

Agenda for a meeting of the Policy & Regulatory Committee to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY, 3 FEBRUARY 2021** 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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GJ Ion  
**CHIEF EXECUTIVE**

## POLICY & REGULATORY COMMITTEE

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

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### 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 Committee<sup>1</sup>, Regulatory Subcommittee and officers under their respective delegations.
7. To monitor the Council's Civil Defence and Emergency Management framework.

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<sup>1</sup> 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 I of the Resource Management Act 1991)
- Withdraw a proposed plan or plan change under clause 8D, Schedule I 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 I, 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.

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**Open Meeting**

<b>To</b>	Policy & Regulatory Committee
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	11 January 2021
<b>Prepared by</b>	Lynette Wainwright Committee Secretary
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318
<b>Report Title</b>	Confirmation of Minutes

**1. EXECUTIVE SUMMARY**

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To confirm the minutes of a meeting of the Policy & Regulatory Committee held on Monday, 23 November 2020.

**2. RECOMMENDATION**

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**THAT the minutes of a meeting of the Policy & Regulatory Committee held on Monday, 23 November 2020 be confirmed as a true and correct record of that meeting.**

**3. ATTACHMENTS**

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P&R Minutes – 23 November 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, 23 NOVEMBER 2020** commencing at **9.30am**.

**Present:**

Cr JD Sedgwick (Chairperson)  
His Worship the Mayor, Mr AM Sanson  
Cr AD Bech [*until 11.06am and from 11.22am*]  
Cr JA Church  
Cr C Eyre  
Cr JM Gibb  
Cr SL Henderson  
Cr SD Lynch  
Cr RC McGuire  
Cr FM McNally  
Ms M Moana-Tuwhangai (Maangai Maaori)  
Cr EM Patterson  
Cr NMD Smith  
Cr CT Woolerton

**Attending:**

Mr GJ Ion (Chief Executive)  
Ms S O’Gorman (General Manager Customer Support)  
Mr R MacCulloch (General Manager Service Delivery)  
Mr C Morgan (General Manager Community Growth)  
Ms AM D’Aubert (Consents Manager)  
Mr S Bourke (Regulatory Manager)  
Ms S Solomon (Corporate Planner)  
Ms S Flay (Senior Communications Advisor)  
Mr W Gauntlett (RM Policy Team Leader)  
Ms M Russo (Corporate Planning Team Leader)  
Mr J Ebenhoh (Planning & Policy Manager)  
Mr A Pipe (Environmental Health Team Leader)  
Ms J Bell-Wymer (Corporate Planner)  
Mrs LM Wainwright (Committee Secretary)

**APOLOGIES AND LEAVE OF ABSENCE**

**Resolved: (His Worship the Mayor/Mrs Moana-Tuwhangai)**

**THAT an apology be received from Cr Thomson.**

**CARRIED**

**P&R2011/01**

## **CONFIRMATION OF STATUS OF AGENDA ITEMS**

**Resolved: (Crs McInally/Church)**

**THAT the agenda for a meeting of the Policy & Regulatory Committee held on Monday, 23 November 2020 be confirmed;**

**AND THAT all reports be received.**

**CARRIED**

**P&R2011/02**

## **DISCLOSURES OF INTEREST**

Cr Sedgwick advised members of the Committee that she would declare a non-financial conflict of interest in item 6.6 [*District Plan Review – Update on Stage 1 and 2*].

Cr Gibb advised members of the Committee that she would declare a non-financial conflict of interest in item 6.6 [*District Plan Review – Update on Stage 1 and 2*].

## **CONFIRMATION OF MINUTES**

**Resolved: (Crs Gibb/Eyre)**

**THAT the minutes of a meeting of the Policy & Regulatory Committee held on Monday, 12 October 2020 be confirmed as a true and correct record of that meeting.**

**CARRIED**

**P&R2011/03**

**Resolved: (His Worship the Mayor/Cr Patterson)**

**THAT the minutes of a meeting of the Policy & Regulatory Committee (Alcohol Control Bylaw) held on Tuesday, 27 October 2020 be confirmed as a true and correct record of that meeting.**

**CARRIED**

**P&R2011/04**

## **ACTIONS REGISTER**

Agenda Item 5

The report was received [*P&R2011/02 refers*]. No discussion was held on this item.

## **REPORTS**

### Delegated Resource Consents Approved for the months of September and October 2020 Agenda Item 6.1

The report was received [P&R2011/02 refers] and the Consents Manager noted that the delegated resource consents information was on Council's website and would no longer be on the Committee's agenda.

**ACTION:** Staff to provide Committee members and Maangai Maaori with the website link to the Delegated Resource Consents page.

### Update on Policy and Bylaw Review Programme – November 2020 Agenda Item 6.2

The report was received [P&R2011/02 refers] and the following points were raised:

- Livestock movement – bylaw currently being reviewed.
- Dog Control Bylaw and Policy – A project team had been identified and were working with the Animal Control Team.
- Petitions Policy – a workshop would be held.
- Proposed Stormwater Bylaw – this would be combined with the Water Supply Bylaw.
- Temporary Road Closures and Events on Roads and Banners.

**ACTION:** Committee members to be advised of any road closures and events taking place.

- Pensioner Housing Portfolio – a workshop would be held with elected members following today's meeting.



Adoption of the Significance and Engagement Policy

Agenda Item 6.3

The report was received [P&R2011/02 refers] and the Corporate Planning Team Leader summarised the report. The following points were raised:

- 18 submissions had been received and discussed at the 28 October 2020 workshop.
- Financial thresholds to be included in the Policy document.
- Guidelines to be included with the Policy document.

