



Statutory Policies

RANGITIKEI DISTRICT COUNCIL

Version Control

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APPOINTMENT OF DIRECTORS POLICY

Policy Title: APPOINTMENT OF DIRECTORS POLICY	
Date of Adoption: 26 June 2003	Resolution: 03/RDC/168
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31 July 2008	08/RDC/198

1 Objective

To ensure that the Rangitikei District Council always follows an objective and transparent process, in order to appoint the most suitable candidates to the boards or committees of any Rangitikei District Council Organisations.

2 Policy Content

Identifying Skills, Knowledge and Experience Required of Directors

A person specification will be prepared setting out the skills, knowledge and experience of directors of each Council organisation. In preparing this, consideration will be given to:

- The nature and scope of the Council Organisation's activities, its future direction and any relevant requirements in its constitutional documents;
- The objectives of the organisation and the attributes, skills, knowledge, and experience required to contribute to the achievement of those objectives;
- The skills of any existing directors;
- Outstanding skills, knowledge and experience required; and
- Any future skills, knowledge and experience required.

3 Appointment of Directors

In each case, except as noted below, the selection and appointment process will involve:

- Preparation of a person specification as set out above.
- Advertising the position/s (at least in the local newspaper) and approaching appropriate candidates.
- The establishment of a selection panel (incorporating senior officers, relevant external people and appropriate HR expertise, if required) who will consider all applications, shortlist, interview and make a recommendation to Council.
- Or an ad hoc sub-committee to be formed to recommend to Council.

The appointment/s will be made by resolution of the full Council, sitting in Committee to protect the privacy of those involved.

Where the Council Organisation for which a director is being selected is focussed on providing support, administrative and/or internal services that are the responsibility of the Chief Executive and the Council Organisation permits and/or requires it, the Chief Executive may be appointed to the role of director by resolution of the full Council¹

4 Remuneration of Directors

Remuneration for directors of Council Controlled Trading Organisations will be determined by an analysis of market rates for comparable positions at the time appointment/s are being determined and thereafter assessed every two years.

The other positions covered by this Policy are voluntary and do not have any remuneration associated with them.

In addition, the Council is unable to control the remuneration that is paid to the directors of Council organisations that are not Council-controlled organisations as it does not control those organisations.

5 Terms

The terms used in this policy have the meaning set out in section 6 of the Local Government Act 2002.

¹ 08/RDC/198

DANGEROUS AND INSANITARY BUILDING POLICY

Policy Title: DANGEROUS AND INSANITARY BUILDINGS POLICY

Date of Adoption: 25 May 2006

Resolution: 06/RDC/143

Review Date: 2011

Statutory reference for adoption: Building Act 2004 s131

Statutory reference for review: Building Act 2004 s132

Included in the LTCCP: no

Date Amended or Reviewed	Resolution

Introduction & Background

Section 131 of the Building Act 2004 (“the Act”) requires territorial authorities (“TAs”) to adopt a policy on dangerous and insanitary buildings by 31 May 2006.

One of the key purposes of the Act, as set out in section 3, is to ensure ‘*people who use buildings can do so safely and without endangering their health.*’ Section 4 details the principles to be applied in performing functions under the Act and specifically states that TAs must take these principles into account in the adoption and review of their dangerous and insanitary building policies.

The definition of a dangerous building is set out in Section 121 (1) of the Act:

“A building is dangerous for the purposes of this Act if,-

in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause –

injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property, or

damage to other property; or

the event of fire, injury or death to any person in the building or to persons on other property is likely because of fire hazard or the occupancy of the building.”

The definition of an insanitary building is set out in Section 123 of the Act:

“A building is insanitary for the purposes of this Act if the building -

a) offensive or likely to be injurious to health because-

(i) of how it is situated or constructed; or

(ii) it is in a state of disrepair; or

b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building; or

- c) *does not have a supply of potable water that is adequate for its intended use;*
or
d) *does not have sanitary facilities that are adequate for its intended use."*

This document sets out the policy proposed to be adopted by Rangitikei District Council ("Council") in accordance with the requirements of the Building Act 2004.

The policy is required to state:

- The approach that the Council will take in performing its functions under the Act
- Council's priorities in performing those functions
- How the policy will apply to heritage buildings

In developing and adopting its Dangerous and Insanitary Buildings policy, Rangitikei District Council has followed the special consultative procedure set out in Section 83 of the Local Government Act 2002.

It is likely that in many, but not all, cases a building's dangerous or insanitary status will not be readily apparent. For that reason, any attempt to identify these buildings proactively is unlikely to be successful unless Council has considerable resources to undertake inspections and evaluations of buildings.

As a consequence, the most likely sources of information concerning dangerous or insanitary buildings will be from building occupants, neighbours, or as the result of an inspection by the police, the fire service or other agencies authorised to inspect buildings. Other sources of information will be known directly by Council, possibly following a significant weather event.

Relying on complaints to provide information concerning potentially dangerous or insanitary buildings is likely to be the only practical way in which Council can identify these buildings within the district and undertake its statutory responsibilities.

POLICY APPROACH

Policy Principles

Provisions of the Act in regard to dangerous and insanitary buildings reflect the government's broader concern with the safety of the public in buildings, and with the health and safety of people occupying buildings that may be considered to be dangerous and insanitary. However, Council recognises that public safety must be balanced against the other broader economic issues and in relation to other Council Policy.

The Council has noted that the development of a dangerous and insanitary building policy is to be undertaken by TAs independently and has responded accordingly. This policy will be developed after due consultation with Rangitikei District Council ratepayers and stakeholders in accordance with section 83 of the Local Government Act 2002.

Overall approach

Sections 124 to 130 of the Act provide the authority necessary for TAs to take action on dangerous and insanitary buildings and set out how this action is to be taken.

The Council will continue to encourage the public to discuss their development plans with Council and to obtain building consent for work Council deems is necessary prior to any work commencing. This is particularly important in order to avoid creating dangerous and insanitary conditions that could be injurious to the health of occupants, particularly children and the elderly, or where safety risks are likely to arise from a change in use.

Council has in the past relied upon complaints from various sources to identify dangerous and insanitary buildings and will continue with this passive approach.

Identifying Dangerous and Insanitary Buildings

The Council will:

- Take a passive approach to identification of buildings.
- Actively respond to and investigate all buildings complaints received.
- Identify from these investigations any buildings that are dangerous or insanitary.
- For dangerous buildings, inform the owner(s) and occupier of the building to take action to reduce or remove the danger, as is required by Section 124 and 125 of the Act; (and liaise with the New Zealand Fire Service when Council deems it is appropriate, in accordance with Section 121 (2) of the Act).
- For insanitary buildings, inform the owner(s) of the building to take action to prevent the building from remaining insanitary; (and liaise with the Medical Officer of Health when required to assess whether the occupants may be neglected or infirm).

Assessment criteria

The Council will assess dangerous and insanitary buildings in accordance with the Act and established case law, as well as the building code:

The Council will:

- Investigate as to whether the building is occupied
- The use to which the building is put
- Whether the dangerous and insanitary conditions pose a reasonable probability of danger to occupants or visitors, or to the health of any occupants

Considerations as to dangerous assessment where a building is either occupied or not may include:

- Structural collapse
- Loose materials/connections
- Overcrowding
- Use which is not fit for purpose
- Seeking advice from NZFS (121(2)(a))

Considerations as to insanitary assessment where a building is occupied may include:

- Adequate sanitary facilities for the use
- Adequate drinking water
- Separation of use for kitchen and other sanitary facilities
- Likelihood of moisture penetration
- Natural disaster
- Defects in roof and walls/poor maintenance/occupant misuse
- The degree to which the building is offensive to adjacent and nearby properties

Taking Action

In accordance with s124 and s125 of the Act the Council will:

- Advise and liaise with the owner(s) of buildings identified as being dangerous or insanitary
- May request a written report on the building from the New Zealand Fire Service; (dangerous building)
- If found to be dangerous or insanitary
- Attach written notice to the building requiring work to be carried out on the building, within a time stated in the notice being not less than 10 days, to reduce or remove the danger
- Give copies of the notice to the building owner, occupier, and every person who has an interest in the land, or is claiming an interest in the land, as well as the New Zealand Historic Places Trust, if the building is a heritage building:
- Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with;
- Where the danger is the result of non-consented building work, Council will formally request the owner(s) to provide an explanation as to how the work occurred and who carried it out and under whose instructions; (and apply for a Certificate of Acceptance if applicable).
- Pursue enforcement action under the Act if the requirements of the notice are not met within a reasonable period of time as well as any other non-compliance matters.

If the building is considered to be immediately dangerous or insanitary the Council will:

- Cause any action to be taken to remove that danger or insanitary condition (this may include prohibiting persons using or occupying the building and demolition of all or part of the building); and
- Take action to recover costs from the owner(s) if the Council must undertake works to remove the danger, or insanitary condition
- The owner(s) will also be informed that the amount recoverable by Rangitikei District Council will become a charge on the land on which the building is situated.

All owners have a right of appeal as defined in the Act, which can include applying to the Department of Building and Housing for a determination under s177(e) of the Act.

Interaction between the Dangerous and Insanitary Buildings policy and related sections of the Act

Section 41: Building consent not required in certain cases

In cases where a building is assessed as being immediately dangerous or insanitary the Council may not require building consent to be obtained for any building work required so as to remove the danger or insanitary condition immediately. However, prior to any action being taken it is imperative that building owners discuss any works with the Council, and then subsequently apply for the building consent as required by the Act.

Record Keeping

Any buildings identified as being dangerous or insanitary will have a requisition placed on the property file for the property on which the building is situated until the danger or insanitary condition is remedied.

In addition, the following information will be placed on the LIM:

- Notice issued that the building is dangerous or insanitary
- Copy of letter to owner(s), occupier and any other person that the building is dangerous or insanitary
- Copy of the notice given under section 124(1) that identifies the work to be carried out on the building and the timeframe given to reduce or remove the danger or insanitary condition.

Economic impact of policy

Due to the low number of dangerous and insanitary buildings encountered annually by the Council, the economic impact of this policy is, at this date, considered to be low.

Access to information

Information concerning dangerous and insanitary buildings will be contained on the relevant LIM, and Council records.

In granting access to information concerning insanitary buildings the Council will conform to the requirements of the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.

HERITAGE BUILDINGS

No special dispensation will be given to heritage buildings under this policy.

The fact that a building has heritage status does not mean that it can be left in a dangerous or insanitary condition. As per Section 125(2)(f) of the Act a copy of any notice issued under s124 of the Act will be sent to the New Zealand Historic Places Trust where a heritage building has been identified as a dangerous and insanitary building.

PRIORITIES

The Council will give priority to buildings where it has been determined that immediate action is necessary to fix dangerous and insanitary conditions. Immediate action will be required in those situations to fix those dangerous and insanitary conditions such as prohibiting occupation of the property, put up a hoarding or fence and taking prosecution action where necessary.

Buildings that are determined to be dangerous and insanitary, but not requiring immediate action to fix those dangerous and insanitary conditions, will be subject to the minimum timeframes to prevent the building from remaining dangerous and insanitary (not less than 10 days) as set in Section 124(1)(c) of the Act.

DEVELOPMENT CONTRIBUTIONS OR FINANCIAL CONTRIBUTIONS POLICY

Policy Title: DEVELOPMENT CONTRIBUTIONS POLICY	
Date of Adoption: 15 July 2004	Resolution for LTCCP: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s102 (4)	
Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 24 November 2005	05/RDC/426
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233
Adopted in the LTP draft 2012 27 October 2011	11/SPP/103

The Council's present policy is to not require development contributions.

Sections 197-211 of the Local Government Act 2002 introduced a regime enabling the territorial authority to charge development contributions when a resource consent or building consent is issued or a service connection is required. Development contributions are only intended to be required to meet the cost of capital expenditure required as a result of growth.

The District is not experiencing population growth. Thus, there is no capital expenditure proposed in the LTCCP to meet increased demand for community facilities resulting from growth.

However, specific growth in some areas may need additional capital expenditure. The District Plan provides for financial contributions. Typically these are limited to the cost of physical infrastructure necessary to serve an approved subdivision. The Council's District Plan does not require land or cash for reserves. The Council's District Plan can be viewed at the Council offices in Marton and Taihape, its libraries, and on the Council web site www.rangitikei.govt.nz.

DEVELOPMENT OF MĀORI CAPACITY TO CONTRIBUTE TO COUNCIL DECISION-MAKING POLICY

Policy Title: DEVELOPMENT OF MĀORI CAPACITY TO CONTRIBUTE TO COUNCIL DECISION-MAKING	
Date of Adoption: 9 March 2009	Resolution for LTCCP: 09/RDC/233
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 schedule 10	
Statutory reference for review: none	
Included in the LTP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233
Reviewed at Te Roopu Ahi Kaa 14 February 2012	12/IWI/006 12/RDC/029
Adopted in the LTP 2012: 28 June 2012	12/RDC/104

Introduction

Clause 5 of Schedule 10 of the Local Government Act 2002 requires that the Council outline any steps it might take to foster the development of Māori capacity building to contribute to its decision-making processes, over the period covered by this plan.

The key provision in the Local Government Act 2002 regarding the Council's relationship with Māori is section 81, which requires all councils to fulfil three primary tasks:

- a) Establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and
- b) Consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and
- c) Provide relevant documentation to Māori for the purposes of the above two paragraphs.

The Memorandum of Understanding: Tutohinga

The Memorandum of Understanding, initially signed in 1998, recognises the fundamental role of Iwi in the District and the essential partnership between Iwi and the Rangitikei District Council. The key mechanism for delivering on the partnership intent of the Memorandum is Te Roopu Ahi Kaa, a standing advisory committee of the Council. Tangata Whenua of the District are represented on the Komiti, as is the Ratana Community. Komiti members have been regularly briefed on progress in reviewing the District Plan and in developing the LTP, and have reviewed the policies/statements of particular relevance to Māori.

The Memorandum is subject to review at the same time as each Representation Review. So the last review was in 2006 and the next will begin in August 2012.

During the last triennium, Te Roopu Ahi Kaa reviewed its strategic plan, adopted in December 2006. This plan identifies a number of actions to achieve three goals – building stronger relationships between Council and Te Roopu Ahi Kaa, building stronger relationships between Council and Iwi, hapu, whanau and Māori communities, and building cultural awareness. Considerable time has been spent reflecting on foundations for closer engagement with the Council. Improved communication is a factor, and Elected Members have responded to the Komiti's invitation to attend their bi-monthly meetings. In addition, and immediately more significant, the Komiti recognised that several Iwi lacked the capacity to develop and drive a strategic plan. Ensuring that the Komiti retains relevance to its members is critical. In 2011, feedback from the authorities who nominated members: all were either fairly or very satisfied with opportunities to participate in Council decision-making through Te Roopu Ahi Kaa.

Building on current strategies

One of the early components of the Representation Review is consideration whether one or Māori wards should be established in the District. Council referred this matter to the Komiti for its consideration in August 2011. The Komiti did not make a recommendation on this proposal. Instead it resolved that the future of Te Roopu Ahi Kaa as an advisor group be considered against the value of direct relationships between Iwi and Council.² Further workshop discussion has clarified that this is not an 'either-or' question but one of establishing complementary relationships, understanding both the potential advantages and disadvantages of both.

The Iwi Advisory Komiti is an opportunity for Iwi/hapu without the capacity to engage independently are supported to engage in a relationship with Council. However, the Iwi Advisory Komiti does not pre-empt the opportunity for individual Iwi/hapu to have a direct relationship with Council.

² Te Roopu Ahi Kaa, 13 September 2011: 11/IWI/024

During the next three years developing these complementary relationships will be a significant matter for the Council, the Komiti and particular Iwi. In addition, it is intended to continue the pilot Community Development project, currently involving the Otaihape Māori Komiti (OTMK). This project has been a 12 month programme in two parts. The first element supports three community events in Taihape (Whanau Sports Day, Waitangi Day and Matariki celebratory events). The second element provides for facilitated caucusing of Mokai Patea representatives to Te Roopu Ahi Kaa in order to provide a more focused voice at the Komiti from the northern rohe.

Finalisation of Treaty claims is a significant development in the Rangitikei. Ngati Apa's claim has been settled, and they have already expressed interest in seeking closer working relationships with Council. At present the Taihape claim is proceeding. Settlement is some time away but, when this is done, it is also likely to promote stronger working relationships with Council.

Reflecting the intention of the Memorandum of Understanding: Tutohinga, the Council and Te Roopu Ahi Kaa are committed to looking for more effective ways to ensure that Māori are well informed, have an ability to have input into processes and, when they do so, understand the reasons for the Council's response.

DOG CONTROL AND OWNER RESPONSIBILITY POLICY

Policy Title: DOG CONTROL AND OWNERSHIP RESPONSIBILITY POLICY	
Date of Adoption: 30 September 2004	Resolution: 04/RDC/235
Review Date: none	
Statutory reference for adoption: Dog Control Amendment Act 2003 s10	
Statutory reference for review: none	
Included in LTCCP: no	
Date Amended or Reviewed	Resolution
29 May 2008	08/RDC/117
27 November 2014	14/RDC/247

INTRODUCTION

- 1.1 Under the Dog Control Act 1996 Council is responsible for both administering the Dog Control Act 1996 within its territorial district and developing a dog control bylaw. This policy forms the basis of the Rangitikei District Council Dog Control Bylaw 2014 which is made pursuant to Section 20 of the Act and sets out a framework on how Council proposes to implement the various measures prescribed by the Act as being the responsibility of Council, meet community outcomes and Council's performance measures for dog control as set out in its 10 Year Long Term Plan.
- 1.2 Council acknowledges that the majority of dog owners within the Rangitikei district are responsible dog owners and that most interactions between dogs and people are positive. However, there will always be instances when a dog becomes a nuisance or danger to the community. A core feature of this policy is ensuring a balance is maintained between public safety and meeting the recreational needs of dogs and their owners.
- 1.3 In developing this policy Council has had regard to the urban / rural character of the Rangitikei district and has sought to encourage and reward responsible dog ownership recognising the value of well-behaved dogs whilst ensuring adequate measures are in place to minimise or mitigate the nuisance to the community that dogs can cause.

