

Document No: A341953

Report To:

Council



Meeting Date: 28 February 2017

Subject: **Resolution to re-open Meeting to the Public**

Purpose of Report

- 1.1 The purpose of this business paper is for Council to pass a resolution to re-open the meeting to the public following the consideration of public excluded business.

Suggested Resolution

The meeting be re-opened to the public following the consideration of public excluded business.

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

MICHELLE HIGGIE
EXECUTIVE ASSISTANT

WAITOMO DISTRICT COUNCIL

MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON TUESDAY 13 DECEMBER 2016 AT 9.00AM

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

IN ATTENDANCE: David Beck (Waitomo News)

Kura Stafford, Project Manager and Tipene Wilson (Maniapoto Maori Trust Board)

Chief Executive; Executive Assistant; Group Manager – Community Services (for part only); Group Manager – Corporate Services (for part only) and Group Manager – Assets (for part only)

1. Council Prayer

2. Declarations of Conflicts of Interest

Councillor Whitaker declared a conflict of interest with Item 8 – “2016 Community Partnership Fund – Consideration of Funding Applications” due to his involvement with the Brook Park Incorporated Society.

3. Deputation: Maniapoto Maori Trust Board

Council received a Deputation from Kura Stafford, Project Manager and Tipene Wilson of the Maniapoto Maori Trust Board on the role and responsibilities of the Board.

Resolution

The Deputation from the Maniapoto Maori Trust Board be received.

Brodie/New Carried

4. Confirmation of Minutes – 29 November 2016	A335727, A335740 and A337154
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Resolution

The Minutes of the Waitomo District Council meeting of 29 November 2016, including the Public Excluded minutes, be confirmed as a true and correct record.

Whitaker/Goddard Carried

5. Verbal Reports: Individual Councillor Roles and Responsibilities
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Cr Brodie

- Piopio Wastewater Treatment Plant Community Liaison Group Meeting
- Mokau School
- Les Munro Centre
- WDC Staff Meeting
- Mokau Water Main Upgrade
- NZTA State Highway 3 Meeting
- WDC Transfer Station

Cr Davey

- Rural Travel Funding and Creative Community
- Legendary Te Kuiti Breakfast
- Te Kuiti Community House Trust
- Driver Program

Cr Smith

- Waitomo District Council Transfer Station

Cr Whitaker

- Brook Park
- The Lines Company
- Te Kuiti Development Incorporated
- Meadsville Work Group
- WDC Staff Meeting
- Legendary Te Kuiti Breakfast

Cr Goddard

- Bennydale Hall Society

Cr Janene New

- Te Kuiti & Districts Historical Society
- Induction at Rotorua

Mayor Hanna

- Social Sector Trials
- Meeting with Wintec
- WDC Staff Meeting
- LGNZ
- Breakfast Meeting with Barbara Kuriger
- Te Kuiti and District Historical Society
- Te Kuiti High School Prize Giving

Resolution

The verbal reports be received.

New/Brodie

Carried

6. Manawatu-Wanganui Region Triennial Agreement	A336967
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Council considered a business paper presenting the proposed Manawatu-Wanganui Region Triennial Agreement for the period from 1 March 2017 until such time as the Agreement is either amended by agreement of all parties or is renewed following the 2019 local authority elections and before 1 March 2020.

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

Resolution

- 1 The business paper on Manawatu-Wanganui Region Triennial Agreement be received.
- 2 Council approve the proposed Manawatu-Wanganui Region Triennial Agreement for the period from 1 March 2017 until such time as the Agreement is either amended by agreement of all parties or is renewed following the 2019 local authority elections and before 1 March 2020.

Goddard/Whitaker Carried

7. Review of Waitomo District Council Citizens Awards Policy	A337096
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Council considered a business paper presenting the Waitomo District Council Citizens Awards Policy for consideration.

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

Resolution

- 1 The business paper on the Review of Waitomo District Council Citizens Awards Policy be received.
- 2 The Waitomo District Council Citizens Awards Policy (Doc No. A192087v5) be adopted subject to the following two amendments:
 1. Citizen Award Ceremonies be convened on a biennial basis (i.e. every second year).
 2. Members of the Citizens Award Working Party be appointed for a four year term.

Whitaker/New Carried

8. 2016 Community Partnership Fund – Consideration of Funding Applications	A337095
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Council considered a business paper requiring consideration of the 2016 Community Partnership Fund (CPF) funding applications and grant allocations.

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

In considering the application from Brook Park Incorporated Society for funding to partially fund the Guy Fawkes Extravaganza, which has historically been funded by local businesses, Council agreed that other funding avenues are available for this event.

In considering the application from Connect Marokopa for funding to subsidise the connection of internet and telephone to residents of the Marokopa Valley and Village, Council noted firstly, that a communications tower has already been established in the community since the application was lodged and secondly, that this application results in personal gain to individuals and as such it is not deemed equitable to provide funding for this project.

Resolution

- 1 The business paper on 2016 Community Partnership Fund – Consideration of Funding Applications be received.
- 2 Council approve Community Partnership Fund Grants as follows:

Applicant	Grant Amount	
Mokau Museum and Art Gallery (Tainui Historical Society)	\$5,000.00	(plus GST)
Piopio Primary School	\$3,600.00	(plus GST)
Te Piruru Papakainga Mare	\$1,800.00	
Benneydale Hall Incorporated	\$4,700.00	
Piopio Playcentre	\$1,000.00	
Te Kuiti & District Historical Society Incorporated	\$8,900.00	
Total	\$25,000.00	(plus GST where applicable)
	Davey/Whitaker	Carried

It was noted that as the full \$25,000.00 available had been expended, no second Funding Round is required this financial year.

9. Waitomo District Economic Development - Implementation Plan A336010

Council considered a business paper presenting the Draft Waitomo District Economic Development Implementation Plan.

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

Resolution

- 1 The business paper on Waitomo District Economic Development Implementation Plan be received.
- 2 Council adopt the Draft Waitomo District Economic Development Implementation Plan (Doc No. A337088v9).

Brodie/Smith Carried

10. Freedom Camping Monitoring Programme**A337159**

Council considered a business paper providing a brief on the Freedom Camping Monitoring Programme and actions underway to support Councils intention to achieve Motor Home Friendly status.

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

Resolution

The business paper on Freedom Camping Monitoring Programme be received.

Davey/Smith Carried

11. Resource Management Act 1991 Delegations**A337268**

Council considered a business paper seeking a resolution from Council to adopt new delegations for powers, functions and duties under the Resource Management Act 1991 (RMA).

The Group Manager – Compliance expanded verbally on the business paper and answered members’ questions.

Resolution

- 1 The business paper on Resource Management Act delegations be received.
- 2 Pursuant to Section 34A of the Resource Management Act 1991, Council resolve to delegate the functions, powers and duties to the Employees, Hearings Commissioners and Consultants as set out in the Resource Management Delegations Schedule (Appendix 1 – Doc No. A337293) as follows:

1. 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 commissioners 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 policy statement or plan under clause 17 of Schedule 1;
 - (b) This power of delegation;
- (2) A local authority may delegate to any 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
Group Manager Assets	GMA
Group Manager Compliance	GMC
Environmental & Regulatory Services Leader	ERSL
Regulatory Administrator	RA
Monitoring and Compliance Officer	MCO

Section	Delegation	CE	GMC	ERSL	RA	MCO	GMA
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.	✓	✓	✓			
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.	✓	✓				
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.	✓	✓	✓			
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.	✓	✓				

Section	Delegation	CE	GMC	ERSL	RA	MCO	GMA
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	✓	✓				
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	✓	✓				✓

Section	Delegation	CE	GMC	ERSL	RA	MCO	GMA
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	✓	✓	✓	✓		
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.	✓	✓				

Section	Delegation	CE	GMC	ERSL	RA	MCO	GMA
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	✓	✓				
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	GMC	ERSL	RA	MCO	GMA
Sch 1 Cl 24	Power to modify plan change request	✓	✓				
Sch 1 Cl 25	Power to determine how to proceed with plan change request, including power to reject request	✓	✓				
Sch 1 Cl 26	Authority to prepare and notify plan change request	✓	✓				
Sch 1 Cl 28	Power to withdraw plan change request	✓	✓				
Sch 1 Cl 29(2) and (5)	Duty to send submissions to person who made plan change request and serve copy of its decision	✓	✓	✓	✓		
Sch 1 Cl 29(9)	Power to vary plan change request	✓	✓				
Sch 1 Cl 32	Authority to certify material incorporated by reference	✓	✓				
Sch 1 Cl 34	Duty to consult on incorporation of material by reference	✓	✓				
Sch 1 Cl 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)**:

- Manager Water Services
- Manager Local Roads
- Manager Operations
- Group Manager Assets

Authority is delegated to the following staff pursuant to **section 330 (power to undertake preventative or remedial action in emergency circumstances)**:

- Manager Water Services
- Asset Engineer Water Services
- Asset Engineer Roading
- Manager Local Roads
- Manager Operations
- Water Services Engineer
- Senior Treatment Plant Operator
- Treatment Plant Operator
- Roading Contracts Supervisor
- Roading Network Supervisor
- Environmental Monitoring Officer

2. Resource Management Commissioners

Delegation	CE	GMC	Date Amended
Authority to make appointments of a commissioner(s) as required.	✓	✓	

3. Resource Management Consultants

Authority is delegated to the Group Manager Compliance 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 s 34A(2) of the Resource Management Act 1991:

The Planning Consultants listed in document number A337292 (with authority delegated to the Chief Executive and Group Manager Compliance 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.

Goddard/Whitaker Carried

12.	Progress Report: Road Maintenance and Reseals Contract	A337215
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Council considered a business paper providing a brief on the new Road Maintenance and Reseals Contract.

The Group Manager – Assets expanded verbally on the business paper and answered members’ questions.

Resolution

The Progress Report: Road Maintenance and Reseals Contract be received.

Smith/Brodie Carried

13.	Motion to Exclude the Public for the consideration of:	...
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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 from the whole or any part of a meeting on one or more of the grounds contained within that Section.

Council noted the inclusion of the tabled business paper on Contract 500/16/028 – Road Maintenance and Reseals Contract 2017-2020 Procurement

Resolution

- 1 The public be excluded from the following part of the proceedings of this meeting.
- 2 Council agree the following staff, having relevant knowledge, remain in attendance to assist Council with its decision making:

Chief Executive
Group Manager – Community Services
Group Manager – Assets
- 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. Progress Report: Road Maintenance and Reseals	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)(a)
2. Progress Report: Waikato Mayoral Forum Work Streams – Waikato Plan	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)(a)
3. Investment – Parkside Subdivision	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)(a)
4. Te Kuiti Campground Feasibility Study	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)(a)

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.

Brodie/New Carried

There being no further business the meeting closed at 3.25pm.

Dated this 28th day of February 2017.

BRIAN HANNA
MAYOR

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Document No: A342036

Report To:

Council



Meeting Date: 28 February 2017

Subject: Brook Park Incorporated Society: Minutes

Type: Information Only

Purpose of Report

1.1 The purpose of this business paper is to provide Council with information relating to the Brook Park Incorporated Society meetings convened –

- December 2016
- February 2017

Note: There was no meeting convened in January 2017.

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

2.1 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.

2.2 Development of the Brook Park Management Plan (MP) was completed following a public consultation process, including a Hearing of submissions in February 2010.

2.3 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.

2.4 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.

2.5 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.

- 2.6 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.
- 2.7 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*
 4. *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.*
 5. *Council will dissolve the Brook Park Advisory Committee on the successful establishment of the Friends of Brook Park.*
- 2.8 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.
- 2.9 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 the "Brook Park Incorporated Society" (BPIS) to administer the day to day operations/development of Brook Park.
- 2.10 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 BPIS cannot lease these grazing rights to another entity or individual.
- 2.11 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 the BPIS to achieve a sustainable income stream for minor works and administration. The income derived by BPIS at that time was by way of subscription donation (\$10 per member) and any successful grant applications for specific projects.
- 2.12 To improve the financial viability and robustness of the BPIS, in October 2012 a Memorandum of Understanding (MOU) between WDC and BPIS was developed and approved and Council also agreed to provide an annual grant to BPIS for the operational management of the reserve, equivalent to the annual derived lease income.

Commentary

- 3.1 Since early in 2014, BPIS has kept WDC informed of its progress in the day to day operations/development of Brook Park by providing copies of BPIS Minutes.
- 3.2 Attached to and forming part of this business paper are copies of the minutes from monthly October 2016 BPIS meeting convened on 3 October 2016 as well as a copy of the minutes from 2016 BPIS Annual General Meeting which was also convened on 3 October 2016.

Suggested Resolution

The business paper Brook Park Incorporated Society: Minutes be received.



MICHELLE HIGGIE
EXECUTIVE OFFICER

Attachments: Brook Park Incorporated Society Minutes – December 2016
Brook Park Incorporated Society Minutes – February 2017

BROOK PARK
INCORPORATED SOCIETY

**BROOK PARK INCORPORATED
SOCIETY**

**Meeting
Minutes**

Monday 5th December 2016
5.30pm

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 5th
December 2016 COMMENCING AT 5.30 PM

MINUTES

Attendance: Neil Brooks, Guy Whitaker, Andrea Hanna, Sue Wagstaff, Robin Charteris, Rob Buckley, Phillip Houghton, Gerald Ka, Bruce Maunsell

Apologies – apologies were received from Elly Kroef, Sheralee Buchanan

That the apologies be accepted
Moved/seconded Robin/Bruce

Confirmation of Minutes – 5th November 2016

That minutes of previous meeting be accepted
Moved/seconded Gerald/Phillip

Correspondance

Waitomo News – congratulations on Guy Fawkes event
Rhonda Borgas – congratulations and thanks to sponsors
Lions Club – congratulations and \$500 donation

Financial Report – Phillip Houghton

Financial report tabled. Closing balance \$24,122.04
\$1700-\$1800 surplus on Guy Fawkes event.
Stallholders did well. Possibly ask for donation next time.

MTB Trail

Gerald currently completing final crossing. *(It should be noted Gerald has put in a huge effort in completing the fence crossings, and a total of over 80 hours of his time).*
Some issues with hedgehogs getting stuck in crossings – local family providing sustenance.
Need to inspect track and check what else required to complete it.
This has been done at working bee.
Some spraying required to mark track where indistinct in grass. Also some drainage and metalling required in places. Some levelling of track where subsidence has occurred. This will hopefully be done by PD workers.

Maintenance

Fertiliser to be arranged in February. Rob to organise.

Weed Control

Caroline Lewis Weedbusters has notified Andrea that they can help with weed control via QE2 Trust. Need to invoice QE2 Trust.
Cant include labour. Need to keep receipts, provide description and photos. Up to \$1000 total.
Elly, Neil and Bronwyn have been spraying.
Elly suggests need to detailed make list of jobs that can be done by individuals and small groups, rather than do via working bees. More effective.
Please notify Elly of specific jobs that need to be done.
Guy checking if Carey spraying gorse.
Someone coming from AgResearch tp identify weed trees.

Elly contacting Chris Hale EW re his plan for Woolly Nightshade.

Memorial Grove

Nothing back from WDC. Sue to follow up with Liz Riley.

Tree Harvesting

Tracking done. Some metal to be added.

Cost should be less than estimated.

Harvesting to be done in March

Guy Fawkes Event

Went very well. Approx 1200 people attended

Guy is applying to Community Partnership Fund for funding for next year. May be difficult as applications particularly heavy this year.

Guy to send letter of thanks to sponsors

General Business

None

Next meeting Tuesday February 7th 2018

Meeting closed 6.35pm

Guy Whitaker

Chairperson

BROOK PARK
INCORPORATED SOCIETY

**BROOK PARK INCORPORATED
SOCIETY**

**Meeting
Minutes**

Monday 7th February 2017
5.30pm

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 7th
February 2017 COMMENCING AT 5.30 PM**

MINUTES

Attendance: Guy Whitaker, Sue Wagstaff, Robin Charteris, Gerald Kay, Suzie Hoare, Jane Murray, Sheralee Buchanan, Elly Kroef

Apologies – Bruce Maunsell, Neil Brooks, Graeme Churstain, Helen Sinclair, Phillip Houghton
That the apologies be accepted
Moved/seconded Gerald/Suzie

Confirmation of Minutes – 5th December 2016
That minutes of previous meeting be accepted
Moved/seconded Sue/Jane

Matters Arising from Minutes

Neil Brooks and Sandra Buchanan be added to the recipients of the minutes and agendas.

Correspondance

Letter for Cruise FM to use in NKDT report
Email from Brian Hanna re Ed Morrow article in the NZ Farmer

Financial Report

Financial report tabled. Closing balance \$20,066.42
\$8,441.35 paid to date for logging track.

MTB Trail

New signs at entrance and start of MTB trail have been erected. All crossings have now been completed and the trail has been sprayed so is easy to follow. Dave Smith has had the PD workers on site and done some weed-eating and drains in the bush area. Still some slippery sections in the bush when wet.

Maintenance/Fencing

Fertiliser to be arranged in February/March. Rob to organise.
Stock are consistently in the Sommerville Grove and fence repairs are required to keep stock out. Gerald to look at this.

Weed Control

Umbrella Sedge is becoming a problem in the pasture due to inconsistent grazing. Grazing pressure is required to help with weed management and good fencing is required to make this possible. Working bee for weeds is planned for 12th March.

Memorial Grove

Sue received the draft guidelines from the Council and with a few minor word changes all looks acceptable, Sue will take the changes to Council.

Resolution: That the Brook Park Memorial Grove Guidelines that Sue will present back to Council be approved by the Brook Park Committee for ratification.
Moved/Seconded Sue/Elly Carried

Sheep are camping in the Rotunda and this has become a real mess, suggestion that Council block off the far entrance to the stage and put spring loaded gates on the near entrance. The fire brigade will then wash down the stage.

Tree Harvesting

Harvesting still planned for March

Elly to talk to Malcolm MacKenzie about how we should treat the Black Walnut plantation if they are to be of any value in the future.

General Business

Old timers visit on the 22nd January, there were about 14-16 people all up and lots of information was gathered on trees and 90yr old Peter is happy to return and help us identify all the trees and GPS positions.

Ed Morrow (lessee) has been sent a letter asking if he wishes to exercise his right of renewal of the lease, so far, no reply has been received.

At some stage, we may need to get some advice on a pasture plan to improve the grazability of the park.

Next meeting Tuesday March 6th 2017

Meeting closed 6.35pm

Guy Whitaker
Chairperson

Document No:	
Report To:	Council
	Meeting Date: 28 February 2017
	Subject: 2016-2019 Waikato Region Triennial Agreement

Purpose of Report

- 1.1 The purpose of this business paper is to present to Council for consideration and adoption that 2016-2019 Waikato Region Triennial Agreement (the Agreement).

Background

2.1 LGA Requirement for a Triennial Agreement

- 2.2 Pursuant to Section 15 of the Local Government Act 2002, not later than 1 March after each triennial general election of members, all local authorities within each region must enter into an agreement containing protocols for communication and co-ordination among them during the period until the next triennial general election of members.

2.3 Waikato Region Agreement

- 2.4 As a "Primary Signatory" to the Waikato Region Agreement, the Mayor and Chief Executive represent Council on the Waikato Region Triennial Agreement Forum (the Forum). The Forum membership is made up of the Mayors and Chief Executive's of all those Council's located within Environment Waikato's boundaries.

2.5 Manawatu-Wanganui Region Triennial Agreement

- 2.6 Waitomo District Council is also a "Non-Primary Signatory" to the Manawatu-Wanganui Region Triennial Agreement due to the fact that while Waitomo's boundary bisects the Manawatu-Wanganui Region, Waitomo is principally identified as being within the Waikato Region.

- 2.7 The Manawatu-Wanganui Region Triennial Agreement was considered and adopted by Council in December 2016.

Commentary

3.1 **2016-2019 Waikato Region Triennial Agreement**

- 3.2 At the Waikato Mayoral Forum meeting on 5 December 2016, a broad range of issues relating to the Agreement were discussed resulting in the CEOs being

requested to take on board discussions and circulate an amended Agreement to councils for adoption in the new year.

- 3.3 One of the issues canvassed was whether Forum meetings should be open to the public. The majority of Mayors and CEOs felt that there is much value in having the meetings closed to media and the public as this allows for an informal "free and frank" exchange of views rather than decision-making.
- 3.4 The Agreement has now had minor amendments made and has been circulated to the Region's councils for consideration and adoption.
- 3.5 A copy of the 2016-2019 Waikato Triennial Agreement is attached to and forms part of this business paper.

Suggested Resolution

- 1 The business paper on 2016-2019 Waikato Region Triennial Agreement be received.
- 2 Council approve the 2016-2019 Waikato Triennial Agreement and authorise signing by the Mayor.



MICHELLE HIGGIE
EXECUTIVE ASSISTANT

17 February 2017

Attachments: 1 2016-2019 Waikato Triennial Agreement (Doc zA1146)

2016-2019 Waikato Triennial Agreement

Waikato Triennial Agreement – 2016-2019

SCOPE

The Triennial Agreement represents the shared desire of local government in the Waikato region to work collaboratively, to maximise efficiency and to promote sustainable development in their respective communities.

It is also intended to align our efforts to attract central government funding, to interact with neighbouring regions in a coherent manner and to foster projects of a strategic nature within the region.

It incorporates the work and activities of the Waikato Mayoral Forum.

This document is deemed to duly constitute fulfilment of section 15 of the Local Government Act 2002 by containing protocols for communication and co-ordination among the region's local authorities.

PURPOSE

Through this Triennial Agreement, local authorities agree to work together to support the purpose of local government.

10 Purpose of local government

- *(1) The purpose of local government is—*
 - *(a) to enable democratic local decision-making and action by, and on behalf of, communities; and*
 - *(b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.*
- *(2) In this Act, **good-quality**, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—*
 - *(a) efficient; and*
 - *(b) effective; and*
 - *(c) appropriate to present and anticipated future circumstances*

The agreement provides an opportunity for improved communication, collaboration, co-ordination and shared services at all levels of local government in the Waikato region whilst

recognising a significant level of formal and informal co-operation already exists between local authorities.

The success of the Triennial Agreement will be demonstrated through expanded relationships that help local authorities to work co-operatively and collaboratively to advance community goals (outcomes).

SIGNATORIES

The parties:

- Hamilton City Council
- Hauraki District Council
- Matamata-Piako District Council
- Otorohanga District Council
- Rotorua District Council
- South Waikato District Council
- Taupo District Council
- Thames-Coromandel District Council
- Waikato District Council
- Waikato Regional Council
- Waipa District Council
- Waitomo District Council

PROTOCOLS FOR COMMUNICATION AND COORDINATION

1. The local authorities will work together on issues where it is agreed that the region will benefit from a collaborative approach.
 2. When a local authority has a significant disagreement with the position of the others, the other local authorities will make every effort to accommodate, acknowledge or at least fairly represent the dissenting view.
 3. When a significant decision or issue affects a particular local authority then that local authority should be consulted in formulating the region's response.
 4. This Triennial Agreement acknowledges that each local authority has accountability to different communities.
 5. The local authorities agree to act in good faith and in a transparent manner on issues of information and disclosure.
 6. Local authorities should provide early notification of decisions that may affect other local authorities in the region.
-

7. All formal public communications from Mayoral Forum meetings will be circulated to all local authorities for comment prior to their release.
8. The local authorities will apply a 'no surprises' approach whereby early notice will be given over disagreements between local authorities concerning policy or work programmes before critical public announcements are made.
9. If councils make decisions that are inconsistent with the agreement for their region, they must explicitly note that inconsistency and the reasons for it and also notify the other councils that are parties to the agreement.

PRINCIPLES

Signatories to this agreement recognise that:

1. The communities within the region are diverse and encompass a range of desired outcomes. Issues and concerns that are shared by some local authorities may be of little relevance to others. The Triennial Agreement acknowledges that it will be appropriate to have a range of sub-agreements on local issues between and among local authorities.
 2. Collaboration among local authorities, at both a political and operational level, is necessary to address increasingly complex governance issues. Many issues cannot be solved by any one agency acting alone.
 3. Collaboration can aid in effective and efficient planning, and encourage shared services and a collective approach, to reduce costs, increase available resources and help to make strategic judgements about the allocation of resources.
 4. Collaboration can assist local authorities promote outcomes consistent with the purpose of local government.
 5. We recognise the need for open communication, information sharing and seeking agreement on strategic issues.
 6. We will speak as one voice when there is unanimous agreement for this to happen.
 7. We recognise and respect that common direction on all strategic issues may not be achieved given that each party to the agreement has functions, obligations and rights to
-

make decisions for their area which may conflict with the position of other signatories to this agreement.

8. We recognise that aligning and influencing central government policy is important to the delivery of good quality local infrastructure, local public services and regulatory functions in a way that is most cost effective for households and businesses.

GENERAL APPROACH TO COLLABORATION

Signatories to this agreement will endeavour to:

1. Hold a meeting of Mayors and the Regional Chairperson (supported by their Chief Executives) at least once every six months to discuss any pertinent issues and to review the performance of the agreement. These meetings will be under the banner of the Waikato Mayoral Forum. The Regional Chief Executives' Forum will also meet regularly to advance initiatives as requested by the Mayors and Regional Chairperson. The appointed Mayoral forum Chairperson will ensure minutes of the meeting are kept and that a summary of the meeting is provided to all local authorities. All public communications from these meetings will be approved by all participants prior to their release.
 2. Share resources for the purpose of preparing background information on the various communities within the region. Such information may include demographics, survey data and scientific studies and the analysis of social, economic, environmental and cultural trends.
 3. Seek to attract investment and government support in the region by aligning community interests, working collaboratively through Waikato Mayoral Forum work streams and other options, developing agreed positions on matters of importance to the region and continuing to develop and strengthen existing joint approaches to engage with Government agencies and other organisations.
 4. Determine and prioritise strategic collaborative initiatives and projects.
 5. Promote communication and co-operation among the region's local authorities with respect to shared services and other collaborative opportunities.
-

6. Make draft strategies, policies and plans available to all local authorities in the region for discussion and development.
7. Provide guidance on the implementation of strategic collaborative projects and monitor progress.
8. Utilise Waikato Mayoral Forum work streams and other collaborative options to ensure that all local authorities can participate in identifying, delivering and funding facilities and services of significance to more than one local authority.
9. Invite Government Ministers, relevant officials, corporate, community leaders and Iwi leaders to meet to discuss issues of strategic importance to the region.
10. Advocate for strategic investment in the region and promote the strategic benefits and advantages of the Waikato.

If necessary, establish one or more joint committees or other joint governance arrangements to give better effect to communication and coordination or to assist with identifying, delivering and funding facilities and services of significance to more than one district, or to consider proposals for new regional Council activities.

SIGNIFICANT NEW ACTIVITIES PROPOSED BY THE REGIONAL COUNCIL

If the Regional Council or a regional Council-controlled organisation proposes to undertake a significant new activity then section 16 of the Local Government Act 2002 shall be adhered to.

The Regional Council agrees to discuss the issues involved at one or more of the existing fora and to provide preliminary draft proposals to the affected local authorities for early comment, including any amendments to the Regional Council's significance and engagement policy.

Where the Regional Council proposes to undertake a significant new activity that involves one or more territorial authorities within the region the following protocols will apply:

1. The Regional Council will as soon as practicable inform all territorial authorities within the region of the nature, scope and reasons for the proposal.
-

2. Territorial authorities will be given a reasonable period of time, but no less than 40 working days, to respond to any such proposal. The Regional Council will fully consider any submissions on the proposal made by territorial authorities within the region.
3. Should there be substantive disagreement between the local authorities on whether the Regional Council should undertake the activity; the parties will refer the matter to mediation as set out in the process in this agreement for resolving disagreement.

CONSULTATION IN RELATION TO THE REGIONAL POLICY STATEMENT

For the purpose of meeting the requirements of clause 3A of Schedule 1 to the Resource Management Act 1991, the consultation process to be used by affected local authorities in relation to any further changes to the Waikato Regional Policy Statement will be developed and agreed to by all the local authorities. Protocols will be developed that ensure affected territorial authorities have full and effective involvement in the scoping and drafting of any changes to the Waikato Regional Policy Statement.

TERM OF THE BODY

The Triennial Agreement will continue to operate until such time as it is either amended by the accord of all parties or is renewed following the 2019 local government elections.

RESOLVING DISAGREEMENT

In the event of a disagreement over the terms of this agreement, the parties agree to refer the issue to mediation for a resolution. In the absence of an agreement to mediation between the local authorities, the matter will be referred to a process as specified by the Minister of Local Government.

AUTHORITY

This agreement is signed by the following on behalf of their respective authorities:

COUNCIL

Hamilton City Council

Mayor Date

Hauraki District Council

Mayor Date

Matamata-Piako District Council

Mayor Date

Otorohanga District Council

Mayor Date

Rotorua District Council

Mayor Date

South Waikato District Council

Mayor Date

Taupo District Council

Mayor Date

Thames-Coromandel District Council

Mayor Date

Waikato District Council

Mayor Date

Waikato Regional Council

Chairperson Date

Waipa District Council

Mayor Date

Waitomo District Council

Mayor Date

Document No: A342039

Report To:

Council



Meeting Date: 28 February 2017

Subject: **Code of Conduct Review**

Purpose of Report

- 1.1 The purpose of this business paper is to present the Code of Conduct to Council for consideration and adoption following the 2016 Triennial Election.

Background

2.1 Legislative Requirement

- 2.2 A code of conduct is a statutory requirement under the Local Government Act 2002 (LGA), introduced to provide a mechanism for setting standards of behaviour amongst members of the governing body.
- 2.3 The Code of Conduct sets out the expectations adopted by members themselves about how they will act (as members) towards one another and the public as well as including a range of provisions concerning disclosure of information and obligations under statutes, such as the Local Government Official Information Act 1987.
- 2.4 Clause 15 of Schedule 7 of the Local Government Act 2002 created the legal requirement for each local authority to adopt a code of conduct for its elected members.
- 2.5 Clause 15 of Schedule 7 of the Local Government Act 2002 reads as follows:

15 Code of conduct

- (1) *A local authority must adopt a code of conduct for members of the local authority as soon as practicable after the commencement of this Act.*
- (2) *The code of conduct must set out—*
- (a) *understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members, including—*
- (i) *behaviour toward one another, staff, and the public; and*
- (ii) *disclosure of information, including (but not limited to) the provision of any document, to elected members that—*

(A) *is received by, or is in the possession of, an elected member in his or her capacity as an elected member; and*

(B) *relates to the ability of the local authority to give effect to any provision of this Act; and*

(b) *a general explanation of—*

(i) *the Local Government Official Information and Meetings Act 1987; and*

(ii) *any other enactment or rule of law applicable to members.*

(3) *A local authority may amend or replace its code of conduct, but may not revoke it without replacement.*

(4) *A member of a local authority must comply with the code of conduct of that local authority.*

(5) *A local authority must, when adopting a code of conduct, consider whether it must require a member or newly elected member to declare whether or not the member or newly elected member is an undischarged bankrupt.*

(6) *After the adoption of the first code of conduct, an amendment of the code of conduct or the adoption of a new code of conduct requires, in every case, a vote in support of the amendment of not less than 75% of the members present.*

(7) *To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act.*

2.6 Council's current Code of Conduct was originally developed and adopted by the Council of the day, on 18 December 2007 (for the 2007-2010 triennium) following a comprehensive review which was completed in order to replace the Code of Conduct in place prior to that time.

2.7 The 2007 review included a Council Workshop where Council considered the "Good Practice Guide for Local Authority Codes of Conduct" prepared by the Office of the Controller and Auditor-General and copies of various other local authority Codes of Conduct.

2.8 It is noted that the rulings contained in Sections 5.6 and 5.7 relating to contact with the media and other organisations, while more restrictive than other councils, were introduced by the Council in 2007 to address a situation occurring at that time.

2.9 The Councils of the two trienniums since that time (2010-2013 and 2013-2016) both reviewed the Code of Conduct and both adopted the Code without change, other than in 2013 to reflect the Local Government Act 2002 Amendments in Paragraphs 3.2 and 3.3 relating to Mayoral Powers, and correction of LGA extracts in Appendix A.

Commentary

3.1 Pursuant to Clause 15 of Schedule 7 of the Local Government Act 2002, once a Code of Conduct is adopted there is no set timeframe for any review, however it is deemed prudent following a triennial election to provide the newly elected Council

with the opportunity to review and take ownership of the Code of Conduct for the current term.

- 3.2 At a Council Workshop on Tuesday 14 February 2017, Council's current Code of Conduct was compared with the LGNZ template released in October 2016.
- 3.3 Council noted that its current Code of Conduct, when compared with the LGNZ template, is more prescriptive in many areas, and particularly regarding Contact with the media and other organisations.
- 3.4 Council considered whether or not to combine the Register of Interests into the Code of Conduct and agreed to keep them separate.
- 3.5 Council requested that its current Code of Conduct be updated to:
 - Reflect recent legislative changes (i.e. replacement of the Securities Act 1978 with the "Financial Markets Conduct Act 2013" and the Health and Safety in Employment Act 1992 with the "Health and Safety at Work Act 2015").
 - Reference Council's latest Remuneration Policy as approved by the Remuneration Authority in 2016.

and be presented at the February 2017 Council meeting for final consideration and adoption.

- 3.6 Council also noted that a Council majority vote of at least 5 of the 7 is required to make any amendment to replace the current Code of Conduction.
- 3.7 Attached to and forming part of this business paper is the Code of Conduct (Doc No. A341266) for consideration and adoption.

Suggested Resolutions

- 1 The business paper on Code of Conduct Review be received.
- 2 The Code of Conduct as at 28 February 2017 (Doc No. A341266) be adopted.



MICHELLE HIGGIE
EXECUTIVE ASSISTANT

Attachment: Code of Conduct – 28 February 2017 (Doc No. A341266)



Code of Conduct

Adopted on 18 December 2007
Reviewed and Adopted on 30 November 2010
Reviewed and Adopted on 26 November 2013
Reviewed and Adopted – 28 February 2017

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1.0 Introduction

This Code has been adopted by the Waitomo District Council to comply with Section 40 (1) (e) and Clause 15 of Schedule 7 of Local Government Act 2002.

The Code of Conduct complements the Waitomo District Council's Standing Orders.

