



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

Date: Tuesday, 9 May 2017
Time: 1.30pm
Location: Council Chamber, Wairoa District Council,
Coronation Square, Wairoa

AGENDA

Ordinary Council Meeting

9 May 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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	Nil	

- 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 3 minutes per person is allowed.

7 MINUTES OF THE PREVIOUS MEETING

Ordinary Meeting - 28 March 2017

**MINUTES OF WAIROA DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA
ON TUESDAY, 28 MARCH 2017 AT 1.30PM**

PRESENT: His Worship the Mayor Craig Little (Mayor), Cr Denise Eaglesome-Karekare (Deputy Mayor), Cr Hine Flood, Cr Michael (Mike) Bird, Cr Jeremy Harker, Cr Charles (Charlie) Lambert, Mr Paul Kelly

IN ATTENDANCE: F Power (CEO), J Baty (CSM), J Cox (EM), H Montgomery (COO), K Tipuna (ED&EM), C Knight (GAPS), C Hankey (FPM), G Borg (CFO).

1 KARAKIA

Given by Mr P Kelly.

2 APOLOGIES FOR ABSENCE

Cr Johansen and Mr K Hammond.

3 DECLARATIONS OF CONFLICT OF INTEREST

Cr Jeremy Harker declared a pecuniary interest in relation to items 8.1, 8.2 and 10.4, due to being an employee of QRS.

4 CHAIRPERSON'S ANNOUNCEMENTS

None.

5 LATE ITEMS OF URGENT BUSINESS

Adoption of Budgets for the Draft Annual Plan 2017-18

Adoption of the Draft 2017/18 Consultation Document

Minor items: HB Sports Council Representative update

6 PUBLIC PARTICIPATION

None.

7 MINUTES OF THE PREVIOUS MEETING

RESOLUTION 2017/13

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That the minutes of the Ordinary Meeting held on 14 February 2017, the Extraordinary Meeting held on 28 February 2017 and the Extraordinary Meeting held on 14 March 2017 be confirmed.

CARRIED

8 GENERAL ITEMS**8.1 QRS SIX MONTHLY FINANCIAL STATEMENTS****RESOLUTION 2017/14**

Moved: Cr Charles (Charlie) Lambert

Seconded: Cr Michael (Mike) Bird

Cr Harker declared a pecuniary interest on this item and did not participate.

RECOMMENDATION

That Council receive the report.

CARRIED

8.2 QRS STATEMENT OF INTENT FOR PERIODS ENDING 30 JUNE 2018 TO 30 JUNE 2020**RESOLUTION 2017/15**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Charles (Charlie) Lambert

That Council Adopt the proposed Statement of Intent for the 2018 – 2020 Financial Years, without amendment.

CARRIED

8.3 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT**RESOLUTION 2017/16**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Hine Flood

That Council receive the report.

CARRIED

8.4 SEPTEMBER QUARTER FINANCIAL REPORT**RESOLUTION 2017/17**

Moved: Cr Jeremy Harker

Seconded: Cr Michael (Mike) Bird

That Council receive this report.

CARRIED

8.5 INSURANCE COVER INFRASTRUCTURE ASSETS

RESOLUTION 2017/18

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That the Council:

- 1. Receive this report; and,*
- 2. Approve the uptake of JLT's recommendation for Liability Cover through the London Market Local Government Cover Programme; and,*
- 3. Defer a decision on reinsuring Infrastructural Assets until a renewal proposal is received from LAPP; and,*
- 4. Endorse a wider investigation of the insurance market for infrastructural asset cover over the upcoming financial year in conjunction with JLT; and,*
- 5. The insurance cover be with a provider that has the same financial strength rating (or higher) than the current provider.*

CARRIED

8.6 WAIROA DESTINATION PLAYGROUND- OPTIONS ANALYSIS

RESOLUTION 2017/19

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That:

- 1. The location is site 2 – skatepark*
- 2. Construction of a toilet facility in close proximity to the preferred playground option to cater for the playground use – estimated cost \$80,000*
- 3. Utilise existing Council Capex budgets to fund the shortfall, including the \$250,000 allocated for toilets on Marine Parade*
- 4. Include fencing of the skatepark in the project.*

5. CARRIED

8.7 ARCHIVES BUILDING

Deferred to next meeting pending additional options analysis.

8.8 TERMS OF REFERENCE: COMMUNITY PARTNERSHIP COMMITTEE**RESOLUTION 2017/20**

Moved: Cr Jeremy Harker

Seconded: Cr Hine Flood

That Council confirm the Terms of Reference for the Community Partnerships Committee as set out in Appendix 1.

CARRIED

9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS**9.1 MINUTES OF ECONOMIC DEVELOPMENT COMMITTEE MEETING - 21 FEBRUARY 2017**

At 3:32 p.m., Cr Denise Eaglesome-Karekare left the meeting.

At 3:33 p.m., Cr Denise Eaglesome-Karekare returned to the meeting.

At 3:34 p.m., Cr Denise Eaglesome-Karekare left the meeting.

9.2 MINUTES OF FINANCE, AUDIT & RISK COMMITTEE MEETING - 28 FEBRUARY 2017**9.3 MINUTES OF MAORI STANDING COMMITTEE MEETING - 9 MARCH 2017****MOTION****RESOLUTION 2017/21**

Moved: Cr Jeremy Harker

Seconded: Cr Hine Flood

That the minutes of the Economic Development Committee Meeting - 21 February 2017, Finance, Audit & Risk Committee Meeting - 28 February 2017, and Māori Standing Committee Meeting - 9 March 2017 be received.

CARRIED

MOTION

RESOLUTION 2017/22

Moved: Cr Hine Flood
Seconded: Cr Jeremy Harker

That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act 1987 the following items 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 meet statutory deadlines these matters cannot wait until the next scheduled meeting of Council on the 9th May 2017:

*Adoption of Budgets for the Draft Annual Plan 2017-18; and,
Adoption of the Draft 2017/18 Consultation Document.*

CARRIED**8.9 ADOPTION OF BUDGETS FOR THE DRAFT ANNUAL PLAN 2017-18****RESOLUTION 2017/23**

Moved: Cr Jeremy Harker
Seconded: Cr Hine Flood

That Council adopts the draft 2017/18 Budget and proposed capital plan for consultation.

CARRIED

At 5:05 p.m., Cr Charles (Charlie) Lambert left the meeting.

At 5:07 p.m., Cr Charles (Charlie) Lambert returned to the meeting.

At 5:11 p.m., Cr Hine Flood left the meeting.

At 5:14 p.m., Cr Hine Flood returned to the meeting.

8.10 ADOPTION OF THE DRAFT 2017/18 CONSULTATION DOCUMENT**RESOLUTION 2017/24**

Moved: Cr Charles (Charlie) Lambert
Seconded: Cr Jeremy Harker

That Council adopts the attached consultation document subject to minor editorial amendments, and adopts a consultation period of 3rd April 2017 – 28th April 2017 for the draft Annual Plan 2017/18, subject to any recommendations from audit and audit sign-off.

CARRIED**10 PUBLIC EXCLUDED ITEMS**

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2017/25

Moved: His Worship the Mayor Craig Little

Seconded: Cr Jeremy Harker

That at 5:15 p.m 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
<p>- Minutes of Public Excluded Council Meeting - 14 February 2017</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>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)</p>	<p>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</p>
<p>- Minutes of Public Excluded Finance, Audit & Risk Committee Meeting - 28 February 2017</p>	<p>s7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar</p>	<p>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</p>

	<p>information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	
- Natural Calamities Application	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>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</p>
- QRS Directors Fees	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</p>	<p>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</p>

<p>- Consideration of Sale of Investment in Credit Agricole</p>	<p>s7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>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</p>
<p>CARRIED</p>		

RESOLUTION 2017/26

Moved: His Worship the Mayor Craig Little
 Seconded: Cr Michael (Mike) Bird

That at 5:45 p.m Council moves out of Closed Council into Open Council.

CARRIED

Mr P Kelly gave the closing karakia.

The Meeting closed at 5:49 p.m.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 9 May 2017.

.....
CHAIRPERSON

8 GENERAL ITEMS

8.1 OWNER DISQUALIFICATION - DOG CONTROL ACT 1996

Author: Paul van Dorrestein, Enforcement Team Leader

Authoriser: Helen Montgomery, Chief Operations Officer

Appendices:

1. Owner Objection to Disqualification [↓](#)
2. Owner File [↓](#)

1. PURPOSE

- 1.1 Seeking disqualification as a dog owner due to non-compliance with the Dog Control Act and the WDC Bylaws (Failure to keep dog under control).

RECOMMENDATION

The Enforcement Team Leader RECOMMENDS that Council Disqualify Mr O'Connor from owning a dog for 5 years, as stated in the Dog Control Act 1996 Section 25.

2. BACKGROUND

- 2.1 Mr Sean O'Connor has been issued with three infringements this calendar year. In accordance with the Dog Control Act 1996 (DCA) Section 25 the Council must disqualify Mr O'Conner as a dog owner. As can be seen from Mr O'Connor's file attached as an appendices he has received repeated warnings to have his dog Zeal on a lead and previous fines (in 2015) prior to the issuing of fines this year. Mr O'Connor's continual refusal to comply with the DCA and the WDC Bylaw resulted in a letter of disqualification being issued on 22 March 2017.
- 2.2 Mr O'Conner disputes many of the facts in his dog owner file as can be seen in his objection appended to this report, particularly in relation to the description of his dog Zeal, and the recording of the three infringements that have led to the disqualification letter being issued. Mr O'Conner also protested the date by which he needed to lodge his written objection. In relation to the timing Mr O'Conner was given an extension of time in which to lodge his objection.
- 2.3 In relation to the description of Zeal, Mr O'Connor has signed registration notices giving the description of his dog, it is further noted that an infringement is issued to a person not the dog and as such so long as Mr O'Conner's name is on the infringement the infringement is valid. It is also noted that all Enforcement team members are familiar with Mr O'Conner and Zeal and we are confident that no confusion as to who and which dog was observed not on a leash has occurred.
- 2.4 As with other council hearings Mr O'Conner has been advised he has 10 minutes to speak to his objection. That Councillors may ask questions of Mr O'Conner and of Council staff, but that Mr O'Conner may not ask questions unless permitted by the meeting Chair.
- 2.5 Mr O'Conner has a further right of appeal to the District Court in accordance with Section 27 DCA should the Council uphold the disqualification decision.

3. SUMMARY OF OFFENCES

- 3.1 Infringement 2703 Issued 14/1/17, issued for S53 (1) Failure to keep dog on lead; observed by Peter Robson.
- 3.2 Infringement 2617 Issued 3/3/17, issued for S53(1) Failure to keep dog on lead ; observed by Peter Robson and Violet Hammond.
- 3.3 Infringement 2720 Issued 10/3/17, issued for S53 (1) Failure to keep dog on lead; observed by Violet Hammond, photo taken.

4. OPTIONS

- 4.1 The options identified are:
 - a. Sustain Mr O'Connor's objection and do not disqualify him as an owner.
 - b. Partially sustain Mr O'Conner's objection and classify Mr O'Conner as a probationary owner.
 - c. Uphold the disqualification of Mr O'Conner as a dog owner.
- 4.2 Option A: While the Dog Control Act 1996 Section 25 (1) states *A territorial Authority must disqualify a person from being a dog owner if; the person commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months* Mr O'Conner has made an objection and Councillors are permitted under Section 25(1A) to decide that disqualification is not warranted or that Mr O'Conner be considered a probationary owner (under Section 21 DCA).
- 4.3 Option B: Section 21 of the DCA 1996 allows Council to classify Mr O'Conner as a probationary owner. It is considered this option is inappropriate in this instance as probationary owner status is used to require owners to obedience train their dogs, this would not address Mr O'Conner's continued lack of compliance with the DCA and Councils bylaws.
- 4.4 Option C: Uphold the decision of Council officers and disqualify Mr O'Conner from being a dog owner. In accordance with the DCA Section 25(1) and the WDC Consolidated Bylaw: Part 7 Dog Control Bylaw 2011, 3 Obligations of Dog Owners 3.4 Control of Dogs. 3.4.2 *The owner or person responsible for the dog must ensure that the dog is restrained by a lead or leash which is secured or held by a person capable of physically controlling the dog while in any public place or area not designated as an off-lead exercise area.*
- 4.5 The preferred option is Option C, as it assists in addressing community safety outcomes from uncontrolled dogs and 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.

5. CONCLUSION

- 5.1 Despite numerous warnings by Councils enforcement staff and previous considerations, Mr O'Connor still refuses to comply with the Dog Control Act and Councils bylaws. As such it was considered appropriate to disqualify Mr O'Conner from owning a dog. Mr O'Conner has exercised his right to object to that disqualification, and as such the matter has been referred to the Council for a hearing.

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

- 6.1 Mr O'Connor would be disqualified from owning a dog for 5 years should the disqualification be upheld.

Compliance with legislation and Council Policy

- 6.2 Section 26 of the Dog Control Act 1996 provides rights of objection to disqualification and the entitlement to a hearing. Section 26 (3) outlines those things that the territorial authority shall have regard to at a hearing on disqualification.
- 6.3 *Section 26 (3) In considering any objection under this section, the territorial authority shall have regard to –*
- 6.3.1. *(a) the circumstances and nature of the offence or offences in respect of which the person was disqualified; and*
 - 6.3.2. *(b) the competency of the person objecting in terms of responsible dog ownership; and*
 - 6.3.3. *(c) any steps taken by the owner to prevent further offences; and*
 - 6.3.4. *(d) the matters advanced in support of the objection; and*
 - 6.3.5. *(e) any other relevant matters*

What are the key benefits?

- 6.4 Continued compliance with legislation.

What is the cost?

- 6.5 Not applicable.

What is the saving?

- 6.6 Not applicable.

Who has been consulted?

- 6.7 No consultation is required on this matter.

Service delivery review

- 6.8 Not applicable.

Maori Standing Committee

- 6.9 It is not appropriate to refer this hearing to the Committee.

7. SIGNIFICANCE

- 7.1 This matter is the continuation of Councils animal control functions.

8. RISK MANAGEMENT

- 8.1 There is no strategic risks associated with a hearing conducted in accordance with the Dog Control Act 1996.

Further Information

Dog Control Act 1996

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>Paul van Dorrestein Author</p>	<p>Helen Montgomery Approved by</p>


 **WAIROA DISTRICT COUNCIL**
PO Box 54, WAIROA 4160 | Telephone (06) 838-7309 | Facsimile (06) 838-8874

With Compliments

Documentation received from Sean O'Connor.

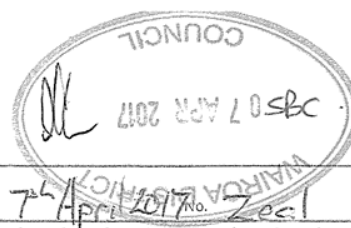
- 7x pages : (2^{PS} x letter document +
5^{PS} Dog owner record)

Paperwork will be hand delivered to Helen Montgomery.



RETURNED WITH THANKS FOR YOUR INFORMATION AS REQUESTED FOR APPROVAL PLEASE REPLY

* Note: Sean will bring another copy of this paperwork with highlighted details (in colour) on Monday.



Wairoa District Council
 Helen Montgomery
 Chief Operating Officer

Date Fri 7 April 2017 No. 2561

Dear Helen,
 I am writing express my objection to the Disqualification of Owner.

When I was 9 years old my father took me and the family dog to a Kaniine obedience Club for two years and learnt all aspects of dog training and commands.

I also for many years have trained dogs for dog shows and taken part in through shows at M'Clains Island in Christchurch

I have owned five ~~in my life~~ well trained dogs in my life in which I have exercised everyday and in this time I have recieved 10 infringements

I would like to bring to your attention if unknowen the followin I adamently dispute the following infringements

Infringement	1058	Infringement	2703
"	1059	"	2617
"	1060	"	2720

I have either whitten in verbally informed the Dog control team leader of his mistakes and ~~inconst.~~ inconsistencies in these matters

I think if you would like to ask Dog Control Officer Harry Te Rangī about me as a fit and proper person to own a dog and to the control and obedience I have over my dog. Harry has looked after my dog for 10 days while I was away. Also another time quite resent he feed my dog ~~at my~~ for



five days at my home. My dog ^{Date} Zeal had access to the street the whole five day and never left my property. In fact over the last five years, since I have owned Zeal he has continuous access to roam the streets and has never been found wandering.

I believe Helen there has been great bias against me and my dog Zeal which I have brought brought up. with His honour the Mayor Craig Little

Thank you for your time & concern in this matter.

Yours Faithfully
Sean O'Connell

Attached is part of my file in which I dispute the information held within. I have highlighted and side note with comments to the information I disagree with.

Dog Owner Enquiry



Dog Owner: 7433

Sean Allan Maurice O'Connor

Add Dog Add Owner Barking Notice Change Change Log Current Year Registration Copy Current Year Penalty Copy Dangerous Dog Impounding Infringements Menacing Dog Microchipping Permit Postings Print New Registration Form Print New Penalty Form Probation Property Visit Prosecution Refund Register Dogs SOP Summary Transactions Transfer Out Warning

Owner

Owner Name: Sean Allan Maurice O'Connor
 Phone: 027 131 7437
 Address: 70 Lucknow Street, Wairoa 4108
 Location: 70 Lucknow Street Wairoa (Urban)
 Status: Current
 Land Area: 0888009900 (0.1769 hectares)
 Property: 009263 (0.1769 hectares)
 Fencing OK: Yes Kennels: Yes Water OK: Yes
 Date: 25/01/17

Dogs: 1

Record	Name	Breed	Colour	Sex	Neutered	Age	Class	Transfer out of District	Transfer to New Owner	Deceased
1600672	Zeal	Retriever/Labrador/Cross	Black/White	M		5.07	S Standard	T	N	D
0		6		0			2		0	
	Reg Notice	Pen Notice								
	10/07/16	19/09/16					3/05/13			

History (sorted by type)

Sort History Chronologically

- 7/07/15 Dog Transferred out 1301093 : Zeal
- 31/03/17 File Note 1600672 : Zeal
Sean in today 9.20am meeting with Helen, to discuss procedures re objecting to disqualification as dog owner. This has been explained, also discuss various entries to his owner file. Has also requested Rebecca phone him to change duration of time from half an hour to a full hour for the meeting with the Mayor 26/4/17 (Paul van Dorrestain)
- 31/03/17 File Note 1600672 : Zeal
31/3/17 Dog attack form given to Mr O' Conner to fill out and return to Council by 4pm today. Relates to attack on Zeal 29th March 2017. Mr O' Conner has stated he doesn't know the owners of the dog or the address of the dog. Dog described as a Rottweiler or Rottweiler cross Black/Tan (Paul van Dorrestain)
- 30/03/17 File Note 1600672 : Zeal
Approximately 11.00am Sean O' Connor brought his dog to the Council building to lodge a concern that his dog was bitten by a Rottweiler after it entered his house, the bite is superficial about an inch long. A photo has been taken. (Harry Te Rangī)
- 28/03/17 File Note 1600672 : Zeal
In meeting with Harry, disputing dog file Helen give extension now 27th to object to disqualification (Paul van Dorrestain)
- 13/03/17 File Note 1600672 : Zeal
Friday 10/3/17 Sean observed at Marine Parade river side with dog Zeal not on a lead. Photo was taken and sent to me. Infringement 2720 has been issued. (Paul van Dorrestain)
- 3/03/17 File Note 1600672 : Zeal
another incident with Mr O' Conner this morning, no leash on the dog crossing the road by BP station. while Pete and I were in the process of walking a horse to the pound. Notes below under 03.03.17 (Violet Hammond)
- 23/02/17 File Note 1600672 : Zeal
22/2/17 3pm Meeting at Council with myself and His Worship to discuss issues that Sean is concerned about, another report to be done and another meeting to be set up, Pete Robson to attend to counter allegations made by Mr O' Connor infringement 2703 under review. (Paul van Dorrestain)
- 23/02/17 File Note 1600672 : Zeal
There will be a file made that includes records of meeting and final outcome (Paul van Dorrestain)
- 16/01/17 File Note 1600672 : Zeal
At approx. 4.05pm Saturday the 14th January 2017 I was doing a routine patrol when I observed Sean's dog on the other side of the intersection from Sean on Locke and Lucknow streets, off lead. I went around the corner and came to a halt. In my mirrors I saw Sean hail the dog and attach a lead. No conversation was entered into. A \$300.00 infringement notice has been sent by mail to Sean. (Peter Robson)
- 9/01/17 File Note 1600672 : Zeal
Sean rang this morning to speak with Paul about his Warning Notice. have emailed Paul to contact him. (Violet Hammond) *Not true*
- 19/12/16 File Note 1600672 : Zeal
Spoke to Sean in relation to unleashed dog/s Marine Parade Community Centre skate board area. Final warning letter despatched. No more warnings. (Peter Robson) *This is a off lead area.*
- 18/12/16 File Note 1600672 : Zeal
Have had meeting with Sean, to discuss infringements and his owner file, Sean is disputing several entry's made on his

Received Mon 3-4-17

<http://wdclinux.wairoadc.govt.nz/cgi-bin/dogs/dgoe?key=7433>

31/03/2017

Dog Owner Enquiry

2

file dating back to 2012. Also has stated 1 infringement should have been reduced from \$300.00 to \$200.00 failure to keep dog under control D/I 1058 was issued for \$200.00 not \$300.00 as per the DCA 1996 (Paul van Dorrestain)

30/11/15 File Note Spoke with Sean on 25th November about allowing dog to run freely on Marine parade. Zeal was not registered so we sent letter giving 7 days to register. letter delivered on 26th Nov. (Johanne Tew)

16/08/12 File Note 1200874 : Zeal
At 10.10 Mr O'Conner was stopped and question by Aubrey Ormond (police) for his dog not being on a lead, I arrived about 10.15 and explained to Sean that while he and his dog are in a public place his dog needs to be on a leash, Mr O'Conner started to become unreasonable as he kept saying, his dog did not need to be on a lead because he was with the dog, because Mr O'Conner was still claiming that he did not need to have his dog on a lead, I then had no other option but to tell Mr O'Conner I will have to put a control notice on Zeal his dog. (Harry Te Rangī No.2)

10/03/17 Infringement 2720

3/03/17 Infringement 2617

14/01/17 Infringement 2703

7/01/15 Infringement 1058

7/01/15 Infringement 1059

7/01/15 Infringement 1060

25/01/17 Property Visit 70 Lucknow Street Wairoa (Harry Te Rangī)

25/11/14 Relocated 70 Lucknow St Moved from 70 Lucknow St. Moved to 70 Lucknow Street Wairoa.

30/09/15 Transferred in (Harry Te Rangī)

7/07/15 Transferred out

3/05/13 Warning Notice Not under proper control Paul St Wairoa
1200874 : Zeal
Dog not on lead, running through traffic, second time spoken to Mr O'Conner of Zeal fouling on the footpath, Mr O'Conner was in compliant swearing hand gestures, then cautioned Mr O'Conner of obstructing an officer. this is his final warning. (Michael Walker)

16/08/12 Warning Notice Not under proper control \$ 200.00
1200874 : Zeal
(Harry Te Rangī No.2) *Letter owner = warning only*

27 history records located



Documents Saved

By Unique Owner Number 0068831
0068831WARN20120816-02.docx

Notes

Date	Author	Unleashed	File Ref
19/12/2016	petem	16/12/16	19th December 2016 File Ref: I1009

Sean O'Conner
70 Lucknow Street
Wairoa 4108

7433

Dear Sean,

Following a number of previous warnings regarding you not properly controlling your dog, in that it was not on a leash on the Marine Parade area on Friday afternoon the 16th December 2016 you are hereby notified in writing that this will be the final notification/warning to you.

Should you persist in ignoring the requirement to leash your dog under section 53 of the Dog Control Act 1996 (Copy of related legislation included) you may receive an infringement notice to that fact.

If you have any questions or queries please contact the Wairoa District Council, Animal Control team.

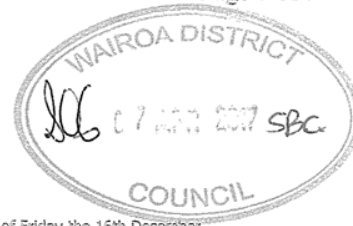
Yours Faithfully

Peter ROBSON
Animal Control Officer.

Dog Owner Enquiry

Page 3 of 5

3



27/02/2017 petarr

Incident. Dogs off leash.

Incident Report.

Subject.
Dog/s off leash in on leash area.
Page 1/3

At approximately 1650hrs on the afternoon of Friday the 16th December 2016, I was conducting a routine town patrol, driving over the Wairoa bridge toward Deluxe Ford/Mobil on Bridge st. At that time, I looked to my left toward the Community Centre/Skate Board Park and noticed two dogs running unleashed on the grassed area near the riverbank.

I continued over the bridge and turned around on the River Parade intersection, driving back over the bridge, thus being able to partially identify one of the dogs as a dog I believed to be 'Zeal, belonging to Mr Sean O'connor a resident of Wairoa.

I continued through the roundabout on Marine Parade and drove left toward the Community Centre, turning right onto the grassed area and driving toward the two dogs who at this time were still running freely around the river bank area.

I noted that there was significant activity in the area with children and young people at the Skate Park and under the bridge area. I also noted two men talking together approximately 15 to 20 meters from the dogs.

I immediately recognised both men the first being Mr O'connor and the other being Mr Murry Deakin, a local electrician who resides on state Hwy 38 Lake Rd.

I stopped the vehicle near the two men and approached them, speaking first to Mr O'connor in an effort to confirm whether or not the two dogs were in his care.

Mr O'connor confirmed that the dog 'Zeal was his and the other dog was just 'tagging along, as it did on some occasions when Mr O'connor walked his dog 'Zeal.

I enquired as to the name and ownership of the other dog, however Mr O'connor declined to give any more information in regard to this dogs details.

I also at this time made myself known to both men and the reason I had stopped. Both Mr O'connor and Mr Deakin recognised and remembered me. I had known and spoken to both men in friendly terms over the course of a number of years. (With Mr O'connor and I both being Tradesmen in similar industries some years ago.)

I explained to Mr O'connor that the area in which the dogs were loose was an 'on lead area. Mr O'connor disagreed, stating that he understood this area was an 'off leash zone.

I further explained that the 'off leash area applies to behind the Community Centre and Caravan/camping ground park. Anything in front of the Community centre including the Skate Park, along to and including the Marine Parade area was zoned 'on leash. I requested that Mr O'connor leash the two dogs, given the zoning and the number of children and young people in the immediate vicinity.

Page 2/3
Incident report.
Dog/s off leash.

Mr O'connor was carrying with him a length of rope; that he clearly used as a makeshift lead and which I had seen him use on prior occasions with his dog 'Zeal. I deemed this length of rope suitable for the leashing of the dogs, as I considered it long enough to allow both dogs free movement if each dog was attached to each end, with Mr O'connor being able to hold the apex/middle of the tether.

Mr O'connor however attempted to tie both dogs close together and connected them in such a fashion as they were touching each other. It was at this time that the dogs became aggressive and began snarling and snapping at each other.

Mr O'connor immediately jerked on the rope in an attempt to calm or separate the dogs however this act pulled the dogs closer together. Mr O'connor jerked the rope perhaps two or three times.

It was at this time that Mr O'connor lost control of the dogs who then became more aggressive and began fighting. The two dogs attacked each other in what appeared to be a vicious and uncontrolled manner.

The dogs ignored Mr O'connors attempt to separate them and ignored his voice commands.

(It should be noted that the time frames are small with perhaps 10 to 30 seconds passing as this event escalated.)

At this time Mr O'connor lost his footing and fell onto/between the two fighting animals which began fighting on top of him around his neck and upper torso area. Mr Deakin and I moved toward Mr O'connor in an attempt to assist him, however the dogs were moving in such a manner as to prevent any real safe purchase, as well as moving away from us with Mr O'connor kicking away from us at the same time.

Mr O'connor was on his back using his arms to try to separate the dogs. I noted Mr O'connor's dog 'Zeal scratching and mauling at Mr O'connor's right arm.

At this time Mr O'connor regained his footing and stood up. The dogs had

Not here true
He said no area long the river is off lead.

I have never meet Peter before

The children were just playing with no dog

I connected both dogs at each end.

Both dogs received no injuries.

didat happen, & doesn't make sense.

pack of lie

pack of lies

Not true

Dog Owner Enquiry

(4)

WAIROA DISTRICT COUNCIL
Page 4 of 4
07 APR 2017
SBC
You caused this Peter

I took the chocker chain of my dog
How dose he know

appeared to have gotten loose of the leash during the fight and immediately calmed down. Mr O'connor yelled at me 2 times, 'You bought this one' or words to that effect.
Mr O'connor also appeared disorientated and confused. I asked if he was all right and did he need help. He said nothing and immediately turned his back to me, walking slowly away with the two dogs following.
As he was leaving I advised Mr O'connor to go straight home with the dogs.

Dogs are dangerous on lead
out safe off lead

Not True

I had a scratch from the left wheelers pore, upper left arm.

Page 3/3.
Incident Report.
Dog/s off leash.
I had decided that given the situation which had just ensued that Mr O'connor was neither in a fit state, nor able to control the dogs on a leash and that to allow him to walk the dogs home unleashed was appropriate.
Immediately after the event, when Mr O'connor was on his feet, I noted he was covered in dust and dog spittle, especially around his upper torso area. Mr O'connor had an amount of blood spatter on his neck and body which I surmised came from the fighting dogs, which had inflicted bloodied injuries upon each other, around their ears, and mouths.
Mr O'connor also had a reasonable amount of blood on his right forearm, that appeared to come from a number of abrasions and cuts he had sustained during his efforts to control the dogs during the fight. (The timeline on the incident from beginning to conclusion was 1 minutes or less approximately.)
Mr Dealin and I left the scene shortly after the event and I notified my team leader of the event by mobile phone once I was back in vehicle.
I deemed Mr O'connor to be in a reasonably fit medical state to continue his walk home but would have advised Mr O'connor to seek medical assistance should he require it, had Mr O'connor given me that opportunity.
I also believe that given the event I witnessed, Mr O'connor has little or no control over his dog 'Zeal' when it becomes aggressive and it is also clear that Mr O'connor had no proper control over the two dogs he attempted to leash when requested to do so.

End report
Pete Robson. It is not my responsibility to take care of the second dog but did so as a responsible owner

03/03/2017 peterr Sean Zeal and Horse.

Incident Report.
Dog off leash in 'on lead area.
Date: 3/02/17.
Page 1/1.

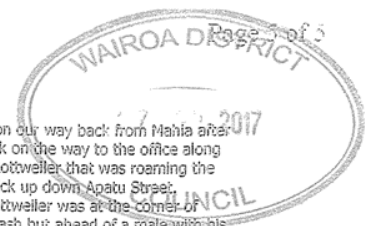
I dispute this was my dog

At approximately 0800hrs on the morning of Friday the 3rd March 2017, I was leading a horse along Lucknow Street in Wairoa toward the intersection of Lucknow, Lahore and Paul street, with the intention of leading the horse over the Wairoa Bridge and out to the Frasertown Rd. stock pound.
As I passed the stone Church on the left of me, I noted Mr Sean O'connor walking toward me on the other side of the road coming out of the forecourt of the Gasoline Ally Service Station. He was approximately 30 to 40 meters away. I surmised Mr O'connor's intention was to cross the road to my side. In front of him and also walking toward me and about to cross the road was the dog I recognised as 'Zeal, belonging to Mr O'connor.
The dog was off leash and free of any tether or restraint approximately 3 to 5 meters in front of Mr O'connor.
Mr O'connor clearly saw me leading the horse and immediately made a motion with his right arm in a gesture that I believed to be a command for the dog to 'run out'.
The gesture was in my general direction and the dog immediately began to trot toward myself and the horse. The Horse pushed slightly toward me (On my right side) away from the approaching dog who changed course and walked off to our rear some distance behind us and out of what I considered the 'danger area'.
Mr O'connor and his dog Zeal went out of view as I crossed over Paul Street. I did not hear Mr O'connor issue a verbal command for the dog to 'run out', as I was on the other side of the road, but clearly saw the arm up gesture in what I consider to be a 'run out gesture not uncommon with dog owners. Given his dog was unleashed and I was walking a horse at the time in the Wairoa CBD with morning traffic moving around the area, I believed Mr O'connor's 'run out signal to the dog was inappropriate and potentially dangerous. More so as the dog responded to the signal and perhaps some word commands.
It is my belief that given the circumstances Mr O'connor's actions may be considered deliberate with nefarious intent.
End report
Peter ROBSON.
Re: Sean Alan Maurice O'Connor (7433) D.O.B - 25/01/1959
70 Lucknow Street - Wairoa
Zeal -(1301093)

25/01/2017 violet 26/11/2015

Dog Owner Enquiry

(5)



On the 26/11/2015 Johanna and I where on our way back from Mahia after a call out, Paul contacted us at 12pm check on the way to the office along Marine Parade Wairoa for a medium size Rottweiler that was roaming the main street area after we finished a dog pick up down Apatu Street. 12:40pm As we were on Locke Street a Rottweiler was at the corner of Locke Street and Marine parade with no leash but ahead of a male with his large brown lab cross dog on a leash who proceeded across to the river bank, I was driving and Johanna got out to talk to the male and ask if he was the owner of the Rot wheeler, He said to her no it was Jo from the Wairoa Star who was the owner.

I parked the truck at and proceeded to join them, He then told Johanna that he would take the dog home (It was not on a leash and Johanna needed to look if it was registered and take its details, she then proceeded to tell him that it was prohibited for a dog to be off a leash in the main street area, he then wanted to tie both dogs on the same leash, she then explained that if something was to happen while dogs where together could be detrimental if they got out of hand to the public or his self, as Johanna was explaining to him the owner of the Rottweiler came along who was looking for it in a RV car and was apologizing as they where looking for it.

Johanna asked the male what his dogs name, (Zeal) and his name (Sean). Johanna asked if (Zeal) was registered as there was no indication on the collar and he said no but he has a microchip, Johanna asked him to come into the council to pay for the registration of \$67.00 and he was reluctant to if he would or not, she explained that he could be infringing further of additional \$300.00 for not registering, and further more if no action was taken on his behalf.)

He then proceeded to tell us about his earlier fines of \$500.00 that he wasn't happy about the whole issue of being fined

I then asked him for his surname and he asked why? So you could check up on me? He then said Harry had all his details and that he was going home now instead of walking down to Spooners point which he does every day. Johanna then asked him again to come into the Council once again to register (Zeal) and he said he would think about it.)

We then proceed to the office as we had the dogs name and that he said he had fines knowing he would be on the system to get his credentials and exchange details with Paul.

Report 03.03.2017
Violet Hammond Ref: 1 09 09
Animal Control

Owner Number 7433
Sean Allan Maurice O'Connor
70 Lucknow Street, Wairoa 4100

Dog: 1600672 Zeal: Retriever, Labrador/Cross Black/White M

Friday the 3rd March
Approx: 8am

Pete and I were in the process of walking a horse out to the Frasertown pound - I was assisting in the pilot truck in the middle of the Lahore/Lucknow intersection with lights on slowing traffic while Pete was walking down Lucknow footpath towards the main intersection by the BP Station. Sean O' Conner came from the BP Stadion area with his dog Zeal not on a lead, he then walked behind the vehicle with the dog in front of him towards Pete, the dog not restrained and nowhere near Mr O' Conner while crossing the road.

Sean could plainly see that we were in the process of walking a horse with the lights flashing yet he proceeded to cross the road. This is a common occurrence with Sean and has been told many of times to have his dog on a leash.

Not True

N/T

I didn't give my name or Zeal's name to Jo. At a later date I was told that my dog was unregistered. - never walk to Spooners point - work the opposite way to the carevan park. 03.03.17 violet Not True

N/T

Not True

N/T

Sort History Chronologically
Current Year Registration Copy
Print New Registration Form
Unique number: 0068831
Last NDD Change: 6/03/17 15.17
Update Timestamp
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DOG OWNER ENQUIRY

14/05/2017

Dog Owner: 7433

Sean Allan Maurice O'Connor

Add Dog Add Owner Barking Notice Change Change Log Current Year Registration Copy Current Year Penalty Copy Dangerous Dog Disqualification Impounding Infringements Menacing Dog Microchipping Note Permit Postings Print New Registration Form Print New Penalty Form Probation Property Visit Prosecution Refund Register Dogs Search SOP Summary Transactions Transfer Out Warning

Owner

Owner Name	Sean Allan Maurice O'Connor	Date of Birth	25/01/1959	Balance	0.00
Phone	: 027 131 7437				
Address	70 Lucknow Street, Wairoa 4108			Infr bal	1620.00
Location	70 Lucknow Street Wairoa (Urban)			Run/Seq	31/ 55
Group	Current				
Valuation	0888009900 (0.1769 hectares)	Area	Wairoa		
Property	009263 (0.1769 hectares)				
Property	Fencing OK: Yes Kennels: Yes Water OK: Yes				
Last Visit	25/01/17				

Dogs: 1

Record	Name	Breed	Colour	Sex	Neutered	Age	Class	Transfer out of District	Transfer to New Owner	Decease
1600672	Zeal*	Retriever, Labrador/Cross	Black/White	M		5.09	S Standard	T	N	D
Complaints		Infringements		Prosecutions		Warnings		Impoundings		
0		6		0			2		0	
		10/03/17					8/05/13			
Reg Notice		Pen Notice								
10/07/16		19/09/14								

History (sorted by type)

Sort History Chronologically

- 7/07/15 Dog Transferred out 1301093 : Zeal
- 4/04/17 File Note 1600672 : Zeal in today, wants to rehome his dog have told him procedure on this, still arguing over lies in his owner file, then discussed time frame to object to Disqualification must be in by the 10th April, then he decided to get his dog shot, if that happens we need proof, offered him relinquish form sign the dog to us, he left the building totally confused, still wants meeting with mayor 23/4/17 to discuss the lies in his owner file. Watch this space. (Paul van Dorrestein)
- 4/04/17 File Note 1600672 : Zeal Has indicated that he is moving away due to me not being fair, without his dog he has no protection from the mob, and other nasty people, if that was to happen it would be my fault that his dog is removed. (Paul van Dorrestein)
- 3/04/17 File Note 1600672 : Zeal In today wants extension to the disqualification period, has broken his reading glasses? Helen explained that he needed to have his objection letter in by 10th this month ,Sean maintains not enough time. (Paul van Dorrestein)
- 31/03/17 File Note 1600672 : Zeal Sean in today 9.20am meeting with Helen, to discuss procedures re objecting to disqualification as dog owner. This has been explained, also discuss various entries to his owner file. Has also requested Rebecca phone him to change duration of time from half an hour to a full hour for the meeting with the Mayor 26/4/17 (Paul van Dorrestein)
- 31/03/17 File Note 1600672 : Zeal 31/3/17 Dog attack form given to Mr O` Conner to fill out and return to Council by 4pm today. Relates to attack on Zeal 29th March 2017. Mr O` Conner has stated he doesn` t know the owners of the dog or the address of the dog. Dog described as a Rottweiler or Rottweiler cross Black/Tan (Paul van Dorrestein)
- 30/03/17 File Note 1600672 : Zeal Approximately 11.00am Sean O` Connor brought his dog to the Council building to lodge a concern that his dog was bitten by a Rottweiler after it entered his house, the bite is superficial about an inch long. A photo has been taken. (Harry Te Rangli)
- 28/03/17 File Note 1600672 : Zeal In meeting with Harry, disputing dog file Helen give extension now 27th to object to disqualification (Paul van Dorrestein)
- 13/03/17 File Note 1600672 : Zeal Friday 10/3/17 Sean observed at Marine Parade river side with dog Zeal not on a lead. Photo was taken and sent to me. infringement 2720 has been issued. (Paul van Dorrestein)
- 3/03/17 File Note 1600672 : Zeal another incident with Mr O` Conner this morning, no leash on the dog crossing the road by BP station, while Pete and I were in the process of walking a horse to the pound. Notes below under 03.03.17 (Violet Hammond)
- 23/02/17 File Note 1600672 : Zeal 22/2/17 3pm Meeting at Council with myself and His Worship to discuss issues that Sean is concerned about, another report to be done and another meeting to be set up, Pete Robson to attend to counter allegations made by Mr O` Connor infringement 2703 under review. (Paul van Dorrestein)
- 23/02/17 File Note 1600672 : Zeal There will be a file made that includes records of meeting and final outcome (Paul van Dorrestein)
- 16/01/17 File Note 1600672 : Zeal At approx. 4.05pm Saturday the 14th January 2017 I was doing a routine patrol when I observed Sean's dog on the other

1600672 - Sean Allan Maurice O'Connor - 7433

14/05/2017

DOG CONTROL ENQUIRY

14/05/2017

- side of the intersection from Sean on Locke and Lucknow streets, off lead. I went around the corner and came to a halt. In my mirrors I saw Sean hail the dog and attach a lead. No conversation was entered into. A \$300.00 infringement notice has been sent by mail to Sean. (Peter Robson)
- 9/01/17 File Note 1600672 : Zeal
Sean rang this morning to speak with Paul about his Warning Notice. have emailed Paul to contact him. (Violet Hammond)
- 19/12/16 File Note 1600672 : Zeal
Spoke to Sean in relation to unleashed dog/s Marine Parade Community Centre skate board area. Final warning letter despatched. No more warnings. (Peter Robson)
- 18/12/16 File Note 1600672 : Zeal
Have had meeting with Sean, to discuss infringements and his owner file, Sean is disputing several entry`s made on his file dating back to 2012. Also has stated 1 infringement should have been reduced from \$300.00 to \$200.00 failure to keep dog under control D/I 1058 was issued for \$200.00 not \$300.00 as per the DCA 1996 (Paul van Dorrestein)
- 30/11/15 File Note Spoke with Sean on 25th November about allowing dog to run freely on Marine parade. Zeal was not registered so we sent letter giving 7 days to register. letter deliverd on 26th Nov. (Johanne Tew)
- 16/08/12 File Note 1200874 : Zeal
At 10.10 Mr O`Conner was stopped and question by Aurbrey Ormond (police) for his dog not being on a lead, I arrived about 10.15 and explained to Sean that while he and his dog are in a public place his dog needs to be on a leash, Mr O`Conner started to become unreasonable as he kept saying, his dog did not need to be on a lead because he was with the dog, because Mr O`Conner was still claiming that he did not need to have his dog on a lead, I than had no other option but to tell Mr O`Conner I will have to put a control notice on Zeal his dog. (Harry Te Rangi No.2)
- 10/03/17 Infringement **Failure to keep dog under control 2720 : SP10 Reminder sent : 1600672 : Zeal : Retriever, Labrador/ : Black/White : M**
- 3/03/17 Infringement **Failure to keep dog under control 2617 : SP10 Reminder sent : 1600672 : Zeal : Retriever, Labrador/ : Black/White : M**
- 14/01/17 Infringement **Failure to keep dog under control 2703 : Sent to Court : 1600672 : Zeal : Retriever, Labrador/ : Black/White : M**
- 7/01/15 Infringement **Failure to keep dog under control 1058 : Sent to Court : 1301093 : Zeal : Retriever, Golden : Black/White : M**
- 7/01/15 Infringement **Failure to register dog 1059 : Sent to Court : 1301093 : Zeal : Retriever, Golden : Black/White : M**
- 7/01/15 Infringement **Failure to carry leash in public 1060 : Sent to Court : 1301093 : Zeal : Retriever, Golden : Black/White : M**
- 25/01/17 Property Visit 70 Lucknow Street Wairoa
(Harry Te Rangi)
- 25/11/14 Relocated 70 Lucknow St
Moved from 70 Lucknow St. Moved to 70 Lucknow Street Wairoa.
- 30/09/15 Transferred in
- 7/07/15 Transferred out (Harry Te Rangi)
- 8/05/13 Warning Notice Not under proper control Paul St Wairoa
1200874 : Zeal
Dog not on lead, running through traffic, second time spoken to Mr O` Connor of Zeal fouling on the footpath, Mr O` Connor was in compliant swearing hand gesters, I then couitioned Mr O` Connor of obstructing an officer.this is his final warning. (Michael Walker)
- 16/08/12 Warning Notice Not under proper control \$ 200.00
1200874 : Zeal
(Harry Te Rangi No.2)

* 30 history records located *

Documents Saved

By Unique Owner Number 0068831
0068831WARN20120816-02.docx

Notes

Date	Author		
19/12/2016	peterr	Unleashed 16/12/16	19th December 2016 File Ref: I1009

Sean O`Conner
70 Lucknow Street .
Wairoa 4108

7433

Dear Sean,

Following a number of previous warnings regarding you not properly controlling your dog, in that it was not on a leash on the Marine Parade area on Friday afternoon the 16th December 2016 you are hereby notified in writing that this will be the final notification/warning to you.

