



Statutory Policies

RANGITIKEI DISTRICT COUNCIL

Version Control

This version updated	12 May 2011
Previous version updated	21 October 2010
Earlier version updated	14 September 2010

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APPOINTMENT OF DIRECTORS POLICY

Policy Title: APPOINTMENT OF DIRECTORS POLICY	
Date of Adoption: 26 June 2003	Resolution: 03/RDC/168
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s57	
Statutory reference for review: none	
Included in the LTCCP: no	
Date Amended or Reviewed	Resolution
31 July 2008	08/RDC/198

1 Objective

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

2 Policy Content

Identifying Skills, Knowledge and Experience Required of Directors

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

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

3 Appointment of Directors

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

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

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

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

4 Remuneration of Directors

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

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

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

5 Terms

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

¹ 08/RDC/198

DANGEROUS AND INSANITARY BUILDING POLICY

Policy Title: DANGEROUS AND INSANITARY BUILDINGS POLICY

Date of Adoption: 25 May 2006

Resolution: 06/RDC/143

Review Date: 2011

Statutory reference for adoption: Building Act 2004 s131

Statutory reference for review: Building Act 2004 s132

Included in the LTCCP: no

Date Amended or Reviewed	Resolution

Introduction & Background

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

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

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

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

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

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

damage to other property; or

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

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

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

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

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

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

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

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

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

The policy is required to state:

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

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

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

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

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

POLICY APPROACH

Policy Principles

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

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

Overall approach

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

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

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

Identifying Dangerous and Insanitary Buildings

The Council will:

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

Assessment criteria

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

The Council will:

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

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

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

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

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

Taking Action

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

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

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

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

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

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

Section 41: Building consent not required in certain cases

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

Record Keeping

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

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

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

Economic impact of policy

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

Access to information

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

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

HERITAGE BUILDINGS

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

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

PRIORITIES

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

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

DEVELOPMENT CONTRIBUTIONS OR FINANCIAL CONTRIBUTIONS POLICY

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

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

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

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

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

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

Policy Title: DEVELOPMENT OF MĀORI CAPACITY TO CONTRIBUTE TO COUNCIL DECISION-MAKING	
Date of Adoption: 9 March 2009	Resolution for LTCCP: 09/RDC/233
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 schedule 10	
Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233

1. Introduction

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

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

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

2. The Memorandum of Understanding: Tutohinga

The Memorandum of Understanding, initially signed in 1998, recognises the fundamental role of Iwi in the District and the essential partnership between Iwi and the Rangitikei District Council.

The Memorandum was subject to review during 2004, to bring it into line with legislative change that had occurred since its inception and to provide opportunity for further input from the signatory parties. Changes made included the recognition that Te Tiriti o Waitangi is the starting point for Iwi and Hapu to determine their relationship with the Crown, its agencies and the Rangitikei District Council; acknowledgement of the tino rangatiratanga of each signatory Iwi and Hapu, arising

from their Mana Whenua, when speaking for their respective areas; the inclusion of a representative from the Ratana community²; not dissolving the Komiti after each triennial election but requiring notification within 3 months of each election, its recommended members, and incorporating a provision for development of capacity building in decision-making with specified roles for both partners.

Additionally, Te Roopu Ahi Kaa acknowledged that there would be an on going need for capacity building and that the Komiti would bring recommendations to the Council as the need arose. It was further recommended that Council should call upon Te Roopu Ahi Kaa for its capacity building [in respect of kaupapa Māori].

All parties committed to reviewing the Memorandum, of Understanding: Tutohinga at the same time as each Representation Review. This work will commence in August 2012.

3. Building on current strategies

Following initial reporting to Te Roopu Ahi Kaa in July 2004, the Komiti recommended that an Induction Programme following the Elections be held for Komiti members and that they also contribute to the induction of new Council members. Following the 2007 elections, a session in the induction programme was provided for representatives of the Komiti to explain its role and outline some of its key issues.

To meet the obligations under s.81 of the Local Government 2002, the above processes have been translated into action in a variety of ways, but particularly through the development of a strategic plan for Te Roopu Ahi Kaa (first adopted in December 2006 and reviewed annually. This plan identifies a number of actions to achieve three goals – building stronger relationships between Council and Te Roopu Ahi Kaa, building stronger relationships between Council and Iwi, hapu, whanau and Māori communities, and building cultural awareness.

The Council and Te Roopu Ahi Kaa expect that the strategic plan will be the principal mechanism for consolidating and extending the engagement of Maori in Council's decision-making processes. Progress with the plan is reviewed at each bi-monthly meeting of the Komiti.

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

² This Maori community also elects a Community Board at the triennial local government elections.

DOG CONTROL AND OWNER RESPONSIBILITY POLICY

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

1 Summary

- 1.1 The Rangitikei District Council's (hereafter the Council) Dog Control Policy has been developed pursuant to Section 10 of the Dog Control Amendment Act 2003. This Act forms part of the Dog Control Act 1996, therefore this Policy will only refer to the Dog Control Act 1996 (hereafter the Act).
- 1.2 As a result of increased public concern over dangerous, menacing or aggressive dogs intimidating or injuring people and/or other animals, changes to the Dog Control Act have been made in the interests of public safety and to give dog owners a clear understanding of their responsibilities.
- 1.3 In preparing this policy Council has had regard to the exercise and recreational needs of dogs and their owners, and the need to minimise danger, distress and nuisance to the community generally. Council has also had regard to the urban/rural character of the Rangitikei District as well as the value of the well-behaved dogs as workers and companions.

2 Legislative Context

- 2.1 The objects of the Act are:
 - (a) *To make better provision for the care and control of dogs—*
 - (i) *By requiring the registration of dogs; and*
 - (ii) *By making special provision in relation to dangerous dogs [and menacing dogs]; and*
 - (iii) *By imposing on the owners of dogs, obligations designed to ensure that dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person; and*

- (iv) By imposing on owners of dogs obligations designed to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife; and*
- (b) To make provision in relation to damage caused by dogs.*

2.2 The Council draws the attention of dog owners to Section 5 of the Act, which places clear statutory obligations on them.

- (1) The obligations imposed on dog owners by this Act require every owner of a dog*
 - (a) To ensure that the dog is registered in accordance with this Act, and that all relevant territorial authorities are promptly notified of any change of address or ownership of the dog:*
 - (b) To ensure that the dog is kept under control at all times:*
 - (c) To ensure that the dog receives proper care and attention and is supplied with proper and sufficient food, water and shelter:*
 - (d) To ensure that the dog receives adequate exercise:*
 - (e) To take all reasonable steps to ensure that the dog does not cause a nuisance to any other person, whether by persistent and loud barking or howling or by any other means:*
 - (f) To take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person:*
 - (g) To take all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife:*
 - (h) To take all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person:*
 - (i) To comply with the requirements of this Act and of all regulations and bylaws made under this Act.*
- (2) Nothing in this Act limits the obligations of any owner of a dog to comply with the requirements of any other Act or of any regulations or bylaws regulating the control, keeping, and treatment of dogs.*

3 Objectives of the Policy

3.1 To promote a high standard of dog care and control so that people can enjoy the benefits of dog ownership without adversely affecting other members of the public.

3.2 In doing so the Council, through its Dog Control Policy will:

- Seek to promote a high standard of dog ownership throughout the Rangitikei District and in doing so ensure that the reasonable needs of dogs are met.
- Continue to provide areas for the exercise and recreational needs of dogs and their owners while, at the same time;
- Seek to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults and, to the extent it is practicable, ensure that the public can use streets and public amenities without fear of attack or intimidation by dogs.
- Seek to minimise danger, distress, and nuisance that can be caused by dogs to the community generally

4 The Nature and Application of Proposed Bylaws

In accordance with the requirements of the Act, the Council will make Bylaws for the following purposes:

- Prohibiting dogs, whether under control or not, from specified public places;
- Requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the district;
- Regulating and controlling dogs in any other public place;
- Designating specified areas as dog exercise areas;
- Prescribing minimum standards for the accommodation of dogs;
- Requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces;
- Requiring any bitch to be confined but adequately exercised while in season; and
- Providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by the Council under the Act.

Explanation

The Council will review its Bylaws pursuant to the Dog Control Act 1996 within 60 days of adopting this Policy.

5 Dog Ownership

5.1 Minimum Standard for the Accommodation and Care of Dogs

- a) Every owner, in respect of every dog in the care of that owner, must provide accommodation, which meets the following minimum standards:
 - a. A weatherproof kennel in which there is sufficient room for the dog to stand up and turn around.
 - b. The kennel must be constructed on dry ground and be sheltered from the elements. It should be a solid structure with a roof and floor, allow the dog access to clean water at all times and be kept in a clean and sanitary condition.
- b) The kennel must not be located nearer than one metre to any boundary of the premises. Failure to comply with this is an offence.
- c) Ensure that the dog receives proper care and attention and is supplied with proper and sufficient food and water.
- d) Ensure that the dog is not fed, nor has access to, any untreated sheep or goat meat.
- e) Ensure that the dog receives adequate exercise.

Explanation

Dog ownership carries with it responsibilities to provide proper facilities, care and attention. 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. Infringement penalties for failure to comply may result and are listed in Appendix II.

5.2 Duty to avoid Nuisance

- a) A person must not keep any dog on any land or premises if:
 - a. The dog causes a nuisance; or
 - b. The dog poses a significant health or safety risk to others.
- b) Any person is in breach of this Policy if they cause any dog on any land, premises or public place to become unmanageable; or if they incite any dog to fight with or attack any other animal or person.
- c) If, in the opinion of a Dog Control Officer or Ranger, any dog or dogs or the keeping of any dogs on any premises, has become or is likely to become a nuisance or injurious to health, the Dog Control Officer or Ranger may, by notice in writing, require the owner or occupier of the premises, within a time specified in the notice take such reasonable action as they deem necessary to minimise or remove the likelihood of nuisance or injury to health.
- d) Where the Dog Control Officer or Ranger has received a complaint and has reasonable grounds for believing that a nuisance is being created by the

persistent and loud barking or howling of any dog, the Dog Control Officer or Ranger may:

- Enter at any reasonable time upon the land or premises, other than the dwelling house, on which the dog is kept, to inspect the conditions under which the dog is kept; and
- Whether or not the Dog Control Officer or Ranger makes such an entry, give the owner of the dog, written notice requiring that person to make such reasonable provision on the property to abate the nuisance as specified in the notice or, if considered necessary, to remove the dog from the land or premises.

Explanation

The type of action deemed necessary to minimise or remove the likelihood of nuisance or injury to health could include:

- reduction of the number of dogs kept on the premises;
- construction, alteration, reconstruction or otherwise to improve the kennels or other accommodation used to house or contain the dog or dogs;
- requirement for the dog or dogs to be tied up or otherwise confined during specified periods.

5.3 Dogs in Public Places

(a) **Public Places**

An owner or the person responsible or having custody or in control of a dog or dogs, must use a leash at all times whilst with their dog(s) in a public place, apart from those areas listed as Dog Exercise Areas. The owner or the person in charge shall keep that dog under control at all times. Working Dogs (see Appendix I for definition) whilst they are working, are not required to be on a leash, if those dogs are not normally so restrained in the course of their specific work.

Explanation

Dogs form an integral part of the lives of many families, offering companionship to their owners. While it is desirable to prohibit dogs from areas of high public usage, it is recognised that socialising is of benefit to both owners and dogs.

When in Public places, it is necessary for dogs to be under more stringent control by the use of a leash. Constraint by a leash enables:

- visits to community/shopping areas, providing exercise for owners and dogs
- proper control in areas of high activity
- secure tethering of the dog when left unattended for short periods of time
- fouling to be immediately recognised and picked up.

(b) **Dog Prohibited Areas**

Dogs, other than Working Dogs (with the exception of dogs kept solely or principally for the purpose of herding or driving stock) are prohibited from entering the following areas in the Rangitikei District:

- Public buildings.
- The playing surfaces of sportsgrounds.
- Public swimming pools.
- Children’s playgrounds.
- Picnic areas.
- Wilson Road Stock route.

Areas from which dogs are prohibited shall have appropriate signs posted notifying that dogs are prohibited.

The Council may, upon receiving a written request, allow dogs to enter public buildings for the purpose of dog shows or such other events as Council may at its discretion authorise. In considering such requests the Council will consider the suitability of the building concerned for the event; the duration of the event; and measures to be taken to ensure public health and safety. The above determination will be made at the appropriate delegation (officer) level within the Council.

(c) **Dog Exercise Areas**

The following areas are available as Dog Exercise Areas:

- The northern section of the Bulls Domain, Bulls.
- The northeastern section of the Taihape Domain, Taihape.

Other areas may be defined by resolution of Council and these might include certain beach areas.

Such areas designated by Council as dog exercise areas may, subject to practicality, be fenced to provide a secure area for both dog owners and non-dog owners alike.

Within a designated Dog Exercise Area, the owner of a dog shall ensure that the dog is under control but shall not be required to keep the dog on a leash.