The Code of Conduct provides guidance on the standards of behaviour that are expected from elected members of the Waitomo District Council in their dealings with:

- each other
- the Chief Executive Officer
- staff employed by the Chief Executive Officer on behalf of the Council
- Contractors undertaking work or commissions on behalf of the Council
- the media
- the general public.

The objectives of this Code are to enhance:

- The effectiveness of the Waitomo District Council as an autonomous local authority with statutory responsibility for good local government in the Waitomo District.
- The credibility and accountability of the Waitomo District Council within its community.
- Mutual trust, respect and tolerance among elected members as a group, and those people with whom members may deal in the course of their duties as members.

The Code can also be of value as:

- An orientation tool for new Councillors;
- A guide to prospective candidates;
- A resource support for existing Councillors;
- An aid for the public to enable them to evaluate appropriate behaviour in any interaction with the Council.

2.0 Principles of Governance

In the exercise of their governance responsibilities elected members will observe the following principles:

- **Public Interest** - Members must serve the interests of the District as a whole. Their primary duty is to the interests of the entire district, not just the ward that elected them. Members should never improperly confer an advantage or disadvantage on any one person.
- **Honesty and Integrity** - Members must not place themselves in situations where their honesty and integrity may be questioned or is in doubt.
- **Objectivity** - Members must make decisions on merit, including making appointments, awarding contracts, or recommending individuals for rewards or benefits.
- **Accountability** - Members must be accountable to the public for their actions and the manner in which they carry out their responsibilities.
- **Openness** - Members must be open about their actions and those of the Council, and be prepared to justify their actions.
- **Conflicts of Interest** - Members are responsible for disclosing conflicts of interest.
- **Personal Judgment** - Members can and will take account of the views of others, but must reach their own conclusions on the matters before them.
- **Respect for Others** - Members must promote equality by treating people with respect, regardless of ethnicity, nationality, age, religion, gender, sexual orientation, or disability.

- **Duty to Uphold the Law** - Members must uphold the law, and on all occasions act in accordance with the law and the trust the public places in them.
- **Stewardship** - Members must ensure that the Council uses its resources prudently and for lawful purposes, and that the Council maintains sufficient resources to meet its statutory obligations to both present and future generations.
- **Leadership** - Members are leaders in their community and must at all times provide leadership by example.

3.0 Roles and Responsibilities

3.1 ELECTED MEMBERS

Members, acting as the Council, are responsible for:

- The development and adoption of Council policy;
- Determining the expenditure and funding requirements of Council through the processes for developing the Annual Plan, the Long Term Plan and the Revenue and Financing Policy;
- Monitoring the performance of the Council against its stated objectives, policies and identified community outcomes;
- Prudent stewardship of Council resources;
- Employment and appraisal of the Chief Executive Officer's performance and monitoring the implementation of policy by him/her;
- Representing the interests of the residents and ratepayers of the entire Waitomo District, not just those within the Ward of election;
- Ensuring overall compliance by the Council with its obligations and responsibilities under the Local Government Act 2002 and all other legislation which prescribe statutory duties for territorial authorities;
- Promoting good relationships with neighbouring local authorities.

Members, as individuals, must:

- Comply with the requirements of this Code of Conduct.
- Ensure they are informed about the roles, functions and processes of the Waitomo District Council;
- Ensure that they become aware of the statutory obligations imposed on elected members and on councils;
- Comply with those enactments and other rules of law applicable to the conduct of members. (Note - extracts from, or brief explanations of, those enactments are set out in Appendix C on legislative responsibilities).
- Be adequately prepared for meetings, including reading agendas and other relevant material prior to attendance, and if appropriate and where possible putting forward questions to the relevant officer in advance;
- Undertake appropriate professional development;
- On entering into a term of office, declare whether the member is an undischarged bankrupt;
- Recognise that they have no personal power to commit Council to any particular policy or course of action unless they have delegated authority from council or the appropriate committee to do so;
- Ensure the privacy of individual staff members is preserved and not comment publicly on the management or staff of the Council by identification or by general reference;
- Ensure that any public statement giving a point of view contrary to a Council decision is identified as a personal, minority view.

Members, in fulfilling their role, will focus on:

- Acting in a proper manner in accordance with the legislative framework and statutory requirements for Local Government;
- Providing community leadership;
- Consulting with, facilitating discussions with and representing the community;
- Contributing to the collective decision making of Council;
- Ensuring accountability and sound financial management;
- Reporting Council to the community.

3.1.1 Statutory Declaration

The Mayor and Councillors declare the following oath on taking office:

"I, AB, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interest of the District of Waitomo, the powers, authorities, and duties vested in, or imposed upon, me as (Mayor or Member) of the Waitomo District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 or any other Act."

3.2 THE MAYOR

The Mayor is elected by the District as a whole. In addition to those matters contained in 3.1, the Mayor is the ceremonial head of the Council and is often the first and/or only point of contact for ratepayers and interest groups on political matters. The Mayor is also responsible for:

- Providing leadership to the other members of the territorial authority; and the people in the district of the territorial authority;
- Leading the development of the territorial authority's plans (including the long term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority;
- Appointing the deputy mayor;
- Establishing committees of the territorial authority;
- Appointing the chairperson of each committee and may appoint himself or herself as chairperson of a committee;
- Presiding at Council meetings and ensuring the conduct of meetings is in accordance with standing orders;
- Keeping Council informed of matters brought to his/her attention and formally presenting to Council those matters that need to be considered;
- Advocacy on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council;
- Providing leadership and feedback to other elected members on teamwork, information sharing and chairmanship;
- Assuming the role of Justice of the Peace (while the Mayor holds office).

3.3 THE DEPUTY MAYOR

The Deputy Mayor is appointed by the Mayor at the first meeting of the Council.

The Deputy Mayor exercises the same role as any other members. If the Mayor is on a leave of absence or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties of the Mayor, and may exercise the powers of the Mayor. The Deputy Mayor may be removed from office by resolution of the Council.

3.4 COMMITTEE CHAIRPERSONS

A Committee Chairperson exercises the same role as any other member, but has responsibility to preside over all meetings of the relevant Committee and to ensure that the Committee acts within the powers delegated to it by the Council.

3.5 THE CHIEF EXECUTIVE OFFICER

The Chief Executive Officer is appointed by the Council in accordance with section 42 of the Local Government Act 2002. The Chief Executive Officer is responsible for implementing and managing the Council's policies and objectives within the budgetary constraints established by the Council. In terms of section 42 of the Local Government Act 2002 the responsibilities of the Chief Executive Officer are:

- Implementing the decisions of the Council;
- Providing advice to the Council and community boards;
- Ensuring that all responsibilities, duties and powers delegated to him or her, or to any person employed by the local authority, or imposed or conferred by an Act, regulation or bylaw, are properly performed or exercised;
- Managing the Council's activities effectively and efficiently;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council;
- Providing leadership for the staff of the Council;
- Employing staff on behalf of the Council (including negotiation of the terms of employment for the staff of the local authority)

Under section 42 of Local Government Act 2002, the Chief Executive Officer employs all other staff on behalf of the local authority.

4.0 Decision Making

4.1 PREDETERMINATION OR BIAS

The Council must apply the principles of administrative law and natural justice when making decisions. In decision-making, the Council must act within lawful authority, according to lawful procedure and produce rational results. This includes decisions of the Council, whether made by the elected members in a formal meeting of the Council or its Committees and also decisions of officers of the Council to whom the power of decision making has been delegated. The overriding obligation is to act in accordance with the law and to act in a fair and reasonable manner.

Elected members are expected to approach decision making with an open mind ("faithfully and impartially"). This process requires elected members to listen carefully to competing advice and to weigh up the pros and cons before making their decision. Where Council or a Standing Committee is hearing formal submissions at a hearing, elected members should carefully avoid prior public comments, which may indicate a predetermined bias or non flexible attitude.

4.2 DELEGATION

Decisions are made at various levels within the Council. Effective governance occurs when an organisation's structure and operating principles recognise, through effective delegation, the empowerment of both elected members and staff to make decisions at levels appropriate to their role.

The legal provisions that apply to delegation are set out in Clause 32 of Schedule 7 of Local Government Act 2002.

4.3 REQUIREMENTS IN RELATION TO DECISIONS

The Local Government Act 2002 sets out the purpose of local government and the role of local authorities. Refer to Appendix A of this Code for details of the legislation.

Every decision made by a local authority must be made in accordance with sections 77, 78, 80, 81 and 82 of the Local Government Act 2002. Refer to Appendix A for the process the Council must follow during the course of the decision making process.

4.4 CONSULTATION

The Council is required to make decisions that take into account and balance the various needs and preferences of its residents. Section 82 of the Local Government Act 2002 sets out the principles of consultation which Council must undertake in relation to any decision. Section 82 is set out in Appendix A of this Code.

4.5 STAFF REPORTS

Given the obligations on the Council in regard to decision-making, the Council should only make decisions at Council meetings on those matters that are accompanied by staff reports as appropriate.

While the Council may hear submissions and depositions, and, within the limits of the legislation, discuss matters raised from the meeting, no decisions should be made unless the matter is accompanied by a written staff report.

While the Council is ultimately accountable, its function is not to make detailed decisions on operational matters. The Council, Committee structures and members day to day dealings with the Chief Executive Officer should recognise the statutory responsibilities of the Chief Executive Officer for the effective management of the staff and for implementing the decisions of the Council.

Elected members who have questions relating to staff reports contained in Agendas, should seek clarification and answers prior to the meeting to which the report relates, by way of email to the Chief Executive and/or the Executive Assistant.

5.0 Relationships and Behaviours

5.1 RELATIONSHIPS WITH OTHER MEMBERS

All elected members shall in their dealings with each other, management, the public and the media, show respect and behave in a manner consistent with the dignity of their office. Elected members should act in good faith (that is, honestly, for the proper purpose and without exceeding their powers) in the interests of the Council and the community.

Successful teamwork is a critical element in the success of any organisation. No team will be effective unless mutual respect exists between members. Members must conduct their dealings with each other in ways that:

- Maintain public confidence in the office to which they have been elected;
- Are open and honest;
- Focus on issues rather than personalities;
- Avoid conduct which is aggressive, offensive or abusive or which may constitute unlawful or inappropriate behaviour (including sexual harassment).

5.2 CONDUCT AT MEETINGS

In order to develop and maintain an atmosphere of mutual respect and to facilitate good decision making, the following conduct is expected at meetings:

- Members should aim to be punctual so that meetings start on time;
- Members must be prepared to discuss issues at meetings;

- Members are encouraged, whenever practical, to make requests for additional information or clarification of items prior to the meeting so that staff have time to undertake the necessary research and prepare answers;
- All discussions at meetings are to be directed through the Chairperson;
- Silence when someone else is speaking;
- Debate policies, not personalities;
- If any Members conduct is deemed to be unacceptable, the Chairperson will invoke provisions contained in Standing Orders;
- Standing Orders and the Code of Conduct will be observed;
- Members are expected to vote on every issue unless they have declared a conflict of interest;
- Members who have declared a Member's Interest must leave the meeting for the duration of the item in which they have declared an interest;
- Members should endeavour to attend all meetings for the full duration of the meeting;
- Members who are aware that they will be unable to attend meetings of the Council are encouraged to seek leave of absence in advance.

5.3 RELATIONSHIPS WITH STAFF

An effective working relationship between elected members and officers is critical to the success of any Council. Mutual respect between employees of the Council and elected members is essential to good governance.

To ensure that the required level of co-operation and trust is maintained, Members must:

- Recognise that the Chief Executive Officer is the employer (on behalf of Council) of all staff. Only the Chief Executive Officer may hire or dismiss, or instruct, or censure, an employee;
- Make themselves aware of the obligations that Council and the Chief Executive has as employers and observe those requirements at all times;
- Understand that employees have a statutory right to a safe work environment free from both physical harm and mental harm caused by work related stress;
- Acknowledge that any actions (or statements) by elected members which may in any way harm an employee (including mental harm) may result in the Council being liable under the Health and Safety at Work Act 2015;
- Treat all staff with courtesy and respect, avoiding conduct which is aggressive, offensive or abusive or may constitute unlawful or inappropriate harassment;
- Observe any guidelines the Chief Executive puts in place regarding contact with employees;
- Not do anything which compromises or could be seen to be compromising the impartiality of an employee;
- Avoid personal criticism of a staff member in public in any way that reflects on the competence and/or integrity of the staff member;
- Preserve the anonymity of individual officers and not comment publicly on the management of staff of the Council;
- Raise concerns about staff only with the Chief Executive Officer;
- Raise concerns regarding management or operational matters with the Chief Executive for discussion and resolution;
- Raise concerns about the Chief Executive Officer only with the Mayor.
- Should an elected member have a concern and not be satisfied with the response of the Chief Executive, the matter should be raised with Council to address the concern.

Elected Members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to act as a good employer and may expose the Council to civil litigation and audit sanctions, and individual elected members being exposed to responsibility for loss under section 46 of the Local Government Act 2002.

5.4 RELATIONSHIPS WITH THE COMMUNITY

- Members must not act so as to bring unfair criticism upon Council in the Community.
- Members must act in a manner that encourages and values community involvement in local democracy.
- The views of members of the public must be accorded respect with members listening to and deliberating on concerns carefully and patiently.
- Members must avoid aggressive or abusive behaviour towards members of the public.

5.5 CONTACT WITH COUNCIL CONTROLLED ORGANISATIONS, COUNCIL ORGANISATIONS AND SHARED SERVICE PROVIDERS (CCO, CO and SSP)

Council is concerned to ensure that its various relationships with CCOs, COs and SSP are maintained in a professional and responsible manner.

Council will from time to time establish formal arrangements for the maintenance of those relationships. Those arrangements include the appointment of elected members to oversee relationships and delegation of that role through the Chief Executive.

Elected members must observe and comply with those agreed points of contact and lines of communication, and must not engage with or seek information or services from individual staff or appointed members of the CCOs, Cos and SSP.

If an elected member has an issue to address, or requires information or has any other need in respect of Council related CCOs, COs or SSP then that issue or information request is to be taken up with the Mayor or Chief Executive.

5.6 CONTACT WITH THE MEDIA

The media plays an important role in the effective operation of local government. In order to fulfil this role the media needs access to accurate, timely information about the affairs of Council.

The following rules apply for media contact on behalf of Council:

- Elected members remain free to express a personal view in the media at any time BUT any comments made must observe all requirements of this Code and must state that:
 - (a) the comments represent a personal view only; and
 - (b) (if the comment is contrary to a Council decision or Council policy) the comment is a minority view.
- The Mayor is the first point of contact for the Council view on any policy issue. The Mayor is authorised to make statements accurately reporting decisions of Council meetings. If the Mayor is absent, or unable to act, a matter may be referred to the Deputy Mayor or to the relevant committee chairperson for a response.
- The Mayor may refer any matter to the relevant committee chairperson, a member or to the Chief Executive Officer for comment.
- Committee Chairpersons are authorised to make statements accurately reporting decisions of their committees
- The Chief Executive Officer is responsible for reporting to the media on operational matters.

Elected members public statements expressing their opinion on matters before the Council shall not criticise the conduct of the Council, other elected members or officers of the Council.

The Mayor may deal with the news media and make public statements relevant to the non-statutory role as a community leader. Where the views expressed are the Mayor's own

and are not made on behalf of the Council, this must be clearly stated. No statements made in this capacity shall undermine any existing policy or decision of the Council.

5.7 CONTACT WITH OTHER ORGANISATIONS

- Council is concerned to ensure that its various relationships with community organisations are maintained in a professional and responsible manner.
- Members must not act so as to bring unfair criticism upon Council.
- If Council has a formal arrangement for the maintenance of a relationship with any community organisation, elected members must observe and comply with those agreed points of contact and lines of communication.
- Elected members remain free to express a personal view at any time BUT any comments made must observe all requirements of this Code and must state that:
 - a. The comments represent a personal view only; and
 - b. If the comment is contrary to a Council decision or Council policy – the comment is a minority view.

5.8 CONFIDENTIAL INFORMATION

In the course of their duties, elected members will receive information that is confidential. This will generally be Council information that is either commercially sensitive or is personal to a particular individual or organisation.

Members must not use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the Member. Any failure to observe these provisions may affect the Council's performance, by inhibiting information flows and undermining public confidence in the Council.

The disclosure of confidential information also pertains to the Council's rates records. Section 38 of the Local Government (Rating) Act 2002 provides details of those limited persons who may legally inspect the rates record for a rating unit.

Failure to observe these provisions may expose the Council to prosecution under the Privacy Act 1993 or civil litigation, and may expose individual members to responsibility for loss under section 46 of the Local Government Act 2002.

From time to time elected members may become aware of personal information about members of the community. It is vital that elected members respect the confidentiality of such information.

Occasionally an elected member may believe that there is genuine public interest in a public excluded item. A member holding such a belief may:

- Firstly move at the appropriate Council meeting that the matter be moved into public business.
- Secondly, if the elected member is unsuccessful with that motion and still believes that the information should be made public, then the correct process is to seek release under the Local Government Official Information and Meetings Act 1987 as follows:
 - (a) The elected member makes an official information request to the Chief Executive Officer seeking the release of that information.
 - (b) If the Chief Executive Officer declines to release the information, then the elected member can apply to the Office of the Ombudsman for that information to be released.
 - (c) If the Chief Executive Officer decides to release information at the request of an elected member, the Chief Executive Officer would advise the Mayor and Councillors of the release.

By following this process, elected members will ensure that the rights of all parties potentially affected by the release of confidential information have been given proper consideration.

6.0 General Protocols

6.1 ACCEPTING GIFTS/HOSPITALITY/EXPENSES

There is the possibility that the acceptance of gifts, favours or hospitality could be construed as a bribe or perceived as undue influence. Elected members need to treat with caution any offer, gift, favour or hospitality made to them personally, to avoid the risk of damage to public confidence in local government.

Sister City gift exchanges can be considered differently. Gifts made to the Mayor from a Sister City are accepted as gifts made to the Office of the Mayor and remain as property of the Council. It is also appropriate for elected members to accept small gifts made to them personally, for example, in appreciation for home hosting delegates from a Sister City.

The Council has a register of gifts made to the Council. When an elected member receives a gift in their official capacity, the gift should be reported to the Chief Executive Officer for recording in the Gift Register.

6.2 EXPENSES AND ALLOWANCES

An elected member is entitled to claim expenses and allowances in connection with their duties. Rules for reimbursement of elected members' expenses as approved by the Remuneration Authority are attached to this Code. (Refer Doc No. 109403v4)

6.3 DRESS CODE

Elected members should maintain an appropriate standard of dress at meetings of Council and Council Committees. It is recognised that the standard of dress will be in accordance with the level of formality of the meeting they are attending. Some principles for guidance are:

- Casual dress is appropriate at workshops;
- Committee meetings involve engaging with members of the public, therefore a neat and tidy standard of dress is appropriate;
- Council meetings are a formal occasion therefore a more formal standard of dress is appropriate (for example, jacket, tie and dress trousers for men and more formal attire for women). No jeans for either men or women.

6.4 USE OF FACILITIES

- The Mayoral Suite (excluding the Mayor's Office) is primarily intended for the use of elected members.
- Pool cars are available for travelling to seminars and conferences.
- Photocopying in relation to Council business will be provided by the Executive Assistant. Personal photocopying is to be paid for by the Member.
- Members may not use Council resources for personal business (including campaigning).

6.5 PROCEDURES FOR RAISING OPERATIONAL MATTERS

Elected members may be contacted by the public regarding routine service requests, eg, leaking water tobies. These service requests need to be forwarded to the customer service officers. Alternatively the elected members could relay operational matters directly to the Chief Executive Officer or Departmental Manager.

Council officers recognise that when an elected member has been asked by a member of the public to deal with a matter that the outcome of the matter needs to be reported back to the elected member. This is so that the elected member is aware of what action has been taken when next approached by the member of the public.

While elected members should refrain from getting involved in the "hands on" role of staff, they should approach the Chief Executive Officer if they have concerns that matters they have drawn to staff attention are not attended to promptly or properly.

6.6 PROCEDURES FOR RAISING POLICY MATTERS

The options for raising a policy matter for consideration by the Council are as follows:

- (a) Liaise with the Mayor or with the Chairperson of the appropriate Committee. If it is agreed that the matter is one for political consideration, then the Mayor or Chairperson will request the Chief Executive Officer to have the appropriate report compiled.
- (b) Follow the procedure for submitting a Notice of Motion. The procedure is outlined in the Council's Standing Orders.

6.7 RESPONDING TO RATEPAYER APPROACHES REGARDING POTENTIAL OR ACTUAL LITIGATION AGAINST THE COUNCIL

When responding to approaches from citizens or the media on such matters, elected members should:

- Listen to concerns.
- Seek clarification.
- Refer the person to the appropriate agency, e.g. Chief Executive Officer, Solicitor, Consultants, Disputes Tribunal, etc.
- Relay information to the Chief Executive Officer of the Council.
- Notify the Chief Executive Officer where notice of intention to make a claim against the Council is given, or there are facts present that involve the assertion of action against the Council.

Elected members should take care not to:

- Admit liability.
- Settle or make or promise any payment.
- Do anything that may prejudice the Insurers' defence of litigation.
- Disclose any information that the elected member has received by way of confidential briefings on a litigation matter.

The Council has to notify its insurers of any occurrence that may give rise to a claim. Elected members should notify the Chief Executive Officer when they are given notice of intention by a citizen to make a claim against the Council, or an elected member is made aware of the presence of facts that directly or indirectly involve the assertion of a claim against the Council.

The Council is not permitted under the conditions of indemnity to admit liability or to settle a claim. Therefore elected members need to be aware that when engaging in conversation where a claim has been made or threatened, they should not give any undertaking, promise or opinion that may be construed as an admission of liability, nor make any offer to settle or do any act that may prejudice in any way the Insurers' later defence of the claim in litigation.

7.0 Legislative Responsibilities

7.1 LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

The phrase "*Conflicts of Interest*" is used to describe three distinct and separate circumstances where there is or may be a conflict between the personal interests, or the conduct of a member, and that member's duties as an elected member.

The statutory and common law rules relating to conflicts of interest are part of the rules of natural justice. They reflect the expectation of the community that, when making decisions

on behalf of the community, members will act impartially and in a manner appropriate to the nature of the decision. Members performing their duties will on occasion be making political decisions (for example when making policy or adopting planning documents) and on other occasions be acting in a judicial or semi judicial capacity (for example when considering resource consent applications). There is some limited scope for flexibility in respect of political decisions, but absolutely no scope for flexibility in relation to judicial or semi judicial decisions.

The three classes of conflict of interest are:

- (a) a pecuniary interest in the matter before the Council, which gives rise to a presumption that there is a conflict with the member's duties. The pecuniary interest may be direct or indirect and involve either financial gain or financial loss.
- (b) non-pecuniary interest, which may give rise to a perception of conflict between interest and duty. These may be interests or relationships arising out of kinship, marriage, domestic relationships, wider family relationships, employment or membership of community organisations.
- (c) demonstrated bias, that is the circumstances where a member by words or action has indicated a commitment to a particular view in respect of an issue such that it is unlikely that the member may approach the consideration of a decision on that issue with an open mind.

If the Member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive Officer immediately.

Members may also contact the Office of the Controller and Auditor General for guidance as to whether that member has a pecuniary interest. If there is a pecuniary interest, the member may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote. Contact details for the Office of the Controller and Auditor General - Phone (04) 917 1500 email: reception@oag.govt.nz, website www.oag.govt.nz.

Failure to observe the requirements of the Local Authorities (Members' Interests) Act 1968 could potentially invalidate the particular decision made, or the action taken, by Council. Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authorities (Members' Interests) Act 1968. In the event of a conviction elected members can be ousted from office.

In a case of doubt, a member should withdraw. Members withdrawing:

- must leave the meeting room;
- should (in protection of their own and the Council's interests) ensure that their actions are appropriately recorded in the Minutes

The issue of conflicts of interest is a difficult one for members. Commonly issues may arise on short notice. Matters which seem straightforward at the outset can also commonly become less clear as a matter progresses. Vigilance by members is required. While the decision to disqualify is ultimately a matter for the member alone, members are encouraged to seek guidance and assistance from the Mayor, other Councillors or the Chief Executive Officer.

7.1.1 Register of Interests

The Council has adopted the suggestion of the Office of the Controller and Auditor General and requested all elected members to make a written declaration of their personal and financial interests that may at times conflict with their roles. This information will be kept in a "Register of Interests". Members are responsible for keeping their written declarations up to date.

7.2 STANDING ORDERS

Standing Orders are a set of rules of debate that provide greater formality in the way that a Council conducts its meetings. Standing Orders are also a means of recording the Council's agreed principles of behaviour within meetings. Using Standing Orders as a guide to the way that the Council conducts its meetings helps to promote teamwork by:

- allowing structured discussion of topics;
- ensuring respect for the opinions of others;
- ensuring tact and appropriate language is used in resolving conflict;
- promoting the use of persuasion and influencing skills to gain a team outcome

Members must abide by the Standing Orders adopted by Council. A copy of the Standing Orders is provided to each member and after the adoption of the first Standing Orders, an amendment of the Standing Orders or the adoption of a new set of Standing Orders requires in every case a vote of not less than 75% of the members present. The Council or Committee may temporarily suspend Standing Orders during a meeting by a vote of not less than 75% of the members present and voting, and the reason for the suspension must be stated in the resolution of suspension.

7.3 DISQUALIFICATION OF MEMBERS FROM OFFICE

The Local Government Act 2002 and Standing Orders provide for disqualification of Members from office for example, if they:

- Are convicted of a criminal offence punishable by two or more years imprisonment;
- Cease to be an elector or becomes disqualified for registration as an elector under the Electoral Act 1993;
- Breach the Local Authorities (Members' Interests) Act 1968;
- Are absent without leave from the Council from four consecutive ordinary meetings of the Council.

7.4 DECLARATION OF BANKRUPTCY

Under the Local Government Act 2002 local authorities, when adopting a code of conduct, must consider whether or not they will require members to declare whether they are an undischarged bankrupt. The Council requires elected members who are undischarged bankrupts when elected or are declared bankrupt during the term of office, to notify the Mayor and the Chief Executive Officer as soon as practicable after being declared bankrupt and record the fact in the Register of Interests.

7.5 LEGISLATION BEARING ON THE ROLE AND CONDUCT OF ELECTED MEMBERS

Refer to Appendix C for a summary of the legislation requirements that have some bearing on the duties and conduct of elected members which includes:

- 1.0 Local Government Act 2002
- 2.0 Local Authorities (Members' Interests) Act 1968
- 3.0 Local Government Official Information and Meetings Act 1987
- 4.0 Secret Commissions Act 1910
- 5.0 The Crimes Act 1961
- 6.0 Financial Markets Conduct Act 2013
- 7.0 Health and Safety at Work Act 2015

8.0 Compliance and Review

NB: The following legislative responsibilities apply to all elected members. However, any alleged breach of any legislative responsibility by any elected member or by any member of staff will not constitute a breach of this Code of Conduct but will be processed in accordance with the relevant legislative provisions.

8.1 COMPLIANCE

The Local Government Act 2002 Schedule 7 of the Local Government Act 2002 requires each local authority to adopt a Code of Conduct.

The Local Government Act 2002 requires elected members to comply with the provisions of this Code of Conduct (Schedule 7, Clause 15(4)):

"A member of a local authority must comply with the code of conduct of that local authority."

However, the Act also states (Schedule 7, Clause 15(7)):

"To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act."

8.2 BREACHES OF LEGISLATION

The exact nature of the action the Council may take depends on the nature of the issue and whether there are statutory provisions dealing with the issue.

If there are statutory provisions dealing with the issue then it will not be considered to constitute a breach of this Code of Conduct and will be addressed in accordance with the relevant statutory provisions.

In the case of a breach of the provisions of this Code of Conduct it will be dealt with in accordance with the procedure set out herein.

In addition to the provisions of this Code, Members are also bound by the:

- Local Government Act 2002
- Local Authorities (Members' Interests) Act 1968,
- Local Government Official Information and Meetings Act 1987
- Secret Commissions Act 1910
- Crimes Act 1961
- Financial Markets Conduct Act 2013
- Health and Safety at Work Act 2015

The Chief Executive Officer will ensure that an explanation of these Acts is made at the first meeting after each triennial election and that copies of the Acts are freely available to elected members. Explanations of the obligations that each of these has with respect to conduct of elected members is set out in Appendix C.

Where there are statutory provisions,

- issues relating to members interests render members liable for prosecution by the Auditor General under the Local Authorities (Member's Interests) Act 1968 and if convicted the Member can be removed from office;
- issues which result in the Council suffering financial loss or damage may be reported on by the Auditor General under the Local Government Act 2002, which may result in the member having to make good the loss or damage;
- issues relating to the commission of a criminal offence may leave the elected member liable for criminal prosecution.

8.3 COMPLIANCE WITH THIS CODE

Please refer to the flow chart further on in this document for a diagrammatic view of the processing of alleged breaches of the code.

Dealing with issues in respect to compliance with this Code, by members, will be undertaken by the full Council.

All alleged breaches of the Code must be reported to the Chief Executive Officer in writing, making a specific allegation of a breach of the Code called the "complaint", and providing

corroborating evidence. Once the Chief Executive Officer has received a complaint, he/she will immediately acknowledge, in writing, the receipt of the complaint to the person making the complaint, called the "Complainant" and to the person who is the subject of the complaint, called the "Subject".

The Chief Executive Officer will then determine the nature of the complaint and if there are any statutory provisions dealing with the issue it will not be considered to constitute a breach of the Code of Conduct and will be dealt with in accordance with the relevant statutory provisions.

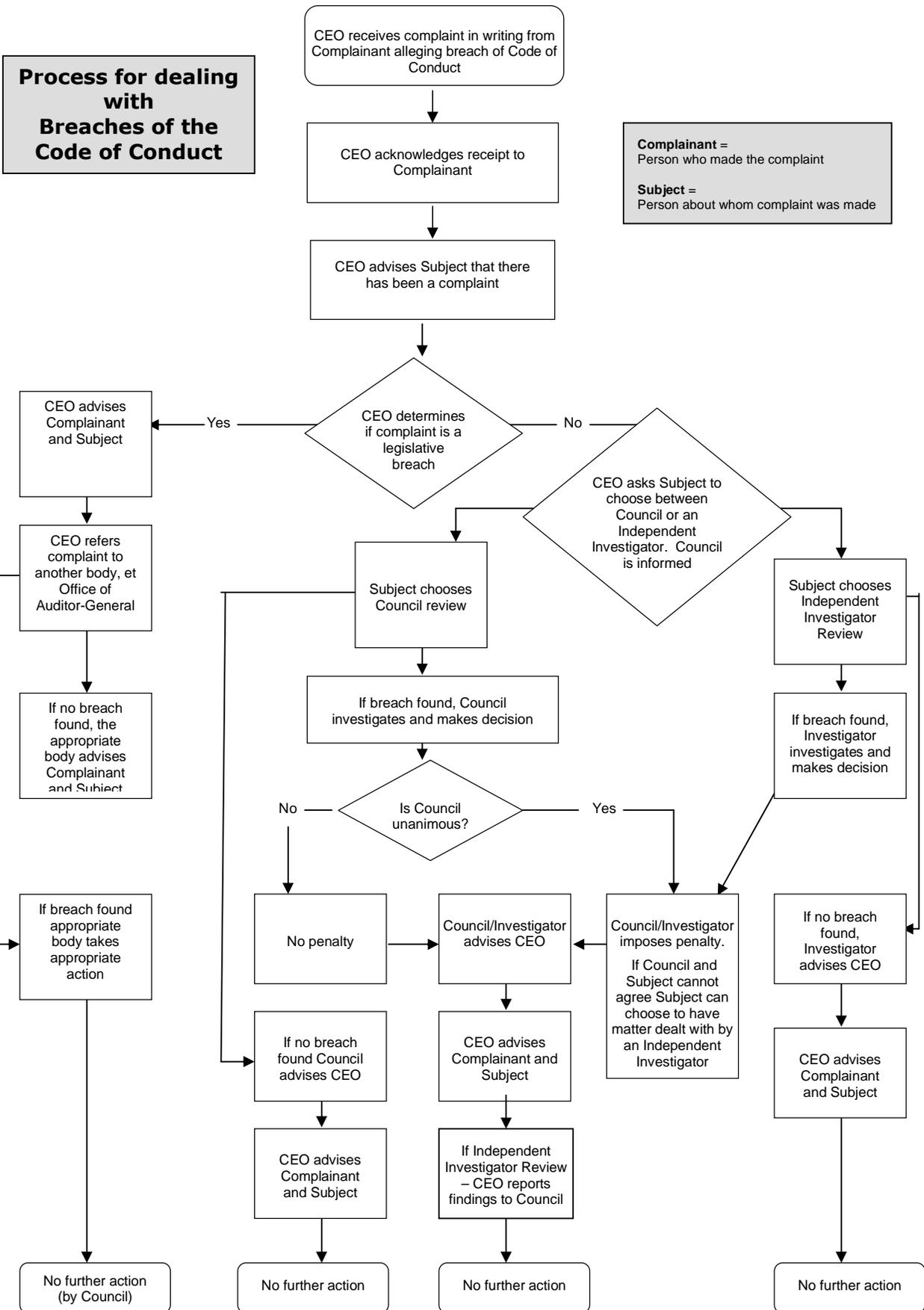
If the Chief Executive Officer determines that a breach of the Code of Conduct may have occurred, and is not covered by a statutory provision, the full Council will be informed, and the Chief Executive will ask the Subject to decide if they wish the complaint to be heard by the Council or by an Independent Investigator.

If the complaint is dealt with by the Council, the Subject will have an opportunity to respond to the complaint and/or attend the Council meeting where the complaint is being considered, but shall have no voting rights at such meeting. If no resolution can be reached between the Subject and the Council, the Subject may choose to have the complaint dealt with by an Independent Investigator.

If the Subject chooses to have the complaint dealt with by an Independent Investigator, the Chief Executive Officer will appoint an Independent Investigator (from a list of those previously approved by the Council) to investigate the complaint. The Investigator will investigate the circumstances of the complaint, and in doing so will allow the Subject of the complaint to have the same rights as they would have should the complaint have been investigated by the full Council. He/she will ascertain the facts and make a judgement about the complaint. The Independent Investigator shall report their findings and decision on the validity (or otherwise) of the complaint and on what action was taken as a result of the investigation to the Council.

