



**I hereby give notice that
an Ordinary Meeting of Council will be held on:**

Date: Tuesday, 14 February 2017
Time: 1.30pm
Location: Council Chamber, Wairoa District Council,
Coronation Square, Wairoa

AGENDA

Ordinary Council Meeting

14 February 2017

**Fergus Power
Chief Executive Officer**

The agenda and associated papers are also available on our website: www.wairoadc.govt.nz

For further information please contact us 06 838 7309 or by email info@wairoadc.govt.nz

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- 1 KARAKIA**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF CONFLICT OF INTEREST**
- 4 CHAIRPERSON'S ANNOUCEMENTS**
- 5 LATE ITEMS OF URGENT BUSINESS**
- 6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed.

- 7 MINUTES OF THE PREVIOUS MEETING**

8 GENERAL ITEMS

8.1 COUNCIL MINUTES - DECEMBER 2016 AND JANUARY 2017

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: Fergus Power, Chief Executive Officer

- Appendices:**
1. Public Minutes of Council on 6 December 2016
 2. Confidential Minutes of Council on 6 December 2016 - Public Excluded
 3. Public Minutes of Council on 24 January 2017
 4. Confidential Minutes of Council on 24 January 2017 - Public Excluded

1. PURPOSE


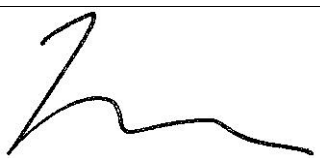
1.1 For Council to confirm that the minutes of the meeting are the true and correct record.

RECOMMENDATION

That the minutes of the Ordinary Meeting of Council held on 6 December 2016 and the Extraordinary Meeting held on the 24 January 2017 be confirmed as a true and correct record of the proceedings.

Confidential minutes are attached to this item but the content of these are withheld from the public under the relevant legislative provisions.

Signatories

	
Charlotte Knight Author	Fergus Power Approved by



Minutes of an Ordinary Meeting of Council

10.00am Tuesday 6 December 2016 held in the Council Chamber, Wairoa District Council, Queen Street, Wairoa.

Present: Councillors: M Bird, D Eaglesome-Karekare (Deputy Mayor and Chair for the meeting), H Flood, J Harker, M Johansen, C Lambert.

In attendance:

F Power	(Chief Executive Officer)
H Montgomery	(Chief Operating Officer)
J Cox	(Engineering Manager)
J Baty	(Corporate Services Manager)
A Morton	(Chief Financial Officer)
K Tipuna	(Communications Strategist)
C Knight	(Governance Advisor & Policy Strategist)

Procedural Items

1. Karakia

The karakia was given by the Corporate Services Manager.

2. Apologies for Absence

His Worship the Mayor Mr. C Little

3. Declarations of Conflict of Interest

Cllr Harker declared a pecuniary interest on item 14 – QRS Directorship

4. Chairman's Announcements

None.

5. Items of Urgent Business not on the Agenda

- Railway Corridor
- Item 9 of agenda – Late report on unsealed road strategy
- MSC Selection Outcome
- Confidential – Ministerial Appointment to the DHB
- Confidential – Wairoa Museum Trust

6. Public Participation

None.

7. Minutes of the Previous Meeting

Resolved: *That the minutes of the Ordinary Meeting of Council held on 22 November 2016 be confirmed as a true and correct record of the proceedings.*

Flood/Harker

8. CEO Monthly Report

Council discussed:

- MSC Selection

General Items**9. Kiwi Road and Dust Prioritisation List (LATE ITEM)**

The Engineering Manager presented a late report for this item entitled “Unsealed Road Renewal Strategy”.

Resolved: *That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act 1987 the items **Unsealed Road Renewal Strategy** be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the timeframe allowed.*

Harker/Lambert

Council discussed:

- Convening a workshop on the issue
- Policies associated with this being distributed in advance of the workshop
- Asset Management Plan

Resolved: *That Council:*

- a) *Workshop the matrix options with staff and receive detailed information about the matter prior to the workshop*
- b) *Workshop dates to be sent out for consideration*

Harker/Johansen

Late item: Selection of Māori Standing Committee

The Deputy Mayor congratulated the incoming members on their selection and thanked the outgoing members for their service.

Resolved: *That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act 1987 the items **Selection of Māori Standing Committee** be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the timeframe allowed.*

Bird/Harker

Council discussed:

- Selection process and turn out to the hui

Resolved:

That Council:

1. *Receives the report.*
2. *Confirms the following appointments to the Maori Standing Committee:*
Wairoa Matangirau – Paul Kelly
Wairoa Hōpūpū – Kiwa Hammond
Ruakituri – Here Nissen
Mahia – Peter Whaanga
Waikaremoana – Sharon Cooper
Wairoa Hōngenengene – Whaiora Maindonald
Pahauwera – Theresa Thornton
Rakaipaaka – Henare Mita
Te Wairoa Whānui – Adrian Manuel

Harker/Lambert

Late item: Sharing of the railway corridor with State Highway 2

Resolved:

*That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act 1987 the items **Sharing of the railway corridor with State Highway 2** be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the timeframe allowed.*

Johansen/Bird

Council discussed:

- The routes in the attachment
- Unclear what the latest proposal is
- Road safety
- Isolation

Councillor Flood left the meeting at 10.58am

Councillor Flood returned to the meeting at 11.00am

Resolved:

That Council offers its support in principle for the sharing of the railway corridor with SH2 between Wairoa and Napier, specifically from Esk Valley to Waikare, to reduce travel time on SH2 between Wairoa and Napier

Harker/Eaglesome-Karekare

AGAINST: Bird, Johansen

MOTION CARRIED

10. Regional Multi-Sport Hub

Sir Graeme Avery presented to Council.

Council discussed

- Proposed medical facility and use of this by Wairoa residents
- Professional coaching
- Alignment with community needs
- Closure of sports clubs

11. Cost Benefit Analysis of Wairoa District Council Internship Programme

Mark Cox from BERL gave a presentation.

Council discussed:

- Other initiatives to involve Wairoa students
- Risk of students undertaking necessary work
- Working more with universities to involve NZ students

Resolved: *That Council receives the report.*

Johansen/Harker

12. Resolution to Exclude the Public

Resolved: That the public be excluded from the following parts of the proceedings of this meeting, namely:

1. Confidential Minutes of Previous Council Meeting
2. QRS Directors remuneration and advertisement for new Director

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) to the passing of this resolution
Confidential Minutes of Previous Council Meeting	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:
	Section 7 (2) (i) enable any local authority holding the information to carry on,	(i) where the local authority is named or specified in the Schedule 1 to this Act, under

		without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]
	QRS Directors remuneration and advertisement for new Director	Section 7 (2) (a) protect the privacy of natural persons, including that of deceased natural persons	(i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]
	Ministerial appointment to the DHB	Section 7 (2) (a) protect the privacy of natural persons, including that of deceased natural persons	(i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]
	Wairoa Museum Trust	Section 7 (2) (i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	(i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]

Johansen/Lambert

PUBLIC EXCLUDED: 12.55PM

READMITTED: 2.01PM

Release of confidential information

14. QRS Directorships

Councillor Harker having previously declared a pecuniary interest on this item left the meeting at 1.43pm.

The Chief Executive Officer presented the report.

Resolved: *That the report be received.*

Johansen/Lambert

Council discussed:

- Number of directors on the board

Resolved: *That the directorship position be advertised*

Johansen/Lambert

There being no further General Business the Deputy Mayor declared the meeting closed.

CLOSED: The meeting closed at **2.02pm.**

.....
Chair



Minutes of an Extraordinary Meeting of Council

1.30pm Tuesday 24 January 2017 held in the Council Chamber, Wairoa District Council, Queen Street, Wairoa.

Chair: His Worship the Mayor Mr C Little
Present: Councillors: M Bird, D Eaglesome-Karekare (Deputy Mayor), H Flood, M Johansen (arrived 3.11pm), C Lambert.

In attendance: H Montgomery (Chief Operating Officer)
J Cox (Engineering Manager)
K Tipuna (Communications Strategist)
C Knight (Governance Advisor & Policy Strategist)
D Tipoki (Māori Relationships Manager)
K Hammond (MSC Member)
P Kelly (MSC Member)
W Maindonald (MSC Member)
P Whaanga (MSC Member)

Procedural Items

1. Karakia

The karakia was given by Councillor Lamber.

2. Apologies for Absence

Cr Harker

Cr Johansen (for lateness)

3. Declarations of Conflict of Interest

None.

4. Chairman's Announcements

None.

5. Items of Urgent Business not on the Agenda

- Confidential – Shortlisting of applicants for QRS Directorship position

6. Public Participation

None.

General Items

7. Statement of Proposal: Draft Local Easter Sunday Shop Trading Policy

Council discussed:

- Giving community the chance to give their views and decide if the district wanted to give shops the opportunity to trade

Resolved:

That Council:

- a) receive the report; and,*
- b) Consult the public on the statement of proposal attached as Appendix 1*

Eaglesome-Karekare/Lambert

8. Te Wairoa Boundary Signage

Vision Projects presented the options regarding wording to Council.

Cr Flood sought a point of clarity regarding the use of 'Te Wairoa' and requested the response be noted in the minutes.

Officer response: Council is not changing the name of Wairoa to Te Wairoa. There is a specific process for this; an application must be received by the NZ Geographic Board to propose an alteration or to change the name 'Wairoa' to 'Te Wairoa'. Applications can be made by anyone. No applications to the NZGB to propose a change to the district's name have been developed, or are currently being developed by Council. However – this does not mean that an application could not be developed in the future by anyone in the community.

There are guidelines in the legislation (NZGB Act 2008) about naming conventions. The only official name recognised by the NZGB Gazetteer is 'Wairoa District' and as per the legislation, this naming convention must appear in official documentation (including signage). We have been working with the NZGB to ensure Council is complying with the requisite legislation but also seeking their advice in terms of our want to acknowledge the proper use of 'te reo Māori' in our official documentation (including signage).

The Communications Strategist suggested that language specialists currently attending the meeting (including Kiwa Hammond) from the MSC could discuss the appropriateness of the naming convention 'Te Wairoa'. MSC member Kiwa Hammond confirmed that 'Te Wairoa' is the appropriate way to refer to Wairoa and the Wairoa district in te reo Māori.

Council discussed:

- NZTA requirements

- Placement of sign
- Use of Te Wairoa
- Reo Rua strategy and community goal
- Revision of Māori and English farewell message

Resolved: *That Council chooses option 5 with following amended wording on the farewell sign:*

Māori: "Hoki mai anō ki Te Wairoa"

English: "Come back again to the Wairoa District"

Eaglesome-Karekare/Flood

9. Draft Media Protocol

The Communications Strategy will be presented to Council at their meeting in February or March this year.

Resolved: *That Council:*

a) Receive the report

b) Adopt the Media Protocol attached as Appendix 1.

Eaglesome-Karekare/Lambert

10. Wairoa Destination Playground

Vision Projects gave a presentation on the next steps for the playground project.

Council discussed:

- Proposed site and costs of elevation to avoid flood damage
- Site visit for Council meeting in February to see proposed site of playground
- Timeline of completion of the project and associated resourcing requirements
- Possibility for additional funding for elevation of proposed site dependent on outcome of design phase
- Alternative sites for playground
- Continued commitment to the project
- Fencing of the site

Cr Bird left the meeting at 3.01pm

Cr Bird entered the meeting at 3.03pm

Cr Johansen entered the meeting at 3.11pm

Resolved: *That Council:*

a) Accept the outsourced funds from the various funding bodies on behalf of the Wairoa Young Achievers Trust; and,

b) Direct the CEO to provide a report at the 14 February meeting which outlines work of both Vision Projects and the Engineering Department on the entire estimated project costs – including site elevation works and fencing.

*Eaglesome-Karekare/Little***11. Resolution to Exclude the Public****Resolved:**

That the public be excluded from the following parts of the proceedings of this meeting, namely:

1. Waihi Dam Prosecution Issues – Discussion
2. Late item – Shortlisting of applicants for QRS Directorship

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) to the passing of this resolution
	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:
Waihi Dam Prosecution Issues - Discussion	Section 6 (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial;	(i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]
Late item - Shortlisting of applicants for QRS Directorship	Section 7 (2) (a) protect the privacy of natural persons, including that of deceased natural persons	(i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]

THAT Mr K Hammond, Mr P Kelly, Mr P Whaanga, and Ms W Maindonald be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of Waihi Dam Prosecution Issues. This knowledge, which will be of assistance in relation to the matter to be

discussed, is relevant to that matter because the Māori Standing Committee have been involved in the Council's processes around the Waihi Dam.

Little/Lambert

PUBLIC EXCLUDED: 3.24PM

READMITTED: 3.39PM

Release of confidential information

No confidential items were released from the minutes.

Cr Lambert gave a closing karakia.

There being no further General Business the Mayor declared the meeting closed.

CLOSED: The meeting closed at **3.41pm.**

.....
Chair

8.2 COMMITTEE MEMBERSHIP AND REPRESENTATIVE ON TE MATAU A MAUI HEALTH TRUST

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: Fergus Power, Chief Executive Officer

Appendices:

1. Letter from Secretary of Te Matau a Maui Health Trust
2. Economic Development Committee Terms of Reference
3. Finance, Audit & Risk Committee Terms of Reference

1. PURPOSE

- 1.1 This report requests Council advise officers of the final members of the committees in order to enable meeting administration for meetings in February to go ahead and advise of their nomination for a Wairoa resident community representative on the Te Matau a Maui Health Trust.

RECOMMENDATION

The Governance Advisor & Policy Strategist RECOMMENDS that Council:

- a) Advise of their nomination for the Te Matau a Maui Health Trust;
- b) receive the report; and,
- c) advise the membership of the Finance, Audit & Risk Committee; Economic Development Committee; and, Council's representatives on the Māori Standing Committee.


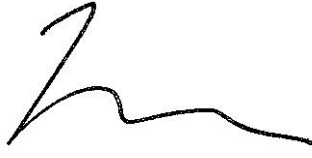
2. BACKGROUND

- 2.1 Council received a letter from the secretary of Te Matau a Maui Health Trust requesting their opinions on a nomination from the Wairoa area.
- 2.2 At their meeting in November 2016, Council confirmed the terms of reference for the Economic Development Committee and the Finance, Audit & Risk Committee but did not indicate to officers the membership of these committees.
- 2.3 Under the Local Government Act 2002 the Mayor has the power to appoint chairs of committees – if this power is not used the Council can appoint a chair via resolution.

References (to or from other Committees)

Council – November 2016 Committee Terms of Reference

Signatories

	
Charlotte Knight Author	Fergus Power Approved by

Corporate Services



9 December 2016

Mr Craig Little
Mayor
Wairoa District Council
PO Box 54
WAIROA 4160



Dear Craig

WAIROA RESIDENT COMMUNITY REPRESENTATIVE ON THE TE MATAU A MAUI HEALTH TRUST

Te Matau a Maui Health Trust was established in 2011 to hold the shares in Health Hawke's Bay Ltd being the "new" company operating as a single Primary Care Organisation (PHO) in Hawke's Bay.

Of particular relevance to this letter is clause 9.5 of the Trust Deed:

"9.5 – Four (4) Trustees shall be appointed to represent the general community and shall be appointed by the Hawke's Bay District Health Board in consultation with all of the territorial local authorities within the Hawke's Bay Region. One (1) of these Trustees must be ordinarily resident in the Wairoa District and one (1) of these Trustees must be ordinarily resident in the Central Hawke's Bay District."

Following consultation with Wairoa District Council three years ago, HBDHB appointed Denise Eaglesome as the Wairoa community representative. Denise's three year term is due to terminate in March 2017, so the HBDHB would like to appoint a replacement, given that Denise has indicated that she is not available for reappointment.

In accordance with clause 9.5 of the Trust Deed therefore, we would appreciate your Council's views and nomination for such a replacement.

The Trust meets only three times a year, generally at 4.00pm on the first Wednesday of March, August and October. Issues may also be dealt with via email and/or teleconference in between meetings.

Given the next meeting of the Trust is scheduled for 1 March 2017, I would appreciate your advice of your nominee by 15 February 2017, so that I can take this to the HBDHB Board meeting on 22 February 2017 for the confirmation of appointment. Papers for the 1 March 2017 meeting of the Trust can then be sent to the new appointee.

COMPANY SECRETARY

Hawke's Bay District Health Board
Telephone 06 873 2159 Email: ken.foote@hawkesbaydhb.govt.nz, www.hawkesbay.health.nz
Omahu Road, Private Bag 9014, Hastings, New Zealand



WAIROA DISTRICT COUNCIL

PO Box 54, Wairoa – Telephone (06) 838-7309 – Facsimile (06) 838-8874

Terms of Reference: Economic Development Committee

Membership	<p>His Worship the Mayor (ex-officio) 2 councillors</p> <p>A representative of the Maori Standing Committee</p> <p>Member(s) of the Horizons Trust</p> <p>Other members as may be co-opted, as appropriate (e.g. tourism, education, digital)</p>
Meeting frequency	<p>Every 2 months and as required.</p>
Areas of activity	<ul style="list-style-type: none"> • Provide strategic oversight and direction to economic development in the district. • Management, monitoring and reporting to Council on the performance of Wairoa's economy and the coordination of the Economic Development Strategy. • Propose, support and review strategic projects and programmes to deliver on the Economic Development Strategy. • Facilitate partnerships and collaborative funding models to support economic development initiatives and across the arts, cultural and events sector. • Point of engagement for the Council with the government, businesses, business organisations, and local economic development agencies in relation to all economic policy and strategy matters. • Evaluate the balance of economic development policies, programmes and initiatives across the district and ensure an appropriate balance between rural and urban opportunities. • Engagement with Tangata Whenua as Kaitiaki with Mana Whenua status • Maintain the relationship with the sister city of Kitaibaraki.
Responsibilities	<p>The Committee will focus on: delivering sustainable long-term economic growth and increased employment; promoting the District's visitor attractions and tourism activities; delivering high-quality events; and supporting initiatives aimed at increasing the population of the District. Within the specified areas of activity the Committee is responsible for:</p> <ul style="list-style-type: none"> • In accordance with the work programme agreed with Council, developing strategy and policy to recommend to Council, including any agreed community consultation. • Acting as a community interface for consultation on relevant policies and as a forum for raising relevant community concerns, while ensuring community engagement is complementary to that undertaken by local

	<p>boards.</p> <ul style="list-style-type: none"> • Making decisions within delegated powers.
Delegations	<ul style="list-style-type: none"> • Power to co-opt other members as appropriate • All powers necessary to perform the Committee’s responsibilities <p>Except</p> <ol style="list-style-type: none"> a. Powers that the Council cannot legally delegate or has retained for itself b. Where the Committee’s responsibility is limited to making a recommendation only c. The approval of expenditure not contained within approved budgets d. Approval of expenditure of more than \$20,000 e. The approval of final policy f. Deciding significant matters for which there is high public interest and which are controversial g. The commissioning of reports on new policy where that policy programme of work has not been approved by the Council h. Power to establish subcommittees
Rules and Procedures	<ul style="list-style-type: none"> • Standing Orders apply. • The minutes of all Committee meetings will be submitted to Council. • The Committee will be serviced by the Governance Advisor & Policy Strategist. • The Committee will produce an annual report for submission to Council detailing the work undertaken by the Committee. • The Committee will be advised by the Chief Executive Officer, Economic Development Team, and other officers and advisors as necessary.