2. DEFINITIONS

“**Act**” means the Dog Control Act 1996 and any amendments to it.

“**At Large**” means at liberty, free, not restrained.

“**Bylaw**” means the Dog Control Bylaw 2014.

“Confined” means enclosed securely in a building or vehicle or tied securely to an immovable fixture on a premise or within an enclosure from which the dog cannot escape.

“Dangerous Dog” means any dog that behaves aggressively or threatens the safety of any person, stock, poultry, domestic animal or protected wildlife as defined under Section 31 of the Act.

“Disability Assist Dog” has the same meaning as defined under the Act.

“Dog Control Officer” means a dog control officer appointed under Section 11 of the Act; and includes a warranted officer exercising powers under Section 17 of the Act.

“Dog Ranger” means a dog ranger appointed under Section 12 of the Act; and includes an honorary dog ranger.

“Domestic Animal” has the same meaning as defined under the Act

“Council” means Rangitikei District Council.

“Infringement Offence” has the meaning given to it under Section 65(1) of the Act.

“Menacing Dog” has the same meaning as defined under the Act and means any dog that Council considers may pose a threat to any person, stock, poultry, domestic animal or protected wildlife due to either observed or reported behaviour or dogs which are classified as menacing under Section 33A or 33C of the Act.

“Neutered Dog” has the same meaning as defined under the Act.

“Non-Working Dog” means all dogs that are not working dogs as defined in this Policy.

“Owner” has the same meaning as defined under the Act.

“Policy” means the Dog Control and Owner Responsibility Policy.

“Poultry” has the same meaning as defined under the Act.

“Probationary owner” means a dog owner who has received three or more infringement notices in a 24 month period or been convicted of any offence under the Act or any offence against Part 1 or Part 2 of the Animal Welfare Act 1999 in respect of a dog, or any offence against Section 26ZZP of the Conservation Act 1987, or Section 561 of the National Parks Act 1980.

“Protected Wildlife” has the same meaning as defined under the Act.

“Public Place” has the same meaning as defined under the Act.

“Under Control” means a dog that is under the direct control of a person either through the use of a leash, voice or hand commands (when in a leash free area) or which has its movements physically limited through the use of a leash and/or muzzle.

“Registration Year” has the same meaning as that given to the term “financial year” in Section 5(1) of the Local Government Act 2002.

“Roaming Dog” has the meaning given under Section 52 of the Act any is any dog unaccompanied by its owner found in a public place or on private land or premises other than that occupied by the owner.

“Rushing” has the same meaning as defined under Section 57 (1) of the Act and includes a dog in a public place which rushes at, or startles any person or animal in a manner that causes a person to be killed, injured or endangered; or any property to be damaged or endangered; or which rushes any vehicle in a manner that causes or is likely to cause an accident.

“Stock” has the same meaning as defined under the Act.

“Working Dog” has the same meaning as defined under the Act.

3. LEGISLATIVE CONTEXT

3.1 Section 4 of the Act states that the purpose of the Act is

“(a) to make better provision for the care and control of dogs –

i. by requiring the registration of dogs; and

ii. by making special provision in relation to dangerous dogs and menacing dogs; and

iii. by imposing on the owners of dogs, obligations designed to ensure that dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person; and

iv. by imposing on owners of dogs obligations designed to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife; and

(b) to make provision in relation to damage caused by dogs.

3.2 Dog owners are responsible for their dog and its behaviour. Section 5 of the Act sets out statutory obligations for every dog owner which they are required to comply with and include:

“(a) Ensuring that the dog is registered in accordance with the Act and that all relevant territorial authorities are promptly notified of any change of address or ownership of the dog;

(b) Ensuring that the dog is kept under control at all times;

(c) Ensuring that the dog receives proper care and attention and is supplied with proper and sufficient food, water and shelter;

- (d) *Ensuring that the dog receives adequate exercise;*
- (e) *Taking all reasonable steps to ensure that the dog does not cause a nuisance to any other person, whether by persistent and loud barking or howling or by any other means;*
- (f) *Taking all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person;*
- (g) *Taking all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife;*
- (h) *Taking all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person;*
- (i) *Complying with the requirements of the Act and of all regulations and bylaws made under the Act.*

Nothing in the Act limits the obligations of any owner of a dog to comply with the requirements of any other Act or of any regulations or bylaw regulating the control, keeping, and treatment of dogs.

4. POLICY CONSIDERATIONS

4.1 Dog control is a statutory regulatory function which Council is required under Section 6 of the Act to provide. Further, Council is required under Section 10 of the Act to adopt a dog control policy which must:

- a) Specify the nature and application of any bylaw made or to be made under Section 20;
- b) Identify any public place from which dogs are to be prohibited, either generally or at specified times, pursuant to a bylaw made under Section 20(1)(a);
- c) Identify any particular public place, and any areas or parts of the district in which dogs (other than working dogs) in public places are required by a bylaw made under Section 20(1)(b) to be kept on a leash;
- d) Identify those areas or parts of the district in respect of which no public place or area has been identified under paragraph (b) or (c) above; and
- e) Identify any space within areas or parts of the district that are to be designated as dog exercise areas permitting dogs to be exercised at large;
- f) State whether dogs classified by Council as menacing dogs under Section 33A or 33C are required to be neutered and if so, whether the requirement applies to all such dogs and if not, the matters

Council has taken into account when determining that a particular dog must be neutered;

- g) State whether dogs classified by any other Council as menacing dogs under Section 33A or 33C are required to be neutered under Section 33EB(2) if the dog is currently registered with Council and, if so whether the requirement applies to all such dogs and if not, the matters Council will take into account when determining whether a particular dog must be neutered;
- h) Include such other details of the policy as Council thinks fit including, but not limited to, details of the policy in relation to:
 - i. Fees or proposed fees;
 - ii. Owner education programmes;
 - iii. Dog obedience courses;
 - iv. The classification of owners;
 - v. The disqualification of owners; and
 - vi. The issuing of infringement notices.

5. POLICY OBJECTIVES

5.1 Council seeks to promote a high standard of dog care and control so that people can enjoy the benefits of a dog ownership without adversely affecting other members of the public, and for people of all ages to feel safe in our communities during their interactions with dogs.

5.2 As required by Section 10(4) of the Act, this policy has been made having regard to the need to:

- a) Minimise danger, distress and nuisance to the community;
- b) Avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
- c) Enable, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
- d) Provide for the exercise and recreational needs of dogs and their owners.

6. SHARED SERVICES AND COMMUNITY PARTNERSHIPS

6.1 Council Officers liaise on dog control issues (as appropriate) with key external community stakeholders such as the SPCA, veterinary surgeons, New Zealand Police, dog obedience clubs, kennel/dog breed clubs and adjoining councils.

6.2 Recent amendments to the Local Government Act 2002 require Council to fulfil its dog control obligations under the Act in an efficient and cost effective method. Council does this partly through contractual agreement with Manawatu District Council and Wanganui District Council.

7. NATURE AND APPLICATION OF POLICY

7.1 FEES AND CHARGES

Registration fees

- 7.1.1 Registration of dogs is a central principle of the Act, with all registered dogs listed in the national dog database. Councils are statutorily required to keep a register of all dogs registered in their district and dog owners must ensure that their dogs are registered with Council each year. Dog registration is an effective tool for Council to use to communicate with known dog owners, and creates a valuable record detailing the history of each dog and dog owner within the district.
- 7.1.2 Council's tiered fee structure reflects a partial "user pays" system in that the dog control activity is partially funded through Council rates as the service incorporates an element of public good associated with community safety outcomes. Despite payment of both registration and impounding fees Council does not fully recover the costs associated with this regulatory activity.
- 7.1.3 The dog registration fees are set by Council each year and reflect the respective levels of service required by each category of dog owner. Payable by 1 August each registration year, reduced registration fees are payable for neutered dogs, working dogs, and "good owners" providing an incentive for responsible dog ownership.
- 7.1.4 A key component of this policy is the control of dogs within the district particularly unwanted dogs and accordingly registration fees for dogs which have been neutered are set lower than dogs which have not been neutered.
- 7.1.5 All dogs over the age of three months are required to be registered. Accordingly, when a dog is first registered only the balance of the current years registration fee is payable.
- 7.1.6 Dog owners are required to advise Council promptly of any change of dog ownership or address.
- 7.1.7 Registration fees are set for all dogs over three months of age for each registration year. The registration fee shall be payable by 1 August in each registration year. A prompt payment discount of 33% is given when full payment is received by this date.
- 7.1.8 Pursuant to Section 32(1)(e) of the Act the registration fee of a dog classified as dangerous is 150% of the level that would apply if the dog were not so classified.

Impounding fees

- 7.1.9 Council has a statutory duty of care pursuant to Sections 67-72 of the Act for all dogs impounded, seized or committed to its custody. Each year

Council pursuant to Section 68 of the Act sets fees relating to the impounding, seizing or committing dogs to its custody and the costs associated with this activity.

These fees are intended to capture the costs of Councils Officers time undertaking such activities, the daily sustenance costs for impounded dogs and also the costs associated with euthanising impounded dogs. As part of the tiered user pays fees structure for dog control activities but also as a sanctioning /deterrent element of this policy Council resolved to impose higher pound fees on the owner of any dog which has a second or subsequent impoundment within a single 12 month period.

- 7.1.10 Before any impounded dog can be released into the care of its owner or rehomed all impounding fees and charges must be paid in full and the dog (if not already) must be registered and micro chipped.

7.2 DOG CONTROL MATTERS

- 7.2.1 Dog owners must keep their dogs on a leash at all times when in a public place, (excluding those locations designated as dog exercise areas or where dogs are specifically prohibited). Dog owners are required to keep their dog under continuous and effective control when in a public place.
- 7.2.2 Any dog which is placed on an open tray of a vehicle must be kept restrained by a leash or chain of a length which is sufficiently short to ensure that the dog cannot fall from the vehicle or rush at passers-by. This provision will not apply if the dog is placed in a wire cage which can adequately contain it.
- 7.2.3 Bitches in season are not permitted to enter or remain upon a public place except a registered veterinary clinic and must be kept contained upon their owner's property in such a way so that they are inaccessible to roaming dogs.
- 7.2.4 Dogs suffering from an infectious disease, distemper or mange are not permitted to enter or remain upon a public place but must be kept contained within its owner's property or alternatively be confined at a registered veterinary clinic while the disease, distemper or mange is being medically treated.
- 7.2.5 Council provides signage to inform the community of areas where dogs are prohibited or required to be on a leash or where they may be exercised off the leash. Signage is also used to reinforce Councils requirement that dog owners remove their dog's faeces when on public places.
- 7.2.6 Any dog owner or person responsible for a dog when out on any public place or upon land not owned or occupied by that person, must carry a suitable container to collect and remove any dog faeces defecated by the dog under their control, and dispose of it in a sanitary manner. Dog faeces can contain bacterial disease or parasites which are potentially dangerous to public health particularly for children.

- 7.2.7 Any dog found roaming on any public place or private land not owned or occupied by its owner shall be in breach of Council's Dog Control Bylaw and may be impounded or destroyed.

7.3 DOG OWNERSHIP

Minimum Standard of Accommodation

- 7.3.1 Dog ownership carries with it responsibilities on the part of the owner to provide the dog with proper facilities, care and attention and exercise. Failure to do so can lead to unhealthy conditions for the dog and give rise to nuisance to neighbours through odours, vermin, pests and noise from the dog barking or howling.
- 7.3.2 Every owner, or person responsible for a dog must ensure that the area of the property that the dog has access to is fully fenced suitable for the purpose of confining the dog.
- 7.3.3 Every owner, in respect of every dog in the care of the owner, must provide accommodation, which meets the following minimum standards:
- a) A weatherproof kennel in which there is sufficient room for the dog to stand up and turn around;
 - b) The kennel must be constructed on dry ground and be sheltered from the weather. It should be a solid structure with a roof and a floor, and allow the dog access to clean water at all times and be kept in a clean and sanitary condition.
- 7.3.4 The kennel must not be located nearer than one metre to any boundary of the property. Failure to comply with this is an offence under the Dog Control Bylaw and may result in an infringement notice being issued.
- 7.3.5 The dog owner must ensure that their dog is supplied with proper and sufficient food and water, is free from injury or infection or, is receiving proper care and attention for the injury or infection. Failure to comply with this is an offence under the Dog Control Bylaw and may result in an infringement notice or prosecution under the Act.
- 7.3.6 Each dog owner must ensure that their dog is not fed, nor has access to, any untreated sheep or goat meat.
- 7.3.7 Each dog owner must ensure that the dog receives adequate exercise.
- 7.3.8 Where a case of neglect or cruelty to a dog is found an appropriate agency will be informed and the dog may be seized immediately.

7.4 DOG CLASSIFICATION

Dangerous Dogs

- 7.4.1 Sections 31 – 33 of the Act set out the reasons how or why a dog may be classified as dangerous and the obligations and responsibilities such a classification imposes on the dog owner.
- 7.4.2 Pursuant to Section 31 of the Act Council must classify a dog as dangerous if:
- a) the owner of the dog has been convicted of an offence in relation to the dog under section 57A(2)³ of the Act; or
 - b) the territorial authority has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on 1 or more occasions, reasonable grounds to believe that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife; or
 - c) the owner of the dog admits in writing that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife.
- 7.4.3 When a dog is classified as dangerous Council must give the owner of the dog notice of its classification whereupon the owner has 14 days to object in writing to Council of its classification. The owner is entitled to be heard by Council in support of their objection to the classification.
- 7.4.4 The owner of a dog classified as dangerous must ensure that the dog is:
- a) kept contained within a securely fenced area of their owners property which it is not necessary to enter to obtain access to at least 1 door of any dwelling on the property;
 - b) kept confined within a vehicle or cage, or muzzled in such a manner to prevent the dog from biting but allowing it to breathe and drink without obstruction, or controlled on a leash (except when in a dog exercise area) when in a public place or private way; and
 - c) neutered or has been neutered within 1 month of receipt of the dangerous dog classification and produces to Council a veterinary certificate confirming this; or

³ **57A Dogs rushing at persons, animals, or vehicles**

(1) This section applies to a dog in a public place that—

(a) rushes at, or startles, any person or animal in a manner that causes—

(i) any person to be killed, injured, or endangered; or

(ii) any property to be damaged or endangered; or

(b) rushes at any vehicle in a manner that causes, or is likely to cause, an accident.

(2) If this section applies,—

(a) the owner of the dog commits an offence and is liable on conviction to a fine not exceeding \$3,000 in addition to any liability that he or she may incur for any damage caused by the dog; and

(b) the court may make an order for the destruction of the dog.

(3) A dog control officer or dog ranger who has reasonable grounds to believe that an offence has been committed under subsection (2)(a) may, at any time before a decision of the court under that subsection, seize or take custody of the dog and may enter any land or premises (except a dwellinghouse) to do so.

d) there are reasons why the dog is not in a fit condition to be neutered before the date specified in the veterinary certificate. In such circumstances, the dog owner must produce to Council a certificate that the dog has been neutered within 1 month of the date specified in the veterinary certificate.

7.4.5 The owner of a dog which has been classified as dangerous is not permitted to transfer ownership of the dog without the prior written permission of Council. The obligations imposed by Section 32 of the Act and owning a dangerous dog transfer to any new owner.

7.4.6 The classification of a dangerous dog extends throughout all of New Zealand.

Menacing Dogs

7.4.7 Sections 33A – 33EC of the Act set out the reasons how or why a dog may be classified as menacing and the obligations and responsibilities such a classification imposes on the dog owner.

7.4.8 Pursuant to Section 33A of the Act Council may classify a dog as menacing if:

a) it has not been classified as a dangerous dog under Section 31; but Council considers may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of any observed or reported behaviour of the dog; or any characteristics typically associate4d with the dogs breed or type.

7.4.9 When a dog is classified as menacing pursuant to Section 33A(2) of the Act Council must give the owner of the dog notice of its classification whereupon the owner has 14 days to object in writing to Council of its classification. The owner is entitled to be heard by Council in support of their objection to the classification.

7.4.10 The owner of a dog classified as menacing must ensure that the dog is:

a) not allowed to be at large or in any public place or in any private way, except when kept confined within a vehicle or cage, or muzzled in such a manner to prevent the dog from biting but allowing it to breathe and drink without obstruction, or controlled on a leash (except when in a dog exercise area) when in a public place or private way; and

c) is neutered or has been neutered within 1 month of receipt of the menacing dog classification and produces to Council a veterinary certificate confirming this; or

d) there are reasons why the dog is not in a fit condition to be neutered before the date specified in the veterinary certificate. In such circumstances, the dog owner must produce to Council a certificate that the dog has been neutered within 1 month of the date specified in the veterinary certificate.

7.4.11 All breeds listed in Schedule 4 of the Act, or types of dog belonging wholly or predominantly to 1 or more breeds or types listed in Schedule 4 of the Act will be classified as menacing and will be subject to muzzling and a ban on importation.

7.4.12 The classification of a menacing dog extends throughout all of New Zealand.

7.5 DOG OWNER CLASSIFICATION

Good Owner

7.5.1 Any person who is a responsible dog owner, and demonstrates to the satisfaction of the Council's dog control officer, that they are able to comply with the following requirements, will be entitled to a discounted registration fee. The requirements for 'Good Owner' classification are:

- a) The dog is provided with adequate accommodation. Kennels are sited on a hard surface and kept clean, and are able to provide the dog with shelter from the elements and be free from dampness. In the event that the dog does not have a kennel, the dog must be kept in a building.
- b) When the dog is not under the direct control of the owner it must be kept in a completely fenced off or contained area.
- c) At all times the dog is under the proper control at all times.
- d) The dog is not fed, nor has access to, any raw offal or untreated sheep or goat meat.
- e) The dog is registered.
- f) The owner will be in attendance when required for any inspection and shall provide the dog control officer with assistance as requested.
- g) The owner will promptly notify Council of any birth, death, sale or transfer of any dog they own.
- h) The owner will comply with all requirements of the Act and Council's bylaw.