**Resolved: (Crs Smith/Bech)**

**THAT the item be deferred, pending further information, to the Policy & Regulatory meeting scheduled for Wednesday, 3 February 2021.**

**CARRIED**

**P&R2011/05**

Consultation Approval for the Waikato District Council Keeping of Animals Bylaw

Agenda Item 6.4

The report was received [P&R2011/02 refers] and the following points were raised:

- Public Places Bylaw.

**ACTION:** Staff to review the Public Places Bylaw to ensure there are no contradictions with the Keeping of Animals Bylaw.

The following amendments were requested of the Waikato District Council Keeping of Animals Bylaw:

- The keeping of horses to be added to the Bylaw.
- Item 5.8 be amended from “31 consecutive days” to “60 consecutive days for pet lambs”.
- Item 9.1 - Country Living to be removed from the definition.
- Item 11.2 - Offences and penalties to be removed.

**ACTION:** Staff to advise Committee members of the difference between infringement and conviction.

- The word “acres” to be replaced with “hectares” in the policy document.

**Resolved: (Crs Smith/Woolerton)**

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

- a. **Adopts the Statement of Proposal; and**
- b. **Approves public consultation from 2 December 2020 to 25 January 2021 on the Waikato District Council Keeping of Animals Bylaw 2015;**

**AND THAT the Committee notes submissions on the bylaw will be considered and, if requested by submitters, be heard by the Committee at a hearing to be held in February 2021;**

**AND FURTHER THAT the Committee recommends to Council that the Waikato District Council Keeping of Animals Bylaw is the most appropriate form of bylaw;**

**AND FURTHER THAT, the Committee recommends that Council confirm the Waikato District Council Keeping of Animals Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 and that it is satisfied that the bylaw can be justified as a reasonable limitation on people's rights and freedoms.**

**CARRIED**

**P&R2011/06**

Approval for Revocation of Policies

Agenda Item 6.5

The report was received [*P&R2011/02 refers*] and the following points were raised:

- The titles of the following policies to be amended were:
  - Temporary Road Closures and Events on Roads and Banners
  - Code of Conduct - Council and Community Committees
  - Leasing - Rural Halls,
- to read:
  - FDC Temporary Road Closures and Events on Roads and Banners
  - Code of Conduct 2013 - Council and Community Committees
  - FDC Leasing - Rural Halls,

**ACTION:** Staff to advise Committee members of the ability to apply for external funding if halls are leased.

- Temporary Road Closures and Events on Roads and Banners – this policy would be reviewed in 2021.

**Resolved: (His Worship the Mayor/Cr Smith)**

**THAT the Policy & Regulatory Committee recommends to Council that the policies listed below be revoked with immediate effect:**

- **Temporary Road Closures and Events on Roads and Banners**
- **Code of Conduct 2013 - Council and Community Committees**
- **Leasing - Rural Halls.**

**CARRIED**

**P&R2011/07**

District Plan Review – Update on Stage 1 and 2  
Agenda Item 6.6

Councillor Sedgwick vacated the Chair owing to declaring a conflict of interest and withdrew from the meeting. Councillor Smith assumed the Chair for this item. Councillor Gibb also declared a conflict of interest and withdrew from the meeting.

The report was received [*P&R2011/02 refers*] and the following points were raised:

- Hearings via Zoom had been successful and resulted in cost savings for Council and ratepayers.
- The tracking spend against logical forecast (excluding appeals) graph (attached to the staff report in the agenda), gave clarity on financial vs forecast. There had been an additional resource required in January 2020 which had resulted in an increase to the budget forecast.
- Stage 2 of the Proposed Waikato District Council Plan -187 submissions had been received.
- Accuracy of planning maps - Conversion of the polyline to polygon data had been corrupted. The issue had been identified and corrected.
- Cost of external hearing commissioners.
- The hearings panel had requested Ambury Properties Ltd to prepare draft provisions.

Councillor Smith vacated the Chair following discussion on the above item.

Councillors Gibb and Sedgwick re-entered the meeting at the conclusion of the above item. Councillor Sedgwick resumed the Chair for the remainder of the meeting.

Cr Bech left the meeting at 11.06am at the conclusion of the above item.

The meeting adjourned at 11.06am and resumed at 11.19am.

Adoption of the Proposed Alcohol Control Bylaw  
Agenda Item 6.7

The report was received [P&R2011/02 refers] and the following points were raised:

- The Soundsplash event at Raglan had been well-managed but there had been poor behaviour in the Raglan township following the event.
- Community Boards and Committees would be asked to provide locations for liquor ban signage.
- Liquor bans in carparks at reserves – this needed to be added to the bylaw. Public places included carparks.
- Karioitahi beach – clarification required on the Waikato/Auckland boundary. If a portion of Karioitahi Beach was located within the Waikato District boundary, this would be included in the bylaw document.

**ACTION:** Staff to clarify the Karioitahi Beach boundary and advise Committee members.

- Alcohol Control Ban Area for Pokeno – the current recommended ban area was to the Pokeno Hall. Consultation with Pokeno residents from the hall to the school would take place with a view to increasing the ban area.

**ACTION:** Staff to conduct a targeted consultation from the Pokeno Hall up to and including the Pokeno School in relation to the recommended ban area in Pokeno.

**Resolved: (His Worship the Mayor/Cr Bech)**

**THAT subject to any amendments from the Committee, the Policy & Regulatory Committee recommends that Council adopt the Proposed Alcohol Control Bylaw 2020 (as detailed in Appendices 1, 2 and 3 attached to the staff report).**

**CARRIED**

**P&R2011/08**

Crs Church and Smith abstained from voting.