Areas in which dogs may be exercised at large shall have appropriate signs posted in prominent places.

Explanation

Council recognizes that it is neither practical nor enforceable to require dogs to be on a leash at all times. While Council has an obligation to have regard to the exercise and recreational needs of dogs and their owners there is also a need to minimize danger, distress and nuisance to the community in general.

Dog Exercise Areas designated by the Council will be appropriately signposted to not only signal to dog owners their location but also give notice to the general public that dogs may be present in these areas.

It is the responsibility of dog owners to ensure that their dogs are under control, do not cause a nuisance and that any fouling is removed.

(d) **Dogs in Conservation and Wildlife Areas**

Department of Conservation Reserves and Areas

The Act requires that any land within the District be identified that is:

- (i) A controlled dog area or open dog area under section 26ZS of the Conservation Act 1987; or
- (ii) A national park constituted under the National Parks Act 1980;

Currently there are no areas as designated above in the Rangitikei District however the Department of Conservation is reviewing this and drawing up a Schedule of Open Dog Areas that, once gazetted, will be incorporated into this policy when the policy is reviewed.

(e) **Fouling of Public Places and Land**

The owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner shall be required to remove and dispose of the faeces.

Council will endeavour to provide, around those areas designated as dog exercise areas, biodegradable bags and disposal bins for the hygienic removal of dog faeces.

Explanation

Dog faeces harbours disease and potential parasitic infection as well as being unsightly and unpleasant in public places.

(f) **Bitches in Season or Diseased Dogs**

No person shall cause, or permit, a bitch in season or any dog suffering from mange or other disease to enter or remain in a public place or on any land or premises other than the land or premises of the owner of the dog, or at a registered veterinary clinic.

Every dog described under this clause shall be confined, provided with proper care, sufficient food and water, veterinary care and adequate exercise during the period of

confinement. In the case of bitches in season, they must be contained in such a manner that makes them inaccessible to roaming dogs.

5.4 Owner Education Programmes

Whilst Council itself does not provide any owner education programmes, Council's Dog Owner's Handbook is available at the service centres in Marton, Taihape, Hunterville and Ratana. Copies will also be made available at pet shops, local veterinary clinics and farm supply outlets as well as being available on the Council website at www.rangdc.govt.nz.

Local Dog Obedience and other dog associated Club's contact details will be listed in the Handbook. Additionally, the Department of Internal Affairs maintains an extensive website (<http://www.dogsafety.govt.nz/dogsafety.nsf>) containing information for dog owners, adults and children on dog safety.

Owners whose dogs come to the attention of the Council through nuisance behaviour or, those owners who are classified as probationary, may be directed to approved courses or classes.

5.5 Registration and other fees

The key to effective dog control is responsible ownership. The Council seeks to achieve this through a registration fee schedule that rewards good owners with incentives (see good owner classification below). Conversely, appropriate penalties (most of which are listed in Appendix II) are imposed upon irresponsible dog owners.

Registration fees are set for all dogs over three months of age for each registration year. They shall be payable by 1 August in each registration year. An additional charge of 50% of the relevant fee will be applied to any fees due at 1 August, but not paid before that day

There shall be different fees for the relative costs of the registration and control of dogs for the following classes of dogs. These fees may be reviewed each year. In setting fees each year, Council will have regard to the following class of dog.

- Working Dogs
- Non-Working Dogs
- Non-Working Neutered/Spayed Dogs
- Non-Working Dogs - Approved Good Owner Classification
- Non-Working Neutered/Spayed Dogs - Approved Good Owner Classification

Note*: Approved Good Owner Classification fee covers inspection and monitoring costs

On registering a dog, the owner of that dog shall ensure that the label or disk issued by the Council is attached to a collar worn on the neck of the dog so registered.

Pound Fees

Dogs found at large in public places will be impounded.

Pound fees are set for:

- The seizure and custody of dogs by Council's Dog Control Officers or Dog Rangers.
- The sustenance of any dog while impounded.
- The destruction of any dog impounded.

The fees shall be greater for the second and subsequent impoundment of any dog within a 12-month period.

All fees must be paid before the dog is released from the pound.

5.6 Dangerous and Menacing Dogs

Dangerous Dogs

In accordance with Section 31 of the Act, a dog may be classified as dangerous by the Council and have restrictions placed on it. The owner may object within 14 days to the classification of a dog as dangerous, by lodging a written objection to the Council. The owner will be entitled to be heard in support of their objection.

Duties of the Owner of a Dangerous Dog

The owner of a dog classified as dangerous must:

- (a) ensure that, from a date not later than one month after the receipt of notice of classification, the dog is kept within a securely fenced portion of the owner's property that it is not necessary to enter to obtain access to at least one door of any dwelling on the property; and
- (b) not allow the dog to be at large or in any public place or in any private way, except when confined completely within a vehicle or cage, without being—
 - (i) muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
 - (ii) controlled on a leash (except when in a dog exercise area specified in a bylaw made under section 20(1)(d)); and
- (c) produce to the Council, within one month after the receipt of notice of classification, a certificate issued by a registered veterinary surgeon and certifying—
 - (i) that the dog is or has been neutered; or
 - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and

- (d) if a certificate under paragraph (c)(ii) is produced to the territorial authority, produce to the Council, within one month after the date specified in that certificate, a further certificate under paragraph (c) (i):
- (e) in respect of every registration year commencing after the date of receipt of the notice of classification, be liable for dog control fees for that dog at 150% of the level that would apply if the dog were not classified as a dangerous dog; and
- (f) not, without the written consent of the Council, dispose of the dog to any other person or euthanasia.

The above conditions transfer to a new owner if the Council gives written permission for such transfer.

Menacing Dogs

In accordance with Section 33A of the Act, a dog may be classified as menacing by the Council and have restrictions placed on it. The owner may object within 14 days to the classification of a dog as menacing, by lodging a written objection to the Council. The owner will be entitled to be heard in support of their objection.

Further to the provisions above, the following breeds and types of dogs are subject to a ban on importation and muzzling:

- Brazilian Fila
- Dogo Argentino
- Japanese Tosa
- American Pit Bull Terrier

Duties of the Owner of a Menacing Dog

Except in any circumstances specified by the Council pursuant to Section 33E (5) of the Act, the owner of a menacing dog must:

not allow the dog to be at large or in any public place or in any private way, except when confined completely within a vehicle or cage, without being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and

if required by the territorial authority, within one month after receipt of notice of the classification, produce to the territorial authority a certificate issued by a registered veterinary surgeon certifying—

- (i) that the dog is or has been neutered; or
- (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and subsequently, within one month after the date specified in that certificate, produce to the Council, a further certificate stating that the dog is or has been neutered.

Explanation

Classification of dangerous and menacing dogs and any subsequent infringement penalties from failure to comply, allows the public to be confident that Council is discharging its responsibilities in respect of the Act and in line with the objectives of this Policy.

5.7 Owner Classifications

Good Owner

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

- The dog is to be provided with adequate accommodation. Kennels are to be sited on a hard surface and kept clean. They are to provide shelter from the elements and be free from dampness. If a kennel is not provided, the dog is to be kept in a building.
- The dog is kept in a completely fenced off or contained area whilst the dog is not under the direct control of the owner.
- The dog is under proper control at all times.
- The dog is not fed, nor has access to, any raw offal or untreated sheep or goat meat.
- The dog is registered.
- The owner will be in attendance when required for any inspection and shall provide every possible assistance requested by the Dog Control Officer.
- Prompt notification of any death, birth, sale or transfer of dogs owned by the owner.
- To comply with all the requirements and owner obligations of the Act

Failure to comply with the above conditions may result in the Good Owner losing their classification for a minimum of two registration years, effective immediately except in the case of late registration, in which case one registration year applies. This will result in the owner being liable for the payment of the difference between their Good Owner Classification fee and whichever other fee they would otherwise be liable for.

Probationary Owner

In accordance with Section 21 of the Act the Council may classify an owner as a Probationary Owner (see Appendix I for definition).

The effects of such a classification shall continue for a period of 24 months, unless the Council or the Environmental and Regulatory Services Manager, reduces that time. The Probationary Owner may object to the classification by lodging with the

Council a written objection within 14 days and will be entitled to be heard in support of the objection.

Duties of a Probationary Owner

A Probationary Owner:

shall not be capable of keeping or registering any other dog except for the dog(s) for which (s)he was the registered owner at the time of the classification; and

may be requested to undertake at his/her own expense, a dog owner education programme or dog obedience course (or both) approved by the Council or the Environmental and Regulatory Services Manager.

Disqualified Owner

In accordance with Section 25 of the Act the Council must, unless Section 25 (1A) of the Act applies, disqualify an owner (see Appendix 1 or definition of Disqualified Owner). Owners can be disqualified from owning a dog for up to five (5) years.

The owner may object to the classification by lodging with the Council, a written objection and shall be entitled to be heard in support of that objection. The owner, if dissatisfied with the Council's decision, may appeal to the District Court within 14 days of receiving notification of the decision.

Duties of a Disqualified Owner

All dogs kept by a Disqualified Owner must be disposed of within 14 days of notification. Every such dog shall be disposed of in a manner that does not constitute an offence against the Act or any other Act; and shall not be disposed of to any person who resides at the same address as the person disqualified.

Every person commits an offence and is liable on summary conviction to a fine not exceeding \$3,000 who

- Fails to comply with the above; or
- At any time while disqualified, becomes the owner of any dog; or
- Disposes or gives custody or possession of any dog to any person, knowing that person to be disqualified under this policy.

Where any person fails to dispose of a dog within the required time, a Dog Control Officer may seize any dog owned by that person.

6 Enforcement

6.1 The Council seeks to promote a high standard of dog care and control within the District and will enforce the provisions of the Act and the Council's Dog Control Bylaws.

6.2 Dog owners who are in contravention of the Act (including any subsequent amendments) or a Council Bylaw, will be liable to enforcement action. This

may include an infringement notice (instant fine) or Court action. The Act provides for a series of infringement offences and an accompanying fees schedule, which can be found in Appendix II. Enforcement action will be taken where offences occur and this action could include probationary ownership or in certain circumstances, disqualification from ownership.

Appendix I

Interpretation

In this Policy and any ensuing Bylaw, unless the context otherwise requires,

“At large” means at liberty, free, not restrained (refer to **control** below).

“Companion dog” means a dog certified by the Top Dog Companion Trust as being a companion dog or a dog under training as a companion dog.

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

“Control” means restrained by a collar or leash by the person responsible for the custody of the dog except in a Dog Exercise Area as defined in this Policy where **control** will be deemed to mean that the dog is under control by command of the person responsible for the custody of the dog.

“Dangerous Dog” means any dog classified under Section 31 of the Act. That is:

- a) any dog in respect of which the owner has been convicted of an offence under [section 57A(2)]; and
- b) any dog which the territorial authority has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on one or more occasions, reasonable grounds to believe constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife; and
- c) any dog that the owner admits in writing constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife.

“Disqualified Owner” means an owner who, under Section 25 of the Act:

- a) commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months; or
- b) is convicted of an offence (not being an infringement offence) against this Act; or
- c) is 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 56l of the National Parks Act 1980.

“Dog control fee” means any fee prescribed under section 37 of the Act.

“Dog control officer” means a dog control officer appointed by the Council under section 11 of the Act; and includes a warranted officer exercising powers under section 17 of this Act.

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

“Guide Dog” means a dog certified by the Royal New Zealand Foundation of the Blind as being a guide dog or a dog under training as a guide dog.

“Hearing Ear Dog” means a dog certified by Hearing Dogs for Deaf People New Zealand Trust as being a hearing ear dog or a dog under training as a hearing ear dog.

“Menacing Dog” means any dog classified under Section 33A of the Act. That is any dog that:

- (a) has not been classified as a dangerous dog under section 31; but
- (b) a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of—
 - (i) any observed or reported behaviour of the dog; or
 - (ii) any characteristics typically associated with the dog's breed or type.
- (2) A territorial authority may, for the purposes of section 33E(1)(a), classify a dog to which this section applies as a menacing dog.

“Neutered dog” means a dog that has been spayed or castrated; and does not include a dog that has been vasectomised.

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

“Owner”, in relation to any dog, means every 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) 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) of 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 this Act or the Animal Welfare Act 1999 or the National Parks Act 1980 or the Conservation Act 1987 or any order made under this Act or the Animal Welfare Act 1999.

“Poultry” means any live bird (including a domestic fowl, a duck, a goose, a turkey, a guinea-fowl, a pheasant, an emu, an ostrich, a quail, or a pigeon) that is kept or raised for the purpose of sale or of producing eggs, hatching eggs, or poultry products or for the purpose of rearing on behalf of another person.

