

**Document No:** A430887

**Report To:** Council



**Meeting Date:** 28 May 2019

**Subject:** Deputation: Waikato Regional Council and New Zealand Transport Agency – Regional Speed Management Planning and Implementation

**Type:** Information Only

## Purpose

- 1.1 The purpose of this business paper is to inform Council that representatives from Waikato Regional Council (WRC) and the New Zealand Transport Agency (NZTA) will be in attendance at 9.00am to make a Powerpoint Presentation on regional speed management planning and implementation and to seek Council's feedback.

## Commentary

- 2.1 Attached to and forming part of this business paper is a copy of a Briefing Paper and attachments prepared by WRC and NZTA.
- 2.2 A Powerpoint Presentation will be made at the Council meeting to expand on the Briefing Paper and Council will be asked for comment and feedback on the following:
1. The overall regional approach to speed management
  2. Draft regional speed management policies and principles
  3. Preferred institutional arrangement options for regional speed management.
  4. Proposed safe and appropriate speed limits on regional state highways
  5. Any other matters relating to speed management in your District or the region.

## Suggested Resolution

The Deputation from Waikato Regional Council and New Zealand Transport Agency on Regional Speed Management Planning and Implementation be received.

A handwritten signature in blue ink, appearing to read "Michelle Higgie".

MICHELLE HIGGIE  
**EXECUTIVE ASSISTANT**

Attachment: WRC/NZTA Briefing Paper (Doc A432889)

# Briefing paper to Waitomo District Council

**Date:** 5 June 2019

**Author:** Bill McMaster, Special Projects Advisor, Integration and Infrastructure, Waikato Regional Council

**Co-Author:** Junine Stewart, Waikato Safe Network Programme Manager, New Zealand Transport Agency

**Subject:** **Regional Speed Management Planning and Implementation**

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## Overall purpose of our visit

1. Thank you for hosting us at your meeting. The purpose of this visit by Waikato Regional Council (WRC) and the New Zealand Transport Agency (NZTA) is to provide Waitomo District Council with a presentation on regional speed management planning and implementation and seek your Council's feedback on:
  - The overall regional approach to speed management and development of a regional speed management plan
  - Draft regional speed management policies and principles
  - Preferred institutional arrangement options for regional speed management.
  - Proposed safe and appropriate speed limits on regional state highways
  - Any other matters relating to speed management in your City or the region.

## Why we are coming to talk to you?

2. Speed related road crashes in the Waikato region are a major concern to transport authorities in the region and have been identified as a high priority by the Waikato Regional Transport Committee (RTC).
3. Speed or driving too fast for the conditions continues to be a significant contributor in fatal and serious crashes in the Waikato region and shows an increasing five year trend accounting for 24% of high severity crashes in the region. Each year approximately 100 people are killed or seriously injured in speed related crashes in the region.
4. Over 85% of New Zealand's road network has posted speed limits higher than the safe and appropriate travel speed. Research has shown that a 5% reduction in speed limit sees an approx. 20% reduction in fatal crashes.
5. There is also a clear relationship between impact speed and likelihood of pedestrian death where the risk of pedestrian fatality if struck at 50km/hr is twice that at 40 km/h and five times that at 30km/h.

## What is happening nationally on speed management?

6. The Government has sent out clear signals that it wishes to address speed. The Government Policy Statement on Land Transport 2018 (GPS) supports investment in state highways and local roads to accelerate the implementation of the New Zealand Speed Management Guide 2016 focusing on treating the top 10 per cent of the roading network which will result in the greatest reduction in death and serious injury as quickly as possible.
7. To implement the Government's strong desire to address speed the Ministry of Transport (MOT) is developing a new national approach to speed management, including a review of the Speed Limits Setting Rule 2017. It is clear from advice received to date that regional speed management plans are part of the

mix of recommendations going to Cabinet and the work that the RTC is undertaking is consistent with this approach.

8. Speed management is also expected to feature in the pending National Road Safety Strategy (NRSS) engagement document and Action Plan which are expected to be released in June 2019. In a workshop with the MOT on 10 April 2019 it was advised that the current speed limit setting Rule review work will likely come though as an action in the NRSS Action plan.

#### **What is happening regionally on speed management?**

9. To make traction on speed management three regions have been identified in the 2018 National Land Transport Programme (NLTP) for accelerated speed management work (Waikato, Auckland and Christchurch) as they have the greatest potential to reduce deaths and serious injuries through targeted speed management interventions.
10. Safe Speed and Speed Management is a key priority in the Waikato Regional Land Transport Plan and the Regional Road Safety Strategy 2017-2021. The Strategy has a number of actions to progress initiatives and advocate for funding support for implementation measures over the next 10 years.
11. The RTC has recognised the significance of speed management on the region's road toll and has been overseeing the work of the Regional Safe Network Programme Working Group (RSNP WG) including the preparation of a regional speed management plan.
12. The RSNP WG, comprises a range of stakeholders including WRC, NZTA, territorial authorities, NZ Police and health representatives. The role of the working group includes developing the draft regional speed management plan for recommendation to the RTC.

#### **What is the regional speed management plan?**

13. The RTC has resolved to develop a regional speed management plan in partnership with territorial authorities, NZTA and other key stakeholders such as the NZ Automobile Association (AA) and freight advocacy groups such as the NZ Road Transport Association (RTA) and National Road Carriers (NRC).
14. The key purpose of the regional speed management plan is to accelerate consistent implementation of speed management across the region. The RTC wishes to make real progress on addressing speed to reduce speed related road crashes in the region.
15. The regional speed management plan will set out the regional principles and policies to guide speed management planning and implementation by road controlling authorities in the region. The plan will also include maps of safe and appropriate speed as developed by NZTA. The regional plan will ensure consistent application of speed management across the region
16. A key component of the regional speed management plan is the inclusion of principles and policies and these were endorsed in draft form by the RTC on 6 May 2019 to take out to the territorial authorities for consideration and feedback (refer to Attachment 1). We are seeking your feedback on these.
17. The RTC is holding a series of roadshows with all our territorial authorities in May/June 2019 to brief them on the activity that is happening on speed management at the regional level and seeking feedback from your Council on a number of aspects relating to regional speed management planning.
18. Following the roadshows a report will be prepared summarising the key responses from all of our territorial authorities to present to the next RTC meeting on 1 July 2019.
19. Feedback from these roadshows will also inform the content of the draft regional speed management plan which will be presented to the RTC at their meeting on 1 July 2019 seeking the Committee's

endorsement of the document for targeted consultation with territorial authorities and other key stakeholders.

### **Speed management Implementation in the region**

20. Whilst the RTC is actively involved in speed management planning it is aware that there are differing levels of speed management activity amongst the 10 territorial authorities in the region ranging from highly active to a zero or minimal level of involvement.
21. The RTC is wishing to see greater implementation of speed limit changes by all of the road controlling authorities in the region to ensure that safety on the region's roads is improved.

### **Tools**

22. NZTA has developed tools to assess safe and appropriate speeds on state highways and local roads. A key tool is Megamaps which is available to all road controlling authorities (RCAs). This tool enable RCAs to map safe and appropriate speeds for all roads in their districts. The findings of this work to date has shown that a significant amount of the current roading network (over 80%) has posted speed limits that are too high when compared to the safe and appropriate speeds identified in Megamaps. The Megamaps tool also identifies the top 10 percent of the network that will achieve the greatest reduction in deaths and serious injuries.
23. NZTA has prepared speed management maps for the regional state highway network using Megamaps and these will be presented in the meeting. NZTA has already started engaging with technical officers from territorial authorities around the region to discuss the proposed state highway speed limit changes and look at working in partnership with TAs to address speed on state highways and local roads together.
24. It is important that all of the roads in the region ie state highway and local roads are addressed as one network. For example a change in speed limits on a state highway will have implications for speed limits on adjoining roads and hence a joined up approach to applying speed management is essential.

### **Better ways of working together**

25. A second important component of the regional speed management plan is looking at how we can work better together as a region to plan for and implement speed changes.
26. An investigation into various institutional arrangement options for undertaking speed management in the region was commissioned by the RTC and arose from a desire of the RTC to identify ways of streamlining the speed management process and taking the 'politics' out of the process. Waikato Regional Council engaged consultancy firm Morrison Low to undertake this work and a draft report was presented to the RTC on 6 May.
27. The existing process for setting speed limits is that each territorial authority prepares a register of speeds for all the roads in its district and these are contained in the territorial authority's Speed Limit Bylaw. Default speeds, as specified in the Setting of Speed Limits Rule 2017, are 100km/h on rural roads and 50km/h on urban roads. If a territorial authority wishes to change speed limits on any roads in its register then it must undertake a bylaw review and consult on these changes using a special consultative process ie public submission, hearings and deliberations.
28. The Morrison Low institutional arrangements work looked at a number of options for the technical side of speed management ie service delivery, and the decision-making process for speed management, including setting of speed limits. A summary of the Morrison Low work outlining the pros and cons of each option is attached as Attachment 2.
29. In respect to service delivery a range of options were considered with the three highest ranking options being:

- An enhanced 'status quo' with centralised support (delivery in-house with centralised templates and support)
- Delivery by a shared service - Waikato Local Authority Shared Services (WLASS) via a new workstream for the Regional Asset Technical Accord (RATA)
- Delivery by another local authority e.g. Waikato Regional Council

30. In respect to decision making a range of options were considered with the three highest ranking options being:

- Separate decision making by each Council via an enhanced 'status quo' ie via a speed limit setting by resolution process.
- Joint decision making by transferring the bylaw making power to another local authority e.g. Waikato Regional Council
- Joint decision making by transferring the bylaw making power to the RTC (via WRC) with speed limit changes decided by the RTC

31. Waitomo District Council is asked to provide feedback on their preferred options for both service delivery and decision-making.

#### **Next steps for the regional speed management project**

32. It is proposed that the RTC receive the feedback from all of the roadshows together with the draft regional speed management plan at its meeting on 1 July 2019.

33. Following consideration and endorsement of the draft speed management plan a formal targeted consultation process will be undertaken with all our territorial authorities and stakeholders with a view of finalising the plan at the RTC meeting on 2 September 2019.

#### **Your input is important**

34. During our roadshow discussion Waitomo District Councillors are asked to provide feedback on:

- The overall regional approach to speed management
- Draft regional speed management policies and principles
- Preferred institutional arrangement options for regional speed management.
- Proposed safe and appropriate speed limits on regional state highways
- Any other matters relating to speed management in your District or the region.

#### **Attachments**

1. Draft regional speed management principles and policies
2. Summary of Morrison Low Report - Regional Speed Management Institutional Arrangements

## Attachment 1: Draft Regional Speed Management Principles and Policies

### Draft speed management principles

1.	We will work with stakeholders in partnership to engage with our communities to implement positive speed management outcomes across the region and influence positive behaviour change.
2.	We will use the Safe System approach, focusing on the three pillars of safe speeds, safe road use, and safe roads and roadsides, working towards zero deaths and serious injuries on the region's roads.
3.	We will work together to ensure consistent and accelerated implementation of safe and appropriate speeds across the region, prioritising the highest risk parts of our roading network that deliver the highest benefits in death and serious injuries savings.
4.	We will address wider parts of the roading network where appropriate, taking a logical area wide approach to speed management which is self-explaining to road users.
5.	We will manage speeds that are safe and appropriate to rural and urban environments and safe and appropriate for all users of the roading network.
6.	We will implement speed management in accordance with legislative requirements and in line with best practice guidance.

### Draft speed management policies

P1	Speed management across the Waikato region will be coordinated by Waikato Regional Council and the NZ Transport Agency, in partnership with territorial authorities and the NZ Police, via the Waikato Regional Speed Management Plan.
P2	The speed management component of the NZ Transport Agency's Safe Network Programme will be implemented in the Waikato region through the Waikato Regional Speed Management Plan.
P3	A holistic approach to speed management will be applied, supplementing speed limit changes with other speed management tools including engineering interventions where appropriate.
P4	An area or catchment based approach incorporating both state highways and local roads (One Network Approach) will be used when addressing the top 10 percent benefit sites to ensure we get the highest benefit from speed management interventions.
P5	Speed management will be coordinated via a [to be determined] approach that improves decision making and saves both costs and time. [Note: holding policy for outcome of institutional arrangement review]
P6	The region will use a consistent communications and engagement approach, as outlined in the Waikato Regional Speed Management Plan.

P7	The approach to speed management in the Waikato region, as outlined in the Waikato Regional Speed Management Plan, is flexible and responsive to incorporate changes to national policy on speed management.
P8	A consistent speed management regime will be applied across the region that is self-explaining to road users.
P9	<p>Speed Limits will be set in accordance with the Land Transport Rule: Setting of Speed Limits (Rule 54001/2017) and the NZ Speed Management Guide (November 2016). For the Waikato region the following speed limit regimes are recommended to ensure a consistent speed management approach across the region:</p> <ul style="list-style-type: none"> <li>• A 30km/h speed limit for CBD/town centres with high concentrations of pedestrians and/or cyclists.</li> <li>• A 40km/h speed limit for urban residential areas.</li> <li>• An 80km/h or 60 km/h speed limit regime on local roads in rural areas [depending on their function, safety and infrastructure risk profiles].</li> <li>• Roads should not have speed limits higher than 80km/h without physical separation</li> </ul>
P10	<p>Speed limits around schools will be set in accordance with the Land Transport Rule: Setting of Speed Limits (Rule 54001/2017), the NZ Speed Management Guide (November 2016) and Traffic Note 37. For the Waikato region the following speed limit regimes are recommended to ensure a consistent speed management approach around schools in the region:</p> <ul style="list-style-type: none"> <li>• A permanent or variable 40km/h speed limit for schools in urban residential areas<sup>1</sup></li> <li>• A permanent or variable 60 km/h speed limit for schools in rural areas.<sup>2 3</sup></li> </ul>

<sup>1</sup> The 40km/h variable speeds apply at times of greatest risk (before and after school) and have general approval by NZTA (conditions apply). Current national policy is for 40km/h speed around schools in urban areas but 30km/h is under active consideration at national and regional level.

<sup>2</sup> The 60 km/h variable speed limit applies at times of greatest risk (before and after school) and only applies where there is turning traffic risk. 60 km/h variable speed limits require specific site approval by NZTA

<sup>3</sup> Road controlling authorities must aim to achieve mean operating speeds less than 10% (ie 44km/h for 40km/h speed limits and 66 km/h for 60km/h speed limits) above permanent speed limits at all times, and variable speed limits while operating (clause 4.4(2)(c) of the Rule).

## Attachment 2: Summary of Morrison Low Report - Regional Speed Management Institutional Arrangements

Morrison Low and WSP Opus were commissioned by the Regional Transport Committee (RTC) to look at potential institutional arrangements for speed limit setting. The service delivery and decision making (governance) elements were looked at separately. The report was based on interviews and a workshop with officers from Waikato local authorities, Transport Agency and discussions with MOT.

### Current Process

At the moment each territorial authority reviews speed limits on its own roads and makes own decisions in line with the NZ Speed Management Guide and the Speed Limit Setting rule. A full Special Consultative Procedure and bylaw amendment is required to set a speed limit. NZTA runs a separate process for setting speed limits on state highways and consults with TAs to discuss State Highway/local road interfaces. Waitomo District Council has developed a different approach to allow speed limits to be set by resolution.

### New Options for Service Delivery

Option	Pros	Cons
Enhanced Status Quo	Enhances existing process by providing for a centralised infohub of documents and a 'flying squad' of experts. Will increase consistency of outcomes.	Not likely to have as great an impact as a formalised regional approach.
Shared service - regional speed management team within RATA (LASS)	Easily established within existing RATA framework. Project governance and management systems already in place.	Needs to increase capacity and upskill. Allows a simple opt-in/opt-out approach by TAs.
Delivery by another Local Authority - Waikato Regional Council	Provides regional consistency. If decision making shifted to WRC, could have whole activity with one entity.	Needs to increase capacity and upskill. No established opt-in/opt-out mechanism and more difficult to include Transport Agency.

### New Options for Decision Making (Governance)

Option	Pros	Cons
Enhanced status quo - Own council via resolution	Streamlines decision making process. Can be undertaken individually by each TA.	Limited capacity of smaller TAs to undertake. Would be subject to legal opinion on validity of approach.
Transfer bylaw making power to WRC	Provides a more consistent speed limit regime. Reduces number of decision making bodies.	Difficult to implement without all TAs participating. Would be subject to legal opinion on validity of approach.
Transfer bylaw making power to WRC and delegate to RTC	Provides a more consistent speed limit regime. Reduces number of decision making bodies and includes other stakeholders such as NZTA and Police. RTC already a formal Committee and has a RLTP and safety mandate.	Would be subject to legal opinion on validity of approach. Risk associated with two tiers of decision makers, who could have differing views.



**Document No:** A432886

**Report To: Council**



**Meeting Date:** 25 June 2019

**Subject: Declaration of Members' Conflicts of Interest**

## Purpose of Report

- 1.1 The purpose of this business paper is for elected members to –
- 1 Declare interests that may be deemed a potential conflict with their role as an elected member relating to the business papers for this meeting, and
  - 2 Declare any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 29168.

## Commentary

- 2.1 **Conflicts of Interest**
- 2.2 Every elected member has a number of professional and personal links to their community. They may own a business or be a member on a board or organisation. They may have a pecuniary (financial) interest or a non-pecuniary (non-financial) interest. These interests are a part of living in the community which they need to make decisions about in their role with Council.
- 2.3 Elected members are governed by the Local Authorities (Members' Interests) Act 1968 and are guided by the Auditor-General in how this Act is administered. In relation to pecuniary interests, the two underlying purposes of the Act are to:
- ensure members are not affected by personal motives when they participate in local authority matters; and
  - in contracting situations, prevent members from using their position to obtain preferential treatment from the authority (the Council).
- 2.4 Non-pecuniary interests relate to whether an elected member could be in danger of having a real or perceived bias for an issue under consideration.
- 2.5 Elected members will also have interests that are considered no greater than the public at large. For example, most elected members will own a property and therefore be a ratepayer in Waitomo District.
- 2.6 Conflicts of interest at times cannot be avoided, and can arise without anyone being at fault. They need not cause problems when they are promptly disclosed and well managed.
- 2.7 **Declarations of Interest**
- 2.8 At the beginning of each triennial council term, elected members are requested to disclose known interests on behalf of themselves and spouses or partners. It is

up to the elected member to judge whether they have any interests to declare. Some elected members may have none.

- 2.9 As well as this, elected members may decide that they have an interest in a particular issue or item to be discussed at a meeting. There is a standing item on every meeting agenda for elected members to declare interests and conflicts of interest.
- 2.10 On many occasions a Member may declare an interest in an item on the Agenda, while not having an actual conflict i.e. a Council appointed representative to an external organization where that organization is reporting to the Council via the Council agenda. Where no decisions of Council are required, other than to receive the report, such an interest would not be a conflict. However, if that organization is seeking a decision from the Council then, subject to the type of request, it could be deemed that the Member has a conflict.
- 2.11 Members who have declared a conflict of interest in any matters that are due to be considered at a Council or Committee meeting should declare that they have a conflict in the matter, leave the table and not take part in any discussion, debate or vote on that matter.
- 2.12 Attached to and forming part of this business paper is information to assist elected members in determining conflicts of interest.

<b>Declarations</b>
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Mayor Hanna will invite elected members to give notice of any conflicts of interest relating to the business for this meeting.

In the event of a Declaration being made, the elected member must provide the following information relating to the Declaration:

<b>Name:</b>	
<b>Item of Business on the Agenda:</b>	
<b>Reason for Declaration:</b>	
<b>Is this Declaration –</b> <ul style="list-style-type: none"> <li>• Interest Only</li> <li>• Conflict of Interest</li> </ul>	



MICHELLE HIGGIE  
**EXECUTIVE ASSISTANT**

<b>Local Authority (Members' Interests) Act 1968</b>
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- 3.1 The Local Authority (Members' Interests) Act 1968 helps to protect the integrity of local authority decision-making by ensuring that Councillors are not affected by personal motives when they participate in Council decision-making and cannot use their position to obtain preferential access to contracts. This Act deals with two forms of "interest":
1. Pecuniary
  2. Non-pecuniary
- 3.2 **Pecuniary Interest**
- 3.3 The **two** specific rules in the Act are that members cannot:
1. Enter into contracts with their local authority worth more than \$25,000 (including GST) in a financial year unless the Auditor-General approves the contracts (referred to as the contracting rule). Breach of this rule results in automatic disqualification from office; and
  2. Participate in matters before the Council in which they have a pecuniary interest, other than an interest in common with the public (referred to as the participation rule). Breach of this rule is a criminal offence and conviction results in automatic disqualification from office
- 3.4 A pecuniary interest is one that involves money. This could be direct or indirect. It is sometimes difficult to decide whether an interest in a particular matter is pecuniary or some other kind. It is always the responsibility of elected members to make this decision, to declare any interest when appropriate and to ensure that as an elected member you comply with the Act's requirements at all times. The Act generally provides that no person shall be capable of being a member of Council if that person is concerned or interested in any contracts with the Council where the total payments made by the Council in respect of such contracts exceeds \$25,000 in any one financial year.
- 3.5 The Act also provides that an "interest" exists where a member's spouse is involved and/or where a member or their spouse is a major shareholder or have control or management of a company which contracts with Council or where the company has a pecuniary interest in the decision. It may also apply where your family trust has a contract with the Council.
- 3.6 The Act does provide that on application to it the Office of the Auditor General may give specific approval to a member being concerned or interested in a particular contract, in which case the provisions of the Act will not disqualify the Councillor from remaining in office. The approval needs be gained before the contract concerned is entered into.
- 3.7 The Act also requires that a member shall not vote or take part in the discussion of any matter in which he/she has any pecuniary interest, other than an interest in common with the public. This interest is required to be declared by the member and is noted in the minutes.
- 3.8 The Office of the Auditor General is the agency, which oversees this legislation and it also has the responsibility and power to institute proceedings against any member. The Act does not define pecuniary interest, however the Office of the Auditor-General uses the following test: "Whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned."

- 3.9 In deciding whether you have a pecuniary interest you should consider the following factors: What is the nature of the decision being made? Do I have a financial interest in that decision – do I have a reasonable expectation of gain or loss of money as a result of making that decision? Is my financial interest one that is in common with the public? Do any of the exceptions in the Act apply to me? Could I apply to the Auditor-General for approval to participate?
- 3.10 Further guidance is provided in the booklet “Guidance for members of local authorities about the Local Authorities (Members’ Interests) Act 1968” which has been provided to 5 elected members. It is important that you pay particular attention to the contents of this booklet as this is one of the few areas of the Council’s business where staff do not set out to provide pro-active advice and members are personally liable for compliance with the provisions of this Act.

### **3.11 Non-Pecuniary Interest**

- 3.12 Non-pecuniary interest is any interest the member may have in an issue that does not involve money. A common term for this is “bias” or pre-determination. Rules about bias operate not only to ensure that there is no actual bias, but also so there is no appearance or possibility of bias. The principle is that justice should not only be done, but it should be seen to be done. Bias may be exhibited where: -
- By their statements or conduct a member may indicate that they have predetermined the matter before hearing or considering all of the relevant information on it (including the Council’s debate); or
  - The member has a close relationship with an individual or organisation affected by the matter.
- 3.13 Non-pecuniary interest is a difficult issue as it often involves matters of perception and degree. The question you need to consider, drawn from case law, is: “Is there, to a reasonable, fair-minded and informed observer, a real indication of bias on the part of a member of the decision making body, in the sense that they might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?” If there is, the member should declare their interest and withdraw from the debate and take no further part in the discussion of this item. The law about bias does not put you at risk of personal liability. Instead, the validity of the Council’s decision could be at risk. The need for public confidence in the decision-making process is paramount and perception can be an important factor. Again the booklet provided by Office of the Auditor General provides some excellent advice and information on this issue.

<b>Waitomo District Council Procurement Policy – 23 February 2013</b>
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4.1 The following is an extract from the Procurement Policy:

### **2.1.11 Conflicts of Interest**

*WDC procurement process will be conducted with a spirit of probity demonstrating:*

- *integrity;*
- *honesty;*
- *transparency;*
- *openness;*
- *independence;*
- *good faith; and*
- *service to the public.*

*A conflict of interest occurs where:*

*A member's or official's duties or responsibilities to Council could be affected by some other interest or duty that the member or official may have.*

*The other interest or duty might exist because of:*

- *holding another public office;*
- *being an employee, advisor, director, or partner of another business or organisation;*
- *pursuing a business opportunity;*
- *being a member of a club, society, or association;*
- *having a professional or legal obligation to someone else (such as being a trustee);*
- *owning a beneficial interest in a trust;*
- *owning or occupying a piece of land;*
- *owning shares or some other investment or asset;*
- *having received a gift, hospitality, or other benefit from someone;*<sup>9</sup>
- *owing a debt to someone;*
- *holding or expressing strong political or personal views that may indicate prejudice or predetermination for or against a person or issue ; or*
- *being a relative or close friend of someone who has one of these interests, or who could otherwise be personally affected by a decision of Council*

*A relative or close friend includes:*

- *For matters covered by the Local Authorities (Members' Interests) Act 1968, the interests of a spouse, civil union partner, or de facto partner must be considered.*
- *Generally, the interests of any relative who lives with the member or official (or where one is otherwise dependent on the other) must be treated as being effectively the same as an interest of the member or official.*
- *For other relatives, it will depend on the closeness of the relationship, but it will usually be wise not to participate if relatives are seriously affected*
- *Where Council's decision or activity affects an organisation that a relative or friend works for, it is legitimate to take into account the nature of their position or whether they would be personally affected by the decision.*

*Examples of potential conflicts of interest include:*

- *conducting business on behalf of Council with a relative's company;*
- *owning shares in (or working for) particular types of organisation that have dealings with (or that are in competition with) Council;*

- *deliberating on a public consultation process where the member or official has made a personal submission (or from making submissions at all, in areas that directly relate to the entity's work);*
- *accepting gifts in connection with their official role; or*
- *influencing or participating in a decision to award grants or contracts where the member or official is connected to a person or organisation that submitted an application or tender.*

*All elected members, WDC staff or advisers involved in a procurement process are required to declare any other interests or duties that may affect, or could be perceived to affect, their impartiality. WDC will then decide the steps necessary to manage the conflict, having regard to any relevant statutory requirements. WDC will maintain a register of declarations of conflicts of interest that records any conflicts of interest and how they will be managed.*

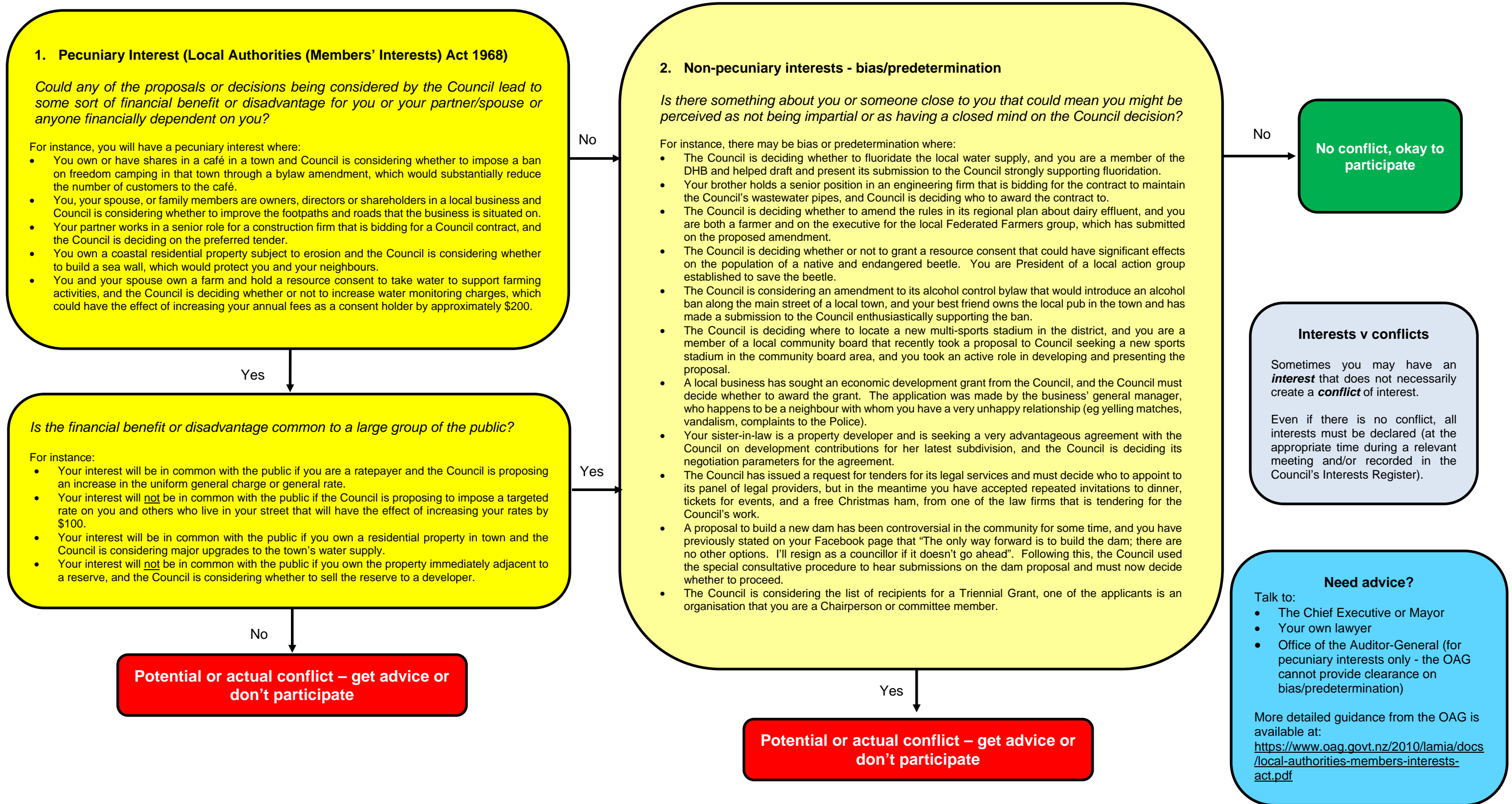
*An annual update of the register will be coordinated and maintained by the Executive Office.*

*Under no circumstances will a procurement process allow as an outcome of that process a circumstance where Council elected members, WDC staff or advisers to receive preferential treatment.*

Before you participate in any Council decision ...

CONFLICTS OF INTEREST

Check you don't have a pecuniary interest and that there is no bias or predetermination.



Remember: If in doubt, stay out!

## WAITOMO DISTRICT COUNCIL

### MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON TUESDAY 28 MAY 2019 AT 9.00AM

**PRESENT:** Mayor Brian Hanna, Deputy Mayor Guy Whitaker, Council Members Phil Brodie, Allan Goddard, Janene New and Sue Smith

**IN ATTENDANCE:** Greg Tims

Todd Ward (Waitomo News) and Maxine Jacobs (Waikato Times)

John Pettman and Carolyn Christian (OTL Group Ltd)

Chief Executive; Executive Assistant; General Manager – Environmental Services; Cathy O’Callaghan, Principal Planner (for part only); Group Manager – Community Services (for part only); General Manager – Infrastructure Services (for part only) and Greg Boyle, Special Projects Coordinator (for part only)

<b>1. Council Prayer</b>
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<b>2. Motion to Exclude the Public for the consideration of:</b>
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Council considered a business paper pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987 giving Council the right by resolution to exclude the public and staff from the whole or any part of a meeting on one or more of the grounds contained within that Section.

#### **Resolution**

- 1 The public be excluded from the following part of the proceedings of this meeting.
- 2 Council agree that the Chief Executive, having relevant knowledge, be in attendance “as required” to assist Council with its decision making.
- 3 The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Section 48(1) grounds for this resolution
1. Contractual Issues: 6 Month Review	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)



This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6, Section 7 or Section 9 of the Official Information Act 1982 as the case may require are listed above.

Whitaker/Smith Carried

### 3. Resolution to Re-open Meeting to the Public

#### Resolution

The meeting be re-opened to the public for the consideration of that part of the Agenda which is not public excluded business.

Brodie/Smith Carried

The meeting adjourned for morning tea at 10.20am

Greg Tims left the meeting at 10.30am

The Executive Assistant, Todd Ward (Waitomo News) and Maxine Jacobs (Waikato Times) entered the meeting at 10.30am.

The meeting reconvened at 10.35am

### 4. Declarations of Member Conflicts of Interest

Members declared interests/conflicts of interest in regard to the Agenda as set out in the table below:

#### Deputy Mayor Whitaker

Item of Business on Agenda	Reason for Declaration	Interest / Conflict
• Brook Park	Committee Member	Interest – No Conflict

### 5. Verbal Reports: Individual Councillor Roles and Responsibilities

The Mayor and Councillors gave verbal reports on their individual Council roles and responsibilities as follows:

#### Cr Brodie

- Corporate Night at NZ Shears
- Regional Transport Committee Meeting
- GameOn Trust Meeting
- Tainui Wetere Domain Board
- Vibhuti Chopra's Farewell
- Mokau Museum AGM

Cr New

- Corporate Night at NZ Shears
- Shaping Future for Electricity
- Waikato DHB Health Plan Launch
- Legendary Te Kuiti
- Legendary Te Kuiti Breakfast – Te Waka Presentation
- Waitomo Sister City
- GameOn Trust
- Creative Communities
- Vibhuti Chopra's Farewell

Cr Goddard

- Destination Pureora
- GameOn Trust
- Benneydale Hall
- Benneydale – Name Change Meeting
- Timber Trail Marketing Workshop

Cr Smith

- Waitomo Museum
- Benneydale – Name Change Meeting
- Corporate Night at NZ Shears
- Tere Waitomo
- Legendary Te Kuiti Breakfast – Te Waka Presentation
- 2 x Community Hall AGM Meetings
- West Coast Zone Meeting
- Vibhuti Chopra's Farewell

Deputy Mayor Whitaker

- Corporate Night at NZ Shears
- Shaping Future for Electricity
- District Licensing Committee Hearings (x2)
- The Lines Company Breakfast Meeting
- Legendary Te Kuiti
- Legendary Te Kuiti Breakfast – Te Waka Presentation
- Waitomo Sister City
- GameOn Trust
- Brook Park
- Brook Park (meeting with Office of Treaty Settlements on site)
- Vibhuti Chopra's Farewell
- RSA Regional Meeting

Mayor Hanna

- Regional Transport Committee
- Project Maru Trust
- 2019 Great NZ Muster
- Waitomo/Ruapehu Presentation to Christine Brears QSM
- Te Kuiti Meats Suppliers and Quarterly Meetings
- Maniapoto Family Violence Intervention Network – David White Presentation
- The Lines Company Breakfast Meeting
- Sports Waikato Board Meetings
- Waitomo / Otorohanga / Sport Waikato Meeting

- 
- Legendary Te Kuiti
- Hillview Morning Tea
- Waikato Regional Council re Regional Fund
- Barbara Kuriger MP
- NZ Police Meeting
- Citizenship Ceremony
- Waitomo News – New Reporter
- LGNZ National Council

### Resolution

The verbal reports be received.

Brodie/New                      Carried

<b>6. Confirmation of Minutes – 26 March 2019</b>
---

### Resolution

The Minutes of the Waitomo District Council meeting of 26 March 2019, including the public excluded portion, be confirmed as a true and correct record, subject to clarification of interest –v- conflicts in item 4 – Declarations of Conflicts of Interest.

Whitaker/Goddard                      Carried

<b>7. Received of Unconfirmed Audit and Risk Committee Minutes – 14 May 2019</b>
--

### Resolution

The Minutes of the Waitomo District Council Audit and Risk Committee meeting of 14 May 2019, including the public excluded portion, be received.

Whitaker/New                      Carried

<b>8. Receipt of Brook Park Minutes: 15 April 2019 and 6 May 2019</b>
---

Council considered a business paper providing information relating to the 15 April 2019 and 6 May 2019 Brook Park Incorporated Society Meetings.

Deputy Mayor Whitaker advised that the NZ Disk Golf Championships have been awarded to Brook Park for Labour Weekend this year,

### Resolution

The business paper on Brook Park Incorporated Society: Minutes of 15 April 2019 and 6 May 2019 be received.

Brodie/Whitaker                      Carried

<b>9. Hamilton City Council – Request for Support: SKYCITY Casino Hamilton Application</b>
--

Council considered a business paper informing Council of a request for support received from Hamilton City Council with respect to an Application being made by SKYCITY Casino Hamilton.

Mayor Hanna expanded verbally on the business paper following a telephone discussed with Mayor King.

Council were unanimous that they could not support “in principle” or not support\ due to a lack of information.

**Resolution**

- 1 The business paper on Hamilton City Council – Request for Support: SKYCITY Casino Hamilton Application be received.
- 2 Hamilton City Council be requested to provide further information on the SKYCITY Casino Hamilton application, so it can make an informed decision.
- 3 Hamilton City Council be advised that Waitomo District Council will not be making any financial contribution.

Whitaker/New          Carried

<b>10. Electoral Process – Promotion of Participation</b>
---

Council considered a business paper advising of the new role of the Chief Executive in the electoral process, as a result of the Local Government Regulatory Systems Amendment Act 2019 (the Act) which came into force in March 2019.

The Chief Executive expanded verbally on the business paper and answered members’ questions.

**Resolution**

The business paper Electoral Process – Promotion of Participation be received.

Brodie/Goddard          Carried

<b>11. Adoption of Risk Management Framework and Implementation Plan</b>
--

Council considered a business paper providing recommendations from Audit and Risk Committee (ARC) meetings held on 12 February 2019 and 14 May 2019 relating to Council’s Risk Management Framework and Implementation Plan.

The Chief Executive expanded verbally on the business paper and answered members’ questions.

**Resolution**

- 1 The business paper Risk Management Framework and Implementation Plan - Receipt and Adoption of Audit and Risk Committee Minutes, be received.
- 2 The Risk Management Framework incorporating the overarching and strategic risks identified in the Strategic Risk Register be adopted.
- 3 Council note and agree the proposed controls and treatments needed to address the identified residual strategic risks, and the need for additional resourcing to implement those measures.
- 4 Council note that the additional resourcing requirements will be introduced through the draft 2019/20 Exceptions Annual plan process.
- 5 Council note that monitoring and reporting progress towards developing the maturity of Council's Risk Management Framework will take place in accordance with Council's Road Map Work Programme.
- 6 The Risk Management Implementation Plan for intervention of the strategic residual risks identified in the Strategic Risk Register be adopted.
- 7 Council note that the Audit and Risk Committee will undertake an annual review of the Strategic Risk Register in May of each year, including a review of any externalities impacting on or introducing new, strategic risks, to ensure changing circumstances are anticipated, monitored and mitigated accordingly.
- 8 Council note that the Audit and Risk Committee will develop a monitoring and reporting programme in May for the financial year ahead, linked to the agreed strategic risks, and to form part of Audit and Risk Committee's agenda programme for the year.

Goddard/Brodie      Carried

**12. Adoption of Exceptions Annual Plan 2019-2020**

Council considered a business paper –

- 1 Presenting the final Exceptions Annual Plan 2019-20 (final 2019 EAP) for Council consideration and adoption as per Section 95 of the Local Government Act 2002, and
- 2 Detailing the rates to be set for the 2019-20 financial year pursuant to Sections 23 and 24 of the Local Government (Rating) Act 2002 (LGRA 2002).

The Chief Executive expanded verbally on the business paper and answered members' questions.

**Resolution**

- 1 The business paper on Adoption of Exceptions Annual Plan 2019-20 be received.
- 2 Council adopt the Exceptions Annual Plan 2019-20.

- 3 The Chief Executive be delegated authority to make any final editorial amendments to the draft Exceptions Annual Plan 2019-20 document and any changes requested by the Council at this meeting.
- 4 Pursuant to Sections 23 and 24 of the Local Government (Rating) Act 2002, Council set the rates, charges and instalment due dates for the 2019/20 financial year commencing 1 July 2019 and ending on 30 June 2020 as follows:

### 1. GENERAL RATE

A General Rate set under section 13 of the Local Government (Rating) Act 2002 (LGRA) made on every rating unit across the District, assessed as a rate per \$100 of capital value. The General Rate is not set differentially. The General Rate will contribute to the funding of:

Governance: Leadership and Investments  
 Leased Reserves  
 Other Land and Buildings  
 District Libraries  
 Aquatic Centre  
 Arts, Culture and Heritage  
 Aerodrome  
 Public Amenities  
 Parks & Reserves  
 Elderly Persons Housing  
 Community Halls  
 Cemeteries  
 Community Support  
 District Development  
 Emergency Management  
 Compliance  
 Waste Minimisation  
 Resource Management

#### *Requirement in 2019/20 (incl. GST)*

<i>General Rate</i>	<i>Rate per \$100 capital value</i>	<i>Total Revenue Requirement (\$000)</i>
All rating units in the District	0.15229	5,284

### 2. UNIFORM ANNUAL GENERAL CHARGE

A Uniform Annual General Charge (UAGC) per separately used or inhabited part of a rating unit across the District, set under Section 15(1)(b) of the LGRA. The UAGC will contribute to the funding of:

Governance: Leadership and Investments  
 Parks and Reserves  
 District Libraries  
 Aquatic Centre  
 Arts, Culture and Heritage  
 Other Land and Buildings  
 Public Amenities  
 Leased Reserves  
 Elderly Persons Housing  
 Community Halls  
 Cemeteries  
 Aerodrome  
 Community Support  
 Emergency Management  
 Compliance  
 Resource Management  
 Waste Minimisation  
 Subsidised Roading

#### *Requirement in 2019/20 (incl. GST)*

<i>Uniform Annual General Charge</i>	<i>Charge per SUIP</i>	<i>Total Revenue Requirement (\$000)</i>
All rating units in the district	\$703	3,984

### Definition of SUIP

A separately used or occupied part of a rating unit includes any part of a rating unit that is used or occupied by any person, other than the ratepayer, having a right to use or inhabit that part by virtue of a tenancy, lease, licence, or other agreement, or any part or parts of a rating unit that are used or occupied by the ratepayer for more than one single use. This definition includes separately used parts, whether or not actually occupied at any particular time, which are provided by the owner for rental (or other form of occupation) on an occasional or long term basis by someone other than the owner.

For the avoidance of doubt, a rating unit that has only one use (i.e. does not have separate parts or is vacant land) is treated as being one SUIP.

### 3 TARGETED RATES

Targeted Rates are set on categories of land defined by some factor, such as geographic location or provision of service. The titles of 'Targeted Rate' (TR) and 'Targeted Fixed Rate' (TFR) are used by this Council. Targeted Fixed Rates are based on a uniform amount set per separately used or inhabited part of a rating unit (SUIP) or set per rating unit. Targeted Rates are assessed based on capital value or water consumption.

#### Targeted Rates Differentiated on Location

Council will use location (Schedule 2(6) LGRA) to define the land liable for the Targeted Services TFR, Piopio Retirement Village Contribution TFR, Rural Stormwater TFR, Te Kuiti Urban Stormwater TFR and targeted rate, and the Marokopa Community Centre TFR.

The following location definitions for the respective rating areas will apply:

Te Kuiti Urban Rating Area	<i>All rating units situated within the Te Kuiti Urban Ward (Refer to Revenue and Financing Policy for further details)</i>
Te Kuiti Urban and Periphery Rating Area	<i>All rating units situated within a 5km radius, all around, from the Information Centre (deemed to be the centre of town), in Te Kuiti. (Refer to Revenue and Financing Policy for further details)</i>
Rural Rating Area	<i>All rating units situated within the Rural Ward (Refer to Revenue and Financing Policy for further details)</i>
Piopio Township	<i>All rating units connected or with the ability to connect to the Piopio Sewerage System (Refer to Revenue and Financing Policy for further details)</i>
Piopio Wider Benefit Rating Area	<i>All rating units situated in the rural areas around Piopio Township (excluding Rating units/SUIP's connected or with the ability to connect to the Piopio Sewerage System) that are deemed to indirectly benefit from the Piopio Sewerage reticulation network. (Refer to Revenue and Financing Policy for further details)</i>
Marokopa Community Centre Rating Area	<i>Any separately used or inhabited part of a rating unit within the defined Marokopa Community Centre area (as contained in the Revenue &amp; Financing Policy)</i>

#### 3.1 Targeted Services TFR

A Targeted Services TFR set under section 16 of the Local Government (Rating) Act 2002 per separately used or inhabited part of a rating unit in the District, differentiated by rating areas, to part fund the Unsubsidised Roding Activity and part fund the Aquatic Centre Activity. The rating areas for the purpose of assessing the Targeted Services TFR will be the Te Kuiti Urban and Periphery Rating Area and Rating Units in the District not in the Te Kuiti Urban and Periphery Rating area.

#### Requirement in 2019/20 (incl. GST)

<i>Targeted Services (TFR)</i>	<i>Charge per SUIP</i>	<i>Total Revenue Requirement (\$000)</i>
Te Kuiti Urban and Periphery Rating Area	\$137	328

<i>Targeted Services (TFR)</i>	<i>Charge per SUIP</i>	<i>Total Revenue Requirement (\$000)</i>
Rating Units in the District not in the Te Kuiti Urban and Periphery Rating Area	\$32	106

### 3.2 Piopio Retirement Village Contribution TFR

Council set a TFR under section 16 of the Local Government (Rating) Act 2002 per rating unit situated within the Piopio Township and the Piopio Wider Benefit Rating Area to fund the support of the continued delivery of elderly housing accommodation services provided by the Piopio Retirement Trust Inc. through the remission of service charges.

*Requirement in 2019/20 (incl. GST)*

<i>Piopio Retirement Village Contribution (TFR)</i>	<i>Charge Per Rating Unit</i>	<i>Total Revenue Requirement (\$000)</i>
Piopio Wider Benefit Rating Area and Piopio Township	\$24	18

### 3.3 Rural Stormwater TFR

Council set a TFR under section 16 of the Local Government (Rating) Act 2002 per separately used or inhabited part of a rating unit in the Rural Rating Area of the District to fund the Rural Stormwater Activity.

*Requirement in 2019/20 (incl. GST)*

<i>Rural Stormwater (TFR)</i>	<i>Charge per SUIP</i>	<i>Total Revenue Requirement (\$000)</i>
Rural Rating Area	\$15	54

### 3.4 Te Kuiti Urban Stormwater TFR and Targeted Rate.

- (i) Council set a TFR under section 16 of the Local Government (Rating) Act 2002 per rating unit in the Te Kuiti Urban Rating Area to partly fund the Urban Stormwater Activity.
- (ii) Council set a Targeted Rate under section 16 of the Local Government (Rating) Act 2002 to partly fund the Urban Stormwater Activity, to be assessed as a rate per \$100 of Capital value on every rating unit in the Te Kuiti Urban Rating Area excluding those in respect of which there is a current resource consent to discharge stormwater into the Mangaokewa Stream, and so are not using any part of the urban reticulated stormwater or drainage network.