Cr Bech re-entered the meeting at 11.22am during discussion on the above item and was present when voting took place.

Chief Executive's Business Plan  
Agenda Item 6.8

The report was received [P&R2011/02 refers]. No discussion was held on this item.

Exclusion of the Public

## Agenda Item 7

**Resolved: (Crs Gibb/Woolerton)**

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
PEX Item 1.1 Prosecution of the AGB Solutions Ltd – Failure to Comply with Conditions of Resource Consent and Breaches of Waikato District Council Trade Waste and Wastewater Bylaw 2016	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)



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**Open Meeting**

<b>To</b>	Policy and Regulatory Committee
<b>From</b>	Sue O’Gorman General Manager Customer Support
<b>Date</b>	21 January 2021
<b>Prepared by</b>	Evonne Miller PA General Manager Customer Support
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318
<b>Report Title</b>	Actions Register – February 2021

## **1. EXECUTIVE SUMMARY**

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Purpose of this report is to provide the Policy and Regulatory Committee with an update on Actions arising the previous meeting.

## **2. RECOMMENDATION**

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

## **3. ATTACHMENTS**

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Policy & Regulatory Committee Actions Register February 2021

**16**  
**Actions Register**  
**Policy & Regulatory Committee February 2021**

	Action	Responsible to Action	Status/Update/Response
1.	Staff to provide Committee members and Maangai Maaori with the website link to the Delegated Resource Consents page.	Jessica Thomas	12/01/2021: Email sent with link to the webpage. <a href="#">Resource Consent Decisions</a>
2.	Committee members to be advised of any road closures and events taking place.	Ross Bayer	21/12/20: Noted by Roding Team.
3.	Staff to review the Public Places Bylaw to ensure there are no contradictions with the Keeping of Animals Bylaw.	Stacey Solomon	21/12/20: There are no contradictions between the Bylaws.
4.	Staff to advise Committee members of the difference between infringement and conviction.	Tanya O'Shannessey	<p>22/1/2021:</p> <p><u>An infringement</u> is a punitive measure usually specifically detailed in legislation, bylaw or other – which enables an authorised person to issue a fine (infringement for breach of a rule, condition, regulation, or law). The penalty is usually able to be issued immediately.</p> <p>A good of example would be to consider parking violations:  Land Transport (Offences and Penalties) Regulations 1999  Schedule 1 Offence provisions and penalties  6.5.1 Park, etc, vehicle on pedestrian crossing - Infringement fee for individual (\$)/Infringement fee for body corporate (\$) 60.00.  Where our officer is able to identify that a parking violation has occurred, they are able to issue the infringement notice for \$60.  If the amount is paid within the period specified, no other action is taken.</p> <p><u>A conviction</u> is an outcome based on a court procedure where:</p> <ul style="list-style-type: none"> <li>• A breach of condition, rule or law has been identified and is of such a nature that either an infringement is not available or appropriate.</li> <li>• A charge has been laid with the applicable court.</li> </ul>



**Actions Register**  
**Policy & Regulatory Committee February 2021**

			<ul style="list-style-type: none"> <li>• Legal representation is often required.</li> <li>• The charge has been proven and a judge has decided that based on the evidence an offence has been committed.</li> <li>• The judge will then allocate a punitive measure.</li> <li>• The punitive measure will usually sit within minimum and maximum value as detailed within legislation, regulation or bylaw, less (percentage) reductions based on first offence/effects on the person's livelihood etc.</li> </ul>
5.	Staff to advise Committee of the ability to apply for external funding if halls are leased.	James Hanright	<p>18/01/2021: There is no funding component included in our current community leasing policy.</p> <p>Staff note the majority of our halls are operated under our halls policy and managed by hall committees.</p>
6.	Staff to clarify the Karioitahi Beach boundary and advise Committee members.	Tony Pipe/Jodi Bell-Wymer	<p>21/1/2021: The proposed alcohol ban area at Karioitahi beach is within the Auckland boundary. It has not been included in the WDC Alcohol bylaw.</p>
7.	Staff to Conduct a targeted consultation from the Pokeno Hall up to and including the Pokeno School in relation to the recommended ban area in Pokeno	Tony Pipe/Jodi Bell-Wymer	<p>22/1/2021: The process around the targeted consultation at Pokeno is being looked into and the implications that this would have on the status of the bylaw as a whole. Initial investigation appears to indicate that if changes were required, due to the result of the targeted consultation, a further bylaw review would be required, which may be a resource challenge depending on how extensive this review would need to be. We are seeking legal advice on this and will have further discussion with Cr Church and Cr Henderson in this regard and report back to the Committee once we have options for a way forward.</p>

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### **Open Meeting**

<b>To</b>	Policy and Regulatory Committee
<b>From</b>	Clive Morgan General Manager Community Growth
<b>Date</b>	20 January 2021
<b>Prepared by</b>	Bessie Clarke Junior Corporate Planner
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318 / 2991798
<b>Report Title</b>	Update on Policy and Bylaw Review Programme – February 2021

## **1. EXECUTIVE SUMMARY**

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The purpose of this report is to update the Policy and Regulatory Committee on progress made on the Policy and Bylaw Review Programme since the previous report in November 2020. Staff have worked on a number of bylaws and policies since November 2020. In addition, work is also currently being scoped on other policies and bylaws.

## **2. RECOMMENDATION**

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

## **3. BACKGROUND**

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### **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.

The following bylaws and policies have had work carried out on them since November (details provided in attachments):

- Alcohol Control Bylaw – Council adopted the proposed Alcohol Control Bylaw 2020 on 21 December 2020, following community consultation and hearings.
- Keeping of Animals Bylaw – Consultation on the proposed bylaw opened on 2 December 2020 and will close 25 January 2021. A hearing has been scheduled for 24 February 2021.