The Council or an Independent Investigator shall enquire into and deliberate upon, all complaints and investigations in private.

If no breach of the Code of Conduct is deemed to have occurred the Complainant and the Subject will be advised and the Council will not be informed.



8.4 CONSEQUENCES OF A BREACH

Where the Council agrees that a member has breached the Code of Conduct, and the breach does not involve an offence against any statute, the Council may impose such penalty as it deems appropriate on the member concerned.

Where an independent investigator determines that a member has breached the Code of Conduct, and the breach does not involve an offence against any statute, the independent investigator may impose such penalty as they deem appropriate on the member concerned.

Any form of any penalty that the investigator or the Council may apply will depend on the nature of the breach, and may include the following:

- Censure of the member, by letter and/or in open meeting;
- Withdrawal of representation rights in outside organisations;
- Withdrawal of membership of a Committee or Sub-committee;
- If it appears that a breach of the Code also constitutes a statutory offence then the Council shall refer the circumstances of that breach to the relevant body for further action.

All decisions of the Council and the independent investigator shall be reported in an open part of a Council meeting, except where the alleged breach relates to the misuse of confidential information, or which would otherwise be exempt from public disclosure under the Local Government Official Information and Meetings Act 1987.

A decision by the Council or independent investigator that a breach of the Code has occurred, and/or recording the penalty to be applied, will be final and binding on the member to whom that decision relates and all other members. With the exception only of an allegation of a breach of the rules of natural justice, no member shall seek to review or challenge the outcome under standing orders, the Local Government Act 2002, or by judicial process.

8.5 REVIEW OF THE CODE OF CONDUCT

Once adopted, the Code of Conduct continues in force until amended by the Council. The code can be amended at any time, but cannot be revoked unless the Council replaces it with another Code.

Once adopted, amendments to the Code of Conduct require five out of the seven elected members of the Council to vote affirmation for an amendment to be effective.

To be completed by Members and witnessed by the Chief Executive Officer.

As a member of the Waitomo District Council, I hereby agree to uphold and abide by Council's Code of Conduct as adopted by Council on the 18th day of December 2007.

Signed: Witness:
Mayor Brian Hanna **Chris Ryan, Chief Executive**

Date: Date:

Signed: Witness:
Deputy Mayor Guy Whitaker **Chris Ryan, Chief Executive**

Date: Date:

Signed: Witness:
Councillor Phil Brodie **Chris Ryan, Chief Executive**

Date: Date:

Signed: Witness:
Councillor Terry Davey **Chris Ryan, Chief Executive**

Date: Date:

Signed: Witness:
Councillor Allan Goddard **Chris Ryan, Chief Executive**

Date: Date:

Signed: Witness:
Councillor Janene New **Chris Ryan, Chief Executive**

Date: Date:

Signed: Witness:
Councillor Sue Smith **Chris Ryan, Chief Executive**

Date: Date:

APPENDIX A

Local Government Act 2002 Purpose of Local Government and Role of Local Authorities - Decision Making And Consultation

1.0 PURPOSE OF LOCAL GOVERNMENT

The Local Government Act 2002 states the purpose of Local Government is:

- *"to enable democratic local decision-making and action by, and on behalf of, communities; and*
- *to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses."*

2.0 ROLE OF LOCAL AUTHORITIES

The Local Government Act 2002 also states that the role of local authorities is to:

- *"give effect in relation to its district or region, to the purpose of local government; and*
- *perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment."*

The Local Government Act 2002 further states that a local authority should:

- *"conduct its business in an open, transparent, and democratically accountable manner; and*
- *give effect to its identified priorities and desired outcomes in an efficient and effective manner*
- *make itself aware of and have regard to the views of all its communities;*
- *when making a decision take account of the diversity of the community and the various community's interests; the interests of future as well as current communities and the likely impact of any decision*
- *provide opportunities for Maori to contribute to its decision-making process*
- *collaborate and cooperate with other local authorities and bodies*
- *undertake commercial transactions in accordance with sound business practices*
- *ensure prudent stewardship and efficient and effective use of its resources in the interests of the district*
- *take a sustainable development approach".*

3.0 DECISION MAKING PROCESS

Every decision made by a local authority must be made in accordance with Sections 77, 78, 80, 81 and 82 of the Local Government Act 2002. Specifically the Council must during the course of the decision making process:

- *"seek to identify all reasonably practicable options for the achievement of the objective of a decision; and*
- *access those options by considering the benefits and costs both present and future interests of the Waitomo District;*
- *access those options by considering the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner by each*

option and assess the impact of each option on the Council's capacity to meet present and future needs in relation to any statutory responsibility of the Council;

- *identify those options which involve a significant decision in relation to land or a body of water, take into account the relationship of Maori and their culture and traditions with their ancestral land, water, sites, wahi tapu, valued flora and fauna and other taonga;*
- *give consideration to the views and preferences of persons likely to be affected by, or to have an interest in the matter;*
- *determine whether the matter is significant;*
- *identify whether the proposed decision would be significantly inconsistent with any existing policy or plan;*
- *establish and maintain processes to provide opportunities for Maori to contribute to the decision making process;*
- *consider ways in which the Council may foster the development of Maori capacity to contribute to the decision making process; and*
- *provide relevant information to Maori."*

4.0 CONSULTATION

The Council is required to make decisions that take into account and balance the various needs and preferences of its residents. Section 82 of the Local Government Act 2002 sets out the principles of consultation, which the Council must undertake in relation to any decision. Section 82 is set out as follows:

- "(1) Consultation that a local authority undertakes in relation to any decision or other matter must be undertaken, subject to subsections (3) to (5), in accordance with the following principles:*
- (a) that persons who will or may be affected by, or have an interest in, the decision or matter should be provided by the local authority with reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons:*
 - (b) that persons who will or may be affected by, or have an interest in, the decision or matter should be encouraged by the local authority to present their views to the local authority;*
 - (c) that persons who are invited or encouraged to present their views to the local authority should be given clear information by the local authority concerning the purpose of the consultation and the scope of the decisions to be taken following the consideration of views presented:*
 - (d) that persons who wish to have their views on the decision or matter considered by the local authority should be provided by the local authority with a reasonable opportunity to present those views to the local authority in a manner and format that is appropriate to the preferences and needs of those persons:*
 - (e) that the views presented to the local authority should be received by the local authority with an open mind and should be given by the local authority, in making a decision, due consideration:*
 - (f) that persons who present views to the local authority should be provided by the local authority with information concerning both the relevant decisions and the reasons for those decisions.*
- (2) A local authority must ensure that it has in place processes for consulting with Maori in accordance with subsection (1).*
- (3) The principles set out in subsection (1) are, subject to subsection (4) and (5), to be observed by a local authority in such manner as the local authority considers, in its discretion, to be appropriate in any particular instance.*

- (4) A local authority must, in exercising its discretion under subsection (3), have regard to -
- (a) the requirements of section 78; and
 - (b) the extent to which the current views and preferences of persons who will or may be affected by, or have an interest in, the decision or matter are known to the local authority; and
 - (c) the nature and significance of the decision or matter, including its likely impact from the perspective of the persons who will or may be affected by, or have an interest in, the decision or matter; and
 - (d) the provisions of Part I of the Local Government Official Information and Meetings Act 1987 (which Part, among other things, sets out the circumstances in which there is good reason for withholding local authority information); and
 - (e) the costs and benefits of any consultation process or procedure.
- (5) Where a local authority is authorised or required by this Act or other enactment to undertake consultation in relation to any decision or matter and the procedure in respect of that consultation is prescribed by this Act or any other enactment, such of the provisions of the principles set out in sub-section (1) as are inconsistent with specific requirements of the procedures so prescribed are not to be observed by the local authority in respect of that consultation".

APPENDIX B

Rules for Reimbursement of Elected Members' Expenses

(Refer Doc No. A325089 – copy attached)

APPENDIX C

Legislative Responsibilities

1.0 LOCAL GOVERNMENT ACT 2002

The Local Government Act 2002 (LGA 2002) sets out the general powers of local government, its purpose and operating principles. Provisions directly relevant to this Code include the personal liability of members.

Although having qualified privilege, elected members can be held personally accountable for losses incurred by a local authority where, following a report from the Auditor General under s.44 LGA 2002, it is found that one of the following applies:

- (a) money belonging to, or administered by, a local authority has been unlawfully expended; or
- (b) an asset has been unlawfully sold or otherwise disposed of by the local authority; or
- (c) a liability has been unlawfully incurred by the local authority; or

- (d) a local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

Members will not be personally liable where they can prove that the act or failure to act resulting in the loss occurred as a result of one of the following:

- (a) without the member's knowledge;
- (b) with the member's knowledge but against the member's protest made at or before the time when the loss occurred;
- (c) contrary to the manner in which the member voted on the issue; and
- (d) in circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

In certain situation members will also be responsible for paying the costs of proceedings (s.47 LGA 2002).

2.0 LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

The Local Authorities (Members' Interests) Act 1968 deals with the positions of elected members who may have an interest in contracts to be let by the Council. It also prohibits elected members from voting or taking part in any matter in which they have a direct or indirect financial interest.

The essence of the Act is to ensure that elected members follow high ethical standards in their public obligations so that the public can have confidence that their decisions are taken entirely properly, without any suspicion of improper interests influencing elected members' actions.

Details of these requirements are given in the guide to the legislation published by the Office of the Controller and Auditor General.

Elected members must be careful that they maintain a clear separation between their personal interests and their duties as elected members. This is also to ensure that people who fill positions of authority carry out their duties free from bias (whether real or perceived). Members therefore need to familiarise themselves with the provisions of the Local Authorities (Member's Interests) Act 1968 which concerns financial interests, and with other legal requirements concerning non-financial conflicts of interest.

The phrase "*Conflicts of Interest*" is used to describe three distinct and separate circumstances where there is or may be a conflict between the personal interests, or the conduct of a member, and that member's duties as an elected member. The statutory and common law rules relating to conflicts of interest are part of the rules of natural justice. They reflect the expectation of the community that, when making decisions on behalf of the community, members will act impartially and in a manner appropriate to the nature of the decision. Members performing their duties will on occasion be making political decisions (for example when making policy or adopting planning documents) and on other occasions be acting in a judicial or semi judicial capacity (for example when considering resource consent applications). There is some limited scope for flexibility in respect of political decisions, but absolutely no scope for flexibility in relation to judicial or semi judicial decisions.

The three classes of conflict of interest are:

- (d) **a pecuniary interest** in the matter before the Council, which gives rise to a presumption that there is a conflict with the member's duties. The pecuniary interest may be direct or indirect and involve either financial gain or financial loss.
- (e) **non-pecuniary interest**, which may give rise to a perception of conflict between interest and duty. These may be interests or relationships arising out of kinship, marriage, domestic relationships, wider family relationships, employment or membership of community organisations.

- (f) **demonstrated bias**, that is the circumstances where a member by words or action has indicated a commitment to a particular view in respect of an issue such that it is unlikely that the member may approach the consideration of a decision on that issue with an open mind.

The Local Government Authorities (Members' Interests) Act 1968 provides that an elected member is disqualified from office, or from election to office, if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed \$25,000 in any financial year. The Chief Executive Officer must seek approval from the Audit Office for contractual payments to members, their spouses or their companies that exceed the \$25,000 annual limit.

Additionally, elected members are prohibited from participating in any Council discussions or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the member's spouse contracts with the authority or has a pecuniary interest. Members must declare their interests at Council meetings where matters in which they have a pecuniary interest arise.

If the Member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive Officer *immediately*.

Members may also contact the Audit Office for guidance as to whether that member has a pecuniary interest. If there is a pecuniary interest, the member may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote. Contact details for the Office of the Controller and Auditor General - Phone (04) 917 1500 email: reception@oag.govt.nz, website www.oag.govt.nz

Failure to observe the requirements of the Local Authorities (Members' Interests) Act 1968 could potentially invalidate the particular decision made, or the action taken, by Council. Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authorities (Members' Interests) Act 1968. In the event of a conviction elected members can be ousted from office.

In a case of doubt a member should withdraw. Members withdrawing:

- must leave the meeting room;
- should (in protection of their own and the Council's interests) ensure that their actions are appropriately recorded in the Minutes

The issue of conflicts of interest is a difficult one for members. Commonly issues may arise on short notice. Matters which seem straightforward at the outset can also commonly become less clear as a matter progresses. Vigilance by members is required. While the decision to disqualify is ultimately a matter for the member alone, members are encouraged to seek guidance and assistance from the Mayor, other Councillors or the Chief Executive Officer.

3.0 LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

The Local Government Official Information and Meetings Act 1987 establishes procedures to provide for the admission of the public to meetings of Councils while providing for the protection of deliberations of Councils to the extent consistent with the public interest and the preservation of personal privacy. All of the Council's meetings are required to be open to the public, unless the public is expressly excluded. The public can only be excluded from a meeting on the grounds and in the manner outlined in Section 48 of the Local Government Official Information and Meetings Act 1987.

This Act requires Council to make all information relating to their operation public unless there is a good reason for withholding it. Good reasons for withholding information may include privacy of an individual, commercial sensitivity of a company, damage to the public interest, safety of an individual or that the maintenance of law may be prejudiced.

The decision on whether to withhold or release such information lies with the Chief Executive Officer. Members of the public may challenge any decision to withhold

information, by making an Official Information Request to the Chief Executive Officer. If the Chief Executive Officer declines to release the information, then the member of the public can apply to the Office of the Ombudsman to have the information released.

The Act requires Councils to publish a list of all their meetings, their time and place in advance each month. Councils must also make the agendas and reports to be considered available for inspection by the public at least two working days before the meeting.

The Act requires the Chairperson of the meeting to maintain order at the meeting. The Chairperson has the ability to require members of the public to leave the meeting if the Chairperson believes the behaviour of any member of the public is likely to prejudice the orderly conduct of the meeting.

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.

If convicted of any offence under this Act a person can be imprisoned for up to two years, or fined up to \$1,000, or both. A conviction would therefore trigger the ouster provisions of the Local Government Act 2002 and result in the removal of the member from office.

4.0 SECRET COMMISSIONS ACT 1910

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to council.

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to \$1000. A conviction would therefore trigger the ouster provisions of the LGA 2002 and result in the removal of the member from office.

5.0 THE CRIMES ACT 1961

Under this Act it is unlawful for an elected member (or officer) to:

- accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council;
- use information gained in the course of their duties for their, or another person's, monetary gain or advantage.

These offences are punishable by a term of imprisonment of seven years or more. Elected members convicted of these offences will also be automatically ousted from office.

6.0 FINANCIAL MARKETS CONDUCT ACT 2013

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

7.0 HEALTH AND SAFETY AT WORK ACT 2015

On 4 April 2016, the Health and Safety at Work Act 2015 (HSWA) came into force. The HSWA provides a significant change to New Zealand's current health and safety legislation and is a response to the scrutiny placed on New Zealand's health and safety practices following the Pike River tragedy.

The Act allocates duties to those people who are in the best position to control risks to health and safety as appropriate to their role in the workplace, and for the person conducting a business or undertaking (PCBU) (i.e. the Council) to ensure, as far as is reasonably practicable, the safety of workers and others who may be impacted by the work the business undertakes.

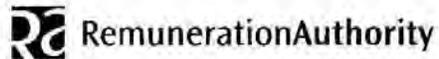
One of the significant changes is the introduction of "Officers", who is any person occupying a position in relation to the business or undertaking, that allows the person to exercise significant influence over the management of the business or undertaking.

For the purposes of the HSWA, elected Council members (which include the Mayor and Councillors but excludes Community Board members) and the Chief Executive are by default identified as "Officers". The Council has resolved that the General Managers are also to be identified as "Officers".

Officers have obligations of due diligence, which are:

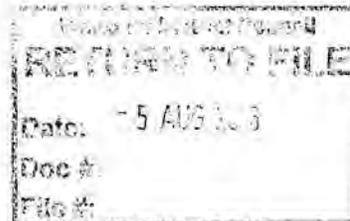
- (d) to acquire, and keep up-to-date, knowledge of work health and safety matters; and
- (e) to gain an understanding of the nature of the operations of the business or undertaking of the PCBU, and generally of the hazards and risks associated with those operations; and
- (f) to ensure that the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and
- (g) to ensure that the PCBU has appropriate processes for receiving and considering information regarding incidents, hazards, and risks and for responding in a timely way to that information; and
- (h) to ensure that the PCBU has, and implements, processes for complying with any duty or obligation of the PCBU under this Act; and
- (i) to verify the provision and use of the resources and processes referred to in paragraphs (c) to (e).

The duties of the Officers and of the PCBU are independent of each other. This means if a PCBU has failed to meet its duty but the Officers exercised due diligence then they would not be personally liable for the health and safety failings.



3 August 2016

Mr Chris Ryan
 Chief Executive
 Waitomo District Council
 P O Box 404
 TE KUITI 3941



Dear Mr Ryan

Elected Members Allowance and Reimbursement Policy 1 July 2016 – 30 June 2019

Please find enclosed your Council's approved Elected Members Allowance and Reimbursement policy.

Making information available to the public

Some councils have chosen not to specify current allowance rates in their policy. We recommend that those councils provide a link on their website to the Remuneration Authority's determination to help members of the public to find the current rates if they wish to do so.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Angela Foulkes'.

Angela Foulkes
 Deputy Chair

cc Joanne Gread, Policy Planner

REMUNERATION AUTHORITY



Signed: 

Date: 3/8/2016

POLICY

ON

ELECTED MEMBERS'
ALLOWANCES AND
RECOVERY OF EXPENSES

31 May 2016



**POLICY ON ELECTED MEMBERS'
ALLOWANCES AND RECOVERY OF EXPENSES**

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INTRODUCTION

This policy sets out rules on the claiming of expenses by elected members and the resources that will be available to them during their term of office.

Contact person for queries: Michelle Higgle (Executive Assistant)
 Email: michelleh@waitomo.govt.nz
 Phone: 07 878 0800

POLICY STATEMENTS

This policy covers the Mayor and Elected Members of the Council and for the purpose of reimbursement of expenses and mileage, any Council appointed representative acting on behalf of the Council.

Expenses relating to electioneering purposes will **not** be reimbursed.

REMUNERATION

The Mayor and Elected Members shall receive remuneration as determined by the Remuneration Authority.

AUTHENTICATION OF EXPENSE REIMBURSEMENTS AND ALLOWANCES

From time to time elected members incur expenses on the Council's behalf, which need to be reimbursed. This reimbursement and the use of Council supplied resources apply only to elected members personally, and only while they are acting in their official capacity as elected members.

Costs for expenses must have a justifiable business purpose, be moderate and conservative having regard to the circumstances, and be appropriate in all respects.

The process for reimbursement of claims includes the following principles:

- any expenses to be reimbursed must be on an actual and reasonable basis and in line with Council policy
- expense claims for Councillors are approved by the Mayor and Executive Assistant, and full original receipts are required
- expense claims for the Mayor are approved by the Chief Executive and Executive Assistant, and full original receipts are required
- cost reimbursements will be made via the Council payroll system.

In the case of one-off expenditure such as travel to conferences, the process and prior approvals required are detailed in this policy.

In the case of vehicle mileage, travel time and communications, all limits set in this document shall not exceed the Remuneration Authority's Determination.

The Council's internal audit work programme includes sampling expense claims and allowances paid to elected members and staff.

No allowances are paid without deduction of withholding tax.

All expenditure that falls under this policy is approved on the condition that it can be met within relevant budget provisions.

DEFINITIONS

"**Actual**" means as evidenced by the original receipt attached to the claim form.

"**Council**" shall mean the seven elected members that form the governing body (Council) of the Waitomo District Council.

"**Council business**" includes: formal council and community board meetings, committee meetings, workshops, seminars, statutory hearings, training courses, site visits, meetings with staff, meetings with community groups, meetings with members of the public. It does not include events where the primary focus is on social activity.

"**Expenses**" means actual and reasonable expenses including but not limited to; accommodation, rental car, air travel, taxis, meals and refreshments, entertainment (hospitality), parking, sundry vehicle costs, alternative travel options and other such costs directly related to the business of WDC.

"**Reasonable**" means that it is within the amount specified by this policy or as deemed reasonable by the Mayor/Regional Chairperson and/or Chief Executive.

"**Remuneration Authority**" is an independent body established by the Remuneration Authority Act 1977, with responsibilities under the Local Government Act 2002 to determine remuneration and expense/allowance rules for local authority members.

"**Waitomo District Council**" (**WDC**) shall mean the organisation established to administer Council affairs, conduct operations and bring effect to Council policy and strategies.

ALLOWANCES AND EXPENSES BY GROUP OF MEMBERS

Position	Expense/Allowance	Description
All Elected Members (Mayor and Councillors)	Taxis	<p>Taxis may be used for council business in circumstances where an individual is away from the Waitomo District and where it is deemed to be the most appropriate form of transport. i.e. transport to and from an airport, transport between venues at out of District appointments.</p> <p>Taxis may not be used if significant travel distances mean that use of a taxi is not the most cost effective option.</p> <p>Taxi costs paid for directly by the individual for travel within New Zealand or internationally will be reimbursed upon presentation of a signed Claim Form and actual receipts.</p>
	Rental Cars	<p>Rental cars may be utilised when attending meetings or conferences in other centres, where this is the most cost-effective travel option.</p> <p>Rental car costs paid for directly by the individual for travel within New Zealand or internationally will be reimbursed upon presentation of a signed Claim Form and actual receipts.</p>
	Travel and attendance at Conferences/ Seminars / Training Programmes	<p>All elected members are entitled to payment of actual and reasonable registration, travel, accommodation, meal and related incidental expenses (including travel insurance) incurred in attendance at these events, held both within New Zealand and overseas, subject to:</p> <ol style="list-style-type: none"> related expenditure being accommodated within existing budgets, and the appropriate approvals as outlined in this policy <p>and excluding reimbursement for purchases from hotel mini-bars and charges for in-room video or cable movies.</p>
	Domestic Air Travel	<p>All elected members are entitled to utilise domestic air travel for council related travel, generally where travel by air is the most cost effective travel option.</p>
	International Air Travel	<p>As a general policy all elected member international air travel is by way of economy class, where all or part of the costs of the fares are to be met by the Council.</p> <p>The approval of the Council is required for exceptions, e.g. where Premium Economy or the equivalent air travel is desirable for health or other compelling reasons.</p>

Position	Expense/Allowance	Description
All Elected Members (Mayor and Councillors)	Air Points	No Air Points accumulated while on Council business can be utilised for personal use.
	Accommodation	All travel and accommodation arrangements for Elected Members are to be made by WDC staff, at the most economic cost available (when possible) at the time of booking, unless all travel costs are being met privately or by an outside party.
	Exceptional Circumstances for Council related meetings	Staff may arrange overnight accommodation for Elected Members when travel or business requirements do not allow for the return on the same day, e.g. if it is unreasonable for an elected member to travel to their home after a late meeting.
	Private Accommodation provided by friends and/or relatives	Payment of \$50 per night shall be claimable when staying in private accommodation to cover accommodation, breakfast and dinner. It is intended that at least a portion of this allowance is paid to the accommodation provider.
	Car Parking	Reimbursement of car parking costs incurred whilst on council business will be made upon presentation of a signed Claim Form and actual receipts.
	Communications Allowance	The Mayor and Councillors will be provided with a tablet for the purpose of receiving electronic information from WDC, including Council Agendas. Elected members will be paid an annual Communications Allowance at the maximum amount allowable in the current Remuneration Authority Determination. (paid monthly via the Payroll System) This Allowance includes provision for use of personal computer, printer, mobile phone, council-related toll and mobile phone charges and internet connectivity/use. This Allowance <u>does not</u> provide for the use of a tablet where WDC has provided such.
	Stationery and Consumables	Supply of reasonable amounts of paper and printer consumables for council business.
	Mileage Allowance	<u>Threshold Distance</u> Vehicle mileage will be paid for all travel on Council business that exceeds, in any one day, the threshold distance as provided in the current Remuneration Authority Determination. The threshold distance will be personal to each elected member. <u>Mileage Rate</u> Mileage will be paid up to the maximum rate per kilometre as provided in the current Remuneration Authority Determination and will be payable upon presentation of a signed Claim Form.
Travel Time Allowance	A travel time allowance will be paid to eligible elected members at the maximum amount as provided in the current Remuneration Authority Determination upon presentation of a signed Claim Form.	

Position	Expense/Allowance	Description
Mayor	Car	In the event the Mayor is provided with a WDC vehicle, that vehicle will also be available for his/her full private use. A deduction will be made from his/her salary as determined by the Remuneration Authority. The Mayor will not be able to claim for vehicle mileage.
	Travel and Conferences, Courses and Seminars	<p>The prior approval of the Chief Executive is required for travel within New Zealand for: council business; attendance at conferences/courses/training events/seminars; other purposes associated with the position of Mayor.</p> <p>The prior approval of the Council is required for all international travel, where costs or partial costs are paid for by Council funds.</p> <p>Where the Mayor or the Mayor's authorised representative is accompanied by his/her partner on international travel, the Council will meet the cost of their travel, accommodation and incidental costs.</p> <p>The Council will only authorise such expenditure where the partner's involvement directly contributes to a clear business purpose.</p>
	Airline Club	Given frequent travel requirements for the role, payment of an Air New Zealand Koru Club subscription.
	Entertainment and Hospitality	<p>The Mayor holds a WDC Credit Card to pay directly for any entertainment or hospitality expenses incurred while carrying out Council business.</p> <p>All expenditure made on this Credit Card must conform with WDC's Credit Card Policy which includes the requirement to provide full receipts and details of the names of parties entertained and reasons for the entertainment.</p>

Position	Expense/Allowance	Description
Councillors	Conferences, Courses, Seminars and Training	<p>Conference, course, seminar or training events must contribute to the Councillor's ability to carry out Council business.</p> <p>Attendance at these events when held in New Zealand must be approved by both the Mayor (or Deputy Mayor) and the Chief Executive.</p> <p>Attendance at these events when held overseas must be approved by the full Council.</p>
	Entertainment and Hospitality	<p>Reimbursement of costs incurred while hosting official visitors to the Council, or while travelling on Council business. These costs can cover a range of items including, but not limited to, tea/coffee and catering including alcohol with meals.</p> <p>Such costs will be reimbursed upon presentation of a signed Claim Form and actual receipts.</p>
	General Community Related Expenses	<p>From time to time councillors may have unforeseen costs arise for items relating to community events, e.g. payment of koha, or purchasing a wreath for attendance at a commemorative event.</p> <p>Reimbursement of such expenditure should be previously approved by the Mayor.</p> <p>The items should be appropriate to the occasion and expenditure should be moderate and conservative.</p> <p>Such costs will be reimbursed upon presentation of a signed Claim Form and actual receipts.</p>

Document No:		File No: 037/038
Report To:	Council	
	Meeting Date:	28 February 2017
	Subject:	Governance Statement Review

Purpose of Report

- 1.1 The purpose of this business paper is to present Council's Governance Statement for review and adoption.

Background

2.1 Legislative Requirement

- 2.2 Section 40 of the Local Government Act 2002 requires every local authority to prepare and make publicly available, within six months after the triennial election, a local governance statement which must include the matters set out in subsection 40(1). The intention is to ensure that the principles relating to local authorities, governance principles, and obligations relating to contributions to decision-making processes, are set out in a transparent manner.
- 2.3 The Governance Statement can be adopted by ordinary resolution, and is separate from the obligations to prepare a long-term plan and the annual plan, which both require the special consultative procedure to be followed.
- 2.4 Section 40 of the Local Government Act 2002 reads as follows:

40 Local governance statements

- (1) *A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on—*
- (a) *the functions, responsibilities, and activities of the local authority; and*
 - (b) *any local legislation that confers powers on the local authority; and*
 - [(ba) the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under section 158 or 159; and]*
 - (c) *the electoral system and the opportunity to change it; and*
 - (d) *representation arrangements, including the option of establishing Maori wards or constituencies, and the opportunity to change them; and*

- (e) *members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and*
 - (f) *governance structures and processes, membership, and delegations; and*
 - (g) *meeting processes (with specific reference to the applicable provisions of the [Local Government Official Information and Meetings Act 1987](#) and standing orders); and*
 - (h) *consultation policies; and*
 - (i) *policies for liaising with, and memoranda or agreements with, Maori; and*
 - (j) *the management structure and the relationship between management and elected members; and*
 - [(ja) *the remuneration and employment policy, if adopted; and*]**
 - (k) *equal employment opportunities policy; and*
 - (l) *key approved planning and policy documents and the process for their development and review; and*
 - (m) *systems for public access to it and its elected members; and*
 - (n) *processes for requests for official information.*
- (2) *A local authority must comply with subsection (1) within 6 months after each triennial general election of members of the local authority.*
- (3) *A local authority must update its governance statement as it considers appropriate.*

Commentary

- 3.1 Since the Governance Statement was last reviewed by Council following the 2013 Triennial Elections (adopted on 6 March 2014), there have been no legislative amendments impacting on the content of local governance statements.
- 3.2 WDC's Governance Statement has been amended to reflect –
- The new Council for the 2016-2019 Triennium
 - Other minor amendments i.e. Bylaw adoption and review dates and descriptions (amended as a result of reviews completed during the 2013-2016 period)
 - Governance Structures (including external organisation appointments) as adopted by Council at the Inaugural Council meeting following the 2016 Triennial Election
 - Updated WDC Management Structure
- 3.3 A copy of WDC's amended Governance Statement with the above amendments is attached to and forms part of this business paper.

- 3.4 Due to the fact that the content of a Governance Statement is clearly defined by legislation, this draft Governance Statement has not been referred to Council for workshopping purposes as the Council itself is relatively limited in any influence it may have on the actual content of the document.
- 3.5 Council must also note the statutory deadline for completion of the Governance Statement is six months after each triennial election, which means that the document must be adopted by mid April 2017.
- 3.6 Historically, Council as resolved not to include Elected Member and Council Management photographs in the Governance Statement. Council's guidance is requested as to whether or not it wishes to continue this practice, or whether it wishes to include photographs of the elected Council Members and Council Management.
- 3.7 Other councils' Governance Statements vary considerably in this area. Some contain photographs, written briefs and full contact details for elected Members, including photographs of the first level of Management. Others contain names and contact details only.

Suggested Resolutions

- 1 The business paper on Governance Statement Review be received.
- 2 The draft Governance Statement be adopted with/without the inclusion of Member photographs.



MICHELLE HIGGIE
EXECUTIVE ASSISTANT

17 February 2017

Enclosure: Draft Governance Statement – February 2017 (Doc A342094)



Governance Statement

28 February 2017

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Introduction

Local Government in New Zealand has undergone considerable development in recent years. There is an increasing awareness that the concept of local people managing local community affairs on a day-to-day basis is not providing for the long-term good of communities.

Short-term thinking and needs have often been at the expense of long-term planning and community development. The Local Government Act 2002 (the Act) is a re-write of previous legislation, designed to shift councils toward governing for the long-term well-being of their communities – and away from being involved in the day-to-day operational decisions that distract elected members from strategic thinking and planning.

That is to say that the legislation now makes mandatory, the requirement for councils to always consider the future well-being of their communities and to consider the whole community above individuals or individual sectors.

What is a Governance Statement?

A Governance Statement is a requirement of Section 40 of the Act. Councils are required to produce a new Governance Statement within six months after each triennial election.

A Governance Statement is a collection of information summarising how a council engages with its communities, how it makes its decisions and how residents and ratepayers can become involved in those processes.

Functions and Activities of Council

Purpose of Local Government

The Act defines the purpose of local government as:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

Translated, Council is obliged to ensure that –

- 1. Decision-making is transparent and engages the community enabling community democracy; and
- 2. The needs of communities for infrastructure, community services and regulatory functions are met in a manner that is both efficient and effective and is also appropriate to present and anticipated future circumstances.

The Role Of Council

The Act further defines that the role of any local authority is specifically to give effect to the purpose of local government and to carry out the duties within the rights and powers conferred on it by the Act.

Status and Powers

- 1. A local authority is a Territorial Local Authority (TLA) with perpetual succession in terms of its legal definition.
- 2. For the purposes of performing its role, a TLA has, subject to the Act, any other enactment, and the general law:
 - a. the full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction; and
 - b. the full rights, powers, and privileges for the purposes of paragraph (a),

3. A TLA must exercise its powers under this section wholly or principally for the benefit of its District and community.
4. That said, nothing in the Act prevents two or more local authorities engaging in a joint undertaking, a joint activity, or a co-operative activity; or prevents a transfer of responsibility from one local authority to another in accordance with this Act, or restricts the activities of a council-controlled organisation.

The Act also contains a number of other provisions that dictate what a TLA may, or may not, do.

Principles Relating to Local Authorities

Waitomo District Council **must** act in accordance with the following principles.

- Conduct its business openly, transparently and in a democratically accountable manner.
- Pursue and achieve identified priorities and goals efficiently and effectively.
- Be aware and take notice of the view of all its constituent communities.
- Make decisions that take account of the diversity of the community, and the community's interests, within its district or region.
- Take account of the interests of future as well as current communities.
- Measure and have regard to, the impact of any decision in terms of achieving the economic, social, cultural and environmental well-being of the District.
- Provide opportunity for Maori to contribute to the decision-making processes of Council.
- Collaborate and co-operate with other local authorities and relevant organisations.
- Employ sound and acceptable good business practices in its operation.
- Ensure that the resources and assets of the District are managed prudently for the good of the community, present and future. The Council is given the responsibility of looking after key services and assets such as roads, water supplies and sewerage to ensure such services are there for future communities in a well-kept state.
- Pursue development of the community in a way that is sustainable in the future.

Principles of Governance

Council is required to ensure:

- The public and elected members are aware and understand what local governance means to its community.
- The public and elected members fully appreciate how an elected member is expected to conduct themselves.
- That governance organisations (i.e. Council, Community Boards, etc.) and the way in which they work, are effective, efficient, open and transparent.
- That wherever possible, the management of Council's regulatory responsibilities is kept separate from service activities.
- That Council acts as a "good employer".
- That the relationship between the elected members and management of the WDC organisation is understood, respected and appreciated by everyone in the community.