7.5.2 Failure to comply with any of the above conditions may result in the dog owner losing their good owner classification for a minimum of two complete registration years, effective immediately except in the case of late registration, in which case the dog owner will lose their good owner classification for a period of one registration year. The loss of a Good Owner classification will result in the dog owner being liable for the payment of the difference between their good owner classification fee and whichever other fee they would otherwise be liable for.

Probationary owner

7.5.3 Council may under Section 21 of the Act classify a dog owner as a probationary owner. Council must give the person notice of its decision to classify them as a probationary owner whereupon they shall have 14 days to object in writing to Council of their classification. The probationary

owner is entitled to be heard by Council in support of their objection to the classification.

7.5.4 The effect of such a classification shall continue for a period of 24 months, unless Council or the Environmental and Regulatory Services Manager determine that a lesser period of time is appropriate.

7.5.5 The classification of a probationary owner extends throughout all of New Zealand.

Duties of a Probationary Owner

7.5.6 A probationary owner is not permitted to be the registered owner of a dog, unless they were the registered owner of the dog on the date of the classification. Within 14 days of receiving the probationary owner classification the probationary owner must dispose of any unregistered dog that they own.

7.5.7 Council may require the probationary owner to attend at the dog owners expense a dog owner education programme or dog obedience course (or both) which has been previously approved by Council or the Environmental and Regulatory Services Manager.

7.5.8 Every person commits an offence and is liable upon conviction to a fine not exceeding \$3,000 who without reasonable excuse fails to attend the dog owner education programme or dog obedience course (or both).

Disqualified Owner

7.5.9 Where section 25 of the Act applies Council must disqualify a person from being a dog owner unless Section 25(1A) applies. Owners can be disqualified from owning a dog for a period of up to five (5) years.

7.5.10 Council must give the person notice of its decision to disqualify them from being permitted to own a dog whereupon they shall have 14 days to object in writing to Council of this decision. The disqualified dog owner is entitled to be heard by Council in support of their objection to being disqualified.

7.5.11 The disqualification from being permitted to own a dog extends throughout all of New Zealand.

Duties of a Disqualified Owner

7.5.12 A disqualified person is not permitted to be the registered owner of any dog, and must within 14 days of receiving notice that they have been disqualified from owning any dog must dispose of all dogs that they own.

7.5.13 All of the disqualified person's dogs must be disposed of in a manner that does not constitute an offence under the Act or any other Act; and they must not be disposed of to any person who resides at the same address as the disqualified person.

- 7.5.14 Every disqualified person commits an offence and is liable upon conviction to a fine not exceeding \$3,000:
- a) If they fail to dispose of all of the dogs that they own within the specified time frame; or
 - b) do not dispose of their dogs in a manner which doesn't constitute an offence under the Act or any other Act, or if they dispose of their dogs to any person who resides at the same address; or
 - c) if at any time while they are disqualified to own a dog become the owner of a dog.
- 7.5.15 Every person commits an offence and is liable upon conviction to a fine not exceeding \$3,000 if they dispose of or give custody or possession of a dog to any person, knowing that that person is disqualified from owning a dog pursuant to Section 25 of the Act.
- 7.5.16 Where a disqualified person fails to dispose of any dog that they own within the specified 14 day timeframe then Council's dog control officers may seize any dog owned by the disqualified person.

7.6 PROHIBITED AREAS

- 7.6.1 All dogs (except working dogs whilst carrying out their function as a working dog) shall be prohibited at all times from the following areas:
- a) All public buildings;
 - b) The playing surfaces of sports grounds and upto 20 metres of the playing surfaces where contained within the perimeter fence of the sports ground;
 - c) Public swimming pools;
 - d) All children's playgrounds in public places;
 - e) Picnic areas;
 - f) Wilson Road stock route, Hunterville.
- 7.6.2 All areas from which dogs are prohibited from entering shall have appropriate signs posted notifying the public that dogs are prohibited within that area.
- 7.6.3 Dogs which are kept on a leash by their owner or person in charge of the dog are permitted to move through the playing surface of sports grounds, children's playgrounds, picnic areas and the Wilson Road stock route travelling from one side to the other if there is no viable alternative route; however, the dog owner or person in charge of the dog is not permitted to stop with the dog whilst within any of these areas.
- 7.6.4 Council, may upon written request, allow dogs to enter public buildings for the purpose of a dog show or such other events as Council may at its discretion authorise. In considering such written requests, Council will consider the suitability of the building concerned for holding such an

event, the duration of the event, and measures necessary to ensure public health and safety. The determination of this request will be made at the appropriate delegation level within Council.

7.6.5 Conservation Ban areas

No dogs (except working dogs carrying out their function as a working dog) are permitted in scenic reserves, conservation or forest parks and named conservation areas unless the dog owner has obtained a permit from the Department of Conservation.

7.7 **LEASH CONTROL AREAS**

The owner of a dog shall not allow the dog on any public place (not being a prohibited area or dog exercise and recreation area) unless the dog is controlled on a leash or is under the continuous control to the satisfaction of Council's dog control officer.

7.8 **DOG EXERCISE AND RECREATION AREAS**

7.8.1 Dog exercise areas are designated locations within the district where Council permits dogs to run at large off the leash. The dog owner must have the dog under their control at all times and a leash to be used if necessary. The areas listed below have been designated by Council as dog exercise areas:

Marton	The periphery of Wilson Park (excluding the children's playground)
Taihape	The north eastern Section of Taihape Domain.
Bulls	The northern Section of Bulls Domain.

7.8.2 Other areas may be designated dog exercise areas by resolution of Council and these may include certain beach areas.

7.8.3 Subject to the practicality of undertaking the necessary work, some dog exercise areas may be fenced to provide a secure area for both dog owners and non-dog owners alike.

7.8.4 All dog exercise areas shall have appropriate signs posted prominently notifying the public that dogs are permitted to exercise within that area.

7.9 **EDUCATION PROGRAMMES**

7.9.1 While Council itself does not provide any owner education programmes or dog obedience courses it will continue to visit schools to familiarise children on issues of dog safety and caring for their dog.

- 7.9.2 Areas where dogs are prohibited or conversely where they may exercise will be publicised through this Policy and appropriate signage will be displayed on the street or at the park concerned or sports ground.
- 7.9.4 Additionally, an extensive website containing information for dog owners, adults and children on dog safety is maintained by the Department of Internal Affairs <http://www.dogsafety.govt.nz/>.
- 7.9.5 Owners whose dogs come to the attention of Council dog control officers through nuisance behaviour or, those owners who are classified as probationary, may be directed to approved courses or classes.

7.10 DOG CONTROL BYLAW

- 7.10.1 The main tool that Council will use to meet its statutory obligations and implement this policy in order to achieve its policy objectives is its Control of Dogs Bylaw 2014. This Bylaw will include inter alia:
- a) Prescribing minimum standards for the housing of dogs;
 - b) Regulating and controlling dogs in Public Places;
 - c) Designating specific areas as dog exercise areas;
 - d) Requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas of parts of the district;
 - e) Requiring owners of dogs that defecate in public places (except as exempted by the Bylaw) to immediately remove faeces;
 - f) Requiring bitches in season to be confined;
 - g) Providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by Council under the Act.
- 7.10.2 As required by Section 10(6)(a) of the Act Council will review its Dog Control Bylaw within 60 days of adopting this Policy.

ENFORCEMENT

- 7.11.1 Council provides a 24 hour Animal Control Service and encourages people to report nuisance dog behaviour and dangerous or menacing dogs.
- 7.11.2 Council seeks to promote a high standard of dog care and control within the district and acknowledges that the majority of dog owners within the Rangitikei district are responsible dog owners. Council recognises that sometimes even a responsible dog owner may breach the policy, Bylaw or Act. On such occasions Council's Environmental and Regulatory Services Team Leader may use discretion and issue a written warning provided that the incident did not involve injury or distress to a person or animal, or a health issue e.g. the non-removal of dog faeces.
- 7.11.3 Dog owners who are in contravention of the Act (including any subsequent amendments) or a Council Bylaw will be liable to enforcement action.

Such enforcement action may generally take the form of one or more of seven (7) mechanisms:

1. A verbal or written warning;
2. The issuance of an infringement notice (an instant fine) for an Infringement Offence pursuant to Sections 65-66 of the Act as specified in Schedule 1 of the Act; or
3. Filing Court papers for those statutory infringement offences under the Act which are enforced under Section 21 of the Summary Offences Act 1957;
4. Seizing and impounding dogs;
5. Classifying dogs as menacing or dangerous;
6. Classifying dog owners as probationary or disqualifying people from being allowed to own a dog;
7. Prosecuting dog owners.

7.11.4 Infringement notices shall be issued by Council's dog control officers and dog rangers for infringement offences as specified in Schedule 1 of the Act. With respect to any of those offences, Council gives delegated authority to the Senior Animal Control Officer who may in his absolute discretion decide to issue either a verbal or written warning or an Infringement Notice for any subsequent offending of that offence.

7.11.5 There will be instances whereby legal action is initiated for serious offences under the Act or Bylaw. A serious offence in this instance would include but not be limited to, situations where a dog:

- a) Creates a nuisance to any person;
- b) Causes distress to any person;
- c) Causes damage or injury to any person;
- d) Causes serious injury to any person;
- e) Causes damage to property;
- f) Causes damage or injury to any animal;

Where legal action has been initiated Council gives delegated authority to the Environmental and Regulatory Services Team Leader in his absolute discretion to determine if it is appropriate to proceed with legal action.

7.11.6 In addition to statutory offences contained within the Act, Council may impose further penalties for offences specific to Rangitikei district through its Dog Control Bylaw.

7.12 DOG POUND

7.12.1 Due to the costs associated with building, maintaining, securing and staffing an impounding facility for dogs, bitches or puppies Council does not have a permanent pound facility, rather Council uses the Wanganui District Council and Manawatu District Council pound facilities through a contractual agreement.

- 7.12.2 Whenever a dog is impounded Council officers shall make all reasonable efforts to contact the owner to advise them that their dog has been impounded and shall provide written notice to the owner advising that they have seven (7) calendar days to pay in full all fees payable or their dog may be sold, euthanised or otherwise disposed of. Where Council officers are able to identify and contact the owner of a dog which has been impounded, regardless of the outcome, Council will seek to recover from the Owner all fees and costs incurred as a consequence of the impounding with respect to the dog.
- 7.12.3 Before any dog can be released from the pound the following conditions must be satisfied:
- a) When a dog is claimed by its owner it must be registered, micro chipped (if it is not already), and all other fees and charges must be paid in full.
 - b) Council dog control officers must be satisfied that the prospective new owner of a dog being rehomed is a fit and proper person and that the property condition where they reside is suitable for a dog.
 - c) Any unregistered dog before being rehomed and prior to it being released from the pound to its new owner must be both registered and micro chipped at the new owner's expense and all fees and charges must be paid in full.
 - d) The release of any impounded dog from the pound shall be by a pre-arranged appointment.
- 7.12.4 Council will not rehome any dog which in the opinion of Council dog control officers is menacing, dangerous or has undesirable traits.
- 7.12.5 It is an offence under Section 72 of the Act to attempt to unlawfully release a dog from a council controlled pound or to be in possession of a dog that has been unlawfully released from such a pound.

7.13 NUISANCE

- 7.13.1 A person must not keep a dog on any land or premises if:
- a) The dog is causing a nuisance; or
 - b) The dog poses a significant health or safety risk to people.
- 7.13.2 Any person is in breach of this policy if they cause a dog on any land, premises or public place to become unmanageable; or if they incite a dog to fight with or attack any domestic animal, poultry, protected wildlife, stock or person.

Abatement of Nuisance

- 7.13.3 If in the opinion of a Council dog control officer or dog ranger a dog or dogs or the keeping of dogs on any property, has become or is likely to become a nuisance or injurious to health, the dog control officer or dog ranger may, by notice in writing, require the owner or occupier of the

property, within a timeframe which is specified in the notice to take such reasonable action as the dog control officer or dog ranger deems necessary to minimise or remove the likelihood of nuisance or injury to health. Such action may include reducing the number of dogs living on the property; repairing or constructing a new kennel so that it meets Councils minimum standard of accommodation facility.

Barking Dogs

- 7.13.4 Where the dog control officer or dog ranger has received a complaint and has reasonable grounds for believing that a nuisance is being created pursuant to Section 55 of the Act by the persistent and loud barking or howling of a dog, the dog control officer or dog ranger may:
- a) Enter the property at any reasonable time (excluding the dwelling house), on which the dog is kept, to inspect the conditions under which the dog is being kept; and
 - b) Regardless of whether or not the dog control officer or dog ranger makes such an entry upon the property, may give the owner of the dog an abatement notice requiring them to make such provision on the property to abate the nuisance as specified in the abatement notice.
 - c) Where the Dog Control Officer or Dog Ranger considers it is necessary they may remove the dog from the property immediately.

- 7.13.5 Non-compliance with an abatement notice may result in Council taking enforcement action.

Roaming Dogs

- 7.13.6 Roaming dogs can cause annoyance and danger to the community, domestic animals, poultry, protected wildlife and stock.
- 7.13.7 In the first instance, when the owner of a roaming dog can be identified by dog control officers or dog rangers the dog control officers or dog rangers will have discretion to return the dog to the owner with a warning or alternatively to issue the owner with an Infringement Notice.
- 7.13.8 Excepting paragraph 7.13.7 above roaming dogs may be impounded by dog control officers or dog rangers and the dog owner will be required to pay all impound fees and other associated charges, daily sustenance before the dog will be allowed to be released from the pound to its owner.

7.14 POLICY REVIEW

- 7.14.1 Pursuant to Section 10 of the Act, this policy shall be reviewed or amended, using the special consultative procedure prescribed by Section 83 of the Local Government Act 2002, within ten (10) years from the date that the policy is adopted, or earlier if directed by Council or in response to changed legislative or statutory requirements.

7.15 REPEAL

Upon the commencement date of this policy all previous Rangitikei District Council Dog Control and Owner Responsibilities policies are hereby repealed.

7.16 COMMENCEMENT DATE

7.16.1 This policy was duly adopted by Council by a resolution passed on the 27th day of November 2014, following the use of the special consultative procedure as set out in Section 83 of the Local Government Act 2002.

7.16.2 The Rangitikei District Council Dog Control and Owner Responsibility Policy will commence on the 28th day of November 2014.

7.17 RELEVANT LEGISLATION

- Dog Control Act 1996.
- Dog Control Amendment Act 2003.
- Dog Control Amendment Act 2004.
- Dog Control Amendment Act 2006.
- Dog Control Amendment Act 2010.
- Dog Control (Perro de Presa Canario) Order 2010.
- Dog Control Amendment Act 2012.
- Impounding Act 1955.
- Animal Welfare Act 1999.

EARTHQUAKE- PRONE BUILDING POLICY

Policy Title: EARTHQUAKE – PRONE BUILDING POLICY	
Date of Adoption: 25 May 2006	Resolution: 06/RDC/143
Review Date: 2014	
Statutory reference for adoption: Building Act 2004 s131	
Statutory reference for review: Building Act 2004 s132	
Included in the LTCCP: no	
Date Amended or Reviewed	Resolution
28/5/2009	09/RDC/226
12/5/2011	11/RDC/092

6 Introduction and Background

Section 131 of the Building Act 2004 (“the Act”) requires territorial authorities (“TAs”) to adopt a policy on earthquake-prone buildings by 31 May 2006. Thereafter it must be reviewed at least every five years.

The definition of an earthquake-prone building is set out in section 122 of the Act and related regulations. A building is earthquake prone if it “will have its ultimate capacity exceeded in a moderate earthquake” and would be likely to collapse causing injury or death, or damage to any other property.

“Moderate earthquake” is in turn defined as:

“In relation to a building, an earthquake that would generate shaking at the site of the building that is of the same duration as, but that is one-third as strong as, the earthquake shaking (determined by normal measures of acceleration, velocity and displacement) that would be used to design a new building at the site.”

This definition covers more buildings and requires a higher level of structural performance from them than the Building Act 1991. Buildings used wholly or mainly for residential purposes cannot be categorised as earthquake prone unless the building comprises two or more storeys and contains three or more household units.

The policy is required to state:

- The approach that the Council will take in performing its functions under the Act;
- Council’s priorities in performing those functions;
- How the policy will apply to heritage buildings.

In developing and adopting its earthquake-prone buildings policy, the Council has followed the special consultative procedure set out in Section 83 of the Local Government Act 2002.

7 Policy approach

7.1 Policy principles

The Council has noted that the provisions of the Building Act in regard to earthquake-prone buildings reflect the government's broader concern with the safety of the public in buildings, and more particularly, the need to address safety in an earthquake.

The Council has also noted that the development of earthquake-prone buildings policies is up to the individual territorial authority and has responded accordingly. There is no government funding associated with this requirement.

The Council understands the need to find a balance between the potential risks posed by the older brick and masonry buildings within the town centres and the long-term viability of these buildings.

The Council recognises that for the time being, there is no commercial peer pressure on building owners to upgrade buildings as there maybe is larger higher risk centres such as Wellington.

This policy was developed using information obtained through a focus group discussions.

7.2 Overall approach

Rangitikei is in a zone of moderate seismicity⁴ and its buildings comprise a range of types and ages reflecting steady development since early settlement in the mid to late nineteenth century. Building types range from wood, unreinforced masonry and brick buildings to modern steel and concrete buildings. Buildings generally do not exceed three storeys in height and there are a number of listed heritage buildings in the District, predominantly in the main centres of Marton, Bulls and Taihape.

Council has not actively pursued a policy of identifying and strengthening buildings in the past although a small number of buildings have been strengthened to various degrees under the "Change of Use" provisions under the 1991 Building Act.

