

Agenda Items

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1 MEMBERS

Councillor GH Jull - Chairperson

Members

His Worship the Mayor AD Livingston; Councillors – EH Barnes, MEH Cox, LWE Hoverd, PL Lee, EC Newlands, GG Scaramuzza, DL Sharpe, GW Simmons, BJ Taranaki, BS Thomas, GRP Webber and Committee Member V Ingley.

2 DISCLOSURE OF MEMBERS' INTERESTS

3 APOLOGIES

Cr Cox

4 LATE ITEMS

5 CONFIRMATION OF ORDER OF MEETING

File: 01-85-12

Recommendation

That the order of the meeting be confirmed.

6 VISITORS

7 MINUTES OF PREVIOUS MEETINGS

File: 01-85-12

Minutes of the Policy Committee meeting held on 10 August 2010.

10 - 14

Recommendation

That the minutes of the meeting of the Policy Committee held on 10 August 2010 be confirmed as a true and accurate record of proceedings.

8 REVIEW OF THE WAIPA DISTRICT TRADE WASTE BYLAW

File: 45-02-25/1/1

Report of Community Planner, Shelley Monrad, dated 1 September 2010 is included in the agenda.

16 - 129

The Local Government Act 2002 (LGA2002) provides for a territorial authority to make a bylaw to regulate trade waste. Council developed the Bylaw in 1997. The Bylaw is considered necessary to ensure Council has control over the types and levels of waste received at the treatment plants, and that the costs of treatment are met by the waste producers. The Bylaw was revised in December 2005 in accordance with the LGA 2002 requirements and is required to be reviewed within five years.

The review process is being undertaken in accordance with the provisions of the Local Government Act 2002. The process of reviewing the Bylaw will fulfil Council's statutory obligations.

The staff report recommends that the use of a bylaw is an appropriate mechanism to assist in the regulation of trade waste and that the current Bylaw should simply be updated to:

- a) take account of improvements suggested by officers who enforce the bylaw (refer to Section 7 of the staff report that identifies the issues and suggested changes to the bylaw);
- b) have regard to similar bylaws in neighbouring authorities
- c) ensure the bylaw is fair, efficient and clearly understandable.

Recommendation

That -

- a) *The report of Shelley Monrad, Community Planner dated 1 September 2010 be received*
- b) *Pursuant to section 155(1) of the Local Government Act 2002, the Policy Committee resolve that a bylaw is the most appropriate way to regulate trade waste;*
- c) *Pursuant to section 155(2)(a) of the Local Government Act 2002, the Policy Committee resolve that the proposed Waipa District Council Trade Waste Bylaw 2011 attached as Appendix 2 of the staff report, is the most appropriate form of bylaw;*
- d) *Pursuant to section 155(2)(b) and section 155(3) of the Local Government Act 2002, the Policy Committee resolve that the proposed Waipa District Council Trade Waste Bylaw 2011 does not give rise to any implications under the New Zealand Bill of Rights Act 1990;*

- e) *The Statement of Proposal attached as Appendix 1 to the staff report, incorporating the proposed Waipa District Council Trade Waste Bylaw 2011 (subject to any amendments), be approved for public notification on September 21 2010 with the closing date for submissions being November 24, 2010 in accordance with the special consultative procedure set out in Sections 83 (special consultative procedure) and 86 (use of special consultative procedure in relation to adoption or review or amendment of bylaws) of the Local Government Act 2002;*
- f) *Submissions on the Statement of Proposal be considered and, if requested, be heard by Council (or a Council Committee) at a meeting to be held in Te Awamutu in December 2010 (or as early thereafter as possible).*

9 REVIEW OF WAIPA DISTRICT WASTE WATER DRAINAGE BYLAW

File: 45-02-26/1/1

Report of Community Planner, Shelley Monrad, dated 23 August 2010 is included in the agenda.

130 - 189

The Local Government Act 2002 (LGA 2002) provides for a territorial authority to make a bylaw to regulate wastewater drainage. Council developed the Bylaw in 1997. The Bylaw is considered necessary to ensure Council has control over the types and levels of waste received at the treatment plants, and that the costs of treatment are met by the waste producers. The Bylaw was revised in December 2005 in accordance with the LGA 2002 requirements and is required to be reviewed within five years.

The review process is being undertaken in accordance with the provisions of the Local Government Act 2002. The process of reviewing the Bylaw will fulfil Council's statutory obligations.

The staff report recommends that the use of a bylaw is an appropriate mechanism to assist in the regulation of wastewater drainage and that the current Bylaw should simply be updated to:

- a) take account of improvements suggested by officers who enforce the bylaw (refer to section 7 of the report that identifies the issues and suggested changes to the bylaw)
- b) have regard to similar bylaws in neighbouring authorities
- c) ensure the bylaw is fair, efficient and clearly understandable.

