

Agenda for a meeting of the Policy & Regulatory Committee to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY, 17 MARCH 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)

### 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.

<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 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.

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**Open Meeting**

<b>To</b>	Policy & Regulatory Committee
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	9 February 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 Wednesday, 3 February 2021.

**2. RECOMMENDATION**

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**THAT the minutes of a meeting of the Policy & Regulatory Committee held on Wednesday, 3 February 2021 be confirmed as a true and correct record of that meeting.**

**3. ATTACHMENTS**

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P&R Minutes – 3 February 2021

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 **WEDNESDAY, 3 FEBRUARY 2021** commencing at **9.30am**.

**Present:**

Cr JD Sedgwick (Chairperson)  
His Worship the Mayor, Mr AM Sanson [until 9.42am]  
Cr AD Bech  
Cr JA Church  
Cr JM Gibb  
Cr SL Henderson  
Cr RC McGuire  
Cr FM McNally  
Ms M Moana-Tuwhangai  
Cr EM Patterson  
Cr NMD Smith  
Cr LR Thomson  
Cr CT Woolerton

**Attending:**

Mr S Jackson (Chairperson, Onewhero-Tuakau Community Board)

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)  
Mr S Bourke (Regulatory Manager)  
Mr J Ebenhoh (Planning & Policy Manager)  
Ms H Beaven (Corporate Planning Team Leader)  
Ms B Clarke (Junior Corporate Planner)  
Mrs LM Wainwright (Committee Secretary)

**APOLOGIES AND LEAVE OF ABSENCE**

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

**THAT an apology be received from Cr Eyre and Cr Lynch.**

**CARRIED**

**P&R2102/01**

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

Resolved: (Crs Thomson/Patterson)

**THAT** the agenda for a meeting of the Policy & Regulatory Committee held on Wednesday, 3 February 2021 be confirmed;

**AND THAT** all reports be received.

**CARRIED**

**P&R2102/02**

## **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

## **CONFIRMATION OF MINUTES**

Resolved: (Crs Thomson/Woolerton)

**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.

**CARRIED**

**P&R2102/03**

## **ACTIONS REGISTER**

Agenda Item 5

The report was received [*P&R2102/02 refers*]. Discussions were held on the following items:

- Actions 1, 2, 3, 4, 5, 6 to be removed from the actions register.
- Action 7 to remain on the action register.
- Liquor Ban signage – to be added to the action register from November 2020 meeting.

**ACTION:** Community Boards and Committees would be asked to provide preferred locations for liquor ban signage.

## **REPORTS**

### Update on Policy and Bylaw Review Programme – February 2021 Agenda Item 6.1

The report was received [*P&R2102/02 refers*] and the following point was raised:

- Timing of the Freedom Camping Bylaw.

**ACTION:** Staff to review the Policy and Review Bylaw programme and report back to the Committee with any suggested changes to accommodate an earlier review of the Freedom Camping Bylaw.

### Approval for Revocation of Policies Agenda Item 6.2

The report was received [*P&R2102/02 refers*]. No discussion was held.

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

**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, and**
- **FDC Pensioner Flat Allocation.**

## **CARRIED**

**P&R2102/04**

### Chief Executive's Business Plan Agenda Item 6.3

The report was received [*P&R2102/02 refers*]. Direction would be required from elected members on whether to support a Climate Change Co-ordinator as part of the LTP process.

His Worship the Mayor retired from the meeting at 9.42am during discussion on the above item.



**EXCLUSION OF THE PUBLIC**

Agenda Item 6.1

**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 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.

**CARRIED****P&R2102/05**

*Resolutions P&R2102/06 to P&R2102/07 are contained in the public excluded section of these minutes.*

There being no further business the meeting was declared closed at 9.56am.

Minutes approved and confirmed this                      day of                      2021.

JD Sedgwick  
**CHAIRPERSON**

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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>	March 5th 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 – March 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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- A Policy & Regulatory Committee Actions Register March 2021
- B Alcohol Control Bylaw Signage – request for your view (email and maps)

## Policy &amp; Regulatory – Actions Register

	Action	Responsible to Action	Status/Update/Response
1.	Alcohol Control Ban area for Pokeno 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	Hannah Beaven	Staff have developed options for targeted consultation, for the purpose of investigating extending the Alcohol Control Area in Pokeno. This was completed as part of the work reviewing and prioritizing the bylaw review program. These options will be presented to the Policy and Regulatory Committee for their decision on 17 March 2021.
2.	Liquor Ban Signage Community Boards & Committees would be asked to provide locations for liquor ban signage.	Tony Pipe	A communication was sent in December 2020, with suggested locations of Alcohol ban signs shown, asking for input on the locations. Email is attached
3.	Staff to review the Policy and Review Bylaw programme and report back to the Committee with any changes	Bessie Clark/Hannah Beaven	Staff have reviewed the Policy and Bylaw Review program and have developed options for this program going forward. These options will be presented to the Policy and Regulatory Committee for their decision on 17 March 2021.

**From:** [Anthony Pipe](#)  
**To:** [Evoone Miller](#)  
**Subject:** FW: Alcohol control bylaw signage - request for your view  
**Date:** Thursday, 4 March 2021 5:21:33 pm

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FYI

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**From:** Anthony Pipe  
**Sent:** Wednesday, 9 December 2020 5:09 pm  
**To:** shaun@jpgroup.co.nz; Greg Wiechern <greg\_wiechern@hotmail.com>; ravandam56@gmail.com; redwford71@gmail.com; gparsonraglancommunityboard@gmail.com  
**Cc:** Jacquie Griffin <jacquie.griffin@waidc.govt.nz>  
**Subject:** Alcohol control bylaw signage - request for your view

Good afternoon

The proposed 'Alcohol Control Bylaw 2020' will be going to Council on 14 December 2020 seeking adoption.

In anticipation of this we have been working on signage that we hope to have printed before Christmas and have given some thought to where signs could be erected for best effect in each area. We would appreciate your thoughts as a local resident on this aspect. This request is not part of any formal consultation (which has now concluded for this bylaw) but seeks your view, to check our thinking, as a local person.

I have attached a set of maps that include the ones in your area, with some suggested sign locations indicated by a dot in the shown ban areas. Please feel free to email me back any other locations (with a circle) or to cross out the suggested locations if you disagree with them. We will aim to put up as many signs as we can before Christmas but may need to implement a second phase in 2021 to complete the exercise.

Your assistance would be much appreciated. If you could respond as soon as possible and ideally by the 16 December that would be great thanks.

Again, your assistance is appreciated. Please, do get in touch if you have any queries.

Regards

Tony

**Anthony (Tony) Pipe**  
Environmental Team Leader

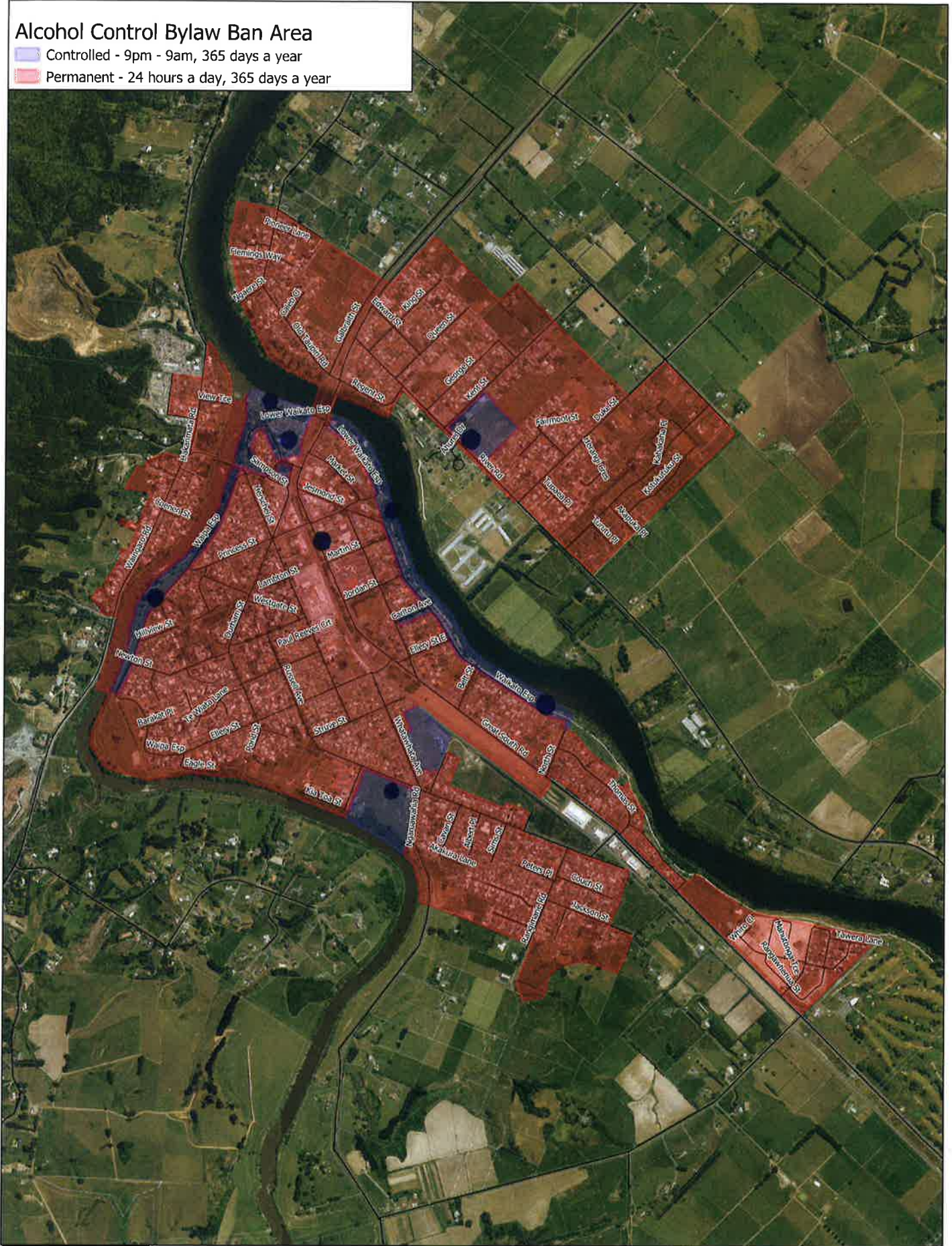
**Waikato District Council**  
P 07 824 8633 | F | Call Free 0800 492 452 | DDI | M  
Private Bag 544, Ngaruawahia 3742  
[www.waikatodistrict.govt.nz](http://www.waikatodistrict.govt.nz) | [Like us on Facebook](#)