This policy reflects a predominantly passive approach but recognises through the experiences of Gisborne in 2007 and Christchurch in 2010 the higher level of risk associated with masonry chimneys and parapets. These are addressed as a separate issue.

The approach the Council will take will be to:

- require building owners to have parapets and masonry chimneys checked and either strengthened or removed if deemed necessary. (At owner's cost)

⁴ Manawatu-Wanganui Regional Council Hazard Analysis Manual – Volume 11 – Seismic Analysis, 1996. Seismicity – the geographic and historical distribution of earthquakes.

- modifications to buildings may proceed without requiring additional strengthening work provided the work undertaken does not further weaken the building.

7.3 Economic impact of policy

The policy recognises that requiring building owners to undertake extensive strengthening work is not only cost prohibitive, but may lead to neglect and diminished use of such buildings. This would have irrevocable economic consequences for the District's town centres.

The policy has been designed to give building owners flexibility to keep buildings comfortable and fit for purpose without necessarily forcing extensive strengthening work. With this in mind, parapets and masonry chimneys have been addressed as a separate issue due to the higher level of risk associated with these aspects of building structure.

7.4 Heritage buildings

For the purposes of this policy, heritage buildings refer to only those registered with New Zealand Historic Places Trust.

There are few properties registered with New Zealand Historic Places Trust within the District that would be considered earthquake prone. Council will address these on a case by case basis and encourages building owners and New Zealand Historic Places Trust to work together find mutually acceptable solutions if deemed necessary.

8 Priorities

The Council has identified that parapets and masonry chimneys have a greater level of risk. Thus parapets and masonry chimneys have been prioritised as needing to be checked and either strengthened or removed with all work being completed within 5 years.

9 Review

This policy will be reviewed within five years of adoption, or sooner, if circumstances require.

GAMBLING VENUE (Class 4) POLICY

Policy Title: GAMBLING VENUE (CLASS 4) POLICY	
Date of Adoption: 25 March 2004	Resolution: 04/RDC/064
Review Date: 2016	
Statutory reference for adoption: Gambling Act 2003 /Resource Management Act 1991	
Statutory reference for review: Gambling Act 2003 s102 (5)	
Included in the LTP: no	
Date Amended or Reviewed	Resolution
13 April 2006	06/RDC/122
29 January 2009	09/SPP /026 – 09/RDC/067
28 February 2013	13/RDC/043
30 May 2013	13/RDC/124

1 POLICY OBJECTIVES

- 1.1 To ensure the Rangitikei District Council and the community has influence over the location of new Class 4 gambling venues and new gaming machines (pokie machines) within the District as a whole in compliance with the Gambling Act 2003.
- 1.2 To place a cap on the number of gaming machines which may be operated in the District.
- 1.3 To ensure that the local community may continue to access funding from the proceeds of Class 4 gaming in the District.

2 GENERAL CONDITIONS (for establishing a Class 4 gambling venue)

- 2.1 Any new Class 4 venue may only be established on licensed premises where the primary activity is not predominantly associated with family and/or children’s activities.
- 2.2 , An applicant for Council consent under this policy must:
 - comply with the objectives of this policy;
 - comply with the general conditions of this policy;
 - meet the application requirements specified in this policy; and
 - meet the fee requirements specified in this policy;
- 2.3 The application will be publicly notified and a notice will be displayed on the proposed premises.

3 APPLICATION DETAILS REQUIRED

3.1 Applications for Rangitikei District Council consent must be made in writing and provide the following information:

- a) Name and contact details of the applicant.
- b) Street address of premises proposed for the Class 4 venue licence.
- c) Description of the structure of the applicant (Society or Corporate Society) together with incorporation details:
 - trust and trustee details if appropriate;
 - the names of management staff; and
 - a 12 month business plan or budget for the establishment, covering both gambling and other activities proposed for the venue.
- d) Details of Host Responsibility policies and procedures covering:
 - training for operational staff on dealing with problem gamblers;
 - provision and display of problem gambling material;
 - support for and supervision of those affected by addictive gambling; and
 - implementation and monitoring plans.
- e) Details about the venue operator including:
 - operating structure;
 - ownership of the premises;
 - evidence of police approval for owners and managers of the venue; and
 - nature of the businesses operated from the premises.
- f) A floor plan covering both gambling and other activities proposed for the venue, including:
 - layout of each floor of the venue;
 - location and number of Class 4 machines being proposed for the premises;
 - location of clocks;
 - location and description of signage; and
 - location of displays of problem gambling material.
- g) Details of liquor licence(s) applying to the premises.
- h) A location map showing the nature of businesses and other activities conducted in the general neighbourhood.
- i) Information about the Trust responsible for the distribution of gambling profits will be made available to the public (as required under the Gambling Act 2003) and to the Rangitikei District Council, and will include:
 - contact details (address, phone numbers, electronic contact); and
 - names of trustees

- j) Evidence and any supporting material to assure the Rangitikei District Council that their proposed application is a permitted activity under the Rangitikei District Council District Plan, the Resource Management Act 1991 and the Gambling Act 2003.

3.2 Council may request comment from health providers or those working with problem gambling.

4 NUMBER OF GAMING MACHINES TO BE ALLOWED

4.1 Council wishes to reduce the number of gaming machines in the District through a process of natural attrition as machines cease operating.

4.2 New venues may apply for a licence to operate up to 9 gaming machines, providing that the total number of gaming machines in the District does not exceed 83⁵.

5 DECISION MAKING

5.1 The Council has 30 working days to determine a consent application.

5.2 Such determination will be made at the appropriate delegation (officer) level within the Council and will be considered against the criteria set out in this policy.

5.3 When considering an application for a new gaming venue under Class 4, the relevant council officer will consider:

- comply with the objectives of this policy;
- comply with the general conditions of this policy; and
- meet the application requirements specified in this policy.

6 APPLICATION FEES

6.1 These will be set by the Rangitikei District Council from time to time, pursuant to section 150 of the Local Government Act and shall include consideration of:

- The cost of processing the application, including any consultation involved;
- The cost of monitoring notification of the distribution of profits and provision of information;
- The cost of reviewing Gambling Venue policies.

7 ADOPTION AND COMMENCEMENT

This policy was adopted on 30 May 2013 at the duly notified Council Meeting after completion of the special consultation procedure, of the Local Government Act 2002.

8 REVIEW

9 This policy will be reviewed 3 years after it is adopted and comes into effect.

⁵ This number equals the number of gaming machines in the District as at 6 May 2013

INVESTMENT POLICY

Policy Title: INVESTMENT POLICY	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s 102, s105	
Statutory reference for review: Local Government Act 2002 s 102	
Included in the LTCCP: yes	
Included in the LTP: no	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 24 November 2005	05/RDC/426
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Accepted by Council: 29 January 2009	09/RDC/032
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233
Reviewed and adopted by Council 28 June 2012	12/RDC/112
Reviewed and adopted by Council 27 June 2013	13/RDC/144

This policy has been changed to better reflect the current financial environment, best investment management practice, and Rangitikei District Council's current financial position. The main changes reflect the Council's shift from being debt free to becoming a net borrower of funds, and to allow the Council to invest in the Local Government Funding Agency should it be deemed wise and prudent to do so.

1. Introduction and Application

This Investment Policy has been prepared pursuant to Sections 102 and 105 of the Local Government Act 2002.

The policy is structured as follows:

- General Policy;
- Mix of Investments;
- Acquisition of New Investments;
- Revenue and Proceeds of Investments;
- Procedures for Management and Reporting to Council; and
- Risk Management.

2. General Policy

Council has a variety of investments which, at any time, may include cash, trust funds, special funds, bonds, shares, shares in Council Controlled Organisations (CCOs), property held for investment purposes and financial reserves, and investment in internal loans for capital works.

These investments are acquired, held and realised by Council in furtherance of its community and environmental goals and objectives that are identified in the Council's Long-term Plan and Annual Plans. To help meet these objectives, the Council will manage their investments as a base to support the funding of its activities, thereby producing an investment income stream that reduces reliance on general rating revenues.

In managing its investments, the Council generally is not driven by commercial considerations alone. As a public body it is accountable in terms of social, economic, environmental and cultural wellbeing of its communities, and environmental management. These considerations may lead to the Council making investment decisions which would not be made on commercial or financial considerations alone.

In managing its investments in accordance with its general policy, the Council will, consistent with optimising returns in the long term while balancing risk and return considerations, consider the following goals:

- Achieve the goals and objectives set out in the Long-term Plan and the Annual Plan;
- Protect its investment;
- Maximise investment returns (which may include using a managed funds approach);
- Ensure investments are of a type that provide the Council with funds when required;
- Manage its risk; and
- Consider internal loans to fund capital works only, provided the Council's overall risk is not increased, and provided the individual risk from each loan is within the Council's parameters.

New Zealand Local Government Funding Agency Limited Investment

Despite anything earlier in this policy, the Council may invest in shares and other financial instruments of the New Zealand Local Government Funding Agency Limited (LGFA), and may borrow to fund that investment. The Council's objective in making any such investment will be to:

- Obtain a return on the investment; and
- Ensure that the LGFA has sufficient capital to remain viable, meaning that it continues as a source of debt funding for the Council.

Because of these dual objectives, the Council may invest in LGFA shares in circumstances in which the return on that investment is potentially lower than the return it could achieve with alternative investments. If required in connection with the investment, the Council may also subscribe for uncalled capital in the LGFA and be a Guarantor.

3. Mix of Investments

The level and mix of the Council's investments are dependent upon, and consequently determined by, a number of factors including:

- The nature of the funds the investments represent;
- The timing of possible demand for utilisation of those funds, and associated impact on liquidity; and
- Council's rationale for retaining those surplus funds in the form of investment.

Thus investments comprise shares, convertible notes (or similar with equity like characteristics), debt securities, term deposit and call deposit instruments. Uses for these investments are summarised in the following table:

Nature of Funds	Term of Funds	Rationale for Retention
Working capital and surpluses due to temporary cash flow fluctuations	Short-term	Necessary to fund future cash flow requirements. Target is for a minimum available committed bank funding facility and/or liquid assets of \$5 million. Targets for rates receivables are: – overdues not to exceed 10% of the rates for the current year at balance date.
General Accumulated Reserves	Short to medium term	Maintain income stream to minimise Rate reliance.
Restricted Reserves –	Short to medium term	As outlined in the Council's Long-term and Annual Plans.

4. Delegated Authorities

The Investment Policy related delegations are outlined below and are duly authorised by the Council's adoption of this policy.

Activity	Responsibility
Approve policy document	Council
Alter policy document	Council
Open/close bank accounts	Council
Approve authorised cheque/electronic signatory positions	Chief Executive
Investment management activity	Chief Financial Officer
Approving allowable risk management instruments	Council
Adjust interest rate risk profile	Chief Executive Per risk control limits
Maximum daily transaction amount (approved investing, cash management, interest rate risk management)	Council (unlimited) Chief Executive (\$20 million) Chief Financial Officer (\$5 million)
Ensuring compliance with policy	Chief Executive
Policy review	Chief Executive

5. Acquisition of New Investments

Acquisition of financial investments, such as on-call and short-term deposits, is managed within the treasury functions allocated to specified and authorised Council staff. This function covers the selection of initial deposits, reinvestment and maturities.

Acquisition and management of medium- to long-term investments are done in accordance with goals, objectives and provisions of the Long-term Plan and Annual Plans,. However, the Council may from time to time deem it appropriate, in terms of prudent financial management, to modify its investment profile; such a change would be entered into only through specific Council resolution and in compliance with the provisions of the Local Government Act 2002.

As part of this medium to long-term investment strategy, the Council's non-equity related investments will be linked to approximately three months equivalent of rating revenue. Fund surpluses to this requirement would then be available for internal investment through internal borrowing.

Such internal loans will generally be charged at the Council's weighted average cost of borrowing updated annually.

6. Revenue and Proceeds of Investments

Disposition of Revenue from Investments

Revenue from investment of funds reserved for particular purposes, such as Special Reserves, is appropriated to the relevant reserves, utilising the weighted average interest rate earned from Council's non-equity related investments.

Revenue from other investments is retained as an income source in the Statements of Financial Performance to reduce the funding required for the general rate.

Revenue from Asset Sales

Revenue from the disposal of fixed assets is firstly applied to any outstanding debt relative to the activity and secondly, generally used for the purchase and replacement of fixed assets.

Abnormal Funding Items

Council will generally use proceeds from abnormal funding items (such as the sale of a major capital item and reductions in the Council's shareholdings) to maintain its reserves and investment portfolio, and not for operating expenditures.

7. Procedures for Management and Reporting to Council

The Council's policy for the management and reporting of investments includes:

- The legislative necessity to maintain efficient financial systems for the recording and reporting (*inter alia*) of:
 1. All revenues and expenditures;
 2. All assets and liabilities; and
 3. The treatment and application of special funds.
- Adherence to the Council's financial processes and delegations to the Council's staff to invest surplus short-term funds and negotiate reinvestments, subject to the provision of adequate cash resources to meet normal expected demands;

- Periodic reporting of current investments to the chief executive and executive, including details of investment types, maturity dates and interest rates applicable, including the current weighted average rate; and
- Periodic reporting to the Council through a summary of investments, including investment amounts by type, year of maturity, total amounts, and appropriate weighted average interest rate.

8. Risk Management

In carrying out the Council’s statutory obligations under Section 101 of the Local Government Act 2002, to manage its revenues, expenses, assets, liabilities, investments and general financial dealings prudently and in a manner that promotes the current and future interests of its District communities, the Council must make its investments in accordance with the provisions of the Trustee Act 1956 as they apply to the investment of trust funds. In exercising its powers of investment, the Council is required to exercise the care, diligence, and skill that a prudent person of business would exercise in managing the affairs of others. The Council may also consider, in making any investment decisions:

- The desirability of diversifying investments;
- The desirability of a managed funds approach;
- The nature of existing investments;
- The risk of capital loss or depreciation;
- The potential for capital appreciation;
- The likely income return;
- The length of the term of the proposed investment;
- The marketability of the proposed investment during, and on the determination of, the term of the proposed investment;
- The effect of the proposed investment in relation to tax liability; and
- The likelihood of inflation affecting the value of the proposed investment.

9. Credit Exposure Policy

In managing its investments generally, the Council will always seek to protect the investment and manage the risks. Accordingly, the Council has determined that it is “risk averse”, and will apply the “prudent person” principle for the management of risk and return on the Council’s investments.

When investing cash, the Council will seek to minimise its risk by investing only in institutions with a high degree of security or credit rating, and by limiting maximum exposure in certain cases. Council has established the following requirements for all financial investments:

Counterparty/ Issuer	Minimum long term/ short term credit rating	Investments maximum per counterparty (\$m)	Interest rate risk management instrument maximum per counterparty (\$m)	Total maximum per counterparty (\$m)	Total Financial Investment Portfolio
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Counterparty/ Issuer	Minimum long term/ short term credit rating	Investments maximum per counterparty (\$m)	Interest rate risk management instrument maximum per counterparty (\$m)	Total maximum per counterparty (\$m)	Total Financial Investment Portfolio
NZ Government	n/a	unlimited	none	unlimited	100%
LGFA	n/a	unlimited	none	unlimited	100%
State Owned Enterprises	A+/ A-2	2.0	none	2.0	50%
NZ Registered Bank	A+/ A-1	5.0	5.0	5.0	100%
Corporate*	A/ A-1	2.0	none	2.0	50%
Local Government*	n/a	2.0	none	2.0	50%
<i>*Subject to a maximum exposure no greater than 20% of the portfolio being invested at any one point in time.</i>					

In determining the usage of the above gross limits, the following weightings will be used:

- Investments (eg. Bank Deposits) – Transaction Notional × Weighting 100%;
- Interest Rate Risk Management (eg. swaps, FRAs) – Transaction Notional × Maturity (years) × 3%; and
- Individual counterparty limits are kept on a register by management and updated on a day-to-day basis with specific approvals made by the chief executive. Credit ratings should be reviewed on an ongoing basis and in the event of material credit downgrade this should be immediately reported to the Council and assessed against exposure limits. Counterparties exceeding limits should be reported to the Council.

10. Approved Financial Investments and Liquidity Policy

Current approved investment instruments are as follows:

Category	Instrument
Cash and debt investments	Short term call and term bank deposits Bank certificates of deposit (RCDs) Treasury bills Government bonds LGFA/Local Authority, stock or State Owned Enterprise (SOE) /Corporate bonds (fixed rate and floating rate notes LGFA/Local Authority, Promissory notes/Commercial paper

Debt instruments must be ranked as senior unsecured or secured debt obligations. No subordinated debt investments are allowed with the only exception being borrower notes or similar issued by the LGFA.

Any financial investments must be restricted to a term that meets future cash flow and capital expenditure projections.

Internal borrowing may be used for the investment of funds managed by Council where there are no relevant restrictions on the investment of those funds.

Short-term call and term bank deposits are invested for a term of up to 12 months. Other financial investments are invested for a term of no more than 4 years.

11. Interest Rate Exposure Policy

The following interest rate re-pricing percentages are calculated on the total projected 12-month rolling financial investment portfolio. This allows for pre-hedging in advance of projected physical receipt or reinvesting of funds. When projections are changed, the interest rate re-pricing risk profile may have to be adjusted to comply with the policy limits.

Interest Rate Re-Pricing Period	Minimum Limit	Maximum Limit
0 to 2 years	40%	100%
2 to 4 years	0%	40%

The re-pricing risk profile can be altered, within the above limits through using approved interest rate instruments. Approved instruments are as follows:

Category	Instrument
Interest rate risk management	<p>Forward rate agreements (FRAs) on:</p> <p>Bank bills.</p> <p>Interest rate swaps including:</p> <p>Forward start swaps (start date up to six months); and</p> <p>Swap extensions and shortenings.</p> <p>Interest rate options on:</p> <p>Bank bills (purchased floors and one-for-one collars); and</p> <p>Purchased interest rate swap options, with the option term up to six months.</p>

Any other interest rate instrument must be specifically approved by the Council on a case-by-case basis and only be applied to the one singular transaction being approved. Credit exposure on these financial instruments is restricted by specified counterparty credit limits.