Should you persist in ignoring the requirement to leash your dog under

14/05/2017 14:05:20

14/05/2017

DOG CONTROL ENQUIRY

18/05/2017

section 53 of the Dog Control Act 1996 (Copy of related legislation included)
you may receive an infringement notice to that fact.

If you have any questions or queries please contact the Wairoa District
Council, Animal Control team.

Yours Faithfully

Peter ROBSON
Animal Control Officer.

27/02/2017 peterr

Incident. Dogs off leash.

Incident Report.

Subject.

Dog/s off leash in on leash area.

Page 1/3

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I continued through the roundabout on Marine Parade and drove left toward the Community Centre, turning right onto the grassed area and driving toward the two dogs who at this time were still running freely around the river bank area.

I noted that there was significant activity in the area with children and young people at the Skate Park and under the bridge area. I also noted two men talking together approximately 15 to 20 meters from the dogs.

I immediately recognised both men the first being Mr O'conner and the other being Mr Murry Deakin, a local electrician who resides on state Hwy 38 Lake Rd.

I stopped the vehicle near the two men and approached them, speaking first to Mr O'conner in an effort to confirm whether or not the two dogs were in his care.

Mr O'conner confirmed that the dog 'Zeal was his and the other dog was just 'tagging along, as it did on some occasions when Mr O'conner walked his dog 'Zeal.

I enquired as to the name and ownership of the other dog, however Mr O'conner declined to give any more information in regard to this dogs details.

I also at this time made myself known to both men and the reason I had stopped. Both Mr O'conner and Mr Deakin recognised and remembered me. I had known and spoken to both men in friendly terms over the course of a number of years. (With Mr O'conner and I both being 'Tradesmen in similar industries some years ago.)

I explained to Mr O'conner that the area in which the dogs were loose was an 'on lead area. Mr O'conner disagreed, stating that he understood this area was an 'off leash zone.

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Mr O'conner however attempted to tie both dogs close together and connected them in such a fashion as they were touching each other.

It was at this time that the dogs became aggressive and began snarling and snapping at each other.

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It was at this time that Mr O'conner lost control of the dogs who then became more aggressive and began fighting. The two dogs attacked each other in what appeared to be a vicious and uncontrolled manner.

The dogs ignored Mr O'conners attempt to separate them and ignored his voice commands.

18/05/2017 14:05:00

18/05/2017

DOG OFF LEASH

PAGE 3 OF 3

(It should be noted that the time frames are small with perhaps 10 to 30 seconds passing as this event escalated.)
 At this time Mr O'connor lost his footing and fell onto/between the two fighting animals which began fighting on top of him around his neck and upper torso area. Mr Deakin and I moved toward Mr O'connor in an attempt to assist him, however the dogs were moving in such a manner as to prevent any real safe purchase, as well as moving away from us with Mr O'connor kicking away from us at the same time.
 Mr O'connor was on his back using his arms to try to separate the dogs. I noted Mr O'connor's dog 'Zeal scratching and mauling at Mr O'connor's right arm.
 At this time Mr O'connor regained his footing and stood up. The dogs had appeared to have gotten loose of the leash during the fight and immediately calmed down. Mr O'connor yelled at me 2 times, 'You bought this on!' or words to that effect.
 Mr O'connor also appeared disorientated and confused. I asked if he was all right and did he need help. He said nothing and immediately turned his back to me, walking slowly away with the two dogs following.
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Page 3/3.

Incident Report.

Dog/s off leash.

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I also believe that given the event I witnessed, Mr O'connor has little or no control over his dog 'Zeal when it becomes aggressive and it is also clear that Mr O'connor had no proper control over the two dogs he attempted to leash when requested to do so.

End report.

Pete Robson.

03/03/2017 peterr

Sean Zeal and Horse.

Incident Report.

Dog off leash in 'on lead area.

Date: 3/02/17.

Page 1/1.

At approximately 0800hrs on the morning of Friday the 3rd March 2017, I was leading a horse along Lucknow Street in Wairoa toward the intersection of Lucknow, Lahore and Paul street, with the intention of leading the horse over the Wairoa Bridge and out to the Frasertown Rd. stock pound.
 As I passed the stone Church on the left of me, I noted Mr Sean O'connor walking toward me on the other side of the road coming out of the forecourt of the Gasoline Ally Service Station. He was approximately 30 to 40 meters away. I surmised Mr O'connor's intention was to cross the road to my side. In front of him and also walking toward me and about to cross the road was the dog I recognised as 'Zeal, belonging to Mr O'connor.
 The dog was off leash and free of any tether or restraint approximately 3 to 5 meters in front of Mr O'connor.

Mr O'connor clearly saw me leading the horse and immediately made a motion with his right arm in a gesture that I believed to be a command for the dog to 'run out.

The gesture was in my general direction and the dog immediately began to trot toward myself and the horse. The Horse pushed slightly toward me (On my right side) away from the approaching dog who changed course and walked off to our rear some distance behind us and out of what I considered the 'danger area.

Mr O'connor and his dog Zeal went out of view as I crossed over Paul Street. I did not hear Mr O'connor issue a verbal command for the dog to 'run out, as I was on the other side of the road, but clearly saw the arm up gesture in what I consider to be a 'run out gesture not uncommon with dog owners.

http://and-dominion-nd-rent-w/c-c/11/d-ee/1-ee-9-ee-1-ee-7422

1/05/2017

DOG CONTROL ENQUIRY

1450015

25/01/2017 violet 26/11/2015

Given his dog was unleashed and I was walking a horse at the time in the Wairoa CBD with morning traffic moving around the area, I believed Mr O'conners run out signal to the dog was inappropriate and potentially dangerous. More so as the dog responded to the signal and perhaps some word commands.

It is my belief that given the circumstances Mr O'conners actions may be considered deliberate with nefarious intent.

End report
Peter ROBSON.

Re: Sean Alan Maurice O'Connor (7433) D.O.B - 25/01/1959
70 Lucknow Street – Wairoa
Zeal –(1301093)

On the 26/11/2015 Johanna and I where on our way back from Mahia after a call out, Paul contacted us at 12pm check on the way to the office along Marine Parade Wairoa for a medium size Rottweiler that was roaming the main street area after we finished a dog pick up down Apatu Street.

12:40pm As we were on Locke Street a Rottweiler was at the corner of Locke Street and Marine parade with no leash but ahead of a male with his large brown lab cross dog on a leash who proceeded across to the river bank, I was driving and Johanna got out to talk to the male and ask if he was the owner of the Rot wheeler, He said to her no it was Jo from the Wairoa Star who was the owner.

I parked the truck at and proceeded to join them, He then told Johanna that he would take the dog home. It was not on a leash and Johanna needed to look if it was registered and take its details, she then proceeded to tell him that it was prohibited for a dog to be off a leash in the main street area, he then wanted to tie both dogs on the same leash, she then explained that if something was to happen while dogs where together could be detrimental if they got out of hand to the public or his self, as Johanna was explaining to him the owner of the Rottweiler came along who was looking for it in a RV car and was apologizing as they where looking for it.

Johanna asked the male what his dogs name, (Zeal) and his name (Sean) Johanna asked if (Zeal) was registered as there was no indication on the collar and he said no but he has a microchip, Johanna asked him to come into the council to pay for the registration of \$67.00 and he was reluctant to if he would or not, she explained that he could be infringed further of additional \$300.00 for not registering, and further more if no action was taken on his behalf.

He then proceeded to tell us about his earlier fines of \$500.00 that he wasn't happy about the whole issue of being fined

I then asked him for his surname and he asked why? So you could check up on me? He then said Harry had all his details and that he was going home now instead of walking down to Spooners point which he does everyday. Johanna then asked him again to come into the Council once again to register (Zeal) and he said he would think about it.

We then proceed to the office as we had the dogs name and that he said he had fines knowing he would be on the system to get his credentials and exchange details with Paul.

03/03/2017 violet 03.03.17

Report 03.03.2017
Violet Hammond Ref: I 09 09
Animal Control

Owner Number 7433
Sean Allan Maurice O'Connor
70 Lucknow Street, Wairoa 4108

Dog: 1600672 Zeal* Retriever, Labrador/Cross Black/White M

Friday the 3rd March
Approx: 8am

Pete and I were in the process of walking a horse out to the Frasertown pound – I was assisting in the pilot truck in the middle of the Lahore/ Lucknow intersection with lights on slowing traffic while Pete was walking down Lucknow footpath towards the main intersection by the BP Station. Sean O' Conner came from the BP Station area with his dog Zeal not on a lead, he then walked behind the vehicle with the dog in front of him towards Pete, the dog not restrained and nowhere near Mr O' Conner while crossing the road.

Sean could plainly see that we were in the process of walking a horse with the lights flashing yet he proceeded to cross the road.

This is a common occurrence with Sean and has been told many of times to have his dog on a leash.

Sort History Chronologically
Current Year Registration Copy
Print New Registration Form
Unique number: 0068831
Last NDD Change: 6/03/17 15.17
Update Timestamp
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http://and-nim...: Link: /...-7433

1/05/2017

8.2 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

Author: Fergus Power, Chief Executive Officer

Authoriser: Fergus Power, Chief Executive Officer

Appendices: Nil

1.1 PURPOSE

1.2 This report provides information for Council on significant matters attended to by the CEO in the interval since the last report – 28 March 2017. No decisions are required by Council at this stage.

1.3 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 third 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 Arrivals: Austin King (Communications Officer) commenced 18 April 2017.

3.2 Interns: the following interns are currently working on various projects:

Jeremy Bresson (France) (Supervisor: Chis Hankey) – financial reporting systems; 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; Patrick Kusters (The Netherlands) (Supervisor: Russell McCracken) – GIS/IT; 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. Wairoa was once again visited by our Friendship City partner Kitaibaraki, with a dinner in their honour hosted by Council/His Worship the Mayor on the evening of 31 March 2017. Our visitors expressed great appreciation for the warmth of the welcome afforded to them by the people of Te Wairoa.

- 4.1.2. On 12 April 2017 I attended the annual SOLGM Chief Executive's Forum in Auckland.
- 4.1.3. Consultation on the draft Annual Plan 2017/18 concluded on 05 May 2017, and the Draft Annual Plan consultation hearing is scheduled for 16 May 2017.
- 4.2 Economic development
 - 4.2.1. On 10 April and 08 May 2017 I attended Matariki Regional Economic Development Governance Group meetings in Napier.
 - 4.2.2. On 10 April 2017 His Worship and I attended a LIFT HB Executive and Governance meeting in Napier.
 - 4.2.3. On 04 May 2017 His Worship the Mayor and I attended a Hawke's Bay Business Breakfast and met with Christopher Luxon, Chief Executive of Air New Zealand.
- 4.3 Regional meetings
 - 4.3.1. On 01 May 2017, I attended a Hawke's Bay CDEM Coordinating Executive Group meeting in Napier.
 - 4.3.2. On 05 May 2017 I attended an HB LASS Board meeting in Napier, as well as a Sport Facility Forum at Pettigrew Arena.
- 4.4 ANZAC Day
 - 4.4.1. ANZAC Day celebrations continue to improve in both quality and attendance, and special thanks are due to all of those who made this day a very special one for those attending.
- 4.5 Dave Dobbyn Concerts- 16 and 17 April 2017
 - 4.5.1. Two sold-out Dave Dobbyn Concerts provided the perfect opportunity for the community to enjoy one of New Zealand's musical icons. I would particularly like to commend Angela Spooner for her work on creating the external ambience for these concerts, as well as her contribution to the organisation of the ANZAC Day celebrations.
- 4.6 EQC
 - 4.6.1. On 02 May 2017, representatives of EQC visited Council and discussed disaster preparedness and response issues.

5. CONCLUSION

- 5.1 The period since the last Ordinary Meeting of Council has been a period of consolidation, after the arrival of several new staff. The recent announcement of the success of Railbike Adventures in securing the Wairoa-Gisborne rail corridor for tourism operations (Councillors received a briefing on this at the Council Forum of 18 April 2017) affords a number of exciting potential opportunities for the community, and further discussions are planned with Railbike Adventures to ensure that the maximum benefit to our community is leveraged off this exciting new tourism venture.

Further Information

Nil.

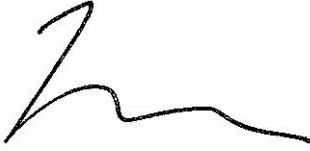
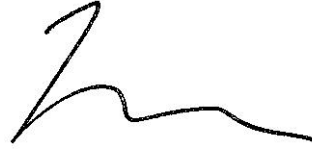
Background Papers

Nil.

References (to or from other Committees)

Nil.

Signatories

	
Fergus Power Author	Fergus Power Approved by

8.3 DECEMBER - 2016/17 QUARTER TWO FINANCIAL REPORT

Author: Jeremy Harker, Councillor

Authoriser: Fergus Power, Chief Executive Officer

Appendices: 1. **Wairoa District Council 2016/17 Quarter 2 Finance Report, Year to 31 December 2016** [↓](#)

1. PURPOSE

1.1 To present the December 2016 (FY 2016/17 Quarter Two) quarterly financial report.

RECOMMENDATION

The Finance, Audit and Risk Committee, RECOMMENDS that Council receive this report.

2. BACKGROUND

- 2.1 Council staff are requested to bring a finance report to Council each quarter.
- 2.2 Financial reports are still in development but have a range of agreed elements.
- 2.3 September's Quarterly report was received by Council on 28th March 2017, this report was received by the Finance Audit and Risk Committee on 11th April 2017.
- 2.4 This report contributes to the transparency of Council's financial activities for ratepayers.

3. DISCUSSION

- 3.1 This report was referred to the Finance Audit and Risk Committee on 11th April 2017 where it was adopted subject to the update of the Cashflow Report in the financial statements section of the document. This report has been corrected to reflect the spending on capital correctly and to show the cash inflow from the 15th August 2016 maturity of the CHBDC debenture, in which we had invested \$667,000.
- 3.2 There are no items of operational budget significance in the report.
- 3.3 The one item of Capital significance, as per the September report, is that the 2016/17 budget line item for the swimming pool project, that project having been completed last financial year, is no longer required to be spent this financial year and represents a permanent underspend in the capital budget for this financial year.

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

- 4.1 There will be no process or policy changes in Council as a result of this paper.
- 4.2 No s17A review will be triggered by this paper.

Compliance with legislation and Council Policy

- 4.3 This report complies with Council Policy and the financial reports included comply with financial reporting requirements and the International Public Service Accounting Standards (IPSAS) and the New Zealand equivalent Public Benefit Entity Standards.

What are the key benefits?

4.4 Transparency in managing taxpayers’ funds.

Who has been consulted?

4.5 No public consultation has been taken on this issue.

Maori Standing Committee

4.6 This has not been referred to the MSC.

5. SIGNIFICANCE

5.1 The financial reports have seen interest from the public in regards to financial transparency, however this report does not trigger any standards in the significance and engagement policy that require consultation.

6. RISK MANAGEMENT

6.1 The strategic risks (e.g. publicity/public perception, adverse effect on community, timeframes, health and safety, financial/security of funding, political, legal – refer to S10 and S11A of LGA 2002, others) identified in the implementation of the recommendations made are as follows:


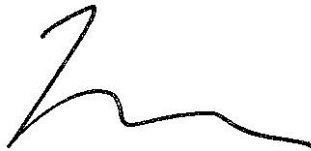
- a. Public perception of good financial management and oversight is critical in the ongoing funding of Council operations. This report represents transparency with this standard and commonality with the reporting of the annual financial reports.

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>Jeremy Harker Author</p>	<p>Fergus Power Approved by</p>

MONTHLY FINANCE REPORT

31 December 2016
(2016/17 PERIOD 6)



TE WAIROA
WAIROA DISTRICT

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



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EXECUTIVE SUMMARY

Overall Financial Health Assessment:  Altham Z-Score: **39.18/2.6** ⁽¹⁾

Cash & Term Deposits on Hand: **\$8.9M**

Council owes a total of **\$8.1M** to other parties

Term Investments Valued at: **\$10.2M**

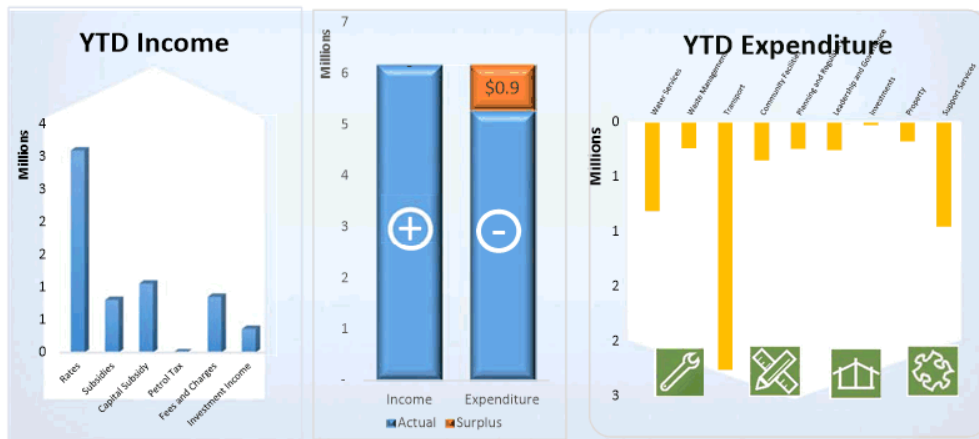
Council is currently worth: **\$263.4M**

Capital spending YTD: **\$1.8M**

Council has total assets of **\$271.6M**




Year to date net surplus of **\$0.73M**, (Budget \$1.42M)

forecasting a net surplus of **\$1.12M** (Budget \$1.81M) for the year, including an estimate of \$42M for asset revaluation due as at 30 June 2017.



(All values are in \$M. Comparisons to budget for these items start on page 13 of this report).

Financial Policy Achievement Assessments:

Rates as a Percentage of Income	Cash on Hand	Working Capital	Liquidity	Investment Maturity Policy Measures	Creditor Payment Days	Debt Policy Measures
						

WDC's achievement for the YTD against the limitations established in approved finance policies.

¹ Anything over a score of 2.6 is considered a safe and healthy organisation

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



ANALYSIS

This report is for the 2016/17 Financial Year (FY) representing the periods from 1 July 2016 to 31 December 2016, or period 6 of this Financial Year.

Financial Risks are detailed on page 26 of this report and total: \$0.76M. This is split between Operational and Capital Risks as per the following tables. The summary of assessed risk levels for all items at this time is:

Summary of Operational Risks			Summary of Capital Risks		
Crystallised	0	0%	Crystallised	0	0%
Low	0	0%	Low	763,000	100%
Considerable	0	0%	Considerable	0	0%
High	0	0%	High	0	0%
Extreme	0	0%	Extreme	0	0%
Total	0		Total	763,000	

Financial Health

As at the end of the month WDC's cash, liquidity and Working Capital positions were:

Measure	Actual	Annual Budget or Target
Other Debtors Collection Period ⁽²⁾	51 Days	
Rates Debtors Collection Period	170 Days	
Working Capital	\$10,570,410	\$11,471,187
Working Capital Ratio ⁽³⁾	5.7:1	2.1:1
Liquid Ratio ⁽⁴⁾	6.8:1	1.6:1

Rates Collection days are significantly influenced by the level of multiple owner Maori Land non-collectable arrears for rates, and the raising of the instalment in the accounts in the month prior to the instalment being due. For Other debtors this is significantly affected by a large disputed account, which has been in negotiation for some time. The debt is still considered collectable at this time. The provision for doubtful debts has not been recalculated.

² The average number of days that it takes a Debtor to pay his/her account

³ Represents the total current assets available to meet each dollar of total current liabilities

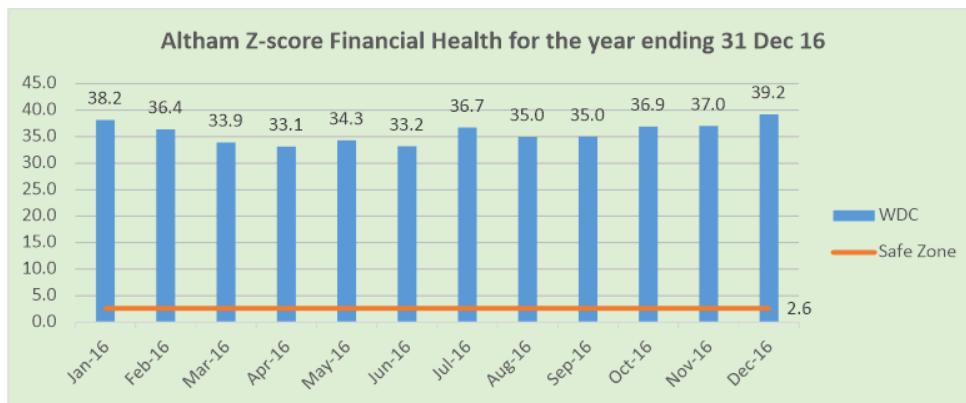
⁴ Represents the cash available to pay each dollar of trade creditors as at the end of the period



Altham Z-score Calculation

This calculation is a measure of financial health that was developed in 1968. It is a system that has multiple calculations based on the type of organisation that is being reviewed. As a review process, it has been proven to be up to 90% accurate in assessing the likelihood of the risk of an entity becoming bankrupt within the next two financial years. This is considered likely where an entity receives a net score that is classed as being in the “in distress” Zone of Discrimination.

WDC’s results for the selected calculation by month, Non-Manufacturing Business, are:



No historical comparison can be made at this time due to the lack of actionable information. After 31 Dec 2016 this will be shown as a rolling 12 month report.

This process has “Zones of Discriminations”, which provide guidance to reviewers of the accounts as to the strength of the business under review. For the selected calculation the zones are:

- Z > 2.6 -“Safe” Zone
- 1.1 < Z < 2.6 -“Grey” Zone
- Z < 1.1 -“Distress” Zone

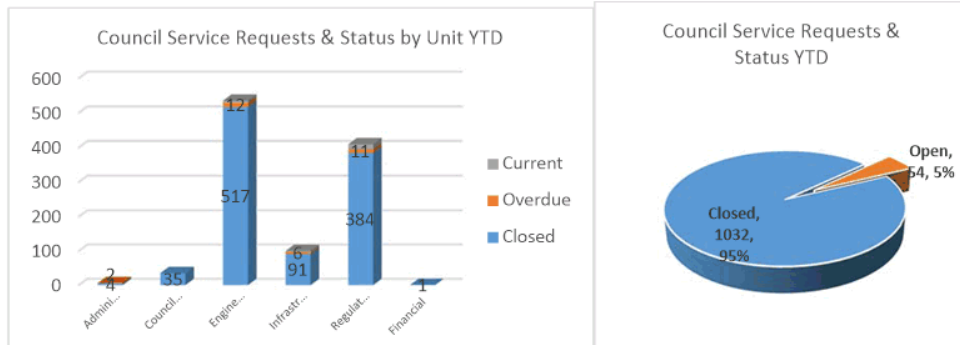
Accordingly, the Wairoa District Council, on the basis of this calculation has a strong, safe and stable outlook. This score is significantly influenced by the ongoing low level of long-term external debt currently employed by the Council, and as there are no expectations of this changing in the near future, it is expected that this result will continue as the year progresses.

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016

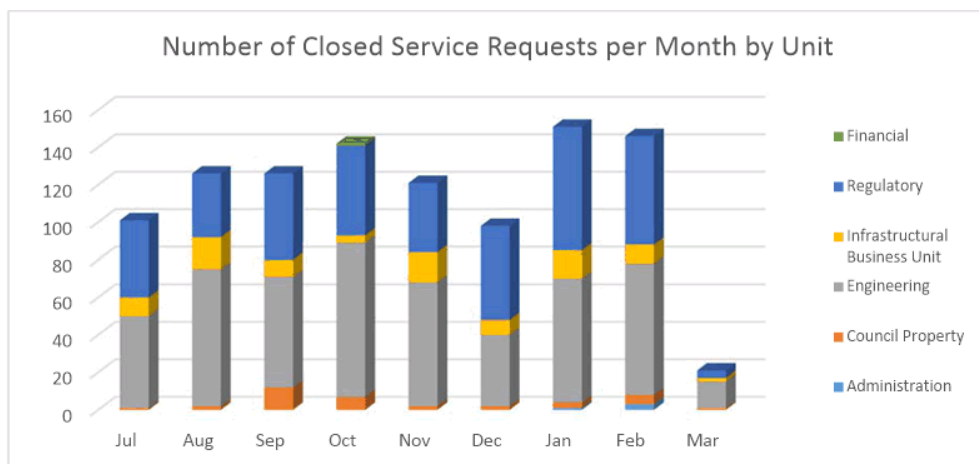
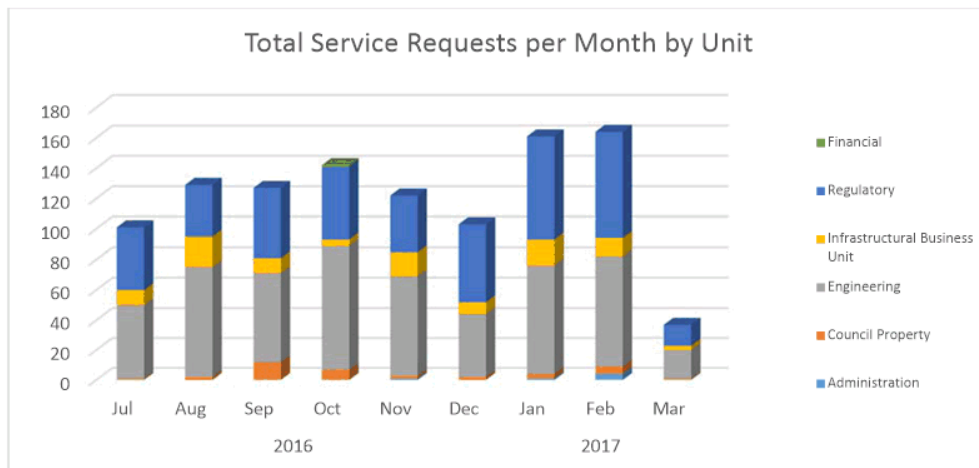


Service Requests

For the year to date 1,086 CSR's have been received by Council. This is proportional to the total number of requested received last year. Analysis of the received requests is:



Engineering staff have focused on systems to ensure prompt closure of CSR's and the reduction of overdue CSR's from the last report to this is the effectiveness of this focus.



WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



Councillor Spending YTD

The Local Government (Members Interests) Act 1968 states that an elected member or any related party/entity of that member may not receive more than \$25,000 for the provision of services for any financial year, without approval from the Office of the Auditor General. This does not include payment of Councillor Fees.

The following table reflects the known spending for each member of Council as at the time of preparation of this report for this financial year:

Councillor	Last Invoice	Invoiced / Paid	PO's Raised Not Complete	Total	Limit	Tendered	Position
Cr Johansen	Oct 2016	14,157.65	345.00	14,502.65	25,000.00	0.00	No Breach of Limit
Cr Bird	Sep 2016	17.25	0.00	17.25	25,000.00	0.00	No Breach of Limit
Cr Eaglesome-Karekare	Jan 2013	0.00	0.00	0.00	25,000.00	0.00	No Breach of Limit
Cr Flood	N/A	0.00	0.00	0.00	25,000.00	0.00	No Breach of Limit
Cr Harker	Jan 2013	0.00	0.00	0.00	25,000.00	0.00	No Breach of Limit
Cr Lambert	N/A	0.00	0.00	0.00	25,000.00	0.00	No Breach of Limit
Mayor Little	N/A	0.00	0.00	0.00	25,000.00	0.00	No Breach of Limit

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016

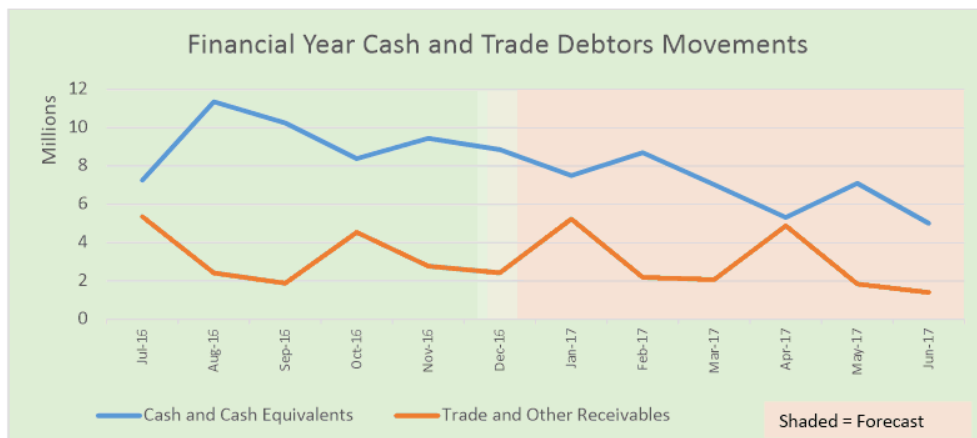


Financial Position Indicators

Current Assets

Current assets balances are:

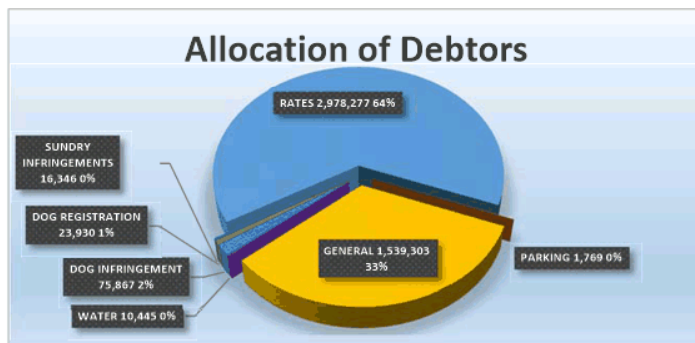
Measure	Actual	Annual Plan Position	Forecast 30 June 2017
Non-Interest Bearing Cash & Equivalents	\$98,338	\$140,775	\$92,389
Interest Bearing Cash on Hand, Term Deposits & Investments due this year	\$10,297,462	\$12,296,988	\$6,485,740
Receivables	\$2,424,359	\$3,105,621	\$1,398,883
Total Current Assets	\$12,824,079	\$15,547,305	\$7,980,932



This graph shows the movements in actual and a forecast of Cash and Cash Equivalents for each month. Peaks in Trade debtors are the charging of rate instalments. Cash remains at approx. \$1M above expectations due to the current underspend in capital items for the year to date. WDC continues to have sufficient cash available to meet requirements.

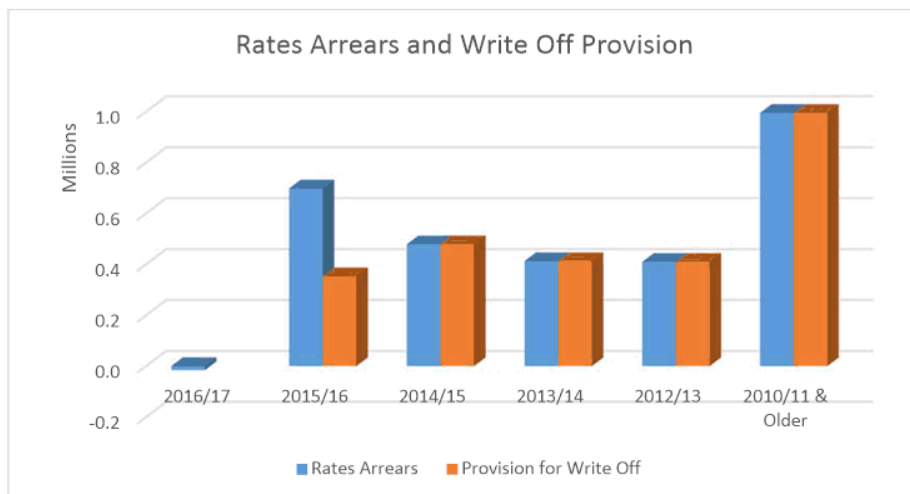
Accounts Receivable

Currently WDC has recorded debtors of \$2.4M. Gross receivables are \$4.6M, before the provisions for doubtful debts. This is allocated:





Analysis of rates arrears by financial year is:

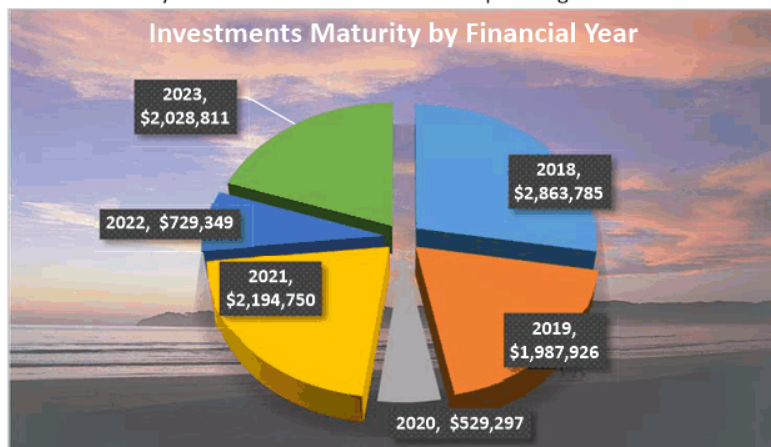


Prior year’s rates arrears are primarily the uncollectable amounts on Maori freehold land (unoccupied, unused land, or land subject to a fragmented ownership structure). Rates arrears are written off after 7 years as statute barred rates, however anything younger than this is retained in the debtor’s database for staff to attempt collection. We allow for debt older than 3 years to be uncollectable. The current provision stands at a total of \$2.6M. The current year shows as an over-collection as at the end of December as there are a number of ratepayers that are on payment plans and who pay by AP in advance of the instalment coming due. The value of this collection is in advance of the charges for this period. This is allowing

General Debtors is a combination of water arrears (ongoing) and the Eastland Group Limited invoice that has since been paid.

Investments

Current maturity value of all investments in the upcoming Financial Years is:



WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



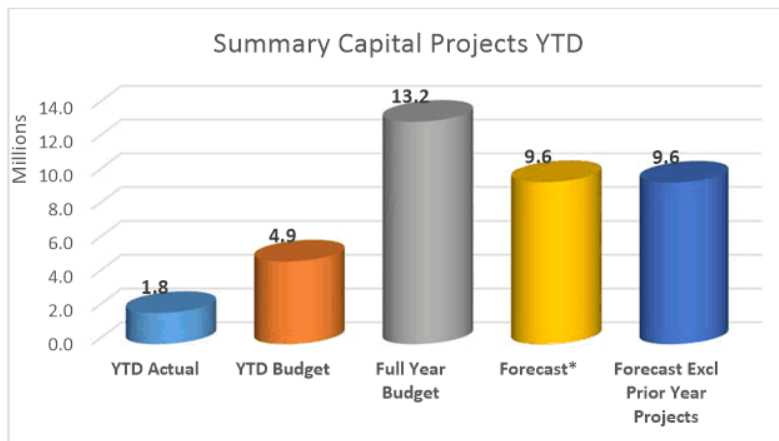
WDC long term cash investments hold a current market value of \$10,159,976, of which \$1,540,568 is due to mature within the next 12 months. The weighted average investment maturity term is 3.32 years or 39.8 months, with a weighted average coupon interest rate of 5.10%.

Investment opportunities have current yields in the 3.5-4% range. A long range risk exists in that investments with a face value of \$2.94M due to mature in the 2018 financial year that hold coupon rates of 4.94-6.52% at an average of 5.36%, for FY2019 \$1.99M at 5.67%. For the two years this is a drop in average income of \$40,025 and 30,975 respectively, which represents a 0.7% increase in rating requirement in the second year and beyond. By 2021 this is estimated to increase to 0.9%.

One investment has been entered into since the date of this report. This was \$250,000 into an ASB Bank Bond from an initial offer that has a coupon interest rate of 4.2%, due to mature 22 Feb 2022.

Capital Programs

To the end of December capital and renewal programs report as being within target. Year to date total expenditure of \$1.8M compared with the \$4.9M budget. \$1.97M in capital subsidies have been invoiced, including \$0.5M of subsidies for 2015/16 Tawhara Reservoir costs.

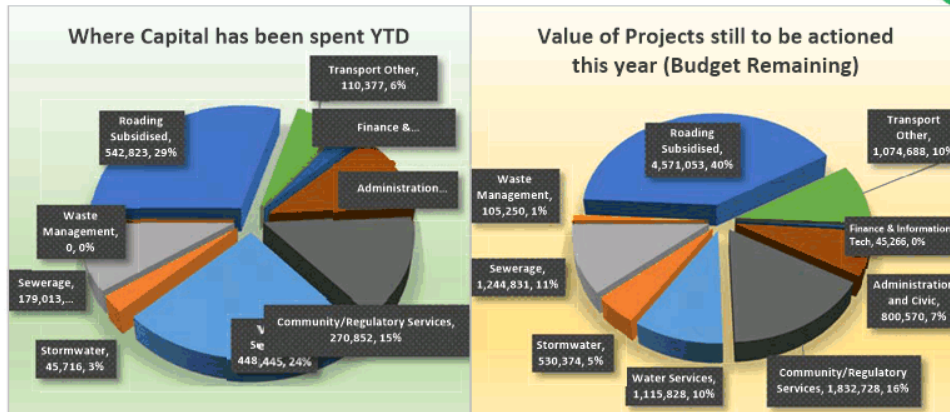


* Forecasted expenditure is actual year to date PLUS budgets for the remainder of the year, PLUS over-spent projects. Assumptions are that; 1 all future planned project costs will be incurred (as phased), 2 underspent projects will not be spent this year

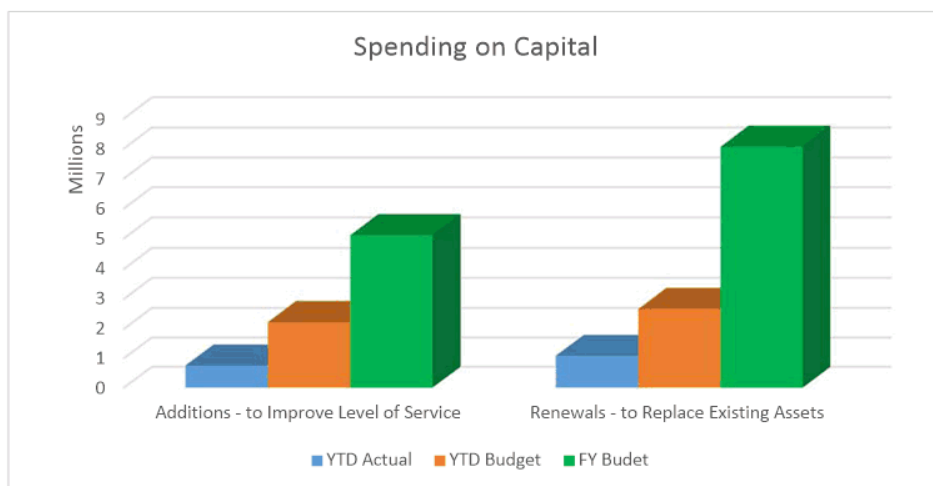
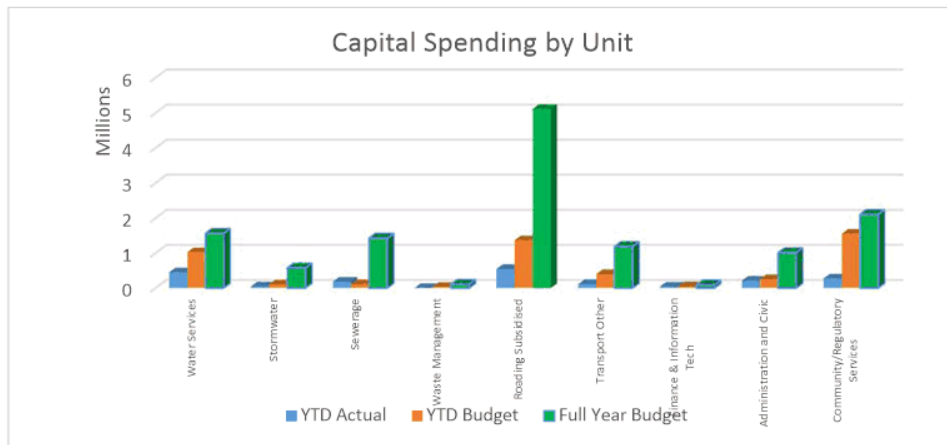
Impactors on this result are:

1. \$0.77M of funding for the Community Pool development project that was included in the Long Term Plan for this year and brought into the annual plan (budget) during the development of the plan. This project was completed last financial year, ahead of the original project plan, and this planned funding will not be spent in the current financial year. This was included in the Community/Regulatory Services budget.
2. \$0.72M of Emergency Works budgets that have not been required for the year to date.
3. \$1.82M A number of projects that had planned to be completed by 31 Dec

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



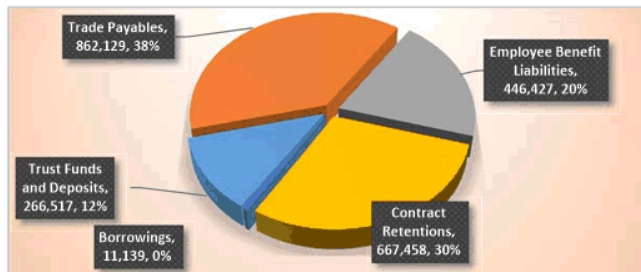
The colour coding of these two graphs is the same for each unit.