“Probationary Owner” means any owner classified under Section 21 of the Act that is:

- a) convicted of any offence (not being an infringement offence) against the Act; or
- b) any offence against Part 1 or Part 2 of the Animal Welfare Act 1999 in respect of a dog; or
- c) any offence against section 26ZZP of the Conservation Act 1987 or section 56I of the National Parks Act 1980.
- d) commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months.

a) Has not been disqualified from ownership pursuant to Section 25 (1) of the Act

“Protected wildlife” means—

- a) Any animal for the time being absolutely protected pursuant to section 3 of the Wildlife Act 1953; and
- b) Any animal for the time being partially protected pursuant to section 5 of the Wildlife Act 1953, other than an animal in such circumstances that it may be hunted or killed under the authority of subsection (2) of that section; and
- c) Any animal that is a marine mammal within the meaning of the Marine Mammals Protection Act 1978.

“Public place”—

(a) Means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and

(b) Includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward.

“Registration year” has the same meaning as that given to the term “financial year” in section 5(1) of the Local Government Act 2002. That is, a period of 12 months ending on 30 June.

“Stock” means—

- a) Any live horse, cattle, sheep, swine, alpaca, llama, bison, donkey, hinny, mule, or water buffalo that is not in a wild state.
- b) Any deer, goat, thar, rabbit, possum, or other animal that is kept within a fence or enclosure for domestic or farming purposes.

“Working dog” means—

a) Any guide dog, hearing ear dog, or companion dog (as defined above).

b) Any dog—

(i) Kept by the Police or any constable, the Customs Department, the Ministry of Agriculture, the Ministry of Fisheries or the 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, officer, or employee; or

(ii) Kept solely or principally for the purposes of herding or driving stock; or

(iii) Kept by the Department of Conservation or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department; or

(iv) Kept solely or principally for the purposes of destroying pests or pest agents under any pest management strategy under the Biosecurity Act 1993; or

(iv)(a) kept by the Department of Corrections or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department; or

- (iv)(b) kept by the Aviation Security Service established under section 72B(2)(ca) of the Civil Aviation Act 1990, or any officer or employee of that Service solely or principally for the purposes of carrying out the functions, duties, and powers of that Service; or
- (iv)(c) certified for use by the Director of Civil Defence Emergency Management for the purposes of carrying out the functions, duties, and powers 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 or principally for the purposes of carrying on the business of a security guard; or
- (vi) Declared by resolution of the territorial authority to be a working dog for the purposes of this Act, or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution.

Appendix II

Infringement Offences and Fees under the Dog Control Act 1996

Section	Description of offence	Infringement Fee (\$)
18	Wilful obstruction of Dog Control Officer or dog ranger	750
19(2)	Failure or refusal to supply information or wilfully stating false particulars	750
19A(2)	Failure to supply information or wilfully providing false particulars about a dog	750
20(5)	Failure to comply with any bylaw authorised by Section 20	300
28(5)	Failure to comply with effects of disqualification	750
32(2)	Failure to comply with the effects of classification of a dog as a dangerous dog	300
32(4)	Fraudulent sale or transfer of dangerous dog	500
33E(2)	Failure to comply with the effects of classification of a dog as a menacing dog	300
36A(6)	Failure to implant microchip transponder in dog [from July 1, 2006]	300
41	False statement relating to registration	750
42	Failure to register dog	300
46(4)	Fraudulent attempt to procure replacement label or disc	500
48(3)	Failure to advise change of ownership	100
49(4)	Failure to advise change of address	100
51(1)	Removal or swapping of labels or discs	500
52A	Failure to keep dog controlled or confined	200
53(1)	Failure to keep dog under control	200
54(2)	Failure to provide proper care and attention, supply proper and sufficient food, water, and shelter, and to provide adequate exercise	300
54A	Failure to use or carry leash in public place	100
62(4)	Allowing dogs known to be dangerous to be at large unmuzzled	300

EARTHQUAKE- PRONE BUILDING POLICY

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

7 Introduction and Background

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

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

“Moderate earthquake” is in turn defined as:

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

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

The policy is required to state:

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

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

8 Policy approach

8.1 Policy principles

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

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

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

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

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

8.2 Overall approach

Rangitikei is in a zone of moderate seismicity³ and its buildings comprise a range of types and ages reflecting steady development since early settlement in the mid to late nineteenth century. Building types range from wood, unreinforced masonry and brick buildings to modern steel and concrete buildings. Buildings generally do not exceed three storeys in height and there are a number of listed heritage buildings in the District, predominantly in the main centres of Marton, Bulls and Taihape.

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

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

The approach the Council will take will be to:

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

³ Manawatu-Wanganui Regional Council Hazard Analysis Manual – Volume 11 – Seismic Analysis, 1996. Seismicity – the geographic and historical distribution of earthquakes.

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

8.3 Economic impact of policy

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

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

8.4 Heritage buildings

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

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

9 Priorities

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

10 Review

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

GAMBLING VENUE (Class 4) POLICY

Policy Title: GAMBLING VENUE (CLASS 4) POLICY	
Date of Adoption: 25 March 2004	Resolution: 04/RDC/064
Review Date: 2012	
Statutory reference for adoption: Gambling Act 2003 /Resource Management Act 1991	
Statutory reference for review: Gambling Act 2003 s102 (5)	
Included in the LTCCP: no	
Date Amended or Reviewed	Resolution
13 April 2006	06/RDC/122
29 January 2009	09/SPP /026 – 09/RDC/067

1 POLICY OBJECTIVES

- 1.1 To ensure the Rangitikei District Council and the community has influence over the location of new Class 4 gambling venues and new gaming machines (pokie machines) within the District as a whole in compliance with the Gambling Act 2003.
- 1.2 To consider the social implications of new gambling venues and new gaming machines within the Rangitikei District.
- 1.3 To allow those who are legally entitled to do so, to participate in gaming machine entertainment within the Rangitikei District.
- 1.4 To place a numerical cap on the number of gaming machines which may be operated within the Rangitikei and to review this policy 2 years after it comes into effect.

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

- 2.1 An applicant for Council consent under this policy must:
 - meet the application requirements specified in this policy;
 - meet the fee requirements specified in this policy; and
 - not be a venue at which the primary activity of the venue is associated with family or children’s activities.

3 APPLICATION REQUIREMENTS (to be supplied by applicant)

3.1 Class 4 gambling venues may be established if the proposed venue:

- Complies with objectives of this policy
- Complies with the general conditions of this policy
- Meets all the specified requirements contained in this policy

3.2 Location of Gaming Venues and New Gaming Machines

- Applicants must ensure their proposed application is a permitted activity under the Rangitikei District Council District Plan, the Resource Management Act 1991, Gambling Act 2003 and that such an application will conform to the Council's Gambling Venue Class 4 policy.
- Any new gaming venue outlet may only be established on licensed premises.

4 APPLICATIONS

4.1 Applications for Rangitikei District Council consent must be made on the approved form(s) and must provide:

- 1) Name and contact details of the applicant and trust and trustee details;
- 2) Street address of premises proposed for the Class 4 licence;
- 3) Evidence of the primary purpose of the venue;
- 4) A site plan covering both gambling and other activities proposed for the venue, including details of each floor of the venue.
- 5) Evidence of a liquor licence.
- 6) Evidence and any supporting material to assure the Rangitikei District Council that the activity (namely gambling as a Class 4 venue) is permitted in accordance with the Rangitikei District Council District Plan (any copy of applicable resource consent to be included in the application).

5 CAP ON THE NUMBER OF GAMING MACHINES

5.1 The number of gaming machines operated in the Rangitikei District may not exceed 125.

5.2 This number is based on information from the Department of Internal Affairs, which at 30 June 2003 advised that there were 112 gaming machines operating in the Rangitikei District.

6 NUMBER OF GAMING MACHINES TO BE ALLOWED

6.1 Subject to the restriction on the capped number of gaming machines in the district:

- 1) New venues may apply for a licence to operate up to 9 gaming machines.
- 2) Existing venues, with licences issued after 17 October 2001 and operating fewer than 9 pokie machines, shall be allowed to increase the number of machines operated at the venue to 9.
- 3) Existing venues, with licences issued before 17 October 2001 and operating fewer than 18 gaming machines, shall not be allowed to increase the number of machines operated at the venue to more than 9.
- 4) This policy allows for a maximum of 125 gaming machines to operate at any one time within the Rangitikei District.

7 PRIMARY ACTIVITY OF CLASS 4 GAMBLING VENUES

7.1 The primary activity of any Class 4 gambling venue shall be:

- for the sale of liquor or the sale of liquor and food;
- sporting activities; or
- Special consideration will be given to any applicant seeking to operate a tourist venture, who does hold a sale of liquor licence and supplies food in addition to alcohol. Such applicant must meet all other criteria contained herein the policy.
- The primary activity of the venue will not be one predominantly associated to family and/or children's activities.

8 DECISION MAKING

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

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

8.3 When considering an application for either an increase in gaming machines or a new gaming venue under Class 4, the relevant council officer will consider;

- The number of machines proposed
- The objectives of this Policy
- The intent and statutory requirement of the Gambling Act 2003

9 APPLICATION FEES

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

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

10 ADOPTION AND COMMENCEMENT

- This policy was adopted on 25 March 2004 at the duly notified Council Meeting after completion of the special consultation procedure, of the Local Government Act 2002.
- The policy will take effect from 18 March 2004.

11 REVIEW

11.1 This policy will be reviewed 2 years after it is adopted and comes into effect.

INVESTMENT POLICY

Policy Title: INVESTMENT POLICY	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s105	
Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 24 November 2005	05/RDC/426
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Accepted by Council: 29 January 2009	09/RDC/032
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	90/RDC/233

The Council’s philosophy in the management of investments is to optimise returns in the long term while balancing risk and return considerations. The Council recognises that, as a responsible public authority, any investments that it does hold should be low risk. It also recognises that lower risk generally means lower returns. It is noted that the Council may have very good reasons, other than financial, for investing in Council Controlled Organisations and other organisations. The Council manages a portfolio of investments comprising equity investments, property, forestry, loans and advances, and financial investments. Council may delegate any of its responsibilities, duties or powers noted in this policy in accordance with clause 32(1) of Schedule 7, Local Government Act 2002.

Acquiring New Investments

The acquisition of new investments is a Council decision. The acquisition of Equity, Forestry Investments, Property Investments and Community Loans and Advances is by way of a Council resolution after receiving a report under the Council approved report format. This report will provide advice on the risks involved, the returns on investment and also the significance of the decision. The Finance Leader will make investments in banks and corporate bonds with delegated authority from the Chief Executive.

Investment Mix

The Council maintains investments in the following assets:

- Equity investments and other shareholdings;
- Property investments incorporating land, buildings and a portfolio of ground leases;
- Forestry investments;

- Community loans and advances;
- Financial investments incorporating longer term and liquidity investments;

In considering whether to make a new investment, the Council will consider the proportion of its funds that it will invest in the various categories. The following table provides the guidelines:

Investment Category	Proportion of total funds invested
Equity Investments ⁴	Up to 10%
Forestry ⁵	Up to 5%
Community Loans	Up to 15%
Property Investments ⁶	Up to 20%
Bank Investments	Up to 100%
Corporate Bonds and/or Local Government Stock	Up to 50%

Council does not invest in foreign currency.

Equity Investments

Council believes it may be appropriate to have limited investment in equity (shares) when Council wishes to invest in equities for strategic, economic development or social reasons.

Council will approve equity investments on a case-by-case basis, if and when they arise.

Generally such investments will be in (but not limited to) infrastructural companies and/or local government joint ventures (including Council Controlled Trading Organisations) to further District or regional economic development. Council does not invest in overseas companies.

Refer also to Council’s Policy on “Partnerships with the Private Sector”.

The Council’s investments in such assets fulfil various strategic, economic development, social and financial objectives as outlined in the Council’s long term council community plan.

The Council reviews performance of these investments as part of the annual planning process to ensure that their stated objectives are being achieved.

The Finance Leader will monitor and report all share prices on a quarterly basis to the Council.

Any disposition of these investments if the market value exceeds \$50,000 requires approval by the Council) For investments equal to or less than \$50,000, the decision is made by the Finance Leader and the Chief Executive. Acquisition of new equity investments requires

⁴ Equity Investments excludes those investments that are not held for Strategic or Economic Development reasons.

⁵ Forestry includes only Forestry held purely for investment purposes, i.e. forestry held for the purposes set out in numbers 1 and 2 of the section on Forestry Investments is not included in this measure.

⁶ Property excludes property held for operational purposes.

Council approval. The Council decides on the allocation of proceeds from the disposition of equity investments on a case-by-case basis.

All income, including dividends, from the Council's equity investments is included in general revenues in the Statement of Financial Performance.

Property Investments

Investments in property fall into three classes:

(i) Leased property

The types of assets that the Council invests in on a commercial basis could include residential housing, commercial /industrial property and/or farmland. Council will seek professional advice before purchasing any land for investment purposes.

(ii) Land subdivision

The Council may facilitate or partake in property development or subdivision where a clear economic benefit is perceived to benefit the District Ratepayers.