- Livestock Movement Bylaw and related policies – A meeting was held in December 2020 with Federated Farmers to discuss the One Network Framework (related to roading) and its impacts on road designations in the district. Further meetings are scheduled to refine drafts prior to a workshop with Council.
- Significance and Engagement Policy – This policy has been reviewed as part of the preparation of the Long Term Plan (LTP) 2021-31. Following consultation and feedback provided back to Council, this policy was adopted in December 2020.
- Petitions Policy – Material to support the review of the policy has been prepared and a Council workshop is scheduled for 9 February 2021.
- Development Contributions Policy – This policy has been reviewed and a paper has gone to the LTP 2021-31 Steering Group. Consultation on this policy will occur concurrently with LTP consultation in March 2021.

Worked is being scoped for the following:

- All Three Waters related policies
- Water Supply Bylaw 2014
- Proposed Stormwater Bylaw (New)
- Dog Control Bylaw 2015.

A report recommending revocation of the following external policies is on the agenda for the February Policy and Regulatory Committee Meeting (as noted in attachment 2 of the staff report):

- FDC Pensioner Housing – Tenant Exchange
- FDC Pensioner Housing – Provision of Housing
- FDC Pensioner Flat Allocation
- FDC Cellular Network Site.

Further details on the bylaw and policy review program are provided in attachments 1 and 2 to this report.

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 other reviews can be re-prioritised or delayed. This is to ensure resourcing in the Corporate Planning team as well as from subject matter experts is allocated to meet any re-prioritisation.

## **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.

## **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 (i.e. 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.

## 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 will 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 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.

## 4. ATTACHMENTS

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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.

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 February 2021	Comments	Related Legislation
Alcohol Control Bylaw	new	I	Dec-18	Dec-18	Aug-20	Sep-20	Nov-20	<p>Council adopted the proposed bylaw at their December meeting. This is now available online.</p> <p>At the 23 November Policy and Regulatory meeting, targeted consultation within the Pokeno area was requested. This was to see if there is evidence of harm from excessive or inappropriate use in this specific area. Staff are looking into if and how this target consultation could occur.</p>	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

<b>Livestock Movement Bylaw</b>	new	2	Jul-17	Jul-19	May-21	Jun-21	Sep-21	A meeting was held in December 2020 with Federated Farmers where discussion about the One Network Framework (related to roading) and how this impacts road designations in the district was had. A further meeting will be scheduled for end of February 2021 / start of March 2021 to refine drafts prior to a workshop with Council.	The Livestock Movement Policy and the Stock Underpass Policy are also being reviewed concurrently with the bylaw.	Land Transport Act 1998
<b>Water Supply Bylaw 2014</b>	current	3	Oct-19	Oct-21	May-21	Jun-21	Sep-21	Feedback has been provided by various groups at Council and Watercare. A workshop to review the consolidated feedback is planned for early February	Review to occur concurrently with Stormwater Bylaw.	Health Act 1956
<b>Speed Limit Bylaw 2011</b>	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
<b>Dog Control Bylaw 2015</b>	Reached start of 2 year grace period	5	May-20	May-22	May-21	Jun-21	Sep-21	Project team has been identified and resourcing has been assigned. The bylaw is currently with the Legal team for legislative review. The Animal Control (AC) Team Leader and AC Team are reviewing the clauses and assessing if they are fit for purpose. Workshops on this Bylaw are likely to begin early this year.	Dog Control Policy must be reviewed at the same time (s.10AA Dog Control Act).	Dog Control Act 1996

<b>Keeping of Animals Bylaw 2015</b>	Reached start of 2 year grace period	6	May-20	May-22	Nov-20	Dec-20	Apr-21	Consultation opened on 02 December and closes 25 January. A hearing has been scheduled for 24 February. The Bylaw is on track to be adopted (with any amendments following consultation) in April 2021.		Health Act 1956
<b>Freedom Camping Bylaw 2016</b>	current	7	Oct-21	Oct-23	Sept-21	Oct-21	Feb-22	Work has not yet started on this bylaw review.		Freedom Camping Act 2011
<b>Public Places Bylaw 2016</b>	current	8	Apr-21	Apr-23	Sept-21	Oct-21	Feb-22	Work has not yet started on this bylaw review.		Land Transport Act 1998
<b>Cemeteries Bylaw 2016</b>	current	9	Jul-21	Jul-23	TBC	TBC	TBC	Work has not yet started on this bylaw review.		Burial and Cremation Act 1964
<b>Reserves and Beaches Bylaw 2016</b>	current	10	Sep-21	Sep-23	TBC	TBC	TBC	Work has not yet started on this bylaw review.		Reserves Act 1977
<b>Trade Waste and Wastewater Bylaw 2016</b>	current	11	Sep-21	Sep-23	TBC	TBC	TBC	Work has not yet started on this bylaw review.		Health Act 1956
<b>Solid Waste Bylaw</b>	new	-	-	-	-	-	-	-		

<p><b>Stormwater Bylaw</b></p>	<p>new</p>	<p>(3)</p>	<p>-</p>	<p>-</p>	<p>May -21</p>	<p>Jun-21</p>	<p>Sep-21</p>	<p>Council and Watercare were invited to provide feedback on the Hamilton City Council bylaw currently being renewed. The updated HCC bylaw is relevant for our District and will be used as the starting basis for creating a WDC bylaw and to ensure alignment between Councils for future change under waters reform.</p>	<p>Review to occur concurrently with Water Supply Bylaw.</p>	<p>Health Act 1956</p>
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## Register of External Policies

