



**I, Steven May, Chief Executive Officer, hereby give notice that  
an Ordinary Meeting of Council will be held on:**

**Date: Tuesday, 12 June 2018**  
**Time: 1.30pm**  
**Location: Council Chamber, Wairoa District Council,  
Coronation Square, Wairoa**

# **AGENDA**

## **Ordinary Council Meeting**

**12 June 2018**

The agenda and associated papers are also available on our website: [www.wairoadc.govt.nz](http://www.wairoadc.govt.nz)

For further information please contact us 06 838 7309 or by email [info@wairoadc.govt.nz](mailto:info@wairoadc.govt.nz)



**Order Of Business**

|           |  |           |
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|           | Nil  |           |
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|           | Nil  |           |



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

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 14.14 requests to speak must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

**7 MINUTES OF THE PREVIOUS MEETING**

Ordinary Meeting - 1 May 2018

Extraordinary Meeting - 28 May 2018

**MINUTES OF WAIROA DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA  
ON TUESDAY, 1 MAY 2018 AT 1.30PM**

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

**IN ATTENDANCE:** Steven May (Chief Executive Officer), Helen Montgomery (Chief Operating Officer), Jamie Cox (Engineering Manager), Gary Borg (Chief Financial Officer), Kitea Tipuna (Economic Development & Engagement Manager), Donna Moorcock (Interim Corporate Services Manager), Charlotte Knight (Governance Advisor & Policy Strategist), Gay Waikawa (Governance Administrator), Austin King (Communications Officer), David Doole (Senior Rates Officer), Ross Harrison Snow (Archivist)

**1 KARAKIA**

**2 APOLOGIES FOR ABSENCE**

**APOLOGY**

**RESOLUTION 2018/17**

Moved: Cr Hine Flood

Seconded: Cr Denise Eaglesome-Karekare

That the apology received from Mr Hammond be accepted and leave of absence granted.

**CARRIED**

**3 DECLARATIONS OF CONFLICT OF INTEREST**

Cr Jeremy Harker declared a pecuniary interest in relation to items 8.1 and 8.5, due to being an employee of QRS.

**4 CHAIRPERSON'S ANNOUNCEMENTS**

Wairoa has had a number of ministers visit the district including: Hon Shane Jones, Hon David Parker, Hon Peeni Henare, Hon Damien O'Connor, and Hon Kelvin Davis.

**5 LATE ITEMS OF URGENT BUSINESS**

None.

**6 PUBLIC PARTICIPATION**

None.

**7 MINUTES OF THE PREVIOUS MEETING****RESOLUTION 2018/18**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That the minutes and confidential minutes of the Ordinary Meeting held on 20 March 2018 be confirmed.

**CARRIED**

At 1:34 p.m., Cr Jeremy Harker left the meeting.

**8 GENERAL ITEMS****8.5 QRS STATEMENT OF INTENT FOR THE PERIOD 1 JULY 2018 TO 30 JUNE 2021 AND SIX MONTHLY REPORT TO 31 DECEMBER 2017.**

The QRS Board Chairman Guy Gaddum gave a presentation to Council.

**RESOLUTION 2018/19**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Charles (Charlie) Lambert

That Council receives the QRS proposed Statement of Intent 2018-19 and the six month performance report to 31 December 2017.

**CARRIED**

**9 PUBLIC EXCLUDED ITEMS****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2018/20**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Hine Flood

That the public be excluded from the following parts of the proceedings of this meeting at 2.03pm.

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

| General subject of each matter to be considered   | Reason for passing this resolution in relation to each matter               | Ground(s) under section 48 for the passing of this resolution                    |
|---|---|--|
| <b>8.5 - QRS Statement of Intent for the period 1 July 2018 to 30 June 2021 and Six Monthly</b> | S7(2)(h) - enable any local authority holding the information to carry out, | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the |

|  |  |  |
|--|--|--|
| <b>Report to 31 December 2017</b>                              | without prejudice or disadvantage, commercial activities   | meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7  |
| <b>10.1 - Statute Barred Rate Arrears Write-off 2009-2010.</b> | s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

**CARRIED**

|   |
|---|
| <p><b>RESOLUTION</b></p> <p>Moved: Cr Denise Eaglesome-Karekare</p> <p>Seconded: Cr Mike Bird</p> <p>That Council moves out of Closed Council into Open Council at 2.31 p.m.</p> <p style="text-align: right;"><b>CARRIED</b></p> |
|---|

## 8.7 REMISSION OF RATES ON MAORI FREEHOLD LAND USED FOR PAPAKAINGA HOUSING

At 2:31 p.m., Cr Jeremy Harker returned to the meeting.

At 2:47 p.m., Cr Hine Flood left the meeting.

### RESOLUTION 2018/21

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Michael (Min) Johansen

That Council receive the report defers decision of a new remission of rates on Māori Freehold Land: Māori Freehold land used as Papakāinga housing and hold a workshop with the Māori Standing Committee on this topic.

**CARRIED**

At 2:51 p.m., Cr Hine Flood returned to the meeting.



**8.4 NOTICE OF MOTION - LIVESTREAMING OF COUNCIL MEETINGS****RESOLUTION 2018/22**

Moved: Cr Hine Flood

Seconded: Cr Jeremy Harker

That Council consider livestreaming of Council Ordinary and Forum meetings utilising a valuable and timely communications resource to better inform and engage citizens.

That a scoping paper be prepared to provide Council the necessary information for consideration and resolution.

**CARRIED**

**8.3 AMENDMENT TO THE FUNDING IMPACT STATEMENT:  
NEW DEFINITION FOR 'SEPERATELY USED AND INHABITED PARTS' OF A RATING UNIT**

At 3:11 p.m., Cr Hine Flood left the meeting.

**RESOLUTION 2018/23**

Moved: Cr Michael (Min) Johansen

Seconded: Cr Michael (Mike) Bird

That Council approves the proposed change in definition of 'Separately Used and Inhabited Parts' of a rating unit.

**CARRIED**

**8.1 REVOCATION OF PREVIOUS RESOLUTION - QRS DIRECTOR TERM OF EXPIRY**

At 3:12 p.m., Cr Jeremy Harker left the meeting.

**RESOLUTION 2018/24**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Charles (Charlie) Lambert

That Council revoke the decision made 30<sup>th</sup> January 2018 and appoint Wendie Harvey a director for 1 year starting 1 March 2018.

**CARRIED**

At 3:14 p.m., Cr Jeremy Harker returned to the meeting.

**8.2 SENSITIVE EXPENDITURE POLICY****RESOLUTION 2018/25**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Michael (Mike) Bird

That Council receive the report and endorse the Sensitive Expenditure Policy with the removal of policy provision 24.

**CARRIED**

#### **8.6 PROPOSAL TO RENDER HBLASS LIMITED DORMANT**

##### **RESOLUTION 2018/26**

Moved: Cr Jeremy Harker

Seconded: Cr Charles (Charlie) Lambert

That Council approves the proposal to render HBLASS Ltd dormant, contained in **Appendix 2**, with the caveat that the membership of the Chief Executive (CE) Forum should not include an independent member.

**CARRIED**

#### **8.8 UPDATE ON STATUS OF PATANGATA BRIDGE**

##### **RESOLUTION 2018/27**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That Council receive the report and a further report with more information be provided.

**CARRIED**

#### **8.9 SITE LOCATION FOR ARCHIVES BUILDING**

##### **RESOLUTION 2018/28**

Moved: Cr Denise Eaglesome-Karekare

Seconded: His Worship the Mayor Craig Little

That Council receive the report and schedule a workshop.

**CARRIED**

#### **8.10 ADJUSTMENT OF ROAD MAINTENANCE ROUTE POSITIONS**

##### **RESOLUTION 2018/29**

Moved: Cr Jeremy Harker

Seconded: Cr Michael (Mike) Bird

That Council receives this report and permit the residents to maintain the road reserve as they see

fit, at their own cost.

**CARRIED**

**9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS**

**9.1 MINUTES OF FINANCE, AUDIT & RISK COMMITTEE MEETING - 3 APRIL 2018**

**RESOLUTION 2018/30**

Moved: Cr Jeremy Harker

Seconded: His Worship the Mayor Craig Little

1. That the Minutes of the Finance, Audit & Risk Committee Meeting held on Tuesday 3 April 2018 be received and the recommendations therein be adopted.

**CARRIED**

**9.2 MINUTES OF MAORI STANDING COMMITTEE MEETING - 12 APRIL 2018**

**RESOLUTION 2018/31**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Jeremy Harker

1. That the Minutes of the Māori Standing Committee Meeting held on Thursday 12 April 2018 be received and the recommendations therein be adopted.

**CARRIED**

Closing karakia given by Cr Lambert.

**The Meeting closed at 4.23 p.m.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 June 2018.**

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**CHAIRPERSON**

**MINUTES OF WAIROA DISTRICT COUNCIL  
EXTRAORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA  
ON MONDAY, 28 MAY 2018 AT 1.00PM**

**PRESENT:** His Worship the Mayor Craig Little (Mayor), Cr Denise Eaglesome-Karekare (Deputy Mayor), Cr Hine Flood, Cr Michael (Mike) Bird, Cr Jeremy Harker

**IN ATTENDANCE:** S May (Chief Executive Officer), G Borg (Chief Financial Officer), J Cox (Engineering Manager), K Tipuna (Economic Development & Engagement Manager), C Knight (Governance Advisor & Policy Strategist), D Culshaw (Māori Relationships Manager), C Hankey (Financial Planning Manager), A King (Communications Officer)

**1 KARAKIA**

Given by Mr Culshaw.

**2 APOLOGIES FOR ABSENCE**

Cr Johansen gave his apologies.

**3 DECLARATIONS OF CONFLICT OF INTEREST**

None.

**4 PUBLIC PARTICIPATION**

None.

**5 GENERAL ITEMS**

**5.1 LTP 2018-2028 CONSULTATION DOCUMENT ADOPTION**

**RESOLUTION 2018/11**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That Council adopt the LTP 2018-2028 Consultation Document and supporting documents for public consultation starting 29 May and finishing 26 June.

**CARRIED**

Closing karakia given by Mr Culshaw.

**The Meeting closed at 1.10 p.m.**

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 June 2018.

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CHAIRPERSON

## 8 GENERAL ITEMS

### 8.1 CEO SUMMARY

**Author:** Steven May, Chief Executive Officer

**Authoriser:** Steven May, Chief Executive Officer

**Appendices:** 1. Office of the Hon Nanaia Mahutai [↓](#)

#### 1. PURPOSE

- 1.1 This report provides information for Council. No decisions are required by Council at this stage.