12 Reporting, Internal Controls and Legal Risks

Refer Liability Management Policy.

13. Accounting Treatment of Financial Instruments

Financial instruments will be valued as set out by the Council's Statement of Accounting Policies. If instruments are valued at a fair value under these policies, the following underlying rates are to be used to value the financial instruments:

- Official daily market rates for short-term financial instruments (eg. FRA settlement rates calculated by Reuters from price maker quotations as displayed on the BKBM page);
- Relevant market mid-rates provided by the Council's bankers at the end of the business day (5.00 pm) for other over-the-counter financial instruments, eg. swaps; and
- For markets that are illiquid, or where market prices are not readily available, rates calculated in accordance with procedures approved by the chief executive.

LIABILITY MANAGEMENT POLICY

Policy Title: LIABILITY MANAGEMENT POLICY	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s104	
Statutory reference for review: Local Government Act 2002 s102	
Included in the LTCCP: yes	
Included in the LTP; no	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 6 April 2006- introduction removed.	06/RDC/098
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Agreed by Council: 29 January 2009	09/RDC/030
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233
Adopted by Council 28 June 2012	12/RDC/112
Reviewed and adopted by Council 27 June 2013	13/RDC/144

This policy has been changed to better reflect the current financial environment, best treasury management practice and Rangitikei District Council's' current position. The main change is to allow the Council to borrow from the Local Government Funding Agency.

1. Introduction and Application

This Liability Management Policy has been prepared pursuant to Section 104 of the Local Government Act 2002. The policy is intended to apply, as appropriate, to every transaction that falls within the statutory definition of "borrowing", which is defined in Section 112 of the Local Government Act 2002 as:

“Borrowing”–

- a. Means the incurring, by any means of debt, to raise money
- b. Includes the incurring of debt:
 - i. Under any contract or arrangement for hire purchase, deferred payment, instalment payment, sale and lease back or buy back, financial lease, loan, overdraft, or other arrangement for obtaining debt finance;
 - ii. By the drawing, acceptance, making, endorsement, issue, or sale of bills of exchange, promissory notes and other negotiable instruments and debt securities; but

- c. Does not include debt incurred in connection with the hire purchase of goods, the deferred purchase of goods or services, or the giving of credit for the purchase of goods or services, if
- i. The period for which the indebtedness is outstanding is less than 91 days and the indebtedness is not incurred again promptly after payment.
 - ii. The goods or services are obtained in the ordinary course of the local authority's performance of its lawful functions, on terms and conditions available generally to parties of equivalent creditworthiness, for amounts not exceeding in aggregate an amount:
 - a) Determined by resolution of the local authority as not being so significant as to require specific authorisation.
 - b) Recorded for the purposes of this subparagraph of this paragraph of this definition in the then current borrowing management policy of the local authority.
- d. And "borrow" has a corresponding meaning

For the purposes of subparagraph c ii (b) of the above definition, this Liability Management Policy does not apply to hire purchase, deferred payment, or the giving of credit for goods where transactions are for less than 91 days, or do not exceed in value \$400,000.

Section 113 of the Local Government Act 2002 prohibits the Council from borrowing or entering into incidental arrangements other than in New Zealand currency.

New Zealand Local Government Funding Agency Limited

Despite anything in this 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, for example borrower notes;
- 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;
- 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; and
- Subscribe for shares and uncalled capital in the LGFA.

The policy is structured as follows:

- Use of Borrowing;
- Borrowing Limits;
- Form of Borrowing;
- Security;
- Interest Rate Exposure Policy;
- Debt Repayment Policy;
- Liquidity Policy;
- Credit Exposure Policy;
- Cash Management Borrowing; and
- Incidental Arrangements.

2. Use of Borrowing

The Council may have long-term external debt for the completion of capital projects as outlined in Long-term Plans and Annual Plans. References to borrowing are related to existing and possible future borrowing requirements.

Where, as a result of the Long-term Plan or Annual Plan, debt funding is deemed appropriate, Council will use term borrowing only to fund long-term projects, or capital additions of a significant nature, and where:

- the benefits of such expenditure are received over terms greater than one financial year but are not matched by a related or relevant outflow of funds; **and**
- the term of borrowing would be related to the expected economic life of the asset purchased or created.

The only form of borrowing to meet operating shortfalls would be the use of overdraft facilities or other committed short-term bank facilities to cover temporary mismatches in operating cash flow. An exception to this general statement may be made where the Council by separate resolution deems it to be prudent to borrow for some specific one-off operating expense in excess of \$250,000.

As part of the Revenue and Financing Policy, Council will take a project-by-project view of its activities, and allocate the funding resources accordingly. These may include term borrowing.

3. Delegated Authorities

The Liability Management Policy related delegations are outlined below and are duly authorised by the Council's adoption of this policy.

Activity	Responsibility
Approve policy document	Council
Alter policy document	Council
Approval of borrowing programme for the year	Council
Approval for charging assets as security over borrowing	Council
Approve new loans, borrowing facilities in accordance with the Council general resolution	Chief Executive
Refinancing of existing debt	Chief Executive
Approve borrowing and interest rate transactions outside policy	Council
Open/close bank accounts	Council
Approve authorised cheque/electronic signatory positions	Chief Executive
Transfers of stock/register new debt issues	Seal register signatories
Borrowing management activity	Chief Executive
Interest rate risk management activity	Chief Executive
Approving allowable risk management instruments	Council
Adjust interest rate risk profile	Chief Executive (Within designated risk control limits)
Managing funding maturities	Chief Financial Officer (Within risk control limits)
Maximum daily transaction amount (approved borrowing, cash management, interest rate risk management)	Council (unlimited) Chief Executive (\$20 million) Chief Financial Officer (\$5 million)
Ensuring compliance with policy	Chief Executive
Policy review	Chief Executive

4. Borrowing Limits

Borrowing will be managed within the following limits/ratios:

- # Net debt as a percentage of equity <20%;
- # Net debt as a percentage of total revenue* <150%;
- Net Interest as a percentage of total revenue* <15%;
- Net Interest as a percentage of annual rates income (debt secured under debenture) <20%; and
- Liquidity (term debt + committed loan facilities + liquid investments) over existing external debt >110%.

Disaster recovery requirements are to be met through the liquidity ratio.

For the purpose of calculating the above ratios:

- Revenue is defined as income from rates, government grants and subsidies, user charges, interest, dividends, financial and other revenue. Excludes government capital contributions (eg. developer contributions and vested assets).
- # Net debt is defined as total external debt less liquid financial assets that would be available to repay debt.

Infrastructural Assets

Infrastructural assets are assets such as roads, bridges, water, sewage, and stormwater systems.

Infrastructural assets are fixed assets with the following characteristics:

- They comprise a system or network of interdependent components;
- This system interdependency may limit a component life to a lesser period than the expected life of the component by itself;
- Infrastructural assets have very long lives and the normal expectation is of an *indefinite* life. A finite life is determinable only when a decision is taken to replace the entire network, or to discontinue a section of it;
- Infrastructural assets are renewable rather than replaceable. Although, at any point in time, all components (excluding land and similar assets like earthworks) have a finite useful life, the asset as a whole can be maintained at a specified level of service potential by the continuous replacement and refurbishment of its components; and
- If infrastructural assets suffer severe failure, equivalent service levels from other sources are usually unobtainable for months or years.

Net Interest

Interest expense less interest received recorded in the Council's accounts.

5. Form of Borrowing

Trade Credit

The Council will arrange such terms and conditions as it considers necessary for the establishment and provision of normal trade credit to enable the carrying out of business activities. Such credit shall not normally involve the issue of any security, undertaking, or collateral, as a condition of the provision of such credit. Finance leases and hire purchase are included within trade credit and will normally include a charge over the assets being purchased.

Primary Instruments

The **primary** instruments for other Horizons borrowing will be:

- Committed bank call and term funding facilities including provision of overdrafts and cash advance facilities, term loans or other credit facilities;

- The Council may also use internal funds as a borrowing mechanism.

Alternative funding mechanisms such as leasing must be evaluated with financial analysis in conjunction with traditional on-balance sheet funding. The evaluation should take into consideration, ownership, redemption value and effective cost of funds.

Other

Instruments not specifically referred to in this policy may be used only with specific Council approval, with the proviso that the Council will not utilise any off-balance sheet funding instruments.

6. Security

It is the Council’s general policy to offer security under a Debenture Trust Deed for borrowing and interest rate management instruments by way of a charge over the rating revenues accessible overall, or portions of, rateable property within the Council’s jurisdiction. In the normal course of business the policy is not to offer security over any of the Council’s other assets. However, where doing so would help further the Council’s goals and objectives, the Council may, by specific resolution, offer such security on a case-by-case basis.

Any internal borrowing will be on an unsecured basis.

Where borrowing is by way of finance lease, or some other form of trade credit under which it is normal practice to provide security over the asset concerned, Council may offer security over the asset.

7. Interest Rate Exposure Policy

Exposure to interest rate risk is managed and mitigated through the controls below. These risk control limits will be only activated once 12 month forecast net debt exceeds \$20 million.

Master Fixed/Floating Risk Control Limit	
Minimum Fixed Rate	Maximum Fixed Rate
50%	90%

Fixed Rate is defined as an interest rate re-pricing date beyond 12 months forward on a continuous rolling basis.

Floating Rate is defined as an interest rate re-pricing within 12 months.

The percentages are calculated on the rolling 12 month projected net debt level calculated by management and signed off monthly by the chief financial officer. (Net debt is the amount of total debt net of liquid financial investments available for debt repayment.) This allows for pre-hedging in advance of projected physical drawdown of new debt. When approved forecasts are changed, the amount of fixed rate/hedging in place may have to be adjusted to comply with the policy minimums and maximums.

At any time, the total of the fixed rate debt should be within the following maturity bands:

Fixed Rate Maturity Profile Limit		
Period	Minimum	Maximum
1 to 3 years	15%	60%
3 to 5 years	15%	60%
5 years plus	10%	60%

- Floating rate debt may be spread over any maturity out to 12 months. Bank advances may be for a maximum term of 12 months.
- Interest rate options must not be sold outright. However, 1:1 collar option structures are allowable whereby the sold option is matched precisely by amount and maturity to the simultaneously purchased option. During the term of the option, one side of the collar cannot be closed out by itself, both must be closed simultaneously. The sold option leg of the collar structure must not have a strike rate “in-the-money”.
- Interest rate options with a maturity date beyond 12 months that have a strike rate (exercise rate) higher than 1.00% above the appropriate swap rate, cannot be counted as part of the fixed rate cover percentage calculation.
- Interest rate instruments that have a term greater than 10 years must be approved by the Council.

Dealing in interest rate instruments is limited to the approved interest rate instruments as follows:

Category	Instrument
Interest rate risk management	Forward rate agreements (FRAs) on: Bank bills Government bonds
	Interest rate swaps including: Forward start swaps (start date less than 24 months) Amortising swaps (whereby notional principal amount reduces) Swap extensions and shortenings
	Interest rate options on: Bank bills (purchased caps and one for one collars) Government bonds Purchased interest rate swaptions, with the option term up to 18 months

Any other interest rate instrument must be specifically approved by the Council on a case-by-case basis and only be applied to the one singular transaction being approved. Credit exposure on these financial instruments is restricted by specified counterparty credit limits.

8. Debt Repayment Policy

The Council's policy is to repay debt as it falls due utilising one or more of the following:

- Surplus operating funds;
- Rating revenues established for that purpose;
- Proceeds from the disposition of surplus assets or investments;
- Regular instalments of principal and interest, especially with internal capital works loans; and/or
- Refinancing with new debt.

Total debt levels are determined through the Long-term Plan and Annual Plans.

9. Liquidity and Funding Risk Policy

Cash flow deficits in various future periods based on long-term financial forecasts are reliant on the maturity structure of term debt and bank facilities. Liquidity risk management focuses on the ability to borrow at that future time to fund the gaps. Funding risk management centres on the ability to re-finance or raise new debt at a future time at the

same or more favourable pricing (fees and borrowing margins) and maturity terms of existing facilities.

It is the Council’s policy to ensure the timely availability of funds to enable the related expenditure to be carried out, and for obligations to be paid on due date, without incurring penalties or holding unnecessary cash reserves.

To manage and mitigate the Council’s liquidity and funding risks the Council has imposed the following controls:

- Match revenue requirements with expenditure streams and ensure timing differences, if any, are favourable to the Council;
- Ensure replacement/renewal funds are available no later than the repayment date, whether sourced from refinancing loans or other sources. The Council has the ability to pre-fund up to 12 months of forecast debt requirements including re-financings in liquid investments;
- Avoid significant concentration of credit risk, exposure or debt repayment maturities; and
- Term debt and committed bank funding facilities plus liquid financial investments, over existing external debt to be greater than 110%.

The chief executive has the discretionary authority to re-finance existing debt on more favourable terms and within the parameters of this policy.

The maturity profile of total committed funding in respect to all term debt and committed bank funding facilities is to be controlled by the following system with percentages calculated off existing external debt.

Period	Minimum	Maximum
0 to 3 years	15%	60%*
3 to 5 years	15%	60%*
5 years plus	10%	40%*

*To be adhered to when external debt levels are greater than \$20 million.

10. Credit Exposure Policy

In using Financial Risk Management instruments the Council can be exposed to counterparty credit risk. This is the risk of losses (realised or unrealised) arising from a counterparty defaulting on a financial instrument where the Council is a party.

Credit risk will be regularly reviewed by the Council. Treasury related transactions would only be entered into with counterparties and limits approved on the basis of long-term credit ratings (Standard & Poor's, Fitch or Moody's) being A+ and above or short-term rating of A-1 or above.

The following framework will determine limits.

Counterparty/ Issuer	Minimum long term/ short term credit rating	Interest rate risk management instrument maximum per counterparty (\$m)
NZ Registered Bank (per bank)	A+/ A-1+	10.0

In determining the usage of the above gross limits, the following weightings will be used:

- Interest rate risk management (eg. swaps, FRAs) – Transaction Notional × Maturity (years) × 3%; and
- Foreign Exchange – Transactional Principal Amount x the square root of the Maturity (years) x 15%.

To avoid undue concentration of exposures, financial instruments must be used with as wide a range of counterparties as possible. Where possible, transaction notional sizes and maturities should also be well spread. The approval process to allow the use of individual financial instruments must take into account the liquidity of the market the instrument is traded in and re-priced from.

11. Borrowing for Cash Management

This section applies to what might be described as borrowing to manage day-to-day fluctuations in cash flow.

For cash management purposes the Council maintains a committed bank funding facility and/or liquid financial investments not exceeding a limit of \$5,000,000, primarily for the urgent financing of emergency-related works and services. This facility may also be used for unexpected short-term fluctuations in operating cash flow. In day to day cash management the target is to maintain operating cash balances as close as possible to zero to minimise bank costs and maximise deposit rates, while meeting obligations to staff and suppliers.

12. Incidental Arrangements

The Council may, on terms and conditions as considered appropriate, enter into and perform any contract or arrangement that is referred to as an “incidental arrangement” (known as financial risk management instruments). Incidental arrangements are further defined in Section 112 of the Local Government Act 2002 as:

- a) A contract or arrangement for the management, reduction, sharing, limiting, assumption, offset, or hedging of financial risks and liabilities in relation to any investment or investments or any loan or loans or other incidental arrangement, whether or not that contract or arrangement involves:
 - i. the expenditure, borrowing, or lending of money; or
 - ii. the local authority undertaking to make payments in exchange for another person undertaking to make payments to the local authority; or
 - iii. the creation or acquisition or disposal of any property or right
- b) A contract or arrangement with any bank, financial institution, or other person providing for any person to act as underwriter, broker, indemnifier, guarantor, accommodation party, manager, dealer, trustee, registrar, or paying fiscal, or other agent for, or in connection with, any loan or investment including the creation of a charge.

Agents

Where it is considered necessary for the efficient management of the Liability Management Policy, and to assist in compliance with the Council’s legislative requirements, the Council will appoint only reputable persons or companies to fulfil the following roles:

- Financial/Investment Advisors;
- Registrars/Paying Agents;
- Brokers; and
- Trustees.

Foreign Exchange

Council has foreign exchange exposure through the occasional purchase of foreign exchange denominated goods and services.

Generally, all significant commitments for foreign exchange are hedged, using foreign exchange contracts, once expenditure is approved and legally committed. Both spot and forward foreign exchange contracts can be used by the Council.

By legislative restriction, the Council cannot borrow or enter into incidental arrangements within or outside New Zealand in currency other than New Zealand currency.

Other

Other forms of incidental arrangement may be entered into only with specific resolution of the Council, and in accordance with the Long-term Plan.

13. Internal Controls

The Council's systems of internal controls over treasury activity include:

- Adequate segregation of duties among the core treasury functions of deal execution, confirmation, settling and accounting/reporting. There are a small number of people involved in treasury activity. Accordingly strict segregation of duties is not always achievable. The risk from this is minimised by the following processes:
 - A documented discretionary approval process for treasury activity;
 - Regular management reporting;
 - Regular operational risk control reviews by an independent audit function; and
 - Organisational, systems, procedural and reconciliation controls to ensure:
 - All treasury activity is bona fide and properly authorised; and
 - Checks are in place to ensure Council's accounts and records are updated promptly, accurately and completely.

14. Legal Risk

Legal and regulatory risks relate to the unenforceability of a transaction due to an organisation not having the legal capacity or power to enter into the transaction, usually because of prohibitions contained in legislation. While legal risks are more relevant for banks, Council may be exposed to such risks. In the event that the Council is unable to enforce its rights due to deficient or inaccurate documentation.