Updated: 18 January 2020

	Overdue for review
	Policy is current
	Due to be revoked
	Charters

	Council (WDC/FDC)	Group	Policy Owner	Date approved	Next review date	Required under Statute? If so, which act?	Comments	Status	Update since last Committee meeting?
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.; this can occur now that the Climate Response and Resilience Policy and Action Plan has been adopted.	REVOKE	YES – can now be revoked following adoption of Climate Response and Resilience Policy and Action Plan
Licences – grazing policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1990	Jan 1993	N/A		REVIEW	
Pensioner Housing – Tenant Exchange	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2004	Jan 2007	N/A	No longer in use. Has now been superseded by other documents/processes.	REVOKE	YES – report written for February P&R meeting recommending revocation
Pensioner Flat Allocation	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1997	Jan 2000	N/A	No longer in use. Has now been superseded by other documents/processes	REVOKE	YES – report written for February P&R meeting recommending revocation
Pensioner Housing – Provision of Housing	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1997	Jan 2000	N/A	No longer in use. Has now been superseded by other documents/processes	REVOKE	YES – report written for February P&R meeting recommending revocation
Road Reserves – Services		Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1997	Jan 2000	N/A		REVIEW	
Street Lighting and other security/amenity lighting	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1997	Jan 2000	N/A		REVIEW	
Halls and community centres policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2002	Jan 2005	N/A		REVIEW	
Stock Underpasses – Financial Assistance	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2002	Jan 2005	N/A		REVIEW	
Town Halls – Administration	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2004	Jan 2007	N/A		REVIEW	
Lead Developer Fund (Water/Wastewater)	WDC	Service Delivery	Ian Cathcart (Special Infrastructure Projects Manager)	Jan 2005	Jan 2008	N/A		REVIEW	

Reserves – Committees of Management Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2005	Jan 2008	N/A		REVIEW	
Rural Halls (Operation and Election of Hall Committees)		Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2005	Jan 2008	N/A		REVIEW	
Conversion of overhead to underground services	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2007	Jan 2010	N/A		REVIEW	
Trade Waste Agreements	FDC	Service Delivery	Ian Cathcart (Special Infrastructure Projects Manager)	Jan 2007	Jan 2010	N/A		REVIEW	
Water rates - discontinuing supply	FDC	Service Delivery	Ian Cathcart (Special Infrastructure Projects Manager)	Jan 2009	Jan 2011	N/A		REVIEW	
Community Water Fluoridation Policy	WDC	Service Delivery	Ian Cathcart (Special Infrastructure Projects Manager)	Jan 2012	Jan 2015	N/A		REVIEW	
Vehicle Crossings	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1997	Jan 2000	N/A		REVIEW	
Reserve Contributions & Conservation Covenants	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1998	Jan 2001	N/A		REVIEW	
Control of Business Advertising Signs/Displays in public places	FDC	Customer Support	Roger MacCulloch (General Manager Service Delivery)	Jan 1998	Jan 2002	N/A		REVIEW	
Sponsorship of, and advertising on, council properties and assets	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	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	
Stock Underpass Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Dec 2006	Dec 2009	N/A	Being reviewed with the Livestock Movement Bylaw currently underway	REVIEW	
Bus Shelter - Public and Private	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2007	Jan 2010	N/A		REVIEW	
Fencing - Council Reserves Land	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2007	Jan 2010	N/A		REVIEW	
Non-Standard Road Name Signs and Entrance Structures	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Not stated	Not stated	N/A		REVIEW	
Cellular Network Site Policy	FDC	Customer Support	Roger MacCulloch (General Manager Service Delivery)	Jan 2008	Jan 2011	N/A	No longer in use.	REVOKE	YES – report written for February P&R meeting recommending revocation
Footpath prioritisation	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2009	Jan 2011	N/A		REVIEW	
Funding for road closures for community events	WDC	Community Growth	Clive Morgan (General Manager Community Growth)	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	Roger MacCulloch (General Manager Service Delivery)	Jan 2009	Jan 2012	N/A		REVIEW	
Roadside weedspraying – no spray zones	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2009	Jan 2012	N/A		REVIEW	
Rural road lighting prioritisation	WDD	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2009	Jan 2012	N/A		REVIEW	
Vehicle Entrance Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	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	
Leases to Individuals and Commercial Organisations Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2010	Jan 2013	N/A	This will be merged into General Occupancy Policy. Revoke once General Occupancy Policy is reviewed.	REVIEW	
Leasing of Reserve Land	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2010	Jan 2013	N/A		REVIEW	
Property Management	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2010	Jan 2013	N/A		REVIEW	
Trade Waste Bylaw Charging Policy	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2010	Jan 2013	N/A		REVIEW	
Livestock Movement Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 2011	Jan 2014	N/A	Needs to be reviewed in conjunction with the Livestock Movement Bylaw during 2020/21. to be timed with the Bylaw review currently underway	REVIEW	
Road Closure for Motor Sport Events Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Mar 2012	Mar 2015	N/A	To be reviewed in Jan 2021	REVIEW	
Refuse Collection and Disposal	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	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	Clive Morgan (General Manager Community Growth)	Apr 2014	Apr 2017	N/A	Review has been delayed to for Heritage Strategy to progress to provide a 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	Roger MacCulloch (General Manager Service Delivery)	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	
Rural Halls – Administration	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1997	Jan 2000	P & R	The contents of this policy are now covered under the Terms of Reference for halls. This policy will be	REVIEW	