#### RECOMMENDATION

The CEO RECOMMENDS that Council receive the report.

#### 1. BACKGROUND

This is the first of a regular report advising the Council of my interactions with stakeholders and operational items. This report covers the period January to May 2018

#### 2. STAKEHOLDER ENGAGEMENT ( NOT EXCLUSIVE )

- Pohiri for new Principal at Wairoa College
- Meeting with Dean Tucker Affco
- QRS CEO
- Rocket Lab – Introduction
- Community meeting -Tuai
- The Treaty Forum
- Eastland CEO
- Hawke's Bay Tourism
- Hawke's Bay Business Hub
- Meet with HB LASS members IT and GIS Groups
- Launch of the Provincial Growth Fund by Minister Shane Jones
- Citizenship Ceremony
- Museum Trust Meeting
- Cultural Tourism Symposium
- Rural Sector Meeting
- Marines at Mahia
- Meeting with Minister the Hon Meka Whaitiri
- Meeting with Minister the Hon Stuart Nash
- Meeting with Minister the Hon David Parker
- Meeting with Minister the Hon Shane Jones
- Meeting with Minister the Hon Peeni Henare
- Meeting with Minister Hon Iain Lees-Galloway
- Adventure Wairoa
- Wairoa Safe Communities meeting
- Regional Emergency Management Advisor - Hawkes Bay/ East Coast- MCDEM

- Spark Digital CEO Jolie Hodson & Spark Chief Digital Officer Claire Barber
- Local Government Road Safety Summit
- Community Partnership Governance & Implementation Group meeting
- Genesis Energy
- Railbike Adventures
- Waitangi Day celebrations
- Anzac Day Parade
- Forestry Group Meeting
- Fulton Hogan Site opening
- Great Things Grow Here
- Cactus final day presentation
- Wairoa Lions
- Wairoa Rotary
- Wairoa Library Youth reading event
- Te Matarae O Te Wairoa Trust Meeting
- Eastland Hui – Presentation to Builders
- Meet with Vitae CEO
- Meet with CEO Kiwi Rail
- Kahutia Accord Hui
- Round-table discussion with ambassadors from Ministry of Foreign Affairs and Trade
- Prize giving for Rocket Lab race - 1 year after 1st Launch
- Japan delegation - Mayor of Taiki, Executive Director of Japan Space Forum, Director General of Hokkaido Aerospace and Technology Incubation Centre
- MBIE PDF/PDU
- Wairoa Communities Patrol
- World Oceans Day Hui
- Wairoa Community Ngahere Nursery
- Mana Whakahono ā Rohe Workshop 2018
- Maori Film Festival
- Meet EIT CEO and Staff
- Matariki REDS ESG Meeting

### **3. PARTNERSHIP ENGAGEMENT ( NOT EXCLUSIVE )**

- Introduction Pōhiri-a-Takiwā hosted at Te Poho o Te Rehu Marae, Nuhaka; Te Whare Kura, Waikaremoana; Hinemihi Marae, Wairoa; Kaiuku Marae, Mahia; Pūtahi Marae, Frasertown; Erepeti Marae, Ruakituri; Waipapa-a-Iwi Marae, Mohaka; Whakakī Marae, Whakakī-nui-a-Rua
- Tripartite Meeting
- Wairoa DC LTP Submission at HBRC Napier
- Hawke's Bay Local Government Chief Executive's Group
- Waikaremoana Tribal Authority
- HBCDEMG Joint Committee
- Hawke's Bay Chairman and CEO

**4. COUNCIL COMMITTEES ATTENDED**

- MAORI STANDING COMMITTEE MEETINGS
- ORDINARY COUNCIL MEETINGS
- EXTRA ORDINARY COUNCIL MEETING
- FAR (FINANCE AUDIT AND RISK COMMITTEE) MEETINGS
- INFRASTRUCTURE COMMITTEE MEETINGS
- ECONOMIC DEVELOPMENT COMMITTEE
- WAIROA COMMUNITY PARTNERSHIP COMMITTEE
- HEALTH SAFETY AND WELLBEING COMMITTEE

**5. BUILDING/RESOURCE MANAGEMENT**

TOTAL NUMBER OF BUILDING CONSENTS ISSUED - JULY 2017- MAY 2018

|             |                |
|-------------|----------------|
| 74 Consents |                |
| Value       | \$5,931,004.00 |

TOTAL NUMBER OF RESOURCE MANAGEMENT CONSENTS ISSUED 23

|                                      |    |
|--------------------------------------|----|
| Land Use Consents                    | 10 |
| Subdivision Consents                 | 9  |
| Certificates of Compliance           | 2  |
| Deemed Permitted Boundary Activities | 2  |
|                                      |    |
| S223 certificates                    | 8  |
| S224 certificates                    | 8  |

**6. ROADING & THREE WATERS**

Refer Infrastructure Committee Report

**7. GENERAL**

1. In April enrol in the Government Regulatory Practice Initiative Qualification. The Government Regulatory Practice Initiative (G-REG) is a network of central and local government regulatory agencies established to lead and contribute to regulatory practice



initiatives. It works on actions that improve leadership, culture, regulatory practice and workforce capability in regulatory organizations and systems.

2. Refer Attachment (letter from Office of Hon Nanaia Mahuta)

**Further Information**

None.



**Background Papers**

None.

**References (to or from other Committees)**

None.

**Signatories**

|  |   |
|--|---|
|  |  |
| Author<br>Steven May   | Approved by<br>Steven May   |

## Office of Hon Nanaia Mahuta

MP for Hauraki-Waikato

Minister for Māori Development

Minister of Local Government

Associate Minister for the Environment



08 MAY 2018

Steven May  
Chief Executive  
Wairoa District Council  
PO Box 54  
WAIROA 4160

Tēnā koe Steven

I am writing to congratulate you for your recent success at the Society of Local Government Managers' Gala Awards Dinner.

Winning the Leading for Strategic Success scholarship is testament to your commitment to the local government sector over many years. It also acknowledges your leadership skills within the sector and your strong focus on continued learning.

Congratulations again thank you for your commitment to the local government sector.

Heoi anō

Hon Nanaia Mahuta  
**Minister of Local Government**



**8.2 ADOPTION OF 2018/19 FEES AND CHARGES**

**Author:** Helen Montgomery, Chief Operations Officer

**Authoriser:** Steven May, Chief Executive Officer

**Appendices:** 1. FEES AND CHARGES 2018/2019 [↓](#)

**1. PURPOSE**

- 1.1 To present to Council the 2018/19 Fees and Charges Schedule for adoption.

**RECOMMENDATION**

The Chief Operating Officer RECOMMENDS that Council adopts the Fees and Charges as scheduled for the 2018/19 Financial Year, excluding those fees greyed out in the attached schedule .

**2. BACKGROUND**

- 2.1 Fees and charges are one of the most direct user pays funding mechanisms that Council employs. Council reviews this schedule annually to assist with monitoring the revenue derived in its activities against its financial strategy and to support budget preparation for the next Annual Plan.
- 2.2 The fees and charges schedule is being presented separately from the Long Term Plan this year in order to allow sufficient time to prepare invoices for the 1<sup>st</sup> of July 2018. These invoices are mainly in relation to regulatory functions and include the annual dog registration fees and health licences. Getting dog registration invoices out in a timely manner allows the members of our community that are required to pay registration to better prepare for payment within the two month discount window.
- 2.3 Presentation of the 2018/19 Fees and Charges supports the transparency of Council financial operations and in providing these charged services Council is presenting a balance between general funding and a user pays system. Changes from the 17/18 fees and charges relate to CPI inflation and legislative changes in particular in relation to amendments to the Resource Management Act.
- 2.4 Several charges are excluded from this adoption process and will be adopted with the LTP. These charges are in relation to the disposal of trucked effluent and land fill and green waste disposal. These charges are not being recommended for adoption at this time as they form part of the Consultation Document for the LTP and as such it would be inappropriate to predetermine the outcome of consultation on these matters.

**3. OPTIONS**

- 3.1 The options identified are:
- Adopt the revised scales of fees and charges
  - Do not adopt the revised scales of fees and charges

- 3.2 Adopting the scales of fees and charges supports the preparation assumptions applied to the first year of the LTP and represents an appropriate recovery of costs in respect to the items subject to a user pays recovery.
- 3.3 Should the scale of fees not be adopted the existing scale for the 2017/18 year would carry forward and be applied to the 2018/19 year. Rates would become a higher proportion of Council's revenue.
- 3.4 The preferred option is adoption of the schedule of fees and charges. This meets the purpose of local government as it will help deliver administrative and regulatory functions in a way that is most cost-effective for households and businesses.

#### **4. CORPORATE CONSIDERATIONS**

##### **What is the change?**

- 4.1 There are no changes that will result from this decision.
- 4.2 This will not trigger a s17a review.

##### **What are the key benefits?**

- 4.3 A scale of fees and charges that fairly reflect the cost of provision of rechargeable services.

##### **What is the cost?**

- 4.4 There is no cost in this decision.

##### **What is the saving?**

- 4.5 There are no savings identified.

##### **Who has been consulted?**

- 4.6 This has not been consulted on.

##### **Maori Standing Committee**

- 4.7 This matter has not been put to the MSC as there are no matters specific to Maori that would need consultation.

#### **5. SIGNIFICANCE**

- 5.1 While being of interest to the public at large, this decision does not trigger any aspects of the significance and engagement policy that would require consultation.

#### **6. RISK MANAGEMENT**



- 6.1 The strategic risks (e.g. publicity/public perception, adverse effect on community, timeframes, health and safety, financial/security of funding, political, legal – refer to S10 and S11A of LGA 2002, others) identified in the implementation of the recommendations made are as follows:
  - a. There are no strategic risks associated with this decision, since the fundamental charging structure has been in place for many years.