Legislation

General

A range of national legislation applies to all TLAs. The key Acts include:

- Local Government Act 2002 (including Amendment Acts)
- Local Government (Rating) Act 2002
- Local Electoral Act 2001
- Local Government Official Information and Meetings Act 1987

- Rating Valuations Act 1998
- Resource Management Act 1991
- Building Act 2004
- Reserves Act 1977
- Secret Commissions Act 1910
- Crimes Act 1961
- Financial Markets Conduct Act 2013
- Health and Safety at Work Act 2015

Local Legislation

Local legislation is law made by Central Government relating specifically to a localised area. There is currently no such legislation in existence pertaining to the Waitomo District.

Bylaws

Pursuant to the Local Government Act 2002 (LGA) a TLA may make bylaws for its district for 1 or more of the following purposes:

- protecting the public from nuisance;
- protecting, promoting, and maintaining public health and safety;
- minimising the potential for offensive behaviour in public places.

~~A major review of Council's bylaws was undertaken over the period 2006—2010.~~

~~At the time of that review the older bylaws were contained as chapters of a single overriding bylaw and some were stand-alone bylaws. This was impractical and the system was simplified for ease of use by integrating similar bylaws into a few stand-alone consolidated bylaws to standardise them without creating a too cumbersome single document. Outdated provisions were then updated or deleted at the same time.~~

Council's current Bylaws are as follows:

Bylaw	Date Adopted	To be Reviewed
Trade Waste Bylaw	July 2011	2021 (or sooner if required)
Dog Control Bylaw	16 December 2008	2014
Public Places Bylaw	16 March 2009	2014
Solid Waste Bylaw	3 March 2009	2014
Public Health and Safety Bylaw	3 March 2009	2014
Public Amenities Bylaw	10 February 2010	2015
Water Services Bylaw	10 February 2010	2015
Land Transport Bylaw	25 May 2010	2015

Section 158 of the LGA requires that Council must review any bylaw, made under the LGA, no later than five years after the date on which the Bylaw was made.

Once the initial five year review is completed, bylaws are then required to be reviewed on a 10 year cycle. If bylaws are not reviewed as detailed above, they cease to have effect two years after the date on which the Bylaw was required to be reviewed.

Historically WDC had a large number of Bylaws. A full review was completed in the period 2008-2011, where Council consolidated the many old Bylaws into "new" Bylaws.

Set out in the table below is the timeline for each Bylaw including when it was adopted as a "New" Bylaw, the 5 Year Review date and the 10 Year Cycle Review Date. There is also a column "Other Review Date" for any review which is not part of the statutory timeline, but may be required from time to time for various reasons

Bylaw	"New" Bylaw Adoption Date	5 Year Review Adoption Date	Other Review Date	10 Year Cycle Review Due
Trade Waste Bylaw	1 July 2006	26 July 2011	28 June 2016 ①	June 2026
Dog Control Bylaw	16 December 2008	25 June 2014	15 December 2015 ②	December 2025
Public Places Bylaw	24 March 2009	25 June 2014		June 2024
Public Health and Safety	3 November 2009	25 June 2014		June 2024

Bylaw	"New" Bylaw Adoption Date	5 Year Review Adoption Date	Other Review Date	10 Year Cycle Review Due
Solid Waste	3 November 2009	25 June 2014		June 2024
Public Amenities	10 February 2010	10 February 2015		February 2025
Water Services	10 February 2010	10 February 2015		February 2025
Land Transport	25 May 2010	29 April 2015	③	April 2025
Freedom Camping			④	

- ① Trade Waste Bylaw review initialised to address/facilitate renewal of Discharge Agreements with Meat Work Companies.
- ② Since adoption of the Dog Control Bylaw in June 2014, Council made changes to the way in which Animal Control Services are provided and as a result both the Dog Control Policy and Bylaw required updating. (That Review was programmed and completed in December 2015. As a result of that review, the 10 Year Cycle date has moved out to December 2025 accordingly.)
- ③ In August 2015, the Department of Internal Affairs requested that all Councils review their Land Transport Bylaws following the Government's enactment of legislation to validate speed limits set by road controlling authorities with retrospective effect. (If issues are identified in this review a full review will be programmed.)
- ④ Council has confirmed its intent to obtain "Motorhome Friendly" status. For a town to obtain the Motorhome Friendly status the requirements of the New Zealand Motorhome Caravan Association include the requirement for a Freedom Camping Bylaw consistent with the premise of the Freedom Camping Act 2011.

Trade Waste Bylaw

Doc Ref No. A321019

The purpose of this bylaw is to provide for the:

- (a) Acceptance of long-term, intermittent, or Temporary Discharge of Trade Waste to the Sewerage System;
- (b) Establishment of five grades of Trade Waste: Exempted, Permitted, Conditional, Controlled and Prohibited;
- (c) Evaluation of individual Trade Waste discharges to be against specified criteria;
- (d) Correct storage of materials in order to protect the Sewerage System from spillage;
- (e) Installation of flow meters, samplers or other devices to measure flow and quality of the Trade Waste discharge;
- (f) Pre-treatment of waste before it is accepted for discharge to the Sewerage System;
- (g) Sampling and monitoring of Trade Waste discharges to ensure compliance with the bylaw;
- (h) Inspection of points on a property from where Trade Waste is or could be discharged;
- (i) Council to accept or refuse a Trade Waste discharge;
- (j) Charges to be set to cover the cost of conveying, treating and disposing of, or reusing, Trade Waste and the associated costs of administration and monitoring;
- (k) Administrative mechanisms for the operation of the bylaw; and
- (l) Establishment of waste minimisation and management programmes (including sludge's) for Trade Waste producers.

Note - While this bylaw has a District wide application, its main focus is in relation to trade waste discharges to the Te Kuiti Sewerage System, principally from the two local abattoirs - Universal Beef Packers Ltd (UBP) and Te Kuiti Meat Processors Ltd (TKM). Other, smaller, trade waste dischargers include the Te Kuiti Stock Yards and the Lime Haulage truck-washing facility at Te Kuiti.

Dog Control Bylaw

Doc Ref No. 293011

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.

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.

Public Places Bylaw**Doc Ref No. A113904**

The purpose of this bylaw is to control a diverse range of activities to ensure that acceptable standards of convenience, safety, visual amenity and civic values are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the district.

In particular this bylaw addresses damage to public facilities which may have an adverse effect on other users such as:

- Roads
- Grass Verges
- Garden Places and Reserves

The Local Government Act 2002 and other relevant Acts e.g. Reserves Act 1977, outline some of the powers and requirements of the Council in regard to public places and reserves. Areas of control so prescribed by that legislation is not necessarily repeated within this bylaw, and therefore the relevant sections of the Local Government Act, 2002 and other legislation should be read in conjunction with the bylaw.

Public Health and Safety**Doc Ref No. A138433**

The purpose of this bylaw is to control a diverse range of activities to ensure that acceptable standards of public health and safety are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the district.

In particular this bylaw addresses a wide range of issues that could have an adverse effect on the health and safety of the public by regulating:

- Scaffolding and Deposit of Building Materials
- Fire Prevention
- Keeping of Animals
- Food Safety
- Body Piercing
- Hostels
- Prostitution

The LGA 2002 and other relevant Acts e.g. Forest and Rural Fires Act 1977, Health Act 1956 and Prostitution Reform Act 2003 outline some of the powers and requirements of the Council in regard to public health and safety. Areas of control so prescribed by that legislation are not necessarily repeated within this bylaw and therefore the relevant sections of these acts should be read in conjunction with the Bylaw.

Solid Waste**Doc Ref No. A138540**

The purpose of this bylaw is to:

- (a) Ensure that household waste is reduced, collected and disposed of in the interests of public health and in an efficient and cost effective manner; and
- (b) Provide for the efficient collection and recovery of recyclable waste; and
- (c) Ensure that the obstruction of streets and roads by waste for collection is minimised; and
- (d) Manage waste management facilities for the optimum disposal or recycling of waste.

Public Amenities**Doc Ref No. A275914**

The purpose of this bylaw is to control a diverse range of activities in public amenities to ensure that acceptable standards of convenience, safety and civic values are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the District.

In particular this bylaw addresses conduct which may have an adverse effect on other users at public amenities such as:

- Libraries
- Reserves
- Aerodrome

- Public Parking Areas
- Public Toilets
- Swimming Pools
- Beaches
- Other Public Buildings
- Cemeteries

The Local Government Act 2002 and other relevant Acts e.g. Reserves Act 1977, outline some of the powers and requirements of the Council in regard to public places and reserves. Areas of control so prescribed by that legislation is not necessarily repeated within this bylaw, and therefore the relevant sections of the Local Government Act, 2002 and other legislation should be read in conjunction with the bylaw.

Water Services

Doc Ref No. A145444

The purpose of this bylaw is to:

- protect the public health and the security of the public water supply;
- detail the responsibilities of both the Council and the consumers with respect to the public water supply and other water related services;
- ensure the safe and efficient creation, operation, maintenance and renewal of all public water services, sewerage and stormwater drainage networks;
- ensure proper hazard management to prevent or minimise flooding and erosion;
- minimise adverse effects on the local environment particularly freshwater ecological systems and beach water quality, and assists in maintaining receiving water quality;
- ensure that watercourses are properly maintained;
- ensure the protection of Council's water services, sewerage and stormwater drainage assets and the health and safety of employees;
- set out acceptable types of connection to public water services, sewerage and stormwater networks.

Land Transport

Doc Ref No. A275656

The purpose of this bylaw is to manage, control and protect all of the roading corridors including unformed "paper" roads in the District, other than state highways which are controlled by the New Zealand Transport Agency and which the relevant powers have not been delegated to the Waitomo District Council.

Freedom Camping

For a town to obtain motorhome friendly status the New Zealand Motor Caravan Association (NZMCA) requires a freedom camping related bylaw consistent with the premise of the Freedom Camping Act 2011, i.e. responsible freedom camping is generally a permitted activity.

A course of action was approved, which included:

- Monitoring of camping activities in the District over the summer months to inform the development of a Freedom Camping Bylaw
- An assessment of popular camping places in the District on Council property
- Assessment of non-Council camping sites – number of commercial, free of charge, DOC managed
- Determine potential new campsites for the District, and
- Development of a Freedom Camping Bylaw and amendment to the Public Places Bylaw.

Council has agreed to develop a Freedom Camping Bylaw and further to achieve Motor Home Friendly status. The following course of action has been approved:

- Monitoring of camping activities in the District over the summer months to inform the development of a Freedom Camping Bylaw
- An assessment of popular camping places in the District on Council property
- Assessment of non-Council camping sites – number of commercial, free of charge, DOC managed
- Determine potential new campsites for the District, and
- Development of a Freedom Camping Bylaw and amendment to the Public Places Bylaw.

Development of the Freedom Camping Bylaw is scheduled for 2017, including the resulting amendment to the Public Places Bylaw.

The Electoral System

The Local Electoral Act 2001 (LEA) and the Local Electoral Amendment Act 2002 govern local authority elections.

Council employs a 'First Past the Post' (FPP) electoral system for triennial general elections. Under FPP, electors vote by indicating their preferred candidate, and the candidate with the most votes is declared the winner, regardless of the proportion of votes that candidate obtained.

The alternative system permitted under the LEA is the Single Transferable Vote system (STV). Under STV, electors rank candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes. The number of candidates required to fill all vacancies is achieved:

- By counting all of the first preferences and electing those candidates who reach the quota, then
- by a transfer of spare votes (over the quota) from elected candidates in proportion to all their voters' second preferences, then
- by excluding the lowest polling candidates and transferring these votes to the voters' second preferences.

These steps continue until enough candidates have reached the quota and have been elected.

Changing the Electoral System

Section 27 of the LEA allows for the electoral system to be changed, provided that any change is made not later than 12 September in the year that is two (2) years before the year in which the next triennial general election is to be held. However such change must remain in effect for the following two triennial elections.

Pursuant to the LEA the public also has a right to demand a poll that the electoral system be changed, but in doing so must meet criteria as set out in the LEA.

Representation

The Waitomo District is currently separated into two constituencies known as wards (Urban Ward and Rural Ward). Three Councillors are elected for each ward (total six councillors) and a Mayor is elected by the whole District (i.e. "at large").

Council is required to review its representation arrangements at least once every six years through a public engagement process. This review must include:

- The number of Elected Members,
- Whether the Elected Members (other than the Mayor) shall be elected by the entire District (at large), or whether the District will be divided into wards for electoral purposes, or whether there will be a mix of at large and ward representation,
- If the election by wards is preferred then the boundaries and names of those wards and the number of members that will represent each ward,
- Whether or not to have separate wards for electors on the Maori roll,
- Whether to have community boards and if so how many, their boundaries and membership and whether to further subdivide a community for electoral purposes.

Council must follow the procedure set out in the LEA when conducting this review and should also follow the guidelines published by the Local Government Commission.

The next review of Council's Electoral System and Maori Representation will be carried out in [2014-2017](#) for the [2016-2019](#) Triennial Election.

The Members

		Business Phone	Home Phone
Mayor Brian Hanna	160 Tate Road RD2 TE KUITI 3982	878 0800	878 7227
Deputy Mayor Guy Whitaker (Urban)	15 Liverpool Street TE KUITI 3910	878 8147	878 3331
Terry Davey (Urban)	2 Blackman Street TE KUITI 3910	021 755 099	07 878 6330
Janene New (Urban)	75 Awakino Road 23 Hetet Street TE KUITI 3910	027 336 3061 878 8184	878 7032 878 7306
Lorraine Te Kanawa (Urban)			
Phil Brodie (Rural)	112 Auahi North Road RD2 PIOPIO 3970	877 8033	877 8033
Allan Goddard (Rural Ward)	566 Mangaokewa Road RD7 TE KUITI 3987	878 7865	878 7865
Sue Smith (Rural)	313 Te Waitere Road R D 8 TE KUITI 3988	876 7518	876 7518

The Role of Elected Members and their Conduct

Role of an Elected Member

Members of a Local Authority are elected to bring effect to the purpose of local government as set out elsewhere in this Statement, including:

- Developing and adopting Council policy
- Monitoring the performance of Council against its stated objectives, policies and identified community outcomes
- Representing the interests of the people of the Waitomo District
- Employment of the Chief Executive (pursuant to the Act, a local authority employs the Chief Executive, who in turn employs all other staff on its behalf)

The manner and process by which Council Members must meet their responsibilities is widely prescribed in the Act, particularly terms of Schedule 7.

Role of the Mayor

The Mayor, as one of the elected members, shares the same role as other members including, but not limited to, the following:

- 1) To provide leadership to—
 - (a) the other members of the territorial authority; and
 - (b) the people in the district of the territorial authority.
- (2) To lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.

Pursuant to the Act, the Mayor also has the following powers:

- (a) to appoint the deputy mayor;
- (b) to establish committees of the territorial authority;
- (c) to appoint the chairperson of each committee established (and may make the appointment before the other members of the committee are determined; and may appoint himself or herself)

Conduct of an Elected Member

Elected members have specific obligations as to their conduct as outlined in the following legislation:

- Schedule 7 of the Act, which includes obligations for Council to act as a good employer in respect of the Chief Executive and to abide by the current Code of Conduct (refer section below) and Standing Orders.
- The Local Authorities (Members' Interests) Act 1968, which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect).
- The Secret Commissions Act 1910 prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way.
- The Crimes Act 1961 regarding the acceptance of gifts and the use of official information for private profit.

Code of Conduct

All Councils must adopt a Code of Conduct as a requirement of the Act. The Code of Conduct sets out Council's understanding and expectations of how the Mayor and elected members will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by, or is in the possession of, elected members, and contains details of the sanctions that council may impose if an individual member breaches the code.

Governance Structures and Processes, Membership and Delegated Authorities

Council

The Mayor and Council Members elected by the people of the Waitomo District form the Council. The Council is responsible for the overall governance of the District and ensuring that Council acts in the best interests of its residents and ratepayers. The Mayor presides over meetings of the Council.

Council adopts a Meeting Schedule for the calendar year in December/January each year. The Council currently meets on a monthly basis on the last Tuesday of each month, except where such a meeting coincides with a public holiday or is required to be deferred for unforeseen reasons. The commencement time of these meetings varies depending on the amount of business to be considered. Council meetings and commencement times are publicly notified in the Waitomo News and the Agendas are available to the public via Council's Website.

Committees

Council may create committees of Council as it sees fit. A Committee Chairperson is responsible for presiding over meetings of a Committee and ensuring that the Committee acts within the powers delegated by Council. Committees are groups appointed by Council for specific functions.

Pursuant to the LGA, a committee includes, in relation to a local authority,—

- (a) a committee comprising all the members of that local authority; and
- (b) a standing committee or special committee appointed by that local authority; and
- (c) a joint committee appointed under clause 30 of Schedule 7; and
- (d) any subcommittee of a committee described in paragraph (a) or paragraph (b) or paragraph (c)

Details

Hearings Committee

The committee will consist of the Mayor and two RMA Accredited Councillors. The Mayor will convene a Hearings Committee from that Panel for each separate Hearing.

Investment Representative Committee

This Committee's delegated authority is to work with the Inframax Construction Ltd's Board of Directors to monitor the performance of Council's investment in the Company.

Civil Defence Emergency Management Group (Mayors Joint Committee)

Pursuant to the Civil Defence Act, Civil Defence throughout the Waikato Region is overseen at a political level by a Mayors Joint Committee, the Civil Defence Emergency Management Group (CDEMG) of which the Mayor is a member.

Waikato Region Civil Defence Emergency Management Co-ordinating Executive Group

At a Regional advisory level, Civil Defence for the Waikato Region is administered by a Co-ordinating Executive Group (CEG). This group is made up of senior Council representatives of the eleven councils.

Waitomo/Otorohanga/Waipā Civil Defence Emergency Management Committee

As per the Shared Service Agreement, a Management Committee has been established with each of the Council's represented by a staff member nominated by each Council.

Waikato Plan Joint Committee

The Waikato Plan aims to be the collective voice for the Waikato Region on high priority issues, challenges and opportunities that affect the regional community. The Plan will:

- Set a strategic direction for the Waikato and its communities.
- Outline a high level development strategy that identifies settlement, infrastructure and service needs.
- Provide an evidential basis to support policy and investment decision making within the Waikato.
- Enable coherent and co-ordinated decision making by the local authorities, Central Government and other parties to determine the future location and timing of critical infrastructure, services, and investment within the Waikato.
- Provide a basis for aligning the implementation plans, regulatory plans and funding programmes of local government and strategic partner agencies.

The Waikato Plan Joint Committee currently operates under an Agreement developed pursuant to Clause 30A, Schedule 7 of the Local Government Act 2002. The Agreement provides that the Joint Committee is not discharged at the next election, however the current membership of the Committee expired on the date of the triennial Local Government election in October 2016.

Working Parties/Groups

Details

Citizen Awards Working Party

Council's Citizens Award Policy provides for a Citizens Award Working Party (CAWp) to be appointed consisting of community members who have a strong knowledge of the District community. The CAWp will have up to 4 community members plus one Council representative and will serve a term of 3 years. Appointment of the CAWp is made by the full Council with the next review scheduled for late 2017.

Membership

Mayor
Councillor Brodie
Councillor Goddard

Mayor
Deputy Mayor
Councillor Goddard
Chief Executive

Mayor
Alternate = Councillor Goddard

Group Manager – Community Services

Group Manager – Community Services

Mayor
Alternate = Cr Goddard

Membership

Appointed 16 December 2014:
Mayor Brian Hanna
Max Lamb
Ross Alleman
Robyn Symonds
Mac Waretini

Details

Communication Strategy

Council's Communications Strategy provides a framework for how Council presents its work, vision and goals to its stakeholders including meeting any legislated requirements. Unlike commercial organisations, Council has legislated functions which grant monopoly powers within its community. Although this situation removes the need to compete (for revenue) commercially, it does not remove the need for Council to relate favourably with the community and its stakeholders. Communication is an essential part of good management and the effective delivery of Council services.

Community Youth Connections

- Youth Council
- Social Sector Trials
- Tuia Programme
- Mayor's Taskforce for Jobs
- Employment Partnerships

Maniapoto Iwi Liaison

North King Country Development Trust

The NKCDT is registered as a Charitable Trust for the purpose of applying the Trust Fund for or toward charitable purposes and in particular Industrial development charitable purposes. Appointment of Trustees is as per the registered Deed of Trust. As per the Deed of Trust registered with the Companies Office, WDC in conjunction with Otorohanga and Taupo District Council's may appoint two Trustees. Trustees are appointed for a term of four years but are re-eligible for reappointment upon expiry of their term.

Piopio Wastewater Community Liaison Group

Pursuant to Clause 34 of the Environment Court "Order of Court", Council as the Consent Holder shall establish and service a Community Liaison Group to be known as the Piopio Wastewater Community Liaison Group.

Regional Transport Committee of the Waikato Regional Council

This is a WRC Committee and its purpose is to plan and coordinate land transport and road safety and to recommend WRC's policy on land transport. The Committee also prepares the Regional Land Transport Strategy and Regional Land Transport Programme.

Speed Management Governance Group

SH3 Working Party

The SH3 Working Party was formed by the Taranaki Regional Council in 2002. The purpose of the Working Party is to liaise, monitor, co-ordinate, advocate and collate information on the section of State Highway 3 between Piopio and the SH3/3A junction north of New Plymouth, with a view to formulating recommendations to promote the integrity and security of this section of the state highway network in recognition of its strategic importance. WDC is represented on the Working Party by both an elected representative and a staff member.

Tere Waitomo Community Trust

Tere Waitomo Community Trust is a Charitable Trust which was established for the purpose of facilitating community development by fostering a strong community spirit and common vision within the Waitomo Caves District.

Membership

Mayor
Deputy Mayor

Mayor
Councillor New

Mayor
Councillor Davey

Mayor

Mayor
Councillor Brodie

Mayor
Alternate = Councillor Brodie

Councillor Brodie

Councillor Brodie

Councillor Smith

Details

Waikato Mayoral Forum

The Waikato Mayoral Forum (WMF) is a group involving the Mayors and Chief Executives of local authorities within the Waikato Region (with the exception of Thames Coromandel District Council) and is aimed at achieving a collaborative and co-operative approach to local governance in the Region.

Waikato River Authority

A revised Deed of Settlement was made with Waikato-Tainui in relation to the Waikato River on 17 December 2009. Related co-management deeds were then negotiated with Raukawa, Te Arawa River Iwi, Ngati Tuwharetoa and Maniapoto. The signing of those Deeds set in motion a range of implementation tasks, including preparation for the establishment of a statutory body, the Waikato River Authority. The Minister for the Environment (in consultation with the Ministers of Finance, Local Government and Maori Affairs) was the appointing Minister for five members of the Authority from persons recommended by the relevant territorial authorities.

Waikato Triennial Agreement

Pursuant to Section 15 of the Local Government Act 2002, not later than 1 March after each triennial general election of members, all local authorities within each region must enter into an agreement containing protocols for communication and co-ordination among them during the period until the next triennial general election of members. The Mayor and Chief Executive represent Council on the Waikato Region Triennial Agreement Forum (the Forum). The Forum membership is made up of the Mayors and Chief Executives of all those Councils located within the Waikato Regional Council's boundaries.

Waipa Catchment Liaison Subcommittee

The Waipa Catchment Liaison Subcommittee is a Subcommittee of the Waikato Regional Council's "Catchment Services Committee" which provides and maintains flood protection, soil conservation works, and drainage programmes and services, and also manages flood warning systems and flood control. The role of the Subcommittee is to assist the Committee in the implementation of river and catchment management services in the Waipa River catchment.

Waipa Joint Management Agreement

In June 2012, Council resolved to enter a new era of co-management for the Waipa River between Council and the Maniapoto Maori Trust Board through the recently enacted Nga Wai o Maniapoto (Waipa River Act) 2012. The Act provides for a Joint Management Agreement (JMA) to be developed between Council and the Maniapoto Maori Trust Board as part of the co-management arrangements. To assist the JMA process the Nga Wai o Waipa Joint Committee was established involving all local authorities (whose boundaries fall within the legislated boundaries provided for in the Act) as a collective and the Maniapoto Maori Trust Board. This collective approach also satisfies Council's obligation to form a joint committee and provides for a holistic and collaborative co-governance model for the JMA.

West Coast Zone Subcommittee

The West Coast Zone Subcommittee is a Subcommittee of the Waikato Regional Council's "Catchment Services Committee" which provides and maintains flood protection, soil conservation works, and drainage programmes and services, and also manages flood warning systems and flood control. The role of the Subcommittee is to assist the Committee in the implementation of river and catchment management services in the West Coast Zone which stretches from just below Port Waikato to the regional boundary at Mokau.

Membership

Mayor
Alternate = Deputy Mayor

Mayor
Chief Executive

Councillor Brodie

Mayor
Alternate = Deputy Mayor

Councillor Smith

Details

Rural Ward

The representation of these areas will include Councillor representation on all committee activities, attending all community events in these areas, and being the point of contact for these "Wards". Representation will include, but not be limited to the organisations listed beneath the relevant area.

Rural North West (incorporating old Waitomo/Te Anga Rural Wards)

- Marokopa Recreation Ground Committee
- Rural Halls - Waitomo / Te Anga
- Maraes
- Waitomo Caves Museum

Councillor Smith

Rural South East (incorporating old Aria/Mangaokewa Wards)

- Benneydale Residents and Ratepayers Association
- Benneydale Hall
- Mokauiti Hall
- Rangitoto Hall
- Maraes

Councillor Goddard

Rural South West (incorporating old Paemako/Tainui Wards)

- Piopio Retirement Board
- Piopio Sports Club
- Mokau Residents and Ratepayers Association
- Tainui Waitere Domain Board
- Tainui Ratepayers
- Maraes

Councillor Brodie

Creative Communities

WDC administers a local Creative Communities Assessment Committee consisting of two Councillors and community representatives having knowledge of the arts in the Waitomo District, to join the Creative Communities Assessment Committee. The Committee meets twice yearly, in June and November, to distribute funds made available by Creative New Zealand to support community based arts activities in the Waitomo District.

Councillor Davey
Councillor New

DC Tynan Trust

The DC Tynan Trust is a Council Controlled Organisation and was established for the purpose of making disbursements from a very generous bequest made to the Borough of Te Kuiti by the late Daniel Tynan. In terms of his will, it was Mr Tynan's wish that his bequest be utilised for such social, cultural, educational or recreational purposes within the Borough of Te Kuiti as the trustees think fit. The Trust is administered by four Trustees, three of which are the urban Councillors.

Deputy Mayor
Councillor Davey
Councillor New

Sport New Zealand

The Sport New Zealand (SNZ) (formerly SPARC) Rural Travel Fund's objective is to help subsidise travel for junior teams participating in local sport competition. The allocation of the fund's based on a population density formula for territorial authorities that have fewer than 10 people per square kilometre. Council administers one SNZ Rural Travel funding round per year, usually in October. The SNZ Rural Travel Assessment Committee consists of two Council staff, two Councillors, one NZ Police representative and a Sport Waikato representative.

Councillor Davey
Councillor New

Te Kuiti Community House

Te Kuiti Community House is a not for profit community organisation set up to provide educational, social and recreational services to the community. It offers support to local organisations, individuals and families and can help find services required for whatever your situation may be.

Councillor Davey

Membership

Details**Te Kuiti and District Historical Society**

In July 2011, the Historical Society wrote to Council advising they had a vacancy on their Committee and sought appointment of a WDC Representative. The general objects of the Society are to preserve, by photographic means, historical information including landmarks and buildings, to record historical research and to stimulate and guide public interest in matters of historical importance to the District.

Elderly Housing Liaison (Hillview/Redwood Flats/St Andrews Court)

To build relationships with Elderly Housing providers and residents and to act as a Point of Contact in respect to Council related matters pertaining to Elderly Housing.

Te Kuiti Development Incorporated

TKDI is an Incorporated Society registered in April 2011 and was formed for the purpose of promoting the welfare of the business community of Te Kuiti and in particular to provide a forum for networking and collaboration of members.

Te Kuiti Main Street Development**Waitomo/Tatsuno Sister City Committee**

Council's sister city relationship with Tatsuno in Japan was entered into in May 1995 with Council at that time believing that such a relationship had the potential to provide an enriched cultural experience for the residents of the Waitomo District. Signed agreements between Tatsuno and Waitomo are displayed in the Council chambers and confirm the purpose of the relationship is: "To encourage understanding and awareness of our separate cultures and to encourage the exchange of ideas and people . "

Aerodrome**Environment and Regulatory – Policy and Development****Membership**

Councillor New

Councillor New

Mayor
Deputy Mayor
Councillor Davey

Mayor
Deputy Mayor
Councillor Davey
Councillor New

Mayor
Deputy Mayor
Councillor New

Deputy Mayor
Councillor Goddard

Mayor
Deputy Mayor
Cr Goddard

Meetings of Elected Members

The legal requirements for Council's meetings are set down in the Local Government Act 2002 (LGA), the Local Government Official Information and Meetings Act 1991 (LGOIMA) and the Standing Orders adopted by Council. Meetings of the Council must be publicly notified and the agenda made available to the public pursuant to the criteria set out in the LGOIMA.

All Council and Committee meetings are open to the public unless there is a reason to consider some item with the "public excluded", which means that these items are deemed to be confidential and members of the public will be asked to leave the meeting until discussion on the item has been completed. Section 48 LGOIMA outlines reasons for excluding the public from meetings. The most common reasons are as follows:

- For the protection of personal privacy
- To prevent disclosure of legally privileged information
- To prevent disclosure of commercially sensitive information
- To ensure the maintenance of public health and safety

Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with the Mayor.

Consultation Policies

Council is obliged to consult with its community on many matters and deems it advisable to do so regardless of legislative requirements. Council will seek to engage the community on any matter of significance or material interest to their well-being.

Specifically, Council will comply with all consultation requirements set down in relevant legislation and particularly those conditions set out in the LGA and the Resource Management Act.

Relationships with Maori

Council has been pursuing for some time a formal Memorandum of Understanding with local Iwi. The process is continuing and it is hoped to include all relevant matters related to achieving cultural well-being and social harmony in the district.

Developing such a protocol based on mutual goodwill will ensure that those involved have a clear understanding of how the consultation process will work at a local level and that the community generally has an appreciation of the initiatives Council has developed to meet its statutory responsibilities and to facilitate Maori contribution to local government.

Management Structure and Relationship between Management and Elected Members

Relationship between Management and Elected Members

The roles of the elected Council and that of the Chief Executive (management) are distinct and prescribed by the Act despite the employer/employee relationship. In simple terms, Council's role is to decide "what" at Principal Activity sub-level (refer Schedule 10 LGA, LTCCP and annual plans) and the Chief Executive's role is to execute, effectively and efficiently, Council's decisions – i.e. the "how".

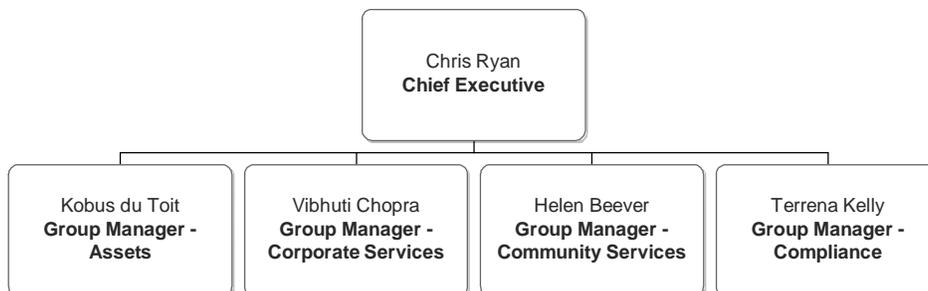
The only direct employee of the Elected Council is the Chief Executive who is consequentially responsible for all staff. A number of terms and conditions relevant to the Chief Executive relationship are determined by the LGA in addition to a contractual agreement which sets out the employment relationship in detail.

The Chief Executive reports to the Council. All staff report to and are employed by the Chief Executive.

Management is obliged to provide information to elected members' that is relevant to their function in bringing effect to the purpose of local government and management recognises that Council decision-making is largely dependent on sound information and advice. Elected members are entitled to access Council information for the purpose of carrying out their role as an elected member, however in their private capacity their rights to accessing information held by Council are the same as those of a member of the public.

Management Structure

The following diagram sets out Council's senior management structure:



The responsibilities of each Group are set out below:

Asset Management

- Roading
- Stormwater Services
- Solid Waste Management
- Design and Investigation
- Field Survey
- Water Supplies
- Sewerage Services
- Contract Supervision
- Tender Evaluation

Corporate Services

- Annual Planning
- Resource Management Policy
- Community Consultation
- Revenue Services (including Rates)
- Council's Central Records System
- Communication Systems
- Long Term Council Community Plan
- Policy Preparation
- Accounting Services
- Financial Services
- Personal Computer Systems
- Management Systems

Community Services

- Recreation and Community Facilities
- Civil Defence
- General Council Property
- Rural Fire

Customer Services

- District Library Services
- District Promotion
- ~~Building Control~~
- ~~Animal Control~~
- ~~Resource Management Implementation~~
- ~~General Inspections~~
- ~~Environmental Health~~
- Visitor Information Centres
- Economic Development Promotion

Compliance

- District Plan – Monitoring
- District Plan – Administration
- Building Control
- Resource Management Implementation
- Environmental Health
- District Plan – Review
- Compliance and Enforcement
- Animal Control
- General Inspections

Remuneration Policy

Doc Ref No. A325089

At the end of 2001, Parliament agreed to transfer the authority for setting elected members' remuneration from the Minister of Local Government to the Higher Salaries Commission (since renamed the Remuneration Authority). The authority uses a formula to determine the total amount available for elected member remuneration in each council and must approve each council's proposal for its allocation.

The Mayor and Elected Members receive remuneration as determined by the Remuneration Authority and in accordance with the Council's Policy as approved by the Authority.

Council's current Policy on Elected Members' Allowances and Recovery of Expenses was adopted by Council on 2 August 2016 and approved by the Remuneration Authority on 3 August 2016.

The policy sets out rules on the claiming of allowances and expenses by elected members and the resources that will be available to them during their term of office.