Services for						Committee	deleted when General Halls Policy is adopted		
Petitions Policy	WDC	Community Growth	Clive Morgan (General Manager Community Growth)	Dec 2015	Dec 2018	N/A	Looking to replace the policy with a set of guidelines. Progress anticipated by end of 2020.	REVIEW	YES – Workshop scheduled for 9 February 2021.
Roadside Fencing Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Mar 2016	Feb 2019	N/A		REVIEW	
Plaques, Memorials and Monuments Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	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. Consultation on this policy occurred in August / September 2020,	CURRENT	YES – Following public consultation and feedback presented to Council at a workshop and formally to the Policy and Regulatory Committee, Council adopted the Significance and Engagement Policy on 14 December 2020.
Sensitive Expenditure	WDC	Finance	Alison Diaz (Chief Finance Officer)	Nov 2018	Nov 2021	N/A			
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	Clive Morgan (General Manager Community Growth)	Jun 2018	Jun 2021	Local Government Act 2002	Need to include a superseded or “date valid between” clause. The Policy has been reviewed and a paper has gone to the LTP 2021-31 Steering Group. No amendments have been identified; however some corrections will be required to accommodate legislative changes.	CURRENT	YES - Consultation will occur concurrently with LTP consultation in March 2021.

Discretionary Grants Policy	WDC	Community Growth	Clive Morgan (General Manager Community Growth)	Jun 2018	Jun 2021	N/A		CURRENT	
Gambling Venues Policy	WDC	Customer Support	Sue O'Gorman (General Manager Customer Support)	Oct 2018	Oct 2021	Gambling Act 2003 and Racing Act 2003		CURRENT	
Dangerous and Insanitary Buildings Policy	WDC	Customer Support	Sue O'Gorman (General Manager Customer Support)	Sep 2018	Sep 2023	Building Act 2004			
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	Clive Morgan (General Manager Community Growth)	Apr 2017	Apr 2022	N/A		CURRENT	
Local Alcohol Policy 2017	WDC	Customer Support	Sue O'Gorman (General Manager Customer Support)	Dec 2016	Dec 2022	N/A		CURRENT	
Psychoactive Substances Policy	WDC	Customer Support	Sue O'Gorman (General Manager Customer Support)	Jul 2019	Jul 2024	N/A		CURRENT	
Library Policy	WDC	Customer Support	Sue O'Gorman (General Manager Customer Support)	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	Roger MacCulloch (General Manager Service Delivery)	Oct 2019	Oct 2024	N/A		CURRENT	
Water Policy	WDC	Service Delivery	Ian Cathcart (Special Infrastructure Projects Manager)	Sept 2016	Sept 2021	N/A	To be reviewed concurrently with the Water Supply Bylaw. Work will be scoped to occur with the review of the Water Supply Bylaw	CURRENT	
CHARTER - Meremere Community Committee Charter	WDC	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	This 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, this can be revoked.	TO BE REVOKED	

CHARTER – Pokeno Community Committee	WDC	Governance	Brendan Stringer (Democracy Manager)	Oct 2013	Oct 2016	N/A	Once charters have been updated and all delegations have been reviewed, this can be revoked.	TO BE REVOKED	
CHARTER – Tamahere Community Committee	WDC	Governance	Brendan Stringer (Democracy Manager)	Oct 2013	Oct 2016	N/A	Once charters have been updated and all delegations have been reviewed, this can be revoked.	TO BE REVOKED	

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### **Open Meeting**

<b>To</b>	Policy and Regulatory Committee
<b>From</b>	Clive Morgan General Manager Community Growth
<b>Date</b>	21 January 2021
<b>Prepared by</b>	Bessie Clarke Junior Corporate Planner
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318 / 2994002
<b>Report Title</b>	Approval for Revocation of Policies

## **I. EXECUTIVE SUMMARY**

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The purpose of this report is to seek approval to revoke the following three policies:

- Franklin District Council (FDC) Pensioner Housing – Tenant Exchange
- FDC Pensioner Housing – Provision of Housing
- FDC Pensioner Flat Allocation

Policies are key decision-making documents and therefore need to be kept up-to-date to ensure that decisions being made are appropriate and consistent.

The policies identified are no longer required as they have either been superseded by other documents or are deemed out-of-date and unnecessary.

## **2. RECOMMENDATION**

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**THAT** the report from the **General Manager Community Growth** be received;

**AND THAT** the **Policy & Regulatory Committee** recommends to **Council** that the policies listed below be revoked with immediate effect:

- **FDC Pensioner Housing – Tenant Exchange**
- **FDC Pensioner Housing – Provision of Housing**
- **FDC Pensioner Flat Allocation.**

### 3. BACKGROUND

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Council currently has 70 external policies, of which 47 are overdue for review. Best practice is that policies be reviewed every three years. However, to progress the policy review programme, policies will be reviewed at five-yearly intervals until three-yearly intervals become more manageable.

### 4. DISCUSSION AND ANALYSIS OF OPTIONS

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#### 4.1 DISCUSSION

Staff have reviewed the policies and it is proposed that the three policies discussed below are revoked. Each policy is a previous Franklin District Council policy and is out of date, with date of adoption ranging from 1997 to 2008.

##### Overview

A summary of three policies relating to pensioner housing is below:

##### **FDC Pensioner Housing – Tenant Exchange Policy 2004 (Attachment 1)**

This policy establishes Council's ability to consider an exchange of pensioner tenants with other local authorities to meet personal circumstances. It also sets out the delegated authority for Council staff to approve such an exchange.

##### **FDC Pensioner Housing – Provision of Housing 1997 (Attachment 2)**

The policy was an interim measure outlining Council's continued support of the provision of housing for the elderly on low incomes. This support was on the basis that: 1) low interest loans (or similar subsidised support) continued to be available from central government; 2) further land was available at low or no cost for additional development for it to be self-supporting or almost self-supporting; 3) and Council's financial position remains sound and there is no need to dispose of assets to remedy its position.

