At a district level:

- ▶ Approach and seek advice when unclear.
- ▶ Ensure Alcohol Harm Prevention Officers share their knowledge and experience with each other and with district staff.

Expect

- ▶ Staff are well informed and use consistent key messages with iwi, communities, and stakeholders about alcohol-related harm, offending, and victimisation.
- ▶ There is a consistent approach to monitoring and enforcement of legislation and regulations.
- ▶ Increased trust and confidence in Police.

Further Information

For any further information or questions regarding this document, please contact:

Alcohol Harm Prevention

ahpo.pnhq@police.govt.nz

Appendix 7

Statement of Proposal

Proposed Alcohol Control

Bylaw 2020



HAVE YOUR
SAY
ON THE PROPOSED
BYLAW

STATEMENT OF PROPOSAL

PROPOSED ALCOHOL CONTROL
BYLAW 2020

waikatodistrict.govt.nz

0800 492 452



This Statement of Proposal is made for the purposes of Sections 83, 86 and 156 of the Local Government Act 2002.

IT INCLUDES:

- Background to the proposal
- Reasons for the proposal
- Summary of the proposed bylaw
- 'have your say' details

BACKGROUND

Waikato District Council has developed the proposed Alcohol Control Bylaw and would like your feedback on it. The proposed bylaw will control the consumption of alcohol in public places and reduce alcohol-related harm. This document gives details on the proposed alcohol control (ban) areas and includes the proposed Bylaw in full.

Section 147 of the Local Government Act 2002 (The Act) gives Council the ability to develop alcohol control bylaws to prohibit or regulate the consumption, possession, or bringing of alcohol into public places for one or more specified periods, or during specified times. The Bylaw is intended to reduce the potential for public nuisance, damage to property, and offensive behaviour created as a result of people becoming intoxicated in public places.

In December 2013 an amendment to the Act (Alcohol Reform Amendment Act) meant all alcohol control bylaws must be reviewed under the new legislation.

In December 2013, changes to the legislation put a greater responsibility on Council to justify the alcohol bans it puts in place with its Bylaw. A ban must be a reasonable limitation on rights and freedoms and there must be evidence of a high level of crime or disorder caused by alcohol consumption. The proposed bylaw considers the legislation alongside the requirements of the district to ensure we limit instances of crime and disorder related to alcohol consumption

KEY PROPOSALS

The proposed Bylaw aims to reduce incidents of crime or disorder related to alcohol consumption by controlling where and when people can possess or consume alcohol in public places. This bylaw applies to any public place within Waikato District Council as specified in Schedules One and Two of the proposed bylaw and Council controlled parks, reserves and esplanades. These are the Key Proposals;

- Key proposal 1 Introduce 24/7 365 day Permanent Alcohol Control areas in our town centres
- Key proposal 2 Introduce 9pm- 9am Timed Alcohol Control in Council controlled parks, reserves and esplanades
- Key proposal 3 Introduce Seasonal alcohol control Bans where alcohol is prohibited 24/7 in public places over set dates.



PERMANENT ALCOHOL CONTROL AREAS

Schedule One of the proposed Bylaw sets out areas proposed to be subject to a permanent alcohol control (ban) area. These areas include:

- 24 hours a day, seven days a week, 365 days a year, in town centres (as defined in the maps in Schedule One)
- 24 hours a day, seven days a week, 365 days a year, Wainui Reserve (Raglan), Sunset Beach (Port Waikato), Karioitahi Beach (Waiuku), Maraetai Bay (Port Waikato) (as defined in the maps in Schedule One)

Permanent alcohol control areas (24 hours a day, 365 days a year) are proposed for all town centre areas which have both on-licence and off-licence premises. These areas are defined around the town centre, to best focus on crime and disorder where alcohol is readily available for purchase or where there are premises that have alcohol available for consumption.