Current Liabilities

As at the end of the period, the following debts were due and payable within the next 12 months:

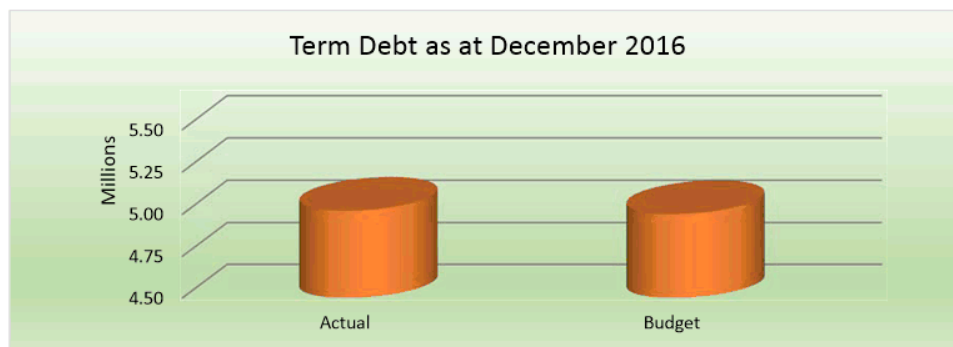


Measure	Actual	Budget or Target
Trade and Employee Liabilities	\$1,308,556	\$4,076,118
Contract Retentions	\$667,458	\$NIL
Total Current Liabilities	\$2,253,669	\$4,076,118
Creditor Payment Days ⁽¹⁾	11 Days	44 Days

(1) The average number of days that it takes a Creditor's invoice to be paid

All measures in this area show that the Council remains within its normal terms of trade with creditors. The time taken to pay creditors has improved as the EPO system becomes more widely and more effectively utilised. Employee Liabilities are the normal Holiday and Sick pay accrued by staff. Trade accruals and payables are significantly less than normal as contractors had been asked to provide claims for December earlier in the month with the closure of the office over the Christmas period so that these could be paid and cleared prior to the end of the month.

Term Debt



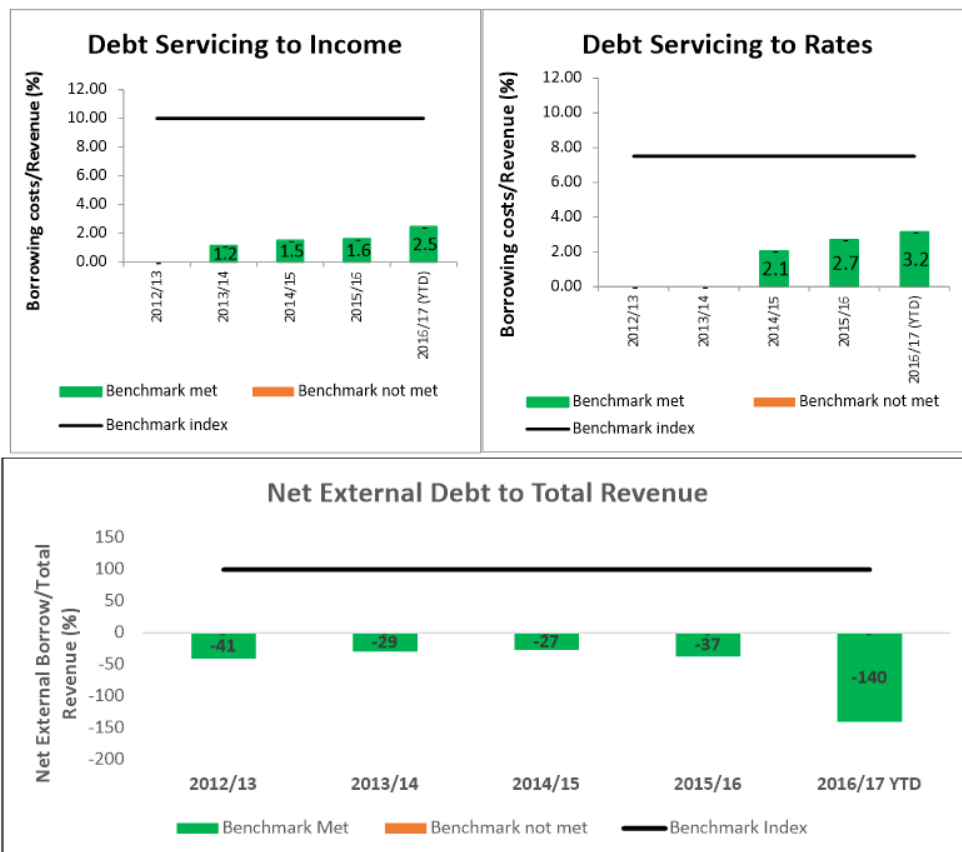
External Borrowing is \$5.0M (budget \$5.0M) for the year. Borrowings are a 5 year fixed term loan at 6.05% interest rate, due for repayment October 2018. No additional external borrowings has been planned for the financial year with new capital projects funded from internal cash reserves.

Council also holds a \$0.76M (Budget \$0.48M) liability for the Landfill Aftercare requirements.



Debt Policy Measures

The analysis of debt against the limitations detailed in the Investment and Liability Policy are shown below. Council is well within all control measurements for debt with no expectations that any will be breached in the foreseeable future. The results for the year to date, comparing this to the past five financial years are:



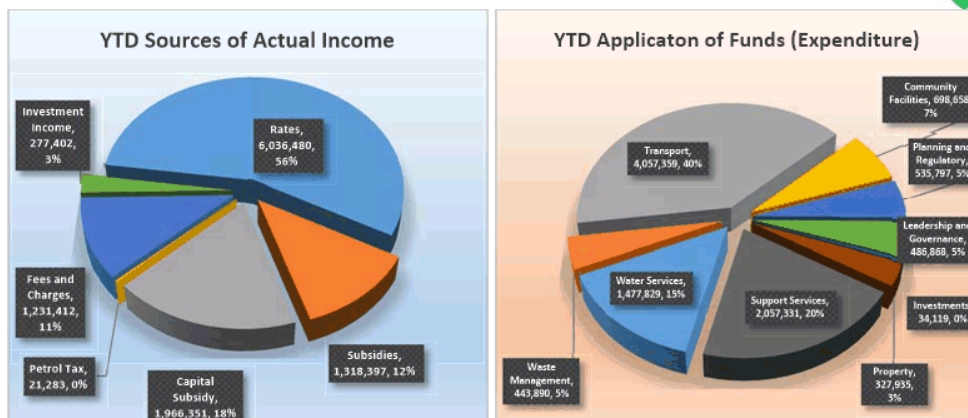
1 Net External Debt is calculated as Term Borrowings plus Current Liabilities; less Cash, Term Deposits and Financial Assets at fair Value. As at 31 December 2016 Net Debt is \$(13.0M), indicating that we have greater cash reserves than external debt.

Calculation of these measures shows that Council currently holds approx. \$2.50 for every dollar of debt owed to external parties. As the \$5.0M term debt is for a fixed term, Council would not be able to break this loan and repay this from current cash reserves, without an interest penalty, currently costed at \$0.2M.

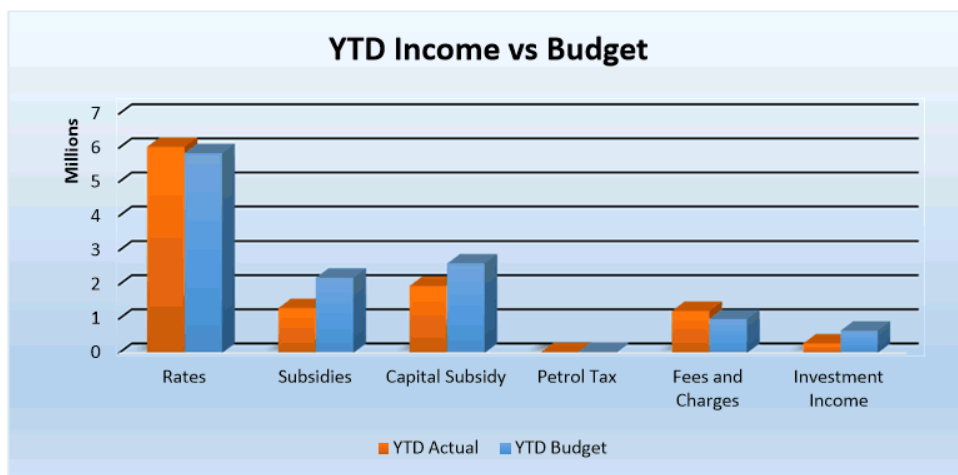
Sources of Income and Application of Funds

For the year to date Council has a net surplus of \$0.73M (Budget: net surplus of \$1.42M). Total income year to date was \$10.9M and application of funds for the year to date has been \$10.1M. Income and expenditure are analysed for the year to date as:

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Rates were budgeted to reflect 56% of total income (excluding revaluations) over the year and as per our Financial Strategy must not exceed 60% of our total revenue. We are currently within this limitation.



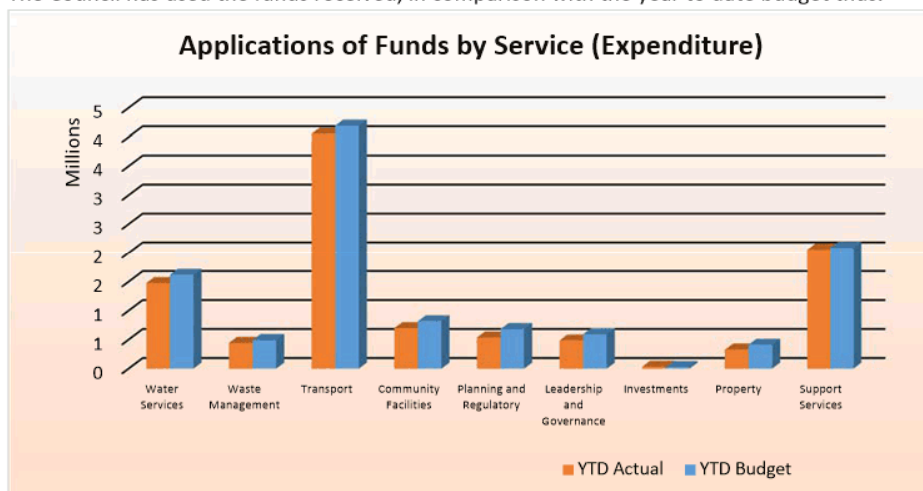
The under-recovery of operating subsidies is due to an YTD \$0.35M shortfall for NZTA Operational Subsidy for emergency work budget not required to have been spent.

Capital Subsidy income presents an YTD \$0.68M shortfall in NZTA Capital Subsidy for emergency work budget not required to have been spent offset partially by additional YTD \$0.49M Ministry of Health Capital Subsidy in advance of plan for the Tawhara Reservoir.

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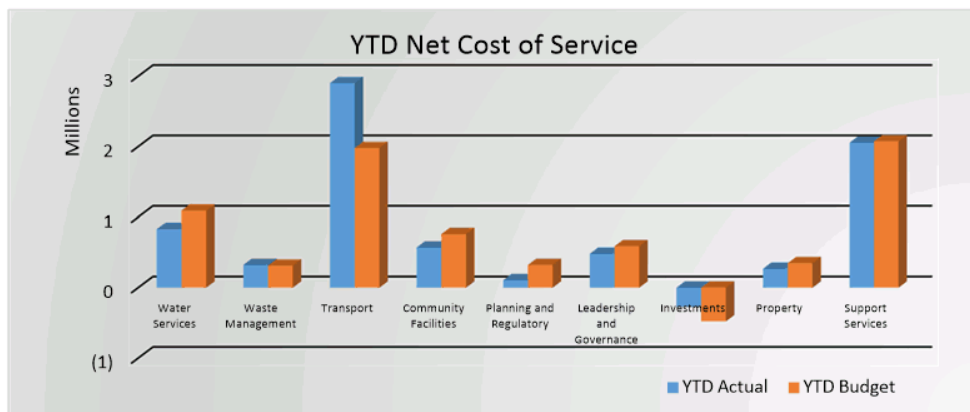
The Council has used the funds received, in comparison with the year to date budget thus:



For this report the budgets have been restated to report Support Services costs separately. The core services budgets have been reduced accordingly.

Council Net Cost of Services

The net cost of service represents the operating costs for the service, less the income generated from the service, excluding Rating income, for the areas of service provision provided by Council to the community. These are summarised as shown below.



The Transport overspend is the combination of the emergency repairs and the under-recovery of NZTA subsidies as mentioned above. All other units are tracking on target for the full year outlook. Individual section reports are included below for further comment.



ACTIVITY ANALYSIS

Comprehensive Income and Expenditure

These tables contrast the year to date expenditure and a full year forecast to full year budgets. Support Services budget has been restated from the Annual Plan, where these are factored into the core service area's budgets as internal overhead allocations, both for the FY Budget and proportionally for the YTD budget.

Income has been received from:

Income Type:	YTD Actual (\$ 000)	YTD Budget (\$ 000)	(Under) / Over Recovery	FY Forecast (\$ 000)	FY Budget (\$ 000)	(Under) / Over Recovery
Rates	6,036	5,846	191	11,882	11,691	191
Subsidies	1,318	2,206	-887	3,524	4,412	-887
Capital Subsidy	1,966	2,620	-654	4,587	5,240	-654
Petrol Tax	21	33	-12	54	66	-12
Fees and Charges	1,231	998	234	2,050	1,816	234
Investment Income	277	653	-376	931	1,307	-376
Total Income	10,851	12,356	-1,504	23,028	24,532	-1,504

Subsidy income under-recovery is detailed above and results from work not required for the year to date. The additional Fees and Charges income is provision adjustment made last year. This variance will be reviewed at the end of the year for any continuing movement. The rating over recovery is the charging of penalties after the first instalment was charged for the year

Expenditure has been incurred in the following service areas:

Service Area	YTD Actual (\$ 000)	YTD Budget (\$ 000)	Under / (Overspend)	FY Forecast (\$ 000)	FY Budget (\$ 000)	Under / (Overspend)
Water Services	1,478	1,620	142	3,848	3,990	142
Waste Management	444	493	49	1,099	1,148	49
Transport	4,057	4,195	137	9,657	9,795	137
Community Facilities	699	817	119	1,886	2,005	119
Planning and Regulatory	536	684	148	1,688	1,836	148
Leadership and Governance	487	596	109	2,393	2,503	109
Investments	34	27	-7	709	702	-7
Property	328	413	85	617	702	85
Support Services	2,057	2,089	31	11	42	31
Total Expenses	10,120	10,933	814	21,909	22,722	814

All units expect to be within full year budgets at this time, except Subsidised Roading as detailed above. Support services actual costs are allocated to the core service areas as internal overheads at the end of the year.

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Water Services

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2014/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
Rates	(967,052)	(936,458)	(1,872,917)	(1,049,512)	(2,027,155)
Subsidies and grants for operating purposes	-	-	-	-	-
Fees charges and targeted rates for water supply	(762,318)	(538,548)	(1,077,091)	(508,182)	(972,481)
Interest and Dividends from Investments	-	(164,802)	(329,612)	-	-
Local authorities fuel tax fines infringement fees and other receipts	-	-	-	-	-
Total Source of Operating Funding	(1,729,370)	(1,639,808)	(3,279,620)	(1,557,695)	(2,999,637)
Application of Operating Funding					
Payments to staff and suppliers	924,870	1,056,152	2,143,718	(1,361,720)	484,408
Finance costs	151,664	156,228	312,456	112,892	291,308
Internal Charges and Overheads applied	-	-	-	-	-
Other operating funding applications	-	-	-	-	-
Total Application of Operating Funding	1,076,534	1,212,380	2,456,174	(1,248,828)	775,717
Surplus (Deficit) of Operating Funding	652,835	427,428	823,446	2,806,522	2,223,920
Source of Capital Funding					
Subsidies and grants for capital expenditure	(1,250,000)	(742,002)	(1,484,000)	(1,055,000)	(1,325,000)
(Increase) decrease in debt	-	-	-	-	-
Lump sum contributions	(127,324)	(62,148)	(124,293)	2,446,100	2,446,100
Total Source of Capital Funding	(1,377,324)	(804,150)	(1,608,293)	1,391,100	1,121,100
Total Sources of capital funding	(1,377,324)	(804,150)	(1,608,293)	1,391,100	1,121,100
Application of Capital Funding					
Capital expenditure - to improve the level of service	99,550	163,800	843,526	183,435	84,878
Capital expenditure - to replace existing assets	2,217,938	1,074,485	3,087,351	181,468	2,207,985
Increase (Decrease) in Reserves	(287,328)	(6,707)	(1,499,138)	1,050,519	(1,190,043)
Total Application of Capital Funding	2,030,160	1,231,578	2,431,739	1,415,422	1,102,820
Total application of capital funding	2,030,160	1,231,578	2,431,739	1,415,422	1,102,820
Surplus (Deficit) of Capital Funding	(652,835)	(427,428)	(823,446)	(2,806,522)	(2,223,920)
Funding Balance	-	-	-	-	-

Charges to commercial consumers are well advanced of the annual budget for the year to date period from the provision made at the end of the last financial year. Capital Subsidies are in advance of plan from income received from funding charged for Tawhara Reservoir costs incurred in the last financial year invoiced to the Ministry of Health after the end of the year. Lump Sum Contributions for the Mahia and Opoutama Wastewater schemes have been invoiced in July and are comparable to the full year budgets.

The overspend showing in capital includes \$1.6M of work in progress brought forward for the Tawhara Reservoir work in progress that was funded last financial year.

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Waste Management

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2016/16 (YTD)	Actual 2015/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
Rates	(324,265)	(314,007)	(628,014)	(321,592)	(621,161)
Subsidies and grants for operating purposes	-	-	-	-	-
Fees charges and targeted rates for water supply	(119,706)	(176,688)	(353,369)	(77,380)	(373,513)
Interest and Dividends from Investments	-	-	-	-	-
Local authorities fuel tax fines infringement fees and other receipts	-	-	-	-	-
Total Source of Operating Funding	(443,971)	(490,695)	(981,383)	(398,971)	(994,675)
Application of Operating Funding					
Payments to staff and suppliers	396,388	444,201	893,480	314,612	869,321
Finance costs	-	1,500	3,000	-	-
Internal Charges and Overheads applied	-	-	-	-	-
Other operating funding applications	-	-	-	-	-
Total Application of Operating Funding	396,388	445,701	896,480	314,612	869,321
Surplus (Deficit) of Operating Funding	47,583	44,994	84,903	84,359	125,354
Sources of Capital Funding					
Subsidies and grants for capital expenditure	-	-	-	-	-
(Increase) decrease in debt	-	-	-	-	-
Lump sum contributions	-	-	-	-	-
Total Sources of capital funding	-	-	-	-	-
Application of Capital Funding					
Capital expenditure - to improve the level of service	-	35,250	155,250	18,725	42,323
Capital expenditure - to replace existing assets	-	-	-	-	-
Increase (Decrease) in Reserves	47,583	9,744	(70,347)	65,634	83,031
Total Application of Capital Funding	47,583	44,994	84,903	84,359	125,354
Total application of capital funding	47,583	44,994	84,903	84,359	125,354
Surplus (Deficit) of Capital Funding	(47,583)	(44,994)	(84,903)	(84,359)	(125,354)
Funding Balance	-	-	-	-	-
Depreciation and Amortisation	47,502	47,502	95,000	48,155	96,310

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Transport

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2015/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
Rates	(1,140,286)	(1,104,212)	(2,208,425)	(1,239,354)	(2,393,839)
Subsidies and grants for operating purposes	(1,148,818)	(2,181,414)	(4,362,823)	(381,706)	(4,580,750)
Fees charges and targeted rates for water supply	(281,060)	(32,058)	(64,123)	(361,117)	(832,827)
Interest and Dividends from Investments	-	-	-	-	-
Local authorities fuel tax fines infringement fees and c	-	-	-	-	-
Total Source of Operating Funding	(2,570,164)	(3,317,684)	(6,635,371)	(1,982,177)	(7,807,416)
Application of Operating Funding					
Payments to staff and suppliers	3,298,782	2,930,938	5,869,151	3,717,504	7,449,683
Finance costs	-	10,218	20,434	-	-
Internal Charges and Overheads applied	-	-	-	-	-
Total Application of Operating Funding	3,298,782	2,941,156	5,889,585	3,717,504	7,449,683
Surplus (Deficit) of Operating Funding	(728,617)	376,528	745,786	(1,735,327)	357,733
Source of Capital Funding					
Subsidies and grants for capital expenditure	(716,351)	(1,878,240)	(3,756,478)	(394,554)	(1,893,569)
(Increase) decrease in debt	-	-	-	-	-
Lump sum contributions	-	-	-	-	-
Total Source of Capital Funding	(716,351)	(1,878,240)	(3,756,478)	(394,554)	(1,893,569)
Total Sources of capital funding	(716,351)	(1,878,240)	(3,756,478)	(394,554)	(1,893,569)
Application of Capital Funding					
Capital expenditure - to improve the level of service	391,702	576,286	2,299,209	320,083	1,011,189
Capital expenditure - to replace existing assets	572,901	1,175,661	4,604,509	504,802	2,079,754
Increase (Decrease) in Reserves	(976,869)	502,821	(2,401,454)	(2,165,659)	(839,640)
Total Application of Capital Funding	(12,266)	2,254,768	4,502,264	(1,340,773)	2,251,302
Total application of capital funding	(12,266)	2,254,768	4,502,264	(1,340,773)	2,251,302
Surplus (Deficit) of Capital Funding	728,617	(376,528)	(745,786)	1,735,327	(357,733)
Funding Balance	-	-	-	-	-
Depreciation and Amortisation	1,698,210	1,816,376	2,724,564	1,273,657	2,547,315

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Community Facilities

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2015/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
Rates	(809,467)	(783,859)	(1,567,719)	(799,809)	(1,544,848)
Subsidies and grants for operating purposes	(131,649)	(24,462)	(48,926)	(94,863)	(46,244)
Fees charges and targeted rates for water supply	(15,103)	(30,564)	(61,151)	(23,819)	(56,757)
Interest and Dividends from Investments	-	-	-	-	-
Local authorities fuel tax fines infringement fees and other receipts	-	-	-	-	-
Total Source of Operating Funding	(956,220)	(838,885)	(1,677,796)	(918,491)	(1,647,848)
Application of Operating Funding					
Payments to staff and suppliers	627,366	719,400	1,533,648	537,627	1,366,598
Finance costs	2,637	29,718	59,430	-	530
Internal Charges and Overheads applied	-	-	-	-	-
Other operating funding applications	(6,998)	-	-	(6,325)	(7,600)
Total Application of Operating Funding	623,004	749,118	1,593,078	531,302	1,359,528
Surplus (Deficit) of Operating Funding	333,216	89,767	84,718	387,189	288,320
Sources of Capital Funding					
Subsidies and grants for capital expenditure	-	-	-	-	-
(Increase) decrease in debt	-	-	-	-	-
Lump sum contributions	-	-	-	-	-
Total Sources of capital funding	-	-	-	-	-
Application of Capital Funding					
Capital expenditure - to improve the level of service	415,588	336,490	960,631	70,205	418,904
Capital expenditure - to replace existing assets	63,923	200,250	200,250	52,735	118,014
Increase (Decrease) in Reserves	(146,296)	(446,973)	(1,076,163)	264,249	(248,598)
Total Application of Capital Funding	333,216	89,767	84,718	387,189	288,320
Total application of capital funding	333,216	89,767	84,718	387,189	288,320
Surplus (Deficit) of Capital Funding	(333,216)	(89,767)	(84,718)	(387,189)	(288,320)
Funding Balance	-	-	-	-	-
Depreciation and Amortisation	75,654	75,660	151,318	75,441	150,881

The overspend showing in capital includes \$208k of work in progress brought forward and funded last year.

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Planning and Regulatory

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2015/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
Rates	(104,807)	(101,492)	(202,983)	(266,934)	(515,589)
Subsidies and grants for operating purposes	(57,930)	-	-	(80,267)	(22,337)
Fees charges and targeted rates for water supply	(371,601)	(358,756)	(572,160)	(308,754)	(484,371)
Interest and Dividends from Investments	-	-	-	-	-
Local authorities fuel tax fines infringement fees and other receipts	-	-	-	-	-
Total Source of Operating Funding	(534,338)	(460,248)	(775,143)	(655,955)	(1,022,297)
Application of Operating Funding					
Payments to staff and suppliers	497,826	651,879	1,353,395	422,715	1,002,833
Finance costs	10,941	3,516	7,035	2,910	10,654
Internal Charges and Overheads applied	-	-	-	-	-
Total Application of Operating Funding	508,767	655,395	1,360,430	425,626	1,013,486
Surplus (Deficit) of Operating Funding	25,571	(195,147)	(585,287)	230,330	8,811
Sources of Capital Funding					
Subsidies and grants for capital expenditure	-	-	-	-	-
(Increase) decrease in debt	-	-	-	-	-
Lump sum contributions	-	-	-	-	-
Total Sources of capital funding	-	-	-	-	-
Application of Capital Funding					
Capital expenditure - to improve the level of service	9,185	92,250	161,250	71,722	94,808
Capital expenditure - to replace existing assets	-	2,334	7,000	83,871	98,742
Increase (Decrease) in Reserves	16,386	(289,731)	(753,537)	74,736	(184,739)
Total Application of Capital Funding	25,571	(195,147)	(585,287)	230,330	8,811
Total application of capital funding	25,571	(195,147)	(585,287)	230,330	8,811
Surplus (Deficit) of Capital Funding	(25,571)	195,147	585,287	(230,330)	(8,811)
Funding Balance	-	-	-	-	(0)
Depreciation and Amortisation	27,324	27,330	54,644	19,786	39,571

Primary underspend in this area is consultancy and planning staff costs not having been appointed in support of the District Plan development. These are costs that will likely begin to increase in expenditure over the balance of this year and into the next financial year as a Senior Planner is appointed and the preparation of the District Plan moves forward.

These costs were part of the rates smoothing activity included in the 2015-25 LTP.

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Leadership and Governance

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2015/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
Rates	(581,278)	(562,889)	(1,125,778)	(428,719)	(828,079)
Subsidies and grants for operating purposes	-	-	-	(2,000)	(2,000)
Fees charges and targeted rates for water supply	(5,631)	(6,425)	(16,220)	(9,759)	(25,079)
Interest and Dividends from Investments	-	-	-	-	-
Local authorities fuel tax fines infringement fees and other receipts	-	-	-	-	-
Total Source of Operating Funding	(586,909)	(569,314)	(1,141,998)	(440,477)	(855,158)
Application of Operating Funding					
Payments to staff and suppliers	485,146	592,883	1,257,490	422,529	977,723
Finance costs	1,135	252	505	201	1,431
Internal Charges and Overheads applied	-	-	-	-	-
Total Application of Operating Funding	486,281	593,135	1,257,995	422,730	979,154
Surplus (Deficit) of Operating Funding	100,628	(23,821)	(115,997)	17,747	(123,996)
Sources of Capital Funding					
Subsidies and grants for capital expenditure	-	-	-	-	-
(Increase) decrease in debt	-	-	-	-	-
Lump sum contributions	-	-	-	-	-
Total Sources of capital funding	-	-	-	-	-
Application of Capital Funding					
Capital expenditure - to improve the level of service	42,981	92,000	389,000	-	7,231
Capital expenditure - to replace existing assets	-	-	-	1,250	1,250
Increase (Decrease) in Reserves	57,647	(115,821)	(504,997)	16,497	(132,477)
Total Application of Capital Funding	100,628	(23,821)	(115,997)	17,747	(123,996)
Total application of capital funding	100,628	(23,821)	(115,997)	17,747	(123,996)
Surplus (Deficit) of Capital Funding	(100,628)	23,821	115,997	(17,747)	123,996
Funding Balance	-	-	-	-	-
Depreciation and Amortisation	3,600	3,600	7,200	4,035	8,070

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Investments

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2015/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
Rates	166,078	160,824	321,648	90,777	175,337
Subsidies and grants for operating purposes	-	-	-	-	-
Fees charges and targeted rates for water supply	(15,825)	(408)	(820)	(293)	(3,491)
Interest and Dividends from Investments	(269,542)	(472,452)	(615,293)	(322,942)	(1,067,879)
Local authorities fuel tax fines infringement fees and other receipts	(21,283)	(32,810)	(65,626)	(15,676)	(71,514)
Total Source of Operating Funding	(140,572)	(344,846)	(360,091)	(248,134)	(967,547)
Application of Operating Funding					
Payments to staff and suppliers	29,751	17,830	25,443	17,721	12,802
Finance costs	4,368	9,084	346,648	3,326	387,178
Total Application of Operating Funding	34,119	26,914	372,091	21,047	399,980
Surplus (Deficit) of Operating Funding	106,453	317,932	(12,000)	227,087	567,567
Sources of Capital Funding					
Subsidies and grants for capital expenditure	-	-	-	-	-
(Increase) decrease in debt	-	-	-	-	-
Lump sum contributions	-	-	-	-	-
Total Sources of capital funding	-	-	-	-	-
Application of Capital Funding					
Capital expenditure - to improve the level of service	-	-	-	-	-
Capital expenditure - to replace existing assets	-	-	-	-	-
Increase (Decrease) in Reserves	106,453	317,932	(12,000)	227,087	567,567
Total application of capital funding	106,453	317,932	(12,000)	227,087	567,567
Surplus (Deficit) of Capital Funding	(106,453)	(317,932)	12,000	(227,087)	(567,567)
Funding Balance	-	-	-	-	-
Depreciation and Amortisation	-	-	-	-	-

Interest income from investments and gains on market value are well advanced against annual budget due to the amount of cash being available for continued investment in excess of budget. There is future year income risk on maturing investments over the upcoming years, but the current financial year indicates that we will be on or ahead of target for interest income.

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



Property

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2015/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
Rates	(164,010)	(158,822)	(317,644)	(91,108)	(175,977)
Subsidies and grants for operating purposes	-	-	-	-	-
Fees charges and targeted rates for water supply	(57,901)	(60,090)	(120,195)	(41,831)	(94,762)
Interest and Dividends from Investments	-	-	-	-	-
Local authorities fuel tax fines infringement fees and other receipts	-	-	-	-	-
Total Source of Operating Funding	(221,912)	(218,912)	(437,839)	(132,939)	(270,739)
Application of Operating Funding					
Payments to staff and suppliers	84,253	133,924	273,511	179,522	304,319
Finance costs	-	29,970	59,940	-	-
Internal Charges and Overheads applied	-	-	-	-	-
Other operating funding applications	-	-	-	-	-
Total Application of Operating Funding	84,253	163,894	333,451	179,522	304,319
Surplus (Deficit) of Operating Funding	137,659	55,018	104,388	(46,582)	(33,580)
Source of Capital Funding					
Subsidies and grants for capital expenditure	-	-	-	-	(390,000)
(Increase) decrease in debt	-	-	-	-	-
Lump sum contributions	-	-	-	-	-
Total Source of Capital Funding	-	-	-	-	(390,000)
Total Sources of capital funding	-	-	-	-	(390,000)
Application of Capital Funding					
Capital expenditure - to improve the level of service	12,824	768,000	768,000	1,562,239	1,810,212
Capital expenditure - to replace existing assets	72,321	206,656	327,736	92,789	124,141
Increase (Decrease) in Reserves	52,513	(919,638)	(991,348)	(1,701,610)	(1,577,933)
Total Application of Capital Funding	137,659	55,018	104,388	(46,582)	356,420
Total application of capital funding	137,659	55,018	104,388	(46,582)	356,420
Surplus (Deficit) of Capital Funding	(137,659)	(55,018)	(104,388)	46,582	33,580
Funding Balance	-	-	-	-	-
Depreciation and Amortisation	247,998	247,992	495,989	234,148	468,296

Included in the Pensioner Housing Unit budgets are additional costs from the capital project for the exterior repainting of the Lambert Flats.

The short-fall in capital is the budgeted Community pool project funding that was included in the Long Term Plan for this year and carried over into the Annual Plan. This project was completed last year and this funding will not be required over the balance of this year. This will result in an overall underspend in capital against budget but presents no risk to Council operations or outcome.

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Support Services

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2015/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
Rates	(2,111,392)	(2,044,596)	(4,089,193)	(1,799,723)	(3,476,202)
Subsidies and grants for operating purposes	-	-	-	-	-
Fees charges and targeted rates for water supply	(1,655)	(4,350)	(8,707)	(523)	(12,418)
Interest and Dividends from Investments	-	-	-	-	-
Local authorities fuel tax fines infringement fees and other receipts	-	-	-	-	-
Total Source of Operating Funding	(2,113,047)	(2,048,946)	(4,097,900)	(1,800,246)	(3,488,620)
Application of Operating Funding					
Payments to staff and suppliers	1,976,093	1,989,000	4,096,961	1,635,474	3,637,239
Finance costs	19,233	41,108	87,469	27,763	54,771
Internal Charges and Overheads applied	-	-	-	-	-
Other operating funding applications	-	-	-	-	-
Total Application of Operating Funding	1,995,326	2,030,108	4,184,430	1,663,237	3,692,010
Surplus (Deficit) of Operating Funding	117,721	18,838	(86,530)	137,009	(203,390)
Sources of Capital Funding					
Subsidies and grants for capital expenditure	-	-	-	-	-
(Increase) decrease in debt	-	-	-	-	-
Lump sum contributions	-	-	-	-	-
Total Sources of capital funding	-	-	-	-	-
Application of Capital Funding					
Capital expenditure - to improve the level of service	122,379	182,148	401,500	20,229	59,983
Capital expenditure - to replace existing assets	17,900	7,600	445,375	10,688	92,175
Increase (Decrease) in Reserves	(22,558)	(170,910)	(933,405)	106,092	(355,548)
Total Application of Capital Funding	117,721	18,838	(86,530)	137,009	(203,390)
Total application of capital funding	117,721	18,838	(86,530)	137,009	(203,390)
Surplus (Deficit) of Capital Funding	(117,721)	(18,838)	86,530	(137,009)	203,390
Funding Balance	-	-	-	-	-
Depreciation and Amortisation	70,482	70,482	140,967	76,509	153,018



FINANCIAL RISKS

No Operational Financial Risks have been assessed as the end of the Period.

Area	Risk	Amount	Type	Description	Risk Level	Impact Showing In
Rating Income	Breach of Financial Policy		Income	Under the Treasury Policy adopted in the 2015/25 LTP Rates, must be less than 60% of the total revenue of the organisation. If Capital Subsidies remain at a low level there is the possibility that this could be breached, with the next instalment date impacting the General Ledger, that being January 2017.	Low	Comprehensive Income Statement

Capital Risks assessed as the end of the Period are:

Area	Risk	Amount	Type	Description	Risk Level	Finance Impact
Community Facilities	Community Pool	\$763,000	Underspend	The development of the community pool was a project completed in 2015/16 that has had budget carried forward into this year. No further expenditure will be spent on this project despite having the budget listed	Low	Interest and capital charges calculated in the budget will not be charged



Assessment Key:

Assessing levels of risk is based on the following matrix that has been developed as part of a draft risk policy:

Likelihood	Likely	Considerable	Considerable	High	Extreme	Extreme
	Moderate	Low	Considerable	High	High	Extreme
	Rare	Low	Low	Considerable	High	High
	Very Rare	Low	Low	Considerable	Considerable	Considerable
	Unanticipated	Low	Low	Low	Low	Considerable
		Minor	Moderate	Significant	High	Extreme
Consequence						

Financial Risk Consequence is defined as:

Category	1. Minor	2. Moderate	3. Significant	4. High	5. Extreme
Financial	Direct loss or increased cost of up to \$10K	Direct loss or increased cost of ~\$10 to \$50K	Direct loss or increased cost of ~\$50K to \$100K	Direct loss or increased cost of ~\$100K to \$1M	Direct loss or increased cost of over \$1M

Likelihood is defined as:

1. Likely	2. Moderate	3. Rare	4. Very rare	5. Unanticipated
<ul style="list-style-type: none"> · The event will probably occur in most circumstances; or, · Not quarterly but within 6 months. · ~70% chance of occurring in the next 12 months. 	<ul style="list-style-type: none"> · The event will possibly occur at some time; or, · Not within 6 months but at least annually. · ~50% chance of occurring in the next 12 months. 	<ul style="list-style-type: none"> · The event could occur at some time; or, · Not annually but within 3 years. · ~20-30% chance of occurring in the next 12 months. 	<ul style="list-style-type: none"> · The event may occur only in exceptional circumstances; or, · Not every 3 years but at least every 10 years. · ~10-20% chance of occurring in the next 12 months. 	<ul style="list-style-type: none"> · The event is not expected to occur; or, · Not within 10 years. · ~2% chance of occurring in the next 12 months.

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 30 SEPTEMBER 2016



FINANCIAL ACCOUNTS

Whole of Council Funding Impact Statement

	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2015/16 (Full Year)
Sources of Operational Funding					
Source of Operating Funding					
General Rates uniform annual charges rates penalties	(6,036,480)	(5,845,512)	(11,691,024)	(5,905,974)	(11,407,513)
Subsidies and grants for operating purposes	(1,318,397)	(2,205,876)	(4,411,749)	(558,836)	(4,651,331)
Fees charges and targeted rates for water supply	(1,629,410)	(1,207,887)	(2,273,836)	(1,331,658)	(2,855,699)
Interest and Dividends from Investments	(269,542)	(637,254)	(944,905)	(322,942)	(1,067,879)
Local authorities fuel tax fines infringement fees and other receipts	(21,283)	(32,810)	(42,319,683)	(15,676)	(71,514)
Total Source of Operating Funding	(9,275,112)	(9,929,339)	(61,641,197)	(8,135,086)	(20,053,937)
Application of Operating Funding					
Payments to staff and suppliers	7,773,084	8,499,223	17,287,227	8,325,759	18,543,425
Finance costs	189,978	281,594	896,917	147,093	745,872
Internal Charges and Overheads applied	0	0	0	0	0
Other operating funding applications	0	0	0	0	0
Total Application of Operating Funding	7,963,062	8,780,817	18,184,144	8,472,852	19,289,298
(Surplus) Deficit of Operating Funding	(1,312,050)	(1,148,522)	(43,457,053)	337,767	(764,639)
Source of Capital Funding					
Subsidies and grants for capital expenditure	(1,966,351)	(2,620,242)	(5,240,478)	(1,449,554)	(3,608,569)
Increase (decrease) in debt	(3,645)	0	0	0	34,018
Lump sum contributions	(127,324)	(62,148)	(124,293)	0	0
Total Source of Capital Funding	(2,097,321)	(2,682,390)	(5,364,771)	(1,449,554)	(3,574,552)
Total Sources of capital funding	(2,097,321)	(2,682,390)	(5,364,771)	(1,449,554)	(3,574,552)
Application of Capital Funding					
Capital expenditure - to improve the level of service	1,058,834	2,236,174	4,503,880	2,246,640	121,445
Capital expenditure - to replace existing assets	1,095,409	2,666,986	8,672,221	927,603	1
Total Application of Capital Funding	2,154,243	4,903,160	13,176,101	3,174,243	121,446
Total application of capital funding	2,154,243	4,903,160	13,176,101	3,174,243	121,446
(Surplus) Deficit of Capital Funding	56,923	2,220,770	7,811,330	1,724,689	(3,453,106)
Funding Balance (General Rates)	(1,255,128)	1,072,248	(35,645,723)	2,062,455	(4,217,745)
Reserves Calculation					
Depreciation and Amortisation	2,366,088	2,366,088	4,732,153	2,170,179	4,340,358

Rates will show above budget throughout the year as the provision for doubt rates is updated rather than on a monthly basis. Overall the expected outturn is expected to be on budget.