 Please consider the environment before printing this e-mail



### Alcohol Control Bylaw Ban Area

- Controlled - 9pm - 9am, 365 days a year
- Permanent - 24 hours a day, 365 days a year



**Alcohol Control Bylaw Ban Area:  
Ngaruawahia  
Map#1**

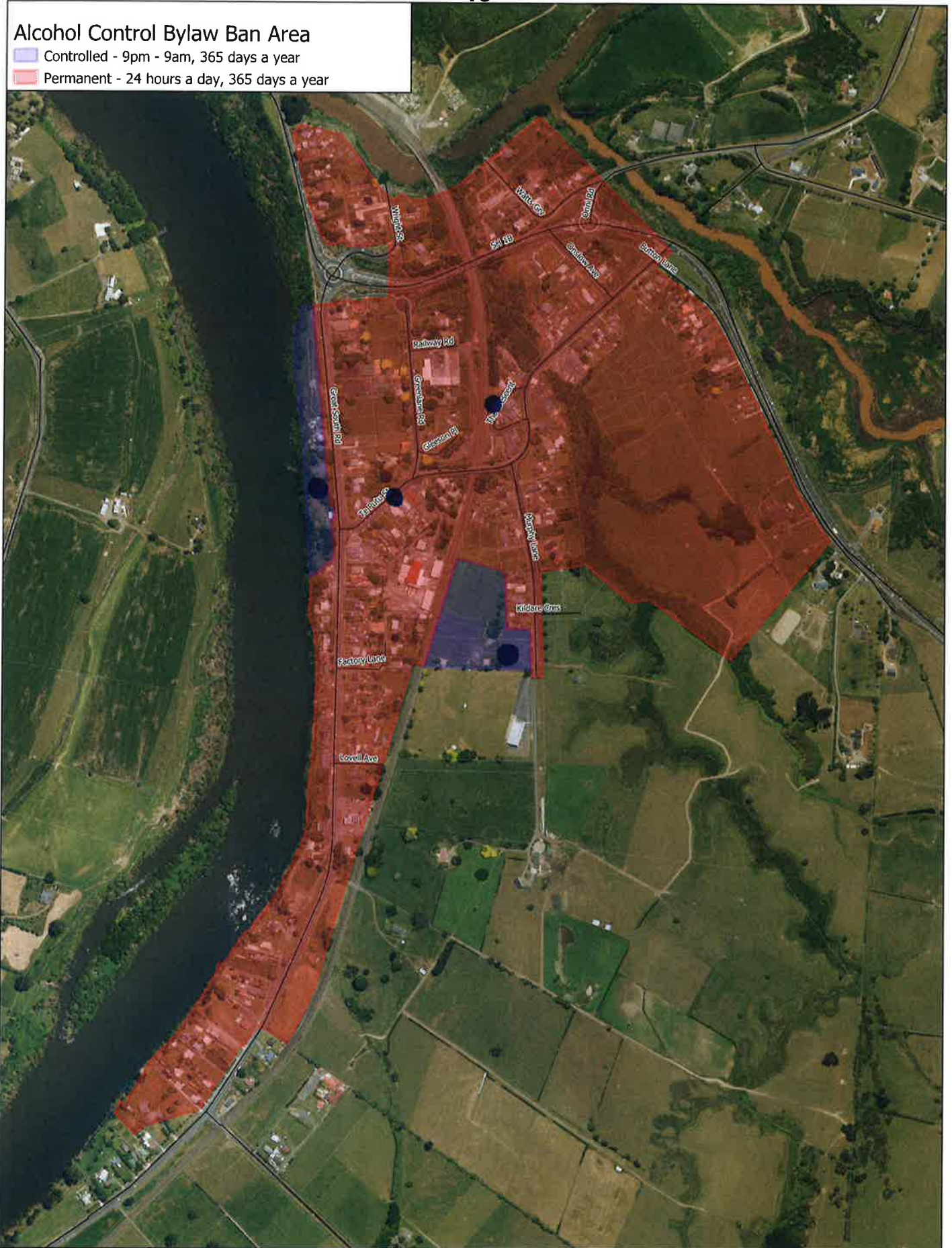
GIS Department  
Created By: GIS  
Created For: JBELL001  
Date Created: 2020-11-06  
Projection: NZTM GD2000  
Ref: ME22783

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Aerial Photo 2017 supplied by WRAPS



### Alcohol Control Bylaw Ban Area

- Controlled - 9pm - 9am, 365 days a year
- Permanent - 24 hours a day, 365 days a year



**Alcohol Control Bylaw Ban Area:**  
**Taupiri**  
**Map#2**

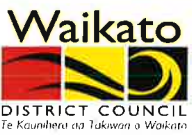
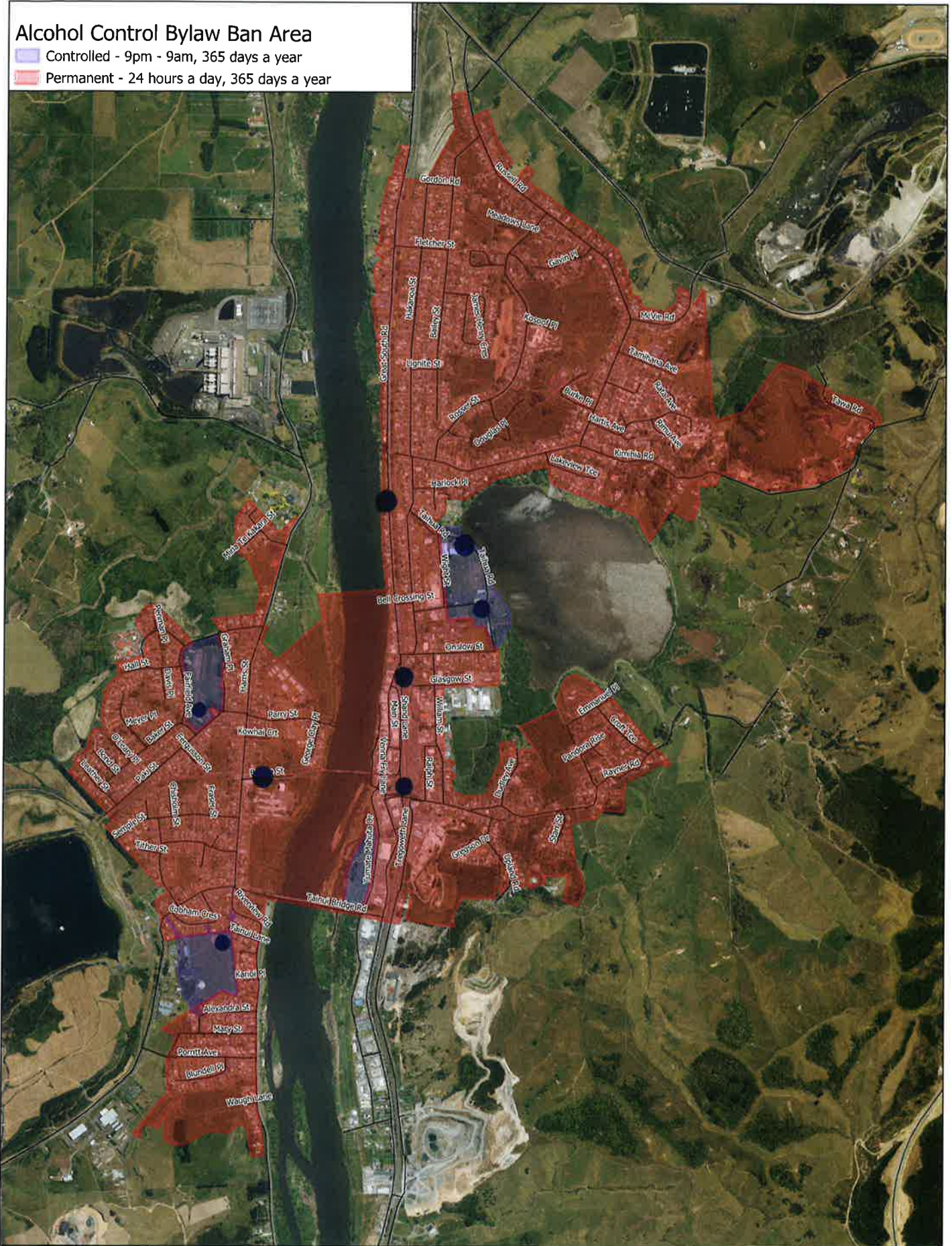
GIS Department  
 Created By: GIS  
 Created For:  
 JBELL001  
 Date Created:  
 2020-11-06  
 Projection: NZTM  
 GD2000  
 Ref: ME22783

