



Mackenzie

DISTRICT COUNCIL

114TH MEETING

Notice is given of an Ordinary Meeting of Council to be held on:

Date: Tuesday, 3 August 2021

Time: 9.30am

Location: Council Chambers

Fairlie

AGENDA

Ordinary Council Meeting

3 August 2021

Note: This meeting may be digitally recorded by the minute-taker.

Council Membership:

Graham Smith (Chair)

James Leslie

Anne Munro

Stuart Barwood

Murray Cox

Emily Bradbury

Matt Murphy

The purpose of local government:

(1) The purpose of local government is—

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

(2) In this Act, good-quality, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—

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

(Local Government Act 2002)

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1 OPENING AND APOLOGIES

2 VISITORS

At 10.30am five new citizens and their families will join Council for a Citizenship Ceremony, to be followed by morning tea.

3 DECLARATIONS OF INTEREST

4 BEREAVEMENTS

5 MAYOR'S AND CHIEF EXECUTIVE'S REPORTS**5.1 MAYORAL ACTIVITIES REPORT**

ATTACHMENTS: NIL

RECOMMENDATIONS

THAT THE REPORT BE RECEIVED.

SUMMARY OF ACTIVITIES**LGNZ CONFERENCE**

OPENED BY JOHN LEGGOT, MAYOR OF BLENHEIM.

MARLBOROUGH IS A UNITY AUTHORITY WITH AN INTEGRATED PLAN THAT HAS HELPED BUILD RESILIENCE INTO THEIR COMMUNITIES.

GOVERNMENT MUST BE CLEAR TO LOCAL GOVERNMENT IN ITS ROLE. PRIME MINISTER WANTS TO BUILD GOOD RELATIONSHIP WITH LOCAL GOVERNMENT AND MAKE NEW ZEALAND A BETTER PLACE FOR EVERYONE.

COVID-19 HAS CHANGED EVERYTHING WITH COUNCILS COMMENDED FOR THEIR SUPPORT TO LOCAL COMMUNITIES.

RECOVERY PACKAGES WERE LAYERS OF FOUNDATIONS FOR A BETTER FUTURE, BUT MINISTER DID ACKNOWLEDGE THE LARGE NUMBER OF URGENT REFORMS.

NEW ZEALAND NEEDS SAFE AFFORDABLE WATER WITH SIGNIFICANT INVESTMENT NEEDED. WE CANNOT KEEP DOING WHAT WE ARE DOING AS IT'S NOT MEETING BASIC NEEDS FOR NEW ZEALANDERS. NOW MORE THAN EVER BEFORE WE HAVE THE NEED FOR CHANGE WITH FOUR ENTITIES GIVING SCALE.

ASSURANCE WAS GIVEN THAT THIS WILL NEVER BE PRIVATIZED. LEGISLATION WILL BE PUT IN PLACE REQUIRING 75% IN A REFERENDUM. MANAWHENUA WILL FURTHER ENSURE THIS.

MINISTER ANNOUNCED A FURTHER 2.5 BILLION INVESTMENT IS TO BE DIVIDED BETWEEN ALL COUNCILS.

NO COUNCIL WILL BE WORSE OFF. OUR SHARE OF 6.1 MILLION WAS DETERMINED WITH 75% BASED POPULATION, 25% DEPRIVATION, 5% LAND AREA AND ASKED FOR A VOICE OF CERTAINTY BY THE END OF SEPTEMBER.

STUART CROSBY SPOKE WITH A MESSAGE THAT WE ALL AGREE WE NEED INVESTMENT INTO INFRASTRUCTURE BUT DO IT BY TAKING A COMMUNITY APPROACH 2.5 BILLION GIVES LOCAL GOVERNMENT THE CHANCE TO IMPROVE THE WELL-BEING OF OUR COMMUNITIES. THOSE OF US IN LOCAL GOVERNMENT MUST BE AT THE TABLE WITH CENTRAL GOVERNMENT TO MOVE FORWARD.

MINISTER NANAIA MAHUTA THANKED COUNCILS FOR LEADERSHIP. SHE WANTS A PARTNERSHIP APPROACH TO THIS FUNDAMENTAL PROBLEM. COUNCILS NEED TO THINK BEYOND THEMSELVES.

DIA HAVE IDENTIFIED NO REAL DIFFERENCE BETWEEN TOWNS WITH ALL BEING UNDER INVESTED. WE MUST BE STRATEGIC AND TAKE A PARTNERSHIP APPROACH.