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



	Actual 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	Actual 2015/16 (YTD)	Actual 2015/16 (Full Year)
FIS Reconciliation to Statement of Comprehensive Income					
Surplus / (Deficit) from Operations	1,312,050	1,148,522	43,457,053	(337,767)	764,639
Less Depreciation Charged *	(2,366,088)	(2,366,088)	(4,732,153)	(2,170,179)	(4,340,358)
Add Capital Subsidies	1,966,351	2,620,242	5,240,478	1,449,554	3,608,569
Add Lump sum contributions	127,324	62,148	124,293	-	-
Reconciling Surplus/(Deficit)	1,039,638	1,464,824	44,089,671	(1,058,392)	32,850
Surplus / (Deficit) per Statement of Comprehensive Income	731,540	1,422,333	44,063,778	1,002,768	57,688

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 30 SEPTEMBER 2016



Whole of Council Activity Statement

	ACTUAL 2016/17 (to date)	2016/17 Operational Plan (YTD)	2016/17 Variance (YTD)	ANNUAL BUDGET 2016/17	Remaining Budget	ACTUAL 2015/16 (to date)
Net Operating Cost of Service						
Net Expenditure/(Revenue)						
Water Services	831,490	1,091,474	(259,984)	2,932,875	2,101,385	689,090
Waste Management	324,184	313,992	10,192	784,860	460,676	237,233
Transport	2,901,696	1,978,957	922,739	5,358,311	2,456,615	3,083,701
Community Facilities	571,906	762,375	(190,469)	1,894,939	1,323,033	412,620
Planning and Regulatory	106,266	323,969	(217,703)	1,260,245	1,153,979	36,604
Leadership and Governance	482,627	589,317	(106,690)	2,477,504	1,994,877	410,972
Investments	(272,531)	(478,756)	206,225	(42,563,705)	(42,291,174)	(317,864)
Property	270,033	349,465	(79,432)	569,207	299,174	137,690
Support Services	2,055,676	2,075,645	(19,969)	(6,081)	(2,061,757)	1,662,714
Net Operating (Surplus) / Deficit	7,271,348	7,006,438	264,910	(27,291,845)	(34,563,193)	6,352,760
Rates						
General and Targeted Rates Charged	(6,036,480)	(5,845,512)	(190,968)	(11,691,024)	(5,654,544)	(5,905,974)
Capital Subsidies						
Water Reticulation System	(1,250,000)	(742,002)	(507,998)	(1,484,000)	(234,000)	0
Water Treatment Plant	0	0	0	0	0	0
Sewerage	0	0	0	0	0	(1,055,000)
Roading Subsidised	(716,351)	(1,878,240)	1,161,889	(3,756,478)	(3,040,127)	(394,554)
Community Centre	0	0	0	0	0	0
Total Net Cost of Service	(731,484)	(1,459,316)	727,832	(44,223,347)	(43,491,863)	(1,002,768)

Support Services budgets are allocated to the Core Services as internal overhead charges in the annual budgets. For the purposes of this report, budgets have been restated to remove Support Services costs from within Activity Areas, and moved to the Support Services report line. This ensures that actual and budget costs are comparable.

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 30 SEPTEMBER 2016



Statement of Comprehensive Income and Expenditure

	Council 2016/17 Actual (YTD)	Council 2016/17 Operational Plan (YTD)	Council 2016/17 Full Year Forecast	Council 2016/17 Operational Plan (Full Year)	Council 2015/16 Actual (YTD)	Council 2015/16 Actual (Full Year)
Income						
Rates	(6,036,480)	(5,845,512)	(11,881,992)	(11,691,024)	(5,905,974)	(11,407,513)
Subsidies	(1,318,397)	(2,205,876)	(3,524,270)	(4,411,749)	(558,836)	(4,651,331)
Capital Subsidy	(1,966,351)	(2,620,242)	(4,586,587)	(5,240,478)	(1,449,554)	(3,608,569)
Petrol Tax	(21,283)	(32,810)	(54,099)	(65,626)	(15,676)	(66,731)
Fees and Charges	(1,231,412)	(997,869)	(2,049,708)	(1,816,165)	(1,091,871)	(2,319,286)
Investment Income	(277,402)	(653,436)	(930,859)	(1,306,893)	(327,111)	(1,079,610)
Reserves	0	0	0	0	0	0
Other Income	0	0	(17,252,000)	(42,254,057)	0	(4,783)
Total Income	(10,851,326)	(12,355,745)	(40,279,516)	(66,785,992)	(9,349,022)	(23,137,823)
Expenditure						
Water Services	1,477,829	1,619,792	3,847,539	3,989,502	961,655	4,605,702
Waste Management	443,890	493,203	1,099,012	1,148,325	314,612	1,111,234
Transport	4,057,359	4,194,771	9,657,211	9,794,623	3,826,523	11,075,391
Community Facilities	698,658	817,401	1,886,273	2,005,016	531,302	1,712,357
Planning and Regulatory	535,797	683,724	1,688,478	1,836,405	425,626	1,356,324
Leadership and Governance	486,868	596,333	2,393,343	2,502,808	422,730	2,148,459
Investments	34,119	26,914	708,908	701,703	21,047	399,980
Property	327,935	412,708	617,237	702,010	179,522	658,244
Support Services	2,057,331	2,088,566	10,587	41,822	1,663,237	12,444
Total Expenditure	10,119,786	10,933,412	21,908,588	22,722,214	8,346,254	23,080,135
(Surplus) / Deficit	(731,540)	(1,422,333)	(18,370,928)	(44,063,778)	(1,002,768)	(57,688)

For the purposes of this report budgets have been restated to remove Support Services costs from within Activity Areas. This ensures that actual and budget costs are comparable. Support Services budgets are allocated to the Core Services as internal overhead charges as part of the annual reporting function.

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



Financial Position

	Council 2016/17 Actual as at 31 December 2016	Council 2016/17 Budgeted as at 31 December 2016	Council 2016/17 Forecasted 30 June 2017	Council 2016/17 Annual Plan as at 30 June 2017	Council 2015/16 Actual as at 31 December 2015	Council 2015/16 Actual as at 30 June 2016
Assets						
Current Assets						
Non Interest Bearing Cash & Equivalents	98,338	140,775	92,389	104,826	174,199	643,718
Inventories	3,921	3,921	3,921	3,921	3,921	65,574
Trade and Other Receivables	2,424,359	3,105,621	1,398,883	2,080,145	1,934,562	3,051,652
Financial Assets at Fair Value	10,297,462	12,296,988	6,485,740	8,485,266	9,333,555	10,476,266
Total Current Assets	12,824,079	15,547,305	7,980,932	10,674,158	11,446,236	14,237,210
Non Current Assets						
Property Plant and Equipment	244,549,284	246,708,860	284,427,276	286,586,852	245,141,984	248,764,946
Work in Progress	3,695,720	4,908,524	13,428,416	14,641,220	3,065,224	1
Loans and Other Receivables	60,247	60,247	30,247	60,247	90,247	60,247
Investment Property	277,000	277,000	277,000	277,000	277,000	277,000
Biological Assets	150,380	150,380	150,380	150,380	150,380	150,380
Investments in Subsidiary	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000
Available for Sale Financial Assets	22,992	22,992	22,992	22,992	22,992	22,992
Intangible Assets	121,343	147,109	121,343	147,109	156,733	121,343
Term Financial Assets at Fair Value	8,619,408	6,464,556	8,619,408	6,464,556	9,095,999	7,621,424
Total Non Current Assets	258,746,374	259,989,668	308,327,062	309,600,356	259,250,558	258,268,334
Total Assets	271,570,454	275,536,973	316,307,995	320,274,514	270,696,795	272,505,543
Liabilities						
Current Liabilities						
Trust Funds and Deposits	(266,517)	0	(266,517)	0	(266,585)	(273,735)
Trade Payables	(862,129)	(4,076,118)	(1,371,805)	(4,585,794)	(113,819)	(2,552,511)
Employee Benefit Liabilities	(446,427)	0	(446,427)	0	(341,984)	(370,731)
Contract Retentions	(667,458)	0	(667,458)	0	(731,427)	(708,481)
Accrued Interest	0	0	0	0	0	0
Current Portion Term Borrowings	(11,139)	0	(11,139)	0	0	(10,260)
Taxation	0	0	0	0	0	0
Total Current Liabilities	(2,253,669)	(4,076,118)	(2,763,345)	(4,585,794)	(1,453,814)	(3,915,718)
Non Current Liabilities						
Trade Payables	0	0	0	0	0	0
Employee Benefit Liabilities	(111,459)	(121,063)	(111,459)	(121,063)	(121,063)	(111,459)
Borrowings	(5,019,234)	(5,000,000)	(5,019,234)	(5,000,000)	(5,000,000)	(5,023,758)
Landfill Aftercare	(755,898)	(478,126)	(755,898)	(478,126)	(478,126)	(755,898)
Total Non Current Liabilities	(5,886,590)	(5,599,189)	(5,886,590)	(5,599,189)	(5,599,189)	(5,891,114)
Total Liabilities	(8,140,259)	(9,675,307)	(8,649,935)	(10,184,983)	(7,053,003)	(9,806,832)
Net Assets	263,430,194	265,861,666	307,658,059	310,089,531	263,643,792	262,698,712
Equity						
Retained earnings						
Restricted Reserves	(139,200,123)	(242,781,218)	(140,579,687)	(244,160,782)	(137,091,404)	(137,588,149)
Unrestricted Reserves	0	0	0	0	0	(1,554,287)
Current Year (Surplus)/Deficit	(731,484)	(1,469,167)	(44,959,351)	(45,697,034)	(1,002,768)	(57,688)
Total Retained earnings	(139,931,607)	(244,250,385)	(185,539,038)	(289,857,816)	(138,094,173)	(139,200,124)
Other Reserves						
Revaluation Reserves	(101,874,443)	0	(101,874,443)	0	(102,371,188)	(101,874,443)
Sinking Fund	0	0	0	0	0	0
Special Funds	(21,624,145)	(21,611,281)	(20,244,579)	(20,231,715)	(23,178,431)	(21,624,145)
Total Other Reserves	(123,498,588)	(21,611,281)	(122,119,022)	(20,231,715)	(125,549,620)	(123,498,588)
Total Equity	(263,430,194)	(265,861,666)	(307,658,059)	(310,089,531)	(263,643,792)	(262,698,712)

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



Cashflow

	Actual to Date 2016/17	Full Year Budget 2016/17	Remaining Budget 2016/17
OPERATING ACTIVITIES			
Cash was provided from:			
Rates received	6,036,480	13,077,245	7,040,765
Other Revenue	5,372,439	12,079,897	6,707,458
	<u>11,408,919</u>	<u>25,157,142</u>	<u>13,748,223</u>
Cash was applied to:			
Payments to Suppliers & Employees	9,095,295	20,555,817	11,460,522
Taxation		-	-
Interest Paid	189,978	473,078	283,100
	<u>9,285,273</u>	<u>21,028,895</u>	<u>11,743,622</u>
Net Cash Flow from Operations	<u>2,123,647</u>	<u>4,128,247</u>	<u>2,004,600</u>
INVESTING ACTIVITIES			
Cash was provided from:			
Decrease in Loans & Other Receivables	-	-	-
Sale of Property, Plant & Equipment	-	70,000	70,000
Sale of Financial Assets	667,000	1,400,000	733,000
	<u>667,000</u>	<u>1,470,000</u>	<u>803,000</u>
Cash was applied to:			
Increase in loans & advances	-	-	-
Purchase of Intangibles	-	-	-
Purchase of Financial Assets	1,486,180	-	1,486,180
Purchase of Property, Plant & Equipment	1,846,202	10,600,149	8,753,947
	<u>3,332,382</u>	<u>10,600,149</u>	<u>7,267,767</u>
Net Cash Flows from Investing Activities	<u>(2,665,382)</u>	<u>(9,130,149)</u>	<u>(6,464,767)</u>
FINANCING ACTIVITIES			
Cash was provided from:			
Loans Raised	-	550,000	550,000
	<u>-</u>	<u>550,000</u>	<u>550,000</u>
Cash was applied to:			
Borrowings Repaid	3,645	2,334,615	-
	<u>3,645</u>	<u>2,334,615</u>	<u>-</u>
Net Cash Flows from Financing Activities	<u>(3,645)</u>	<u>(1,784,615)</u>	<u>550,000</u>
Net Increase/(Decrease)	<u>(545,380)</u>	<u>(6,786,517)</u>	<u>(3,910,167)</u>
Plus opening cash & cash equivalents	643,718	6,927,292	6,283,574
Cash & cash equivalents at end of year	<u>98,338</u>	<u>140,775</u>	<u>2,373,407</u>
Made up of:			
Cash	98,338	140,775	42,437
Short Term Deposits			
Bank Overdraft	-	-	-
	<u>98,338</u>	<u>140,775</u>	<u>42,437</u>

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



RECONCILIATION OF OPERATING SURPLUS WITH NET CASH FLOW

FROM OPERATING ACTIVITIES:

For the period ended December 2106

	Actual to Date 2016/17
Surplus / Deficit	731,540
Add / (less) non cash items:	
Depreciation and amortisation	2,366,088
Impairment	
Gains on Investments held at fair value	
Add / (less) items classified as investing or financing activities:	
(Gains) / Losses on disposal of property, plant and equipment	
Add / (less) movements in working capital items:	
(Inc) / Dec Accounts receivable	627,293
(Inc) / Dec Prepayments	-
(Inc) / Dec Inventories	61,653
Inc / (Dec) Accounts payable	(1,662,925)
Inc / (Dec) Income in Advance	-
Inc / (Dec) Accrued Expenses	-
Inc / (Dec) Employee benefits	(2)
Net cash inflow / (outflow) from operating activities	<u>2,123,647</u>

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



Capital Program

Year to date capital expenditure by Cost Centre is:

Capital Projects	ACTUAL 2016/17 (to date)	2016/17 Operational Plan (YTD)	2016/17 Variance (YTD)	ANNUAL BUDGET 2016/17	Remaining Budget
Library	21,326	19,986	(1,340)	89,975	68,649
Library - Building	0	0	0	6,000	6,000
Water Reticulation	407,900	880,760	472,860	1,098,360	690,460
Water Treatment	40,545	143,725	103,180	698,745	658,200
Stormwater	45,716	103,800	58,084	627,990	582,274
Sewerage	179,013	110,000	(69,013)	1,505,782	1,326,769
Waste Management	0	35,250	35,250	155,250	155,250
Wairoa Airport	28,759	100,000	71,242	540,000	511,242
Roading Subsidised	548,457	1,366,436	817,979	5,433,286	4,884,829
Roading Non Subsidised	8,126	230,075	221,949	689,160	681,034
Infrastructural Business Unit	65,529	50,750	(14,779)	70,750	5,221
Parking	0	0	0	161,155	161,155
Parks and Reserves	252,723	510,250	257,527	1,051,250	798,527
Community Centre	11,070	948,000	936,930	1,060,080	1,049,010
Economic Development	27,599	70,000	42,401	345,000	317,401
Pensioner Housing	45,827	26,656	(19,171)	33,312	(12,515)
Cemeteries	(32)	6,504	6,536	13,000	13,032
Environmental Health	0	10,250	10,250	10,250	10,250
ByLaw Control	7,060	66,000	58,940	135,000	127,940
Civil Defence	0	11,000	11,000	11,000	11,000
Rural Fire	0	7,334	7,334	12,000	12,000
Council	13,027	22,000	8,973	22,000	8,973
Property Corporate	9,612	0	(9,612)	0	(9,612)
Camping Grounds	0	0	0	3,000	3,000
Staff Housing	15,424	0	(15,424)	0	(15,424)
Chief Executive Officer	71,379	38,000	(33,379)	58,000	(13,379)
Administration Services	3,399	73,000	69,601	662,250	658,851
Information Services	41,359	48,700	7,341	86,625	45,266
Engineering Services	2,329	19,998	17,670	62,000	59,672
Subtotal of this Years Costs	1,846,146	4,898,474	3,052,328	14,641,220	12,795,074
Prior Years Work in progress	0	0	0	0	0
Planned Capital Spending	1,846,146	4,898,474	3,052,328	14,641,220	12,795,074
Capital Subsidies					
Water Reticulation System	(1,250,000)	(742,002)	(507,998)	(1,484,000)	(234,000)
Water Treatment Plant	0	0	0	0	0
Sewerage	0	0	0	0	0
Roading Subsidised	(716,351)	(1,878,240)	1,161,889	(3,756,478)	(3,040,127)
Community Centre	0	0	0	0	0
	(1,966,351)	(2,620,242)	653,891	(5,240,478)	(3,274,127)
Net Planned Capital Spending	(120,205)	2,278,232	3,706,219	9,400,742	9,520,947
Actuals					
Additions	758,135	2,231,488	(1,473,353)	5,108,513	4,350,378
Renewal	1,088,011	2,666,986	270,600	8,058,221	5,120,635
Total Gross Spend this Year	1,846,146	4,898,474	(1,202,754)	13,166,734	9,471,014

WAIROA DISTRICT COUNCIL MONTHLY FINANCIAL REPORT 31 DECEMBER 2016



Net Operating Cost of Service by Service Activity

Net Operating Cost of Service	ACTUAL 2016/17 (YTD)	Operating Budget 2016/17 (YTD)	Operating Budget 2016/17 (Full Year)	ACTUAL 2015/16 (YTD)	ACTUAL 2015/16 (Full Year)
Revenue					
Water Services					
Income	(607,908)	(765,498)	(1,530,996)	(508,182)	(972,481)
Operating Cost	1,703,744	1,748,429	4,246,780	1,186,300	5,090,714
Maintenance Cost	9,813	16,968	33,941	10,972	39,671
Total Water Services	1,105,649	999,899	2,749,725	689,090	4,157,904
Waste Management					
Income	(119,706)	(176,688)	(353,369)	(77,380)	(373,513)
Operating Cost	443,890	390,832	938,532	314,612	1,111,234
Total Waste Management	324,184	214,144	585,163	237,233	737,720
Transport					
Income	(1,429,878)	(2,213,472)	(4,426,946)	(742,822)	(5,413,577)
Operating Cost	1,540,979	1,038,902	3,478,227	547,378	5,422,646
Maintenance Cost	2,516,380	2,597,262	5,194,500	3,279,145	5,652,745
Total Transport	2,627,481	1,422,692	4,245,781	3,083,701	5,661,814
Community Facilities					
Income	(126,752)	(55,026)	(110,077)	(118,682)	(103,001)
Operating Cost	527,964	520,890	1,412,014	394,918	1,393,766
Maintenance Cost	170,694	193,470	386,920	136,384	318,591
Total Community Facilities	571,906	659,334	1,688,857	412,620	1,609,356
Planning and Regulatory					
Income	(429,531)	(358,756)	(572,160)	(389,021)	(506,708)
Operating Cost	523,536	456,699	1,380,355	408,486	1,313,082
Maintenance Cost	3,157	6,690	13,377	891	9,559
Job Costing	9,104	0	0	16,249	33,683
Total Planning and Regulatory	106,266	104,633	821,572	36,604	849,616
Leadership and Governance					
Income	(4,241)	(6,425)	(16,220)	(11,759)	(27,079)
Operating Cost	486,531	19,174	1,340,587	422,360	2,148,089
Maintenance Cost	337	0	0	370	370
Total Leadership and Governance	482,627	12,749	1,324,367	410,972	2,121,380
Investments					
Income	(306,650)	20,621,359	(1,011,351)	(338,911)	(1,142,884)
Operating Cost	34,119	(155,932)	336,011	21,047	399,980
Total Investments	(272,531)	20,465,427	(675,340)	(317,864)	(742,905)
Property					
Income	(57,901)	(60,090)	(263,256)	(41,831)	(241,045)
Operating Cost	295,570	432,287	877,926	140,491	704,762
Maintenance Cost	32,365	51,726	103,452	39,030	99,764
Total Property	270,033	423,923	718,122	137,690	563,482
Support Services					
Income	(1,655)	1,750,673	(733,855)	(523)	(3,845,002)
Operating Cost	2,057,331	2,079,995	4,237,820	1,663,237	3,845,028
Total Support Services	2,055,676	3,830,668	3,503,965	1,662,714	26
Total Net Operating Cost of Service	7,271,291	28,133,467	14,962,212	6,352,760	14,958,394

8.4 MAORI POLICY - ADOPTION

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: Fergus Power, Chief Executive Officer

Appendices: 1. Draft Maori Policy [↓](#)

1. PURPOSE

1.1 For Council to adopt the Maori Policy.

RECOMMENDATION

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

2. BACKGROUND

- 2.1 Council having received no submissions on the draft policy, this draft policy was referred back to the Maori Standing Committee for final review. The Committee has now forwarded this draft policy to Council for adoption.
- 2.2 At their meeting on 26 April 2016 Council adopted the draft policy for public consultation with the following amendment: part of section 7 to read (amendments in bold) "In a local government election-year, the Maori Standing Committee shall schedule district-wide **after the inaugural meeting** for the selection process to decide the membership of the next Maori Standing Committee by the end of **January**".
- 2.3 Once adopted the policy will be put into the visual identity report format and be publicly available on Council's website.

3. OPTIONS

- 3.1 The options identified are:
 - a. Status quo – renew the policy as it currently stands
 - b. Adopt the revised policy as per Appendix 1
- 3.2 Option A: The currently adopted policy has statistics that are out of date as there has been another census since adoption. Other parts of the proposed draft policy have been amended as well to reflect suggestions by the Maori Standing Committee and Council.
- 3.3 Option B: The statistics have been updated and there are other parts of the proposed draft policy that have been amended to reflect suggestions by the Maori Standing Committee and Council.
- 3.4 The preferred option is Option B.

4. CORPORATE CONSIDERATIONS

What is the change?

- 4.1 No significant changes.

Compliance with legislation and Council Policy

4.2 This policy complies with legislative requirements of Council.

What are the key benefits?

4.3 Effective engagement with Maori in our district.

What is the cost?

4.4 Already included with budgets.

What is the saving?

4.5 Not applicable.

Who has been consulted?

4.6 Public consultation has taken place already – no submissions were received.

Service delivery review

4.7 Not applicable.

Maori Standing Committee

4.8 The Committee has been the primary body overseeing the review of the policy.

5. SIGNIFICANCE

5.1 This decision is of low significance due to impact.

6. RISK MANAGEMENT

6.1 There are no strategic risks identified in the implementation of the recommendations.

Further Information

Local Government Act 2002.

Background Papers

None.

References (to or from other Committees)


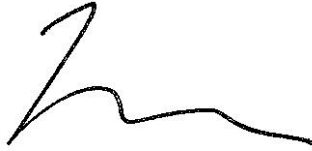
Council 26 April 2016 – Maori Policy.

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



<i>Māori Policy</i>	Department	ECONOMIC DEVELOPMENT AND ENGAGEMENT
	Adopted	26 April 2016
	Last Review	
	Next Review	26 April 2019

**Te Wairoa Hōpūpū Hōnengenenge Mātangirau
Te Wairoa Tāpoko Rau**

This policy does not prevent any individual, whānau, hapū or iwi from dealing directly with the Council concerning any issue that may affect them.

1. STATEMENT OF INTENT

1.1 Context

The Wairoa District has the highest proportion of Māori of any local authority area in the country – approximately 59%¹ of the district's 7890 people.

Section 81 of the Local Government Act 2002 requires Council to:

- (a) *establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of [Council]; and*
- (b) *consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of [Council], and*
- (c) *provide relevant information to Māori for the purposes of paragraphs (a) and (b).*

This gives Wairoa District Council the ability to facilitate enhanced opportunities for Māori to contribute to Council's decision-making processes.

The Māori policy outlines the collaborative approach of Council's decision-making processes that is within the spirit of Te Tiriti o Waitangi².

1.2 Scope

This policy provides a foundation for establishing processes that provide for tangata whenua to contribute to Council's decision-making responsibilities.

¹ Statistics New Zealand – Census data 2013

² <http://www.treaty2u.govt.nz/>

1.3 Definitions

- **Council** refers to Wairoa District Council – elected representatives and staff.
- **District** refers to the territorial authority area of the Wairoa District Council.
- **Tangata whenua** refers to whānau, hapū, and iwi who whakapapa to whenua in the Wairoa district and is inclusive of Māori organisations and taura here who have chosen to live in the district and be a part of the wider Māori community.
- **Takiwā** refers to ward areas for the purpose of having a set number of areas and therefore independent members as representatives on the Māori Standing Committee
- **Māori Standing Committee Member** refers to members selected by their takiwā, each of whom bears an obligation to faithfully represent the views of their takiwā and, collectively as a committee, the interests of all Māori in the district.

1.4 Purpose

The purpose of this policy is to:

- provide a framework for relationships between tangata whenua and Wairoa District Council to achieve mutually beneficial outcomes for the community of Wairoa
- ensure the provision of processes and procedures that facilitate effective communication between tangata whenua and Wairoa District Council
- enable Māori views to be incorporated into local government decision making, policies and procedures
- Promote and facilitate Māori participation in Council activities.

2. WORKING TOGETHER

The following principles underpin **how** Council will interact and work with tangata whenua. The Chief Executive Officer and senior managers (Corporate Services, Finance, Engineering, Operations and Economic Development & Engagement) are responsible for ensuring that the day-to-day operations of Council are carried out in accordance with these principles.

i. Tika

A shared commitment to "do the right thing" – morally and ethically – by making certain that everyone is treated with equal respect and fairness.

ii. Pono

A shared commitment to ensure informed decision-making is underpinned by, and made with, honesty, integrity and good faith.

iii. Manaakitanga

The mutual elevation of *mana* in encounters and when engaged in discourse as a means of seeking shared understanding based on the spirit of respect and dignity.

- iv. Rangatiratanga
The duty of Council to accept and support tangata whenua in fulfilling their role as mana whenua over lands, resources and other taonga tuku iho within the local authority boundaries.
- v. Kaitiakitanga
The duty of Council to recognise and support tangata whenua in fulfilling their duty as kaitiaki of air, land, water and all other taonga tuku iho.
- vi. Whakapapa
Mutual acknowledgement that Council and tangata whenua share a common history in their duty of care for the area that is defined as the Wairoa district.
- vii. Kete Mātauranga
Council recognises that tangata whenua have an embodied set of expertise and skills in providing a Māori world view.
- viii. Kawenga
Council and tangata whenua share a strong sense of responsibility and reciprocal obligation toward taonga, as all taonga are inter-related, inter-connected and inter-dependent.
- ix. Tiriti o Waitangi
Tiriti o Waitangi is the founding document of New Zealand. Council accepts the great importance of this living, dynamic document, and is committed to upholding the spirit of Tiriti o Waitangi/Treaty of Waitangi principles.
- x. Kotahitanga
Mutual respect of the unity of all things tangible and intangible.
- xi. Whai Mōhiotanga
Mutual acceptance by Council of the importance of whai within the rohe in offering cultural knowledge, expertise, guidance and advice.
- xii. Te Reo Māori
Council encourages, supports and promotes the use of te Reo Māori in the district.

3. REPRESENTATION

Representation refers to the mechanisms which provide for individuals and groups authorised to speak for tangata whenua to participate in Council decision-making processes. Tangata whenua representation can be undertaken through a variety of mechanisms. These mechanisms take into account all of the Principles of Working Together and the diversity of tangata whenua in the district.

3.1 Tangata whenua provision in Standing Orders of Council

Section 29 of the Council's standing orders outlines 'Additional provisions for tangata whenua'. This section outlines the process for tangata whenua representatives in attending and speaking at meetings as part of their representation roles. These provisions are in addition to members of the public being able to speak/attend Council meetings as outlined in Section 14 (Public Forums) and Section 11.1 of standing orders (Meetings open to the public). These provisions apply at Council and committee meetings (including the Māori Standing Committee) as defined on pg 14 of the Council's standing orders.

3.2 Māori Standing Committee

The Māori Standing Committee is a committee of the Council. The Māori Standing Committee acts as a check and balance on Council processes, especially on those matters requiring a Māori perspective, as well as an advisory body for Council on matters requiring a Māori perspective. This includes the development and revision of Council policies and strategies. Tangata whenua can take issues to their takiwā representative or the Māori Standing Committee, who can then advocate for the tangata whenua to Council or to other bodies (if appropriate). Recommendations from the Māori Standing Committee will be communicated through a report from the Chair and will be given due consideration by the Council when making decisions that directly impact on Māori and on all matters that require the perspective of te Ao Māori. All members of the Māori Standing Committee shall adhere to the Wairoa District Council Code of Conduct, which sets out the standards of behavior expected from committee members in the exercise of their duties.

4. SIGNIFICANCE AND ENGAGEMENT

The Council's Significance and Engagement Policy lets both Council and the communities identify the degree of significance attached to particular decisions, to understand when the community can expect to be engaged in Council's decision making processes, and know how this engagement is likely to take place. This provides Council with a tool that clearly guides the assessment of significance during decision-making and provides direction on the consideration of community views and the level of community engagement that might be desirable to enable Council to develop a clearer understanding of community views and preferences on an issue or proposal. This policy includes a specific section about 'Engagement with Māori'.

5. ADVOCACY

There are a number of decision-making processes that lie outside the scope of Council and are undertaken at a regional or national level.

It is expected that interaction and advocacy with external agencies on behalf of Council either by Councillors or Māori Standing Committee members would be with the full knowledge of Council. This does not prevent individuals (whether on the Māori Standing Committee or Council) from advocating on behalf of their own hapū or group, as long as there is a declaration that they are not acting on behalf of Council.

An important role for the Māori Standing Committee is as an advocate for tangata whenua perspectives and issues to local, regional and national bodies.

6. PAKEKE

There are occasions where it will be appropriate for Council-run activities to have Pakeke in attendance – for pōwhiri/pōhiri, tangihanga, hui. This is particularly important in giving due respect to tikanga, where a whaikōrero/karanga/karakia is appropriate.

7. KAITAKAWAENGA MĀORI – MĀORI RELATIONSHIPS MANAGER

Underpinning Council's commitment to the effective facilitation of Māori in decision making is the provision of dedicated staff and other resources. The aim of this is to increase Māori influence in the Council and foster greater understanding of Māori issues.

The position of Kaitakawaenga Māori/Māori Relationships Manager, has been established by Council as a means of facilitating and enhancing Māori involvement in decision making. The purpose of the position is to provide advice to, and liaise with, Council and its Committees, Council staff and the community in respect to their relationship with, and impact on, tangata whenua.

8. MONITORING AND REVIEW

This policy will be monitored on an annual basis and an informal review will be undertaken each year by the Māori Standing Committee to assess its relevance and effectiveness.

A formal review of this policy will be undertaken at least every three years.



GLOSSARY OF MĀORI TERMS

<i>ahi kaa</i>	The continuous unbroken occupation of land by whānau, hapū or iwi over successive generations.
<i>hapū</i>	Sub-tribe
<i>hui</i>	Gathering / meeting
<i>iwi</i>	Tribe
<i>kaitiaki</i>	Whānau, hapū or iwi given the responsibility to care, maintain, manage and protect taonga tuku iho (tangible and intangible) within their territorial domain.
<i>karakia</i>	Prayer
<i>karakia (whakanoa)</i>	Prayer to remove tapu
<i>karanga</i>	Ceremonial calling of visitors
<i>kawa</i>	The specific protocols and processes that particular hapū or iwi engage to formalise encounters with others. Kawa varies amongst hapū and iwi, however the kawa of the hosts will take precedence and will govern proceedings
<i>kawenga</i>	Duties incumbent on someone to fulfill responsibilities
<i>manaakitanga</i>	The expression and responsibility inherent to the mana of encounter or engagement as in the reciprocal relationships between host and visitor
<i>mana whenua</i>	The acknowledged authority, that a particular whānau, hapū or iwi has over a particular area. This authority affords whānau, hapū and iwi rights as kaitiaki and obligations to manaaki. It also infers the obligation of other groups to negotiate or consult for access rights to land and resources
<i>pōwhiri/pōhiri</i>	Ritual of encounter
<i>tangihanga</i>	Grieving ritual/process
<i>taonga</i>	Tangible resources or treasures
<i>taonga tuku iho</i>	Intangible resources or treasures that are important to the cultural heritage of tangata whenua, taura here, and the wider community
<i>tapu</i>	Sacred restriction
<i>taura here</i>	The association of Māori individuals or groups who join together to fulfil a common purpose or goal, that share similar aspirations and who live outside their tribal area
<i>wāhi tapu</i>	Sacred place
<i>whaikōrero</i>	Oratory
<i>whakapapa</i>	Relates to the genealogy, not only of people but all things. It is the relationships to and between all elements, tangible and intangible, such as matter and energy, the universe, the gods, people, mokopuna and other forms of life
<i>whenua</i>	Land

Appendix 1.**Māori Standing Committee Terms of Reference****1. STATUS**

The Māori Standing Committee is a committee of Council under clause 30(1)(a) and (2) of Schedule 7 of the Local Government Act 2002.

2. PURPOSE

The purpose of the Māori Standing Committee is to:

- Advocate on behalf of tangata whenua to local, regional and national bodies as appropriate
- Consider governance issues relating to Council obligations to tangata whenua
- Investigate and report to the Council on any issues that the Māori Standing Committee considers necessary that may have an implication for tangata whenua.

3. MEMBERSHIP

Māori Standing Committee members' term of office shall expire at the end of the year in which the triennial local body elections are held.

Independent members of the Māori Standing Committee shall be determined at a series of district-wide hui of hapū/marae within each takiwā, held after the triennial elections, whereby those present will endorse representatives to the Committee.

Eight (8) takiwā representatives – one (1) representative per takiwā, The takiwā is defined by Council).

One (1) Wairoa Whānui representative to represent Māori who whakapapa back to hapū/iwi outside of Wairoa

The Māori Standing Committee shall consist of:

- nine (9) independent members (with a minimum of seven (7) members)
- His/Her Worship the Mayor as ex-officio
- two (2) Councillors – to be nominated by the Māori Standing Committee and confirmed by Council.

If a takiwā position is not filled during the initial selection process or becomes vacant during the term of office then the Committee will run another selection process for that particular takiwā in order for the takiwā to decide who they would like to fill the seat.

The Chairperson and Deputy Chairperson of the committee will be chosen via one of two methods:

- appointment by the Mayor using the powers under the Local Government Act; or,
- selection in accordance with standing orders at the inaugural meeting.

4. RESPONSIBILITIES

The Māori Standing Committee shall nominate two (2) members, of whom one will be Chair, to attend every scheduled ordinary, and extraordinary public meeting of full Council. These representatives will have speaking rights.

The Māori Standing Committee shall nominate members as representatives at committees as indicated in the terms of reference of these committees.

There is an expectation that members will make every effort to attend all Māori Standing Committee meetings.

The unconfirmed/confirmed minutes and all recommendations made by the Committee will be included in the next ordinary Council meeting agenda.

The Māori Standing Committee has full responsibility to make decisions regarding the expenditure of its budget.

5. DELEGATED AUTHORITIES

The Māori Standing Committee has the authority to:

- delegate to any subcommittee of the Māori Standing Committee any authorities that have been delegated by Council to the committee and to appoint members
- make recommendations to Council on all governance issues relating to the statutory functions, powers and duties within its terms of reference
- make recommendations to the CEO on professional development opportunities which will enable members of the Māori Standing Committee to better contribute to its decision-making processes. The CEO will sign off on these in accordance with budget provisions.
- review and determine how the steps that Council will take to develop Māori capacity to contribute to decision-making processes should be described, planned and monitored in the draft and final Council Long-term Plan
- make submissions on Māori-related matters in conjunction with Council.

6. MEETINGS

The Māori Standing Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under the Terms of Reference.

7. QUORUM

As per Standing Order 10.2:

- (a) *A Council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference.*

In accordance with Standing Order 10.2, the quorum for the Māori Standing Committee will be six (6) members, of which five (5) must be independent members (takiwā or Wairoa Whānui representatives) and at least one (1) must be an elected WDC member.

8. ELECTION YEAR TRANSITION

In a local government election year, the Māori Standing Committee shall schedule district-wide hui for the selection process to decide the membership of the next Māori Standing Committee by the end of November.

The incoming Māori Standing Committee members shall be confirmed by the newly elected Council at its next available ordinary meeting.

The incumbent Māori Standing Committee shall remain in office until the succeeding Māori Standing Committee are confirmed by the newly elected Council.

A robust induction process will be in place for all incoming members of the Wairoa District Council's Māori Standing Committee.

9. BUDGET

The Māori Standing Committee shall be responsible for its own budget as set through the Annual Plan process.

Members of the Committee are allocated a budget for the financial year ending 30 June – the budget shall cover the following items:

- fair remuneration for Committee duties undertaken on behalf of the Council
- travel allowance for members attending Committee meetings
- the commission of expertise for advice, training and workshops
- administration expenses including (but not limited to): materials, venue hire, catering.

10. Servicing

The Māori Relationships Manager will be the primary contact for the Māori Standing Committee.

8.5 TE KAUPAPA HERE MŌ TE REO MĀORI KI TE KAUNIHERA O TE WAIROA – WAIROA DISTRICT COUNCIL TE REO MĀORI POLICY

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: Fergus Power, Chief Executive Officer

Appendices: 1. Te Kaupapa Here mō Te Reo Māori ki Te Kaunihera o Te Wairoa – Wairoa District Council Te Reo Māori Policy [↓](#)

1. PURPOSE

- 1.1 For Council to consider the adoption of Te Kaupapa Here mō Te Reo Māori ki Te Kaunihera o Te Wairoa – Wairoa District Council Te Reo Māori Policy.

RECOMMENDATION

The Māori Standing Committee RECOMMENDS that Council adopt the attached Draft Te Kaupapa Here mō Te Reo Māori ki Te Kaunihera o Te Wairoa – Wairoa District Council Te Reo Māori Policy for public consultation.

2. BACKGROUND

- 2.1 The Māori Standing Committee decided to draft a policy to recommend to Council as part of the revision process for the Māori Policy. The Council has been increasingly using Te Reo Māori on signage around the district and continues to support the Te Wairoa Reorua – Bilingual Wairoa 2040 community vision.
- 2.2 Currently the Council does not have a policy regarding the use of Te Reo Māori; however, it has previously adopted the Māori Orthographic Conventions. These cover Taura Whiri i te reo Māori recommended guidelines for the visual use of te reo Māori in general but do not take into account local variations and preferences.

3. OPTIONS

- 3.1 The options identified are:
- Status quo – do not adopt a policy
 - Adopt a policy
- 3.2 Option A: failure to recommend public consultation on this draft policy would be inconsistent with Council's previously-adopted policy of the district being bilingual by 2040.
- 3.3 Option B: this option is consistent with Council's previously-adopted policy of the district being bilingual by 2040.
- 3.4 The preferred option is Option B, 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. CORPORATE CONSIDERATIONS

What is the change?

4.1 Increased use of te reo Māori in Council operations and documents.

Compliance with legislation and Council Policy

4.2 Te Ture mō Te Reo Māori – Māori Language Act 2016

What are the key benefits?

4.3 Raises the profile of WDC in local government sector as a leader in cross-cultural communication; demonstrates the commitment of WDC to its community (predominantly Māori with strong Māori speaking core well above the national average).

What is the cost?

4.4 Exact costs of any additional unbudgeted work to be determined.

What is the saving?

4.5 Not applicable.

Who has been consulted?

4.6 There has been no consultation to date on this draft policy.

4.7 The Māori Standing Committee recommends that Council undertake public consultation on the draft policy.

Service delivery review

4.8 Not applicable.

Maori Standing Committee

4.9 This policy has been drafted by the committee as part of the review process of the Māori Policy.

5. SIGNIFICANCE

5.1 Minimal budgetary impact is foreseen at this stage.

5.2 The decision can be reversed.

6. RISK MANAGEMENT

6.1 There are no strategic risks identified in the implementation of the recommendation.

Further Information

Te Ture mō Te Reo Māori – Māori Language Act 2016

Background Papers

<http://www.tetaurawhiri.govt.nz/our-work/language-development-and-advice/maori-orthographic-conventions/>

References (to or from other Committees)


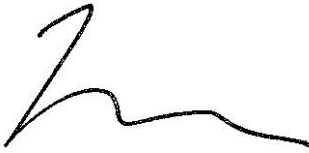
Māori Standing Committee – April 2017

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>



<i>Te Reo Māori Policy</i>	Department	ECONOMIC DEVELOPMENT AND ENGAGEMENT
	Adopted	
	Last Review	
	Next Review	

Korerohia te reo, kia tipu, kia puawai

Nurture our language, that it may grow and flourish

1. TAUĀKĪ KITE – VISION STATEMENT

A sustainable environment for the promotion and use of te reo Māori in our communities.

2. KUPU ARATAKI – INTRODUCTION

The Wairoa district has the highest proportion of Māori of any local authority area in the country – approximately 59%¹ of the district's 7890 people (14.9 % of NZ's total population are Māori). The unique demographic profile of Te Wairoa is reinforced by its high percentage of te reo Māori speakers, approximately 18.7% of the total population, compared with 3.5% nationally.

The percentage of te reo Māori speakers in Te Wairoa rose slightly between 2006-2013 from 18.6% to 18.7% with an increase in the percentage of resident speakers living in the Wairoa township and Ngā Nuhaka and among local members of the Ngāti Kahungunu ki te Wairoa and Ngāti Rakaipaaka iwi. However, due to reasons such as overall population decline, mortality, outward migration (ie whānau moving to Australia for work) and rural/urban shifts, the percentage of te reo Māori speakers in most areas and iwi in the district has decreased.

Overall, census data, alongside findings of the Te Ahu o te Reo survey (2016), highlight a good base of te reo Māori speakers in Te Wairoa, but also the need to boost its usage throughout the district by creating more opportunities or environments that increase the visibility and promotion of te reo Māori.

¹ Statistics New Zealand – Census data 2013



The Te Ture mō Te Reo Māori 2016/Māori Language Act 2016 reaffirms the status of te reo Māori as an official language of Aotearoa/New Zealand. This has particular implications for Government departments, Crown agencies and Crown entities. The Wairoa District Council acknowledges the importance and significance of te reo Māori. In recognition of the status of te reo Māori as a taonga (treasure) protected under the Treaty of Waitangi, and within the spirit of the Te Ture mō Te Reo Māori 2016, the Wairoa District Council will endorse the right of staff to use te reo Māori.

Furthermore, as a partner to the Te Wairoa Reorua 2040/Bilingual Wairoa 2040 strategy, the Wairoa District Council recognises its responsibility to demonstrate a commitment in helping to invigorate/revitalise and perpetuate/sustain te reo Māori usage and bilingual proficiency in Te Wairoa.

3. KAUPAPA - PURPOSE

The Wairoa District Council is committed to recognising and promoting te reo Māori as the indigenous language of Aotearoa and as a taonga of iwi and Māori and encouraging its use in communications, hui and day to day operations of the organisation.

4. NGĀ WHĀINGA - OBJECTIVES

- a) To develop and promote the use of te reo Māori throughout the organisation.
- b) To increase the opportunities to use te reo Māori by increasing the number of situations where it can be used.
- c) To foster positive attitudes and positive values about te reo Māori amongst staff so that the use of it becomes a valued part of the organisation.
- d) To empower staff to use te reo Māori by providing access to tools and resources.