Permanent bans are also proposed for Wainui Reserve, Sunset Beach, Karioitahi Beach, and Maraetai Bay. These beach areas have previously been permanent alcohol control areas with the exception of Maraetai Bay. Maraetai Bay is a large reserve area which gives access to the Waikato River prior to the mouth of the River on the west coast. To ensure there is no antisocial behaviour, this area is highly patrolled by Waikato Police.



TIMED ALCOHOL CONTROL AREAS

Alcohol control areas are proposed on all Council controlled parks, reserves and esplanades with the exception of the proposed permanent alcohol control areas. The proposed alcohol control times are 9.00pm – 9.00am. The Waikato Police support these alcohol control areas.



SEASONAL ALCOHOL CONTROL AREAS

Schedule Two of the proposed Bylaw sets out areas proposed to be subject to a 24/7 alcohol ban during set dates. These include:

- Extended the Raglan area bans to cover the entire ward over the peak summer period from 20 December to 10 February (as defined in the maps in Schedule Two of the proposed bylaw)

Seasonal alcohol control areas are proposed to be set around the busy summer period in Raglan.

Raglan sees an influx of visitors during peak summer times and Council is proposing to prohibit alcohol consumption in public places during the peak holiday period. The previous Bylaw prohibited alcohol consumption in public places over the entire Raglan ward area and the Police have recommended this is reinstated. Additionally, the Police also recommend extending the timeframe to incorporate busy holiday weekends, in particular Auckland Anniversary and Waitangi day. As a result of this, the timeframe Council is proposing for Raglan is 23 December to 10 February (previously 26 December – 06 January).



ADDITIONAL PROPOSALS

Temporary Alcohol Control Areas

Council propose to declare temporary alcohol control areas for a specified period not exceeding seven days by resolution. 14 days Public notice must be given in such an event.

Exceptions

Clause 11.1 of the proposed Bylaw explains where alcohol control area restrictions do not apply. This may include travelling with unopened alcohol containers in public places, public places that are subject to a special licence or events in a public place that have the appropriate licence under section 38 of the Sale And Supply Of Alcohol Act 2012.

Signage

Section 147C of the Act requires Council to erect and maintain signs indicating the existence or boundaries of areas where an alcohol ban is in place. For clarification, the absence of a sign or signs indicating the existence or boundary of an alcohol control areas is not a defence to a breach of the bylaw.

Offences and penalties

The proposed Bylaw sets out that anyone not complying with the provisions of the proposed Bylaw has committed an offence. It also outlines the maximum infringement fines, as prescribed by the Act

HAVE YOUR SAY

What do you think about what we are proposing? Have we got the proposed Bylaw right? Let us know by making a submission and having your say.

Consultation opens 2 September 2020 and closes at 5pm on 5 October 2020. This is your opportunity to let the Council know what you think of the proposed Alcohol Control Bylaw.

Submission forms and hard copies of the Statement of Proposal and the proposed Bylaw are available for inspection at all our area offices and libraries. If you have any questions about making a submission, you can contact us on 0800 492 452.

Hearings

If you would like to attend a hearing to speak to Council in support of your submission, please say so in your submission, and include a telephone number or email address so that we can arrange a time for you to speak. Hearings will be held in October.

Next steps

After the hearing, Council will consider all the submissions received and make decisions on any amendments to the proposed Bylaw as a result. Council will consider a final Alcohol Control Bylaw for adoption on 14 December 2020. As a submitter, you will be notified of Council's decision.

Remember, you have until 5pm on Monday 5 October to send us your feedback.

RELEVANT DETERMINATIONS

This Statement of Proposal has been prepared in accordance with the requirements set out in section 83 of the Act. Council's proposal needs to be able to limit instances of crime and disorder related to alcohol consumption to provide safe public places for those within the district. Council has considered the proposed Alcohol Control Bylaw included with this Statement of Proposal and has determined that:

- A bylaw is the most appropriate way of limiting crime and disorder related to alcohol consumption within the district.
- The proposed bylaw is the most appropriate form of bylaw for the purposes of consultation
- It is acknowledged that the proposed bylaw may have implications under the New Zealand Bill of Rights Act 1990 however Council has determined that any infringement of these rights are justified in managing the safety and wellbeing of those within the district.

