



MINUTES of a meeting of the Policy & Regulatory Committee held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 15 MARCH 2016** commencing at **9.00am**.

Present:

- Cr DW Fulton (Chairperson)
- His Worship the Mayor, Mr AM Sanson [until 10.05am and from 10.07am]
- Cr JC Baddeley [from 9.02am]
- Cr JA Church
- Cr JM Gibb
- Cr WD Hayes
- Cr SD Lynch
- Cr RC McGuire
- Cr LM Petersen
- Cr JD Sedgwick
- Cr MR Solomon

Attending:

- Mr GJ Ion (Chief Executive)
- Ms S Duignan (General Manager Customer Support)
- Mr TN Harty (General Manager Service Delivery)
- Mr TG Whittaker (General Manager Strategy & Support)
- Mrs RJ Gray (Council Support Manager)
- Mrs LM Wainwright (Committee Secretary)
- Mr C Birkett (Monitoring Team Leader)
- Ms M Russo (Corporate Planner)
- Mr E Parata (Asset Management Team Leader)
- Mr M Edmonds (Customer Delivery Team Leader)
- Ms E Makin (Senior Planner)
- Members of Staff

P&R1603/01 **APOLOGIES AND LEAVE OF ABSENCE**

Resolved: (Crs Sedgwick/Church)

THAT an apology be received from and leave of absence granted to Cr Costar and Cr Smith.

CARRIED on the voices

It was noted that Leave of Absence was granted to Cr Tait [WDC1603/06/1/15 refers.]

P&R1603/02 CONFIRMATION OF STATUS OF AGENDA ITEMS

P&R1603/02/1 **Resolved: (Crs Gibb/Petersen)**

THAT the agenda for a meeting of the Policy & Regulatory Committee held on Tuesday 15 March 2016 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 8 which shall be discussed with the public excluded.

CARRIED on the voices

P&R1603/03 DISCLOSURES OF INTEREST

There were no declarations of interest noted.

P&R1603/04 CONFIRMATION OF MINUTES

P&R1603/04/1 **Resolved: (Crs Hayes/Lynch)**

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 16 February 2016 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

Cr Baddeley entered the meeting [9.02am] following discussion on this item and was not present when voting took place.

P&R1603/04/2 **Resolved: (Cr Gibb/His Worship the Mayor)**

THAT the minutes of the Public Places Bylaw Hearing held on 2 & 10 February 2016 be confirmed as a true and correct record of that Hearing.

CARRIED on the voices

P&R1603/05 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the Minutes.

P&R1603/06 RECEIPT OF MINUTES AND DECISION

P&R1603/06/1 **Resolved: (Crs Sedgwick/Solomon)**

THAT the minutes, recommendation and decision of a hearing by an independent commissioner for *New Zealand Transport Agency - Ruakura Road/Lisette Road Roundabout* - held on Thursday 27 October 2015 be received.

CARRIED on the voices

P&R1603/06/2 **Resolved: (Crs Petersen/Church)**

THAT the minutes and decision of a Hearing by an independent commissioner and members of the Regulatory Subcommittee - *Sunset Views Limited* - held on Tuesday 24 November 2015 be received.

CARRIED on the voices

P&R1603/07 REPORTS

P&R1603/07/1 Chief Executive's Business Plan

Resolved: (Crs Gibb/Baddeley)

THAT the report of the Chief Executive – *Chief Executive's Business Plan* - be received.

CARRIED on the voices

P&R1603/07/2 2016 Meeting Calendar

Resolved: (Cr Sedgwick/His Worship the Mayor)

THAT the report of the Chief Executive - *2016 Meeting Calendar* - be received.