**Confirmation of statutory compliance**

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

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

**Signatories**

|   |  |
|---|--|
|  |  |
| Author<br>Helen Montgomery  | Approved by<br>Steven May  |

| CHARGE DESCRIPTION   | Incl GST |
|--|----------|
| <b>CORPORATE SERVICES</b>  |          |
| <b>Corporate Services Charges</b>  |          |
| Motor Vehicle Use Charge (Per KM) <b>Across All Council Activities</b>                                       | \$0.80   |
| Provision Of Information (First Hour No Charge) For Each Half Hour Or Part Thereof (Deposit May Be Required) | \$38.00  |
| Access To Archives (First Hour No Charge) For Each Half Hour Or Part Thereof (Deposit May Be Required)       | \$38.00  |
| Photocopying (Black & White) A4 Single Sided   | \$0.20   |
| Photocopying (Black & White) A4 Double Sided   | \$0.40   |
| Photocopying (Black & White) A3 Single Sided   | \$0.30   |
| Photocopying (Black & White) A3 Double Sided   | \$0.60   |
| Photocopying (Colour) A4 Single Sided  | \$0.50   |
| Photocopying (Colour) A4 Double Sided  | \$1.00   |
| Photocopying (Colour) A3 Single Sided  | \$1.00   |
| Photocopying (Colour) A3 Double Sided  | \$2.00   |
| <b>Corporate Services Staff Labour</b>   |          |
| Senior Corporate Services Staff (Per Hour)   | \$130.00 |
| Other Corporate Services Staff (Per Hour)  | \$90.00  |
| <b>Community Halls</b>   |          |
| Wairoa Memorial Hall - Refer Combined Services Clubs Inc   |          |
| Tuaiti Hall - Refer Tuaiti Hall Committee  |          |
| <b>Library</b>   |          |
| <b>Lost Book</b>   |          |
| Charges As Per Purchase Cost Of Item Plus \$5.00 Administration Fee  |          |
| <b>Sundry Income</b>   |          |
| Lost Cards (Per Replacement)   | \$2.00   |
| <b>Overdues</b>  |          |
| Administration Fee Per Letter Sent   | \$2.00   |
| Phone Message/Text Message/Email Message   | \$0.50   |
| Per Day Per Book For Adult Books   | \$0.10   |
| Per Day Per Book For Children's Books  | \$0.10   |

**Photocopy**

|  |        |
|--|--------|
| Photocopying (Black & White) A4 Single Sided | \$0.20 |
| Photocopying (Black & White) A4 Double Sided | \$0.40 |
| Photocopying (Black & White) A3 Single Sided | \$0.30 |
| Photocopying (Black & White) A3 Double Sided | \$0.60 |
| Photocopying (Colour) A4 Single Sided        | \$0.50 |
| Photocopying (Colour) A4 Double Sided        | \$1.00 |
| Photocopying (Colour) A3 Single Sided        | \$1.00 |
| Photocopying (Colour) A3 Double Sided        | \$2.00 |

**User Charges**

|   |        |
|---|--------|
| Bestseller Collection (Charge Varies Depending On Book) |        |
| Per 10 Days For Books - A Format                        | \$3.00 |
| Per 10 Days For Books - B Format                        | \$4.00 |
| Per Week For Magazines                                  | \$1.00 |
| Per Day For Overdue Books                               | \$1.00 |
| Per Day For Overdue Magazines                           | \$0.50 |

**Reserve System**

|                                |        |
|--------------------------------|--------|
| Per General Collection Reserve | \$1.00 |
| Per Reserve On A Bestseller    | \$2.00 |

**Council Property**

|   |         |
|---|---------|
| Commercial Property – All Rentals/Leases Determined By Market Valuation |         |
| Housing – Staff – Rentals Determined By Market Valuation                |         |
| Housing Community Category 1 – Bedsit (Per Week)                        | \$45.00 |
| Housing Community Category 2 – Single Unit (Per Week)                   | \$60.00 |
| Housing Community Category 3 – Double Unit (Per Week)                   | \$80.00 |

| CHARGE DESCRIPTION   | Incl GST |
|--|----------|
| <b>FINANCE</b>   |          |
| <b>Rating Information</b>  |          |
| Title Search   | \$32.80  |
| Copies Of Roll (Per 1000)  | \$136.60 |
| <b>Geographic Information Services</b>                             |          |
| <b>Plotter Printing Costs</b>                                      |          |
| Basic Cover Prints (Text Or Line Drawings) Normal Weight Paper A1  | \$25.10  |
| Basic Cover Prints (Text Or Line Drawings) Normal Weight Paper A2  | \$16.70  |
| Basic Cover Prints (Text Or Line Drawings) Normal Weight Paper A3  | \$12.90  |
| Basic Cover Prints (Text Or Line Drawings) Normal Weight Paper A4  | \$8.40   |
| Basic Cover Prints (Text Or Line Drawings) Heavy Weight Paper A1   | \$28.30  |
| Basic Cover Prints (Text Or Line Drawings) Heavy Weight Paper A2   | \$25.10  |
| Basic Cover Prints (Text Or Line Drawings) Heavy Weight Paper A3   | \$16.70  |
| Basic Cover Prints (Text Or Line Drawings) Heavy Weight Paper A4   | \$12.90  |
| Basic Cover Prints (Text Or Line Drawings) Photo Quality Paper A1  | \$50.30  |
| Basic Cover Prints (Text Or Line Drawings) Photo Quality Paper A2  | \$33.60  |
| Basic Cover Prints (Text Or Line Drawings) Photo Quality Paper A3  | \$25.10  |
| Basic Cover Prints (Text Or Line Drawings) Photo Quality Paper A4  | \$15.10  |
| Full Cover Prints (Photography Or Graphics) Normal Weight Paper A1 | \$33.60  |
| Full Cover Prints (Photography Or Graphics) Normal Weight Paper A2 | \$25.10  |
| Full Cover Prints (Photography Or Graphics) Normal Weight Paper A3 | \$16.70  |
| Full Cover Prints (Photography Or Graphics) Normal Weight Paper A4 | \$12.90  |
| Full Cover Prints (Photography Or Graphics) Heavy Weight Paper A1  | \$50.30  |
| Full Cover Prints (Photography Or Graphics) Heavy Weight Paper A2  | \$33.60  |
| Full Cover Prints (Photography Or Graphics) Heavy Weight Paper A3  | \$25.10  |
| Full Cover Prints (Photography Or Graphics) Heavy Weight Paper A4  | \$15.10  |
| Full Cover Prints (Photography Or Graphics) Photo Quality Paper A1 | \$67.00  |
| Full Cover Prints (Photography Or Graphics) Photo Quality Paper A2 | \$50.30  |
| Full Cover Prints (Photography Or Graphics) Photo Quality Paper A3 | \$33.60  |
| Full Cover Prints (Photography Or Graphics) Photo Quality Paper A4 | \$25.10  |
| <b>Geographic Information Service Staff Labour</b>                 |          |
| GIS Staff (Per Hour) (First ¼ Hour No Charge)                      | \$95.00  |



**Special Map Request Charges**

Specialised maps are those which require new layers to be added to the GIS, analysis work and/or specialised printing techniques to be used.

In addition to printing charges outlined above, charges are based on actual time to the nearest ½ hour plus any actual packaging or postage costs incurred.

| CHARGE DESCRIPTION   | Incl GST   |
|--|------------|
| <b>ENGINEERING</b>   |            |
| <b>General Engineering Charges</b>   |            |
| Tender Documents   | \$50.00    |
| <b>Engineering Staff Labour</b>  |            |
| Engineering Manager (Per Hour)   | \$180.00   |
| Operational Managers i.e Transport, Property & Utilities Asset Managers (Per Hour)   | \$135.00   |
| Other Engineering Staff (Per Hour)   | \$105.00   |
| Trainee/Cadets (Per Hour)  | \$60.00    |
| <b>Traffic Management Plans &amp; Corridor Access Requests</b>   |            |
| Permit application - minimum charge  | \$180.00   |
| Bond - Complex applications that require rigorous monitoring   | \$2,500.00 |
| <b>Consultants</b>   |            |
| Consultancy costs are on-charged at cost. Council may charge an administration cost of up to 5%.                                       |            |
| Consultancy costs <u>may be</u> incurred for the following activities:   |            |
| - Permits for working in the road reserve  |            |
| - Subdivisions – general inspections as work progress. Normally 1 -2 visits per month.   |            |
| - Subdivisions – specific visits for testing of infrastructure – e.g. pressure test watermain or pre-seal inspections of road surface. |            |
| - Advice on fence encroachments.   |            |
| - Enforcement of bylaws such as for fencing, cattlestops etc   |            |
| - Visits required where conditions of consent or other district plan rules are breached.   |            |
| - New access ways.   |            |
| <b>Water Treatment Plant</b>   |            |
| <b>Laboratory Analyses Of Water Samples</b>  |            |
| Bacteriological (Presence/Absence) (Per Sample)  | \$35.00    |
| Chemical Analysis (Chlorine, PH, Turbidity) (Per Sample)   | \$35.00    |
| <b>Water Supply Connections</b>  |            |
| Administration Charge  | \$100.00   |
| Connection Costs (On Charged At Cost – Refer Note Below Regarding Contractor Costs)  |            |
| <b>Water Supply Reconnections, Disconnections &amp; Re-check Of Meter Readings</b>   |            |
| Administration Charge  | \$25.00    |

Connection Costs (On Charged At Cost – Refer Note Below Regarding Contractor Costs)

Water charge - m3

\$0.48

**Sewerage Connections (excludes Mahia/Opoutama)**

Administration Charge

\$100.00

Connection Costs (On Charged At Cost – Refer Note Below Regarding Contractor Costs)

**Disposal of Trucked Effluent from SEPTIC Tanks per 2730 litres**

\$250

**Stormwater Connections – To Piped Stormwater System**

This Applies To Connections To Council's Piped Stormwater System

Administration Charge

\$100.00

Connection Costs (On Charged At Cost – Refer Note Below Regarding Contractor Costs)

**Stormwater Connections – To Open Drain Or Kerbside**

Administration Charge

\$25.00

Connection Costs (On Charged At Cost – Refer Note Below Regarding Contractor Costs)

**NB: Contractor Costs for Services Connections**

Except as otherwise approved (at the discretion of the Engineering Manager) connections to Council's services (Stormwater, Sewer & Water Reticulation) may only be carried out by Council's maintenance Contractor. All costs incurred in making the connection will be on-charged to the applicant. Council may charge an administration cost of up to 5% of the value of the work.

**Waste Management**

**Weighbridge Rates (Minimum weight 20kg)**

**Direct User Charges – Non Recyclables**

**Wairoa Landfill – Weighbridge**

Hardfill (per tonne) - Rubble, concrete

\$60.00

Green Waste (Per Tonne)

\$100.00

Min. weight 25kg

\$2.50

Other Waste (Per Tonne)

\$200.00

Min. weight 25kg

\$5.00

**NB:** If the weighbridge computer is not working, the Non-weighed Rates are to be applied and the transactions manually carried out – with handwritten receipts being given for cash received.