WAIROA DISTRICT COUNCIL

PO Box 54, Wairoa – Telephone (06) 838-7309 – Facsimile (06) 838-8874

Terms of Reference: Finance, Audit & Risk Committee

Membership	His Worship the Mayor (ex-officio), 2 councillors, and an independent member.
Meeting frequency	Every 2 months and as required
Purpose	This Committee will monitor overall financial management and the performance of the Council; and, act as a liaison point with the Council's auditors in order to ensure robust financial audits and reviews of Wairoa District Council.
Responsibilities	<ul style="list-style-type: none"> • Monitor the Council's external and internal audit work programmes and processes. • Provide a communication link between management, internal/external auditors and the Council. • Receive the Auditor's Management Report and make recommendations to Council on any suggested actions by the Auditor. • Monitor and report to Council on the response to audit reports and the implementation of recommendations made by auditors. • Monitor integrity and reliability of financial and other measures of performance and service levels. • Monitor existing corporate policies and recommend to Council new corporate policies to prohibit unethical, questionable or illegal activities. • Provide objective advice and recommendations to Council regarding the sufficiency, quality and results of assurance on the adequacy and functioning of the Council's risk management, control and governance frameworks and processes. • Oversee the compilation and recommend the Annual Report to Council. • Review the development of the financial strategies and policies as required by the long-term plan. • Monitor the financial and non-financial performance and governance of Council Controlled Organisations.
Delegations	<ul style="list-style-type: none"> • Recommend to Council the terms and arrangements of the external audit programme as agreed with the external auditor. • Assess and approve expenditure where the circumstances could be perceived to give rise to a conflict of interest. • All powers necessary to perform the Committee's responsibilities Except <ol style="list-style-type: none"> a. Powers that the Council cannot delegate or has retained to itself b. Where the Committee's responsibility is limited to making a

	<p>recommendation only</p> <ul style="list-style-type: none"> c. The approval of expenditure not contained within approved budgets d. The approval of final policy e. Deciding significant matters for which there is high public interest and which are controversial f. The commissioning of reports on new policy where that policy programme of work has not been approved by the Council g. Establishing subcommittees h. Delegating the Committee's responsibilities, duties or powers
<p>Rules and Procedures</p>	<ul style="list-style-type: none"> • Standing Orders apply. • The minutes of the committee will be submitted to the Council. • The committee will be serviced by the Governance Advisor & Policy Strategist. • There will be an appropriate induction programme for new members of the committee. • The committee will produce an annual report for submission to Council detailing the work undertaken by the committee. • The committee will be advised by the Chief Executive Officer, Chief Financial Officer, and other officers and advisors as necessary.

8.3 LOCAL GOVERNANCE STATEMENT

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: Fergus Power, Chief Executive Officer

Appendices:

1. DRAFT Local Governance Statement 2016-2019
2. WDC Local Governance Statement 2010

1. PURPOSE

- 1.1 For Council to adopt the Local Governance Statement as required by Section 40 of the Local Government Act 2002.

RECOMMENDATION

The Governance Advisor & Policy Strategist RECOMMENDS that Council adopt the Local Governance Statement attached as Appendix 1.

2. BACKGROUND

- 2.1 Under Section 40 of the Local Government Act 2002 (the Act), a local authority must prepare and make publicly available a local governance statement within six months after a triennial election.
- 2.2 The intention is to ensure that principles in the Act relating to local authorities (s14), governance principles (s39), and obligations relating to contributions to decision making processes, are set out in a transparent manner. A Local Governance Statement must include information concerning functions, powers, electoral matters, members' roles, governance structures, meeting processes, consultation policies, policies in relation to Maori, management and employment policies.
- 2.3 The Local Governance Statement has been reviewed and updated to reflect the current situation and legislative requirements.

3. OPTIONS

- 3.1 The options identified are:
 - a. Adopt the Local Governance Statement attached as Appendix 1
 - b. Adopt an amended Local Governance Statement
- 3.2 Option A – Appendix 1 reflects the current information held by the organisation. If Council were planning to make any changes to the information contained in the Local Governance Statement then changes may be required to other documents and/or processes. If this is the case then Option B would be more practical than Option A. There is the ability to update the document throughout the triennium as changes occur.
- 3.3 The preferred option is Option A, this meets the purpose of local government as it will help meet the current and future needs of communities for good-quality infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

4. CONCLUSION

- 4.1 Council is required by the Local Government Act 2002 to adopt a Local Governance Statement within 6 months after the triennial election. In order to meet this requirement Council needs to adopt a Local Governance Statement by March 2017.

5. CORPORATE CONSIDERATIONS**What is the change?**

- 5.1 No change.

Compliance with legislation and Council Policy

- 5.2 This decision would comply with the requirements under the Local Government Act 2002.

What are the key benefits?

- 5.3 A single document containing an overview of the Council and its governance structure.

What is the cost?

- 5.4 Not applicable.

What is the saving?

- 5.5 Not applicable.

Who has been consulted?

- 5.6 No consultation has been undertaken and no further consultation is required.

Service delivery review

- 5.7 Not applicable.

Maori Standing Committee

- 5.8 This matter has not been referred to the committee.

6. SIGNIFICANCE

- 6.1 Low impact
- 6.2 This document is an information document required under the Local Government Act 2002 – the decision will not change anything that is already in place.

7. RISK MANAGEMENT

- a. There are no strategic risks identified in the implementation of the recommendation; however, there is a legislative compliance risk with not adopting a Local Governance Statement in the timeframe identified under the Local Government Act 2002.

Further Information

Local Government Act 2002

Background Papers

None

References (to or from other Committees)


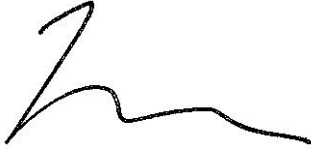
None

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

	
<p>Charlotte Knight Author</p>	<p>Fergus Power Approved by</p>

LOCAL GOVERNANCE STATEMENT

ADOPTED:



TE WAIROA
WAIROA DISTRICT

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INTRODUCTION

Under the Local Government Act 2002 (LGA 2002) Wairoa District Council is required to produce a “local governance statement” which in reality is a short, fast guide to our responsibilities and the services we provide. This information can in most instances be accessed in more detail from the council web site: www.wairoadc.govt.nz

The information contained in this statement will be regularly reviewed and updated.

PURPOSE

The purpose of the Wairoa District Council is (as outlined in section 10 of the LGA 2002):

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

Under that section of the LGA 2002, good-quality, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—

- a) efficient; and
- b) effective; and
- c) appropriate to present and anticipated future circumstances.

In fulfilling its purpose Wairoa District Council exercises powers and fulfils responsibilities conferred on it by legislation – a list of relevant legislation can be found in Appendix One. This list can change as central government creates and amends legislation frequently.

REQUESTING INFORMATION

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA.

Once a request is made the council must supply the information unless reason exists for withholding it. The LGOIMA says that information may be withheld if release of the information would:

- Endanger the safety of any person
- Prejudice maintenance of the law
- Compromise the privacy of any person
- Reveal confidential or commercially sensitive information
- Cause offence to tikanga Māori or would disclose the location of waahi tapu
- Prejudice public health or safety

- Compromise legal professional privilege
- Disadvantage the local authority while carrying out negotiations or commercial activities
- Allow information to be used for improper gain or advantage.

The council must answer requests within 20 working days (although there are certain circumstances where this time-frame may be extended). The council may charge for official information under guidelines set by the Ministry of Justice.

In the first instance you should address requests for official information to the Corporate Services Manager Mr. James Baty. Mr. Baty can be reached on 06-8387309 or by email: james@wairoadc.govt.nz

PUBLIC ACCESS TO COUNCIL SERVICES AND ELECTED MEMBERS

The Wairoa District Council administrative offices are located in Queen Street, Wairoa. The full contact details are:

Wairoa District Council

Coronation Square, 97-103 Queen Street, WAIROA 4108

PO Box 54, WAIROA 4160

Ph 06-8387309 / Fax 06-8388874

Web site: www.wairoadc.govt.nz

Complaints relating to services should in the first instance be directed to the receptionist. These will be logged in Councils system and attended to as soon as possible. You will be advised when the matter has been attended too. Complaints relating to other matters should be directed to the Chief Executive Officer.

With the exception of public holidays, Council offices will be open Monday through Friday, 8am – 4:30pm. Response times to customer enquiries will be as follows:

- Telephone Calls (one working day)
- Reception (fifteen minutes)
- Letters, faxes, email (eight working days)

Councillors can be contacted directly via their contact details, these are available on the Council web site:

www.wairoadc.govt.nz

GOVERNANCE

ELECTORAL SYSTEM

Wairoa District Council currently operates its elections under the first past the post electoral system. This form of voting is used in parliamentary elections to elect Members of Parliament to constituency seats. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner regardless of the proportion of votes that candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV).

Under the Local Electoral Act 2001 the council can resolve to change the electoral system to be used at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll. A poll can be initiated by at least 5 per cent of electors signing a petition demanding that a poll be held.

Once changed, an electoral system must be used for at least the next two triennial general elections, i.e. we cannot change our electoral system for one election and then change back for the next election.

The council's last review of electoral systems was in September 2014. No change was made to council's electoral system for the 2016 and 2019 elections. Accordingly, either the council could resolve in 2020 (not later than 12 September) to change the system for the 2022 and 2025 elections or to conduct a poll, or electors could demand a poll.

REPRESENTATION ARRANGEMENTS

The council is required to review its representation arrangements at least once every six years. This review must include the following:

- The number of elected members (within the legal requirement to have a minimum of five and a maximum of 29 members, including the Mayor)
- Whether the elected members (other than the Mayor) shall be elected by the entire district, or whether the district will be divided into wards for electoral purposes, or whether there will be a mix of "at large" and "ward" representation
- If election by wards, the boundaries and names of those wards and the number of members that will represent each ward
- Whether or not to have separate wards for electors on the Māori roll
- Whether to have community boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

The council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review, and also follows guidelines published by the Commission. The Act gives you the right to make a written submission to the council, and the right to be heard if you wish.

You also have the right to appeal any decisions on the above to the Commission, which will make a binding decision on the appeal.

Further details on the matters that the council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

The council last conducted a review in August 2015 (final proposal); however, it is legally required to review representation again by 31 August 2018 following the results of a poll on Māori wards.2020.

MaORI WARDS AND CONSTITUENCIES

The Local Electoral Act 2001 also gives council the ability to establish separate wards for Māori electors. The council may

resolve to create separate Māori wards or conduct a poll on the matter, or the community may demand a poll.

Wairoa District Council held a poll as part of the 2016 Local Authority Elections, to see whether it should introduce one or more Māori wards for at least its next two triennial elections.

MaORI REPRESENTATION POLL 2016 RESULTS

OPTION	VOTES
FOR the establishment of Maori Wards	1727
AGAINST the establishment of Maori Wards	1468
INFORMAL	0
BLANK	269

Māori Wards will therefore be introduced for at least the next two triennial elections (2019 and 2022) of the Wairoa District Council.

Council will undertake a detailed review of its representation arrangements (number of wards, elected members, community boards, etc.) including:

- the number of general and Māori wards;
- the number of representatives to be elected for general and Māori wards;
- the ward boundaries and names.

The review must be completed by 31 August 2018. There will be a right to make submissions on the Council's proposals and a right of appeal to the Local Government Commission (the Commission).

COMMUNITY BOARDS

The Wairoa District Council has no community boards constituted under section 49 of the LGA 2002.

The council last reviewed the community board structures in the district in August 2015 (final proposal). The council decided not to make any changes. As the majority of voters were in favour of introducing one or more Māori wards following a poll, Council is required to undertake a detailed review of its representation arrangements (number of wards, elected members, community boards, etc.)

Additionally, electors can demand the formation of community boards. This is done by a process similar to the reorganisation process described elsewhere.

THE REORGANISATION PROCESS

Local government reorganisation means changes to the structure of local authorities. It could be changes to boundaries; the creation of a new council; the union of councils; the abolition of a council; or the transfer of functions and duties from one council to another.

Good local government is defined in law. It must enable democratic local decision-making by and on behalf of communities.

It must meet current and future needs for good-quality local infrastructure, public services and regulatory functions. The infrastructure, services and functions must be efficient, effective, and appropriate now and into the future.

Good local government is also expected to produce efficiencies and cost savings. It must contribute to productivity improvements for local authorities, households and businesses. It must lead to simplified planning processes.

The legislation governing reorganisation of local authorities is Schedule 3 of the Local Government Act 2002. It was changed significantly in late 2012. The changes enable any individual or group to apply for reorganisation.

The process for changing local government structures, boundaries and functions involves a number of distinct steps.

After receiving an application the Commission decides whether to assess it or whether to decline it. It may decline an application if:

- the application is frivolous
- the application does not contain the required information
- a substantially similar application has been declined by the Commission and the reasons for declining still apply
- the intent of the application is contrary to law
- the Commission is not likely to be able to assess the application in a timely manner
- it is not in the public interest to assess the application.

The Commission checks the application has all the information required and considers whether there is community support for change. If the Commission is satisfied the application has met requirements it will issue a public notice, advising of the application and calling for alternative applications.

Alternative applications are effectively a counter-proposal. They should explain how the alternative ideas would lead to improvements and what the changes are designed to achieve. They are not an opportunity to lobby for the status quo (existing structures).

After receiving alternative applications, the next stages of the process are:

- the Commission considers alternative applications alongside the original application and the existing council arrangements (status quo);
- the Commission consults widely as it identifies reasonably practicable options for the affected area. One of these options must be the status quo;
- the Commission determines its preferred option. The preferred option must have regard to a local authority's resources and its communities of interest;
- if the status quo is not the preferred option, the Commission prepares a draft proposal. It publicly notifies the draft proposal and calls for public submissions;
- the Commission seek the views of affected local authorities, iwi and a number of public sector agencies. These include the Auditor General; the Ministry for the Environment; the Parliamentary Commissioner for the Environment; Te Puni Kokiri, and Inland Revenue;
- the Commission must consider each submission. It may hold hearings and undertake further consultations before deciding whether to proceed;
- if it proceeds, the Commission prepares a final proposal and publicly notifies it. A period of 60 working days is allowed for responses, for example a petition to require a poll (vote);
- a petition of 10% or more of affected electors in any one of the affected districts is able to trigger a poll;
- if more than 50% of valid votes support the proposal, or if no poll is called for, the final proposal will be implemented and the proposed changes will take place. If the proposal attracts support from 50% or fewer of those voting, the reorganisation proposal will lapse.

There are four stages in the reorganisation process where the Commission is required to assess evidence of community support:

- on receipt of a reorganisation application,
- while assessing the application,
- when the Commission is narrowing down its preferred option after receiving alternative applications
- in making a decision on whether to issue a final reorganisation proposal.

ELECTED MEMBERS' ROLES AND CONDUCT

Councillors are elected to represent their communities for three-year terms. There is no limit on the number of terms they may serve.

There is no specific job description for councillors. However, as representatives and leaders of their communities, their role involves setting policies, making regulatory decisions and reviewing council performance.

The Mayor and the councillors of the Wairoa District Council have the following roles:

- Setting the policy direction of council
- Setting and monitoring budgets
- Monitoring the performance of the council
- Representing the interests of the district (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the district)
- Employing and monitoring the performance of the Chief Executive (under the LGA 2002 the local authority employs the Chief Executive, who in turn employs all other staff on its behalf).

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of council. Mayors, like councillors, are elected by their district for a three-year term. Mayors cannot be removed from office by the council. As of the 2013 local authority elections, the LGA 2002 defines the role of a mayor as having to provide leadership to the other elected members of the territorial authority, be a leader in the community and perform civic duties. This includes leading the development of the territorial authority's plans (including the long-term plan and the annual plan), policies and budgets.

A mayor has the following powers:

- to appoint the deputy mayor
- to establish committees of the territorial authority
- to appoint the chairperson of each committee (which may be him or herself)
- to serve as a member of each council committee

The Deputy Mayor exercises the same roles as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of council.

A committee chairperson is responsible for presiding over meetings of the committee, ensuring that the committee acts within the powers delegated by council, and as set out in the council's Delegations Manual. A committee chairperson may be removed from office by resolution of council.

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

- Schedule 7 of the LGA 2002, which includes obligations to act as a good employer in respect of the Chief Executive and to abide by the current code of conduct and standing orders
- The Local Authorities (Members' Interests) Act 1968 which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect)
- The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way
- The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.

