

Minutes of a meeting of the Policy & Regulatory Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 23 NOVEMBER 2020** commencing at **9.30am**.

Present:

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

Attending:

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

APOLOGIES AND LEAVE OF ABSENCE

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

THAT an apology be received from Cr Thomson.

CARRIED

P&R2011/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs McInally/Church)

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

AND THAT all reports be received.

CARRIED

P&R2011/02

DISCLOSURES OF INTEREST

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

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

CONFIRMATION OF MINUTES

Resolved: (Crs Gibb/Eyre)

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

CARRIED

P&R2011/03

Resolved: (His Worship the Mayor/Cr Patterson)

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

CARRIED

P&R2011/04

ACTIONS REGISTER

Agenda Item 5

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

REPORTS

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

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

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

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

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

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

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

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

Adoption of the Significance and Engagement Policy
Agenda Item 6.3

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

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

Resolved: (Crs Smith/Bech)

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

CARRIED

P&R2011/05

Consultation Approval for the Waikato District Council Keeping of Animals Bylaw
Agenda Item 6.4

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

- Public Places Bylaw.

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

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

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

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

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

Resolved: (Crs Smith/Woolerton)

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

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

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

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

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

CARRIED

P&R2011/06

Approval for Revocation of Policies

Agenda Item 6.5

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

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

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

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

Resolved: (His Worship the Mayor/Cr Smith)

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

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

CARRIED

P&R2011/07

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

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

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

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

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

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

Cr Bech left the meeting at 11.06am.

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

Adoption of the Proposed Alcohol Control Bylaw
Agenda Item 6.7

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

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

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

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

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

Resolved: (His Worship the Mayor/Cr Bech)

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

CARRIED

P&R2011/08

Crs Church and Smith abstained from voting.

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

Chief Executive's Business Plan
Agenda Item 6.8

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

Exclusion of the Public

Agenda Item 7

Resolved: (Crs Gibb/Woolerton)

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

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

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