**Non-Weighed Rates**

**Clean Green Waste**

Clean Green Waste (Per 40 Litre Bag)

\$2.50

|  |            |
|--|------------|
| Clean Green Waste (Car)  | \$10.00    |
| Clean Green Waste (Small Van Or Trailer)   | \$15.00    |
| Clean Green Waste (Car & Trailer)  | \$20.00    |
| Commercial Vehicles (Trucks) - As Assessed By Attendant  |            |
| <b>Unsorted Waste</b>  |            |
| Unsorted Waste (Per 40 Litre Bag)  | \$5.00     |
| Unsorted Waste (Car)   | \$20.00    |
| Unsorted Waste (Small Van Or Trailer)  | \$30.00    |
| Unsorted Waste (Car & Trailer)   | \$60.00    |
| Commercial Vehicles (Trucks) - As Assessed By Attendant  |            |
| <b>NB:</b> 1 x 40 Litre refuse bag = 2 x Supermarket plastic shopping bags.  |            |
| <b>Vehicles &amp; Tyres</b>  |            |
| <b>Tyres are accepted at the following rates to cover the cost of shredding:</b>                                       |            |
| Car Tyres  | \$10.00    |
| Truck Tyres  | \$20.00    |
| <b>Burial Of Asbestos</b>  |            |
| Administration Fee (all Asbestos transations)  | \$75.00    |
| Weighbridge Charges for Out of District Asbestos Waste (per tonne)   | \$450.00   |
| Note: Asbestos from sites within Wairoa District charged Admin Fee plus prevailing weighbridge rate for general refuse |            |
| <b>Airport</b>   |            |
| <b>Landing Fees</b>  |            |
| Light Aircraft   | \$14.00    |
| Heavy Aircraft   | \$18.00    |
| Casual Landings Where Account Required To Be Sent  | \$20.00    |
| <b>Facility Fees – Parking Of Aircraft</b>   |            |
| Topdressing Aircraft (Per Annum)   | \$1,771.00 |
| Private Aircraft (Per Annum)   | \$759.00   |
| Wairoa Aero Club (Single Engine) (Per Annum)   | \$379.50   |
| Privately Owned Aircraft (Operated/Leased By Wairoa Aero Club)   | \$390.50   |
| Wairoa Aero Club Leased Planes (For Periods Of Less Than Six Months) (Per Month)                                       | \$22.00    |
| Cookson Air Facilities Lease (Ground Rental) (Per Month)   | \$253.00   |
| Storage Of Microlight Aircraft (Per Annum)   | \$63.25    |
| Hireage of aeroclub building (per day or night)  | \$200.00   |

**Cemeteries****Plot Charges**

|          |          |
|----------|----------|
| Ashes    | \$160.00 |
| Child    | \$305.00 |
| Standard | \$625.00 |

**Interments**

|                 |          |
|-----------------|----------|
| Ashes           | \$140.00 |
| Still Born      | \$70.00  |
| Under 13 Years  | \$480.00 |
| Standard Single | \$625.00 |
| Standard Double | \$700.00 |

**Disinterment/Reinterment**

Contractor actual costs will be on-charged to the applicant. Council may charge an administration cost of up to 5% of the value of the work.

**Sundry Charges**

|                        |         |
|------------------------|---------|
| Monumental Work Permit | \$30.00 |
|------------------------|---------|

**Parks & Reserves****Rural Domains** (Nuhaka, Frasertown, Otoi and Kotemaori)

One off cases per day. User charges for rural domains determined by local Domain committees on a case by case basis.

**Urban Parks**

|  |         |
|--|---------|
| All i.e Clyde Domain, Alexandra Park, Pohutakawa Reserve, Lighthouse Reserve etc.. (per day) | \$75.00 |
|--|---------|

**Bonds**

|  |          |
|--|----------|
| Casual daily hirers will be required to pay a refundable bond of \$300 provided facilities left in acceptable state. | \$300.00 |
|--|----------|

| CHARGE DESCRIPTION   | Incl GST         |
|--|------------------|
| <b>REGULATORY</b>  |                  |
| <b>Building Control</b>  |                  |
| <b>Building Control Staff</b>  |                  |
| Building Control Officer (Per Hour)  | \$137.00         |
| Regulatory Administration Officer (Per Hour)   | \$112.00         |
| <b>Building/Drainage Consents</b>  |                  |
| Consent Applications Based On Time Occupied  |                  |
| DBH Levy: the Building Act 2004 requires council to collect a levy of \$2.01 per \$1000 value of building work valued \$20,000 & over                    |                  |
| BRANZ Levy: Building Research Levy Act 1969 requires Council to collect a levy of 0.1% (\$1.00 per \$1000 value) Of Building work valued \$20,000 & over |                  |
| Value of Building Work: This is based on the Dept of Building and Housing costs and Rawlinson's New Zealand Construction Handbook set costs              |                  |
| <b>NB:</b> Some of the fees are determined by statute/regulation and Council is not able to change them. They are subject to change without notice.      |                  |
| Central Govt accreditation Audit Fee - under \$20,000  | \$25.00          |
| Central Govt accreditation Audit Fee - under \$100,000   | \$60.00          |
| Central Govt accreditation Audit Fee - over \$100,000  | \$115.00         |
| Central Govt accreditation Audit Fee - Commercial  | \$170.00         |
| Residential Consent Deposits - Building Work <\$100,000 <u>deposit</u>   | \$400 (dep)      |
| Residential Consent Deposits - Building Work >\$100,000 <u>deposit</u>   | \$1,000.00 (dep) |
| Commercial Consent Deposit <u>deposit</u>  | \$1,000.00 (dep) |
| Manual Lodgement Fee   | \$250.00         |
| Consent Administration Fee \$1 to \$124,999 estimated value  | \$86.25          |
| Consent Administration Fee \$125,000 to \$499,999 estimated value  | \$260.75         |
| Consent Administration Fee \$500,000 to \$999,999 estimated value  | \$431.25         |
| Consent Administration Fee \$1,000,000 to 5,000,000 Estimated Value (Capped at \$5 Million)  | 0.0375% + GST    |
| Solid Fuel Heaters – Free Standing within 20km of Wairoa Township (Includes Accreditation Fee) Note additional inspections at cost                       | \$265.00         |
| Solid Fuel Heaters – Free Standing further than 20km from Wairoa Township (Includes Accreditation Fee). Note additional inspections at cost              | \$325.00         |
| Solid Fuel Heaters – In Built Heater within 20km of Wairoa Township (Includes Accreditation Fee). Note additional inspections at cost                    | \$325.00         |
| Solid Fuel Heaters – In Built Heater further than 20km from the Wairoa Township (Includes Accreditation Fee). Note additional inspections at cost        | \$385.00         |
| Marquees (Includes One Inspection - Additional Inspections At Cost)  | \$200.00         |
| Demolition Consent (Includes One Inspection - Additional Inspections At Cost)  | \$225.00         |
| Code Compliance Certificate - project up to \$19,999   | \$60.00          |
| Code Compliance Certificate - project value over \$20,000  | \$130.00         |
| Code Compliance Certificate - For consents granted under Building Act 1991 (lodged prior to 30 November 2004)  | \$130.00         |

|  |          |
|--|----------|
| Building Property Files Search   | \$30.00  |
| Building Consent Amendment   | \$100.00 |
| Building Consent Cancellation, Lapsing Fee & Refused Fee                         | \$85.00  |
| Swimming Pool Fence Inspection (Plus Mileage & Time)                             | \$135.00 |
| Above Ground Swimming Pool Consent or Registration (Plus Mileage & Time)         | \$150.00 |
| Certificate Of Acceptance (Plus Normal Inspection & Mileage)                     | \$600.00 |
| Certificate Of Public Use (Plus Mileage & Time)                                  | \$255.00 |
| Notice To Fix  | \$95.00  |
| Administration Fee - Maori Land Court Letter                                     | \$50.00  |
| Administration Fee - Road/footpath damage Bond                                   | \$50.00  |
| Issue of Consent reports - Monthly (Annual subscription)                         | \$50.00  |
| Issue Of Compliance Schedule   | \$255.00 |
| Amendments To Compliance Schedule  | \$115.00 |
| Building Warrant Of Fitness Administration                                       | \$100.00 |
| Building Warrant Of Fitness Audit fee  | \$200.00 |
| Certificate Of Title Registration Of S73 & 74 Notice (Plus Any Inspection Costs) | \$300.00 |
| Certificate Of Title Registration Of S77 & 78 Notice (Plus Any Inspection Costs) | \$300.00 |
| Application for Building Consent Exemption Fee                                   | \$200.00 |
| Entry of Building Report On To Property File                                     | \$70.00  |
| Photocopy Charges (Refer To Administration Photocopying Charges)                 |          |
| Scanning Building Consent Plans – Standard Fee A4 Sheets & Application Form      | \$20.00  |
| Scanning – A3 (Per Sheet)  | \$2.00   |
| Scanning – A2 & A1 (Per Sheet)   | \$5.00   |
| <b>NB:</b> The above are not applicable to fixed fee consents.                   |          |
| Copy Of Certificate Of Title   | \$30.00  |
| <b>Property Information</b>  |          |
| Land Information Memorandum - 10 working days (Residential/Rural Property)       | \$260.00 |
| Property Information Memorandum  | \$150.00 |
| Engineering & Planning Fee   | \$150.00 |

**Environmental Health****Registration Of Premises (annual fee) And/Or Approval Of Plan - Fee**

|   |          |
|---|----------|
| Apiaries  | \$200.00 |
| Ancillary Food Premises   | \$200.00 |
| Dairy/Grocery   | \$200.00 |
| Butchery/Bakery   | \$300.00 |
| Takeaways   | \$320.00 |
| Eating Houses   | \$330.00 |
| Fruit & Vegetables  | \$200.00 |
| Other Food Premises   | \$200.00 |
| Occasional Food Premises – Per Day  | \$100.00 |
| Temporary Food Stands   | \$50.00  |
| Market Stall  | \$50.00  |
| Boarding Houses Etc   | \$250.00 |
| Hairdressers  | \$200.00 |
| Funeral Directors   | \$200.00 |
| Offensive Trades  | \$200.00 |
| Motels  | \$200.00 |
| Camping Grounds With Shop   | \$300.00 |
| Camping Grounds Without Shop  | \$200.00 |
| Hawkers   | \$170.00 |
| Itinerant Traders   | \$170.00 |
| Mobile Shops  | \$200.00 |
| Inspections – Client Requested  | \$210.00 |
| Local Trade Permit  | \$150.00 |
| Registration of Food Control Plan   | \$330.00 |
| Annual Food Control Plan Audit  | \$200.00 |
| Environmental Health Officer (Per Hour) - charged when extended time required to resolve issues | \$120.00 |