All elected members are required to adhere to a code of conduct. Adopting such a code is a requirement of the LGA 2002, once adopted a code may only be amended by a 75 percent or more vote of the council. The code sets out the council's understanding and expectations of how the Mayor and councillors will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in the possession of elected members, and contains details of the sanctions that the council may impose if an individual breaches the code.

Copies of the full code of conduct may be obtained from the Corporate Services Manager or from the website www.wairoadc.govt.nz

GOVERNANCE STRUCTURES

The council reviews its committee structures after each triennial election. In 2016 the council established the following committee structure:

- Māori Standing Committee – tangata whenua perspective on relevant issues before other committees and Council and a dedicated forum for Māori in the district
- Chief Executive Review Committee – reviews the progress and performance of the Chief Executive; oversees the independent remuneration review process for the Chief Executive; and oversees succession planning and the appointment process of a new Chief Executive.
- Asset and Activity Committee – develop transportation, water, wastewater, solid waste management and stormwater strategies and policies.
- Economic Development Committee – develop and provide strategic oversight and direction to economic development in the district.
- Finance, Audit and Risk Committee – monitor overall financial management and performance of the Council; liaise with auditors to ensure robust financial audits and reviews of the Council, and manage the relationship between Council and QRS.
- Conduct Review Committee – respond to alleged breaches of the Council's Code of Conduct and exercise the delegated functions and powers set out in Part 4 of the Code of Conduct.
- Community Partnership Committee – collaboration with other agencies and community groups on key issues in the district that require a coordinated approach to achieve a better outcome for the community

Further details on these committees, including their terms of reference, membership and meeting arrangements can be obtained from the council website. The Council may, from time to time, establish ad hoc committees to consider a particular issue or issues.

DELEGATIONS

To ensure efficiency and effectiveness in the conduct of a local authority's business, Schedule 7 section 32 of the LGA 2002 enables local authorities to delegate most of its responsibilities, duties, or powers to committees, subordinate decision-making bodies, members or officers. There are some exceptions where specific powers cannot be delegated and these are listed in Schedule 7 section 32 of the LGA 2002.

Wairoa District Council's Delegations Manual sets out:

- Background to the responsibilities of the Council, individual Councillors and the Chief Executive
- The principles of delegation
- The actual delegations made by the Council to its Committees and the Chief Executive

When deciding which powers to delegate, and to what level, the Council and Chief Executive will balance the following needs:

- For the Council to operate efficiently and effectively
- For the Council to concentrate on its policy-making role and for the Chief Executive and staff to implement Council policy and administer Council facilities and services
- For the Council's operations to be carried out in an open and fair manner
- For those with responsibility for a task or function to have the authority necessary to carry it out effectively
- For all statutory requirements to be properly observed

Principles relevant to Wairoa District Council's Delegations Manual are that:

- Delegations are made to positions, not to specific persons
- Delegations must be recorded in the Delegations Manual
- Decisions made under delegated authority cannot be subsequently overturned by the Council

Copies of the Delegations Manual are available on the Council's website or at the Council offices.

COUNCIL CONTROLLED ORGANISATIONS

The Wairoa District Council is a 100 per cent shareholder in Quality Roading & Services (Wairoa) Ltd (QRS) a council-controlled organisation under the LGA 2002. QRS is a company registered under the Companies Act 1993 to provide physical works services for a profit. QRS has their registered office in Kaimoana Road, Wairoa.

QRS has a chairperson and three other directors – all appointed to serve three year terms by council under its policy on the appointment of directors (copies of which are available online or from the Corporate Services Manager of Wairoa District Council). The chairperson is elected by members of the board. Under the Companies Act 1993, directors' primary responsibility is to the best interests of QRS. The council cannot lawfully "instruct" the directors.

Council may, however, comment on the statement of intent setting out the objectives QRS has for the coming year. Copies of this statement may be obtained by writing to the Chief Executive of QRS, PO Box 83, WAIROA 4160, or the Chief Financial Officer of Wairoa District Council.

HB LASS Limited is a Limited Liability Company registered under the Companies Act. The Company is jointly owned by Central Hawke's Bay District Council, Hastings District Council, Hawke's Bay Regional Council, Napier City Council and Wairoa District Council. The Company is a Council Controlled Organisation as defined in Section 6 of the LGA 2002.

The Company produces separate annual accounts. The Council share of the Company is included in its annual financial

statements through contributions to the cost of projects completed or in progress.

The principle nature and scope of the activities of HB LASS Ltd is to:

- use Joint Procurement to add value to goods and services sourced for its constituent Councils.
- facilitate Shared Services that benefit Councils and their stakeholders through improved levels of service, reduced costs, improved efficiency, innovation and/or increased value.
- pursue best practice in the management of all activities to obtain best value and minimize risk.
- Demonstrate fiduciary responsibility by ensuring that its activities are adequately funded from savings achieved, levies, Council contributions, or Government funding where available.
- allow other Councils or organisations to participate in its activities where this will benefit its constituent councils directly or indirectly.
- represent the collective views of its shareholders in matters with which it is associated.

CONDUCT OF MEETINGS

The legal requirements for council meetings are set down in the LGA 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All council and committee meetings must be open to the public unless there is reason to consider some item “in committee”. Speaking rights are set out under the Council’s standing orders. 30 minutes at each meeting is available for members of the public to speak for up to 5 minutes on any items on the agenda. The LGOIMA contains a list of the circumstances where councils may consider items with the public excluded. The council agenda and minutes are public documents, although parts may be withheld if the circumstances permitted under the LGOIMA for withholding information apply.

The Mayor or committee chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member of council who does not comply with standing orders.

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of the LGOIMA.

For an ordinary meeting of council, at least 14 days notice of the time and place of the meeting must be given. Extraordinary meetings generally can be called on 3 working days notice.

During meetings the Mayor and councillors must follow standing orders (a set of procedures for conducting meetings). The council may suspend standing orders by a vote of 75 per cent of the members present. A copy of the Code of Conduct and Standing Orders can be obtained from the Corporate Services Manager or from the Council website www.wairoadc.govt.nz

POLICY AND BYLAWS

KEY APPROVED PLANNING AND POLICY DOCUMENTS

The key policy and planning documents include:

- Long Term Plan 2015/2025
- The Annual Plan 2016/2017
- The District Plan (under review)
- The Regional Land Transport Plan
- Reserve Management Plans
- Asset Management Plans

It is envisaged that as a result of developing the 2018/2028 Long Term Plan new policy and planning documents will be developed covering a range of functions and activities. A number of these will become key documents and they will be added to the above list as well as being made available on the Council web site: www.wairoadc.govt.nz

POLICIES FOR LIASING WITH, AND MEMORANDUM OR AGREEMENTS WITH MĀORI

The Māori Policy outlines how the Council engages with Māori in general across the district.

As part of the treaty settlement process, Council entered into a reserves co-management board (Matangirau) with Tātau Tātau o Te Wairoa Trust – this covers the following reserves Ngamotu Lagoon Wildlife Management Reserve, the Whakamahi Lagoon Government Purpose (Wildlife Management) Reserve, the Rangihoua/Pilot Hill Historic Reserve and two Local Purpose (Esplanade) Reserves. The board will comprise three members appointed by Tātau Tātau o Te Wairoa Trust and three members appointed by the Wairoa District Council.

Council is a party to the Tripartite Relationship Agreement between Hawke's Bay Regional Council, Wairoa District Council, and Tātau Tātau o Te Wairoa Trust. This was negotiated in conjunction with the Te Tira Whakaemi o Te Wairoa treaty settlement.

CONSULTATION POLICIES

The LGA 2002 sets out certain consultation principles and a procedure that local authorities must follow when making certain decisions. This procedure, the special consultative procedure, is regarded as a minimum process.

The council can and does consult outside of the special consultative procedure. When it is adopting its long-term plan, annual plan or district plan it will often hold formal meetings with community groups and other interested parties. At these meetings the council will seek views on the matters it considers important and identify issues of concern to the community.

The special consultative procedure consists of the following steps:

- **STEP ONE:** Preparation of a statement of proposal and a summary. The council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and must be available for inspection at the council office and may be made available elsewhere. The council also has to prepare a full and fair summary of the proposal, which must be distributed as widely as the council considers being reasonably practicable. That statement must be included on an agenda for a council meeting.
- **STEP TWO:** Public notice. The council must publish a notice in one or more daily newspapers, or in other newspapers of equivalent circulation, of the proposal and of the consultation being undertaken.
- **STEP THREE:** Receive submissions. The council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission. The council must allow at least one month (from the date of the notice) for submissions.

- STEP FOUR: Deliberate in public. All meetings where the council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the LGOIMA). All submissions must be made available unless there is reason to withhold them under LGOIMA.
- STEP FIVE: Follow up. A copy of the decision and a summary of the reasons must be provided to submitters. There is no prescribed format for such a summary.

By law, the council must follow the special consultative procedure before it:

- Adopts a long-term plan (LTP)
- Adopts an annual plan that contains major changes from the LTP
- Amends an LTP
- Adopts, revokes, reviews or amends a bylaw
- Changes the mode of delivery for a significant activity (for example from the council to a council-controlled organisation or from a council controlled organisation to a private sector organisation) if that is not provided for in an LTP.

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.

Decisions made by the Wairoa District Council affect the residents and ratepayers of Wairoa. We are committed to building and maintaining good relationships with stakeholders and our community so that decisions are well informed. Wherever practical, we will engage with individuals, organisations and groups in our community in ways that give them the best opportunity to have their say.

Council has adopted a Significance and Engagement Policy which meets the requirements of the LGA 2002.

The objectives of the policy are:

1. To establish a general approach and process for identifying the significance of Council decisions;
2. To set out when and how Council will engage with the community in decision-making, depending on the significance of the decision.

The LGA 2002 states that one role of a Council is to enable democratic local decision-making and action by, and on behalf of, communities. The policy explains how Council will decide the level of significance that a matter has, the types of matters where the community will be involved in the decision-making process, and when the community can expect Council to make a decision on its behalf.

There are many informal ways that Council engages with the community during its everyday business which helps to inform it on community views. There are also decisions that a Council must make which require a more structured form of engagement. This is because of the importance that a matter has within the wider community, or for groups within the community.

The first part of this Policy sets out how Council will decide whether or not a matter is “significant”. The second part of this Policy sets out when and how the community’s views will be heard on these significant, and other, matters.

A copy of the Significance & Engagement Policy can be obtained from the Corporate Services Manager or from the Council website www.wairoadc.govt.nz

LOCAL BYLAWS

Bylaws are used to regulate certain activities monitored and/or managed by Council, allowing warranted officers of Council to respond to local issues, problems, or concerns, in a pre-determined manner.

The primary mandate for Council to make bylaws is provided under section 145 - General Bylaw-making of power for territorial authorities, of the LGA 2002.

Under this section Council has the power to make bylaws for general purposes to:

- Protect the public from nuisance
- Protect, promote and maintain public health & safety
- Minimise the potential for offensive behaviour in public places.

Without limiting the general bylaw-making power, Council may also make bylaws for the specific purposes set out in section 146 of the Act. These are:

- Without limiting section 145, a territorial authority may make bylaws for its district for the purposes of regulating 1 or more of the following: on-site wastewater disposal systems: waste management: trade wastes: solid wastes: keeping of animals, bees, and poultry: trading in public places. These matters tend to relate to services provided by, or activities which may be regulated by, Council.
- Managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of, the land, structures, or infrastructure associated with 1 or more of the following: water races: water supply: wastewater, drainage, and sanitation: land drainage: cemeteries: reserves, recreation grounds, or other land under the control of the territorial authority. These tend to relate to protecting community facilities and the Council's infrastructure from damage.
- Preventing the spread of fires involving vegetation. This power is subject to sections 20 to 22 of the Forest and Rural Fires Act 1977 regarding extreme fire hazard and restrictions in fire seasons.

WAIROA CONSOLIDATED BYLAW

The review of bylaws is on-going, Council operates a consolidated bylaw made up of 9 parts:

PART 1 – INTRODUCTORY BYLAW

The purpose of this bylaw is to, identify and clearly interpret those terms and expressions that are used throughout this bylaw of Council, and, to outline the serving of orders and notices, powers of delegation and entry, suspension and revocation of licence, permit, consent or approval, removal of works executed contrary to this bylaw, fees and charges, offences and breaches and penalties for breach of this bylaw. The bylaw was adopted 13 November 2007 and came into effect on the 20 November 2007.

PART 2 – LAND TRANSPORT BYLAW

The purpose of this bylaw is to provide for the regulation of roads and footpaths within the control of Council by: the setting of speed limits for vehicles, providing requirements for parking and control of vehicular or other traffic, providing requirements for the droving of stock, and, providing requirements for the construction, maintenance and use of vehicle crossings. Amendments were adopted on 13 August 2013, effective on the 1 September 2013.

PART 3 – PUBLIC SAFETY BYLAW

The purpose of this bylaw is to ensure that acceptable standards of safety, convenience, visual amenity and civic values are maintained for the well-being of inhabitants and visitors to the district. The bylaw was most recently reviewed and amendments adopted and effective on 11 December 2012. In 2016 the freedom camping section of this bylaw was repealed by part 9 of the consolidated bylaw.

PART 4 - URBAN FIRE PREVENTION BYLAW

The purpose of this bylaw is to minimise the risk of open air fires in urban areas posing a danger to persons and property, and to prevent smoke from causing a nuisance in urban areas. The bylaw was adopted on 8 February 2011, effective 16 February 2011.

PART 5 - WATER SUPPLY BYLAW

The purpose of this bylaw is to enable the Council as Water Supply Authority to provide for the supply of water to its customers. The bylaw was adopted on 14 June 2011, effective 20 June 2011.

PART 6 - CEMETERIES BYLAW

The purpose of this bylaw is to enable the Council to control and set standards for the operation of cemeteries within the boundaries covered by the Council's responsibility or ownership. The bylaw was adopted on 14 June 2011, effective 20 June 2011.

PART 7 - DOG CONTROL BYLAW

The purpose of this bylaw is to enable the Council to set standards to be observed by dog owners and provide controls around the keeping of dogs in the Wairoa District in order to minimise danger, distress and nuisance caused by dogs. The bylaw was adopted on 13 September 2011, effective 30 September 2011.

PART 8 - TRADE WASTE AND WASTE WATER BYLAW

The purpose of this bylaw is to enable the Council as a Wastewater Authority to regulate: (a) the discharge of trade waste to the sewerage system operated by it; (b) the drainage of wastewater from domestic premises into the system operated by it. This bylaw was adopted 14 August 2012, effective 1 September 2012.

PART 9 – FREEDOM CAMPING BYLAW

The purpose of this Bylaw is to control freedom camping in the District in order to: (a) Protect local authority areas; (b) Protect the health and safety of people who may visit local authority areas; or (c) Protect access to local authority areas. This bylaw was adopted and effective on 10th November 2015.

MANAGEMENT

STRUCTURE AND RELATIONSHIP WITH ELECTED MEMBERS

The LGA 2002 requires council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of the council, implement council decisions and provide advice to the council. Under the LGA 2002 the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the Chief Executive, rather than the Mayor or councillors.

The Chief Executive is appointed by the council in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the LGA 2002. The Chief Executive implements and manages the council's policies and objectives within the budgetary constraints established by the council. Under section 42 of the LGA 2002, the responsibilities of the Chief Executive are:

- implementing the decisions of the local authority; and
- providing advice to members of the local authority and to its community boards, if any; and
- ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and
- ensuring the effective and efficient management of the activities of the local authority; and
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
- providing leadership for the staff of the local authority; and
- employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and
- negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).

The Chief Executive is Mr Fergus Power. Mr Power can be reached on 06-8387309 or by email: fergus@wairoadc.govt.nz

Council management is organised into five departments. These are:

- Corporate Services – libraries, information centre, council secretariat, official information, records and archives, GIS, pensioner housing, elections (contact: Mr James Baty, Corporate Services Manager, 06-8387309, email: james@wairoadc.govt.nz).
- Finance – rates, information technology, land information, property leases (contact Mr Gary Borg, Chief Financial Officer 06-8387309, email: gary@wairoadc.govt.nz).
- Operations – resource consents and the district plan, plant and animal control, health inspection, building inspection, amusement devices, Bylaw enforcement, liquor licensing and dangerous goods licences, (contact: Ms. Helen Montgomery on 06-8387309 or by email: helen@wairoadc.govt.nz)
- Engineering – roads, water, stormwater, sewage, solid waste, reserves maintenance (contact: Mr Jamie Cox, Engineering Manager 06-8387309, email: jamie@wairoadc.govt.nz).
- Economic Development and Engagement - economic development, tourism, communications, marketing, information and stakeholder engagement (contact: Mr Kitea Tipuna, Economic Development and Engagement Manager, 06-8387309, email: kitea@wairoadc.govt.nz).

EQUAL EMPLOYMENT OPPORTUNITIES POLICY

The Wairoa District Council provides an employment environment that recognises the principles of equal opportunity in the recruitment, management, training and promotion of its staff.

The Chief Executive Officer ensures that no preference or discrimination is made on the basis of gender, marital and family status, religious or ethical belief, colour, race, ethnic or national origins, health, disability, age, sexual orientation or pregnancy.

Specifically, the Chief Executive Officer ensures that:

- Recruitment and selection procedures accord with EEO principles
- The culture of The Wairoa District Council supports an awareness of EEO principles and practice
- Appropriate training and development for managers and staff is provided in relation to EEO
- Family-friendly work practices are provided for where appropriate eg, access to special leave, provision for staff to work at home in circumstances of family difficulties, giving priority to receipt of phone calls from or concerning dependents and taking account of the responsibilities of staff for dependents in workload allocation and management.