CARRIED on the voices

P&R1603/07/3 Attendance at the LGNZ Conference and Excellence Awards 2016

Resolved: (Crs Sedgwick/Solomon)

THAT the report of the Chief Executive – *Attendance at the LGNZ Conference and Excellence Awards 2016* - be received;

AND THAT the following delegates attend the LGNZ Conference and Excellence Awards in Dunedin from 24 July 2016 to 26 July 2016:

**His Worship the Mayor
Deputy Mayor
Chief Executive;**

AND FURTHER THAT His Worship the Mayor is the presiding delegate at the Local Government New Zealand Annual General Meeting on 24 July 2016;

AND FURTHER THAT the Deputy Mayor is the alternate delegate at the Local Government New Zealand Annual General Meeting on 24 July 2016;

AND FURTHER THAT the Chief Executive is the third delegate (with no voting rights) at the Local Government New Zealand Annual General Meeting on 24 July 2016.

CARRIED on the voices

P&R1603/07/4

Local Government New Zealand Remit Process for 2016 Annual General Meeting

Resolved: (Crs Sedgwick/Church)

THAT the report of the Chief Executive – *Local Government New Zealand Remit Process for 2016 Annual General Meeting* - be received;

AND THAT Waikato District Council submits any proposed remits to the Local Government New Zealand Annual General Meeting by 13 June 2016.

CARRIED on the voices

P&R1603/07/5

Code of Conduct

Following discussion on the updated draft code of conduct, the Chief Executive agreed to include a further bullet point under Contact with the Media: *'any matter that may be subject to legal action'*.

Resolved: (His Worship the Mayor/Cr Sedgwick)

THAT the report of the Chief Executive – *Code of Conduct* – be received;

AND THAT the updated draft Code of Conduct, as amended, be referred to Council for adoption.

CARRIED on a show of hands 9 voting in FAVOUR and 2 voting AGAINST.

P&R1603/07/6

Proposed Public Places Bylaw 2015 following Hearings and Deliberations

The Monitoring Officer provided an overview on this item.

Resolved: (Crs Sedgwick/Church)

THAT the report of the **General Manager Customer Support - Proposed Public Places Bylaw 2015 following Hearings and Deliberations** - be received;

AND THAT subject to any amendments and pursuant to section 83 of the **Local Government Act 2002**, the **Committee** having heard and considered submissions on the proposed **Waikato District Council Public Places Bylaw 2015** recommend to Council to adopt the amended bylaw as the **Waikato District Council Public Places Bylaw 2016**;

AND FURTHER THAT the **Franklin District Council Public Places Bylaw 2007**; the **Franklin District Council Traffic Control Bylaw 2006**; the **Franklin District Council Trading in Public Places Bylaw 2008**; the **Waikato District Council Parking, Traffic Control and Public Places Bylaw 2007** and the **Waikato District Council Trading in Public Paces Bylaw 2008** be revoked the day the **Waikato District Council Public Places Bylaw 2016** comes into force.

CARRIED on the voices

P&R1603/07/7

Policy Review Programme – Policies to be Revoked

The Corporate Planner advised of reasons why the policies needed to be revoked.

Resolved: (His Worship the Mayor/Cr Church)

THAT the report of the **General Manager Strategy & Support - Policy Review Programme - Policies to be Revoked** - be received;

AND THAT the **Policy & Regulatory Committee** considers the list of policies contained in appendix I to this report and recommend to Council that these policies be revoked.

CARRIED on the voices

Proposed Waikato District Council Reserves and Beaches Bylaw 2016

The Asset Management Team Leader spoke of the two separate bylaws proposed. Key points identified as not being included in the bylaw were the control of drones and aerial vehicles, owing to civil aviation regulations and the reserves bylaw, and freedom camping, being addressed through the Freedom Camping Bylaw.