**Liquor Control**

Fees Set By Statute (Sale and Supply of Alcohol Act 2012 (Fees Regulations))

On / Off / Club Licences and Renewal

| Risk     | Application | Annual Fee |
|----------|-------------|------------|
| Very Low | \$368.00    | \$161.00   |
| Low      | \$609.50    | \$391.00   |



|  |            |            |
|--|------------|------------|
| Medium   | \$816.50   | \$632.50   |
| High   | \$1,023.50 | \$1,035.00 |
| Very High  | \$1,207.50 | \$1,437.50 |
| Special Licences   |            |            |
| Class 1  |            | \$575.00   |
| Class 2  |            | \$207.00   |
| Class 3  |            | \$63.25    |
| Temporary Licence  |            | \$296.70   |
| Permanent Club Charter   |            | \$632.50   |
| Extract From Register  |            | \$57.50    |
| Appeals to ARLA  |            | \$517.50   |
| Extract Of Records   |            | \$57.50    |
| Managers Certificate and Renewals  |            | \$316.25   |
| Temporary Authority  |            | \$296.70   |
| Fees for Hearings are a Full Cost Recovery   |            |            |
| Liquor Licencing Officer (Per Hour)  |            | \$120.00   |
| Regulatory Administration Officer (Per Hour)   |            | \$112.00   |
| <b>Dog Control</b>   |            |            |
| Class D – Dogs classified Dangerous (\$10.00 discount if registered before 31 July)                        |            | \$375.00   |
| Class M – Dogs classified Menacing (\$10.00 discount if registered before 31 July*)                        |            | \$150.00   |
| Class W – Dogs classified as working (\$10.00 discount if registered before 31 July)                       |            | \$50.00    |
| Class S – being all other dogs (\$10.00 discount if registered before 31 July*)                            |            | \$85.00    |
| * Additional 12.5% discount applied for owners who have meet the requirements of the Selected Owner Policy |            |            |
| Replace Tag  |            | \$10.00    |
| Micro Chipping   |            | \$40.00    |
| Dog Control Officers Time Where Rechargeable (Per Hour)  |            | \$120.00   |
| <b>Impounding Fees</b>   |            |            |
| First Impounding   |            | \$55.00    |
| Second Impounding  |            | \$80.00    |
| Third and Subsequent Impounding  |            | \$115.00   |
| Dogs Impounded After 6pm and Before 6am  |            | \$125.00   |

|                         |         |
|-------------------------|---------|
| Daily Sustenance Charge | \$20.00 |
|-------------------------|---------|

**Livestock Control****Stock Impounding**

|   |         |
|---|---------|
| Horses & Cows (Per Head For First Day)      | \$50.00 |
| Horses & Cows (Per Head Per Day Thereafter) | \$30.00 |
| Sheep (Per Head For First Day)              | \$30.00 |
| Sheep (Per Head Per Day Thereafter)         | \$15.00 |

|  |  |
|--|--|
| Driving Charges (Fee Based Upon Cost Of Shifting Stock To Pound (Minimum Charge \$10.00) |  |
|--|--|

|  |  |
|--|--|
| Sustenance Charges (Based On Cost Of Stock Food) |  |
|--|--|

**Stock Droving**

|                                       |         |
|---------------------------------------|---------|
| Droving Permit                        | \$75.00 |
| Holding Paddock (Per Hundred Per Day) | \$40.00 |

**Livestock Control Staff**

|  |          |
|--|----------|
| Council Supervision (Staff Time Charged At Appropriate Rate) |          |
| Impounding Officer (Per Hour) Where Rechargeable             | \$120.00 |

**Resource Planning**

|  |  |
|--|--|
| Deposit Payable With Full Cost Recovery: |  |
|--|--|

|  |            |
|--|------------|
| Deposit Land Use Consent Non Notified                                    | \$450.00   |
| Deposit Subdivision Consent Non Notified                                 | \$850.00   |
| Deposit Land Use & Subdivision Consent Limited Notified                  | \$2,000.00 |
| Deposit Land Use & Subdivision Consent Notified                          | \$4,000.00 |
| Deposit Change of Conditions   | \$200.00   |
| Deposit Designation & Notice Of Requirements                             | \$850.00   |
| Deposit Heritage Orders  | \$150.00   |
| Deposit Private Plan Change  | \$8,000.00 |
| Deposit Overseas Investment Certificate /Crown Land Disposal Certificate | \$200.00   |
| Deposit for Certificate Of Compliance                                    | \$300.00   |
| Deposit Existing Use Rights Certificate                                  | \$850.00   |
| *Administration Fee  | \$100.00   |
| *Monitoring Fee  | \$100.00   |
| *Bond Administration Fee   | \$50.00    |

|  |          |
|--|----------|
| Minimum Fee With Full Cost Recovery  |          |
| * Review & Signature Survey Plan - S223  | \$200.00 |
| * Review & Signature Survey Plan - S224  | \$200.00 |
| * Review & Signature Survey Plan - S226  | \$400.00 |
| * Outline Plan & Review – S176A  | \$250.00 |
| Waiver to Outline Plan   | \$100.00 |
| Deemed Permitted Boundary Activities   | \$250.00 |
| Deemed Permitted Marginal or Temporary Activities  | \$300.00 |
| Copy Of Certificate Of Title   | \$30.00  |
| Copy Of Encumbrances   | \$30.00  |
| * Right Of Way Application – S348 LGA  | \$300.00 |
| <b>NB: * = Minimum fee, additional fees may be charged.</b>  |          |
| <b>Resource Planning Staff</b>   |          |
| District Planner (Per Hour)  | \$137.00 |
| Regulatory Administration Officer (Per Hour)   | \$112.00 |
| Chief Operating Officer (Per Hour)   | \$185.00 |
| Engineering Staff at rates determined by the Engineering Manager but not less than \$100.00 per hour |          |
| External Costs e.g. Consultants Are Recovered From Applicant At Cost                                 |          |
| <b>Board (TAB) Venue Consent Application</b>   |          |
| Application Fee  | \$350.00 |
| License Inspection Fee (Per Inspection, Following Successful Application)                            | \$150.00 |
| Consultation & Hearing Costs Are Recovered From Applicant  |          |
| <b>Noise Control</b>   |          |
| First Call to Excessive Noise  | \$80.00  |
| Second Call to Excessive Noise   | \$85.00  |
| Third and Subsequent Calls to Excessive Noise  | \$90.00  |
| Recovery of Impounded Equipment = Actual Cost + 10%  |          |
| Noise Control Officer (Per Hour)   | \$120.00 |
| Regulatory Administration Officer (Per Hour)   | \$112.00 |
| Continuous excessive noise will result in further charges up to \$1000.00                            |          |

**Infringement Fees - Dog Control Act 1996**

| <i>Section</i> | <i>Description of offence</i>  | <i>Fee (\$)</i> |
|----------------|--|-----------------|
| 18             | Wilful obstruction of dog control officer or ranger  | \$750.00        |
| 19(2)          | Failure or refusal to supply information or wilfully providing false particulars   | \$750.00        |
| 19A(2)         | Failure to supply information or wilfully providing false particulars about dog  | \$750.00        |
| 20(5)          | Failure to comply with any bylaw authorised by the section   | \$300.00        |
| 23A(2)         | Failure to undertake dog owner education programme or dog obedience course (or both)   | \$300.00        |
| 24             | Failure to comply with obligations of probationary owner   | \$750.00        |
| 28(5)          | Failure to comply with effects of disqualification   | \$750.00        |
| 32(2)          | Failure to comply with effects of classification of dog as dangerous dog   | \$300.00        |
| 32(4)          | Fraudulent sale or transfer of dangerous dog   | \$500.00        |
| 33EC(1)        | Failure to comply with effects of classification of dog as menacing dog  | \$300.00        |
| 33F(3)         | Failure to advise person of muzzle and leashing requirements   | \$100.00        |
| 36A(6)         | Failure to implant microchip transponder in dog  | \$300.00        |
| 41             | False statement relating to dog registration   | \$750.00        |
| 41A            | Falsely notifying death of dog   | \$750.00        |
| 42             | Failure to register dog  | \$300.00        |
| 46(4)          | Fraudulent procurement or attempt to procure replacement dog registration label or disc  | \$500.00        |
| 48(3)          | Failure to advise change of dog ownership  | \$100.00        |
| 49(4)          | Failure to advise change of address  | \$100.00        |
| 51(1)          | Removal, swapping, or counterfeiting of registration label or disc   | \$500.00        |
| 52A            | Failure to keep dog controlled or confined   | \$200.00        |
| 53(1)          | Failure to keep dog under control  | \$200.00        |
| 54(2)          | Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise | \$300.00        |
| 54A            | Failure to carry leash in public   | \$100.00        |
| 55(7)          | Failure to comply with barking dog abatement notice  | \$200.00        |
| 62(4)          | Allowing dog known to be dangerous to be at large unmuzzled or unleashed   | \$300.00        |
| 62(5)          | Failure to advise of muzzle and leashing requirements  | \$100.00        |
| 72(2)          | Releasing dog from custody   | \$750.00        |