(iii) Non-commercial properties

Currently the Council holds buildings such as halls, libraries and administration buildings for non-commercial purposes and as such does not get a market return on them or make fully adequate provision for their eventual replacement.

It also holds a number of flats let out to predominantly elderly persons in the Rangitikei District on a non-profit basis sufficient to cover operational and longer-term maintenance. Council has identified those properties that are held for strategic purposes and schedules of these are available.

Through the Long-Term Council Community Planning process the Council reviews property ownership by assessing the benefits of continued ownership in comparison to other arrangements that could deliver the same results. This assessment is based on the most financially viable method of achieving the delivery of Council services. Surplus property in relation to this criterion is disposed of.

All Council property, which is surplus to requirements, is available for sale.

For all property disposals that have been approved by Council, the Chief Executive may accept any offer for purchase that is over the rateable value of the property if that rateable value is less than \$100,000. For property sales over \$100,000 (or for property in class (i) and (ii)) an independent valuation should be sought as a benchmark for offers and rewards. Council approval is required for property sales where the offer price is less than rateable value or (for class (i) and (ii) and class (iii) properties over \$100,000) the independent valuation.

Proceeds from the disposition of property investments form part of the Council's general funds. Any gains or losses on sale are included as general revenues or expenditure in the Statement of Financial Performance.

All income, including rentals and ground rent from property investments, is included in property activity in the Statement of Financial Performance.

Forestry Investments

The Council has a number of small forestry holdings throughout the District. These holdings are situated on land that:

1. is used as part of other activities such as water catchment areas, landfills, and road stabilisation;
2. was used for other activities and is no longer required for the original purpose and cannot be disposed of; or
3. is purely for investment purposes.

All forestry assets are held as long-term investments on the basis of their net annual positive discounted cashflows, factoring in projected market prices, annual maintenance, and felling costs.

All forestry assets are held to maturity. Council is aware that this will require significant upgrade of some roads to enable the harvest to occur. The Council reviews the use of the land thereafter for commercial or strategic purposes.

Proceeds from the disposition of forestry investments form part of the Council's general funds unless the forestry was planted on a reserve under the Reserves Act, in which case the proceeds must be spent on reserves within the District. Any gains or losses on sale are included as general revenue or expenditure in the Statement of Financial Performance.

Investments in Community Projects

At various times groups within the community request loans, advances or guarantees for projects that will be of benefit to a significant proportion of the community. As these investments are with groups that the Council would not normally invest with. The Council needs to debate the suitability of any loan application. During this process Councillors pay particular regard to the ability of the applicant to service the debt and repay principal.

The Council will be responsible for authorising any such loans, advances or guarantees.

Loans and Advances

From time to time, the Council makes loans to other parties. All loans are secured and all loan advances are reviewed as part of the annual planning process to ensure that interest and principal repayments are made in accordance with the loan agreement.

Financial Investments

The Council maintains financial investments for the following primary reasons:

- Invest surplus cash and working capital funds.
- Invest amounts allocated to special funds (e.g. Flood Damage Reserve) and general reserves.
- Proceeds from the sale of assets are invested in long-term investments or internally lent to activity centres.
- The Council seeks to maintain the purchasing power of these funds and accordingly inflation indexes the investment on an annual basis.

The fund value is preserved on a yearly basis by reference to the change in Statistics New Zealand "All Group Consumer Price Index".

Income earned from investments is utilised firstly to preserve the value of the fund then allocated to the general account and offset against rate requirements.

The Council invests other reserve and special fund accounts as set up by a Council resolution, in liquid and strongly-rated investments or internally lends to activity centres. These reserve and special fund investments must be accounted for separately but may be invested in total as governed by the Financial Investment Objectives.

Financial Investment Objectives

The Council's primary objective when investing is the protection of its investment. Accordingly, only creditworthy counter-parties are acceptable. Creditworthy counter-parties are selected on the basis of their current Standard and Poors (S&P) rating that must be strong or better. Credit risk is minimised by placing maximum limits for each class of issuer and by limiting investments to registered bank investments, strongly rated corporates and government securities.

Definitions for approved financial investment instruments are:

Authorised Asset Class	Overall Limit as Percentage of total Portfolio	Approved financial Market Investment instruments	Credit Rating Criteria (Standard and Poors)	Individual Issuers Limits
New Zealand Government or Government Guaranteed	100%	<ul style="list-style-type: none"> • Government Stock • Treasury Bills 	Not Applicable	Unlimited
Local Authorities with a credit rating or where rates are used as security	50%	<ul style="list-style-type: none"> • Commercial Paper • Fixed Rate Bonds/ Floating rate Notes 	Not Applicable	\$2 million
New Zealand Registered Banks	100%	<ul style="list-style-type: none"> • Deposits • Fixed Rate Bonds/ Floating rate Notes 	S&P ratings A+, A1 or better	\$5 million
State Owned Enterprises	50%	<ul style="list-style-type: none"> • Commercial Paper • Fixed Rate Bonds/ Floating rate Notes 	S&P rating of BBB+, A2 or better	\$2 million
Corporates	50%	<ul style="list-style-type: none"> • Commercial Paper • Fixed Rate Bonds/ Floating rate Notes 	S&P Rating of A, A1 or better	\$2 million

The Finance Leader monitors credit ratings on a six-monthly basis from updated S&P advices. If any counter-party's credit rating falls below the minimum specified in the above table, exceptions are reported to the Council for approval which will then determine the most appropriate course of action.

It may be necessary to make decisions within a short time frame regarding the liquidation of investments prior to maturity. This is in order to take advantage of specific situations that may occur in the financial markets. Such decisions are made by the Finance Leader and the Chief Executive for investments less than or equal to \$2 million, and by the Council for investments greater than \$2 million.

Liquidity risk is minimised by ensuring that all investments must be capable of being liquidated in a readily available secondary market. Furthermore, the Council manages its liquidity risk through the following parameters.

Term	Minimum	Maximum
0 – 3 months	15%	40%
3 – 6 months	10%	60%
6 months to 2 years	10%	60%

Within the above credit limits, the Council also seeks to:

- maximise investment return;
- ensure investments are liquid; and
- minimise potential capital losses due to interest rate movements if investments need to be liquidated before maturity.

Normally financial investments are held to maturity date. Where investments are liquidated prior to maturity, approval is obtained from the Council

Reserve and Special Fund monies must be separately accounted for but may be invested in total.

Proceeds from Disposition and Disposition of Revenue

Proceeds from the disposition of financial investments are used for operational expenditure purposes or for the purpose for which they have been established. Interest income from financial investments is credited to general funds, except for income from investments for special funds where interest is credited to the particular fund. All income is included in sundry revenues in the Statement of Financial Performance.

Interest Rate Risk Management

After evaluating the costs/benefits of using risk management instruments as well as considering the types of financial investments it generally holds (mainly call and term deposits), the Council does not intend to use interest rate risk management instruments for financial investments. This policy of non-usage is reviewed as part of the annual planning process.

Sinking Funds

The Council is not required to use specific funding mechanisms and accordingly the Council does not establish sinking funds for new borrowing. Established sinking funds are wound down as loans mature or are used to repay existing borrowing at the earliest opportunity. Appointed commissioners, in a manner consistent with the Council's investment policy, manage remaining sinking funds. The sinking fund commissioners prepare a statement of sinking funds annually.

Cash Management

From time to time, the Council has short-term cash-flow surpluses and borrowing requirements due to the mismatch of receipts and payments. All cash inflows and expenses pass through the main bank account controlled by the finance function.

The Management Accountant compiles daily transaction logs and bank statement reconciliations from the ANZ Direct system. A monthly cash position report is produced. Generally any cash to be invested for longer than three months is covered by the section on Financial Investments.

Cash Management policy deals with the net balance in the Council's main bank account with its principal banker. Cash management activities must be undertaken within the following parameters, limiting the cash management instruments to:

- Call deposits with registered banks.
- Registered certificates of deposit with a maturity less than three months.
- Term Deposits (less than three months) with registered banks. Not recommended if early break penalties are enforced.
- Cash may only be invested with registered banks within the limits detailed above.
- A target balance of \$20,000 is aimed for in the main bank account, with surplus funds invested in approved cash management instruments.
- Council has a committed \$50,000 overdraft facility with the ANZ Bank. Overdraft facilities are utilised as little as possible.

The use of interest rate risk management instruments on cash management balances is not permitted.

Policy Setting and Management

The Council approves policy parameters in relation to its investment and borrowing activities. Council's Chief Executive has overall responsibility for the operations of Council. The Finance Leader has financial management responsibility over Council's borrowing and investments. The Property Manager undertakes operational management of Council's property investments.

ACTIVITY	Primary responsibilities allocated to:
Approve policy document	Council
Alter policy document	Council
Open/close bank accounts	Chief Executive
Acquisition and disposition of investments (other than financial investments and Equity Investments less than or equal to \$50,000).	Council
Approval of borrowing programme for the year	Council
Approval for charging assets as security over borrowing	Council
Approve new loans in accordance with Council resolution	Chief Executive
Debt negotiations in relation to interest rate, term and maturity date	Finance Leader
Approved cheque signatories	As per register approved by the Chief Executive
Borrowing management	Chief Executive (approve strategy) Finance Leader (recommend strategy) Management Accountant (execute strategy)
Approve interest rate risk management instruments	Council
Financial investment management	Chief Executive (approve strategy) Finance Leader (recommend strategy) Management Accountant (execute strategy)
Cash management	Management Accountant

Reporting

Each quarter the Council shall be provided with a Treasury Management Report, which includes:

- A breakdown of investments by type and/or by institution.
- A report on the performance of investments including investments in land, buildings, leases and forestry.
- A report on total borrowing (both external and internal).

Performance Monitoring

Measuring the effectiveness of the Council's treasury activities is achieved through a mixture of subjective and objective measures. The predominant subjective measure is the overall quality of treasury management information. The Council has prime responsibility for determining the overall quality of this information. Objective measures are as follows:

Borrowing Management

- Adherence to policy and in particular the borrowing limits outlined.

Investment Management

- The Financial Investments portion of the portfolio shall be benchmarked against appropriate external reference rates (i.e. the Official Cash rate and the 90 Day Bill Rate).
- The benchmark to be reviewed annually by the Chief Executive. No benchmark is required if Financial Instruments investments total less than \$5 million.

Cash Management

- Adherence to policy.

Each quarter, performance is reported in the Treasury Management Report to the Council.

Appendix 1: Approved Interest Rate Risk Management Instruments

1. Borrowing Instruments:

The following interest rate risk management instruments are available following approval by the Finance Committee and are consistent with the Borrowing Policy:

- Fixing through physical borrowing instruments e.g. loan stock, bank term loan;
- Floating through physical borrowing instruments, e.g. short term revolving stock and bank borrowing;
- Forward rate agreements;
- Interest rate swaps;
- Purchase of interest rate option products including caps;
- Interest rate collar type option strategies.

2. Definitions:

BKBM - the Bank Bill Mid Market settlement rate as determined at 10:45am each business day on Reuters page BKBM. This is the standard rate for the settlement of interest rate swaps, forward rate agreements and interest rate floors, caps and collars.

Forward Rate Agreement (FRA) - an agreement between Council and a counterparty (usually a bank) protecting Council against a future adverse interest rate movement for a specified period of time. The Council and the counterparty agree to a notional future principal amount, the future interest rate, the benchmark dates and the benchmark rate (usually BKBM).

For a borrower, this product is particularly useful where the underlying exposure is certain and Council's dominant view is that yields will rise above current levels.

Interest Rate Options - the purchase of an interest rate option gives the holder (in return for the payment of a premium) the right but not the obligation to invest (described as a floor) or borrow (described as a cap) at a future date for a specified period. The Council and the counter-party agree to a notional future principal amount, the future interest rate, the benchmark dates and the benchmark rate (usually BKBM). Interest rate option products include caps, floors and swaptions.

From a borrower's perspective, these products offer the Council maximum flexibility, protecting the Council from a rise in rates while allowing full participation in a fall in rates. This product is used where either there is some uncertainty in the underlying exposure or the outlook for interest rates is favourable but the policy requires some form of protection.

Interest Rate Collar Strategy - the combined purchase (sale) of a floor or cap with the sale (purchase) of another floor or cap. This can be a zero premium cost strategy. See the interest rate option for further details.

Both an investor and a borrower can use this product.

From a borrower's perspective, this product is transacted to provide a limited amount of participation in a downward movement in interest rates to an agreed strike rate. If the interest rate continues to move downwards, the Council cannot participate in any movement beyond the strike rate. If interest rates move in an unfavourable direction (upwards) then the predetermined strike rate provides certainty through a known worst-case rate.

This product outperforms the forward rate agreement if rates fall but underperforms if rates rise. A borrower, for known exposures, would use this product where the interest rate is expected to decline moderately from current levels.