*Requirement in 2019/20 (incl. GST)*

<i>Urban Stormwater (TFR)</i>	<i>Charge per rating unit</i>	<i>Total Revenue Requirement (\$000)</i>
Te Kuiti Urban Rating Area	\$163	295

<i>Urban Stormwater Targeted Rate (TR)</i>	<i>Rate per \$100 Capital Value</i>	<i>Total Revenue Requirement (\$000)</i>
Te Kuiti Urban Rating Area (excluding rating units not using network)	0.03768	174

### 3.5 Marokopa Community Centre TFR

Council set a TFR under section 16 of the Local Government (Rating) Act 2002 assessed per separately used or inhabited part of a rating unit within the defined Marokopa Community Centre Rating Area.



*Requirement in 2019/20 (incl. GST)*

<i>Marokopa Community Centre (TFR)</i>	<i>Charge Per SUIP</i>	<i>Total Revenue Requirement (\$000)</i>
Marokopa Community Centre Rating Area	\$22	5

**3.6 Water Rates**

Council set a TFR under section 16 of the Local Government (Rating) Act 2002 for Water Supply differentiated on the basis of supply area. The TFR is set per separately used or inhabited part of a rating unit within Te Kuiti and Rural Communities (Piopio, Benneydale and Mokau), with liability calculated based on whether the SUIP is connected, or merely serviceable (Serviceable means the rating unit is within 100m of water main and practicably serviceable in the opinion of Council).

*Requirement in 2019/20 (incl. GST)*

<i>Water Supply (TFR)</i>	<i>Charge</i>		<i>Total Revenue Requirement (\$000)</i>
	<i>Per Connected SUIP</i>	<i>Per serviceable SUIP</i>	
Te Kuiti	\$575	\$288	1,214
Piopio	\$1,103	\$552	276
Benneydale	\$1,103	\$552	133
Mokau	\$1,103	\$552	244

**3.7 Extraordinary Water Supply Rate**

Council set a TR under section 19 of the Local Government (Rating) Act 2002 per cubic metre of water consumed over and above an annual consumption of 292m<sup>3</sup> per SUIP, differentiated by supply area, for any rating unit situated in Te Kuiti, Piopio, Benneydale or Mokau that has been fitted with a water meter and/or is defined as having an extraordinary supply (in accordance with Council's Water Service's Bylaw). The rates are:

*Requirement in 2019/20 (incl. GST)*

<i>Water Supply Rate (TR)</i>	<i>2019/20 Charge per cubic metre (including GST) above 292m3</i>
Te Kuiti	\$2.53
Piopio	\$3.59
Benneydale	\$4.83
Mokau	\$6.03
Total Revenue Requirement (\$000)	1,013

*Metered Water Supply Due Dates*

	<i>Reading Period</i>	<i>Due Date</i>
Te Kuiti Meat Companies	Monthly	15 <sup>th</sup> of the month following invoice
Te Kuiti, Piopio, Mokau and Benneydale	Jul – Dec 2019 Jan – Jun 2020	15 <sup>th</sup> of the month following invoice

**3.8 District Wide Benefit Rate for Water Supply**

Council set a TFR under section 16 of the Local Government (Rating) Act 2002 on every rating unit within the District to part fund the water supply activities.

*Requirement in 2019/20 (incl. GST)*

<i>District Wide Benefit Rate for Water Supply (TFR)</i>	<i>Charge per rating unit</i>	<i>Total Revenue Requirement (\$000)</i>
All Rating Units in the District	\$44	208

**3.9 Sewerage Rates**

Council set a TFR under section 16 of the Local Government (Rating) Act 2002 to provide for the collection and disposal of sewage. The TFR is set per separately used or inhabited part of a rating unit within the District, with liability calculated based on whether the SUIP is connected to the sewerage network, or merely serviceable (Serviceable means the rating unit is within 30m of sewer reticulation and practicably serviceable in the opinion of Council).

*Requirement in 2019/20 (incl. GST)*

<i>Sewerage (TFR)</i>	<i>Charge</i>		<i>Total Revenue Requirement (\$000)</i>
	<i>Per connected SUIP</i>	<i>Per serviceable SUIP</i>	
Benneydale	\$1,028	\$514	115
Te Waitere	\$1,028	\$514	17
Te Kuiti	\$1,028	\$514	1,750
Piopio	\$1,028	\$514	222

**3.10 Sewerage rates for non-residential properties in Te Kuiti**

For all non-residential properties in Te Kuiti, Council set a TFR under section 16 of the Local Government (Rating) Act 2002 per SUIP set on a differential basis based on the following Categories

- **Category 1** - All Businesses
- **Category 2** - Education & Community Childcare, Places of Worship, Marae, Clubs and Societies and Emergency Services. This category consists of organisations that are generally deemed 'not for profit'. For avoidance of doubt, Category 2 only covers properties with uses listed within this category and no others.
- **Category 3** - Government Department use, Rest Homes and Hospitals.

All non-residential SUIPs will be charged one base charge for up to four pans and per pan (Pan Charge) for every pan over and above this threshold on the following basis:

**Base Charge:***Requirement in 2019/20 (incl. GST)*

<i>Non- Residential Targeted Rate (TFR)</i>	<i>Base Charge per SUIP (up to 4 pans)</i>	<i>Per serviceable SUIP</i>	<i>Total Revenue Requirement (\$000)</i>
Category 1	\$514	\$514	107
Category 2	\$514	\$514	23
Category 3	\$1,028	\$514	19

**Pan Charge:***Requirement in 2019/20 (incl. GST)*

<i>Non- Residential Targeted Rate (TFR)</i>	<i>Number of pans</i>	<i>Charge per pan (Pan Charge)</i>	<i>Total Revenue Requirement (\$000)</i>
Category 1	5th pan and over	\$720	76
Category 2	5-10 Pans	\$309	3
	Over 10 Pans	\$206	25
Category 3	5th pan and over	\$720	44

**3.11 Trade Waste Contribution - TFR**

Council set a Trade Waste Contribution TFR under section 16 of the Local Government (Rating) Act 2002 per rating unit in the District in recognition of the contribution made to the social and economic well-being of the District by the large industrial users of the Te Kuiti Wastewater Network.

*Requirement in 2019/20 (incl. GST)*

<i>Trade Waste Contribution (TFR)</i>	<i>Charge Per rating unit</i>	<i>Total Revenue Requirement (\$000)</i>
All Rating Units in the District	\$40	190

**3.12 District Wide Benefit Rate for Sewerage**

Council set a TFR under section 16 of the Local Government (Rating) Act 2002 on every rating unit within the District to part fund the sewerage activities.

*Requirement in 2019/20 (incl. GST)*

<i>District Wide Benefit Rate for Sewerage (TFR)</i>	<i>Charge Per Rating Unit</i>	<i>Total Revenue Requirement (\$000)</i>
All rating units in the District	\$56	267

**3.13 District Rooding Rate**

Council set a District Rooding targeted rate under section 16 of the Local Government (Rating) Act 2002 as a rate per \$100 of capital value on every rating unit across the District to part fund Subsidised Rooding (part of Roads and Footpaths Activity).

*Requirement in 2019/20 (incl. GST)*

<i>District Rooding Rate (TR)</i>	<i>Rate per \$100 Capital Value</i>	<i>Total Revenue Requirement (\$000)</i>
All rating units in the District	0.16731	5,805

**3.14 Solid Waste Collection Rate**

Council set a TFR under section 16 of the Local Government (Rating) Act 2002 per separately used or inhabited part of a rating unit to which Council provides a kerbside collection and recycling service differentiated by service areas where Council operates kerbside collection and kerbside recycling services (Te Kuiti, Piopio, Mokau (including Awakino) communities and Waitomo Village and some surrounding parts).

*Requirement in 2019/20 (incl. GST)*

<i>Solid Waste Collection (TFR)</i>	<i>Charge per SUIP</i>	<i>Total Revenue Requirement (\$000)</i>
Te Kuiti	\$59	120
Waitomo	\$66	43
Piopio	\$131	31
Mokau	\$137	42

**3.15 Solid Waste Management Rate**

Council set a TFR under section 16 of the Local Government (Rating) Act 2002 per separately used or inhabited part of a rating unit District wide to part fund the activity of Solid Waste Management.

*Requirement in 2019/20 (incl. GST)*

<i>Solid Waste Management (TFR)</i>	<i>Charge per SUIP</i>	<i>Total Revenue Requirement (\$000)</i>
All rating units in the District	\$175	987

**3.16 District Development Rate**

Council set a District Development Targeted Rate under section 16 of the Local Government (Rating) Act 2002 as a rate per \$100 of capital value differentiated between Commercial and Industrial Businesses, and Rural Businesses, to part fund Economic Development, Visitor Information Centre, District and Regional Promotion and Event Co-ordination activities.

*Requirement in 2019/20 (incl. GST)*

<i>District Development Rate (TR)</i>	<i>Rate per \$100 Capital Value</i>	<i>Total Revenue Requirement (\$000)</i>
Commercial and Industrial Businesses	0.05126	199
Rural Businesses	0.00894	199

**4 RATES PAYMENTS**

Rates will be payable in four equal instalments with the due dates for payments being:

1st Instalment	30 August 2019 (Friday)
2nd Instalment	29 November 2019 (Friday)
3rd Instalment	28 February 2020 (Friday)
4th instalment	29 May 2020 (Friday)

**Note**

The due date for payment of each instalment is the last working day in each of the months specified above. Rates payments will be allocated to the oldest debt first.

**5. RATES REMISSIONS AND POSTPONEMENTS**

Council has developed a rates remissions policy as per LGA (section 102 (3)(a), 108 and 109) and LGRA (Section 85). Remissions categories include Properties Used Jointly as a Single Unit, Community Organisations, Organisations Providing Care for the Elderly, Clubs and Societies, Council Properties, Maori Freehold Land, Penalties, Rates and/or penalties following a Rating Sale or Abandoned Land Sale, New Residential Subdivisions, Financial Hardship, Land Affected by Natural Calamity and New Businesses. The value of these remissions is \$300,000 for the 2019/20 year.

Under the Policy on Remission of Rates, Council will not offer any permanent postponements of rates.

## 6. PENALTIES

Pursuant to sections 57 and 58 of the Local Government (Rating) Act 2002, Council may apply penalties as follows:

- (a) A penalty charge of 10 percent (10%) on any part of an instalment that has been assessed for the financial year commencing 1 July 2019 and which remains unpaid after 5pm on the due date for payment of that instalment, to be added on the penalty dates below:
- |              |                  |
|--------------|------------------|
| Instalment 1 | 3 September 2019 |
| Instalment 2 | 3 December 2019  |
| Instalment 3 | 3 March 2020     |
| Instalment 4 | 3 June 2020      |
- (b) A further penalty charge of 10 percent (10%) on any part of any rates assessed before 1 July 2019 that remains unpaid on 1 July 2019, to be added on 5 July 2019.
- (c) No penalties will be charged where a ratepayer is paying rates by direct debit or where there is an approved payment arrangement in place.

Whitaker/Smith                      Carried

### 13. Draft Fees and Charges 2019/20 for Adoption

Council considered a business paper presenting the Draft Fees and Charges for 2019/20 to Council for adoption.

#### Resolution

- The business paper on the Draft Fees and Charges 2019/20 for adoption, be received.
- Council adopt Fees and Charges for 2019/2020 as set out in the Fees and Charges 2019/20 (Document No. A429670) to become effective on 1 July 2019.

Brodie/Goddard                      Carried

### 14. Progress Report: Reporting against Communications Strategy 2018

Council considered a business paper providing a progress report made with regard to the Communications Strategy as well as any other projects.

The Chief Executive expanded verbally on the business paper and answered members' questions.

#### Resolution

The business paper Progress Report: Delivery against Communications Strategy be received.

New/Brodie                              Carried

<b>15. Civic Financial Services Limited – 2019 Annual General Meeting</b>
---

Council considered a business paper advising that the Annual General Meeting of the Civic Financial Services Limited is scheduled for Friday 21 June 2019 and that Council needs to either appoint a WDC representative to attend or appoint a Proxy.

The Chief Executive expanded verbally on the business paper and answered members' questions.

**Resolution**

- 1 The business paper on Civic Financial Services Limited – Notice of Annual General Meeting be received.
- 2 The Council authorise Mr Tony Marryatt being Chairman of the Board CFSL to act as Waitomo District Council's Proxy and to carry out the voting instructions in accordance with the resolutions ticked in the proxy form, as agreed by Council.

Hanna/Whitaker Carried

The General Manager – Environmental Services and Principal Planner entered the meeting at 11.38am.

<b>16. Civic Financial Services Limited – Annual Report for the year ended 31 December 2018 and Statement of Intent for the Year ended 31 December 2019</b>
---

Council considered a business paper presenting the annual report for Civic Financial Services Limited (CFSL) for the year ended 31 December 2018 and to present the company's statement of intent (SOI) for the ensuing year.

The Chief Executive expanded verbally on the business paper and answered members' questions.

**Resolution**

The business paper on Civic Financial Services Ltd Annual Report for the year ended 31 December 2018 and Statement of Intent for the Year ended 31 December 2019 be received.

Goddard/Brodie Carried

<b>17. Upper Waipa River Integrated Management Plan</b>
---

Council considered a business paper providing an update on the on-going development of the Upper Waipa River Integrated Management Plan (UWRIMP). Council was first briefed on this matter in October 2018.

The General Manager – Environmental Services and Principal Planner expanded verbally on the business paper and answered members' questions.

**Resolution**

The Business Paper on Upper Waipa River Integrated Management Plan be received.

Brodie/Whitaker Carried

The Principal Planner left the meeting at 11.40am.

<b>18. Climate Change Adaptation – J Hodder QC</b>
--

Council considered a business paper providing, for information purposes, the report written by Jack Hodder QC - "Climate Change Litigation: Who's Afraid of Creative Judges".

The General Manager – Environmental Services expanded verbally on the business paper and answered members' questions.

**Resolution**

The business paper on Climate Change Adaptation – J Hodder QC be received.

Whitaker/Brodie Carried

The Group Manager – Community Services entered the meeting at 11.40am.

<b>19. Earthquake Prone Buildings – Consultation Considerations'</b>
--

Council considered a business paper seeking a decision from Council regarding whether to formally consult on Earthquake Prone Building (EPB) 'Strategic Transport Routes' and/or 'Unreinforced Masonry Buildings on a thoroughfare with sufficient vehicle or pedestrian traffic to warrant prioritisation'.

Principal Planner expanded verbally on the business paper and answered members' questions.

**Resolution**

- 1 The business paper on Earthquake Prone Buildings – Priority Buildings: 'Strategic Transport Routes' and 'Unreinforced Masonry Buildings on a thoroughfare with sufficient vehicle or pedestrian traffic to warrant prioritisation' be received.
- 2 Council resolve pursuant to section 133AF(2)(b)(i) that there are no Strategic Transport Routes in the Waitomo District and that prioritisation in accordance with section 133AE(1)(f), and consultation in accordance with the special consultative procedure in section 83 of the Local Government Act 2002, is not required; and
- 3 Council resolve pursuant to section 133AF(3) of the Building Act 2004 that there is no reasonable prospect of any thoroughfare in the Waitomo District satisfying the criteria set out in section 133AF(2)(a)(i) and (ii) and

that prioritisation in accordance with section 133AE(1)(e), and consultation in accordance with the special consultative procedure in section 83 of the Local Government Act 2002, is not required.

Goddard/Brodie Carried

The General Manager – General Manager – Environmental Services left the meeting at 11.45am.

## **20. Progress Report – Community Development**

Council considered a progress report on current work streams within the Community Development portfolio, including the 2018/2019 Waitomo District Youth Council Work Plan for endorsement.

The Group Manager – Community Services expanded verbally on the business paper and answered Members' questions.

### **Resolution**

The Progress Report: Community Development be received.

New/Smith Carried

## **21. Discharge of Statutory Land Charge SA36A/86, Mairoa Road, Piopio**

Council considered a business paper advising that a Discharge of Statutory Land Charge on SA36A/86, Mairoa Road has been authorised by Kobus Du Toit, General Manager Infrastructure Services, under delegated authority.

### **Resolution**

The business paper on Discharge of Statutory Land Charge SA36A/86, Mairoa Road, Piopio be received.

Whitaker/Brodie Carried

The Community Development Coordinator and five Waitomo District Youth Council members entered the meeting 11.50am.

## **22. Deputation: Waitomo District Youth Council**

Council considered a business paper informing Council that representatives of the Waitomo District Youth Council (WDYC) will be in attendance at 11.45am to make a deputation and will then join the Council for lunch.

The Youth Council made a Powerpoint Presentation to the Council.



**Resolution**

The Deputation from the Waitomo District Youth Council be received.

Whitaker/Smith                      Carried

The meeting adjourned for lunch at 12.10pm

The Group Manager – Community Services, Community Development Coordinator and Waitomo District Youth Council members left the meeting at 12.40pm

The meeting reconvened at 12.45pm.

The Group Manager – Infrastructure Services and Special Projects Coordinator entered the meeting at 12.44pm.

<b>23. Progress Report – Housing and Other Property</b>
---

Council considered a progress report on work streams within the Housing and other Property activity.

The General Manager – Infrastructure Services expanded verbally on the business paper and answered Members questions.

**Resolution**

The Progress Report: Housing and other Property be received.

Smith/Whitaker                      Carried

<b>24. Progress Report: Parks and Reserves</b>
--

Council considered a progress report on service delivery within the Parks and Reserves Activity.

The General Manager – Infrastructure Services expanded verbally on the business paper and answered Members questions.

**Resolution**

The Progress Report: Parks and Reserves be received.

Brodie/Smith                      Carried

<b>25. Progress Report: Public Amenities</b>
--

Council considered a progress report on work streams within the Public Amenities portfolio.

The General Manager – Infrastructure Services and Special Projects Coordinator expanded verbally on the business paper and answered Members questions.

**Resolution**

The Progress Report: Public Amenities be received.

Whitaker/Smith Carried

<b>26. Progress Report: Recreation and Culture</b>
--

Council considered a progress report on work streams within the Recreation and Culture Activity.

The General Manager – Infrastructure Services expanded verbally on the business paper and answered Members questions.

**Resolution**

The Progress Report: Recreation and Culture be received.

Brodie/New Carried

<b>27. Progress Report: Roads and Footpaths</b>
---

Council considered a progress report on the key projects and programmes, Roads and Footpaths activity, outlined in the Waitomo District Council Long Term Plan 2018-2028 (the LTP).

The General Manager – Infrastructure Services expanded verbally on the business paper and answered Members questions.

**Resolution**

The Progress Report – Roads and Footpaths be received.

Goddard/Smith Carried

<b>28. Progress Report: Solid Waste Services</b>
--

Council considered a progress report on work streams within the Solid Waste management portfolio, including contracted services.

The General Manager – Infrastructure Services expanded verbally on the business paper and answered Members questions.

**Resolution**

The Progress Report: Solid Waste Services be received.

Goddard/Brodie Carried

<b>29. Progress Report: Water Supply, Sewerage and Stormwater</b>
---

Council considered a progress report on the Three Waters Activities as set out in Council's Long Term Plan, including contracted services.

The General Manager – Infrastructure Services expanded verbally on the business paper and answered Members questions.

**Resolution**

The Progress Report: Water Supply, Sewerage and Stormwater be received.

Whitaker/New Carried

<b>30. Progress Report: Road Map Work Programme</b>
---

Council considered a business paper presenting a quarterly update on progress against the Road Map Work Programme which was adopted by Council on 30 October 2018.

The Executive Assistant expanded verbally on the business paper and answered Members questions.

Council noted the amendments to the Road Map Work Programme as a result of not needing to consult on the draft Exceptions Annual Plan 2019/20 and agreed to cancellation of the monthly Council meeting in April due to Easter and ANZAC Day falling in the same week.

**Resolution**

The Progress Report: Road Map Work Programme as at 26 February 2019 be received.

Smith/Goddard Carried

Todd Ward (Waitomo News) and Maxine Jacobs (Waikato Times) left the meeting at 1.15pm

<b>31. Motion to Exclude the Public</b>
---

Council considered a business paper pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987 giving Council the right by resolution to exclude the public and/or staff from the whole or any part of a meeting on one or more of the grounds contained within that Section.

**Resolution**

- 1 The public be excluded from the following part of the proceedings of this meeting.
- 2 Council agree the Chief Executive, Executive Assistant, General Manager – Infrastructure Services, Special Projects Coordinator, having relevant knowledge, remain in attendance to assist Council with its decision making.

- 3 The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General Subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Section 48(1) grounds for this resolution</b>
1. Deputation: OTL Group Ltd	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
2. Governance Matters	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
3. Te Waka – Request for Funding	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
4. Disposal of Council Land - 15B North Street, Mokau (Old Reservoir Site)	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
5. Progress Report - Property Divestment: - Old MoW Building and Queen Street Carpark Proposal	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
6. Progress Report – Treaty Settlement - Maniapoto and Te Arawhiti	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
7. Grazing Licence – Brook Park	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
8. Outstanding Metered Water and Trade Waste Charges	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
9. Progress Report: Te Kuiti Pedestrian Overbridge Replacement	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6, Section 7 or Section 9 of the Official Information Act 1982 as the case may require are listed above.

New/Whitaker      Carried

There being no further business the meeting closed at 3.11pm.

Dated this      day of      2019.

BRIAN HANNA  
**MAYOR**

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<b>Document No:</b> A434088	
<b>Report To:</b>	<b>Council</b>
	<b>Meeting Date:</b> 25 June 2019
	<b>Subject:</b> <b>Receipt of Brook Park Incorporated: Minutes – 10 June 2019</b>
	<b>Type:</b> Information Only

### Purpose of Report

- 1.1 The purpose of this business paper is to provide Council with information relating to the latest Brook Park Incorporated meeting.

### Local Government Act S.11A Considerations

- 2.1 There are no Section 11A of the Local Government Act considerations relating to this business paper.

### Background

- 3.1 In November 2007, Council established a Work Group for the purpose of working with a Consultant and members of the community to develop a proposal and policy document for Brook Park.
- 3.2 Development of the Brook Park Management Plan (MP) was completed following a public consultation process, including a Hearing of submissions in February 2010.
- 3.3 An objective contained in the MP was to establish a Friends of Brook Park (FBP) organisation to enable the community to participate in the future of Brook Park, and, and as a primary objective, to raise funds for achieving park projects and developments.
- 3.4 The FBP was to replace the Brook Park Advisory Committee which was in place at that time, but which did not have any mandate to represent the community's interest in the Park, nor to raise funds for park projects.
- 3.5 It was envisaged that the FBP would enable the community to become more involved in their Park, through dissemination of information; being able to assist in fundraising and other activities that promote and enhance Brook Park; and by having a "voice" to assist Council with management of Brook Park.
- 3.6 As a charitable body, and an incorporated society, a FBP organisation would be able to successfully apply for third party funding to assist Council with implementing the community's vision for Brook Park.
- 3.7 The Policy implemented by Council through the Brook Park MP is as follows:
1. *Council will support and encourage the formation of a Friends of Brook Park, as a charitable incorporated society.*
  2. *The aims of the Friends of Brook Park shall be:*
    - i) *To foster interest in Brook Park;*
    - ii) *To promote the development of Brook Park;*
    - iii) *To raise funds for approved projects*

- iv) *To preserve the integrity of Brook Park*
3. *The Constitution of the Friends of Brook Park shall provide for Council representation on the Society's Committee, and to enable the representative to veto any decision that is not in the best interests of the park or the community.*
  4. *Council will dissolve the Brook Park Advisory Committee on the successful establishment of the Friends of Brook Park.*
- 3.8 During 2011 WDC advertised several times seeking interested persons to join the committee with limited success. Council considered that a Leadership Work Group consisting of three Council members would be beneficial to provide political leadership and assist in getting the FBP established and in December 2011 Council established the Brook Park Leadership Work Group.
- 3.9 The FBP Group was finally established early in 2012 with numbers fluctuating as more members of the public become interested in the future of the park. By mid-2012 the group was incorporated as "Brook Park Incorporated" (BPI) to administer the day to day operations/development of Brook Park.
- 3.10 Brook Park is operated as a farm park, with a grazing licence granted by WDC to a lessee. The Reserves Act 1977 states that any lease or agreement on reserve land has to be granted by the administering body, which in this case is the Waitomo District Council. Therefore BPI cannot lease these grazing rights to another entity or individual.
- 3.11 With the administering body being WDC and the consequent income stream for the grazing lease being part of WDC's reserve income (between \$2000-\$4000), there was little opportunity for BPI to achieve a sustainable income stream for minor works and administration. The income derived by BPI at that time was by way of subscription donation (\$10 per member) and any successful grant applications for specific projects.
- 3.12 To improve the financial viability and robustness of the BPI, in October 2012 a Memorandum of Understanding (MOU) between WDC and BPI was developed and approved. Council also agreed to provide an annual grant to BPI for operational management of the reserve, equivalent to the annual derived lease income.

## Commentary

- 4.1 Since early in 2014, BPI has kept WDC informed of progress in the day to day operations/development of Brook Park by providing copies of its monthly meeting Minutes.
- 4.2 Attached to and forming part of this business paper is a copy of the BPI unconfirmed Minutes of 10 June 2019.

## Suggested Resolution

The business paper Brook Park Incorporated: Minutes of 10 June 2019 be received.



MICHELLE HIGGIE  
**EXECUTIVE OFFICER**



**BROOK PARK**  
INCORPORATED SOCIETY

**Meeting Minutes**  
Monday 10 June 2019  
5.30 pm

Council Chambers  
Queen Street  
**TE KUITI**

**BROOK PARK INCORPORATED SOCIETY****THE MINUTES OF THE MEETING OF THE BROOK PARK INCORPORATED SOCIETY  
HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON MONDAY 10 June  
2019 COMMENCING AT 5.30 PM**

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**MINUTES**

**Attendance:** Guy Whitaker, Gerald Kay, Neil Brooks, Phillip Houghton, Glyn Meads, Elly Kroef, Graeme Churston, Andrea Hanna, Jane Murray, Robin Charteris, Helen Sinclair.

**Apologies** – Dawn Anselmi . Accepted-M/S Gerald/ Graeme.

**Confirmation of Minutes of 6 May**

That minutes of previous meeting be accepted as a true and accurate record. M/S Neil/ Graeme

**Matters Arising from Minutes-** Nil

**Financial Report**

Opening Balance \$15 742

Closing Balance \$15 740

YTD cash flow available-See Agenda handout.

OpShop raised \$460. Brief outline from Helen of its future viability.

A list of financial members will be emailed by Neil when he receives it from Phillip.

Report accepted . M/S- Phillip/ Graeme

**Correspondence**

Inward-

Emails-WDC re lease termination;

    Quin re spraying;

    Simon re North Island Disk Golf Champs to be held in Brook Park over Labour Weekend. Brief discussion re clash with a wedding scheduled the same day.

Outwards-Nil

**Maintenance/Fencing**

Area past the yards has been fenced.

**MOU**-See Agenda note. 'BPIS would recommend to WDC that we have representation on any Brook Park Plan and also the current MOU.' Guy to speak on our behalf at the next WDC meeting.

## **Weed Control**

Glyn to find out from WDC what's been sprayed, where and with what.

Gerald has been spraying inkweed, gorse and woolly nightshade.

We would like Brook Park to be well-presented for the Disk Golf Champs in October.

## **Disc Golf**

Tee Pads in place, thanks to Glyn, Peter Wyllie and the Parks and Reserves workers. Neil to email our thanks to Peter and Parks workers.

Karen and Andrea have named the 'baskets'.

The Course has Google map links.

Quin is arranging to have Tee signs printed . Sponsorship will not be on the signs but on the baskets, where there's a space .

Scorecards to be made up. Guy to source prices.

Styles required for access over fences.

Guy to ask Simon for a plan for what our role will be at the Champs.

Parking at old New World site?

## **General Business**

**Guy Fawkes-** Wood stacked will burn-Guy says so! Pallets will still be needed.

Campsite is padlocked and we will need access.

Sheep for Brook Park can be sourced from the Works? Depend on WDC plan for new lease.

Meeting closed @ 6.25 pm

**Next Meeting** Mon 8 July 2019

Neil Brooks

Secretary



**Document No:** A432892

**Report To:** Council



**Meeting Date:** 28 May 2019

**Subject:** Sport Waikato Quarterly Report (January to March 2019)

Information Only

**Type:**

## Purpose

- 1.1 The purpose of this business paper is to present for Council's information and receipt, Sport Waikato's Quarterly Report for the period January to March 2019.

## Commentary

- 2.1 Attached to and forming part of this business paper is a copy of a Sport Waikato's Quarterly Report for the period January to March 2019.
- 2.2 The reporting requirements of Sport Waikato to WDC, as agreed in the Provision of Services Grant Agreement (1 July 2018 to 30 June 2021) provides as follows:

### REPORTING REQUIREMENTS:

Written reports will be provided to WDC quarterly with verbal presentations to Council twice a year in August and February (or nearest Council meeting).

Reports and presentations will focus on key initiatives, activities and outcomes of the work Sport Waikato and WDC staff undertake.

Dates agreed for reports and presentations for each year:

Reporting	Quarter		Date Required
Written report Including YE Prior 30 June Financials	1 July – 30 September	To be received by	20 October
Written report with presentation in person to Council	1 October – 31 December	To be received by	20 January (nearest Council Meeting)
Written report	1 January – 31 March	To be received by	20 April
Written report with presentation in person to Council	1 April – 30 June		20 August (nearest Council Meeting)

- 2.3 It should be noted that this January – March 2019 Quarterly Report was received in April 2019 in line with the reporting requirements, however with the cancellation of the April 2019 Council meeting and the large quantity of business including in the May 2019 Council agenda, presentation of this report has been deferred until this meeting.

**Suggested Resolution**

The Sport Waikato Quarterly Report (January to March 2019) be received.

A handwritten signature in blue ink, appearing to read 'H Beever', is positioned below the text of the resolution.

HELEN BEEVER  
**GROUP MANAGER – COMMUNITY SERVICES**

Attachment: Sport Waikato Quarterly Report (January to March 2019) (Doc A432889)

# MOVING WAIKATO 2025

A STRATEGY TO GROW PARTICIPATION IN SPORT,  
RECREATION AND PHYSICAL ACTIVITY

Moving Waikato 2025 is an evidenced based strategy that seeks to build on the positive momentum of existing loyal partnerships and to increase the provision of opportunities for both participation and sporting success for the people of the region.

## ONE VISION

A HEALTHY,  
VIBRANT, PHYSICALLY  
ACTIVE & SUCCESSFUL  
SPORTING REGION



### OUR PEOPLE

A focus on the provision of opportunities that meet the needs of the people of our region - more adults and more children out there and active

Women and Girls  
Young People  
Maori  
Rural Communities  
Older People



### BUILDING COMMUNITIES

A focus on quality local delivery of sport, recreation and physical activity experiences – helping communities to help themselves

Local Sport  
Education  
Recreation & Physical Activity  
Maaori Settings



### REGIONAL LEADERSHIP

A focus on regional and national partners working together to lead change and enhance outcomes – leading and delivering change

Insights  
Facilities  
Urban Growth  
Home of High Performance

ACHIEVING SUCCESS THROUGH WORKING TOGETHER

# **Waitomo**

# **District Report**

1 January 2019 to 31 March 2019

**Sport Waikato**

**Dede Downs**

[waitomo@sportwaikato.org.nz](mailto:waitomo@sportwaikato.org.nz)

027 485 3692

## CONTENTS

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1. Foreword – Michelle Hollands, Sport Waikato GM Regional Leadership
2. Regional Sport Waikato Team Updates
3. Local Delivery Updates

## FOREWORD

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### **Sport New Zealand Strategy 2020-2025**

Sport New Zealand is currently developing a strategy for 2020-2025 with a focus on Play, Active Recreation, Physical Activity and Sport. The Minister of Sport, also the Minister of Finance, is expected to align Sport New Zealand's strategy with the Four Wellbeings Budget. Sport New Zealand are also working towards national partnerships with the Ministry of Education and the Ministry of Health.

### **Sport Waikato's Regional Work across Local Authorities**

Sport Waikato are working in collaboration with Local Authority partners and Central Government agencies to support the development of regional strategies to support both Water and Cycle Safety for our communities. The Regional Cycle Safety Plan will be ready for draft consultation in April. The proposal being that Sport Waikato will lead implementation of initiatives to support the delivery of Cycle Safety Education and Bikes in Schools. The Regional Water Safety Plan is currently being drafted in partnership with Water Safety New Zealand and an Advisory Panel with representatives from Regional Council, Trust Waikato, Waikato Tainui, Swimming New Zealand and Sport Waikato.

### **Our District Coordinators Regional Focus**

Across the region our District Coordinators continue to support their local communities with three common KPI's:

1. To grow participation – connecting the community with opportunities to be active
2. To grow the quality of experiences – supporting sports clubs and physical activity providers to meet the needs of a changing society
3. To provide local leadership and partnerships – connecting organisations to work together to achieve outcomes on behalf of the community

## REGIONAL SPORT WAIKATO TEAM UPDATES

### **Coaching**

Currently identifying local coaches to work with Regional coaching Advisor James Davidson on the 'Coach Development Programme' – Aiding, educating and developing coaches across all sporting codes.

Promoting WaiBOP Football Coaching Workshop to be held May 7th in Te Kuiti.

### **Facilities**

Waikato Regional Sports Facilities Plan - December 2018 culminated in adoption of the Waikato Regional Sports Facility Plan by the Waikato Mayoral Forum. The Plan focuses thinking at a network-wide sports facilities level with emphasis on national, regional and sub-regional assets, while also capturing local level facility data.

Collaborative Sports Field Study - The Waikato region's central Territorial Authorities, Hamilton City Council, Waipa District Council and Waikato District Council have collaborated and are investing in a Sports Field Study. The long-term goal of the study is to assist in the optimisation of the sports field network, inform councils LTP process and current and future outdoor sports field provision, including turf. Report due at the end of 2019.

The Waikato Gymsports Plan has been finalised. It is a partnered plan and the plan will provide the strategic direction for all future Gymsport conversations in the Waikato.

### **Insights**

#### ***Active NZ Activity Profiles***

The Waikato region sport and recreation participation profiles have been developed using results from Sport NZ's Active NZ survey. In 2017 Sport Waikato partnered and invested to increase the sample size of the Active New Zealand survey in the Waikato region. This means that we now know more about our communities' preferences for participation.

Sport Waikato has used this information to publish two regional profiles, adults (18+ years) and young people (5-17 years) and two local profiles for each district. The profiles inform the sector of preferences for participation, such as the percentage of people who currently participate, what they like, what they're doing and what the barriers to their participation are.

#### ***Moving Waikato 2025 Roadshows***

The Moving Waikato 2025 Roadshow was held on the 21th of March in Te Kuiti to showcase the results of Moving Waikato 2025 so far and set a direction for the future of the strategy.

We highlighted regional level thoughts and district level outcomes, while showcasing the "what next". The aim was to increase capability to achieve Moving Waikato 2025 outcomes via input from the local community through future partnership opportunities, community awareness and feedback. The facilitated session canvassed ideas from the community and focused on those who are participating but not participating enough – those who aren't catered for in the current system but not those who will never move.

A total of 11 representatives from local council, health providers, education providers, clubs and recreation organisations, and interested community representatives attended. Key themes discussed included;

- Need for more cycling opportunities
- Retention of young people in sports
- Providers need to engage in quality experiences

Next steps include a review of the roadshows and the development of key opportunities identified in the facilitated session.

### **Secondary Schools**

- King Country Secondary School Swimming championships – Sport Waikato co-ordinated and co-facilitated this event (in collaboration with Taumarunui Swimming club), held at Taumarunui High school.
- King Country - North West Waikato Zone Secondary School Athletics championships – Sport Waikato co-ordinated and co-facilitated this event (in collaboration with Te Awamutu College and Te Awamutu Athletics club), held at Te Awamutu. Waitomo District Co-ordinator and volunteers managed the javelin event.
- Quarterly Secondary school sport co-ordinator meetings – District Co-ordinator attended the first-term planning meeting, held at Te Kuiti High School.

### **Sport Capability**

Valuable workshops are being organised for Waitomo district in the next few months – ‘Sports Strapping’, ‘Growing Volunteers’ and ‘Sustainable Funding’.

### **This is ME**

The This is ME Secondary Schools Programme is operating in both Te Kuiti High School and Piopio College in 2019, with female student leaders engaged in the co-design and co-delivery of physical activity opportunities for young women at school. Through the programme, Te Kuiti High School has implemented a ‘Stay and Play’ after school initiative for youth alongside This is ME activities for girls in an effort to engage the school's young people in movement that is exciting and relevant to them.

The Piopio College This is ME Leaders are currently working with Sport Waikato staff to lead lunchtime activities for their fellow female students and have this far been involved in Swimming and Ultimate Frisbee. Ripper Rugby, in partnership with NZ Rugby and KCRFC is planned for Term 2 in both schools, which will culminate in a King Country Quick-Rip Rugby Festival for secondary-school aged girls. This is ME community activations are in planning for the second half of 2019.

**Active & Well          DISTRICT: Waitomo****GREEN PRESCRIPTION PROGRAMME:** Total Clients = 31*Gender:*

- Female = 20
- Male = 11

*Ethnicity:*

- Chinese = 1
- European = 1
- Indian = 2
- Maaori = 18
- NZ European = 7
- Other Ethnicity = 1
- South African = 1

*Age Band:*

- GRx TEENS = 0
- 18-29yrs = 2
- 30-49yrs = 13
- 50-64yrs = 8
- 65+ = 8

**ACTIVE FAMILIES PROGRAMME**

- New Families Referred = 0
- Families continuing being serviced from the last quarter = 1

**ACTIVE FAMILY, HEALTHY KIDS - WHAANAU KORI, TAMARIKI ORA**

- New Families Referred = 3
- Families continuing being serviced from the last quarter = 4

***Success Stories****Client S, Female, 40yrs, Maaori*

*S has been part of the Green Prescription service for over 6 months. During her time on the service she has done very well to make positive lifestyle changes. She has made significant diet changes in which she has been able to lose 10 kg. Regarding exercise, S finds that her motivation does vary, she started off with walks but is now looking towards attending a gym. She is working hard to keep these changes sustainable.*

- *One Active and Well engagement meeting was held.*
- *District Co-ordinator continues to refer Green Prescription clients to Active & Well Co-ordinator Watene Hema, and assist with follow-ups if necessary.*

**Under 5s**

The Sport Waikato Under Fives Fundamental Skills Advisor works with community organisations in the Waitomo District to help improve the physical development of children under the age of 5 years.

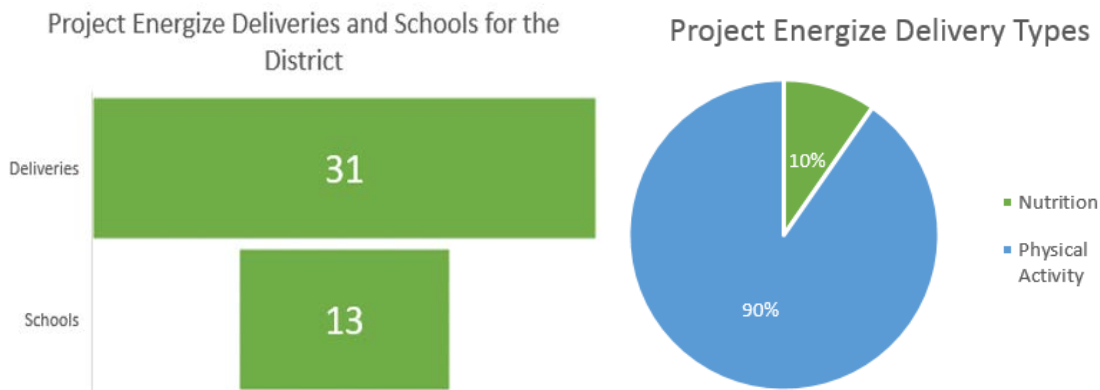
There were no sessions held in this period.

Kiwi Manuals are a series of e-book for Waikato parents, providing information and activity ideas to encourage physical activity from birth. A total of 3 KiwiBaby manuals were downloaded.



### Project Energize Deliveries

- **Waitomo Interschool Swimming Sports:** Over 250 students competing from all 11 of my schools.
- **7's Rugby Tournament:** A new interschool tournament run by Te Kuiti Primary in conjunction with Energize. Teams attended from Hamilton, Te Awamutu, Otorohanga, Maihihi and Te Kuiti.
- **Te Wharekura o Maniapoto not utilising Project Energize:** After four years of this school not having any contact with the Energize programme a meeting was organised with the acting Principal and the Energize team. With a new school and the old Principal having resigned the school is looking to reconnect with Sport Waikato and Energize to provide their students with PA and nutrition sessions. Excellent discussions have resulted in sessions arranged for Term 2.




## LOCAL DELIVERY

KPI 1: Our People		
Project	Subject	Future Actions
Advocacy: Clubs	Have continued to work alongside the <b>North King Country Junior Football Association</b> to ensure sustainability after a challenging 2018 season. Facilitated the AGM which saw new office-holders and committee step up and make an enthusiastic start with the registration process and planning of the 2019 season.	To just remain 'in the loop' in a support role, as and when required, recruiting new parent volunteers and being available for new committee members.
	<b>Piopio Community Recreation Club</b> – Invited to work with this group to set up an activity area for older children, based on Piopio College Grounds. Facilitated a very valuable Trust Waikato Fund Advisor meeting. Shared my ideas, which they were very receptive to.	Continuing to meet with, assist and organise further funding meetings with COGs/Lotteries and community hui.
	<b>Piopio Rugby Club and Domain</b> – Facilitated a very informative meeting with Trust Waikato Funding Advisor, looking at further improvements to their clubhouse and grounds.	Continue to meet with and assist where necessary.
	<b>Kyokushin/Karate</b> – Working with martial arts Tutor Rachel Hopper to re-start and re-develop her classes after a set-back and temporary closure of the weekly sessions. Such is the demand for this activity that help is required with finding a new venue and funding for equipment.	Ongoing assistance being provided.
	Worked with <b>Te Kuiti Croquet Club</b> with funding issues and grounds maintenance.  Facilitated a Trust Waikato Funding Advisor meeting with the club which was very beneficial. Referrals to turf experts where they gained valuable maintenance information.	To assist the committee with ideas for promotion days/events and ways of encouraging new players.
Event Support	<b>Waitomo Caves Sports Day</b> – Attended planning meetings to give guidance on promotion of event and a more varied programme.  Facilitated the children/family activities/games with the 5 community volunteers I had recruited. Over 70 people of all ages took part in the various activities – Gumboot throwing, Egg & Spoon races, Three Legged Races, Sprints, Frisbee, SNAG GOLF.	Evaluation to be completed and recommendations to be made for 2020 event.
	<b>Waitomo Twilight Golf</b> – Co-facilitated weekly Twilight Family golf evenings during February with the emphasis on 'Have-a-Go'. Weekly participants numbered 16-24, aged from 10 to 70, had a lot of fun whilst receiving basic coaching. 6 new members were supported.	Continue to support the club with promotional events. Provide new players with coaching advice and referrals to professional coaching opportunities.

	<p><b>Waitomo Primary School Swimming Sports –</b> Supported this volunteer/schools run event as a lane timer providing training and support to High School student volunteers. We had some great personal bests from many swimmers across the district.</p>	<p>Assist at School events where required.</p>
	<p><b>North King Country MotoX North Island schools event</b> - Although this event was held in early April, District Co-ordinator was involved in meeting with organisers early in the piece to assist mainly with promotion.</p>	<p>Work with the NKC MX Club to have their school events sanctioned in future.</p>
	<p><b>Waitomo District Council – Great NZ MUSTER –</b> District co-ordinator and He Oranga Poutama Kaiwhakahaere O Maniapoto Rozel Coffin, organised youth activities - 3-on-3 basketball and SNAG GOLF. Over 50 youngsters enjoyed the SNAG GOLF driving range whilst 8 teams fought it out on the half court in the PGG Wrightson carpark.</p> <p>District co-ordinator also co-ordinated Kyokushin/Fighting Fit demonstrations and Have-a-go at the family and health section of the MUSTER.</p>	<p>Look towards providing similar activities next year.</p>

#### Coming up –

- WaiBOP Football Coach workshop
- Sports Strapping Workshop
- Growing Volunteers seminar
- King Country Secondary schools Cross country event
- Sustainable Funding Workshop
- King Country Secondary schools Volleyball Competition

<b>Document No:</b> A433822	
<b>Report To:</b>	<b>Council</b>
	<b>Meeting Date:</b> 25 June 2019
	<b>Subject:</b> Waitomo District Youth Council
	<b>Type:</b> Decision Required

## Purpose of Report

- 1.1 The purpose of this business paper is to brief Council on the Waitomo District Youth Council (WDYC) Work Programme for the 2019 cohort and to present the amended WDYC Draft Terms of Reference.

## Background

- 2.1 The Community Development Group exists to provide a dedicated resource for collaborating with the community across elements of well-being with a concerted effort to engage the Youth Council into the formalised work stream. Supporting community's outcomes by increasing opportunities for Vibrant Communities, Thriving Business and Effective Leadership.
- 2.2 Waitomo District Council (WDC) is committed to initiatives that improve social, cultural, economic and environmental aspects of everyday life both now and in the future.

## Commentary

- 3.1 The 2018-2028 WDC Long Term Plan speaks to the continued support of Waitomo District Youth. Community Development strategic goals include supporting youth development opportunities and initiatives.
- 3.2 Nominations for the 2019 WDYC are currently being called for.
- 3.3 The WDYC is guided by a Terms of Reference and Work Programme. A copy of the 2019 Work Programme is attached to this business paper for Councils reference. Also attached is a copy of the amended Draft Terms of Reference (TOR) for Councils consideration.
- 3.4 Key changes to the TOR are as follows.
- The annual membership term will run from April to November of each calendar year. This will enable the WDYC to better commit to and engage within the Work Programme. The new term is aligned to the calendar year and will conclude prior to the secondary school's exam period. As an interim transition, the 2019 WDYC cohort will work from July to November 2019. *Refer Membership section of TOR*
  - Should two consecutive meetings be missed, and/or a planned event, the retrospective member should consider whether they are able to continue with their commitment to the WDYC. *Refer Meetings section of TOR*

- 3.5 The WDYC will be encouraged to stretch and grow their personal development and skills to undertake leadership roles while supporting the delivery of their activities and projects.
- 3.6 Emphasis will be on the young person's ability to understand the importance of community participation through working with their significant groups, peers, wider local district and Iwi.
- 3.7 Young people will liaise with a range of stakeholders as a means to fostering and understanding valued partnerships in their community.
- 3.8 The WDYC has also been invited to attend a triangular meeting with Matamata-Piako District and Tauranga District Councils. This will lead to an exchange where the WDYC will host a meeting to reciprocate the manaaki shown to them. They will also present on completed projects and promote the Vibrant and Safe District they are a part of.