Recommendation

That -

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- a) *The report of Shelley Monrad, Community Planner dated 23 August 2010 be received*
- b) *Pursuant to section 155(1) of the Local Government Act 2002, the Policy Committee resolve that a bylaw is the most appropriate way to regulate wastewater discharge;*
- c) *Pursuant to section 155(2)(a) of the Local Government Act 2002, the Policy Committee resolve that the proposed Waipa District Council Wastewater Discharge Bylaw 2011 attached as Appendix 2 of the staff report, is the most appropriate form of bylaw;*
- d) *Pursuant to section 155(2)(b) and section 155(3) of the Local Government Act 2002, the Policy Committee resolve that the proposed Waipa District Council Wastewater Discharge Bylaw 2011 does not give rise to any implications under the New Zealand Bill of Rights Act 1990;*
- e) *The Statement of Proposal attached as Appendix 1 to the staff report, incorporating the proposed Waipa District Council Wastewater Discharge Bylaw 2011 (subject to any amendments), be approved for public notification on September 21 2010 with the closing date for submissions being November 24, 2010 in accordance with the special consultative procedure set out in Sections 83 (special consultative procedure) and 86 (use of special consultative procedure in relation to adoption or review or amendment of bylaws) of the Local Government Act 2002;*
- f) *Submissions on the Statement of Proposal be considered and, if requested, be heard by Council (or a Council Committee) at a meeting to be held in Te Awamutu in December 2010 (or as early thereafter as possible).*

**10 PROPOSED FEES AND CHARGES – TRUST WAIKATO TE AWAMUTU
EVENTS CENTRE – NOVEMBER 2010**

File: 75-15-03

Report of the Financial Planner, Deborah Frederick 190 - 198
dated 30 August 2010 is included in the agenda.

Council has an Operating Contract with H2O Management Ltd for the management of the Trust Waikato Te Awamutu Events Centre. Council sets fees and charges for activities at the Centre, which require to be set in accordance with the Operating Contract.

The fees and charges for the Trust Waikato Te Awamutu Events Centre have been reviewed and adjusted to take account of higher costs and the increase in GST rate.

This has included a review of the maximum single admission fees which are set by Council. The revised fees will be at or over the current maximum single admission fees as per the Operating Contract for the Trust Waikato Te Awamutu Events Centre. Accordingly, Council also requires to approve an increase in the maximum single admission charges.

The Schedule of Fees and Charges is attached as Appendix 1 of the staff report. It includes the maximum single admission fees and the revised fees and charges for the Trust Waikato Te Awamutu Events Centre. It is recommended that the Schedule of Fees and Charges, if adopted, become effective from 1 November 2010 to allow time for public notification.

Recommendation

That -

- a) The report of the Financial Planner, Deborah Frederick dated 30 August 2010 be received.*
- b) The Fees and Charges as per the "Fees and Charges Schedule for the Trust Waikato Te Awamutu Events Centre 2010/11" attached as Appendix 1 of the staff report, be recommended to Council to be adopted, effective 1st November 2010.*
- c) The maximum single admission charge for the Trust Waikato Te Awamutu Events Centre as detailed in the "Fees and Charges Schedule for the Trust Waikato Te Awamutu Events Centre 2010/11" attached as Appendix 1 of the staff report, be recommended to Council for adoption, effective 1st November 2010.*

11 WAIPA RURAL FIRE AUTHORITY – RURAL FIRE PLAN

File: 55-40-01

Report of the Principal Rural Fire Officer, Chuck Davis 200 - 216
dated 24 August 2010 is included in the agenda.

Waipa District Council is the Rural Fire Authority for Waipa District. Under the Forest and Rural Fire Regulations 2005, the Waipa Rural Fire Authority must prepare and adopt a Rural Fire Plan, which is a statement compiled and issued by the Fire Authority, defining Policy, chain of command and procedures in relation to fire control.

The Waipa Rural Fire Authority Rural Fire Plan was adopted by Council with an implementation date of September 2005.

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Part 2 of the Forest and Rural Fires Regulations 2005 covers Fire Control Operations and requires that a Fire Plan must set out the policies and procedures of the Rural Fire Authority under the headings of Reduction, Readiness, Response and Recovery.

Once adopted/implemented, the “Readiness” and “Response” sections of the Plan must be reviewed no more than two (2) years after the date of adoption. The “Reduction” and “Recovery” sections of the Plan must be reviewed no more than five (5) years after the date of adoption. The National Rural Fire Authority must be advised of any amendments as they arise.

Review dates are two and five years from September 2005. The first two reviews of the Response and Readiness sections were carried out and adopted by Council on 28 August 2007 and 8 August 2009. This will be the first review of the other two sections of the Rural Fire Plan, Reduction and Recovery.