Interest Rate Swap - an interest rate swap is an agreement between Council and a counter-party (usually a bank) whereby Council pays (or receives) a fixed interest rate and receives (or pays) a floating interest rate. The parties to the contract agree notional principal; start date of the contract, term of the contract, interest rate and the benchmark rate (usually BKBM).

This product is particularly useful where the underlying exposure is certain and the Council's dominant view is that interest rates will rise above current levels.

Swaption - The purchase of a swaption gives Council the right but not the obligation to enter into an interest rate swap, at a future date, at a specific interest rate.

Appendix 2: Approved Borrowing Instruments

1. Bank Sourced Borrowing

1.1 Overdraft

Overdraft facilities are calculated on a simple interest basis with interest calculated daily and paid in arrears. Overdraft facilities are usually for a term of up to one year and are priced off the bank's indicator rate. Most borrowers use these facilities to borrow on an overnight basis.

Costs

The lending bank sets the indicator rate (which includes a credit margin) at the time of lending along with a line fee (expressed in basis points or percentage per annum). This rate is usually set for the term of the facility.

1.2 Committed Bank Facilities

Committed bank facilities are calculated on a simple interest basis with interest paid in arrears. Committed bank facilities are usually for a term of up to three years but may be for as long as five years. Most facilities allow for the borrower to draw up to the facility amount in various portions of debt and for various terms out to the maturity date of the facility.

Costs

The lending bank sets the BKBM rate at the time of lending along with the line fee (expressed in basis points or percentage per annum) and credit margin. This rate generally re-prices on a 90-day basis.

2. Local Authority Sourced Borrowing

Local Authority stock is registered and issued, via tender or private placement to a range of investors. Stock is usually issued for maturities ranging from one to 10 years. A fixed coupon payment determined at the outset is made semi-annually to the holder of the security.

LIABILITY MANAGEMENT POLICY

Policy Title: LIABILITY MANAGEMENT POLICY	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s104	
Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 6 April 2006- introduction removed.	06/RDC/098
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Agreed by Council: 29 January 2009	09/RDC/030
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233

The Council borrows as it considers appropriate and exercises its flexible and diversified borrowing powers pursuant to the Local Government Act 2002. Council may delegate any of its responsibilities, duties or powers noted in this policy in accordance with clause 32(1) of Schedule 7, Local Government Act 2002.

Council approves, by resolution, the borrowing requirement for each financial year during the annual planning process. A resolution of Council is not required for hire purchase, leased, credit or deferred purchase of goods if:

- The period of indebtedness is less than 91 days; or
- The goods or services are obtained in the ordinary course of operations on normal terms for amounts not exceeding in aggregate, an amount determined by resolution of Council.⁷

The arrangement of precise terms and conditions of borrowing is delegated to the Finance Leader.

Overall, the Council raises debt for the following primary purposes:

- General debt to fund Council's capital works being primarily infrastructural assets (which generally have long economic lives and long-term benefits);
- Short-term debt to manage timing differences between cash inflows and outflows and to maintain Council's liquidity;

⁷ This provision aligns with the requirements of the Local Government Act 2002, section 112 – borrowing – (c)

- Borrowing through hire purchase, credit, deferred payment or lease arrangements in the ordinary course of Council business;

The use of debt is seen as an appropriate and efficient mechanism for promoting inter-generational equity between current and future ratepayers in relation to such assets. Council does not borrow to fund investment activity.

Section 113 of the Local Government Act 2002 prohibits the Council from entering into loan arrangements denominated in any foreign currency. All the approved instruments in Appendix 1 of this policy cannot be used in any currency except for the New Zealand dollar.

Borrowing Limits

In managing debt, Council will adhere to the following limits:

- total interest expense on net external debt will not exceed 15% of total annual rates income; or
- ratio of net external debt to annual rates income will not exceed 150%; or
- net external debt per capita will not exceed \$1,400;
- repayment of loans over a 10-30 year period depending on the characteristics of the asset(s);
- whichever is the lowest.

In addition, Council will retain on short-term investments at least sufficient to cover one month's operations plus a further \$1 million cover for emergency work.

Borrowing Mechanism

The Council is able to borrow through a variety of market mechanisms including issuing stock and direct bank borrowing. Refer definitions of approved borrowing instruments in Appendix 2 of the Investment Policy.

In evaluating strategies for new borrowing (in relation to source, term, size, and pricing) the Council requires the Finance Leader to take into account the following:

- the size and economic life of the project/asset;
- the impact of new debt on borrowing limits;
- consistency with the Long Term Council Community Plan;
- relevant margins and total cost under each borrowing source;
- Council's overall debt maturity profile, to ensure concentration of debt is avoided at reissue/rollover time;
- the market's outlook on future interest rate movements as well as its own;
- prevailing interest rates relative to term for both loan stock issuance and bank borrowing;
- available terms from banks and loan stock issuance;
- opportunities within the sector for collaborative bond issues or similar;
- legal documentation and financial covenants.

The Finance Leader uses the internal loan portfolio as an input into determining the Council's external debt requirements. Where possible, the Council's reserves are used to reduce external debt, effectively reducing the Council's net interest cost.

Liquidity and Credit Risk Management

Liquidity risk management refers to the timely availability of funds to the Council when needed, without incurring penalty costs. The Council minimises its liquidity risk by:

- enhancing its cashflows through encouraging ratepayers to pay rates early by offering discounts.
- matching operational and capital expenditure closely to its revenue streams and managing cashflow-timing differences to its favour;
- maintaining its financial investments in liquid instruments;
- maintaining a committed overdraft facility with its relationship bank;
- avoiding concentration of debt maturity dates by minimising the risk of large concentrations of debt and facilities maturing or being reissued in periods where credit margins are high for reasons within or beyond the Council's control. The Council ensures debt is spread over a band of maturities and ensures that, no more than 33% or \$6 million (whichever is the highest) of total borrowing is subject to refinancing in any financial year. Total borrowing includes forecast borrowing.

Internal Borrowing

The Finance Leader is responsible for administering the Council's internal loan portfolio. Loans are set up within the portfolio based on planned capital or operational expenditure as approved by a Council resolution as part of the Annual Plan/LTCCP.

The primary objective in funding internally is to use specific reserves effectively, by establishing an internal loan portfolio that provides funding to internal activity centres. This creates operational efficiencies as savings are created by eliminating the 'bankers margin' that would be owing through Council simultaneously investing and borrowing with the bank. The available reserve funds may be used for internal borrowing purposes.

The following operational parameters apply to the management of Council's internal loan portfolio:

All internal borrowing activities are consistent with the principles and parameters outlined throughout the Liability Management and Investment Policy;

- The Council firstly seeks to utilise internal reserve funds and if insufficient reserves are available utilises external debt;
- The Council seeks to match the term of its interest rate profile on borrowing and investment activities to its internal lending activities;
- A notional internal loan is set up for all new capital or operational expenditure purposes and allocated in the internal loan portfolio to the activity centre incurring the obligation;

- Interest received is allocated into the general account and offset against general rate requirements.

Finance has the ability to reset interest rates on a quarterly basis.

For operational lending the following specific parameters apply:

- The term of the loan is limited to a maximum of one year with the loan to be fully repaid by the second anniversary of the loan;
- Interest is set on all balances (surplus and deficit) at the 90-Day Reuters BKBM FRA Rate at the beginning of the calendar quarter. If external debt is used the weighted average 90 day interest rate (including any credit margin) is used;
- Interest is paid quarterly in arrears.

For capital lending the following specific parameters apply:

- The Council approves lending for capital purposes through the Annual Plan/LTCCP. These are ratified by the Council subsequent to the Annual Plan being approved. Any expenditure less than \$50,000 in the Annual Plan/LTCCP does not require subsequent ratification;
- The term of the loan is limited to a maximum of 3 years providing the loan is no greater than the original purpose of the reserve;
- Principal and interest instalment amounts are agreed on establishment of the loan and determined on a table mortgage basis;
- Instalment amounts are paid quarterly in arrears;
- The interest rate is fixed based on the 3-year Swap Mid Rate, or a weighted average 3-year interest rate (including any credit margin) if external debt is utilised.

Interest Rate Risk Management

Interest rate risk refers to the impact that movements in interest rates can have on the Council's cashflows. The Council's borrowing gives rise to direct exposure to interest rate movements.

The Finance Leader determines an interest rate risk management strategy by monitoring the interest rate markets on a regular basis and evaluating the outlook for short term rates in comparison to the rates payable on the Council's fixed rate borrowing. An appropriate hedged/floating rate mix is approved by the Chief Executive every six months.

Generally, given the long-term nature of the Council's assets, intergenerational factors and the Council's preference to avoid an adverse impact on rates, there is a general tendency to have a higher percentage of long- term fixed rate or hedged borrowing.

Notwithstanding the above, it may be appropriate from time to time, depending on the Council's outlook on interest rates, to have a floating rate profile (any debt or interest rate risk management instrument where interest rates are being reset on a frequency less than 180 days).

The Chief Executive can approve (following recommendation from the Finance Leader) up to 30% of total external debt to have a floating rate profile.

The Council seeks to match the term of its interest rate profile on borrowing and investment activities to its internal lending activities.

The Council is also exposed to yield re-pricing risk on the maturing of existing fixed rate borrowing that is refinanced, as well as issue yield risk on planned new external debt. The Council manages this risk by spreading its debt maturities as outlined above.

The Finance Leader implements the approved interest rate risk management strategy through the following:

Using interest rate risk management instruments to convert fixed rate borrowing into floating rate borrowing or hedged borrowing, and floating rate borrowing into fixed or hedged borrowing.

The Council approves the use of interest rate risk management instruments. A current list of approved interest rate risk management instruments with appropriate definitions is included in Appendix 1 of the Investment Policy. Additions to and deletions from this list are recommended by the Finance Leader and approved by the Council.

Security

The Council generally does not offer assets other than a charge over rates or rate revenue as security for general borrowing programmes. Security is granted over the rating income of the Council as governed by the Debenture dated 9 November 1998 between the Council and Perpetual Trust Limited. Pursuant to section 116 of the Local Government Act 2002, a register of securities is available for inspection at the Council Offices, 46 High Street, Marton.

Repayment

The Council repays borrowings from general funds or from the specific sinking fund allocated to that borrowing.

LIQUOR LICENSING POLICY

Policy Title: LIQUOR LICENSING POLICY	
Date of Adoption: 28 November 2002	Resolution: 02/RDC/216
Review Date: 28 June 2015 or repeal/amendment of Sale Of Liquor Act 1989 (whichever is sooner)	
Statutory reference for adoption: Sale of Liquor Act 1989 s96	
Statutory reference for review: none	
Included in the LTCCP: no	
Date Amended or Reviewed	Resolution
28 June 2010	10/RDC/147

INTRODUCTION

This liquor policy has been developed to support the object of the Sale of Liquor Act 1989 (the Act) which is “to establish a reasonable system of control over the sale and supply of liquor with the aim of contributing to the reduction of alcohol abuse as far as can be achieved by legislative means”, and the associated Sale of Liquor Regulations 1990 (the Regulations).

The policy sets out a framework for consistent decision making in the local administration of the Act, gives some guidance to those who may be seeking to obtain a licence under the Act and also attempts to reflect the communities’ expectation with respect to liquor issues.

BACKGROUND

The Sale of Liquor Act 1989 provides that each territorial authority must establish a District Licensing Agency (the Agency) to administer the Council’s responsibilities under this Act.

In 1999 amendments to the Act gave even greater autonomy to District Licensing Agencies and at that time the Liquor Licensing Authority (the Authority) increasingly gave encouragement to the Agencies to develop local liquor licensing policies.

The Rangitikei District Council has written and developed this policy, in conjunction with other Agency policy documents, to devise a consistent, uniform and transparent approach to enforcement and administration in the effective implementation of the Act, and its amendments. This policy is additional to, and subject to, any views or policy issues by the Authority.

DUTIES AND FUNCTIONS

District Licensing Agency

The Act allocates the role of District Licensing Agency (the Agency) to the Council. The Agency is charged with the following functions:

- Assessing and determining unopposed applications for liquor licences and managers certificates;
- Assessing and determining applications for special licences and temporary authorities;
- Record keeping and maintenance of a register of licences and certificates.

Functions of the Inspector appointed by the Agency are:

- Opposing applications where this is considered warranted;
- Inspecting and monitoring licensed premises;
- Monitoring the management of licensed premises;

Liquor Licensing Authority

The Liquor Licensing Authority (the Authority) is a tribunal administered by the Ministry of Justice. The Authority comprises a judge and one or two appointed members with particular relevant knowledge or experience. The Authority is charged with the following functions:

- Determining opposed liquor licence applications and renewals;
- Determining opposed applications for managers certificates and renewals;
- Determining applications for variation, suspension or cancellation of licences or certificates;
- Redefinition of licensed areas;
- Determining appeals against Agency decisions;
- The issuing of statements and directions with respect to administration and
- Enforcement of the Sale of Liquor Act 1989 aimed at achieving the object of the Act.