APPENDIX ONE: LEGISLATION

Airport Authorities Act 1966	Amusement Devices Regulations 1978	Animal Welfare Act 1999
Animals Law Reform Act 1989	Animal Products Act 1999	Arts Council of New Zealand Toi Aotearoa Act 2014
Auctioneers Act 2013	Biosecurity Act 1993	Biosecurity (Small Scale Organism Management) Order 1993
Building Act 2004	Building Research Levy Act 1969	Burial and Cremation Act 1964
Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967	Bylaws Act 1910	Cadastral Survey Act 2002
Camping-Grounds Regulations 1985	Charities Act 2005	Children, Young Persons, and Their Families Act 1989
Citizenship Act 1977	Civil Aviation Act 1990	Civil Defence Emergency Management Act 2002
Climate Change Response Act 2002	Commerce Act 1986	Companies Act 1993
Conservation Act 1987	Conservation Law Reform Act 1990	Consumer Guarantees Act 1993
Copyright Act 1994	Counties Insurance Empowering Act 1941	Crimes Act 1961
Disabled Persons Community Welfare Act 1975	District Courts Act 1947	Dog Control Act 1996
Dog Control (Certifying Organisations for Disability Assist Dogs) Order 2010	Dog Control (Prescribed Forms) Regulations 1996	Drinking Water Standards 2005
Earthquake Commissions Act 1993	Electoral Act 1993	Electricity Act 1992
Electronic Transactions Act 2002	Employment Relations Act 2000	Energy Companies Act 1992
Environment Act 1986	Environmental Protection Authority Act 2011	Equal Pay Act 1972
Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012	Engineers Associates Act 1961	Epidemic Preparedness Act 2006
Fair Trading Act 1986	Fees and Travelling Allowances Act 1951	Fees and Travelling Allowances Regulations 1952
Fencing Act 1978	Fencing and Swimming Pools Act 1987	Financial Reporting Act 2013
Financial Transactions Reporting Act 1996	Fire Services Act 1975	Fisheries Act 1996
Food Act 2014	Forests Act 1949	Forest and Rural Fires Act 1977
Forest and Rural Fires Regulations 2005	Freedom Camping Act 2011	Gambling Act 2003
Gas Act 1992	Goods and Services Tax Act 1985	Government Roding Powers Act 1989
Harbours Act 1950	Harbour Boards Dry Land Endowment Revesting Act 1991	Hazardous Substances and New Organisms Act 1991
Health Act 1956	Health and Safety at Work Act 2015	Health (Burial) Regulations 1946
Health (Registration of Premises) Regulations 1966	Heavy Motor Vehicle Regulations 1974	Heritage New Zealand PoutereTaonga Act 2014
Holidays Act 1955	Housing Act 1955	Housing Accords and Special Housing Areas Act 2013
Housing Corporation Act 1974	Human Rights Act 1993	Impounding Act 1955
Income Tax Act 2007	Industry Training and Apprenticeships Act 1992	Insolvency Act 2006
Interpretation Act 1999	International Financial Reporting Standards	Irrigation Schemes Act 1990
Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill	Kiwisaver Act 2006	Land Act 1948
Land Drainage Act 1908	Land Transfer Act 1952	Land Transport Act 1998
Land Transport Management Act 2003	Libraries and Mechanics' Institute Act 1908	Limitation Act 2010
Litter Act 1979	Local Authorities (Petroleum Tax Refund) Regulations 1971	Local Authorities (Members' Interests) Act 1968

Local Electoral Act 2001	Local Electoral Regulations 2001	Local Government (Rating) Act 2002
Local Government Act 2002	Local Government Borrowing Act 2011	Local Government Official Information and Meetings Act 1987
Major Events Management Act 2007	Maori Reserved Land Act 1955	Marine and Coastal Areas Takutai Moana Act 2011
Maritime Transport Act 1983	Meat Board Act 2004	Minamata Convention
Minimum Wage Act 1983	Ministry of Works and Development Abolition Act 1988	Municipal Insurance Act 1960
National Library of New Zealand (Te Puna Mātauranga o Aotearoa) Act 2003	National Provident Fund Restructuring Act 1990	New Zealand Bill of Rights Act 1990
New Zealand Geographic Board Act 2004 (Nga Pou Taunaha o Aotearoa)	New Zealand Library Association Act 1939	New Zealand Public Health and Disability Act 2000
Ngāti Pāhauwera Treaty Claims Settlement Act 2012	Oaths and Declarations Act 1957	Occupiers Liability Act 1962
Official Information Act 1982	Ombudsmen Act 1975	Parental Leave and Employment Protection Act 1987
Personal Property Securities Act 1999	Plumbers and Gasfitters and Drainlayers Act 2006	Port Companies Act 1988
Privacy Act 1993	Prohibition of Gang Insignia in Government Premises Act 2013	Property Law Act 2007
Prostitution Reform Act 2003	Protected Disclosures Act 2000	Protection of Local Archives Notice 1990 Local Archives notice 1998
Psychoactive Substances Act 2013	Public Authorities (Party Wall) Empowering Act 1919	Public Bodies Contracts Act 1959
Public Bodies Leases Act 1969	Public Finance Act 1989	Public Records Act 2005
Public Works Act 1981	Queen Elizabeth the Second National Trust Act 1977	Racing Act 2003
Railways Act 2005	Railways Regulations 2008	Rates Rebate Act 1973
Rating Valuations Act 1998	Remuneration Authority Act 1977	Reserves Act 1977
Residential Tenancies Act 1986	Resource Management Act 1991	River Boards Act 1908
Sale and Supply of Alcohol Act 2012	Search and Surveillance Act 2012	Secondhand Dealers and Pawnbrokers Act 2004
Secret Commissions Act 1910	Smoke-free Environments Act 1990	Soil Conservation and Rivers Control Act 1941
Sovereign's Birthday Observance Act 1952	Standards and Accreditation Act 2015	Statutory Land Charges Registration Act 1928
Submarine Cables and Pipelines Protection Act 1996	Summary Offences Act 1981	Summary Proceedings Act 1957
Te Ture Whenua Māori Act 1993	Te Urewera Act 2014	Telecommunications Act 2001
Traffic Regulations 1976	Transport (Vehicular Traffic Road Closure) Regulations 1965	Travelling Allowance Regulations 1949
Treaty of Waitangi Act 1975	Trespass Act 1980	Trustee Act 1956
Tuhoe Claims Settlement Act 2014	Unit Titles Act 2010	Utilities Act 2010
Unsolicited Electronic Messages Act 2007	Valuers Act 1948	Vulnerable Children Act 2014
Walking Access Act 2008	Waste Minimisation Act 2008	Weathertight Homes Resolution Service Act 2006
Wild Animal Control Act 1977	Wildlife Act 1953	Worksafe New Zealand Act 2013

WAIROA DISTRICT COUNCIL



LOCAL GOVERNANCE STATEMENT

2010

WAIROA DISTRICT COUNCIL
LOCAL GOVERNANCE STATEMENT – 2010

**WAIROA DISTRICT COUNCIL
LOCAL GOVERNANCE STATEMENT - 2010**

Under the Local Government Act 2002 Wairoa District Council is required to produce a "local governance statement" which in reality is a short, fast guide to our responsibilities and the services we provide. This information can in most instances be accessed in more detail from the council web site: www.wairoadc.govt.nz

The information contained in this statement will be regularly reviewed and updated.

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1.0 FUNCTIONS, RESPONSIBILITIES AND ACTIVITIES

The purpose of the Wairoa District Council is to enable democratic local decision-making to promote the social, economic, environmental and cultural well-being of the Wairoa District in the present and for the future.

In meeting its purpose the Wairoa District Council has a variety of roles:

- Facilitating solutions to local needs
- Advocacy on behalf of the local community with central government, other local authorities and other agencies
- Development of local resources
- Management of local infrastructure including network infrastructure (e.g. roads, sewage disposal, water, stormwater,) and community infrastructure (libraries, parks and recreational facilities)
- Environmental management
- Planning for the future needs of the local district.

In fulfilling its purpose Wairoa District Council exercises powers and fulfils responsibilities conferred on it by the following legislation:

Airport Authorities Act 1966	Income Tax Act 2007
Animal Welfare Act 1999	Insolvency Act 2006
Animals Law Reform Act 1989	Interpretation Act 1999
Arts Council of New Zealand Toi Aotearoa Act 1994	Kiwisaver Act 2006
Auctioneers Act 1928	Land Act 1948
Biosecurity Act 1993	Land Drainage Act 1908
Building Act 2004	Land Transfer Act 1952
Building Research Levy Act 1969	Land Transport Management Act 2003
Burial and Cremation Act 1964	Libraries and Mechanics' Institute Act 1908
Bylaws Act 1910	Litter Act 1979
Citizenship Act 1977	Local Authorities (Members' Interests) Act 1968
Civil Aviation Act 1990	Local Electoral Act 2001
Civil Defence Emergency Management Act 2002	Local Government (Rating) Act 2002
Civil List Act 1979	Local Government Act 2002
Climate Change Response Act 2002	Local Government Official Information and Meetings Act 1987
Commerce Act 1986	Machinery Act 1950
Companies Act 1993	Major Events Management Act 2007
Conservation Act 1987	Meat Board Act 2004
Consumer Guarantees Act 1993	Minimum Wage Act 1983
Copyright Act 1994	Municipal Insurance Act 1960
Counties Insurance Empowering Act 1941	National Provident Fund Restructuring Act 1990
Disabled Persons Community Welfare Act 1975	New Zealand Bill of Rights Act 1990
District Courts Act 1947	New Zealand Geographic Board Act 1946
Dog Control Act 1996	New Zealand Library Association Act 1939
Earthquake Commissions Act 1993	New Zealand Walkways Act 1990
Electoral Finance Act 2007	Noxious Plants Act 1978
Electricity Act 1992	Oaths and Declarations Act 1957
Employment Relations Act 2000	Official Information Act 1982
Energy Companies Act 1992	Ombudsmen Act 1975
Engineers Associates Act 1961	Plumbers and Gasfitters and Drainlayers Act 2006
Epidemic Preparedness Act 2006	Privacy Act 1993
Fencing Act 1978	Property Law Act 2007
Fencing and Swimming Pools Act 1987	Prostitution Reform Act 2003
Financial Reporting Act 1993	Protected Disclosures Act 2003
Fire Services Act 1975	Public Bodies Contracts Act 1959
Food Act 1981	Public Bodies Leases Act 1969
Foreshore and Seabed Act 2004	Public Records Act 2005
Forest and Rural Fires Act 1977	Public Works Act 1981
Gambling Act 2003	Queen Elizabeth the Second National Trust Act 1977
Gas Act 1992	Railways Act 2005
Goods and Services Tax Act 1985	Rates Rebate Act 1973
Hazardous Substances and New Organisms Act 1991	Rating Valuations Act 1998
Health Act 1956	Reserves Act 1977
Health and Safety in Employment Act 1992	Residential Tenancies Act 1986
Higher Salaries Commission Act 1977	Resources Management Act 1991
Historic Places Act 1993	Sale of Liquor Act 1989
Housing Act 1955	Secret Commissions Act 1910
Housing Corporation Act 1974	Securities Act 1978
Human Rights Act 1993	Securities Transfer Act 1991
Impounding Act 1955	Smoke-free Environments Act 1990

Soil Conservation and Rivers Control Act 1941
 Sovereign's Birthday Observance Act 1952
 Standards Act 1988
 Statutes Amendment Acts 1936-1951
 Statutory Land Charges Registration Act 1928
 Summary Offences Act 1981
 Te Ture Whenua Maori Act 1993
 Telecommunications Act 2001
 Transit New Zealand Act 1989

Transport Act 1962
 Treaty of Waitangi Act 1975
 Trespass Act 1980
 Trustee Act 1956
 Unit Titles Act 1972
 Unsolicited Electronic Messages Act 2007
 Wild Animal Control Act 1977
 Wildlife Act 1953

2.0 BYLAWS

Bylaws are used to regulate certain activities monitored and/or managed by Council, allowing warranted officers of Council to respond to local issues, problems, or concerns, in a pre-determined manner.

The primary mandate for Council to make Bylaws is provided under section 145 - General Bylaw-making of power for territorial authorities, of the Local Government Act 2002 (the Act).

Under this section Council has the power to make bylaws for general purposes to:

- Protect the public from nuisance
- Protect, promote and maintain public health & safety
- Minimise the potential for offensive behaviour in public places.

Without limiting the general bylaw-making power, Council may also make bylaws for the specific purposes set out in section 146 of the Act. These are:

- **Regulating the activities and matters described in section 146(a), such as waste management, on-site wastewater disposal systems, trade wastes and solid wastes.** These matters tend to relate to services provided by, or activities which may be regulated by, Council.
- **Managing, regulating against, or protecting from, damage, misuse or loss or preventing use of the land, structures or infrastructure associated with matters described in section 146(b).** These tend to relate to protecting community facilities and the Council's infrastructure from damage.
- **Preventing the spread of fires involving vegetation.** This power is subject to sections 20 to 22 of the Forest and Rural Fires Act 1977 regarding extreme fire hazard and restrictions in fire seasons.

The review of bylaws is on-going, Council operates the following bylaws:

Wairoa District Consolidated Bylaws

Part 1 - Introductory Bylaw

Part 2 - Land Transport Bylaw

Part 3 - Public Safety Bylaw

Part 4 - Urban Fire Prevention

Part 5 - Water Supply

Part 6 - Cemeteries Bylaw

Part 7 - Dog Control and related Dog Control Policy

Part 8 - Trade Waste and Waste Water Bylaw

3.0 ELECTORAL SYSTEM

Wairoa District Council currently operates its elections under the first past the post electoral

system. This form of voting is used in parliamentary elections to elect Members of Parliament to constituency seats. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner regardless of the proportion of votes that candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV). This system is used in district health board elections. Electors rank candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes. The necessary number of candidates to fill all vacancies is achieved first by the counting of first preferences then by a transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota, and then by the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters' second preferences.

Under the Local Electoral Act 2001 the council can resolve to change the electoral system to be used at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll. A poll can be initiated by at least 5 per cent of electors signing a petition demanding that a poll be held.

Once changed, an electoral system must be used for at least the next two triennial general elections, i.e. we cannot change our electoral system for one election and then change back for the next election.

The council's last review of electoral systems was in July 2009. No change was made to council's electoral system for the 2010 and 2013 elections. Accordingly, either the council could resolve in 2014 (not later than 12 September) to change the system for the 2016 elections or to conduct a poll, or the electors could demand a poll.

4.0 MAORI WARDS AND CONSTITUENCIES

The Local Electoral Act 2001 also gives council the ability to establish separate wards for Maori electors. The council may resolve to create separate Maori wards or conduct a poll on the matter, or the community may demand a poll.

The demand for a poll can be initiated by a petition signed by 5 per cent of electors within the district.

The council last considered whether or not to have separate Maori wards in July 2009. The council decided not to have separate Maori wards for the 2010 elections. Accordingly, either the council could resolve in 2012 to introduce separate Maori wards for the 2013 elections or to conduct a poll, or electors could demand a poll.

5.0 COMMUNITY BOARDS

The Wairoa District Council has no community boards. Community Boards are constituted under section 49 of the Local Government Act 2002 to:

- Represent and act as an advocate for the interests of their community
- Consider and report on any matter referred to it by the council and any issues of interest or concern to the community board
- Make an annual submission to council on expenditure in the community
- Maintain an overview of services provided by the council within the community
- Communicate with community organisations and special interest groups in the community
- Undertake any other responsibilities delegated by the council

Each community board has a chairperson and consists of members elected triennially by the community and an appointed councillor. The board elects its own chairperson at its first meeting after the triennial election.

The council last reviewed the community board structures in the district in July 2009. The council decided not to make any changes. Accordingly, either the council could resolve in 2012 to change these structures for the 2013 elections or to conduct a poll, or electors could demand a poll.

Electors can demand the formation of community boards. This is done by a process similar to the reorganisation process described elsewhere.

6.0 REPRESENTATION ARRANGEMENTS

The council is required to review its representation arrangements at least once every six years. This review must include the following:

- The number of elected members (within the legal requirement to have a minimum of six and a maximum of 30 members, including the Mayor)
- Whether the elected members (other than the Mayor) shall be elected by the entire district, or whether the district will be divided into wards for electoral purposes, or whether there will be a mix of "at large" and "ward" representation
- If election by wards, the boundaries and names of those wards and the number of members that will represent each ward
- Whether or not to have separate wards for electors on the Maori roll
- Whether to have community boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

The council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review, and also follows guidelines published by the Local Government Commission. The Act gives you the right to make a written submission to the council, and the right to be heard if you wish.

You also have the right to appeal any decisions on the above to the Local Government Commission, which will make a binding decision on the appeal.

Further details on the matters that the council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

The council last conducted a review in July 2009. It is not legally required to review representation again until August 2015.

7.0 THE REORGANISATION PROCESS

The Local Government Act 2002 (and its amendments) set out procedures, which must be followed during proposals to:

- Make changes to the boundaries of the district
- Create a new district
- Create a unitary authority
- Transfer a particular function or functions to another council.

The procedures for resolving each type of proposal are slightly different. In general they begin with a proposal either from the local authority, the Minister of Local Government, or by a petition signed by 10 per cent of electors.

Proposals for a boundary alteration or transfer of functions from one local authority to another will be considered by one of the affected local authorities or by the Local Government Commission if the local authorities refer the proposal to the Commission or if they cannot agree on which of them should deal with the matter.

Proposals for the establishment of a new district or the creation of a unitary authority will be dealt with by the Commission. These proposals cannot be implemented without a poll of electors.

Further information on these requirements can be found in the Local Government Act. The

Local Government Commission has also prepared guidelines on procedures for local government reorganization.

8.0 ROLES AND CONDUCT

The Mayor and the councillors of the Wairoa District Council have the following roles:

- Setting the policy direction of council
- Monitoring the performance of the council
- Representing the interests of the district (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the district)
- Employing the Chief Executive (under the Local Government Act the local authority employs the Chief Executive, who in turn employs all other staff on its behalf).