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### Alcohol Control Bylaw Ban Area

- Controlled - 9pm - 9am, 365 days a year
- Permanent - 24 hours a day, 365 days a year



**Alcohol Control Bylaw Ban Area:**  
**Huntly**  
**Map#3**

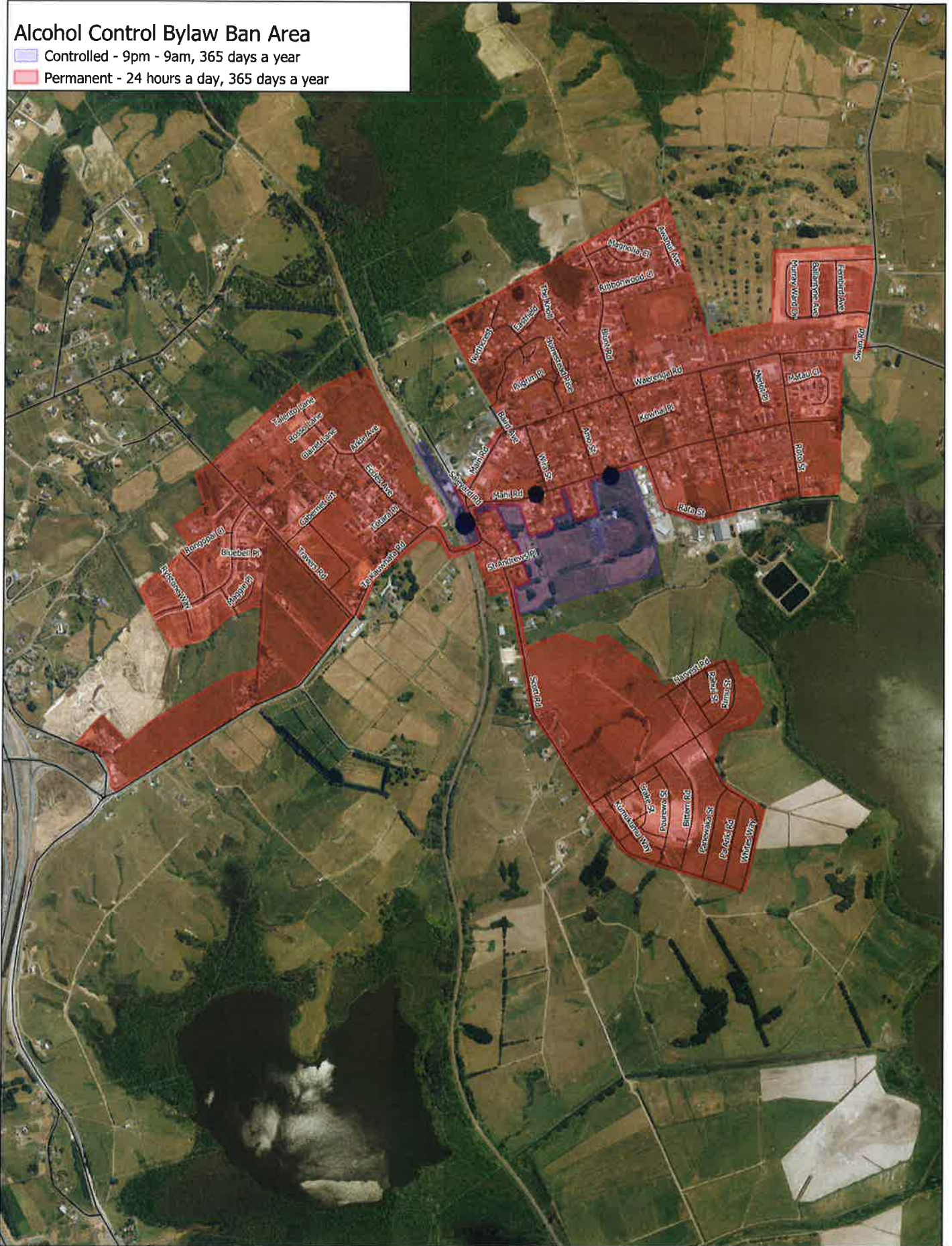
GIS Department  
 Created By: GIS  
 Created For:  
 JBELL001  
 Date Created:  
 2020-11-06  
 Projection: NZTM  
 GD2000  
 Ref: ME22783

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 WRAPS



### Alcohol Control Bylaw Ban Area

- Controlled - 9pm - 9am, 365 days a year
- Permanent - 24 hours a day, 365 days a year



**Alcohol Control Bylaw Ban Area:**  
**Te Kauwhata**  
**Map#4**

GIS Department  
 Created By: GIS  
 Created For:  
 Date Created:  
 2020-11-06  
 Projection: NZTM  
 GD2000  
 Ref: ME22783


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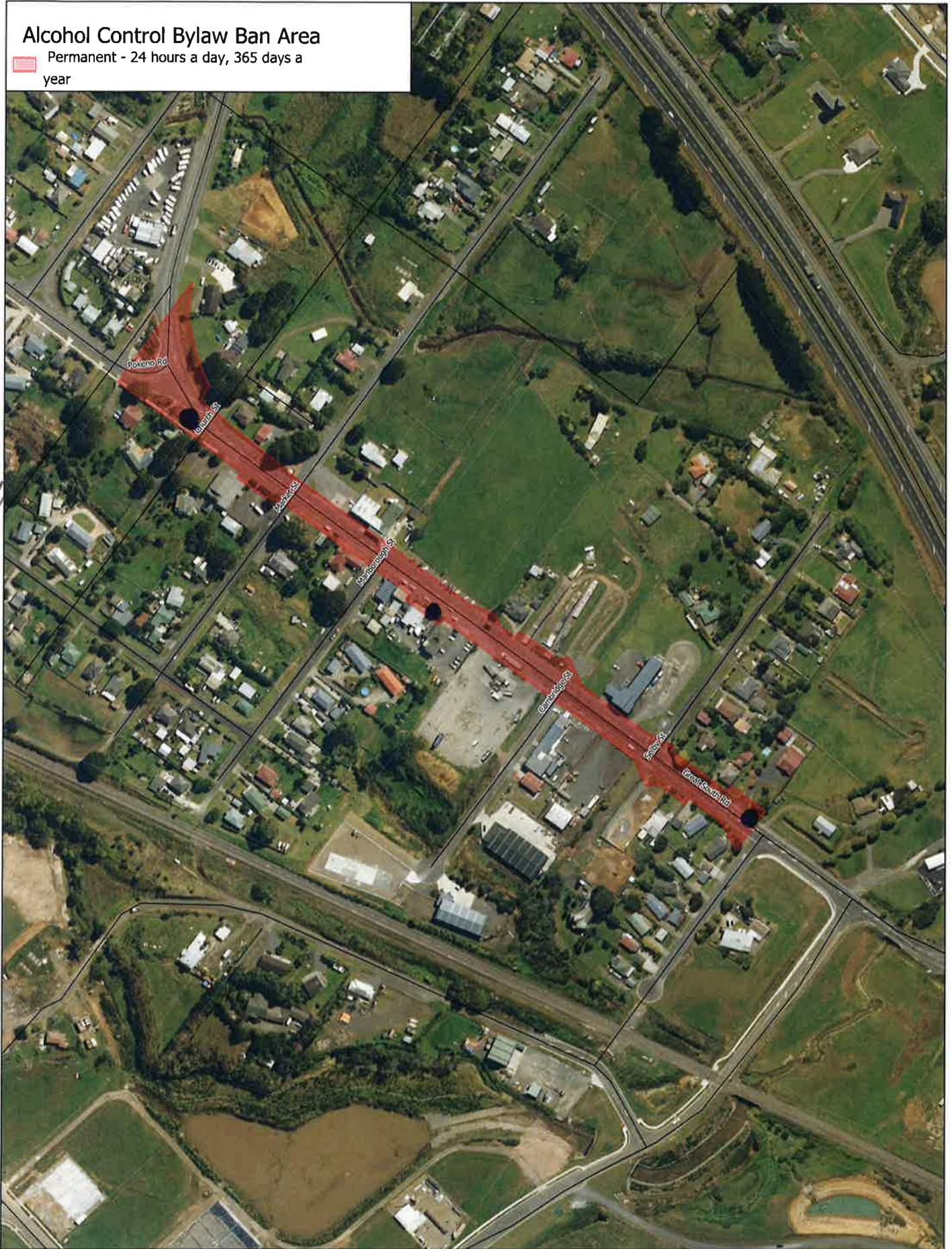