**Infringement Fees - Building Act 2004**

| <i>Section</i> | <i>Description of offence</i>   | <i>Fee (\$)</i> |
|----------------|---|-----------------|
| s 40           | Failing to comply with the requirement that building work must be carried out in accordance with a building consent   | \$1,000.00      |
| s 42           | Failing to apply for a certificate of acceptance for urgent building work as soon as practicable after completion of building work                                    | \$500.00        |
| s 85(1)        | Person who is not licensed building practitioner carrying out restricted building work without supervision of licensed building practitioner with appropriate licence | \$750.00        |
| s 85(2)(a)     | Licensed building practitioner carrying out restricted building work without appropriate licence  | \$500.00        |
| s 85(2)(b)     | Licensed building practitioner supervising restricted building work without appropriate licence   | \$500.00        |
| s 101          | Failing to comply with the requirement to obtain a compliance schedule  | \$250.00        |
| s 108(5)(a)    | Failing to display a building warrant of fitness required to be displayed   | \$250.00        |
| s 108(5)(b)    | Displaying a false or misleading building warrant of fitness  | \$1,000.00      |
| s 108(5)(c)    | Displaying a building warrant of fitness other than in accordance with section 108  | \$1,000.00      |
| s 116B(1)(a)   | Using, or knowingly permitting the use of, a building for a use for which it is not safe or not sanitary  | \$1,500.00      |
| s 116B(1)(b)   | Using, or knowingly permitting the use of, a building that has inadequate means of escape from fire   | \$2,000.00      |
| s 124          | Failing to comply with a notice, within the time stated in the notice, requiring work to be carried out on a dangerous, earthquake-prone, or insanitary building      | \$1,000.00      |
| s 128          | Using or occupying a building, or permitting another person to do so, contrary to a territorial authority's hoarding, fence, or notice                                | \$2,000.00      |
| s 162E         | supplying a pool product without an approved notice   | \$500.00        |
| s 168(1)       | Failing to comply with any other notice to fix  | \$1,000.00      |
| s 168(1AA)     | Failing to comply with a notice to fix in relation to a means of restricting access to a residential pool   | \$500.00        |
| s 314(1)       | Person holding himself or herself out as being licensed to do or supervise building work or building inspection work while not being so licensed                      | \$500.00        |
| s 362D(4)      | failing to provide prescribed disclosure information or failing to provide prescribed checklist   | \$500.00        |
| s 362F(4)      | Failing to have a written contract as prescribed  | \$500.00        |
| s 362T(4)      | Failing to provide prescribed information or documentation to specified persons   |                 |
| s 363          | Using, or permitting use of building having no consent or code compliance certificate or certificate for public use for premises for public use                       | \$1,500.00      |
| s 367          | Wilfully obstructing, hindering, or resisting a person executing powers conferred under the Act or its regulations  | \$500.00        |
| s 368          | Wilfully removing or defacing a notice published under the Act or inciting another person to do so  | \$500.00        |
|                | <i>Earthquake-prone building offences</i>   |                 |
| s 133AU(1)     | Failing to complete seismic work by deadline  | \$1,000.00      |
| s 133AU(2)     | Failing to comply with requirements to attach EPB notice or EPB exemption notice  | \$1,000.00      |
| s 133AU(3)     | Failing, when EPB notice or EPB exemption notice ceases to be attached or becomes illegible, to notify the territorial authority                                      | \$1,000.00      |
| s 133AU(5)     | Using or occupying an earthquake-prone building, or permitting another person to do so, contrary to a territorial authorities hording, fence, or notice               | \$2,000.00      |
|                | <i>Dam safety offences</i>  |                 |
| s 134(1)       | Improper Representation as Licenced Inspector   | \$500.00        |
| s 134          | Dam owner failing to classify a dam   | \$500.00        |
| s 138          | Dam owner failing to comply with a direction from a regional authority to have a classification re-audited and submitted  | \$250.00        |
| s 140          | Dam owner failing to prepare, or arrange the preparation of, a dam safety assurance programme and submit it for audit   | \$500.00        |
| s 145          | Dam owner failing to comply with a direction from a regional authority to have a dam safety assurance programme re-audited and submitted                              | \$250.00        |
| s 150(4)(a)    | Dam owner knowingly failing to display a dam compliance certificate required to be displayed  | \$250.00        |
| s 150(4)(b)    | Dam owner displaying a false or misleading dam compliance certificate   | \$1,000.00      |
| s 150(4)(c)    | Dam owner displaying a dam compliance certificate other than in accordance with section 150   | \$1,000.00      |

|       |  |            |
|-------|--|------------|
| s 154 | Dam owner failing to comply with a notice, within the time stated in the notice, requiring work to be carried out on a dangerous dam | \$2,000.00 |
|-------|--|------------|

### 8.3 REPRESENTATION REVIEW

**Author:** Kitea Tipuna, Electoral Officer  
**Authoriser:** Steven May, Chief Executive Officer  
**Appendices:** 1. Representation Review [↓](#)

#### 1. PURPOSE

1.1. The purpose of this report is for Council to consider its representation arrangements.

#### RECOMMENDATION

The Electoral Officer RECOMMENDS that Council resolves to adopt an initial proposal as outlined in the OPTIONS, with a formal consultation process to occur from 18 June 2018 to 13 July 2018

#### EXECUTIVE SUMMARY

Local authorities are required to review their representation arrangements at least every six years. Council's last review was conducted in 2015. Council must undertake this review as the Wairoa community voted to establish Māori Wards at the last local body elections in 2016. As defined by the Local Electoral Act 2001 (LEA), representation reviews are reviews of the representation arrangements for a local authority.

Local authorities' representation reviews determine detailed arrangements for:

- the number of electoral subdivisions (if any), and
- their boundaries, names, and number of members.

For territorial authorities, the representation review includes deciding the:

- basis of election (at large, wards, or a mix of both), and
- the establishment of community boards.

In addition to the above representation arrangements, local authorities and communities have the opportunity to consider the:

- electoral system to be used for their elections: first past the post (FPP) or single transferable vote (STV), and
- the establishment of Māori wards/constituencies.

These processes are not formally part of representation reviews; they are matters for local discretion with no right of appeal to the Local Government Commission (the Commission). However, these options relate to identifying appropriate representation arrangements for a district, and need to be resolved before the detailed ward/constituency arrangements are determined. For fullness, it is worth noting what the status of these matters currently is.

The initial proposal of a representation arrangements review must be completed by 31 August 2018, and there are changes required due to the community voting for the establishment of Māori Wards in 2017. The formal process under the LEA is still required to be followed.

#### 1. PROCESS

The process to follow when undertaking a representation arrangements review is:

- Identify the district's communities of interest.
- Determine the effectiveness of members by looking at the overall number of members, whether they represent the district as a whole or wards or by a mixture, in order to determine whether members are effective (i.e. are able to listen to and represent constituents effectively).
- If wards, or subdivisions of community boards, are adopted, determine that members fairly represent their constituents by ensuring the average population ratio is no more than a +/- 10% variance (noting the provision that this ratio can fall outside the range under certain circumstances).
- Determine whether or not to introduce/retain/abolish/alter communities and community boards.

The following formal process is recommended:

|                              |                                      |                        |
|------------------------------|--------------------------------------|------------------------|
| Council resolution (initial) | 12 June 2018                         | (section 19H, LEA)     |
| Public notice                | 14 June 2018                         | (section 19M, LEA)     |
| Public submission period     | 18 June – 13 July 2018 (one month)   | (section 19M, LEA)     |
| Submissions heard            | 19 or 20 July 2018                   | (section 19M, LEA)     |
| Council resolution (final)   | 24 July 2018 (late item)             | (section 19N, LEA)     |
| Public notice                | 26 July 2018                         | (section 19N, LEA)     |
| Public objection period      | 30 July – 24 August 2018 (one month) | (section 19N, LEA)     |
| Forward material to LGC      | 27 August 2018                       | (section 19V (4), LEA) |

The formal consultative process involves the ability for the public to make submissions on the representation arrangements review. Any submissions received over the submission period will need to be heard by Council prior to making its final proposal resolution.

Once Council has resolved its final proposal, public notice of this is required providing the public with a one-month objection/appeal period. Should any objection/appeal be received, the whole matter is then required to be forwarded to the Local Government Commission for determination.

## 2. INITIAL CONSIDERATIONS

Prior to undertaking a representation arrangements review, two other issues require Council consideration – the choice of electoral system, and whether Māori representation is introduced.

### **Electoral System:**

Council resolved at its Ordinary Meeting of 9 September 2014 to maintain the status quo of FPP and to publicly notify the right for 5% of electors to demand a poll on the electoral system. This was published on 11 September 2014 as required. Electors of the Wairoa District Council had until 28 February 2015 to demand a poll on the electoral system to be used at the 2016 triennial local elections. No poll demand was received.

### **Māori Wards:**

Council conducted a public poll on the matter of introducing Māori wards during the 2016 local government elections. This poll was held on Saturday, 8 October 2016 with the following results:



| Option                                   | Votes received |
|--|----------------|
| FOR the establishment of Māori Wards     | 1,644          |
| AGAINST the establishment of Māori Wards | 1,444          |

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

### 3. CURRENT SITUATION

The Wairoa District Council currently has no wards and comprises six Councillors (plus the Mayor), elected at large using the FPP electoral system. Community boards are not currently constituted in the district.

### 4. LEGISLATION

Part 1A of the LEA sets out the requirements for a representation arrangements review. Issues that a local authority is required to consider include:

- whether Councillors (other than the Mayor) are to be elected by electors of the district as a whole (at large), by electors of two or more wards, or in some cases by a mix of electors of the district (at large) and by electors of wards
- the proposed number of Councillors to be elected in each category (at large/ward/mixture – if applicable)
- the proposed name and boundaries for each ward
- whether there should be communities and community boards, and if so the nature of a community and structure of a community board
- whether one or more communities should be introduced/retained/abolished/united/or boundaries altered
- whether a community should be subdivided for electoral purposes
- the number of members of a community board (including the number elected and appointed)
- whether members of a community board are to be elected by electors of a community as a whole, or by electors of two or more subdivisions, or by electors of each ward (if a community comprises two or more wards)
- the name, boundaries and number of members of each subdivision of a community (if adopted).

Other relevant legislative information as it relates to Representation Reviews can be found at Appendix 1.

### 5. OPTIONS

There is a wide range of possible outcomes resulting from this review and the options below (and a number of combinations of these options) could be considered and adopted by Council.

#### 5.1 Wards (General and Māori Wards Elected at Large)

Council will need to establish appropriate arrangements for Māori representation for at least the 2019 and 2022 triennials. Wairoa District Council will introduce designated Māori representation through the setting up of one or more Māori wards (in addition to general wards). Representatives for Māori wards will be elected by people who are enrolled on the

Māori Parliamentary Electoral Roll. Electors of these wards would not be able to vote for members of the general wards. Similarly, people who are enrolled on the General Parliamentary Electoral Roll would vote for members of the general wards but not for members of the Māori wards. All electors would still vote for the Mayor.

Based on the size of the present Council (six members plus the Mayor), there would be three members elected from one or more Māori wards and three members elected from one or more general wards. All elected members, whether elected from general or Māori wards, represent the entire community.

These options are based upon the premise that there will be General and Māori representatives elected at large, each having the general interests of the district as their driving force.

According to the Local Government Commission<sup>1</sup>, the characteristics that have generally been evident for those territorial authorities that have opted for elections at large include:

- the district has a relatively compact geographic area, and/or
- very strong commonalities of interest among identified communities of interest i.e. a shared common community of interest at the district level, and/or
- distinct communities of interest that are not geographically located, but spread across the district.