Reporting Authorities and Agencies involved in processing Liquor Licence applications

The Act provides that, the Agency, in the processing of applications under the Act, shall obtain reports from the following authorities:

- Police - Concerned with the management of premises and the suitability of applicants to hold licences and certificates.
- Medical Officer of Health - Concerned with both specific and the wider impacts on public health associated with alcohol abuse within licensed premises and the community.
- Licensing Inspector - Concerned with taking both an administrative and enforcement overview of sale of liquor issues on behalf of the Agency. Powers include, if considered necessary, requesting the Authority to vary, suspend or cancel any licence or certificate.
- Council - Provides a certificate confirming that the proposed use of the premises meets the requirements of the Resource Management Act 1991 and meets, or when completed will meet, the requirements of the Building Code. This certificate must accompany any new application for an On, Off or Club licence.
- Community - This Policy and the Sale of Liquor Act 1989 encourages community input into liquor related issues. Society's standards and community expectations are

constantly evolving and only by public input into the policy preparation process can the policies and requirements of the Agency reflect community expectations.

DEFINITIONS

“Club” means –

- (a) any chartered club; or
- (b) any club that has as its object, or as one of its objects, participating in or prompting any sport or other recreational activity, otherwise than for gain; or
- (c) any other voluntary association of persons (whether incorporated or not) combined for any purpose other than gain.

“Entertainment” in relation to any licensed premises, means any activity, dance, performance, exhibition, amusement, sport, game or event carried out on a regular and ongoing basis which is calculated to attract and entertain members of the public.

“Hotel” means any premises used or intended to be used in the course of business principally for the provision to the public of –

- (a) lodging; and
- (b) liquor, meals, and refreshments for consumption on the premises.

“Licensed premises” means any premises, or part of any premises, on which liquor may be sold pursuant to a licence, and includes any conveyance, or part of any conveyance, in which liquor may be sold pursuant to a licence.

“Prohibited persons” means persons who are under the age of 18 years, persons to whom liquor may not be sold pursuant to the licence (for example, non-members of a Club) and Persons who are intoxicated:

“Restaurant” means any premises in which meals are regularly supplied on sale to the public for consumption on the premises.

“Restricted area”, in relation to any licensed premises, means any part of those premises so designated by the Licensing Authority or the District Agency to which persons under the age of eighteen years shall not be admitted.

“School” means any education facility at which a student (6-17 years of age) can receive teaching instruction in accordance with the New Zealand curriculum.

“Supervised area”, in relation to any licensed premises, means any part of those premises so designated by the Licensing Authority or the District Licensing Agency to which a person under the age of eighteen years may not be admitted unless accompanied by the person’s parent or legal guardian.

“Tavern” means any premises used or intended to be used in the course of business principally for the provision to the public of liquor and other refreshments.

“Undesignated area”, in relation to any licensed premises means any part of the licensed premises which is not designated restricted or supervised and into which persons under the age of eighteen years may be admitted but in which areas they may not consume liquor unless accompanied by their parent or legal guardian. These areas normally include restaurants or clubs. A coach or team leader is not a legal guardian and cannot supply liquor to team members under the age of eighteen years.

POLICY PRINCIPLES

The following policy principles are intended to promote fairness, consistency, transparency and to give applicants for liquor licences and the community, some certainty with respect to the administration of the Sale of Liquor Act 1989 and the Sale of Liquor Regulations 1990 within the Rangitikei District.

POLICY 1 – Processing of Applications and Issue of Licenses

All applications are processed as soon as possible, in accordance with processes defined in the Act and Regulations.

The Secretary of the District Licensing Agency is authorised to issue unopposed liquor licence applications, special licence applications, managers' certificates and temporary authorities which comply with the requirements of the Act and Regulations, and which satisfy the provisions of this policy document.

POLICY 2 – Licensed Premises: Hours of Operation

On Licences

The following operating hours, with any associated conditions for operation apply:

- in respect of general premises holding an on-licence operating hours up to a maximum of 9.00 am to 4.00 am on the following day with a “one-way” door⁸ from 2 am

Off-Licences

The following operating hours, with any associated conditions for operation apply:

- in respect of general premises holding an off-licence operating hours up to a maximum of 9am to 10pm
- in respect of club premises holding an off-licence operating hours up to a maximum of 9am to 10pm

Club licences

The following operating hours, with any associated conditions for operation apply:

- in respect of premises holding a club licence operating hours up to a maximum of 9.00 am to 4.00 am on the following day with a “one-way” door⁹ from 2 am

It is intended that these hours be “normal maximum” hours of operation. Applicants seeking more extensive hours should provide written justification for those hours.

⁸ The one-way door requirement means that people cannot enter after 2 am but do not have to leave until 4 am or the premises closing time, whichever is the earlier.

⁹ The one-way door requirement means that people cannot enter after 2 am but do not have to leave until 4 am or the premises closing time, whichever is the earlier.

Applicants would be required to provide evidence that the main source of revenue resulting from more extensive hours would not be the sale of liquor. An application may be referred to the Agency for consideration which may authorise the hours sought or request that the application be referred to the Authority for determination.

Licence holders who are currently permitted to operate outside of these hours will be brought into alignment with the operating hours stated in this policy when the licence is renewed.

POLICY 3 - Designations

On licences

Premises which are clearly restaurants, by their nature, are to be undesignated.

“Public bars” and “places of entertainment” are to be designated as supervised areas. Bar areas providing adult entertainment will be restricted.

Council encourages the use of street areas for the purpose of dining. Where the street area is to be included in the licence, this area is also to be noted on the licence application for consideration by the Agency. Tavern style drinking will not to be permitted to be conducted in the street.

Off-Licences

Off-licence areas of hotels, taverns and stand alone bottle stores are to be designated as supervised areas. Clubs holding an off licence are required to designate the off licence sales area as supervised.

Clubs

Clubs will generally be undesignated, except in circumstances where prohibited persons would have access to an area that is predominantly for the purpose of the sale of liquor, where the area will be designated as supervised.

POLICY 4 – Proximity to specified premises

No new off-licence shall be granted to a premise that is directly adjacent to or within close proximity of a school.

POLICY 5 – Special Licences

Special licences can cover any event or series of related events (up to 15 per year) and can be issued for up to one year ahead.

Generally, each event will require a special licence, regardless of whether the same premises are used. A special licence will not be granted to cover two unrelated events.

However, where premises are used on a regular monthly basis by the same organisation e.g. a service club or recurring social club function, the Agency may issue one special licence covering the whole year, provided that the Agency is satisfied that a full on licence or club licence would not be more appropriate.

Where a Special Licence is sought for an event or occasion where the time of the event, the location or the theme creates a risk of alcohol related harm, the Agency will consult, along with the Police, the Medical Officer of Health to ensure effective joint planning is in place to minimise such risk. In such circumstances, the applicant may be required to file an Alcohol Management Plan for the event.

The Agency can waive the requirement for the Licensee to appoint a person with a Manager's certificate, but will only do so in the following circumstances:

- Where the main source of revenue resulting from the event is not from the sale of liquor
- Where the Agency is satisfied that the event is well managed, and that anti-social behaviour resulting from the sale of liquor will be prevented
- Where the applicant demonstrates a good understanding of their responsibilities of the Sale of Liquor Act 1989, including evidence of having undertaken relevant training.

POLICY 6 – Manager's Certificates

Applicants for a general manager's certificate, in addition to completing the Licence Controller Qualification, are expected to have at least six months experience working in a licensed premise. Applicants for new general manager's certificates where the applicant has or is purchasing licensed premises, will be issued with a manager's certificate tagged to their premises.

Applicants for a club manager's certificate, are expected to have at least six months experience working in a licensed premise.

POLICY 7 – Suitability of applicants

Applicants with minor convictions (where the conviction did not result in imprisonment), will be considered on a case-by-case basis. The general guideline will be that the applicant has observed a stand down period of two years or more. Alcohol related offences, such as drink-driving will generally require the applicant to observe a stand down period of three years before the application would be considered.

Where applicants have a history of convictions, particularly alcohol related offences, the Agency would consider that the applicant would be unsuitable to hold a licence or certificate.

POLICY 8 – Temporary Authorities and Acting Managers

A temporary authority will only be granted where an existing on licence is in place and for a period of three months or less. All applications for temporary authority will be subject to Police and Inspector's report, and may also be subject to consultation with the Medical Officer of Health. A maximum of two temporary authorities can be granted for a single premise within a 12 month period.

Acting managers can be appointed no more than three times within a 12 month period, and it is expected that the acting manager would be encouraged to apply for a manager's certificate.

POLICY 9 – Host Responsibility Policy

All licensed premises are to have a written and operative Host Responsibility Policy which is to be observed at all times. Host responsibility includes that Licensees observe responsible practices in relation to alcohol promotions, and have regard to the National Protocol on Alcohol Promotions developed by the Alcohol Advisory Council (ALAC), Hospitality Association of New Zealand (HANZ), New Zealand Police and Local Government New Zealand in 2008.

A draft Host Responsibility Policy is attached as Appendix 1.

Confectionery, salted potato chips or nuts and the like are not considered substantial food and will not meet the requirements for on licence premises in isolation. On licenses are required to have *a minimum of three types of substantial food*, such as pies, hot chips and sandwiches available at all times that the license is operating.

On licence premises will be required to clearly display a list of alternative transport options, such as taxi services and alternative driver services in the premises. The availability of courtesy coaches should be widely publicised where these are in operation, and be run at regular times as so to discourage drink driving.

APPENDIX 1 - HOST RESPONSIBILITY POLICY

(Premises Name)

HOST RESPONSIBILITY POLICY

NON-ALCOHOLIC DRINKS are available and advertised by signage in every bar, as well as listed in our beverage menu.

Free water will always be available to all our customers.

Hot and Cold food or a range of snack foods in the nature of pies, sandwiches, filled rolls and pizzas are available at all times and will be advertised throughout the premise. We will ensure that all our staff are aware of, and able to offer, at least three food options at all times that the premise is open.

LOW ALCOHOL BEVERAGES such as low alcohol beer will be available and promoted by signage in all bars.

Our staff will be fully trained in identifying and dealing with potentially intoxicated persons.

INTOXICATED PERSONS will not be served and will be asked to leave our premises. Your safety is however paramount and we will endeavour to ensure that you come to no harm.

It is our wish that you have a safe method of TRANSPORT HOME and actively promote safe driver schemes. We will advertise through signage that our bar staff are happy to arrange transport home for you if necessary.

This area is designated SUPERVISED, which means that if under 18, you must be supervised by a parent or legally appointed guardian.

As advertised throughout our premises, we will not sell alcohol to minors and our staff will ask for PROOF OF AGE if you look under 25. Please do not be offended - this is part of their job.

Your Hosts

(Name)

PARTNERSHIP BETWEEN THE LOCAL AUTHORITY AND THE PRIVATE SECTOR POLICY

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

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

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

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

“Partnering” defined under contracts for the supply of any goods or services is also excluded from the definition of public private partnerships. Likewise, arrangements or agreements between local authorities (and their council organisations) are excluded.¹⁰

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

¹⁰ This provision aligns with section 107(2) of the Local Government Act 2002.

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

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

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

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

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

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

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

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

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

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

RATES REMISSION POLICY

Policy Title: RATES REMISSION POLICY	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government (Rating) Act 2002 s85	
Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 24 November 2005	05/RDC/426
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233

This policy remits rates under six specific objectives and criteria:

1. Development
2. Community, sporting and other not-for-profit organisations
3. Multiple toilet pans
4. Penalties
5. Land affected by natural calamity
6. Land protected for natural conservation purposes

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

1. Rates Relief for development

Objective

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

Conditions and criteria

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

- is a new type of business or a type of business which does not compete with any existing business within a recognised zone or area; and

- operates from premises, which are regarded as commercial, i.e. as distinct from residential.

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

Objective

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

Conditions and criteria

This part of the policy applies to land owned or occupied by a charitable organisation, (by or in trust for any society or association of persons, whether incorporated or not) which is used exclusively for the free maintenance and relief¹¹ of persons in need¹², or provides welfare, sporting, recreation, or community services. The policy does not apply to organisations operated for private pecuniary profit.

Full Remission

To qualify, land –

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

The Council will grant the following rates remission:

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

Partial Remission

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

¹¹An Institution will be treated as carried on for the free maintenance and relief of the persons to whom this clause applies if;

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

¹²Persons in need are defined as persons in New Zealand, who need care, support, or assistance because they are orphaned, aged, infirm, disabled, sick or needy.

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

Application Information

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

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

3. Remission of rates set on Multiple Toilet Pans

Objective

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

Conditions and criteria

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

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

4. Remission of Penalties

Objective

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

Conditions and criteria

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

- The Finance Leader is delegated the authority to remit one instalment penalty if the owner/occupier of the property enters into a Direct Debit payment plan for the next instalment.