The policy covers the Mayor and Elected Members of the Council and for the purpose of reimbursement of expenses and mileage, any Council appointed representative acting on behalf of the Council.

Equal Employment Policy

Doc Ref No. A78913

Waitomo District Council is committed to actively supporting the principles of equal opportunities through its HR strategy of employment, training, and development.

Waitomo District Council will actively ensure there is no discrimination on the grounds of race, colour, ethnic or national origin, gender, ethnic beliefs, marital status, sexual orientation, family status, political opinion, employment status, age, disability (including illness), or religion.

Key approved Planning and Policy Documents

The Waitomo District Council is required to comply with various legislation in respect of planning, however Council regards the legislation as a minimum requirement for it to make a meaningful contribution to the community's future well-being.

In an effective organisation, planning follows a hierarchy of plans ranging between a high level vision for the future and action plans that deliver day-to-day results that progress toward the vision.

The attached diagram demonstrates the relationships between the documents of Council's planning regime:

Plan Title	Process for formulating the Plan	Review Process
Long Term Plan (LTP).	Project plan formed by Council. Informal community consultation - extensive. Draft plan formulated. Formal community consultation (esp. Maori) Final Consideration and adoption. Total timeframe approx 12 months Legislative requirement.	Every three years. May be varied at any time provided that a due process is followed.
Council Annual Plan	Draft plan formulated taking account LTCCP and Council's own strategies Formal community consultation (esp. Maori) Final Consideration and adoption. Total timeframe approx 6months. Legislative requirement.	New annual plan each year creates a continual review of all services and activities.
Council Annual Report	Comparison of Council's actual performance with the proposed performance set out in the Annual Plan or LTCCP. To be produced within four months of the end of financial year. Must contain an audited financial statement, set of accounts and annual financial report assessing Council's financial performance and position against budget.	New Annual Report required each year.

Plan Title	Process for formulating the Plan	Review Process
District Plan	Resource management issues documents prepared. Consultation with key stakeholders Public notification of draft plan. Submissions on draft plan considered by Council and publicly notified. Preparation of proposed plan. References on plan currently lodged with Environmental Court for consideration.	Review required no later than 10 years after plan becomes operative. Council may vary at any time to suit changing circumstances.
Asset Management Plans	To comply with the Local Government Act 2002 key requirements of which include the preparation of a long term financial strategy and the recognition of changes in the service potential of assets, which are outputs of AM plans. Legislative requirement.	Reviewed and Updated Annually
Water and Sanitary Assessment	There is a legislative requirement under the Local Government Act to, from time to time, assess the provision of water services and other sanitary services. The assessment must include the provision of water and other sanitary services within the District including, but not limited to, how drinking water is provided, how sewage and stormwater are disposed of, identified risks to the community and estimated future demands. A Water and Sanitary Services Assessment was completed and incorporated in the 2009/19 LTP.	It is considered best practice to review the Water and Sanitary Services Assessment on a three year basis to coincide with development of the LTP.

Public Access to Council

Key approved planning and policy documents are made available to the public through a variety of channels. Key documents are available on Council's website or by request at Council offices.

Where legislation requires consultation, Council engages with the community through local newspapers, public meetings and direct written communication. Identified stakeholders in the process receive a copy of the planning documents.

Key public documents that do not require special consultation are made available at Council offices and are sent to identified stakeholders. For example Council's agenda is forwarded to a number of newspapers in the region and is made available at Council offices and the Library.

Council meetings are open to the public and are publicly notified, although on occasion Council may require the exclusion of the public for a portion of a meeting. Council meetings are held on the last Tuesday of the month, with the exception of December. Any member of the public can attend a Council meeting. However, a member of the public wishing to speak at a meeting must gain prior approved from the Mayor or Chairperson.

Council Member contact details are published on Council's website and are available by contacting the Council offices. Council's role in engaging with the public is defined by legislation and the Code of Conduct.

Requests for Official Information

Requests for information from the public may be made under Local Government Official Information legislation. All requests must be in writing and addressed to the Chief Executive and clearly state that they are a request under Local Government Official Information Act (The Act).

The Chief Executive will decide whether the request is to be granted and notify the requester of that decision within 20 working days of receiving the request. Specific charges may apply to a request, details of which are set out in the Council's fees and charges available on Council's website.

Where Council receives a request for information under the Act, the Chief Executive or authorised employee may extend the time limit set, for a reasonable time. This may occur if the request is for a large quantity of information or necessitates a search through a large quantity of information, or if consultations are needed before making a decision on the request and meeting the original time limit would unreasonably interfere with the operations of the local authority.

Reasons for withholding information requested under the Act, mainly relate to the protection of the privacy or interests of other parties who would be affected by the disclosure of information, or where the information in question should remain confidential to protect commercial interests.

If an applicant is dissatisfied with Council's decision in respect to a request for information under the Act, the applicant has the right to make a complaint to the Ombudsman, to seek an investigation and review of the Council's decision.

Document No: A342075

Report To:

Council



Meeting Date: 28 February 2017

Subject: Progress Report: Road Map Work Programme

Type: Information Only

Purpose of Report

- 1.1 The purpose of this business paper is to present Council with the monthly update on progress against the Road Map Work Programme adopted by Council on 5 April 2016.
- 1.2 Attached to and forming part of this business paper is the Road Map Monitoring Schedule which reports progress against the Road Map as at **28 February 2017**.

Background

- 2.1 This Road Map sets out the identified work programme leading up to adoption of the 2018-2028 LTP in June 2018. In addition to projects relating to the LTP, there are a number of other important projects that must also occur over this period and it is important that Council does not focus on the LTP process to the detriment of other important commitments.
- 2.2 It should also be noted that many of the projects of work contained in the Road Map are legislative requirements with statutory timelines which Council has no influence over. The majority of the non-LTP commitments are of importance to the functional roles of Council which feed into the decision making process.
- 2.3 The Road Map details identified projects of work, including a brief commentary for each project. Other issues will come up over time that will need to be tested against the Road Map work programme and organisational capacity to identify priority ranking against the established work programme.
- 2.4 The Road Map is a 'living document' subject to change, both through further planning required for certain work streams and also by way of Council review as other issues arise over time which affect priorities.
- 2.5 The current edition of the Road Map was adopted by Council on 5 April 2016.
- 2.6 The full Road Map Work Programme document is presented to the Council on a "needs" basis to ensure that it is kept as up to date as possible.
- 2.7 In the interim period a Monthly Monitoring Schedule is presented to Council. The Monitoring Schedule is a direct extract from the Road Map of the Key Milestones.
- 2.8 The Monitoring Schedule for the Road Map adopted on 5 April 2016 includes the Key Milestones for all projects occurring in the current year (2016/2017) and includes the indicative timeframe and a commentary on progress for each project of work.

- 2.9 Amendments to Timelines and Projects of Work
- 2.10 Any amendments to Project timelines are noted in the monthly Monitoring Schedule. Updates are highlighted in **red font**. All completed projects are moved to the end of the Schedule and are highlighted in **blue font**.

Commentary

3.1 NEW PROJECTS

- 3.2 As other new projects are identified, they are detailed in this section of the business paper and are included in the next edition of the full Road Map Work Programme document.

3.3 Proposed Waikato Regional Plan Change 1

- 3.4 As Council is aware, the Waikato Regional Council (WRC) has been working on the Healthy Rivers/Wai Ora (Proposed Waikato Regional Plan Change 1) to address water quality within the Waikato region.
- 3.5 The plan change addresses water quality within the Waikato Region and also gives effect to Government legislation on the management of fresh water and Te Ture Whaimana o Te Awa o Waikato (The Vision and Strategy for the Waikato and Waipa rivers) which was adopted by Government as part of Treaty Settlement legislation.
- 3.6 The Plan change has been developed using a collaborative process that involved establishment of a Collaborative Stakeholder Group (CSG) in 2014 with industry, community and sectors putting forward their own delegates to sit on the group.
- 3.7 In September 2016, CSG delivered its recommendations to the Healthy Rivers/ Wai Ora committee and this Committee further delivered its recommendations to WRC. WRC made the decision to publicly notify the proposed plan change on 15 September and then formally notified the plan change on 22 October 2016.
- 3.8 Submissions on the plan change are due on 8 March 2017.
- 3.9 There is much interest among the stakeholders and the farming community in particular on this plan change and its implications and no doubt Councillors views will be sought.
- 3.10 It would be advisable for Council to submit to this plan change and for that arriving at a 'Waitomo District Council view' will be required.
- 3.11 This is a key piece of work and will need to be incorporated into the Roadmap. A timeline and task plan proposal for developing the submission is as follows:
- Council Workshop – **13 December 2016**
(To discuss issues and points that Council will submit on)
 - Draft Submission presented – **14 February 2017**
(To obtain Council feedback on the draft)
 - Council endorse Submission – **28 February 2017**
(this is a reserve date)

3.12 Discussions at the present time are on developing the main content of the submission from local government perspective (within the Waikato region), collaboratively. Any developments and outputs this process will be incorporated into the WDC submission.

3.13 ROADMAP REVIEW

3.14 At the Council Workshop on 14 February 2017, Council provided feedback on the development of the 2017/2018 EAP which will have a significant effect on the work plan contained in the Road Map in that the EAP work stream planned for will no longer be required and adoption of the EAP will be brought forward to May 2017.

3.15 This early adoption of the EAP will enable an early focus to be made on the 2019-2029 LTP development process.

3.16 Whilst it had been planned to present a fully revised Road Map Work Programme early this calendar year, due to the change in the 2017/2018 EAP timeline and its early adoption, it is now planned to wait until after the 2017/2018 EAP is adopted before revising the Road Map so that those projects contained in the EAP can be included in the Road Map and that new timelines for policy reviews relating to the LTP development can be included.

3.17 In the interim, Council will continue to be presented with monthly Monitoring Schedules.

Suggested Resolution

The Progress Report: Road Map Work Programme as at 28 February 2017 be received.



MICHELLE HIGGIE
EXECUTIVE ASSISTANT

Attachment: Road Map Monitoring Schedule as at 28 February 2017 (Doc A336958)



Road Map

Monitoring Schedule

2016-2017 Work Programme (Year 2 of 2015-2025 Long Term Plan)

as at 28 February 2017

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Development of 2018-2028 LTP

Council Controlled Organisations

Key Milestone	Indicative Timeframe	Commentary
Council Meeting: Consideration of DC Tynan Trust's exemption from CCO status.	27 April 2016	Completed
Desktop Review of CCO wording in 2015-2025 LTP	October 2017	
Prepare recommended disclosure for inclusion in 2018-2028 LTP	November 2017	
Council Meeting – Adopt CCO disclosure for inclusion in draft LTP	27 February 2018	

Policy on Remission of Rates (including Remissions and Postponements of Rates on Maori Freehold Land) Policy

Key Milestone	Indicative Timeframe	Commentary
Desktop review of RRP	September – October 2016	Complete
Council Workshop Present desktop review findings and preliminary draft RRP	21 February 2017	The desktop review did not highlight any significant need for change. It is suggested that the Work Plan regarding Policy reviews be adjusted and all policy reviews pertaining to the 2018-28 LTP be re-scheduled into the 2018-28 LTP development programme.
Council Meeting Adopt Policy for Consultation	28 March 2017	
Consultation Period	7 April – 7 May 2017	
Hearing	16 May 2017	
Deliberations	7 June 2017	
Council Meeting: Adopt RRP	27 June 2017	

SWaMMP

Key Milestone	Indicative Timeframe	Commentary
Internal review of SWaMMP	November 2016	Underway
Council Workshop Consideration of review outcomes and requirements for change	7 March 2017	It is suggested that this work stream be re-scheduled into the 2018-28 LTP development programme.
Council Meeting – Adoption of SWaMMP for consultation using special consultative procedure	28 March 2017	
Consultation Period	7 April – 7 May 2017	
Hearing	16 May 2017	
Deliberations	7 June 2017	
Council Meeting: Adopt SWaMMP	27 June 2017	

Affordability Review

Key Milestone	Indicative Timeframe	Commentary
Initial Scope/Development review.	January 2017	
Council Workshop Guidance and buy in from Council on scope of review.	21 March 2017	It is suggested that work stream be postponed until after the adoption of the 17-18 EAP.
Council Workshop Present results of Affordability Review and next steps	20 April 2017	

Definition and Application of Separately Used and Inhabited Parts (SUIP)

Key Milestone	Indicative Timeframe	Commentary
Council Workshop – review of existing definition and application of SUIPs	12 April 2017	It is suggested that this work stream be re-scheduled into the 2018-28 LTP development programme.

Leadership

District Plan – Review

Key Milestone	Indicative Timeframe	Commentary
Waitomo District Plan Gaps and Needs Assessment (GNA)	July/August 2015	Completed
Council Workshop Feedback into the Gaps and Needs Assessment	11 August 2015	Completed
Council Meeting Discuss GNA outcome and agree on Review Option and timeline	29 September 2015	Completed
Commence planning for full DP Review including resourcing and Professional Services Engagement	March 2016	New milestones added based on Council Resolution at 29 Sep 2015 meeting
Council Workshop Discuss process and detailed project plan and Commence review	15 November 2016	Further milestones will be added once the detailed planning is complete Workshop complete. Council worked through the timeline and process for the DP Review. The process will be amended as the result of the DP Review being able to be partially resourced in-house. The timeline for the DP Review will be incorporated into the Road Map early in 2017.

Urban Structure Plans

An assessment of whether Structure Plans are required will form part of the DP Review process.

Review of Development/Financial Contributions

The consideration of whether a Development Contributions (DC) regime is required will be assessed and developed as part of the Long Term Plan process. An introductory workshop on DCs will be held with Council in May 2017.

Enhanced Iwi Engagement

Key Milestones and a timeline will be considered as part of the 2017/18 year work plan.

Section 17A Delivery of Services Reviews

Key Milestone	Indicative Timeframe	Commentary
Outcome of regional discussions on a collaborative approach to s17A Reviews.	29 September 2015	At the WMF meeting on 7 September 2015, it was agreed to set up a regional collaborative project to be led by Cindy Kent from Waipa DC.
Council Meeting: Update on result of regional discussions and a forward programme for s17A reviews cognisant of regional programme.	24 November 2015	A business paper was considered by Council at the 24 November 2015 meeting. The detail will be developed once the outcomes of the Regional Collaboration are clearer. Some collaborative work is being progressed through LASS but not much output has been produced as

Key Milestone	Indicative Timeframe	Commentary
		part of that process. This work-stream will be progressed internally over the next 4-5 months. Work is underway and an update will be provided to Council in April 2017.

Risk Management: Oversight and Governance

Key Milestone	Indicative Timeframe	Commentary
Review of risk identification, management and mitigation options	September-October 2015	Council paper presenting proposed way forward considered at Council meeting 28 June 2016.
Develop Internal Audit Plan	August 2016	Meeting with KPMG is scheduled for first week of September to get underway with this.
Implement Internal Audits	August 2016 to August 2017	KPMG have indicated that the earliest they can start this process is in Jan-Feb 2017
Develop Risk Management Framework and Policy	November 2016	The timelines will be revised and the Roadmap updated accordingly after KPMG complete the assessment work in Feb 2017. The process will be kick started in early March 2017. Further updates will be provided thereafter.
Assessment of Organisational Risks	November 2016	
Develop measures that can be reported in relation to significant risks	March 2017	
Risk Management Reporting to Council	August 2016, November 2016, March 2017, May 2017 and August 2017	

Communications Strategy Review

Key Milestone	Indicative Timeframe	Commentary
Council Workshop - Key communication outcomes to be achieved	10 November 2015	Complete
Council Meeting - Adoption of Communications Strategy 2015	15 December 2015	Complete
Council Meeting - Six monthly progress report to end of December	23 February 2016	Complete
Council Meeting - Six monthly progress report to end of June	2 August 2016	Complete
Council Meeting - Six monthly progress report to end of December	28 February 2017	A business paper is contained elsewhere in the agenda.
Council Meeting - Six monthly progress report to end of June	25 July 2017	

Information Services Strategic Plan: Review

Key Milestone	Indicative Timeframe	Commentary
Review of IS Strategic Plan	January - March 2016	This review will be aligned with Activity Plan development for LTP 2018-28.

Key Milestone	Indicative Timeframe	Commentary
MagiQ Performance		
Analysis and Testing	April 2015	Complete
Software setup	May 2015	Complete
Business Process Mapping	June – August 2015	Complete
Training	September 2015	Complete
Go Live	September – October 2015	Complete
Assessment of information output	November – December 2015	Complete
Reporting Setup	February – December 2016	Complete

Local Government Funding Agency (Debenture Trust Deed)

Key Milestone	Indicative Timeframe	Commentary
Council Meeting – report on the LGFA recommendation of whether to apply to LGFA	2 August 2016	Complete
Application to LGFA	August 2016	Discussion has taken place with members of LGFA.
Council Meeting – to adopt amended Debenture Trust Deed	6 October 2016	The rest of the process and timelines will be dependent on feedback from the LGFA Board. Initial feedback received that the Board is supportive of the proposal. Formal application to be made in November. Formal application has been made to LGFA. Once the approval comes through, LGFA will inform us of the legal requirements which will have to be completed subsequently before borrowing can commence. A business paper is contained elsewhere in the Agenda.

Procurement Policy Review

Key Milestone	Indicative Timeframe	Commentary
Council Workshop Review of Procurement Policy	14 September 2016	Complete
Council Meeting – Policy presented to Council for adoption of amendments or updates.	29 November 2016	As discussed with Council previously, review of the Procurement Policy is part of the risk assessment and gap analysis work that will be undertaken by KPMG. Changes to the Procurement Policy prior to that process being completed will be premature and therefore it is suggested that the Policy be presented for adoption by Council in March-April 2017. KPMG are scheduled to undertake their review in March and the Policy will be presented to Council subsequently for adoption.

2016 Code of Conduct Review

Key Milestone	Indicative Timeframe	Commentary
Review of current Code of Conduct (Doc No. 161530)	October/November 2016	Complete

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Adopt Code of Conduct	29 November 2016	28 Feb 2017 - A business paper is contained elsewhere in the Agenda.

2016 Governance Statement Review

Key Milestone	Indicative Timeframe	Commentary
Review current Governance Statements (Doc No. 244068)	December 2016/January 2017	Complete
Council Meeting Adopt reviewed Governance Statement	28 February 2017	28 Feb 2017 - A business paper is contained elsewhere in the Agenda.

2016-2019 Triennial Agreements – Waikato and Manawatu-Wanganui Regions

Key Milestone	Indicative Timeframe	Commentary
WMF to review the Agreement for consideration by Councils	November 2016 – February 2017	Review led by Regional Councils (Waikato and Manawatu-Wanganui).
Council Meeting – must be adopted by 1 March 2017	28 February 2017	<p>Manawatu-Wanganui Region 13 Dec 2016 – Council approved the proposed Manawatu-Wanganui Region Triennial Agreement for the period from 1 March 2017 until such time as the Agreement is either amended by agreement of all parties or is renewed following the 2019 local authority elections and before 1 March 2020.</p> <p>Waikato Region 28 Feb 2017 - A business paper is contained elsewhere in the Agenda.</p>

2017/2018 Exceptions Annual Plan

Key Milestone	Indicative Timeframe	Commentary
Project planning for EAP 2017/18 development	August 2016	Underway
Identification of any “strategic” amendments for 2017/18 year.	September - December 2016	Underway
Managers complete 2017/18 budgets in consideration of 2017/18 Budgets contained in LTP.	October 2016	Underway
Council Workshop #1 of 4: Strategic Issues impacting on EAP 17/18 development	15 November 2016	Complete
Modelling of budgets and finances for 2017/18	November 2016	Complete
Management Review of 2017/18 budgets	November 2016	Complete
Council Workshop # 2 of 4: Identified Strategic Issues, Policy Considerations and preliminary budget forecasts for dEAP	6 December 2016	Complete

Key Milestone	Indicative Timeframe	Commentary
Council Workshop # 3 of 4: <ul style="list-style-type: none"> Preliminary draft financial forecasts including Rating Implications Assessment of dEAP against consultation threshold (significant or material differences from content of LTP) 	14 February 2017	<p>Complete.</p> <p>No material or significant exceptions to the forecasts contained in the LTP were identified.</p> <p>As no significant exceptions were identified, it was suggested that Council not carry out a consultation process and adopt the 2017-18 EAP earlier than scheduled.</p> <p>A business paper detailing the process and timeline for early adoption will be presented to the March Council meeting.</p>
Council Workshop #4 of 4: <ul style="list-style-type: none"> Draft financial forecasts Working draft CD (if required) Council endorse EAP and CD for Audit 	7 March 2017	If no material or significant changes to information contained in the LTP for the 2017/18 year, then the rest of the process will not be required. Alternative methods for communicating with the Community on the EAP will be discussed with Council should this be the case. The EAP could be adopted sooner if that is the case.
Audit of dEAP	13 March - 22 March 2017	
Council Meeting: Adopt CD and Supporting Information for public consultation (if required)	28 March 2017	
Consultation Period	7 April – 7 May 2017	
Hearing	16 May 2017	
Deliberations	7 June 2017	
Council Meeting: Adopt EAP	27 June 2017 2 May 2017	

Community Development

Introduction

Waitomo District Council recognises the importance of a proud and capable community, being involved in Community Development, and the significant contribution organisations like community groups, voluntary groups, Maori, commercial operators and business owners make to the well-being of the District. Groups such as these contribute in different ways, and they help to build a strong District identity. Through a partnership approach both Community and WDC can achieve more together than they can alone.

In addition to fostering community pride, there is also a need for WDC to create a framework for working with community organisations and local businesses to foster, and assist in, growing capacity and the economy for the District. Within Waitomo, this can be achieved through supporting economic development initiatives and by making strategic tourism decisions.

Community Development is a group of activities where WDC, in a number of diverse roles, is actively involved in 'helping the community to help itself'. Community Development activities represent a group of collaborative and partnership approaches and initiatives involving many agencies and organisations. These activities involve a common theme of promoting a better quality of life and a better living environment within the District.

Waitomo District Council's Community Development group involves Community Support, Customer Services, District and Regional Promotions and Economic Development. These activities form the foundation for engagement and the focus of work.

The Community Development Group comprises the following functions:

1 Community Support

Community Support seeks to improve social outcomes within Waitomo District by working closely with the District community. The Community Support goals are:

- To create a better quality of life for our community
- To create a better living environment, helping local groups create local opportunities and solutions
- To encourage active engagement within the community as well as fostering international relationships.

2 Tourism Development and District Promotion

Tourism is a partnership between central government, local government and the visitor industry. The key goals are to:

- Provide an excellent visitor experience to those travelling to our district
- Grow the economy through visitor spend
- Maintain a high quality environment
- Make smart strategic decisions to support Regional Tourism outcomes within our District

3 District Development

District Development involves the facilitation and support of initiatives that will enhance the District's economic sustainability including

- Marketing Waitomo as a vibrant District where people want to live, work and play
- Identify opportunities for economic development initiatives within the District
- Facilitating projects that benefit the District
- Promotion of the District through Te Kuiti i-SITE Visitor Information Centre
- District Events

4 Customer Service

Customer Services enables service delivery and support for residents across three Council sites:

- Council's Administration Building (Queen Street)
- Waitomo District Library (Taupiri Street)
- Te Kuiti i-SITE (Rora Street)

Community Development Fund

Key Milestone	Indicative Timeframe	Commentary
Discretionary Grants - Round 1	Quarterly	
Advertising (x2)	August	
Applications close and are considered	1 September	
Announcements & Funding Allocation	September	
Discretionary Grants - Round 2	Quarterly	
Advertising (x2)	November	
Applications close and are considered	1 December	
Announcements & Funding Allocation	December	
Discretionary Grants - Round 3	Quarterly	
Advertising (x2)	February	
Applications close and are considered	1 March	
Announcements & Funding Allocation	March	
Discretionary Grants - Round 4	Quarterly	
Advertising (x2)	May	
Applications close and are considered	1 June	
Announcements & Funding Allocation	June	
Triennial Grants	3 Yearly (as part of LTP)	
Applications invited and advertised	1 October 2017 – 31 January 2018	
Applications close	31 January 2018	
Applications assessed for LTP	February 2018	
Final adoption of the LTP	June 2018	
Services Grants	3 Yearly (as part of LTP)	
POS Grant applications invited	November 2017 – January 2018	
Applications assessed for LTP	February 2018	
Final adoption of the LTP	June 2018	
Announcement to recipients	July 2018	
Payment of annual allocations	As per agreed Terms and Conditions	
POS Grant applications invited	November 2017 – January 2018	
Community Partnership Fund	Annually (2nd Round if required)	
Advertising	October – November	
Applications close	November	
Council Workshop Consideration of Applications	December	
Council Meeting Consideration of Applications	December	
Announcements & Funding Allocation	December	
Advertising	February (if required)	
Applications close	March (if required)	
Council Workshop Consideration of Applications	March (if required)	
Council Meeting Consideration of Applications	March (if required)	
Announcements & Funding Allocation	March (if required)	
Community Halls Grants	3 Yearly (as part of LTP)	
Budget consideration for LTP	September 2017 – March 2018	
Final adoption of the LTP	June 2018	
Announcement to recipients	July 2018	
Funding allocation	Annually in September	
Creative Communities	6 Monthly	
Applications invited and advertised	April/May October/November	
Applications close	May November	
Committee Meeting Consideration of Applications	June December	

Key Milestone	Indicative Timeframe	Commentary
Announcements & Funding Allocation	June December	
Sport NZ Rural Travel Fund	Annually	
Applications invited and advertised	September/October	
Applications close	October	
Committee Meeting Consideration of Applications	November	
Announcements & Funding Allocation	November	
DC Tynan Trust Fund	Annually	
Applications invited and advertised	June/July	
Applications close	July	
Committee Meeting Consideration of Applications	August	
Announcements & Funding Allocation	August	

Summary of Grants Paid

Key Milestone	Indicative Timeframe	Commentary
Council Meeting At the end of each financial year a Summary of all Grants paid throughout the year is prepared for presentation to Council	2 August 2016 August 2017	A business paper was presented to Council at the 2 August 2016 meeting.

Youth Liaison/Youth Council

Key Milestone	Indicative Timeframe	Commentary
Advertise for new Youth Council Member(s) to fill vacancies (<i>only if required</i>)	October/November 2016	Liaison regarding appointment of Youth Council Members underway.
New Youth Council Member(s) appointed (<i>only if required</i>)	November 2016	No new appointments have been made.
A Youth Council submission is to be made annually to either an EAP or LTP	This submission will be made during WDC's EAP consultation period	

Youth Citizenship Achievement Awards

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Report on completion of the project and development of the Youth Citizenship Achievement Awards Ceremony	by December 2016	Youth Citizenship awards were held on 14 December 2016.

Waitomo District Youth Strategy

Key Milestone	Indicative Timeframe	Commentary
Youth Strategy Scoping (Research, Assessment and Community Liaison)	September / October 2016	Project scoping for development of the Waitomo District Youth Strategy has commenced.
Council Workshop Strategy direction setting	15 November 2016	The Draft Waitomo District Economic Development Strategy was presented to Council at the 15 November 2016 Workshop. Youth initiatives from part of this

Key Milestone	Indicative Timeframe	Commentary
		Strategy. A separate business paper is contained elsewhere in this Agenda regarding adoption of the Strategy. The Strategy will be reviewed as part of the LTP 2018-2028 planning cycle and a combined Community and Economic Development Strategy developed.

Community Events

Review of Events Portfolio

Key Milestone	Indicative Timeframe	Commentary
Council Workshop Review of Events Portfolio	14 September 2016	A business paper was presented to Council at the 14 September 2016 workshop.

2016 Christmas Parade

Key Milestone	Indicative Timeframe	Commentary
Consultation: Identify and consult with key stakeholders	September/October 2016	Completed
Review and implement Project Plan	October 2016	Completed
Advertise and communicate: Continue communication with key stakeholders, community and other target markets	November/December 2016	Underway
Execution of event	December 2016	The 2016 Christmas Parade will be held on 9 December 2016.
Council Meeting Management Report on the event identifying success and the budget	28 February 2017	28 Feb 2017 - A business paper is contained elsewhere within this Agenda.

2017 Great New Zealand Muster

Key Milestone	Indicative Timeframe	Commentary
Review scope of Great NZ Muster including Health and Safety requirements	September/October 2016	Commenced.
Identify and consult with key stakeholders	September/October 2016	Underway and will continue to event day
Development and implementation of a Project Plan	October 2016	Completed
Advertise and communicate: Continue communication with key stakeholders, community and other target markets	January to March 2017	Underway
Execution of event	April 2017	
Council Meeting Management Report on the main event (The Muster) identifying success and the budget	June 2017	

Waitomo District Citizens Awards (including Policy Review)

Policy Review

Key Milestone	Indicative Timeframe	Commentary
Internal Review of Citizens Awards Policy	November 2016	Underway
Council Meeting Presentation of reviewed Policy and	13 December 2016	Completed

Key Milestone	Indicative Timeframe	Commentary
recommendations to Council		

2018 Citizens Awards

Key Milestone	Indicative Timeframe	Commentary
Calling of Nominations	February 2018	At the 13 December 2016 Council meeting the Citizens Awards Policy was amended to reflect a bi ceremony.
Council Meeting Presentation of Timeline and promotion of Nominations	28 February 2018	
Consideration of Nominations by Working Party	March/April 2018	
Awards Ceremony	May 2018	

Combined Mayoral ITO Graduation Ceremony

2017 Graduation Ceremony

Note: Otorohanga DC and Waitomo DC host this event year about. Waitomo hosted the 2016 event at the Les Munro Centre so it is Otorohanga DC's turn to host the 2017 event.

Key Milestone	Indicative Timeframe	Commentary
Meeting of Key Stakeholders to revise Ceremony Project Plan	June/July 2017	
Graduate names received from Industry Training Organisations	August 2017	
Invitation to Graduates and Families/Supporters	September/ October 2017	
Graduation Ceremony	November 2017	

Sister City Relationship

Key Milestone	Indicative Timeframe	Commentary
Review of Sister City portfolio	July 2017	
Council Workshop Findings of review. Consideration of policies and guidelines to support the relationship between WDC and the Sister City Committee	September 2017	

Service Level Agreement - Sport Waikato

2016/2017

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Deputation - Sport Waikato. Six Monthly Report to Council - (including presentation of Schedule of Services for 16/17 year)	6 October 2016	Completed
Council Meeting Deputation - Sport Waikato. Six Monthly Report to Council	28 March 2017	

Service Level Agreement – Waitomo Caves Discovery Centre

2016/2017

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Deputation – Reporting against Service Level Agreement (including presentation of annual report)	6 October 2016	The Waitomo Caves Discovery Centre presented their six monthly report to Council at the 26 October 2016 Council meeting.
Council Meeting Deputation – Reporting against Service Level Agreement	28 March 2017	

Service Level Agreement – Hamilton Waikato Tourism

2016/2017

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Deputation by HWT – End of Year Report	6 October 2016	Completed
Council Meeting Deputation – Six Monthly Report	2 May 2017	

Motor Home Friendly District

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Progress Report in conjunction with Freedom Camping report	24 November 2015	Completed
Determine potential camp site locations	December 2015	Completed
Feasibility of dump stations and location thereof	December 2015	Progressing
Determine WDC criteria – location/duration of stay/vehicle type, etc	February 2016	Completed
Council Workshop Freedom Camping Monitoring Programme	22 March 2016	Completed
Consultation with key stakeholders	April – June 2016	Progressing
Council Workshop Site(s) review and development recommendations	14 June 2016	A business paper was presented to Council at the 14 September 2016 workshop.
Further milestones will be confirmed following the Council Workshop		

Customer Services Strategy – Monitoring and Review

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Annual Progress Report	28 June 2016	A business paper was presented to Council at the 2 August 2016 meeting.
Internal Review of Strategy	March 2017	
Council Workshop Review of Strategy	12 April 2017	
Council Meeting Adoption of reviewed Strategy	30 May 2017	

Waitomo's Digital Journey

Key Milestone	Indicative Timeframe	Commentary
Lodgement of Digital Enablement Plan with MBIE	18 September 2015	Completed
Council Meeting Progress Report to Council	29 September 2015	Completed
Roll-out of projects as per Digital Enablement Plan	September 2015 – June 2016	Ongoing
Council Meeting Progress Report to Council	5 April 2016	Completed
Council Meeting Progress Report to Council	26 October 2016	Completed
Council Meeting Progress Report to Council	2 May 2017	
Council Meeting Progress Report to Council	31 October 2017	

Economic Development

Key Milestone	Indicative Timeframe	Commentary
Gaps and needs analysis, includes collection of a complete set of baseline data	November 2015	Progressing
Liveability and Business Questionnaires undertaken	March/April 2016	Progressing
Data analysis and development of the Waitomo District Economic Profile	May/June 2016	Progressing
Council Meeting Presentation of Draft Waitomo District Economic Profile, Draft Communications Plan and Draft Discussion Paper	2 August 2016	Complete
Council Meeting Presentation of stakeholder feedback	6 October 2016	Complete
Council Workshop Draft Waitomo District Economic Development Strategy	15 November 2016	Complete
Council Meeting Adoption of Draft Waitomo District Economic Development Strategy	29 November 2016	A business paper is contained elsewhere within this Agenda
Council Meeting Adoption of Draft Waitomo District Economic Development Strategy Implementation Plan	13 December 2016	13 Dec 2016 - Implementation Plan adopted by Council.

Waitomo District Age-Friendly Strategy

Key Milestone	Indicative Timeframe	Commentary
Age-Friendly Strategy Scoping (Research, Assessment and Community Liaison)	September / October 2016	Project scoping for development of the Waitomo District Age-Friendly Strategy has commenced.
Council Workshop Strategy direction setting	15 November 2016	15 Nov 2016 - Draft Strategy presented to Council Workshop. Age-Friendly initiatives from part of this Strategy. The Strategy will be reviewed as part of the LTP 2018-2028 planning cycle and a combined Community and Economic Development Strategy developed.

Regulation Services

The Regulation group of activities together with Resource Management fall under the Regulatory Services business unit. The Regulation Group aims to ensure a healthy and safe environment for the community in terms of building and food safety, regulatory behaviours and creating a nuisance free, family and investment friendly environment.