In cases where district-wide communities of interest are seen to prevail, elections at large may be appropriate. On the other hand, wards are likely to be appropriate in circumstances where a territorial authority district contains a number of distinct, geographically identifiable communities of interest best served by separate representation.

The advantages include:

- the general interests of the community as a whole, drive councillors' decision making
- Māori electors choose to register to vote on the General or Māori roll
- councillors' decision making is elevated to higher level.

The disadvantages include:

- electors' loss of "representation" association/relationship with councillors
- the ability of electors to influence councillors and obtain advocacy may be diminished
- the potential to isolate councillors from community.

As one community with a shared community of interest, it is considered that the district does not need to be divided into geographic wards. Accordingly, the General and Māori Wards elected 'at large' is considered to reflect the district's shared community of interest. On a population basis, the General and Māori communities are split as evenly as is realistic to achieve. Therefore the basis of this option is to get an equal representation of "General" and "Māori" councillors.

**Table 1 - Proposed General/Māori Split for 'at large' representation**

---

<sup>1</sup> Local Government Commission, Guidelines to Assist Local Authorities in Undertaking Representation Reviews, November 2008 (3rd Ed), p24.

| <b>General and Maori Wards elected 'At Large'</b> | <b>GENERAL</b> | <b>MĀORI</b> |
|---|----------------|--------------|
| <b>Total Population</b>                           | <b>3398</b>    | <b>4805</b>  |
| <b>(a) 6 Councillors (3 General/3 Māori)</b>      | <b>1133</b>    | <b>1602</b>  |
| <b>(b) 8 Councillors (4 General/4 Māori)</b>      | <b>850</b>     | <b>1201</b>  |

## 5.2 Wards (taking into consideration Urban/Rural communities of interest)

Wards must also be considered in terms of urban and rural representation as part of this representation review. Ward boundaries and geographic communities of interest are the consideration here, i.e. urban and rural. The urban ward boundary would be the same as the Wairoa ward boundary that was previously in existence and the rural wards of that same period would be merged into one Wairoa rural ward, with the councillors elected at large by the voters within each ward.

**Table 2 - Proposed Rural/Urban Split**

| <b>WARD</b>   | <b>RURAL COMBINED</b> | <b>WAIROA URBAN</b> |
|---|-----------------------|---------------------|
| <b>Total Population</b>   | <b>3960</b>           | <b>4240</b>         |
| <b>8 Councillors<br/>(4 Rural / 4 Urban which<br/>includes 2 General and 2 Māori<br/>from each ward boundary)</b> | <b>990</b>            | <b>1060</b>         |

Slight adjustments to the fringe of either the rural or urban ward would bring these numbers into exact alignment but the disparity is within the limits of representation and calculation tolerances.

## 5.3 Wards (with Ward Boundaries)

In terms of ward boundaries, this is the easiest of the ward configurations for the community to understand and to redraw.

The strength of this option lies in the following:

1. It recognises that the issues facing the urban, rural and geographic communities are different and therefore retains a "community of interest" relationship and representation.
2. It is simple to understand.
3. It is highly likely to ensure there will be an election within each ward thereby ensuring each elector gets to exercise a vote.

**Table 3 - Proposed Geographic Wards**

| PROPOSED GEOGRAPHIC WARDS |
|---------------------------|
| Mahia-Nuhaka              |
| Frasertown-Tuhara         |
| Waikaremoana-Ruakituri    |
| Mohaka-Waiau              |
| Wairoa Urban              |

If geographic wards are considered, this option will utilise the ward boundary system previously in place within the Wairoa District, as noted in Table 3 above. This option would need to consider not only General/Māori representation, but also Urban/Rural representation and it would likely need an increase in Councillor numbers to get a fair representation across the district and wards. Consideration of this option must also give due consideration in terms of post settlement governance entities and that representation interests may vary across iwi boundaries.

#### **5.4 Mix of Both (Partly by Wards and Partly at Large)**

Council may also consider a mix of wards and at large representation. This option may provide some voters with more opportunity for representation than a ward system alone and, at the same time, may provide opportunities for enhanced diversity of opinion around the Council table, which can only be to the benefit of effective representation of the district's communities. Councillors elected by the district as a whole will also help address some of the arguments in favour of an at large system, such as improving accountability to all sectors of the community, and promoting unity between urban and rural populations.

#### **5.5 Community Boards**

At each representation review, Council is required to consider whether communities and community boards should be introduced/retained/abolished/united/or boundaries altered.

Section 19 of the LEA sets out the requirements for this consideration. Community boards, where established, must each contain between 4 and 12 members, of which at least 4 members must be elected by the electors of that community, and may contain appointed members from the ward in which the community is situated. The number of appointed members must be less than half of the total number of members.

Community boards may be subdivided for electoral purposes – this is generally appropriate when the community board area is made up of a number of distinct communities of interest and the formation of subdivisions will provide effective representation of these communities of interest. The fair representation requirements (+/- 10% rule) apply in respect of subdivisions of communities.

The following table sets out specific decisions that need to be made in reviews of community boards under section 19J of the LEA:

| Section                | Decision   |
|------------------------|--|
| 19J(1)                 | Whether to have communities and community boards<br>If so, the nature of any community and the community board structure   |
| 19J(2)(a)              | Whether to establish 1 or more communities   |
| 19J(2)(b)              | Whether to abolish or unite any community  |
| 19J(2)(c)<br>19J(2)(e) | Whether to alter the boundaries of a community   |
| 19J(2)(d)              | Whether to subdivide any community   |
| 19J(2)(f)              | The number of members of a community board   |
| 19J(2)(g)              | The number of elected and appointed members of a community board   |
| 19J(2)(h)              | Whether the members to be elected need to be elected: <ul style="list-style-type: none"> <li>• from the whole community</li> <li>• from subdivisions</li> <li>• where the community comprises two or more whole wards, from those wards</li> </ul>                                   |
| 19J(2)(i)              | Where members are to be elected from subdivisions: <ul style="list-style-type: none"> <li>• the name and boundaries of subdivisions</li> <li>• the number of members to be elected from each subdivision (in accordance with the '+/-10% rule' set out in section 19V(2))</li> </ul> |

As one community with a shared community of interest, it is considered that the district does not need to have community boards.

## 6. PREFERRED OPTION

The preferred option is 5.1 (a), being 3 General Ward Councillors and 3 Māori Ward Councillors elected at large.

This meets the purpose of local government as it will help meet the current and future needs of communities for good-quality infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

## 7. CORPORATE CONSIDERATIONS

### What is the change?

7.1 An initial proposal to change the representation arrangements of the Wairoa District.

### What is the cost?

7.2 This Representation Review has been allowed for in current budgets

### Who has been consulted?

7.3 The Wairoa District Council held a poll, as part of the 2016 Local Authority Elections, to see whether it should introduce one or more Māori wards for at least its next two triennial elections. Council is now undertaking a detailed review of its representation arrangements (number of wards, elected members etc.) including:

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

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

### Māori Standing Committee

- 7.4 The Māori Standing Committee is aware that Council will establish Māori wards for the next two triennials. This Representation Review is a legislative requirement for Council, given the result of a recent poll to establish Māori wards. The Māori Standing Committee will be kept up-to-date of the progress of this review as it progresses.

## 8. SIGNIFICANCE



- 8.1 Community consultation is required for Representation Reviews. The community consultation timeframes are noted in this report.

### Confirmation of statutory compliance

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

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

### Signatories

|   |  |
|---|--|
|  |  |
| Author<br>Kitea Tipuna  | Approved by<br>Steven May  |

**APPENDIX 1: REPRESENTATION REVIEW:**

In general terms, the representation review process involves the following steps.

| Procedure  | Deadline   | Relevant section   |
|--|--|--|
| Local authority determines proposed representation arrangements  | Initial proposals must be made: <ul style="list-style-type: none"> <li>no earlier than 1 March in the year before election year</li> <li>by 31 August in the year before election year, if establishing Māori wards/ constituencies</li> <li>in time for the deadline for public notice</li> </ul> | <ul style="list-style-type: none"> <li>19H (territorial authorities,</li> <li>19I (regional councils)</li> <li>19J (community boards)</li> <li>Schedule 1A if establishing Māori wards/constituencies</li> </ul> |
| Local authority gives public notice of "initial" proposal and invites submissions                          | Within 14 days of resolution, and not later than 8 September in the year before election year  | 19M(1)   |
| Submissions close  | Not less than one month after public notice  | 19M(2)(d)  |
| If no submissions then proposal becomes final <sup>2</sup>   | Public notice to be given when there are no submissions but no date fixed for doing this   | 19Y(1)   |
| Local authority considers submissions and may amend proposal   | Within 6 weeks of closing date for submissions   | 19N(1)(a)  |
| Local authority gives public notice of its "final" proposal  | Within 6 weeks of closing date for submissions   | 19N(1)(b)  |
| Appeals and objections close   | <ul style="list-style-type: none"> <li>Not less than 1 month after the date of the public notice issued under section 19N(1)(b)</li> <li>Not later than 20 December in the year before election year</li> </ul>  | 19O<br>19P   |
| If no appeals or objections then proposal becomes final <sup>1</sup>                                       | Public notice to be given when there are no appeals/objections, but no date fixed  | 19Y(1)   |
| Local authority forwards appeals, objections and other relevant information to the Commission <sup>3</sup> | As soon as practicable, but not later than 15 January in election year   | 19Q<br>19V(4)  |
| Commission considers resolutions, submissions, appeals and objections and makes determination              | Before 11 April in election year   | 19R  |
| Determination subject to appeal to High Court on a point of law <sup>4</sup>                               | Appeals to be lodged within 1 month of determination   | Clause 2,<br>Schedule 5,<br><i>Local Government Act 2002</i>   |

The salient statutory provision in relation to this matter is section 19H, set out in full for information below:

- 19H** *Review of representation arrangements for elections of territorial authorities*  
(1) *A territorial authority must determine by resolution, and in accordance with this Part,—*  
(a) *whether the members of the territorial authority (other than the mayor) are proposed to be elected—*  
(i) *by the electors of the district as a whole; or*

<sup>2</sup>Under section 19V(4) proposals that do not comply with the +/-10% fair representation requirement are subject to confirmation by the Commission.

<sup>3</sup> Includes any proposal that does not comply with the +/-10% fair representation requirement.

<sup>4</sup> Commission determinations may also be subject to judicial review.