### Considerations

#### 4.1 **Risk**

- 4.2 No significant risks have been identified.

#### 4.3 **Consistency with Existing Plans and Policies**

- 4.4 This decision is consistent with existing plans and policies.

#### 4.5 **Significance and Community Views**

- 4.6 Under the Significance and Engagement Policy 2014 this matter is of low significance.

### Suggested Resolution

- 1. The business paper on Waitomo District Youth Council be received.
- 2. Council approve / not approve the Waitomo District Youth Council Draft Terms of Reference.

HELEN BEEVER  
**GROUP MANAGER – COMMUNITY SERVICES**

June 2019

- Attachments:
- 1. WDYC 2019 Draft Terms of Reference
  - 2. WDYC 2019 Work Programme

**DRAFT**

## Terms of Reference Waitomo District Youth Council - 2019

### Tō tātou reo, ki tua – Our voice, your future

Vision	Encouraging active youth participation in a meaningful way both now and in the future.
Role	<p>The role of the Waitomo District Youth Council is to promote youth leadership, sound social responsibility and positive action for youth within the District.</p> <p>Develop and maintain collaborative partnerships and relationships that encourage and foster engagement in community, joint decision-making and group cohesion.</p> <p>Parties participating in the Youth Council include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Waitomo District Council</li> <li>• Waitomo District High Schools</li> <li>• Key Community Stakeholders</li> </ul>
Values	<p>Guiding principles and values that underpin the Waitomo District Youth Council are:</p> <ul style="list-style-type: none"> <li>• Respect of each other and the vision of the Youth Council</li> <li>• Collaborative Partnerships</li> <li>• Focus on promoting the wellbeing of youth within our District community</li> </ul>
Aims and Objectives	<p>The aims and objectives of the Waitomo District Youth Council are:</p> <ul style="list-style-type: none"> <li>• To engage the youth of our district</li> <li>• To facilitate a communication channel between youth and decision makers within our community and nationally</li> <li>• Promote the development of community awareness within our youth</li> <li>• Advocate for youth issues with the intent of improving the quality of life for young people within our community</li> <li>• To support and mentor youth leaders with the aim of creating confident leaders to guide future generations</li> <li>• To encourage active youth participation in the community</li> <li>• Advocate for positive outcomes for Waitomo District Youth</li> <li>• Develop and deliver project to enhance wellbeing within the community</li> </ul>
Membership	<p>The Waitomo District Youth Council will be made up of up to 15 appointed youth representatives.</p> <p>The annual membership term will run from April to November of each calendar year.</p>

	<p>Criteria for Membership:</p> <ul style="list-style-type: none"> <li>• Aged from 14 – 25yrs</li> <li>• Have the ability to work with other people and work as part of a team</li> <li>• Be committed to attending meetings and actively participating in projects throughout the membership term</li> </ul>
Appointment	<p>Secondary Schools within the District will be invited to nominate members representing their school.</p> <p>Expressions of interest may also be invited by way of public advertising via a range of media.</p>
Meetings	<p>Facilitated by the Mayor and/or an Elected Member of Council, with administrative support provided by the Waitomo District Council, the Waitomo District Youth Council will:</p> <ul style="list-style-type: none"> <li>• Commence with an induction/planning meeting</li> <li>• Conduct subsequent formal meetings on a regular basis</li> </ul> <p>Youth Council members are expected to attend set meetings.</p> <p>In the event that a member is unable to attend a scheduled meeting, then a meeting apology will be required via the agreed communication pathway.</p> <p>Should two consecutive meetings be missed and/or a planned event the retrospective member should consider whether they are able to continue with their commitment to the WDYC.</p>
Responsibilities	<p>Youth Council members are expected to:</p> <ul style="list-style-type: none"> <li>• Attend Youth Council meetings</li> <li>• Actively participate in the planning and implementation of activities and projects throughout the term of membership</li> <li>• Be available to attend planned training that may occur from time to time</li> <li>• Pass Youth Council information onto their networks, schools, etc</li> <li>• Attend and present at one Council Meeting per year</li> <li>• Actively contribute to the Waitomo District Youth Council Annual Work Programme</li> </ul> <p>The Mayor and Waitomo District Council will:</p> <ul style="list-style-type: none"> <li>• Provide administrative support to assist Youth Council activities</li> <li>• Support Youth Council members with appropriate development opportunities where possible</li> <li>• Mentor Youth Council members</li> <li>• Provide exposure to other examples of leadership roles (Tuia candidate)</li> <li>• Support Waitomo District Youth Council initiatives to be implemented</li> </ul>
Review of Terms of Reference	<p>The Terms of Reference for the Waitomo District Youth Council will be reviewed in February of each calendar year.</p>

## Waitomo District Youth Council 2019 Work Programme

Date	Activity / Promo	Where	Responsibilities /Actions
June 2019	<p><b>Election for New Members</b></p> <p>Engage Youth and Rangatahi via social media to seek candidates for WDYC, 11 possible position available</p> <p>Nomination forms sent to school and Number 12</p> <p>CDC to interview the nominated candidates</p>	Schools Number 12	<p>Community Development Coordinator</p> <p>Tuia Member (Te Miri Takerei)</p> <p>Leader – Communications and Engagement</p>
July 2019	<p><b>Formal induction of the 2019/2020 WDYC and Planning</b></p> <p>Induction</p> <p>Photos done and Social Media Release completed</p>	Council Chambers	<p>Mayor</p> <p>Councillor New</p> <p>GM - Community Services</p> <p>Community Development Coordinator</p>
August 2019	<p><b>Youth Leadership Dinner</b></p> <p>Dinner to promote youth leadership and to highlight career pathways</p> <p>Rangatahi/Youth Dinner at LMC (120 attendees)</p> <p>Focus on three sectors:</p> <ol style="list-style-type: none"> <li>1. Sports</li> <li>2. Entrepreneurship</li> <li>3. Academia</li> </ol> <p>Media in attendance</p>	Les Munro Centre	<p>All Elected Members</p> <p>GM - Community Services</p> <p>Community Development Coordinator</p>
29 August 2019	<p><b>Council Collaborative (1)</b></p> <p>Invited to attend the Te Aroha District Council to meet with Te Aroha Youth Council and Mayor Jan Barnes. Tauranga District Youth Council have also requested to be a part of this Council Collaborative</p>	Travel	<p>WDYC Members</p> <p>Community Development Coordinator</p>
September 2019	<p><b>WDYC Collaboration (2)</b></p> <p>WDYC will look to reciprocate by hosting both the Matamata-Piako and Tauranga Youth Councils in the Waitomo District</p>	Host	<p>Mayor</p> <p>Councillor New</p> <p>WDYC members</p> <p>Community Development Coordinator</p>



Date	Activity / Promo	Where	Responsibilities /Actions
October 2019	<p><b>Invitation</b></p> <p>An invitation for the WDYC to attend a Tuia – National Community Connection Wananga in Palmerston North</p> <p>Considered once details are provided</p>	Travel	<p>Community Development Coordinator</p> <p>Tuia Member (Te Miri Takerei)</p>
November 2019	<p><b>Presentation to Council</b></p> <p>Formal presentation to Council on projects undertaken by the 2019 WDYC</p>		<p>GM - Community Services</p> <p>Community Development Coordinator</p>

Document No: A429799

**Report To: Council**



**Meeting Date:** 25 June 2019

**Subject:** **Financial Report to 31 May 2019**

**Type:** Information Only

## Purpose of Report

- 1.1 The purpose of this business paper is to present the financial results for the period ended 31 May 2019.

## Background

- 2.1 The period covered by this report is 1 July 2018 to 31 May 2019.
- 2.2 The order of the report is as follows:
- **Summary Income Statement** with comments detailing significant variances to budget on Council's operating performance for the period ended 31 May 2019.
  - **Summary Balance Sheet** with comments detailing significant balance sheet movements from 1 July 2018 to 31 May 2019.
  - **Capital Expenditure** summary with commentary on material variances of expenditure for the period compared with the LTP 2018/19.
  - **Summary Treasury Management** which reports on the Public Debt position, cash reserves and significant treasury transactions.
  - **Cost of Service Statement** Summary and Cost of Service Statements for Council's ten significant activities are presented in **Appendix 1**.
  - **Balance Sheet** as at 31 May 2019 is presented in **Appendix 2**.
- 2.3 All figures in the tables, except percentages, are expressed in thousands of dollars (\$000s).

## Financial Report to 31 May 2019

### 3.1 INCOME STATEMENT HIGHLIGHTS

- 3.2 Set out below is the summary of financial information for the period ended 31 May 2019. Detailed Cost of Service Statements are attached as Appendix 1.

<b>FINANCIAL HIGHLIGHTS</b> (Amounts in \$000's)	<b>Actual</b> 2017/18	<b>LTP</b> <b>Budget</b> 2018/19	<b>YTD</b> <b>Budget</b> May 2019	<b>Actual</b> May 2019	<b>Variance</b> May 2019	<b>%</b> <b>Variance</b>
<b>Total Expenditure</b>						
- Direct Operating	15,771	16,520	14,014	13,679	(335)	
- Indirect Operating	11,691	13,400	12,279	11,385	(894)	
<b>Total Expenditure</b>	<b>27,462</b>	<b>29,920</b>	<b>26,293</b>	<b>25,064</b>	<b>(1,229)</b>	<b>-5%</b>
<b>Total Revenue</b>						
- Operating Revenue	(11,949)	(12,684)	(11,399)	(11,205)	194	
- Rates Revenue	(19,727)	(20,476)	(20,455)	(20,478)	(23)	
<b>Total Revenue</b>	<b>(31,676)</b>	<b>(33,160)</b>	<b>(31,854)</b>	<b>(31,683)</b>	<b>171</b>	<b>-1%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>(4,214)</b>	<b>(3,240)</b>	<b>(5,561)</b>	<b>(6,619)</b>	<b>(1,058)</b>	<b>19%</b>
<b>Other Comprehensive Revenue and Expense</b>						
- Revaluation of Property, plant and equipment	(5,975)	0	0	0	0	
-(Gains)/Losses from Cash Flow Hedges	53	0	0	0	0	
- Revaluation of available for sale assets	(7,300)	0	0	0	0	
<b>Total Other Comprehensive Revenue and Expense</b>	<b>(13,222)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Total Comprehensive Revenue and Expense</b>	<b>(17,436)</b>	<b>(3,240)</b>	<b>(5,561)</b>	<b>(6,619)</b>	<b>(1,058)</b>	<b>19%</b>

3.3 **Net Operating Surplus:** The net operating surplus of \$6,619,000 was \$1,058,000 more than budget for the period ended 31 May 2019. The Cost of Service Statements for each activity are included as Appendix 1.

3.4 **Total Expenditure** was \$1,229,000 less than budget for the period ended 31 May 2019.

- **Direct operating expenditure** was \$335,000 less than budget. The main contributors to this variance in order of magnitude are:
  - Sewerage: \$278,000 less mainly due to expenditures for power, sludge disposal, sampling costs and chemicals were less than budget.
  - Community Service: \$110,000 less as several repairs and maintenance costs were less than budget.
  - Water Supply: \$90,000 less as chemicals and electricity were less than budget.

This decrease in direct expenditure is offset by:

- Roads and Footpaths: \$213,000 more than budget due to emergency reinstatement and minor emergency events, sealed pavement maintenance, professional fees and network asset management expenditures being incurred during the period.

- **Indirect expenditure** was \$894,000 less than budget:
  - Interest: \$884,000 less than budget. The budgeted interest cost was based on 1 July 2018 projected public debt of \$47.57 million while the actual public debt at 30 June 18 was \$41.74 million. The main reason for the lower debt position than forecast in the LTP was due to reduced capital and operational expenditure in prior years. The cost of funds were also lower than forecast.
  - Depreciation: \$119,000 less than forecast mainly due to reduced depreciation for Water Supply, Leadership and Solid Waste Management. This has been partly offset by an increase in roads depreciation as a result of the asset valuation at 30 June 2018.

3.5 **Total Revenue** was (\$171,000) less than budget for the period ended 31 May 2019.

- **Operating revenue** \$194,000 less than budget. The main contributors to this variance are:
  - Roads and Footpaths: \$1,090,000 less than forecast as the subsidy received for capital expenditure is less due to planned expenditures yet to be completed.

This decrease in revenue is offset by:

- Community Service: \$332,000 more than budget due to grant revenue for the Te Kuiti Holiday Park, dump station construction and provision of temporary toilets at Mokau. Proceeds were also received from tree logging at Brook Park.
  - Solid Waste Management: \$328,000 more than budget due to increase in revenue from Refuse Dump Charges and sales of Special Waste.
  - Resource Management: \$93,000 more than budget due to an increase in resource consent revenue.
- **Rates revenue** was \$23,000 more than budget.

### 3.6 **BALANCE SHEET HIGHLIGHTS**

3.7 Balance Sheet highlights presented below show the movement in Council's financial position from 30 June 2018 to 31 May 2019. The full Balance Sheet is attached as **Appendix 2**.

<b>BALANCE SHEET HIGHLIGHTS (Amounts in \$000's)</b>	<b>Actual Position 30 Jun 2018</b>	<b>Actual Position 31 May 2019</b>	<b>Movement from 30 Jun 2018</b>
<b>Assets</b>			
- Cash and cash equivalents	1,762	2,918	1,156
- Receivables	5,331	3,788	(1,543)
- Other current assets	84	114	30
- Other financial assets	12,616	12,321	(295)
- Non-current assets	343,305	346,159	2,854
<b>TOTAL ASSETS</b>	<b>363,098</b>	<b>365,300</b>	<b>2,202</b>
<b>Liabilities</b>			
- Other Liabilities	5,965	3,101	(2,864)
- Total Borrowings	41,737	40,183	(1,554)
- Derivative financial instruments	1,737	1,737	0
<b>Total Liabilities</b>	<b>49,439</b>	<b>45,022</b>	<b>(4,417)</b>
<b>Equity</b>			
- Equity	313,659	320,278	6,619
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>363,098</b>	<b>365,300</b>	<b>2,202</b>

3.8 Total Assets have increased from \$363.1 million to \$365.3 million.

- Cash and cash equivalents have increased by \$1,156,000 from \$1,762,000 to \$2,918,000.
- Receivables decreased by \$1,543,000 since 30 June 2018 from \$5.33 million to \$3.79 million. There was a decrease in the receivable from NZTA for road subsidy and the GST refund receivable at 31 May.
- Other financial assets decreased by \$295,000. The decrease is due to repayment of the \$375,000 advance by Inframax Construction Limited, which completes the full repayment of this advance. The decrease is partly offset by an increase of \$80,000 in subscription to LGFA Borrower Notes.
- Non-current assets have increased by \$2,854,000. The increase is due to the net effect of asset additions of \$8,218,000 less depreciation of \$5,292,000 and disposal of assets of \$72,000[WLR1].

3.9 Total Liabilities have decreased from \$49.4 million to \$45.0 million.

- Other Liabilities decreased by \$2,864,000 due to a general decrease in Payables at 31 May 2019.
- Total Borrowings decreased by \$1,554,000 from \$41.7 million to \$40.2 million. The decrease is due to repayment of the unsecured Westpac Loan of \$375,000, which was advanced and now repaid by Inframax Construction Limited. In addition to that draw down of the Westpac Call Advance, reduced by \$6,100,000, and accrued interest by \$79,000. The decrease is offset by an increase of \$5,000,000 of the Floating Rate Note, as detailed in the Treasury Management report.

3.10 Equity increased by \$6,619,000 to \$320.3 million which equals the total comprehensive revenue and expense for the period.

#### 4.0 **CAPITAL EXPENDITURE**

- 4.1 Set out below is the Capital Expenditure budget for the year compared to actual expenditure for the period ended 31 May 2019.

<b>CAPITAL EXPENDITURE SUMMARY (Amounts in \$000's)</b>	<b>LTP 2018/19</b>	<b>Actual May 2019</b>	<b>Variance 2018/19</b>
<b>Governance: Leadership and Investments</b>			
- Corporate Support	860	316	(544)
<b>Community Service</b>			
- Parks and Reserves	207	47	(160)
- Housing and Other Property	51	367	316
- Recreation and Culture	191	151	(40)
- Public Amenities	519	111	(408)
<b>Community Development</b>			
- District Development	0	9	9
<b>Solid Waste Management</b>			
- Landfill Management	217	203	(14)
<b>Stormwater</b>			
- Urban	194	386	192
- Rural	5	0	(5)
<b>Sewerage</b>			
- Te Kuiti Sewerage	622	467	(155)
- Te Waitere Sewerage	0	5	5
- Benneydale Sewerage	52	0	(52)
- Piopio Sewerage	19	25	6
<b>Water Supply</b>			
- Te Kuiti Water	406	1,271	865
- Mokau Water	115	310	195
- Piopio Water	339	391	52
- Benneydale Water	4	24	20
<b>Roads and Footpaths</b>			
- Subsidised Roads	6,293	3,935	(2,358)
- Unsubsidised Roads	160	200	40
<b>TOTAL CAPITAL EXPENDITURE</b>	<b>10,254</b>	<b>8,218</b>	<b>(2,036)</b>

- 4.2 Capital Expenditure was \$8.22 million for the period ended 31 May 2019, of which \$4.14 million (50%) related to Roads, \$2.00 million (24%) related to Water Supply and \$0.68 million (8%) related to Community Service.
- 4.3 Capital expenditure budgets are listed in the table above and projects detailed in the commentary that follows. It should be noted that "Unspecified" renewal/upgrade budgets are forecast for expenditure to be incurred on an 'as needed' basis only.
- 4.4 **Governance: Leadership and Investments**

##### **Corporate Support:**

- Corporate Support (Budget \$860,000 and carry over \$130,000): Expenditure of \$316,000 has been for fleet vehicle and mower replacements, renewal of Information System (IS) hardware and end user devices. [WLR2]

#### 4.5 Community Services

##### **Parks and Reserves:**

- Park renewal expenditure and Brook Park development (Budget \$77,500 and carry over budget of \$16,500). Minor expenditure to date.
- Renewal expenditure for jetty/pontoon and development of coastal reserves (Budget \$34,200 and carry over of \$64,700). Expenditure to date is for the renewal of Te Waitere and Mokau Jetties and renewal of the access way stairs at Mokau.
- Playground renewals (Budget \$30,000 and carry over budget \$40,000): The construction of new playground at Benneydale has been completed with \$16,000 costs to date.

##### **Housing and Other Property:**

- The Housing and Other Property shows total capital expenditure of \$367,000.
- Expenditures incurred relate to the development of the Te Kuiti Holiday Park (carryover budget of \$56,000). Ministry of Business Innovation and Employment (MBIE) has committed funding of \$200,000 for the cooking and ablution block project and there has also been further funding of \$7,000 received from NZ Motor Caravan Association to install a new public dump station on the site.
- Expenditure to date on the Te Kuiti Holiday Park project totalled \$864,000 including services and stormwater costs. Of this total expenditure of \$282,000 has been recognised under Housing and other property. This expenditure includes fencing, electrical, landscaping, signage, plumbing, stormwater drainage, compliance and consultancy fees. The final costings for internal staff working on the project is still to be added and the balance of the costs of the project relating to infrastructure assets have been recognised in Stormwater, Water Supply and Roads activities.
- The development of the Marokopa Holiday Park (\$55,000) involved the retrofitting of Kiwicamp technology, electrical and plumbing upgrades, BBQ area upgrade, installation of CCTV cameras, fencing and gates and signage.
- Elderly persons housing renewals and miscellaneous building renewals (Budget \$51,100). Miscellaneous building renewals of \$29,000 have been spent to date. This included urgent upgrades to the dog pound kennels to comply with animal welfare requirements.

##### **Recreation and Culture:**

- Expenditures for the period was for library collection renewals and is ongoing (Budget \$48,000). Expenditure to date is \$41,000.
- Library technology and library renewals (Budget \$37,000 and carry over \$26,400): Expenditures of \$60,000 incurred for the replacement of library furniture, shelving and automatic doors and the replacement of the lower roof of the library building.
- Aquatic Centre renewals (Budget \$21,000 and carry over \$12,000). Expenditure of \$16,000 for the replacement of the cladding for the back wall of the grandstand canopy.

- Les Munro Centre renewals (Budget \$85,000). Expenditure to date is \$25,000.

#### **Public Amenities:**

- Minor expenditure of \$8,000 has been incurred for drainage at the Aerodrome.
- Te Kuiti toilet renewal and other minor toilet renewals (Budget \$73,000 and carry over \$7,900). Expenditure of \$23,000 to date with the replacement of vinyl flooring at Te Kuiti main street toilets and cubicle partitions have been renewed.
- Mokau toilet renewal (Budget \$320,000): No expenditure to date.
- Te Kuiti Cemetery development and access way renewals (Budget \$67,600 and carry over \$63,600): A new shelter has been constructed at Te Kuiti Cemetery with minor expenditure to date.
- Te Kuiti railway pedestrian over-bridge renewal is under review and further investigation is being carried out (expenditure to date of \$62,000). There is \$140,000 of carryover budget and budgets contained in years 2, 3 and 4 of the 2018 LTP.
- Street furniture and public carpark renewal expenditure including security camera renewals (Budget \$58,600). The CCTV camera upgrades within Te Kuiti's CBD has now been completed at a cost of \$20,000.

#### 4.6 **Community Development**

- Minor expenditures incurred for the period for i-SITE technology renewal (carry over budget of \$10,000).

#### 4.7 **Solid Waste Management**

- Work is ongoing on the Resource Consent for volume expansion at the Landfill with to date expenditures of \$153,000. (Carry over \$22,000 and \$100,000 brought forward from 2019/20 LTP budget). [TH3]
- Purchase of carbon credits required under the Emissions Trading Scheme (Budget \$175,000 and carry over \$75,000), No expenditure to date.
- Landfill and transfer station renewals (Budget \$42,000). Expenditure of \$50,000 has been spent to date. The road seal around the kiosk area of the landfill was renewed and improvements were made to landfill security with the installation of security cameras.

#### 4.8 **Stormwater**

- Open drains improvement (Budget \$10,000): Improvement of Seddon St pipe work - \$13,000.
- Te Kuiti storm water minor renewals (Budget \$40,000 and carry over budget \$106,000): renewals of pipe and manholes along Ward Street, and for minor renewals between Edward and Hill Streets. This budget is utilised on as required basis for emergency works.
- Expenditure of \$359,000 was incurred for stormwater network extensions on Te Kumi Road (Budget \$34,000, carry over budgets of \$165,000 and \$160,000 brought forward from years 2-4 of the LTP).



#### 4.9 Sewerage

- Te Kuiti waste water treatment plant (Budget \$234,000): Expenditures for the period of \$37,000 was for connecting pipework to the chemical tank and minor renewals.
- Te Kuiti Reticulation and Pump Station renewals (Budget \$388,000): Taupiri Street sewer upgrade project is completed with cost to date of \$376,000. Expenditure was also incurred for minor reticulation renewals, pumps stations renewals and the completion of the sewer pipework on Te Kumi Road.
- Te Waitete Sewerage expenditure of \$4,800 was incurred for unplanned pump renewals for replacement of sewer pump and guardrails. There was no budget for this cost.
- Benneydale treatment plant and reticulation renewals (Budget \$52,000): No expenditure to date.
- Piopio reticulation and unplanned pump renewals (Budget \$19,000): Expenditures of \$25,000 was incurred for the period. This included the replacement of submersible pump, installation of new Septic System at 3A Kuratahi Street and purchase of pumps for the network system as critical spares. The installation of the new septic tank is paid for by the customer.

#### 4.10 Water Supply

- Te Kuiti Water Treatment plant upgrade including the raw water intake structure (Phase II) expenditure to date was \$938,000 (Budget \$80,000 plus a carryover budget of \$1,301,000 for the remainder of the project).
- On a project basis the total treatment plant upgrade project budget, as approved by Council is \$7,467,000. Total expenditure over the last four years to 31 May 2019 is \$7,104,000, leaving \$363,000 available for completion. Sections still to be completed is installation of the intake structure, finalisation of the mechanical and electrical components and completion of site security.
- A total of \$938,000 was spent for the year to date with the following details:
  - Phase 1 – UV and Chemical dosing: Completed (May 2019)
  - Phase 2 – New Intake Pump and controls: Completed (May 2019)
  - Phase 3 – Clarifier and Site Upgrade: Entrance and Exit gates with automation is now completed
  - Phase 4 – Filters 3 and 4 upgrades were already completed
  - General Electrical Upgrade (\$270K) – still work in progress and will be completed before end of June 2019
  - SCADA and Telemetry Upgrades (\$51K) – will be completed before end of June 2019
- Te Kuiti reticulation and pump station renewals (Budget \$254,000): Expenditures for the period was \$274,000 for the ongoing network improvements and renewals such as tobies which includes back-flow devices and minor renewals.
- Reservoir Seismic Strengthening (Budget \$22,000): no expenditures incurred to date.

- Alternative water supply investigation (bore) (Budget \$50,000) for Te Kuiti was carried out and completed in May 2019 with a cost to date of \$58,000 for consultants and physical works.
- Mokau Water reticulation and plant renewals (Budget \$115,000 and carry over budget \$93,000): The Tainui Street reticulation upgrade and Aria Terrace renewal project will not go ahead [WLR4]. Expenditure to date for reticulation and plant renewals is \$68,000. The remaining budgets have been utilised for the repair of the water storage dam. This is now completed with expenditure to date of \$241,000 and supply and installation of new telemetry and PC/SCADA system at the treatment plant.
- Piopio reservoir has been completed, commissioned and operational at the end of May 2019 (Budget \$250,000): Expenditure to date is \$292,000. Cost includes supplies and installation, plus internal staff and consultant's time.
- Piopio Water reticulation renewals and treatment plant renewals including the installation of backflow preventers (Budget \$89,000 and carry over budget \$82,000): Tender process has commenced for the supply and installation of new pipe line to link Tui Street – State Highway 3 and the water bridge at Kuratahi Street. This project is on-hold due to insufficiency of funds. Renewal expenditure to date has been for new toby installations, with back-flow devices, minor renewals and supply and installation of 18 membrane modules at the water treatment plant (\$99,000).
- Benneydale Water reticulation renewals and plant renewals (Budget \$3,500). Expenditure to date of \$24,000 has been for UV system upgrade, minor filter renewals and installation of new PC in replacement of the old one.

#### 4.11 **Roads and Footpaths**

#### 4.12 **Subsidised Roads**

- Minor improvements expenditure of \$70,000 incurred for the period in relation to the minor slip repairs and on road widening work following a washout, traffic calming islands in Robin Azariah Place and a pedestrian refuge island in Rora Street (Budget \$650,000).
- Drainage renewals (Budget \$250,000): Expenditure for the period was \$206,000. This activity is weather dependent.
- Pavement rehabilitation (Budget \$1,700,000): Expenditure for the period was \$638,000. A pavement rehabilitation project at Ramaroa Road is nearing completion and a pavement rehabilitation site on Taharoa Road is approximately 50% complete.
- Sealed road surfacing (Budget \$1,385,000): Carrying out this activity requires fair weather due to the high cost and volatility around sealing of road surfaces. The annual sealing program has now completed with total expenditure of \$1,396,000 including bitumen price cost fluctuations.
- Structures component replacements and bridge maintenance (Budget \$350,000): A portion of the 2017/18 bridge structural repairs project was successfully completed in July after a late start caused by professional services delays, expenditures for the period was \$74,000.
- Traffic services renewals (Budget \$150,000): Expenditure for the period was \$327,000 including the annual road remarking and professional services for

an anticipated speed limit review. This overspend will be met by reduced expenditure for Unsealed Road Metaling.

- Unsealed road metaling (Budget \$600,000): Expenditure for the period was \$321,300. The annual unsealed road metaling program has been delayed to unreasonably dry weather continuing well into the autumn. The unspent budget will offset additional costs for Traffic Services Renewals.
- Emergency reinstatement (Budget \$700,000): Expenditure to date for this reporting period is \$538,000, comprised of a number smaller slip repair works outstanding from the Cyclone Debbie and Cook events in April 2017, storm events August/September 2017 and the storm that caused the Te Mahoe Road slip in June 2018.
- LED Street light upgrade work was completed in July 2018. Expenditures of \$78,000 spent in this financial year. This program was funded at 85% FAR by NZTA.
- Footpath improvement (Budget \$113,000): This portion of the footpaths programme is nearing completion. Expenditure of \$159,300 to date. This overspend will be met by reduced expenditure for Footpath renewals.
- Footpath renewal (Budget \$395,000): Expenditures for the period was \$126,400. This budget is for improving, widening and replacing existing narrow footpaths. Project underway and nearing completion.

#### 4.13 **Unsubsidised Roads**

- Unspecified retaining wall renewals and road improvements not eligible for subsidy (Budget \$160,000 and carryover budget of \$201,000): Expenditure to date is \$200,000 of which \$197,000 for unsubsidised road improvements undertaken on Te Kumi Road for the Te Kuiti Holiday park project.

### 5.0 **TREASURY REPORT**

5.1 Set out in the following sections is the Treasury Report which provides details on Council's public debt position and debt financing costs.

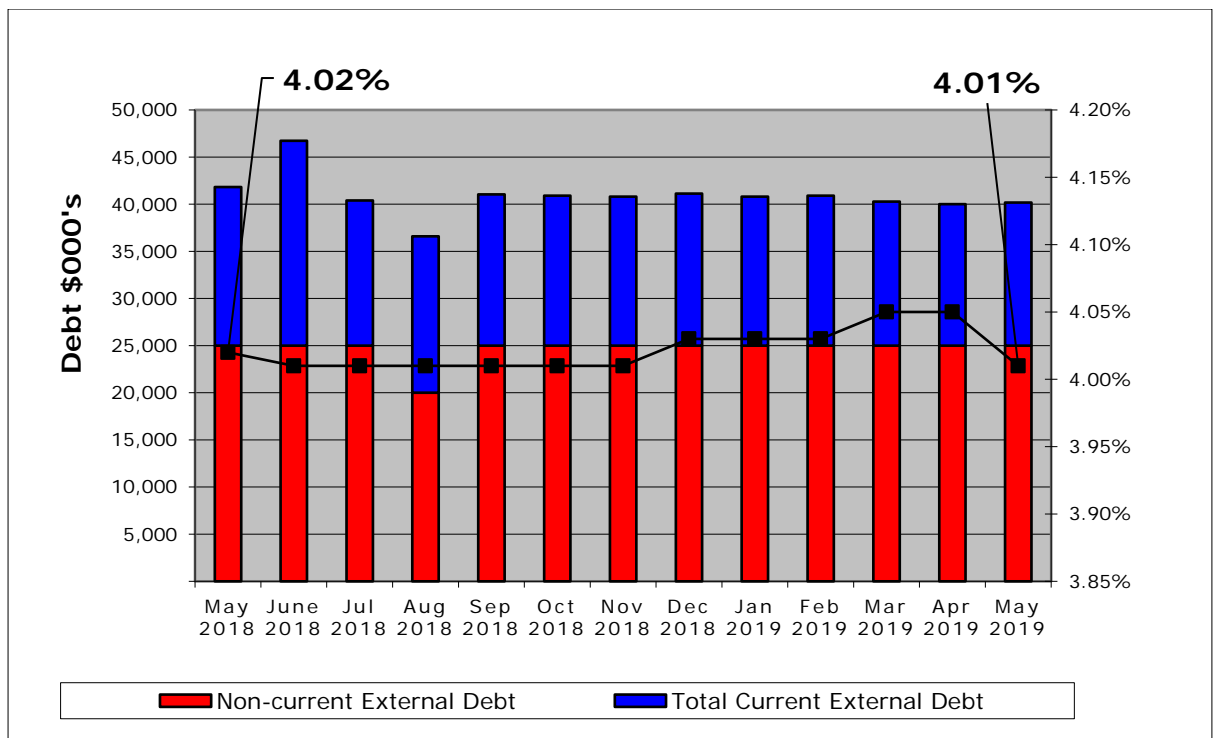
#### 5.2 **Cash Position**

5.3 Council's cash position at 31 May 2019 was \$2,918,000 in funds, at 30 June 2018 it was \$1,762,000.

5.4 Included in the cash balance was \$470,000 of funds that are subject to restrictions. These include unspent waste minimisation levy funds and retention monies held.

#### 5.5 **Summary of Public Debt Position**

5.6 Set out below is a graph recording trends in Council's current and non-current debt for the period ended May 2019. The trend line overlaid is the effective weighted average interest rate currently being paid on all loans.



5.7 At 31 May 2019 the effective weighted average interest rate (WAIR) for all loans excluding accrued interest and Call Advance facility costs was 4.01%, a small decrease from 31 March 2019 when it was 4.05%.

5.8 The reason for the decrease in WAIR was due to the interest rate set on the Commercial Paper re-issued on the 22 May being less.

#### 5.9 **Public Debt Position Comparison to Budgets**

5.10 Forecasted public debt at 30 June 2019 as per the LTP 2018-28 is \$47,565,000. Actual public debt at 31 May 2019 was \$40,183,000.

#### 5.11 **Wholesale Advance Facility (Call Advance Facility)**

5.12 Council has a Call Advance facility with Westpac with a facility limit of \$10 million, with an expiry date of 1 July 2019. The process of renewing this facility is well underway.

5.13 The facility has a Line of Credit fee of 0.35% at an annual cost of \$35,000.

5.14 Interest is charged on a daily basis at a rate of 1.00% credit margin plus the Westpac Prime rate (which is similar to the BKBM rate). At 31 May the rate was 2.70% which is charged on any amounts drawn. The interest rate decreased from 2.95% at 31 March in response to a decrease in the Official Cash Rate by the Reserve Bank.

5.15 The facility is used to finance capital expenditure prior to a loan draw down, (such as a Floating Rate Note or Fixed Rate Bond) or to meet Council's working capital requirements between each of the quarterly rates instalments.

#### 5.16 **Details of Loan Portfolio**

5.17 The following table records the public debt position and the key dates for each loan as at 31 May 2019. The classification of current and non-current loans is based on when repayment is due, with current loans being those that are due for refinancing or repayment within 12 months of the balance sheet date.

At 31 May 2019	Interest Rate Exposure	Loan Start Date	Loan Maturity Date	Effective Interest Reprice Date	Loan Balance	Effective Interest Rate
<b>Current Loans</b>						
Accrued Interest					182,924	0.000%
Call Advance	Floating		1/07/2019		0	2.950%
LGFA: Commercial Paper	Floating	30/01/2019	30/07/2019	30/07/2019	5,000,000	2.155%
LGFA: Commercial Paper	Floating	22/05/2019	19/11/2019	19/11/2019	5,000,000	1.900%
LGFA: Floating Rate Note (ICL)	Hedged	19/06/2017	30/06/2019	30/08/2019	5,000,000	4.330%
<b>Total Current Loans</b>					<b>15,182,924</b>	
<b>Non-current Loans</b>						
Finance Leases					0	0.000%
Floating Rate Note	Hedged	18/07/2018	18/04/2022	20/04/2020	5,000,000	4.915%
LGFA: Floating Rate Note	Hedged	19/06/2017	15/11/2021	17/05/2021	6,000,000	5.455%
LGFA: Floating Rate Note	Hedged	19/06/2017	18/04/2024	18/04/2023	3,000,000	4.605%
LGFA: Floating Rate Note	Hedged	19/06/2017	10/09/2020	11/09/2020	5,000,000	4.260%
LGFA: Floating Rate Note	Hedged	19/06/2017	24/04/2023	24/01/2024	5,000,000	4.480%
LGFA: Fixed Rate Bond (ICL)	Fixed	19/06/2017	19/04/2025	19/04/2025	1,000,000	3.680%
<b>Total Non-current Loans</b>					<b>25,000,000</b>	
<b>Total Public Debt</b>					<b>40,182,924</b>	<b>4.01%</b>
<b>Cash &amp; Liquid Investments</b>						
Cash Held on Trust for Retention Obligations					470,000	
Call Deposits					500,000	
Cash					1,947,542	
<b>Total Cash &amp; Liquid Investments</b>					<b>2,917,542</b>	
<b>Public Debt Net of Investments</b>					<b>37,265,382</b>	

5.18 Total public debt was \$40,182,924 and cash assets were \$2,917,542 at 31 May 2019 giving a net debt position of **\$37,265,382**.

5.19 The Effective Interest Rate details given in the table above is the total interest applicable to each tranche of debt; it is either the fixed rate on a Bond, or the credit margin and BKBM rate on unhedged Commercial Paper or the credit margin on the FRN plus the fixed rate in the associated interest rate swap contract.

5.20 All of Council's debt is now with the LGFA apart from the Call Advance facility which is with Westpac.

5.21 During the two months since 31 March 2019, one significant treasury transactions was undertaken;

5.22 Commercial Paper for \$5 million was issued on the 22 May 2019 at 1.900% for 181 days. The proceeds were used to repay a CP maturing on that date. The interest rate decreased on the CP with the BKBM rate decreasing by 0.36%.

#### 5.23 **Treasury Events Since 31 May 2019**

5.24 This treasury report portrays the debt position of Council at 31 May 2019.

5.25 Since that date to the date of this report no significant treasury management events have taken place. However it is anticipated on the 28 June 2019, the FRN

that is due to mature on that date will be rolled over to fit within the maturity profile of the entire debt portfolio.

#### 5.26 **Interest Costs**

5.27 The total actual interest paid for the period was \$1,498,000 against the budget of \$2,382,000; **\$884,000** (or 37%) **less** due to a lower debt position and securing better interest rates than forecast in the EAP.

#### 5.28 **Complying With Financial Covenants**

5.29 The following financial parameters are contained in Council's Financial Strategy for the management of its liabilities (as part of the LTP 2018-28). Measurement of these parameters have been undertaken as part of the quarterly financial reporting process.

5.30 Total borrowing costs will not exceed 10% of total revenue

5.31 Interest paid as a portion of total revenue is 5%.

5.32 The ratio of net interest to total revenue will not exceed 20%.

5.33 Net interest paid year to date is \$1,488,000, made up of total borrowing costs of \$1,498,000 less interest received of \$10,000. Net interest to total revenue is 5%.

5.34 Total borrowings must not exceed 20% of total assets.

5.35 Total borrowings at balance date was \$40.2 million and total assets \$365.3 million, resulting in a ratio of 11%.

5.36 The ratio of net debt to total (cash) revenue will not exceed 170%.

5.37 This ratio cannot be reliably measured at this time, due to revenue for the full year still to be received. (To clarify; total revenue is a result of operations over period of time, whereas the level of debt is measured at a particular date).

5.38 Net interest will not exceed 20% of annual rates.

5.39 Net interest paid year to date is \$1,488,000. Year to date Rates Revenue received is \$20.48 million. The resulting ratio is 7%.

#### 5.40 **Financial Derivatives and Hedge Accounting**

5.41 Included in the balance sheet are valuation amounts for Derivative Financial Instruments (interest rate swaps). The valuation amount is componentised into current and non-current liabilities held at balance date. At 30 June 2018 the value of the swaps was a total net liability of \$1,737,000 and at 31 May 2019 the value was a total net liability of \$2,366,000. In accordance with the Treasury Policy the interest rate swaps valuation will be recognised in the ledger at 30 June 2019.

5.42 The notional value of swap contracts in place at 31 May was \$29 million providing current interest rate risk cover plus \$10 million notional value with a future start date.

#### 6.1 **DEBTORS AND OTHER RECEIVABLES**

6.2 Set out below is summary of Debtors and Other Receivables (i.e. unpaid rates and other debtor amounts owing) as at 31 May with comparatives from June 2018. Rates receivables exclude rates paid in advance (to give a more accurate picture of the receivables owing).

Receivables (Amounts in \$000's)	As at 30.06.18	As at 31.05.19	(Inc)/Dec \$	(Inc)/Dec %
Rates Receivable	2,309	3,023	(714)	-31%
Rates Penalties	1,475	1,601	(126)	-9%
<b>Rates and Penalties Receivable</b>	<b>3,784</b>	<b>4,624</b>	<b>(840)</b>	<b>-22%</b>
Extraordinary Water Charges	297	96	201	68%
<b>Total Rates receivable</b>	<b>4,081</b>	<b>4,720</b>	<b>-639</b>	<b>-16%</b>
NZ Transport Agency Subsidy	1,560	753	807	52%
Other Receivables	1,555	511	1,044	67%
<b>Other Receivables</b>	<b>3,115</b>	<b>1,263</b>	<b>1,852</b>	<b>59%</b>
<b>Gross Receivables</b>	<b>7,196</b>	<b>5,983</b>	<b>1,213</b>	<b>17%</b>
Less Provision for Doubtful Debts	(1,865)	(2,195)	330	-18%
<b>Total Receivables</b>	<b>5,331</b>	<b>3,788</b>	<b>1,543</b>	<b>29%</b>

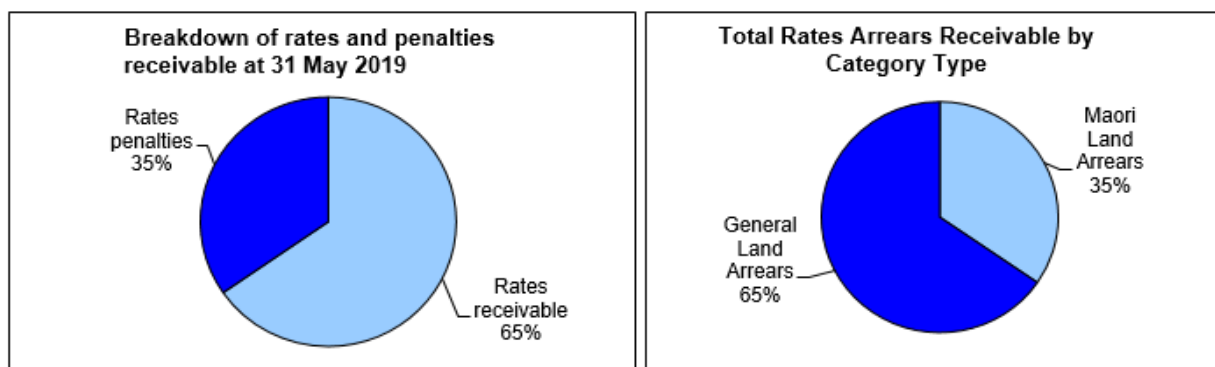
### 6.3 RATES AND PENALTIES RECEIVABLE

#### 6.4 Current year rates

6.5 At 31 May, the fourth instalment was issued, due by 31 May 2019. The collection percentage was 94% (June 18: 96%).

#### 6.6 Rates Receivables (excluding metered water rates)

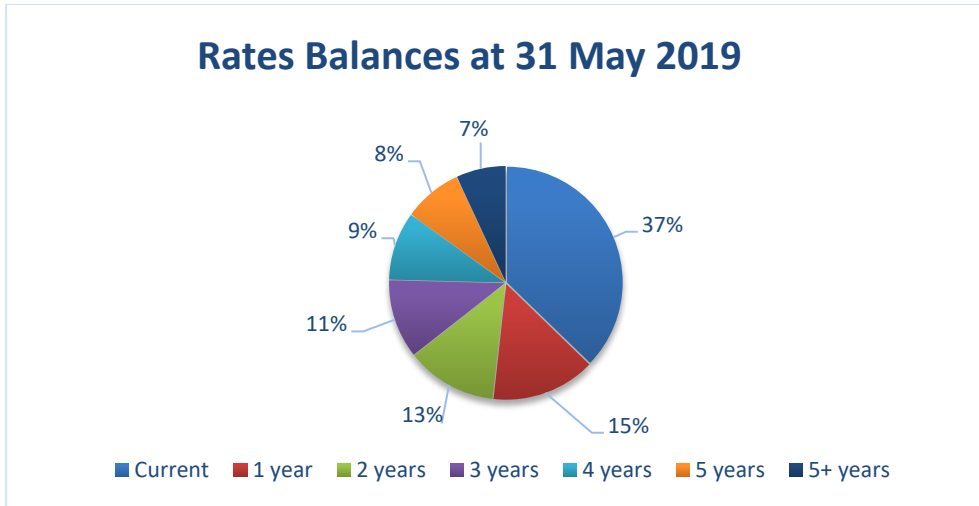
6.7 There was \$4.6 million of rates and penalties outstanding at 31 May 2019. This amount excludes rates paid in advance on future instalments. This total is made up of rates of \$3.0 million and penalties of \$1.6 million.



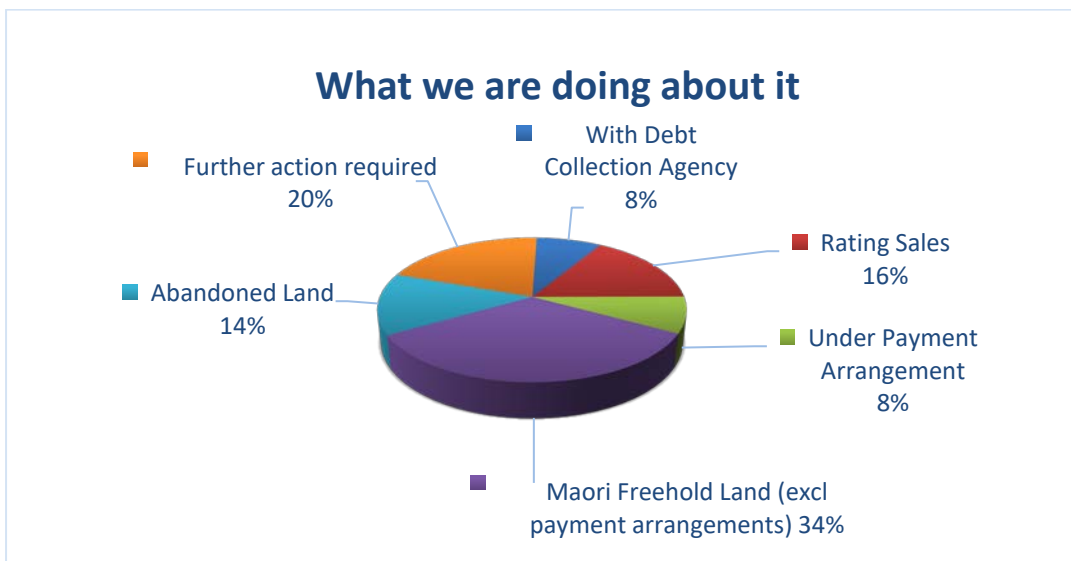
6.8 Rates and penalties receivable increased by \$840,000 since June 2018. Of this increase, rates receivable increased by \$714,000 and rates penalties increased by \$126,000.