SUBMISSIONS CAN BE:

ONLINE:

www.waikatodistrict.govt.nz/sayit



POSTED:

Waikato District Council
Private Bag 544
Ngaruawahia 3742

DELIVERED:

Waikato District Council
Attn: Corporate Planner
15 Galileo Street, Ngaruawahia 3742



EMAILED:

consult@waidc.govt.nz
Subject heading should read:
"Alcohol Control Bylaw Submission"

Huntly Office
142 Main Street, Huntly 3700

Raglan Office
7 Bow Street, Raglan 3225

Tuakau Office
2 Dominion Rd, Tuakau 2121

Te Kauwhata Office
1 Main Road, Te Kauwhata 3710

WHAT HAPPENS NEXT?

Council will acknowledge each submission received in writing, either by letter or email.

Following the closing of submissions on 5 October 2020, all submissions will be reviewed. Verbal submissions will be heard and all submissions formally considered at a Council meeting on 14 December 2020 (or as soon thereafter as possible).

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

IMPORTANT DATES TO REMEMBER:

SUBMISSIONS OPEN – 2 September 2020

SUBMISSIONS CLOSE – 5 October 2020

HEARING OF SUBMISSIONS – Yet to be determined

If you have any further queries or would like further copies of the proposed Bylaw, please contact Jodi Bell-Wymer on 0800 492 452.



waikatodistrict.govt.nz



[facebook.com/waikatodistrictcouncil](https://www.facebook.com/waikatodistrictcouncil)



0800 492 452



ECM project # PR-1481

ECM #

Submission #

Customer #

Property #

Waikato District Council Proposed Alcohol Control Bylaw 2020

Submission Form. Please provide your feedback by Monday 05 October 2020

Name/Organisation

Postal address Postcode

Email Phone

Would you like to present your submission to Council at the Hearing? Yes No

If you would like to present at this hearing, please ensure that the details section above has been completed and we will be in touch to arrange a time for you to be heard.

Want to be kept informed? We can add you to our mailing list so you receive information on our latest community consultations. Yes No

Thinking about the Proposed 24/7 Permanent Alcohol Ban areas in our Town centres, Do you:

Support the proposed Bylaw and suggested changes

Support the proposed Bylaw and suggested changes in part

I do not support the proposed Bylaw and suggested changes

Please explain why:

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Thinking about the Proposed Timed Alcohol control times of 9pm - 9am in all Council Controlled Parks, Reserves and Esplanades, Do you:

- Support the proposed Bylaw and suggested changes
- Support the proposed Bylaw and suggested changes in part
- I do not support the proposed Bylaw and suggested changes

Please explain why:

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Thinking about the Proposed Seasonal Alcohol Control Areas from 23 December to 10 February, Do you:

- Support the proposed Bylaw and suggested changes
- Support the proposed Bylaw and suggested changes in part
- I do not support the proposed Bylaw and suggested changes

Please explain why, and where possible state the clause or amendment in the proposed Bylaw you are submitting on:

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Prefer to do it online?
 You can complete the submission form online at www.waikatodistrict.govt.nz/sayit

Need more information
 For more information, visit our website www.waikatodistrict.govt.nz

Privacy statement

The contents of your submission (not including your address, email and age) will be made public through Council agendas and as result will be published on our website. If you would like your name also kept confidential, please let us know on your submission form.

Open Meeting

To	Policy & Regulatory Committee
From	Gavin Ion Chief Executive
Date	18 August 2020
Chief Executive Approved	Y
Reference #	GOV1318
Report Title	Chief Executive's Business Plan

1. EXECUTIVE SUMMARY

The Chief Executive's Business Plan is a summary of progress on the Chief Executive's Performance Agreement. This report covers 2020/2021 items.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. BACKGROUND

The Chief Executive's Business Plan is a summary of progress on a number of issues targeted by Councillors.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The Plan is a summary of progress on specific issues. It enables staff and Councillors to focus on the big issues and ensures that attention is given to those things that really matter.