5. Remission of rates on Land Affected by Natural Calamity

Objective

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

Conditions and criteria

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

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

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

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

6. Rates remission on Land Protected for Natural Conservation Purposes

Objective

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

Conditions and Criteria

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

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

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

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

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

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

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

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

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

RATES REMISSION POLICY FOR MAORI FREEHOLD LAND POLICY

Policy Title: RATES REMISSION POLICY FOR MAORI FREEHOLD LAND	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s102 (4)(f), 102(5)(a), 108	
Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 24 November 2005	05/RDC/426
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233

1. Introduction

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

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

Note: The policy applies to unsold land affected by the Māori Affairs Amendment Act 1967, which provided for Māori land owned by not more than four persons to be changed to General land. While this amendment was repealed in 1973, those blocks that had been changed remained as General land and therefore could be subject to compulsory sale to recover rate arrears.¹³ The onus for identifying this status to the Council lies with the land owners.

2. Objective

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

¹³ Te Puni Kokiri is currently working with the owners of the remaining titles to make them aware of the status of the land. In addition, Te Puni Kokiri and the Māori Land Court intend undertaking a programme to identify all Māori land titles affected by the Amendment and communicating this status of the titles to the current owners.

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

3. Conditions and Criteria

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

The required criteria are

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

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

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

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

The optional criteria are:

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

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

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

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

Applications

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

The application for rates remission under this policy shall include:

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

5. Consideration of Applications by Māori Land Rates Remission Committee

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

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

Six Year Duration

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

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

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

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

Right of Appeal to Full Council

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

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

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

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

7. Rate and Penalty Arrears Write Off

Intention to Write Off Rate Arrears and Penalties

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

Committee can recommend arrears write off to Council

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

8. Right to change conditions and criteria

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

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

9. No postponement of rates

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

REVENUE AND FINANCING POLICY

Policy Title: REVENUE AND FINANCE POLICY	
Date of Adoption: 15 July 2004	Resolution: 04/RDC/154
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s102 (4)(a)	
Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 2 March 2006	06/RDC/049
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Agreed by Council: 29 January 2009	09/RDC/029
Included in LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233

Introduction

Section 102(4) of the Local Government Act 2002 requires the Council to adopt a Revenue and Financing Policy. The purpose of this policy is twofold. The first is to state the Council's policies in respect of funding both operating expenses and capital expenditure from the sources available to it. The second is to show how the Council has complied with the requirements (of section 101(3) of the Act) to give consideration to six specific issues in developing the policy. The policy considerations thus fall into two parts, with the summary of how it has been applied to Council's 10 groups of activities provided as an appendix.

Valuation system

(Council uses a Capital Value system to apportion rates.

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

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

- Generally people who own high value properties have high incomes. This is, unfortunately, not true in all cases. As rates are generally a tax, taxation is always geared toward levying the tax against those people who can afford it. Valuation is an imperfect tool with which to do this but is the only tool given to local government to levy a tax.

- Capital values recognise the economic activity to which the rating unit is put. Setting rates on capital value ensures that those rating units using Council services pay their share. Shops in the CBD, for instance, have a high capital value in relation to land value, but also utilise Council’s infrastructure (especially roading) to a greater degree than a residential property that has the equivalent land value.
- Capital value also ensures that anyone building a house and moving into the District would pay their share of the tax.
- In areas of growth, capital value increases generated by the growth can absorb much of the rate increase associated with the increased use of infrastructure caused by the growth. Land values are less likely to achieve this.
- Capital values are a known figure. Capital values are generated from sales of assets while land values (especially in urban areas) are calculated from small quantities of vacant land sales and are therefore less reliable.
- Capital values are less volatile than land sales.
- If Council used land value based rates, the incidence of rates changing due to valuation affects alone would have been far more significant than under capital value.

Sources of funding

Council funds operating expenditure from the following sources:

General rates (including the Uniform Annual General Charge)	Used when there is a general benefit for the District as a whole. The General Rate, based on capital value, is typically used when there is a high public benefit in the services provided, when Council considers the community as a whole should meet the costs of the service, and when Council is unable to achieve its user-charge targets and must fund expenditure. The fixed Uniform Annual General Charge is a fixed amount per ‘separately used or inhabited parts of a rating unit’; it is used when a benefit is received equally. ¹⁴
Targeted rates (including, for Community Services, a commercial differential for the main urban centres)	Used to ‘target’ a funding mechanism to a particular group within the District when Council considers that transparency is important, that it is the most fair approach than other rating tools, and that it is relevant to have regard for particular aspects of the land (such as location) whether a service is provided or not. Differential rating is used when Council considers that some rating units receive a greater benefit than others. This is the case for under veranda lighting, car parks and litter control where the CBD areas are perceived to receive more benefit than other residents.
Fees and charges	Used when Council considers that the high level of benefit received by specific individuals justifies seeking user charges, that such

¹⁴ Section 21 of the Local Government (Rating) Act 2002 limits the UAGC together with any other rate set as a uniform charge across the District, other than water and sewer rates) to a maximum of 30% of Council’s total income from all rating mechanisms.

	individuals (or groups) can be identified, and that it is economic to collect the charges.
Interest and dividends from investments	Applied to the benefit of the whole Council – i.e. income from external investing is used to offset the general rate requirement; internal lending is set at the 90-day bill mid-rate each quarter.
Borrowing (both external and internal)	May be internal or external – the cost to be borne by the activity requiring the loan.
Proceeds from asset sales	Used to fund renewals expenditure within the sold asset’s activity. However, forestry asset sales are treated as investment proceeds (used to offset future forestry expenditure, and then the General Rates). However, proceeds from forestry on reserves must be applied to reserves (but not necessarily to future forestry on them).
Donations, grants and subsidies towards operating expenses	Primarily from central government and typically related to specific activities.
Other operating revenue	Recognises that Council may apply other sources of funds on a case-by-case basis, taking the most equitable course.

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

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

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

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

Rates	Rates are not normally used to fund capital expenditure directly other than for roading. Rates are used to create depreciation reserves to fund future renewals of existing assets or infrastructure. The rationale is that current ratepayers/ users of the assets should pay for the replacement of the asset that they are using. This is the inter-generational equity concept. Future generations should not have the added burden of the cost of replacing an asset that they have not used. Future
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	<p>generations may not be able to afford the replacement in any case.</p> <p>The depreciation calculation is used as a proxy to calculate the funding needed for depreciation reserves. Revaluing assets so that the calculation is as accurate as possible is done every three years (because of the costs associated with obtaining the revaluations).</p> <p>This means that in the case of roading, where the lifecycle of the assets in many cases is far shorter than other assets such as water supply schemes, the depreciation alone is insufficient to cover the current renewal costs. However, when NZTA funding is taken into account, the funding is normally sufficient. Where it is not, the Roothing Rate is used to fund these shortfalls.</p> <p>This mechanism also lessens the risk of large rate increases in the year subsequent of a valuation update.</p>
Depreciation reserves	<p>Depreciation Reserves that have been funded in previous years from rate (or other funding) of depreciation reserves are used only to fund replacements and renewals of operational assets and infrastructural assets. This fits with the concept of inter-generational equity.</p> <p>In the situation where a depreciation reserve is in deficit, Council has decided that capital renewals should be funded from rates.</p>
Subsidies and grants	<p>Subsidies and grants are primarily received from the Government for various central government initiatives, or to fund specific activities such as roading renewals and developments, water and/or sewer developments.</p> <p>Roothing subsidies for renewals only cover the subsidisable portion of the current renewals. The government does not fund its portion of the Roothing renewal programme in advance through depreciation funding as the Council does. Council only funds its “local share” of the depreciation funding.</p> <p>The risk to Council is that the rate of subsidy may decrease or cease to exist when the asset is renewed. This is seen as a low risk for roading as the lifecycle of the assets is lower (20 years or less).</p> <p>As these subsidies and/or grants relate to specific activities, the subsidy or grant is treated as an income stream of the activity to which they relate even though the funds so derived are used to replace or create (primarily) infrastructural assets. As such funding streams are classified as income but the funds are used to fund capital, an operational surplus is automatically created in the Statement of Financial Performance as the expenditure is recognised in the “balance sheet” Statement of Financial Position. This phenomenon is peculiar to central and local government and causes confusion to those who view such “surpluses” as “profit” and subsequently think that councils are over-rating them.</p>
Loans	<p>Loans are used to fund development. This fits within the concept of inter-generational equity whereby the future ratepayers or users who benefit from the new asset pay for the loan interest charges and loan repayments. Depreciation</p>

	Reserves can be used to pay the loan repayments. Council’s policy is to repay such loans over a 20-year period.
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The summary in Appendix 1 also shows how new capital expenditure will be funded (noting whether this will vary from the funding mechanism for operational expenditure). It notes where Council will undertake specific consultation before settling the method of funding. The ‘queue-jumping policy’ in previous LTCCPs has been discontinued.

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

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

Process for developing the policy

Having identified the activities which it intends to be involved in, Council conducted an analysis for each activity, giving specific consideration to:

- The community outcomes to which each activity primarily contributes. For example, the Stormwater activity contributes to a minimised human impact on the environment.
- How the benefits of the activity are spread – i.e. whether it is across the whole community or to particular groups of individuals. For example, Council’s strategic planning activity impacts on everyone but rural fire relates primarily to farmers.
- Who will benefit from the activity in future – i.e. ‘inter-generational equity’ – and how this is fairly translated into the spread of payments over time.
- Who particularly contributes to the need for a particular activity (and whether it is feasible to require payment from them) – i.e. ‘exacerbator pays’. For example, stock control is needed to ensure that farm animals getting through fences are removed from roads as soon as possible to prevent accidents.
- Cost and benefits of funding activities as distinct from other activities – i.e. to ensure that ratepayers are adequately informed about the costs of those activities which are a major expenditure (such as roads) or where the cost is known to be of interest (such as libraries).

Finally, Council is required to consider the overall impact on community well-being – social, economic, environmental and cultural. This is most obviously given effect in reviewing budgets for all activities. It is also reflected in the changes to funding mechanisms from the previous LTCCP, and also in the transitions (particularly with the way urban water supply is funded) over the next few years.

Appendix: Revenue and Financing Policy

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ¹⁵
1. Community Economic Development							
a	Information Centres	100:0	General rate	Not applicable	District-wide benefit, not specific to Bulls and Taihape	Not applicable	Not envisaged
aa	AA licensing services	100:0	Targeted Community Services rate	Not applicable	People from Marton (76%), Bulls (15%) and Hunterville (9%) use the service	Not applicable	Not envisaged
b	Grants to community organisations	100:0	Uniform Annual General Charge	Not applicable	District-wide benefit	Not applicable	Not envisaged
c	Economic development	100:0	General rate	Not applicable	District-wide benefit; impossibly complex to identify benefit to specific businesses	Not applicable	Not envisaged

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

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ¹⁶
2. Community Leadership							
a	Council	100:0	Uniform Annual General Charge	Not applicable	Benefits potentially shared equally among all residents	Not applicable	Not envisaged
aa	Administration Building (including the capital programme)	100:0	Uniform Annual General Charge	Not applicable	Benefits potentially shared equally among all residents		Not envisaged
b	Strategic planning	100:0	Uniform Annual General Charge	Not applicable	Benefits potentially shared equally among all residents	Not applicable	Not envisaged
c	Iwi liaison	100:0	Uniform Annual General Charge	Not applicable	Benefits potentially shared equally among all residents – not specific to Iwi or Maori	Not applicable	Not envisaged

¹⁶ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ¹⁷
d	Community Boards/Community Committees	100:0	Targeted Community Services rate	Not applicable	Benefit from Community Boards and Committees is to their respective communities rather than all residents in the District	Not applicable	Not envisaged (unless further guidance is provided and accepted on the application of clause 39, Schedule 7 of the Local Government Act) 2002
e	Elections	100:0	Uniform Annual General Charge	Not applicable	Benefits are spread equally through the freedom of choice to participate in elections	Not applicable	Not envisaged

¹⁷ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ¹⁸
3. Community Support							
a	Rural fire	95:5	Targeted rate on rural sector	Central government subsidy	Benefits are primarily to the rural sector rather than to all residents in the District	No variation: Loan funded with interest recovered by targeted rate on rural sector	Not envisaged
b	Emergency management	100:0	General rate	Not applicable	Benefits are across the District –there is no knowing where an emergency might occur	No variation: Loan funded with interest recovered by general rate	Not envisaged

¹⁸ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ¹⁹
4. Environmental and Regulatory Services							
a	Building control	15:85 to 25:75	General rate	User charges	Although there is a primary benefit to the individual through receiving a consent to build, the assurance to the District at large that buildings are safe and conform to specific standards is a secondary benefit and recognised in the apportionment of costs.	Not applicable	Not envisaged
b	Animal control: Dogs Wandering stock	70:30 to 80:20 5:95 to 10:90	General rate	User charges	The primary benefit occurs to the District at large. While the exacerbator principle is acknowledged, there are practical difficulties in recovering fees from such people.	Not applicable	Not envisaged
c	District Plan	100:0	General rate	Not applicable	The plan applies to the entire District, for the protection of the environment.	Not applicable	Not envisaged