Resolved: (Crs Lynch/Solomon)

THAT the report of the General Manager Service Delivery - Proposed Waikato District Council Reserves and Beaches Bylaw 2016 - be received;

AND THAT the Committee recommends to Council that it make a determination that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 pursuant to section 155(2) of the Local Government Act 2002;

AND FURTHER THAT the Statement of Proposal and the proposed Waikato District Council Reserves and Beaches Bylaw 2016 (subject to any amendments), be recommended to Council at its meeting on 11 April 2016 for public notification on 20 April 2016, with the closing date for submissions being 20 May 2016;

AND FURTHER THAT submissions on the Statement of Proposal, (incorporating the proposed Waikato District Council Reserves and Beaches Bylaw 2016) be considered and, if requested, submitters be heard by Council at a meeting to be held on 22 June 2016, or as early thereafter as possible.

CARRIED on the voices

His Worship the Mayor withdrew from the meeting [10.05am] during discussion on the above item and was not present when voting took place.

Proposed Waikato District Council Cemeteries Bylaw 2016

Resolved: (Crs Church/Lynch)

THAT the report of the General Manager Service Delivery - Proposed Waikato District Council Cemeteries Bylaw 2016 - be received;

AND THAT the Committee recommends to Council that it make a determination that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 pursuant to section 155(2) of the Local Government Act 2002;

AND FURTHER THAT the Statement of Proposal, incorporating the proposed Waikato District Council Cemeteries Bylaw 2016 (subject to any amendments), be recommended to Council at its meeting on 11 April 2016 for public notification on 20 April 2016 with the closing date for submissions being 5 pm 20 May 2016 in accordance with Sections 83 (special consultative procedure), 86 (use of special consultative procedure in relation to adoption or review or amendment of bylaws) of the Local Government Act 2002;

AND FURTHER THAT submissions on the Statement of Proposal, (incorporating the proposed Waikato District Council Cemeteries Bylaw 2016) be considered and, if requested, be heard by Council at a meeting to be held on 20 June 2016 or as early thereafter as possible.

CARRIED on the voices

His Worship the Mayor re-entered the meeting [10.07am] during discussion on this item and was present when voting took place.

P&R1603/07/10

Attendance at the Emergency Management Conference

Resolved: (Crs Lynch/Petersen)

THAT the report of the Chief Executive - *Attendance at the Emergency Management Conference 2016* - be received;

AND THAT Councillor Jacqui Church be approved to attend the Emergency Management Conference from 31 May 2016 - 3 June 2016.

CARRIED on the voices

P&R1603/07/11

Draft Policy: Te Reo Maaori

The Customer Delivery Team Leader answered questions from the Councillors. The General Manager Strategy & Support advised that this is a policy that provides direction to the Council. The intent was to develop strategies in the interest of Council.

Resolved: (His Worship the Mayor/Cr Baddeley)

THAT the report of the General Manager Strategy & Support - *Draft Policy: Te Reo Maaori* - be received;

AND THAT the policy be submitted to Council for consideration of approval.

CARRIED on the voices

Resolved: (Crs Lynch/Sedgwick)

THAT the report of the General Manager Customer Support - *Delegated Resource Consents Approved for the month of February 2016* - dated 3 March 2016 be received.

CARRIED on the voices

EXCLUSION OF THE PUBLIC

Resolved: (Crs McGuire/Gibb)

THAT the public be excluded from the meeting during discussion on the following items of business:

I Lake Hakanoa Motor Caravan Park

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 protected by section 7 of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public is as follows:

That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

- a) Protect members, or officers, or employees of any local authority, or any persons to whom section 2(5) of the Local Government Official Information and Meetings Act 1987 applies, from improper pressure or harassment;**
- b) Protect the privacy of natural persons, including that of deceased natural persons;**
- c) Prevent the disclosure or use of official information for improper gain or improper advantage;**

AND THAT the exclusion of the public from the whole or relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings before the local authority where a right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings;

CARRIED on the voices

Resolutions P&R1603/09 – P&R1603/10 are contained in the public excluded section of these minutes.

Having resumed open meeting and there being no further business, the meeting was declared closed at 10.42pm.

Minutes approved and confirmed this day of 2016.

DW Fulton

CHAIRPERSON

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