The Council will seek to minimise this risk by adopting policies regarding:

- The use of standing dealing and settlement instructions (including bank accounts, authorised persons, standard deal confirmations, and contacts for disputed transactions) to be sent to counterparties;
- The matching of third party confirmations and the immediate follow-up of anomalies; and
- The use of expert advice for any non-standardised transactions.

Agreements

- Financial instruments can only be entered into with banks that have in place an executed ISDA⁶ Master Agreement with the Council. All ISDA Master Agreements for financial instruments must be signed under seal by the Council.
- The Council's appointed legal counsel must sign off on all documentation for new loan borrowings, re-financings and investment structures.

⁶ International Swaps and Derivatives Association

Financial Covenants and Other Obligations

- The Council must not enter into any transactions where it would cause a breach of financial covenants under existing contractual arrangements.
- The Council must comply with all obligations and reporting requirements under existing funding facilities and legislative requirements.

15. Accounting Treatment of Financial Instruments

Financial instruments will be valued as set out by the Council's Statement of Accounting Policies. If instruments are valued at a fair value under these policies, the following underlying rates are to be used to value the financial instruments:

- Official daily market rates for short-term financial instruments (eg. FRA settlement rates calculated by Reuters from price maker quotations as displayed on the BKBM page);
- Relevant market mid-rates provided by the Council's bankers at the end of the business day (5.00pm) for other over-the-counter financial instruments, eg. swaps; and

For markets that are illiquid, or where market prices are not readily available, rates calculated in accordance with procedures approved by the chief executive.

PARTNERSHIP BETWEEN THE LOCAL AUTHORITY AND THE PRIVATE SECTOR POLICY

Policy Title: PARTNERSHIP WITH THE PRIVATE SECTOR POLICY	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s107	
Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 6 April 2006	06/RDC/098
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233

The objective of this policy is to enable the Council to enter into partnerships with the private sector where there is a potential benefit for the present and future well-being of the community in the Rangitikei District.

In terms of this policy, “private sector” means any company either privately or publicly owned or any other entity that engages in business for profit.

Community Trusts, Charitable Trusts, Not-for-profit Incorporated Societies and other not-for-profit community groups (clubs and associations) are not regarded as private sector organisations for the purposes of this policy.

“Partnering” defined under contracts for the supply of any goods or services is also excluded from the definition of public private partnerships. Likewise, arrangements or agreements between local authorities (and their council organisations) are excluded.⁷

1. Circumstances where Council will provide funding or other resources to any form of partnership with the private sector:
 - There is a clear present and future benefit to the community over the long term in financial, social, cultural or environmental terms; or
 - A need that the partnership will satisfy has been defined in measurable output terms; or

⁷ This provision aligns with section 107(2) of the Local Government Act 2002.

- The partnership will contribute to Council’s strategic objectives; or
- The public sector is unwilling or unable to provide sufficient resources for the achievement of these outcomes without private sector support.

In all cases, the present and future financial, social, cultural and economic benefits to the District of such a partnership must exceed the costs and it is Council’s ultimate discretion as to whether to enter into a partnership with the private sector.

2. What consultation the Council will undertake in respect to any proposal to provide funding or other resources in such a case:

- The Council will always consult on a proposal for a partnership with the private sector through the Special Consultative Procedure.
- The Council will endeavour where possible to do this through the Annual Plan or Long Term Council Community Plan process.

3. What conditions the Council will impose before providing funding or resources in such a case:

- The private sector partner must agree to meet the performance standards set by the Council.
- Constructed physical assets shall either remain the assets of Council or shall be transferred to Council at the end of the agreement.
- The Council must be granted security to the level of its investment over any assets of the partnership.

4. How risks associated with providing funding or resources be assessed and managed in such a case:

- The risks will be assessed in terms of the Council’s existing risk management strategy which covers:
 1. safety,
 2. reputational risk (to the Council),
 3. financial risk,
 4. risk to the capacity of the Council to carry out its functions,
 5. property risk,
 6. intellectual property risk
 7. environmental risk, and
 8. risk of any other potential loss.
- Risk will be assessed using the methods in the AS/NZS 4360 (or successor standard) as used in the Council’s existing risk assessments.
- The Council will manage the risks associated with partnerships with the private sector through the monitoring and reporting processes described below.

5. Outline of monitoring and reporting processes for provision of funding and/or resources:

- The Council will develop a set of measurable and auditable indicators for each partnership and will identify at this time those community outcomes to which the partnership is intended to contribute.
 - A formal report to the Council will be produced for each partnership on a not less than six-monthly basis (to be agreed on between the parties). The report will detail progress towards the intended results of the partnership, the financial performance and the risk management process.
 - These reports and audited annual reports will be reported to the Council.
 - The partnership reporting will be managed in the same fashion as all other Council activities and will meet the requirements of all other Local Government reporting.
6. Outline of how the Council will assess, monitor, and report on the extent to which community outcomes are being furthered by the provision of this funding and/or resources:
- Council acknowledges that it may often be hard to demonstrate a link between the performance of a partnership and how much progress this means towards a community outcome.
 - In its reporting on the progress to achieving community outcomes, both that required by the Local Government Act 2002 and any additional reporting, the Council will have regard to the intended contribution from its partnerships.

RATES REMISSION POLICY

Policy Title: RATES REMISSION POLICY	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government (Rating) Act 2002 s85	
Statutory reference for review: none	
Included in the LTP: No	
Date Amended or Reviewed	Resolution
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Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233
Reviewed in the LTP draft 2012: 27 October 2011	11/SPP/103
Adopted by Council 28 June 2012	12/RDC/112
Reviewed for Annual Plan 2013/14 Adopted by Council 2 May 2013	13/RDC/109

This policy remits rates under six specific objectives and criteria:

1. Development
2. Community, sporting and other not-for-profit organisations
3. Contiguous rating units owned or leased by a single ratepayer
4. Multiple toilet pans
5. Penalties
6. Land affected by natural calamity
7. Land protected for natural conservation purposes

This policy is in addition to the statutory provisions for fully non-rateable land provided in Schedule 1 of the Local Government (Rating) Act 2002.

1 Rates Relief for development

Objective

To assist the economic development of the Rangitikei and to increase the variety of goods and services able to be obtained in the Rangitikei.

Conditions and criteria

As provided by section 85 of the Local Government (Rating) Act 2002, the Council will consider the remission of rates (other than Uniform Annual Charges) to any business or businesses that wish to establish and operate as a business which in the view of the Council:

- is a new type of business or a type of business which does not compete with any existing business within a recognised zone or area; and
- operates from premises, which are regarded as commercial, i.e. as distinct from residential.

2 Rates remissions for Community, Sporting and other Not-For-Profit Organisations

Objective

To facilitate the ongoing provision of non-commercial community services and non-commercial recreational opportunities for the residents of the Rangitikei District.

Conditions and criteria

This part of the policy applies to land owned or occupied by a charitable organisation, (by or in trust for any society or association of persons, whether incorporated or not) which is used exclusively for the free maintenance and relief⁸ of persons in need⁹, or provides welfare, sporting, recreation, or community services. The policy does not apply to organisations operated for private pecuniary profit.

Full Remission

To qualify, land –

- must be owned and occupied by an organisation, whose object or principal object is to promote generally the arts or any purpose of recreation, cultural, health, education, or instruction for the benefit of all the residents or any group or groups of residents of the District, and who are responsible for the rates; and
- does not fit within the definition of non-rateable land under schedule 1 of the Local Government (Rating) Act 2002; but
- is not leased to a third party and the terms of the lease provide for rates to be paid by the Lessor.
- excludes land in respect to which a club licence under the Sale of Liquor Act 1989 is for the time being in force.

The Council will grant the following rates remission:

⁸An Institution will be treated as carried on for the free maintenance and relief of the persons to whom this clause applies if;

(a) those persons are admitted to the institution regardless of their ability to pay for the maintenance or relief; and
(b) no charge is made to those persons or any other persons if payment of the charge would cause those persons to suffer hardship.

⁹Persons in need are defined as persons in New Zealand, who need care, support, or assistance because they are orphaned, aged, infirm, disabled, sick or needy.

- 100% on all rates other than rates for utility services.
- 50% on rates for utility services (water supply, sewage disposal, and stormwater).

Partial Remission

To those organisations in respect to which a club licence under the Sale of Liquor Act 1989 is for the time being in force the council will grant the following rates remission.

- A remission of 75% on all rates other than rates for utility services.

Application Information

Organisations making application for the first time must include the following in their application:

- statement of objectives or charter document; and
- financial accounts; and
- information on activities and programmes; and
- details of membership or clients; and
- any other information that supports the application in relation to the eligibility criteria

Council requires that organisations receiving the remission under this specific objective must confirm their eligibility on an annual basis. Council will remind organisations of this requirement prior to the first rates instalment in any rates year.

3 Contiguous rating units owned or leased by a single ratepayer

Objective

To enable the Council to act fairly and reasonably in its consideration of rates where two or more rating units fail to meet the requirements of section 20 of The Local Government (Rating) Act 2002, to be treated as one unit for setting a rate ONLY because the units are NOT owned by the same person or persons.

Conditions and Criteria

Two or more rating units may be treated as 1 unit for setting a rate if those units are—

- (a) used jointly as a single unit; and
- (b) contiguous or separated only by a road, railway, drain, water race, river, or stream, and
- (c) leased so as to meet all the requirements of Section 11 of the Local Government (Rating) Act 2002 such that the lessee is entered into the rating information database and district valuation roll as the ratepayer in respect of a rating unit.

Section 11 of the Local Government (Rating) Act 2002 states:

Entry of ratepayer in rating information database and district valuation roll

(1) The name of the following persons must be entered in the rating information database and district valuation roll as the ratepayer in respect of a rating unit:

- (a) the owner of the rating unit; or
- (b) the lessee of the rating unit under a lease that—
 - (i) is registered, after the commencement of this section, under section 115 of the Land Transfer Act 1952; and
 - (ii) is for a term (including renewals) of not less than 10 years; and
 - (iii) provides that the lessee must be entered in the rating information database and the district valuation roll as the ratepayer in respect of the unit.

(2) The name of a person who is a lessee of a rating unit must be entered in the rating information database and district valuation roll as the ratepayer in respect of the unit if—

- (a) the name of the person was, immediately before the commencement of this section, entered in the district valuation roll as the occupier of a separately rateable property under the Rating Powers Act 1988 that substantially corresponds with the rating unit entered in the rating information database; and
- (b) the person is a party to a lease or licence with the owner—
 - (i) that was entered into by the owner and the person before 8 August 2001; and
 - (ii) remains in force; and
 - (iii) either—

(A) precludes the renegotiation of rent or any other payments that would allow the owner to be reimbursed if the owner were directly liable to pay the rates due on the unit; or
(B) is a lease registered under section 115 of the Land Transfer Act 1952.

(3) Subsection (1) is subject to subsection (2).

(4) For the purposes of subsection (2), it is sufficient evidence, unless the contrary is proved, that the person referred to in that subsection must be named in the rating information database and the district valuation roll if,—

(a) in the case of a lease under subsection (2)(b)(iii)(A), the owner has provided a statutory declaration to the local authority that those provisions apply:

(b) in the case of a lease under subsection (2)(b)(iii)(B), the owner has provided a certified copy of the certificate of title in relation to the unit that shows the lease has been registered.

(5) For the purposes of subsection (2)(b)(ii), a lease must be treated as remaining in force if the lessee has exercised a right to renew the lease on the same terms and conditions.

(6) In this section, lessee includes a person to whom the lessee transfers or assigns the lessee's interest in the lease.

Application Information

The applicant must apply in writing to the Strategic Finance Manager of Rangitikei District Council providing details of the lease agreement, including a copy of the lease, which qualifies the applicant for this remission.

The applicant must advise Council of any change in circumstances or the terms of the lease and will, in all events, confirm eligibility on an annual basis.

4 Remission of rates set on Multiple Toilet Pans

Objective

To recognise that many properties with multiple toilet pans are not fully utilised and offer some relief to those rating units so affected.

Conditions and criteria

Where the Council has set a rate per number of water closet and urinals (toilet pans) within the rating unit or part of the rating unit the Council will remit the rate according to the following formula:

- The first two pans will receive only one charge
- 3-10 toilet pans: 50% of the value of the Fixed Annual Charge for each pan
- 11+ toilet pans: 75% of the value of the Uniform Annual Charge for each pan

5 Remission of Penalties

Objective

To enable the Council to act fairly and reasonably in its consideration of rates that have not been received by the Council by the Penalty date.

Conditions and criteria

- Unless there is an element of error on the part of the Council or the Council staff, then any application for penalty remission is declined unless remitted as part of a payment plan.
- The Strategic Finance Manager is delegated the authority to remit one instalment penalty in cases where the rate payment history of the property occupier over the last five years (or back to purchase date where property has been occupied/owned for less than five years) shows no evidence of previous late payment and the instalment was received within 10 working days of the penalty date.
- The Strategic Finance Manager is delegated the authority to remit one instalment penalty if the owner/occupier of the property enters into a Direct Debit payment plan for the next instalment.

6 Remission of rates on Land Affected by Natural Calamity

Objective

To assist ratepayers experiencing extreme financial hardship due to a natural calamity that affects their ability to pay rates.

Conditions and criteria

This part of the policy applies to a single event where erosion, subsidence, submersion, or other natural calamity has affected the use or occupation of any rating unit. The policy does not apply to erosion, subsidence, submersion, etc that may have occurred without a recognised major event.

The Council may, at its discretion, remit all or part of any rate assessed on any rating unit so affected by natural calamity.

The Council will set the criteria for remission with each event. Criteria may change depending on the severity of the event and available funding at the time. The Council may require financial or other records to be provided as part of the remission approval process.

Remissions approved under this policy do not set a precedent and will be applied only for each specific event and only to properties affected by the event.

7 Rates remission on Land Protected for Natural Conservation Purposes

Objective

To provide rates relief to property owners who have voluntarily protected land of natural conservation purposes; to protect and promote significant natural areas; and to support the District Plan where a number of these features have been identified.

Conditions and Criteria

Ratepayers who own rating units which include significant natural areas, including those identified in the District Plan, and who have voluntarily protected these features, may qualify for remission of rates under this part of the policy.

Land that is non rateable under section 8 of the Local Government (Rating) Act and is liable only for rates for water supply, wastewater or refuse collection will not qualify for remission under this part of the policy.

Applications must be made in writing. Applications should be supported by documentary evidence of the protected status of the rating unit, e.g. a copy of the covenant or other legal mechanism.

Applications for the remission will be considered by officers of the Council acting under delegated authority from the Council.

In consideration of any application for rates remission under this part of the policy, Council will consider the following criteria:

- The extent to which the protection of significant natural areas will be promoted by granting remission of rates on the rating unit;
- The degree to which the significant natural areas are present on the land, and
- The degree to which the significant natural areas inhibit the economic utilisation of the land.

In granting the submissions for land protected for natural conservation purposes, the Council may specify conditions that must be met before remission is granted. Applicants will agree in writing to these conditions and agree to repay the remission if the conditions are violated.

Council will decide remissions on a case-by-case basis; remissions will usually be applied to the value of the rating unit or proportion of a rating unit that contains the areas of significant natural flora.

The Council may agree to an on-going remission in perpetuity provided the terms and conditions of the voluntary legal mechanism applying to the feature are not altered.

AMENDMNET TO COUNCIL'S RATES REMISSION POLICY: INCENTIVES TO ADDRESS EARTHQUAKE-PRONE BUILDINGS

Policy Title: AMENDMNET TO COUNCIL'S RATES REMISSION POLICY: INCENTIVES TO ADDRESS EARTHQUAKE-PRONE BUILDINGS

Date of Adoption: 30 October 2014

Resolution: 14/RDC/233

Review Date: none

Statutory reference for adoption: Local Government (Rating) Act 2002 s85

Statutory reference for review: none

Included in the LTCCP: No

Date Amended or Reviewed	Resolution

Introduction

1. Council recognises the value of addressing earthquake-prone buildings, either by strengthening them or by rebuilding following demolition. While there will be varying views over the respective value of preserving heritage compared with creating a new structure, Council's concern is that such sites remain viable business entities. Council recognises that strengthening all or part of heritage buildings or retaining the street façade as part of a replacement building helps retain townscape character.

2. This policy applies to
 - a. all buildings originally constructed prior to 1945 in the commercial zones of the District where the businesses operating within them (currently or projected) depend on the presence of a significant number of public customers or employees to be viable; and
 - b. any other commercial or industrial building where the businesses operating within it (currently or projected) depends on the presence of a significant number of public customers or employees to be viable, for which the owner provides evidence of a professional assessment that the building is earthquake prone (i.e. below the 33% threshold of the New Building Standard).

3. This policy does not apply to any earthquake-prone building for which the Council has provided grants and/or waiver of fees equivalent to (or exceeding) financial assistance available within this policy. Where that assistance is less, the policy will be applied on a pro rata basis.

4. This policy does not apply to any demolition, strengthening or rebuilding for which building consents were issued prior to this policy being adopted.

Remission during building work

5. A full remission of rates will be granted for up to six months during the period when
 - a. the building is strengthened; or
 - b. the building is demolished, and a new building is erected on the site; *or*
 - c. the building is demolished, the site is cleared and (in consultation with the Council) set out for passive public use, and a new building is erected on another site within the commercial area of that town
6. The site must be unoccupied other than by contractors undertaking the building work.
7. Application for this remission must be made no later than three months before the intended strengthening and demolition. The application must include documentation which gives evidence of
 - a. *either* the proposed strengthening work and the time envisaged for that work to be done,
 - b. *or* the proposed demolition and rebuilding and the time envisaged for that work to be done.
8. Approval of this remission will be associated with a waiver of all District Council consent costs up to a maximum of \$5,000 (plus GST). This excludes any government levies and charges, which will remain the responsibility of the property owner.
9. If the proposed strengthening or demolition/rebuilding is not achieved within the time noted in the application, or as otherwise mutually agreed, Council will reverse the remission and may recover part or all of the waived fees.