##### **FDC Pensioner Flat Allocation – 1997 (Attachment 3)**

The policy states the delegations for certain staff or community board members to allocate pensioner flats in Pukekohe, Waiuku and Tuakau. The policy also contains the relevant delegations to carry out allocations.

##### Analysis

The relevant staff from the Property Team were consulted on the three leasing policies and it was determined they are no longer relevant, as they have been superseded by other documents and processes and therefore are no longer in use.

There are now internal processes superseding the Pensioner Flat Allocation policy, with the update delegations register containing current delegations regarding allocation of pensioner housing.

In addition, staff have concluded the three policies were not adopted by Waikato District Council, do not align with current Waikato District Council policy or process and contain outdated delegations and conventions.



Council resolved to consult on Council's future role in pensioner housing in December 2020. This is to be consulted on through the 2021-31 Long Term Plan Consultation Document. Given the age and administrative nature of these policies, the revocation of these policies is not considered to impact on this process.

## 4.2 OPTIONS

### Option 1- Revoke the policies mentioned above

The policies included are no longer required as they have either been superseded by another document or deemed to be out of date and unnecessary.

*This option is recommended*

### Option 2- Retain the policies mentioned above

The policies included could be retained, however all are currently out of date and are no longer in use.

*This option is not recommended*

## 5. CONSIDERATION

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### 5.1 FINANCIAL

There is no financial implication to revoking the policies.

### 5.2 LEGAL

There is no legal requirement to adopt, review or consult on the policies included in this report as none of the mentioned policies require Council to do so by legislation.

### 5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

Nil.

### 5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

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"/>
<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>	The owners of the policies proposed to be revoked will be notified of the outcome of the report.				

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

Planned	In Progress	Complete	
	Y		Internal
			Community Boards / Community Committees
			Waikato-Tainui / Local iwi (provide evidence / description of engagement and response)
			Households
			Business
			Other Please Specify

## 6. CONCLUSION

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It is proposed that three of Council's policies be revoked. This is because the policies have either been superseded by other documents or are outdated and unnecessary.

## 7. ATTACHMENTS

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1. FDC Pensioner Housing – Tenant Exchange Policy (2004)
2. FDC Pensioner Housing – Provision of Housing Policy (1997)
3. FDC Pensioner Flat Allocation Policy (1997)

Pensioner Housing – Tenant Exchange

Council will consider an exchange of pensioner tenants with other local authorities to meet personal circumstances.

Council has delegated the authority to approve an exchange of pensioner tenants to the Chairperson of the Activity and Monitoring Committee and the Property Manager.

C/1990/4/6, 1997/2/30, 1997/8/17, L/2003/10/6-7, 2004/11/29

***Policy contains delegations***

### E5.1 Pensioner Housing - Provision of Housing

As an interim measure Council will continue to support the present policy of providing housing for the elderly on low incomes according to Housing Corporation criteria, provided:

1. Low interest loans (or similar subsidised support) continues to be made available by central Government.
2. Further land is available at low or no cost for any additional future development so that it can be either self supporting or almost self supporting.
3. Council's overall financial position remains sound and there is no need to dispose of assets to remedy its position.

Any central Government review of its present policy, will be monitored by staff with any significant developments being reported to Council. The above Council policy will be reviewed if central Government makes any firm policy changes.

As a matter of policy Council intends to retain its existing pensioner housing assets.  
C/1990/11/30, C/1993/11/8, 1997/8/17

### E5.2 Pensioner Flat Allocation

The Property Manager in conjunction with the Customer Services Manager is empowered to allocate pensioner flats in Pukekohe and Waiuku.

The Property Manager in conjunction with the Customer Services manager and an Onewhero/Tuakau Community Board member is empowered to allocate pensioner flats in Tuakau.

1989/12/43, O/1992/11/13, 1997/2/30, 1997/8/13,  
1997/8/17

***Policy contains delegations***

### Pensioner Housing – Tenant Exchange

Council will consider an exchange of pensioner tenants with other local authorities to meet personal circumstances.

Council has delegated the authority to approve an exchange of pensioner tenants to the Chairperson of the Activity and Monitoring Committee and the Property Manager.

C/1990/4/6, 1997/2/30, 1997/8/17, L/2003/10/6-7, 2004/11/29

***Policy contains delegations***

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### **Open Meeting**

<b>To</b>	Policy & Regulatory Committee
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	13 January 2020
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318
<b>Report Title</b>	Chief Executive's Business Plan

## **1. EXECUTIVE SUMMARY**

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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**

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**THAT the report from the Chief Executive be received.**

## **3. BACKGROUND**

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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**

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### **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 Committee in June 2020.

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## 5. CONSIDERATION

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### 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**

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

## **7. ATTACHMENTS**

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Chief Executive's KPI worksheet.