4.1 Ngā Mātāpono me Ngā Whakaritenga - Principles and Application

The Wairoa District Council recognises tangata whenua preferences for place names within our district and will be included in our policies and planning documents.

The Wairoa District Council will ensure that when written Māori is used in official publications, letters, on the Council's website, emails or reports, it is of a consistently high standard and will refer to orthographic conventions for te reo Māori set out by Te Taura Whiri i te Reo Māori/Māori Language Commission, and local language preferences.



The Wairoa District Council will promote and encourage Māori culture and values through the use of te reo Māori.

4.2 Ngā Tohutō – Māori Macrons

The use of macrons helps to distinguish between long and short vowels and has become the standard for written Māori consistent with the recommendation of Te Taura Whiri i te Reo Māori. The use of Māori macrons in day to day work is encouraged and will be phased into our work in the next few years. Implementing the use of macrons in the workplace will involve:

- Making autocorrect functionality available for all computers users (this function automatically macronises common Māori words)
- An IT audit of hardware and software will also be required to ascertain which character set to create macrons will be the corporate macron
- Removal of umlaut keyboards and installation of NZ Māori keyboard
- Consideration of the use of a Māori spellchecker
- Providing staff with documentation on how to create macrons
- The Māori Relationships Manager will coordinate a database, in conjunction with Māori Standing Committee, that outlines appropriate place names and use of macrons for the purpose of Council

4.3 Te Whakatairanga i te Reo Māori – Promotion of Māori Language

The Wairoa District Council promotes the use of te reo Māori within the organisation and will as far as practicable support activities/events/training such as:

- Te Wiki o Te Reo Maori/Māori Language Week
- Matariki (Māori New Year)
- Te Reo Māori pronunciation training for staff
- Waitangi Day
- Use of Māori words, phrases etc on our intranet/website
- Māori online resources available on the intranet
- Tikanga and kawa are acknowledged and instituted where appropriate
- Te Wairoa Reorua 2040/Bilingual Wairoa 2040 initiatives



4.4 Te Whakamāori-ā-tuhi me te Whakamāori-ā-waha – Translations and Interpreting

Definition of translation is the process of converting written words or text from one language into another.

Definition of interpreting is the process of orally conveying the meaning of the spoken word from one language into another.

The purpose of translating important Council documents into te reo Māori and the provision of translators or interpreters is to:

- Strengthen the use of te reo Māori
- Recognise and value te reo Māori
- Demonstrate community leadership for the use of te reo Māori

4.4.1 Paearu - Criteria

The following criteria for translation and interpreting has been taken into consideration:

- The material and issue(s) deals with the Māori community
- The material and issue(s) relate to resources that are specific to Māori
- The material is a current district issue of importance to Māori
- The issue(s) was presented to the Wairoa District Council in the Māori language
- The issue(s) may relate to a Māori stakeholder group such as a rūnanga or a kura kaupapa.

Any Wairoa District Council material requiring translation or interpretation of Whakamāori (English-Māori) or Whakapākehā (Māori-English) can be done through approved Māori translation providers and interpreters and Māori language quality assurers who are:

- registered and have appropriate experience and qualifications;
- proficient in the language requirements of and Wairoa District Council and its Māori consumers; and
- demonstrated exponents of current best practice translation.



Additional guidance and endorsement will be sought from:

- Māori language specialists and pākeke (tribal elders).

The cost of translation work will be met by appropriate department budgets. The Māori Relationships Manager will co-ordinate all translation and interpretations requests across the organisation in order to ensure the criteria and procedure is adhered to.

4.4.2 *Tukanga - Procedure*

The following procedures for translation and interpreting can be taken into consideration:

- a) Department identifies the need for translation or interpreter.
- b) Request is sent to Māori Relationships Manager with detail of the work required.
- c) Request assessed by Māori Relationships Manager.
- d) If the work is out-sourced, a request will be sent to the appropriate consultant for a quote that will then be supplied to the relevant service for approval.
- e) Once approved and relevant purchase order is provided the Māori Relationships Manager will instruct the consultant to proceed with the work.
- f) Completed work will be received and forwarded to the relevant service along with the requisition details.
- g) Internal work will follow a quality assurance process.

4.5 ***Ngā Tohu Reorua i Te Wairoa – Bilingual Signs in Te Wairoa***

All Wairoa District Council signs will be bilingual (Māori and English). The order will be in Māori first and English second. Bilingual signage will be supported by a robust translation and quality assurance review process. This process will be carried out in conjunction with Te Wairoa Reorua 2040/Bilingual Wairoa 2040 and its stakeholders.



5. NGĀ KAWENGA – ROLES AND RESPONSIBILITIES

Following are the roles and responsibilities regarding this policy:

- a) The Wairoa District Council will oversee the strategic direction and sign-off the policy.
- b) The Māori Standing Committee will provide cultural guidance and a forum for the Māori community.
- c) The Chief Executive Officer will monitor the policy implementation.
- d) The Department Managers will implement the policy and budget for translation and interpreting services.
- e) The Economic Development and Engagement Manager will ensure relevant web material supports this policy.
- f) The Māori Relationship Manager will oversee the policy and address any queries regarding the policy.

6. AROTAKE - REVIEW

This policy will be monitored on an annual basis and an informal review will be undertaken each year by the Māori Standing Committee to assess its relevance and effectiveness.

A formal review of this policy will be undertaken at least every three years.

7. NGĀ MIHI ME NGĀ RĀRANGI PUKAPUKA – ACKNOWLEDGEMENTS AND REFERENCES

We further acknowledge the following organisations and individuals for their guidance and advice in producing this policy.

- Bay of Plenty Regional Council Māori Policy Unit - Te Reo Māori (Māori Language) and Macron Policy;
- Hawkes Bay District Health Board – Te Reo Māori translation policy;
- Te Puni Kōkiri – Te Ture mō Te Reo Māori/Māori Language Act 2016;
- Karaitiana Taiuru – Te Kete Pōtae Guidelines for creating an Organisation Macron Policy; and
- New Zealand Council for Educational Research – Te Ahu o Te Reo Māori Language Survey 2016, He Pūrongo mō Te Wairoa – Te Wairoa Community Report (September 2016)

8.6 TRANSFER ARRANGEMENT - RESPONSE ASSETS

Author: Helen Montgomery, Chief Operations Officer

Authoriser: Fergus Power, Chief Executive Officer

Appendices: 1. Agreement to transfer response assets [↓](#)

1. PURPOSE

- 1.1 For Council to confirm the transfer arrangements of response assets to Fire and Emergency New Zealand.

RECOMMENDATION

The Chief Operations Officer RECOMMENDS that Council confirm the transfer arrangements outlined in Appendix 1 with the following assets to be added to the licence to use arrangement:

- 54 Newcastle Street, Mahia – land only
- 1986 Ruakaturi Road – land only
- Tuai Main Rd – land only

2. BACKGROUND

- 2.1 The proposed Fire and Emergency New Zealand Bill if enacted will change how rural fire is delivered to our community. It is expected that the bill will pass into law within the next month with the commencement date of the new service being 1 July 2017.
- 2.2 Currently the Council owns all the rural fire assets listed in the asset schedules (Equipment), (Land and Buildings), and (Fleet) shown in the appendix and delivers Rural Fire services with the aid of contractors and volunteers to our rural communities. This is set to change under the new legislation. On the 1st of July 2017 rural and urban fire services will be run by Fire and Emergency New Zealand (FENZ).
- 2.3 Council is obliged under the bill to provide access to any and all equipment to insure a continuity of service is provided.

3. OPTIONS

- 3.1 The options identified are:
- a. Do not transfer any assets to FENZ and instead lease all assets listed in the schedules.
 - b. Transfer all assets listed in the schedules to FENZ.
 - c. Transfer all assets listed in the schedules to FENZ except the land on which the fire stations are located.
 - d. Transfer any chosen assets to FENZ and have the remaining assets leased to FENZ.
- 3.2 Option A: Would leave council with a considerable administrative and financial burden, through the requirements to repurchase old unsafe or worn out equipment, and to administer the individual lease agreements for each item listed in the asset schedules.

- 3.3 Option B: Would allow for complete transfer of assets and their replacement and care to FENZ, however the land that the Tuai Station is located on is road reserve. To make this land available for transfer would take longer than the 1 July deadline and incur costs for council.
- 3.4 Option C: Would allow for the transfer of all transient assets listed in the schedules that would need replacement at some future stage, whilst Council retained ownership of the land. This would also allow Council to recover any rates from FENZ for the land.
- 3.5 Option D: Councillors could pick and choose which assets to lease and which to transfer with the relevant consequences for each choice.
- 3.6 The preferred option is Option C, it is considered that this best serves the members of our community and is in the long term the most efficient management of the assets this option also meets the purpose of local government as it will help meet the current and future needs of communities.

4. CONCLUSION

- 4.1 The Fire and Emergency New Zealand Bill will likely be made law soon and this is one of the many steps in the process of ensuring that there will be no change in the level of service received by our community. The council must decide what to do with its Rural Fire response assets given this impending legislative change. It is recommended to transfer all assets except land to FENZ.

5. CORPORATE CONSIDERATIONS

What is the change?

- 5.1 Ownership of certain rural fire assets.

Compliance with legislation and Council Policy

- 5.2 Fire and Emergency New Zealand Bill – expected to be enacted shortly.

What are the key benefits?

- 5.3 Responsibility for and management and replacement of these assets will be transferred to the new service and will no longer be something the Council needs to rate for.

What is the cost?

- 5.4 No cost.

What is the saving?

- 5.5 There will be savings to ratepayers as depreciation and maintenance will no longer be rated for the assets that are transferred. The community has already expressed its reluctance to replace worn assets. Rates on the land will be paid by FENZ.

Who has been consulted?

- 5.6 Consultation on the legislation has been undertaken by the government.
- 5.7 There has been no consultation with the community on the transfer of assets to the new service provider.

Service delivery review

5.8 Not applicable – legislative requirement.

Maori Standing Committee

5.9 This matter was not referred to the Committee.

6. SIGNIFICANCE

6.1 This decision cannot be reversed.

6.2 This decision involves the transfer of assets; however, these are not on the list of strategic assets under the Significance and Engagement Policy.

7. RISK MANAGEMENT

7.1 No strategic risks have been identified in the implementation of the recommendation.

Further Information

Information on the Bill

https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/00DBHOH_BILL69468_1/fire-and-emergency-new-zealand-bill

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

	
Helen Montgomery Author	Fergus Power Approved by

13 Apr 2017

Fergus Power
Wairoa District Council
PO Box 54, Wairoa District Council 4160

Dear Fergus

Agreement to use or transfer response assets

This letter follows previous discussions with you about fire response assets and arrangements for Fire and Emergency New Zealand to have use of these assets from 1 July 2017.

As you will know, to operate effectively from 1 July, Fire and Emergency New Zealand will require use of operational fire assets around New Zealand.

To facilitate this, the following documents are included with this letter:

- Licence to use Response Assets;
- Transfer Arrangement; and
- Schedule of assets (to be copied and attached to the Licence Agreement and any Transfer Arrangement(s)).

The processes proposed in these documents are based on the Fire and Emergency New Zealand Bill in its current form (as reported back by Select Committee in December 2016). We expect the Bill to become law in April/May 2017 and we will advise you if there are any changes which impact on the arrangements covered in this letter or agreements.

Community-funded assets stay in the community

We would like to reassure you that response assets purchased through fundraising or community donations should continue to be used in the community that brought or fundraised for them. This is a principle outlined in the Fire and Emergency New Zealand Bill.

What you need to do

- 1) In the schedule of assets please complete the last column indicating whether each asset will be used by, or transferred, to Fire and Emergency New Zealand. If you wish to transfer the asset please enter "Transfer" in the last column. If you agree that Fire and Emergency New Zealand can instead use the asset, please enter "Use" in the last column.
- 2) Please cross out any assets that are not to be used by or transferred to Fire and Emergency New Zealand, and add any new assets to the bottom of the schedule.
- 3) Please review and sign the Licence Agreement and arrange any Transfer Arrangement(s) to be signed by the asset owner(s).
- 4) Mail the completed schedule and signed documents to the address below **by 21 May 2017**. Once received they will be reviewed with a view to final signoff once the Bill has become law.

If any corrections are required to these documents, please mail them to Andrew Mackenzie at the address below as soon as possible. If you need multiple Transfer Arrangements for different asset owners, please photocopy the completed schedule and generic Transfer Arrangement (please add the asset owner's legal name where indicated, i.e. the cover page, page 2 and page 7).

Attention: Andrew Mackenzie
Fire and Emergency NZ Project
P.O. Box 2133
Wellington, 6140

Thank you for your assistance and continued support of the transition to Fire and Emergency New Zealand.

If you have any questions please contact Andrew Mackenzie, phone 027 270 4184,
Andrew.Mackenzie2@fenzproject.co.nz

Yours sincerely



Wayne Ferrier

Workstream Lead, Infrastructure and Technology
Fire and Emergency New Zealand Transition Project

Transfer Arrangement – Response Assets

[Transferor]

New Zealand Fire Service Commission

Transfer Arrangement - Response Assets

Page 2

Date: 13/04/2017

PARTIES

[Transferor] (*Transferor*)

New Zealand Fire Service Commission (*NZFSC*)

Background

- A The Transferor owns the Transferred Assets.
- B The NZFSC is a Crown entity established under the Fire Service Act 1975 and, under section 8 of the Fire and Emergency New Zealand Act 2017 (*FENZ Act*), is to become Fire and Emergency NZ on Day One.
- C Clauses 8 and 16 of Schedule 1 to the FENZ Act contemplate that transfer arrangements may be agreed to transfer Response Assets to Fire and Emergency NZ.
- D The parties wish to record their agreed arrangements regarding the transfer of the Transferred Assets to Fire and Emergency NZ.

OPERATIVE PART

1 Definitions set out in Reference Schedule

- 1.1 The terms defined in the Reference Schedule of this transfer arrangement have those meanings throughout this transfer arrangement.

2 Transfer of Response Assets to Fire and Emergency NZ

- 2.1 In consideration of \$1.00 plus GST (if demanded), the Transferor agrees with the NZFSC to transfer the Transferred Assets to Fire and Emergency NZ on the terms set out in this transfer arrangement.
- 2.2 Unless otherwise stated in this transfer arrangement, ownership in the Transferred Assets will transfer to Fire and Emergency NZ at midnight falling at the close of 30 June.
- 2.3 Possession of and risk in the Transferred Assets will pass to Fire and Emergency NZ on the transfer of ownership in the Transferred Assets.
- 2.4 The Transferor and the NZFSC agree that only the Transferred Assets will transfer to Fire and Emergency NZ.

3 Identification of additional Response Assets

- 3.1 If, before Day One, any Response Assets of the Transferor are identified which are not listed in the Asset Schedule to this transfer arrangement, the Transferor and the NZFSC will seek to agree whether those Response Assets are to be transferred to Fire and Emergency NZ. If the Transferor and the NZFSC agree that the Response Assets are to be transferred to Fire and Emergency NZ, the Transferor and the NZFSC will update the Asset Schedule to this transfer arrangement.

1.0

- 3.2 If, on or after Day One, any Response Assets of the Transferor are identified which are not listed in the Asset Schedule to this transfer arrangement, the Transferor and Fire and Emergency NZ will seek to agree whether those Response Assets are to be transferred to Fire and Emergency NZ. If the Transferor and Fire and Emergency NZ agree that the Response Assets are to be transferred to Fire and Emergency NZ, the Transferor and Fire and Emergency NZ will update the Asset Schedule to this transfer arrangement.

4 Damage or destruction before transfer of risk

- 4.1 If, before risk in a Transferred Asset passes to Fire and Emergency NZ under clause 2.3, any of the Transferred Assets is destroyed or is damaged so as to be untenable (in the case of a building) or irreparable (in the case of any other Transferred Asset):
- (a) the Transferor will notify the NZFSC (if before Day One) or Fire and Emergency NZ (if on or after Day One) as soon as reasonably practicable after becoming aware of the destruction or damage including details of the date and cause of the destruction or damage;
 - (b) that Transferred Asset will not be transferred to Fire and Emergency NZ (unless agreed otherwise).
- 4.2 If, before risk in a Transferred Asset passes to Fire and Emergency NZ under clause 2.3, any of the Transferred Assets is damaged but is not destroyed or rendered untenable (in the case of a building) or irreparable (in the case of any other Transferred Asset):
- (a) the Transferor will notify the NZFSC (if before Day One) or Fire and Emergency NZ (if on or after Day One) as soon as reasonably practicable after becoming aware of the damage including details of the date, cause and nature of the damage, whether the Transferor holds insurance for the damage, the likely timeframe for repairs to the Transferred Asset and whether the Transferor will repair the damage or reimburse Fire and Emergency NZ for the cost of repairing the damage;
 - (b) that Transferred Asset will, despite the damage, transfer to Fire and Emergency NZ (unless agreed otherwise);
 - (c) unless it is agreed that the Transferred Asset will not transfer to Fire and Emergency NZ, the Transferor will either repair the damage at its cost as soon as possible after the damage is caused or reimburse Fire and Emergency NZ for the cost of repairing the damage; and
 - (d) if the Transferor makes an insurance claim for the damage, the Transferor will actively progress that insurance claim but the progression of that claim will not delay the Transferor's obligations under subclause (c).

5 Additional provisions relating to transfer of Land

- 5.1 The parties recognise that land transfer dealings will be required to transfer the Transferor's ownership in the Land to Fire and Emergency NZ. To enable the transfer of the Land:
- (a) the NZFSC will instruct its lawyer to prepare, sign, certify and submit for registration the dealings and documents required to transfer the Land to Fire and Emergency NZ and will sign all necessary documents consenting to the NZFSC's lawyer acting for both parties for registration of the transfer; and
 - (b) the Transferor will instruct the NZFSC's lawyer, on behalf of the Transferor, to sign, certify and release all required documents to effect the transfer of the Land to Fire and Emergency NZ, and will sign all necessary documents consenting to the NZFSC's lawyer acting for both parties for registration of the transfer.
- 5.2 The parties will complete the above matters expeditiously, with a view to the transfers being submitted for registration on Day One. The Transferor will hold the Land on trust for Fire and Emergency NZ until the land transfer dealings are completed.
- 5.3 Where the issue of a separate computer freehold register is required for the Land:
- (a) the NZFSC (if before Day One) or Fire and Emergency NZ (if on or after Day One) will prepare all required documents (including any required subdivision consent applications, survey plans and orders for new computer freehold registers) to obtain a separate computer freehold register for the Land;
 - (b) the Transferor will, in its capacity as landowner, sign and release all documents required to obtain the separate computer freehold register;
 - (c) where a subdivision consent is required for the issue of a separate computer freehold register for the Land, the parties will consult in good faith with a view to agreeing whether to object to, appeal or accept any subdivision consent conditions;
 - (d) the NZFSC (if before Day One) or Fire and Emergency NZ (if on or after Day One) will be responsible for any physical works required as a condition of any subdivision consents obtained; and
 - (e) the parties will complete the matters specified in clauses 5.1 and 8 for the particular Land immediately following the issue of a separate computer freehold register for that Land.

6 Existing leases and licences for Transferred Assets

- 6.1 Where the Asset Schedule identifies that a Transferred Asset is held under a lease or licence, the Transferor's interest in that lease or licence will be transferred to Fire and Emergency NZ in conjunction with the Transferred Asset.

7 Manuals, warranties and other documents

- 7.1 Immediately following signing of this transfer arrangement, the Transferor will transfer or make available to Fire and Emergency NZ all manuals, drawings, records, information or documents it holds in relation to the Transferred Assets, including all warranties, guarantees, covenants, bonds and existing leases, licences and other arrangements.
- 7.2 By Day One, the Transferor will provide to Fire and Emergency NZ the contact details for any third party interested in the Transferred Assets, along with copies of any material correspondence between the Transferor and the third party.

8 Notice of transfers

- 8.1 A reasonable time before Day One, the NZFSC will procure that its lawyers prepare and forward to the Transferor notices of sale of the Land which accord with the requirements of the Local Government (Rating) Act 2002. On or promptly following Day One, the Transferor will forward the notices of sale to the relevant territorial authorities and, if required, the relevant regional councils.
- 8.2 On or promptly following the transfer of ownership in Transferred Assets to Fire and Emergency NZ, the Transferor will advise any affected third parties of the transfers.
- 8.3 Where any Transferred Asset is situated on land which is not owned by the Transferor but where no property right exists for the Transferred Asset:
- (a) the Transferor will advise the owner of that land of the transfer to Fire and Emergency NZ; and
 - (b) Fire and Emergency NZ will be responsible for obtaining any required lease or licence for the retention of that Transferred Asset on that land.

9 Conduct pending transfer

- 9.1 The Transferor will continue to operate and maintain the Transferred Assets to the standard of a reasonably prudent rural fire authority and to the standards, as at the date of this transfer arrangement, of the National Rural Fire Authority until the earlier of:
- (a) the completion of transfer of the Transferred Assets to Fire and Emergency NZ; and
 - (b) Fire and Emergency NZ commencing use of the Response Assets under a use arrangement.

10 Confirmations

- 10.1 Each party confirms to the other party that it has the right, authority and full power to enter into and perform the obligations under this transfer arrangement.
- 10.2 The Transferor confirms to the NZFSC at signing of this transfer arrangement and repeats the confirmations on from Day One to Fire and Emergency NZ that:
- (a) the RFA is the owner of the Transferred Assets;

- (b) the Transferred Assets are transferred to Fire and Emergency NZ free of any charge or debt;
- (c) all leases, licences, warranties, guarantees and other agreements and arrangements transferred as part of the Transferred Assets are valid and are not liable for cancellation or termination for any reason, and the Transferor has complied with its obligations under each document;
- (d) all amounts payable under or relating to the Transferred Assets have been paid by the Transferor up to the transfer of ownership to Fire and Emergency NZ;
- (e) all information transferred or provided by or on behalf of the Transferor to the NZFSC or Fire and Emergency NZ is complete and correct;
- (f) the Transferor is not aware of any breaches of any statute or other law governing or relating to the Transferred Assets or their use; and
- (g) the Transferor has advised the details of any Transferred Assets which were gifted to the Transferor and the terms of those gifts.

11 **General**

- 11.1 *Further assurances:* Each of the parties will sign, deliver and do all deeds, documents, acts and things as may be reasonably required to effectively carry out and give effect to the terms and intentions of this transfer arrangement.
- 11.2 *No merger:* The warranties, undertakings and obligations under this transfer arrangement will not merge or be treated as discharged on the Effective Date but will remain enforceable to the fullest extent.
- 11.3 *Costs:* Each party will meet their own costs in the negotiation, entry into and implementation of this transfer arrangement.

EXECUTION

Signed for and on the behalf of the **Transferor** by its authorised signatory in the presence of:

.....
Signature

.....
Witness signature

.....
Full name (please print)

.....
Full name (please print)

.....
Occupation (please print)

.....
Address (please print)

Signed for and on behalf of the **New Zealand Fire Service Commission** by its authorised signatory in the presence of:

.....
Signature

.....
Witness signature

.....
Full name (please print)

.....
Full name (please print)

.....
Occupation (please print)

.....
Address (please print)

REFERENCE Schedule




Day One:	1-Jul-17
Land:	Any Transferred Asset which comprises any land (including any registered estates and interests in land, such as registered leases and easements)
Response Assets:	The meaning set out in clause 1 of Schedule 1 to the FENZ Act
Transferred Assets:	<p>(i) The Response Assets identified in the Asset Schedule to this transfer arrangement as being transferred (rather than identified as being available for use); and</p> <p>(ii) All equipment and other personal property owned by the Transferor which is located at or used in conjunction with any of the Response Assets identified in the Asset Schedule to this transfer arrangement.</p>

Asset Schedule (Equipment)





Station/Location	Equipment Type	FENZ to Insure	Owner	Transfer / Use (1 Jul 2017)
Mahia RFP	HP/LV	Yes	Wairoa District Council	
Mahia RFP	MV/MP	Yes	Wairoa District Council	
Mahia RFP	RT	Yes	Wairoa District Council	
Mahia RFP	Turn out console etc	Yes	Wairoa District Council	
Mahia RFP	HP/LV	Yes	Wairoa District Council	
Mahia RFP	MV/MP	Yes	Wairoa District Council	
Mahia RFP	RT	Yes	Wairoa District Council	
Mahia RFP	RT	Yes	Wairoa District Council	
Mahia RFP	RT	Yes	Wairoa District Council	
Mahia RFP	RT	Yes	Wairoa District Council	
Mahia RFP	RT	Yes	Wairoa District Council	
Mahia RFP	RT	Yes	Wairoa District Council	
Ruakituri VRRF	HP/LV kit	Yes	Wairoa District Council	
Ruakituri VRRF	hosepacks	Yes	Wairoa District Council	
Ruakituri VRRF	hosepacks	Yes	Wairoa District Council	
Ruakituri VRRF	hosepacks	Yes	Wairoa District Council	
Ruakituri VRRF	hosepacks	Yes	Wairoa District Council	
Tuai RFP	MP/MV	Yes	Wairoa District Council	
Tuai RFP	HP/LV	Yes	Wairoa District Council	
Tuai RFP	Turn out console etc	Yes	Wairoa District Council	

This schedule is inclusive of Asset equipment with a singular value of greater than \$1,000, the intent is also to use and transfer all other minor equipment and response assets.

Asset Schedule (Land and Buildings)

Street Address	Approx Sqm	Asset	Station/Location	Building Photo (if available)	Lease Details - if applicable			FENZ to Insure	Owner	Transfer / Use (1 Jul 2017)
					Amount (excl GST)	Frequency	First expiry date			
54 Newcastle St	N/A	Land	Mahia RFP	N/A				No	Wairoa District Council	
1986 Ruakaturi Rd	N/A	Land	Ruakituri VRFF	N/A				No	Wairoa District Council	
Tuai Main Rd	N/A	Land	Tuai RFP	N/A				No	Wairoa District Council	
54 Newcastle St	200	Building	Mahia RFP					Yes	Wairoa District Council	
Tuai Main Rd	130	Building	Tuai RFP					Yes	Wairoa District Council	
1986 Ruakaturi Rd	60	Building	Ruakituri VRFF					Yes	Wairoa District Council	

Asset Schedule (Fleet)

Station	Type of Vehicle	Make/Model of Vehicle	Reg. Number	Vehicle Photo (if available)	Lease Details - if applicable			FENZ to Insure	Owner	Transfer / Use (1 Jul 2017)
					Amount (excl GST)	Frequency	First expiry date			
Mahia RFP	Fire appliance	Hino	NQ4810					Yes	Wairoa District Council	
Mahia RFP	Tanker	Nissan	EFA479					Yes	Wairoa District Council	
Professional Fleet Maintenance Gisborne	4WD	Bedford	JK7031					Yes	Wairoa District Council	
Ruakituri VRF	Rural Appliance	Isuzu NPS450	CRC99					Yes	Wairoa District Council	
Tual RFP	Rural appliance	Isuzu	DJR302					Yes	Wairoa District Council	
Tual RFP	Utility	Ford Courier	CFU48					Yes	Wairoa District Council	
Wairoa	Tanker	FUSO	AFH628					Yes	Wairoa District Council	

8.7 DOG CONTROL POLICY & BYLAW

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: Helen Montgomery, Chief Operations Officer

Appendices:

1. [Draft Bylaw](#) ↓
2. [Draft Policy](#) ↓
3. [Draft Selected Owner Policy](#) ↓

1. PURPOSE

- 1.1 For Council to review the policy proposals for the Dog Control Policy, and Selected Owner Policy; and, the proposed changes to the Council's bylaw. If Council wish to proceed with these reviews then the relevant statutory processes will be initiated.

RECOMMENDATION

The Governance Advisor & Policy Strategist RECOMMENDS that Council consult the public on the proposed Dog Control Policy, Dog Control Bylaw, and Selected Owner Policy.

2. BACKGROUND

- 2.1 The Council's Dog Control Policy is required to be reviewed under legislation every 5 years. Given the links with the Dog Control Bylaw it is efficient to review the two documents together in order to ensure that they are consistent. The proposed Selected Owner Policy is offered for Council's consideration based on informal feedback from members of the public on the Council's dog registration process. These documents reflect the intention of Council to consider a different registration fee for working dogs in the district as part of the Fees & Charges Schedule in the 2017/18 Annual Plan.
- 2.2 Currently the Council does not have a Selected Owner Policy recognising responsible owners in the district by providing them with a discount on the registration fee. As suggested in the policy proposal, Council could include dogs registered in Class M - Menacing in a one year trial. Section 33C of the Dog Control Act 1996 requires that Council must classify the breeds or types in Schedule 4 of the Dog Control Act 1996 as menacing. This would give these owners the opportunity to receive a discounted registration along with dogs classified as Class S – Standard. As noted in the policy the discounted registration would apply in the case of qualifying owners with dogs in the Class S category, with a 1 year trial for the Class M category. It would not apply to other registration categories.

3. CENTRAL GOVERNMENT LEGISLATION

- 3.1 It is anticipated that amendments to the Dog Control Act 1996 will be introduced in a Bill to be placed before Parliament at some point this year. This may give local authorities more powers in this area and the policy and bylaw may require an additional review to reflect these. There is no scheduled date for the introduction of this Bill at the time of writing. More information and the associated Cabinet reports can be found at the link provided under the 'Further Information' section of this report.

4. OPTIONS

- 4.1 The options identified are:
- a. Status quo – review policy and make no changes
 - b. Adopt proposed changes for consultation
 - c. Adopt an alternative proposal for consultation
- 4.2 Option C: Council may wish to make further changes to the two policies attached and the bylaw. Any changes may need to be workshopped and if Council wish to do this the policies and bylaw may need to be referred to a future Council meeting.
- 4.3 Option B: Council has made some changes to the way the Animal Control Team operate out in the field – to further improve the service provided by the team the suggested changes reflect some additional steps and mechanisms in this space for consideration by Council. All comply with current legislation.
- 4.4 Option A: Council can choose to make no changes to the policy or bylaw, and not to adopt a Selected Owner Policy. A note would be added to the Dog Control Bylaw and Dog Control Policy that these had been reviewed and no changes had been made – to readopt after review Council would need to consult to meet legislative requirements in this space.
- 4.5 The preferred option is Option B, 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.

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

- 5.1 There will be minor changes to the operational side of dog control in the district.
- 5.2 This will not trigger a s17a review.

Compliance with legislation and Council Policy

- 5.3 The changes in the Dog Control Policy and Dog Control Bylaw are permitted under the Dog Control Act 1996.

What are the key benefits?

- 5.4 A Selected Owner Policy will provide a monetary incentive (saving on their registration) for owners to be responsible and ensure that their dog is adequately looked after and controlled to avoid nuisance to the community in general. It is hoped that this incentive will in the long term reduce the number of call outs for minor issues that the enforcement team receives; however, at this stage this is difficult to predict.
- 5.5 By reviewing the Dog Control Policy and Dog Control Bylaw Council will have met their legislative requirements.

What is the cost?

- 5.6 There is unlikely to be a measurable increase in cost to this area.

What is the saving?

5.7 No saving can be identified at this point.

Who has been consulted?

5.8 No public consultation has been undertaken in preparing the proposed policies and bylaw. Public consultation will be required prior to final adoption by Council.

Service delivery review

5.9 Not applicable.

Maori Standing Committee

5.10 This matter has not been referred to the committee.

6. SIGNIFICANCE

6.1 Medium impact

6.2 There is a history of public interest in dog control issues both locally and nationally.

6.3 The policies and bylaw can be amended once adopted through the same process as is being used for the review of the current policy and bylaw.

6.4 No alteration to service levels.

7. RISK MANAGEMENT

7.1 The strategic risks identified in the implementation of the recommendations made are as follows:

- a. Financial – if a large number of people apply to be selected owners and are successful this may have an impact on the budget for delivery of Council dog control services. Mitigation of this risk will involve all owners being appropriately and thoroughly vetted before their application is accepted. Any owners who fail to meet the conditions ongoing will be required to pay the full registration amount along with any infringement penalties.

Further Information

DIA website regarding review <https://www.dia.govt.nz/Resource-material-Dog-Control-2016-Review-of-Dog-Control-Regime>

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

	
Charlotte Knight Author	Helen Montgomery Approved by

**Ture a-Rohe
Whakararata
Kuri
Dog Control
Bylaw**

DATE

**TE WAIROA
WAIROA DISTRICT**

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WAIROA DISTRICT COUNCIL CONSOLIDATED BYLAW PART 7 – DOG CONTROL BYLAW 2011

The purpose of the Dog Control Bylaw 2011 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.

1. INTRODUCTION

1.1 SCOPE

The purpose of the Dog Control Bylaw 2011 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 purpose of this Bylaw as outlined in the Dog Control Policy is to provide controls for:

- a) Prescribing minimum standards for the accommodation of dogs
- b) Regulating and controlling dogs
- c) Requiring dogs to be on a lead at all times in public places
- d) Defining prohibited areas, on-lead and off-lead exercise areas
- e) Requiring owners to immediately remove faeces left by their dog(s) defecating in public places
- f) Providing for breeding kennels and breeding of dogs
- g) Requiring bitches in season to be confined
- h) Impounding dogs
- i) Limiting the number of dogs that may be kept on a property, and
- j) Licensing of additional dogs
- k) Any other purpose that from time to time Council deems necessary or desirable to further control dogs

1.2 TITLE

This Bylaw shall be known and cited as the Wairoa District Council Dog Control Bylaw 2011 and shall come into operation on the date specified by public notice after the Wairoa District Council makes this Bylaw. For expediency this Bylaw may be referred to in this or other Bylaws as the Dog Bylaw 2011.

1.3 ENABLING ENACTMENTS

This Bylaw is made pursuant to sections 145 and 146(a)(v) of the Local Government Act 2002 and section 20 of the Dog Control Act 1996. Nothing in this Bylaw shall derogate from any provision of, or the necessity for, compliance with the:

- a) Dog Control Act 1996 and its Amendments;
- b) Local Government Act 2002;
- c) Impounding Act 1955;
- d) Dog Control (Microchip Transponder) Regulations 2005

1.4 DOG CONTROL POLICY

This Bylaw should be read in conjunction with the Wairoa District Council Dog Control Policy.

1.5 LIST OF SCHEDULES PASSED IN TERMS OF THE DOG CONTROL BYLAW

Schedule 1: Application for a Licence to Keep Three or More Dogs on a Property

Schedule 2: Prohibited Areas

Schedule 3: On-Lead Areas

Schedule 4: Off-Lead Exercise Areas

1.6 ADOPTION, AMENDMENT, AND REVOCATION OF SCHEDULES

The Council may from time to time adopt, amend or revoke by resolution the Schedules of this Bylaw listed in section 1.5

2. DEFINITIONS & INTERPRETATIONS

2.1 The provisions of the Introduction Bylaw shall apply to this Bylaw.

2.2 For the purposes of this Bylaw the following definitions shall apply:

AT LARGE in relation to any dog refers to a dog that is free, roaming or at liberty in an on-lead area, or prohibited area

BREEDING KENNELS means any animal hospital, home, boarding or breeding kennel and shall include any establishment where dogs of a greater age than three months are accommodated for reward or payment for the purposes of treatment, custody or whelping and shall also include any establishment where dogs are registered in the name of the person in charge of such hospital, home or breeding kennels.

CONTROL in relation to any dog, means that the owner shall have the dog under continuous physical control at all times either on a leash or in a container or other apparatus so as NOT to cause nuisance or become a danger to any person, animal or property; provided that where any person has a dog on a leash that person must themselves be physically capable of restraining that dog by means of the leash and must be in control of that dog. In off-lead areas this refers to the ability to command and control the actions of the dog(s) – including voice command, hand signals or whistling – and carrying a leash or lead at all times.

DISABILITY ASSIST DOG means a dog certified as being a dog trained to assist (or as being a dog in training to assist) a person with a disability by one of the following organisations:

- (a) Hearing Dogs for Deaf People New Zealand;
- (b) Mobility Assistance Dogs Trust;
- (c) New Zealand Epilepsy Assist Dogs Trust;
- (d) Royal Foundation for the Blind;
- (e) Top Dog Companion Trust;
- (f) an organisation specified in an Order in Council made under section 78D of the Dog Control Act 1996.

DOG CONTROL OFFICER means a Dog Control Officer appointed by the Wairoa District Council under section 11 of the Dog Control Act 1996; and includes a warranted officer exercising powers under section 17 of the Dog Control Act 1996.

DOG RANGER means a Dog Ranger appointed by the Wairoa District Council under section 12 of the Dog Control Act 1996, and includes an honorary Dog Ranger.

IMPOUND means the seizure, taking into custody or receiving into custody, confinement or other exercise of control over a dog by any duly authorised officer of the Wairoa District Council in accordance with the provisions of the Dog Control Act 1996.

LEAD or **LEASH** means a line, cord, rope, chain or harness of appropriate material securely attached to a correctly fitted dog collar, held/secured by a person capable of controlling the dog, and of no more than 2.0 metres in length so that a dog cannot break loose.

MENACING or **DANGEROUS DOG** means a dog that poses a threat to any person, animal or protected wildlife and/or specific breed as defined in the Dog Control Act 1996.

NEUTERED DOG means a dog that has been spayed or castrated but does not include a dog that has been vasectomised.

OFF LEAD means a dog that is not on a lead or leash.

OFF LEAD EXERCISE AREA means an area described in Schedule 4 of this bylaw where a dog may be exercised whilst not on a leash or lead.

ON LEAD means that a dog is on leash or lead, which is held by a person so the dog cannot break loose. The term **ON LEASH** has a corresponding meaning and may be used interchangeably.

ON LEAD AREA means any part of any street, road or public place described in the second schedule prescribed from time to time by the Council by resolution publicly notified.

OWNER, in relation to any dog, means any person who:

- (a) Owns the dog; or
- (b) Has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage or distress or for the sole purpose of restoring a lost dog to its owner; or
- (c) Is the parent or guardian of a person under the age of 16 years who
 - (i) Is the owner of the dog pursuant to paragraph (a) or paragraph (b) or this definition; and
 - (ii) Is a member of the parent or guardian's household, living with and dependent on the parent or guardian BUT does not include any person

who has seized or taken custody of the dog under the Dog Control Act 1996, or the Animals Protection Act 1960 or the National Parks Act 1980, or the Conservation Act 1987, or any order made under the Dog Control Act 1996 or the Animals Protection Act 1960.

PRINCIPAL ACT means the Dog Control Act 1996 or any enactment thereafter in substitution.

PRIVATE WAY has the same meaning given to it by section 351(1) of the Local Government Act 1974.

PROHIBITED AREAS means any of the following places:

- (a) Those places described in Schedule 2 or added to as in b) below.
- (b) Any roads or streets or places specified by resolution of the Council and subsequently advised by public notice as areas or places where dogs are prohibited from frequenting or being present.
- (c) Any recreational buildings owned or controlled by the Council

PUBLICLY NOTIFIED means a notice published in the newspapers circulating generally in the District or through any other suitable means.

RESPONSIBLE PERSON means any person other than the owner who for the time being is in charge of a dog and who is capable of physically restraining the dog.

RURAL AREA means; for the purpose of this Bylaw; any area zoned as Rural under the operative Wairoa District Plan.

URBAN AREA means; for the purpose of this Bylaw; any area zoned as Residential or Settlement under the operative Wairoa District Plan.

WARRANTED OFFICER means any person who is for the time being a warranted officer within the meaning of the Conservation Act 1987.

WORKING DOG means a dog that is:

- (a) Any disability assist dog; or.
- (b) Any dog -
 - (i) Kept solely or principally for the purposes of herding or driving stock; or

- (ii) Kept by the Police, or any constable, the Customs Department, the Ministry for Agriculture, the Ministry of Fisheries, Department of Conservation, Department of Corrections, Aviation Security Service, or Ministry of Defence, or any officer or employee of any such Department of State solely or principally for the purposes of carrying out the functions, powers, and duties of the Police or the Department of State, or that constable or employee; or
 - (iii) Kept solely or principally for the purposes of destroying pest or agents under any pest management strategy under the Biosecurity Act 1993; or
 - (iv) Certified for use by the Director of Civil Defence Emergency Management for the purposes of carrying out the functions, duties, and power conferred by the Civil Defence Emergency Management Act 2002; or
 - (v) Owned by a security guard as defined in section 4 of the Private Investigators and Security Guards Act 1974 and kept solely for the purposes of carrying on the business of a security guard; or
- (c) Declared to be a working dog for the purposes of this Bylaw by resolution of the Council.

3. OBLIGATIONS OF DOG OWNERS

3.1 REGISTRATION

3.1.1 The Dog Control Act 1996 requires all dogs over three (3) months old to be registered with Wairoa District Council every year by 1 July.

3.1.2 All owners or persons responsible for a registered dog shall ensure that Wairoa District Council is promptly notified of any change of ownership or address, both within the district and outside of the district.

3.2 MICROCHIPPING

3.2.1 Under the Dog Control Act 1996 microchipping is required for:

- (a) Dogs over three (3) months old that are registered for the first time (except for farm dogs used for working stock);
- (b) Dog classified as dangerous or menacing;
- (c) Unregistered dogs that are impounded; and,
- (d) Registered dogs that are impounded twice.

3.3 STANDARDS FOR KEEPING DOGS

3.3.1 The owner and/or occupier of any land or premises on which a dog is kept shall take all steps necessary to:

- (a) Ensure the dog has adequate shelter; and
- (b) Ensure the dog receives proper care and attention and is supplied with proper and sufficient food and water; and
- (c) Ensure the dog is kept under control at all times; and
- (d) Prevent the dog from becoming a nuisance or a danger to any other animal, person or property; and
- (e) Prevent the keeping of a dog beneath the floor of any building; and
- (f) Restrain the dog behind a fence so as to allow reasonable public access to privately owned land or premises.

- (g) Removal or burial of faeces on owner's private property and removal from other private property and public places.

3.3.2 In addition to Clause 3.3.1, the owner or person responsible for the dog must comply with all other standards for the keeping of a dog or dogs as specified in this Bylaw.