Remission following completion of building work

10. A full remission of rates will be granted for a maximum of three years for a property containing one or more earthquake-prone buildings once a Code Compliance Certificate has been issued for *either* the strengthening of such earthquake-prone buildings *or* the erection of a new building on a site previously occupied by one or more earthquake-prone buildings *or* the erection of a new building on another site in the commercial zone of that town provided that the use of the former site is consistent with the provisions of the District Plan, irrespective of whether the owner retains the site, transfers it to another entity or (at no cost) vests that site in Council.
11. Application for this remission must be made no later than three months after the issue of the Code Compliance Certificate.
12. This remission is available only to the owner of the site when the strengthening or new building work was undertaken.

RATES REMISSION POLICY FOR MAORI FREEHOLD LAND POLICY

Policy Title: RATES REMISSION POLICY FOR MAORI FREEHOLD LAND	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
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Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 24 November 2005	05/RDC/426
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233

1. Introduction

The policy provides for the fair and equitable collection of rates from Māori freehold land, recognising that certain Māori-owned freehold lands have particular conditions, features, ownership structures or other circumstances determining the land as having limited rateability under legislation. This policy also acknowledges the desirability of avoiding further alienation of Māori freehold land.

Māori freehold Land is defined by section 5 of the Local Government (Rating) Act 2002 as “land whose beneficial ownership has been determined by the Māori Land Court by freehold order”. Only land that is the subject of such an order may qualify for remission under this policy.

Note: The policy applies to unsold land affected by the Māori Affairs Amendment Act 1967, which provided for Māori land owned by not more than four persons to be changed to General land. While this amendment was repealed in 1973, those blocks that had been changed remained as General land and therefore could be subject to compulsory sale to recover rate arrears.¹⁰ The onus for identifying this status to the Council lies with the land owners.

2. Objective

The objectives of this Policy is to provide rates relief for Māori freehold land in multiple ownership and to recognise, support and take account of:

¹⁰ Te Puni Kokiri is currently working with the owners of the remaining titles to make them aware of the status of the land. In addition, Te Puni Kokiri and the Māori Land Court intend undertaking a programme to identify all Māori land titles affected by the Amendment and communicating this status of the titles to the current owners.

- facilitating any wish of the owners to develop the land for economic use;
- the presence of Waahi Tapu that may affect the use of the land for other purposes;
- the importance of associated housing in providing Kaumātua support and enhancement for Marae;
- the importance of the land for community goals relating to:
 - the preservation of the natural character of the coastal environment;
 - the protection of outstanding natural features; and
 - the protection of significant indigenous vegetation and significant habitats of indigenous fauna.
- matters related to the legal, physical and practical accessibility of the land;
- land that is in and will continue to be in a natural and undeveloped state.

3. Conditions and Criteria

In order for a property, or part of a property to qualify for a rates remission under this policy it must meet all of the required criteria and at least one of the optional criteria:

The required criteria are

- Māori Freehold land as defined in the Local Government (Rating) Act 2002, and
- in multiple ownership, defined as two or more owners, and
- unoccupied.

Occupation for this policy is where a person/persons do one or more of the following for their significant profit or benefit:

- leases the land to another party, or
- permanently resides upon the land, or
- de-pastures or maintains livestock on the land, or
- undertakes significant commercial operations.

Under this policy land must not be occupied as defined above unless the land and its housing is used to contribute to the Kaumātua support and enhancement of the Marae under the optional criteria below:

The optional criteria are:

- Development of the land for economic use. If any land is to be developed for economic use, particularly if it will provide employment for local Māori, a rates remission will be considered. This remission will decrease in proportion to the property increased economic use through development. Plans of the development and financial projections will be required to support application under this criterion;

- The presence of Waahi Tapu that may affect the use of the land for other purposes. A rates remission will be considered on a property or part of a property where the use of that property is affected by the presence of Waahi Tapu.
- Where houses are in the vicinity of the Marae the Committee will consider representations for rates remissions, considering the contribution to the Kaumātua support and enhancement of the Marae;
- Used for preservation/protection of character or coastline, outstanding natural features, significant indigenous vegetation and habitats of indigenous fauna. Applications under this criterion need to be supported by an existing Department of Conservation or Regional Council Management Plan, (e.g. in the Department of Conservation Coastal Management Plan for the area);
- Accessibility Issues. If it is difficult to legally, physically or practically access a property, a rates remission will be considered. Examples of accessibility issues are:
 - The property is landlocked by properties owned by other people/entities.
 - Access is legally available by paper road or easement but the road does not exist.
 - A road ends or passes a property but a river, ravine, cliff or other impediment prevents practical access.
- In a natural and undeveloped state, and will continue to remain in such state.

If the property is in and will remain in a natural and undeveloped state and there is no significant financial income, a rates remission will be considered.

4. Process of Application and Consideration for Rates Remission under this policy

Applications

On application to the Rangitikei District Council, consideration will be given for the remission of rates on Māori freehold land under this policy.

The application for rates remission under this policy shall include:

- details of appropriate contacts;
- details of property and occupancy;
- the condition(s), as listed in Section 4 of this policy, under which the application is made;
- any relevant information to support the application, such as historical, ancestral, cultural, archaeological, geographical or topographical information;
- details of the financial status of the land supported by full financial statements;
- a copy of any agreements or licenses to operate on the land; and
- a declaration stating that the information supplied is true and correct and that any changes in circumstances during that period of rate remission will be notified to the Council.

5. Consideration of Applications by Māori Land Rates Remission Committee

All applications for rates remission under this policy shall be considered and decided upon by the Māori Land Rates Remission Committee. The Māori Land Rates Remission Committee is to consist of three Council members and three Tangata Whenua, most likely Te Roopu Ahi Kaa members.

Any decision as to whether any land or part thereof meets or continues to meet the qualifying criteria shall be made by the Māori Land Rates Remission Committee.

Six Year Duration

Any remission of rates granted under this policy will generally apply for a six-year period.

In order to align with the Council's Long Term Council Community Plan cycle all remissions will be reviewed in January 2009 and six yearly after that review.

If the use of a property changes within the period the owners will notify the Council immediately and the remission status of the property will be reviewed.

Any changes of rates remission status will be effective from the date the property use changed.

Right of Appeal to Full Council

If an applicant considers the decision of the Māori Land Rates Remission Committee is not correct they may appeal to the full Council.

6. Māori Land Rates Remission Committee can consider properties without Application by Owners (i.e. Committee-generated Applications)

If a property could apply for a rates remission but the owners have not applied for the remission, the Committee can consider the granting of a remission of rates under the criteria outlined in section 4 of this Policy.

An example of the situation where this Committee-generated application could apply is where the presence of an unregistered urupa is publicly known but an application has not been made as the owners are geographically dispersed.

7. Rate and Penalty Arrears Write Off

Intention to Write Off Rate Arrears and Penalties

For a number of landlocked properties considerable rate arrears have accrued over the past decade due to an inability of the property to sustain the rates assessed. Council intends to write off these arrears, on a case-by-case basis, once the Committee has approved a Māori land rate remission for individual properties.

Committee can recommend arrears write off to Council

When considering a Māori land rate remission the Committee is to assess any rates and penalty arrears on the property. If these arrears have resulted from the inability of the property to sustain the rates, the Committee is to recommend to Council that the arrears be written off.

8. Right to change conditions and criteria

The Council reserves the right to add to delete or alter in any way the above conditions and criteria from time to time.

When making such changes Council will follow its consultation policy and ensure affected parties are engaged in the change process.

9. No postponement of rates

Nothing in this policy is to be taken as providing or implying a policy providing for the postponement of rates on Māori freehold land.

REVENUE AND FINANCING POLICY

Policy Title: REVENUE AND FINANCE POLICY	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s102 (4)(a)	
Statutory reference for review: none	
Included in the LTP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 2 March 2006	06/RDC/049
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Agreed by Council: 29 January 2009	09/RDC/029
Included in LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233
Adopted in the LTP 2012: 28 June 2012	12/RDC/104
Amended draft adopted by Council 28 February 2013	13/RDC/051
Adopted by Council 2 May 2013	13/RDC/108
Adopted by Council 30 May 2013	13/RDC/126
Adopted by Council 3 October 2013	13/RDC/242

Introduction

Section 102(4) of the Local Government Act 2002 requires the Council to adopt a Revenue and Financing Policy, and clause 10 of Schedule 10 of that Act requires this adopted policy to be included in Council's LTP.

The purpose of the revenue and financing policy is twofold.

- to state the Council's policies in respect of funding both operating expenses and capital expenditure from the sources available to it;
- to show how the Council has complied with the requirements (of section 101(3) of the Act) to give consideration to six specific issues in developing the policy.

The policy considerations thus fall into three parts, with the summary of how it has been applied to Council's nine groups of activities provided as an appendix. This revenue and

financing policy is different from that adopted as part of the 2009/19 LTCCP. Council gave further consideration to this policy during deliberation on submissions to the draft LTP. When this new policy is adopted as part of the adoption of the final LTP, it will replace the earlier policy.

1. Process

In developing its revenue and financing policy, Council is required to consider – in relation to each activity to be funded – the following six matters:

- The community outcomes to which the activity primarily contributes; and
- The distribution of benefits between the community as a whole, any identifiable part of the community, and individuals;
- The period in or over which those benefits are expected to occur;
- The extent to which the actions (or inaction) of particular individuals or a group contribute to the need to undertake the activity; and
- The costs and benefits, including consequences for transparency and accountability, of funding the activity distinctly from other activities; and
- The overall impact of any allocation of liability distinctly from other activities, and future social, economic, environmental and cultural well-being of the community.

Council undertook an intensive analysis on these matters for each activity in preparing the 2009/19 LTCCP. As the scope of Council's activities has changed very little over the past three years, that analysis was accepted as the basis for reviewing the policy for this Plan. The major change reflects one of the key drivers in the financial strategy – a District-wide approach. Council believes that taking a District-wide approach to rating across all activities is the fairest mechanism. "District-wide" means that an urban property valued at (say) \$200,000 in Taihape, Marton or Bulls will pay the same rates for the same services. Such properties will pay different rates than a property in the rural area valued at \$200,000, because the services provided are different. The different rates for water and wastewater between town and rural properties are an example of this. The only Community Services rate (a rate levied on a particular community) remaining is to fund the two Community Boards (in Taihape and Ratana). This, coupled with a stronger focus on groups of activities, meant Council decided – as far as practicable – to aggregate its approach to defining funding sources on a whole-of-group approach.

2. Valuation system

Council uses a Capital Value system to apportion rates.

The General Rate (other than the Uniform Annual General Charge), the Roothing Rate and Community Services Rate are set using capital value as a base.

Capital value based rating is seen as the best mechanism for the following reasons:

- Capital values recognise the economic activity to which the rating unit is put. Setting rates on capital value ensures that those rating units using Council services pay their share:

- Shops in the CBD, for instance, have a high capital value in relation to land value, but also use Council’s infrastructure (especially roading) to a greater degree than a residential property that has the equivalent land value.
- Capital improvements (such as building a new house or undertaking a conversion to dairying) typically lead to increased use of Council’s infrastructure and services.
- In areas of growth, capital value increases generated by the growth can absorb much of the rate increase associated with the increased use of infrastructure caused by the growth. Land values are less likely to achieve this.
- Capital values are a known figure. Capital values are generated from sales of assets while land values (especially in urban areas) are calculated from small quantities of vacant land sales and are therefore less reliable.
- Capital values are less volatile than land sales. If Council used land value based rates, the incidence of rates changing due to valuation affects alone would have been far more significant than under capital value.¹¹

3. Sources of funding

Council funds operating expenditure from the following sources:

General rates	Used when there is a general benefit for the District as a whole. The General Rate, based on capital value, is typically used when there is a high public benefit in the services provided, when Council considers the community as a whole should meet the costs of the service, and when Council is unable to achieve its user-charge targets and must fund expenditure. Examples are Animal control and Economic development and District promotion.
Uniform Annual General Charge	Used where a benefit from a Council service is received equally. ¹² Examples are the cost of undertaking the planning and reporting required by legislation and remuneration to elected members. The fixed Uniform Annual General Charge is a fixed amount per ‘separately used or inhabited part’ of a rating unit.
Targeted rates	Used to ‘target’ specific activities so that their cost is evident to the community. There are two ways of setting targeted rates. They may be set as a fixed charge on every rating unit in the district when Council believes that the benefit is received equally. This is the case for libraries and swimming pools. Alternatively targeted rates may be set based on capital value when Council believes that there is variable benefit. This is the case for roading.

¹¹ However, in accordance with section 22(2) of the Local Government (Rating) Act 2002, property owned by the Ministry of Defence is rated on a land value basis.

¹² Section 21 of the Local Government (Rating) Act 2002 limits the UAGC together with any other rate set as a fixed charge on every rating unit across the District (other than water and wastewater rates) to a maximum of 30% of Council’s total income from all rating mechanisms.

Fees and charges	Used when Council considers that the high level of benefit received by specific individuals justifies seeking user charges (which cover all or part of the service provided), that such individuals (or groups) can be identified, and that it is economic to collect the charges. Examples are the provision of building and resource consents and disposal of waste at the waste transfer stations. Council recognises that fees may deter what the community would perceive as desirable activities, such as registering dogs or registering food handling premises: discounts for early payment are offered in these circumstances.
Interest and dividends from investments	Applied to the benefit of the whole Council – proceeds are used to offset the general rate requirement, except where the interest is credited to a special fund or reserve fund.
Borrowing (both external and internal)	May be internal or external – the cost to be borne by the activity requiring the loan.
Proceeds from asset sales	Used to fund renewals expenditure within the sold asset’s activity. However, forestry asset sales are treated as investment proceeds (used to offset future forestry expenditure, and then the General Rates). However, proceeds from forestry on reserves must be applied to reserves (but not necessarily to future forestry on them).
Proceeds from logging	Used to offset future forestry expenditure. However, logging from forests on reserves may be applied to other improvements to reserves, not necessarily future forestry.
Donations, grants and subsidies towards operating expenses	Received mainly from central government and typically related to specific activities. Examples are roading and community development projects. The John Beresford Dudding Trust typically makes an annual grant to the district libraries.
Other operating revenue	Recognises that Council may apply other sources of funds on a case-by-case basis, taking the most equitable course.

Council may choose not to fund in full operating expenditure in any particular year for a particular activity, if the deficit can be funded from actual operating surpluses in the immediately-preceding year or projected in subsequent years within that activity.

Council may also choose to fund from the above sources more than is necessary to meet the operating expenditure in any particular year, having regard for an actual operating deficit in the immediately-preceding year or projected in subsequent years or to repay debt. Council will have regard to forecast future debt levels when ascertaining whether it is prudent to budget for an operating surplus for debt repayment.

Council has determined the proportion of operating expenditure to be funded from each of the sources listed above and the method of apportioning rates and other charges. This is contained in the attached summary.

Council funds its capital expenditure (procurement and/or building of assets and infrastructure) from the following sources:

Rates	<p>Rates are not normally used to fund capital expenditure directly other than for roading. Rates are used to fund interest on loans taken for capital projects and also to create depreciation reserves to fund future renewals of existing assets or infrastructure. The rationale is that current ratepayers/users of the assets should pay for the replacement of the asset that they are using. This is the intergenerational equity concept. Future generations should not have the added burden of the cost of replacing an asset that they have not used. Future generations may not be able to afford the replacement in any case.</p> <p>The depreciation calculation is used as a proxy to calculate the funding needed for depreciation reserves. Revaluing assets so that the calculation is as accurate as possible is done every three years (the minimum review period legally required) to minimise the costs associated with obtaining the revaluations.</p> <p>This means that in the case of roading, where the lifecycle of the assets in many cases is far shorter than other assets such as water supply schemes, the depreciation alone is insufficient to cover the current renewal costs. However, when NZTA funding is taken into account, the funding is normally sufficient. Where it is not, the Roading rate is used to fund these shortfalls.</p> <p>This mechanism also lessens the risk of large rate increases in the year subsequent of a valuation update.</p>
Depreciation reserves	<p>Depreciation reserves that have been funded in previous years from rates (or other funding) are used only to fund replacements and renewals of operational assets and infrastructural assets. They are also used to repay the capital on borrowing. This fits with the concept of intergenerational equity.</p> <p>In the situation where a depreciation reserve is in deficit, then this should be recovered from rates, as should capital renewals, until the depreciation reserve is no longer in deficit. Where depreciation reserves are sufficient, loans may be repaid earlier.</p>
Roading reserves	<p>The roading reserve is established to provide funding for emergency works as a result of bad weather or other natural disasters.</p>

Community and leisure assets reserves	Previously Council has funded depreciation at either 100% or 0%. Now, instead of funding the full calculated depreciation requirement on specific leisure facilities, depreciation is set at 100% for libraries ¹³ , 50% for parks, halls and public toilets, and 0% for swimming pools and community housing. Additionally Council agreed to a \$75,000 per annum swimming pool reserve ¹⁴ .
Subsidies and grants	<p>Subsidies and grants are primarily received from the government for various central government initiatives, or to fund specific activities such as roading renewals and developments, water and/or wastewater developments.</p> <p>Roading subsidies for renewals only cover the subsidisable portion of the current renewals. The government does not fund its portion of the roading renewal programme in advance through depreciation funding as the Council does. Council only funds its “local share” of the depreciation funding.</p> <p>The risk to Council is that the rate of subsidy may decrease or cease to exist when the asset is renewed. This is seen as a low risk for roading as the lifecycle of the assets is lower (20 years or less).</p> <p>As these subsidies and/or grants relate to specific activities, the subsidy or grant is treated as an income stream of the activity to which they relate even though the funds so derived are used to replace or create (primarily) infrastructural assets.</p> <p>As such funding streams are classified as income but the funds are used to fund capital, an operational surplus is automatically created in the surplus or deficit as the expenditure is recognised in the “balance sheet” surplus or deficit. This phenomenon is peculiar to central and local government and causes confusion to those who view such “surpluses” as “profit” and subsequently think that councils are over-rating them.</p>
Loans	Loans are used to fund development. This fits within the concept of intergenerational equity whereby the future ratepayers or users who benefit from the new asset pay for the loan interest charges and loan repayments. Depreciation reserves are used to reduce the amount of loan, but (as noted above) interest payments are funded by rates. Council’s policy is to renew borrowing at least every three years and repay the total sum borrowed within 20 years.