6.9 A total of \$320K of rates and penalties remissions have been entered against a full year's budget (\$295K).

6.10 The following graph illustrates the ageing of the rates receivable balance. Of the outstanding balance of \$4.6 million, \$1.7 million (37%) relates to current year, \$671K (15%) for the 2017/2018 year rates and the balance spread across the remaining years in a diminishing fashion.



- 6.11 The outstanding balance of rates is being actively managed through a variety of collection methods including lump sum payments, approved payment arrangements, demands on mortgage holders, placement of arrears with external debt collection agency and initiating properties for abandoned land and rating sale processes.
- 6.12 For the eleven months to 31 May 2019, arrears have been reduced by \$884,000 (23%) of the \$3,786,000 that was outstanding at 30 June 2018.
- 6.13 The action being taken on outstanding balances is shown in the following graph :



- 6.14 Of the arrears owing at 31 May:
- \$1.6m (34%) relates to Maori freehold land.
  - \$373,000 are under some form of payment arrangement.
  - 24 Properties totaling \$754,000 have been identified for rating sale. properties. Since the previous quarter one customer has entered into a payment arrangement to address the arrears.
  - There are \$372,000 of arrears relating to 37 properties that meet the criteria for abandoned land and are being progressed through the abandoned land



process. Of these, 7 properties are being considered by the Maori Land Court in June 2019 to change the land status back to Maori Land.

#### 6.15 Other Debtors Receivable

At 31 May 2019 'Other Receivables' totalled \$1.3 million of which \$89,000 was due and owing for more than three months. The three month and over receivables include trade waste debtors, dog registrations and infringements and other sundry debtors.

### Suggested Resolution

The business paper on Financial Report for the period ended 31 May 2019 be received.



TINA HITCHEN  
**GENERAL MANAGER – BUSINESS SUPPORT (ACTING)**

17 June 2019

## Appendix 1: Cost of Service Statements

The reasons for variance have been set out in sections 3.4 and 3.5 in the main body of the report and further details are also contained in the COSS for each activity that follows.

Summary Cost of Service (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Operating Expenditure</b>						
- Leadership	986	510	390	386	(4)	
- Community Service	2,019	2,390	2,193	2,083	(110)	
- Community Development	838	1,973	816	834	18	
- Compliance	216	238	206	172	(34)	
- Solid Waste Management	999	1,318	1,212	1,264	52	
- Stormwater Drainage	305	159	151	94	(57)	
- Resource Management	89	321	244	199	(45)	
- Sewerage	1,699	1,761	1,610	1,332	(278)	
- Water Supply	2,146	1,571	1,448	1,358	(90)	
- Roads and Footpaths	6,474	6,279	5,744	5,957	213	
<b>Total Direct Operating Expenditure</b>	<b>15,771</b>	<b>16,520</b>	<b>14,014</b>	<b>13,679</b>	<b>(335)</b>	<b>-2%</b>
<b>Indirect Expenditure</b>						
- Allocated Costs	4,115	4,897	4,486	4,595	109	
- Interest	1,764	2,598	2,382	1,498	(884)	
- Depreciation	5,812	5,905	5,411	5,292	(119)	
<b>Total Indirect Expenditure</b>	<b>11,691</b>	<b>13,400</b>	<b>12,279</b>	<b>11,385</b>	<b>(894)</b>	<b>-7%</b>
<b>TOTAL EXPENDITURE</b>	<b>27,462</b>	<b>29,920</b>	<b>26,293</b>	<b>25,064</b>	<b>(1,229)</b>	<b>-5%</b>
<b>Operating Revenue</b>						
- Leadership	(80)	(100)	(94)	(163)	(69)	
- Community Service	(600)	(688)	(488)	(820)	(332)	
- Community Development	(155)	(44)	(42)	(44)	(2)	
- Compliance	(513)	(453)	(425)	(480)	(55)	
- Stormwater Drainage	(12)	0	0	(8)	(8)	
- Resource Management	(172)	(85)	(78)	(171)	(93)	
- Solid Waste Management	(1,386)	(1,120)	(1,026)	(1,354)	(328)	
- Sewerage	(1,140)	(860)	(789)	(780)	9	
- Water Supply	(19)	0	0	(18)	(18)	
- Roads and Footpaths	(7,872)	(9,334)	(8,457)	(7,367)	1,090	
<b>Total Operating Revenue</b>	<b>(11,949)</b>	<b>(12,684)</b>	<b>(11,399)</b>	<b>(11,205)</b>	<b>194</b>	<b>-2%</b>
<b>Rates Revenue</b>						
- General Rate	(3,665)	(4,046)	(4,046)	(4,083)	(37)	
- UAGC	(3,279)	(3,355)	(3,355)	(3,367)	(12)	
- Targeted Rate	(11,604)	(11,905)	(11,904)	(11,984)	(80)	
- Rates Penalties	(426)	(420)	(400)	(417)	(17)	
- Metered Water Rates	(753)	(750)	(750)	(627)	123	
<b>Total Rates Revenue</b>	<b>(19,727)</b>	<b>(20,476)</b>	<b>(20,455)</b>	<b>(20,478)</b>	<b>(23)</b>	<b>0%</b>
<b>TOTAL REVENUE</b>	<b>(31,676)</b>	<b>(33,160)</b>	<b>(31,854)</b>	<b>(31,683)</b>	<b>171</b>	<b>-1%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>(4,214)</b>	<b>(3,240)</b>	<b>(5,561)</b>	<b>(6,619)</b>	<b>(1,058)</b>	<b>19%</b>

The actuals for 2018/19 excludes rates on Council properties from both revenue and expenditure.

## Governance: Leadership and Investments

GOVERNANCE: LEADERSHIP AND INVESTMENTS (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- Representation	325	297	271	269	(2)	
- Planning & Policy & Monitoring	449	106	58	56	(2)	
- District and Urban Development	178	0	0	0	0	
- Investments	101	96	61	61	0	
- Treasury Management and Overhead Accounts	(67)	11	0	0	0	
<b>Total Direct Expenditure</b>	<b>986</b>	<b>510</b>	<b>390</b>	<b>386</b>	<b>(4)</b>	<b>-1%</b>
- Allocated Costs	1,274	952	867	942	75	
- Interest	264	331	304	192	(112)	
- Depreciation	468	489	447	412	(35)	
<b>Total Operating Expenditure</b>	<b>2,992</b>	<b>2,282</b>	<b>2,008</b>	<b>1,932</b>	<b>(76)</b>	<b>-4%</b>
<b>Operating Revenue</b>						
- Representation	(12)	(11)	(10)	(13)	(3)	
- Investments	(52)	(77)	(73)	(140)	(67)	
- Treasury Management and Overhead Accounts	(16)	(12)	(11)	(10)	1	
<b>Total Operating Revenue</b>	<b>(80)</b>	<b>(100)</b>	<b>(94)</b>	<b>(163)</b>	<b>(69)</b>	<b>73%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>2,912</b>	<b>2,182</b>	<b>1,914</b>	<b>1,769</b>	<b>(145)</b>	<b>-8%</b>

The budget for Representation operating revenue excludes rates penalties revenue which is disclosed as part of rates revenue in the Combined Cost of Service Statement on the previous page.

**Net Operating Cost** for the Governance Activity was 8% (\$145,000) less than budget for the period ended 31 May 2019 due mainly to reduced interest costs and depreciation charges.

**Direct Expenditure** was 1% (\$4,000) less than budget for the period.

**Operating Revenue** was 73% (\$69,000) more than budget for the period.

- Revenue from the investment activity was more than budget due to receipt of Quarry Royalties Revenue. This was partly offset as no interest was received from ICL advance. This Debt was repaid in full in July 2018.

## Community Service

COMMUNITY SERVICE (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- Parks and Reserves	402	551	488	397	(91)	
- Housing and Other Property	386	435	407	432	25	
- Recreation and Culture	472	537	509	507	(2)	
- Public Amenities	686	757	689	665	(24)	
- Safety	73	110	100	82	(18)	
<b>Total Direct Expenditure</b>	<b>2,019</b>	<b>2,390</b>	<b>2,193</b>	<b>2,083</b>	<b>(110)</b>	<b>-5%</b>
- Allocated Costs	517	930	853	885	32	
- Interest	118	179	164	106	(58)	
- Depreciation	860	859	787	812	25	
<b>Total Operating Expenditure</b>	<b>3,514</b>	<b>4,358</b>	<b>3,997</b>	<b>3,886</b>	<b>(111)</b>	<b>-3%</b>
<b>Operating Revenue</b>						
- Parks and Reserves	(25)	(27)	(23)	(63)	(40)	
- Housing and Other Property	(378)	(303)	(278)	(509)	(231)	
- Recreation and Culture	(143)	(144)	(137)	(106)	31	
- Public Amenities	(54)	(214)	(50)	(142)	(92)	
<b>Total Operating Revenue</b>	<b>(600)</b>	<b>(688)</b>	<b>(488)</b>	<b>(820)</b>	<b>(332)</b>	<b>68%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>2,914</b>	<b>3,670</b>	<b>3,509</b>	<b>3,066</b>	<b>(443)</b>	<b>-13%</b>

**Net Operating Cost** was 13% (\$443,000) less than budget for the period ended 31 May 2019.

**Direct Expenditure** was 5% (\$110,000) less than budget for the period.

- Expenditure for Parks and Reserves, Public Amenities and Safety activities are tracking less than budget as repairs and maintenance expenditure is only spent when required. This was partly offset by increased expenditures incurred for repair and maintenance in the Recreation and Culture activity for the Aquatic Centre.
- Expenditure for Housing and Other Property was more than budget due to the redevelopment of the Marokopa Holiday Park. The development was unbudgeted but was approved by the Council.
- Costs were incurred, within the Public Amenities activity, for the provision of temporary toilets at Mokau which is funded by Tourism Infrastructure Funding (TIF).

**Operating Revenue** was 68% (\$332,000) more than budget for the period.

- In Housing and Other Property, Grant Revenue of \$207,000 was received from NZMCA and MBIE for Te Kuiti Holiday Park and dump station construction.
- Included in the Public Amenities the revenue for cemetery fees was more than budget for the period. Grant revenue from TIF for the provision of temporary toilets in Mokau.
- Revenue of \$38,000 was received from the logging of 0.5 ha in Brook Park. Of this revenue \$8,000 was paid to the Brook Park Committee for their part in creating access for the logging company.

## Community Development

COMMUNITY DEVELOPMENT (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- Community Support	505	1,644	586	639	53	
- District Development	333	329	230	195	(35)	
<b>Total Direct Expenditure</b>	<b>838</b>	<b>1,973</b>	<b>816</b>	<b>834</b>	<b>18</b>	<b>2%</b>
- Allocated Costs	594	748	686	580	(106)	
- Interest	0	2	2	0	(2)	
- Depreciation	10	17	16	9	(7)	
<b>Total Expenditure</b>	<b>1,442</b>	<b>2,740</b>	<b>1,520</b>	<b>1,423</b>	<b>(97)</b>	<b>-6%</b>
<b>Operating Revenue</b>						
- Community Support	0	(2)	(2)	(2)	0	
- District Development	(155)	(42)	(40)	(42)	(2)	
<b>Total Operating Revenue</b>	<b>(155)</b>	<b>(44)</b>	<b>(42)</b>	<b>(44)</b>	<b>(2)</b>	<b>5%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>1,287</b>	<b>2,696</b>	<b>1,478</b>	<b>1,379</b>	<b>(99)</b>	<b>-7%</b>

**Net Operating Cost** for the Community Development Activity was 7% (\$99,000) less than budget for the period ended 31 May 2019.

**Direct Expenditure** was 2% (\$18,000) more than budget for the period.

**Operating Revenue** was 5% (\$2,000) more than budget for the period.

## Compliance

Compliance (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- Compliance	216	238	206	172	(34)	
<b>Total Direct Expenditure</b>	<b>216</b>	<b>238</b>	<b>206</b>	<b>172</b>	<b>(34)</b>	<b>-17%</b>
- Allocated Costs	724	770	706	679	(27)	
- Interest	1	1	1	0	(1)	
- Depreciation	5	5	4	5	1	
<b>Total Expenditure</b>	<b>946</b>	<b>1,014</b>	<b>917</b>	<b>856</b>	<b>(61)</b>	<b>-7%</b>
<b>Operating Revenue</b>						
- Compliance	(513)	(453)	(425)	(480)	(55)	
<b>Total Operating Revenue</b>	<b>(513)</b>	<b>(453)</b>	<b>(425)</b>	<b>(480)</b>	<b>(55)</b>	<b>13%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>433</b>	<b>561</b>	<b>492</b>	<b>376</b>	<b>(116)</b>	<b>-24%</b>

**Net Operating Surplus** for the Compliance Activity was 24% (\$116,000) less than budget for the period ended 31 May 2019.

**Direct Expenditure** was 17% (\$34,000) less than budget for the period.

- Expenditures for contractors' costs for animal control, earthquake prone building work (EPB), compliance schedule project and environmental health were less than budget.
- Expenditure for the District Licencing Committee was more than budget.

**Operating Revenue** was 13% (\$55,000) more than budget for the period.

- Building Control revenue and Compliance Schedule revenue were more than budget for the period. Building consent revenue received for the period to 31 May 2019 was \$221,483 from 170 processed consents (with a total value of \$13,353,960), compared to 171 processed consents for the same period last year (with a total value \$19,920,422). Compliance Schedule revenue was also more than budget for the period.
- Dog registration, infringement and impounding fees revenue was slightly more than budget for the period.
- The grant contribution for menacing dogs from the Central Government has been carried over to current year. These funds are specific for the neutering of the menacing of dogs campaign. Any unspent funds will be carried over to the next financial year.

## Resource Management

RESOURCE MANAGEMENT (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- District Plan Administration	89	71	42	56	14	
- District Planning	0	250	202	143	(59)	
<b>Total Direct Expenditure</b>	<b>89</b>	<b>321</b>	<b>244</b>	<b>199</b>	<b>(45)</b>	<b>-18%</b>
- Allocated Costs	183	610	560	551	(9)	
- Interest	0	27	25	14	(11)	
<b>Total Expenditure</b>	<b>272</b>	<b>958</b>	<b>829</b>	<b>764</b>	<b>(65)</b>	<b>-8%</b>
<b>Operating Revenue</b>						
- District Plan Administration	(172)	(85)	(78)	(131)	(53)	
- District Planning	0	0	0	(40)	(40)	
<b>Total Operating Revenue</b>	<b>(172)</b>	<b>(85)</b>	<b>(78)</b>	<b>(171)</b>	<b>(93)</b>	<b>119%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>100</b>	<b>873</b>	<b>751</b>	<b>593</b>	<b>(158)</b>	<b>-21%</b>

**Net Operating Cost** for the Resource Management Activity was 21% (\$158,000) less than budget for the period ended 31 May 2019.

**Direct Expenditure** was 18% (\$45,000) less than budget for the period.

- This is mainly due to additional planning consultant costs to process complex consents, which will be recovered from resource consent applicants.
- Expenditures incurred for the period includes a range of key consultant work-streams related to the District Plan Review (i.e. coastal hazards, landscapes, flood modelling, significant natural areas, archaeology and ecology). Additional expenditure will be incurred on an on-going basis in relation to the District Plan Review project.

**Operating Revenue** was 119% (\$93,000) more than budget for the period.

- District Plan Administration revenue is more than budget due to an increase in resource consent revenue. The reason for increase in resource consent revenue is due to the complexity and number of applications being processed and cost recovery of actual processing costs from applicants.
- District Planning revenue is \$40,000 more than budget due to a funding contribution from Waikato Regional Council (WRC) to WDC's Significant Natural Area (SNA) workstream. This will be used to fund the District Plan Review consultant fees for the SNA workstream.

## Solid Waste Management

SOLID WASTE MANAGEMENT (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- Collection	302	289	256	234	(22)	
- Landfill Management	697	1,029	956	1,030	74	
<b>Total Direct Expenditure</b>	<b>999</b>	<b>1,318</b>	<b>1,212</b>	<b>1,264</b>	<b>52</b>	<b>4%</b>
- Allocated Costs	395	389	356	391	35	
- Interest	183	255	234	140	(94)	
- Depreciation	86	91	83	61	(22)	
<b>Total Expenditure</b>	<b>1,663</b>	<b>2,053</b>	<b>1,885</b>	<b>1,856</b>	<b>(29)</b>	<b>-2%</b>
<b>Operating Revenue</b>						
- Collection	(132)	(137)	(125)	(118)	7	
- Landfill Management	(1,254)	(983)	(901)	(1,236)	(335)	
<b>Total Operating Revenue</b>	<b>(1,386)</b>	<b>(1,120)</b>	<b>(1,026)</b>	<b>(1,354)</b>	<b>(328)</b>	<b>32%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>277</b>	<b>933</b>	<b>859</b>	<b>502</b>	<b>(357)</b>	<b>-42%</b>

**Net Operating Cost** for the Solid Waste Management Activity was 42% (\$357,000) less than budget for the period ended 31 May 2019.

**Direct Expenditure** was 4% (\$52,000) more than budget for the period.

- Landfill management costs are more than budget due to increased operations costs due to greater volumes of refuse being received. Transfer station costs were also higher over the holiday month for collection of recycling from the transfer stations.

**Operating Revenue** was 32% (\$328,000) more than budget for the period.

- Revenue received at the landfill was more than budget due to increase in volumes of general refuse, special waste and green waste charges. This appears to be general trend that usage of the facility has increased.
- A substantial amount was also collected for general waste that was brought in from Hampton Downs Landfill when EnviroWaste experienced a fire in the landfill and had to defer their waste.



## Stormwater Drainage

STORMWATER DRAINAGE (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- Te Kuiti Stormwater	286	134	128	78	(50)	
- Rural Stormwater	19	25	23	16	(7)	
<b>Total Direct Expenditure</b>	<b>305</b>	<b>159</b>	<b>151</b>	<b>94</b>	<b>(57)</b>	<b>-38%</b>
- Allocated Costs	25	50	46	61	15	
- Interest	3	4	3	2	(1)	
- Depreciation	181	180	165	174	9	
<b>Total Expenditure</b>	<b>514</b>	<b>393</b>	<b>365</b>	<b>331</b>	<b>(34)</b>	<b>-9%</b>
<b>Operating Revenue</b>						
- Te Kuiti Stormwater	(12)	0	0	(7)	(7)	
- Rural Stormwater	0	0	0	(1)	(1)	
<b>Total Operating Revenue</b>	<b>(12)</b>	<b>0</b>	<b>0</b>	<b>(8)</b>	<b>(8)</b>	<b>0%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>502</b>	<b>393</b>	<b>365</b>	<b>323</b>	<b>(42)</b>	<b>-12%</b>

**Net Operating Cost** for the Stormwater Drainage Activity was 12% (\$42,000) less than budget for the period ended 31 May 2019.

**Direct Expenditure** was 38% (\$57,000) less than budget for the period.

- Expenditures for resource consent compliance and internal WSBU charges were less than budget.

**Operating Revenue** was \$8,000 more than budget for the period for connection fees.

## Sewerage and Treatment and Disposal of Sewage

SEWERAGE AND TREATMENT AND DISPOSAL OF SEWAGE (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- Waitomo Village	6	5	5	0	(5)	
- Te Kuiti	1,415	1,460	1,347	1,187	(160)	
- Te Waitere	17	41	37	11	(26)	
- Benneydale	140	108	99	42	(57)	
- Piopio	121	147	122	92	(30)	
<b>Total Direct Expenditure</b>	<b>1,699</b>	<b>1,761</b>	<b>1,610</b>	<b>1,332</b>	<b>(278)</b>	<b>-17%</b>
- Allocated Costs	196	211	195	244	49	
- Interest	343	478	438	288	(150)	
- Depreciation	770	778	713	744	31	
<b>Total Expenditure</b>	<b>3,008</b>	<b>3,228</b>	<b>2,956</b>	<b>2,608</b>	<b>(348)</b>	<b>-12%</b>
<b>Operating Revenue</b>						
- Te Kuiti	(1,123)	(850)	(779)	(752)	27	
- Te Waitere	(2)	0	0	0	0	
- Benneydale	(3)	(1)	(1)	(1)	0	
- Piopio	(12)	(9)	(9)	(27)	(18)	
<b>Total Operating Revenue</b>	<b>(1,140)</b>	<b>(860)</b>	<b>(789)</b>	<b>(780)</b>	<b>9</b>	<b>-1%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>1,868</b>	<b>2,368</b>	<b>2,167</b>	<b>1,828</b>	<b>(339)</b>	<b>-16%</b>

**Net Operating Cost** for the Sewerage Activity was 16% (\$339,000) below budget for the period ended 31 May 2019.

**Direct Expenditure** was 17% (\$278,000) less than budget for the period.

- Expenditure for power, sludge disposal, sampling costs and chemicals for Te Kuiti were less than budget. This was partly offset by increased internal WSBU costs.
- Internal WSBU costs are also less than budget for Benneydale, Te Waitere and Piopio schemes.

**Operating Revenue** was 1% (\$9,000) less than budget for the period.

- Connection fees revenue have been received for Te Kuiti and Piopio.
- Trade waste revenue for Te Kuiti is less than forecast due to existing process in place for better pre-treatment of trade waste to reduce nutrient loads in their discharge.

## Water Supply

WATER SUPPLY (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- Te Kuiti	1,546	986	910	930	20	
- Mokau	284	204	189	165	(24)	
- Piopio	210	259	239	174	(65)	
- Benneydale	88	117	109	89	(20)	
- Waitomo Village	18	5	1	0	(1)	
<b>Total Direct Expenditure</b>	<b>2,146</b>	<b>1,571</b>	<b>1,448</b>	<b>1,358</b>	<b>(90)</b>	<b>-6%</b>
- Allocated Costs	207	221	202	249	47	
- Interest	276	533	488	275	(213)	
- Depreciation	560	638	585	460	(125)	
<b>Total Expenditure</b>	<b>3,189</b>	<b>2,963</b>	<b>2,723</b>	<b>2,342</b>	<b>(381)</b>	<b>-14%</b>
<b>Operating Revenue</b>						
- Te Kuiti	(7)	0	0	(9)	(9)	
- Mokau	(4)	0	0	(4)	(4)	
- Piopio	0	0	0	(3)	(3)	
- Benneydale	(2)	0	0	(2)	(2)	
<b>Total Operating Revenue</b>	<b>(13)</b>	<b>0</b>	<b>0</b>	<b>(18)</b>	<b>(18)</b>	
<b>Subsidy Revenue</b>						
- Mokau	(6)	0	0	0	0	
<b>Total Subsidy Revenue</b>	<b>(6)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Total Revenue</b>	<b>(19)</b>	<b>0</b>	<b>0</b>	<b>(18)</b>	<b>(18)</b>	
<b>Net Operating Cost/(Surplus)</b>	<b>3,170</b>	<b>2,963</b>	<b>2,723</b>	<b>2,324</b>	<b>(399)</b>	<b>-15%</b>

**Net Operating Cost** for the Water Supply Activity was 15% (\$399,000) less than budget for the period ended 31 May 2019.

**Direct Expenditure** was 6% (\$90,000) less than budget for the period.

- The internal WSBU charges was more than budget for the period. This was partly offset by the decreased chemicals and electricity costs for Te Kuiti.
- Expenditure for internal WSBU and overall operational expenditure was less for Piopio Mokau and Benneydale.

**Operating Revenue** was \$18,000 more than budget for the period for new water connections.

## Roads and Footpaths

ROADS AND FOOTPATHS (Amounts in \$000's)	Actual 2017/18	LTP Budget 2018/19	YTD Budget May 2019	Actual May 2019	Variance May 2019	% Variance
<b>Direct Expenditure</b>						
- Subsidised Roads	6,356	6,152	5,650	5,871	221	
- Unsubsidised Roads	118	127	94	86	(8)	
<b>Total Direct Expenditure</b>	<b>6,474</b>	<b>6,279</b>	<b>5,744</b>	<b>5,957</b>	<b>213</b>	<b>4%</b>
- Allocated Costs	0	16	15	13	(2)	
- Interest	576	788	723	481	(242)	
- Depreciation	2,872	2,848	2,611	2,615	4	
<b>Total Expenditure</b>	<b>9,922</b>	<b>9,931</b>	<b>9,093</b>	<b>9,066</b>	<b>(27)</b>	<b>0%</b>
<b>Operating Revenue</b>						
- Subsidised Roads	(7,772)	(9,237)	(8,396)	(7,297)	1,099	
- Unsubsidised Roads	(100)	(97)	(61)	(70)	(9)	
<b>Total Operating Revenue</b>	<b>(7,872)</b>	<b>(9,334)</b>	<b>(8,457)</b>	<b>(7,367)</b>	<b>1,090</b>	<b>-13%</b>
<b>Net Operating Cost/(Surplus)</b>	<b>2,050</b>	<b>597</b>	<b>636</b>	<b>1,699</b>	<b>1,063</b>	<b>167%</b>
Subsidised Roads Maintenance (Excluding losses on asset disposals)	6,281	6,152	5,625	5,846	221	
Subsidised Roads Capital	5,509	6,293	5,667	3,935	(1,732)	
<b>Combined Maintenance and Capital</b>	<b>11,790</b>	<b>12,445</b>	<b>11,292</b>	<b>9,781</b>	<b>(1,511)</b>	<b>-13%</b>
<b>Subsidy Revenue for Subsidised Roads</b>	<b>(7,619)</b>	<b>(9,101)</b>	<b>(8,271)</b>	<b>(7,163)</b>	<b>1,108</b>	<b>-13%</b>

**Net Operating Cost** for the Roads and Footpaths Activity was 167% (\$1,063,000) more than budget for the period ended 31 May 2019.

**Direct Expenditure** was 4% (\$213,000) more than budget for the period.

- Emergency Re-instatement (first response). Expenditures for this reporting period of \$472,000 were incurred for minor emergency events related repairs due to weather related damages on the network.
- Sealed Pavement maintenance expenditure for this reporting period is \$1,574,000.
- Sealed pavement maintenance, environmental maintenance, network and asset maintenance and professional services expenditures were more than budget for the period.
- Unsubsidised roads expenditure was less than budget for street cleaning work.
- Footpath maintenance and Level Crossing Maintenance expenditures was less than budgeted for the reporting period.

**Operating Revenue** was 13% (\$1,090,000) less than budget for the period.

- Subsidy revenue is based on both maintenance and capital expenditure and for most work categories the subsidy rate is 73%. As capital expenditure was less than budget, the subsidy associated with this is also less than budget. Subsidy revenue also received for LED street lights upgrade at 85%, which was not budgeted for.

## Appendix 2: Balance Sheet as at 31 May 2019

STATEMENT OF FINANCIAL POSITION (Amounts in \$000's)	Actual 30 Jun 2018	Actual Position 31 May 2019	Movement from 30 Jun 2018	LTP 30 Jun 2019	Variance from LTP
<b>Equity</b>					
- Accumulated Funds	210,881	217,500	6,619	215,202	(2,298)
- Other Reserves	25,225	25,225	0	15,006	(10,219)
- Revaluation Reserve	77,553	77,553	0	74,535	(3,018)
<b>TOTAL EQUITY</b>	<b>313,659</b>	<b>320,278</b>	<b>6,619</b>	<b>304,743</b>	<b>(15,535)</b>
<b>Current Assets</b>					
- Cash and Cash Equivalents	1,762	2,918	1,156	298	(2,620)
- Inventory	84	114	30	49	(65)
- Other Financial Assets	378	3	(375)	3	0
- Receivables (Non-exchange)	4,800	3,257	(1,543)	5,966	2,709
- Receivables (Exchange)	531	531	0	395	(136)
<b>Total Current Assets</b>	<b>7,555</b>	<b>6,823</b>	<b>(732)</b>	<b>6,711</b>	<b>(112)</b>
<b>Current Liabilities</b>					
- Payables and Deferred Revenue (Exchange)	3,718	980	(2,738)	4,109	3,129
- Payables and Deferred Revenue (Non-exchange)	878	878	0	526	(352)
- Current Portion of Borrowings	21,737	15,183	(6,554)	15,000	(183)
- Provisions	3	3	0	26	23
- Employee Entitlements	616	491	(125)	549	58
- Derivative Financial Instruments	605	605	0	608	3
<b>Total Current Liabilities</b>	<b>27,557</b>	<b>18,140</b>	<b>(9,417)</b>	<b>20,818</b>	<b>2,678</b>
<b>NET WORKING CAPITAL</b>	<b>(20,002)</b>	<b>(11,317)</b>	<b>8,685</b>	<b>(14,107)</b>	<b>(2,790)</b>
<b>Non Current Assets</b>					
- Property Plant and Equipment	342,203	345,057	2,854	347,181	2,124
- Intangible Assets	314	314	0	525	211
- Investment Property	788	788	0	750	(38)
- Other Financial Assets	418	498	80	407	(91)
- Investment in CCO & Civic Financial Services Ltd	11,820	11,820	0	4,520	(7,300)
<b>Total Non Current Assets</b>	<b>355,543</b>	<b>358,477</b>	<b>2,934</b>	<b>353,383</b>	<b>(5,094)</b>
<b>Non Current Liabilities</b>					
- Borrowings	20,000	25,000	5,000	32,565	7,565
- Provisions	750	750	0	940	190
- Derivative Financial Instruments	1,132	1,132	0	1,028	(104)
<b>Total Non Current Liabilities</b>	<b>21,882</b>	<b>26,882</b>	<b>5,000</b>	<b>34,533</b>	<b>7,651</b>
<b>NET ASSETS</b>	<b>313,659</b>	<b>320,278</b>	<b>6,619</b>	<b>304,743</b>	<b>(15,535)</b>

Document No: A433505

**Report To: Council**



**Meeting Date:** 25 June 2019

**Subject:** Proposed Amendments to the Freedom Camping Bylaw and the Dog Control Bylaw pursuant to Section 156(2) of the Local Government Act 2002

**Type:** Decision Required

## Purpose of Report

- 1.1 The purpose of this business paper is to seek a decision from Council to make minor amendments to the Freedom Camping Bylaw 2018 and Dog Control Bylaw 2015 pursuant to section 156(2) of the Local Government Act 2002 (LGA).

## Background

### 2.1 Waitomo District Dog Control Bylaw 2015

- 2.2 The Waitomo District Dog Control Bylaw 2015 (Dog Control Bylaw) currently includes reference to Mangaokewa Scenic Reserve, however Waitomo District Council (WDC) ceased to be the administering body of Mangaokewa Scenic Reserve on 28 January 2019.
- 2.3 Clause 2.3 of the Waitomo District Dog Control Bylaw 2015 (Dog Control Bylaw) states that the Bylaw shall apply to the whole of the district administered by Waitomo District Council (WDC).
- 2.4 As WDC is no longer the administering body for the Mangaokewa Scenic Reserve (now administered by the Department of Conservation (DOC)) the references to Mangaokewa Scenic Reserve should be removed from the Dog Control Bylaw for clarification purposes.

### 2.5 Freedom Camping Bylaw 2018

- 2.6 The Freedom Camping Bylaw 2018 (Freedom Camping Bylaw) also includes reference to Mangaokewa Scenic Reserve and should be amended for clarification purposes, as the Bylaw only applies to land under the control of WDC.
- 2.7 In addition, an inconsistency has been identified between the area specific restrictions for Rora Street North in the Schedule 2 table and the associated map in Schedule 3. It is proposed to amend the table in Schedule 2 to ensure it is consistent with the map in Schedule 3.

## 2.8 Local Government Act 2002

2.9 Section 156(1)(a) of the Local Government Act 2002 (LGA) states that the special consultative procedure must be used when amending or revoking a Bylaw made under the LGA if Council considers:

- The change concerns a matter identified in council's Significance and Engagement Policy as being of significant interest to the public; or
- That there is, or is likely to be, a significant impact on the public due to the proposed changes to, or revocation of that bylaw.

2.10 However, Section 156(2) of the LGA states that a local authority can (by resolution that is publicly notified) make minor changes or correct minor errors in a Bylaw without using the special consultative procedure, provided that:

- a) The minor changes or corrections do not affect an existing right, interest, title, immunity, or duty of any person to whom the bylaw applies; or
- b) An existing status or capacity of any person to whom the bylaw applies.

### ***"156 Consultation requirements when making, amending, or revoking bylaws made under this Act***

(1) *When making a bylaw under this Act or amending or revoking a bylaw made under this Act, a local authority must—*

(a) *use the special consultative procedure (as modified by section 86) if—*

- (i) *the bylaw concerns a matter identified in the local authority's policy under section 76AA as being of significant interest to the public; or*
- (ii) *the local authority considers that there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes to, or revocation of, the bylaw; and*

(b) *in any case in which paragraph (a) does not apply, consult in a manner that gives effect to the requirements of section 82.*

(2) *Despite subsection (1), a local authority may, by resolution publicly notified,—*

(a) *make minor changes to, or correct errors in, a bylaw, but only if the changes or corrections do not affect—*

- (i) *an existing right, interest, title, immunity, or duty of any person to whom the bylaw applies; or*
- (ii) *an existing status or capacity of any person to whom the bylaw applies:*

(b) *convert an imperial weight or measure specified in a bylaw into its metric equivalent or near metric equivalent."*

## Commentary

### 3.1 Waitomo District Dog Control Bylaw 2015 Amendments

3.2 It is proposed to amend clause 4.1 of the Dog Control Bylaw to remove the reference to Mangaokewa Scenic Reserve from the list of dog exercises areas; and remove the map of Mangaokewa Reserve from Schedule 1.

3.3 It is considered that these amendments can be made by Council resolution pursuant to section 156(2) of the LGA, as the proposed changes simply reflect the formal change in legal administration of the reserve from WDC to DOC.

### **3.4 Freedom Camping Bylaw 2018 amendments**

3.5 It is proposed to amend the Freedom Camping Bylaw as follows:

- a) Remove the reference to Mangaokewa Reserve from Schedule 1 and 2;
- b) Remove the map of Mangaokewa Reserve from Schedule 3;
- c) Remove the reference in Schedule 2 (Rora Street) to non-self-contained vehicles.

3.6 It is considered that the proposed amendments to the Bylaws can be made by Council resolution under section 156(2) of the LGA, as the amendments ensure that the Bylaws are clear and consistent, and only reference land that WDC administers. The amendments proposed comply with the requirements of section 156(2) of the LGA.

## **Analysis of Options**

4.1 Council has three options available:

- (a) Amend the Waitomo District Dog Control Bylaw 2015 and the Freedom Camping Bylaw 2018 in accordance with section 156(2) to make the required changes.
- (b) Amend the Waitomo District Dog Control Bylaw 2015 and the Freedom Camping Bylaw 2018 using the special consultative procedure in accordance with section 156(1) to make the required changes.
- (c) Do not amend the Waitomo District Dog Control Bylaw 2015 and the Freedom Camping Bylaw 2018. However, if the Bylaws are not amended it may prove difficult for members of the public and staff to understand which areas are controlled by the Bylaws.

4.2 As the proposed changes are minor, it is recommended that Council resolve to amend the bylaws in accordance with section 156(2) of the LGA.

## **Considerations**

### **5.1 Risk**

5.2 The Act provides the statutory authority for Council to make minor changes or corrections provided that the requirements of section 156(2) of the LGA are met.

5.3 As the proposed amendments are either minor changes, or the correction of a minor error (inconsistency) there is minimal risk to Council in taking this decision.

### **5.4 Consistency with Existing Plans and Policies**

5.5 This decision is not inconsistent with any of Council's plans or policies.



## 5.6 Significance and Community Views

- 5.7 This decision is not a significant decision pursuant to Council's Significance and Engagement Policy.

## Recommendation

- 6.1 It is recommended that Council resolve to amend the Waitomo District Dog Control Bylaw 2015 and the Freedom Camping Bylaw 2018 under section 156(2) of the LGA (the proposed amendments to the Bylaws are shown in red text in Attachment 1 and Attachment 2).

## Suggested Resolutions

- 1 The business paper on Proposed Amendments to the Freedom Camping Bylaw and the Dog Control Bylaw pursuant to Section 156(2) of the Local Government Act 2002 be received.
- 2 Council's Dog Control Bylaw and Freedom Camping Bylaw be amended as follows:

### **Dog Control Bylaw**

- (a) Clause 4.1 and Schedule 1 (Maps) of the Waitomo District Dog Control Bylaw 2015 be amended to remove Mangaokewa Scenic Reserve from the list of approved Dog Exercise Areas.

### **Freedom Camping Bylaw**

- (a) Schedule 1, Schedule 2 and Schedule 3 of the Freedom Camping Bylaw 2018 be amended to remove Mangaokewa Scenic Reserve from the list of Restricted Areas for camping.
  - (b) The Area Specific Restriction for Rora Street North in Schedule 2 of the Freedom Camping Bylaw 2018 be amended to remove non-self-contained vehicles from the Area Specific Restriction.
- 3 This resolution be publicly notified as required by Section 156(2) of the Local Government Act 2002.

TERRENA KELLY  
**GENERAL MANAGER STRATEGY AND ENVIRONMENT**

25 June 2019

- Attachments:
- 1 Proposed Amendments to Waitomo District Dog Control Bylaw 2015 (Doc A433506)
  - 2 Proposed Amendments to Freedom Camping Bylaw 2018 (Doc A433507)



# **Freedom Camping Bylaw 2018**

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<b>Created:</b>	August 2018
<b>Adopted:</b>	27 November 2018
<b>Next Review:</b>	November 2023
<b>Responsibility:</b>	Infrastructure Services
<b>Associated Documents:</b>	Freedom Camping Act 2011

Pursuant to the powers vested in it by the Freedom Camping Act 2011, the Waitomo District Council makes this Bylaw.

*The following note is explanatory and is not part of the Bylaw:*

*This Bylaw applies only to the areas under the control of the Waitomo District Council. Compliance with this Bylaw does not remove the need to comply with all applicable Acts, regulations, bylaws, and rules of law. This includes complying with any parking or other traffic restrictions in any area, any restrictions on keeping of animals, not littering, not lighting fires in breach of any fire ban, not making excessive noise, and complying with the directions of enforcement officers. This Bylaw should also be read alongside the Freedom Camping Act 2011.*

## 1. TITLE

- 1.1 This Bylaw may be cited as the Waitomo District Council Freedom Camping Bylaw 2018.

## 2. COMMENCEMENT

- 2.1 The initial resolution to make this Bylaw was passed by the Waitomo District Council at an ordinary meeting of the Council held on 25 September 2018, and was adopted following consideration of submissions received during the special consultative procedure, by a resolution at a meeting of the Council on 27 November 2018.
- 2.2 This Bylaw comes into force on 1 January 2019.

## 3. PURPOSE

- 3.1 The purpose of this Bylaw is to control freedom camping in the District in order to:
- (a) Protect local authority areas;
  - (b) Protect the health and safety of people who may visit local authority areas;
  - (c) Protect access to local authority areas.

## 4. DEFINITIONS

- 4.1 In this Bylaw, unless the context otherwise requires:

**“Act”**: means the Freedom Camping Act 2011.

**“Certified self-contained vehicle”**: means a vehicle designed and built for the purpose of camping which is practically configured to meet the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days, without requiring any external services or discharging any waste and complies with New Zealand Standard 5465:2001, as evidenced by the display of a current self- containment warrant issued under New Zealand Standard Self- Containment of Motor Caravans and Caravans, NZS 5465:2001 and any subsequent amendments.

**“Chief Executive”**: means the person for the time being exercising the functions of the Chief Executive of the Council.

**“District”**: means the territory contained within the Waitomo District as defined in Schedule 2 to the Local Government Act 2002.

**“Council”**: means the Waitomo District Council.

**“Night”**: means the time period between 10pm and 9am.

**“Waste receptacle”**: means a receptacle or facility that is provided for the purposes of disposing of waste (for example, a rubbish bin, public toilet, a public dump station or public transfer station).

**The following terms have the same definitions as in the Act:**

**“Freedom Camp”:**

- (1) In this [Bylaw], freedom camp means to camp (other than at a camping ground) within 200 m of a motor vehicle accessible area or the mean low- water springs line of any sea or harbour, or on or within 200m of a formed road or a Great Walks Track, using 1 or more of the following:
  - (a) A tent or other temporary structure:
  - (b) A caravan:
  - (c) A car, campervan, house-truck, or other motor vehicle
- (2) In this [Bylaw], freedom camping does not include the following activities:
  - (a) Temporary and short-term parking of a motor vehicle:
  - (b) Recreational activities commonly known as day-trip excursions:
  - (c) Resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.
- (3) In subsection (1) Camping ground means—
  - (a) A camping ground that is the subject of a current certificate of registration under the Camping-Grounds Regulations 1985; and
  - (b) Any site at which a fee is payable for camping at the site

Great Walks Track means—

- (a) A track specified in Schedule 1 (of the Act); and
- (b) Any other track specified by Order in Council made under section 44 (of the Act) as a Great Walks Track.

**“Local Authority Area”:**

- (1) In this [Bylaw], local authority area-
  - (a) Means an area of land—
    - i. That is within the district or region of a local authority; and
    - ii. That is controlled or managed by the local authority under any enactment; and
  - (b) Includes any part of an area of land referred to in paragraph (a); but
  - (c) Does not include an area of land referred to in paragraph (a) or (b) that is permanently covered by water.

**5. LOCAL AUTHORITY AREAS WHERE FREEDOM CAMPING IS PERMITTED**

- 5.1 Freedom camping is permitted in any local authority area within the District unless it is prohibited or restricted:
  - (a) By this Bylaw; or
  - (b) Under any other enactment or bylaw.

## 6. PROHIBITED AREAS

- 6.1 A person must not freedom camp in any local authority area in the District in any vehicle that is not a certified self-contained vehicle.
- 6.2 A person must not freedom camp in any tent or temporary structure in any local authority area, except as allowed in clause 7.
- 6.3 A person must not freedom camp in any local authority area described in Schedule 1 and marked red on the maps in Schedule 3.

## 7. RESTRICTED AREAS

- 7.1 In any area described in Schedule 2 and marked blue on the maps in Schedule 3, freedom camping is allowed subject to the following restrictions:
- (a) The freedom camping must only take place in a certified self-contained vehicle as specified in Schedule 2; and
  - (b) The maximum period of stay in any location within a blue area is two consecutive nights on no more than two separate occasions in any calendar month (unless otherwise detailed in the schedule); and
  - (c) Other restrictions as specified in Schedule 2.
- 7.2 In any area described in Schedule 2 and marked yellow on the maps in Schedule 3, freedom camping is allowed subject to the following restrictions:
- (a) The freedom camping must only take place in a certified self-contained vehicle non-self-contained vehicle or tent as specified in Schedule 2; and
  - (b) The maximum period of stay in any location within a yellow area is two consecutive nights on no more than two separate occasions in any calendar month (unless otherwise detailed in the schedule); and
  - (c) Other restrictions as specified in Schedule 2.
- 7.3 In any area described in Schedule 2 and marked green on the maps in Schedule 3, tenting only is allowed in the location defined, subject to other restrictions as defined in Schedule 2.
- 7.4 In clauses 7.1(b) and 7.2(b) "location" means the land within 500m of the place where the certified self-contained vehicle or tent is situated for the purpose of freedom camping.

## 8. PRIOR PERMISSION FROM COUNCIL

- 8.1 The Chief Executive of the Council may temporarily waive or modify the freedom camping restrictions in clauses 6 and 7 of this Bylaw. Permission may be granted by the Chief Executive with or without conditions.
- 8.2 Application for permission must be made:
- (a) In writing;
  - (b) Provide sufficient detail about the proposed camping including information about how the applicant will manage all human and other waste generated while freedom camping; and
  - (c) Be made at least 20 working days in advance of the date planned for freedom camping in the area where the prohibition or the restrictions apply.

***The following note is explanatory and is not part of the Bylaw:***

*The purpose of this clause is to enable permission for temporary sites for freedom camping in prohibited or restricted areas, for example associated with one-off events.*

## 9. COUNCIL MAY TEMPORARILY CLOSE AN AREA TO FREEDOM CAMPING

- 9.1 The Chief Executive of the Council may temporarily close or restrict freedom camping in any area or part of any area where the closure or restriction is considered necessary to:
- (a) Prevent damage to the local authority area or facilities in the area; or
  - (b) Allow maintenance to the local authority area or facilities; or
  - (c) Protect the safety of persons or property; or
  - (d) Provide for better public access, including in circumstances where events are planned for that area.
- 9.2 Notice will be given of any temporary closure or restriction, and the removal of any closure or restriction, in any manner the Chief Executive considers is appropriate to the reason for the closure or restriction. Prior notice of any temporary closure or restriction will be given where possible.

***The following note is explanatory and is not part of the Bylaw:***

*Notice given by the Council may include any of the following: a sign erected in the area; and/or advertising on the Council's website or on the radio; and/or a public notice in the paper.*

## 10. OFFENCE AND PENALTIES

- 10.1 As specified by section 20(1) of the Act, every person commits an offence who:
- (a) freedom camps in a local authority area in breach of any prohibition or restriction in this Bylaw that applies to the area; or
  - (b) makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in this Bylaw that applies to the area
- 10.2 As specified by section 23(1) of the Act, every person who commits an offence set out in clause 10(1) is liable to an infringement fee (fine) of \$200.

***The following note is explanatory and is not part of the Bylaw:***

*Section 20 of the Act provides for the above offences and also for other offences, such as not properly disposing of waste into a waste receptacle, damaging or interfering with the flora and fauna in an area, and obstructing or threatening an enforcement officer. Section 22 of the Act sets out defences to a freedom camping offence. The defences include that an offence was committed due to an action or event beyond the control of the defendant that could not reasonably have been foreseen, or the act was necessary to protect life or health, prevent injury or serious damage to property. Council officers use their discretion when investigating freedom camping complaints, which will include consideration of any defences that may be available to a person.*

**Common Seal of Waitomo District Council:**

The Common Seal of the Waitomo District Council  
was hereto affixed in the presence of:

---

Mayor

---

Chief Executive



**SCHEDULE ONE: PROHIBITED AREAS FOR FREEDOM CAMPING**

A person must not freedom camp in any local authority area described in the table below.