This Group includes the regulatory functions devolved to Council by legislation and leads the making of the necessary policies and bylaws.

The functions are:

- Building Control
- Alcohol Licensing
- Environmental Health
- Bylaw Administration
- Animal and Dog Control

The Resource Management Activity involves the administration, application and enforcement of the Waitomo District Plan provisions including:

- Issuing of Resource Consents
- Monitoring consents for compliance with conditions
- Making amendments to the District Plan

This Group exists to promote sustainable development of natural and physical resources by establishing policies and plans which aim in part to make the district vibrant and prosperous.

The Resource Management Act 1991 (RMA) requires Council to implement and review objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the district.

Policy: General

Policy	Last Review Date	Next Review	Review Cycle
Dangerous and Insanitary Buildings ①	July 2011	June 2016	5 Years (legislative requirement)
Gambling Venues ②	August 2014	August 2017	3 Years
Dog Control ③	December 2015	September 2020	5 Years
Earthquake Prone Buildings ④	July 2011	⑤	5 Years (legislative requirement)
Local Alcohol Policy ⑥	February 2016	June 2022	6 Years ⑦ (legislative requirement)
Psychoactive Substances ⑧			

① The **Dangerous and Insanitary Buildings Policy** sets out WDC's response to the policy requirements in relation to dangerous and insanitary buildings in terms of the Building Act 2004.

② The **Policy on Gambling Venues** outlines the controls in the District (e.g. location and number of machines) for Class 4 Gambling Venues and NZ Racing Board venues providing racing betting or sports betting services.

③ The **Dog Control Policy** sets out dog access rules (prohibited areas, restricted areas and exercise areas) and encourages responsible dog ownership. The Policy is also supported by Dog Control Bylaw which allows for enforcement. The Bylaw was reviewed in conjunction with the Policy in December 2015.

④ The **Policy on Earthquake Prone Buildings** sets out the Council's policy for the management of earthquake prone buildings.

⑤ The Policy on Earthquake Prone Buildings will be affected by the pending changes to the Building Act resulting from the Canterbury Earthquakes Royal Commission and the Building (Earthquake-Prone Buildings) Amendment Bill. Until the outcome the Amendment Bill is known, no action will be taken to review the Policy.

- ⑥ The **Local Alcohol Policy** (LAP) balances the reasonable needs of the residents of Waitomo District regarding the sale, supply and consumption of alcohol, while addressing the statutory requirements of the Sale and Supply of Alcohol Act 2012, including the object of the Act to minimise the harm caused by excessive or inappropriate consumption of alcohol.
- ⑦ Whilst the LAP was adopted by Council in February 2016, its “Operative” date is 1 June 2016 and the next review of the Policy must be within 6 years of the “Operative” date.
- ⑧ The **Psychoactive Substances** Act 2013 makes provision, but is not mandatory, for Council to adopt a policy on psychoactive substances to enable the Council and its community to have influence over the location of retail premises selling such products. In March 2015, Council considered this matter and agreed to continue to monitor the requirement for a Psychoactive Substances Policy.

Policy: Gambling Venues

Key Milestone	Indicative Timeframe	Commentary
Desktop review of existing Policy	March 2017	
Prepare recommendations	March 2017	
Council Workshop	12 April 2017	
Council Meeting Adopt draft policy for consultation	30 May 2017	
Finalise draft policy for consultation	May 2017	
Public notification	June 2017	
Consultation Period	7 June 2017 – 7 July 2017	
Hearing	18 July 2017	
Deliberations	25 July 2017	
Policy changes after deliberations	July 2017	
Council Meeting Adoption of Policy	29 August 2017	

Bylaws: General

Bylaw	“New” Bylaw Adoption Date	5 Year Review Adoption Date	Other Review Date	10 Year Cycle Review Due
Trade Waste Bylaw	1 July 2006	26 July 2011	①	July 2021
Dog Control Bylaw	16 December 2008	25 June 2014	15 December 2015 ②	December 2025
Public Places Bylaw	24 March 2009	25 June 2014		June 2024
Public Health and Safety	3 November 2009	25 June 2014		June 2024
Solid Waste	3 November 2009	25 June 2014		June 2024
Public Amenities	10 February 2010	10 February 2015		February 2025
Water Services	10 February 2010	10 February 2015		February 2025
Land Transport	25 May 2010	29 April 2015	③	April 2025
Freedom Camping			④	

- ① Trade Waste Bylaw review initialised to address/facilitate renewal of Discharge Agreements with Meat Work Companies. (This Review is programmed elsewhere in this Road Map).
- ② Since adoption of the Dog Control Bylaw in June 2014, Council made changes to the way in which Animal Control Services are provided and as a result both the Dog Control Policy and Bylaw required updating. (That Review was programmed and completed in December 2015. As a result of that review, the 10 Year Cycle date has moved out to December 2025 accordingly).
- ③ In August 2015, the Department of Internal Affairs requested that all Councils review their Land Transport Bylaws following the Government’s enactment of legislation to validate speed limits set by road controlling authorities with retrospective effect. (This Review is programmed elsewhere in this Road Map).
- ④ Council has confirmed its intent to obtain “Motorhome Friendly” status. For a town to obtain the Motorhome Friendly status the requirements of the New Zealand Motorhome Caravan Association include the requirement for a Freedom Camping Bylaw consistent with the premise of the Freedom Camping Act 2011.

Bylaws: Land Transport Bylaw – Review

Key Milestone	Indicative Timeframe	Commentary
Desktop review of Bylaw to identify any issues		If issues are identified in this desktop review a full review will be programmed.
Council Workshop Review of Land Transport Bylaw		
Council Workshop If further workshopping required		
Council Meeting Adopt Bylaw for Public Consultation		
Finalise Bylaws for Consultation		
Public notification		
Consultation period		
Hearing		
Deliberations		
Council Meeting Adopt Land Transport Bylaw		

Bylaws: Freedom Camping

Key Milestone	Indicative Timeframe	Commentary
Council Workshop Motorhome Friendly District (refer Community Development Section) Site(s) review and development recommendations	14 June 2016	14 Sept 2016 - A business paper was presented to the Council workshop.
Development of draft Freedom Camping Bylaw	Timeline to be confirmed following Council Workshop	13 Dec 2016 - A business paper was presented to Council advising development of a Freedom Camping Bylaw will commence in January 2017
Council Workshop Review of Freedom Camping Bylaw		
Council Workshop If further workshop required		
Council Meeting Adopt Bylaw for Public Consultation		
Finalise Bylaws for Consultation		
Public notification		
Consultation period		
Hearing		
Deliberations		
Council Meeting Adopt Freedom Camping Bylaw		

Waikato River Catchment Economic Studies

Key Milestone	Indicative Timeframe	Commentary
Strategy Finalised	June 2017	

Mokau Erosion: Managed Retreat Strategy

Key Milestone	Indicative Timeframe	Commentary
Development of draft Action Plan	July 2016	A business paper was presented to

Key Milestone	Indicative Timeframe	Commentary
		Council at the 6 October 2016 meeting.
Council Meeting Consideration and adoption of Action Plan for Managed Retreat of erosion affected properties	February 2017	Managed retreat will be considered as part of the District Plan Review Process.

Te Maika Zone

Council staff will continue to pro-actively engage with the Trust in an effort to at least be able to review the draft provisions that have apparently been prepared by the Trust and Council will be advised of any progress made.

Community Services

Property: Divestment – Old Ministry of Works Building

Key Milestone	Indicative Timeframe	Commentary
Letter to Crown seeking approval to relinquish Councils involvement in the property	September 2016	At its meeting on 6 October 2016 Council approved alternative options for this site be considered. Research and liaison with Crown are underway.

Property: Divestment – Mokaiti Hall

Key Milestone	Indicative Timeframe	Commentary
Meet with Hall Representatives to discuss ongoing management of the facility	November 2016	Contact has been made with Hall Representatives to arrange a meeting. The representatives will advise a suitable time. Due to the delay in setting up an initial meeting the timeline has been adjusted to reflect this. A meeting was held with representatives from the Mokaiti Hall Committee on 9 November. Staff will now develop a draft proposal to present to the committee for feedback.
Draft proposal developed and provide to Committee for discussion and feedback	January 2017	
Draft proposal presented to Council for consideration	February 2017	28 Feb 2017 - A business paper is contained elsewhere in this Agenda.
Council Meeting Proposal Approved	March 2017	
Implementation including legal documentation associated with proposal	April – July 2017	

Parks & Reserves: Brook Park Entrance Development

Brook Park Entrance

Key Milestone	Indicative Timeframe	Commentary
Base Topographical survey of entrance	May 2015	Completed
Entrance design and preparation of contract documentation for the entrance along with pretender estimate	September 2015 – October 2015	Instruction issued to Engineering Consultant. Awaiting design completion. Draft drawings received.
Call for Tenders	June 2016	Final Drawings and tender documentation completed. Tenders advertised 17 July 2016.
Construction Commences	September 2016	Council approved at its meeting on 6 October 2016 to include the upgrade to the entrance as a strategic issue for the 2017/18 EAP.

Parks & Reserves: Redwood Park Maintenance Plan

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Report on condition assessment of Redwood tree stand	31 May 2016	Completed
Further milestones to be developed upon receipt and review of assessment report		A further assessment will be undertaken in 2019.

Parks & Reserves: Walking Track Strategy and Maintenance Contract

Key Milestone	Indicative Timeframe	Commentary
Base information gathering	March 2015 – June 2015	Completed
Audit of tracks and walkways completed, including classification and survey of track locations and gradients and engineering assessment on all track structures	March 2017	
Council Meeting Report to Council outlining findings of audit	May 2017	

Parks & Reserves: Passive Reserves Management Plan

Key Milestone	Indicative Timeframe	Commentary
Project Scope - detail and timeline	October 2016	Initial scoping has commenced. Milestones to be identified and confirmed upon completion of project scope.
Further Milestones will be identified and confirmed upon completion of Project scoping	To be confirmed	

Parks & Reserves: Active Reserves Management Plan

Key Milestone	Indicative Timeframe	Commentary
Project Scope - detail and timeline	October 2016	Initial scoping has commenced. Milestones to be identified and confirmed upon completion of project scope.
Further Milestones will be identified and confirmed upon completion of Project scoping	To be confirmed	

Public Amenities: Te Kuiti Cemetery Development Plan

Key Milestone	Indicative Timeframe	Commentary
Development of concept design for the future expansion of the cemetery		Timelines to be confirmed upon finalisation of land acquisition.

Public Amenities: Marokopa Public Toilet Replacement

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Business Paper to Council with options and budget estimates	27 April 2016	Investigations into various options are continuing so that a business paper can be presented to Council.
Confirmation of user numbers to identify requirements / size of toilet structure	September 2016 – January 2017	Reliable counting system is currently being sought to carry out this assessment. User numbers will be collected during the December/January holiday period.
Investigate suitability of adapting new Piopio toilet Design for use in Marokopa and confirmation of location	January 2017 – February 2017	User numbers indicate the need for x1 male pan and urinals, x2 female pans plus disability facilities. Designs will now be investigated as will positioning of the toilets as the current area may not be suitable due to the increase in size.
Finalisation of design and tender documentation	February 2017 – March 2017	
Tender	March 2017 – April 2017	
construction	April 2017 – June 2017	

Recreation and Culture: Te Kuiti Aerodrome – Reserve Management Plan

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Establish WDC Working Group for Development of the Aerodrome Reserve Management Plan	26 October 2016	A Business paper is contained elsewhere in this agenda.
Initial internal Working Group meeting	November 2016	A business paper was presented to Council at 26 October meeting to advise timelines. A meeting of the internal working group is now being arranged.
Consultation aerodrome users	February 2017	A project plan to inform the working group is being developed. A working group meeting will be called once this is finalised.
Preparation of Management Plan		
Council Workshop Draft Reserve Management Plan	June/July 2017	
Council Meeting Adopt draft Plan for Consultation	25 July 2017	
Public Consultation	2 August 2017 – 2 October 2017	
Hearing	October 2017	
Deliberations	October / November 2017	
Council Meeting Adoption of Finalised Plan	12 December 2017	

Recreation and Culture: North King Country Indoor Sport and Recreation Centre

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Progress reports will be submitted to Council as required	As required	

AMP Improvement and Monitoring: Housing and Other Property

Housing and Other Property AMP		
Key Milestone	Indicative Timeframe	Commentary
AMP Improvements		
1. Review AMP every three years	June 2017	
2. Review renewal and maintenance strategies where required	Ongoing	
3. Ensure the right level of funding is being allocated to maintain the asset service potential.	June 2017	
Data Improvements		
4. Continue to collect asset attribute information	Ongoing	
5. Review lifecycle costs for significant assets or asset groups	Ongoing	
6. Future prediction data	Ongoing	
AMP Process Improvements		
7. Optimise operations to minimise lifecycle costs	Ongoing	
8. Process in place for monitoring, analysing and reporting of performance against Levels of Service and other performance measures	Ongoing	
9. Develop process for updating asset data with new assets and data collected via the maintenance contract	Ongoing	
10. Asset register available to all relevant staff	Ongoing	
11. Compile up to date information on Housing and Other Property	Ongoing	
12. Process in place for the condition assessment of assets including assets to be assessed, frequency and ranking procedures	Ongoing	
13. Processes in place to ensure identify current asset utilisation of significant assets	Ongoing	
14. Develop and assess options for non performing assets	Ongoing	
15. Develop disposal/rationalisation policy	Ongoing	
16. Process in place for collecting costs against assets where appropriate	Ongoing	
AM System Improvements		
17. Develop database for all community facilities	Ongoing	
18. Record all customer enquiries against individual assets	Ongoing	

Housing and Other Property AMP		
Key Milestone	Indicative Timeframe	Commentary
19. Develop a risk register	Ongoing	
20. Link electronic plans and records to GIS database	Ongoing	
Specific Improvement Projects		
21. As per projects identified in AMP		

AMP Improvement and Monitoring: Parks and Reserves

Parks and Reserves AMP		
Key Milestone	Indicative Timeframe	Commentary
AMP Improvements		
1. Review AMP every three years	June 2017	
2. Review renewal and maintenance strategies where required	Ongoing	
3. Ensure the right level of funding is being allocated to maintain the asset service potential.	June 2017	
Data Improvements		
4. Continue to collect asset attribute information	Ongoing	
5. Review lifecycle costs for significant assets or asset groups	Ongoing	
6. Future prediction data	Ongoing	
AMP Process Improvements		
7. Optimise operations to minimise lifecycle costs	Ongoing	
8. Process in place for monitoring, analysing and reporting of performance against Levels of Service and other performance measures	Ongoing	
9. Develop process for updating asset data with new assets and data collected via the maintenance contract	Ongoing	
10. Asset register available to all relevant staff	Ongoing	
11. Compile up to date information on Parks and Reserves	Ongoing	
12. Process in place for the condition assessment of assets including assets to be assessed, frequency and ranking procedures	Ongoing	
13. Processes in place to ensure identify current asset utilisation of significant assets	Ongoing	
14. Develop and assess options for non performing assets	Ongoing	

Parks and Reserves AMP		
Key Milestone	Indicative Timeframe	Commentary
15. Develop disposal/rationalisation policy	Ongoing	
16. Process in place for collecting costs against assets where appropriate	Ongoing	
AM System Improvements		
17. Develop database for all community facilities	Ongoing	
18. Record all customer enquiries against individual assets	Ongoing	
19. Develop a risk register	Ongoing	
20. Link electronic plans and records to GIS database	Ongoing	
Specific Improvement Projects		
21. As per projects identified in AMP		

AMP Improvement and Monitoring: Public Amenities

Public Amenities AMP		
Key Milestone	Indicative Timeframe	Commentary
AMP Improvements		
1. Review AMP every three years	June 2017	
2. Review renewal and maintenance strategies where required	Ongoing	
3. Ensure the right level of funding is being allocated to maintain the asset service potential.	June 2017	
Data Improvements		
4. Continue to collect asset attribute information	Ongoing	
5. Review lifecycle costs for significant assets or asset groups	Ongoing	
6. Future prediction data	Ongoing	
AMP Process Improvements		
7. Optimise operations to minimise lifecycle costs	Ongoing	
8. Process in place for monitoring, analysing and reporting of performance against Levels of Service and other performance measures	Ongoing	
9. Develop process for updating asset data with new assets and data collected via the maintenance contract	Ongoing	
10. Asset register available to all relevant staff	Ongoing	

Public Amenities AMP		
Key Milestone	Indicative Timeframe	Commentary
11. Compile up to date information on Public Amenities	Ongoing	
12. Process in place for the condition assessment of assets including assets to be assessed, frequency and ranking procedures	Ongoing	
13. Processes in place to ensure identify current asset utilisation of significant assets	Ongoing	
14. Develop and assess options for non performing assets	Ongoing	
15. Develop disposal/rationalisation policy	Ongoing	
16. Process in place for collecting costs against assets where appropriate	Ongoing	
AM System Improvements		
17. Develop database for all community facilities	Ongoing	
18. Record all customer enquiries against individual assets	Ongoing	
19. Develop a risk register	Ongoing	
20. Link electronic plans and records to GIS database	Ongoing	
Specific Improvement Projects		
21. As per projects identified in AMP		

AMP Improvement and Monitoring: Recreation and Culture

Recreation and Culture AMP		
Key Milestone	Indicative Timeframe	Commentary
AMP Improvements		
1. Review AMP every three years	June 2017	
2. Review renewal and maintenance strategies where required	Ongoing	
3. Ensure the right level of funding is being allocated to maintain the asset service potential.	June 2017	
Data Improvements		
4. Continue to collect asset attribute information	Ongoing	
5. Review lifecycle costs for significant assets or asset groups	Ongoing	
6. Future prediction data	Ongoing	
AMP Process Improvements		
7. Optimise operations to	Ongoing	

Recreation and Culture AMP		
Key Milestone	Indicative Timeframe	Commentary
minimise lifecycle costs		
8. Process in place for monitoring, analysing and reporting of performance against Levels of Service and other performance measures	Ongoing	
9. Develop process for updating asset data with new assets and data collected via the maintenance contract	Ongoing	
10. Asset register available to all relevant staff	Ongoing	
11. Compile up to date information on Recreation and Culture	Ongoing	
12. Process in place for the condition assessment of assets including assets to be assessed, frequency and ranking procedures	Ongoing	
13. Processes in place to ensure identify current asset utilisation of significant assets	Ongoing	
14. Develop and assess options for non performing assets	Ongoing	
15. Develop disposal/rationalisation policy	Ongoing	
16. Process in place for collecting costs against assets where appropriate	Ongoing	
AM System Improvements		
17. Develop database for all community facilities	Ongoing	
18. Record all customer enquiries against individual assets	Ongoing	
19. Develop a risk register	Ongoing	
20. Link electronic plans and records to GIS database	Ongoing	
Specific Improvement Projects		
21. As per projects identified in AMP		

Community Services - Project Management

Property: Te Kuiti Railway Building

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Progress Report to Council	Monthly	Ongoing

Railway Building: Project 2 – Plaza Tidy Up

Key Milestone	Indicative Timeframe	Commentary
Development of Conceptual designs		Underway
Workshop with Council Representative and TKDI	May 2016	Timelines to be confirmed on completion of building 1 and i-SITE. Plaza tidy up is underway.

Railway Building: Project 4 – Community Space Revitalisation (Building 1)

Key Milestone	Indicative Timeframe	Commentary
Expressions of Interest process	August – November 2013	Completed
Building 1: Preparation of Tender Documentation to completely refurbish the existing building layout	May – June 2014	Completed
Building 1: Refurbishment construction to allow use of building	September 2015 - December 2015	Documentation completed and Building Consent applied for.
Building 1: Building use by tenants		
Building 1 and i-Site: Redevelopment Building Consent approval	July 2015 - August 2015	Consent lodged July 2015
Building 1 and i-Site: Redevelopment Tender process	August 2015 – September 2015	This project was tendered on 30 October 2015 along with the linkage to the i-SITE. Tenders closed on 1 December 2015. Considerable changes to the documents had to be undertaken and this has necessitated amended consent plans to be submitted.
Acceptance of Tender		Completed
Construction	April – July 2016	Construction works associated with Building 1 and i-Site Linkage are now complete. The i-Site was relocated back to their building on 1 November 2016.

Property: Parkside Subdivision

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Notification of Section Sales	As required	Ongoing. Council will be kept informed of Section sales by way of Progress Reports to monthly Council meetings.
Investigations into alternative land use for divestment purposes	July 2014 – October 2014	Completed
Preparation of discussion material for use in discussions with other land owners and interested parties	May 2015 – June 2015	Completed

Key Milestone	Indicative Timeframe	Commentary
Discussions with other land owners	July 2015 – August 2015	Progressing. Initial discussion with Parkside landowners undertaken by the Mayor was positive. Follow-up to obtain written agreement is required.
Legal documentation sent to all land owners for discussion and signing with completion due 22 February 2016	February 2016	Awaiting responses from land owners. WDC was only respondent by 22 February. No further progress can be made until signed documentation is received from all landowners involved. The Mayor is liaising with property owners to progress this.
Preparation of information pack and discussion with landowners	April 2016	Completed
Liaise and finalise agreements with landowners	April – May 2016	Still on going. Due to the sale of properties the documents need to be updated.
Agreement documents returned from landowners	May – June 2016	Negotiations with land owners underway.
Finalise legal submission and submit to LINZ	July 2016	Timeframe to be confirmed upon finalization of documentation.
		28 Feb 2017 - A business paper is contained elsewhere within this Agenda.

Property: Te Kuiti Campground

Key Milestone	Indicative Timeframe	Commentary
Preliminary site investigations and development of draft layout plan for discussion		Completed. A Concept Plan was considered by Council at the 26 May 2015 meeting.
Concept design forwarded to motor Caravan Association for comment	June 2015 – July 2015	Completed
Investigations into consenting requirements, development of initial staging and preparation of draft costings	September 2015 – November 2015	Completed. Concept design forwarded to Quantity Surveyor to prepare preliminary costings.
Council Meeting Reporting on the outcomes of the above investigations and seeking direction for further development of the proposal	December 2015	Completed. Monetary allowance to be included in the 2016/2017 budgets for undertaking of feasibility study and business case.
Prepare an extension to existing Te Kuiti Campground lease	May 2016	Lease is rolling over on a month to month basis.
Feasibility Study / Business Case development	August – October 2016	A business paper was presented to Council 6 October 2016.
Council Meeting Draft report to Council	October – November 2016	A business paper is contained elsewhere within this Agenda.
		A business paper was presented to Council in November 2016 outlining the findings of the Feasibility Study. Further investigation is now being undertaken to inform LTP 2018-2028 considerations.

Parks & Reserves: Albion Soccer Club Upgrade

Key Milestone	Indicative Timeframe	Commentary
Assessment of existing building and base plans prepared	April 2015	Completed
Application for funding to Trust Waikato	September 2015	Completed
Trust Waikato Grant approval	November 2015	Completed

Key Milestone	Indicative Timeframe	Commentary
Documentation for the sourcing of quotations to undertake upgrade works	June 2016	Scope of works currently being reviewed.
Quotations for individual parcels of work	July 2016	Ongoing
Construction	July – August 2016	Quotations for individual parcels of work have been received. Construction date to be confirmed, working towards January/February 2017. Staged renewal works scheduled to start early May.
Evidence of costs to Trust Waikato for release of funds	August 2016	
Accountability Report to Trust Waikato	September 2016	Accountability report is not due until June 2017 but will be prepared as soon as the project is complete.

Public Amenities: Te Kuiti Security Camera Upgrade

Key Milestone	Indicative Timeframe	Commentary
Assessment of scope and requirements	May – June 2016	This project has been deferred to the 2016/2017 financial year.
Development of implementation estimate	September 2016	Scope of works required is currently being developed.
Funding application to Lion Foundation	Dependant on Scope	Working Group meeting held on 6 September 2016. Scope and requirements discussed. Scoping document being finalised to inform procurement process and funding applications.
Funding Approval	Dependant on Scope	28 Feb 2017 - A business paper is contained elsewhere within this Agenda.
Finalisation of costs and implementation	30 June 2017	

Public Amenities: Benneydale Public Toilet Replacement

Key Milestone	Indicative Timeframe	Commentary
Confirm user numbers to identify requirements/size of toilet structure	September 2015 – January 2016	Completed. Counters have been established on site periodically over last three months
Site survey	October 2015	Completed
Investigate suitability of adapting new Piopio toilet design for use in Benneydale and confirm location and other feasibility options	April 2016	Progressing
Council Meeting Business Paper to Council with options and budget estimates	27 April 2016	Completed - a business paper was presented at the 27 April Council meeting.
NZTA Signoff of location	May 2016	
Finalise design and tender documentation	May 2016	Design drawings in progress.
Construction price negotiation / tender	July 2016	Design drawings complete and tender documents being prepared.
Tender Subcommittee Report and awarding of tender	August 2016	Target date for tender is mid October subject to Resource Consent approval.
Construction	September 2016 – December 2016	Waiting on Resource Consent Approval. Approval received.
Call for Tenders	October 2016	Tenders close 24 November 2016.
Construction Commences	December 2016	The contract has been awarded and design is being finalised. Completion date is scheduled for late May 2017.

Public Amenities: Benneydale Caravan Dump Station

Key Milestone	Indicative Timeframe	Commentary
Identification and agreement with the Benneydale community group and Council as to most suitable location for the dump station	November 2015	This project has been deferred to the 2016/2017 financial year.
Prepare sketches and details of construction and seek assistance for funding from Motor Caravan Association		Revised dates to be confirmed
Tender construction		
Construction		

Recreation and Culture: Cultural and Arts Centre – Renewal Works: Court Yard

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Progress Reports	Ongoing as required	
Development of a new concept plan for the Courtyard		This project was rescheduled due to other work priorities.
Council Meeting Concept proposals	June 2015 – July 2015	Completed. Draft sketches were prepared and presented to Council. Council will be kept briefed by way of Progress Reports.
Draft Detailed working drawings	August 2015	Completed
Completion of Tender Documents	April 2016	Completed
Tender for works	May 2016	Work is currently out for tender with the closing date being 9 June.
Tenders Subcommittee and awarding of contract	June 2016	Tender has been awarded to PJ McCarthy.
Implementation / Construction	June – July 2016	Construction—will commence on 5 September 2016
Planting upgrade by ISU	October - November 2016	A business paper is contained elsewhere in this agenda.
Fencing changes	September 2016	Completed

Public Amenities: Te Kuiti Rail Overbridge Renewals

Stage 1 – 2015/2016

Key Milestone	Indicative Timeframe	Commentary
Instructions for the investigation into options for improvement to the safety railing associated with the overbridge given to consultant	August 2015	Completed
Report from engineer into options and costing	September 2015 – October 2015	Awaiting finalised Engineering options, costings and phasing of works.
Development of construction drawing and tender documentation	To be confirmed	Kiwi Rail Permit process commenced. The permit conditions will inform the final construction and tender documentation. Scope of works being reviewed. Initial estimates of works exceeded budget capacity. Revised designs for safety railings are being investigated.
Tender for works		

Key Milestone	Indicative Timeframe	Commentary
Construction		

Stage 2 – 2016/2017

Key Milestone	Indicative Timeframe	Commentary
Review of the initial report integrity of the structure with a view to prioritizing the works required	To be confirmed	
Report from engineer into options and costing		
Development of construction drawing and tender documentation associated with prioritised work		
Tender for works		
Construction		

Asset Management

Note: The significant key projects for Water, Wastewater, Stormwater and Rooding are capital works and therefore detailed reporting on these is undertaken by way of monthly progress reports to Council on each of the activities.

Land Transport: Rooding Activity Influences

Key Milestone	Indicative Timeframe	Commentary
Council Meetings – progress on work streams	Monthly Council Meetings	Progress Reports provided to Council as required.
Amend Road Maintenance Contract Document	June 2015 1 December 2016	Complete – Contract Awarded Revised as per NZTA direction Award of new Road Maintenance and reseals contract 2017-2020 Complete – Contract Awarded – Contractor on Site 1 March 2017
Develop levels of service options along with funding options (depending on outcome of FAR review)	February 2016-17	To implement 2018. The impact of the One Network Road Classification (ONRC) and the current changes to allow heavier trucks on all bridges and roads are to be assessed.
Develop LTP 2018-28	October 2017 – February 2018	

Solid Waste: Cross Boundary Collaboration (WDC/RDC)

Key Milestone	Indicative Timeframe	Commentary
Future Cross Boundary Collaboration between WDC and RDC	2015/2016	A further approach will be made to RDC to ascertain certainty around the interest they may still have in cross boundary collaboration regarding solid waste matters for LTP development purposes. RDC appointed a Consultant to investigate their options. There have been meetings to provide information of WDC's position. No further feedback from RDC. This will not be pursued any further.

Solid Waste: Para Kore "Marae Working Toward Zero Waste"

Once key milestones are identified, an indicative timeline will be included in a future version of the full Road Map document.

Solid Waste: District Transfer Station Improvements

It is intended that WDC's Transfer Stations will continue to operate within those standards for the period of the 2015–25 LTP with the exception of minor upgrades such as fence and signage renewals.

Solid Waste: Waitomo District Landfill

Key Milestone	Indicative Timeframe	Commentary
Future Demand Study to increase the consented capacity from 232,000m ³ to 500,000m ³ .	December 2016	<p>Two options must be considered. The first would be to extend the volume of the landfill to 500,000m³ with no change to the footprint, adding another 40 year life expectancy and in doing so retaining income.</p> <p>The second option would be to close the landfill when the 232,000m³ consent limit is reached and cart waste to other landfills.</p> <p>The estimated time frame to reach the 232,000m³ limit as per current annual refuse volumes is estimated at about 7 years. This option will have financial impacts and monopoly exposure.</p> <p>At the Council workshop of the 15 November Council indicated that the option of Expanding the Landfill must be pursued and will be incorporated in the 2017/18 EAP process.</p>

Solid Waste: Waitomo Landfill Operations and Kerbside Collection Contract Renewal

Landfill Operations

Key Milestone	Indicative Timeframe	Commentary
WDC Landfill operations contract renewal	2016	<p>The terms of the original contracts are 3 + 2 + 2 year terms, with the 1st right of renewal 1st November 2012 to 1st November 2014 and the second 1st November 2014 to 1st November 2016.</p> <p>In procurement phase</p> <p>The contract term has been extended to 1 May 2017. This in order to ensure a well procured service and that the contract start date does not fall within an extremely busy period.</p> <p>A separate Business paper is enclosed elsewhere in this agenda.</p> <p>Proposals from Envirowaste and Inframax have been requested and will close on 3 March 2017.</p>

Transfer Station – Refuse and Recycling Collection

Key Milestone	Indicative Timeframe	Commentary
Transfer station refuse and recycling collection contract renewal	2016	<p>The terms of the original contracts are 3 + 2 + 2 year terms, with the 1st right of renewal 1st November 2012 to 1st November 2014 and the second 1st November 2014 to 1st November 2016.</p> <p>This contract has been merged</p>

Key Milestone	Indicative Timeframe	Commentary
		with the Refuse collection and disposal contract. The contract term has been extended to 1 May 2017. This in order to ensure a well procured service and that the contract start date does not fall within an extremely busy period. This contract has now been joined to the refuse collection service and will be procured as such. A separate Business paper is enclosed elsewhere in this agenda. Proposals from Envirowaste have been requested and will close on 3 March 2017.

Refuse Collection and Disposal

Key Milestone	Indicative Timeframe	Commentary
Refuse collection and disposal services contract renewal	2016	The terms of the original contracts are 3 + 2 + 2 year terms, with the 1st right of renewal 1st November 2012 to 1st November 2014 and the second 1st November 2014 to 1st November 2016. In procurement phase The contract term has been extended to 1 May 2017. This in order to ensure a well procured service and that the contract start date does not fall within an extremely busy period. A separate Business paper is enclosed elsewhere in this agenda. Proposals from Envirowaste have been requested and will close on 3 March 2017.

Solid Waste: SWaMMP Improvement and Monitoring

Key Milestone	Indicative Timeframe	Commentary
Undertake a Topographical Survey of the Landfill every two years to determine compaction and filling rates	2012 then every two years thereafter	A full Topographical Survey of the Landfill was completed in late 2014. The next Survey is due late 2016.
Improve monitoring of Contractor Performance	Ongoing	Monitoring of Contractor performance is ongoing.
H&S audits on all Waste Management Facilities to identify hazards and safety improvements	Monthly	Ongoing.
Explore interest in development of the District Landfill as a sub-regional or regional waste disposal asset	Ongoing	Monitor
Estimate impact of expected tourism numbers on capacity of existing solid waste facilities and services	Ongoing	An initial estimate was completed and monitoring is ongoing. Monitoring results to date show the impact on general waste is minimal. There has been an increased recycling volume through tourism areas since the installation of recycling bins.
Review Solid Waste Management activities required to support	Ongoing	The Mokau Transfer Station is under-utilised, however dumping

Key Milestone	Indicative Timeframe	Commentary
development in growth areas (Waitomo village, Mokau etc) following completion of structure plans		of rubbish next to street bins in Mokau is increasing. An investigation into the possible relocation of the Transfer Station into Mokau township is underway.
Review progress with implementation of Improvement Plan		Reviewed as part of the 2015-18 AMP.
Undertake Waste Audit every two years	The first was done in June 2012 then every two years thereafter	An audit was completed in 2014. The 2016 waste audit was recently completed in July 2016. The results were reported to Council in August 2016.
Investigate ETS Liability (Start June 2013)	Ongoing	Progressing.

Stormwater: Health and Safety Issues

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Progress Report	Monthly	Ongoing
Storm water safety audit	End June 2016	The report has been received and work to remedy issues identified is being programmed.

Stormwater: Edward Street

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	October 2016	Tender Evaluation and Acceptance
Construction	March 2017	The contract has been awarded. Construction is delayed due to the unseasonable rainy weather being experienced.

Stormwater: Hill Street

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	October 2016	Tender Evaluation and Acceptance
Construction	April 2017	The contract has been awarded. Construction is delayed due to the unseasonable rainy weather being experienced.

Wastewater: Te Kuiti Sewerage Carroll Street under Railway

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	October 2016	Tender Evaluation and Acceptance
Construction	April 2017	The contract has been awarded. Construction is delayed due to KiwiRail approval being slow to obtain.