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of council. In addition the Mayor has the following roles:

- Presiding member at council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders).
- Advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the council.
- Ceremonial head of council.
- Providing leadership and feedback to other elected members on teamwork and chairing committees.

The Deputy Mayor is elected by the members of council at the first meeting of the council. The Deputy Mayor exercises the same roles as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of council.

The council may create one or more committees of council. A committee chairperson is responsible for presiding over meetings of the committee, ensuring that the committee acts within the powers delegated by council, and as set out in the council's Delegations Manual. A committee chairperson may be removed from office by resolution of council.

The Chief Executive is appointed by the council in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. The Chief Executive implements and manages the council's policies and objectives within the budgetary constraints established by the council. Under section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:

- Implementing the decisions of the council
- Providing advice to the council and community boards
- Ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised
- Managing the activities of the council effectively and efficiently
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the council
- Providing leadership for the staff of the council
- Employing staff (including negotiation of the terms of employment for the staff).

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

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive and to abide by the current code of conduct and standing orders
- The Local Authorities (Members' Interests) Act 1968 which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest

between their duties as an elected member and their financial interests (either direct or indirect)

- The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way
- The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.

All elected members are required to adhere to a code of conduct. Adopting such a code is a requirement of the Local Government Act 2002. Once adopted such a code may only be amended by a 75 percent or more vote of the council. The code sets out the council's understanding and expectations of how the Mayor and councillors will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in the possession of elected members, and contains details of the sanctions that the council may impose if an individual breaches the code. Copies of the full code of conduct may be obtained from the Administration Manager or from the website www.wairoadc.govt.nz

9.0 GOVERNANCE STRUCTURES

The council reviews its committee structures after each triennial election. At the last review the council established the following standing committees:

- Resource Management Hearings Committee - to hear and make decisions on applications arising out of Council's regulatory responsibilities and to determine other related discretionary process matters.
- Maori Committee – tangata whenua perspective on relevant issues before other standing committees and Council.

The Resource Management Hearings Committee meets as required.

Further details on these committees, including their terms of reference, membership and meeting arrangements can be obtained from the above contacts or from the council website. The Council may, from time to time, establish ad hoc committees to consider a particular issue or issues.

10.0 COUNCIL ORGANISATIONS

The Wairoa District Council is a 100 per cent shareholder in Quality Roading & Services (Wairoa) Ltd (QRS) a council-controlled organisation under the Local Government Act. QRS is a company registered under the Companies Act 1993 to provide physical works services for a profit. QRS has their registered office in Kaimoana Road, Wairoa.

QRS has a chairperson and three other directors – all appointed to serve three year terms by council under its policy on the appointment of directors (copies of which are available from the Administration Manager of Wairoa District Council). The chairperson is elected by members of the board. Under the Companies Act 1993, directors' primary responsibility is to the best interests of QRS. The council cannot lawfully "instruct" the directors.

Council may, however, comment on the statement of intent setting out the objectives QRS has for the coming year. Copies of this statement may be obtained by writing to the Chief Executive of QRS, PO Box 83, WAIROA 4160, or the Finance Manager of the Wairoa District Council.

11.0 CONDUCT OF MEETINGS

The legal requirements for council meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All council and committee meetings must be open to the public unless there is reason to consider some item "in committee". Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with council. The

LGOIMA contains a list of the circumstances where councils may consider items with the public excluded. (These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order). The council agenda is a public document, although parts may be withheld if the above circumstances apply.

The Mayor or committee chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member of council who does not comply with standing orders.

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of the LGOIMA.

For an ordinary meeting of council, at least 14 days notice of the time and place of the meeting must be given. Extraordinary meetings generally can be called on 3 working days notice.

During meetings the Mayor and councillors must follow standing orders (a set of procedures for conducting meetings). The council may suspend standing orders by a vote of 75 per cent of the members present. A copy of the Code of Conduct and Standing Orders can be obtained from the Administration Manager or from the Council website www.wairoadc.govt.nz

12.0 CONSULTATION POLICY

The Local Government Act sets out certain consultation principles and a procedure that local authorities must follow when making certain decisions. This procedure, *the special consultative procedure*, is regarded as a minimum process.

The council can and does consult outside of the special consultative procedure. When it is adopting its long-term plan, annual plan or district plan it will hold formal meetings with community groups and other interested parties. At these meetings the council will seek views on the matters it considers important and identify issues of concern to the community.

The special consultative procedure consists of the following steps:

- **STEP ONE:** Preparation of a statement of proposal and a summary. The council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and must be available for inspection at the council office and may be made available elsewhere. The council also has to prepare a full and fair summary of the proposal, which must be distributed as widely as the council considers being reasonably practicable. That statement must be included on an agenda for a council meeting.
- **STEP TWO:** Public notice. The council must publish a notice in one or more daily newspapers, or in other newspapers of equivalent circulation, of the proposal and of the consultation being undertaken.
- **STEP THREE:** Receive submissions. The council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission. The council must allow at least one month (from the date of the notice) for submissions.
- **STEP FOUR:** Deliberate in public. All meetings where the council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the LGOIMA). All submissions must be made available unless there is reason to withhold them under LGOIMA.
- **STEP FIVE:** Follow up. A copy of the decision and a summary of the reasons must be provided to submitters. There is no prescribed format for such a summary.

By law, the council must follow the special consultative procedure before it:

- Adopts a long-term plan (LTP) or annual plan
- Amends an LTP
- Adopts, revokes, reviews or amends a bylaw
- Changes the mode of delivery for a significant activity (for example from the council to a council-controlled organisation or from a council controlled organisation to a private

sector organisation) if that is not provided for in an LTP.

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.

A copy of the Consultation Policy can be obtained from the Administration Manager or from the Council website www.wairoadc.govt.nz

13.0 MANAGEMENT STRUCTURES AND RELATIONSHIPS

The Local Government Act 2002 requires council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of the council, implement council decisions and provide advice to the council. Under the Local Government Act the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the Chief Executive, rather than the Mayor or councillors.

The Chief Executive is Mr Peter Freeman. Mr Freeman can be reached on 06-8387309 or by email: peter@wairoadc.govt.nz

Council management is organised into four divisions. These are:

- **Administration** – libraries, council secretariat, communications and public information, pensioner housing (contact: Mr James Baty, Administration Manager, 06-8387309, email: james@wairoadc.govt.nz).
- **Finance** – rates, information technology, land information, property leases (contact Mr David Steed, Finance Manager 06-8387309, email: davids@wairoadc.govt.nz).
- **Regulatory Services** – resource consents and the district plan, plant and animal control, health inspection, emergency management, building inspection, dangerous goods licences (contact: Mr. Freeman on 06-8387309 or by email: peter@wairoadc.govt.nz).
- **Assets and Services** – roads, water, stormwater, sewage, solid waste, reserves maintenance (contact: Mr Jamie Cox, Engineering Manager 06-8387309, email: jamie@wairoadc.govt.nz).

14.0 EQUAL EMPLOYMENT OPPORTUNITIES POLICY

The Wairoa District Council provides an employment environment that recognises the principles of equal opportunity in the recruitment, management, training and promotion of its staff.

The Chief Executive Officer ensures that no preference or discrimination is made on the basis of gender, marital and family status, religious or ethical belief, colour, race, ethnic or national origins, health, disability, age, sexual orientation or pregnancy.

Specifically, the Chief Executive Officer ensures that:

- Recruitment and selection procedures accord with EEO principles
- The culture of *The Wairoa District Council* supports an awareness of EEO principles and practice
- Appropriate training and development for managers and staff is provided in relation to EEO
- Family-friendly work practices are provided for where appropriate eg, access to special leave, provision for staff to work at home in circumstances of family difficulties, giving priority to receipt of phone calls from or concerning dependents and taking account of the responsibilities of staff for dependents in workload allocation and management.

15.0 KEY APPROVED PLANNING AND POLICY DOCUMENTS

The key policy and planning documents include:

- Long Term Plan 2009/2019

- The Annual Plan 2010/2011
- The District Plan
- The Regional Land Transport Plan
- Reserve Management Plans

It is envisaged that as a result of developing the Long Term Plan new policy and planning documents will be developed covering a range of functions and activities. A number of these will become key documents and they will be added to the above list as well as being made available on the Council web site: www.wairoadc.govt.nz

16.0 PUBLIC ACCESS

The Wairoa District Council administrative offices, which house all staff, are located in Queen Street, Wairoa. The full contact details are:

Wairoa District Council
Coronation Square, 97-103 Queen Street, WAIROA 4108
PO Box 54, WAIROA 4160
Ph 06-8387309 / Fax 06-8388874
Web site: www.wairoadc.govt.nz

Complaints relating to services should in the first instance be directed to the receptionist. These will be logged in Councils system and attended to as soon as possible. You will be advised when the matter has been attended too. Complaints relating to other matters should be directed to the Chief Executive Officer.

With the exception of public holidays, Council offices will be open Monday through Friday, 9am – 4:30pm. As practical as possible response times to customer enquiries will be:

- Telephone Calls (one working day)
- Reception (fifteen minutes)
- Letters, faxes, email (eight working days)

Councillors can be contacted via their contact details scheduled on the Council web site: www.wairoadc.govt.nz or messages can be left with the Council receptionist.

17.0 REQUESTS FOR OFFICIAL INFORMATION

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA.

Once a request is made the council must supply the information unless reason exists for withholding it. The LGOIMA says that information may be withheld if release of the information would:

- Endanger the safety of any person
- Prejudice maintenance of the law
- Compromise the privacy of any person
- Reveal confidential or commercially sensitive information
- Cause offence to tikanga Maori or would disclose the location of waahi tapu
- Prejudice public health or safety
- Compromise legal professional privilege
- Disadvantage the local authority while carrying out negotiations or commercial activities
- Allow information to be used for improper gain or advantage.

The council must answer requests within 20 working days (although there are certain circumstances where this time-frame may be extended). The council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to the Chief Executive Mr. Peter Freeman. Mr. Freeman can be reached on 06-8387309 or by email: peter@wairoadc.govt.nz

8.4 REVIEW OF POLICIES: GAMING VENUE AND BOARD VENUE

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: Fergus Power, Chief Executive Officer

- Appendices:**
1. Draft Statement of Proposal - Class 4 Gaming Venue Policy
 2. Social Impact Assessment of Class 4 Gaming Venues
 3. Wairoa District Council Class 4 Gaming Venue Policy adopted 10 June 2014
 4. Draft Statement of Proposal - Board (T.A.B) Venue Policy
 5. Wairoa District Council Board (T.A.B) Venue Policy adopted 10 June 2014

1. PURPOSE

- 1.1 For Council to consider the review of the Board (T.A.B) Venue Policy and the Class 4 Gaming Venue Policy.

RECOMMENDATION

The Governance Advisor & Policy Strategist RECOMMENDS that Council commence the special consultative procedure for the Board (T.A.B) Venue Policy, and the Class 4 Gaming Venue Policy.

EXECUTIVE SUMMARY

[\[Type here\]](#)

2. BACKGROUND

- 2.1 Under the Gambling Act 2003, applicants for Class 4 gaming venue licenses must have the consent of the territorial authority in which the venue is, or will be, situated. In order to consider and determine applications for consent, territorial authorities are required by section 101 of the Act to have a policy specifying whether or not Class 4 venues may be established in their district, where Class 4 licensed venues may be located in the district, and may also place additional limits on the number of machines per venue, which the Act sets at nine.
- 2.2 The Council currently has a policy which does not allow for new venues, for increased numbers of machines at existing venues, and for re-establishment of a venue.
- 2.3 The current policies were previously reviewed in 2014 and both were adopted by Council at their meeting on the 10th June 2014.
- 2.4 The Class 4 Gaming Venue Policy gives Council and the community influence over the location of venues, number of new venues, and number of new electronic gaming machines in the district. The Board (T.A.B) Venue Policy gives Council and the community influence over the location of new TAB venues in the district.

3. CLASS 4 GAMING VENUE POLICY

- 3.1 There have been no changes made to this policy as part of the policy proposal process.
- 3.2 Any changes would need to be consulted upon. Council can still consult upon the current policy without making changes due to the legislative requirements to use special

consultative procedure to adopt, amend or replace a policy under the Gambling Act 2003.

4. BOARD (T.A.B) VENUE POLICY

- 4.1 There have been no changes made to this policy as part of the policy proposal process.
- 4.2 Any changes would need to be consulted upon. Council can still consult upon the current policy without making changes due to the legislative requirement to use special consultative procedure to adopt, amend or replace a policy under the Racing Act 2003.

5. OPTIONS

- 5.1 The options identified are:
 - a. Status quo – retain the status quo in the policy proposals and consult on the attached policies as part of the review process under the Gambling Act 2003 and the Racing Act 2003.
 - b. Alternative policy proposals – Council to make changes to one or both policies and consult on the proposed amended policy.
- 5.2 Unless Council has a particular wish to amend any of the current provisions of these policies then Option A is the best way forward. The community can still have a say on the two policies even if there are no new changes to consult on.
- 5.3 There are some additional policy measures that Council could make that other local authorities have included in their policies. The impact of these would need to be looked at before being able to give advice on a specific measure desired by Council.
- 5.4 The preferred option is Option A, this meets the purpose of local government as it will help meet the current and future needs of communities for performance of regulatory functions in a way that is most cost-effective for households and businesses.

6. CONCLUSION

- 6.1 Council is asked to consider the review process for the Gaming Venue and Board Venue policies, suggest any changes they wish to see, and commence the review process for these 2 policies.

7. CORPORATE CONSIDERATIONS

What is the change?

- 7.1 The policies that are going out for review have no changes from when they were adopted in June 2014.

Compliance with legislation and Council Policy

- 7.2 The review and use of special consultative procedure when reviewing these 2 policies is required under the Gambling Act 2003 (Class 4 Gaming Venue Policy) and the Racing Act 2003 (Board (T.A.B) Policy) (the Acts).

What are the key benefits?

- 7.3 Council meets their legislative requirements under the Gambling Act 2003 and Racing Act 2003.

- 7.4 The community has a chance to voice their opinions and contribute to the policy and decision-making processes.

What is the cost?

- 7.5 Consultation costs will be approximately \$1,000 if the 2 are combined into one consultation document and process. If Council wishes the processes to be entirely separate then there will be an additional cost.

What is the saving?

- 7.6 Not applicable.

Who has been consulted?

- 7.7 The Council previously consulted the community during the last review of these policies in 2014.
- 7.8 No communication or consultation has yet been undertaken. The next step would be to contact the parties outlined in the Acts.
- 7.9 The special consultative procedure is required under the relevant pieces of legislation.
- 7.10 Under the Act entities that represent Māori in the district are identified as parties which the Council must notify of the review of the policy.

Service delivery review

- 7.11 Not applicable

Maori Standing Committee

- 7.12 This matter has not been referred to the committee.

8. SIGNIFICANCE

- 8.1 Medium Impact
- 8.2 The policies can be amended at any time by the Council as long as the parties in the Act are notified and the special consultative procedure is used.

9. RISK MANAGEMENT

- 9.1 There are no strategic risks identified in the implementation of the recommendation – there are risks if the Council chooses not to review the policy or does not follow the procedure outlined in the relevant legislation.

Further Information

Racing Act 2003

Gambling Act 2003

Background Papers

Background papers for the social impact assessment of class 4 gaming venues are included at the end of that document.

References (to or from other Committees)


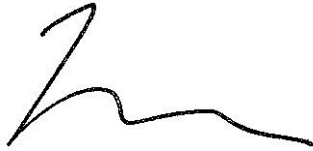
Council 10 June 2014 – Adoption of Class 4 Gaming Venue & Board (T.A.B) Venue Policies

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

	
Charlotte Knight Author	Fergus Power Approved by



Statement of Proposal

Review of Wairoa District Council Class 4 Gaming Venue Policy

Reason for the Proposal

Under the Gambling Act 2003, applicants for Class 4 gaming venue licenses must have the consent of the territorial authority in which the venue is, or will be, situated. In order to consider and determine applications for consent, territorial authorities are required by section 101 of the Act to have a policy specifying whether or not Class 4 venues may be established in their district, where Class 4 licensed venues may be located in the district, and may also place additional limits on the number of machines per venue, which the Act sets at nine.

101 Territorial authority must adopt class 4 venue policy

- (1) A territorial authority must, within 6 months after the commencement of this section, adopt a policy on class 4 venues.
- (2) In adopting a policy, the territorial authority must have regard to the social impact of gambling within the territorial authority district.
- (3) The policy—
 - (a) must specify whether or not class 4 venues may be established in the territorial authority district and, if so, where they may be located; and
 - (b) may specify any restrictions on the maximum number of gaming machines that may be operated at a class 4 venue; and
 - (c) may include a relocation policy.
- (4) In determining its policy on whether class 4 venues may be established in the territorial authority district, where any venue may be located, and any restrictions on the maximum number of gaming machines that may be operated at venues, the territorial authority may have regard to any relevant matters, including:
 - (a) the characteristics of the district and parts of the district:
 - (b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities:
 - (c) the number of gaming machines that should be permitted to operate at any venue or class of venue:
 - (d) the cumulative effects of additional opportunities for gambling in the district:
 - (e) how close any venue should be permitted to be to any other venue:
 - (f) what the primary activity at any venue should be.

(5) A **relocation policy** is a policy setting out if and when the territorial authority will grant consent in respect of a venue within its district where the venue is intended to replace an existing venue (within the district) to which a class 4 venue licence applies (in which case [section 97A](#) applies).

102 Adoption and review of class 4 venue policy

(1) A policy on class 4 venues under [section 101](#) must be adopted in accordance with the special consultative procedure in [section 83](#) of the Local Government Act 2002 and, for the purpose of subsection (1)(e) of that section, the territorial authority must give notice of the proposed policy, in a manner that the territorial authority considers appropriate, to—

(a) each corporate society that holds a class 4 venue licence for a venue in the territorial authority district; and

(b) organisations representing Māori in the territorial authority district.