- (ii) *by the electors of 2 or more wards; or*
  - (iii) *in some cases by the electors of the district as a whole and in the other cases by the electors of each ward of the district; and*
- (b) *in any case to which paragraph (a)(i) applies, the proposed number of members to be elected by the electors of the district as a whole; and*
- (c) *in any case to which paragraph (a)(iii) applies,—*
  - (i) *the proposed number of members to be elected by the electors of the district as a whole; and*
  - (ii) *the proposed number of members to be elected by the wards of the district; and*
- (d) *in any case to which paragraph (a)(ii) or paragraph (a)(iii) applies,—*
  - (i) *the proposed name and the proposed boundaries of each ward; and*
  - (ii) *the number of members proposed to be elected by the electors of each ward; and*
- (e) *the proposed number of elected members of any local board and, if an Order in Council under section 25 of the Local Government Act 2002 so provides, the proposed number of appointed members of that board; and*
- (f) *whether the elected members of any local board are proposed to be elected—*
  - (i) *by the electors of the local board area as a whole; or*
  - (ii) *by the electors of 2 or more subdivisions of the local board area; or*
  - (iii) *if the local board area comprises 2 or more wards, by the electors of each ward; and*
- (g) *in any case to which paragraph (f)(ii) applies,—*
  - (i) *the proposed name and the proposed boundaries of each subdivision; and*
  - (ii) *the number of members proposed to be elected by the electors of each subdivision; and*
- (h) *in any case to which paragraph (f)(iii) applies, the number of members of the local board proposed to be elected by the electors of each ward; and*
  - (i) *the proposed name of any local board.*
- (2) *The determination required by subsection (1) must be made by a territorial authority,—*
  - (a) *on the first occasion, either in 2003 or in 2006; and*
  - (b) *subsequently, at least once in every period of 6 years after the year in which the first determination was made.*
- (2A) *To avoid doubt, subsection (2) is subject to sections 19K(1AA) and 19M(1).*
- (3) *This section must be read in conjunction with section 19ZH and Schedule 1A.*

When applying the principles detailed above, the principles of the LEA (set out in section 4) need to be taken into account, particularly the principle of fair and effective representation for individuals and communities.

Additionally, Council must consider when deciding the basis of election (whether the Council should be elected at large, or by wards, or partly by wards and partly at large), the criterion to be met within the terms of section 19T, that is, the provision of effective representation of the various communities of interest within the district.

In considering the appropriate basis for election of the Wairoa District Council, the following factors may provide a context for the decision-making process:

- The ongoing trend of population decline in the district (the district's usually resident population at the time of the 2013 Census was 8,300, compared with 8,720 in 2006, 8,916 in 2001, 9,900 in 1996 and 10,125 in 1991).
- The rural nature of the district – the Wairoa urban community has a strong focus on rural servicing and is a focal point for the rural community.
- In the previous ward structure, in five of the six existing wards electors could only vote for one member of the Council.

With the exception of the 2006 and 2013 Census data, these matters were taken into account by the Commission in its 'Representation Review Determination of the membership and basis of election for the general election of the Wairoa District Council to be held on 9 October 2004'. After considering the



information presented to it, and noting the strong support amongst submitters for an at large basis of election, the Commission was satisfied that an at large basis of election would provide effective representation for communities of interest in the district.

Nonetheless, communities of interest may alter over time. Local authorities need, therefore, to give careful attention to identifying current communities of interest within their district or region when undertaking representation reviews.<sup>5</sup> The representation review ensures that Council considers these matters at least every six years.

### Local Electoral Amendment Act 2013

The main changes made by the Amendment Act are as follows:

- Section 19V(3) was amended by adding to the circumstances in which a territorial authority's ward and membership arrangements (and those for community board and local boards with subdivisions) can fall outside the +/-10% range. In addition to ensuring the effective representation of island or isolated communities of interest, exceptions can be made where compliance would limit effective representation by: (i) dividing a community of interest; or (ii) combining communities of interest with few commonalities.
- Any decision not to comply with the +/-10% rule for the above reasons, will need to be referred to the Commission for final determination (in the same way that non-compliant regional council reviews are already required to) (see section 19V(4)-(6)).
- Very minor boundary alterations to wards, constituencies, communities and subdivisions will be able to be made by councils outside of the representation review process. Any such changes must be referred to the Commission for approval (see sections 19JA and 19B).
- Initial representation review proposals will not be able to be resolved by councils until 1 March of the year before the year of an election, although preliminary consultation could still take place prior to that date (see section 19K(1AA)).

### Key factors and considerations

In reviewing representation arrangements, local authorities must provide for 'effective representation of communities of interest' (ss19T and 19U) and 'fair representation of electors' (s19V). Therefore, there are three key factors for local authorities to carefully consider. They are:

- communities of interest
- effective representation of communities of interest
- fair representation of electors.

### Communities of interest

The term 'community of interest' is not defined in the LEA. It is a term that can mean different things to different people. Defining local communities of interest is an essential part of the representation review process and needs to be carried out before determining how to provide effective representation.

One definition<sup>6</sup> of 'community of interest' describes it as a three-dimensional concept:

- perceptual – a sense of belonging to a clearly defined area or locality
- functional – the ability to meet with reasonable economy, the community's requirements for comprehensive physical and human services
- political – the ability of the elected body to represent the interests and reconcile the conflicts of all its members.

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<sup>5</sup> Local Government Commission, Guidelines for Local Authorities Undertaking Representation Reviews, October 2014 (5th Ed), p33.

<sup>6</sup> *The Concept of Community of Interest* (1989) prepared by Helen Fulcher for the South Australian Department of Local Government.

The perceptual and functional aspects can be extended to define a community of interest as having:

- a sense of community identity and belonging reinforced by:
  - distinctive physical and topographical features (e.g. mountains, hills, rivers)
  - similarities in economic or social activities carried out in the area
  - similarities in the demographic, socio-economic and/or ethnic characteristics of the residents of a community
  - distinct local history of the area
  - the rohe or takiwā of local iwi
- dependence on shared facilities and services in an area, including:
  - schools, recreational and cultural facilities
  - retail outlets, transport and communication links.

Decisions relating to the representation of communities of interest (the political dimension) should reflect these interests and needs.

### ***Effective representation of communities of interest***

Territorial authorities must ensure effective representation of communities of interest (s19T).

Achieving effective representation requires identifying communities of interest that are geographically distinct.

Effective representation must be achieved within the following statutory limits:

- between 5 and 29 members (excluding the mayor) for territorial authorities.

Factors to consider include the size, nature, and diversity of the district.

The basis of election (at large, by ward, or a combination of both) used by a territorial authority, is the one determined by the territorial authority (or Commission, if relevant) to provide the most effective representation of communities of interest.

When practicable, the following factors need to be considered when determining effective representation for the local authority:

- avoiding arrangements that may create barriers to participation, for example, not recognising residents' familiarity and identity with an area during elections
- not splitting recognised communities of interest between electoral subdivisions
- not grouping together two or more communities of interest that have few common interests
- accessibility, size, and configuration of an area, including:
  - the population's reasonable access to its elected members and vice versa
  - the elected members' ability to:
    - effectively represent the views of their electoral area
    - attend public meetings throughout the area, and providing reasonable opportunities for face-to-face meetings.

Where practicable, different types of electoral subdivision boundaries (ward, constituency, community board subdivisions etc.) need to coincide as this:

- supports communities of interest and local electors' identification with their area
- may encourage participation, such as voting or standing as a candidate.

The legislation is neutral on whether a territorial authority needs to be divided into wards. General characteristics of territorial authorities that have opted for elections at large include:

- the district has a relatively compact geographic area, and/or
- a shared common community of interest at the district level, and/or
- communities of interest that are spread across the district rather than being geographically distinct.

When there are a large number of communities of interest, consideration should be given to identifying any common interests and combining the communities of interest into one or more larger wards/constituencies.

In considering the relative merits of one and multi-member wards/constituencies, the following factors should be borne in mind:

- single-member wards/constituencies provide a close direct link between local electors and their representatives
- multi-member wards/constituencies can:
  - following the election, provide greater choice for residents on who to approach on local issues
  - allow for sharing and specialising in responsibilities between the ward/constituency representatives.

Members of a territorial authority may also be elected partly by wards and partly at large (a mixed system). This option may be best when there are clear district-wide communities of interest as well as specific geographically based communities of interest.

All members elected under a ward or mixed system make the same declaration on coming into office to act in the best interests of the whole district. In other words, the members under a ward or mixed system have the same obligation to the district as the members elected at large. Therefore, there is no functional difference in the decision-making role of members elected at large and members elected by way of a ward system.

The current number of Councillors is six (plus the Mayor). In determining the number of Councillors, the district's population needs effective representation that enables:

- good public accessibility to and the availability of Councillors
- an appropriate share of Councillor workload.

The current number of elected representatives is considered to adequately provide for effective representation for individuals and the Wairoa community generally.

### ***Fair representation of electors***

The LEA does not define 'effective representation'.

Section 19V of the LEA details the factors to be applied in determining the membership for wards/constituencies in order to achieve fair representation of electors.

Under this provision, membership of wards/constituencies is required to provide approximate population equality per member, that is, all votes are of approximately equal value (referred to as the '+/-10% rule') unless there are good (prescribed) reasons to depart from this requirement.

In a nutshell, section 19V(2) requires that the population of each ward divided by the number of members to be elected by that ward produces a figure no more than 10% greater or smaller than the population of the district, divided by the total number of elected members.

In respect of territorial authorities, section 19V(3)(a) provides grounds for not complying with the fair representation requirements of section 19V(2). These grounds are:

- to provide for effective representation of communities of interest within:
  - island communities
  - isolated communities
- where compliance would limit effective representation of communities of interest by:
  - dividing a community of interest
  - grouping together communities of interest with few commonalities of interest.

A decision by a local authority not to comply with section 19V(2) must be referred to the Commission for determination. Referral to the Commission is required whether or not appeals or objections have been lodged against the local authority's proposal. That referral is treated by the Commission as an appeal under the LEA.

It is important that all local authorities clearly identify the grounds for any proposed non-compliance with the '+/-10% rule' of section 19V(2). This is required for the public notices under section 19M(2)(c) and section 19N(2)(bb) and assists the Commission in its deliberations.

In relation to isolated communities, the LEA does not specify the criteria to be met to warrant specific representation by a member or members on a territorial authority, but given the requirements of subsections (1) and (2) of section 19V, it does imply a significant test in this regard.

The principle of fair representation is not an issue for Council as there is no proposal to divide the district into wards or sub-divided community boards.

**9      RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS**

Nil

**10     PUBLIC EXCLUDED ITEMS**

Nil