### Alcohol Control Bylaw Ban Area

 Permanent - 24 hours a day, 365 days a year



Alcohol Control Bylaw Ban Area:  
 Pokero  
 Map#6

GIS Department  
 Created By: GIS  
 Created For:  
 Date Created:  
 2020-11-06  
 Projection: NZTM  
 GD2000  
 Ref: ME22783

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### Alcohol Control Bylaw Ban Area

- Controlled - 9pm - 9am, 365 days a year
- Permanent - 24 hours a day, 365 days a year



**Alcohol Control Bylaw Ban Area:**  
**Tuakau**  
**Map#7**

GIS Department  
 Created For: GIS  
 Created By: JBELL001  
 Date Created: 2020-11-06  
 Projection: NZTM  
 GD2000  
 Ref: ME22783

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### Alcohol Control Bylaw Ban Area

Permanent - 24 hours a day, 365 days a year



Alcohol Control Bylaw Ban Area:  
Raglan  
Map#8

GIS Department  
Created By: GIS  
Created For: JBELL001  
Date Created: 2020-11-06  
Projection: NZTM  
GD2000  
Ref: ME22783

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### Alcohol Control Bylaw Ban Area

- Controlled - 9pm - 9am, 365 days a year
- Permanent - 24 hours a day, 365 days a year



### Alcohol Control Bylaw Ban Area: Port Waikato Map#9

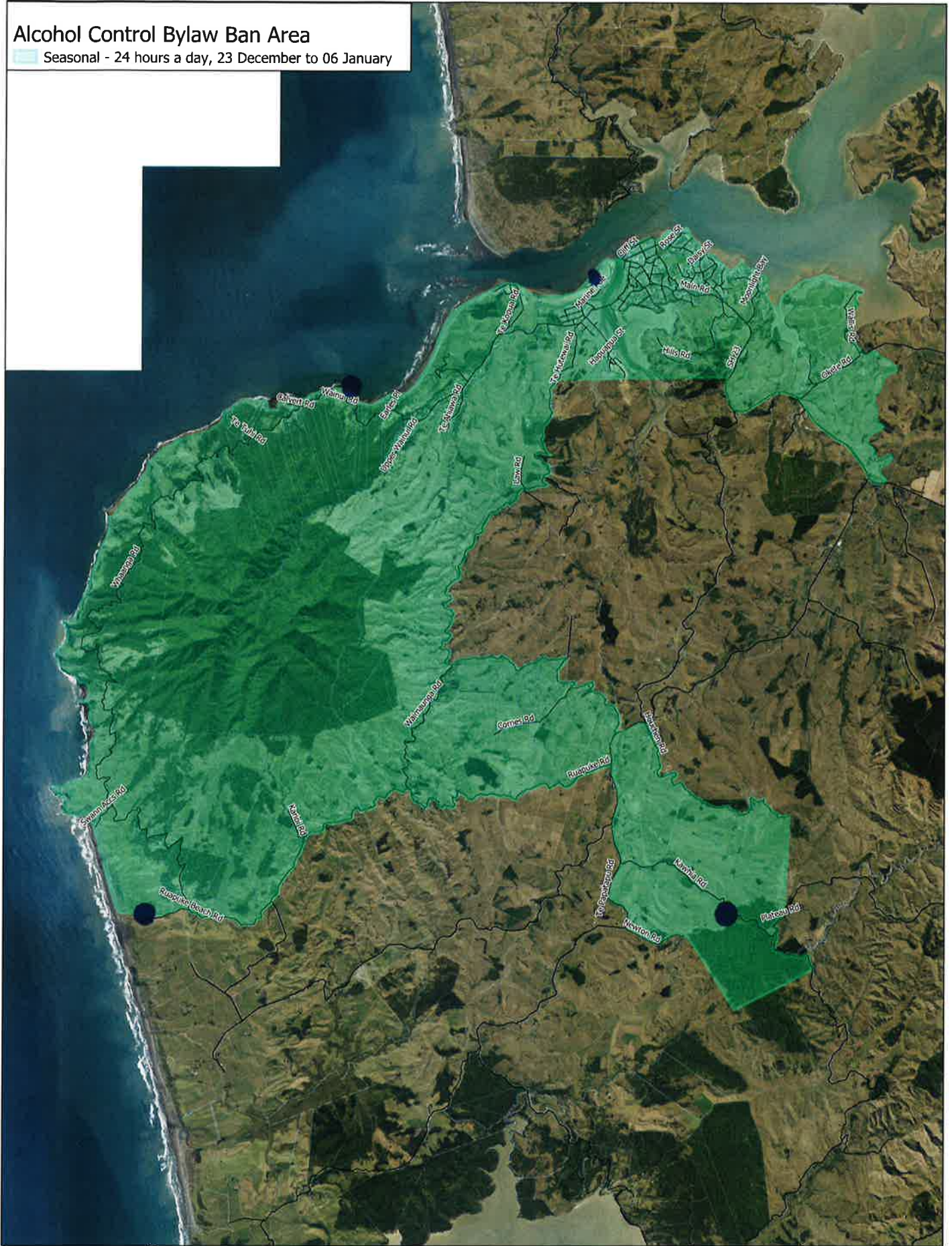
GIS Department  
Created By: GIS  
Created For:  
JBELL001  
Date Created:  
2020-11-06  
Projection: NZTM  
GD2000  
Ref: ME22783

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WRAPS



# Alcohol Control Bylaw Ban Area

Seasonal - 24 hours a day, 23 December to 06 January



Alcohol Control Bylaw Ban Area:  
Raglan District  
Map#10

GIS Department  
Created By: GIS  
Created For: JBELL001  
Date Created: 2020-11-06  
Projection: NZTM  
GD2000  
Ref: ME22783

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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>	4 March 2021
<b>Prepared by</b>	Bessie Clarke Junior Corporate Planner
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318 / 3029130
<b>Report Title</b>	Replacement of Petitions Policy with Petitions Guidelines

## **I. EXECUTIVE SUMMARY**

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The Council's current Petitions Policy (Attachment 1) was adopted in December 2015. The policy is overdue for review and considered no longer fit for purpose. The policy sets out the process to be followed when community members wish to petition Council on a particular subject or issue. In the past, Council accepted petitions despite the documents not meeting the requirements of the policy.

A set of new petition guidelines (Attachment 2) is recommended to replace the Petitions Policy 2015. This has been prepared to assist those writing petitions, explain the process of having a petition presented to Council, and outline what happens once we receive it.

As an informal document, guidelines can be updated and amended at a staff level when necessary, in a more efficient manner compared to a policy.

The proposed guidelines have been drafted incorporating feedback from Councillors at a workshop on 9 February 2021.

## **2. RECOMMENDATION**

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

**AND THAT** the **Policy and Regulatory Committee** recommends to **Council** that the **Waikato District Council 'Petitions Policy'** be revoked and replaced with the **Waikato District Council 'Petitions Guidelines'** with immediate effect.



### 3. BACKGROUND

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The purpose of the Petitions Policy 2015 is to set out the process to be followed when community members wish to petition Council on a particular subject or issue. The policy provides an avenue for members of the community to have a role in shaping the policies and decisions undertaken by Council that will affect the community in which they live.

The policy includes:

- What information the petition should contain.
- Specific rules to be adhered to when preparing a petition to Council.
- Lists types of petitions which are not adequate under the policy and therefore will not be accepted by Council.
- Role of the Chief Executive regarding policy compliance and
- Guidance on the referral process of a petition to Council.

Petitions are currently assessed against the policy to determine if they meet the criteria specified, in order to then be accepted and considered by Council.

### 4. DISCUSSION AND ANALYSIS OF OPTIONS

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#### 4.1 DISCUSSION

The initial intent of the current Petitions Policy was to provide a clear direction for preparation of petitions and provide consistency in terms of the format of petitions being received. However, the policy is now overdue for review and has been deemed unfit for purpose, with Council accepting petitions for consideration despite the documents not meeting the requirements of the policy.

#### **Past petitions**

The current Petitions Policy includes what information the petition should contain, rules that must be adhered to when preparing a petition to Council and lists those petitions that will not be accepted by Council.

Council has accepted some petitions that have not met the requirements of the policy. The following three petitions are examples of this:

- Tuakau Residents Petition for speed humps (2019) – Prepared by Tuakau Residents from Martindale Lane, Jellicoe Avenue, Hua Place and McGowan Rise relating to the installation of speed humps on Martindale Lane, either side of the Martindale Playground, to reduce speed.
- Residents of Rataroa Road (2019) – Prepared by the residents of Rataroa Road in relation to the road's condition, maintenance and dust nuisance, causing property and health concerns and road safety issues.
- Petition to Council to purchase the land at Pukeiahua Pa (2020) – Prepared by local hapu (Ngati Tamainupo) requesting that Council purchase the land at 5851 Great South Road, Ngaruawahia to preserve the food pits at this site which hold significant historical and cultural significance to local hapu.

All the petitions mentioned above did not have the principal petitioner sign the front page of the petition, did not contain the phone number of each person who signed it and was longer than the 50-word limit. For these reasons, the above petitions did not meet the requirements of the policy.

However, the intent was clear from each of these documents that they were to present as a petition. Staff recommended and Council agreed, against the Petitions Policy, that these documents be accepted and be given effect to as if they were valid petitions under the policy.