Wastewater: Te Kuiti Sewerage Sewer Main under River

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	October 2016	Tender Evaluation and Acceptance
Construction	March 2017	Lowest possible river water level is ideal for the drilling work to commence under the river bed. The contract has been awarded. Construction is delayed due to the unseasonable rainy weather being experienced.

Wastewater: Te Kuiti Sewerage Nettie Street Reroute

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	October 2016	Tender Evaluation and Acceptance
Construction	March 2017	The contract has been awarded. Contractor to provide programme for construction.

Wastewater: Benneydale Sewerage

Key Milestone	Indicative Timeframe	Commentary
Reticulation renewal	June 2017	This project is postponed due to more urgent work at the Te Kuiti WTP and Mokau Water main

Water: Te Kuiti Water Supply

Key Milestone	Indicative Timeframe	Commentary
Council Meeting	Quarterly	Council will be kept updated on progress through the presentation of quarterly progress reports.
Phase 1	Target completion December 2016	Both Filter 3 and 4 are now replaced. Filter 4 is getting the new pipe work fitted and will be in operation by the beginning of March 2017.
Phase 2	Target completion December 2017	Final design is in progress. The Water Take consent has been obtained. Consent to construct an Extraction Pump Station has been obtained. Tender closes 15 December 2016 Contract awarded Contractor on site
Phase 3		Design has started and critical components have been procured.

Water: Awakino Pump Station

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	January 2016	Delayed due to the Te Kuiti WTP upgrade. Being done in-house
Construction	End April 2017	Dependent on completion of the Te

Key Milestone	Indicative Timeframe	Commentary
		Kuiti WTP filter upgrade. Construction delayed

Water: Backflow Preventers

Key Milestone	Indicative Timeframe	Commentary
Backflow preventer installation throughout the District	Ongoing throughout 2015-16	Approximately 320 have been replaced throughout the district since June 2015.

Water: Henderson / Earl Street Ring Main

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	October 2016	Tender Evaluation and Acceptance
Construction	April 2017	Construction programme has been pushed forward to allow more urgent progress on the Te Kuiti WTP upgrade to proceed.

Water: Awakino / Blackmans Reservoir Main

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	October 2016	Tender Evaluation and Acceptance
Construction	March 2017	This work has also been reprogrammed to allow for the work to proceed at the Te Kuiti WTP.

Water: Hetet Street Main Replacement

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	October 2016	Tender Evaluation and Acceptance
Construction	May 2017	The contract has been awarded. Contractor to provide construction programme.

Water: Seismic Strengthening of Reservoirs

Piopio Reservoir

Key Milestone	Indicative Timeframe	Commentary
Contract documents and tendering	November 2015	
Construction	September 2018	Soil testing and evaluation were completed and the design is being done. This work will be programmed for the 2018/19 financial year.

Strategic: Te Waitere Water and Wastewater

Key Milestone	Indicative Timeframe	Commentary
Permeability tests to assess sustainability of existing land discharge of waste water and		Completed - Additional land will need to be acquired for wastewater disposal. Future development will

Key Milestone	Indicative Timeframe	Commentary
possible future development		be assessed as part of the District Plan review.
Development of detailed scoping and associated Project Plan	Outside 2025	Dependent on outcome of 1 above.
Consultation with landowners on development plans and land availability for discharge	During the life of 2015-25 LTP	Dependent on outcome of 1 above and available resources.
Consultation with all property owners on separator/septic tank maintenance service	During the life of 2015-25 LTP	Dependent on available resources.
Council Meeting Progress Report		On completion of each action.

Strategic: Waitomo Village Water and Wastewater

Key Milestone	Indicative Timeframe	Commentary
1. Development of detailed scoping and associated project plan for inclusion in Road Map.	Completed	WDC condition assessment and valuation complete. Preliminary design and cost estimate complete. Met with THL around existing asset value and cost new systems. Financial modelling completed. Results sent to THL.
2. Define proposed planning map and develop development scenarios which will indicate demand		Structure Plan by Beca Consultants considered in identifying area to be serviced.
3. Investigate high technology solutions with cost and establish economic feasibility		Estimated cost of refurbishment of systems not much different from replacement and have shorter expected asset life than total replacement.
4. Report to Council on conclusions	On completion of each section	WDC met with THL who indicated that the indicative cost is not financially feasible from a business point of view. The only possible solution to make the cost of the service more affordable is to obtain Government funding. There is no funding available from the normal avenues. The only way would be to lobby the Minister directly on the basis of the high risk of National reputational harm should tourist get sick or die from water borne disease contracted from these services. Discussion with THL and community is ongoing. Ongoing liaison with lawyer representing different Iwi to resolve land tenor. To this end, and as agreed at the 24 March 2016 stakeholder hui, WDC has since prepared a draft MoU, initially for consideration by Council. The draft MoU not only documents the notional agreements to date, it also records in detail the legal status, mandates, accountabilities, processes and timetable for all those tasks which must be advanced by the "ownership" parties before the matter can progress to a stage where Council

Key Milestone	Indicative Timeframe	Commentary
		<p>can be presented with a proposal for consideration as part of a future EAP/LTP process.</p> <p>On 13 May 2016, the Prime Minister announced, ahead of Budget, a new Regional Mid-Sized Tourism Facilities Fund. The fund totals \$12M over four years and is designed to assist provision of smaller scale infrastructure projects that deliver tourism related facilities.</p> <p>WDC has communicated the fund announcement to the ownership parties and highlighted the need for preparedness ahead of requests for funding applications. Ownership, programming and community consultation could well be matters that would need to be in place ahead of an eligible funding application.</p> <p>Full report included in the 28 June 2016 council meeting</p> <p>Full report included in the 2 August 2016 council meeting</p> <p>Council provided direction at its Workshop on 15 November 2016 which will be further pursued.</p>

Capital Renewal Programme – Year 1 (2015/2016)

WATER - Te Kuiti

It was found that the several water pipes other than those planned were in need of replacement and/or upgrading. These include a new 100mm along Rora Street, ring main in Henderson and Earl as well as in Te Kumi Loop Road due to water quality issues.

Street	LTP Budget = Opt Rep Value	Comment
58 Awakino Road (Pump Station)	\$2,126.63	Done when Awakino pump station is being rebuilt
Awakino	\$67,811.25	With Awakino pump station
Henderson	\$9,041.50	Deferred to April 2017
Henderson	\$3,718.25	Deferred to April 2017
Henderson	\$4,308.09	Deferred to April 2017

WATER - Mokau

The North Street (SH3) arterial main has failed and is being replaced in its entirety from the Inframax yard to Rerenga Street. The internal main will be reprogrammed to be replaced in the next phases.

Street	LTP Budget = Opt Rep Value	Comment
Oha Street	\$8,816.80	Deferred due to North Street (SH3) arterial main replacement
Oha Street	\$1,550.16	Deferred due to North Street (SH3) arterial main replacement
Tainui Street	\$1,416.41	Deferred due to North Street (SH3) arterial main replacement
Tainui Street	\$15,702.25	Deferred due to North Street (SH3) arterial main replacement
Tainui Street	\$15,662.13	Deferred due to North Street (SH3) arterial main replacement

WATER - Piopio

Street	Replacement Cost	Comments
Moa Street	\$13,952.80	Deferred due to North Street (SH3) arterial main replacement
Moa Street	\$642.00	Deferred due to North Street (SH3) arterial main replacement
Moa Street	\$1,008.48	Deferred due to North Street (SH3) arterial main replacement
Moa Street	\$22,737.50	Deferred due to North Street (SH3) arterial main replacement

ROADING

Hangatiki East Road will be deferred and addressed as part of the OMYA route.

Totoro Rd (Phase 1) was completed in 2014/15. Phase 2 was postponed to allow for Oparure Rd, but is now in Tender phase

Road Name	RP	Length (m)	Width (m)	Cost Estimate	Comments
Oparure Rd	4,414 – 5,800	1,386	6.4	\$406,507	Completed
Oparure Rd	6,900 – 8,100	1,200	8.0	\$452,575	Completed

Note: The above list indicates priority projects from the Road Rehabilitation Shortlist and large Capital Expenditure projects but excludes Minor Improvements projects, Slip Repairs and other emergency works.

WASTEWATER - Te Kuiti

Tenders are invited from several competent contractors to replace the pipe under the railway line, as well as additional rerouting in Nettie Street from underneath a building. A new main will also be completed under the river from the Mangarino Street intersection to the Main Pump Station to eliminate the inflow from the river.

Street	LTP Budget = Replacement Cost	Comments
Rora Street	\$20,521.00	Reprogrammed due to condition assessment showing good condition
Rora Street	\$38,048.00	Reprogrammed due to condition assessment showing good condition
Rora Street	\$6,651.00	Reprogrammed due to condition assessment showing good condition
Rora Street	\$5,397.00	Reprogrammed due to condition assessment showing good condition
Rora Street	\$17,016.00	Reprogrammed due to condition assessment showing good condition
Rora Street	\$21,226.00	Reprogrammed due to condition assessment showing good condition
Rora Street	\$16,447.00	Reprogrammed due to condition assessment showing good condition
Rora Street	\$6,281.00	Reprogrammed due to condition assessment showing good condition

STORMWATER - Te Kuiti

Tenders have been invited for the replacement of the storm water pipe along Edward Street. In addition a storm water pipe in Hill Street will be rerouted from underneath buildings.

Street	LTP Budget = Replacement Cost	Comments
King Street East	\$170,000	Completed.
Kiwi Street	\$12,517.66	Condition is still adequate and estimated to project beyond the 2025 LTP
Massey Street	\$3,969.49	Condition is still adequate and estimated to project beyond the 2025 LTP

Street	LTP Budget = Replacement Cost	Comments
Mary Street	\$29,289.97	Condition is still adequate and estimated to project beyond the 2025 LTP

Capital Renewal Programme – Year 2 (2016/2017)

STORMWATER - Te Kuiti

Street	LTP Budget = Replacement Cost	Comments
Mary Street	\$13,582.15	Not required. Replaced during 2015
Mary Street	\$14,976.26	Not required. Replaced during 2015
Hill Street	\$22,636.92	
King Street	\$70,422.59	

WATER - Te Kuiti

Street	LTP Budget = Optim Rep Val	Comment
Grey	\$38,957.36	
Henderson	\$5,845.41	The Henderson main is still in good condition after a condition assessment was done. The work in the current financial year will see a ring main being completed.
Hetet	\$18,457.50	The Hetet Street pipe will be replaced during this financial year due to several failures that have occurred on this pipe.
Rora Street	\$12,223.68	Condition assessment to be undertaken
Hetet	\$906.02	The Hetet Street pipe will be replaced during this financial year due to several failures that have occurred on this pipe.
Ngarongo	\$12,960.38	Condition assessment to be undertaken

WATER - Mokau

Street	LTP Budget = Opt Rep Value	Comment
Rangi Street	\$11,807.45	Replacement of this main will be undertaken as a revised second phase to the Mokau Main Replacement that occurred during October 2016
Rangi Street	\$436.03	Replacement of this main will be undertaken as a revised second phase to the Mokau Main Replacement that occurred during October 2016
Rangi Street	\$12,093.68	Replacement of this main will be undertaken as a revised second phase to the Mokau Main Replacement that occurred during October 2016
Tainui Street	\$10,903.30	Replacement of this main will be undertaken as a revised second phase to the Mokau Main Replacement that occurred during October 2016
Tainui Street	\$13,021.90	Replacement of this main will be undertaken as a revised second phase to the Mokau Main Replacement that occurred during October 2016

WATER - Piopio

Street	Replacement Cost	Comments
Moa Street	\$17,317.95	
Moa Street	\$10,012.53	
Weka Street	\$2,736.53	

WASTEWATER – Te Kuiti

Street	LTP Budget = Replacement Cost	Comments
Rora Street	\$53,919.00	Rora Street will be reprogrammed as Taupiri Street
Rora Street	\$14,039.00	Rora Street will be reprogrammed as Taupiri Street
Rora Street	\$25,740.00	Rora Street will be reprogrammed as Taupiri Street
Rora Street	\$15,208.00	Rora Street will be reprogrammed as Taupiri Street
Alexandra Street	\$25,631.00	This will be reprogrammed as Taupiri Street

ROADING

The inclusion of Maraeroa Rd seal extension will cause the deferring into next year of Taharoa Rd (- both sections A and B). Hangatiki East Road will be deferred and addressed as part of the OMYA route. Totoro Rd Phase 2 was deferred to the 2016/17 year due to consent and budgeting reasons, and is now scheduled for construction.

Pavement Rehabilitation Program for 2016/17

Road Name	RP	Length (m)	Width (m)	Area (m ²)	Est. Rate \$/m ²	Program Year	Cost Estimate
Totoro Rd Phase 2 Sep Port 1	8,378 – 9,800	1422	6.4	9,100	\$60.00	2016/17	\$546,000
Totoro Rd Phase 2 – Sep Port. 2	9,800 – 11,316	1,516	6.4	9,700	\$60.00	2016/17	\$582,000
Rangitoto Rd	5,784 – 6,415	631	7.0	4,340	\$50.00	2017/18	\$217,000
Oparure Rd (Section C)	14,587 – 15,588	1,010	8.0	8,080	\$50.00	tbc	\$404,000
Ramaroa Rd Section 1	0 - 630	630	7.0	4,676	\$50.00	2017/18	\$233,800
Ramaroa Rd Section 2	630 - 1,630	1,000	7.0	7,000	\$50.00	2017/18	\$350,000

Road Name	RP Start	RP End	Length (m)	Width	Area (m ²)	Estimated Rate \$/m ²	Cost Estimate or Priced Proposal
Maraeroa Rd Seal Extension	0.000	1,780	1,780	7.0	13,130	\$61.77	\$811,000

Note: The above list indicates priority projects from the Road Rehabilitation Shortlist and large Capital Expenditure projects but excludes Minor Improvements projects, Slip Repairs and other emergency works. Because the pavement Rehabilitation projects are revised in accordance with the FWP on an annual basis in view of changing priorities, these Rehab projects are subject to changes.

AMP Improvement and Monitoring: Land Transport

Key Milestone	Indicative Timeframe	Commentary
Complete rating survey of footpaths and input to RAMM	July 2015	This work was completed as part of the RATA collaboration
Footpath Renewal Programme	Ongoing	Annual Footpath Renewals

Key Milestone	Indicative Timeframe	Commentary
Collate Falling Weight Deflectometer (FWD) data and populate RAMM records with FWD data.	Ongoing	This work will be done on an ongoing basis. Annual network wide FWD's will be done on 100m intervals for roads being evaluated for annual Reseals, while 20m FWD's will be done for roads identified for Pavement Rehabilitation.
Collate information on future planning by forestry and quarry enterprises that may impact on roading programmes.	Ongoing	To feed into 2018-2028 draft LTP and Unsealed Roads Re-metalling Programme.
Estimate impact of expected tourism numbers on existing road capacity	Dec 2016	Initial assessment is that the impact in vehicle numbers is not significant but it is significant from a safety perspective
Review of roading assets required to support development plan/structure plans for growth areas (Waitomo village, Mokau etc) following completion of structure plans		This will be completed once structure plans are in place. 2018-28 LTP
Quantify additional road asset capacity required to support growth versus change in LoS	Ongoing from July 2018	Future growth related demand expected to be minor and can be accommodated. Targeted Completion Date within the capacity of the existing network as part of ONRC.
Development of detailed plans and schedules for maintenance activities such as road marking and carparking within the network	Dec 2016	Identified all car parks in town and recorded these on aerial photos in July 08. Still to complete inventory for surface marking, asset data and maintenance scheduling.
Training in the use of relevant Activity Management programmes such as Bizze@sset at WDC	Dec 2016	In progress
Upgrade of all culverts to a minimum size of 375mm diameter taking account of appropriate sizing for catchment areas	Ongoing	Extended to July 2024 following budget cuts to the Drainage Renewals programme. Capital expenditure on this item is reported in the monthly LT Monitoring paper supplied to Council.
Design life (depreciation) consistent with geometry and terrain	Ongoing	Important design consideration in context of asset renewal programme. Affected by underlying layers characteristics to be collected through FWD's
Improved definition of standards for maintenance	Ongoing	Incorporated in the new generation maintenance contract
Delayed due to Budget Restrictions		
Complete a cycling and walking strategy.		Draft strategy completed. Investigation currently underway prior to consultation. Strategy work on hold due to NZTA funding constraints for Walking and Cycling activities.
Install correct RP pegs on all roads.	July 2018	Depend on resource availability
Install correct Culvert Marker Pegs on all roads.	Dec 2018	Depend on resource availability
Street Light LED Renewal Programme	July 2016 onwards	Planning underway. To be implemented over Five years. Exploiting NZTA subsidy scheme available to introduce new technology and save on energy consumption of street lights
ONRC Performance Measures	Dec 2018	Forms part of ONRC Transition Plan to measure the value to road users according to agreed standards, but still being further developed by NZTA

Key Milestone	Indicative Timeframe	Commentary
Network Safety Audit	2016/17 onwards	Identification of all hazards and development of plan to improve deficiencies

AMP Improvement and Monitoring: Stormwater

Urban Stormwater AMP		
Key Milestone	Indicative Timeframe	Commentary
Consultation (to ascertain the community's service level needs/preferences and to ensure their views are considered when selecting the best level of service scenario). Priority 2	Next review 2017	Levels of service survey for SW last completed in 2012.
Ensure the right level of funding is allocated to maintain the asset service potential. Priority 2	Next review 2017/18	Annually
Formalise asset inspection and data collection procedures. Priority 3		Ongoing. Additional Resource Required: Required contractors
Improve contractor maintenance reporting and integrate costing information with spatial data in Bizze@sset. Priority 4		Ongoing.
Develop accurate and complete asset inventory registers for each urban drainage area. Priority 2		Require Catchment Management Plans to be completed. Step 1 is a Catchment flooding model Additional Resource Required: Consultant
Initiate a SW scheme proposal for Mokau- Awakino and Te Waitere. Priority 4	December 2025	Additional Resource Required: Additional Resource Required: Planning Consultant
Develop a greater focus on risk identification and management, obtaining more detailed information on critical assets. Priority 4		Require Catchment Management Plans to be completed.
Cost and prioritise the works developed from the risk assessment exercise. Priority 3		Require Catchment Management Plans to be completed.
Develop strategies to meet the community's desire for higher environmental standards and anticipated more stringent Resource Consent requirements. Priority 4		Require Catchment Management Plans to be completed.
Improve the definition of standards for maintenance. Priority 3		Using Hamilton City Infrastructural Standards.
Complete environmental impact studies for each stormwater drain and receiving water. Priority 4	2025 - 2027	Additional Resource Required: Consultant
Review design standards for stormwater pipe sizing based on effects of climate change on rain storm intensity and frequency. Priority 2	Catchment Management Plans to be completed	Require Catchment Management Plans to be completed. WDC uses Hamilton City Infrastructural Standards. Additional Resource Required: Consultant

Urban Stormwater AMP		
Key Milestone	Indicative Timeframe	Commentary
Prepare Catchment Management Plans for each urban drainage area including calculation of design runoff, identification of gaps and capacity limitations of the existing stormwater network at each location, identification and protection of (through the use of easements, district plan rules etc) secondary flow paths and an assessment of the impact of each flow path on the relevant properties.	2026-28	Additional Resource Required: Specialist Consultant
Arrange regular forums with adjacent council's stormwater officers to discuss best practice trends, concerns, future developments, that may affect neighbouring authorities, cost sharing on consultants or specialist providers (e.g. spare survey or design capacity in larger councils shared by others). Priority 4		Ongoing.

AMP Improvement and Monitoring: Solid Waste

Solid Waste AMP		
Key Milestones	Indicative Timeframe	Commentary
Promote understanding, commitment and engagement of the community in waste minimisation (more intensive recycling and home composting). Priority 2	Ongoing	Engage the community with current waste minimisation topics through local advertising
Manage relevant data and information and provide feedback on performance. Priority 2	July 2016	Waste audit completed to be presented to council in August 2016. Complete
Initiate and foster waste minimisation in community targeting schools and rural communities. Priority 2	Ongoing	Education will continue to schools and the rural communities.
Explore into WDC landfill becoming a clean fill site only. Priority 2	December 2018	Dependant on future Cross Boundary Collaboration between WDC and RDC.
Reduction in onsite disposal of agricultural products. Priority 2	Ongoing	Agricultural waste education and collection will continue in conjunction with WRC.
Prepare and maintain an audit procedure. Priority 3	Ongoing	Audit procedure prepared and reporting ongoing
Prepare and maintain data base. Priority 3	Ongoing	Asset inventory. Additional Resource Required: Team Leader Solid Waste

AMP Improvement and Monitoring: Wastewater

Wastewater AMP		
Key Milestone	Target Completion Date	Comment
Consultation (to ascertain the community's service needs and preferences and to ensure their views are considered when selecting the best level of service scenario). Priority 3	Next review due June 2016	LOS survey completed in August 2011 confirmed wastewater services meet or exceed the majority of user's expectations. Additional Resource Required: Survey Consultant
Ensure the right level of funding is being allocated to maintain the asset service potential. Priority 2	Next review 2017/18	Review frequency consistent with annual and long term planning cycle
Formalise asset data collection procedures. Priority 1	On going	Monitor progress
Investigate a design concept for a wastewater scheme to service planned development at Mokau – Awakino. Priority 4	After 2025	Require District Plan update Outside planning period
Investigate extension of the Te Waitere scheme to further development of the area. Priority 4	After 2025	Require District Plan update Outside planning period
Develop accurate and complete asset inventory registers for each scheme. Priority 2	On-going	Monitor progress
Updating of asset inventory data and input to database. Priority 1	On-going	Monitor progress
Develop a greater focus on risk identification and management, obtaining more detailed information on critical assets. Priority 2	Following above actions	
Prioritise the works developed from risk assessment exercises. Priority 2	Following above actions	
Develop strategies to meet the community's desire for higher environmental standards and anticipated more stringent resource consent requirements. Priority 2	Following above actions	
Arrange a routine forum of adjacent council's wastewater officers to discuss trends, concerns, future developments that may affect neighbouring authorities, cost sharing of consultants or specialist providers, spare survey or design capacity in larger councils shared by others. Priority 4	Ongoing	Informal networking already occurs on a regular basis

AMP Improvement and Monitoring: Water Supply

Water AMP		
Key Milestone	Indicative Timeline	Commentary
Consultation to ascertain the water supply communities service needs and preferences and to ensure their views are considered when selecting the best level of service scenario. Priority 2	Next review due August 2016	Requires incremental improvement and updating of current knowledge only. Additional Resources Required: Survey Consultant
Ensure the right level of funding is being allocated to maintain the asset service potential. Priority 2	Ongoing	Monitor.

Water AMP		
Key Milestone	Indicative Timeline	Commentary
Implement predictive modelling techniques that will allow consideration of alternative long term cost scenarios. Priority 3	2018	Requires evaluation of appropriate AMS after inventory records updated and complete. with analysis of findings and implementation over the next 3-5 years. Additional Resources Required: Consultant
Improve standard of maintenance data integration with spatial data in Bizzo@sset. Priority 1	Ongoing	Monitor
Improve standard of contractor collection and reporting of maintenance data and integration of information with spatial data in Bizzo@sset. Priority 2	Ongoing	Monitor
Initiate a long term zoned metering and leak detection programme, initially for Te Kuiti. Priority 3		Commenced in ad hoc way from 2008. Monitor
Initiate a scheme proposal for Marokopa. Priority 4	2025-45	Outside 2015- 2025 planning period. District Plan & Structure Plan
Upgrade supply main from Mokau to Awakino. Priority 2	2025-45	Outside 2015- 2025 planning period.
Develop accurate and complete asset inventory registers for each scheme. Priority 3	Ongoing	Monitor
Develop a greater focus on risk identification and management for critical assets. Priority 3	Ongoing	Monitor
Prioritise the works developed from the risk assessment exercise. Priority 3		
Construct additional treated storage at Te Kuiti to meet 24 hours demand. Priority 3	2025 - 2035	Outside 2015-25 planning period.
Install SCADA and telemetry for automated monitoring and control of treatment and pumping/storage at Te Kuiti supply for compliance with MOH gradings and improved risk management. Priority 2	December 2016	Phase 1 of WTP Upgrade
Improve definition of standards for maintenance. Priority 2	Ongoing	Monitor
Review pump station and treatment plant maintenance programmes. Priority 2	Ongoing	Monitor
Update and implement water treatment plant operating procedures. Priority 2	Ongoing as plants get upgraded	Monitor
Review and improve the financial information outlined in Section 10 and produce an updated financial forecast by 30 June each year. Priority 2	March each year	Monitor
Assess all water services available within the District in accordance with the Local Government Act 2002. Priority 4	2017	Last completed in 2014. Assessments consistent with provisions in Draft 2015 – 25 LTP

Completed Projects

District Plan: Administration – Hoarding Signs

Key Milestone	Indicative Timeframe	Commentary
Council Meeting Six monthly progress reports to Council	31 May 2016	Business Paper received by Council at its June 2016 meeting.

2016 Elected Member Induction Process

Key Milestone	Indicative Timeframe	Commentary
Provisional Result available	8 October 2016	Complete
Official Declaration	8-19 October 2016	Complete
Distribution of Induction Package	19 October 2016	Progressing Complete
Inaugural Council Meeting	18 October 2016	Complete
Elected Member Training (LGNZ)	TBA by LGNZ	Complete

Combined Mayoral ITO Graduation Ceremony

2016 Graduation Ceremony

Key Milestone	Indicative Timeframe	Commentary
Meeting of Key Stakeholders to revise Ceremony Project Plan	March 2016	Completed
Graduate names received from Industry Training Organisations	August 2016	WDC has received advice from the ITOs Liaison Representative that the Mayoral ITO Graduations are under review. No further planning can be done until the outcome of this review is known. WDC will proceed with the Mayoral ITO Graduation, however a date is yet to be set. The Community Development Coordinator met with the Primary ITO Coordinator on Thursday 21 April and it was agreed to defer the Graduation until later in the year. An actual date is yet to be agreed.
Invitation to Graduates and Families/Supporters	September 2016	November is the date supplied by MTFG for Graduations
Graduation Ceremony	November 2016	Complete - The Graduation Ceremony was held in the Les Munro Centre on 10 November 2016.

Document No: A338674

Report To: Council



Meeting Date: 28 February 2017

Subject: **Progress Report – Communications Strategy**

Type: **Information Only**

Purpose of Report

- 1.1 The purpose of this business paper is to brief Council on progress made with regard to the Communications Strategy as well as any other projects that have arisen in the past six months.

Background

- 2.1 The Communications Strategy 2015 was adopted by Council in December 2015.
- 2.2 The focus of the strategy is to guide Council's day-to-day communications activities, set Council's expectations for media and allow better and more genuine engagement between Council and the community.

Commentary

3.1 Corporate Communications

- 3.2 The following update provides a summary of corporate communications recently carried out in support of achieving the seven key objectives of the Strategy.

3.3 Promote the value of Council's role in the community

Communications method	Description	Date
Waitomo Way Website	<ul style="list-style-type: none"> Waitomo District Library services, holiday reading programmes, planned events i.e Magic Show by Trevor Sills. 	<i>Ongoing</i>
Community Update Newspaper Radio Facebook Printed Guides and	<ul style="list-style-type: none"> Civil Defence Emergency preparedness in conjunction with Waikato CDEM. <ul style="list-style-type: none"> Never happens, happens campaign. Sharing of social media posts Updates on Kaikoura earthquake Advice on drop, cover and hold, and tsunami response. 	<i>Ongoing</i>

Forms Community newsletters: Piopio Birdtalk Tainui Trading Post	<ul style="list-style-type: none"> • Community Services activities and projects <ul style="list-style-type: none"> ○ Les Munro Centre ○ Public gardens and amenities ○ Tender notices ○ Brook Park ○ Railway Station projects 	<i>Ongoing</i>
	<ul style="list-style-type: none"> • Solid Waste Management and Minimisation <ul style="list-style-type: none"> ○ Promotion of kerbside collection service ○ Promotion of Love Food Hate Waste Campaign ○ Benefits of composting at home ○ Renewal of existing web guides ○ Development of a Visitors Guide to Recycling and Waste Disposal 	<i>Ongoing</i>
	<ul style="list-style-type: none"> • Responsible dog ownership and Bylaw information. • Extra focus on public education around stock on roads - owner's responsibilities to check fences and manage stock. 	<i>Ongoing</i>
	<ul style="list-style-type: none"> • Rural Fire Season status updates and permit application process 	November 2016 – February 2017
	<ul style="list-style-type: none"> • Community Events: Waitomo District Christmas Parade and The Great NZ Muster 	November 2016 - February 2017

3.4 **Encourage involvement in local decision-making**

Communications method	Description	Date
Waitomo Way Website Community Update Newspaper Radio Facebook	<ul style="list-style-type: none"> • 2016 Triennial Elections <ul style="list-style-type: none"> ○ Get ready to vote ○ Voting in 2016 local council elections ○ Meet the Candidates evening ○ Elections Result 	July – October 2016
Waitomo Way Website Community Update Newspaper Radio Facebook	<ul style="list-style-type: none"> • Local Easter Sunday Shop Trading Policy 	October 2016 – February 2017

Communications method	Description	Date
Facebook Website	<ul style="list-style-type: none"> Support in sharing the NZ Transport Agency consultation information about Mt Messenger and Awakino Tunnel bypass projects; safety and resilience improvements for State Highway 3 	October – November 2016
Waitomo Way	<ul style="list-style-type: none"> Preliminary information on the development of the draft Exceptions Annual Plan 2017/18 	December 2016

3.5 **Ensure communities are well informed on Council's activities/operations**

Communications method	Description	Date
Waitomo Way Website Newspaper Facebook	<ul style="list-style-type: none"> Roads and Footpaths projects Notice of Temporary Road Closures State Highway projects via the NZ Transport Agency 	<i>Ongoing</i>
Waitomo Way Website Newspaper Radio Facebook	<ul style="list-style-type: none"> Te Kuiti Water Treatment Plant upgrade <ul style="list-style-type: none"> Updates on current stage of project Water Restrictions Commencement of the water conservation campaign in relation to the upgrade. 	<i>Ongoing</i>
Waitomo Way Website Newspaper Facebook	<ul style="list-style-type: none"> Temporary relocation of Te Kuiti iSITE Visitor Information service during the restoration of premises. 	October – November 2016
Website Newspaper Facebook	<ul style="list-style-type: none"> Track maintenance and machinery operating within Brook Park 	November 2016
Waitomo Way Website Newspaper Facebook Hardcopy Flyer direct to residents	<ul style="list-style-type: none"> Water Services projects including the Mokau Water Main replacement project. 	August – October 2016

3.6 **Support Council's reputation in the District**

Communications method	Description	Date
Website	<ul style="list-style-type: none"> Renewal of public information/ publications (Policy, Bylaw, Plans, Forms and Guides). 	<i>Ongoing</i>
Newsletters	<ul style="list-style-type: none"> Contribution of Council service information and news in community newsletters. 	<i>Ongoing</i>
Facebook	<ul style="list-style-type: none"> Promoting successful Community Services projects. 	<i>Ongoing</i>
Media	<ul style="list-style-type: none"> Coordination of media requests and responses. 	<i>Ongoing</i>

3.7 **Support Council's reputation within the Local Government (LG) sector**

Communications method	Description	Date
Website	<ul style="list-style-type: none"> Publication of shared media releases: <ul style="list-style-type: none"> Healthy Rivers Wai Ora committee recommended proposed plan change Waikato Plan LGNZ National Council 	<i>Ongoing</i>
Website Facebook	<ul style="list-style-type: none"> Publication of shared media releases from Local Government New Zealand 	<i>Ongoing</i>
Facebook	<ul style="list-style-type: none"> Promotion of the organisation's support for the people of North Canterbury by wearing red and black mufti, and raising funds for the Kaikoura District Council Earthquake Relief Fund. The post received more than 27 likes and was viewed by 443 people on facebook. 	November 2016

3.8 **Attract people to live or work in and visit the Waitomo District**

Communications method	Description	Date
Waitomo Way Website Advertisement in newspaper	<ul style="list-style-type: none"> DigiTalk in collaboration with Otorohanga District Council Update on Government's extension to UFB programme. 	October 2016
Website Facebook	<ul style="list-style-type: none"> Citizenship Ceremonies 	<i>Ongoing</i>
Facebook	<ul style="list-style-type: none"> Sharing of posts from Hamilton and Waikato Tourism's facebook page. 	<i>Ongoing</i>

Communications method	Description	Date
Publications	<ul style="list-style-type: none"> Distribution of 'New Resident Welcome Packs'. 	<i>Ongoing</i>
Facebook	<ul style="list-style-type: none"> Sharing of District landscape, community and tourism images. 	<i>Ongoing</i>

3.9 Promote a sense of community and pride of place

Communications method	Description	Date
Waitomo Way Website Newspaper Facebook Radio Printed Media	<ul style="list-style-type: none"> 2017 Waitomo District Calendar Competition <ul style="list-style-type: none"> Promotion of competition Establish entry and voting platform Publication of winners 	September - November 2016
Facebook	<ul style="list-style-type: none"> Organisation's support and participation in the 2016 Clean Up week (Keep NZ Beautiful) at Mangaokewa Reserve. 	September 2016
Waitomo Way Facebook	<ul style="list-style-type: none"> Promotion of improvements to main street gardens, Japanese Garden. Sharing of information about bollards and restricting vehicle access to reserves etc. 	<i>Ongoing</i>
Website Newspaper	<ul style="list-style-type: none"> Zero tolerance to graffiti and vandalism using the 'Keep our District Vibrant and Thriving' branding. 	<i>Ongoing</i>

3.10 Statistics

Communications method	Description	Date
Waitomo District Council Facebook	<ul style="list-style-type: none"> Page likes have increased from 1,052 to 1,324. People who like the page are predominantly in the age group 18-24 years. 40% are male and 60% are female. The top 10 locations of fans are: <ol style="list-style-type: none"> Waitomo 134 Hamilton 130 Hangatiki 89 Auckland 78 Otorohanga 51 Christchurch 32 Te Awamutu 29 New Plymouth 28 Wellington 25 Piopio 24 	February 2017

Communications method	Description	Date
Animal Control Facebook	<ul style="list-style-type: none"> • Page likes have increased from 578 to 838. • People who like the page are predominantly in the age group 25-34 years. 22% are male and 78% are female. • The top 10 locations of fans are: <ol style="list-style-type: none"> 1. Waitomo 112 2. Hamilton 109 3. Hangatiki 78 4. Otorohanga 60 5. Auckland 37 6. Te Awamutu 21 7. Waikato 21 8. Piopio 18 9. Tauranga 12 10. Rotorua 11 	February 2017
Te Kuiti Visitor Information Facebook	<ul style="list-style-type: none"> • Page likes have increased from 318 to 821 • People who like the page are predominantly in the age group 25-34 years. 39% are male and 61% are female. • The top 10 locations of fans are: <ol style="list-style-type: none"> 1. Hamilton 70 2. Auckland 61 3. Waitomo 60 4. Hangatiki 48 5. Otorohanga 31 6. Tauranga 23 7. Palmerston North 15 8. Waikato 14 9. Wellington 13 10. New Plymouth 13 	February 2017
Mayor Facebook	<ul style="list-style-type: none"> • Page likes have increased to 220 • People who like the page are predominantly in the age group 18-24 years. 50% are male and 50% are female. • The top 10 locations of fans are: <ol style="list-style-type: none"> 1. Auckland 30 2. Hamilton 25 3. Waitomo 9 4. Wellington 7 5. Christchurch 7 6. Wiri (Auckland) 6 7. Hangatiki 6 8. Waikato 5 9. Rotorua 4 10. Glen Eden (Auckland) 3 	February 2017
Website	<p>For the six month period the website had:</p> <ul style="list-style-type: none"> • A total of 694 page views. • A total of 297 people visited the website; 133 were returning users, and 164 were new users. • 111 people used a mobile or tablet device to view the website. • The average user viewed two pages per session. 	February 2017

Communications method	Description	Date
Waitomo Way	<ul style="list-style-type: none"> • There are 114 people subscribed to the online newsletter. • Four issues of the newsletter were published, covering 62 articles on Council news, activities and projects. • The printed newsletter is distributed to 3,923 letterboxes across the District. • Plus an additional mailer was sent to 218 non-resident Mokau/Awakino ratepayers. 	February 2017

3.11 2017 Resident Satisfaction Survey

3.12 Council carries out a Resident Survey (RS) each year which seeks to gauge the opinion of residents on a wide range of services and activities delivered by Council.

