



**I give notice that  
an Ad Hoc Committee - Bylaws Meeting will be held on:**

<b>Date:</b>	<b>Tuesday, 28 May 2024</b>
<b>Time:</b>	<b>10.30am</b>
<b>Location:</b>	<b>Council Chamber 107 Heuheu Street Taupō</b>

# **AGENDA**

## **MEMBERSHIP**

**Chairperson** to be elected

**Members**  
Cr Sandra Greenslade  
Mayor David Trewavas  
Cr Karam Fletcher  
Cr Yvonne Westerman

**Quorum** 2

## Order Of Business

- 1 Karakia
- 2 Whakapāha | Apologies
- 3 Ngā Whakapānga Tukituki | Conflicts of Interest
- 4 Whakamanatanga O Ngā Meneti | Confirmation of Minutes  
Nil
- 5 Ngā Ripoata | Reports
  - 5.1 Election of Chairperson.....3
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- 6 Ngā Kōrero Tūmataiti | Confidential Business  
Nil

<b>5.1 ELECTION OF CHAIRPERSON</b>
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**Author:** Karen Watts, Senior Committee Advisor

**Authorised by:** Nigel McAdie, Legal and Governance Manager

### TE PŪTAKE | PURPOSE

To enable the election of a chairperson for the Ad Hoc Committee - Bylaws as required by the Local Government Act 2002 Schedule 7.

### NGĀ KŌRERORERO | DISCUSSION

It is a requirement under the Local Government Act 2002 that the Committee elects a chairperson.

If more than one member is nominated, then the following process should be followed:

#### Voting for Chairperson

Clause 25 of Schedule 7 of the Local Government Act 2002 sets out the voting systems that are to be used for certain appointments including the election or appointment of the chairperson as follows:

#### **25. Voting systems for certain appointments**

*This clause applies to—*

- (a) *the election or appointment of the chairperson and deputy chairperson of a regional council; and*
- (b) *the election or appointment of the deputy mayor; and*
- (c) *the election or appointment of the chairperson and deputy chairperson of a committee; and*
- (d) *the election or appointment of a representative of a local authority.*

*[(2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting: —*

- (a) *the voting system in subclause (3) ("system A");*
- (b) *the voting system in subclause (4) ("system B").]*

*[(3) System A —*

- (a) *requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and*
- (b) *has the following characteristics: —*

- (i) *there is a first round of voting for all candidates; and*
- (ii) *if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and*
- (iii) *if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and*
- (iv) *in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.]*

*(4) System B—*

- (a) *requires that a person is elected or appointed if he or she receives more votes than any other candidate; and*

(b) *has the following characteristics:*

- (i) there is only 1 round of voting; and
- (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.]

A 'lot' means that the Committee can either toss a coin, put the two names in a hat, draw straws or whatever other method the Committee determines in order to select the candidates in the event of an equality of votes.

The Committee must firstly determine whether System A or System B is to be used for the election process for the Chairperson. Once decided, the Committee must then proceed to call for nominations. Once nominations have closed, voting will take place using the option that the Committee has chosen.

In accordance with the requirements of the process resolutions 1 and 2 must be taken separately.

### **WHAKAKAPINGA | CONCLUSION**

At this inaugural meeting of the Committee, members are obliged to elect a chairperson.

### **NGĀ TŪTOHUNGA | RECOMMENDATION(S)**

That the Ad Hoc Committee - Bylaws:

1. Confirms that System \_\_ will be used to determine the election process for the Chairperson;  
and
2. Elects \_\_\_\_\_ as the Chairperson of the Ad Hoc Committee - Bylaws.

### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

Nil

## 5.2 HEARINGS AND DELIBERATIONS FOR THE SOLID WASTE BYLAW

**Author:** Andrew Wilson, Policy Advisor

**Authorised by:** Nick Carroll, Policy Manager

### TE PŪTAKE | PURPOSE

This report allows Council to receive, hear and deliberate on submissions made on the proposed Solid Waste Bylaw.

### WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Council is required to review its bylaws regularly to ensure their ongoing relevance and to determine if they are the most appropriate way to manage specific issues.

Officers engaged with a variety of people, organisations, and council teams to ensure the bylaw was fit for purpose. Officers reached out to the waste and construction sector as well as Iwi/Hapū. Only 2 people submitted on the bylaw, both supported of the continuation of the Solid Waste Bylaw.

As a result of consultation officers are recommending one minor change to the Solid Waste Bylaw.

Officers intend to take the final Solid Waste Bylaw to the June Council meeting subject to the ad-hoc committee's recommendation and any changes.

### NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That the Ad Hoc Committee – Bylaws:

1. Receives and deliberates on the submissions received on the Solid Waste Bylaw; and
2. Recommends that Council adopt the attached Solid Waste Bylaw.

### TE WHAKAMAHUKI | BACKGROUND

The proposal has been before Council at a prior meeting on 26 March 2024, item number 5.3 and the following resolutions were made: adopts the statement of proposal and draft Solid Waste Bylaw attached to the report in this agenda for consultation;

As a result, consultation was undertaken, and the community was asked for feedback on the continuation of the Solid Waste Bylaw and the minor proposed amendments.

### NGĀ KŌRERORERO | DISCUSSION

The limited feedback from the community is likely reflective of the limited scope of changes.

#### Submissions and Officers Responses

Submission point	Officers' response
Rifle Range Road and Tamamutu Street are full of dog poo and rubbish thrown as people walk. The poo in particular is making it difficult to get into town with my baby's pram without getting it onto the wheels and then into the shops and the places I go for appointments and then into my house. Can we have some bins along these roads to encourage people to dispose of their dog poo and litter?	Council doesn't provide bins on all streets in the urban area as there would be a significant cost to do so. Council only provides bins in a targeted way where they can have the most impact. This is usually around the Lakefront, Town Centre, high use parks, and outside of local shops. We rely on members of our community taking personal responsibility for waste they or their animal produces and expect them to carry it until they find a bin or take it home.  Officers have passed this feedback onto the relevant teams so that they can also keep an eye out for those individuals not being responsible in this area.
The review of the bylaw is a good opportunity to strengthen the language around waste management at special events.	Officers agree with this change and have made the change in the proposed bylaw.

<p>The line (b) any opportunities for Waste minimisation; Could be strengthened to say: b) the steps that will be taken to minimise waste. This language sets an expectation rather than making waste minimisation an option.</p>	
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Solid Waste Officers agree with the proposed change to Section 23 Clause 2 (b) raised by the submitter. Officers have included this change in the attached Solid Waste Bylaw. This change would have been unlikely to generate any different submissions and does not substantially change the requirements on events.

Additionally, a new line has been added to section 1 to make it clear what authority the bylaw is made under. This is not in the current operative bylaw but it is best practice to make it clear.

Officers intend to take the final Solid Waste Bylaw to the June Council meeting.

Based on this information it is considered that there are 2 options.

### **NGĀ KŌWHIRINGA | OPTIONS**

#### Analysis of Options

Option 1: Recommends that Council adopt the attached Solid Waste Bylaw

Based on community interest and feedback officers believe the small changes made to the Bylaw help it to continue functioning effectively to manage the particular issues it deals with.

Option 2: Recommends that Council adopt the attached Solid Waste Bylaw subject to further changes.

Officers do not believe there are any further changes required to the Solid Waste Bylaw for it to continue achieving its intended purpose.

#### Analysis Conclusion:

The preferred option is option 1 that the Ad Hoc Committee recommends Council adopt the attached Solid Waste Bylaw.

### **NGĀ HĪRAUNGA | CONSIDERATIONS**

#### **Ngā Aronga Ture | Legal Considerations**

##### Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of [Section 10](#) of the Local Government Act 2002. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social and environmental wellbeing are of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal has been reviewed:

Local Government Act 2002

Waste Minimisation Act 2008

#### **Ngā Hīraunga Kaupapa Here | Policy Implications**

Council is consulting on potential changes to the way kerbside waste is managed as part of the Long-term Plan. If that service changes to a wheelie bin service as proposed, Council will need to review this bylaw to reflect the new service demands.

## **Te Kōrero tahi ki te Māori | Māori Engagement**

Taupō District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include, but are not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

Iwi and Hapū groups were directly contacted on the issue, we received some follow up questions from some groups about more general solid waste issues such as the Tūrangi transfer station. There were no submissions from Iwi or Hapū groups on the Solid Waste Bylaw.

### **Ngā Tūraru | Risks**

There are no known risks.

## **TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is significant.

## **TE KŌRERO TAHI | ENGAGEMENT**

Consultation has been conducted on the Bylaw and this paper seeks the Ad Hoc Committee for Bylaws to consider the submissions and provide a recommendation to Council.

## **TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

Public notice will be given of the final Council decision and submitters will be directly informed.

## **WHAKAKAPINGA | CONCLUSION**

Based on community engagement and the issues the Solid Waste Bylaw manages officers recommend that the Ad Hoc Committee Bylaws recommend that Council adopt the attached bylaw.

## **NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Solid Waste Bylaw 2024
2. Submissions Statistics Report: Bylaws