3.4 CONTROL OF DOGS

3.4.1 The owner or person responsible for the dog shall keep the dog under control at all times.

3.4.2 The owner or person responsible for the dog must ensure that the dog is restrained by a lead or leash which is secured or held by a person capable of physically controlling the dog while in any public place or area not designated as an off-lead exercise area.

3.4.3 The owner or person responsible for the dog shall ensure that the dog cannot leave any privately owned land or premises unless it is under the control of its owner or a responsible person.

3.4.4 Owners are permitted to exercise their dogs in Council's designated off-lead exercise areas (see Schedule 4 for exact areas) providing the owners are able to control their dogs by command (including voice command, hand signals or whistlings, and they carry at all times a leash or lead.

3.4.5 Council shall impound any dog found not under control or at large or off-lead when in a public area – including off-lead areas in cases where a dog is not under control as stated in 3.4.4. Repeated infringements will require further measures to be taken, such as requiring the dog to be neutered.

3.4.6 The owner or person responsible for the dog must comply with all other requirements as specified in this Bylaw.

4. NUMBER OF DOGS ON LAND OR PREMISES

4.1 LIMITATION ON NUMBER OF DOGS PERMITTED ON LAND OR PREMISES

4.1.1 No person shall keep or allow to be kept on any land or premises in an urban situation¹ more than two (2) dogs over the age of three months unless there is, in respect of such land or premises, a permit from the Council for such purposes in relation to the additional dog or dogs, pursuant to section 3.3 of this Bylaw.

4.1.2 Nothing in Clause 4.1.1 of the Bylaw shall apply to dogs registered as Working Dogs or Disability Assist dogs.

4.1.3 This permit shall be subject to owners being able to ensure their dogs are controlled at all times and not causing a nuisance, in accordance with the Council's policy and bylaw.

4.1.4 Any nuisance proven to be caused through having more than two (2) dogs on a property may see the permit revoked.

4.2 PERMITTING ADDITIONAL DOGS

4.2.1 A permit is required for any additional dogs in excess of the two (2) dogs permitted under Clause 4.1.1.

4.2.2 Any person making an application for a permit shall do so on the prescribed form (provided in Schedule 1) to the Council within 14 working days from acquiring more than the permitted two (2) dogs.

4.2.3 When considering the application for a permit to keep three (3) or more dogs Council shall have regard to:

- the adequacy of the land or premises for the keeping of the additional dog or dogs specified in the application; and
- the likely effects which the keeping of the additional dog or dogs would have upon the surrounding neighbourhood; and
- the likelihood of the dog or dogs becoming a nuisance; and
- any previous complaints made to that the Council believes is relevant to the application; and,
- Any prior infringements and/or call-outs

¹ Urban property refers to properties in areas zoned as Residential and Settlement in the District Plan.

4.2.4 Subject to the foregoing provisions of this Bylaw, the Council may issue a permit for the purpose of allowing a person to keep or allow to be kept on any land or premises three

(3) or more dogs over the age of three months.

4.2.5 Any such permit may be issued upon or subject to such reasonable terms, conditions and restrictions consistent with the Bylaw as the Council may determine either generally or in a form set out in Schedule 1 and subject to Clause 4.2.6 shall remain in force from the date of issue until such time the Council deems appropriate.

4.2.6 The Council shall specify the fee payable in respect of the issue of any permit under this Bylaw in the Fees and Charges schedule of Council's Annual Plan and/or Long Term Plan. Any fee prescribed shall be paid upon uplifting the permit.

4.2.7 Permits for additional dogs are not transferable to any subsequent owner(s).

4.2.8 The Council may at any time while a permit is in force revoke the permit if the Council is satisfied that

- a) The keeping of the additional dog or dogs on the land or premises specified in the permit has caused or materially contributed to a nuisance or the likelihood of injury to health; or
- b) The keeping of the additional dog or dogs on the land or premises specified in the permit has caused a detrimental effect upon the surrounding neighbourhood; or
- c) There has been a failure to comply with all or any of the terms, conditions and restrictions of the permit.

In any such above case or cases the Council may revoke the permit.

4.2.9 Where Council resolves to revoke or amend the original decision on an application for a permit after it has made its determination in accordance with Clause 4.2.8, the owner shall comply with the decision within 14 days of receipt of written notice of the decision.

4.2.10 Where the owner of a revoked permit applies for a new permit as in Clause 4.2.2, the application will be deemed to be a new permit. If granted, the new permit is therefore subject to Clause 4.2.6.

4.2.11 Pursuant to sections 4.1 and 4.2 of this Bylaw the keeping of more than two dogs without a permit is an offence against this Bylaw.

5. STANDARDS FOR KEEPING OF DOGS

5.1 ADEQUATE SHELTER

5.1.1 The owner or person responsible for any dog shall provide for the dog or dogs adequate shelter which is:

- a) Able to confine the dog within the shelters dimensions; and
- b) Accessible in order to provide the dog with clean water and food; and
- c) Of sufficient size to allow the dog to freely move, stretch out and recline; and
- d) Of sufficient height so that the dog may stand freely; and
- e) Is located on dry ground; and
- f) Provided with a floor and constructed so that surfaces are easily cleaned; and
- g) Able to be kept in a clean and sanitary condition; and
- h) Situated not closer than 3 metres from the boundary of any adjoining land.

Where a shelter has no means of confinement, the dog must be provided with a fixed chain that allows the dog free movement. Note that this is not considered to be an appropriate long-term solution.

5.1.2 If the Council considers that the keeping of a dog or dogs is such that Clause 5.1.1 is breached, Council may serve a notice on the owner of the dog and/or owner and/or occupier of the land or premises on which the dog is kept to take actions to require the conditions under which the dog is kept to be improved, so as to comply with Clause 5.1.1. The notice may specify all or any of the following actions to be taken and, except in the case of ongoing actions, the time which such actions must be undertaken within to achieve compliance:

- a) Reduce the number of dogs kept (not withstanding the existence of a permit under Clause 4.2);
- b) Construct, alter or reconstruct kennels or other places where dogs are kept;
- c) Keep dogs confined, controlled or restrained in specific ways, in specified area and for specified time, including specifying the height and construction type of a secure fence and gate that must be installed;
- d) Clean kennels and other places where dogs are kept;
- e) Take such other action as may be reasonably necessary to provide adequate shelter for the dog or dogs or to reduce or eliminate any nuisance or injury to health cause by or to such dog/s.

5.1.3 The Council shall only specify actions under Clause 5.1.2 which are reasonable having regard to the inadequacy of shelter or confinement of the dog, or the nature of the nuisance or injury to health being caused. In specifying any action under Clause 5.1.2 the Council shall have regard to:

- a) The need for adequate shelter or space and the need of the dog or dogs to be provided with a clean and healthy living area;
- b) The proximity of dwellings, kennels or other places so as not to cause a nuisance;
- c) The use of materials which are easily cleaned in kennels and other places dogs are kept;
- d) The construction of the flooring or ground treatment of any kennel or other place where dogs are kept, whether it is graded and whether it is drained to a sewer drain;
- e) The need for cleaning of kennels or other places where dogs are kept.

5.1.4 Notwithstanding these provisions Council may permit alternative accommodation for a dog where it is satisfied that the owner or person responsible for the dog will be providing adequately for the need of the dog or dogs and no other reasonable person in its opinion is adversely affected.

5.2 CONFINEMENT OF DOGS AT NIGHT

The owner or person responsible for any dog shall ensure that the dog or dogs are securely tied up or otherwise confined or under direct control during the period of time between half an hour after sunset on any one day and half an hour before sunrise on the next day.

Where a shelter has no means of confinement, the dog must be provided with a fixed chain that allows the dog free movement. Note that this is not considered to be an appropriate long-term solution.

6. DOGS IN VEHICLES

6.1 No person shall:

- a) Take a dog in a motor vehicle or leave a dog unattended in a vehicle or on the open tray of any vehicle unless the dog is physically secured so that the dog cannot lunge or snap at passersby and is unable to leave the vehicle;
- b) Leave a dog unattended in a vehicle in such a manner as to cause the dog undue distress.

6.2 While a vehicle is on a road or highway, a dog shall not be carried on the open rear of a vehicle unless it is secured or enclosed in a dog crate, so as to prevent the dog from leaving the vehicle or endangering passing pedestrians or vehicles.

6.3 Subject to compliance with the Land Transport Act 1998 and the Land Transport (Road User) Rule 2004 (SR 2004/427); working dogs shall be exempt from complying with 6.2 when used for the purpose herding and driving stock on a road or highway.

7. DOGS IN PUBLIC PLACES

7.1 CONTROL OF DOG IN PUBLIC PLACES

7.1.1 No person shall cause or permit or allow any dog or dogs that they own or are responsible for or are in possession of to be at large in or remain on any public place or private way or any land or premises other than land or premises owned and/or occupied by the owner or person responsible for the dog.

7.1.2 Menacing and Dangerous dogs must be muzzled and on a lead or leash when in any public place or area.

7.1.3 Nothing in Clause 7.1 shall apply to Disability Assist dogs.

7.2 PROHIBITED DOG AREAS

7.2.1 No person shall cause or permit or allow any dog onto or into any place or area designated as a PROHIBITED AREA.

7.2.2 The Council may, by publicly notified resolution, designate an area within the District or under its control to be an area prohibited to dogs.

7.2.3 The areas designated as prohibited are listed in Schedule 2 to this Bylaw.

7.2.4 Nothing in Clause 7.2 shall apply to any Disability Assist dogs.

7.2.5 Areas prohibited to dogs shall be publicly notified and marked by at least one sign.

7.3 ON-LEAD AREAS

7.3.1 The Council may, by publicly notified resolution, designate dog ON-LEAD areas.

7.3.2 The areas designated as ON-LEAD areas are listed in Schedule 3 to this Bylaw.

7.3.3 Areas designated as "on-lead" will be publicly notified and may be marked by appropriate signs.

7.3.4 Nothing in Clause 7.3 shall apply to Disability Assist dogs or Working Dogs in rural areas.

7.3.5 If a litter bin or similar container is available in a public place, the owner may dispose of the dog's faeces after enclosing the faeces in a suitable plastic or leak proof bag.

7.4 OFF-LEAD EXERCISE AREAS

7.4.1 The Council may, by publicly notified resolution, designate dog OFF-LEAD exercise areas.

7.4.2 The areas designated as OFF-LEAD exercise areas are listed in Schedule 4 to this Bylaw.

7.4.3 Areas designated as "OFF-LEAD exercise areas" will be publicly notified and shall be marked by appropriate signs.

7.4.4 The owner or person responsible for the dog shall keep the dog under control and shall have in their possession a leash or lead at all times.

7.4.5 Any bitch 'in season' (on heat) is to be prohibited from any OFF-LEAD exercise areas.

7.5 FOULING IN PUBLIC PLACES

7.5.1 Every dog owner or person responsible for any dog which fouls in any public place or on land not occupied by the owner must remove and dispose of the faecal matter immediately in a way that does not cause a nuisance.

7.5.2 Every dog owner or person responsible for any dog shall at all times, when in a public place or off-lead exercise area with their dog, carry a suitable receptacle to enable them to remove any faeces of that dog immediately.

7.5.3 If a litter bin or similar container is available in a public place, the owner may dispose of the dog's faeces after enclosing the faeces in a suitable plastic or leak proof bag.

7.5.4 No offence shall be deemed to have been committed against this Bylaw where the owner or person responsible for or in possession of the dog removes the dog's faeces immediately for disposal in a hygienic manner

8. INFECTED OR IN SEASON DOGS

8.1 No person owning or having control of or in possession of any dog infected with an infectious disease shall take the infected dog into any public place or allow it to wander free and at large.

8.2 The owner or person responsible for any dog infected with an infectious disease shall ensure that the dog is properly treated and, unless taking the dog for treatment, shall ensure that the dog is confined to land occupied by the owner while it is so affected.

8.3 Where there is two (2) or more dogs kept at privately owned land or premises and only (1) dog is infected with an infectious disease, provision must be made to quarantine the affected dog within a dog-proof enclosure away from unaffected dogs or other animals.

8.4 If a dog is suffering from an infectious disease (such as fleas, worms, or a virus) or is in season (on heat), exercising must be carried out on the owner's property until the dog is no longer infectious or in season.

9. NUISANCE, MENACING OR DANGEROUS DOGS

9.1 The owner or person responsible for any dog or the owner and/or occupier of the land or premises where any dog or dogs are kept shall:

- a) Keep every bitch in season (on heat) on the premises confined within a dog-proof enclosure but adequately exercised whilst it is in that condition for the duration of the oestrus cycle;
- b) Take such steps as are necessary to prevent dogs on the premises from causing a nuisance to any other person, stock, poultry, domestic animal or protected wildlife (this includes excessive barking);
- c) Take such steps as are necessary to prevent dogs on the premises from causing damage to or endangering any property adjoining or in the surrounding neighbourhood;
- d) Be requested to comply with actions specified in Clause 5.1.2 or any other action as may be deemed necessary by an Animal Control Officer.

9.2 Menacing and Dangerous dogs must be muzzled and on a lead or leash when in any public place or area.

9.3 The Council may prohibit any dog classified as a dangerous dog from being exercised in any particular area or areas which shall be specified in a notice given to the owner or person responsible for the dog.

9.4 Any person served a notice under Clause 9.3 may object in writing to Council who shall consider the objection and may confirm, modify or cancel the notice.

9.5 Any person who behaves so as to cause any dog in any public place to become aggravated causing the dog to become a nuisance, menacing or dangerous; whether or not that person is the owner; shall be guilty of an offence against this Bylaw.

10. IMPOUNDING

10.1 Any dog found at large, roaming or in breach of this Bylaw may be impounded by the Dog Control Officer, Dog Ranger or duly authorised officer of Council.

10.2 Any dog found in a public place not being an OFF-LEAD exercise area and not being on a leash or lead shall be considered uncontrolled and/or at large and may be seized and impounded by any Dog Control Officer, Dog Ranger or duly authorised officer of Council.

10.3 Any owner or person responsible for a dog impounded on two (2) or more occasions within any two (2) year period may be required to neuter the dog.

10.5 No dog shall be released from any pound of the Council unless:

- a. Proof of ownership and identity of the dog is established; and
- b. In the case of any dog three or more months of age, the current annual registration fee payable under the Dog Control Act 1996 is paid unless such fee has previously been paid; and,
- c. Payment has been received of any other fees and/or charges that have been issued by the Council under this bylaw or the Dog Control Policy; and,
- d. Any dog three or more months of age where the dog is registered or unregistered and impounded by the Council, the dog shall be microchipped prior to release.

10.6 It shall be an offence for any person to remove any dog from any pound without the approval of the Council and then only in accordance with Clause 10.5.

10.7 Council will destroy any impounded dog after seven days if the owner is not known or cannot be located or after all reasonable steps have been taken.

11. DOG HOSPITALS, BOARDING, BREEDING KENNELS

11.1 No person shall establish, maintain any hospital, home, boarding or breeding kennels for dogs except on a site approved by the Council and subject to such conditions as may be reasonably imposed. In addition, a Resource Consent may be required under the Resource Management Act 1991.

12. OFFENCES

12.1 Any person commits an offence against this Bylaw, who:

- a) Contravenes, or permits a contravention of the provisions of this Bylaw and any notice issued pursuant to this Bylaw; and
- b) Does not cease any action which that person is required to cease under this Bylaw; and
- c) Obstructs or hinders any officer in the exercise of any power conferred by this Bylaw.

12.2 Every person who commits a breach of any provision of this Bylaw may be issued with an infringement notice under Schedule 1 of the Dog Control Act 1996 or shall be liable for summary conviction to a fine not exceeding \$20,000 prescribed by section 242(4) of the Local Government Act 2002.

12.3 Council may apply for an injunction preventing a person from continuing to breach this Bylaw, in accordance with section 162 of the Local Government Act 2002.

12.4 Council may impound any dog in accordance with Clause 10 Impounding where there is a breach under Clauses 3.3 and 7.1 relating to the Control of Dogs.

12.5 Council may disqualify a person from owning a dog or declare them to be a probationary owner in accordance with the Dog Control Act 1996.

13. NOTICES

13.1 Any notice required by this Bylaw to be given in writing to the owner and/or occupier of any premises may be posted or delivered to that person by normal mail or may be affixed to the premises, and shall be deemed to have been served.

13.2 Every person who commits a breach of any provision of the Bylaw shall be liable to an infringement fine as specified in the Dog Control Act 1996.

14. DISPENSING POWER

14.1 The Council may grant a dispensation from full compliance with any provision in this Bylaw where it is of the opinion that full compliance would needlessly and injuriously affect any person or business without corresponding benefit to the public or any section of it.

14.2 Written applications for dispensation shall be made to the Council giving full details of and the reasons why relief is sought.

14.3 The Council may in its absolute discretion, either refuse the application, or grant it subject to such conditions as it may consider appropriate.

14.4 The Council may impose a fee or charge for any hearing or consideration of any application under this clause for a dispensation.

15. COMMENCEMENT OF BYLAW

THE COMMON SEAL of THE WAIROA DISTRICT COUNCIL

was affixed this [day of May 2017] in the presence of:

MAYOR

A signed and sealed copy is available on request from the Main Council Offices.

CHIEF EXECUTIVE

SCHEDULE 1: APPLICATION FOR A LICENCE TO KEEP THREE OR MORE DOGS ON A PROPERTY

FULL NAME OF APPLICANT: [Click here to enter text.](#)

DATE OF BIRTH OF APPLICANT: [Click here to enter a date.](#)

PROPERTY ADDRESS FOR WHICH A LICENCE IS SOUGHT:

[Click here to enter text.](#)

PHONE NUMBER OF APPLICANT: [Click here to enter text.](#)

NUMBER OF DOGS OVER THE AGE OF 3 MONTHS: [Click here to enter text.](#)

NAMES OF CANINE OBEDIENCE CLUB OR RELATED AFFILIATIONS:

[Click here to enter text.](#)

DETAILS OF DOGS

REG NO.	NAME	COLOUR	BREED	AGE	SEX

Any or all dogs are kept for breeding purpose

If there is an existing permit to keep 3 or more dogs please attach a copy to the permit as evidence.

Sketch attached

Please attach a sketch of the property showing the position of all kennels and runs of the property. Please note on the boundaries in the sketch where the parties noted in the below section reside.

Names and addresses of person/s whose property has a common boundary with the land on which the dogs are to be kept:

1. Name and address [Click here to enter text.](#)

2. Name and address [Click here to enter text.](#)

3. Name and address [Click here to enter text.](#)

4. Name and address [Click here to enter text.](#)

DECLARATION BY APPLICANT

I, Full name of applicant [Click here to enter text.](#) , declare the information above to be correct and hereby apply for a licence to keep [insert number of dogs] [Click here to enter text.](#) on the abovenamed property.

Signatures:

Permit Holder

Dated:

APPROVED/DECLINED

Bylaw Officer

Dated:

SCHEDULE 2: PROHIBITED AREAS

All dogs with the exception of Disability Assist Dogs are prohibited from the following areas:

1. All school grounds throughout the district
2. All pre-school/kindergarten/early childhood centre facilities throughout the district
3. All playgrounds throughout the district
4. All sports facilities throughout the district
5. Wairoa District Council buildings
6. Any other areas as that Council deems necessary, either permanently or temporarily, and which will be publicly notified and sign-posted accordingly.

SCHEDULE 3: ON-LEAD AREAS

Dogs shall only be allowed in the following areas while under continuous direct physical control by its owner or responsible person by way of an effective lead or being carried in a vehicle while tethered to the vehicle.

- a) Streets within any residential or commercial area and all public places within these; and,
- b) All public parks, carparks, public reserves and parts of parks and reserves under the control of Council which are neither prohibited areas, or off lead areas.

SCHEDULE 4: OFF-LEAD EXERCISE AREAS

The following areas are designated off-lead exercise areas:

- a) Private properties with suitable means of containment of the dogs;
- b) Old landfill site at Fraser Street (please see Map A for precise area);
- c) Alexandra Park from the Motor Camp to the water ski club building (please see Map B for precise area);

**Kaupapa
Here
Whakararata
Kuri
Dog Control
Policy**

DATE ADOPTED



**TE WAIROA
WAIROA DISTRICT**

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PERSON RESPONSIBLE:	Chief Operating Officer	FILE REFERENCE:	A.04.11/ I.09
CATEGORY:	Regulatory	STATUS:	DRAFT
DATE REVISIED POLICY ADOPTED:		APPROVAL BY:	Council
REVIEW PERIOD:	5 Years and As required	NEXT REVIEW DUE BY:	2022
DATE PREVIOUSLY ADOPTED:	13 September 2011	REVISION NUMBER:	1

INTRODUCTION

This policy on dogs is prepared in accordance with the requirements of Section 10 of the Dog Control Act 1996 (the Act) and originally came into force in 2011. This section requires every territorial authority to adopt a policy in respect of dogs within its district and requires the policy to be reviewed at least every five years.

ROLE AND LEGISLATIVE FRAMEWORK

The primary focus of Wairoa District Council's Dog Control services is to provide a cost effective and professional service through monitoring, compliance and enforcement activities. Council's principal involvement in dog control is in response to the legislative obligations set out in the Dog Control Act 1996.

This includes:

- The maintenance of the National Dog Database and the registration of dogs within the District, including the identification and processing of unregistered dogs.
- Providing a dog ranging service and facilities for the impounding and care of stray and seized animals.
- Providing public education on dog control ownership and safety.
- Providing a compliant investigation and resolution service, including an after-hours service.
- Classifying specified breeds of dogs as dangerous or menacing.
- Microchipping specified dogs.
- Monitoring and enforcing the provisions of the Dog Control Act and Council's Dog Control Bylaw.

The legislation sets out Council's and dog owners' responsibilities. The Council's approach to dog control is one of assisting owners to understand their responsibilities,

rewarding those owners who exercise good control of their dogs and taking any necessary action against those who do not meet their obligations.

POLICY & BYLAW REVIEW PROCESS

The Council has previously determined that it is necessary to have controls on dogs in addition to the controls provided by the Dog Control Act 1996, and a Bylaw is the most appropriate means of achieving this.

Section 10AA of the Dog Control Act 1996 requires the Dog Control Policy to be reviewed, if after a review of its Dog Control Bylaw, the territorial authority considers the Bylaw should be amended, revoked or replaced.

The Dog Control Bylaw is required to be reviewed in accordance with sections 158 and 159 of the Local Government Act 2002. If after the review process the territorial authority considers that the Bylaw should be amended, revoked or replaced, the proposed Bylaw must be open to public consultation in accordance with the Special Consultative Procedure set out in section 86 of the Act. The proposed Bylaw changes will therefore be open to public submission and submitters have the opportunity to appear before the Council in support of their submissions.

PLANNING & BUDGETARY FRAMEWORK

The Long Term Plan identifies the total financial commitments, broad work programmes, and overall funding requirements for Council activities.

At an operational level the Bylaw Compliance Activity Plan identifies in detail financial and funding requirements for Council's Dog Control unit and more detailed work programmes and targets and outputs.

Bylaws of the Wairoa District Council are designed to support the Dog Control Policy.

WHAT IS A RESPONSIBLE OWNER?

A responsible owner is someone that:

- Chooses the right dog and treats them well.
- Ensures their dog has adequate exercise.
- Considers the health benefits for their dog of neutering them at an early age.
- Registers and microchips their dog.
- Teaches their dog basic obedience (keeps their dog under control at all times).
- Knows the best locations where they are allowed to take (exercise) their dog.
- Is particularly vigilant near children and closely supervises interaction between children and their dog.
- Knows when their dog will ignore commands: put dog on-leash, shorten leash, or avoid the area altogether (even if in an off-leash area).
- Respects other people's personal space. Public places are for everyone's enjoyment and not everyone is fond of dogs.
- Ensures their dog cannot leave their property by itself.
- Knows when their dog must be on a leash, and always carries a leash.
- Picks up after their dog and carries the means (e.g. a bag) to pick-up their dog's faeces.

PURPOSE

The purpose of this policy is to provide a practical framework to give effect to the Act regarding the care and control of dogs throughout the Wairoa district in order to minimise any danger, distress or nuisance caused by dogs to the community in general whilst ensuring the wellbeing and welfare of dogs is protected through responsible ownership.

POLICY OBJECTIVES

The expected outcomes to be achieved as a result of this policy are:

1. Effective dog control practices and the proper control of dogs at all times
2. Minimise the risk of dog attacks
3. Ensure appropriate levels of monitoring and enforcement of dog control legislation
4. An enjoyable environment and lifestyle where both dogs and people can happily and peacefully co-exist

The community expects dog owners to act responsibly. Many in the community believe dogs can play a positive role in society and provide enjoyment for individuals and families. Council believes that by formulating a Dog Control Policy it can balance these two perspectives by encouraging owners to make better provision for the control and care of their dogs as well as clarifying how and why it undertakes dog control functions.

POLICY STATEMENTS

There are 19 policy points that current dog owners must adhere to and prospective owners should consider before taking a dog into their care.

STATEMENT 1: COUNCIL BYLAW

1.1 The Council is empowered under the Local Government Act 2002 and the Dog Control Act 1996 to make and enforce Bylaws for the following purposes:

- Prescribing minimum standards for the accommodation of dogs.
- Regulating and controlling dogs.
- Requiring dogs to be on-lead at all times in public places
- Defining prohibited, on-lead areas and off-lead or exercise areas.
- Requiring owners to immediately remove faeces left by their dog(s) defecating in public places.
- Providing for breeding kennels and breeding of dogs.
- Requiring bitches „in season“ to be confined.
- Providing for the impounding of dogs.
- Limiting the number of dogs that may be kept.
- Providing for the licensing of additional dogs, or
- Any other purpose that from time to time Council deems necessary or desirable to further control dogs.

1.2 Council has a Dog Control Bylaw that outlines matters regarding (but not limited to): obligations of dog owners (registration, microchipping etc.); number of dogs on land or premises; standards for keeping dogs; dogs in vehicles; dogs in public places; infected dogs; nuisance, menacing, or dangerous dogs; impounding; breeding kennels; offences; notices; dispensing power; and, commencement of bylaw.

1.3 This policy should be read in conjunction with the bylaw by dog owners and prospective dog owners in order to ensure an understanding of their ownership responsibilities under the Council's policy and bylaw.

STATEMENT 2: CARE OF DOGS

2.1 Dog ownership carries with it responsibilities to provide proper care, attention and facilities. Failure to do so can lead to unhealthy conditions for the dog and give rise to nuisance to neighbours through odours, vermin, pests, and noise from dogs barking or howling.

2.2 Dog owners shall be required to keep their dogs in clean and hygienic conditions and maintain appropriate facilities for the housing and care of dogs in a good state of repair.

2.3 Council may prohibit the keeping of dogs on properties that can result in a nuisance or a health risk being generated in accordance with the relevant bylaw provisions¹.

¹ RELEVANT SECTIONS OF BYLAW

STATEMENT 3: IMPOUNDING OF DOGS

3.1 The Council's dog pound is not open to the public due to health and safety issues posed by dangerous dogs, only authorised Council officers will be permitted entrance to the Council's dog pound. There are no exceptions to this policy statement.

3.2 Any dog found in breach of the Council's policy or bylaw, may be impounded and held until claimed by the owner, or destroyed if not claimed by its owner within seven days².

3.3 Impounded dogs shall only be released when:

- Proof of ownership has been established;
- The dog has a working microchip (where applicable);
- Registration fees have been paid (where applicable); and,
- When payment is received of all other fees and charges that have been issued by the Council under this policy or the bylaw.

3.4 Costs are incurred by Council in catching, collecting, housing and feeding the dogs as well as for the administration of impounded dogs – where possible these will be passed on to the dog owner in question. It is important that impounded dogs are returned to their correct owners as soon as possible and that costs are fully recovered to ensure that costs do not become a burden on ratepayers.

3.5 Any dog impounded that does not have a working microchip in accordance with Council's bylaw will be microchipped at the owner's cost before being released. The relevant charge can be found in the Council's Fees and Charges schedule – this is set every year through either the Annual Plan or Long Term Plan process.

3.6 It shall be unlawful to remove any dog from the pound, or from a Council vehicle without the approval of a Council officer who holds the appropriate delegations to do so.

² Relevant bylaw section

STATEMENT 4: RELINQUISHMENT OF DOGS

4.1 To prevent the release of unwanted dogs into the community, the Council will accept dogs into the pound for disposal, in appropriate circumstances for a fee and upon receipt of a declaration of release from the owner. Owners may voluntarily relinquish a dog in order to resolve a problem and when they have accepted responsibility for a complaint received by the Council under the Dog Control Act 1996.

4.2 Dogs may be accepted for relinquishment, as a means of resolving a complaint or for a fee, and upon receipt of a declaration of release from the owner.

4.3 The service shall be provided without any privileges, concessions or offerings being made to the owner.

STATEMENT 5: FEES & CHARGES

5.1 The majority of impoundings are caused by dogs wandering at large. Some are seized following an offence under the Dog Control Act 1996 by which seizure is an option. In general, impounding of wandering dogs reflects a lack of the responsibility by dog owners and the actual and reasonable cost of recovery should follow user-pays principles. Payment of impounding costs shall therefore squarely lie with the owner of that dog and not the ratepayer.

5.2 Revenue collected shall reflect the actual and reasonable cost of the time involved in the recovery, the cost of transport, the provision of food, veterinary care, microchipping, shelter and maintenance of the pound. The charge shall also reflect the imposition of a penalty for a breach of Council's Dog Control Bylaw.

5.3 All registered dogs impounded must be microchipped prior to release, in accordance with section 69A(4) of the Dog Control Act 1996.

5.4 Payment of impounding fees shall be required from all dog owners prior to release of any dog from the pound.

5.5 The fees shall be set at a level so as not to discourage the retrieval of a dog from the pound whilst covering the actual and reasonable costs incurred by Council.

5.6 The fees shall increase to impose a greater penalty element for any subsequent impounding of that same dog.

5.7 No unregistered dog or dog impounded shall be released until payment of registration and microchipping fees has been received.

5.8 Sustenance charges shall be set to recover all the costs of feeding, housing and caring for dogs in the pound.

5.9 Registration fees, infringement fees, and other relevant fees and charges will be set in the annual Fees and Charges schedule. Council's bylaw will outline any additional fees/charges for any infringement of the bylaw.

5.10 Dog registration fees shall be calculated to provide sufficient revenue to fund the service.

5.11 Currently Council's funding policy indicates a 10% input from Rates to recognise the Public Good aspect of Dog Control.

5.12 The Dog Control Act also requires that all monies received for Dog Control may only be spent on such activities. All excess money shall be placed in the Dog Control reserve account for use in following years.

5.13 Time and costs associated with monitoring and compliance activities, investigating complaints, and generally carrying out dog control activities will be reflected in the dog registration fees.

5.14 Dog registration fees shall be set to ensure that all costs associated with monitoring, investigation, compliance and general dog control activities are adequately funded.

5.15 The funding of the Dog Control operations will be derived from dog owners and the community generally where this is deemed appropriate by Council.

5.16 A discount scheme will be provided for those owners who pay on time, and for those who acquire Selected Owner Status – as per the Selected Owner Policy.

5.17 Dog control funds shall be set aside for the sole purpose of funding dog control activities.

5.18 Fees and charges not specifically provided for in the Council's Fees and Charges schedule shall be set to recover all the costs reasonably incurred by Council.

STATEMENT 6: DANGEROUS DOGS

6.1 Section 31 of the Dog Control Act 1996, allows the territorial authority to classify dogs as dangerous. Council will classify dangerous dogs, in accordance with the provisions of the Dog Control Act 1996. Through this policy and the bylaw, Council will create a regulatory requirement for more responsible dog ownership of dangerous dogs.

6.2 The owner of a dangerous dog shall:

- a) Be given notice of the dog's classification in writing.
- b) Be allowed to object to the classification and be heard by Council in a hearing (subject to the payment of any hearing fees and charges).
- c) Be given notice of Council's decision on any objection and the reasons for that decision as soon as practicable.
- d) Comply with the requirements of the Dog Control Act 1996 to keep the dog securely fenced within a portion of the owner's property so that it is not necessary to enter the secured area in order to obtain access to any dwelling on the property.
- e) Comply with the requirements of the Dog Control Act 1996 to ensure that the dog is not at large or in any public place or private way unless confined completely within a vehicle or caged or muzzled and controlled on a leash or lead.
- f) The dog must also be neutered.
- g) Pay the Class D – Dogs classified Dangerous registration fee (as set by Council in the annual Fees and Charges)
- h) Not dispose of (e.g. sell or give) the dog to any other person without Council's written approval.
- i) Shall advise any person in possession of the dangerous dog of the requirement to muzzle, cage, and leash the dog when in public as outlined in point E.
- j) Shall ensure that the dog is microchipped.

STATEMENT 7: MENACING DOGS

7.1 Section 33A of the Dog Control Act 1996, allows the territorial authority to classify dogs as menacing. Furthermore section 33C requires that Council must classify the breeds or types in Schedule 4 of the Dog Control Act 1996 as menacing. Through this policy and the bylaw, Council will create a regulatory requirement for more responsible dog ownership of menacing dogs.

7.2 Council may classify menacing dogs in accordance with the provisions of the Dog Control Act 1996.

7.3 The owner of a menacing dog shall:

- a) Be given written notice of the dog's classification.
- b) Be allowed to object to the classification and be heard by Council in a hearing (subject to the payment of any hearing fees and charges).
- c) Be given notice of Council's decision on any objection and the reasons for that decision as soon as practicable.
- d) Comply with the requirements of the Dog Control Act 1996 to keep the dog muzzled and/or caged and controlled on a leash or lead when in a public place or private way.
- e) The dog must be neutered within 1 month of receipt of notice of classification.
- f) Advise any person in possession of the menacing dog of the requirement to muzzle/cage the dog when in public, as outlined in Point D.
- g) Ensure that the dog is microchipped.
- h) Pay the Class M – Dogs classified Menacing registration fee (as set by Council in the annual Fees and Charges)
- i) Not dispose of (e.g. sell or give) the dog to any other person without Council's written approval.

7.4 Council must classify all dogs belonging to the breed or type, listed in Schedule 4 of the Dog Control Act 1996 as menacing.

STATEMENT 8: MICROCHIPPING

8.1 Section 36A of the Dog Control Act 1996, requires dogs to be provided with a permanent identification. Dogs registered as Working Dogs under the Dog Control Act 1996 are exempt from microchipping requirements.

8.2 Microchipping will ensure that dogs can be permanently and easily identified, provide a secure link to their owner and will also facilitate the reuniting of the dog with its owner in instances where it has strayed from its property.

8.3 In accordance with the Dog Control Act 1996, Council will ensure that systems are in place to provide information to the National Dog Control Information Database.

8.4 Council requires dogs to be microchipped in accordance with the Dog Control Act 1996 as stated in the bylaw³.

8.5 Any registered or unregistered dog impounded that has not been microchipped will be microchipped prior to release. Owners of impounded dogs will be given the choice of having their dog microchipped by Council or their vet – this must take place at the pound prior to release of the dog.

8.6 A fee will be charged to cover any microchipping and administration costs incurred by Council. The fee will be reviewed annually to cover costs incurred. This service is available to all dog owners in the district, not just owners of impounded dogs.

³ Section 3.2

STATEMENT 9: PROHIBITED AREAS

9.1 Council recognises that there are areas in the district where the presence of a dog is undesirable such as;

- a) Areas of high activity used by people in pursuit of sporting or recreational activities;
- b) Areas where dog fouling would have a higher chance of causing a health risk;
- c) Areas where the presence of dogs threaten the peace or comfort of those present.

9.2 Dogs (with the exception of identifiable disability assist dogs as per statement 14) are prohibited from the following areas (in line with the bylaw):

- a) Wairoa District Council buildings including public libraries, and public swimming pools/paddling pools;
- b) Children's playing areas under the control of the Wairoa District Council;
- c) All areas under the control of the Wairoa District Council set aside for organised games or sports;
- d) Any other areas as that Council deems necessary, either permanently or temporarily, and which will be publicly notified and sign-posted accordingly.

STATEMENT 10: ON-LEAD AREAS

10.1 In many cases dogs form an integral part of family life or offer companionship to their owners. While it is desirable to prohibit dogs in areas of high public usage, it is recognised that socialising is an inherent requirement for both owners and dogs. In such cases it will be necessary for dogs to be under more stringent control by the use of a leash or enclosure in a vehicle.

10.2 Constraint via a leash will:

- a) Ensure proper control of a dog in areas of high activity;
- b) Enable fouling to be immediately recognised and cleaned up; and,
- c) Enable secure tethering of the dog when momentarily left unattended.

10.3 Dogs shall only be allowed in the following areas while under continuous direct physical control by its owner or responsible person by way of an effective lead or being carried in a vehicle while tethered to the vehicle.

- a) Streets within any residential or commercial area and all public places within these.
- b) All public parks, car parks, public reserves and parts of parks and reserves under the control of Council which are neither prohibited areas, or off lead areas

STATEMENT 11: OFF-LEAD EXERCISE AREAS

11.1 Council has a legal requirement to have regard to;

- a) The exercise and recreational needs of dogs under section 10(6) of the Dog Control Act 1996 in that the Council must give effect to a policy by making a bylaw. However it is noted that this policy does not mandatorily require the designation of OFF-LEAD Exercise Areas.
- b) The need to minimise danger, distress and nuisance to the community generally would be met if areas where dogs may be exercised at large were specifically provided. This would not only allow dog owners' freedom areas but signal to the public generally to expect the presence of dogs in those areas.

11.2 However, Council does recognise that it may not be practical or enforceable to require dogs at all time to be on lead and/or leash control.

11.3 Dog owners however have a responsibility to ensure that animals do not cause a nuisance, run amongst traffic, and to remove and appropriately dispose of any dog faeces. Any dog off a lead must therefore be kept under continual surveillance and be responsive by verbal calls, hand signals, whistles or other commands from the owner or person responsible for, or in charge of, the dog at any time.

11.4 Private properties with suitable means of containment of the dogs shall be declared an OFF-LEAD exercise area.

11.5 Council may from time to time designate dog OFF-LEAD exercise areas in the bylaw.

11.6 Any such public places, specifically identified by Council, will be notified to the public and sign-posted accordingly.

STATEMENT 12: PROBATIONARY OWNERS

12.1 Section 21 of the Dog Control Act 1996 allows the territorial authority to classify owners as probationary owners if they are convicted of any offence against the Dog Control Act, or other Acts or they commit three or more infringement offences within 24 months.

12.2 This policy aims to indicate to the public generally that poor dog control is not acceptable and to create a regulatory requirement for more responsible ownership. Irresponsible dog owners should be penalised for their actions.

12.3 Council shall adopt a classification of probationary owners in accordance with the Dog Control Act 1996. A probationary owner shall;

- a) Be given notice of the classification as soon as possible in writing;
- b) Be allowed to object to a classification and be heard by Council in a hearing (subject to the payment of any hearing fees and charges);
- c) Be so classified for 24 months unless terminated earlier;
- d) Not own a dog other than those they already own;
- e) Pay a surcharge of 50% on all Dog Control fees payable;
- f) Pay a surcharge of 5% of annual Dog Control fees for each month of any part year the classification applies;
- g) Dispose of any unregistered dog in their possession;
- h) Be so classified over the whole of New Zealand.

12.4 In accordance with the Dog Control Amendment Act 2003, a “probationary owner” will be required to undertake a dog owner education programme or a dog obedience course with each dog that they own (or both).

STATEMENT 13: DISQUALIFICATION OF AN OWNER

13.1 Section 25 of the Dog Control Act 1996 allows a territorial authority the power to disqualify a person from being an owner of a dog if they are convicted of an offence (not being an infringement offence) against the Dog Control Act 1996 or they are convicted of an offence against Part 1 or Part 2 of the Animal Welfare Act 1999, section 26ZZP of the Conservation Act 1987, or section 561 of the National Parks Act 1980, or they commit three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months.

13.2 In order to indicate to the public generally that repeated irresponsibility will lead to severe restriction on dog ownership, the disqualification system provides for Council to restrict ownership of dogs, where required.

13.3 Council shall disqualify dog ownership in accordance with the Dog Control Act 1996.

13.4 A disqualified owner shall;

- a) Be given notice of the classification as soon as possible in writing;
- b) Be disqualified for a period decided by the territorial authority up to five years;
- c) Be allowed to object to the disqualifications and be heard by Council in a hearing (subject to the payment of any hearing fees and charges);
- d) Dispose of every dog owned by them to a person that does not reside with them.
- e) Be so disqualified over the whole of New Zealand.

STATEMENT 14: DISABILITY ASSIST DOGS & WORKING DOGS

14.1 It is generally recognised that this class of dog poses no risk or problems to the community. The use of dogs to assist people with disabilities warrant special attention and in many cases applying bylaws relating to access would be to deny the rights of disabled persons.

14.2 It is also acknowledged that working dogs used for public duties, kept solely or principally for the purposes of herding or driving stock, and used for assisting people with disabilities are unlikely to present problems. The animals' general demeanour, their housing, location and their use as working animals ensure owner responsibility.

14.3 Council will promote and encourage access to any public place and registered premises for disability assist dogs.

14.4 In recognition of the value of dogs trained for the public good and where used by people with disabilities, dog registration fees for such dogs shall be set to recover as near practicable the cost of the registration process. Disability assist and working dogs will have their own registration classification. The registration fee for this will be set annually as part of the Council's Fees and Charges Schedule.

14.5 Such dogs may include:

- Guide dogs
- Hearing ear dogs
- Dogs kept by the: Police, Customs Department, Ministry of Agriculture, Ministry of Fisheries, Ministry of Defence, and Department of Conservation.

14.6 It is noted that the definition of Working Dog does not include dogs used for hunting.

STATEMENT 15: PERMISSION TO KEEP ADDITIONAL DOGS

15.1 Owners who can demonstrate that they are responsible dog owners and who have suitable facilities, may be granted the opportunity to keep more than 2 dogs in an urban situation⁴.

15.2 However this permit shall be subject to owners being able to ensure their dogs are controlled at all times and not causing a nuisance.

15.3 A permit is required to keep more than two (2) dogs housed on an urban property. Upon receipt of an application and fee, dog owners will be required to meet all conditions and requirement of section 4 of the Wairoa District Council Dog Control Bylaw 2011, together with the requirements of the permit application.