It is therefore proposed that the current petitions policy be converted into guidelines, which will be displayed on Council's website.

### **Content of guidelines**

The basic content of the policy has been maintained in the draft guidelines. The language has been softened to guidance rather than a stringent 'must do' check list. Guidance for electronic petitions is also now included. The guidelines themselves are also shorter and more concise than the policy and also contain an example paper petition.

The guidelines have also been updated to include legal advice regarding privacy of petitioners. During the workshop, the elected members discussed concerns around privacy requirements for individuals signing the petition and their name and contact details being made publicly available.

Advice from legal counsel is that any person who signs a petition does not have an overriding expectation of privacy, as the presentation of the petition to Council will take place in a public meeting and the petition document will be attached to the agenda.

However, to mitigate Council's risk in terms of claims of alleged privacy breaches, the following courses of action are recommended:

- If the petition contains more information than full name, address and signature, other personal information is redacted from the copy of the petition document attached to any agenda, ie phone numbers and email addresses be redacted before being made public. This step is now included within the petition guidelines process.
- Petition guidelines should require that the petition document contains a privacy waiver. This is effectively a statement advising signatories that the information gathered by the petition may be made publicly available/published. There is an onus on the individual collecting the personal information by way of petition to comply with the obligations of the Privacy Act 1993. The waiver is included in the proposed petitions guidelines.

### **Petition approval process**

During the Council workshop on 9 Feb 2021, elected members discussed protocols of committees recommending petitions to Council.

The current Governance Structure and the common delegations enable each of the three principal standing Committees (Strategy & Finance, Policy & Regulatory and Infrastructure) to receive and consider petitions and make recommendations/decisions on matters that fall within their respective terms of reference.

Therefore, a committee will not have to ‘recommend to Council’ decisions arising from a petition on matters that would otherwise be for that committee to decide.

## 4.2 ANALYSIS

It is recommended that the Petitions Policy is converted into guidelines. Policies are formal statements, whereas guidelines are recommendations that are designed to streamline certain processes according to best practice.

The advantages of this recommendation are:

- The current Petitions Policy sets mandatory standards for petitions Council receives. However, Council has chosen to accept petitions that do not meet the policy’s requirements as has been done in the past. By converting the current policy to a set of guidelines, discretion can be applied regarding Council’s acceptance and consideration of petitions, while providing guidance to the public on format of petitions.
- Accepting petitions does not commit Council to action, although it may increase the expectation of Council to act on the matter. Declining a petition because it does not align with the Petitions Policy could be perceived as limiting the views of community members.
- Being non-mandatory, guidelines can also be updated when necessary without the need for a formal Council review process that external policies generally adhere to.

A disadvantage of the recommendation is:

- Some public members may be familiar with the policy and will need to be re-familiarised with the guidelines.

## 4.3 OPTIONS

### **Option 1- Revoke the Council’s current Petitions Policy and replace it with the proposed guidelines.**

Council’s current Petitions Policy is overdue for review and is considered no longer fit for purpose. Council in the past has continued to accept petitions despite not meeting the policy’s requirements. A set of guidelines is a more effective document and will not require Council to go against its own policy.

*This option is recommended.*

### **Option 2- Retain Council’s current Petitions Policy**

The current Petitions Policy could be retained, however it is considered no longer fit for purpose. Council in the past has continued to go against the policy and accept petitions that do not meet the policy requirements.

*The option is not recommended*

## 5. CONSIDERATION

### 5.1 FINANCIAL

Nil

### 5.2 LEGAL

Legal Team has advised in regard to the Privacy issues and advised a privacy waiver be added to the guidelines.

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

Nil

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

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

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>	Website will include information to inform the public of the change to the guidelines.				

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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The current Petitions Policy is overdue for review and is recommended to be converted into a set of guidelines. This is because guidelines allow discretion regarding Council's acceptance and consideration of petitions and will not require a formal review process if changes are required.

A new petitions guideline document has been prepared to provide community members with clear, informative guidance on preparing a petition to Council that enables discretion when accepting petitions. It is proposed that this document replaces the current petitions policy in its entirety.

## **7. ATTACHMENTS**

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- A Current WDC Petitions Policy
- B Proposed Petition Guidelines

# WDC Petitions Policy

Policy Sponsor:	Chief Executive
Policy Owner	General Manager Strategy & Support
Resolution Number	WDC1512/06/1/6
Approved By:	Policy & Regulatory Committee
Date Approved:	December 2015
Next Review Date:	December 2018

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## Introduction

New Zealand's Local Government democracy not only provides for community members to elect their representatives, but also allows community members to have a say in shaping the policies that affect the community they live in. This involvement is achieved by Council receiving submissions and petitions from the public.

Submitting a petition does not replace normal communication and engagement processes such as discussing the issue with Council staff, councillors, or the Mayor.

## Purpose

This policy sets out the process to be followed when community members wish to petition the Waikato District Council (the Council) on a particular subject.

## Application

This policy applies to community members within the boundaries of the Waikato District Council.

## Related Legislation, WDC Policies and Processes

- Local Government Act 2002
- Model Standing Orders for Meetings of Local Authorities and Community Boards (NZS9202:2003)
- Privacy Act 1993.
- Council's Significant and Engagement Policy

## Definitions

**Petition** – a document addressed to the Waikato District Council, signed by one person or many people, that requests Council to take action on a matter of Council policy, or to redress a local or private grievance. The Chief Executive will determine whether the correspondence submitted qualifies as a petition under this policy.

**Principal petitioner** – the individual or person representing an organization or group of people whose name appears at the head of the petition. The Principal petitioner is usually the person who:

- has initiated or organised the petition; and
- may be sought by Council to provide further information on the petition.

## Policy Statements

### 1. Who can Petition the Waikato District Council?

Anyone may petition the Council, including business houses, clubs, community organisations or groups.

### 2. Should you Petition?

Petitioning the Council is not always the only course of action. Some matters can be investigated by an Ombudsman or other agencies.

The public can obtain advice on whether a matter is within the jurisdiction of the Ombudsman from the offices of the Ombudsman situated in Auckland or Wellington, or by writing to the Office of the Ombudsman, PO Box 10-152, The Terrace, Wellington.

### 3. What information should the Petition contain?

The petition must contain, as a minimum:

- The name and address of the principal petitioner; and
- The signature of the Principal petitioner on the front page; or
- In the case of a petition from a business house or club/society, the signature of a duly authorised officer on behalf of that organisation, on the front page; and
- The name, address and phone number for each person who has signed the petition. (This is a requirement under the Standing Orders NZ 9202:2003).

### 4. Rules for Preparing a Petition

The following rules must be adhered to when preparing a petition to Council:

- The petition must be no more than 50 words.
- The petition must cover a single issue.
- The petition must not be disrespectful or use offensive language or statements made with malice.
- Each additional page containing signatures must be headed with the petition's request.
- Unless incapacitated, a person must sign the petition personally. A person signing on behalf of an incapacitated person must state this fact beside the signature.
- Signatures must be original (not photocopied, faxed, scanned, pasted or otherwise transferred onto sheets of the petition).
- Signatories must include their full names and addresses.

### 5. Petitions which are not Acceptable

A public petition will not be accepted by the Council where –

- The petition is not addressed directly to the Waikato District Council. Petitions addressed to the Governor General, a Minister of the Crown, or any other body or person, are not petitions to Waikato District Council.
- The matter can be investigated by the Ombudsman but the public has not applied to an Ombudsman. The Ombudsman can investigate and review decisions, recommendations or acts relating to matters of administration in local authorities. The public can obtain advice on whether a matter is within the

jurisdiction of the Ombudsman from the offices of the Ombudsman, as described above.

- The public have not exhausted their legal remedies and the matter should be dealt with by the Courts or a tribunal. The restriction applies when the public have a statutory right of appeal or have legal action pending.
- The petition contains multiple issues.
- The petition is similar to an earlier petition that has already been fully considered by the Council (within the 3 year term of Council). Such a petition may be received or considered by a Council only if substantial and material new evidence has become available since the consideration of the earlier petition.
- The petition does not meet the requirements of Clause 3 and 4 above.
- The statutory requirements of the petition have not been met.

## 6. Presenting a Petition

When a petition is ready, the principal petitioner must initially contact the Chief Executive's office of the Waikato District Council and request for it to be presented.

The Chief Executive's office will advise the principal petitioner how the petition can be delivered and/or presented.

## 7. Role of the Chief Executive

When petitions are delivered to the Chief Executive, they will be checked for compliance with this policy. If the petition complies with the rules and conventions of the Council, it will be accepted. If the petition does not comply, it will be returned by the Chief Executive to the principal petitioner with an explanation as to why the petition cannot be accepted.

## 8. Referral of Petition to Council

The Chief Executive will consider the petition content and, where appropriate, refer the petition to Council, or the appropriate committee, with recommendations. Council, or the appropriate committee, must report on what decision, if any, it has resolved to implement the recommendations. The Council's report on a petition is contained in the meeting minutes which are available to the public.

Once the report has been to Council, or the appropriate Committee, the Chief Executive will notify the principal petitioner, within 7 days, of the decision and action taken.

## Policy Review

This policy will be reviewed as deemed appropriate by the Chief Executive, at least once every three years.