<b>Area Name / Description</b>	<b>Map Reference</b>
Te Kuiti Cemetery (new)	1
Te Kuiti Cemetery (old)	1
Te Kuiti Domain – Te Kuiti	1
Brook Park – Te Kuiti	1
Redwood Park –Te Kuiti	1
Te Kuiti Skateboard Park – Te Kuiti	1
Centennial Park – Te Kuiti	1
Rose Garden Reserve – Te Kuiti	1
<del>Mangaokewa Reserve (only where shown as prohibited on the map)</del>	<del>1A</del>
Rukuhia Domain – Piopio	2
Kara Park - Piopio	2
Piopio Cemetery	2
Mokau Esplanade (Aria Terrace) and Point Road (including carpark) - Mokau	3
Carpark area opposite Whitebait Inn - Mokau	3
Tokopapa Street (including carparking area) – Mokau	3
Takarei Terrace Recreation Reserve – Mokau	3
Boat Ramp carparking, Te Kauri Road – Mokau	3
Beach Road - Mokau	3
Tainui Street – Mokau	3
Rangi Street – Mokau	3
Oha Street - Mokau	3
Mokau Cemetery	3
Carpark Area, Moana Quay – Marokopa	4
Esplanade – Marokopa	4
Marokopa Recreation Reserve – Carley Reeve Drive Marokopa	4
Moerua Street - Marokopa	4
Rauparaha Street - Marokopa	4
Marokopa Road - Marokopa	4
Carley Reeve Drive - Marokopa	4
Kiritehere Cemetery Reserve (cemetery portion only)	4
Benneydale Domain – Benneydale (part)	5
Benneydale Hall – Maniaiti Road - Benneydale	5
Benneydale public toilets – State Highway 30, Benneydale	5
Boat Ramp carpark – Te Waitere	6
Te Waitere Cemetery	6
Iredale Quay River Esplanade – Awakino	7
Awakino Heads Esplanade - Awakino Heads Road – Awakino	7
Aria Cemetery	8
St Helen Domain - Aria	8
Mapiu Cemetery	9
Mapiu Domain – Mapiu	9
Waikawau Beach/Tunnel Recreation Reserve	10
Kinohaku Hall – Kinohaku	11
Waitomo Village Road – Waitomo	13

## SCHEDULE TWO: RESTRICTED AREAS FOR FREEDOM CAMPING

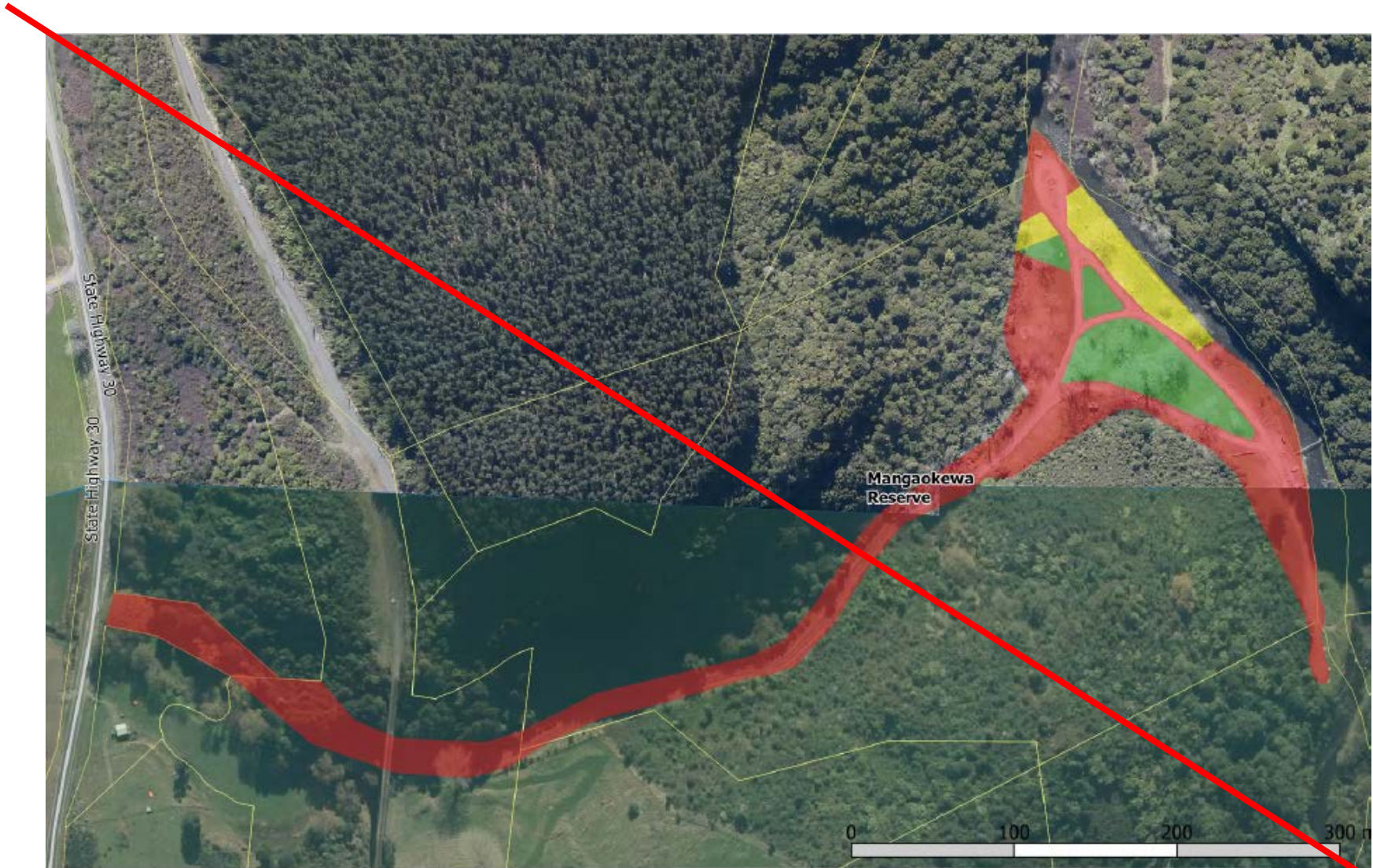
Freedom camping is allowed in any local authority area described in the table below subject to the following general and area specific restrictions:

### General Restrictions

- a) The freedom camping must only take place in a certified self-contained vehicle or tent as specified in the table below.
- b) The maximum period of stay in any location is two consecutive nights on no more than two separate occasions in any calendar month.
- c) Freedom camping in certified self-contained vehicles is restricted to the signposted area (where signposted). Space will be available on a 'first-in first-served' basis.
- d) Unless subject to area specific restrictions all vehicles being used for freedom camping must depart by 9am.
- e) All vehicles being used for freedom camping must be legally parked and any possessions associated with freedom camping contained within a single, defined carparking space. If undefined, vehicles must park in a courteous manner to allow other vehicles to also park within the signposted area, with all possessions no more than 1 metre from the vehicle in any direction.
- f) All vehicles being used for freedom camping must be parked clear of any entry and exit points to the site.
- g) No person may light any fire while freedom camping in a local authority area except in a place specifically provided by the Council for that purpose, or with the prior written permission of Council.
- h) All waste must be disposed of into an appropriate waste receptacle or removed from site.
- i) The site must be left in a clean and tidy state.
- j) Every person must leave and not return if required to leave by an Enforcement Officer under the Act.
- k) All conditions stipulated on any signs in the local authority area must be complied with.

Area Name	Area specific restrictions	Map reference
<del>Mangaokewa Reserve</del>  <del>Unless not formally managed by Waitomo District Council</del>	<del>Vehicles in defined areas only.</del> <del>Tenting in defined areas only.</del> <del>No freedom camping in defined prohibited areas.</del>	<del>4</del>
Shearing Statute (Municipal) Reserve – Te Kuiti	Maximum of 6 self-contained vehicles in defined area only. No tenting.	1
Rora Street North	Self-contained <del>vehicles only and non-self-contained vehicles in any available defined car parking area.</del> No tenting.	1
Tui Park - Piopio	No time restrictions. Self-contained, non self-contained and Tenting allowed.	2
Kiritehere Cemetery Reserve (excluding fenced cemetery portion)	Maximum of 14 consecutive nights.	4
Benneydale Domain (part)	Self-contained vehicles only. No tenting.	5
Te Waitere Reserve	Self-contained and non-self-contained vehicles. No tenting.	6
Te Anga Road Scenic Lookout	Maximum of 3 self-contained vehicles. No tenting	12

SCHEDULE THREE: MAPS (only showing map to be removed)



MAP 1A - Mangaokewa Reserve

Waitomo District Council  
Freedom Camping Restricted and Prohibited Areas

Legend

Prohibited Areas for Freedom Camping

Restricted Areas for Freedom Camping

- Self Contained
- Self Contained and Non-Self Contained
- Tenting Only





# **Waitomo District Dog Control Bylaw 2015**

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Create Date	<b>September 2015</b>
Policy Adopted	<b>15 December 2015</b>
Next Review	<b>September 2020</b>
Responsibility	<b>Customer Services Group</b>
Associated Documents	<b>Dog Control Policy 2015</b>

## 1. SHORT TITLE

1.1 This bylaw may be cited as the Dog Control Bylaw 2015.

## 2. PURPOSE

2.1 The purpose of the bylaw is:

- a) To give effect to Council's Dog Control Policy;
- b) To protect and maintain public safety; and
- c) To address how Council will fulfil its functions and duties pursuant to the Dog Control Act 1996.

2.2 This bylaw gives effect to the Dog Control Policy for the Waitomo District, the objective of which is to enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners, whilst minimising danger, distress, and nuisance to the community generally.

2.3 This bylaw shall apply to the whole of the district administered by the Waitomo District Council.

## 3. CONTROL OF DOGS IN PUBLIC PLACES

3.1 Every owner of a dog must exercise control over it and must prevent it from wandering or remaining at large or free in any public place or private way.

3.2 Except as provided in clauses 4.1 and 4.2 and subject to clause 5, every owner of a dog in any public place or private way must secure the dog by an effective lead or similar contrivance which keeps the dog under continuous control.

3.3 Dogs may be exercised free of restraint in Dog Exercise Areas.

## 4. DOG EXERCISE AREAS

4.1 Dogs may be exercised free of restraint in the following locations:

- Ward Street Reserve;
- ~~Mangaokewa Scenic Reserve;~~
- The reserve adjacent to Redwood Forest (identified on the attached map); and
- All beaches in the Waitomo District with the exception of the area shaded red on the map of Mokau attached in Schedule 1 (between 1 December each year and 31 March the following year).

Maps identifying the boundaries of the Dog Exercise Areas are included in Schedule 1.

4.2 The owner must have continuous control of the dog while it is free of restraint and must remain within the dog exercise area while the dog is off its lead.

## 5. PROHIBITED AREAS

5.1 With the exception of Disability Assist dogs, dogs are not allowed to enter the following public places, whether under control or not:

- The part of the Central Business District of Te Kuiti shaded pink on the map attached in Schedule 1 unless the dog is attending any veterinary clinic located in this area or the dog is contained within or on any vehicle and is securely confined within or on that vehicle so as not to constitute a nuisance or endanger any person;
- The area shaded red on the map of Mokau attached in Schedule 1 (between 1 December each year and 31 March the following year);

- Any land or premises used as a public school, kindergarten, playcentre, private school and public swimming baths, unless the person or body in charge of such prohibited area has granted prior permission in writing to take or allow the dog within the limits of such prohibited area;
- The area of Centennial Park shaded red on the map attached in Schedule 1;
- Redwood Park;
- In the immediate vicinity of any public playground;
- The area of Kara Park, Piopio –shaded red on the map attached in Schedule 1; and
- Village Green, Piopio.

5.2 Maps identifying the site specific area boundaries are included in Schedule 1.

5.3 The Council may from time to time declare any public area not already being a prohibited area to be a prohibited area for a specified time or suspend the designation of a prohibited area for a specified period for a specified occasion or event.

## **6. PREVENTION OF PUBLIC NUISANCE OR HEALTH ISSUES**

6.1 The owner or any person in possession or control of any dog that defecates in a public place or on land or premises occupied by anyone other than the owner of the dog must immediately remove the faeces and dispose of them in a legal manner.

6.2 Every owner of a dog that has a contagious disease must ensure that it is confined at all times within its registered address, or when not at this address fully contained within a cage that prevents contact with other animals, domestic or otherwise, or fully enclosed and secured within a vehicle.

6.3 Every owner of a dog must prevent it from attacking any person or any other animal.

6.4 The owner of a bitch shall keep the dog confined but adequately exercised whilst such dog is in season.

6.5 If in the opinion of the Animal Control Officer, any dog or dogs or the keeping thereof on such premises has become, or is likely to become a nuisance or injurious or hazardous to health, property or safety, the Animal Control Officer may by notice in writing require the owner or occupier of the premises within a time specified in such notice to do all or any of the following:

- To reduce the number of dogs kept on the premises.
- To construct, alter, reconstruct or otherwise improve the kennels or other buildings used to house or contain dogs.
- To require such dog or dogs to be tied up or otherwise confined during specified periods.
- To take such other action as the Animal Control Officer deems necessary to minimise or remove the likelihood of nuisance or hazard or injury to health, property or safety.

## **7. LIMITATION ON NUMBER OF DOGS**

7.1 No person shall keep, or permit to be kept, on or within any premises, other than that zoned rural more than two (2) dogs of greater age than three months unless such premises have been approved by the Chief Executive and a permit issued. Such permit will be subject to a fee approved and set as part of the Fees and Charges process.



- 7.2 Approval by the Chief Executive Officer will only be given subject to compliance by the owner with all reasonable requirements for the purpose of ensuring proper care and control of the dogs and the prevention of any nuisance. As a minimum an applicant for a permit must meet the following criteria:
- Have the physical suitability of land to hold more than two dogs;
  - Meet the Special Owner criteria set out in the Dog Control Policy;
  - Have written approval of neighbours on all sides of the applicants property;
  - All dogs must be currently registered;
  - Kennels must be kept clean and sited a minimum of 1 metre from the boundary fence;
  - Dogs must be kept under control at all times; and
  - Dogs must not create a nuisance (barking and howling etc).
- 7.3 The Chief Executive may impose any additional terms or special conditions on the granting of a permit that is considered appropriate.
- 7.4 A permit to keep more than two (2) dogs of greater age than three months is not transferrable between properties. When owners and dogs change address, a new application must be submitted for the new address.
- 7.5 If a permit holder acquires any further dogs or any dog is disposed of the Animal Control Officer must be immediately notified of the change.
- 7.6 Any approval given for any person to keep more than two (2) dogs on their premises may be reviewed at any time. On review, the approval may be modified or revoked in the event of non-compliance with any condition of approval over the period of the permit under review. Non-compliance will include but not be limited to:
- The dog or dogs on land specified in the permit have caused injury or a nuisance to any person engaged in their lawful activity; or
  - The keeping of such dog or dogs has caused a detrimental effect upon the surrounding neighbourhood; or
  - There has been a failure to comply with all or any of the terms, conditions and restrictions of the permit, or any subsequent notice.
- 7.7 Any application by the occupier of any land in respect of which an application has been declined or a permit revoked pursuant to Clause 7.6 will not be reconsidered before expiration of two years after the date of that refusal or revocation.
- 7.8 Nothing in this section shall remove the need for any Land Use Consent if this is required by the District Plan.

## **8. MINIMUM STANDARDS FOR HOUSING DOGS**

- 8.1 The owner of any dog shall provide adequate accommodation for the dog. Kennels are to be sited on a hard surface, provide shelter from the elements and be free from dampness. Kennels are to be kept in a clean condition. If a kennel is not provided, dogs are to be confined inside premises with an adequate sleeping area provided.
- 8.2 Every person commits an offence, who, being the owner of a dog keeps it beneath the ground floor of a residential building.

## **9. DOGS TO BE KEPT MINIMUM DISTANCE FROM BOUNDARY**

- 9.1 No person shall permit or allow a dog to be housed, confined or restrained on any private premises within one metre of the boundary of the premises. Council may dispense with the requirements of this clause if the written consent of the affected neighbour has been first obtained.

**10. PROBATIONARY OWNERS**

- 10.1 If any owner of a dog is classified as a probationary owner pursuant to the Dog Control Act 1996, Council may require at its discretion the person to complete at his or her expense, a dog owner education programme and / or a dog obedience course.

**11. DOGS WITHIN PARKS AND ON BEACHES**

- 11.1 Every person must prevent any dog within their care and / or control from interfering with the use or enjoyment of any park / beach by other persons in that park / beach.
- 11.2 An owner, or any person in charge of a dog, may be ordered to remove such dog from any beach or bathing reserve if the presence of the dog is considered likely to cause annoyance, inconvenience, danger or be hazardous to health of the public for the time being using such beach or bathing reserve.

**12. IMPOUNDMENT OF DOGS**

- 12.1 Any dog found at large in any public place, whether or not the dog is wearing a collar having the proper registration label, is microchipped or has a disc attached; or found at large in any public or private way in breach of this bylaw, may be impounded.
- 12.2 The owner of any dog impounded shall pay to Council reasonable fees for the sustenance of the dog and for the giving of notice to the owner, together with a poundage fee as set through the Council's Fees and Charges process.
- 12.3 No dog which is for the time being not registered in accordance with the Dog Control Act 1996, shall be released until it is registered, microchipped and fees payable have been paid.

**13. REQUIREMENT TO NEUTER DOG**

- 13.1 Council requires mandatory neutering of dogs classified as menacing under section 33A of the Dog Control Act 1996.
- 13.2 If a dog has been classified as a menacing dog in another district under section 33A of the Dog Control Act 1996, where it was not required to be neutered, but moves to the Waitomo District, it will be a requirement for the dog to be neutered once residing in the Waitomo District.
- 13.3 Dogs classified as dangerous in accordance with the Dog Control Act 1996 are required to be neutered.
- 13.4 The owner of any dog that has not been kept under their control on two or more occasions may be required by the Chief Executive to have that dog neutered, whether or not the owner of the dog has been convicted of an offence against Section 53 of the Dog Control Act 1996.

**14. FEES**

- 14.1 Fees in respect of this Bylaw are as set out in Council's Schedule of Fees and Charges which are reviewed annually.

**15. PENALTIES**

- 15.1 Section 20(5) of the Dog Control Act 1996 provides that every person who commits a breach of this Bylaw commits an offence and is liable for the penalties described by Section 242(4) of the Local Government Act 2002, which at the date of making the Bylaw, is a fine not exceeding \$20,000.

- 15.2 Section 65 of the Dog Control Act 1996 permits an infringement fee for the amount specified in the First Schedule to that Act to be imposed in respect of each offence described.

## 16. GLOSSARY OF TERMS

- 16.1 In this bylaw except where inconsistent with the context:

<b>Council</b>	Means Waitomo District Council
<b>Animal Control Officer</b>	Has the same meaning as Dog Control officer defined in the Dog Control Act 1996
<b>Chief Executive</b>	Means the Chief Executive of Waitomo District Council
<b>Disability Assist Dog</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Dog Exercise Areas</b>	Means those areas identified in clause 4.1
<b>Owner</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Neutered</b>	To have a dog spayed or castrated but does not include to have a dog vasectomised
<b>Private Way</b>	Has the same meaning as defined in Section 315(1) of the Local Government Act 1974
<b>Probationary Owner</b>	Means a person classified as a probationary owner pursuant to section 21 of the Dog Control Act 1996
<b>Prohibited Areas</b>	Means those areas identified in clause 5.1
<b>Public Place</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Registered Address</b>	Means the dog owner's property which is the address listed in the dog's registration, or another address which the Council has agreed to in writing for the purpose of clause 6.
<b>Waitomo District</b>	Means the District of Waitomo as administered by the Waitomo District Council
<b>Working Dog</b>	Has the same meaning as defined in the Dog Control Act 1996

The foregoing Bylaw was duly made by the Waitomo District Council by a resolution passed on 15 December 2015 following consideration of submissions received during the special consultative procedure.

This Bylaw repeals and replaces the Waitomo District Council Dog Control Bylaw 2014. The Waitomo District Council Dog Control Bylaw 2015 was ordered to come into force on 21 December 2015.

The COMMON SEAL of the WAITOMO DISTRICT COUNCIL was hereto affixed on

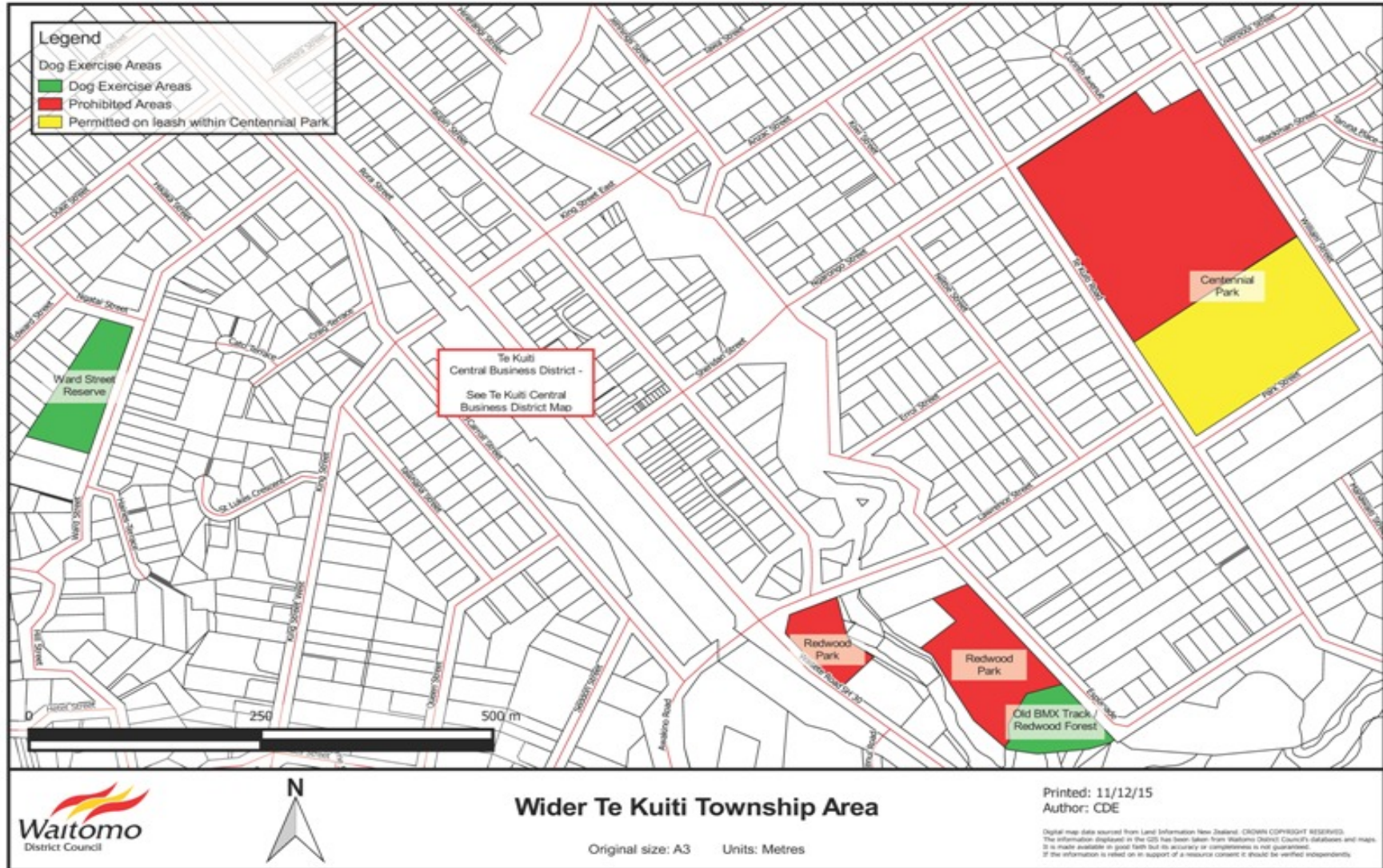
2015

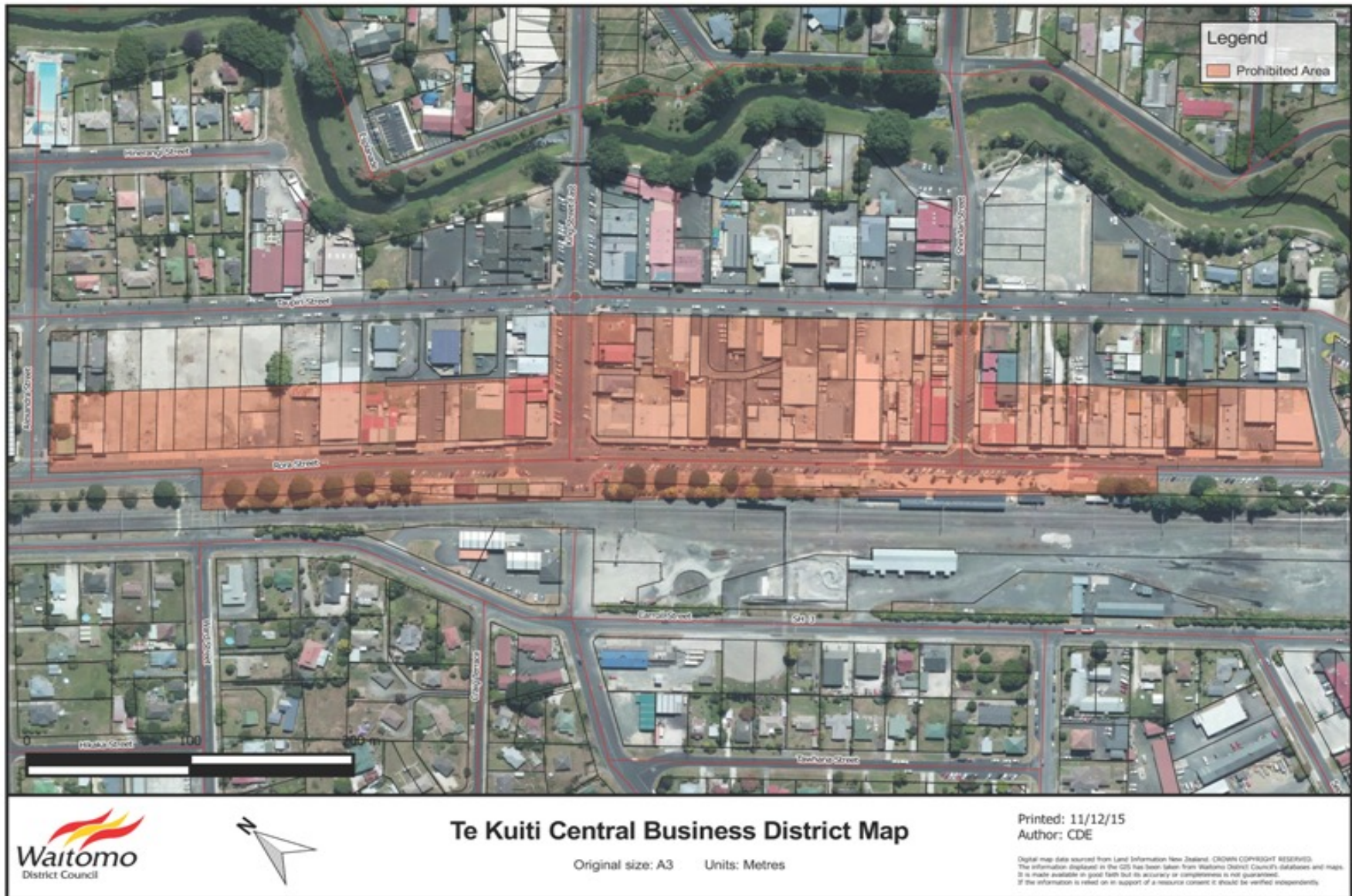
in the presence of:

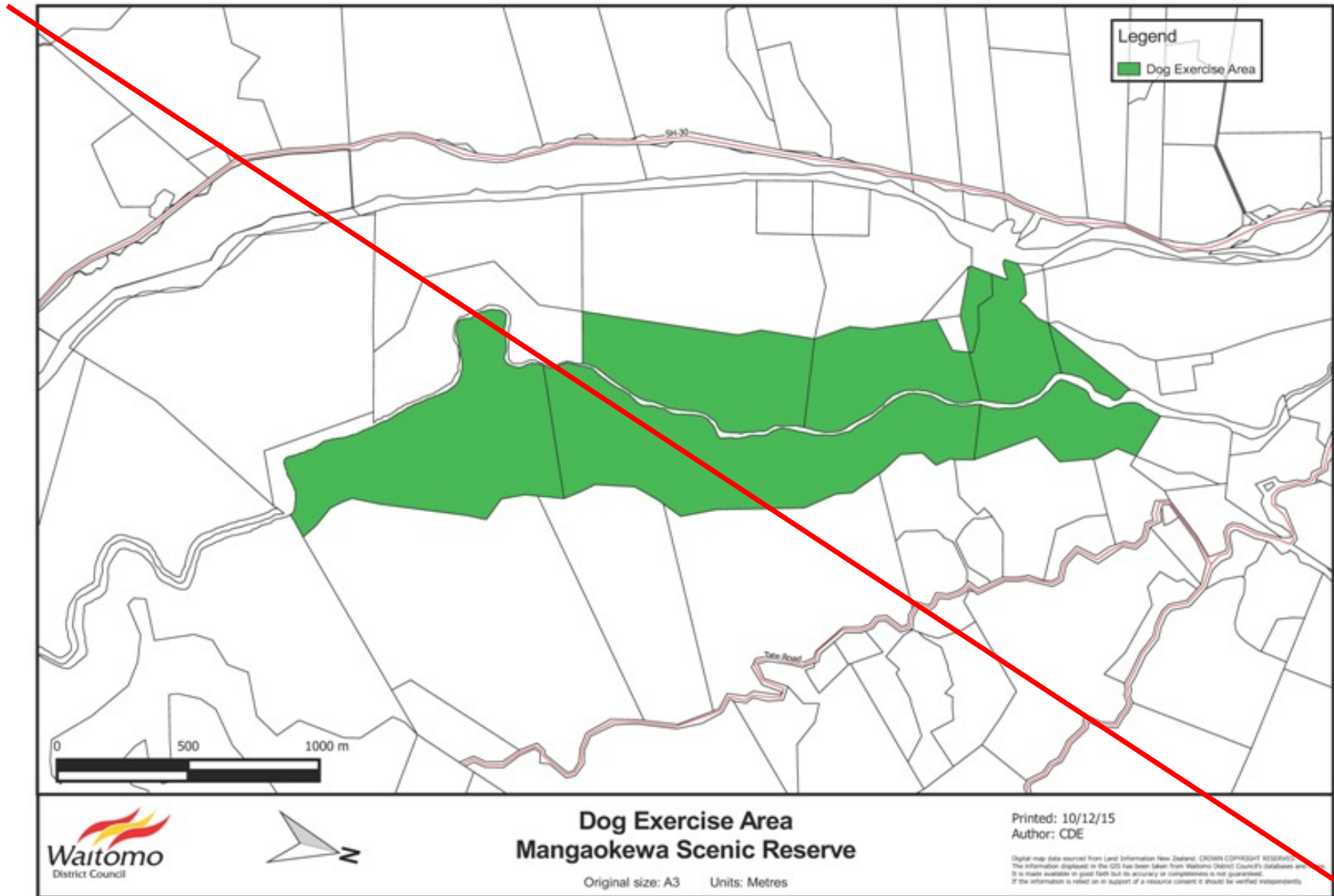
Mayor \_\_\_\_\_

Chief Executive \_\_\_\_\_

Schedule 1 – Dog Exercise and Prohibition Areas

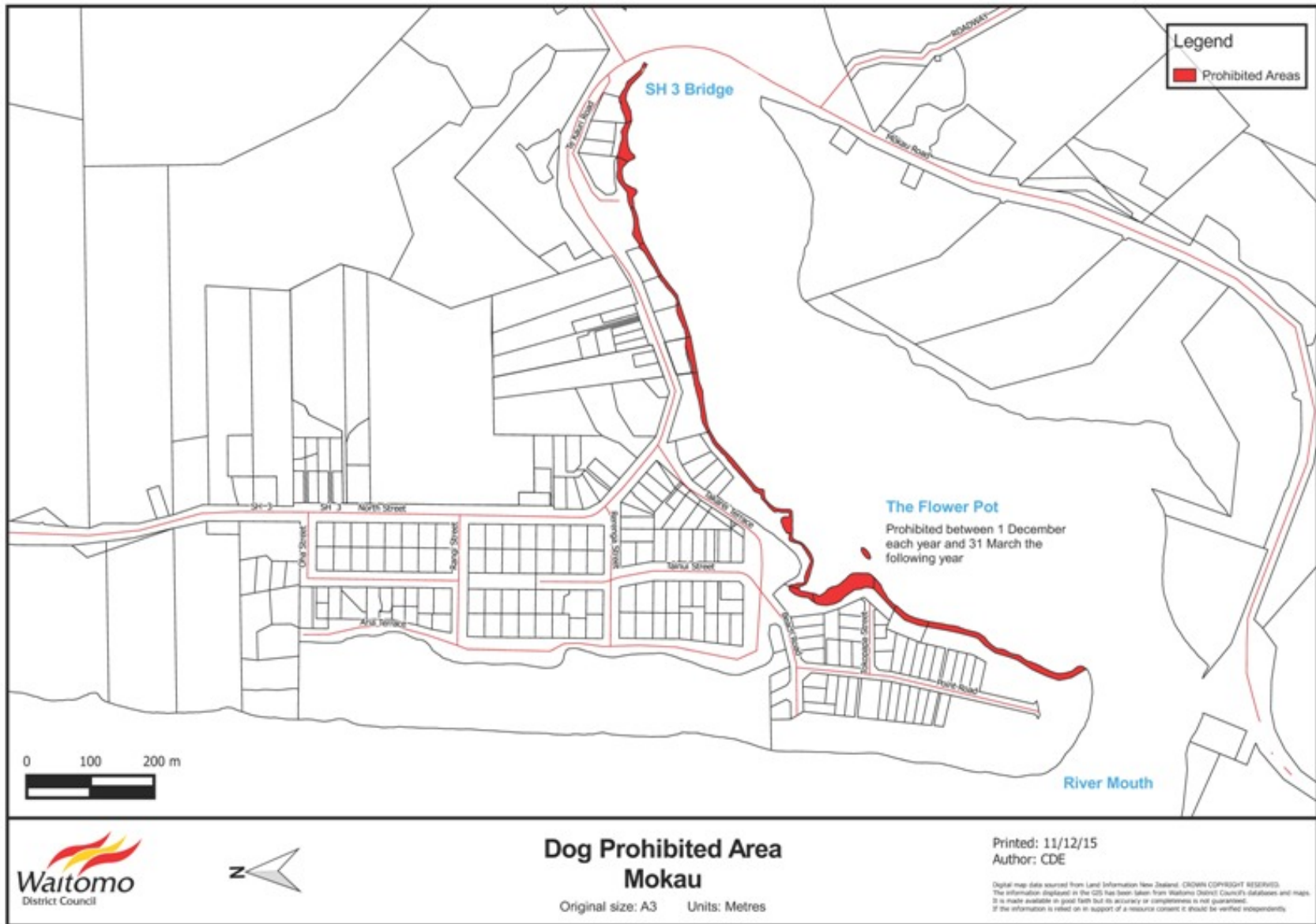












**Document No:** A433276

**Report To:** Council



**Meeting Date:** 25 June 2019

**Subject:** Delegations Register - Update

**Type:** Decision Required

## Purpose of Report

- 1.1 The purpose of this business paper is for Council to consider and adopt a revised Delegations Register updated to reflect amendments to a range of position titles.

## Background

- 2.1 Council must comply with and operate across a wide range of legislation. To do that effectively, it is able to delegate most of its responsibilities, powers and functions to Committees and the Chief Executive. The Chief Executive can in turn delegate to WDC employees. The Local Government Act 2002 (LGA) provides for delegations to be made, and also details which powers cannot be delegated.
- 2.2 For the purposes of administrative efficiency and expediency in the conducting of its day-to-day business, the Council has a comprehensive Delegations Register which delegates certain statutory duties, responsibilities and powers to its committees (i.e. the Audit and Risk Committee, District Licencing Committee) and the Chief Executive, who is able to delegate certain duties and responsibilities to a subordinate level.
- 2.3 The Delegations Register also addresses those specific delegations that are legislatively only able to be delegated directly to staff/officers by the Council (i.e. delegations made under the Resource Management Act 1991).
- 2.4 Delegations are a necessary operational requirement to promote effective and expeditious decision-making. Delegations in part avoid administrative delays and inefficiencies that might otherwise occur if all matters had to be referred to either the Council or Chief Executive.
- 2.5 The Delegations Register was last adopted by Council on 30 October 2018.

## Commentary

- 3.1 Council's authority to delegate to its standing committees, members, the Chief Executive and WDC employees is principally derived from Schedule 7, Clause 32 of the Local Government Act 2002 (LGA). This states:

***"32 Delegations***

- (1) *Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body,*

*community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—*

- (a) the power to make a rate; or*
- (b) the power to make a bylaw; or*
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
- (d) the power to adopt a long-term plan, annual plan, or annual report; or*
- (e) the power to appoint a chief executive; or*
- (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or*
- (g) [Repealed]*
- (h) the power to adopt a remuneration and employment policy.”*

3.2 Other statutes also confer or limit the ability for the Council to delegate decision-making powers and duties. For example, Section 34 of the Resource Management Act 1991 restricts the delegation of certain plan approval functions only to the Council; and the Local Government Official Information and Meetings Act 1987 states that responses to recommendations made to the Council by the Ombudsman (section 32) must be by resolution of Council and therefore cannot be delegated.

3.3 The Delegations Register is proposed to be updated to:

- Amend staff position titles; and
- Amend the delegations to the Civil Defence Local Controller (CDLC) and add reference to the Group Controller for clarification.

Some minor text clarifications are also proposed.

### **Civil Defence Local Controller Delegations**

3.4 Section 12 of the Civil Defence Emergency Management Act 2002 (CDEM Act) requires every Regional Council and Territorial Authority within a region to establish a Civil Defence Emergency Management Group (CDEM Group) and a Joint Standing Committee (“Joint Committee”).

3.5 Section 48 of the CDEM Act states that every CDEM Group must prepare and approve a Civil Defence Emergency Management Group Plan, and Section 17 of the CDEM Act states that every CDEM Group must implement a Group Plan.

3.6 Section 6.8.8 of the Group Plan states, in relation to CDLC delegations:

*“When formally placed in control of an event by the relevant local authority Chief Executive Officer a Controller is accountable for the actions carried out and the expenses incurred, regardless of whether they are using the powers conferred upon by the CDEM Act 2002 or not.*

*Where placed in control of an event, councils must provide Local and Group Controllers with uncapped financial delegations to manage emergency events (as defined in the Act), declared or otherwise, within their area. This delegation should apply to all Tier 1 and 2 Controllers and the specific Tier 3 Controller in the*

*case of a council where they exist. This does not limit the right of a council to impose a lower delegation for business as usual activities. However, to ensure oversight of expenditure during an emergency, each Controller is required, over and above any local finance protocol, to report ongoing total expenditure to the applicable CEO and also, in the case of local controllers, to the Group Controller at predefined increments."*

- 3.7 The CDLC delegations currently state that there is no limitation on expenditure when formally placed in control of an emergency, however there are no specific reporting thresholds.
- 3.8 It is proposed to be amend the delegations to provide clarification that the CDLC has uncapped financial delegations when formally placed in control of an emergency by the Chief Executive, with appropriate reporting thresholds. In addition, the delegations have been clarified to ensure that a Group Controller has uncapped financial delegations, consistent with the Group Plan.
- 3.9 The proposed delegations require the CDLC to report to the Chief Executive and Group Controller every \$250,000 of expenditure incurred for a declared or non-declared emergency to ensure appropriate oversight. The Group Controller is also required to report to the Chief Executive every \$250,000 of expenditure incurred for a declared or non-declared emergency to ensure appropriate oversight. These reporting thresholds are generally consistent around the Waikato Region.
- 3.10 Associated amendments will also be made to the financial delegation matrix for consistency.

## Analysis of Options

- 4.1 There are two reasonably practicable options available to Council, (1) do nothing, or (2) approve the amendments and adopt the Delegations Register v1.3.
- 4.2 The first option, to retain the status quo, will mean that the references in the delegations are incorrect. This introduces risk to the exercise of delegated authority.
- 4.3 The second option is to adopt the Delegations Register v1.3. This option is considered the most appropriate option as it ensures that there is no risk of judicial review due to inaccurate titles in the delegations.

## Considerations

### 5.1 Risk

- 5.2 There are no risks associated with adopting the revised Delegations Register. However, there is a risk of judicial review (challenge to delegated decision making) associated with not adopting the revised Delegations Register.

### 5.3 Consistency with Existing Plans and Policies

- 5.4 The proposed Delegations Register is consistent with Council's existing plans and policies as it simply sets out how the decision making in relation to these will be administered.

## 5.5 Significance and Community Views

- 5.6 The adoption of a revised Delegations Register is not considered to be a significant decision pursuant to Council's Significance and Engagement Policy. The Register simply details in one comprehensive document how certain statutory duties, responsibilities and powers of Council are exercised under delegated authority.

## Recommendation

- 6.1 Council adopt the delegations as set out in the Waitomo District Council Delegations Register v1.3, for the reasons detailed above.

## Suggested Resolutions

- 1 The business paper on Delegations Register - Update be received.
- 2 The delegations to Council Committees, the Chief Executive, and named roles as contained in the proposed Waitomo District Council Delegations Register (Doc No. A432695), pursuant to the Local Government Act 2002, the Local Government (Rating) Act 2002 and the Resource Management Act 1991, be adopted and shall replace and supersede the Delegations Register 1.2 with immediate effect.



TERRENA KELLY  
**GENERAL MANAGER STRATEGY AND ENVIRONMENT**

25 June 2019

Attachment: 1 Waitomo District Council Delegations Register v1.3 (Doc A432695)

# DELEGATIONS REGISTER 2019

Version: 1.3

Last updated by Council: **25<sup>th</sup> June 2019**

Version updated: **25<sup>th</sup> June 2019**

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## How this Delegations Register works

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This Delegations Register is in five parts. The first part contains the Council's Delegations Policy. Parts A to C are subject to the Council's Delegations Policy.

The **Delegations Policy** explains the rules relating to the way in which delegations and sub-delegations apply and operate in the Council.

**Part A** contains delegations by the Council to Committees where applicable. Any Committee, like the Council, must comply with the decision-making requirements set out in part 6 of the Local Government Act 2002.

**Part B** contains the delegation of statutory and other delegations by the Council to the Chief Executive. These include all of the responsibilities, duties and powers imposed on the Council by statute or assumed under bylaws made by the Council, together with delegations in respect of financial management, property transactions, and other matters.

These delegations may be sub-delegated, unless this is expressly excluded in Part B.

**Part C** contains delegations by the Council to officers, in particular under the Local Government (Rating) Act 2002 and the Resource Management Act 1991.

These delegations may not be sub-delegated, unless this is expressly included in Part C.

**Part D** contains the sub-delegation by the Chief Executive to staff, of most of the responsibilities, duties and powers delegated by the Council to the Chief Executive. This is consistent with the principle behind the delegations register, referred to in clause 1.1 of the Delegations Register, which is to delegate decision-making to the lowest competent level. Generally, these sub-delegations may not be further sub-delegated.

There is also a **Financial Delegations Matrix** which is to be read in conjunction with this Delegations Register (Doc No. A85663). The Financial Delegations Matrix details financial delegations made by the Chief Executive to WDC employees in accordance with WDC's Procurement Policy, Delegations Register and Revenue and Financial Policy. This Schedule is "public excluded" to ensure the protection and privacy of individual WDC employees.

### Amendments to this Delegations Register

This Delegations Register is maintained by the **Strategy and Environment Group**, whose staff may amend it to:

- Give effect to any Council resolution with respect to Parts A, B or C:
- Give effect to any written instruction to that effect given by the Chief Executive with respect to Part D:
- Make any typographical or grammatical corrections.

## Delegations Policy

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### 1.0 General Comments

- 1.1 The Council supports the principle of delegating decision-making to the lowest competent level. This makes best use of the abilities of elected members, ensuring the cost-effective use of resources and promoting the development of efficient and effective management. This principle has been applied to the preparation of this Delegations Register.
- 1.2 Unless expressly provided otherwise in the Local Government Act 2002, or in any other Act, the Council is able to, and will, delegate to an officer of the Council any of its responsibilities, duties or powers except the power to:
- Make a rate; or
  - Make a bylaw; or
  - Borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
  - Adopt a long-term plan, annual plan, or annual report; or
  - Appoint a chief executive; or
  - Adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
- 1.3 Council may delegate any of its responsibilities, duties or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by whichever body made the original delegation as well as any statutory limitations. The Council may also delegate to any other local authority, organisation or person the enforcement, inspection, licensing and administration related to the Council's bylaws and other regulatory matters.
- 1.4 To avoid doubt, no delegation relieves the body or person making the delegation of the liability or legal responsibility to perform or ensure performance of the function or duty being delegated. The Council may have the power to delegate under enactments other than the Local Government Act 2002.
- 1.5 Any delegation made includes any ancillary responsibilities, duties or powers necessary to give effect to that delegation.
- 1.6 Unless specifically time-limited, a delegation will continue in force until specifically revoked, or varied by the delegator or the Council. A delegation may be implicitly revoked if a committee is discharged. Refer clause 30(7) of Schedule 7 of the Local Government Act 2002.
- 1.7 Unless a valid delegation in respect of a matter has been made and included in the Delegations Register or there is a statutory provision which confers a matter directly on the Chief Executive or an officer, any decision required in respect of that matter can only be made by the Council at an ordinary or extraordinary meeting.