15.4 Any nuisance proven to be caused through having more than two (2) dogs on a property may see the permit revoked.

15.5 If the conditions of the permit have not been complied with, Council may revoke the permit.

15.6 The fee for the permit to keep more than two (2) dogs shall cover all the inspection and administration costs incurred by Council. The fee will be reviewed annually and is set out in the Fees and Charges Schedule.

⁴ Urban property refers to properties in areas zoned as Residential and Settlement in the District Plan.

STATEMENT 16: INFRINGEMENT NOTICES

16.1 An Infringement Notice is an instant fine and if paid within a certain period of time avoids the need to prosecute through the Court.

16.2 An Infringement Notice is only able to be issued for an infringement offence. The offences and fixed fines are specified in the first schedule of the Dog Control Act 1996.

16.3 Failure to comply with an Infringement Notice can lead to court proceedings.

16.4 The advantage of the Infringement Notice system is the provision of fixed, instant fines with the vagaries of judge's decisions removed. It also allows for the withdrawal of the notice at the discretion of Council Officers. Direct action with an offender reduces the cost of legal advice and infringement fees are retained by Council.

16.5 Council will use infringement notices as provided in the Dog Control Act 1996.

STATEMENT 17: OWNER AND PUBLIC EDUCATION

17.1 Owners who attend obedience courses generally have a sensible and caring attitude towards their pets.

17.2 Obedient dogs may still wander and be allowed by their owners to contravene a bylaw, foul in public places and cause a nuisance in public.

17.3 Through public and school education, people will be given the knowledge to deal with some of the situations and nuisances that they may come in contact with. That education may also lead to a more responsible attitude towards dog ownership in the future.

17.4 Council will encourage responsible dog ownership through owner education and encouragement to attend obedience and other methods of responsible dog management and control.

17.5 Council will use focus particularly on developing knowledge and good attitude towards dog ownership through community engagement and education.

17.6 Topics include:

- The correct way to approach a dog;
- Responsibilities of dog owners;
- How to read a dog's body language;
- How to behave if an aggressive dog is encountered;
- Basic care of dogs;
- Disease prevention in dogs;
- Correct way to handle a dog;
- How to control a dog; and,
- How to stop a dog barking to avoid being a nuisance.

STATEMENT 18: COMPLAINTS

18.1 Owners have a responsibility to ensure that their dogs are under control at all times. If a dog is not under control, the public have the right to report the incident to Council Officers and to expect action to be taken, in a consistent and effective manner.

18.2 The public therefore need to be aware of, or have access to, the methods of making their concerns known, how those concerns will be dealt with, what the outcome of their complaint has been, and any rights to have a review of that process undertaken.

18.3 Council endeavours to handle each complaint in a manner appropriate to the particular circumstances. The complainant will be made aware of the process when their complaint is received by a member of the Bylaw Enforcement Team.

18.4 The procedures will include methods to:

- Record the complaint;
- Ensure action is taken by officers;
- Ensure that a report on the complaint is completed;
- Ensure that the complainant is advised of the outcome;
- Provide for a means of review of the actions taken/outcome.

18.5 Complaints will be investigated promptly and within agreed levels of service.

STATEMENT 19: ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES

19.1 Dog control matters are of interest to both dog owners and the general public. Council has a responsibility to keep the public informed of dog control issues and Section 10A of the Dog Control Act 1996 establishes the process by which this must happen.

19.2 Council is required under Section 10A of the Dog Control Act 1996, to report annually on its policy and practices this is available on the Council's website.

19.3 The report is required for each financial year and must cover the administration of:

- its dog control policy
- its dog control practices

19.4 The report must include information relating to the number of:

- registered dogs in the district;
- probationary owners and disqualified owners in the district;
- dogs classified as dangerous, and menacing;
- infringement notices issued; and,
- complaints received and the number of prosecutions taken.

19.5 A copy of the report must then be sent to the Secretary for Local Government.

**Kaupapa
Here
Ringamau
Kowhiri
Selected
Owner Policy**

DATE ADOPTED



**TE WAIROA
WAIROA DISTRICT**

PERSON RESPONSIBLE:	Chief Operating Officer	FILE REFERENCE:	A.04.11/ I.09
CATEGORY:	Regulatory	STATUS:	DRAFT
DATE REVISED POLICY ADOPTED:		APPROVAL BY:	Council
REVIEW PERIOD:	5 Years and As required	NEXT REVIEW DUE BY:	2022
DATE PREVIOUSLY ADOPTED:	13 September 2011	REVISION NUMBER:	1

INTRODUCTION

WHAT IS A RESPONSIBLE OWNER?

A responsible owner is someone that:

- Chooses the right dog and treats them well.
- Ensures their dog has adequate exercise.
- Considers the health benefits for their dog of neutering them at an early age.
- Registers and microchips their dog.
- Teaches their dog basic obedience (keeps their dog under control at all times).
- Knows the best locations where they are allowed to take (exercise) their dog.
- Is particularly vigilant near children and closely supervises interaction between children and their dog.
- Knows when their dog will ignore commands: put dog on-leash, shorten leash, or avoid the area altogether (even if in an off-leash area).
- Respects other people's personal space. Public places are for everyone's enjoyment and not everyone is fond of dogs.
- Ensures their dog cannot leave their property by itself.
- Knows when their dog must be on a leash, and always carries a leash.
- Picks up after their dog and carries the means (e.g. a bag) to pick-up their dog's faeces.

PURPOSE

The purpose of this policy is to provide incentive to dog owners to take good care of their dogs and be a responsible dog owner.

POLICY OBJECTIVES

As a way to encourage dog owners in our community to take good care of their dogs and be a responsible dog owner, Wairoa District Council has a Selected Dog Owner Policy.

This policy will reward responsible dog owners that are complying with the Dog Control Policy provisions and the Dog Control Bylaw with a discounted registration fee of 12.5% on top of the early payment discount.

See the Fees and Charges Schedule for more information on the discounted registration fee.

HOW TO BECOME A SELECTED OWNER

If you are a responsible dog owner and your property is a dog proof section that meets the below requirements regarding fencing, and you meet the following criteria you can apply to be a selected dog owner.

- We would prefer that your dog be neutered unless it is used specifically for breeding or show purposes
- Your dog is microchipped
- Your dog registration must always be paid before 31st July each year
- History proving good dog ownership history, no record of impounding, infringements or any justified complaints against your dog
- If you have more than two dogs on the property you must have a permit to keep more than 2 dogs

Exclusions:

- Dogs registered as Working Dogs

PROPERTY COMPLIANCE

Your dog must be contained on your property within a

- Fully fenced dog proof property, or within the property a fully fenced containment area suitable to the size of the dog.
- Containment area (enclosure) a suitable kennel raised off the ground, and size dependant on the dog

Visitors to your property must have free access to your front door, therefore you must have a suitable gated entrance to the front door, without entering the area where the dog is kept.

APPLICATION PROCESS

There is no cost to apply; applications need to be received before the 1st May, as the discount will apply from the following annual registration period i.e. 1 July that year.

Fill out the application form and return it to Council, when the form is returned an Animal Control Officer will arrange a time and day to inspect your property to ensure compliance with the requirements above. You would need to be present at the inspection to discuss the obligations of being a Selected Owner.

The Selected Owner Policy applies to the owner and only to the property that we have inspected. If you move you will need to notify us so that the new property can be inspected for compliance. If you sell or otherwise re home your dog(s) the discounted registration does not apply to the new owner.

If you have been a Selected Owner in another district, it does not automatically qualify you for this status in the Wairoa district

The Wairoa District Council reserves the right to revoke an owner's Selected Owner Policy status for any breach of the policy's conditions.

The Menacing category will be included for the first year of the policy as a trial to see whether this incentive decreases the number of incidents attended to by Animal Control Officers involving this category.

As noted above, owners of dogs registered as Working Dogs will be excluded from the discount associated with being a selected owner as their registration fees are set to only recover as near practicable the cost of the registration process as per the Council's Dog Control Policy.

Example of Discounted Registration Fees – please see Fees and Charges Schedule for current fee

Standard Breed:	Before 31 st July \$65.00 less 12.5% discount \$56.90
Menacing Breed:	Before 31 st July \$110.00 less 12.5% discount \$96.30

8.8 DRAFT WDC COMMUNICATIONS STRATEGY

Author: Kitea Tipuna, Economic Development and Engagement Manager

Authoriser: Fergus Power, Chief Executive Officer

Appendices: 1. Draft WDC Communications Strategy [↓](#)

1. PURPOSE

1.1 To approve the Wairoa District Council Draft Communications Strategy.

RECOMMENDATION

The Economic Development and Engagement Manager RECOMMENDS that Council approves the Communications Strategy.

EXECUTIVE SUMMARY

The Wairoa District Council Communications Strategy aims to achieve;

- An informed community: Wairoa District Council aims to ensure that all residents have access to information about their Council by providing regular publications, having a high media profile and harnessing the ambassadorship capacity of its workforce.
- A democratic community: Wairoa District Council aims to ensure that all residents and ratepayers are able to participate in consultation through a range of means including, but not limited to, community forums, public exhibition of key documents and developing on-line consultation capabilities.

The Communications Strategy aims to fulfil and go beyond the statutory requirement under the Local Government Act 2002. A local authority can be regarded as having a general obligation to ensure that those whom it represents and acts for are kept informed about what it is doing in their interests. Further, because a local authority exercises power over individuals and groups in its community, it can be said to have an obligation to ensure that those people know how they are being affected by its actions, and what their rights and responsibilities are in relation to them.

The Communications Strategy is divided into five (5) action areas and two (2) supporting functions; External Communications, Consultation, Corporate Marketing, Internal Communications, Customer Service, E-Communications and Corporate Identity.

- External Communications: One-off and ongoing publications designed to keep the community informed and involved. Includes advertising procedures to satisfy statutory requirements and limited advertising to promote specific activities, services and messages.
- Consultation: Functions designed to improve consultation both within and outside Council. It supports the implementation of the Wairoa District Council Consultation Policy by providing new tools and support to the organisation-wide function.
- Corporate Marketing: Functions or programmes designed to raise the level of awareness about Council services to drive improvements in the level of community satisfaction.

- Internal Communications: Programmes designed to keep staff informed about Council activities and improve the communications skills of staff by providing training, guides and protocols which reflect best practice in internal communications.
- Customer Service: Activities designed to ensure that the customers' experience of Council reinforces the messages or themes of the organisation.
- E-Communications: E-Communications are designed to deliver on-line information and services to the wider community.
- Corporate Identity: Activities designed to support the presentation of a consistent brand to the community which contributes to the development of an 'organisational personality or image' which engenders trust and support from the community.

2. OPTIONS

2.1 The options identified are:

- Do nothing,
- To approve the Draft Wairoa District Council Communications Strategy,
- To approve the Draft Wairoa District Council Communications Strategy with changes.

3. CORPORATE CONSIDERATIONS

Who has been consulted?

Māori Standing Committee


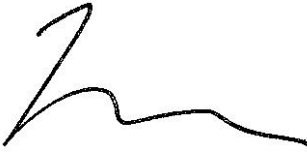
3.1 This Draft Wairoa District Council Communications Strategy was tabled at the February 2017 meeting of the Māori Standing Committee.

Confirmation of statutory compliance

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

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- 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

	
Kitea Tipuna Author	Fergus Power Approved by

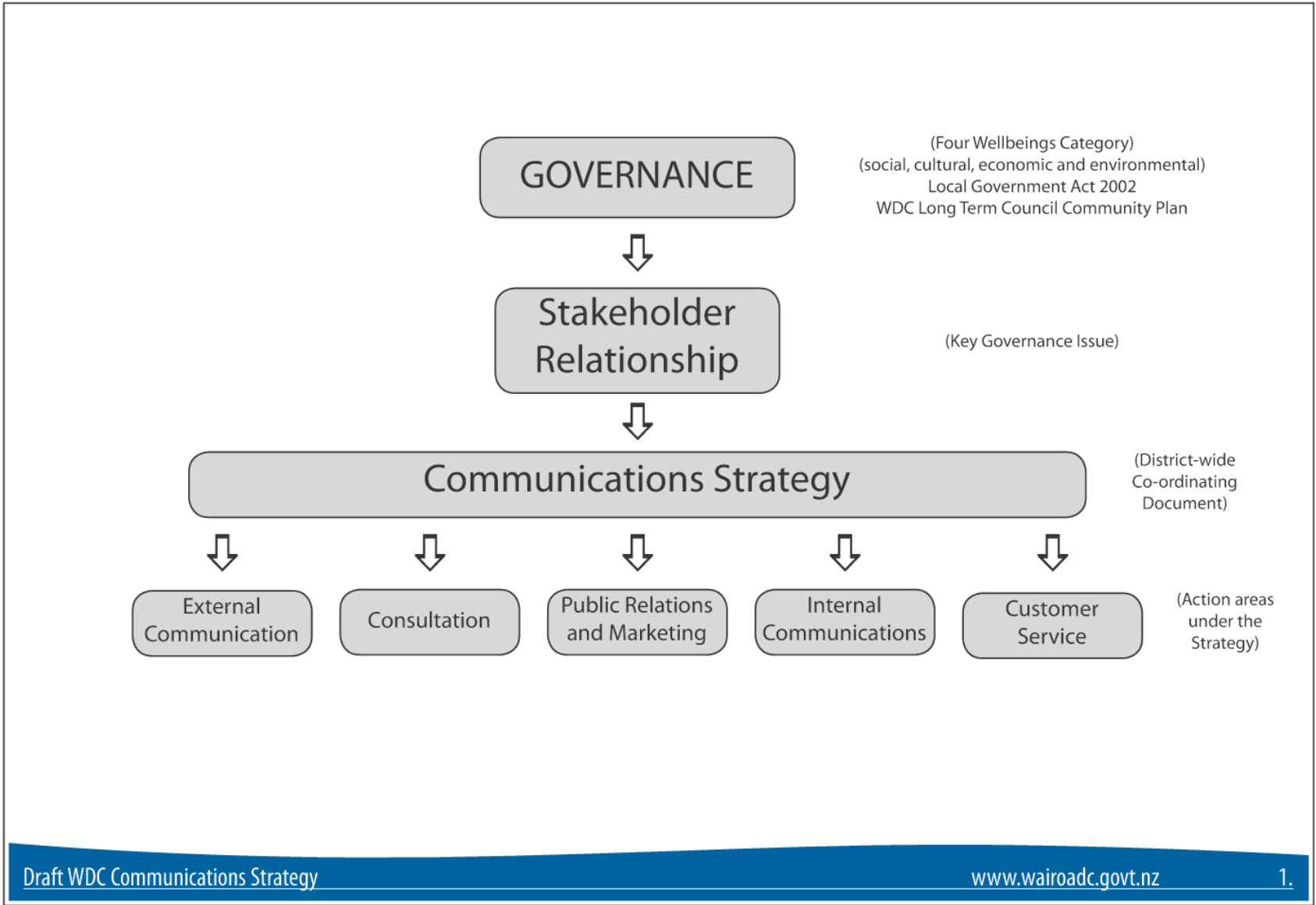
Wairoa District Council



Draft

Communications Strategy

www.wairoadc.govt.nz



What is Communications?

Communications is a term used to describe a variety of functions variously described as communications, media management, public relations and marketing, internal communications and customer service. The Communications Strategy is the District-wide Coordinating Document designed to progress the issue of Stakeholder Relations under the Governance category of the Four Wellbeings.

Vision for Communications

As an organisation, Wairoa District Council strives to achieve a values approach to delivering the priorities and objectives of its community such as the community outcomes identified in the Long-Term Council Community Plan 2006-2016.

The six value elements that guide this management approach are Continuous Improvement, Customer Service, Competitive Practice, Team Work, Action and Communication. Our Communication vision for Wairoa District Council is to have a community which understands what it is getting from its Council and actively participates in the development and implementation of strategy, policy and programmes.

Key principles and aims

- *An informed community:* Wairoa District Council aims to ensure all residents have access to information about their Council by providing regular publications, having a high media profile and harnessing the ambassadorship capacity of its workforce.
- *A democratic community:* Wairoa District Council aims to ensure all residents and ratepayers are able to participate in consultation through a range of means including, but not limited to, community forums, public exhibition of key documents and developing on-line consultation capabilities.

Statutory Requirements

The Communications Strategy aims to fulfil and go beyond the statutory requirement under the Local Government Act 2002. A local authority can be regarded as having a general obligation to ensure that those whom it represents and acts for are kept informed about what it is doing in their interests. Further, because a local authority exercises power over individuals and groups in its community, it can be said to have an obligation to ensure that those people know how they are being affected by its actions, and what their rights and responsibilities are in relation to them.

Elements of the Communications Strategy

The Communications Strategy is divided into five (5) action areas and two (2) supporting functions; External Communications, Consultation, Corporate Marketing, Internal Communications, Customer Service, E-Communications and Corporate Identity.

External Communications: One-off and ongoing publications designed to keep the community informed and involved. Includes advertising procedures to satisfy statutory requirements and limited advertising to promote specific activities, services and messages.

Consultation: Functions designed to improve consultation both within and outside Council. It supports the implementation of the Wairoa District Council Consultation Policy by providing new tools and support to the organisation-wide function.

Corporate Marketing: Functions or programmes designed to raise the level of awareness about Council services to drive improvements in the level of community satisfaction.

Internal Communications: Programmes designed to keep staff informed about Council activities and improve the communications skills of staff by providing training, guides and protocols which reflect best practice in internal communications.

Customer Service: Activities designed to ensure that the customers' experience of Council reinforces the messages or themes of the organisation.

E-Communications: E-Communications are designed to deliver on-line information and services to the wider community.

Corporate Identity: Activities designed to support the presentation of a consistent brand to the community which contributes to the development of an 'organisational personality or image' which engenders trust and support from the community.

Responsibility for Communications

The Administration Team has a range of responsibilities from policy development to service delivery for a range of communications functions. These include overall strategy and policy for communications and consultation, media management, advertising, corporate identity, website content and strategy management, public relations, publications and corporate marketing.

Responsibility for some key communications functions rests or is shared with other departments within Council.

However, an effective communications culture is the responsibility of the entire organisation and every employee. Managers in particular need to be aware of their responsibilities to communicate openly and actively and to guide their teams in developing an effective communication culture.

Communications and the Four Wellbeings

Communications contributes to the achievement of key aspects of the Stakeholder Relationships aspect of the Governance category under the Four Wellbeings (social, cultural, economic and environmental wellbeing of communities). The Communications functions identified in this strategy are designed to support the democratic process of local government and deliver value to the Wairoa community particularly with regard to Communication and Customer Service.

Stakeholder Relationships – Issue Drivers

Statutory: The Local Government Act 2002 is the primary piece of legislation governing local authorities and how they carry out their functions. The basic principles of the Act are: participation, openness and accountability. The Act is aimed at encouraging community participation in planning and decision making and encouraging local authorities to be accountable back to the community.

Other Acts which require specific action by Council relating to communications include the Privacy Act 1993, Official Information Act 1982, the Local Government Official Information and Meetings Act 1987, the Public Records Act 2005, the New Zealand Bill of Rights Act 1990 and the Resource Management Act 1991.

Internal: Councillor expectations for excellent stakeholder relations continue to increase as do community expectations to be informed and involved. Council's Consultation Policy and the Local Government Act 2002 outline requirements for and promote community participation, consultation and accountability. These processes require specialist support for officers throughout the organisation provided by trained professionals in the fields of communication, consultation, community building and knowledge management.

External: A five year study of communications in local government in the United Kingdom (believed to be the only one of its kind) found there is a definite link between information and satisfaction. Those Councils which developed a consistent and committed approach to informing and involving their communities saw an ongoing increase in how satisfied their communities were with their performance and their community in general. The study concluded that "as the 'information age' matures, it will be vital for local authorities to deliver the messages that people want to hear, using the channels that are most effective".

In recent years, Central Government reporting and consultation requirements have increased significantly and include the introduction of legislation on records and archives management and the storage of public information in general.

The future: It is anticipated that requirements to satisfy ethical principles and meet governance standards, as well as the need to show accountability and transparency in decision making, will increase in coming years. This will require the allocation of more resources to the areas responsible for managing stakeholder relationships.

External Communications

Objective:

To be an organisation that keeps the community informed about Council activities, services and achievements. To promote Wairoa as a Great Place with a Great Lifestyle and a Great Future to existing and prospective residents, prospective employees and visitors. To maintain a generally positive community profile of the organisation through effective and proactive media management with a focus on developing a high level of trust with the media to assist with managing crisis communications moments.

Performance Indicators:

Annual Wairoa District Council Communitrak Survey; Long-term Council Community Plan

Performance to be measured against a range of questions in the annual Wairoa District Council Communitrak Survey including:

- The opportunity exists for me to be involved in making decisions about my community (agreement question)
- Wairoa District Council has a clear plan for Wairoa's future (agreement question)
- Responding to community needs (importance and satisfaction ranking)
- The way Council employees deal with the public (importance and satisfaction ranking)
- Informing residents about Council activities (importance and satisfaction ranking)
- Community involvement in Council decision making (importance and satisfaction ranking)

Specific issues can be referred to the annual Wairoa District Council Communitrak Survey to test performance of certain functions.

Achievement of customer service performance measures relating to communication/consultation contained in the LTCCP.

Media Performance

Rate of pick up of media releases above 90%. Attendance of media at key media launches/announcements.

New Strategies and Tasks.

1. Publications: new publications proposed include a quarterly Council Newsletter and Public Voice Brochure/Flyer.
2. Media Protocol and Media Training: A guide for officers on correct media management process. To provide officers with regular media responsibilities access to training.
3. Targeted Editorial Programme: A plan to address specific issues and progress specific strategies e.g. dealing with negative perceptions about waste management, promoting Wairoa District Council as an employer of choice.
4. Advertising Radio/Newspaper/Other Media: Assertive communication output via radio, newspaper and other media where appropriate.
5. Media Liaison: To provide a one-stop shop to assist the media with information and access to interviewees etc.

External Communications Programme			
Publication	Implementation Priority	Purpose / Target Audience / Frequency	Responsibility/Status
Council Newsletter	H	Quarterly community newsletter "He Tangata". General news on Council projects and programmes to residents, including a calendar of events. (User-friendly, conversational language. People based, people stories, people comment. Visual and photographic. Demystifying Council processes).	Responsibility Communications Status New
Media Liaison	H	To provide a one-stop shop to assist the media with information and access to interviewees. To help plan and implement media strategies. To provide media advice to officers.	Responsibility Administration/ Communications Status New
Targeted Editorial Programme/ Media Releases	H	A structured programme to deliver more frequent targeted editorial to address specific issues and progress specific strategies and projects e.g. – significant issues identified in Annual Plan, waste management strategy and Mahia Community Wastewater Scheme.	Responsibility Communications Status New
Media Protocol	M	A guide for officers on correct media management process.	Responsibility Communications Status New
Media Training	M	To provide officers with regular media responsibilities access to training.	Responsibility Human Resources Status New
Public Voice Brochure/Flyer	H	A one-off brochure/flyer to demystify the public consultation process and outline how people can have their say on issues. Brochure/flyer could also cover the activities and roles that exist within Council for first-timers and a guide to help keep the community engagement process effective, user-friendly and approachable.	Responsibility Communications Status New
Advertising Radio/ Newspaper/ Other Media	NA & H	12 x Power Plan Campaigns on More FM Wairoa and The Rock Wairoa Frequent advertising relating to e.g. Council Meetings and Council Workshops, general Council promotion e.g. services provided by Council.	Responsibility Administration/ Communications Status Current and ongoing/ New

Implementation priority rankings: NA: Not applicable – existing service L: Low priority – minimal support expressed during consultation or via surveys M: Medium priority – moderate support expressed during consultation or via surveys H: High priority – Council resolution and/or significant level of support expressed during consultation and surveys.

Consultation

Objective:

To develop consultation strategies and tools that help Council plan and deliver more effective and appropriate services to its customers.

Effective consultation benefits Council by:

- providing information on the needs of customers;
- building a co-operative and responsive relationship between Council and the community;
- enabling Council to use the knowledge of its customers to plan and provide better services.

Performance Indicators:

Annual Wairoa District Council Communitrak Survey; Long-term Council Community Plan

Performance to be measured against a range of questions in the annual Wairoa District Council Communitrak Survey including:

- The opportunity exists for me to be involved in making decisions about my community (agreement question)
- Wairoa District Council has a clear plan for Wairoa's future (agreement question)
- Responding to community needs (importance and satisfaction ranking)
- Community involvement in Council decision making (importance and satisfaction ranking)

Specific issues can be referred to the annual Wairoa District Council Communitrak Survey to test performance of certain functions.

Achievement of customer service performance measures relating to communication/consultation contained in the LTCCP.

Media Performance

Rate of pick up of media releases above 90%. Attendance of media at key media launches/announcements.

New Strategies and Tasks.

1. Consultation Tool Kit: to provide officers with a series of simple checklists for developing and implementing effective consultation strategies.

Consultation Programme

Activity	Implementation Priority	Purpose / Target Audience / Frequency	Responsibility/Status
Consultation Policy	NA	Policy provides a broad framework for citizen participation in Council's work across all groups.	Responsibility Policy
			Status Current and ongoing
Public Forums	NA	Monthly Community Forums provide residents with an opportunity to discuss issues pertinent to their community with presentations by Council officers on a range of topics.	Responsibility Councillors/ Administration
			Status Current and ongoing
Consultation Tool Kit	M	An addition to the Consultation Policy providing officers with a checklist to developing and implementing consultation strategies	Responsibility Communications
			Status New
Tea and Scones Meetings	NA	Annual informal meetings between Councillors and community to gather key issues and formulate Community Plans and actions.	Responsibility Councillors
			Status Current and ongoing
Community Clinics	NA	Series of community clinics held throughout the district to educate the public about Council activities and processes.	Responsibility Administration
			Status Current and ongoing

Implementation priority rankings: NA: Not applicable – existing service L: Low priority – minimal support expressed during consultation or via surveys M: Medium priority – moderate support expressed during consultation or via surveys H: High priority – Council resolution and/or significant level of support expressed during consultation and surveys.

Corporate Marketing

Objective:

To raise the level of awareness about Council services to drive improvements in the level of community satisfaction. Key themes underpinning all activities are to promote our Community Outcomes:

- A strong prosperous and thriving economy.
- A safe and secure community.
- A lifetime of good health and wellbeing.
- An environment that is appreciated, protected and sustained for future generations.
- Supportive, caring and valued communities.
- A safe and integrated transport system.
- Strong district leadership and a sense of belonging.
- Safe and accessible recreational facilities.
- A community that values and promotes its culture and heritage.

By reflecting these outcomes, Council's corporate marketing efforts will help build the 'image' of an organisation which has a 'plan for the future'.

Performance Indicators:

Annual Wairoa District Council Communitrak Survey; Long-term Council Community Plan

Performance to be measured generally against the satisfaction ratings section of the annual Wairoa District Council Communitrak Survey with ongoing improvement or maintenance at high levels to be the goal.

Specific strategies or initiatives may require additional performance indicators to be developed.

Achievement of customer service performance measures relating to communication/consultation contained in the LTCCP.

New Strategies and Tasks.

New ideas to be further developed:

- Community Information Kiosks, hard copy and electronic information distribution points.
- Council Expos: Expos providing residents with an opportunity to talk to Councillors and officers.
- Community Information Caravan: Already exists, needs refurbishment, rebranding and resourcing.

Corporate Marketing Programme

Activity	Implementation Priority	Purpose	Responsibility/Status
Community Information Kiosks	M	Ongoing information access points in remote locations (places with high community foot traffic e.g. supermarkets) with hard-copy publications and where possible electronic (internet) format.	Responsibility Administration/ Communications Status New
Council Expos	L	Annual expos to provide residents with an opportunity to discuss issues with staff and Councillors, To provide an accessible, family-friendly atmosphere to highlight services and facilities.	Responsibility Administration/ Communications Status New
Community Information Caravan	NA & H	An ongoing facility to be used at community events (particularly those sponsored by Council) to reinforce Council's support for community activities and provide information in friendly accessible locations. Caravan refurbishment, rebranding and resourcing needed.	Responsibility Administration/ Communications Status Existing/New

Implementation priority rankings: NA: Not applicable – existing service L: Low priority – minimal support expressed during consultation or via surveys M: Medium priority – moderate support expressed during consultation or via surveys H: High priority – Council resolution and/or significant level of support expressed during consultation and surveys.

Internal Communications

Objective:

To inform and equip staff with the information, knowledge and skills to effectively communicate as individuals and as part of the Wairoa District Council team. To provide staff with the tools to collaborate effectively to minimise delays in decision making due to poor communications. To provide staff with information on Council activities, services and functions to fulfill their potential as ambassadors to the community.

By reflecting these outcomes, Council's corporate marketing efforts will help build the 'image' of an organisation which has a 'plan for the future'.

Performance Indicators:

Ongoing improvement in the communications dimension in the annual Wairoa District Council Communitrak Survey with ongoing improvement or maintenance at high levels to be the goal.

Specific strategies or initiatives may require additional performance indicators to be developed.

Achievement of customer service performance measures relating to communication/consultation contained in the LTCCP.

New Strategies and Tasks.

- Internal Communications Guide for managers to address the poorest performing aspects of the communications dimension in the annual Wairoa District Council Communitrak Survey.
- Support for Managers: expand support programme for managers including additional training.
- Team Meeting Guide: simple guide to assist teams to run effective team meetings.

Internal Communications Programme

Activity	Implementation Priority	Purpose / Target Audience / Frequency	Responsibility/Status
Internal Communications Guide	H	Guide to assist officers to choose effective communication tools and develop communication strategies.	Responsibility Communications/ Policy
			Status New
Support Managers	H	Ongoing support programme for Managers including training in communications related skills.	Responsibility Communications/ Human Resources
			Status New
Team Meeting Guide	M	One-off guide to assist teams to run effective meetings.	Responsibility Communications/ Policy
			Status New

Implementation priority rankings: NA: Not applicable – existing service L: Low priority – minimal support expressed during consultation or via surveys M: Medium priority – moderate support expressed during consultation or via surveys H: High priority – Council resolution and/or significant level of support expressed during consultation and surveys.

Customer Service

Objective:

Customer Focus is one of the six value goals that underpin our efforts to achieve Council's objectives. Customer Service is an integral part of having a Customer Focus which has been described as follows:

- Council is committed to providing quality services to the local community within available resources to meet the needs of the community. To demonstrate this commitment, Council will build and maintain a relationship based on open and effective communication with the community.
- Customer Focus: to provide excellent customer service.
- Customer Consciousness: identifying what our customers want so that we offer them a value for money service.

By reflecting these outcomes, Council's corporate marketing efforts will help build the 'image' of an organisation which has a 'plan for the future'.

Performance Indicators:

Annual Wairoa District Council Communitrak Survey; Long-term Council Community Plan

Ongoing improvements in satisfaction rating for the way Council employees deal with the public and perceptions of Wairoa District Council employees dimensions in the annual Wairoa District Council Communitrak Survey.

Specific strategies or initiatives may require additional performance indicators to be developed.

Achievement of customer service performance measures relating to communication/consultation contained in the LTCCP.

New Strategies and Tasks.

- Customer Service Audit: Using mystery shopper technique to measure customer service performance and promote excellent customer service.

Customer Service Programme

Activity	Implementation Priority	Purpose / Target Audience / Frequency	Responsibility/Status
Complaints Monitoring	NA	To promote a culture where complaints are a motivator to improve. Customer Service Requests acknowledged and actioned - complete feedback loop.	Responsibility Council Wide
			Status Current and ongoing
Customer Service Audit	H	To measure customer service performance and promote excellent customer service.	Responsibility Administration
			Status New
Customer Service Training	NA	To equip staff with a customer service ethic and the tools to deliver excellent customer service.	Responsibility Human Resources
			Status Current and ongoing

Implementation priority rankings: NA: Not applicable – existing service L: Low priority – minimal support expressed during consultation or via surveys M: Medium priority – moderate support expressed during consultation or via surveys H: High priority – Council resolution and/or significant level of support expressed during consultation and surveys.

E-Communications

Objective:

To deliver e-services and information to the Wairoa community contributing to increasing community awareness of Council services and facilities and customer satisfaction. To provide Council staff with access to key corporate information to achieve valuable performance especially in relation to customer service, communication, team work and action.

Performance Indicators:

Long-term Council Community Plan

Ongoing increases in monthly web page hits. Achievement of performance indicators for the Council website as contained in the Community Representation and Support Services sections of the LTCCP.

Achievement of customer service performance measures relating to communication/consultation contained in the LTCCP.

New Strategies and Tasks.

- Intranet: Develop an intranet to provide key corporate information to staff to support customer service, communication, team work and action.

E-Communications Programme

Activity	Implementation Priority	Purpose / Target Audience / Frequency	Responsibility/Status		
Intranet	NA & H	Develop an intranet to further support customer service and internal staff communication.	<table border="1"> <tr> <td>Responsibility Administration/IT</td> </tr> <tr> <td>Status Current and ongoing/ New</td> </tr> </table>	Responsibility Administration/IT	Status Current and ongoing/ New
Responsibility Administration/IT					
Status Current and ongoing/ New					
Website Audit	NA	Annual audit of Council website to ensure information and links are up to date for customer visiting the Council website and accessing its information.	<table border="1"> <tr> <td>Responsibility Administration</td> </tr> <tr> <td>Status Current and ongoing</td> </tr> </table>	Responsibility Administration	Status Current and ongoing
Responsibility Administration					
Status Current and ongoing					
Online Submissions/ Surveys	NA	Increase where possible the use of online submissions and surveys.	<table border="1"> <tr> <td>Responsibility Administration/ Communications</td> </tr> <tr> <td>Status Current and ongoing</td> </tr> </table>	Responsibility Administration/ Communications	Status Current and ongoing
Responsibility Administration/ Communications					
Status Current and ongoing					

Implementation priority rankings: NA: Not applicable – existing service L: Low priority – minimal support expressed during consultation or via surveys M: Medium priority – moderate support expressed during consultation or via surveys H: High priority – Council resolution and/or significant level of support expressed during consultation and surveys.

Corporate Identity

Objective:

To present a consistent brand to the community in a way that contributes to the development of an 'organisational personality' which engenders trust and support from the community. *Image Formation* is described as the third stage of market awareness preceded by *Communication* which raises awareness of a product or service, through *Marketing* which raises awareness of the attributes of a product or service to *Image Formation* which establishes trust and loyalty in the customer's mind.

A corporate identity or corporate image refers to how an organisation is perceived. It is a generally accepted image of what an organisation "stands for". The creation of a corporate identity is an exercise in perception management. It is created primarily by marketing experts who use public relations and other forms of promotion to suggest a mental picture to the public. Typically, a corporate identity is designed to be appealing to the public, so that the organisation can spark an interest among consumers, create share of mind, generate brand equity, and thus facilitate trust and loyalty in the customer's mind.

Performance Indicators:

An increasing rate of compliance and support for the corporate identity. The publications audit in new strategies/tools is required to establish a baseline for this indicator.

New Strategies and Tasks.

- Development of a corporate identity and manual: Development of a corporate identity for Council that is designed to be appealing to the public and thus facilitate trust and loyalty in the customer's mind.
- Standard templates for publications, flyers, posters etc to help identified and trained officers to comply with the corporate identity.
- A publications audit to identify publications needing to be converted to the corporate identity and identify current rate of compliance.

Corporate Identity Programme

Activity	Implementation Priority	Purpose / Target Audience / Frequency	Responsibility/Status
Corporate Identity Manual	H	Manual provides guidelines and direction for the approved use of the corporate identity, including logo and colour branding.	Responsibility Communications Status New
Standard Templates	H	To provide standard templates for publications, flyers, posters etc to help identified and trained officers to comply with the Corporate Identity Manual.	Responsibility Administration/ Communications Status New
Publications Audit	M - L	A publications audit to identify publications needing to be converted to the Corporate Identity.	Responsibility Administration/ Communications Status New

Implementation priority rankings: NA: Not applicable – existing service L: Low priority – minimal support expressed during consultation or via surveys M: Medium priority – moderate support expressed during consultation or via surveys H: High priority – Council resolution and/or significant level of support expressed during consultation and surveys.

8.9 COMMITTEE TERMS OF REFERENCE

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: Fergus Power, Chief Executive Officer

- Appendices:**
1. **Community Partnership** [↓](#)
 2. **Infrastructure Committee** [↓](#)
 3. **Finance, Audit and Risk** [↓](#)


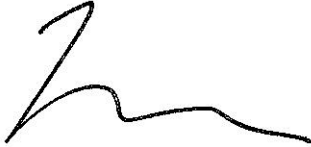
1. PURPOSE

- 1.1 This report provides Council with suggested changes to the terms of reference for the Community Partnership Committee and Finance, Audit & Risk Committee for consideration.
- 1.2 This report also provides a proposed terms of reference for an Infrastructure Committee to replace the Asset & Activity Committee.

RECOMMENDATION

The Governance Advisor & Policy Strategist RECOMMENDS that Council receive the report and advise of their preference for the terms of reference.

Signatories

	
Charlotte Knight Author	Fergus Power Approved by



WAIROA DISTRICT COUNCIL

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

Terms of Reference: Community Partnership Committee

Membership	<p>His Worship the Mayor (ex-officio)</p> <p>6 councillors</p> <p>MSC representative</p> <p>Ministry of Social Development representative</p> <p>Ministry of Education representative</p> <p>Hawke's Bay District Health Board representative</p> <p>NZ Police representative</p> <p>Housing NZ representative</p> <p>Tatau Tatau representative</p> <p>Ngati Pahauwera representative</p> <p>Tuhoe representative</p>
Meeting frequency	<p>6 weekly and as required</p>
Quorum	<p>6 members – 1 of which needs to be an elected member as per legislation</p>
Purpose	<p>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.</p>
Responsibilities	<ul style="list-style-type: none"> • Oversee and coordinate review processes on any matter affecting the district or its inhabitants • Prepare a scope for each review outlining a terms of reference for any sub-group who will be working on a review • Monitor progress of the committee's work programme • Make recommendations to Council based on findings of reviews

Delegations	<ul style="list-style-type: none">• Power to.• 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 itselfb. Where the Committee's responsibility is limited to making a recommendation onlyc. The approval of expenditure not contained within approved budgetsd. The approval of final policy
Rules and Procedures	<ul style="list-style-type: none">• Standing Orders apply.• Minutes will be submitted to Council.



WAIROA DISTRICT COUNCIL

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

Terms of Reference: Infrastructure Committee

Membership	Independent representative, 2 councillors and His Worship the Mayor (ex-officio). (Quorum = 3 members)
Meeting frequency	Quarterly and as required
Purpose	<p>The development of operational policy and the oversight of operations in the area of infrastructure works and procurement, including (but not limited to) the following activities:</p> <ul style="list-style-type: none"> • Three-Waters Infrastructure (Water, Wastewater, Stormwater) • Property ownership, management, renewals, upgrades and developments • CBD upgrades physical works • Roading and transport operations (including Capital infrastructure for bridges, roads and footpaths including cycleways) • Solid waste operations (including refuse and recycling disposal and recycled materials) • Emergency Management <p>Oversight of the tender process.</p>
Responsibilities	<ul style="list-style-type: none"> • Responsibility to monitor Long Term Plan/Annual Plan implementation within the Fields of Activity set out above. • Responsibility to develop policies, and provide financial oversight, for matters within the Fields of Activity to provide assurance that funds are managed efficiently, effectively and with due regard to risk. • Oversee and provide feedback on key physical infrastructure plans and projects relating to transport, water, wastewater, stormwater, property and solid waste management. • Provide strategic direction to Council to guide development of strategies and policies as outlined in the purpose of the Committee. • Review asset management plans, asset valuation and whole of life optimisation • Review of tenders for infrastructure contracts and signoff of tenders awarded by the council • Overview of the implementation of major projects including:- <ul style="list-style-type: none"> • Wairoa wastewater discharge consent renewal

Delegations	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 for itself.b. Where the Committee's responsibility is limited to making a recommendation only.c. The approval of final policy.d. Deciding significant matters for which there is high public interest and which are controversial.e. The commissioning of reports on new policy where that policy programme of work has not been approved by the Council.f. Establishing subcommittees.
Rules and Procedures	<ul style="list-style-type: none">• Standing Orders apply• The minutes of the Committee will be submitted to the Council.• There will be an appropriate induction programme for new members of the Committee.



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), 3 councillors, and an independent member.
Meeting frequency	Every 6 weeks 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 (if any) to Council on any suggested actions by the Auditor. • Monitor 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. (monthly/quarterly report goes to Council if they meet before FAR) • Monitor existing corporate finance policies and recommend to Council new corporate policies to prohibit unethical, questionable or illegal activities. • [Oversee the Health & Safety work programme – James] • 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 itselfb. Where the Committee's responsibility is limited to making a
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	<p>recommendation only</p> <ul style="list-style-type: none">c. The approval of expenditure not contained within approved budgetsd. The approval of final policye. Deciding significant matters for which there is high public interest and which are controversialf. The commissioning of reports on new policy where that policy programme of work has not been approved by the Councilg. Establishing subcommitteesh. Delegating the Committee's responsibilities, duties or powers
Rules and Procedures	<ul style="list-style-type: none">• Standing Orders apply.• The minutes of the committee will be submitted to the Council.• There will be an appropriate induction programme for new members of the committee.

8.10 REFERENDUM – MĀHANGA WATER SUPPLY

Author: James Baty, Corporate Services Manager

Authoriser: Fergus Power, Chief Executive Officer

Appendices: Nil

1. PURPOSE

- 1.1 The purpose of this report is to seek confirmation from Council on the resetting of referendum timeframes relating to a poll on the decommissioning or otherwise of the Māhanga Water Supply.

RECOMMENDATION

The Electoral Officer RECOMMENDS that Council:

1. Receives the report.
2. Confirms the referendum timeframes for a poll on the decommissioning or otherwise of the Māhanga Water Supply as prescribed in this report.