The Plan is in line with the Chief Executive's Performance Agreement which was updated in June 2020 in preparation for the new financial year.

4.2 OPTIONS

The list of projects has been agreed by Council.

The Plan is consistent with the Chief Executive's Performance Agreement approved through workshops and the meeting of the Chief Executive Performance Review Sub-committee in June 2020.

5. CONSIDERATION

5.1 FINANCIAL

Nil at this stage.

5.2 LEGAL

As part of undertaking the work detailed in this plan, Council needs to ensure that the approach taken is consistent with the Purpose of Local Government.

In other words, to meet the current and future needs of communities for good quality local infrastructure, local public services and performance of regulatory functions in a way that is most cost-effective for households and businesses.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

This report contains the strategic issues that Council is focused on. The Chief Executive's Business Plan has been updated to align to the Chief Executive's Performance Agreement. The underpinning criteria is the council vision of "liveable, thriving and connected communities"

Iwi and Tangata Whenua have been, or will be consulted on at least some of the key projects or initiatives referred to in the report. Iwi are involved as a strategic partner of Council (evidenced at Team Up 2020 and in the Raglan Wastewater Consent renewal process).

Iwi have been engaging in the waters management project and with Council and central government on the Hamilton to Auckland Corridor.

The list has been updated in line with the Chief Executive's Performance Agreement which was updated in June 2020 in preparation for the new financial year.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

The report does not trigger any concerns about significance of the projects being discussed.

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	The report provides a summary of what progress is being made on the various issues. It is for information at this stage of the year.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
		✓	Internal
	✓		Community Boards/Community Committees
	✓		Waikato-Tainui/Local iwi
	✓		Households
	✓		Business
			Other Please Specify

The assessment depends on the issues involved.

6. CONCLUSION

The schedule summarises progress on the key issues agreed with Council.

7. ATTACHMENTS

Chief Executive's KPI worksheet.

DRAFT Chief Executive's KPIs – 2020/2021**Overarching Council Vision: “Liveable, Thriving and Connected Communities”****Staff & Wellbeing Vision: “Work Safe, Home Safe”**

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
1. Delivery and achievement of LTP year 3 (covers normal business activities, financial and non-financial performance measures and the delivery of the annual work programme)	1.1	The 2020/2021 Annual Plan is delivered within the agreed budget, and in accordance with variations approved by Council. Provide regular updates to the Strategy & Finance Committee on progress.	Planning and co-ordination work underway for the 2020/21 Annual Plan projects and carry forwards from prior years.	
	1.2	Demonstrate alternative effective approaches to reducing the level of carry forwards.	Several different approaches have been taken. A comprehensive review of the outstanding projects has been completed through Councillor feedback.	
	1.3	Provide evidence (tangible examples) of alignment between the implementation of Council's work plan and the Council vision of Liveable, Thriving and Connected Communities.	The work being undertaken to consider the formation of man whenua forums is an example of attempts being made to improve engagement and to connect with hapu and marae. An electronic newsletter has also been established to provide another point of connection to the community.	
2. To deliver the 2021-2031 Draft LTP	2.1	The 2020-2031 Draft LTP incorporating agreed targeted Covid-19 related areas, is complete by 30 June 2021.	A number of workshops have been undertaken to establish the foundations for the 2021-2031 LTP.	
2.2	Ensure the financial sustainability of Council, including staying within banking covenants and treasury policies as a result of Covid-19.	Banking covenants and treasury policies are being met in the context of Covid-19.		