These two sections of the report have been reviewed by the Principal Rural Fire Officer and no changes have been identified so it is recommended that the plan remain in its current form.

Recommendation

That the report of the Principal Rural Fire Officer, Chuck Davis, dated 24 August 2010, and the information contained therein, be received.

12 REVIEW OF PROCEDURAL POLICY MANUAL

File: 02-13-09/3

Report of the Manager Legal and Corporate Support, Jennie McFarlane, dated 31 August 2010 is included in the agenda.

218 - 228

One of the three key components of governance is policy setting. To assist with implementing legislation and providing local government, Council is required by statute to adopt a number of policies. Some of the policies are strategic and many are contained in the Waipa District Long Term Council Community Plan 2009-19 (LTCCP).

In many areas, the functions and powers of Council are clearly prescribed in legislation and in Council documents such as the LTCCP, District Plan, management plans, Strategies and others. However, they are not comprehensive and there is a need for Council to also develop and maintain a number of procedural policies which are contained within a Procedural Policy Manual. This enables Council to ensure the effective and efficient discharge of its functions, duties and powers.

The Procedural Policy Manual was last reviewed in 2007 and provides for review every three years, with updates in the interim. With Local Government Elections being held on 9 October 2010, it is appropriate that the Manual be reviewed and updated prior to the election of the new Council.

There have also been legislative changes impacting on policy and policy development (such as Council's Pensioner Housing Policy 2010) which should be reflected in the Procedural Policy Manual. The policies have been reviewed through workshop sessions with Councillors and in consultation with the Iwi Consultative Committee and both the Cambridge and Te Awamutu Community Boards. There is no statutory requirement for full public consultation such as required by the Local Government Act 2002 special consultative procedure.

A summary of the key changes to the policy sections in the Manual is contained in section 6 of the staff report. The format of the Manual has also been updated to reflect the new organisational structure and to create a more user-friendly format. The revised manual is now presented to the Policy Committee to be considered and subject to any amendments to be recommended to Council for adoption.

Recommendation

That -

- a) *The report of the Manager Legal and Corporate Support, Jennie McFarlane, dated 31 August 2010 be received.*
- b) *The Policy Committee recommend that the proposed Waipa District Procedural Policy Manual 2010 attached as Appendix 1 to the staff report, subject to any amendments, be recommended to Council for adoption at its meeting on 28 September 2010.*

13 REVIEW OF GOVERNANCE STRUCTURE

File: 75-15-03

Report of the Manager Legal and Corporate Support, Jennie McFarlane, dated 31 August 2010 is included in the agenda.

230 - 236

Local Government Elections are being held on 9th October 2010. A new Council will be formed and this has provided an opportunity to review the current governance structure. The focus has been on the committee structure in light of the recent re-structure of the organisation. A key objective is to achieve greater synergy between the organisational structure and council committees and elected members.

A review project has been underway and the review, together with proposals, was discussed at a Council workshop in August 2010. The scope of the project at this stage has been a high level review of the current governance structure, with a view to the current elected members putting forward a recommendation to the new incoming Council, which will then decide on its governance structure.

The result so far is a proposal to retain the current structure of the Regulatory Committee but to replace the current Strategic Planning and Development and Policy Committees with three standing committees appointed by Council to work alongside the Group Manager Planning and Community Relations, the Group Manager Service Delivery and the Group Manager Business Support. The review will also look at the other standing committees of and advisory committees to Council.

As part of the review the possible membership of the three proposed committees has been discussed, which is included in the recommendation. It is proposed that the Deputy Mayor chair one of the Committees. There has been some discussion on the possible level of delegations to the committees and meeting frequencies and timing, and feedback on this is covered in the staff report, but no recommendations on these are being put forward at this stage.

As mentioned, the staff report is only high-level at this stage. A more detailed proposed governance structure which will suggest delegations to committees and include a review of standing and advisory committees will be presented to Council after the Local Government Elections. Any decisions with regard to these matters will rest with the incoming Council.

Recommendation

That -

- a) *The report of the Manger Legal and Corporate Support, Jennie McFarlane dated 31 August 2010 be received;*

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- b) *The Policy Committee recommend to the incoming Council (after the 2010 Local Government Elections) a proposed Governance Structure as detailed below:*
- i) *Council to continue to have a Regulatory Committee, but to replace the Strategic Planning and Development and Policy Committees with a Planning and Community Relations Committee, a Service Delivery Committee and a Finance and Corporate Committee.*
 - ii) *The membership of the Regulatory Committee to remain unchanged; all Councillors to be members of the Planning and Community Relations Committee; a range of between 6 to 12 councillors to be members of the two remaining committees; and the Mayor to sit on all Committees and the Deputy Mayor to chair a committee.*