## **2.0 Committees, Subcommittees, other Subordinate Decision-Making Bodies and Joint Committees**

- 2.1 The Council may appoint the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate. It may also appoint a joint committee with another local authority or other public body.
- 2.2 Any of the Council's responsibilities, duties or powers other than those referred to in clause 1.2 above may be delegated (where they exist) to a committee, subcommittee or other subordinate decision-making body.
- 2.3 A committee or other subordinate decision-making body may appoint the subcommittees that it considers appropriate unless the Council prohibits it from doing so.
- 2.4 Committees or other subordinate decision-making bodies are subject in all things to the control of the Council. They must carry out all general and special directions of the Council given in relation to them. Subcommittees are subject in the same way to the committees that appointed them.
- 2.5 The Council or a committee is not entitled to rescind or amend a decision made under a delegation authorising the making of a decision by a committee, a subcommittee, or another sub-ordinate decision-making body.
- 2.6 All such bodies are, unless the Council resolves otherwise, deemed to be discharged on the coming into office of elected members at the next triennial election next after the committees, subcommittees, or other sub-ordinate bodies were appointed. Unless such a resolution is made, delegated powers may lapse by operation of this provision.
- 2.7 Committees or other subordinate decision-making bodies, may delegate any of their responsibilities, duties or powers (other than those referred to in clause 1.2) to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the Council or by the committee or body or person that made the original delegation.
- 2.8 These entities may, without confirmation by the Council or committee or body that made the delegation, exercise those delegations in the same way as the Council could have done.

## **3.0 Chief Executive**

- 3.1 The Waitomo District Council is a local authority under the Local Government Act 2002. Elected members and the Mayor make up the Council's governing body, which is responsible and democratically accountable for decision-making.
- 3.2 The governing body appoints only one employee, the Chief Executive. He or she negotiates the terms of employment and employs all Council staff. The Chief Executive is the Council's Principal Administrative Officer.
- 3.3 The Chief Executive is responsible for implementing the decisions of the Council and ensuring that all responsibilities, duties and powers delegated to him or her, or to any person employed by the Council, are properly performed or exercised. This includes those imposed or conferred by an Act, regulation or bylaw.

3.4 The Chief Executive may delegate to any other officer of the Council any of his or her powers under the Act, or any other statute, except the power to delegate or any power that is subject to a prohibition on delegation. Further sub-delegations are not permitted under the Local Government Act 2002.

#### 4.0 Member and Officer Delegations

4.1 For the purpose of this Policy:

**"officer"** means a named person, or the person who is for the time being the holder of a specified office

**"member"** means a member of the governing body of the Council, including the Mayor.

4.2 The Council may delegate to a member or officer of the Council any of its responsibilities, duties or powers other than those referred to in clause 1.2. Such delegations may be further delegated to another person, subject to any conditions, limitations, or prohibitions imposed by the Council or by the committee, body or person that made the original delegation.

4.3 An officer may delegate to another officer of the Council any of his or her powers delegated by the Council to that officer, except:

- the power to delegate; or
- any power delegated to the officer that is subject to a prohibition on delegation; or
- any power under an enactment where the enactment expressly prohibits the delegation of the power.

4.4 Effectively, this means that only one sub-delegation is permitted.

4.5 An officer to whom any responsibilities, duties or powers are delegated may exercise them in the same way and with the same effect as the delegating officer could have done.

4.6 If not specified in the Delegations Register, and subject to any legislative limitations, delegations to an officer holding a named position may be exercised by all officers in a direct line of authority above that officer. This applies also to any officer who performs or exercises the same or a substantially similar role or function, whatever the name of his or her position.

4.7 A delegated authority must be exercised in accordance with all relevant Council policies and conditions, such as financial limits and process and reporting requirements.

4.8 Where an officer is in a position in an acting capacity, the officer may exercise the delegations applying to that position. However, the officer should state that he or she is exercising the delegation in an acting capacity.

4.9 Where there is any ambiguity between the wording of a legislative function and the delegation of that function to an officer, the wording of the legislation will prevail. A delegation made under legislation that is subsequently repealed will be read as a delegation made, with or without modification, under any replacement or corresponding legislation.



- 4.10 Responsibilities, duties or powers under the Resource Management Act 1991 and the Local Government (Rating) Act 2002 delegated by the Council to officers, including the chief executive, or to commissioners, may not be sub-delegated.
- 4.11 The delegation of a responsibility, duty or power is the granting of authority to exercise that responsibility, duty or power, not a compulsion to do so (either at all or in a particular case). Whether or not to exercise a delegated authority may depend on the circumstances of a particular matter or the job description of the officer concerned.
- 4.12 Each Part of the Delegations Register will specify whether the delegations can be exercised severally (i.e. the delegation can be exercised by the officer acting alone) or whether they must be exercised jointly (i.e. two or more officers acting together).

## **Part A – Delegations to Committees, Community Boards, Subcommittees etc.**

The Council delegates, where applicable, to Committees, Community Boards, Subcommittees, Council Hearings Panels or other sub-ordinate decision-making bodies, the responsibilities, duties, and powers as set out in this Part.

These powers may be sub-delegated unless this is expressly excluded as set out in this Part.

All delegations are made severally unless specified otherwise.

Note: The Register contains reference to the Tenders Subcommittee. This is not a Committee of Council but is a committee of the Senior Management Team which considers and determines Council procurement.

### **Sub-Part 1 – Council Committees**

#### **Audit and Risk Committee**

Delegated the authority to:

1. Receive and consider external and internal audit reports.
2. Receive and consider staff reports on audit, internal control and risk management related matters.
3. Make recommendations to the Council on financial, internal control and risk management policy and procedure matters as appropriate.
4. To recommend approval of the Auditors engagement and arrangements letters.

#### **District Licensing Committee**

Council's District Licensing Committee is also a standing committee of Council and has specific powers, functions and duties pursuant to the Sale and Supply of Alcohol Act 2012.

## Part B – Statutory and Other Delegations to the Chief Executive

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For the purpose of performing his or her duties, the Council delegates to the Chief Executive all of its responsibilities, duties and powers to act on any matter, subject to the restrictions set out in the tables in this Part.

Note: these delegations expressly exclude any power, responsibility or duty that has already been delegated to a Committee or other subordinate decision-making body (where relevant).

The Chief Executive may sub-delegate any of these responsibilities, duties, or powers (including to a deputy to act if the Chief Executive is absent or not available) unless this is expressly excluded as set out in the tables in this Part.

### Sub-Part 1 – Legislative Delegations

#### 1. Animal Welfare Act 1999

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act <b>except</b> the power to nominate a member of an animal ethics committee under section 101.	

#### 2. Arts Council of New Zealand Toi Aotearoa Act 2014

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act <b>except</b> – (a) the allocation of funds to community arts projects; (b) consenting to a representative of the local authority to be a member of the community arts council under section 18(2); (c) making a grant under section 18(2)(b).	

#### 3. Biosecurity Act 1993 and any regulations made under that Act

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act and regulations made under this Act <b>except</b> - (a) the power to set and assess rates as referred to in section 14; (b) the power to transfer the performance of an operation under this Act to another local authority.	

#### 4. Births, Deaths, Marriages, and Relationships Registration Act 1995

Delegation	Date Amended
The power under section 75E to request the Registrar-General to provide a copy of all entries made in the access register in relation to any person.	

#### 5. Building Act 2004 and any regulations made under that Act

Delegation	Date Amended
<p>All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant authorised and/or enforcement officers) and regulations made under this Act <b>except -</b></p> <ul style="list-style-type: none"> <li>(a) Its power under section 213 to make arrangements for any other building consent authority to perform the Council's functions of a building consent authority.</li> <li>(b) Its power under sections 219(1)(a) and 281A to set any fee or charge in relation to a building consent and for the performance of any other function or service under the Act.</li> <li>(c) Its powers under sections 233 to 236 to transfer any of its functions, duties or powers under the Act to another territorial authority.</li> <li>(d) Its power under sections 233 to 236 to agree to undertake any function, duty or power of any other territorial authority under the Act.</li> </ul>	

#### 6. Building Research Levy Act 1969

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

#### 7. Burial and Cremation Act 1964 and any regulations made under that Act

Delegation	Date Amended
<p>All of its responsibilities, duties and powers under this Act and regulations made under this Act <b>except -</b></p> <ul style="list-style-type: none"> <li>(a) naming of cemeteries under section 7:</li> <li>(b) making of bylaws under section 16:</li> <li>(c) erecting a crematorium under sections 38 and 39.</li> <li>(d) making of bylaws under section 40</li> </ul>	

**8. Civil Defence Emergency Management Act 2002**

Delegation	Date Amended
To perform functions and powers of the Council as a member of the Civil Defence Emergency Management Group in accordance with section 17 and 18.	
All the duties of a local authority under section 64.	

**9. Criminal Procedure Act 2011 and regulations made under that Act**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act and regulations made under this Act.	

**10. Dog Control Act 1996 and any regulations made under that Act**

Delegation	Date Amended
<p>All of its responsibilities, duties, and powers under this Act (including authority to appoint and warrant dog control officers and rangers) and regulations made under this Act <b>except –</b></p> <ul style="list-style-type: none"> <li>(a) making grants under section 6(2)(b):</li> <li>(b) appointing a joint committee under section 7:</li> <li>(c) adopting a dog control policy under section 10, and reviewing the dog control policy under section 10AA:</li> <li><del>(d) entering into a written agreement under section 16(2) with another territorial authority in respect of dog control services:</del></li> <li>(d) making dog control bylaws under section 20:</li> <li>(e) hearing and determining an objection to a probationary owner classification under section 22:</li> <li>(f) terminating a probationary owner classification under section 23:</li> <li>(g) hearing and determining an objection to a disqualified owner classification under section 26:</li> <li>(h) hearing and determining an objection to a dangerous dog classification under section 31:</li> <li>(i) determining an objection to a menacing dog classification under sections 33B or 33D:</li> <li>(j) setting dog control fees under section 37:</li> <li>(k) hearing and determining an objection to a barking dog notice under section 55:</li> <li><del>(l) entering into an agreement with another territorial authority for the provision of pound facilities under section 67:</del></li> <li>(l) setting pound fees under section 68.</li> </ul>	

**11. Electricity Act 1992**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

**12. Fencing Act 1978**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

**13. Food Act 2014 and regulations made under that Act**

Delegation	Date Amended
All of its responsibilities, duties, functions and powers under this Act, and these regulations, <b>except</b> – <ul style="list-style-type: none"> <li>(a) the decision to combine with 1 or more territorial authorities for the purpose of performing the function of a registration authority under section 173(2) :</li> <li>(b) transferring the Council's functions, duties, and powers under section 176:</li> <li>(c) transferring the Council's functions, duties, and powers under section 179:</li> <li>(d) changing or revoking a transfer under section 182</li> <li>(e) setting fees under section 205.</li> </ul>	

**14. Food Hygiene Regulations 1974**

Delegation	Date Amended
All of its responsibilities, duties, and powers under these regulations <b>except</b> the hearing of submissions or objections.	

**15. Freedom Camping Act 2011**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act <b>except</b> – <ul style="list-style-type: none"> <li>(a) making bylaws under section 11; and</li> <li>(b) reviewing bylaws under section 13.</li> </ul>	

**16. Gambling Act 2003**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except adopting a policy on class 4 venues under sections 101 and 102, or granting a consent under s 100 otherwise than in accordance with Council's policy on class 4 venues.	

**17. Gas Act 1992**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

**18. Government Roothing Powers Act 1989**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act <b>except</b> – (a) consenting to a delegation made by the New Zealand Transport Agency under section 62(1): (b) surrendering delegated powers and duties under section 63: (c) requests to New Zealand Transport Agency under section 81 in respect of motorways.	

**19. Hazardous Substances and New Organisms Act 1996 and any regulations made under this Act**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

**20. Health Act 1956 and any regulations made under this Act (including without limitation the Camping-Grounds Regulations 1985, the Health (Registration of Premises) Regulations 1966, the Health (Hairdressers) Regulations 1980, the Health (Burial) Regulations 1946))**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act (including authority to appoint and warrant environmental health officers) and regulations made under this Act <b>except</b> - (a) borrowing money under section 27 otherwise than in accordance with the LTP: (b) making bylaws under section 64: (c) the powers and functions under the Housing Improvement Regulations 1947 that may not be delegated as set out in regulation 22: (d) setting fees under regulation 13 of the Health (Burial) Regulations 1946: (e) setting fees under regulation 7 of the Health (Registration of Premises) Regulations 1966.	

**21. Health and Safety at Work Act 2015**

Delegation	Date Amended
All of its responsibilities, duties and powers under this Act, of a person conducting a business or undertaking (PCBU) on behalf of Council, including the authority to appoint and warrant authorised Health and Safety Officers.	

**22. Heritage New Zealand Pouhere Taonga Act 2014**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act <b>except-</b> (a) making contributions to funds of Heritage New Zealand Pouhere Taonga under section 97: (b) transferring land to Heritage New Zealand Pouhere Taonga under section 98:	

**23. Housing Improvement Regulations 1947**

<b>Part</b>	<b>Delegation</b>	<b>Date Amended</b>
1	To determine the minimum standards of fitness for houses where required under the provisions of Part 1.	

**24. Impounding Act 1955 and any regulations made under that Act**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act (including authority to appoint and warrant pound keepers and rangers), and these regulations, <b>except-</b> (a) setting poundage fees and sustenance charges under section 14: (b) declaring, under section 34, that section 33 does not apply to a specified road in the district.	

**25. Land Drainage Act 1908**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act <b>except</b> the power to subdivide drainage districts under section 16.	

**26. Land Transport Act 1998, and any rules and regulations made under that Act (including without limitation the Heavy Motor Vehicle Regulations 1974) Land Transport Rule: Vehicle Dimensions and Mass 2002 and Land Transport Rule: Setting Speed Limits 2017)**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant parking wardens), and regulations and rules made under this Act except – (a) making bylaws under sections 22AB to 22AD: (b) making bylaws setting speed limits and designating urban traffic areas under the Land Transport Rule: Setting of Speed Limits 2017.	



**27. Land Transport Management Act 2003**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act <b>except</b> – (a) making submissions when consulted on the regional land transport programme under section 18: (b) making submissions when consulted on the declaration of state highways or the revocation of a declaration under section 103: (c) appointing a person to represent the Council on the regional transport committee under section 105.	

**28. Litter Act 1979**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant litter control officers and wardens) <b>except</b> - (a) hearing objections under section 10: (b) making grants under section 11: (c) making bylaws under section 12: (d) adopting an infringement notice under section 13.	

**29. Local Government Act 1974**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act <b>except</b> – (a) vesting property in a road in the New Zealand Transport Agency under section 316: (b) declaring a specified road or part of a specified road to be a pedestrian mall under section 336 and revoking any such declaration: (c) making bylaws under section 344(9) relating to swing gates and cattle stops under that section: (d) declaring a limited access road under section 346 and 346(A): (e) declaring land to be single parcels of land under section 346D: (f) declaring any private road or right of way to be a public road under section 349: (g) granting consent under section 354 in relation to a cellar or other excavation: (h) establishing toll gates and collecting tolls under section 361: (i) declaring a private drain to be a public drain under section 462: (j) making bylaws under section 517 relating to land drainage works.	

**30. Local Government Act 2002**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant enforcement officers) <b>except</b> -	

Delegation	Date Amended
(a) those set out in clause 32(1)(a) to (h) of Schedule 7: (b) exempting a small organisation under section 7: (c) entering into a triennial agreement under section 15: (d) transferring responsibilities under section 17: (e) reviewing the delivery of services under section 17A: (f) establishing a community board under section 49: (g) establishing a council controlled organisation under section 56: (h) appointing directors to council organisations under section 57: (i) agreeing to any statement of intent of a council organisation under Schedule 8: (j) adopting assessments of water and other sanitary services under section 125: (k) prescribing fees under section 150: (l) making determinations under section 155: (m) reviewing a bylaw under section 160: (n) transferring a bylaw-making power under section 161: (o) appointing a member under section 249(2): (p) making a reorganisation proposal under clause 3 of Schedule 3.	

### 31. Local Government Official Information and Meetings Act 1987

Delegation	Date Amended
As set out in section 42, all of its powers under Parts 2 to 5 of this Act except any power specified in section 32. Under section 43(1), the Chief Executive is specifically authorised to sub-delegate all or any of these powers.	

### 32. Local Government (Rating) Act 2002

Delegation	Date Amended
To authorise the register of a notice of charge under section 90 in relation to postponed rates. This power may not be sub-delegated.	

### 33. New Zealand Library Association Act 1939

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

### 34. Ombudsmen Act 1975

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

**35. Plumbers, Gasfitters, and Drainlayers Act 2006**

Delegation	Date Amended
All of its powers under section 91.	

**36. Postal Services Act 1998**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

**37. Privacy Act 1993**

Delegation	Date Amended
As set out in section 124, all of its responsibilities, duties and powers under this Act. Under section 125, the Chief Executive is specifically authorised to sub-delegate all or any of these powers.	

**38. Property Law Act 2007**

Delegation	Date Amended
All of its responsibilities, duties and powers under this Act.	

**39. Protected Disclosures Act 2000**

Delegation	Date Amended
All of its responsibilities, duties and powers under this Act subject to compliance with Council's Protected Disclosures (Whistleblowers) Policy, <b>except</b> adopting internal procedures under section 11, to be exercised in accordance with the Policy.	

**40. Public Records Act 2005**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

**41. Public Works Act 1981**

Delegation	Date amended
All of its responsibilities, duties and powers under this Act.	

**42. Racing Act 2003**

Delegation	Date Amended
The power to consider and determine an application for a Board venue consent under section 65C of this Act in accordance with the Council's Board Policy on Gambling Venues (incorporating board venues)	

**43. Rates Rebate Act 1973**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

**44. Rating Valuations Act 1998 and any regulations made under this Act**

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act and regulations.	

**45. Residential Tenancies Act 1986**

Delegation	Date Amended
The responsibilities, duties, and powers under this Act <del>in relation to Council's pensioner housing portfolio.</del>	

**46. Reserves Act 1977**

Delegation	Date Amended
All of the responsibilities duties and powers under this Act (including to appoint rangers in respect of any reserve for which the Council is an administering body pursuant to s 8).	

**47. Sale and Supply of Alcohol Act 2012 and any regulations made under this Act**

Delegation	Date Amended
Council's responsibilities, duties, and powers under this Act and regulations made under this Act, except the power to adopt a Local Alcohol Policy, make any Liquor Control Bylaw and set fees.	
The Council's general authority to delegate to any person any of the Chief Executive's functions, powers and duties under the Sale and Supply of Alcohol Act 2012, including the function of Secretary pursuant to section 198.	
The power to appoint and warrant licensing inspectors and under section 197 (5) to appoint a chief licensing inspector.	

**48. Statutory Land Charges Registration Act 1928**

<b>Delegation</b>	<b>Date Amended</b>
The power under section 6(3) to sign a notice of a statutory land charge.	
The power under section 7(2) to sign a certificate releasing a statutory land charge.	

**49. Summary Proceedings Act 1957 and any regulations made under this Act.**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act and regulations made under this Act.	

**50. Telecommunications Act 2001**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act.	

**51. Trespass Act 1980**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act. The Chief Executive is the person in lawful occupation of land owned, occupied or controlled by the Council.	

**52. Unit Titles Act 2010**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act.	

**53. Utilities Access Act 2010**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act.	

**54. Walking Access Act 2008**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act <b>except -</b> (a) the decision to give written consent as an administering authority under section 21: (b) the decision to agree to be a controlling authority (or not as the case may be) under section 36: (c) setting and imposing charges under section 37: (d) the decision to agree with the Commission's decision or to evoke a walkway: (e) making bylaws under section 68.	

**55. Waste Minimisation Act 2008**

<b>Delegation</b>	<b>Date Amended</b>
All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant enforcement officers) <b>except –</b> (a) making decisions under section 32 with respect to the spending of the levy: (b) adopting a waste management and minimisation plan under section 43: (c) setting fees in accordance with section 46: (d) making grants under section 47: (e) reviewing the waste management and minimisation plan under section 50: (f) making bylaws under section 56: (g) reviewing bylaws under section 58.	

## Sub-Part 2 – Bylaws

### 1. Public Amenities Bylaw 2010 (reviewed 2015)

Delegation	Date Amended
All of its powers under this Bylaw.	

### 2. Waitomo District Dog Control Bylaw 2015

Delegation	Date Amended
All of its powers under this Bylaw <b>except</b> the setting of an application fee under clause 14	

### 3. Public Places Bylaw 2009 (reviewed 2014)

Delegation	Date Amended
All of its powers under this Bylaw <b>except</b> setting of fees under clause 10.1.	

### 4. Public Amenities Bylaw 2010 (reviewed 2015)

Delegation	Date Amended
All of its powers under this Bylaw <b>except</b> the setting of fees under section 1.2.	

### 5. Solid Waste Bylaw 2009 (reviewed 2014)

Delegation	Date Amended
All of its powers under this Bylaw <b>except</b> setting of fees under section 5 and the prohibitions under clause 6.9.1 and 7.3.1	

### 6. Land Transport Bylaw 2015

Delegation	Date Amended
All of its powers under this Bylaw <b>except</b> the powers set out in clauses 6.9.4, 6.10.2, 6.16.1, 6.17.1, 6.18.1, 6.19.1 (listed as 6.17.1 under clause 6.19), 7.7, and 9.1.5, only as they relate to matters being fixed by resolution of Council.	

### 7. Trade Waste Bylaw 2006 (amended 2016)

Delegation	Date Amended
All of its powers under this Bylaw <b>except</b> the setting of charges under Schedule 1E.	

### 8. Water Services Bylaw 2015

Delegation	Date Amended
All of its powers under this Bylaw <b>except</b> the powers set out in clause 6.2.2, 6.2.3, 7.3.1, 12.6.1, 12.8.1, 12.9.7, and 24.1 only as they relate to matters being fixed by resolution of Council.	

### 9. Bylaws Generally

Delegation	Date Amended
Its powers to appoint authorised officers for the purposes of performing duties under any of the Council's bylaws.	
Its powers to institute any enforcement action, including a prosecution for an offence against any of the Council's Bylaws, or bringing injunction proceedings, together with a power to make any decision pertaining to such enforcement or prosecution or injunction proceedings.	
Its powers to take enforcement action against any person who breaches any such injunction and to make any decision on any matter relating to any such action.	
No powers to set fees and charges under any bylaw.	



## Sub-Part 3 – Operational Delegations

### 1. Finance and Insurance

Financial Delegations	Limitations	Date Amended
Authority to approve either capital or operational expenditure and to authorise the commencement of authorised works/services, including for any multi-year contracts, which have been budgeted for in Council's Long Term Plan and/or Annual Plan.	Conditional on: <ul style="list-style-type: none"> <li>▪ The expenditure is for authorised works or services for which provision has been made in Council's approved budget</li> <li>▪ Compliance with procedures identified in any relevant financial authority manual or policy (such as Council's Procurement policy and manual) in relation to each transaction</li> <li>▪ With regard to the acquisition and disposal of assets, the transaction being aligned with the 10 Year Plan</li> <li>▪ Financial transactions should not be subdivided to avoid the financial delegation limit or a contestable process</li> <li>▪ A summary report on the exercise of this delegation for procurement shall be submitted to the next available meeting of the Audit and Risk Committee.</li> </ul>	
Transferring budgets - authority to approve budget changes for the transfer of budgets (capital or operational) between or within an Activity.	Requires approval of the Tenders Subcommittee.	
Authority, in conjunction with any one of the Group Managers to authorise and approve any expenditure in an Emergency.	In accordance with Council's Procurement Policy.	
Authority to approve expenditure when a civil defence emergency event occurs, declared or otherwise.	In accordance with section 6.8.8 of the Waikato Region Emergency Management Group – Group Plan 2016-2021.	
To open, to operate and to close the Council's bank accounts	In conjunction with the Group Manager – Corporate Services and Finance Manager.	
Authority to negotiate borrowing.	In accordance with current Council's current Treasury Policy.	
Authority to agree on a 'compromise accommodation' with debtors.		
Authority to accept assets gifted to Council.		
Authority to negotiate the annual plan NZ Transport Agency programme and its funding with Land Transport NZ and submit monthly and annual claims against the accepted Land Transport Programme.		
Authority to invest Council funds in any manner	Subject to compliance with Council's Treasury Policy.	

Financial Delegations	Limitations	Date Amended
Authority to manage debt, interest rates, foreign exchange and cash	Subject to compliance with Council's Treasury Policy.	
Authority to establish procedures to carry out Council's financial policies and any enforcement thereof.		
S 101 Local Government Act 2002 Authority to carry out and undertake all the Council's functions, powers and duties to manage revenue, expenses, assets and liabilities, investments and general financial dealings prudently and in a manner that promotes the current and future interest of the community.	Subject to compliance with Council's financial policies.	
Authority to approve any taxation payments to the Inland Revenue Department and any loan interest payments to lenders, even if such payments are in excess of the normal financial delegation for the position.		
To certify and authorise the payment of progress payments in relation to contracts entered into by the Council, within the limit of the financial delegation to the position.		
To write off unrecoverable debts or in any one case.		
Power to act as a representative of Council and authority to act on behalf of Council with respect to the scope of the Insurance Advisory Group, which is to manage the procurement of insurance for all or any of the local authorities.		
Authority to execute insurance declarations on behalf of Council, subject to the limits of the financial delegation to the position		
Authority to negotiate contracts with Council's insurers and approve claims		

## 2. Contracts

Delegation	Limitations	Date Amended
To sign on Council's behalf contracts or letters of acceptance for the purposes of creating a contract where it has been resolved by the Tenders Subcommittee to accept any tender or quotation or is within the financial delegation to the position.	<ul style="list-style-type: none"> <li>▪ For authorised works for which provision has been made in the approved budget</li> <li>▪ Compliance with procedures identified in any relevant financial authority manual or policy (such as Council Procurement policy) in relation to each transaction;</li> <li>▪ Subject to within financial delegation to the position or with the authority of the Tenders Subcommittee.</li> <li>▪ A report on the exercise of this delegation for contracts <b>FIVE HUNDRED THOUSAND DOLLARS</b></li> </ul>	

Delegation	Limitations	Date Amended
	<b>(\$500,000)</b> or more shall be submitted to the next available meeting of the Council	
To carry out or authorise the carrying out of any works or other expenditure considered necessary to be undertaken by the Principal pursuant to the Conditions of Contract.	As above.	
To make any decision, election or determination as Principal in relation to any contract entered in to between the Council and any third party.	As above.	
The power of appointment in respect of the role of "Engineer" under NZS 3910, 3915, 3916 and 3917 Contracts, to appoint a suitably qualified external contractor to act in the role of "Engineer to Contract" in any of those contracts. The appointed "Engineer to Contract" may be permitted to appoint a suitably qualified Council employee or external contractor to act as "Engineer's Representative" to exercise any of the powers invested in the Engineer.		

### 3. Interim Powers

Delegation	Date Amended
In relation to matters arising at the end of the term of the Council, from the day of the declaration of results of the triennial general election until the first meeting of the Council, to make decisions on behalf of the Council, in respect of urgent matters arising during this time: <ul style="list-style-type: none"> <li>▪ in consultation with the General Manager - Infrastructure Services in respect of tenders and contracts with delegated powers up to <b>FIVE HUNDRED THOUSAND DOLLARS (\$500,000)</b> in accordance with an approved budget;</li> <li>▪ in consultation with the General Manager Strategy and Environment in respect of Liquor Licensing and Regulatory matters;</li> <li>▪ in consultation with the incoming Mayor, as may be appropriate in respect of other matters.</li> </ul> Any decision made is to be reported to the first ordinary meeting of the incoming Council.	
In relation to matters arising during the Christmas recess, from the third week in December until the third week in January, the authority to make decisions (including entering in to any contract or authorising any expenditure) on behalf of the Council, in respect of urgent matters arising at this time, in consultation the Mayor, or if the Mayor is not available the Deputy Mayor with any such decision made to be reported to the first ordinary meeting of the Council in the New Year.	
In relation to matters arising during the Christmas recess, from the third week in December until the end of January, the authority to make decisions and execute documents (including entering into any contract or authorising any expenditure) on behalf of the Council, in respect of urgent matters arising at this time, in consultation with the Mayor, or if the Mayor is not available, the Deputy Mayor with any such decision made to be reported to the first ordinary meeting of the Council in the New Year.	

### 4. Property

Delegation	Date Amended
In respect of interests in land, including reserves vested in Council or for which Council is the administering body, to agree to variations to the price of any property which Council has resolved to purchase or sell provided that such variation does not exceed 10% of the amount determined by independent valuation and is reported to the next available meeting of the Council.	
To negotiate and tender land for lease with third parties for a period not exceeding 10 years.	
To negotiate a renewal of a Council lease where the lessee/tenant has abided by all the obligations and conditions.	
<b>To negotiate, enter into or terminate a tenancy pursuant to the Residential Tenancy Act 1986</b>	
To authorise the suspension of rental payments for a maximum of three months where the term of the lease is for a minimum period of six months.	
To negotiate rent-free grazing leases on Council land but only if the costs of holding the property exceeds the potential return.	
To initiate and resolve rental and/or outgoing arrears if the arrears have been outstanding for over 2 months.	
To terminate a lease for non-payment of rent or breach of lease condition and if necessary initiate legal proceedings in the Court, (including arbitration) for recovery of the arrears or termination of the lease and repossession of the property.	
To undertake rent reviews in accordance with a lease which may include the instructing of a valuer, together with negotiating new rent.	
To approve or decline the sub-leasing of Council property; together with the authority to approve or decline a sub-leasing arrangement that varies from the head-lease.	
To approve or decline assignment of leases.	
To approve or decline alterations to lessee/tenant owned buildings where the alterations may impact on Council owned land.	
To approve or decline a lessee/tenant's request for alterations to Council owned buildings.	
To terminate a grazing lease if the Council owned land is required for the purpose of Council activities.	
To terminate a lease in consultation with the existing lessee/tenant.	
Authority and power to act on Council's behalf as a landlord for the purposes of entering leased/tenanted land and buildings to carry out the landlord's rights and obligations under the lease.	
To negotiate sale and purchase agreements, subject to Council's approval, and to instruct all professionals which may be necessary to effect the purchase and sale process.	
To apply for any resource consent in relation to Council owned land or with respect to activities proposed to be undertaken by Council together with the authority to sign land transfer title plans for subdivisions approved by Council.	
Authority to collect revenue and file annual returns with respect to mining licenses.	
Authority to approve the registration of a caveat on land not owned by Council pursuant to Part 8 of the Land Transfer Act 1952.	
To enter into contracts, and execution of the same, for the use and management of Council facilities and land together with the authority to renew such agreements.	
To apply for a building consent for work to be undertaken on Council property.	

## 5. Executing Documents

Delegations	Limitations	Date Amended
For all deeds to be executed by Council under the Property Law Act 2007, to be signed (and under Council Seal if required) by the Chief Executive.		
<p>Subject to the delegation above, to sign on behalf of the Council all documents relating to interests in land, including reserves vested in Council or for which Council is the administering body and which include:</p> <ul style="list-style-type: none"> <li>▪ Tenancies, leases and licences up to a 5 year term and renewals of leases where the original grant of lease contained a right of renewal</li> <li>▪ Easements and similar rights</li> <li>▪ Caveats and encumbrances</li> <li>▪ Discharges or partial discharges of mortgages granted by Council</li> <li>▪ Subdivision whether of Council owned property or in connection with resource consents granted by Council</li> <li>▪ Options to purchase (but not the exercise of any option)</li> </ul>	<p>Provided that in each case such documents:</p> <ul style="list-style-type: none"> <li>▪ include terms and provisions customary to such documents;</li> <li>▪ reflect and include specific provisions including price as resolved by Council or a Council committee</li> <li>▪ adequately protect Council.</li> </ul> <p>A report on any document signed under this authority (other than with the authority of a Council) shall be submitted to the next available meeting of the Council.</p>	
To sign agreements to variations to the price of any property which Council has resolved to purchase or sell	Such variation must not exceed 10% of the amount resolved by Council and must be reported to the next available meeting of Council.	
Authority to sign documents on behalf of Council for the removal of limitations on titles as the owner of the land for which the limitation applies or owner of land adjoining.		
<p>Authority and Instruction forms</p> <p>To sign on behalf of Council all necessary 'Authority and Instruction' forms as required from time to time:</p> <p>(a) to authorise and instruct solicitors acting for Council to undertake land conveyancing transactions electronically by e-dealing on behalf of the Council on the Land Information NZ Internet based land registry system known as 'Landonline'; and</p> <p>(b) to comply with the requirements of s 164A of the Land Transfer Act 1952 and Rule 3.03 of the NZ Law Society's Rules of Professional Conduct</p>		
Signing of documents other than those relating to contracts or interests in land	<ul style="list-style-type: none"> <li>▪ Documents which have been authorised by Council or a Council committee resolution</li> <li>▪ Documents include terms and provisions customary to such documents</li> <li>▪ Reflect and include specific provisions including price as per the resolution</li> <li>▪ Adequately protect Council</li> </ul>	

Delegations	Limitations	Date Amended
To apply the Council Seal on any document which requires the Council Seal and which the Chief Executive is authorised to sign under this delegation	In accordance with Council's Policy on the Use of the Council Seal.	

## 6. Litigation and claims

Date Amended	Date Amended
To authorise the taking or defending of proceedings in the Council's name in any Court or Tribunal (except for proceedings for rating sale pursuant to the Local Government (Rating) Act 2002 which shall require a prior resolution of the Council)). If this authority is exercised to take or defend any proceedings of any sort in the High Court, Environment Court, or any appeal court, then a report of such proceedings shall be delivered to Council at the next available Council meeting.	
To authorise the undertaking of any prosecution proceedings in the name of the Council or by any Council employee for breach of any Act, Regulation or Waitomo District Council Bylaw or the Waitomo District Plan.	
Authority to resolve resource management appeals through Environment Court mediation processes with the proviso that in exercising this authority, consultation should be undertaken with the Mayor and a report of such resolution to be provided to the Council at its next available meeting.	
Authority to take all steps necessary to enforce any Court judgement in favour of the Council.	
Authority to exercise all power available to Council for the recovery of debt, other than rates, owed to the Council. Any legal proceedings commenced to recover any outstanding debt shall be reported to Council.	
Authority to manage potential and actual legal claims (including judicial review, injunction and disputes proceedings) and settle claims for amounts up to the excess in relation to Council's insurance cover, including signing any Settlement Agreement.	
<p>In relation to any claims or proceedings, includes all ancillary authority necessary to give effect to the delegation, including authority to:</p> <ul style="list-style-type: none"> <li>▪ Notify Council's insurer</li> <li>▪ Instruct external legal counsel to represent Council</li> <li>▪ Authority to engage professional or technical services in relation to the management of any such claim or proceedings</li> <li>▪ Accept service of documents</li> <li>▪ Defend the claim in any New Zealand Court or Tribunal</li> <li>▪ Deal with any interlocutory matter (including any matters relating to discovery)</li> <li>▪ Give and request any person to give sworn evidence</li> <li>▪ Apply for a witness to be summonsed</li> <li>▪ Appear on behalf of Council at the proceedings</li> <li>▪ Authorise another person to represent the Council at the proceedings</li> <li>▪ Submit the claim to alternate dispute resolution (including mediation and arbitration), including authority to sign any pre-mediation agreement</li> <li>▪ Sign any documents in respect of the above</li> </ul>	

Date Amended	Date Amended
<ul style="list-style-type: none"> <li>▪ Agree to provision or give security for costs (within the limits of any financial delegation)</li> </ul> <p>To delegate to any Council employee the authority to take all steps and do all things which may be necessary in connection with the taking or defending of proceedings on behalf of the Council, either civil or criminal, or of any other sort, or to appear on behalf of the Council in any Court or Tribunal.</p>	

**7. Media**

Delegation	Date Amended
Authority to liaise with the media on all matters relating to the activities managed by the position.	

**8. HR**

Delegation	Date Amended
To assist with the day to day operation of the Council, authority to recruit, employ and discipline staff who report to the position holder, in accordance with Council's Human Resources policies and procedures.	
Authority to authorise and grant annual leave, domestic leave, leave in advance, special leave, and sick leave for staff who report to the position holder in accordance with Council's Human Resources policies and procedures.	
Authority to delegate these powers to staff.	

**9. General**

Delegation	Date Amended

## **Part C – Statutory and Other Delegations to Officers etc**

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The Council delegates to the persons who hold the positions as set out below, the following responsibilities, duties, and powers as set out in the tables in this Part.

Note: Unless otherwise specified, these delegations exclude any power, responsibility or duty that has been delegated to a Community Board, Committee, Subcommittee or other sub-ordinate decision-making body.

These powers may only be sub-delegated if it is expressly provided for in the tables in this Part.

All delegations are made severally unless specified otherwise (i.e. the delegation can be exercised by the officer acting alone).



## Sub-Part 1 – Legislative Delegations

### 1. Local Government (Rating) Act 2002

Delegate's position title	Abbreviation
Group Manager – Business Support	GMBS
Finance Manager	FM
Rates Officer	RO
Debt Management Officer	DMO

\* Any two of the delegates to act jointly in all cases

Section	Delegation	GMBS	FM	RO	DMO
15	To determine a separately used or inhabited part of a rating unit.	✓	✓	✓	✓
20	To determine whether 2 or more rating units are to be treated as 1 rating unit.	✓	✓	✓	✓
27	To keep and maintain the rating information database and to make decisions about the recognition of a rating unit in the rating information database.	✓	✓	✓	✓
27 (s 7-9, 22, Schedules 1 and 2)	To determine the non-rateable status of a rating unit.	✓	✓	✓	
27(4)	To make decisions with respect to determining <ul style="list-style-type: none"> <li>▪ The category to which a rating unit belongs for the general rate:</li> <li>▪ The categories to which the rating unit belongs for a targeted rate:</li> <li>▪ Excess water charges.</li> </ul>	✓ ✓	✓ ✓	✓ ✓	
27(5)	To make decisions with respect to recording separately for different parts of a rating unit (if separate records are necessary because of different rating treatment for each part of a rating unit), any of the matters specified in this section.	✓	✓		
28(2)	To determine whether or not to include the name of any person in the rating information database because it is necessary to identify the rating unit.	✓	✓	✓	
28(3)	To determine the reasonable fee for being supplied with a copy of the particulars from the rating information database.	✓	✓		
28(4)	To give notice as required.	✓	✓	✓	
28C	To remove names from the rating information database.	✓	✓	✓	
29	To determine ratepayer objections to the rating information database.	✓	✓		
32,33	To update the rating information database in accordance with this section.	✓	✓	✓	

Section	Delegation	GMBS	FM	RO	DMO
35	To remove names from the rating information database in accordance with this section.	✓	✓	✓	
36	To update the rating information database in accordance with this section.	✓	✓	✓	
37	To keep and maintain the rates records.	✓	✓	✓	
39	To determine objections to the rates record.	✓	✓		
40	To correct an error in the rating information database or the rates records.	✓	✓	✓	
41, 41A	To issue an amended rates assessment if an error is corrected.	✓	✓	✓	
42	To recover additional rates from a ratepayer. To set the interest rate in accordance with this section.	✓	✓	✓	
44-51	To provide for the delivery of rates assessments and rates invoices in accordance with these sections.	✓	✓	✓	
45, 46	To provide for the design (form and content) of rates assessments and invoices.	✓	✓	✓	
54	To not collect rates that are uneconomic to collect. The amount limit is TEN DOLLARS (\$10) per annum.	✓ *	✓ *		
58	To impose penalties not paid by the due date.	✓	✓	✓	
61, 62	To exercise powers for recovery of rates if owner in default.	✓	✓		✓
63	To commence legal proceedings to recover unpaid rates	✓	✓		✓
85	To determine the applicability of remissions for late payment penalties.	✓	✓		
87-90	To determine the applicability of rates postponements. (in line with Policy)	✓	✓	✓	
85-90	To carry out any administrative tasks associated with remissions or postponements under these sections, and not otherwise delegated.	✓	✓	✓	
99	To apply to Maori Land Court for charging order.	✓	✓		
108	To apply to apply to Maori Land Court to enforce charging order.	✓	✓		
111	To apply to Maori Land Court for payment of unpaid rates.	✓	✓	✓	
114-115	To remit or postpone rates pursuant to Council rates remission and postponement policy.	✓	✓	✓	
114-115	To carry out any administrative tasks associated with remissions or postponements under these sections, and not otherwise delegated.	✓	✓	✓	
135	To sign documents as correct copies for the purpose of Court or Tribunal proceedings.	✓			

## 2. Resource Management Act 1991

### Delegations made under the authority of sections 34 and 34A of the Resource Management Act as the case may be.

#### Note:

- (1) A local authority may delegate to an employee, or hearings commissioner(s) appointed by the local authority (who may or may not be a member of the local authority), any functions, powers, or duties under the Resource Management Act 1991 except the following:
- (a) The approval of a proposed plan under clause 17 of Schedule 1;
  - (b) This power of delegation;
- (2) A local authority may delegate to any other person any functions, powers or duties under this Act except the following:
- (a) powers in subsection (1)(a) and (b);
  - (b) The decision of an application for a resource consent;
  - (c) the making of a recommendation on a requirement for a designation.