The summary in Appendix 1 also shows how new capital expenditure will be funded (noting whether this will vary from the funding mechanism for operational expenditure). It notes where Council will undertake specific consultation before settling the method of funding.

¹³ From 2013/14

¹⁴ From 2013/14

Council has confirmed the principle that non-replacement capital expenditure for infrastructure and/or community facilities may be funded from the properties connected to or communities that directly benefit via a capital contribution or a targeted rate on a case by case basis.

In addition, the summary shows changes to the funding mechanisms which Council envisages may happen during the term of the LTP and (where that is determined) the need for transitional funding arrangements.

Council recognises that revenue from fees and charges will change from year to year – because of the extent of public participation, the market place, and central government policy and programmes. Thus the funding split between public and private mechanism (where both are involved) may vary between years. Similarly, levels of government grants and subsidies may change, which would necessitate an altered funding split (e.g. rural fire or roading).

Appendix: Summary of revenue and financing policy

Activity	Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2012/22 ¹⁵
Community leadership						
Council Strategic planning and reporting Iwi liaison Community Committees, Elections	100:0	Uniform Annual General Charge on separately used or inhabited part of every rating unit in the district	Not applicable	Benefits potentially shared equally among all residents	Not applicable	Not envisaged
Community Boards	100:0	Targeted Community Services rate based on capital value	Not applicable	Benefits shared among all residents within the Board area, but not equally; impossibly complex to identify specific benefits to individuals or organisations as this will change	Not applicable	Not envisaged
Roading and footpaths						
Roading including Bridges	50:50 to 40:60	Targeted rate (District-wide) based on capital value	Central government grants and subsidies, fuel taxes, fines,	District-wide benefit, property-related, but Government subsidy is a	Not applicable	Not envisaged

¹⁵ Apart from review of share from user charges or central government grants and subsidies

Activity	Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2012/22 ¹⁵
Footpaths and street lighting ¹⁶			infringement fees and other receipts	significant contribution. Roding is a significant activity warranting a separately disclosed rate		
Water supply						
Potable water (town reticulation schemes)	20:80 to 30:70	Targeted rate: 25% from all separately used or inhabited rateable properties (whether connected or unconnected), funded 33% through the general rate with the balance funded through a fixed charge	Targeted rate and user charges. 65-70% consumption charge to all connected properties, other than those metered as extraordinary users 5-10% of cost recovered from extraordinary users ¹⁷ and bulk supplies	A balance is needed between the benefits to those connected to the scheme and affordability. There is a District-wide benefit in effective and safe urban water reticulation schemes ¹⁸	To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged

¹⁶ It is proposed that under veranda street-lighting and car parks will no longer be funded through targeted community services rate with commercial differential on the basis of their linkages to the roading network and safe transportation.

¹⁷ Metered for full quantity of water taken, charged on basis of rates set in Council's fees and charges or as separately agreed.

¹⁸ Including a supply charge to those properties which could be connected acknowledges the potential benefit available at any time at minimal cost to such properties.

Water supply						
Hunterville	20:80 to 30:70	Targeted rate: 25% from all separately used or inhabited rateable properties (whether connected or unconnected), funded 33% through the general rate with the balance funded through a fixed charge	Metered supply			
Non-potable water (rural supply schemes) Erewhon Omatane Putorino Huntenville	0:100 to 5:95	Internal charges (overheads) to be met through the General Rate	User charges (set by each scheme)		To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged

Sewerage and the treatment and disposal of sewage						
Wastewater	20:80 to 30:70	Targeted rate: 25% from all separately used or inhabited rateable properties (whether connected or unconnected), funded 33% through the general rate with the balance funded through a fixed charge	Targeted rate and user charges: 65-70% disposal charge to all connected properties, except for properties subject to an agreement under the Trade Waste Bylaw 5-10% of cost recovered from charges levied under the Trade Waste Bylaw and septage disposal (on basis of rate set in Council's Fees and Charges or as separately agreed)	A balance is needed between the benefits to those connected to the scheme and affordability. There is a District-wide benefit in effective and safe urban wastewater schemes ¹⁹	To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged
Stormwater drainage						
Stormwater	20:80 to 30:70	Targeted rate: 25% from all separately used or inhabited rateable properties (whether urban or rural), funded 33% through the general rate with the balance funded through a fixed charge	Targeted rate 75% from all rating units	A balance is needed between the benefits to those properties connected to a stormwater scheme and affordability. There is a District-wide benefit in effective and safe urban stormwater schemes	To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged

¹⁹ Including a supply charge to those properties which could be connected acknowledges the potential benefit available at any time at minimal cost to such properties.

Community and leisure assets						
Libraries Swimming pools Public toilets Cemeteries Parks	100:0 to 90:10	Targeted rate set as a fixed charge on every separately used or inhabited part of every rating unit in the district	User pays for value-added services for individuals or groups	District-wide benefit, related primarily to individual rather than property	To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged
Halls Housing Property	30:70 to 50:50	General rate	User pays for exclusive use of facilities	District-wide benefit, but not equally; impossibly complex to identify specific benefits to individuals or organisations as this will change	To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged
Rubbish and recycling						
Waste management Waste minimisation	40:60 to 60:40	Targeted rate set as fixed charge on every separately used or inhabited part of every rating unit in the district	Government grants and user charges at waste transfer stations	Users of the facilities benefit – but so does every resident in the District as a whole in terms of health and tidiness of the environment	To be determined by Council on a case-by-case basis, following consultation with affected communities	

Environmental and regulatory services						
Animal control Building control Consent processes Other regulatory functions (environmental health liquor licensing, hazardous substances etc.)	45:55 to 65:35	General rate	User charges	There are benefits to the District at large in having a well-regulated environment, in which buildings are safe, changes to land use do not intrude unduly on the environment, animals do not pose a threat to people or other animals, etc. However, there is also an individual benefit for those people participating in such activities. The funding split recognises that there will be circumstances where the exacerbator cannot be traced to pay	Not applicable	Not envisaged
District Plan	100:0	General rate		Benefits potentially across the whole District but not equally	Not applicable	Not envisaged
Community well-being						
Information Centres Economic development Community partnerships Emergency management Rural fire	95:5 to 85:15	General rate	Government subsidies and User pays for specific services (e.g. travel commissions at information centres)	District-wide benefit, but not equally; impossibly complex to identify specific benefits to individuals or organisations as this will change	Not applicable	Not envisaged

Separate targeted Community Services rate for AA licensing services is removed because of the very minor budgetary implications

SIGNIFICANCE AND ENGAGEMENT POLICY

Policy Title: SIGNIFICANCE AND ENGAGEMENT POLICY	
Date of Adoption: 27 November 2014	Resolution: 14/RDC/249
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s76AA	
Statutory reference for review: none	
Included in the LTCCP: Summary to be included (Schedule 10, Part 1, 11)	
Date Amended or Reviewed	Resolution

Background

Every decision made by a local authority must be made in accordance with the provisions of the Local Government Act 2002 (the Act).

Section 76AA requires councils to adopt a Significance and Engagement Policy to enable it to determine the significance of the decision to be made and, where appropriate, engage with its community. This is a new requirement for all councils under Part 6 of the Act. The previous requirement for Councils to have a Significance Policy has been repealed. Therefore, Council’s existing Significance Policy will be replaced with this Significance and Engagement Policy.

Once a decision is determined as significant according to the approach, criteria and procedures of this policy, or by council resolution, the decision-making and associated engagement provisions contained in the Act will be observed.

The Council will not make a decision or proceed with a proposal which it considers to be significant, unless it is first satisfied that sections 77 (requirements in relation to decisions), 78 (community views in relation to decisions), 81 (contributions to decision-making by Maori) and 82 (principles of consultation) of the Act have been appropriately observed.

Section 77 of the Act requires that it must:

- “seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
- assess the options in terms of their advantages and disadvantages; and
- if any of the options identified involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture

and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga”.

Section 78 of the Act requires that “a local authority must, in the course of its decision-making process in relation to a matter, give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter”.

Section 81 requires that councils have in place a process that will encourage and foster participation in decision-making by Maori (see Council’s policy, Development of Maori capacity to contribute to Council decision-making).

Section 82 outlines the principles of consultation which councils must use in their decision-making. It amplifies on section 78, requiring that councils:

Provide reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of persons likely to be affected by, or to have an interest in, the matter

Encourage affected/interested persons to present their views to the local authority

Provide reasonable opportunity to present those views to the local authority and 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

Receive the views with an open mind and provide a clear record or description of relevant decisions made by the local authority and explanatory material relating to the decisions

Section 82A specifies the information which is to be made publicly available - essentially the record of Council's considerations under section 77.

Significance and engagement will be considered in the early stages of a proposal before decision making occurs and, if necessary, reconsidered as the proposal develops.

When Council makes a decision that is inconsistent with this policy, the steps identified in Section 80 (Identification of inconsistent decisions) of the Local Government Act 2002 will be undertaken.

Purpose and Scope

This policy will:

enable the Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities

provide clarity about how and when communities can expect to be engaged in decisions made by Council

inform the Council and the community from the beginning of a decision-making process about the extent, form and type of engagement required.

Policy Application

Determining Significance

Council will consider the significance of every issue requiring a decision and the level of engagement on a case by case basis.

In considering the degree of significance of every issue requiring a decision, Council will be guided by the following:

The potential effect on Council's ability to act in accordance with the statutory principles relating to local government

The potential effect on the delivery of the statutory core services

The likely level of community interest in the issue (which may be a particular location in the District, a particular group in the community, or the entire District)

The possible financial and non-financial costs (risks) of the decision (or of reversing the decision) with regard to the Council's capacity to perform its role.

The following thresholds will also be used by Council to help determine if specific proposals and decisions are significant:

	Significant	Not significant
The potential effect on Council's ability to act in accordance with the statutory principles relating to local government	Major and/or long term	Minor and short-term
The potential effect on the delivery of the statutory core services	Major and/or long term	Minor and short-term
The level of community interest in the issue	Major and/or District-wide	Minor and localised
The financial costs/risk associated with the decision	Major and/or long term	Minor and short-term
The non-financial costs/risk associated with the decision	Major and/or long term	Minor and short-term

It is the Council's judgment as to whether a matter is significant. A matter will be significant if in Council's judgment one or more of the criteria fall into the significant column.

When any issue is determined as a significant decision:

The issue will be considered by the Council (normally, following consideration by and a recommendation from the relevant Council Committee)

The report to Council will include an assessment of the degree of significance of the issue, the degree of engagement proposed, the engagement plan proposed and a staff recommendation.

Strategic Assets

Under s.76AA(3) of the Act, this Policy must list the assets considered by the local authority to be strategic assets. According to s.5 of the Act, a "strategic asset, in relation to the assets held by a local authority, means an asset or group of assets that the local authority needs to retain if the local authority is to maintain the local authority's capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community".

Significant decisions in relation to strategic assets will be those decisions that affect the whole asset group and not individual components, unless that component substantially affects the ability of the Council to deliver the service.

It is the principle of provision of the service not individual roads, parks, etc., that make these asset groups strategic.

Groups of Strategic Assets:

Road network, street-lighting

Wastewater networks and treatment plants in Ratana, Bulls Marton, Hunterville, Mangaweka and Taihape
Water treatment, storage, and supply networks in Ratana, Bulls Marton, Hunterville, Mangaweka and Taihape
Stormwater networks in Ratana, Bulls Marton, Hunterville, Mangaweka and Taihape
Recreation facilities
Community amenities
Community Housing²⁰
District libraries
District Cemeteries

Engagement Principles

The Council believes that public engagement is an essential part of good local government. Good consultation and engagement processes that allow individuals and organisations to contribute to democratic local decision-making and action both builds social capital and civic pride, and leads to better decisions.

When undertaking engagement, the Council will use the following set of principles to guide public engagement processes. The Council will:

- Select appropriate tools and techniques for engagement depending upon the level of engagement sought²¹ and the impact of the issue being consulted upon;
- Use simple and straightforward language when asking for feedback on proposals;
- Ensure that documents are accessible;
- Encourage councillors, community boards and community committees to engage with local communities and assist Council in consulting on public proposals;

When considering the scope and scale of engagement on a case-by-case basis, Council will use the IAP2 – see schedule 1 – and develop an engagement plan – see schedule 2 for the engagement plan template. Council will exercise its judgement in deciding on the scope and scale of the engagement process. Factors will include:

- 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
- 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
- the costs and benefits of any engagement process or procedure; and
- whether a pre-set deadline (outside of the Council's control) precludes meaningful public engagement taking place; and
- an increased risk to health and safety from delaying the decision; and
- if the views held by affected or interested parties are already known to a reasonable degree; and
- whether the decision aligns with historical Council decisions.

²⁰ Any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy. (LGA 2002, s5)

²¹ For example, the IAP2 or similar matrix – see schedule 1

Statutory Consultation

Consultation is an element on the spectrum of engagement. It falls somewhere in the middle of the spectrum: more participatory than simply providing information but not yet as far along the spectrum of participation as inviting contributing ideas to develop options.

Nonetheless, there are specific issues where councils are required under the Act to undergo a prescribed consultation process – the Special Consultative Procedure²². These are:

- establishing a council-controlled organisation (section 56)
- making, amending or revoking a bylaw which is of significant public interest (or likely to have a significant impact on the public) (section 86)
- before adopting a long term plan (section 93(2)) but this must be through the consultation document specified in section 93A-G
- before altering a long term plan (section 93(5)) but this must be through the consultation document specified in sections 93A-G.
- before adopting an annual plan (section 95(2)) but this must be through the consultation document specified in section 95A unless there are no significant or material differences to the long-term plan projections for that year (section 95(2A))
- assessing Council's water and other sanitary services (section 125)

²² Sections 83, 86 and 87 of the LGA 2002. The Council may be required to use the special consultative procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so.

Schedule 1: IAP2 Spectrum of Public Participation

IAP2 Spectrum of Public Participation



Increasing Level of Public Impact

	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example techniques	<ul style="list-style-type: none"> ▪ Fact sheets ▪ Web sites ▪ Open houses 	<ul style="list-style-type: none"> ▪ Public comment ▪ Focus groups ▪ Surveys ▪ Public meetings 	<ul style="list-style-type: none"> ▪ Workshops ▪ Deliberative polling 	<ul style="list-style-type: none"> ▪ Citizen advisory committees ▪ Consensus-building ▪ Participatory decision-making 	<ul style="list-style-type: none"> ▪ Citizen juries ▪ Ballots ▪ Delegated decision

Schedule 2: Engagement Plan template

Project description and background

This will describe the nature of the engagement to be undertaken, clarify the decision to be made, the circumstances that led to it, related council decisions already made, and legislation applying.

Engagement objectives

Identify what feedback or decisions we want from communities.

What decisions will be made by council that need to be informed by the community's input?

Timeframe and completion date

Describe each stage of the project, including when key decisions need to be made by Council.

Communities to be engaged with

List the communities and key stakeholders to engage with.

Engagement tools and techniques to be used

Describe the tools and techniques that will be used to engage with each of the identified communities and stakeholders. Refer to the IAP2 Spectrum of Public Participation to determine the level of engagement for each (Inform Empower).

Resources needed to complete the engagement

This includes time allocations for council staff and councillors and costs involved to undertake the selected engagement tools and techniques.

Communication planning

This outlines any potential reputation risks associated with the project and mitigations. It will outline the key messages to be communicated to the public, and where necessary will include a communications plan.

Basis of assessment and feedback to the communities involved

This will describe how the community input will be analysed and how results will be communicated to the Council and to participating communities. Also includes an indication of when this feedback will occur – prior to, or after Council decisions are made.

Project team roles and responsibilities

This identifies who will be involved in this project, excluding external providers, and who the key contact point within Council will be.

TAB VENUE POLICY

Policy Title: TAB VENUE POLICY	
Date of Adoption: 30 September 2004	Resolution: 04/RDC/229
Review Date: 2016	
Statutory reference for adoption: Racing Act 2003, Gambling Act 2003 schedule 8, Local Government Act 2002 s 83	
Statutory reference for review: Gambling Act 2003 s102 (5)	
Included in the LTP: no	
Date Amended or Reviewed	Resolution
13 April 2006	06/RDC/122
29 January 2009	09/SPP/ 026 - 09/RDC/067
28 February 2013	13/RDC/045

1 INTRODUCTION

The Racing Act 2003 (amended by Schedule 8 of the Gambling Act 2003) requires that the Rangitikei District Council adopt a Board (hereinafter referred to as TAB) venue policy for the District in accordance with the special consultative procedure in s83 of the Local Government Act 2002.

The TAB Venue Policy must specify whether or not new TAB venues may be established in the District and, if so, where they may be located. In the development of its policy, Council must have regard to the social impact of gambling on the Rangitikei District communities.

2 POLICY OBJECTIVES

Among the objectives of the Gambling Act 2003 is control of the growth of gambling and the prevention and minimization of harm caused by gambling, including problem gambling. Over and above the objectives stated in the Act, the objective of the Rangitikei District Council's TAB venue policy is:

- To control the growth of gambling in the Rangitikei District within the scope of the Gambling Act 2003, while providing for the continued availability of sports or race betting within the District in accordance with the purpose and intent of the Gambling and Racing Acts. All current opportunities for sports or race betting within the District have been considered when setting this policy and include current Pub/social outlets and opportunities for telephone and Internet gambling.

3 TAB VENUE CONDITIONS

There will be no new Board venues established in the Rangitikei District.

4 REVIEW

The TAB Venue Policy will be reviewed concurrently with the Gambling Venue (Class 4) Policy in March 2012.