



Far North
District Council

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Our reference: RFS 3927502

Tuesday 5 February 2019

To Leonie Exel

By email only to: fyi-request-9262-b59eb982@requests.fyi.org.nz

Dear Ms Exel,

Official information request - RFS 3927502

Thank you for your information request. A response to your request is provided to you today in accordance with the provisions of the Local Government Official Information and Meetings Act 1987 ("the LGOIMA").

Your request and corresponding answers are as follows:

"My understanding is that under the Local Government Act 2002, a new bylaw must begin to be reviewed within five years. There is then a two year 'window' when a Council can spend time consulting with the community, before a revised bylaw is enacted. If this does not occur, under the LGA, a bylaw is considered to be 'revoked'. That is, it no longer applies, if the time frame is not met."

Is the above also FNDC's understanding of the requirements of the LGA 2002 in this regard?

This question was asked by you with reference to RFS 3927508, please refer to that response for the information requested.

The FNDC Reserves Bylaw came into effect on 24.12.2010, replacing a 1990 bylaw. That means it was a new bylaw, and a review should have been completed, at latest, by 24.12.2017.

Has the FNDC Reserves Bylaw been revoked, as per the LGA? No

If not, please provide Council's rationale as to why you consider this bylaw to be operative, despite the above information.

The reserves bylaw which came into effect on 12 December 2010 was the result of a review; therefore a further review will be required in conjunction with section 159 of the Local Government Act 2002, ten years after which it was last reviewed.

Thank you for your enquiry.

Legal Services