


TERMS OF REFERENCE

Planning and Regulatory Services Committee

	Authorising Body	Mayor / Council
	Status	Standing Committee
	Title	Planning and Regulatory Services Committee
	Approval Date	27 February 2020
	Administrative Support	Chief Executive Office

Purpose

To undertake functions as requested or delegated by Council from time to time provided the functions conform to the Local Government Act 2002.

Responsibility

The Committee shall have the responsibility for the oversight of all matters relating to Council's Planning and Regulatory functions and the development of policies and strategies in relation to those functions.

The matters within this committee's responsibilities include (but are not limited to):

- Resource Management Act 1991 and the Westland District Council District Plan
- Reserves Act 1977
- Building Act 2004 and applicable Building Regulations, and the New Zealand Building Code
- Dog Control Act 1996
- Impounding Act 1955
- Food Act 2014
- Sale and Supply of Alcohol Act 2012
- Health Act 1956
- Bylaws

Other regulatory matters including:

- Responsibility for all matters related to the District's environment, including the environment of neighbouring districts and water bodies
- Animal Control
- Dangerous goods and hazardous substances
- Fencing of swimming pools
- Earthquake prone buildings
- Litter
- Noise abatement
- Public health and safety
- Gambling
- Other Planning and Regulatory matters not otherwise defined.

DELEGATIONS TO THE COMMITTEE:

The Planning and Regulatory Services Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers.

- Authority to exercise all of Council powers, functions and authorities, except where delegation is prohibited by law or the matter is delegated to another committee of Council, in relation to all planning and regulatory matters.
- Responsibility to develop policies, and provide financial oversight, to provide assurance that funds are managed efficiently, effectively, and with due regard to risk.
- Responsibility to monitor Long Term Plan/Annual Plan implementation for the activities set out above.
- Authority to review bylaws and to recommend to the Council that new or amended bylaws be made, including but not limited to the review of bylaws made pursuant to rules under the Land Transport Act 1998, primarily relating to speed limits and parking.
- Except where otherwise provided by law, authority to fix fees and charges in relation to all planning and regulatory activities.
- Authority to make submissions on behalf of the Council in respect of any proposals by another authority under any legislation, or any proposed statute which might affect the District's environment or the wellbeing of residents including such matters as adjacent local authorities, district plans, regional plans, any regional or national policy statement and national environmental standards.
- Authority to hear and determine objections under the Dog Control Act 1996

Membership

The Planning and Regulatory Services Committee will comprise the following, one of which will be the chairperson:

- Cr Martin (Chair)
- Cr Davidson
- Cr Kennedy
- Cr Hartshorne
- Kw Madgwick
- Kw Tumahai

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Committee;
- Setting the agenda for Committee meetings in conjunction with the Chief Executive Officer; and
- Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Committee and Council staff.

Quorum

The quorum at any meeting of the Committee shall be (3) Members.

Relationships with Other Parties

The Chief Executive is responsible for servicing and providing support to the Committee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

Contacts with Media and Outside Agencies

The Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Committee's delegations.

The Chief Executive will manage the formal communications between the Committee and its constituents and for the Committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

Conduct of Affairs

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Committee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Committee shall record minutes of all its proceedings.

**The Terms of Reference were adopted by Council on the
27 February 2020.**