### 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
<p>I. 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)</p>	1.1	<p>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 &amp; Finance Committee on progress.</p>	<p>Planning and co-ordination work underway for the 2020/21 Annual Plan projects and carry forwards from prior years.</p> <p>Capital project spend to the end of December 2020 was \$24.3 million.</p> <p>More progress is expected to be made in coming months particularly as Watercare proceed with tendered capital projects.</p>	
	1.2	<p>Demonstrate alternative effective approaches to reducing the level of carry forwards.</p>	<p>Several different approaches have been taken. A comprehensive review of the outstanding projects has been completed through Councillor feedback.</p> <p>The Service Delivery General Manager has explained our approach at the August Infrastructure Committee meeting.</p> <p>A lot of internal work is being undertaken by the Service Delivery team in association with Finance and Procurement to identify ways to try to fast-track progress.</p> <p>Watercare are also proceeding at pace to undertake capital works (including the Reform Stimulus Funding Works).</p>	
	1.3	<p>Provide evidence (tangible examples) of alignment between the implementation of Council's</p>	<p>The work being undertaken to consider the formation of man whenua forums is an example of attempts being made to improve engagement and to</p>	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
		work plan and the Council vision of Liveable, Thriving and Connected Communities.	<p>connect with hapu and marae. Mana whenua forums were raised at the October Council meeting including some more detail and the related framework for the forums to commence in 2021.</p> <p>An electronic newsletter has also been established to provide another point of connection to the community.</p> <p>The Raglan Wharf projects is a live example of working with the local community to deliver a result that will be beneficial and embody the spirit of the Council vision.</p>	
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.	<p>Banking covenants and treasury policies are being met in the context of Covid-19.</p> <p>Debt levels and financial constraints will need to be carefully managed through the next LTP period. This has already been signalled through LTP discussions.</p>	
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>3.1 (a) Levels of service are being maintained and technology to support more flexible working has been implemented.</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. The Council has supported the reform programme (stage 1) with the Funding Agreement signed off on September 28.</p>	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
		b) Economy and community recovery and development.	A further community and business survey is being planned and hopefully will be completed in time to inform the LTP process.	
	3.2	Fully implement all agreed strategies to agreed parameters and deadlines.	<p>A number of partnerships and opportunities have arisen through Covid-19. The Chief Executive represents five councils on the Caring for Communities operational Committee. This is providing connection with Iwi leaders throughout the region as well as other key stakeholders such as government departments and the District Health Board.</p> <p>The Economic and Community Development Team are connecting in with the Ministry for Social Development to work together to help the recovery process for our District.</p>	
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.	<p>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).</p> <p>Council's representative to the Southern Wastewater Plant Governance Group is making a difference to the discussions and the quality of the decision making.</p>	
	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 process.	<p>To date, the Watercare contract is going well. The Waters Governance Board approved 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.</p> <p>The Chief Executive will report to the Waters Governance Board and the Council to seek a decision about whether to continue to be involved</p>	

Key project/priority	Key deliverables/KPIs	Progress	Final Achievement Met/Not Met
		in future stages of the reform programme.	
	<p>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.</p>	<p>A thorough community check-in process occurred in mid-2020 to obtain feedback on any revisions to Blueprint priorities and indications as to who could lead the various initiatives. A revised set of priority tables was presented to the 25 November meeting of the Strategy and Finance Committee, which resolved as follows:</p> <p>THAT the Strategy &amp; Finance Committee endorses the revised list of prioritised and ranked Blueprint initiatives in Appendix I to the staff report, as an input to considerations for the 2021-2031 Long Term Plan.</p> <p>An e-mail was sent in December to all participants from the most recent feedback round, advising them of progress and where on our website they could find the original Blueprint and the revised priority initiative tables.</p> <p>Proposed LTP budgets include progressing a number of Blueprint initiatives, and these are being identified within the LTP spreadsheets to help track progress against Blueprint implementation.</p>	
	<p>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.</p>	<p><b><u>Solid Waste Review – By 30<sup>th</sup> June 2021</u></b></p> <p>Complete phase I of the solid waste review (contract refresh in situ) and develop a public engagement strategy (phase2) to inform Council strategy about how waste will be managed in future</p>	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
			<p>which is aligned with the Waste Minimisation Management Plan (WMMP) and Council's vision.</p> <p>A Project Manager under direction of the Solid Waste Steering Committee has been appointed to support the project.</p> <p>Phase 2 of the project (public engagement) will begin with a steering committee workshop in early 2021.</p>	
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 Regional Partnership Director will be presenting an update to the Infrastructure Committee on 24 March 2021.	
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.	<p>Staff engagement levels around flexible working has been high.</p> <p>Staff engagement through recent all staff briefings (in person during July and more recently by zoom) has been high.</p> <p>The recent staff survey showed engagement at a similar level to previous years.</p>	
	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	Two additional staff have been employed to support our Iwi and Community Partnership Manager to build our internal and our external capability.	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
		the perspective of staff.		
7. Zero Harm (Work Safe, Home Safe)	7.1	Lead initiatives that clearly demonstrate progress towards safety leadership in the way the organisation operates.	<p>Training has been undertaken for Councillors and the Executive Leadership Team regarding the role of officers.</p> <p>Safety improvements signalled in the KPMG report are being addressed with the majority of the items having been completed. A report on progress has been provided to the next Audit &amp; Risk Committee. All outstanding actions are timetabled and monitored through an electronic system.</p>	
	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	<p>(a) Ensure that a Climate Action Plan is developed and submitted to Council for approval by 31 December 2020.</p> <p>(b) Give effect to the goals identified in the Climate Action Plan scheduled for completion in 2020/21 (i.e. before 1 July 2021).</p>	<p>(a) The Climate Action Plan was approved by Council in December.</p> <p>(b) Action items are being worked on following adoption of the plan. The full range of actions will take some years to complete or be assessed.</p>	

**Footnote:**

1. 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.

### Open Meeting

<b>To</b>	Policy & Regulatory Committee
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	25 January 2021
<b>Prepared by</b>	Lynette Wainwright Committee Secretary
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318
<b>Report Title</b>	Exclusion of the Public

## I. RECOMMENDATION

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
PEX 1 – Confirmation of Minutes	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

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

Item No.	Section	Interest
Item PEX 1 - Confirmation of Minutes		Refer to the previous Public Excluded reason in the agenda for this meeting.