3.13 It has been considered important by Council to understand the relevance of these services, how satisfied residents are with these services; and where there is scope for improvement in the eyes of the community this can be factored into Council's planning for future service levels.

3.14 The development of the 2017 Survey is coming up. For consistency purposes and to gauge community feedback ahead of the development of the 2018-28 LTP, it is recommended that a paper survey is developed and conducted in-house similar to that being used for the past 2 years, and delivered direct to all letterboxes across the District.

3.15 Council's input on the 2017 Resident Satisfaction Survey; additions and/or changes to the content are sought.

Suggested Resolution

The business paper Progress Report Communications Strategy be received.



VIBHUTI CHOPRA
GROUP MANAGER-CORPORATE SERVICES

20 February 2017

Document No: A339929

Report To:

Council



Meeting Date: 28 February 2017

Subject: **Adoption of Local Easter Sunday Trading Policy**

Type: Decision Required

Purpose of Report

- 1.1 The purpose of this business paper is to present the Local Easter Sunday Trading Policy to Council for consideration and adoption.

Background

- 2.1 The Shop Trading Hours Act 1990 (the Act) was amended in 2016 to enable territorial authorities to decide whether retailers in their districts can open on Easter Sunday.
- 2.2 Council can introduce a local policy to allow for shop trading in their entire district or in limited areas on Easter Sunday.
- 2.3 A local Easter Sunday Trading Policy cannot:
 - Permit shops to open only for some purposes, or
 - Permit only some types of shops to open, or
 - Specify times at which shops may or may not open, or
 - Include any other conditions as to the circumstances in which shops in the area may open.
- 2.4 Prior to this amendment to the Act a limited range of shops such as dairies and garages were permitted to open on Easter Sunday.
- 2.5 Local Easter Sunday Trading policies are not able to control or override shop trading provisions in other legislation, such as alcohol licencing provisions.
- 2.6 Easter Sunday continues to be a day of significance across New Zealand and some people would rather not work on this day. Because of this, all shop employees will be able to refuse to work on Easter Sunday without any repercussions for their employment relationship.
- 2.7 Attached to and forming part of this business paper is a copy of WDC's proposed Local Easter Sunday Trading Policy.

Commentary

- 3.1 At its meeting on 29 November 2016 Council approved the Draft Local Easter Sunday Trading Policy and the Statement of Proposal for community consultation

- to be carried out as per the Special Consultative Procedure set out in the LGA 2002.
- 3.2 Public consultation was carried out in the period 7 December 2016 to 27 January 2017.
- 3.3 Copies of the Statement of Proposal were made available at Council Offices, the Waitomo District Library and the i-site.
- 3.4 The following methods of communication were used to provide information on the consultation to the local community:
- Notice in the paper,
 - Article in the December edition of the Waitomo Way,
 - Posts on WDC's facebook page,
 - WDC's radio slots during January,
 - Waitomo News article on 1 December, and
 - Local New Zealand focus article on 24 January.
- 3.5 Five submissions were received (copies attached). No submitters wish to speak at the Council Hearings.
- 3.6 Four of these submissions were completed on WDC's submission form. The submission form included two key questions:
- a) Would you like to see shops in the district which are currently not allowed to open on Easter Sunday open if they choose?
- b) If you agree with having a policy which allows more shops to open on Easter Sunday, do you think it should apply:
- to the whole District, OR
 - part of the District
- 3.7 All of the submitters who completed the submission form thought that shops throughout the entire District should be allowed to open on Easter Sunday if they choose. The reasoning for support of this proposal focused on the benefit to visiting tourists as well as the local community who would have the choice to shop on Easter Sunday.
- 3.8 Foodstuffs North Island Limited also sent in a submission supporting Council's proposal to allow shops in the whole of the district to open on Easter Sunday. They consider the current trading restrictions to be inconvenient for those people holidaying or travelling through the Waitomo region and their other customers who would simply like more days to buy groceries over the long-weekend.
- 3.9 Foodstuffs point out that by allowing such a policy, Council is giving individuals the ability to exercise personal choices, be that to open their shop, decide whether or not to work and whether to shop.
- 3.10 On the basis of the submissions received there are no changes recommended to the proposed Draft Local Easter Sunday Shop Trading Policy that Council adopted for consultation.

Considerations

5. **Risk**

5.1 No significant risks have been identified.

6. **Consistency with Existing Plans and Policies**

6.1 The policy is consistent with the Council's vision of creating a better future with vibrant communities and thriving business.

7. **Significance and Community Views**

7.1 As the decisions of this report concern adoption of a Policy, they are considered significant and therefore there is a greater need for community consultation.

7.2 The Council is required by the LGA to consult publicly on this Policy in accordance with the special consultative procedure.

7.3 Public consultation was carried out between the period 7 December 2016 to 27 January 2017. The results of the public consultation are reported above in the Commentary section of this business paper.

Recommendation

8.1 It is recommended that the Local Easter Sunday Shop Trading Policy that was issued for consultation be adopted.

Suggested Resolutions

1 The business paper on Adoption of Local Easter Sunday Shop Trading Policy be received.

2 Council adopt the Local Easter Sunday Shop Trading Policy to become operative on 1 March 2017.

VIBHUTI CHOPRA
GROUP MANAGER - CORPORATE

21 February 2017

Attachments: 1. Local Easter Sunday Shop Trading Policy (A330892)
 2. Submission No. 1 Madu Nahna (A338809)
 3. Submission No. 2 T Chikunda (A338810)
 4. Submission No. 3 Shayla McDonald (A338811)
 5. Submission No. 4 Mary Macnaughtan (A339165)
 6. Submission No.5 Foodstuffs North Island Limited (A340090)



LOCAL EASTER SUNDAY SHOP TRADING POLICY

Contents

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Create Date	October 2016
Adoption Date	28 February 2017
Review Due Date	February 2022
Responsibility	Corporate Group

1. PURPOSE

- 1.1. The purpose of the Local Easter Sunday Shop Trading Policy (“the Policy”) is to enable shops to trade on Easter Sunday if they wish to. The Policy neither requires shops to open, or individuals to shop on Easter Sunday.

2. BACKGROUND

- 2.1 This Policy is made under Part 2 (subpart 1) of the Shop Trading Hours Act 1990 (“the Act”) which provides Council with the ability to establish a local policy to permit shops to open on Easter Sunday.

3. SCOPE

- 3.1 This Policy applies to the entire Waitomo District (refer to Schedule 1 for a map of the Waitomo District).
- 3.2. This Policy does not:
- a) Control the types of shops that may open, or their opening hours,
 - b) Limit Council’s ability to undertake its duties, powers or functions under any other Act,
 - c) Apply to the sale and supply of alcohol which is regulated under the Sale and Supply of Alcohol Act 2012, or
 - d) Address shop employee rights, which are governed by the requirements of the Act.
- 3.3 Council is not responsible for the enforcement of this Policy. Enforcement is undertaken by the central government department that is responsible for the administration of the Act.

4. DEFINITIONS

- 4.1. Shop means a building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include –
- a) A private home where the owner or occupier’s effects are being sold (by auction or otherwise), or
 - b) A building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them, or
 - c) A building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again.
- 4.2. Goods includes all personal chattels other than alcohol (within the meaning of the Sale and Supply of Alcohol Act 2012), money, and things in action.

5. POLICY

- 5.1. Any shop is permitted to open on Easter Sunday throughout the Waitomo District.

Schedule 1 – Map of Waitomo District



Submission Form:

Draft Local Easter Sunday Shop Trading Policy

Submissions close on 27 January 2017

Sub No.

1

For office use only

Name: Madhu Nahra

Postal Address: 492 Rangitoto Road
RD 2, Te Kuiti

Email Address: _____

Phone No: 878 7819 Mobile Phone: 021 170 0846

Submissions

Council intends to hear submissions on 14 February 2017.

Do you wish to speak to Council at the Council Hearing? Yes No

If you do not tick yes, we will assume that you do not wish to attend the Council Hearing.

Please note that all submissions received will become public documents.

We are proposing to adopt a Local Easter Sunday Shop Trading Policy and are seeking your views from 7 December 2016 to 27 January 2017. Tell us what you think.

Would you like to see shops in the district which are currently not allowed to open on Easter Sunday open if they choose?

Yes

No

If you agree with having a policy which allows more shops to open on Easter Sunday, do you think it should apply:

To the whole district

Part of the District

Any other feedback-

Current law allowing only a few specified shops (eg dairies)
to open, is outdated.

With a lot more tourists visiting the area and also people
working during the week who cannot get to shops in
week hours, having shops open will make it easier for
everyone.

Shop owners should have the choice of whether they want to
open or not over Easter.



Submission Form:

Draft Local Easter Sunday Shop Trading Policy

Submissions close on 27 January 2017

Sub No. 2

For office use only

Name: T. Chikunda

Postal Address: 61 Awakino Road

Te Kūiti

Email Address: ttchikunda@yahoo.com

Phone No: _____ Mobile Phone: 0210653669

Submissions

Council intends to hear submissions on 14 February 2017.

Do you wish to speak to Council at the Council Hearing? Yes No

If you do not tick yes, we will assume that you do not wish to attend the Council Hearing.

Please note that all submissions received will become public documents.

We are proposing to adopt a Local Easter Sunday Shop Trading Policy and are seeking your views from 7 December 2016 to 27 January 2017. Tell us what you think.

Would you like to see shops in the district which are currently not allowed to open on Easter Sunday open if they choose?

Yes

No

If you agree with having a policy which allows more shops to open on Easter Sunday, do you think it should apply:

To the whole district

Part of the District

Any other feedback-

This would give families a chance to go shopping locally when not working rather than driving to shopping malls in bigger towns. This might save time and money spend on travelling as well as supporting our local businesses.



Submission Form:

Draft Local Easter Sunday Shop Trading Policy

Submissions close on 27 January 2017

Sub No. 3

For office use only

Name: Shayla McDonald

Postal Address: 26 Edward street

Te Kuiti

Email Address: HALYAHHS@gmail.com

Phone No: _____ Mobile Phone: 02102795290

Submissions

Council intends to hear submissions on 14 February 2017.

Do you wish to speak to Council at the Council Hearing? Yes No

If you do not tick yes, we will assume that you do not wish to attend the Council Hearing.

Please note that all submissions received will become public documents.

We are proposing to adopt a Local Easter Sunday Shop Trading Policy and are seeking your views from 7 December 2016 to 27 January 2017. Tell us what you think.

Would you like to see shops in the district which are currently not allowed to open on Easter Sunday open if they choose?

Yes No

If you agree with having a policy which allows more shops to open on Easter Sunday, do you think it should apply:

To the whole district Part of the District

Any other feedback-

24 January 2017

By email consultation@waitomo.govt.nz

Foodstuffs North Island Limited submission on Waitomo District Council Statement of Proposal on Easter Sunday Trading under the Shop Trading Hours Act 1990

Foodstuffs North Island Limited (**Foodstuffs**) is the franchisor of the Foodstuffs Co-operatives' brands in the North Island. Our franchisee Te Kuiti New World is a major employer in your Region employing approximately 106 people. We may of course open more stores in your Region in the future.

Foodstuffs appreciates the opportunity to make a submission and supports Council's proposal to allow shops in the whole of the district to be open on Easter Sunday.

For its part, the majority of Foodstuffs members would welcome the opportunity to open their stores on Easter Sunday. The current restriction is inconvenient for the many family holiday-makers that travel away from home to holiday destinations in the Waitomo region for the holidays and require provisions for their stay. It is also inconvenient for the many international tourists that visit and travel through the region at Easter time, and all our other customers who would simply like more days to buy groceries over the long-weekend.

We note that, if the Council were to introduce a policy allowing Easter Sunday trading, individual retailers within the district would be free to choose whether or not to open, retail employees would be free to choose whether or not to work (with statutory protections if they elect not to), and members of the public could choose, individually, whether they wanted to shop or not. In this sense permitting Easter Sunday trading would enable individuals to exercise personal choices.

We do not wish to make oral submissions.

Yours sincerely



Angela Dimery
Solicitor

DD: 09 621 0703 | M: 021 191 0346 | P: 09 621 0600
E: angela.dimery@foodstuffs.co.nz

Document No: A341599

Report To:

Council



Meeting Date: 28 February 2017

Subject: **Considerations in Joining the Local Government Funding Agency**

Type: Decision Required

Purpose of Report

- 1.1 The purpose of this business paper is to seek a decision from Council on the type of borrowing arrangement it intends to enter into with the Local Government Funding Agency (LGFA) for its debt financing needs.

Background

- 2.1 Council made an informal approach to join LGFA in October 2016 which was subsequently discussed by LGFA's Board.
- 2.2 Feedback from the Board was provided by letter dated 5 October 2016 (**Attachment 1**). In summary the Board noted the Council has managed its financial position very well over the last five years and made certain suggestions to maintain the trend.
- 2.3 A formal application was sent to the LGFA Board in November 2016 and the Board has formally approved Council's application to join the LGFA, this advice was received in December 2016.
- 2.4 Council's borrowings are secured by a charge over future rates revenue, this security is held by a trustee for the benefit of Council's secured creditors; the bank and investors. This arrangement exists under a Debenture Trust Deed that was executed on the 6 August 2010.
- 2.5 The process of joining the LGFA will involve altering the Debenture Trust Deed and certain other legal matters the extent of which will depend on the type of borrowing arrangement Council would like to enter into with the LGFA.
- 2.6 Council has the option to borrow from the LGFA as:
 1. A borrower only, or
 2. A borrower and guarantor.

Commentary

- 3.1 The following table sets out the key differences between the two types engagement with the LGFA.

Borrower and Guarantor	Borrower Only
There is no limit to borrowing under this arrangement	Council can only borrow up to a maximum of \$20 million from LGFA
The additional margin does not apply	There is an additional margin of 0.10% is added to the interest costs
The long term credit margin is +0.20%	The long term credit margin is +0.20%
The Base lending margin is 0.09% to 0.11%	The Base lending margin is 0.09% to 0.11%
Compliance with Financial covenants is necessary	Compliance with Financial covenants is necessary
Will require execution of a Guarantor Accession Deed in favour of the Security Trustee and executing an Equity Commitment Deed, along with alteration of the Debenture Trust Deed and Registry Agreement	Will require alteration of the Debenture Trust Deed and Registry Agreement

- 3.2 A Guaranteeing authority would be liable for the debts of the LGFA on a pro rata basis in the event of a demand under the guarantee being made. The guaranteeing authorities, of which **there are 43**, would share the demand liability on a pro rata basis, based on rates (property tax) revenue. As of 2 February 2017, LGFA had 52 borrower Councils of which only 9 councils were non guaranteeing councils (Buller DC, Central Hawkes Bay DC, Gore DC, Gray DC, Opotiki DC, South Wairarapa DC, Tararua DC, Horizons Regional Council and Northland Regional Council).
- 3.3 The purpose of the guarantee and other security measures is to enable the LGFA to achieve the highest credit rating possible thereby reducing interest rates for participating Local Authorities (LA's) than what could otherwise be achieved by the LA's when issuing in their own name.
- 3.4 The agency currently enjoys both a Standard and Poors and Fitch credit ratings of AA (foreign currency) and AA+ (local currency). These ratings are the same as the New Zealand crown.
- 3.5 Being a Guarantor Borrower will allow Waitomo District Council's (WDC) entire borrowing programme to be funded through the LGFA. A minimal credit facility will be maintained with the bank for working capital requirements thereby reducing the overall cost of borrowed funds.
- 3.6 If WDC is a Borrower only it will severely minimise the advantage to be gained from joining the LGFA.
- 3.7 Investor appetite on the wholesale debt market has largely dried up for WDC, leaving Westpac (and other banks) the only lenders to Council. Borrowing from the bank is considerably more expensive than through the LGFA.
- 3.8 The following table compares the finance costs under the two borrowing arrangements to highlight the difference.

	Borrower Only			Guarantor Borrower		
	Debt	Borrowing Margin	Interest on Margin	Debt	Borrowing Margin	Interest on Margin
Bank Debt	\$25M	1.30%	\$325,000	0	0.00%	0
LGFA Debt	\$20M	0.82%	\$164,000	\$45M	0.72%	\$324,000
	\$45M		\$489,000	\$45M		\$324,000
Expected Savings being a Guarantor Borrower						\$165,000

- 3.9 The analysis shown here excludes the applicable Bank rate (BKBM) and only shows the margin added by LGFA as the BKBM would remain the same in either scenario. The above scenario also excludes the unsecured term loan advanced to Inframax Construction Limited.
- 3.10 The assumptions used in this example assumes three year term debt, which is the borrowing term being offered by the bank currently. Terms longer than this from the Bank are generally prohibitively expensive.
- 3.11 In practice there will a range of debt maturity dates for borrowings from LGFA to avoid a concentration of funding risk which would occur if all debt was due to be refinanced at one time, as per Treasury policy and LGFA requirements. This would mean a range of interest rate margins being applied. The margin used in the table of 0.72% is used for simplicity and based on three year borrowing rates provided by LGFA to participating Councils as at the 8 February 2017.
- 3.12 \$25 million of WDC's current borrowing from the bank (through the Bank's Wholesale Advance Facility) has a margin of 0.80% and line of credit fee of 0.30%. The bank facility is due to mature on the 1 July 2017 and it is estimated that renewal terms will likely to be 1.00% margin and 0.30% line of credit fees, giving a total borrowing margin of 1.30% used in the finance cost analysis.
- 3.13 This high level analysis indicates an overall **potential savings of \$165,000** per annum if borrowing as a Guarantor Borrower. This example assumes a core debt of \$45 million and the saving could be as high as \$200,000 if Council's debt reaches \$52 million (EAP 2016/17; 30 June 2017 forecast debt).
- 3.14 LGFA have offered to make presentation to Council and answer any questions and concerns should Council request it.

Considerations

4.1 Council needs to consider whether to join LGFA as a Borrower only or as a Guarantor Borrower.

4.2 Risk

4.3 Joining as a Guarantor Borrower presents some risk although at a very low level being; if there is a default on a loan by another LA or the LGFA itself, there is a risk that a demand will be made under the guarantee.

4.4 In the event of a demand being made, Council's liability will be in proportion of its rates (property tax) revenue to all other guaranteeing councils.

4.5 To mitigate the risk of a demand on Guarantor Councils there are a significant number of mitigation measures and steps that would happen before a demand is made. **Attachment 2** contains is an e-mail summary from LGFA detailing the likely sequence of events that could play out before a demand is made on the guarantee.

4.6 In summary, the email notes –

- The framework set in place by LGFA includes a very strong monitoring regime, including the requirement for Reporting Certificates from Councils and additional monitoring from Office of the Auditor General and Department of Internal Affairs.
- If a Council did get into financial difficulty it is likely to be a liquidity issue (timing of cash flows) rather than a loss of capital and the LGFA has a standby facility of \$1 billion from the Crown to cover this.
- The LGFA has equity of \$50 million and annual profits of \$10 million, these can be used. It also has uncalled capital of \$20 million from shareholder Councils.
- Borrower notes of which there is \$110 million can be converted to equity.
- The process above, would be used before the LGFA would call on the guarantee from guaranteeing councils.

4.7 It should be noted that other guaranteeing councils value the guarantee (which is a contingent liability) at zero. Their annual reports note that there are stringent credit checks carried out, historically there has been no local authority default in New Zealand and the legislation is strong allowing for the recovery of funds through rates to meet any debt obligations.

4.8 There is no risk from the guarantee, of course, if Council was to join as a Borrower only. However as noted above, interest costs will be considerably more and there would be increased reliance on the bank as a funding source (above \$20 million) thereby losing the advantage of leverage through choices.

5.1 Consistency with Existing Plans and Policies

5.2 Councils Treasury Policy that was approved during August 2014 allows for borrowing from the LGFA, including and not limited to the giving of guarantees for this purpose. Set out below is an extract of the relevant section from the policy:

11.0 Local Government Funding Agency

11.1 *Despite anything earlier in this Liability Management Policy, the Council may borrow from the New Zealand Local Government Funding Agency Limited (LGFA) and, in connection with that borrowing, may enter into the following related transactions to the extent it considers necessary or desirable:*

- *Contribute a portion of its borrowing back to the LGFA as an equity contribution to the LGFA;*
- *Provide guarantees of the indebtedness of other local authorities to the LGFA and of the indebtedness of the LGFA itself;*
- *Commit to contributing additional equity (or subordinated debt) to the LGFA if required;*
- *Subscribe for shares and uncalled capital in the LGFA; and*
- *Secure its borrowing from the LGFA, and the performance of other obligations to the LGFA or its creditors with a charge over the Council's rates and rates revenue.*

5.3 However, Council's Financial Strategy for the 2015-25 LTP states (in section 4.4), Council's policy on giving Securities on its Borrowing to be:

"Council will not borrow, underwrite or guarantee loans on behalf of any other persons, association or organization"

5.4 Council considered a Business Paper introducing the LGFA at its meeting on 31 May 2011 and resolved to participate in LGFA but not as a shareholder or a Guaranteeing authority. It is important to note that at the time the LGFA had not long been incorporated.

5.5 The LGFA has now been operating for nearly 7 years and has performed exceedingly well with its Balance Sheet continuing to strengthen.

5.6 Council can, under the provisions of the LGA 2002 (Section 96) make decisions that are inconsistent with any Long Term Plan or Annual Plan.

96 Effect of resolution adopting long-term plan or annual plan

(1) The effect of a long-term plan and an annual plan adopted by a local authority is to provide a formal and public statement of the local authority's intentions in relation to the matters covered by the plan.

(2) A resolution to adopt a long-term plan or an annual plan does not constitute a decision to act on any specific matter included within the plan.

(3) Subject to section 80, and except as provided in section 97, a local authority may make decisions that are inconsistent with the contents of any long-term plan or annual plan.

(4) No person is entitled to require a local authority to implement the provisions of a long-term plan or an annual plan.

(5) This section applies subject to Part 4A of the Local Government (Rating) Act 2002.

- 5.7 Where Council is seeking to make an inconsistent decision, Section 80 provides the process for the decision to be made.

80 Identification of inconsistent decisions

(1) If a decision of a local authority is significantly inconsistent with, or is anticipated to have consequences that will be significantly inconsistent with, any policy adopted by the local authority or any plan required by this Act or any other enactment, the local authority must, when making the decision, clearly identify—

- (a) the inconsistency; and*
- (b) the reasons for the inconsistency; and*
- (c) any intention of the local authority to amend the policy or plan to accommodate the decision.*

(2) Subsection (1) does not derogate from any other provision of this Act or of any other enactment.

6.1 Significance and Community Views

- 6.2 Council resolved at its meeting in October 2012 to consult with the community to participate at the 'Borrower level' and consultation was carried out as part of the 2013-14 EAP consultation process.
- 6.3 No submissions were received against the proposal and Council adopted the proposal to join LGFA along with the 2013-14 EAP adoption.
- 6.4 Although, specific consultation on being a 'Guarantor Borrower' was not carried out, assessment against the Significance and Engagement Policy (SEP) suggests that this proposal does not trigger the need for further community consultation given that the assessed risks of a guarantee being called in are low.
- 6.5 Further to this, as the guarantee contingency is valued by other guaranteeing local authorities at zero there will be no need to increase or change Council's operating budgets for this purpose thereby not triggering the financial threshold for consultation contained in the SEP (if operating budgets increase by more than 20%).
- 6.6 If Council chooses to join as a Guarantor Borrower, the Financial Strategy will include this aspect at the next review which will be carried out as part of the 2018-28 LTP development.
- 6.7 An alternative **option** available to Council is to currently join the LGFA as a Borrower only, and consult with the community on being a 'Guarantor Borrower', as part of the 2018-28 LTP process.
- 6.8 This implications of this option are that legal costs will be higher due to the Debenture trust Deed being altered in two steps rather than one, some interest savings that could be achieved sooner will not be and the cost of funds will be 0.10% higher in the time being.

- 6.9 Another point to note is that when Council consulted with the community on joining the LGFA as part of the 2013-14 EAP process no submissions were received on this matter.

Recommendation

- 7.1 It is recommended that Council join the LGFA as a Guarantor and Borrower in order to maintain flexibility in borrowing arrangements and reduce financing costs on the ratepayers especially as the risk is assessed as being low.
- 7.2 Although this course of action would be inconsistent with Council's policy on giving securities on borrowings stated in its Financial Strategy contained in Council's 2015-25 LTP, this pathway would save costs for the ratepayers and further consultation might not add value, but would add costs. Council has the prerogative to make this decision despite its inconsistency through s96 and s80 of the LGA 2002.

Suggested Resolutions

- 1 The business paper on Considerations in Joining the Local Government Funding Agency be received.
- 2 That the Council join the Local Government Funding Agency (LGFA) as a Guarantor and Borrower. Council understands this decision to be inconsistent with the Financial Strategy within the LTP 2015-25, with respect to the giving of securities, however the risk of the guarantee is considered low and the financial benefits to outweigh the risks. Further, this aspect of the Financial Strategy; with respect of providing a guarantee to the LGFA, will be amended as part of the development of the 2018-28 LTP.
- 3 That the Mayor and Chief Executive be delegated the authority to execute all documents and transactions to give effect to Resolution 2.

Vibhuti

VIBHUTI CHOPRA
GROUP MANAGER – CORPORATE SERVICES

20 February 2017

Attachment 1: Letter from LGFA inviting a formal application to join the agency (zA1155)

Attachment 2: E-mail from LGFA detailing process before a call is made on the guarantee (zA1138)

5. The Council will take into account the following matters when assessing the degree of significance of proposals and decisions, and the appropriate level of engagement:	Assessment of the Degree of Significance
The level of financial consequences of the proposal or decision	The value of the guarantee is likely to be zero, therefore no financial consequences.
Whether the proposal or decision will affect a large portion of the community	The proposal if it did have an effect would affect the whole community as one.
Whether the impact or consequences of the decision or proposal on the affected persons (being a number of persons) will, in Council's view, be substantial	No specific groups have been identified as affected.
The likely impact on present and future interests of the community	Capturing the future interest savings and maintaining as many debt funding options as possible will have a positive effect on the community
The likely impact on Māori cultural values and their relationship to land and water	Maori would not be specifically affected by this proposal.
Whether the proposal affects the level of service of a significant activity	No effect or change to current levels of service.
Whether community interest is high	Community interest not likely to be high, however this untested.
Whether the likely consequences are controversial	The risk of demand under the guarantee is very low, however if a demand was made the consequences are likely to be controversial.
Whether community views are already known, including the community's preferences about the form of engagement	Community views are not apparent over the giving of guarantees in general or a guarantee to the LGFA.
The form of engagement used in the past for similar proposals and decisions	Approval of the Treasury management policy was at Council. Council has made the decision not to be a Guarantor
There is a legal requirement to engage with the community	Uncertain.

<p>6. If the financial consequences of the proposal or decision exceed the following thresholds the proposal or decision will be considered significant:</p> <p>A possible increase in funding requirement in excess of:</p>	
(a) 20% of total Council operating budget costs, or	No change to operating budgets, due to the value of the guarantee being zero.
(b) Capital expenditure in excess of 2.5% of the total value of Council's assets	Not relevant to capital expenditure

Chris Ryan
Waitomo District Council
PO Box 404
Te Kuiti 3941

05 October 2016

Dear Chris,

Thank you for the opportunity to meet with yourself and Vibhuti in August. It was very beneficial to obtain additional background information about the Council.

The Board of LGFA discussed Waitomo District Council's financial position at their meeting in September and I am pleased to advise that they would be happy to consider a formal application by the Council to join LGFA.

At the meeting, the Board asked that I provide you with their feedback. Please note that none of the suggestions below are conditions for Waitomo District Council joining LGFA. The comments were:

- The Board recognises that the Council has managed its financial position very well over the past five years. In particular, the Council's strong underlying operating surplus has enabled the Council to make significant investment in core infrastructure without the need to increase debt levels. The Board also noted that the Council's outcomes as measured by LGFA's financial covenants have been better than forecast in the 2012 and 2015 Long Term Plan.
- While acknowledging that the Council has performed well over the past few years, the Board notes that the Council's debt levels as measured as a percentage of revenue is still high relative to other rural councils. The Board thinks it is important that the Council maintains the momentum that it has achieved in regard to its finances.
- The Board noted the significant turn-around in the financial performance of Inframax Construction Limited (ICL) since the 2012 financial year. LGFA is comfortable with councils owning CCTO's. However, the Board thought it would be beneficial for the Council if it had a policy position whereby it was prepared to look at ownership options for ICL if in the future ICL's financial position deteriorated to a point where it would cause the Council's own financial position to significantly deteriorate.
- The LGFA Board noted that over the past few years there has been a move by a significant number of councils to establish Audit & Risk Committees. Most of these have an independent member as part of the Committee. While the Board does appreciate that because of its smaller size, the full Council has been able to incorporate the functions of an

Audit & Risk Committee, it suggested that the Council might like to give consideration to establishing an Audit & Risk Committee in the future.

On behalf of the LGFA, I look forward to Waitomo District Council's formal application to join LGFA. Please feel free to contact me if you would like to discuss further.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Mark Butcher', with a stylized flourish at the end.

Mark Butcher
Chief Executive Officer

cc Stuart Henderson, PricewaterhouseCoopers

From: Andrew Michl <andrew.michl@lgfa.co.nz>
Sent: Wednesday, 15 February 2017 10:30 a.m.
To: Wayne La Roche
Subject: Borrower Guarantee

Hi Wayne,

The process would likely play out as follows:

1. Firstly there is a very strong monitoring process. LGFA conducts its own monitoring including the requirement by councils to provide compliance certificates, but there is also monitoring of the sector by the OAG and DIA (both of who LGFA work closely with).
2. There has never been a NZ council default (one of the main reasons for this as S&P state is the very strong institutional framework that exists in contrast the framework in other countries including the United States is not as strong). The LTP's and new infrastructure strategies also assist with this.
3. Protection is provided by the LGFA financial covenant ratios. These do provide a meaningful restriction on how much debt councils can borrow. Historically, councils have not had to comply with any restrictions. As an example Tauranga had debt to revenue of greater than 250% but were still nowhere close to defaulting. It is also very unlikely that LGFA would lend any additional funds to a council that was forecasting a breach in their covenants.
4. If a council did get into financial difficulties, in the first instance it is likely to be a liquidity issue rather than a loss of capital to LGFA. It is most likely that commissioners would be appointed to work through the issue. To mitigate this risk LGFA has a \$1 billion standby facility with the Crown (that has never been used), a \$300 million liquid assets portfolio and the ability to issue more bonds. This means if a council could not repay its loan, LGFA has ample liquidity to manage the situation while a longer term plan is put in place.
5. If in the event that there was a write off in a council loan LGFA would in the first instance use its existing equity to make up the shortfall. Equity currently stands at over \$50 million (up from \$25 million when LGFA was first established).
6. LGFA could then use its profits. The current annual profit is around \$10 million a year. This is expected to continue over the next few years.
7. LGFA would then potentially increase its borrowing margins to councils. The current base lending margin is around 10 basis points. However, when LGFA first lent money in 2012 the margin was 30 basis points. If LGFA increased the base lending margin to say 20 basis points, this over time would generate an extra \$7 million of profits a year.
8. LGFA could call its unpaid capital which is \$20 million. This would not impact Waitomo as it is not a shareholder.
9. LGFA could convert some or all of its borrower notes into equity. The borrower notes are currently in excess of \$110 million.
10. Finally, LGFA could call on the guarantee.

Hopefully this gives you some feel for the steps that could be taken – however, it is important to note that the situation could play out differently depending on what the particulars of the individual situation was egg: a natural disaster may be very different than a council that has cost overruns on a infrastructure project. But I would suspect LGFA would work very closely with DIA and OAG to minimise any risk.

Hope that helps. Happy to answer any questions.

Andrew

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Andrew Michl | Manager, Credit and Client Relations | NZ Local Government Funding Agency Ltd

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