



**TO THE MAYOR AND COUNCILLORS OF THE
MACKENZIE DISTRICT COUNCIL**

Membership of the Council:

Claire Barlow (Mayor)
Cr Russell Armstrong
Cr Murray Cox
Cr Noel Jackson
Cr James Leslie
Cr Graham Smith
Cr Evan Williams

Notice is given of an Extraordinary Meeting of the Mackenzie District Council to be held on Monday 8 August, 2016, to adopt the Bylaws and Policies following the hearing of submissions on the Bylaws

VENUE: Council Chambers, Fairlie

BUSINESS: As per the attached agenda.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER



MACKENZIE DISTRICT COUNCIL

Agenda for Extraordinary Council Meeting Monday 8 August, 2016

APOLOGIES:

DECLARATIONS OF INTEREST:

REPORTS:

1. Deliberations and adoption of the Bylaws and Policies

ADJOURNMENTS: 3pm – Afternoon Tea

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT REVIEW OF BYLAWS
MEETING DATE 8 AUGUST 2016
REF REG 4/1, REG 4/1/1
FROM JANE WHYTE, CONSULTANT PLANNER
TONI MORRISON, PROJECTS & ADMINISTRATION
MANAGER

PURPOSE OF REPORT

To consider submissions to the draft Responsible Freedom Camping Bylaw 2016 and the draft Fire Prevention and Nuisance Burning Bylaw 2016, and to make any changes as a result of deliberations, and adopt them subject to those changes being made.

To adopt the draft Class 4 – Gambling Venue Policy 2016 and the draft TAB Venue Policy 2016.

STAFF RECOMMENDATIONS

1. That the report be received.
2. That the Council receives the staff report on submissions and recommendations by Council's consultant planner Jane Whyte.
3. That the Council considers the submissions received to the draft Responsible Freedom Camping Bylaw 2016, and determines any changes to the draft bylaw.
4. That the Council considers the submission received to the draft Fire Prevention and Nuisance Burning Bylaw 2016, and determines any changes to the draft bylaw.
5. That the Council adopts the Responsible Freedom Camping Bylaw 2016.
6. That the Council adopts the Fire Prevention and Nuisance Burning Bylaw 2016.
7. That the Council adopts the Class 4 – Gambling Venue Policy 2016 without changes.
8. That the Council adopts the TAB Venue Policy 2016 without changes.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

1. Staff report on submissions and recommendations – Jane Whyte, Response Planning (to be circulated separately)

BACKGROUND

The Mackenzie District Council consulted using the Special Consultative Procedure on the following draft bylaws and policies:

1. Draft Responsible Freedom Camping Bylaw 2016
2. Fire Prevention and Nuisance Burning Bylaw 2016
3. Draft Class 4 -Gambling Policy 2016
4. Draft TAB Venue Policy 2016

16 submissions were received on the draft Responsible Camping bylaw, and one on the draft Fire Prevention and Nuisance Burning bylaw. Four submitters wished to speak to their submissions. These submissions were heard at an earlier meeting of Council on 8 August 2016.

Council's consultant planner Jane Whyte has provided a report and recommended changes to the draft bylaws, as a result of submissions. The Council is asked to consider the submissions and Ms Whyte's recommendations, and make decisions on the final form of the bylaws. Ms Whyte's report details the proposed changes.

Staff recommend that no changes are made to the draft Class 4 Gambling Policy 2016 and the draft TAB Venue Policy 2016, as no submissions were received on them. It is therefore recommended that these are adopted unchanged.

Once adopted it is necessary to provide public notice of the adoption of the bylaws and policies. The date upon which the bylaws and policies would come into force would be on 27 August 2016.

POLICY STATUS

The two policies are statutory requirements.

SIGNIFICANCE OF DECISION

This item does not trigger Council's Significance and Engagement Policy. The bylaws and policies were consulted on using the Special Consultative Procedure. The decision to adopt the bylaws and policies is not considered significant given the consultation and process followed.

ISSUES AND OPTIONS

Option 1: to deliberate on submissions, make any changes and adopt the bylaws and policies.

Option 2: to decline to make decisions on and adopt the bylaws and policies.

The Council could choose not to adopt the bylaws and policies. However each bylaw was considered by the Council as the most appropriate way to manage the issues addressed in each bylaw, prior to their development. The policies are required by law. This circumstance has not changed. There were no submissions seeking that the bylaws or policies be withdrawn or discontinued.

Option 1 is recommended.

CONCLUSION

Council is asked to consider the submissions received following consultation on two bylaws and two policies, and adopt the final documents.