Delegate's position title	Abbreviation
Chief Executive	CE
General Manager Infrastructure Services	GMIS
General Manager Strategy and Environment	GMSE
Principal Planner	PP
Compliance Administrator (includes any Regulatory Administrator or Executive Assistant)	CA
Team Leader Compliance and Monitoring	TLCM
Planner / Senior Planner	PLAN

Section	Delegation	CE	GMSE	PP	PLAN	CA	TLCM	GMIS
10	Extension of existing use rights	✓	✓	✓				
10A	Authority to allow certain existing activities (now made unlawful/not permitted) to continue while application for resource consent is pending.	✓	✓	✓				
10B	Authority to allow certain building work to continue where it has been subsequently made unlawful by a district plan	✓	✓	✓				
32	Duty to meet requirements for preparing s 32 reports and evaluations.	✓	✓	✓	✓			
36(3) 36(3A) 36(5)	Authority to make decisions about additional administrative charges	✓	✓	✓				
37	Power to extend time periods as provided in this section	✓	✓	✓				
37A	Requirement to consider matters before extending a time limit.	✓	✓	✓	✓			

Section	Delegation	CE	GMSE	PP	PLAN	CA	TLCM	GMI S
38	Power to appoint and warrant enforcement officers	✓						
39B	Appointment of commissioner to hearings	✓	✓	✓				
41B 41C	Power to direct applicant to provide evidence before hearings; power to make directions about conduct of hearings	✓	✓	✓	✓	✓		
42	Power to make directions about hearings to protect sensitive information.	✓	✓	✓				
42A	Powers regarding the preparation, commissioning and provision of reports	✓	✓	✓	✓			
44A	Power to amend plans to address national environmental standards	✓	✓	✓				
55(2)	Duty to amend plan or proposed plan if directed by national policy statement.	✓	✓	✓				
86D	Ability to apply to Environment Court for a rule to have legal effect.	✓	✓	✓				
87BA	Power to give notice that an (boundary) activity is a permitted activity	✓	✓	✓	✓			
87BB	Power to determine whether an activity is a permitted activity	✓	✓	✓				
87E 87F 87G	Power to determine Council position on a request for direct referral, prepare reports and provide information to Environment Court.	✓	✓	✓				
88	Authority to receive consent applications and determine whether the information meets the minimum requirements of the Act.	✓	✓	✓	✓			
91	Power to determine not to proceed with a resource consent application on certain grounds.	✓	✓	✓	✓			
92 92A	Authority to request further information to be provided, or to commission a report	✓	✓	✓	✓			
95 95A 95B 95C 95D	Requirement to comply with time limit on notification. Authority to determine whether the adverse effects on the environment of an application will be minor. Requirement for notification or limited notification of the application where applicable.	✓	✓	✓	✓			
95E	Duty to determine which persons may be adversely affected by an application and to serve notice of the application on them if required.	✓	✓	✓				
99	Power to call pre-hearing meetings and invite or require parties to attend and the duty to prepare a report of the meeting.	✓	✓	✓	✓			
99A	Power to refer parties who have made a resource consent application or submissions on the application to mediation	✓	✓	✓				
100	Authority to determine whether a hearing should be held in respect of any application for a resource consent	✓	✓	✓				
101	Authority to decide when and where a hearing is to be held within the constraints of section 37	✓	✓	✓				
102	Authority to determine issues concerning joint considerations by two or more consent applications in relation to the same proposal.	✓	✓	✓				
103	Authority to determine issues concerning two or more consent authorities.	✓	✓	✓	✓			

Section	Delegation	CE	GMSE	PP	PLAN	CA	TLCM	GMI S
104	Duty to take matters into consideration and to exclude other matters when considering an application	✓	✓	✓	✓			
104A to 104D, 105	Power to determine resource consent applications and impose conditions providing no submissions received in opposition	✓	✓	✓				
106	Power to decline subdivision consent	✓	✓	✓				
108	Power to impose conditions on resource consent.	✓	✓	✓				
108A	Power to impose a bond as one of the conditions.	✓	✓	✓				
109	Conditions relating to bonds; power to enter on to land to ensure work for which bond is given is being completed.	✓	✓	✓	✓		✓	
110	Power to refund financial contribution to consent holder where consent has lapsed.	✓	✓	✓				
113	Recording reasons for decisions on resource consent applications in writing.	✓	✓	✓	✓			
114	Authority to serve consent applicant and submitters with notice of the decision on an application	✓	✓	✓	✓			
116	Authority to consent to commencement of consent which is subject to Environment Court appeal	✓	✓	✓				
120	Authority to lodge appeal on Council's behalf in Environment Court	✓	✓	✓				
124(2)	Power to allow a consent holder to continue to operate while applicant is seeking a new resource consent	✓	✓	✓				
125	Power to grant extension of period after which a consent will lapse	✓	✓	✓				
126	Power to cancel a resource consent by written notice	✓	✓	✓				
127	Power to change or cancel conditions imposed on a resource consent	✓	✓	✓	✓			
128 129	Power to review a resource consent and to give notice of review.	✓	✓	✓	✓			
132	Power to change the conditions of a resource consent on a review under s128, or to cancel resource consent	✓	✓	✓				
133A	Power to make minor changes or corrections to resource consent (within 20 working days of grant).	✓	✓	✓	✓			
138	Authority to issue a notice of acceptance of surrender of consent	✓	✓	✓				
139 139A	Authority to issue certificate of compliance, other powers and existing use certificates.	✓	✓	✓	✓			
149B	Duty of local authority to provide EPA with all related information to a matter (where the Minister has called in a matter and the local authority has been served with a direction under s 149A).	✓	✓	✓				
149E	Power to make a submission on behalf of Council on matter of national importance	✓	✓	✓				
149G	Duty to prepare a report commissioned by the EPA.	✓	✓	✓	✓			
149Q	Authority to receive report from EPA and to make comments on it.	✓	✓	✓	✓			
149T	Power to give notice on Council's behalf under s274 of matter referred directly to the Environment Court	✓	✓					
149V	Power to lodge appeal to the High Court on question of law on Council's behalf	✓	✓					

Section	Delegation	CE	GMSE	PP	PLAN	CA	TLCM	GMIS
149ZD	Power to recover costs incurred by the Council from the applicant	✓	✓					
149W(2)(a) and (4)	Power to implement decision of Board or Court about proposed plan or change or variation.	✓	✓	✓				
168 168A	Duty to receive notice of requirement	✓	✓	✓				
168A	Authority to lodge notice of requirement on behalf of Council	✓	✓	✓				✓
168A	Power to determine whether to publicly notify Council's notice of requirement for a designation	✓	✓	✓				
168A	Power to make decision on Council's notice of requirement for a designation providing no submissions received in opposition	✓	✓	✓				
169	Power to request further information in relation to publicly notify notice of requirement for a designation	✓	✓	✓	✓			
169	Power to determine whether to publicly notify notice of requirement for designation	✓	✓	✓				
171	Power to consider and make recommendations on requirements for a designation providing no submissions received in opposition	✓	✓	✓				
173	Power to give notice of requiring authority's decision on designation	✓	✓	✓	✓	✓		
174	Power to appeal to Environment Court against requiring authority's decision on designation	✓	✓					✓
175	Authority to include a designation in district plan	✓	✓	✓				
176	Power to give written consent in relation to land subject to Council designation	✓	✓	✓				✓
176A	Power to request changes and to waive requirement for an outline plan	✓	✓	✓				
181	Power to receive application for alterations to designations	✓	✓	✓	✓	✓		
181	Power to determine applications for alteration of designations providing no submissions received in opposition	✓	✓	✓				
182	Authority to receive withdrawals of designations and to amend the District Plan accordingly	✓	✓	✓				
184	Power to extend designation which has not been given effect to	✓	✓	✓				
189	Duty to receive notice of requirement for heritage order	✓	✓	✓	✓			
189A	Authority to lodge notice of requirement for a heritage order on behalf of Council	✓	✓	✓				
189A	Power to determine whether to publicly notify Council's notice of requirement for a heritage order	✓	✓	✓				
189A	Power to make decision on Council's notice of requirement for a heritage order	✓	✓	✓				
190	Power to request further information of notice of requirement for heritage order	✓	✓	✓	✓			
190	Power to determine notification of notice of requirement for heritage order	✓	✓	✓				
191	Power to make recommendations on notice of requirement for heritage order	✓	✓	✓				
193	Authority to give written consent in relation to land protected by Council's heritage order	✓	✓	✓				
195	Power to appeal to Environment Court against heritage protection authority's decisions under sections 193 or 194	✓	✓					
195A	Power to receive application for alterations to heritage order	✓	✓	✓	✓	✓		

Section	Delegation	CE	GMSE	PP	PLAN	CA	TLCM	GMIS
195A	Power to determine applications for alteration of heritage order providing no submissions received in opposition	✓	✓	✓				
196	Power to receive withdrawals of heritage orders and to amend the District Plan accordingly	✓	✓	✓				
220	Power to impose conditions on subdivision consents	✓	✓	✓	✓			
220(1)(a) and (2)(b)	Authority to undertake registration of certificates as authorised officer	✓	✓	✓				
221(2)	Authority to issue and sign a consent notice	✓	✓	✓				
221(3)	Authority to vary or cancel a condition specified in a consent notice	✓	✓	✓				
222	Powers related to the issues of completion certificates enabling the deposit of survey plan	✓	✓	✓				
223	Powers related to approval of survey plan as authorised officer	✓	✓	✓				
224 (c), (f)	Authority to certify compliance of survey plan as authorised officer	✓	✓	✓				
226(1)(e)	Authority to certify any plans of subdivision or copy thereof, which has not had a previous statutory approval.	✓	✓	✓				
234	Power to vary or cancel esplanade strips on application	✓	✓	✓				
235	Power to agree on Council's behalf to creation of esplanade strip	✓	✓	✓				
237	Power to approve a survey plan where esplanade reserves or strips are required	✓	✓	✓				
237B	Power to acquire an easement for access strip	✓	✓	✓				
237C	Authority to close access strips and give notice of closure	✓	✓	✓				
237D	Authority to agree to transfer of access strip to Crown or regional council	✓	✓	✓				
237H	Authority to object to compensation valuation determination	✓	✓	✓				
239	Authority to certify survey plans subject to specified interests and undertake online registration of certificates as authorised officer.	✓	✓	✓				
240	Authority to certify survey plans subject to covenants and undertake online registration of certificates as authorised officer	✓	✓	✓				
241	Authority to deal with amalgamation conditions and undertake online registration of certificates as authorised officer.	✓	✓	✓				
243	Authority to deal with survey plans subject to grant or reservation of easements and undertake online registration of certificates as authorised officer	✓	✓	✓				
245	Authority to approve survey plan of reclamation	✓	✓	✓				
269 – 291	Authority to determine and direct Council involvement in Environment Court proceedings	✓	✓					
292	Authority to seek that Environment Court remedy defect in plan	✓	✓					
294	Authority to seek that Environment Court review a decision or rehear proceedings	✓	✓					
299 - 308	Authority to determine and direct Council involvement in High Court and Court of Appeal proceedings	✓	✓					
311 312	Authority to initiate declaration proceedings and take other necessary steps	✓	✓					

Section	Delegation	CE	GMSE	PP	PLAN	CA	TLCM	GMIS
314 - 321	Authority to initiate enforcement order and interim enforcement order proceedings and take other necessary steps	✓	✓					
325	Authority to consent to a stay of abatement notice	✓	✓					
325A	Power to cancel abatement notice	✓	✓					
330	Power to take preventative or remedial action in emergency circumstances	✓	✓	✓				✓
331	Power to seek reimbursement of Council's costs for emergency works	✓	✓	✓				✓
336	Duty to return property seized under warrant or otherwise dispose of property if not claimed	✓	✓	✓				
338	Authority to commence prosecution for breach of the Act	✓	✓					
357D	Power to consider and determine objections providing there is agreement between the parties.	✓	✓	✓				
Sch 1 Cl 3, 3B	Duty to consult on proposed plan, including consultation with local iwi	✓	✓	✓				
Sch 1 Cl 3C	Authority to determine whether consultation has already occurred under other enactments	✓	✓	✓				
Sch 1 Cl 4	Duty to invite requiring authorities by written request on designations in proposed plans.	✓	✓	✓				
Sch 1 Cl 5	Authority to prepare s32 report and publicly notify proposed plan	✓	✓	✓				
Sch 1 Cl 6	Authority to make submissions on Council's behalf	✓	✓	✓				
Sch 1 Cl 7	Duty to give public notice of submissions on proposed plan	✓	✓	✓				
Sch 1 Cl 8, 8A	Authority to make further submissions on Council's behalf	✓	✓	✓				
Sch 1 Cl 8AA	Authority to invite submitters to meetings or refer matters to mediation	✓	✓	✓				
Sch 1 Cl 8B	Duty to give notice of hearings	✓	✓	✓				
Sch 1 Cl 8C	Authority to determine whether hearing is required	✓	✓	✓				
Sch 1 Cl 8D	Authority to withdraw proposed plan	✓	✓					
Sch 1 Cl 9	Power to hear and make recommendations and decisions on requirements	✓	✓					
Sch 1 Cl 11	Duty to give notice of decisions	✓	✓	✓	✓	✓		
Sch 1 Cl 14	Authority to lodge appeal with Environment Court	✓	✓					
Sch 1 Cl 16(1)	Duty to amend proposed plan if directed by Court	✓	✓	✓				
Sch 1 Cl 16(2)	Authority to amend proposed plan to correct minor errors	✓	✓	✓				
Sch 1 Cl 20	Duty to give notice of plan becoming operative	✓	✓	✓				
Sch 1 Cl 20A	Authority to amend operative plan to correct minor errors	✓	✓	✓				
Sch 1 Cl 21	Authority to request change to regional plan or regional policy statement	✓	✓	✓				
Sch 1 Cl 23	Power to seek further information relating to private plan change requests	✓	✓	✓	✓			



Section	Delegation	CE	GMSE	PP	PLAN	CA	TLCM	GMI S
Sch 1 CI 24	Power to modify plan change request	✓	✓	✓				
Sch 1 CI 25	Power to determine how to proceed with plan change request, including power to reject request	✓	✓	✓				
Sch 1 CI 26	Authority to prepare and notify plan change request	✓	✓	✓				
Sch 1 CI 28	Power to withdraw plan change request	✓	✓	✓				
Sch 1 CI 29(2) and (5)	Duty to send submissions to person who made plan change request and serve copy of its decision	✓	✓	✓	✓	✓		
Sch 1 CI 29(9)	Power to vary plan change request	✓	✓	✓				
Sch 1 CI 32	Authority to certify material incorporated by reference	✓	✓	✓				
Sch 1 CI 34	Duty to consult on incorporation of material by reference	✓	✓	✓				
Sch 1 CI 35	Duty to make information available and give public notice regarding material incorporated by reference	✓	✓	✓				
General	To instruct counsel to represent the Council where the Council is a party in any proceedings before the Environment Court, as the case may be.	✓	✓					

### Resource Management Act 1991 – Additional staff delegations

Authority is delegated to the following staff pursuant to **section 108 (power to impose conditions on a resource consent)** and **section 223 (powers related to approval of a survey plan as an authorised officer)**:

- General Manager Infrastructure Services

Authority is delegated to the following staff pursuant to **section 330 (power to undertake preventative or remedial action in emergency circumstances)**:

- |                                       |                                    |
|---------------------------------------|------------------------------------|
| ▪ Manager Water Services              | ▪ Water Services Engineer          |
| ▪ Asset Engineer Water Services       | ▪ Senior Treatment Plant Operator  |
| ▪ Asset Engineer Local Roads Roothing | ▪ Treatment Plant Operator         |
| ▪ Manager Local Roads                 | ▪ Roothing Contracts Supervisor    |
| ▪ Asset Manager - Roothing            | ▪ Roothing Network Supervisor      |
| ▪ Manager Operational Services        | ▪ Environmental Monitoring Officer |

### 3. Resource Management Commissioners

Delegation	CE	GMSE	PP	Date Amended
Authority to make appointments of a commissioner(s) as required.	✓	✓	✓	

### 4. Resource Management Consultants

Authority is delegated to the **General Manager Strategy and Environment** to maintain a list of approved consultants to undertake work for Council in relation to Resource Management applications, the list is document number A337292.

Pursuant to section 34A(2) of the Resource Management Act 1991:

The Planning Consultants listed in document number A337292 (with authority delegated to the Chief Executive and **General Manager Strategy and Environment** to approve or remove at any time Planning Consultants from the list, and for the list to be updated accordingly), may carry out and undertake the following of Councils functions, powers and duties under the Act:

- (1) The processing of applications made to the Council for resource consent or for the change of cancellation of consent conditions;
- (2) The processing of requirement for designation or heritage orders;
- (3) The processing of the review of consent conditions;
- (4) The issuing of requests for information pursuant to section 92 of the Act;
- (5) The granting of waivers and extensions of time limits pursuant to section 37 of the Act;
- (6) All other matters related to processing resource consents except the granting of a consent;
- (7) Preparing reports and recommendations and presenting and speaking to those reports before Council or Hearings Commissioners.
- (8) Preparing reports and recommendations for plan changes, variations or proposed district plan matters.

In particular planning consultants Kathryn Drew and Andrew McFarlane from Bloxham, Burnett Olliver may carry out and undertake the following of Council's functions, powers and duties under the Act, when acting for Council:

- (1) Authority to sign certificates pursuant to sections 222,223,224C, 224f, 226(1)(e), 234(7), 240(1)(b), 241(4)(b), 243(f)(ii) of the Act;
- (2) Authority to sign covenants or consent notices pursuant to sections 240(3), 240(4) and 221 of the Act; and
- (3) Authority to sign Land Information Memorandums pursuant to s 44A of the Local Government Official Information and Meetings Act 1987.

## Part D – Statutory and Other Delegations from the Chief Executive to Staff

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The Chief Executive sub-delegates to the person holding the specified position, as set out in the tables in this Part, the powers, responsibilities and duties, as set out in the tables in this Part of the Delegations Register.

Note: these sub-delegations expressly exclude any power, responsibility or duty that has been delegated to a Community Board, Committee, Subcommittee or other sub-ordinate decision-making body.

All delegations are made severally unless specified otherwise. (i.e, a delegation can be exercised by the officer acting alone).

**Council approved delegations to the Chief Executive pursuant to Council Resolution on ~~27 March 2018~~ 25 June 2019, as set out in Part B, and in accordance with those, I hereby sub-delegate those delegations to staff as set out in the tables which form Part D of this Delegations Register**

Signed Chris Ryan

Dated this ~~29<sup>th</sup> day of March 2018~~ 25 June 2019

## INDEX OF STAFF POSITIONS – ABBREVIATION KEY

Delegate's position title	Abbreviation
All Group Managers	All GMS
Animal Control Officer	ACO
Asset Engineer <b>Local Roads</b>	AER
Asset Engineer Water Services	AEWS
Asset Manager Rooding	AMR
Building Control Officer	BCO
Community Facilities Contracts Officer	CFCO
Compliance Administrator	CA
Communications Officer	COM
Customer Services Officer	CSO
Enforcement Officer	EO
Environmental Health Officer	EHO
Environmental Monitoring Officer	EMO
Executive Assistant (to Chief Executive)	EA
Executive Assistant (infrastructure Services)	EAIS
Finance Manager	FM
General Manager Infrastructure Services	GMIS
<b>General Manager Business Support</b>	<b>GMBS</b>
Group Manager Community Services	GCOM
<b>General Manager Strategy and Environment</b>	<b>GMSE</b>
Health And Safety Facilitator	HSF
Infrastructure Manager - Property	IM
Infrastructure Services Officer	ISO
Information Services Manager	ISM
Legal <del>Counsell</del> <b>Advisor</b>	<b>LA</b>
Local Civil Defence Controller	LCDC
Manager Customer Services	MCS
Manager Water Services	MWS
<b>Manager Waste Minimisation</b>	<b>MWM</b>
Manager Local Roads	MLR
Planner / <b>Senior Planner</b>	PLAN
Principal Planner	PP
Pound Officer	PO
Rates Officer	RAO
Records and Information Manager	RIM
Records Officer	RecO
Rooding Contracts Supervisor	RCS
Rooding Network Supervisor	RNS
Senior Accountant	SA
Team Leader Building Services	TLBS
Team Leader Compliance and Monitoring	TLCM
Team Leader Community Infrastructure	TLCI
Water Services Engineer	WSE

## Sub-Part 1 – Legislative

### 1. Amusement Devices Regulation 1978

Reg	Delegation	GMSE	TLBC	BCO	IM
11	To grant amusement device permits	✓	✓	✓	
23	All powers of entry onto property, inspection of machinery, and access to and examination and copying of documents necessary to exercise powers and functions delegated under this Act or these regulations.	✓	✓	✓	✓

### 2. Animal Welfare Act 1999

Delegation	GMSE	TLCM	ACO	PO
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓	✓

### 3. Arts Council of New Zealand Toi Aotearoa Act 2014

Delegation	GMIS
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓

### 4. Biosecurity Act 1993 and any regulations made under that Act

Delegation	GMIS	IM
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓

## 5. Births, Deaths, Marriages, and Relationships Registration Act 1995

Delegation	GMIS
The power under section 75E to request the Registrar-General to provide a copy of all entries made in the access register in relation to any person.	✓

## 6. Building Act 2004

Section	Delegation	GMSE	TLBS	BCO	EHO	TLCM
31	To provide a copy of a PIM to the owner of the property	✓	✓	✓		
33	Authority to determine information required for an application for a project information memorandum (PIM).	✓	✓	✓		
34	Authority to issue a PIM.	✓	✓	✓		
35	Authority to determine the content of a PIM in accordance with this section	✓	✓	✓		
36	Authority to attach and issue a development contribution notice (where a Development Contribution Policy is in place)	✓	✓			
37	Authority to attach and issue certificates requiring resource consent	✓	✓	✓		
38	Provide a PIM to a network utility operator or statutory authority.	✓	✓	✓		
39	Advise Heritage New Zealand Pouhere Taonga of applications for PIMS, building consents etc.	✓	✓	✓		
45	The authority to determine plans, specifications and other information required in an application for a building consent	✓	✓	✓		
46	Provide copies of applications to the Fire Service Commission as required.	✓	✓	✓		
48	To grant or refuse an application within the time limits specified, and the power to require further information.	✓	✓	✓		
49	The authority to grant a building consent if satisfied provisions of the building code would be met.	✓	✓	✓		
50	The authority to give notice and reasons of a refusal to grant a building consent.	✓	✓	✓		
52	The authority to extend the time permitted to activate a building consent	✓	✓	✓		
54	The authority to advise applicants the amount of levy for which they are liable	✓	✓	✓		
58 and 59	To make payments and certify in respect of levies to the Department of Building and Housing (DBH).	✓	✓			
62	The power to recover unpaid levies from applicants	✓	✓			
64	To keep in safe custody all records and Building Consents issued	✓	✓			
67	Power to grant a consent subject to the waiver or modification of the building code.	✓	✓	✓		
67A	Power to grant waivers or modifications in relation to means of restricting access to residential pools	✓	✓			
68	To notify the Chief Executive (of the Ministry of Business, Innovation and Employment) if a consent is granted subject to waiver or modification of the building code.	✓	✓	✓		
70	To refer applications for energy work to the Chief Executive of the Ministry of Business, Innovation and Employment	✓	✓	✓		
71	Authority to refuse any building consent in relation to land with natural hazards.	✓	✓	✓		
72	Authority to grant any building consent in certain situations involving natural hazards.	✓	✓	✓		

Section	Delegation	GMSE	TLBS	BCO	EHO	TLCM
73	Carry out the notification obligations for building consent where it is issued under section 72.	✓	✓			
74	Carry out the further notification obligations under subsection (4).	✓	✓			
75 and 77	Issue a certificate in relation to a building on 2 or more allotments of 1 or more existing subdivisions.	✓	✓	✓		
83	Authority to authenticate a certificate for the construction of a building on two or more allotments	✓	✓			
90	The power to carry out inspections as specified in section 90 of the Building Act 2004 and enter any land or premises for the purpose of inspection, and be an "authorised agent or officer" for the purposes of this section.	✓	✓	✓	✓	
222	The power to carry out inspections as specified in section 222 of the Building Act 2004 and enter any land or premises for the purpose of inspection, and be an "authorised agent or officer" for the purposes of this section.	✓	✓	✓	✓	✓
93	The authority to determine whether to issue a code compliance certificate within a certain time.	✓	✓	✓		
94	The authority to issue a code compliance certificate if satisfied of certain matters.	✓	✓	✓		
95A	Give applicant written notice where refusing to issue code compliance certificate.	✓	✓	✓		
96	Power to issue a certificate of acceptance	✓	✓	✓		
97	Power to determine other information required for an application for a certificate of acceptance	✓	✓	✓		
98	Determine whether to issue certificate of acceptance and whether to require further reasonable information	✓	✓	✓		
99	Authority to issue a certificate of acceptance in relation to part of a building work	✓	✓	✓		
99A	Give applicant written notice where refusing to issue certificate of acceptance	✓	✓	✓		
102	Authority to issue a compliance schedule.	✓	✓	✓		
106, 107 and 109	Power to amend a compliance schedule, and carry out other administrative tasks under these sections.	✓	✓	✓		
111	Authorise any agents of the Council to carry out inspections under this section.	✓	✓			
112	Authority to grant building consent for the alteration of an existing building etc if satisfied of certain matters.	✓	✓	✓		
113	Authority to grant building consent and determine conditions of a building consent in relation to buildings with specified intended lives	✓	✓	✓		
115	Authority to determine the change of use of buildings, and give the necessary written notice.	✓	✓	✓		
116	Authority to consent to an extension of life of a building, and give the necessary written consent.	✓	✓	✓		
116A	Authority to make a determination in respect of code compliance under this section.	✓	✓			
124	Authority to determine that a building is dangerous, affected or insanitary, and take any of the specified actions	✓	✓	✓	✓	
126	Give notice to the owner of a building and apply to the District Court for an order.	✓	✓			
164	Authority to issue notices to fix.	✓	✓	✓		
167	Confirm or not that a notice has been complied with and if refused give reasons and issue further notice.	✓	✓	✓		
177, 180	Authority to make and withdraw an application for determination.	✓	✓			
215	Apply for and gain accreditation, and apply for and be registered as a building consent authority.	✓	✓			
216	Keep all records relevant to the administration of the Building Act 2004.	✓	✓			
217	Provide access to information held under section 216 to the public	✓	✓			

Section	Delegation	GMSE	TLBS	BCO	EHO	TLCM
218	Provide information to the Chief Executive of the Ministry of Business, Innovation and Employment.	✓	✓			
219(1)(b) and (2)	Authority collect the levy under S53 and to refuse service where the fees or charges are not paid.	✓	✓			
220	Authority to give notice under section 220(3) and then to apply to the District Court for an Order to carry out building work	✓				
221	To exercise the powers to recover costs under this section	✓				
222	Authority to carry out inspections and to enter premises	✓	✓	✓		
363A	The power to issue certificates of public use, and specify conditions in those certificates. Authority to require further reasonable information from the applicant, and the time period for providing that information from the applicant.	✓	✓	✓		
371A 372	Authority to carry out all of the functions, powers and duties of an Enforcement Officer and the issue of infringement notices under Section 372 of the Act.	✓	✓	✓		
377, 378 and 379	Authority to file a charging document for an offence against the Building Act 2004.	✓				
381	Apply for an injunction.	✓				

## 7. Building Research Levy Act 1969

Delegation	GMSE	TLBS	BCO
If the Council has been appointed an agent under section 9, receiving any levies payable.	✓	✓	✓

## 8. Burial and Cremation Act 1964 and any regulations made under that Act including (without limitation) the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967

Delegation	GMIS	IM	EHO
All of the responsibilities, duties, and powers under this Act and these regulations that have been delegated to the Chief Executive.	✓	✓	✓



### 9. Camping-Grounds Regulations 1985

Reg	Delegation	GMSE	TLBS	BCO	TLCM	EHO
3	To refuse to grant a certificate of registration, and to refuse to permit the use of an existing camp-ground for a relocatable home park.	✓	✓	✓	✓	✓
4	To require copies of camp plan to be lodge with the Council.	✓	✓		✓	✓
5	To determine if sites satisfactorily marked.	✓	✓	✓	✓	✓
6(3)	To give permission in writing to buildings or structures.	✓	✓	✓		
8	To determine whether lighting is satisfactory.	✓	✓	✓		
9	To determine whether the camping-ground meets the required standards of sanitation and safety.	✓	✓	✓		✓
10	To request to examine records.	✓	✓		✓	✓
11	To give written consent to a relocatable home on a relocatable home park.	✓	✓	✓		
12	To determine if a satisfactory standard of all-weather access is being provided and maintained.	✓	✓	✓		
14	To grant certificates of exemption under this regulation.	✓	✓			
Schedule	To determine if a camping-ground meets the required standards and to determine acceptable standards for those matters that the Schedule leaves to the discretion of the Council.	✓	✓			

### 10. Civil Defence Emergency Management Act 2002

Delegation	LCDC
All of the responsibilities, duties, and powers under this Act and these regulations that have been delegated to the Chief Executive.	✓

### 11. Criminal Procedure Act 2011 and regulations

Delegation	All GMS
All of the responsibilities, duties, and powers under this Act and these regulations that have been delegated to the Chief Executive.	✓

## 12. Dog Control Act 1996

Section	Delegation	GMSE	TLCM	ACO	CA	CSO
21	To classify probationary owners.	✓				
23A	To require a probationary owner to undertake a dog owner education programme or dog obedience course.	✓				
25	To disqualify owners.	✓				
28(6)	To extend a period of disqualification.	✓				
31	To classify any dog as a dangerous dog.	✓				
32(1)(f)	To consent to the disposal of a dangerous dog.	✓				
32(5)(b)	To retain a dog in custody and to authorise the release of a dog from custody.	✓	✓			
33A and 33C	To classify any dog as a menacing dog.	✓				
33E(1)	To require the production of a certificate.	✓	✓	✓		
33E(5)	To exempt any menacing dog from the muzzling requirements in any specified circumstances.	✓				
33EB(2)	To require the production of a certificate.	✓	✓	✓		
33ED	To classify a dog as a dangerous dog or menacing dog.	✓				
35 and 35A	To provide register information and make any necessary determinations under these sections.	✓	✓	✓		
36A(3)(a)	To issue instructions under this section.	✓	✓			
39	To remit, reduce or refund dog control fees or part of those fees in accordance with this section.	✓				
40	To require written statements and the production of certificates under this section.	✓	✓	✓		
46	To issue replacement labels or discs.	✓	✓	✓	✓	✓
66	To authorise any person other than a dog control officer to issue an infringement notice under this section.	✓				
66	To commence proceedings in accordance with section 21 of the Summary Proceedings Act 1957 where an infringement notice has been issued and to make any decision in any matter relating to such proceedings.	✓				
69 and 70(7)	To sell, destroy or dispose of any dog.	✓	✓	✓		
71 and 71A	To exercise the Council's powers under these sections.	✓				
General	To institute any prosecution for an offence under the Act or under any bylaw made by the Council under the Act and to make any decision in any matter relating to any such prosecution.	✓				
General	To apply for an injunction preventing a person from committing a breach of any bylaw made by the Council under section 20 of the Act and to make any decision in any matter relating to such an application.	✓				
General	To take enforcement action against any person who breaches any such injunction and to make any decision in any matter relating to such action.	✓				

## 13.

**14. Electricity Act 1992**

Delegation	GMIS	GMBS	IM
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓

**15. Fencing Act 1978**

Delegation	GMIS	IM
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive with respect to the extension, location, relocation of fences on road.	✓	✓

**16. The Food Hygiene Regulations 1974**

Delegation	GMSE	EHO
All of the responsibilities, duties, and powers under these regulations that have been delegated to the Chief Executive.	✓	✓

**17. Food Act 2014**

Delegation	GMSE	EHO
All of the responsibilities, duties, and powers under this Act and these regulations that have been delegated to the Chief Executive.	✓	✓
Issue and sign any certificates or other documents issued by the Territorial Authority, or any applications made by the territorial authority under this Act.	✓	✓

**18. Freedom Camping Act 2011**

Section	Delegation	GMIS	GMSE	IM
39	To decide whether or not to return seized and impounded property.	✓	✓	✓
40	To dispose of seized and impounded property.	✓	✓	✓

**19. Gambling Act 2003**

<b>Delegation</b>		<b>GMSE</b>
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓

**20. Gas Act 1992**

<b>Delegation</b>		<b>GMBS</b>	<b>GMIS</b>
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓

**21. Government Roothing Powers Act 1989**

<b>Delegation</b>		<b>GMIS</b>	<b>MLR</b>
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive, including powers to enter in to agreements with NZTA .	✓	✓	✓

**22. Hazardous Substances and New Organisms Act 1996 and any regulations made under this Act**

<b>Delegation</b>		<b>GMSE</b>	<b>TLBS</b>	<b>TLCM</b>
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓	✓

**23. Health Act 1956**

<b>Section</b>	<b>Delegation</b>	<b>GMSE</b>	<b>EHO</b>
33	To exercise the powers under this section.	✓	✓
34	To abate nuisance without notice.	✓	✓
41	All the powers of the Council in respect of cleansing orders.	✓	✓

Section	Delegation	GMSE	EHO
42	To be an authorised officer and to issue repair notices and closing orders.	✓	
45	To cancel a closing order.	✓	
54	To grant consent to the operation of an offensive trade and impose conditions.	✓	✓
58	To grant consent to the establishment of stockyards and impose conditions.	✓	✓
64	Authority to administer and enforce any Bylaw made pursuant to the Act 1956.	✓	✓
81	To determine if the cleansing or disinfection of premises and / or articles is necessary. Power to authorise an environmental health officer to enter premises and carry out the cleaning and disinfection.	✓	✓
128	To determine who may enter and inspect any dwelling house, building, land, ship or other premises under this section.  Note Environmental Health Officers are authorised to enter and inspect any dwelling house, building, land, ship or other premises under this section.	✓	✓
General	To institute any prosecution for an offence under the Act and to make any decision in any matter relating to any such prosecution.	✓	

#### 24. Health Act 1956 – Part 2A – Drinking Water

Section	Delegation	GMIS	WSE	MWS
69K, 69L, 69M	To apply for registration as a drinking water supplier, water carrier, and to provide information about any associated changes as required under section 69M.	✓	✓	✓
69S	To take all practicable steps to ensure that an adequate supply of drinking water is provided to each point of water supply to which drinking water is supplied, and to make decisions about when to restrict or interrupt the provision of drinking water to any point of supply under section 69S.	✓	✓	✓
69T	To determine if the Council's ability to maintain an adequate supply of drinking water is or may be at imminent risk for any reason, and to take steps as referred to in section 69T.	✓	✓	✓
69U	To take reasonable steps to contribute to the protection of a drinking water source.	✓	✓	✓
69V	To take all practicable steps to comply with drinking water standards.	✓	✓	✓
69W	To take reasonable steps to supply wholesome drinking water.	✓	✓	✓
69X	To check water quality before connecting to a new water source.	✓	✓	✓
69Y	To monitor drinking water to ensure compliance with drinking water standards and assess public health risk.	✓	✓	✓
69ZA-69ZS	To prepare and implement a water safety plan in relation to drinking water supply, to review/renew plans, keep and make available records of plans, to investigate complaints, and to take remedial action if standards breached.	✓		✓
69ZZP	To make assessments and warn users of self-supplied building water supplies about contamination.	✓	✓	✓
69ZZZ	As a network supplier to take actions with respect to backflow prevention.	✓	✓	✓

### 25. Health (Burial) Regulations 1946

Reg	Delegation	GMI S	EHO
16	To sign the certificates of registration.	✓	
19	To grant registration of additional or substituted places of funeral directors.	✓	✓

### 26. Health (Hairdressers) Regulations 1980

Reg	Delegation	GMSE	EHO
3	To grant certificates of registration.	✓	✓
4	To grant certificates of exemption.	✓	

### 27. Health (Registration of Premises) Regulations 1966

Reg	Delegation	GMSE	EHO	CA
4	To require all such particulars in any application for registration.	✓	✓	✓
5	To determine applications for certificates of registration and issue certificates of registration, and to renew registration and issue new certificates accordingly.	✓	✓	
8	To keep records of all registered premises, and provide for inspection of these records.	✓	✓	✓
9	To serve notices, and to determine to cancel registration of a premises.	✓	✓	

### 28. Health and Safety at Work Act 2015

Delegation	GCOM	HSF
Authority to act, in accordance with the direction of the Chief Executive, on behalf of Council in all matters relating to the employment of staff and to assume responsibility for ensuring the obligations of Council as an employer comply with the provisions of the Act	✓	
Authority to assume accountability for ensuring the obligations of Council as an employer comply with the provisions laid down in the Health and Safety Management Plan	✓	✓
Authority to provide on behalf of Council, reasonable opportunities for its employees to participate effectively in ongoing processes for improvement of health and safety in the employees places of work	✓	✓

Delegation		GC	COM
Authority to make recommendations to Council regarding the health and safety in a place of work which are proposed by the Health and Safety Committee.		✓	✓

### 29. Heavy Motor Vehicle Regulations 1974

Reg	Delegation	GMIS	MLR	AER	RCS	RNS	AMR
11	To exercise its powers as a road controlling authority with respect to any bridge under its control to fix weight limits or a speed limit or both weight limits and a speed limit for heavy motor vehicles, and combinations of vehicles including a heavy motor vehicle, using the bridge; and to comply with all other requirements of this regulation.	✓	✓	✓	✓	✓	✓

### 30. Heritage New Zealand Pouhere Taonga Act 2014

Delegation		GMIS	IM
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.		✓	✓

### 31. Housing Improvement Regulations 1947

Part	Delegation	GMSE	EHO
1	To determine the minimum standards of fitness for houses where required under the provisions of Part 1.	✓	✓

### 32. Impounding Act 1955 and the Impounding Regulations 1981

Delegation		GMSE	TLCM	ACO	CA
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.		✓	✓	✓	✓
All of the responsibilities, duties, and powers under these regulations to sign forms 3 and 4 as an authorised officer.		✓	✓	✓	✓

### 33. Land Drainage Act 1908

Delegation	GMIS	WSE	MLR	AER	MWS	AMR	EHO	EMO
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓	✓	✓	✓	✓	✓

### 34. Land Transport Act 1998 and any rules made under this Act

Section	Delegation	GMIS	GMSE	MLR	TLCM	AER	RCS	RNS	AMR	IM
General	Authority to carry out the functions, powers and duties of a Parking Warden.	✓	✓	✓	✓	✓	✓	✓	✓	✓
General	To take enforcement action (including any prosecution) under this Act, and these rules and regulations.	✓	✓							
General	All of the responsibilities, duties, and powers under this Act, and these rules and regulations, that have been delegated to the Chief Executive.	✓		✓						
General	To exercise the Council's powers as a road controlling authority in relation to the Land Transport Rule: Traffic Control Devices 2004 and the Traffic Control Devices Manual (including without limitation Part 8 of the Manual which is the Code of Practice for Temporary Traffic Management), the placement of regulatory signs and markings to control traffic.	✓		✓		✓	✓	✓	✓	

### 35. Land Transport Management Act 2003

Delegation	GMIS	MLR	AMR
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓

### 36. Land Transport Rule: Setting of Speed Limits 2003

Section	Delegation	GMIS	MLR	AER	RCS	RNS	AMR
5	All of the Council's powers under this section in relation to the setting of temporary speed limits.	✓	✓	✓	✓	✓	✓



### 37. Land Transport Rule: Vehicle Dimensions and Mass 2002

Section	Delegation	GMI S	MLR	AER	RCS	AMR
5	To issue permits to the operator of a heavy motor vehicle.	✓	✓	✓	✓	✓

### 38. Litter Act 1979

Section	Delegation	GMSE	GMI S	TLCM	EHO	IM
10(1) - 10(2)	To require owners of private property to clear litter from their property, and to issue notices.	✓	✓	✓	✓	✓
General	The power to initiate any prosecution in relation to an offence against this Act together with the power to make any decision pertaining to such prosecution.	✓	✓			

### 39. Local Government Act 1974

Section	Delegation – to exercise the Council's powers under these sections:	GMI S	MLR	MWS	AMR	AER	RCS	RNS	WSE
315-361	Powers held by the Chief Executive under Part 21	✓	✓	✓					
337	To require alteration to pipes and drains and other apparatus on or under a road and recover the costs.	✓	✓	✓	✓				✓
356-356B	To remove and dispose of abandoned cars from roads and exercise all of the Council's powers under this section.	✓	✓		✓	✓	✓	✓	
446	Cover watercourse to make a public drain	✓	✓	✓	✓				✓
447	Betterment contributions	✓							
451	Diversion etc. of drainage works	✓	✓						
459	To require owners of land to provide private drains or do any of the other things specified in section 459(1), to give notice, and to exercise all of the Council's powers under this section.	✓	✓	✓					
460	To give notice of the Council resolution to owners.	✓	✓	✓					
461	To sign a certificate under this section.	✓	✓	✓	✓				
467	Unlawful connection of a private drain	✓	✓	✓	✓				
468	Power to exercise the Council's powers to remove a tree and/or tree roots which is/are obstructing a public drain.	✓	✓	✓	✓	✓	✓	✓	✓
469	Protective works to prevent damage by flood	✓	✓	✓	✓				

Section	Delegation – to exercise the Council’s powers under these sections:	GMS	MLR	MWS	AMR	AER	RCS	RNS	WSE
511	Authority to give notice to remove an obstruction from a drainage channel or watercourse.	✓	✓	✓	✓	✓			✓
514	Authority to negotiate advances to owners of land for compliance with removing an obstruction.	✓	✓	✓	✓				
Clause 11 and 12, Tenth Schedule	To exercise powers of the Council relating to the temporary prohibition of traffic on roads.	✓	✓			✓	✓	✓	
General	The power to initiate any prosecution in relation to an offence against this Act together with the power to make any decision pertaining to such prosecution.	✓							

**40. Local Government Act 2002**

Section	Delegation	GMS	GMSE	GMBS	GCOM	IM	MWS	MLR	AER	AEWS	AMR	PP	EHO	TLCM	EMO	EO	WSE	RCS	RNS
162	To apply for an injunction restraining a person from committing a breach of a bylaw or an offence against this Act. To take enforcement action against any person who breaches any such injunction and to make any decision in any matter relating to such action.	✓	✓																
163	To exercise the Council’s powers to remove or alter a work or thing that is, or has been, constructed in breach of a bylaw; and to recover the costs of removal or alteration from the person who committed the breach.	✓	✓			✓	✓	✓			✓	✓		✓	✓	✓			
167	To determine whether or not to return seized and impounded property.	✓	✓																
168	To dispose of seized property in accordance with this section.	✓	✓	✓															
171	To exercise the power of entry and give the required notice.	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
173	To exercise a power of entry.	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
181(1) and (2)	To determine the construction of works on or under private land or under a building on private land are necessary for— (a) the supply by territorial authorities of water by means of reticulated systems; (b) the supply of water through water races; (c) trade wastes disposal; (d) land drainage and rivers clearance.	✓	✓		✓	✓	✓	✓	✓	✓	✓				✓	✓	✓		



## 41. Local Government Official Information and Meetings Act 1987

Section	Delegation	All staff	All GMS	All managers	GMSE	EA	PP
11	To give reasonable assistance to those persons requesting information.	✓					
12	To transfer requests and attend to subsequent notification.		✓			✓	
13	To make decisions on requests and to determine whether or not to charge for information.		✓	✓			
14	To provide for extensions of time to provide official information and to attend to subsequent notification.		✓	✓		✓	
15	To determine the manner of presenting information and to attend to subsequent notification.		✓	✓			
16	To determine deletions (redactions) from documents and attend to subsequent notification.		✓	✓			
17, 17A, 17B, 18	To determine whether or not to refuse a request for information, and providing reason(s) for refusal.		✓	✓			
21	To determine access to internal rules affecting decisions, and to provide reasons for refusing to provide information.		✓	✓			
22	To provide a written statement under this section.		✓	✓		✓	
24	To take precautions regarding access to personal information.		✓	✓		✓	
25	To deal with requests for corrections.		✓	✓		✓	
26	To refuse to supply personal information.		✓	✓		✓	
44A	To make decisions on information to be included in Land Information Memoranda and issuing Land Information Memoranda.				✓		✓
46	To provide for the public notification of meetings.					✓	
46A, 49, 51	To provide for the availability of agendas, reports and minutes.					✓	
51A	To provide for the public notification of resolution at emergency meeting.		✓			✓	

## 42. New Zealand Library Association Act 1939

Delegation	GCOM	MCS
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓

**43. Plumbers, Gasfitters and Drainlayers Act 2006**

Section	Delegation		GMSE	TLBS
15, 16	To consult with the Minister in relation to certain sanitary plumbing exemptions.		✓	✓

**44. Postal Services Act 1998**

Section	Delegation	GMIS	MLR	AER	AMR
40	To impose prescribe conditions in relation to the erection of public letterboxes.	✓	✓	✓	✓

**45. Privacy Act 1993**

Part	Delegation	All GMS	LA	EA
Part 5	All of the responsibilities, duties, and powers that have been delegated to the Chief Executive.	✓	✓	✓

**46. Property Law Act 2007**

Delegation	GMIS	IM	ISO
All of the responsibilities, duties and powers that have been delegated to the Chief Executive <b>subject to the specific delegations in subpart 4 section 3 (Property)</b>	✓	✓	✓

**47. Public Records Act 2005**

Section	Delegation	GMBS	LA	RIM	RecO
17	To provide for the creation and maintenance of local authority records.	✓	✓	✓	✓
40	To comply with the requirements in relation to protected records.	✓	✓	✓	✓
45, 46	To classify the access status of the Council's local authority records.	✓	✓	✓	✓
47	To provide for the public inspection of open access records.	✓	✓	✓	✓

## 48. Public Works Act 1981

Section	Delegation	GMIS	GMSE	IM	MWS	MLR	WSE	ISO
4(6)(b)(ii)	Power to sign notices	✓						
17(1)	Power to enter into an agreement to purchase land for any public work for which the Council is responsible [ <b><i>provided that the purchase price is within the limits of the Delegate's financial authority and the purchase is in accordance with the Council's Long-term Plan or a Council resolution or resolution of one of its appropriately authorised subordinate decision-making bodies</i></b> ]	✓						
18(1)	Power to serve notice of Council's desire to acquire land and to invite owner of land to sell and to lodge a notice with the District Land Registrar (LINZ)	✓						
18(1)(d)	Authority to negotiate with the owner in an attempt to reach an agreement for the acquisition of land.	✓		✓				
18(2)	Power to proceed to take land for a public work [ <b><i>provided that a prior resolution has been passed by Council or one of Council's appropriately authorised subordinate decision-making bodies approving that the land be taken</i></b> ]	✓						
18(3) and (4)	Power to withdraw a notice under subsection 18(1) and responsibility to ensure the District Land Registrar (LINZ) is given notice of the withdrawal	✓						
18(5) and 17(4)	Power to apply to the Maori Land Court for an order under the provisions of Part 10 of Te Ture Whenua Maori Act 1993	✓						
18(7)	Power to proceed to take land if any of the circumstances specified in subsection 18(7) apply [ <b><i>provided that a prior resolution has been passed by Council or one of Council's appropriately authorised subordinate decision-making bodies approving that the land be taken</i></b> ]	✓						
20	Authority to apply to the Minister for a declaration	✓						
21	Power to purchase and/or improve land for granting as compensation [ <b><i>provided that the purchase price and costs of the improvements are within the limits of the Delegate's financial authority</i></b> ]	✓						
23(1)	Power to give notice in accordance with section 23 of Council's intention to take land (including, without limitation, to cause a survey plan to be prepared and lodged with the Chief Surveyor and a copy of the notice to be lodged with the District Land Registrar) [ <b><i>provided that a prior resolution has been passed by Council or one of Council's appropriately authorised subordinate decision-making bodies approving that the land be taken.</i></b> ]	✓						
23(8)	Power to withdraw a section 23 notice and to lodge notice of such withdrawal with the District Land Registrar (LINZ)	✓						
24(6)	Power to represent the Council at an Environment Court hearing into an objection	✓						
25	Power to agree to an Environment Court judge conducting an inquiry alone	✓						

Section	Delegation	GMIS	GMSE	IM	MWS	MLR	WSE	ISO
27	Power to give notice on Council's behalf of its intention to take or acquire natural material on land for public work [ <b>provided that a prior resolution having been passed by full Council or one of Council's appropriately authorised subordinate decision-making bodies approving that the material be taken</b> ]	✓						
28	Power to acquire or take and hold the land acquired for a public work subject to any particular estate, interest, easement, profit à prendre, covenant, or encumbrance, and to acquire or to take and hold any such estate or interest separately	✓						
31	Power to acquire surface, subsoil, or air space separately, including subsoil that has not already been acquired, if required at a later date	✓						
34(3)	Power to subdivide, develop, provide access to, set apart, or dispose of any severed land taken under this section	✓	✓					
40	Power to dispose of land no longer required for public work in accordance with this section [ <b>provided that the disposal is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies. If the land is to be sold at less than the current market value, prior approval must be obtained from the Chief Executive.</b> ]	✓		✓				
41(e)	Power to apply to the Maori Land Court for disposal of former Maori land when no longer required [ <b>provided that the disposal is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies</b> ]	✓						
42	Power to dispose of land no longer required for public work in accordance with section 42 (where either offer to sell under section 40(2) has not been accepted or whether section 40(2) and 40(4) do not apply) and to give notice of sale, auction or invitation for tenders [ <b>provided that the disposal is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies</b> ]	✓	✓					
43	Power to sell land on deferred payments [ <b>provided that the disposal is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies</b> ]	✓						
45(1) and 49	Power to grant a lease or tenancy or licence to occupy land held for public work (including airspace and/or subsoil).	✓		✓				
45(6)	Power to accept the surrender of any lease, tenancy or licence to occupy that was granted under section 45.	✓		✓				
47	Power to apply to Registrar of Land to issue a certificate of title for land held for public work	✓	✓					
48 and 49	Power to grant easement over land held for public work (including airspace and/or subsoil) (including to impose conditions and set rental amount, if any).	✓	✓					

Section	Delegation	GMIS	GMSE	IM	MWS	MLR	WSE	ISO
50	Power to agree the provisions of a sale and purchase agreement for the transfer to Council of an existing public work [ <b>provided that the agreement is within the limits of the Delegate's financial authority and the purchase is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies.</b> ]  Power to agree the provisions of a sale and purchase agreement for the transfer from Council to the Crown or another local authority of an existing public work [ <b>provided that the agreement is within the limits of the Delegate's financial authority and the purchase is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies.</b> ]	✓						
52(4)	Power to request that land held for one public work be set apart for another public work by notice in the Gazette	✓	✓					
63	Power to pay compensation for injurious affection where no land taken [ <b>provided the amount of the compensation is within the limits of the Delegate's financial authority</b> ]	✓						
65	Power to assess and /or pay compensation for land for which no general demand exists	✓						
70(1)	Power to offer compensation for estate or interest in land taken	✓						
71(6)	Power to request further information if the owner or occupier of any land wishes to do anything on or under the land which may cause the amount of compensation payable to him to be reduced	✓						
71(7)	Power to decline the application from the owner or occupier	✓						
73(4) and 74(4)	Power to consent as notifying authority to registration of a dealing	✓	✓					
75	Power to pay compensation to tenants of residential and business premises	✓						
76	Power to refund expenses where acquisition of land abandoned [ <b>provided that the refund is within the limits of the Delegate's financial authority</b> ]	✓						
79	Power to take proceedings to determine compensation if person entitled fails to make claim	✓						
81	Power to apply to District Court for an order authorising the Public Trust to represent infants, absentee owners, etc	✓						
84	Power to file claims in District Court requiring claim to be heard by Tribunal	✓						
96	Power to pay compensation to Public Trust when title doubtful	✓						
99(2)	Power to pay the mortgagor the full amount of any compensation where the compensation does not exceed \$250, without incurring any liability to the mortgagee	✓						
100(3)	Power to pay the owner of land the full amount of any compensation where the compensation does not exceed \$250, without incurring any liability to the holder of any rent charge	✓						
103	Power to grant easements in lieu of compensation	✓						
105	Power to grant land as compensation where equivalent land not readily available	✓						