# Petitions Guidelines

Date approved: March 2021

Next review: March 2024

## Introduction

The purpose of these guidelines is to assist people in writing a petition that is to be presented to Council. These guidelines also explain the process of having a petition presented to Council and what happens following once we receive it.

A petition is a paper or electronic document asking Council to take a specific action to address a concern or change policy. A petition is signed by a number of people to indicate support for a proposal.

Anyone may petition the Council, and you do not have to be over a certain age or live within the Waikato District, noting however that Council and Council committees are accountable to the Waikato District ratepayers.

Petitioning the Council is not always the only course of action. We always encourage you to discuss the matter with a staff member, Councillors or Mayor first. Some matters can also be investigated by an Ombudsman or other agencies.

## Guidelines for preparing a petition

The following can be used as a guide when preparing a petition for Council. It is recommended that all petitions include :

- A short petition statement (no more than 150 words), requesting a single issue to be addressed.
- The name, physical address, and signature of the person or organisation who started the petition.
- The petition must not be disrespectful or use offensive language or statements made with malice.
- Petitions can be written and presented in English or Te Reo Maaori. A petition may also be presented to Council in Sign Language. However, petitioners planning to make and/or present a petition in Te Reo Maaori or sign language should advise the relevant chairperson of this at least **two working days** before the meeting. This is to enable the petition to be translated and reprinted (if necessary).
- Petition documents should contain a privacy waiver, advising signatories that the information gathered by the petition may be made publicly available/published.

For paper petitions:

- A name, physical address and signature of each person who is in support of the proposal.
- Each subsequent page of the petition containing signatures should also contain the petition statement.

- Unless incapacitated, a person must sign the petition personally. A person signing on behalf of an incapacitated person must state this fact beside the signature.
- Signatures should be original (not photocopied, faxed, scanned, pasted or otherwise transferred onto sheets of the petition).

For electronic petitions:

- The name and physical address of each person who is in support of the proposal.
- A closing date for the collection of signatures for your petition.

### **Petitions which are not acceptable**

A public petition will generally not be recognised by the Council where –

- The petition is not addressed directly to the Waikato District Council.
- The matter can be investigated by the Ombudsman but the public has not applied to an Ombudsman. The Ombudsman can investigate and review decisions, recommendations or acts relating to matters of administration in local authorities. The public can obtain advice on whether a matter is within the jurisdiction of the Ombudsman from the offices of the Ombudsman.
- The public have not exhausted their legal remedies and the matter should be dealt with by the Courts or a tribunal. This applies when the public have a statutory right of appeal or have legal action pending.
- The petition contains multiple issues.

### **Process for receiving and presenting a petition**

1. Principal petitioner sends the petition to Council
2. Corporate Planning team checks that the petition is in line with the Petition Guidelines and Standing Orders.
3. If the petition contains more information than full name, address and signature, the additional information is redacted from the copy of the petition document attached to any agenda.
4. The petition is presented by staff to the next relevant Committee of Council. The principal petitioner will be advised of which Committee of Council the petition will be presented to.
5. If the principal petitioner wishes to speak to their petition, they will need to seek permission from the relevant Council Committee chair
6. Either Council or the relevant Committee of Council makes decisions on next steps for the petition, for example if further work is needed by staff to investigate the issues raised by the petition.
7. Council notifies principal petitioner of Council's decision

## Example paper petition

Chief Executive  
Waikato District Council  
Private Bag 544  
Ngaruawahia 3742

Note:

To the Chief Executive,

We, the residents of [town/locality] wish to petition the Waikato District Council on the following:  
[state grounds or concerns on the issue] **(Note: the petition should comprise fewer than 150 words (not including signatories.)**

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### The contact person for this petition is:

Name:

Postal Address:

Town/Postcode:

Contact Number:

Email address:

*Note: For privacy reasons, these details could be included in a separate covering letter.*

### To the Waikato District Council Signatories – please print clearly

	Name	Physical Address	Signature
1.			
2.			
3.			
4.			
5.			
6.			

7.			
8.			
9.			

*Privacy Notice: Petitions received by the Council are public documents and along with the name of the petitioner will be released to persons who may request a copy. The contact details of the signatories will be withheld unless the Principal Petitioner indicates that they do not object to those contact details being released.*

<b>Subsequent pages of petition</b>
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To the Waikato District Council,

We, the residents of [town/locality] wish to petition the Waikato District Council on the following:  
[state grounds or concerns on the issue] **(Note: the petition should comprise fewer than 150 words (not including signatories.)**

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**Signatories – please print clearly**

	<b>Name</b>	<b>Physical Address</b>	<b>Signature</b>
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

*Privacy Notice: Petitions received by the Council are public documents and along with the name of the petitioner will be released to persons who may request a copy. The contact details of the signatories will be withheld unless the Principal Petitioner indicates that they do not object to those contact details being released*

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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>	2 March 2021
<b>Prepared by</b>	Hannah Beaven - Corporate Planning Team Leader Bessie Clarke - Junior Corporate Planner
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318 / 3028746
<b>Report Title</b>	Update on Policy and Bylaw Review Programme – March 2021

## I. 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 February 2021. Staff have worked on a number of bylaws and policies since February 2021. In addition, work is also currently being scoped on other policies and bylaws.

On 3 February 2021, the Policy and Regulatory Committee requested that the review of the Freedom Camping Bylaw be prioritised above other reviews, in order to make the revised bylaw operative before the peak summer season. Staff were requested to review the Policy and Bylaw programme and report back to the committee with proposed changes.

This report presents the Policy and Bylaw Review Schedule and presents options for a revised program. Direction from the committee of desired priority areas is sought.

## 2. RECOMMENDATION

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

**AND THAT** the **Policy and Regulatory Committee** resolves to maintain the current **Policy and Bylaw Review Programme** with minor amendments (**Option 2**).

### 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 February (details provided in attachments):

- Keeping of Animals Bylaw – Hearing occurred 24 February 2021. Hearing to be reconvened end of March for deliberations.
- Livestock Movement Bylaw and related policies – A meeting was held in December 2020 with Federated Farmers where discussion occurred about the One Network Framework (related to roading) and how this will impact road designations in the district. A further meeting will be scheduled for end of March / April 2021 to refine drafts prior to a workshop with Council.
- Petitions Policy – A Council workshop took place on 9 February 2021. The revised guidelines will be presented at the next Policy and Regulatory Committee meeting on 17 March 2021.
- Development Contributions Policy – This policy has been reviewed, a paper has gone to the LTP 2021-31 Steering Group and the policy has been discussed at a Council workshop. Consultation on this policy will occur concurrently with LTP consultation in April 2021.

Worked is being scoped for the following:

- Water Supply Bylaw 2014
- Proposed Stormwater Bylaw (New)
- Proposed Waste Bylaw (New)
- Dog Control Bylaw 2015.

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. DISCUSSION AND ANALYSIS OF OPTIONS

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### 4.1 DISCUSSION

#### **Prioritisation of policy and bylaw reviews**

On 3 February 2021, the Policy and Regulatory Committee requested that the review of the Freedom Camping Bylaw be prioritised above other reviews in order to make the revised bylaw operative before the peak summer season. Staff were requested to review the Policy and Bylaw programme and report back to the committee with proposed changes.

The Corporate Planning team has additional requests to be factored into the review programme, such as:

- **New Solid Waste Bylaw**

This bylaw would support the management and minimisation of waste. Development of a new bylaw was one of the activities agreed to through Council's Waste Minimisation Management Plan (WMMP).

Council receives \$250,000 of funding through a waste levy from the Ministry of the Environment. This levy goes to territorial authorities to spend on promoting or achieving the waste minimisation activities set out in their waste management and minimisation plans.

To continue to receive funding, Council must demonstrate that the funding received is being used as set out in the WMMP. Scoping on possible timeframes of this review will be undertaken and the Committee will be updated at the next meeting.



- **Amendment of Speed Limit Bylaw schedules**

Council's transportation staff are seeking to amend the speed limit bylaw schedule to lower speed limits in residential areas. This proposed change requires a full consultation process, including a month submission period and hearings.

- **Additional targeted consultation on newly adopted Alcohol Control Bylaw 2020**

Additional targeted consultation was requested by the Policy and Regulatory Committee to extend the Alcohol Control Area in Pokeno.

An overview of the bylaw review program is below. As staff are unable to add additional items (List 2) to the current work programme (List 1) without re-prioritising, direction from Council is sought on priority areas.

	<b>List 1: Current work programme for 2021</b>	<b>List 2: Proposed new additions</b>
2021	<p>Review of:</p> <ol style="list-style-type: none"> <li>1. Livestock Movement Bylaw – Bylaw lapsed in 2018 and so is considered a priority review.</li> <li>2. Water Supply Bylaw 2014 – Priority review as this bylaw will lapse in Oct 2021.</li> <li>3. Dog Control Bylaw 2020 – Staff recommend this bylaw review is commenced soon, as this bylaw will lapse in May 2022.</li> <li>4. Keeping of Animals Bylaw 2020 – The majority of this review is complete and the bylaw is expected to be adopted by April 2021.</li> <li>5. Freedom camping bylaw – Scheduled to begin in the latter half of 2021; this has been requested by the committee to be brought forward, but does not lapse until October 2023.</li> <li>6. Public Places Bylaw – Scheduled to begin in the latter half of 2021; this bylaw will require considerable staff effort and is recommended to be delayed to allow for focused work once other bylaws have progressed. It will lapse in April 2023.</li> </ol> <p>New bylaw:</p> <ol style="list-style-type: none"> <li>7. Stormwater Bylaw – this bylaw review has commenced with a consultant brought on board and is planned to be adopted by October 2021, to align with the Water Supply Bylaw review.</li> </ol>	<ol style="list-style-type: none"> <li>1. New solid waste bylaw</li> <li>2. Targeted consultation for extension to Pokeno-area provisions of alcohol control bylaw</li> <li>3. Amendments to Speed Bylaw Schedules</li> </ol>

### 4.3 OPTIONS

#### **Option 1- Maintain current work programme, as outlined in List I**

This is not recommended as staff do not have adequate resource to fully complete the work program outlined above. This is due to other high priority projects, such as the 2021-31 Long Term Plan, requiring corporate planning effort.