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
3. Complete the development of a targeted Recovery Plan in respect of Covid-19 for the organisation and the District.	3.1	<p>Ensure the Plan incorporates and defines the role of the Council and organisation as a facilitator, coordinator and/or leader in:</p> <p>a) Getting people sustainably back to work, and the organisation fully effective as quickly as possible.</p> <p>b) Economy and community recovery and development.</p>	<p>3.1 (a) Levels of service are being maintained and technology to support more flexible working is being rolled out or procured as part of a replacement programme.</p> <p>(b) Economic stimulus is coming through the Raglan Wharf project, Te Awa Cycleway and through grants available to council as a result of the government three waters reform programme.</p>	
	3.2	Fully implement all agreed strategies to agreed parameters and deadlines.	The Recovery Plan is still being shaped.	
4. Strategic Management & Delivery (key projects and priorities includes regional and national matters)	4.1	Hamilton to Auckland Corridor - At each performance review, demonstrate the role that the Chief Executive has played in unlocking the opportunities for the Waikato District in relation to the Hamilton to Auckland Corridor e.g. objective feedback, tangible progress.	The focus at present is to align Waikato 2070 with the Metro Spatial Plan and the detailed business case for the Southern Wastewater Plant (to the south of Hamilton).	
	4.2	Strategic Review of Waters Management - Provide updates at each performance review of progress on the strategic review of the waters business and future direction. The updates should focus on the role that the Chief Executive has played in advancing the	To date, the Watercare contract is going well. The Waters Governance Board will consider on 25 August participation in the government three waters reform programme – stage 1. This is non-binding but will involve the council in discussions with neighbouring local authorities.	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
		process.		
	4.3	Blueprints - Demonstrate that the Blueprints project aligns with the Council vision, that it will inform the 2021-2031 LTP process, and that it will be communicated with our community.	Work on Blueprints is progressing.	
	4.4	Solid Waste Review - By 30 June 2021, complete a review of solid waste and agree a Council strategy about how waste will be managed in the future, which is aligned with the Council's vision.	A project manager (internal resource) has been appointed to support this project.	
5. Partnerships and Relationships (includes relationships with other Councils, NZTA, Iwi and the Waikato District Alliance)	5.1	Provide evidence of initiatives, collaboration and engagement with Iwi, including the key outcomes achieved.	Staff engage with Iwi at a number of levels – meeting with mana whenua, through the Waikato-Tainui Joint Management Agreement and other informal hui.	
	5.2	NZTA – Provide regular updates on how the relationship with NZTA is developing, with particular emphasis on the benefits to Waikato District.	The Mayor and Chief Executive met with the Regional Partnership Director recently to discuss growth opportunities.	
6. Staff and Culture (including leadership, engagement and retention)	6.1	Outline what initiatives have been undertaken to strengthen the internal culture and leadership of the organisation, and provide supporting information on the impact of these initiatives.	Staff engagement levels around flexible working has been high. Staff engagement through recent all staff briefings (in person during July and more recently by zoom) has been high.	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
	6.2	Demonstrate progress in relation to the organisational Cultural Enrichment programme. This includes how the programme is developing, is being kept alive and broadening the perspective of staff.	Two additional staff have been employed to support our Iwi and Community Partnership Manager to build our internal and our external capability.	
7. Zero Harm (Work Safe, Home Safe)	7.1	Lead initiatives that clearly demonstrate progress towards safety leadership in the way the organisation operates.	Training scheduled for Councillors and the Executive Leadership Team to focus on the role of officers. Safety improvements signalled in the KPMG report are being addressed.	
	7.2	Complete the Strategic Plan work for 2020/2021 by 30 June 2021.	The plan has been completed and approved by Council.	
8. Climate Action	8.1	(a) Ensure that a Climate Action Plan is developed and submitted to Council for approval by 31 December 2020. (b) Give effect to the goals identified in the Climate Action Plan scheduled for completion in 2020/21 (i.e. before 1 July 2021).	(a) Work on the Climate Action Plan is progressing. (b) This requires finalisation of the Climate Action Plan with the workplan proceeding in early 2021.	

Footnote:

- I. The Chief Executive has agreed to deliver KPIs, subject to any changes due to Council's change of direction on any of the KPIs, in which case such changes would be taken into account.