¹⁹ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²⁰
d	Consent processes	50:50 to 60:40	General rate	User charges	Although there is a primary benefit to the individual through receiving a consent, the District as a whole has an interest in ensuring all appropriate consents are sought.	Not applicable	Not envisaged
e	Environmental health	50:50 to 60:40	General rate	User charges	Although there is a primary benefit to the individual through complying with environmental health requirements, the District as a whole has an interest in ensuring this occurs.	Not applicable	Not envisaged

²⁰ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²¹
5. Leisure and Community Assets							
a	Parks and reserves (except for Duddings Lake)	95:5 to 100:0	25% from General rate; 70-75% from targeted Community Services rate (calculated on projected costs of maintaining each park and reserve)	User charges	The primary benefit is to the communities near different parks and reserves, but there is also a District-wide benefit in having such recreational facilities. User fees are a minor source.	To be determined by Council on a case-by-case basis following consultation with affected communities	Not envisaged
aa	Duddings Lake	85:15 to 95:5	25% from General rate; 60-70% from targeted Community Services rate on Marton Ward (calculated on projected costs of maintaining the park)	User charges	The primary benefit is to the Marton Ward community as successor to the Borough to whom the land was entrusted as a reserve. Council experience is that there is limited potential for commercial activity which can be used to offset a proportion of the costs.	To be determined by Council on a case-by-case basis following consultation with affected communities	Not envisaged

²¹ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²²
b	Cemeteries	45:55 to 55:45	General rate	User charges	While such facilities are important for those people wishing to bury family members, there is a considerable District-wide benefit in having these places.	To be determined by Council on a case-by-case basis following consultation with affected communities	Not envisaged
c	Halls and community buildings (under direct Council management)	95:5 to 100:0	30% from General rate; 65-70% from targeted Community Services rate (calculated on projected cost of maintaining each building).	User charges	The primary benefit is to the communities near different halls and community buildings but there is also a District-wide benefit in having such facilities. User fees are a minor source.	Not applicable	(Other halls and community buildings may become subject to service contracts like the Koitiata Hall from 1 July 2008)

²² Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²³
d	Public toilets	100:0	50% from targeted Community Services rate (calculated on projected cost of maintaining and operating each facility) and 50% from a targeted rate District-wide.	Not applicable	This activity is partly a public health and service issue, and partly a benefit to businesses in the vicinity (but that has potential to be burdensome on commercial sectors in the smaller towns). The two mechanisms strike a balance.	No variation: Loan funded with interest recovered by general rate	Not envisaged
e	Housing	10:90 to 0:100	General rate based on capital value (when a shortfall from user charges).	User charges	This activity is intended to be fully funded by tenants, but there will be shortfalls due to less than full occupancy	No variation: Loan funded with interest initially recovered through user charges and any shortfall through the general rate.	Not envisaged

²³ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²⁴
f	Libraries	95:5 to 100:0	Uniform targeted rate	User charges	The benefit is to individuals. The three libraries provide a District-wide service and web-based services make them increasingly accessible to rural residents.	Not applicable (Purchases of books etc are treated as renewals, and funded by depreciation)	Not envisaged
g	Swimming Pools	100:0	60% from targeted Community Services rate (calculated on projected cost of maintaining and operating each facility) and 40% from a targeted rate District-wide	Not applicable (User charges are retained by the community trust running each pool)	The primary benefit is to the residents where the pools are located (Taihape, Hunterville and Marton) but there is also a District-wide benefit.	To be determined by Council on a case-by-case basis following consultation with affected communities	(It is envisaged that Council's three pools - Taihape, Hunterville, Marton - will continue to be managed by community trusts.)

²⁴ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²⁵
6. Roothing							
a	Bridges	41:59	Targeted rate (District-wide)	Central government grants and subsidies	District-wide benefit, property-related, but Government subsidy is a significant contribution. Roothing is a significant activity warranting a separately disclosed rate.	Not applicable	Not envisaged. (However, Council does envisage developing a policy on disposal of bridges providing access to a single property)
b	Footpaths, street lighting, car parks						

²⁵ Apart from review of share from user charges or central government grants and subsidies

Group and Activity	Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²⁶
<i>Footpaths and street lighting</i>	100:0	Targeted rate (District-wide)	Central government subsidy for street lighting on state highways	District-wide benefit, property-related. Roading is a significant activity warranting a separately disclosed rate	No variation: Loan funded with interest recovered through the targeted rate	Not envisaged
<i>Under-veranda street lighting</i>	50:30:20	Targeted Community Services rate; Targeted rate (District-wide); and Commercial differential	Not applicable	Primary benefits is the businesses and then residents in each town, with some District-wide benefit	No variation: Loan funded with interest recovered through the identified mechanisms	Not envisaged
<i>Car parks</i>	50:30:20	Targeted Community Services rate; Targeted rate (District-wide); and Commercial differential	Not applicable	Primary benefits is the businesses and then residents in each town, with some District-wide benefit	No variation: Loan funded with interest recovered through the identified mechanisms	Not envisaged

²⁶ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²⁷
c	Roads	41:59	Targeted rate (District-wide)	Extension of the roading network through subdivision is funded by the developer	District-wide benefit, property-related, with substantial central government subsidy. Roothing is a significant activity warranting a separately disclosed rate.	Funding of other new roads or upgrades (other than the normal seal extension programme) to be determined by Council on a case-by-case basis following consultation with affected communities. Minor safety works are funded by subsidy with any remaining balance from the Roothing Rate.	Not envisaged

²⁷ Apart from review of share from user charges or central government grants and subsidies

Group and Activity	Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²⁸	
7. Rubbish and recycling							
a	Waste management					Transition from three different mechanisms to 70% Uniform targeted rate for solid waste and 30% Waste transfer station fees	
	<i>Waste transfer stations</i>	45:55 to 55:45	Uniform targeted rate for solid waste	User charges	Users of the facilities benefit – but so does every resident in the District as a whole in terms of health and tidiness of the environment	To be determined by Council on a case-by-case basis following consultation with affected communities	Not envisaged
	<i>Closed landfills</i>	100:0	Uniform targeted rate for solid waste	Not applicable	There are no current users – benefit is primarily related to the individual rather than the property.	Not applicable	Not envisaged

²⁸ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ²⁹
	<i>Town litter control</i>	100:0	50% Targeted Community Services rate; 30% Targeted rate (District-wide); and 20% Commercial differential	Not applicable	Primary benefits is the businesses and then residents in each town, with some District-wide benefit	Not applicable	Not envisaged
b	Waste minimisation	100:0	Uniform targeted rate for Solid Waste	Not applicable	There is an equal benefit to each resident in the District.	To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged

²⁹ Apart from review of share from user charges or central government grants and subsidies

Group and Activity	Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ³⁰
8. Stormwater						
Stormwater	100:0	Cap to remain (set at \$210 for 2009/10). Any shortfall in scheme income to be met one-third from the UAC on rural ratepayers and two-thirds from the General rate on urban ratepayers based on capital value		A balance is needed between the benefits to those connected to the scheme and affordability. There is a District-wide benefit in effective and safe urban stormwater schemes.	To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged

³⁰ Apart from review of share from user charges or central government grants and subsidies

Group and Activity	Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ³¹	
9. Wastewater							
	Wastewater	75:25 to 85:15	Cap to remain (set at \$550 for 2009/10). Any shortfall in scheme income to be met one-third from the UAC on rural ratepayers and two-thirds from the General rate on urban ratepayers based on capital value	User charges (through the Trade Waste Bylaw)	A balance is needed between the benefits to those connected to the scheme and affordability. There is a District-wide benefit in effective and safe urban wastewater schemes.	To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged

³¹ Apart from review of share from user charges or central government grants and subsidies

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ³²
10. Water							
a	Potable water (town reticulation schemes)	90:10 to 100:0	Cap to remain (set at \$580 for 2009/10), but not applicable to metered supply. Any shortfall in scheme income to be met one-third from the UAC on rural ratepayers and two-thirds from the General rate on urban ratepayers based on capital value	User charges (bulk sales)	A balance is needed between the benefits to those connected to the scheme and affordability. There is a District-wide benefit in effective and safe urban water reticulation schemes.	To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged
	<i>Taihape</i>		Targeted rate (with cap)				
	<i>Mangaweka</i>		Metered supply ³³				

³² Apart from review of share from user charges or central government grants and subsidies

³³ Cost to individual users may exceed cap

Group and Activity		Funding split public: private	Public mechanism	Private mechanism	Rationale for funding mechanisms	Variation for new capital expenditure	Variation projected after 2009/10 ³⁴
	<i>Hunterville</i>		Metered supply ³⁵				
	<i>Marton</i>		Targeted rate (with cap)				
	<i>Rātana</i>		Targeted rate (with cap)				
	<i>Bulls</i>		*Metered supply				
	Non-potable water (rural supply schemes) <i>Erewhon</i> <i>Omatane</i> <i>Putorino</i> <i>Hunterville</i>	0:100		User charges (set by each scheme)		To be determined by Council on a case-by-case basis, following consultation with affected communities	Not envisaged

³⁴ Apart from review of share from user charges or central government grants and subsidies

³⁵ Ibid

SIGNIFICANCE POLICY

Policy Title: SIGNIFICANCE POLICY	
Date of Adoption: 29 July 2004	Resolution: 04/RDC/174
Review Date: none	
Statutory reference for adoption: Local Government Act 2002 s90	
Statutory reference for review: none	
Included in the LTCCP: yes	
Date Amended or Reviewed	Resolution
Included in the LTCCP draft 2006: 6 April 2006 - unchanged	06/RDC/098
Adopted in the LTCCP 2006: 29 June 2006	06/RDC/193
Included in the LTCCP draft 2009: 9 March 2009	09/RDC/098
Adopted in the LTCCP 2009: 25 June 2009	09/RDC/233

This policy is provided in accordance with section 90 of the Local Government Act 2002.

Purpose

The significance policy is designed to enable and enhance local decision-making and action. It will achieve this by helping Council to identify and recognize issues that the Rangitikei community regard as significant and wish to be consulted on.

Objective:

To ensure that the Rangitikei District is fully consulted and able to actively participate in the consideration of issues, proposals, decisions or other matters which are significant and/or involve the districts strategic assets.

Policy Content

The Rangitikei District Council will determine the significance of any decision, by making judgments according to the likely impact of that decision on:

- The current and future social, economic, cultural and environmental wellbeing of the Rangitikei.
- The achievement of, or ability to achieve the Council's long-term objectives and strategies, including the promotion of Community Outcomes.
- Any persons who are likely to be affected by or to have an interest in the decision.

- The financial and non financial costs and implications of the decision or proposal having regard to the Council’s capacity to perform its role.

In assessing the extent to which issues, proposals, decisions or other matters are significant the Rangitikei District Council will use the following procedures and criteria:

- An issue, proposal or decision will be significant if in the Council’s judgment it has a high degree of importance in terms of any of the factors listed above.
- An issue, proposal or decision will be significant if it concerns a transfer of ownership or control, or the construction, replacement or abandonment, of a strategic asset group listed in this policy.

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

	Significant	Not Significant
Impact on Council’s direction in terms of its strategic objectives	Major and long term	Med-Low
Change from Council’s current level of service	Major and Long term	Med-Low
Level of public impact and or/interest	Major and/or District Wide	Med-Low
Impact on Council’s capability (non cost), to continue to provide existing services	Major and Long term	Med-Low

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

Council will follow its consultation policy to decide on the appropriate form of consultation for each proposal according to its significance.

Advice on the significance of each decision will be received through the Council report format.

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

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

Groups of Strategic Assets:

- Community Housing (Refer definition of strategic asset in s5 LGA)
- Road network, street-lighting,
- Wastewater networks and treatment plants in Ratana, Bulls Marton, Hunterville, Mangaweka and Taihape
- Water treatment, storage, and supply networks in Ratana, Bulls Marton, Hunterville, Mangaweka and Taihape
- Stormwater networks in Ratana, Bulls Marton, Hunterville, Mangaweka and Taihape
- Recreation facilities
- District libraries
- District Cemeteries

Any decisions relating to the maintenance of an asset in accordance with the Activity Management Plan are not considered significant decisions: they are the normal business of the Council.

TAB VENUE POLICY

Policy Title: TAB VENUE POLICY	
Date of Adoption: 30 September 2004	Resolution: 04/RDC/229
Review Date: 2012	
Statutory reference for adoption: Racing Act 2003, Gambling Act 2003 schedule 8, Local Government Act 2003 s 83	
Statutory reference for review: Gambling Act 2003 s102 (5)	
Included in the LTCCP: no	
Date Amended or Reviewed	Resolution
13 April 2006	06/RDC/122
29 January 2009	09/SPP/ 026 - 09/RDC/067

1 INTRODUCTION

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

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

2 POLICY OBJECTIVES

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

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

3 TAB VENUE CONDITIONS

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

4 REVIEW

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