*This option is not recommended.*

#### **Option 2 – Maintain current work programme with amendment (recommended)**

Staff propose to maintain the current work programme, with exception to the following proposed changes: Delay review of the Public Places Bylaw until 2022 and replace with Amendment to Speed Bylaw Schedules.

This is recommended as the review of the Public Places Bylaw will not lapse for two years and the proposed Amendment to Speed Bylaw Schedules is a relatively clear and contained proposed change, compared to the complex Public Places Bylaw and will require less staff resource.

*This option is recommended.*

#### **Option 3 – Maintain current work programme, prioritising the freedom camping bylaw**

Start the freedom camping bylaw review immediately and delay the dog control bylaw review. There is a risk with this option that the dog control bylaw review may not be completed in time (by May 2022) and will lapse, which is not recommended as this bylaw is needed for dog control in the district.

*This option is not recommended.*

### 4.4 ANALYSIS

Staff have developed options for the 2021 Bylaw Review and Development Programme. These options are partially dependent on a proposed additional corporate planning staff member from mid-2021, funded through the 2021-31 Long Term Plan. Subject to Council direction, Option 2 is recommended.

The advantages of Option 2 are:

- Resource is focused on bylaw reviews where there is a risk the bylaw will lapse or it has currently lapsed. This includes the Water Supply Bylaw 2014, Dog Control Bylaw 2020 and Livestock Movement Bylaw.
- Other bylaw reviews, where there is no risk of lapsing, are further extended (for example, the Public Places Bylaw review).
- It utilises staff resources from other parts of Council where there is resource to progress reviews. For example, Amendments to Speed Bylaw Schedules.

The disadvantages of Option 2 are:

- The Freedom Camping Bylaw review will not be completed before the peak summer season and will likely extend into 2022.
- The Public Places bylaw review is completed later than originally scheduled (though still within legislated timeframes).
- Targeted consultation on the Alcohol Control Area in the Pokeno area will not be undertaken and as such this area will remain as currently outlined in the bylaw.

It does not currently accommodate the proposed new Solid Waste Bylaw.

Note that none of the options currently accommodate the proposed new Solid Waste Bylaw. Staff discussions will occur to identify whether there are other ways to resource this work.

Staff will continue to monitor the bylaw review program and seek the committee’s direction for areas of focus.

## 5. CONSIDERATION

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### 5.1 FINANCIAL

Nil.

### 5.2 LEGAL

Pushing out the review of the Dog Control Bylaw and Policy would potentially risk the bylaw lapsing and therefore being revoked, which is not recommended as the bylaw is needed by Council for dog control within the district. However, pushing out the review of the Public Places Bylaw is feasible as it does not lapse for two years.

### 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>					

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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As staff are unable to add items to the current bylaw review work programme without re-prioritising, direction from the committee is sought on priority areas.

It is recommended that the current work programme is maintained with minor amendments. This allows for some additional requests, the Corporate Planning team has received, to be factored into the Policy and Bylaw Review Programme.

## 7. ATTACHMENTS

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- A Register of bylaws
- B 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 – Updated 26 February 2021

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 March 2021	Comments	Related Legislation
Alcohol Control Bylaw 2020	new	I	Dec 2030	Dec-2032	NA	NA	NA	<p>Council adopted the proposed bylaw at their December meeting.</p> <p>At the 23 November Policy and Regulatory meeting, targeted consultation within Pokeno was requested. This consultation was requested to see if there is evidence of harm from excessive or inappropriate use in this specific area to look at extending the alcohol control area.</p> <p>At present there is no evidence to suggest alcohol harm in this specific area. Targeted consultation may provide additional evidence to justify Council expanding the alcohol control area in Pokeno.</p> <p>Staff are seeking Council direction on bylaw priorities, which will determine if this targeted consultation will take place.</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

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 March 2021	Comments	Related Legislation
<b>Livestock Movement Bylaw (new)</b>	new	2	Jul-17	Jul-19	May-21	Jun-21	Sep-21	<p>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 March / April 2021 to refine drafts prior to a workshop with Council.</p> <p>Possible reprioritisation if other bylaws are to be reviewed prior to this one.</p>	The Livestock Movement Policy and the Stock Underpass Policy is also planned to be 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	Council workshop booked for 17 March to seek Council direction and feedback on suggested changes from staff.	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	<p>This bylaw has expired but is still enforceable. Staff have been advised that New Zealand Transport Agency are looking into taking on speed bylaw functions, which would make this bylaw defunct. As such, a full bylaw review at this point is not recommended.</p> <p>Council transport staff are seeking to make changes to the bylaw schedule this year. As a number of requests for new bylaws or reviewing bylaws have come up, a discussion with the Policy and Regulatory Committee around prioritisation is requested.</p>	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

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 March 2021	Comments	Related Legislation
<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 with Council 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	Hearing occurred 24 February 2021. Hearing to be reconvened end of March for deliberations.		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

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 March 2021	Comments	Related Legislation
<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 (new)</b>	new	-	-	-	-	-	-	<p>Staff from Waste have requested this bylaw development is commenced this year.</p> <p>The purpose of this bylaw is to promote and deliver effective and efficient waste management and minimisation. It is one of the activities that was agreed to and signed off on, through Council's Waste Minimisation Management Plan.</p> <p>Direction from Council on bylaw priorities is sought through the attached report.</p>		
<b>Stormwater Bylaw (new)</b>	new	(3)	-	-	May -21	Jun-21	Sep-21	The updated Hamilton City Council stormwater bylaw (draft) has been assessed as 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. Draft to be presented to Council to seek direction and feedback at workshop in March.	Review to occur concurrently with Water Supply Bylaw.	Health Act 1956



## Register of External Policies

Updated: 26 February 2021

	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 – staff recommend this is revoked following adoption of Climate Response and Resilience Policy and Action Plan. This will be brought to the next P&R for decision.
Licences – grazing policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1990	Jan 1993	N/A		REVIEW	
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	

	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?
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	The property team were consulted and recommend maintaining the policy until it can be incorporated into lease agreements or other appropriate operational templates. Once this is complete, it can be revoked.	REVOKE	
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	

	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?
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 202. Review still pending	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 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	
Dog Control Policy	WDC	Customer Support	Tracey Oakes (Animal Control Team Leader)	Apr 2015	With Dog Control Bylaw	Dog Control Act 1996	Currently being reviewed alongside Dog Control Bylaw	REVIEW	
District Tree Policy	WDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Apr 2015	Apr 2018	N/A		REVIEW	

	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?
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 Services for	FDC	Service Delivery	Roger MacCulloch (General Manager Service Delivery)	Jan 1997	Jan 2000	P & R Committee	The contents of this policy are now covered under the Terms of Reference for halls. This policy will be deleted when General Halls Policy is adopted	REVIEW	
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. Workshop took place on 9 Feb 2021. Revised guidelines are on the agenda for the March 2021 meeting.	REVIEW	YES – report proposing to revoke the petitions policy and replace with guidelines on the agenda for the P&R March 2021 meeting.
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	Dec 2020	Dec 2023	Local Government Act 2002	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.	CURRENT	
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.

	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?
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	

	<b>Council (WDC/FDC)</b>	<b>Group</b>	<b>Policy Owner</b>	<b>Date approved</b>	<b>Next review date</b>	<b>Required under Statute? If so, which act?</b>	<b>Comments</b>	<b>Status</b>	<b>Update since last Committee meeting?</b>
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 & Regulatory Committee
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	25 February 2021
<b>Prepared by</b>	Lynette Wainwright Committee Secretary
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301
<b>Report Title</b>	LGNZ Remits – LGNZ Annual General Meeting 2021

## **I. EXECUTIVE SUMMARY**

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Local Government New Zealand (LGNZ) will be holding its Annual General Meeting on Saturday, 17 July 2021 in Blenheim.

Should the Council wish to submit any remits for consideration at the AGM, the remits would need to be submitted no later than 5.00pm, Friday, 14 May 2021. All submitted remits:

- must be supported by at least one Zone or Sector group meeting, or five councils; and
- are subject to review by LGNZ's Remits Review Committee. Remits that meet the Remits Screening Policy criteria will advance to the AGM for consideration.

For guidance, a memo from LGNZ, which includes details on the National Council's Remits Screening Policy, is attached to this report.

## **2. RECOMMENDATION**

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

**AND THAT** the Policy & Regulatory Committee advises the Chief Executive of any remits to prepare for the Council to consider and submit to LGNZ for the 2021 AGM.