(2) A policy may be amended or replaced only in accordance with the special consultative procedure, and this section applies to that amendment or replacement.

(3) Subsection (1)(b) does not affect the ability of a territorial authority to take similar action in respect of any other population group.

(4) A territorial authority must, as soon as practicable after adopting, amending, or replacing a policy, provide a copy of the policy to the Secretary.

(5) A territorial authority must complete a review of a policy within 3 years after the policy is adopted and then within 3 years after that review and each subsequent review is completed.

(5A) The first time that a territorial authority commences a review of a policy after the [Gambling \(Gambling Harm Reduction\) Amendment Act 2013](#) comes into force, the territorial authority must (and may at any other time) consider whether to include a relocation policy (as defined in [section 101\(5\)](#)) in its class 4 venue policy.

(5B) Whenever a territorial authority is considering whether to include a relocation policy in its class 4 venue policy, it must consider the social impact of gambling in high-deprivation communities within its district.

(6) A policy does not cease to have effect because it is due for review or being reviewed.

Council is considering whether it should make any changes to the current policy. It considers that this is a matter for local communities to decide, there is also a legislative requirement for the special consultative procedure to be used. Council is therefore seeking feedback from its communities on whether they believe Council should make changes to the current policy.

More Information

[Where to get a copy of the Summary of Information and submission form](#)

The Summary of Information and the submission form may be collected from the Council's Main Office in Wairoa, or from the Council's website www.wairoadc.govt.nz

Period for Consultation

Written submissions on the Review of Wairoa District Council Class 4 Gaming Venue Policy may be made from **[Time period of 1 month]**.

Those who make a written submission may choose to make an oral submission. Hearings of oral submissions are scheduled for **[Closest Council date after Submission end date or extraordinary hearing meeting 2 weeks after close of submissions]**. Please indicate on your submission form if you wish to speak to your submission.

If you have any questions please contact Charlotte Knight, Governance Advisor & Policy Strategist on 06 838 7309

WAIROA DISTRICT CLASS 4 GAMING VENUES – SOCIAL IMPACT ASSESSMENT

INTRODUCTION

PURPOSE

This Social Impact of Gambling Assessment (SIA) is produced in accordance with Section 101(2) of the Gambling Act 2003. This has been produced by combining a number of different sources of information together into one document, including the information obtained from the Department of Internal Affairs. The purpose of this document is to highlight the social impacts that gambling has within the Wairoa district as well as a comparison between the national statistics and observations, and local statistics and observations.

In addition to this SIA, Council will be consulting with the community on the proposed policy in order to gain additional information from the community for Council to consider when making a decision on the proposed policy.

BACKGROUND

While there is some agreement that there is a social impact resulting from gambling, there is as yet no agreed method to measure the social impact and the economic costs and benefits associated with gambling. There are indicators from various studies, both in New Zealand and overseas that indicate that the impacts of gambling include child neglect, relationship breakdown, depression, suicide, reduced work productivity, debt, eviction and loss of homes, workplace crime from theft and embezzlement, loss of jobs, bankruptcy and health costs. Problem gambling not only affects the person involved, but also has ripple effects associated with problem gamblers' family and friends.

The Gambling Act 2003 defines a problem gambler as a person whose gambling causes harm or may cause harm, and 'harm' is defined as:

- (a) harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling; and
- (b) including personal, social, or economic harm suffered –
 - (i) by the person; or
 - (ii) by the person's spouse, civil union partner, de facto partner, family, whānau, or wider community; or

(iii) in the workplace; or

(iv) by society at large.

Since 1 July 2004 the Ministry of Health has been responsible for developing and implementing the 'integrated problem gambling strategy focused on public health' that is described in section 317 of the Gambling Act 2003. The Department of Internal Affairs (DIA) is the main gambling regulator and the main policy advisor to the Government on gambling regulatory issues. DIA administers the Act and its regulations, issues licences for gambling activities, ensures compliance with the legislation and publishes statistical and other information concerning gambling. DIA's role includes key regulatory aspects of gambling harm prevention and minimisation.

Using a screening instrument called the Problem Gambling Severity Index screen, the 2012 National Gambling Study¹ estimated that:

- 0.7 percent of adults in New Zealand (approximately 24,000 people) were current problem gamblers
- 1.8 percent (60,000 people) were current moderate-risk gamblers
- 5.0 percent (168,000 people) were current low-risk gamblers
- 92.6 percent (3.109 million people) were current non-problem ('recreational') gamblers or non-gamblers.

There continues to be compelling evidence that Māori and Pacific peoples are more likely to suffer gambling harm (whether as a result of their own or someone else's gambling) and more likely to be at risk of future harm than people in other ethnic groups. Some specific Asian populations and subgroups also seem to be more likely to suffer gambling harm.

Even at a high level, however, some inequities among populations are readily apparent. For example, the 2012 NGS found that, overall, Asian and Pacific adults are less likely to participate in gambling than European/Other and Māori adults (the figures were 61 percent, 75 percent, 82 percent and 85 percent, respectively). Taken together with prevalence rates for at-risk gambling, this means that Pacific, Māori and Asian adults who do gamble are at much higher risk than the European/Other gambler group. The NGS estimated that almost a fifth (17 percent) of Pacific gamblers are in the combined moderate-risk and problem gambler group. The figures for Māori and Asian gamblers

¹ This is a national study of gambling participation, gambling harm, problem gambling and attitudes towards gambling, with one-year and two-year follow-up components focusing on the incidence of problems related to gambling. <http://www.health.govt.nz/our-work/mental-health-and-addictions/problem-gambling/research-and-evaluation/implementation-2007-2010/national-gambling-study>

were 16 percent and 14 percent, respectively. The equivalent figure for European/Other gamblers was 8 percent.

There were 4 submissions received when the Council previously review the policy in 2014. The main points of these submissions were:

- Dedicated security person for venues
- TAB venues – add to list of venues permitted to have gaming machines
- Replace sinking lid policy with a cap on current venues and machine numbers
- Importance of community funding to Wairoa groups from gaming trusts
- Wairoa is disproportionately affected by a range of social issues e.g. low income, high social deprivation
- Social cost of gambling is only a fraction of that caused by alcohol, tobacco, and other drugs
- Reducing machine numbers will not reduce the number of problem gamblers
- Fewer people in Wairoa are seeking help for problem gambling
- 7.1 machines per 1000 people – higher than rest of NZ (4.5)
- Robust systems and significant funding are in place to support problem gamblers

In the New Zealand National Gambling Study: Wave 3 (2014) Report Number 5 the main findings highlighted were:

“Results

- *Gambling participation (76.7% of adults), at-risk (1.5% moderate-risk, 5.0% low-risk) and problem gambling (0.3%) prevalence estimates in 2014 were largely unchanged from 2013 and 2012.*
- *The at-risk groups were the least stable over time (i.e. people were more likely to transition to higher or lower risk status), the non-problem and non-gambling groups were the most stable, and the problem gambling group was in the middle.*
- *Prevalence in each risk group did not change over time as people leaving each group were matched by new entrants.*

- *Substantial proportions of ‘new’ problem gamblers (21%), and to a lesser extent, moderate-risk gamblers (15%) have relapsed from past problem or moderate-risk gambling.*
- *The incidence rate of problem gambling from 2013 to 2014 (0.18%) was similar to that from 2012 to 2013 (0.28%).*
- *The strongest risk factors for developing at-risk or problem gambling were previously having a gambling problem, gambling intensity, ethnicity and some other demographic factors.*
- *Māori and Pacific adults continued to have higher rates of low-risk, moderate-risk and problem gambling over time. They also had higher incidence and more persistent problem and at-risk gambling.*

Implications

- *Whole-of-population public and targeted prevention strategies, taking into account ethnic and other differences, should be considered due to the substantial minority of problem and at-risk gamblers coming from non-problem and non-gambler sectors of the population.*
- *Greater attention could be given to relapse prevention through public policy and education, and in treatment programmes”*

CURRENT SITUATION: NUMBER OF MACHINES IN THE DISTRICT

Over a period of time the number of machines and venues has fluctuated and eventually decreased in the Wairoa district primarily due to the closure of 4 venues since 2001.

The number of machines at the Sunset Point Sports Bar & Bistro increased from 8 to 12 by 2003, it has now decreased back to 8.

The Clyde Hotel and Ferry Hotel have both increased the number of their machines to 18 which is the maximum number they can have by law as their initial licence was granted prior to 17 October 2001. All of the current venues in the district meet this test and could increase their number to 18 machines per venue if the Council chose to amend their policy restricting existing venues from increasing their number of machines. This would mean that an additional 10 machines could be added into the Sunset Point Sports Bar & Bistro and an additional 4 machines at the Wairoa Club – this would take the total number of machines in the district to 72 machines.

17 October 2001 – number of machines by venue in Wairoa District

Lion Foundation	11	Clyde Hotel	Marine Parade	Wairoa
Lion Foundation	8	Ferry Hotel	Carroll Street	Wairoa
Pub Charity Inc	18	Legends Sports Bar & Casino	126 Marine Parade	Wairoa
The Southern Trust	8	Sunset Point Sports Bar & Bistro	Cnr Ratau Street & Newcastle Street	Mahia Beach
Waikaremoana District Club Inc	2	Waikaremoana District Club	State Highway 38	Tuai
Wairoa Bowling Club	1	Wairoa Bowling Club	Carroll Street	Wairoa
Wairoa Club Inc	14	Wairoa Club	Marine Parade	Wairoa
Wairoa County Club Inc	2	Wairoa County Club	Marine Parade	Wairoa
TOTAL	64	8 venues		3 areas

22 September 2003 – number of machines by venue in the Wairoa District

Lion Foundation	18	Clyde Hotel	Marine Parade	Wairoa
Lion Foundation	12	Ferry Hotel	Carroll Street	Wairoa
Heretaunga National Community and Sports Trust	18	Chances Sports Bar	126 Marine Parade	Wairoa
The Southern Trust	12	Sunset Point Sports Bar & Bistro	Cnr Ratau Street & Newcastle Street	Mahia Beach
Waikaremoana District Club Inc	2	Waikaremoana District Club	State Highway 38	Tuai
Wairoa Club Inc	14	Wairoa Club	Marine Parade	Wairoa
TOTAL	76	6 venues		3 areas

30 September 2016

First Light Community	18	Clyde Hotel	Marine Parade	Wairoa
First Light Community	18	Ferry Hotel	Carroll Street	Wairoa
First Light Community	8	Sunset Point Sports Bar & Bistro	Cnr Ratau Street & Newcastle Street	Mahia Beach

Wairoa Club Inc	14	Wairoa Club	Marine Parade	Wairoa
TOTAL	58	4 venues		2 areas

As of 30 September 2016, Wairoa district has 58 pokie machines in 4 venues across the district – this has not changed since 2009. This represents 0.33% of non-casino venues across NZ and 0.36% of non-casino machines across NZ. The current ratio of resident adults per machine is 96:1.

The Wairoa population represents 0.002% of the national population² and ranks 62nd in size out of the 67 districts in New Zealand. The Māori population represents 0.008% of the NZ Māori population³ and ranks 31st in size (i.e. total number) out of the 67 districts in New Zealand. Wairoa has the highest proportion of Māori population out of the 67 districts in New Zealand – 59% of the district's population.

PROCEEDS

Gross Machine Proceeds (GMP) for Wairoa TLA for the September quarter 2016 was \$648,216.09 (That is the money left after paying out prizes). That represents a loss (Losses are the amount of money that players put into machines (Turnover) but are not returned to them) of \$115.18 per head based on Wairoa's adult population⁴. That is the 4th highest loss per head of population out of the 67 districts. The table below shows the loss per head and national ranking of other districts with small populations⁵.

1. District	2. Population	3. Loss per head	4. National Ranking
5. Waitamo	6. 8,907	7. \$77.95	8. 16 th
9. Otorohanga	10. 9,138	11. \$31.27	12. 52 nd
13. Opotiki	14. 8,436	15. \$117.09	16. 3 rd
17. Kawerau	18. 6,363	19. \$128.77	20. 1 st
21. Stratford	22. 8,988	23. \$44.48	24. 44 th
25. Carterton	26. 8,235	27. \$43.89	28. 45 th
29. South Wairarapa	30. 9,528	31. \$48.49	32. 41 st
33. Westland	34. 8,307	35. \$42.36	36. 47 th
37. Kaikoura	38. 3,552	39. \$60.72	40. 31 st
41. Mackenzie	42. 4,158	43. \$36.99	44. 50 th
45. Waimate	46. 7,536	47. \$38.49	48. 49 th

² 2013 Census figures

³ 2013 Census figures

⁴ 2013 Census figures

⁵ Taken from PGF report Nov 16

CURRENT SITUATION: COMMUNITY WELLBEING

WAIROA

CENSUS DATA 2013

The data shown includes factors which have been identified by the Gambling and Addictions Research Centre at Auckland University of technology as high risk factors associated with problem gambling.

POPULATION FIGURES

FACTOR 1



INCOME:
61% of Wairoa's population earn less than \$35,000 a year. Nationally, 52% of the population earn less than \$35,000 a year. The median income in Wairoa is \$22,000, nationally it is \$28,500. The median income for Wairoa's Maori population is \$19,400 - nationally it is \$22,500.

FACTOR 2



MAORI POPULATION:
59% of Wairoa's population are Maori. This is significantly different to % of the whole of New Zealand which is 14%.

FACTOR 3



FORMAL QUALIFICATIONS:
32% of Wairoa's population do not hold a qualification, only 6% hold a university qualification. Nationally only 19% of the population do not hold a qualification, with 18% holding a university qualification. 36% of Wairoa's Maori population do not hold a qualification, only 4% hold a university qualification. Nationally 30% of the Maori population do not hold a qualification and only 9% hold a university qualification.

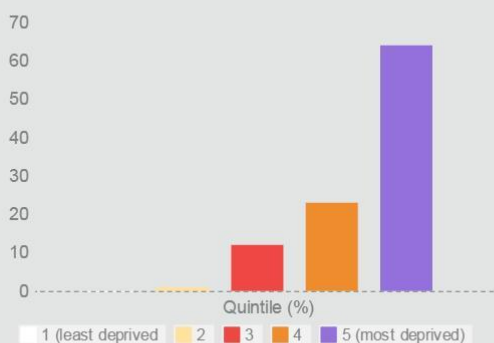
DEPRIVATION INDEX

In New Zealand 20% of the population live in each quintile.

NZDep2013 combines census data relating to income, home ownership, employment, qualifications, family structure, housing, access to transport and communications.

Each mesh block is given a decile rating (10 being in the 10% most deprived nationally):

- Wairoa 10
- Tuai 10
- Frasertown 7
- Ruakituri-Morere 7
- Maungataniwha 8
- Raupunga 9
- Whakaki 9
- Nuhaka 10
- Mahia 9



Percentage of the population living in each socioeconomic deprivation quintile - 2013

SOCIAL WELLBEING

PUBLIC HEALTH

Problem gambling imposes extra costs on public health services and the criminal justice system. There has been a strong association between gambling and alcohol as the legislative requirements state that the primary activity of a Class 4 Venue may not be the operation of gambling machines. However, the primary activity of any Class 4 Venue can be in premises with a liquor licence. Problems associated with gambling include depression, loss of self-esteem, suicide and stress related health issues.

IMPACT ON LOW SOCIO-ECONOMIC GROUPS

Gamblers from low social economic backgrounds often try to use gambling as a means of increasing their income, but end up worse-off financially.

DEBT

There is a net loss associated with gambling. The primary social impact from excessive gambling is the resultant loss of money for the individual and their family.

IMPACTS ON INDIVIDUALS AND FAMILIES

One of the most visible impacts of problem gambling is on children. The media has highlighted the issue of children left in vehicles or outside venues while their caregivers gamble. The hidden costs associated for children and families, is often not visible or quantified. This can result in a lack of food, clothing, medical needs being met and attention from parents or caregivers.

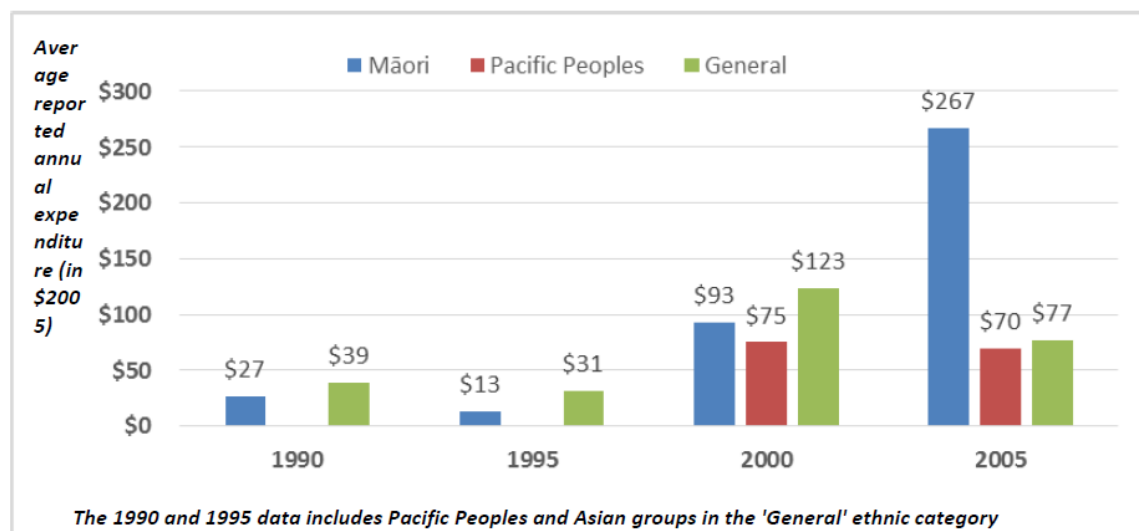
Marriages and relationships are also affected, with break-ups occurring as a result of one person's gambling addiction. These also can have serious effects on children, and the economic welfare of partners and families. Violence also appears to be more common among people with gambling problems.