Section	Delegation	GMIS	GMSE	IM	MWS	MLR	WSE	ISO
107(1)	Power to enter into an agreement with a person entitled to land under section 105 or 106 for the repayment of any money agreed to be due by way of equality of exchange	✓						
107(2)	Power to apply to the Land Valuation Tribunal to fix the value of land that is subject to exchange	✓						
107(5)	Power to consent to registration of dealing while a charge under section 107(4) is registered against land	✓						
107(6)	Power to sign notice of any charge under subsection 4 and any certificate releasing any such charge	✓						
107A	Power to grant lease or licence as compensation to lessee or licensee of land taken	✓						
107(9C)	Responsibility to consult with District Land Registrar as to practicability of amalgamating land	✓		✓				
110 and 111	Power to authorise entry and give notice to the owner and occupier; power to sign evidence of authorisation on behalf of Council for a person to enter onto private land for the purposes specified in subsection 110(1) or 111(1).	✓						
114	Power to give written consent for land to be declared road	✓						
115(9)	Power to sign certificate of consent or notice of discharge of certificate of consent	✓	✓					
133(2) and 134	Power to sign a notice requiring the removal of trees, hedges etc that obscure visibility or interfere with a public work and authorise service	✓						
133(5)	Authority to represent Council at a hearing commenced under subsection 133(3)	✓						
133(7), (8) and (9)	Power to authorise Council's employees or agents to enter on the land to carry out the required work in the circumstances specified in subsection 133(7) and recover Council's costs	✓						
135	Power to authorise Council's employees or agents to enter on the land and carry out emergency work on trees etc and to recover Council's costs	✓						
191	Power to apply the land to any authorised secondary use or to grant licences, permits, and privileges in respect of any authorised secondary use of the land to any persons upon or subject to such terms and conditions as the Delegate thinks fit, for any period, with or without a right of renewal	✓						
233	Power to give notice on Council's behalf before entry onto private land	✓	✓	✓	✓	✓	✓	✓
234	Power to enter onto land where there is an imminent danger to life or property or a likelihood of serious interference with or damage to any public work and to do such work as is necessary and sufficient to remove the danger or cause the likelihood of serious interference in accordance with section 234. <b>[A person is delegated this power when they are issued with a warrant of appointment by the Chief Executive that specifies the section 234 power of entry.]</b>	✓		✓	✓	✓	✓	✓
237	Power to sign on Council's behalf approval for excavations near public works	✓						
239	Power to remove or cause to be removed any property that has been abandoned on public works land.	✓		✓	✓	✓	✓	✓

## 49. Racing Act 2003

Delegation	GMSE
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓

## 50. Rates Rebate Act 1973

Section	Delegation	GMBS	FM
5-8	To consider applications for rates rebates and refunds, determine whether to grant the applications in accordance with sections 5-7, and apply the rebate/refund if granted.	✓	✓
9	To apply to Secretary for Local Government for refund of rebates granted.	✓	✓
10(1)	To authorise the recovery of all or part of a rates rebate or rates refund as a rate payable in respect of the rating unit.	✓	
11A	To seek advice from the Secretary of Local Government.	✓	
13	To take any declarations required for the purposes of this Act.	✓	

## 51. Rating Valuations Act 1998

Section	Delegation	GMBS	FM	RO	COM
8	To appoint person or body to undertake valuation services and notify Valuer-General of person or body undertaking valuations services for the Council.	✓	✓		
9	To undertake general revaluation in accordance with this section.	✓	✓		
10	To provide specified information to the Valuer-General.	✓	✓		
12	To give public notice in accordance with section 12 and provide for public inspection of the district valuation roll.	✓	✓		
13	To give notice of general revaluation in accordance with this section.	✓	✓		✓
14-17	To exercise powers regarding alterations and new valuations, giving notice, during the currency of a general revaluation.	✓	✓		
34(4)	To decide to alter the valuation or to decline to alter the valuation.	✓			
34(5)	To alter the valuation roll.	✓	✓	✓	
35	To give notice as required by this section.	✓	✓		✓
36	To file on Council's behalf for an objection to be heard by the Land Valuation Tribunal and arrange for service to the required parties.	✓			
38(3)	To authorise a person who provides or has provided valuation services to the Council (or an officer or employee of such person) to represent Council in proceedings before the Land Valuation Tribunal.	✓			
39	To alter the district valuation roll to give effect to the decision of the Land Valuation Tribunal.	✓	✓	✓	

Section	Delegation	GMBS	FM	RO	COM
41	To provide certified copies of entries in the district valuation roll.	✓	✓	✓	
42	To keep and maintain information and documents, and provide to Valuer-General when required.	✓	✓	✓	
43	To enter into agreement with the regional council as to the regional council's annual share of costs.	✓			
45	To provide written authorisation to persons for entry onto private property to carry out valuations.	✓			

## 52. Rating Valuations Regulations 1998

Section	Delegation	GMBS	FM	RTL
6	To extend the due date for lodging an objection.	✓	✓	
8	To notify the objector of the further information needed if the objection is to proceed.	✓	✓	
10	To refuse to consider late or incomplete objections.	✓	✓	
12	To issue and endorse as accurate a certified copy of an entry in the district valuation roll.	✓	✓	

## 53. Reserves Act 1977

Section	Delegation	GMIS	GMSE	GMBS	IM	ISO
6(3)	Power to revoke, issue or amend a Gazette notice.	✓	✓			
14(4)	Power to Gazette resolution to declare vested land to be a reserve.	✓	✓			
15(3)	Power to do all things necessary to affect any exchange of reserve for land.	✓	✓		✓	
23(3)	Power to prohibit access to the whole or any specified part of a local purpose reserve.	✓				
24A(2)	Duty to notify all those affected by such a change and to consider objections properly lodged as soon as practicable.	✓	✓		✓	
42(1)	Power to give or decline to give express written consent to the cutting or destruction of trees and bush on any historic, scenic, nature or scientific reserve and to determine terms and conditions.	✓			✓	
42(2)	Power to authorise the cutting or destruction of trees and bushes on any recreation reserve, or Government purpose reserve, or local purpose reserve, subject to being satisfied that certain conditions apply.	✓			✓	
44(1) and (2)	Power to grant consent to any person to use a reserve for purposes of accommodation or to remain on a reserve.	✓			✓	
45	Power to give or decline prior approval to erect shelters, huts, cabins, lodgings etc on any recreation or scenic reserve where such use is contemplated or provided for in approved management plan for the reserve.	✓				
47(2)	Duty to give public notice and call for objections to set aside all/part of a reserve as a wilderness area.	✓			✓	

Section	Delegation	GMIS	GMSE	GMBS	IM	ISO
48(1)	Power to grant rights of way and other easements over reserves where contemplated in an approved management plan or where already existing and the use will be the same or similar in character, intensity and scale.	✓	✓			
49	Power to grant or decline the right to take exotica flora and exotica fauna not protected under the Wildlife Act 1953, or rock mineral or soil from a reserve for scientific or educational purposes.	✓	✓		✓	
50(1)	Power to authorise the taking and killing of any specified kind of fauna, excluding indigenous fauna in the case of any recreation, Government purpose, or local purpose reserve. Power to authorise or decline to authorise the taking and killing of any non-protected exotic fauna using firearms, traps, nets or other like objects in any scenic or historic reserve.	✓				
51(1)	Power to authorise or decline to authorise the introduction of indigenous flora or fauna or exotic flora but only if provided for or contemplated in an approved management plan.	✓				
53	Powers (other than leasing) in respect of recreation reserves.	✓	✓		✓	✓
55	Power to do such things (other than leasing) in respect of scenic reserves.	✓	✓		✓	✓
57(7)	Power to in respect of a nature reserve, issue permits allowing any person to anchor or moor a specified vessel or any vessel.	✓			✓	
57(9)(c)	Power to, do such other things as may be considered necessary for the proper and beneficial management, administration, and control of the nature reserve and for the protection, preservation, and well-being of the indigenous flora and fauna and other features in the reserve.	✓	✓		✓	✓
58(d)	Power to do such other things as may be considered necessary or desirable for the proper and beneficial management, administration, and control of the historic reserve, conditional on the Minister's consent.	✓			✓	✓
58A(1) and (2)	Power to grant leases or licences of historic reserves, and to give notice, but only where the activity is provided for or contemplated in an approved management plan for the reserve or activity and the effects of the use will be the same or similar. Conditional on the approval of terms and conditions of any commercial lease by the Manager Property.	✓	✓		✓	
59(1)	Power, in respect of scientific reserves on the authorisation of the Minister, to issue a permit for access for scientific study or for control and management purposes.	✓			✓	
59(7)	Power to, in respect of a nature reserve, issue permits allowing any person to anchor or moor a specified vessel or any vessel.	✓			✓	
59A	Granting of concessions on reserves administered by the Crown subject to the requirements of the Act	✓	✓			
60	Power to, in respect of a Government purpose reserve, do such things as are necessary or desirable for the proper and beneficial administration, management, and control of the reserve and for its use for the purposes specified in its classification.	✓	✓		✓	✓
61(1)	Power to do such things in respect of local purpose reserves, considered necessary or desirable for the proper and beneficial management, administration, and control of the reserve and for the use of the reserve for the purpose specified in its classification.	✓	✓		✓	✓

Section	Delegation	GMIS	GMSE	GMBS	IM	ISO
74	Power to grant licences to temporarily occupy certain reserves, conditional on the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.	✓			✓	
77	Power to enter into covenant(s) to provide for the management of any private land or any Crown land so as to preserve the natural environment, or landscape amenity, or wildlife or freshwater-life or marine-life habitat, or historical value.	✓	✓			
78	Duty to apply all money received by way of rent, royalty, or otherwise in respect of any dealing with any reserve in accordance with the provisions of this section.	✓		✓	✓	✓
79(4)	Power, when appointed by the Minister under section 28 to be the administering body of a reserve, to pay and withdraw all monies into the general bank account.	✓		✓		
88	Duty, as administering body of a reserve or reserves to prepare the annual statement and audit of accounts to be incorporated in the Council's annual statement of accounts.	✓		✓		
94	Power to authorise certain activities on a reserve, which would otherwise be unlawful under paragraph (c) or paragraph (i) of this subsection.	✓			✓	
101	To lay any information in respect of an offence against the Reserves Act 1977.	✓	✓			

#### 54. Residential Tenancies Act 1986

Delegation	GMIS	GMSE	LG	IM	ISO
All of the responsibilities, duties, and powers under this Act <del>except for the power to enter into, terminate or negotiate any tenancy in relation to Council's pensioner housing portfolio.</del>	✓	✗	✗	✓	✓

#### 55. Sale and Supply of Alcohol Act 2012 and regulations

Section	Delegation	GMSE	CA	TLBS	BCO	PLAN*
198	The role of Secretary of the District Licensing Committee for the purposes of the Act, Regulations and Waitomo Local Alcohol Policy	✓				
198	The role of Secretary of the District Licensing Committee for the purposes of the Act, Regulations and Waitomo Local Alcohol Policy <i>*only when the GMSE is unavailable and where the Senior Planner is advised to undertake that role by the GMSE or Chief Executive, at, and during, timeframes specified in that advice</i>	✓				✓
64	To issue licences, certificates and authorities (endorsed where appropriate).	✓	✓			

Section	Delegation	GMSE	CA	TLBS	BCO	PLAN*
65-66	To keep records of every application filed with the DLC and the decision on the application. To keep a register of licensees to whom special licences have been issued by the committee, recording all prescribed particulars relating to those licences. To provide extracts from any record or register. To send to the secretary of ARLA a copy of every application made to the DLC, and a copy of every decision made by it.	✓	✓			
67	To certify extracts of registers or records.	✓				
72	To issue duplicate licences or certificates to holders.	✓	✓			
73	To receive notifications of surrender of licences and certificates. To notify the secretary of ARLA of the surrender, and record the specified information.	✓	✓			
100(f)	To issue certificates.	✓	✓			✓
102	To give copies of objections to applicants.	✓	✓			
103	To give copies of applications and accompanying documents to the Police, Medical Officer of Health and the inspectors. To give copies of any filed reports to applicants.	✓	✓			
120	To give copies of objections to applicants. To give copies of applications and accompanying documents to the Police, Medical Officer of Health and the inspectors. To give copies of any filed reports to applicants.	✓	✓			
128	To give copies of objections to applicants.	✓	✓			
129	To give copies of applications and accompanying documents to the Police, Medical Officer of Health and the inspectors. To give copies of any filed reports to applicants.	✓	✓			
139	To require applicants to attach notices of applications to conspicuous sites etc	✓				✓
140(2)	To set the time for the lodging of objections.	✓				✓
140(4)	To give copies of objections to applicants.	✓	✓			✓
141	To give copies of applications and accompanying documents to the Police, Medical Officer of Health and the inspectors. To give copies of any filed reports to applicants.	✓	✓			✓
143(1)(b)	To issue certificates.	✓	✓			✓
155	To receive copies of appeals of licensing committee decisions. To send copies of all required documentation related to an appeal to the secretary of ARLA.	✓	✓			✓
220	To give copies of applications and accompanying documents to the Police and the inspectors. To give copies of any filed reports to applicants.	✓	✓			✓
225	To give copies of applications and accompanying documents to the Police and the inspectors. To give copies of any filed reports to applicants.	✓	✓			✓
283	To give copies of applications to licensees.	✓	✓			✓

Section	Delegation	GMSE	CA	TLBS	BCO	PLAN*
	To fix dates for public hearings. To give notice of hearings.					
284	To send copies or orders to the secretary of ARLA.	✓	✓			✓
Reg 5(1)	The power to assign a cost/risk rating to any premises for which a licence is held	✓				✓
Reg 5(6)	The power under Regulation 5(6) of the Sale and Supply of Alcohol (Fees) Regulations 2013 to form opinions.	✓				✓
Reg 6	The power under Regulation 6 of the Sale and Supply of Alcohol (Fees) Regulations 2013 to assign fees categories.	✓				✓
Reg 9	The power under Regulation 9 of the Sale and Supply of Alcohol (Fees) Regulations 2013 to form a belief in respect of the patronage of events.	✓				✓
Reg 10(2)	The power under Regulation 10(2) of the Sale and Supply of Alcohol (Fees) Regulations 2013 to charge a fee for a special licence that is 1 class below the class of the licence that is issued.	✓				✓
Reg 19	The power under Regulation 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 to make publicly available a report.	✓				✓

#### 56. Statutory Land Charges Registration Act 1928

Section	Delegation	GMBS	GMIS	GMSE
6	To sign a notice of a statutory land charge.	✓	✓	✓
7	To sign a certificate releasing a statutory land charge.	✓	✓	✓

#### 57. Summary Proceedings Act 1957

Delegation	GMIS	GMSE
To institute proceedings including prosecutions under this Act.	✓	✓

**58. Telecommunications Act 2001**

Section	Delegation	GMI S	MLR	AMR
137	To impose conditions on any authority to construct, place and maintain lines or wireless works, in, on, along, over, across, or under any road.	✓	✓	✓
142	To impose conditions on any authority to place a cabinet or appliance on a road.	✓	✓	✓

**59. Trespass Act 1980**

Section	Delegation	GMBS	GMI S	GMSE	GCOM
3 and 4	To be the person in lawful occupation of land owned, occupied or controlled by the Council for the purposes of giving a warning to leave under section 3 and giving a warning to staff off a place under section 4		✓		
10	To be the person in lawful occupation of land owned, occupied or controlled by the Council for the purposes of commencing proceedings.		✓	✓	

**60. Unit Titles Act 2010**

Section	Delegation	GMSE	PP
32(2)(a)	To give a certificate in respect of any unit plan.	✓	✓

**61. Utilities Access Act 2010**

Delegation	GMI S	MLR
To act as a utility operator on behalf of Council in relation to water and wastewater infrastructure and to perform all the responsibilities, duties and powers of that position in accordance with the Utilities Access Act 2010 and the National Code of Practice for Utilities Operators Access to Transport Corridors.	✓	✓
To act as the corridor manager on behalf of Council in relation to the transport corridor and to perform all the responsibilities, duties and powers of that position in accordance with the Utilities Access Act 2010 and the National Code of Practice for Utilities Operators Access to Transport Corridors.	✓	✓



## 62. Walking Access Act 2008

Delegation	GMIS	GMSE	IM
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓

## 63. Waste Minimisation Act 2008

Section	Delegation	GMIS	MWMM
52	To undertake, or contract for any waste management and minimization service, facility or activity in accordance with this section (provided the exercise of this sub-delegation is within the delegate's financial authority).	✓	✓
53	To sell any marketable product in accordance with this section.	✓	✓
55	To comply with any notice issued by a Health Protection Officer and give notice / directions to person providing waste collection service.	✓	✓
84	To decide whether or not to return seized or impounded property	✓	✓
85	To dispose of seized or impounded property in accordance with this section.	✓	

## Sub-Part 2 – Bylaws

The Chief Executive delegates to the following staff powers in relation to Council’s bylaws detailed below:

### 1. Public Amenities Bylaw 2015

<b>Delegation</b>				
All of the powers under this Bylaw that have been delegated to the Chief Executive.	✓	GMIS	✓	GMSE IM

### 2. Trade Waste Bylaw 2016

<b>Delegation</b>		
All of the powers under this Bylaw that have been delegated to the Chief Executive.	✓	GMIS MWS

### 3. Land Transport Bylaw 2015

<b>Delegation</b>				
All of the powers under this Bylaw that have been delegated to the Chief Executive.	✓	GMIS	✓	AMR AER MLR

### 4. Waitomo Dog Control Bylaw 2016

<b>Delegation</b>				
All of the powers under this Bylaw that have been delegated to the Chief Executive.	✓	GMSE	✓	TLCM ACO

### 5. Public Places Bylaw 2014

<b>Delegation</b>																		
All of the powers under this Bylaw that have been delegated to the Chief Executive.	✓	GMSE	✓	GMIS	✓	MLR	✓	MWS	✓	RNS	✓	AER	✓	IM	✓	RCS	✓	ISO

## 6. Water Services Bylaw 2015

Delegation	GMI S	MWS	AEWS	WSE
All of the powers under this Bylaw that have been delegated to the Chief Executive.	✓	✓	✓	✓

## 7. Public Health and Safety Bylaw 2009 (updated 2014)

Delegation	GMI S	GMSE	TLCM
All of the powers under this Bylaw that have been delegated to the Chief Executive.	✓	✓	

## 8. Solid Waste Bylaw 2009 (updated 2014)

Delegation	GMI S	EAI S
All of the powers under this Bylaw that have been delegated to the Chief Executive.	✓	✓

## Sub-Part 3 – Operational Delegations

### 1. Finance and Insurance

Delegations	Limitations	Position
<p>Authority to approve either capital or operational expenditure and to authorise the commencement of authorised works/services, including for any multi-year contracts,, which have been budgeted for in Council's 10 Year Plan (LTP) and/or Annual Plan</p>	<p>Conditional on:</p> <ul style="list-style-type: none"> <li>▪ The expenditure is for authorised works or services for which provision has been made in Council's approved budget</li> <li>▪ No sum shall be knowingly committed over a single financial year which exceeds 75% of the LTP budget sum for that significant activity.</li> <li>▪ Compliance with procedures identified in any relevant financial authority manual or policy (such as Council's Procurement Policy) in relation to each transaction</li> <li>▪ With regard to the acquisition and disposal of assets, the transaction being in accordance with the 10 Year Plan</li> <li>▪ Financial transactions should not be subdivided to avoid the financial delegation limit or a contestable process</li> <li>▪ The expenditure to be within the financial delegation held by the position.</li> </ul>	<p>Those positions which hold financial delegations (The Finance Department maintain a register of the financial delegations held by positions).</p>
<p>Transferring budgets – authority to approve budget change forms for the transfer of budgets (capital or operational) within an activity</p>	<p>Requires approval of the Chief Executive Subject to a limit of <b>TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000)</b></p>	<p>Any Group Manager together with the Chief Executive, as members of the Senior Management Team acting together</p>
<p>To exempt the calling of tenders over <b>FIFTY THOUSAND DOLLARS (\$50,000)</b> (GST inclusive) in accordance with an approved budget.</p>	<p>Requires the authority of the General Manager Business Support together with one other Senior Management Team member, in accordance with Council's Procurement Policy</p>	<p>GMIS, GCOM, <b>GMSE</b> as members of the Senior Management Team.</p>
<p>Authority, to authorise and approve any expenditure in an emergency.</p>	<p>Only in conjunction with the Chief Executive. <del>and in accordance with Council's Procurement Policy.</del></p>	<p>GMIS, GCOM, GMSE, <b>LCDC</b></p>

<p>Authority to approve expenditure when formally placed in control of an event (civil defence emergency – declared or undeclared)</p>	<p>Under section 94 of the Civil Defence Emergency Management Act 2002 (CDEM Act), the Local Civil Defence Controller and Alternate Controllers for Waitomo District Council and the Waikato Regional CDEM Group Controller (Civil Defence Emergency Management Group) are authorised to enter into urgent contracts on behalf of Waitomo District Council for the purposes of the Act as outlined in the Waikato Civil Defence Emergency Management Group Plan, subject to the following limitations:</p> <p>In a declared emergency, the Controller is delegated automatic uncapped delegated financial authority when formally identified by the Chief Executive as acting as a Controller. The Controller is required to present incremental reporting to the Chief Executive and Group Controller for every \$250,000 of expenditure incurred when exercising this delegation to ensure there is appropriate oversight. The Group Controller is also required to report to the Chief Executive for every \$250,000 of expenditure incurred when exercising this delegation.</p> <p>In a non-declared emergency, the Controller is delegated uncapped delegated financial authority when formally identified by the Chief Executive as acting in control of that emergency. The Controller is required to present incremental reporting to the Chief Executive and Group Controller for every \$250,000 of expenditure incurred when exercising this delegation to ensure there is appropriate oversight. The Group Controller is also required to report to the Chief Executive for every \$250,000 of expenditure incurred when exercising this delegation.</p> <p>Note: A non-declared emergency is an emergency, as defined under the CDEM Act, where a formal declaration of state of local emergency has not been made pursuant to section 68 of the CDEM Act.</p>	<p>Local Civil Defence Controller</p>
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Delegations	Limitations	Position
	<del>None – In accordance with Section 6.8 of the Waikato Region Emergency Management Group – Group Plan 2016-2021- Provided that all ongoing total expenditure is reported to the Chief Executive at intervals agreed.</del>	
To open, to operate and to close the Council's bank accounts	In conjunction with the Chief Executive.	GMBS, FM
Authority to negotiate terms of borrowing.	In accordance with current Council's Ten Year Plan.	GMBS, SA <sup>+</sup> + <i>in conjunction with GMBS</i>
Authority to agree on a 'compromise accommodation' with debtors.	In conjunction with GMBS	GMBS, FM, DMO
Authority to accept assets gifted to Council.		GMBS, GMIS, GCOM, GMSE
Authority to negotiate the annual plan NZ Transport Agency (NZTA) programme and its funding with Land Transport NZ and submit monthly and annual claims against the accepted Land Transport Programme.		GMIS, MLR, AMR
Authority to invest Council funds in any manner	Subject to compliance with Council's Investment Policy.	GMBS, FM, SA * <i>any two together</i>
Authority to manage debt, interest rates, foreign exchange and cash	Subject to compliance with Council's Liability Management Policy.	GMBS, FM, SA * <i>any two together</i>
Authority to establish procedures to carry out Council's, financial policies and any enforcement thereof.		GMBS, FM
S 101 Local Government Act 2002 Authority to carry out and undertake all the Council's functions, powers and duties to manage revenue, expenses, assets and liabilities, investments and general financial dealings prudently and in a manner that promotes the current and future interest of the community.	Subject to compliance with Council's financial policies.	GMBS, FM
Authority to approve any taxation payments to the Inland Revenue Department and any loan interest payments to lenders, even if such payments are in excess of the normal financial delegation for the position.		GMBS, FM, SA
To certify and authorise the payment of progress payments in relation to contracts entered into by the Council.	Within the limit of the financial delegation to the position	Those positions with financial delegations. (The Finance Department maintain a register of the financial delegations held by positions).

Delegations	Limitations	Position
Authority to write off unrecoverable debts or stock between the sum of <b>TEN THOUSAND DOLLARS (\$10,000)</b> in any one case,	In consultation with the Chief Executive. Any amounts over this sum shall be reported to Council or a Council committee.	GMBS, FM
Power to act as a representative of Council and authority to act on behalf of Council with respect to the scope of the Insurance Advisory Group, which is to manage the procurement of insurance for all or any of the local authorities.		GMBS, FM
Authority to execute insurance declarations on behalf of Council, subject to the limits of the financial delegation to the position		GMBS
Authority to negotiate contracts with Council's insurers and approve claims		GMBS, FM

## 2. Contracts

Delegation	Limitations	Delegate	Delegate
To sign on Council's behalf contracts or issue letters of acceptance for the purposes of creating a contract where it has been resolved by the Council or any committee or subcommittee of the Council to accept any tender or quotation or where such contract is within the delegation to any committee, subcommittee or officer.	<ul style="list-style-type: none"> <li>▪ For authorised works for which provision has been made in Council's approved budget.</li> <li>▪ Compliance with procedures identified in any relevant financial authority manual or policy (such as Council's Procurement) in relation to each transaction.</li> <li>▪ Subject to within the financial delegation to the position or with the authority of a Council or committee resolution</li> </ul>	All Group Managers	All staff holding financial delegation
To carry out or authorise the carrying out of any works or other expenditure considered necessary to be undertaken by the Principal pursuant to the Conditions of Contract.	As above	All Group Managers	All staff holding financial delegation
To make any decision, election or determination as Principal in relation to any contract entered in to between the Council and any third party.	As above	All Group Managers	All staff holding financial delegations

Delegation	Limitations	Delegate	Delegate
The power of appointment in respect of the roles of "Engineer" under NZS 3910, 3915, 3916 and 3917 Contracts, to appoint a suitably qualified external contractor to act in the role of "Engineer to Contract" in any of those contracts. The appointed "Engineer to Contract" may be permitted to appoint a suitably qualified Council employee or external contractor to act as "Engineer's Representative" to exercise any of the powers invested in the Engineer.		GMIS	MWS, MLR, AER, AEWS, AMR, IM, ISO, RCS, RNS, WSE

### 3. Property

Delegation	GMIS	IM	ISO	GMBS	FM
To negotiate and enter into Licences to Occupy (LTO) for the private use of activities/structures on WDC land or land where WDC is the formal administrator of the land	✓				
To negotiate and tender land for lease with third parties for a period not exceeding 10 years.	✓	✓			
To negotiate a renewal of a Council lease where the lessee/tenant has abided by all the obligations and conditions.	✓	✓			
To authorise the suspension of rental payments for a maximum of three months where the term of the lease is for a minimum period of six months.	✓	✓			
To negotiate rent-free grazing leases on Council land but only if the costs of maintenance of the property exceeds the potential return.	✓	✓			
To initiate and resolve rental and/or outgoing arrears if the arrears have been outstanding for over 2 months. (in line with Policy)	✓	✓	✓		
To terminate a lease for non-payment of rent or breach of lease condition and if necessary initiate legal proceedings in the Court, (including arbitration) for recovery of the arrears or termination of the lease and repossession of the property.	✓	✓ (only GMIS to approve initiating Court proceedings)			
To undertake rent reviews in accordance with a lease which may include the instructing of a valuer, together with negotiating new rent.	✓	✓			
To approve or decline the sub-leasing of Council property; together with the authority to approve or decline a sub-leasing arrangement that varies from the head-lease.	✓	✓			
To approve or decline assignment of leases.	✓	✓			
To approve or decline alterations to lessee/tenant owned buildings where the alterations may impact on Council owned land.	✓	✓			
To approve or decline a lessee/tenant's request for alterations to Council owned buildings.	✓	✓			
To terminate a grazing lease if the Council owned land is required for the purpose of Council activities.	✓	✓			



Delegation	GMIS	IM	ISO	GMBS	FM
To terminate a lease in consultation with the existing lessee/tenant.	✓	✓			
Authority and power to act on Council's behalf as a landlord for the purposes of entering leased/tenanted land and buildings to carry out the landlord's rights and obligations under the lease.	✓	✓	✓		
To apply for any resource consent in relation to Council owned land or with respect to activities proposed to be undertaken by Council together with the authority to sign land transfer title plans for subdivisions approved by Council.	✓	✓			
Authority to collect revenue and file annual returns with respect to mining licenses.	✓	✓		✓	✓
Authority to approve the registration of a caveat on land not owned by Council pursuant to Part 8 of the Land Transfer Act 1952.	✓	✓			
To enter into contracts, and execution of the same, for the use and management of Council facilities and land together with the authority to renew such agreements.	✓				
To apply for a building consent for work to be undertaken on Council property.	✓	✓			
Authority to negotiate to acquire land for purposes of road construction or road maintenance	✓				

#### 4. Executing Documents

Delegations	Limitations	Delegate	Delegate
For all deeds to be executed by Council under the Property Law Act 2007, to be signed and sealed by two elected members and the Chief Executive.			
Subject to the delegation above, to sign on behalf of the Council all documents relating to interests in land, including reserves vested in Council or for which Council is the administering body and which include: <ul style="list-style-type: none"> <li>▪ Tenancies, leases and licences up to a 5 year term and renewals of leases where the original grant of lease contained a right of renewal</li> <li>▪ Easements and similar rights</li> <li>▪ Caveats and encumbrances</li> <li>▪ Discharges or partial discharges of mortgages granted by Council</li> <li>▪ Subdivision whether of Council owned property or in connection with resource consents granted by Council</li> <li>▪ Options to purchase (but not the exercise of any option)</li> </ul>	<p>Provided that in each case such documents:</p> <ul style="list-style-type: none"> <li>▪ include terms and provisions customary to such documents;</li> <li>▪ reflect and include specific provisions including price as resolved by Council or a Council committee</li> <li>▪ adequately protect Council.</li> </ul> <p>A report on the documents signed under this authority (other than with the authority of a Council or committee resolution) shall be submitted to the next available meeting of the Council or a Council committee.</p>	GMIS	
Agreements to variations to the price of any property which Council has resolved to purchase or sell	Such variation must not exceed 10% of the amount resolved by Council or a Council committee and must be reported to the next available meeting of Council or Council committee.	GMIS	

Delegations	Limitations	Delegate	Delegate
Authority to sign documents on behalf of Council for the removal of limitations on titles as the owner of the land for which the limitation applies or owner of land adjoining.		GMIS GMSE	
Authority to issue and sign on behalf of Council any notices which may be required to be given by Council under the provisions of the Local Government Act 2002, Local Government Act 1974 or any other legislation or bylaw		All GMS	
<p>Authority and Instruction forms To sign on behalf of Council all necessary 'Authority and Instruction' forms as required from time to time:</p> <p>(a) to authorise and instruct solicitors acting for Council to undertake land conveyancing transactions electronically by e-dealing on behalf of the Council on the Land Information NZ Internet based land registry system known as 'Landonline'; and</p> <p>(b) to comply with the requirements of s 164A of the Land Transfer Act 1952 and Rule 3.03 of the NZ Law Society's Rules of Professional Conduct</p>		All GMS	PP
Signing of documents other than those relating to contracts or interests in land	<ul style="list-style-type: none"> <li>▪ Documents which have been authorised by Council or a committee resolution</li> <li>▪ Documents include terms and provisions customary to such documents</li> <li>▪ Reflect and include specific provisions including price as per the resolution</li> <li>▪ Adequately protect Council</li> </ul>	All GMS	PP (related to Resource Management Act 1991)
To apply the Council Seal on any document which requires the Council Seal	<p>Authorised by a Council Resolution and in accordance with Council's Policy on Use of the Council Seal.</p> <p>Provided that any documents requiring sealing pursuant to processes under the Resource Management Act 1991 are authorised to be signed by the GMSE and the PP.</p>	All GMS	PP (only documents as part of processes under Resource Management Act 1991)

## 5. Litigation and Claims

Delegation	All GMS	GMSE
To authorise the taking or defending of proceedings in the Council's name in any Court or Tribunal (except for proceedings for rating sale pursuant to the Local Government (Rating) Act 2002 which shall require approval by the Chief Executive)). If this authority is exercised to take or defend any proceedings of any sort in the High Court, Environment Court, or any appeal court, then a report of such proceedings shall be delivered to Council at the next available Council meeting.	✓	✓
To authorise the undertaking of any prosecution proceedings in the name of the Council or by any Council employee for breach of any Act, Regulation or Waitomo District Council Bylaw or the Waitomo District Plan.		✓
Authority to resolve resource management appeals through Environment Court mediation processes with the proviso that in exercising this authority, consultation should be undertaken with the Mayor and Chief Executive and a report of such resolution to be provided to the Council at its next available meeting.		✓
Authority to take all steps necessary to enforce any Court judgement in favour of the Council.	✓	
Authority to exercise all power available to Council for the recovery of debt, other than rates, owed to the Council. Any legal proceedings commenced to recover any outstanding debt shall be reported to Council.	✓	
Authority to manage potential and actual legal claims (including judicial review, injunction and disputes proceedings) and settle claims for amounts up to the excess in relation to Council's insurance cover, including signing any Settlement Agreement.	✓	

Delegation	All GMS	GMSE
<p>In relation to any claims or proceedings, includes all ancillary authority necessary to give effect to the delegation, including authority to:</p> <ul style="list-style-type: none"> <li>▪ Notify Council's insurer</li> <li>▪ Instruct external legal counsel to represent Council</li> <li>▪ Authority to engage professional or technical services in relation to the management of any such claim or proceedings</li> <li>▪ Accept service of documents</li> <li>▪ Defend the claim in any New Zealand Court or Tribunal</li> <li>▪ Deal with any interlocutory matter (including any matters relating to discovery)</li> <li>▪ Give and request any person to give sworn evidence</li> <li>▪ Apply for a witness to be summonsed</li> <li>▪ Appear on behalf of Council at the proceedings</li> <li>▪ Authorise another person to represent the Council at the proceedings</li> <li>▪ Submit the claim to alternate dispute resolution (including mediation and arbitration), including authority to sign any pre-mediation agreement</li> <li>▪ Sign any documents in respect of the above</li> <li>▪ Agree to provision or give security for costs (within the limits of any financial delegation)</li> <li>▪ To delegate to any Council employee the authority to take all steps and do all things which may be necessary in connection with the taking or defending of proceedings on behalf of the Council, either civil or criminal, or of any other sort, or to appear on behalf of the Council in any Court or Tribunal.</li> </ul>	✓	✓

## 6. Media

Delegations to staff in accordance with appointments to positions (HR department maintains a note of positions and tiers)

Delegation	ALL GMS	COM
Authorised to liaise with the media on all matters relating to the activities managed by the position.	✓	
Authority to liaise with the media on Council matters relating to general enquiries, and on specific matters where authorised to do so by the Chief Executive, Group Manager or Manager in accordance with the delegations conferred on these roles.		✓

## 7. Human Resources

Delegations to staff in accordance with appointments to positions which manage other staff (HR department maintains a note of positions and tiers)

Delegation	ALL GMS
Authority to authorise and grant paid annual leave, domestic leave and sick leave for staff who report to the position holder, in accordance with Council's Human Resources policies and procedures	✓

**Document No:** A433539

**Report To:** Council



**Meeting Date:** 25 June 2019

**Subject:** Adoption of the Town Concept Plans

**Type:** Decision Required

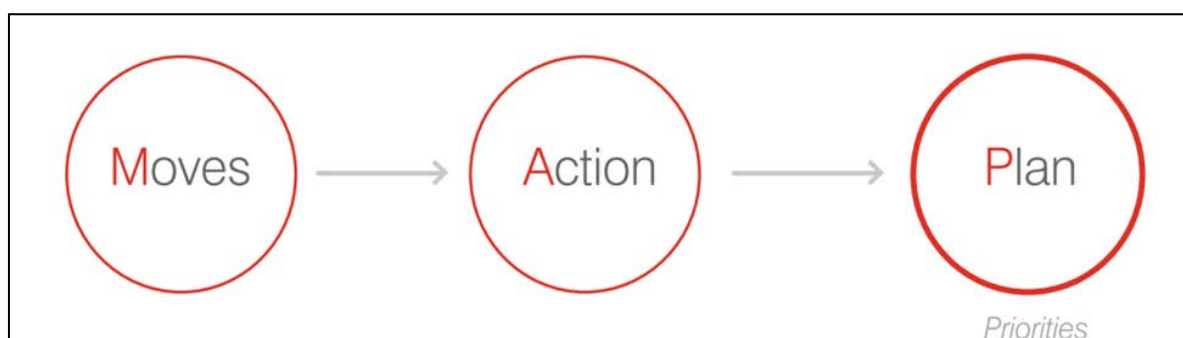
## Purpose of Report

- 1.1 The purpose of this business paper is to ask Council to adopt the Town Concept Plans for Te Kuiti, Mokau, Piopio, Benneydale, and Waitomo Caves Village. The Town Concept Plans are key foundation documents for the District Plan and will also help to inform future Annual and Long-Term Plans.

## Background

- 2.1 A Town Concept Plan (TCP) is a method of planning which helps to identify the issues, features, and opportunities available in our townships. In some of our towns, where we expect growth to happen, the TCPs have been used to help us identify where that growth should be located.
- 2.2 Over the past 18 months, Council staff with the assistance of BECA consultants, have been working with the communities of Te Kuiti, Mokau, Piopio, Benneydale, and Waitomo Caves Village to develop the TCPs. The TCP for Waitomo Caves Village has incorporated the work undertaken in the Tere Waitomo Structure Plan 2014 and Piopio TCP has incorporated directions and aspirations shared by the Piopio Project Trust. The TCPs have also been developed in a co-ordinated manner with input from our communities, mana whenua and key stakeholders such as NZTA (New Zealand Transport Agency).
- 2.3 The TCPs were developed over two rounds of consultation. The first round was held in the first half of 2018 and involved a series of open days in each community. Letters were sent to people living within the community and surroundings, and advertising included articles in local papers and newsletters. Information was also on the Council's website, inviting people to attend the open days and share their ideas. At each open day, maps and posters of the features, issues and opportunities for each place were available for people to read and consider. Ideas boards captured thoughts and suggestions and people also filled in individual feedback forms. The feedback that was received was then summarised, presented to Council, and used as the basis for developing the draft documents.
- 2.4 Prior to the community open days being held, meetings were arranged to present information and gather feedback from Hapū. From these meetings, information was shared regarding development aspirations as well as information on local sites of significance. This information was collated and summarised in each draft TCP.

- 2.5 The issues raised during the first round of consultation were resolved in a number of ways. In some cases, service requests were made to the Infrastructure Services Group. Examples of the numerous small projects include reinstalling a mirror at Te Kauri in Mokau and mending the bridge on Georgetti Street in Benneydale. Examples of ongoing larger projects include seeking funding for new toilet facilities in Mokau and Waitomo Caves, the new pedestrian bridge project in Te Kuiti, pavement extension and a new small playground in Benneydale and work with NZTA to better manage the speed and pedestrian environment in Piopio. Some of these larger projects were already identified by Council, but input from each community has assisted in providing support, ideas and impetus. The Infrastructure Services Team should be commended for their early adoption and response to these documents.
- 2.6 In other cases the feedback received has directly influenced the Annual Plan and Long Term Plan processes by allowing the prioritisation of funds to be considered for various projects the community has suggested. External funding streams have also been sourced to implement some suggestions, including the camping facility in Te Kuiti and the placement of temporary toilets in Mokau over the summer period in lieu of a longer term solution.
- 2.7 State Highway related issues have been discussed over a number of months with NZTA. Some of these projects were already being considered by NZTA, but community support has helped proposed work to address truck parking issues in Mokau, proposed plans for a pedestrian refuge and speed management in Piopio, and proposed plans to repair Awakino Road. In other cases the feedback has resulted in NZTA undertaking maintenance, such as fixing potholes in Benneydale, and planting the Hangatiki roundabout.
- 2.8 In addition, the feedback has been directly incorporated into the Draft TCP, where the community has helped staff to identify existing natural and built features that are valued, and to consider future visions and aspirations. Community feedback related to District Plan rules and zoning has also been included in the TCPs.
- 2.9 As well as feedback, the Council undertook research into key areas. This research involved undertaking an Economic Analysis of the central business areas of Te Kuiti, as well as high level infrastructure analysis of potential future growth areas in Mokau.
- 2.10 From this round one feedback and research, a draft TCP was produced for each township. A key feature of the draft TCPs was a place-based MAP. The MAP contains Key Moves; and for each Move, Actions are identified, along with a Plan to implement the Actions.



2.11 The draft TCPs were then made available for feedback from December 2018 to March 2019. Copies of the draft documents were available locally in cafes, museums, libraries, in Council offices and on the Council website. A second round of open days in each town provided people with a further opportunity to present feedback on the provisions in the TCPs. The majority of comments were positive and people felt their original comments had been taken on board in the draft documents. Some minor changes were considered by Council in February. These included:

- In Pioipo an update on consultation with Mokau ki Runga Regional Marae Committee.
- Waitomo Caves Village amendments to recognise the community desire to provide for residential as well as tourism activities in the Tourism Zone.
- Te Kuiti, identifying further opportunities for development in Brook Park.
- Amendments to all TCPs in response to a submissions made by The Lines Company to recognise the importance of a safe and resilient infrastructure system.

The agreed changes have been incorporated in to each of the TCPs as directed by Council. Table 1 below outlines the timing of the open days in each community:

**Table 1: Community Engagement – Round One & Two open days**

Town	Round One	Round Two
Te Kuiti	21st and 22nd December 2017	14 February 2019
Waitomo Caves Village	3rd July 2018	20 February 2019
Mokau	4th and 5th January 2018	8th February 2019
Benneydale	4th of July 2018	12 February 2019
Pioipo	27th June 2018	22 February 2019

## Commentary

- 3.1 In making a decision the Council is required to consider the relevant provisions of the Local Government Act 2002 (LGA).
- 3.2 Under Section 77 of the LGA the Council is required in the course of making a decision, to identify all reasonable options and to assess their advantages and disadvantages. In doing this, it is the responsibility of Council to make, in its discretion, judgements about how to best achieve compliance. The options to be considered as part of this decision have been outlined in Section 4 below.
- 3.3 The consultation undertaken for the TCPs has not followed the Special Consultative Procedure under the LGA. It has however, embodied the Principles of Consultation in Section 82 of the LGA. In particular, 'persons who have or will be affected' have had reasonable access to information (Section 82(1)(a)). People have had the opportunity to present their views to Council staff, and to Councillors. At most open days Councillors were present (Section 82(1)(b)). A



number of people took the opportunity to present their views directly to the Councilor that attended.

- 3.4 People were encouraged to present their views, through filling out feedback forms, contributing to ideas boards, speaking to Council staff and Councilors, and lodging feedback using the website. Table 2 below summarises the number of website views received during the second round of consultation on the TCPs and rezoning:

**Table 2: Community Engagement – Website views during Round Two consultation**

Engagement Type	Subject	Views
Rezoning	All townships	545
Town Concept Plan	Te Kuiti	280
Town Concept Plan	Waitomo Caves	225
Town Concept Plan	Mokau	185
Town Concept Plan	Benneydale	161
Town Concept Plan	Piopio	86
District Plan Snapshot	ODP	206

- 3.5 Council considered whether it was necessary to ask community members to formally present their views to Council at a Council meeting. While this process would have provided a formal opportunity for people to present their views, it was decided that this process did not add value to the detailed feedback that had already been offered, and was not necessary or cost effective for ratepayers. Instead, to avoid duplication of cost, people will be given formal opportunities to present submissions through the Proposed District Plan and Long Term Plan processes on the various aspects of the TCPs.
- 3.6 In the course of its decision, the Council is also required to give consideration to the views and preferences of persons likely to be affected and/or have an interest in the matter. The process followed to develop the TCPs has provided opportunities for those persons affected to contribute their ideas, and to have their say. There will also be further opportunities for people to be involved through the implementation phase of the documents. This may include through the Proposed District Plan or Long Term Plan process, or through consultation on particular projects where this is required.
- 3.7 Implementing the actions and plans in the TCPs in a timely, cohesive and coordinated manner is important. Some actions will be implemented through the District Plan, others through future Annual Plans or Long Term Plans; and some actions will require applications for funding sources that are independent of the Council. Other actions do not require funding but need community co-ordination.
- 3.8 There are a range of possible options open to Council when considering the framework for moving the TCPs into the implementation phase. Different approaches maybe more effective depending on the community. Community based co-ordination committees have had great successes in some of our townships and may well be the appropriate vehicle for implementation of some of the projects. It is recommended staff initiate conversations with the respective communities as to how best achieve implementation.

- 3.9 It is also considered that regular reporting is required on progress towards achieving the actions. This could be done electronically through the Council's webpage, reported in papers and/or community newsletters or community noticeboards. This could assist future Annual Plans or Long Term Plans in prioritising funding as people could consider the options offered in the TCPs and evaluate whether they wish to submit for particular projects to be included within these documents.

## Options

- 4.1 There are three options available to Council:
- a) Resolve to adopt the Town Concept Plans; or
  - b) Resolve for the Town Concept Plans to follow the formal Special Consultative Procedure; or
  - c) Do not adopt the Town Concept Plans.
- 4.2 It is recommended that due to the extensive consultation that has occurred, Council resolves to adopt the Town Concept Plans.

## Considerations

### 5.1 **Risk**

- 5.2 The Act provides the statutory authority for Council to determine not to undertake consultation in accordance with the Special Consultative Procedure of the Local Government Act 2002. In addition, there is no legal requirement for Council to either have, or formally consult on, Town Concept Plans. Therefore, there is no risk to Council in taking this decision.

### 5.3 **Consistency with Existing Plans and Policies**

- 5.4 The TCPs are not inconsistent with Council's plans and policies. They provide information that supports the development of the Proposed District Plan, and will assist Council in considering the priority of projects and potential funding.

### 5.5 **Significance and Community Views**

- 5.6 The decision is not a significant decision pursuant to WDC's Significance and Engagement Policy.

## Recommendation

- 6.1 It is recommended that Council resolve to adopt the Town Concept Plans for Te Kuiti, Mokau, Piopio, Benneydale, and Waitomo Caves Village.

## Suggested Resolutions

- 1 The business paper on Adoption of the Town Concept Plans be received.
- 2 Council adopt the Town Concept Plans for Te Kuiti, Mokau, Piopio, Benneydale, and Waitomo Caves Village.



CATHY O'CALLAGHAN  
**PRINCIPAL PLANNER**

25 June 2019

- Attachments:
- 1 Te Kuiti Town Concept Plan (A433699)
  - 2 Piopio Town Concept Plan (A433637)
  - 3 Mokau Town Concept Plan (A433696)
  - 4 Waitomo Caves Village Town Concept Plan (A433701)
  - 5 Benneydale Town Concept Plan (A433634)