### 3. DISCUSSION AND ANALYSIS OF OPTIONS

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#### 3.1 DISCUSSION

This is an annual process conducted in accordance with the LGNZ Annual General meeting.

#### 3.2 OPTIONS

Council could choose to submit one or more remits or not.

### 4. CONSIDERATION

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#### 4.1 FINANCIAL

There are no direct financial consequences of submitting remits.

#### 4.2 LEGAL

This is part of the legal process to effect change through LGNZ.

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

Linkages to strategies, policies and plans, depend on the nature of remits submitted.

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

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

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"/>
<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>	Type here if applicable				



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 (provide evidence / description of engagement and response)
			Households
			Business
			Other Please Specify

Comment(if any): Staff have not identified any remits to submit. If councillors identify any, this may necessitate consultation internally and with other councils.

## 5. CONCLUSION

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This report provides the opportunity for councillors to consider promoting any remits for the upcoming LGNZ Annual General Meeting.

## 6. ATTACHMENTS

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Memorandum – 2021 Annual General Meeting Remit Process

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**Date:** 22 February 2021  
**To:** Mayors, Chairs, Chief Executives, Zone Secretaries and Sector Chairs  
**From:** Susan Freeman-Greene, Chief Executive  
**Subject:** **2021 Annual General Meeting Remit Process**

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We invite member authorities wishing to submit proposed remits for consideration at the Local Government New Zealand Annual General Meeting (AGM) to be held on **Saturday 17 July 2021** in Blenheim, to do so no later than **5.00pm, Friday 14 May 2021**. Notice is being provided now to allow members of zones and sectors to gain the required support necessary for their remit (see requirement one below). The supporting councils do not have to come from the proposing council's zone or sector.

Proposed remits should be sent with the attached form. The full remit policy can be downloaded from the [LGNZ website](#).

### **Remit policy**

Proposed remits, other than those relating to the internal governance and constitution of Local Government New Zealand, should address only major strategic "issues of the moment". They should have a national focus articulating a major interest or concern at the national political level. The National Council's Remits Screening Policy is as follows:

#### **Criteria**

1. Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;
2. Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action;
3. Remits should not involve matters that can be actioned by equally valid means other than the AGM; and
4. Remits should not deal with issues or matters that are "in-hand" and currently being actioned by LGNZ, unless the issue is approached from a different point of view.

#### **Requirements**

1. Remits must have formal support from at least one zone or sector group meeting, or five councils, prior to their remit being submitted, in order for the proposer to assess support and achieve clarity about the ambit of the proposal;
2. Remits defeated at the AGM in two successive years will not be permitted to go forward;

3. Remits must be accompanied by background information and research to show that the matter warrants consideration by delegates. Such background should demonstrate the:
  - Nature of the issue;
  - Background to it being raised;
  - Issue's relationship, if any, to the current Local Government New Zealand Business Plan, key priorities, and its objectives;
  - Level of work, if any, already undertaken on the issue by the proposer, and outcomes to date;
  - Resolution, outcome and comments of any zone or sector meetings which have discussed the issue; and
  - Suggested actions that could be taken by Local Government New Zealand should the remit be adopted.

### Remit process

Local Government New Zealand will take the following steps to finalise remits for the 2021 AGM:

- All proposed remits and accompanying information must be forwarded to Local Government New Zealand no later than **5.00pm, Friday 14 May 2021**, to allow time for the remits committee to properly assess remits;
- A remit screening committee (comprising the President, Vice President and Chief Executive) will review and assess proposed remits against the criteria described in the above policy;
- Prior to their assessment meeting, the remit screening committee will receive analysis from the Local Government New Zealand staff on each remit assessing each remit against the criteria outlined in the above policy;
- Proposed remits that fail to meet specified criteria will be informed as soon as practicable of the committee's decision, alternative actions available, and the reasons behind the decision;
- Proposers whose remits meet the criteria will be contacted as soon as practicable to arrange the logistics of presenting the remit to the AGM; and
- All accepted remits will be posted to the Local Government New Zealand website, and members informed, at least one month prior to the AGM in order to allow members sufficient to discuss the remits prior to the AGM.

To ensure quality preparation for members' consideration at the AGM, the committee will not consider or take forward proposed remits that do not meet this policy, or are received after **5.00pm, Friday 14 May 2021**.

### General

Remits for AGM consideration also will be included formally in the AGM Business Papers that will be distributed to delegates not later than two weeks before the AGM, as required by the Rules (although as noted above the proposed remits will be available for member consideration before the AGM papers are issued to the membership).

Should you require further clarification of the requirements regarding the remit process please contact Leanne Brockelbank on 04 924 1212 or [leanne.brockelbank@lgnz.co.nz](mailto:leanne.brockelbank@lgnz.co.nz)

## Annual General Meeting 2021

### Remit application

<b>Council Proposing Remit:</b>	
<b>Contact Name:</b>	
<b>Phone:</b>	
<b>Email:</b>	
<b>Fax:</b>	
<b>Remit passed by:</b> (zone/sector meeting and/or list 5 councils as per policy)	
<b>Remit:</b>	

### Background information and research:

Please attach separately and include:

- Nature of the issue;
- Background to its being raised;
- New or confirming existing policy;
- How the issue relates to objectives in the current Work Programme;
- What work or action on the issue has been done on it, and the outcome;
- Any existing relevant legislation, policy or practice;
- Outcome of any prior discussion at a Zone or Sector meeting;
- Evidence of support from Zone/Sector meeting or five councils; and
- Suggested course of action envisaged.

**Please forward to:** Local Government New Zealand  
Leanne Brockelbank, Deputy Chief Executive - Operations  
P O Box 1214, Wellington 6140  
[leanne.brockelbank@lgnz.co.nz](mailto:leanne.brockelbank@lgnz.co.nz)

**No later than 5.00pm, Friday 14 May 2021.**

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### **Open Meeting**

<b>To</b>	Policy & Regulatory Committee
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	2 March 2021
<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>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)</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>We are in the heart of the construction season for 2020/2021. Work is ongoing with projects being completed, tenders being let and designs being completed.</p> <p>Capital project spend to the end of January 2021 was \$25.9 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>	



Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
			Councillors have been kept informed on progress with the various initiatives and expected carry forwards which will be rebudgeted for the first two years of the LTP.	
	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.	<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 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> <p>Staff are planning a community give back day on 26 March. This involves staff working in the community for a day to advance community projects and to embody the vision in action.</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.	The LTP briefings and workshops have given guidance to staff about the final shape of the 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 are having to be carefully managed through the LTP period.</p>	

Key project/priority	Key deliverables/KPIs	Progress	Final Achievement Met/Not Met
<p>3. Complete the development of a targeted Recovery Plan in respect of Covid-19 for the organisation and the District.</p>	<p>3.1 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 has been implemented. Business continuity plans are being reviewed and updated particularly in the light of recent Covid-19 events here and overseas.</p> <p>(b) Economic stimulus is coming through the Raglan Wharf project, Te Awa Cycleway and through grants available to council from 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> <p>A further community and business survey is being planned and hopefully will be completed in time to inform the final stages of the LTP submission process.</p>	
	<p>3.2 Fully implement all agreed strategies to agreed parameters and deadlines.</p>	<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> <p>As noted above, work on delivery of stimulus</p>	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
			projects is underway and a follow up survey to community/residential members and businesses is being planned.	
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). The project Control Group for the Southern Wastewater Plant has recommended a preferred option to the Governance Group. The Governance Group have requested further work to be undertaken.</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. Council's second representative will attend future meetings to cover political issues.</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 in future stages of the reform programme. Legislative change is being planned to streamline the process to agree to proceed. Stage 2 of the reform programme assumes that all councils are involved in the reform process unless they opt out (stage 1 was an opt in approach). The change for stage 2 indicates the government thinking on this matter.</p>	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
	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>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 some Blueprint initiatives, and these are being identified within the LTP spreadsheets to help track progress against Blueprint implementation.</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><b><u>Solid Waste Review – By 30<sup>th</sup> June 2021</u></b></p> <p>Complete phase 1 of the solid waste review (contract refresh in situ) and develop a public engagement strategy (phase 2) to inform Council strategy about how waste will be managed in future which is aligned with the Waste Minimisation Management Plan (WMMP) and Council's vision.</p>	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
			<p>A Project Manager (reporting to 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 late March.</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 various levels – meeting with mana whenua, through the Waikato-Tainui and Ngati Maniapoto Joint Management Agreements and 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 newly appointed Regional Partnership Director will present 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> <p>Surveys have also been supplemented by blogs, videos and face to face contact. Interest from staff in these various initiatives appears high (for example, through comments and numbers looking at information or watching videos posted on the staff Facebook page).</p>	

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.	<p>Two additional staff have been employed to support our Iwi and Community Partnership Manager to build our internal and our external capability.</p> <p>Weekly reports are provided about levels of activity and what is being accomplished.</p>	
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 most items having been completed. An updated report on progress is being prepared for the Audit &amp; Risk Committee in March. 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. A number of the initiatives have been included into proposed LTP budgets.</p> <p>The tentative agreement for a staff role to advance climate actions initiatives is being</p>	

Key project/priority	Key deliverables/KPIs	Progress	Final Achievement Met/Not Met
		factored into LTP discussions.	

**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.