Most social commentators agree that problem gambling is hidden and often does not surface until people are financially ruined.

CULTURAL WELLBEING

MaORI

The Treaty of Waitangi has not been addressed in the Gambling Act 2003. About 33% of people with serious gambling problems identify as Maori. The table below identifies that Maori spend an average \$267 a year on gambling, as opposed to \$77 to the general ethnicities. Maori are also likely to be on a lower than average income in comparison to general ethnicities. This should be a concern for Council, with the District's larger than average Maori population. (As indicated in the 2013 census being 59% as compared to 14% nationally).



Note: The above table has been taken from the Department of Internal Affairs Gambling Participation Survey conducted from 1985-2005.

In the New Zealand National Gambling Study: Wave 3 (2014) Report Number 5 the findings in relation to Māori were:

“Across the three study waves, 11.5% of the transitions for Māori were into the low-risk, moderate-risk and problem gambling categories from the non-problem category.

- *As found for the general population, in the bivariate associations, various gambling participation measures predicted the transition to low-risk, moderate-risk and problem gambling from non-problem gambling including regular continuous gambling, number of activities participated in, and annual and monthly participation in a number of individual activities. Of these the strongest risk factors were taking part in seven to nine gambling activities, monthly casino table games or EGM participation and monthly pub EGM participation. High average time spent playing pub EGMs was also a risk factor.*
- *Setting a dollar limit for gambling before leaving home and setting a time limit were also significant predictors.*
- *Māori aged between 35 and 64 years were significantly less likely than Māori aged 18 to 24 years to move into the low-risk, moderate-risk and problem gambling categories. Higher personal income was also protective.*
- *Lower quality of life and higher psychological distress were further risk factors.*
- *49.*
- *In the multiple logistic regression analyses, age was the only demographic predictor with Māori aged 35 to 64 years at much lower risk than those aged 18 to 24 years.*
- *Time spent playing pub EGMs in an average day and setting a dollar limit before leaving home remained statistically significant in the analysis.*
- *Higher psychological distress was the only other significant predictor.*

Across the three waves, 65% of Māori low-risk, moderate risk and problem gamblers remained in that category.

- *As for the overall population, in the bivariate associations, gambling participation measures were the strongest risk factors for remaining a low-risk/moderate-*

risk/problem gambler. Taking part in more than three different gambling activities in Wave 1 and typically spending over \$50 a month on gambling were strong risk factors, as was monthly or more frequent keno participation. Past year and monthly or more frequent involvement with pub EGMs and EGMs overall, and time spent playing pub EGMs in an average day were moderately strong risk factors. Annual participation in casino table games or EGMs, casino EGMs and club EGMs were further predictors, albeit less strong than the other participation measures.

- *Setting a dollar limit for gambling before leaving home, hazardous alcohol use, cannabis use and other drug use were additional predictors.*
- *In the multiple logistic regression analyses, only two measures remained statistically significantly associated with remaining a low-risk, moderate-risk or problem gambler, namely spending 60 minutes or more playing pub EGMs in an average day and setting a dollar limit for gambling before leaving home.”*

ECONOMIC WELLBEING

ECONOMIC BENEFITS

There are no detailed New Zealand reports or international consensus on the economic benefits of gambling. Gambling machines do not tend to increase employment, with managers absorbing any extra work necessary for the inclusion of gambling machines in their venues. Community groups can benefit from owning or receiving money from gambling.

ENVIRONMENTAL WELLBEING

Certain types of activities are not suited to residential area and activities tend to have a series of effects that can be environmentally unsuitable to certain areas and in particular for the Social Impact of Gambling Assessment, to certain people.

SUMMARY EFFECTS

The following are identified as effects of gambling for which an applicant for a gambling machine venue or Class 4 consent needs to consider prior to submitting an application to Council.

PROBLEM GAMBLING EFFECTS TO MITIGATE FOR

- (a) The incidence of children or dependants being left in vehicles whilst the caregiver gambles.
- (b) Children or youth under the age of 18 years accompanying a caregiver or adult, or on their own, entering a designated gambling machine area.
- (c) The lack of prominent signage in the gambling venue advising patrons who choose to engage in gambling, of the free-phone helpline of the Problem Gambling Foundation of New Zealand.

(d) Gambling machines visible and readily accessible by being located in public facilities, venues or commercial premises that are commonly associated with families and children, including but not limited to, shops, restaurants, cafés.

VENUE PROBLEMS TO MITIGATE FOR

(a) Signage or machines visible to the public outside the venue and advertising the availability of gambling machines, or by association, promoting them or their use.

(b) The lack of signage inside a venue with Class 4 machines that clearly delineates where the gambling machine area of the venue is located, and advising that no persons under the age of 18 years shall enter.

(c) The lack of standardised training for staff on procedures and the lack of assertiveness by all staff to enforce these procedures consistently every time.

(d) The venue having a separate entrance into the gambling machine area from the street or public space that would allow under age persons to enter and engage in gambling without the knowledge of venue staff.

(e) The location of venues with gambling machines in areas with District Plan controls not suited to managing a commercial activity of this nature, or of a venue being established without the knowledge and consent of neighbours in a residential area.

PROPOSED CHANGES TO COUNCIL'S POLICY

The Council currently has a policy which does not allow for new venues, for increased number of machines at existing venues, and for re-establishment of a venue.

Council could make changes to its policy to reverse one or all of the above if they wished.

Council could add to the existing policy e.g. signage.

The table below shows the policy settings of other authorities of similar sizes.

TA	New Venues	No of New venues	Machines per venue	Location restrictions	Relocation	Notes
Wairoa	No	N/A	No increase for existing	Not mentioned	Y	
Tararua	No	N/A	9 for new venue, no increase allowed for existing Licenced pre 17 Oct 2001 - 18, licensed post this date 9	not closer than 100m from school, kindy or worship	Y	
Buller	Not mentioned	Not mentioned	Maximum number of venues per district:	Taken into consideration but no limitation	Not mentioned	
Wairarapa Combined (Draft)	Yes - restrictions	Masteron 5, Carterton 3, South Wairarapa 6	No increase in total for area, max of 9 machines	No limitation given but is a factor in determination	Y	
Kaikoura	Yes - restrictions		New venue can increase number from 6 to 9 after 2 years. Total number is 60 machines across district	Not explicit about limitation		External exposure and advertising included, host responsibility

			Total number in district capped at 54; no consents will be issued to increase no per venue	Not mentioned	No	
Kawerau	No	N/A	New and existing (post October 2001) venues max of 9.			
Mackenzie	Yes - restrictions	Not mentioned	Total in district max of 65 No additional machines 9 per new venue, total for district 83 stat provision (9 and 18), combined clubs 30 or sum of the clubs licences at time of application	Business Zones only mentioned but not explicit	Not mentioned	Exceptional circumstances only advertising
Opotiki	No	N/A				
Rangitikei	Yes - restrictions	Not mentioned		Not mentioned	Not mentioned	
Ruapehu	Yes - restrictions	not mentioned		commercial zone	Y	no separate entrance, signage, gambling harm minimisation policy, SIA attached
Southland	No	n/a	Not stated	Not explicit about limitation	Y	Visual and sound, responsible gambling
Stratford	Yes - restrictions	Not mentioned	New is max of 9	Not mentioned	Not mentioned	

Waimate	8 venues total allowed at any time	Not mentioned	Max of 9, district total not to exceed 40 district total is 77, new venue max of 9, no increase for existing	Business Zones 1 & 2 with exemptions available Not adjacent to or directly opposite kindy, school or worship; veues limited to 5 in Te Kuiti urban area	Not mentioned		
Waitamo	Yes - restriction s	Not mentioned			Y		signage

BACKGROUND READING

NZ Health Strategy

Strategy to Prevent and Minimise Gambling Harm 2016/17 to 2018/19

Te Puāwaiwhero: The Second Māori Mental Health and Addiction National Strategic Framework 2008–2015.

Rising to the Challenge: The Mental Health and Addiction Service Development Plan 2012–2017

Ala Mo'ui: Pathways to Pacific Health and Wellbeing 2014–2018

He Korowai Oranga: Māori Health Strategy (refreshed in 2014)

Abbott M, Bellringer M, Garrett N, et al. 2014a. *New Zealand 2012 National Gambling Study: Attitudes towards gambling: Report number 3*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Abbott M, Bellringer M, Garrett N, et al. 2014b. *New Zealand 2012 National Gambling Study: Gambling harm and problem gambling: Report number 2*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Abbott M, Bellringer M, Garrett N, et al. 2014c. *New Zealand 2012 National Gambling Study: Overview and gambling participation: Report number 1*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Abbott M, Bellringer M, Garrett N, et al. 2015. *New Zealand 2012 National Gambling Study: Report number 4: 12-month follow-up (Wave 2)*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Rossen F. 2015. *Gambling and Problem Gambling: Results of the 2011/12 New Zealand Health Survey*. Auckland: Auckland UniServices Ltd, Centre for Addiction Research, University of Auckland.



Policy Name:	Wairoa District Council Class 4 Gaming Venue Policy	File Reference:	I18.01
Person Responsible:	Regulatory Manager	Date Policy Adopted	10 June 2014
Category:	Regulatory	Status:	Final
Next Review Due By:	2016	Revision Number:	1
Supersedes:	Previous	Date Last Revised:	

1. Background

- This Policy is made for the purposes of Section 101 of the Gambling Act 2003.
- Under the Gambling Act 2003, applicants for Class 4 gaming venue licenses must have the consent of the territorial authority in which the venue is, or will be, situated. In order to consider and determine applications for consent, territorial authorities are required by the Act to have a policy specifying whether or not Class 4 venues may be established in their district, where Class 4 licensed venues may be located in the district, and may also place additional limits on the number of machines per venue, which the Act sets at nine.
- This policy has been developed to enable the Council to consider and determine consent applications. As required by the Act, all decisions by Council to grant or decline consent must be made in accordance with this policy.

2. Scope of the Policy

- This policy covers Class 4 venues licensed under the Gambling Act 2003.

3. Objectives of the Policy

- To ensure the Council and the community has influence over the location of new Class 4 gambling venues in the Wairoa District.
- To control the extent of Class 4 gambling within the Wairoa District in a manner which will prevent and minimise the potential harm caused by gambling, particularly problem gambling.
- To reduce the number of gaming machines in the Wairoa District to the extent that Council is empowered by the Gambling Act 2003.

- To recover costs where appropriate.

4. Goals

- The Council supports the primary objectives of the Gambling Act, which are to ensure that:
- Gambling is primarily used to raise funds for community purposes;
- The harm caused by gambling is prevented or minimised;
- Local involvement in decisions about the availability in communities of various forms of gambling is facilitated;
- The growth of gambling is controlled.
- In terms of this policy, the objectives of the Council are to:
- Ensure that community input, via the Local Government Act 2002 Special Consultative Procedure, is sought from the Community in the preparation of the Policy.
- That gaming machines are located in appropriate venues.

5. Gambling Venues

- No further gaming machine venues to be established in the Wairoa District.

6. Gaming Machines

- Council will NOT grant territorial authority consent to:
- Operate gaming machines at any venue not already operating machines; or
- Increase the number of gaming machines operating at an existing Class 4 venue above that licensed by the Department of Internal Affairs or granted territorial authority consent at the time of this policy coming into force; or
- Re-establish a Class 4 venue with gaming machines once a licence is no longer held for that venue and territorial authority consent is required.

Note: This situation usually applies when no licence has been held by any society for a particular venue within the previous six months.

6. Relocation of class 4 venues

- Subject to the requirements of the Gambling Act 2003, Council may permit a class 4 gaming venues to re-establish to a new site where:
 - a) Due to the circumstances beyond the control of the owner or lessee of the class 4 venue, the venue cannot continue to operate at the existing site.

Examples of such circumstances include but are not limited to the following:

- i. Expiration of lease; or
- ii. Acquisition of property under the Public Works Act; or
- iii. Site redevelopment

Any permission to establish a new class 4 venue under this clause will be subject to the following conditions:

- iv. The venue operator of the business at the new site shall be the same venue operator at the site to be vacated;
 - v. Subject to the requirements of the Gambling Act 2003, the maximum number of gaming machines shall be the same as approved at the time of closing the former premises.
- Subject to the requirements of the Gambling Act 2003, clubs that rebuild or relocate may be allowed a maximum of the number of gaming machines approved at the time of closing of the former premises.
 - b) In the case of a club only, as defined in the Gambling Act 2003, Council will permit the relocation to a new site of a club. Where two or more existing clubs legally and physically combine into one, the resulting club may be allowed to operate the sum of the number of gaming machines specified in all Class 4 venue licences at the time of application or 24 machines whichever is the lesser.

7. Primary Activity of Class 4 Gambling Venues

- The primary activity of any Class 4 gambling venue shall be:
 - For the sale of liquor or for liquor and food, or
 - For sporting activities.
 - For race and sports betting conducted at a TAB Board Venue.

8. Application Fees

- These will be set by Wairoa District Council, and shall include consideration:
 - The cost of processing the application, including any consultation and hearings involved;
 - The cost of triennially reviewing the Class 4 (Gaming Machines) venue policy;
 - The cost of inspecting Class 4 gambling venues on a regular basis to ensure compliance with consent or license conditions;
 - The application fee will be reviewed by Council as part of the Annual Plan Fees and Charges review.

9. Policy Review

- This policy will be reviewed on a three-yearly basis.
- This policy may be reviewed at any time where there is an urgent concern or request from the community.



Statement of Proposal

Review of Wairoa District Council Board (T.A.B) Venue Policy

Reason for the Proposal

Under the Racing Act 2003 Council is required to have a policy on Board Venues. This policy covers stand-alone TAB Board Venues, which are owned or leased by the New Zealand Racing Board. Council consent is not required under the legislation to establish a TAB facility in a bar, hotel or club. If a TAB Board Venue wishes to host gaming machines a separate application must be made under Council's class 4 gambling policy and the TAB Board Venue must also meet the additional criteria set out in that policy.

65D Territorial authority must adopt Board venue policy

- (1) A territorial authority must, within 6 months after the commencement of this section, adopt a policy on Board venues.
- (2) In adopting a policy, the territorial authority must have regard to the social impact of gambling within the territorial authority district.
- (3) The policy must specify whether or not new Board venues may be established in the territorial authority district and, if so, where they may be located.
- (4) In determining its policy on whether Board venues may be established in the territorial district and where any Board venues may be located, the territorial authority may have regard to any relevant matters, including—
 - (a) the characteristics of the district and parts of the district:
 - (b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities:
 - (c) the cumulative effects of additional opportunities for gambling in the district.

65E Adoption and review of Board venue policy

- (1) A policy on Board venues under [section 65D](#) must be adopted in accordance with the special consultative procedure in [section 83](#) of the Local Government Act 2002 and, for the purpose of subsection (1)(e) of that section, the territorial authority must give notice of the proposed policy, in a manner that the territorial authority considers appropriate to—
 - (a) the Board; and
 - (b) organisations representing Māori in the territorial authority district.
- (2) A policy may be amended or replaced only in accordance with the special consultative procedure, and this section applies to that amendment or replacement.
- (3) Subsection (1)(b) does not affect the ability of a territorial authority to take similar action in respect of any other population group.

(4) A territorial authority must, as soon as practicable after adopting, amending, or replacing a policy on Board venues, provide a copy of the policy to the Board and the Secretary.

(5) A territorial authority must complete a review of a policy within 3 years after the policy is adopted and then within 3 years after that review and each subsequent review is completed.

(6) A policy does not cease to have effect because it is due for review or being reviewed.

Council is considering whether it should make any changes to the current policy. It considers that this is a matter for local communities to decide, there is also a legislative requirement for the special consultative procedure to be used. Council is therefore seeking feedback from its communities on whether they believe Council should make changes to the current policy.

More Information

Where to get a copy of the Summary of Information and submission form

The Summary of Information and the submission form may be collected from the Council's Main Office in Wairoa, or from the Council's website www.wairoadc.govt.nz

Period for Consultation

Written submissions on the Review of Wairoa District Council Board (T.A.B) Venue Policy may be made from **[Time period of 1 month]**.

Those who make a written submission may choose to make an oral submission. Hearings of oral submissions are scheduled for **[Closest Council date after Submission end date or extraordinary hearing meeting 2 weeks after close of submissions]**. Please indicate on your submission form if you wish to speak to your submission.

If you have any questions please contact Charlotte Knight, Governance Advisor & Policy Strategist on 06 838 7309



Policy Name:	Wairoa District Council Board (T.A.B) Venue Policy	File Reference:	118.01
Person Responsible:	Regulatory Manager	Date Policy Adopted	10 June 2014
Category:	Regulatory	Status:	Final
Next Review Due By:	2016	Revision Number:	1
Supersedes:	Previous	Date Last Revised:	

1. Background

- This Policy is made for the purposes of 65D of the Racing Act 2003.
- This policy has been developed to enable the Council to consider and determine consent applications. As required by the Act, all decisions by Council to grant or decline consent must be made in accordance with this policy.

2. Scope of the Policy

- This policy covers stand-alone TAB Board Venues, which are owned or leased by the New Zealand Racing Board. Council consent is not required under the legislation to establish a TAB facility in a bar, hotel or club. If a TAB Board Venue wishes to host gaming machines a separate application must be made under Council's class 4 gambling policy and the TAB Board Venue must also meet the additional criteria set out in that policy.

3. Objectives of the Policy

- To ensure the Council and the community has influence over the location of new TAB venues in the Wairoa District.
- To recover costs where appropriate.