2. BACKGROUND

- 2.1 The Electoral Officer has been asked to prepare a report on this matter for Council's consideration.
- 2.2 This report has been prepared in accordance with the Local Government Act 2002 (LGA) and Local Electoral Act 2001 (LGE).
- 2.3 On 27 September 2016 Council resolved to hold this referendum by 17 February 2017. However, the information required under the legislation which specifically obligated Council to review the likely effect of the possible closure on (1) the public health of the community that would be affected by the closure and (2) the environment in the district of that community, was not available to by the timeframes Council previously adopted.
- 2.4 In addition, Council was required to assess in relation to each property that receives the water service, the likely capital cost and annual operating costs of providing an appropriate alternative service if the water service is closed down; and to compare the quality and adequacy of the existing water service with the likely quality and adequacy of the alternative service.
- 2.5 Council must also have consulted on the proposal with the Medical Officer of Health.
- 2.6 The law requires that all this information needs to be made available to the public in a timely manner.
- 2.7 The Electoral Officer understands that that Engineering Department have now completed these processes and that the information will form the basis for the information pack (containing the impact information and the final comments from the Medical officer of Health) to be sent out with the voting papers.
- 2.8 The Māhanga Water Supply issue is essentially a binding referendum on whether or not the Māhanga Water Supply should be closed.

- 2.9 The referendum is required to be undertaken pursuant to Section 131 of the LGA. Under this section, a referendum must be conducted pursuant to section 9 of the LEA, which basically means the referendum is a poll and must follow the requirements and timings of the LEA. The period for holding a referendum under the LEA is 89 days, or just under 3 months. The result of the referendum is binding and to be successful requires 75% or more of the votes cast to proceed.
- 2.10 Section 132 of the LGA which relates to eligibility to vote in the referendum which Council has previously discussed.
- 2.11 Consideration of this matter contributes to Council's vision of 'Connected Communities; Desirable Lifestyles; Treasured Environments', is also contributes to the following community outcomes:
- Strong district leadership and a sense of belonging.
 - A Lifetime of good health and well-being.
 - An environment that is appreciated, protected and sustained for future generations.

3. OPTIONS

- 3.1 The options identified are:

OPTION 1

- Roll open for inspection - 4 July 2017
- Roll closes - 1 August 2017
- Delivery voting packs - 5 September 2017
- Close of voting - 27 September 2017 (noon)

OPTION 2

- Roll open for inspection - 1 August 2017
- Roll closes – 29 August 2017
- Delivery voting packs - 3 October 2017
- Close of voting - 25 October 2017 (noon)

- 3.2 The preferred option is OPTION 1, 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. CORPORATE CONSIDERATIONS

What is the change?

- 4.1 The outcome of the referendum will affect the operation of the Māhanga Water Supply

Compliance with legislation and Council Policy

5.1 The matters and options discussed above comply with legislation, regulations, policy and the SOLGM Code of Good Practice for the Management of Local Authority Elections and Polls 2016

5.2 Relevant legislation

Local Government Act 2002

<http://www.legislation.govt.nz/act/public/2002/0084/latest/DLM170873.html>

Local Electoral Act 2001

<http://www.legislation.govt.nz/act/public/2001/0035/latest/DLM93301.html>

Local Electoral Regulations 2001

<http://www.legislation.govt.nz/regulation/public/2001/0145/latest/DLM49294.html>

What are the key benefits?

4.2 Final decision on the Māhanga Water Supply.

What is the cost?

4.3 The indicative cost of the referendum is \$1700 + GST plus costs associated with public notices on three occasions, and will be met from existing budgetary provisions

What is the saving?

4.4 Not applicable as regards the referendum.

Who has been consulted?

4.5 Council has already resolved to hold a referendum. As previously stated the referendum is required to be undertaken pursuant to section 131 of the LGA. Under this section, a referendum must be conducted pursuant to section 9 of the LEA, which basically means the referendum is a poll and must follow the requirements and timings of the LEA.

Service delivery review

4.6 Not applicable as regards the referendum.

Maori Standing Committee

4.7 This matter has not been referred to the committee.

5. SIGNIFICANCE

5.1 The outcome of the referendum may require Council to carefully consider the implications of its Significance and Engagement Policy bearing in mind however that this is a statutory process with its own legislative provisions.

6. RISK MANAGEMENT

6.1 The strategic risks (e.g. publicity/public perception, adverse effect on community, timeframes, health and safety, financial/security of funding, political, legal – refer to S10 and S11A of LGA 2002, others) identified in the implementation of the recommendations made are as follows: No strategic risks have been identified in the recommendations contained in this report specifically relating to the referendum.

Further Information

Not applicable.

Background Papers

Not applicable.

References (to or from other Committees)


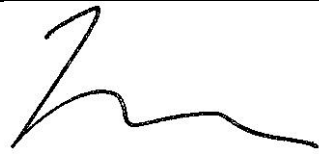
Not applicable.

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>James Baty Author</p>	<p>Fergus Power Approved by</p>

8.11 NET PROMOTER SCORE

Author: James Baty, Corporate Services Manager

Authoriser: Fergus Power, Chief Executive Officer

Appendices: 1. **2017 Wairoa NPS Survey Final Report** [↓](#)

1. PURPOSE

- 1.1 This report provides information for Council on the results of the recent Net Promoter Score (NPS) Visitor and Residents Survey. No decisions are required by Council at this stage.
- 1.2 This information-only report has been requested by Council.

RECOMMENDATION

The Corporate Service Manager RECOMMENDS that Council receive the report.

2. BACKGROUND

- 2.1 Council previously approved use of the NPS framework to ascertain visitors' and residents' views of Wairoa. To this end Council approved funding as part of the 2016/17 Annual Plan.
- 2.2 The first of the surveys is now complete and results are attached for Council's information and consideration.
- 2.3 A total of n=636 usable surveys were collected (Visitors to the area n=240, Wairoa District Residents n=396). Data was collected online during January and February 2017. This data was analysed during the months March and April 2017.
- 2.4 The Executive Summary on page two of the report provides a general overview of the methodology, results and highlights.
- 2.5 Raw data is available to Council via The Hub.
- 2.6 This initiative contributes to Council's vision of 'Connected Communities; Desirable Lifestyles; Treasured Environments', is also contributes to the following community outcomes:
 - A strong prosperous and thriving economy.
 - Strong district leadership and a sense of belonging.
 - A community that values and promotes its culture and heritage.

3. CONCLUSION

- 3.1 In considering feedback from residents and ratepayers, Council should weight up whether to take action vs managing expectations. The results of this survey feed nicely into Council's pre-engagement processes associated with the forthcoming Long Term Plan.

Further Information

- https://en.wikipedia.org/wiki/Net_Promoter
- <http://www.medallia.com/net-promoter-score/>
- <https://www.youtube.com/watch?v=bH242Nc5GHA>
- <https://www.youtube.com/watch?v=6uxV32LXeVE>


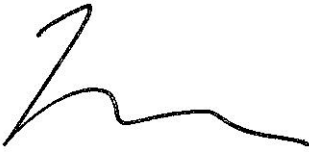
Background Papers

Not applicable.

References (to or from other Committees)

Not applicable.

Signatories

	
<p>James Baty Author</p>	<p>Fergus Power Approved by</p>



Wairoa District
NPS Survey
Presented: March 2017



Prepared by Dr Virgil Troy © SIL Research 2017

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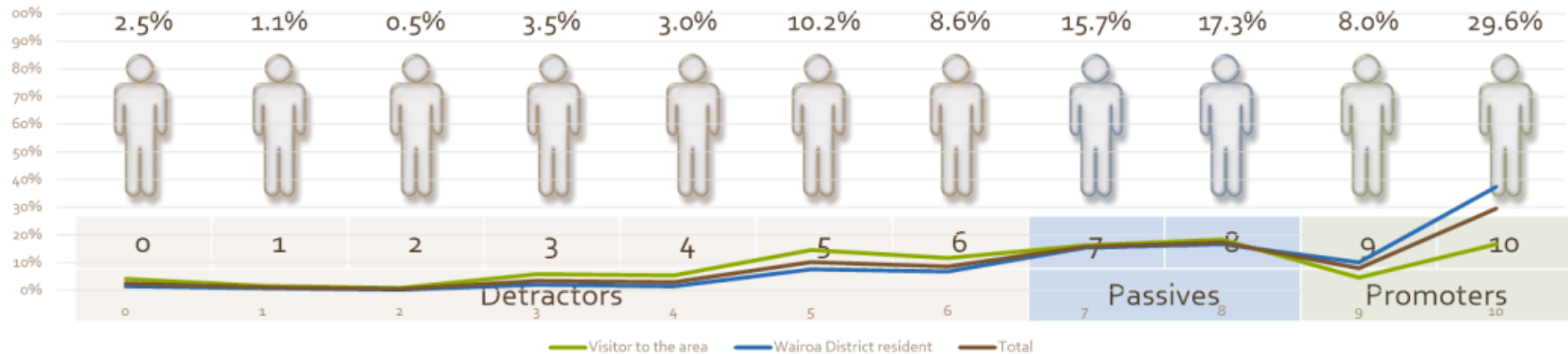
Executive Summary

- **Methodology:** A total of n=636 usable surveys were collected from Wairoa District (Visitors to the area n=240, Wairoa District residents n=396). Data was collected online during January and February 2017.
- **Findings: Net Promoter Score** Using the 0-10 scale (where 0 = not at all likely and 10 = extremely likely), the Wairoa District had an average rating of **7.4-out-of-10** as a place to visit, **29.4% of respondents were 'detractors', 33% were 'passives' and 37.6% were 'promoters' giving the Wairoa District a +8.2% Net Promoter Score.** Visitors were less likely to recommend the Wairoa District as a place to visit to a friend or colleague (-22.9% Net Promoter Score).
- The top 3 suggestions for the improvement were similar between the two groups: **'Improve/More Shops', 'More activities, events/Things to do'** and **'Clean/Repair/Paint buildings'**. However, the relevance levels were different.
- In considering feedback from residents and ratepayers, Council should weight up whether to take action vs managing expectations.
- When considering visitor opinions, the Wairoa District may benefit from improved communication relating to the districts sights, attractions and activities available to visitors.



Wairoa District Net Promoter Score (NPS)

"On a scale of 0-10 where 0=not at all likely and 10=extremely likely, how likely is it that you would recommend the Wairoa District as a place to visit to a friend or colleague?"

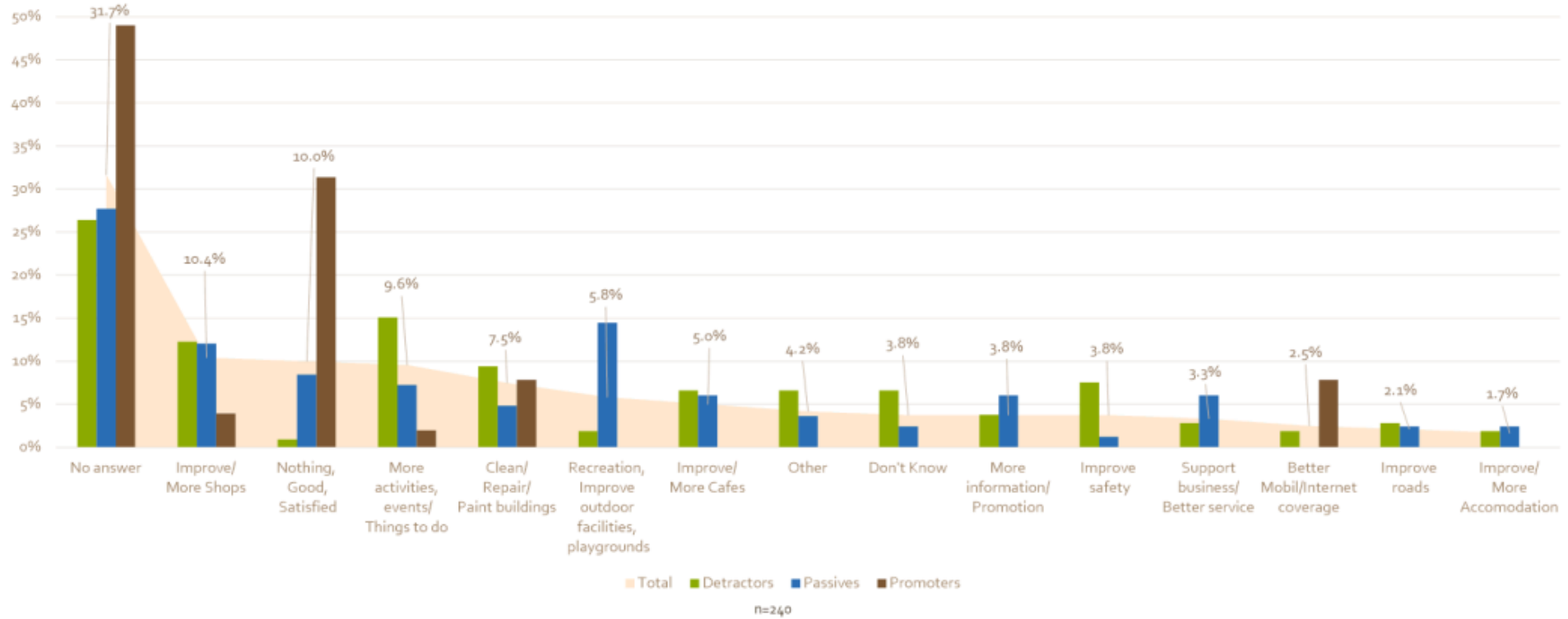


	Detractors		Passives		Promoters		NPS %	Mean
	Count	Row N %	Count	Row N %	Count	Row N %		
Visitor to the area	106	44.2%	83	34.6%	51	21.3%	-22.9%	6.54
Wairoa resident	81	20.5%	127	32.1%	188	47.5%	27.0%	7.98
Total	187	29.4%	210	33.0%	239	37.6%	8.2%	7.44



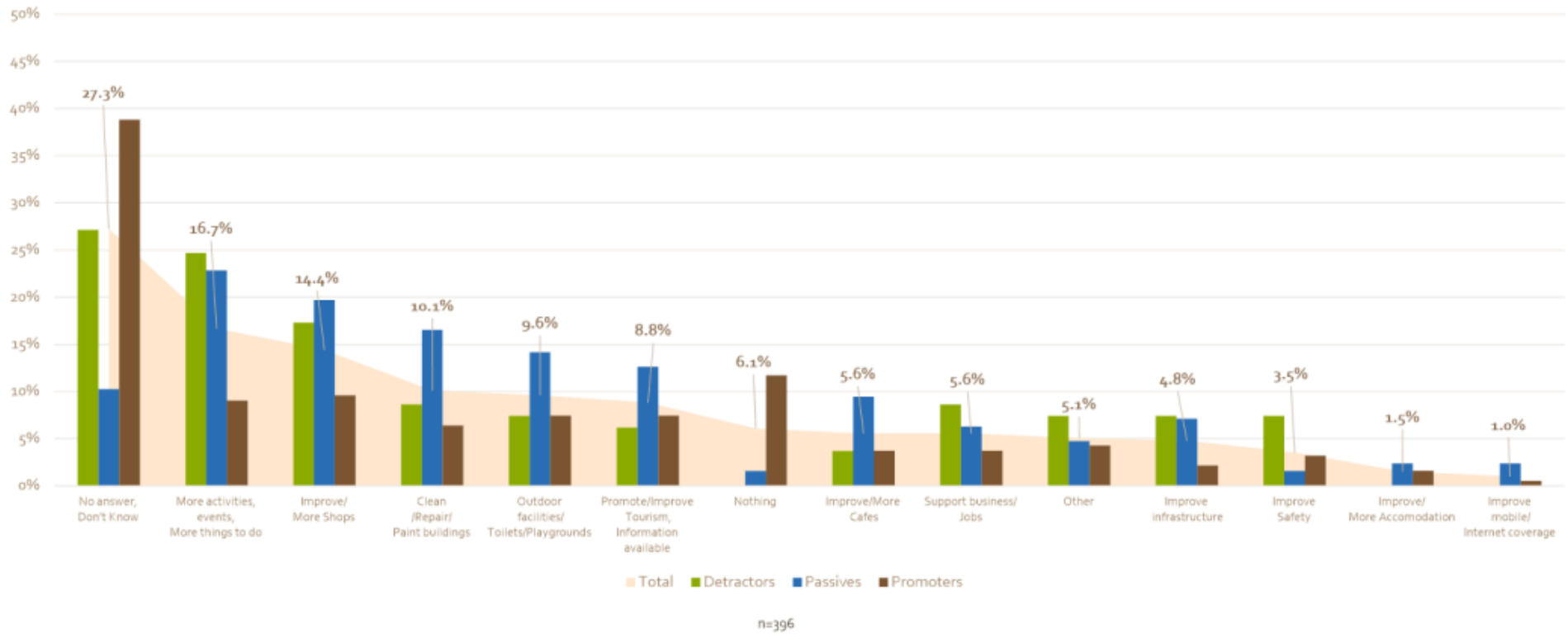
Overall, the NPS score was +8.2%. However, there were statistically significant differences between area visitors and residents. The visitors were less likely to recommend the Wairoa District as a place to visit to a friend or colleague.

NPS Improvement by visitors *(categorised open-ended responses)*



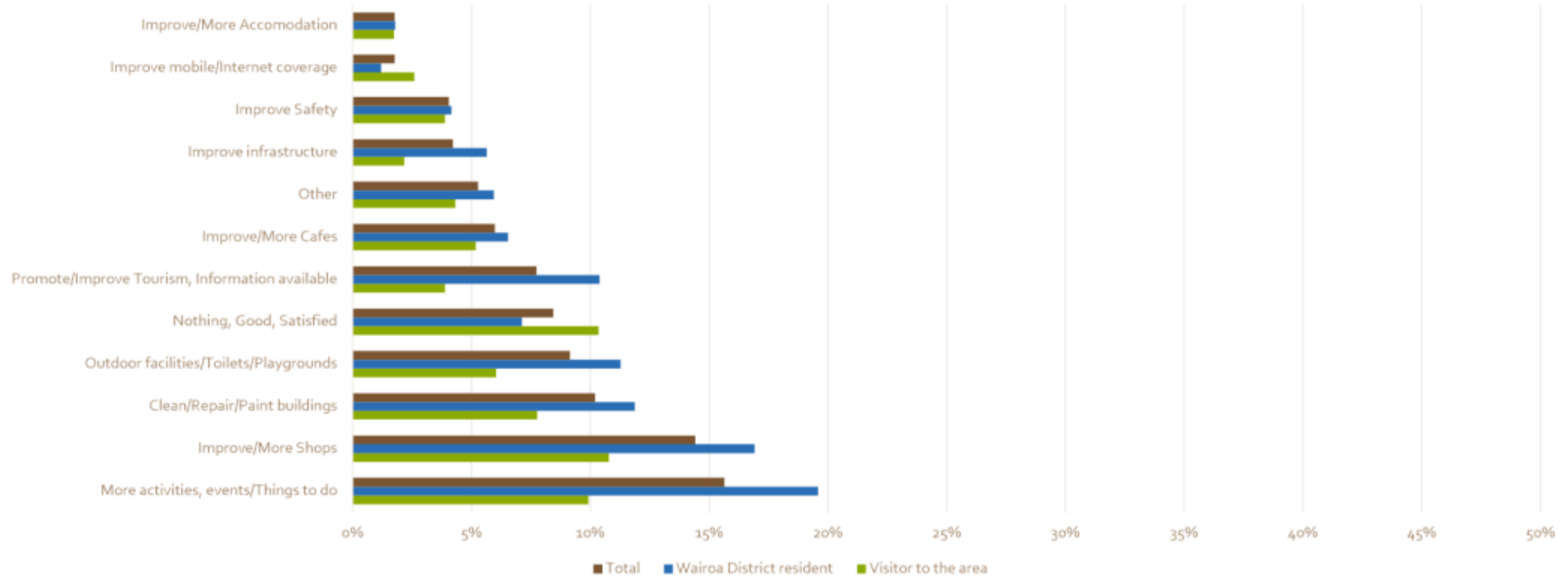
32% did not provide an answer when asked what one thing could be improved to increase the score. The most common reply by visitors to the area was 'Improve/More Shops' at 10.4%.

NPS Improvement by residents *(categorised open-ended responses)*



The most common suggestions for improvement from area residents were 'More activities, events, more things to do' at 16.7%, followed by 'Improve/More Shops' at 14.4% and 'Clean/Repair/Paint buildings' at 10.1%.

NPS Improvement *(aggregated and combined responses)*



n=636



The top three suggestions for the improvements were similar between the groups: 'Improve/More Shops', 'More activities, events/Things to do' and 'Clean/Repair/Paint buildings'. However, the relevance levels were different. The percent of 'No answer' and 'Don't know' was higher within the visitors group.



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- Our primary focus is the delivery of intelligent business research to assist organisations in making informed strategic, tactical and day-to-day decisions.
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The SIL Research Team

- **Principal Researcher: Dr Virgil Troy BSc, MBA (Distinction) PhD**
 - Virgil's diverse work experience includes 15 years in broadcasting and 12 years as a Management Consultant working in a variety of industries and sectors and the most recently 10 years working in customer engagement within the Aotearoa New Zealand electricity lines industry, local government, banking and education sectors.
 - Underpinning the hands-on, practical application of business research is Virgil's academic background which includes a Bachelors Degree in Broadcasting Communications (BSc) and a Masters Degree in Business Administration (MBA with Distinction) majoring in Marketing and International Business.
 - Virgil's expertise is in CRM having completed a PhD in the subject. He currently undertakes customer engagement research for the electricity, banking, local government, education and banking sectors. His research background includes comparative analysis of industries Customer Relationship Management processes. Virgil periodically lectures in Consumer Behaviour and Communications strategies as well as 700 level Marketing Research Methods at EIT Hawke's Bay.
- **Research Analyst: Nataliya Rik MBChB (Medicine)**
 - Nataliya comes from a medical background. She holds MBChB from Moscow State University and has solid research experience including clinical trials and infectious diseases studies. Having immigrated to New Zealand from Russia, Nataliya recently completed a New Zealand Business Diploma and has conducted market research in the New Zealand healthcare environment.
- **Research Analyst: Evan Jones BSc, MA Ed (Mathematics)**
 - Evan has an extensive background in statistics and mathematics in the Tertiary Education sector.
- **Proofreader/editor: Lorna Phillips BA BSc PGDipForSci**
 - Lorna has several years' experience editing and proofreading for both individuals and businesses, throughout a wide range of disciplines.
- **Contributing Research Statistician: Dr Nigel Grigg BSc (Hons), MSc, PhD**
 - Nigel's research interests centre on process management, including the use of statistical thinking and statistical methods within the process knowledge development and improvement cycle. Nigel holds degrees in applied mathematics and quality management, and completed his PhD on developing statistical thinking. He is a Chartered Mathematician and Member of the Institute of Mathematics and its applications, the Institute of Quality Assurance, the Institute of Learning and Teaching, and the Aotearoa New Zealand Statistical Association.
 - Nigel research is well published in highly respected academic journals; his work includes published papers on the use of Benchmarking in creating world class Aotearoa New Zealand organisations, Business excellence models and Multimedia Marketing.
- **Contributing Project Statistician: Dr Nihal Jayamaha BSc, MEng, MBA, PhD**
 - Nihal research interests include performance excellence (TQM and business excellence practices, tools and techniques) in the non-profit sector, particularly performance measurement issues and theory development. He also has interests in performance excellence in the healthcare sector and collaborative research involving biostatistics applications.
 - Nihal holds a BSc in Electrical Engineering, a MBA, a MEng Masters of Energy Management and a PhD in Technology. Nihal has worked extensively over a 20 year period in the electrical utility industry (in Sri Lanka and United Arab Emirates).



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8.12 SUBMISSION TO THE MĀORI AFFAIRS SELECT COMMITTEE: IWI AND HAPU OF TE ROHE O TE WAIROA CLAIMS SETTLEMENT BILL

Author: Kitea Tipuna, Economic Development and Engagement Manager

Authoriser: Fergus Power, Chief Executive Officer

Appendices:

1. **Submission to the Māori Affairs Select Committee on the Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill** [↓](#)
2. **MSC Submission to the Māori Affairs Select Committee on the Iwi and Hapū of Te Rohe o Te Wairoa Claims** [↓](#)

1. PURPOSE

1.1 To endorse the submission made by the Wairoa District Council to the Māori Affairs Select Committee on the Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill.

RECOMMENDATION

The Economic Development and Engagement Manager RECOMMENDS that Council retrospectively endorse the submission it has made to the Māori Affairs Select Committee on the Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill.

EXECUTIVE SUMMARY

The Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill was formally introduced into Parliament on the 20th of December 2016. The first reading of the Bill occurred on the 14th of March 2017 and submissions were then opened.

Submissions on the Bill to the Māori Affairs Select Committee closed on 26th of April 2017 and a submission was made on behalf of Council. Because of the dates and timings of the reading of the Bill and the opening of the submissions process, it was not possible for the submission to be tabled at an earlier Council meeting, however, the submission was circulated to the Mayor and Councillors for feedback before it was formally submitted.

A Submissions Hearing will be held in Wairoa on Friday the 12th of May 2017, commencing at 10.00am, at the Wairoa Community Centre. The sole purpose is to receive oral submissions from those who made requests as part of their written submission. The Wairoa District Council has requested that it speak to its submission.

2. OPTIONS

2.1 The options identified are:

- a. THAT Council formally endorse its submission to the Māori Affairs Select Committee on the Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill

3. CORPORATE CONSIDERATIONS**Māori Standing Committee**


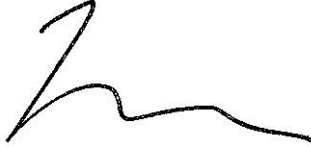
3.1 The Wairoa District Council Māori Standing Committee has been involved in the development of not only their own submission, but have also provided input into the Wairoa District Council's submission

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>Kitea Tipuna Author</p>	<p>Fergus Power Approved by</p>



Secretariat
Māori Affairs Select Committee
Select Committee Services
Parliament Buildings
WELLINGTON 6160

24 April 2017

SUBMISSION TO THE MĀORI AFFAIRS SELECT COMMITTEE

Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill

Mayor Craig Little
Wairoa District Council
PO Box 54
Wairoa
06-838-7309
craig.little@wairoadc.govt.nz

1.0 INTRODUCTION

1.1 As the local territorial authority, The Wairoa District Council represents resident and non-resident ratepayers and the community at large of the Wairoa district. As such, we believe that the constituents whom we represent comprises a significant 'community of interest' in the *Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill* (the Bill).

1.2 The Wairoa District Council is pleased to make this submission to the Māori Affairs Select Committee on the *Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill*. We commend this Bill, and wish to appear before the Select Committee to speak to this submission.

2.0 BACKGROUND

2.1 This settlement is the final settlement of all historical Treaty of Waitangi claims of the iwi and hapū of Te Rohe o Te Wairoa resulting from acts or omissions by the Crown prior to 21 September 1992. The deed of settlement is made up of a package that includes:

- an agreed historical account, Crown acknowledgments and apology;
- cultural redress; and

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Telephone +64 6 838-7309, Email info@wairoadc.govt.nz

- financial and commercial redress.

The benefits of the settlement will be available to all members of the iwi and hapū of Te Rohe o Te Wairoa wherever they may live.

- 2.2 The iwi and hapū of Te Rohe o Te Wairoa comprise approximately 25,500 members (2013 census). The iwi and hapū of Te Rohe o Te Wairoa are included as one of six large natural groups negotiating the settlement of the historical Treaty of Waitangi claims of Ngāti Kahungunu (and in this case, Ngāti Rongomaiwahine). Ngāti Kahungunu is the third largest tribal group in New Zealand. The area of interest of the iwi and hapū of Te Rohe o Te Wairoa covers the northern Hawke's Bay and the southern Gisborne areas.
- 2.3 In February 2011, the Crown recognised the mandate of Te Tira Whakaemi o Te Wairoa (Te Tira) to represent the iwi and hapū of Te Rohe o Te Wairoa in negotiating a comprehensive historical Treaty settlement. On 30 June 2012, the Crown signed Terms of Negotiation with Te Tira. On 11 June 2014, the Crown and Te Tira signed an Agreement in Principle which formed the basis for this settlement.
- 2.4 On 25 May 2016, Te Tira and the Crown initialled a deed of settlement. The deed of settlement and the post-settlement governance entity, Tātau Tātau o Te Wairoa Trust, were ratified in July and August 2016. The deed of settlement was signed on 26 November 2016. The settlement will be implemented following the passage of settlement legislation.
- 2.5 The Wairoa District Council has been involved in discussions and has been consulted with regarding the above process noted in 2.3 and 2.4 of this submission. The Wairoa District Council has also been consulted with regarding elements of the Bill as it relates to innovative relationships with Tātau Tātau o Te Wairoa Trust.

3.0 SUBMISSION

- 3.1 The Wairoa District Council supports the intent of the Bill, which seeks to respond to and offer redress for grievances suffered by iwi and hapū of the Wairoa district as a result of the Crown's breaches of its Treaty of Waitangi obligations.
- 3.2 Developing durable working relationships between iwi and hapū within the Wairoa district and the Wairoa District Council is important to the future development of our whole community. We know that strong partnerships are created through mutual respect, input and responsibility.
- 3.3 The Bill is innovative in that there are a range of mechanisms designed to enhance relationships between iwi and hapū of the Wairoa district and the Wairoa District Council, in particular, the establishment of the Te Rohe o Te Wairoa Reserves Board - Matangirau (sec.62 of the Bill). This joint board will administer and manage a mix of Crown and Wairoa District Council-owned reserves (noted in sec. 61 and Schedule 4 of the Bill). We believe that the Bill's unique aspect of establishing this joint board should be commended.
- 3.4 Key aspects of the settlement package (the Deed of Settlement) that do not appear in the Bill including a tripartite relationship agreement between Tātau Tātau o Te Wairoa, Wairoa District Council, and the Hawke's Bay Regional Council should also be commended.
- 3.5 The Wairoa District Council looks forward to the potential for enhancing relationships with Tātau Tātau o Te Wairoa Trust. The arrangements for enhancing relationships provided for in the Bill or given effect elsewhere in the settlement package are important and should be commended.

- 3.6 The Wairoa District Council commends the various forms of redress articulated in the Bill and the settlement package, including the social and economic revitalisation strategy, financial and commercial redress, cultural redress and Crown acknowledgement and apology. These forms of redress however, do not mean that the Crown should now abdicate its responsibility to adequately resource ongoing delivery of social services to the iwi and hapū of Te Rohe o Te Wairoa.
- 3.7 The Wairoa District Council notes that section 66(2)(b)(vi) of the Bill should be revised as it does not reflect its proper intention as outlined in the Deed of Settlement, in particular clauses 5.37 through to 5.39, which states:
- 3.7.1 Extract from the Deed of Settlement;
- “5.37 The initial Chair will be appointed by Council by giving written notice of the appointment to the governance entity and the relevant member and the Council will continue to be responsible for appointing subsequent Chairs for the duration of that board’s term.*
- 5.38 The initial Deputy Chair will be appointed by the governance entity by giving written notice of the appointment to the Council and the relevant member and the governance entity will continue to be responsible for appointing subsequent Deputy Chairs for the duration of that board’s term.*
- 5.39 At the close of the initial board’s term, the right of appointment held by each appointer under clauses 5.37 and 5.38 will shift to the other party for the duration of each subsequent board’s term.”*
- 3.8 The Wairoa District Council notes that section 64(6) of the Bill is ambiguous and could be taken out of context if not read in conjunction with the remaining sections of Subpart 5, in particular section 65(4). If section 64(6) is read in isolation, this could be misinterpreted that Council membership on the Joint Board could include un-elected members for a term of the Joint Board, rather than *‘the 89th day after the next triennial general election’*, being the culmination of that previously elected members’ term. (See recommendation below for suggested amendment)

4.0 RECOMMENDATIONS

- 4.1 The Wairoa Council recommends to following:
- 4.1.1 THAT section 66(2)(b)(vi) of the Bill be revised to reflect the intent of the Deed of Settlement, (as noted in 3.7 of this submission)
- 4.1.2 THAT section 64(6) of the Bill be amended from;
- “A member appointed by the Wairoa District Council does not cease to hold office on his or her ceasing to hold office as an elected member of the Wairoa District Council (despite section 31(f) of the Reserves Act 1977).”*
- to
- A member appointed by the Wairoa District Council does not cease to hold office on his or her ceasing to hold office as an elected member of the Wairoa District Council (despite section 31(f) of the Reserves Act 1977) **in accordance with section 65.***
- 4.1.3 THAT the Bill be commended to the House;
- 4.1.4 THAT the Bill be enacted as quickly as possible.



Secretariat
Māori Affairs Select Committee
Select Committee Services
Parliament Buildings
WELLINGTON 6160

24 April 2017

**SUBMISSION TO THE
MĀORI AFFAIRS SELECT COMMITTEE
IWI AND HAPŪ OF TE ROHE O TE WAIROA CLAIMS SETTLEMENT BILL**

Māori Standing Committee
Wairoa District Council
PO Box 54
Wairoa
06-838-7309
duane@wairoadc.govt.nz

1. INTRODUCTION

- 1.1. Mai i te tihi o Te Whakapunake o Te Matau a Māui Tikitiki a Taranga, ka tiro atu rā ki te uru ki Panekiri maunga, ki te wai kaukau o ngā mātua tīpuna ko Waikaremoana; ka whakarongo atu ki te tai e haruru mai nei i te rāwhiti, ko Te Mahia-mai-tawhiti, ka whāretare atu ki te tonga, ki te awa o Mohaka; ka titiro whakararo ahau ki te waitāhekeheke o Te Reinga, ko te matapuna o Te Wairoa Hōpūpū Hōngenengene Matangirau – Te Wairoa Tapoko Rau!
- 1.2. Tēnei mātau ko te Kōmiti Māori o Te Whare o Mēa o Te Kaunihera-ā-rohe o Te Wairoa e tū nei ki Mānukanui e mihi atu ana ki a koutou o Te Kōmiti Take Māori o Te Whare Pāremata o Aotearoa e tū ana ki Te Pane o Te Motu. Tēnā koutou katoa.
- 1.3. This submission is made for and on behalf of the Wairoa District Council Māori Standing Committee (MSC). The MSC would further like to support the submission submitted by His Worship the Mayor on behalf of the Wairoa District Council. The MSC commend this Bill and wish to appear before the Select Committee to speak to this submission.



- 1.5. The MSC is a committee of the Council. The MSC acts as a check and balance on Council processes, especially on those matters requiring a Māori perspective, as well as an advisory body for Council on matters requiring a Māori perspective. This includes the development and revision of Council policies and strategies.
- 1.6. Representation of the MSC refers to the mechanisms which provide for individual and groups authorised to speak for tangata whenua on behalf of their respective marae within eight takiwā (district) determined by the Wairoa District Council. This allows tangata whenua to take issues to their takiwā representatives or the MSC, who can then advocate for the tangata whenua to Council and other bodies (if appropriate).
- 1.7. The MSC is made up of nine (9) independent representatives decided at a series of hui-ā-takiwā (district hui) of hapū/marae and are endorsed representatives to the Committee. The MSC membership also includes His/Her Worship the Mayor (ex-officio) and two elected Councillors.
- 1.8. The purpose of the MSC, according the Terms of Reference, is to:
- *Advocate on behalf of tangata whenua to local, regional and national bodies as appropriate;*
 - *Consider governance issues relating to Council obligations to tangata whenua; and*
 - *Investigate and report to the Council on any issues that the Māori Standing Committee considers necessary that may have an implication for tangata whenua.*
- 1.9. This submission is made in support of the Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill.

2. RELATIONSHIP WITH TANGATA WHENUA

- 2.1. The Wairoa District Council supports the requirements to seek and develop strategic partnerships with iwi and Māori organisations. Iwi and Māori organisations are best placed to support Māori to exercise their tino rangatiratanga in determining decisions for Māori.
- 2.2. The Council will honour all engagement processes, agreements and memorandum of understanding developed with Māori as they relate to its decision-making policies. Equally so, the Council further acknowledges and accepts the great importance of Te Tiriti o Waitangi and is committed to upholding the spirit of the principles of this living document.
- 2.3. On 26 November 2016, the Wairoa District Council, together with the Hawke's Bay Regional Council and Tātau Tātau o Te Wairoa Trust signed a Tripartite Relationship Agreement at the Iwi and Hapū of Te Rohe o Te Wairoa Deed of Settlement signing ceremony.



2.4. The Agreement enables the three parties to act consistently with the following relationship principles:

- *Recognise and acknowledge that the parties benefit from working together by sharing their vision, knowledge and expertise;*
- *Maintain a collaborative relationship that reflects true partnership;*
- *Work together in an open, honest, transparent, cooperative and mutually respectful manner;*
- *Agree that principles of manaakitanga, kaitiakitanga and rangatiratanga will underpin their relationship;*
- *Commitment to working strenuously and in good faith to resolve any disagreement that may arise;*
- *Acknowledge that the relationship is evolving, not prescribed, and*
- *Respect the independence of the parties and their individual mandates, roles and responsibilities.*

2.5. This Agreement enhances the existing relationship between all parties, without displacing existing relationships that either Council has with the iwi and hapū represented by Tātau Tātau o Te Wairoa Trust.

3. RECOMMENDATIONS TO THE MĀORI SELECT COMMITTEE

3.1. We reiterate that the MSC submits its' support for the Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Bill and that they wish to appear before the Select Committee to speak to this submission.

3.2. The MSC supports the establishment of '*...Te Rohe of Te Wairoa Reserves Board-Matangirau to administer and manage a mix of Crown and Wairoa District Council-owned reserves*'. This is in relation to Subpart 5 (sections 61-68) which '*...provides for a joint board (including appointees from the Wairoa District Council and the trustees) to be established to manage the Te Rohe o Te Wairoa reserves (described in Schedule 4)*'.



3.3. The MSC recommends that section 64(4) be amended to correct some minor grammatical anomalies.

3.3.1. THAT section 64(6) of the Bill be amended from:

A member may be removed only by the member's appointer, starting the date on which the removal takes effect, to the other appointer and the member.

to

*A member may be removed only by the member's appointer giving written notice **to the other appointer and the member, stating** the date on which the removal takes effect.*

3.4. The MSC observes that section 64(6) is ambiguous and could be taken out of context if not read in conjunction with the remaining sections of Subpart 5, in particular section 65(4). If section 64(6) is read in isolation, this could be misinterpreted that Council membership on the Joint Board could include un-elected members for a term of the Joint Board, rather than 'the 89th day after the next triennial general election', being the culmination of that previously elected members term.

3.5. The MSC recommends that section 64(6) be amended to add the reference to section 65.

3.5.1. THAT section 64(6) be amended from:

A member appointed by the Wairoa District Council does not cease to hold office on his or her ceasing to hold office as an elected member of the Wairoa District Council (despite section 31(f) of the Reserves Act 1977).

to

*A member appointed by the Wairoa District Council does not cease to hold office on his or her ceasing to hold office as an elected member of the Wairoa District Council (despite section 31(f) of the Reserves Act 1977) **in accordance with section 65.***



3.6. The MSC observes that section 66(2)(b)(vi) does not reflect the intention as outlined in the Deed of Settlement, in particular clauses 5.37 through to 5.39, which states:

5.37 The initial Chair will be appointed by Council by giving written notice of the appointment to the governance entity and the relevant member and the Council will continue to be responsible for appointing subsequent Chairs for the duration of that board's term.

5.38 The initial Deputy Chair will be appointed by the governance entity by giving written notice of the appointment to the Council and the relevant member and the governance entity will continue to be responsible for appointing subsequent Deputy Chairs for the duration of that board's term.

5.39 At the close of the initial board's term, the right of appointment held by each appointer under clauses 5.37 and 5.38 will shift to the other party for the duration of each subsequent board's term

3.7. The MSC strongly recommends that this Section be revised to reflect the intent of the Deed of Settlement.

8.13 UPDATE - ARCHIVES BUILDING

Author: James Baty, Corporate Services Manager

Authoriser: Fergus Power, Chief Executive Officer

Appendices: Nil

1. PURPOSE

- 1.1 This report provides information for Council on the current situation relating to the defer item “Archives Building” from Council previous meeting held on 28 March 2017. No decisions are required by Council at this stage.
- 1.2 This information-only report is submitted in order to keep Council informed of progress on this matter.

RECOMMENDATION

The *[Officer title]* RECOMMENDS that Council receive the report.

2. BACKGROUND

- 2.1 The Public Records Act 2005 sets the framework for creating and managing information in government. Its purpose is to promote government accountability through reliable recordkeeping, enhanced public confidence in the integrity of government records and to protect New Zealand’s documentary heritage. The Public Records Act 2005 sets a framework for recordkeeping in public offices and local authorities.
- 2.2 Council has previously identified as part of the Long Term Plan 2015-2025 (LTP) process that its current repository requires significant attention in order to meet the standards enshrined in the Public Records Act 2005. Accordingly Council approved as part of the LTP the design and planning of a new archives facility to be built over the current and following financial year.
- 2.3 As a result of the previous Council Meeting officers have been investigating alternative site locations for the new archives building. Prima facie this site looks favourable in terms of satisfying the site criteria previously discussed with Council.
- 2.4 On 19 April 2017 staff completed a site visit at the Wairoa Hospital grounds and facilities. During this visit a potential site was identified. However, there is a number of procedural matters and relevant engagement that needs to take place with the HBDHB before anything concrete can be arrived at and formally processed through Council.

3. A COMMUNITY THAT VALUES AND PROMOTES ITS CULTURE AND HERITAGE

- 3.1 Completing this project contributes to Council’s vision of “Connected Communities, Desirable Lifestyles, Treasured Environments” and to the sustainability of the Wairoa District by helping to achieve the following community outcomes:
 - An environment that is appreciated, protected and sustained for future generations.
 - Strong district leadership and a sense of belonging.

4. CONCLUSION

4.1 Positive investigations are well underway to secure an alternative site for the new archives building that meets the site criteria previously identified.

Further Information

Not applicable.


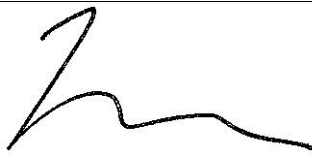
Background Papers

Not applicable.

References (to or from other Committees)

Not applicable.

Signatories

	
<p>James Baty Author</p>	<p>Fergus Power Approved by</p>

9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS

Nil

10 PUBLIC EXCLUDED ITEMS

Nil