4. Goals

- The Council supports the primary purposes of the Racing Act, which are:
- to provide effective governance arrangements for the racing industry; and
- to facilitate betting on galloping, harness, and greyhound races, and other sporting events; and
- To promote the long-term viability of New Zealand racing.
- In terms of this policy, the objectives of the Council are to:
- Ensure that community input, via the Local Government Act 2002 Special Consultative Procedure, is sought from the Community in the preparation of the Policy.

5. Where TAB Venues May Be Established

- The Wairoa District Council will accept New Zealand Racing Board applications for TAB venues, in relation to their location only.
- All new venues shall comply with the criteria for location and associated fee payments, as defined in this policy.
- All TAB venues shall be located in the Town Centre/Industrial zone.

6. Relocation of Board venues

- Subject to the requirements of the Racing Act 2003, Council may permit a Board venue to re-establish to a new site where:
 - a) Due to the circumstances beyond the control of the owner or lessee of the board venue, the venue cannot continue to operate at the existing site. Examples of such circumstances include but are not limited to the following:
 - i. Expiration of lease; or
 - ii. Acquisition of property under the Public Works Act; or
 - iii. Site redevelopment

Any permission to establish a new Board venue under this clause will be subject to the following conditions:

- iv. The venue operator of the business at the new site shall be the same venue operator at the site to be vacated

7. Application requirements – TAB Venues

- All applications for a consent to have TAB Venues shall be made to Council's Consent Section, and shall be accompanied with the following information:

- A fully completed prescribed application form;
- Appropriate application fee payment as specified in the Wairoa District Council's Annual Plan Fees and Charges schedule;
- A full floor plan, and location map of premises, detailing distance to nearest school, kindergarten, child care centre, place of worship or other community facility.

8. Application Fees

- These will be set by Wairoa District Council, and shall include consideration:
- The cost of processing the application, including any consultation and hearings involved;
- The cost of triennially reviewing the TAB venue policy;
- The cost of inspecting TAB venues on a regular basis to ensure compliance with consent or license conditions;
- The application fee will be reviewed by Council as part of the Annual Plan Fees and Charges review.

9. Policy Review

- This policy will be reviewed on a three-yearly basis.
- This policy may be reviewed at any time where there is an urgent concern or request from the community.



BOARD (T.A.B) VENUE APPLICATION

(For the purpose of Gambling Act 2003 & the Wairoa District Council (T.A.B.) Board Venue Policy adopted 10 June 2014)

For Office Use Only

Received	
Planning	
Building	
Liquor Licensing	

Venue details

I, _____ On behalf of: _____
Full Name: Name of Society/Trust:

seek a Board (T.A.B) Venue consent for:

_____ *Venue Trading Name*

Street Address of Venue location: _____

Legal Description: _____

Applicant / Agent Contact details

Postal Address For Service: _____

 _____ Postcode: _____

Phone: _____
 Work Home Fax Mobile

Email: _____

Names and titles of Key Persons at Society/Venue (Owner, Operator/Manager)

Society Name: _____ Venue Owner: _____
 Address: _____ Address: _____
 Contact Phone #: _____ Contact Phone #: _____

- I attach:
- \$200** fee (includes GST). This fee is effective from 1 July 20XX to 30 June 20XX
 Payment can be in the form of a cheque, made in favour of 'Wairoa District Council' or by EFTPOS (excluding Credit Cards).
 - Completed Application Checklist**
 - Certificate of Title**

Signature of Applicant: _____

Date of Application _____ /20

INFORMATION CHECKLIST
For
BOARD (T.A.B) VENUE APPLICATIONS

Every box on the following list must be addressed.

If you have any questions about anything on this form, please contact the Council’s Consents Section at (06) 838-7309.

Check your application carefully. Once accepted for processing, the fee for processing venue consent applications is non-refundable.

For this reason, the first question requires you to have checked if there is capacity available, before you decide whether it is worthwhile to continue the application. If you have answered “NO” to any question in this checklist, or failed to provide the required information or fees, your application does not meet the Board (T.A.B.) Venue Policy criteria, and will be declined. You may also wish to check whether any other applications are currently being processed before submitting your application.

PART A

Circle as appropriate

Does the Venue Comply

Is the venue located in the Town Centre zone?	Yes	No
Is the venue located in the Industrial zone?	Yes	No

PART B

Applications must be made on the approved form and must provide:

- Name and contact details for the application, the venue trading name(s), any other name(s) related to the venue, and the venue operator’s name(s);
- Street address of premises proposed for the board venue;
- A specific legal description with deposited plan clearly identifying the area where the venue is proposed to be located;
- The names of management staff;
- Other relevant information requested by the territorial authority;
- Application fee

NOTE:

If a TAB Board Venue wishes to host gaming machines a separate application must be made under Council’s class 4 gambling policy and the TAB Board Venue must also meet the additional criteria set out in that policy.

8.5 ANNUAL PLAN 2017/18 FRAMEWORK

Author: Christopher Hankey, Financial Planning Manager

Authoriser: Fergus Power, Chief Executive Officer

Appendices: 1. 2017/18 Annual Plan Timetable

PURPOSE

- 1.1 This report provides information for Council on the proposed timetable for the preparation and adoption of the 2017/18 Annual Plan. No decisions are required by Council at this stage.
- 1.2 This is being provided to Council to inform Councillors of the planning and progress of the development and adoption of the 2017/18 Annual Plan and to confirm the major assumptions applied in the planning for the plan.

RECOMMENDATION

The Financial Planning Manager RECOMMENDS that Council receive the report and approves the timetable for preparation of the 2017/18 Annual Plan.

2. BACKGROUND

- 2.1 Each year, the Annual Plan must be adopted by Council prior to the start of the financial year that the plan relates to, that is - by 30 June of each calendar year for the following financial year being 1 July – 30 June (s95(3) of the Local Government Act 2002 (LGA)). For the 2017/18 Financial Year this date is 30 June 2017.
- 2.2 The attached draft work plan (Appendix 1) contains numerous opportunities for Council to develop the contents and respond to submissions from the public.
- 2.3 Adoption of the finalised Annual Plan is targeted for the ordinary council meeting of 20 June 2017.
- 2.4 Preparation of the 2016/17 Draft Annual Plan has begun, with Cost Centre Managers considering Cost Centre needs, with these being due for return to Finance by 23 January 2017.
- 2.5 The development assumption for this year's budget is that the cost centre budgets are being developed as zero based budgets, i.e. there is no pre-set budget for the managers to consider changes to. The 2016/17 Annual Plan and Year 3 of the 2015/25 Long Term Plan values have been provided to give guidance to budget managers in preparing the operational and capital needs of the cost centres.
- 2.6 The timetable assumption for the plan is based on the expectation that Wairoa District Council will publically consult on this Annual Plan. A consultation plan and document will need to be adopted by Council (s95(A)(4) LGA) prior to the document being issued to the public for consideration. The proposed timeframe involves adoption of these documents in late March 2017, and with the public consultation period being 1-30 April 2017.

3. CONCLUSION

- 3.1 Appendix 1 provides a proposed timetable for drafting and adoption of the 2017/18 Annual Plan and meets the requirements of ss95 and 95(A) LGA.
- 3.2 It is recommended that public consultation on the Annual Plan be undertaken.
- 3.3 Development of the Plan is a zero based process, with cost centre managers having both the 2015/16 Annual Plan and Year 3 2015/25 Long Term for guidance when preparing the cost centre needs.

Further Information

New Zealand Legislation – Local Government Act 2002 Section 95 and 95(A)


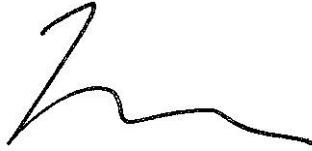
Background Papers

http://legislation.govt.nz/act/public/2002/0084/latest/DLM170873.html?search=qs_act%40bill%40regulation%40deemedreg_Local+Government+Act_resel_25_h&p=1#DLM6236886

References (to or from other Committees)

This is the first report presented to Council in regards to the 2017/18 Annual Plan.

Signatories

	
<p>Christopher Hankey Author</p>	<p>Fergus Power Approved by</p>

Proposed Timetable for 2017/18 Annual Plan v2 - Later

Step	By	Agenda Due Date	Meeting Date
Adoption	Full Council	12/6/17	20/6/17
Final Draft Plan (7)	Pre Council Workshop	12/6/17	20/6/17
Review of Draft Plan with deliberation decisions incorporated (6)	Workshop		Recommend 6, 7, 8, or 9 June May not need this depending on the changes/Council may not wish to have one
Review Draft Plan incorporating submissions (Deliberation of submissions) (5)	Council	22/5/17	30/5/17 Extraordinary meeting (morning pre Forum)
Submission review and hearing (4)	Council		16/5/17 Extraordinary meeting
Consultation Period	Community		1– 30 April 17
Adoption of Consultation Plan and Document (3)	Full Council	20/3/17	28/3/17
Review of Budget / Consultation Document (2)	Pre/Post Forum Workshop	27/2/17	7/3/17
Review of Budget / Consultation Document (1)	Pre/Post Council Workshop		14/2/17
Review of Draft Budget / Consultation Document	SLT/CEO		3 – 9 Feb 17
Review of Draft Plan / Consultation Document	CFO – Including incoming CFO		27 Jan 17
Drafting Plan & Consultation Document/Modelling	CS/CFO/FPM		23 – 27 Jan 17
Info from Units			23 Jan 17

Numbers are full Council review points

This plan leaves as late as possible the adoption points in the process.

Fixed points - Scheduled meetings

Additional workload periods:

- 6th Feb Waitangi Day
- 7-8 Feb 17 – LGNZ Excellence Audit
- 3-7 Apr 17 – EY 2016/17 interim Audit (During Public Consultation period)
- 14-17 Apr 17 – Easter (During Public Consultation period)

Assumption – Full Council will deal with the Plan. Nothing through FARC

NB Adoption of the Consultation Plan must happen before adoption of the Consultation Document (S95A(4) for Order for the meeting). This is planned for the 28th March in this timetable, gives Council two full opportunities to look at and consider the budget prior to the latest chance to adopt in this timeframe.

8.6 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

Author: Fergus Power, Chief Executive Officer

Authoriser: Fergus Power, Chief Executive Officer

Appendices: Nil

1. PURPOSE

- 1.1 This report provides information for Council on significant matters attended to by the CEO in the interval since the last report – 06 December 2016. No decisions are required by Council at this stage.
- 1.2 Councillors have requested that this report be made available for each Ordinary Meeting of Council.

RECOMMENDATION

The Chief Executive Officer RECOMMENDS that Council receive the report.

2. BACKGROUND

- 2.1 This information report is prepared for each Ordinary Meeting of Council.
- 2.2 This is the first Ordinary Meeting of Council in calendar year 2017.
- 2.3 There are no previous resolutions of Council on this matter.
- 2.4 The objective of the information report is to ensure that Councillors are kept informed on significant matters not otherwise reported through the Hub or substantive reports to Council, and to contribute to Council's mission of enabling 'connected communities'.

3. STAFF AND INTERN MOVEMENTS

- 3.1 Staff: Departures: Tina Wilcox (Finance Department - Cashier/Creditors Clerk) (02 December 2016); Linda Kerr (Finance Department – Credit Control Officer) (09 December 2016); Shauna-lee Jane (Office of the Chief Executive – Business Support Officer) (30 December 2016); Andrew Morton (Finance Department – Chief Financial Officer) (27 January 2017); Lance Groves (Engineering Department – Utilities Engineer) (31 January 2017). Transfers: Tim Allan (Operations Department – Civil Defence and Emergency Management (CDEM) Officer) transferred to the employ of the Hawke's Bay Regional Council on 31 December 2016 in accordance with a regional restructure of CDEM delivery. I would like to express my thanks to all staff who have delivered great service to Council. Arrivals: Heather Mabin (Finance Department – Financial Consultant (contract)) (former Strategic Financial Advisor/Analyst for Napier City) will assist the finance team in January, February and March (working 3 days a week) to ensure that the 2017/18 Annual Plan and planned financial systems improvements proceed in accordance with the agreed delivery timeframes and as a bridging service until the arrival of our new Chief Financial Officer (Gary Borg) on 20 March 2017; Annalena Atzwanger (Economic Development & Engagement) (25 January 2017); Beckie Moyle (Office of the Chief Executive – Executive Assistant) (07 February 2017). Chris Hankey has been appointed Acting Chief Financial Officer (for the period 30 January – 19 March 2017).

2017 sees the completion of a two-step adjustment to the manner in which economic development and tourism activities are managed and delivered. Phase 1 saw these activities administered by Helen Montgomery, bringing a project management approach to bear. With the recent Tatau Tatau settlement, and with several hundred millions of dollars programmed to flow into the district as a result of Treaty Settlements, it is now appropriate for Phase 2 to be implemented. I have appointed Kitea Tipuna to the role of Economic Development & Engagement Manager. Kitea has joined the Senior Leadership Team, and will have responsibility for economic development, tourism, stakeholder management, information, communications and engagement.

- 3.2 Cadets: George Wakatope (Wairoa, NZ (14 November – 24 February 2017)) (Supervisor: Jamie Cox, Engineering Department). George is completing a Bachelor of Engineering at the University of Auckland majoring in electrical engineering. He is undertaking a review of Council's Skada system.
- 3.3 Interns: The 2016/17 summer has been a busy internship period, with the following interns working on various projects:

Abbe Watson (NZ) (Supervisor: Russell McCracken) – project managing funding applications and events for Wairoa's new mountain bike park; James Oram (UK) (Supervisor: Helen Montgomery) – climate change adaptation policy development for the new district plan; Joachim L'Hoost (Belgium) (Supervisor: Charlotte McGimpsey) – HR policies; Julia Cornelsen (Brazil) (Supervisor: Jamie Cox) – Wairoa Wastewater Treatment Plant resource consent renewal; Miriam Martin and Natalie Gauss (Germany) (Supervisor: Jaime-Leigh George) – development of horse trekking tourism offering in Wairoa district; Thomas Dekker (The Netherlands) (Supervisor: Andrew Morton) – financial management systems; Tom Siegert (The Netherlands) (Supervisor: Fergus Power) – space launch tourism visitor security and Wairoa airport utilisation; Wilma Haak (The Netherlands) (Supervisor: Fergus Power) – tourism marketing and event management; Patrick Garritsen (The Netherlands) (Supervisors: James Baty and Charlotte Knight) – graphic design for Annual Plan 2017/18 and Annual Report 2016/17; Marrit Kirkenier (The Netherlands) (Supervisor: Kitea Tipuna) – tourism marketing and moving and still imagery; Reinetta Van der Muelen (The Netherlands) (Supervisor: Kitea Tipuna) - tourism marketing and sales; and Veronica Bramley (Wairoa, NZ) (Supervisor: Sandra Hughes) – development and implementation of a marketing plan for the Salute Wairoa Touch Table (SWTT), and management of documentation and software associated with the SWTT.

4. SIGNIFICANT MATTERS

- 4.1 Ceremonies, consultation & training
- 4.1.1. On 06 December 2016 His Worship the Mayor and I welcomed new citizens in a citizenship ceremony.
- 4.1.2. On 08 December 2016 His Worship the Mayor, Councillors and I attended a day long workshop at Wairoa Hospital on the re-design of the Wairoa Health & Social Service Sector.
- 4.1.3. Dr Carwyn Jones provided a workshop on Maori governance and tikanga in the Council Chamber on 12 December 2016.

- 4.1.4. Representatives of the Office of the Ombudsmen delivered a training workshop in the Council Chamber providing a general overview of the Local Government Official Information and Meetings Act (LGOIMA) on 16 December 2016.
- 4.1.5. On that same day, Councillors attended an induction with the board of QRS, and Cr Lambert officiated at the official opening of Radio Te Wairoa at its new airport location.
- 4.2 Economic development
- 4.2.1. On 17 December 2016 Wairoa hosted the regional waka ama sports event.
- 4.2.2. His Worship the Mayor, staff and I attended the official opening of Tuhoe's Te Wharehou o Waikaremoana on 23 December 2016.
- 4.2.3. Jonno Rau (Masters in Soil Science, University of Waikato) arrived in Wairoa on 09 January 2017 to commence his research programme relating to the evaluation of land in the Wairoa district for potential horticultural development.
- 4.2.4. Two Wairoa District Council intern teams participated in the Rural Ironman competition of the Wairoa A&P Show (19-21 January 2017).
- 4.2.5. A meeting of the Space Test Launch project team was held on 25 January 2017.
- 4.3 Regional meetings
- 4.4 LGNZ Excellence Programme Audit
- 4.4.1. On 07 and 08 February 2017 the audit team for the LGNZ Excellence Programme were on site undertaking evaluations of Council's functions. The programme represents an excellent way to gain insight into how we can improve our service delivery to the community, and I would like to thank all staff and Councillors who participated in this process.
- 4.5 QRS Directorships
- 4.5.1. Interviews for a director for QRS were held on 01 February 2017, and a recommendation regarding the preferred candidate is the subject of a separate report to Council.

5. CONCLUSION

- 5.1 The commencement of Rocket Lab's three test space launches in 2017 will further bolster commercial activity within the district, and with the commencement of commercial operations following the test launch series, it is anticipated that tourism will also be bolstered.

Further Information

Nil.

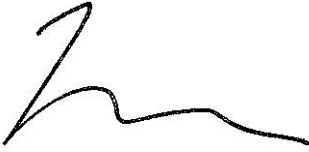
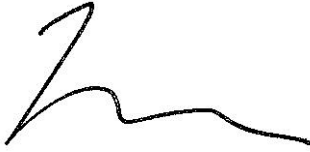
Background Papers

Nil.

References (to or from other Committees)

Nil.

Signatories

	
Fergus Power Author	Fergus Power Approved by

9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS

Nil

10 PUBLIC EXCLUDED ITEMS**RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

That the public be excluded from the following parts of the proceedings of this meeting.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
10.1 - QRS Director Vacancy - Panel recommendation for appointment	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.2 - Wairoa District Heritage & Museum Trust - Contract	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7