MINISTER GRANT ROBINSON INDICATED WE MUST GET ON TOP OF THE INFRASTRUCTURE DEBT. 57 BILLION IS TO BE PLACED ON INFRASTRUCTURE IN NEXT 5 YEARS. THE AMBITION IS THAT FUTURE GENERATIONS CAN HAVE SAFE WATER ACROSS ALL OF NEW ZEALAND, IN THIS CASE IT HAS NEVER BEEN MORE URGENT.

FUTURE LOCAL GOVERNMENT - PANEL

LOCAL GOVERNMENT CAPABILITIES ARE BEING THREATENED. NEED TO DRIVE CHANGE TO COMMUNITY WELL-BEING. THREE WATERS OWNERSHIP WOULD BE ABOUT 3% OF LOCAL GOVERNMENT BUSINESS.

PEOPLE NEED TO FEEL THEY BELONG. YOUTH ARE OUR FUTURE AND ITS EDUCATION IN SCHOOLS, HEALTH AND THE ARTS THAT ARE BRINGING OUR COMMUNITIES TOGETHER. NEED TO LISTEN AND HARNESS THE CREATIVE SECTOR.

RESTORATION OF MAORI COMMUNITIES IS ANOTHER PRIORITY, BRINGING PEOPLE TOGETHER TO WORK TOWARDS CO-CREATION AND DECOLONISATION.

SIMPSON GRIERSON

SURVEY OF LOCAL GOVERNMENT PULSE. GREATEST CHALLENGES, RATES AFFORDABILITY, IMPEDIMENTS, CENTRAL GOVERNMENT POLICIES ET. COVID WAS GOOD FOR OUR COMMUNITIES AND BROUGHT TOGETHERNESS AMONGST PEOPLE.

RMA REFORM IS POSITIVE WITH IMPROVED EFFICIENCY. SUBMISSIONS DUE BY 4TH AUGUST 2021. NEED TO IMPROVE RESILIENCE AND FOCUS ON ECONOMIC WELL-BEINGS.

EARLY BREAKFAST SESSION WITH MICHELLE DICKINSON

MEMBERS OF THE NEW ZEALAND ORDER OF MERIT (MNZM) MENTOR AND KNOWN AS "NANOGIRL". WINNER OF THE PRIME MINISTERS SCIENCE MEDIA COMMUNICATIONS PRIZE.

THE POWER OF CURIOSITY. NEED TO TAKE PEOPLE ON A JOURNEY, MAKE THEM CURIOUS

3-YEAR OLD'S ASK 105 QUESTIONS PER HOUR, 10-YEAR OLD'S ASK 5 AND 18-YEAR OLD'S ONLY ASK 1. CHILDREN JUST GO TO SCHOOL AND ACCEPT NOW.

JAMIE FITZGERALD - KEYNOTE SPEAKER SHARING STORIES OF INSPIRATION

PERFORMANCE THROUGH PEOPLE, FOCUS ON THE MOUNTAIN. WHERE ARE WE GOING? ITS DEMANDING BUT WILL ULTIMATELY BE REWARDING.

WE MUST ALL HAVE CLARITY, IF YOU DO NOT KNOW WHERE YOU STAND YOU WILL FALL FOR ANYTHING.

ALIGNMENT IS KEY. WE CAN DISAGREE AND THAT IS OKAY. YOU CAN HAVE 90% AGREEMENT BUT TO ACHIEVE THINGS, WE NEED 100% COMMITMENT.

SOMETIMES WHEN YOU THINK YOU ARE MAKING THE LEAST PROGRESS, YOU ARE IN FACT MAKING THE MOST.

WE MUST HAVE PEAK PERFORMANCE AS A TEAM. FOCUS ON REALITY, MEASURE PROGRESS, BE STRATEGIC ABOUT CHOICES. BE DELIBERATE, BE INFORMED AND WHEN THE GOING GETS TOUGH GROW HARDER.

MAX BRADFORD - CHAIRMAN MTFJ

MTFJ IS ENGAGING YOUTH. ALL RURAL MAYORS ARE NOW PART OF THIS PROGRAM, AND A CONTRACT HAS BEEN SIGNED ON SAME TERMS FOR ANOTHER YEAR.

1300 PEOPLE HAVE BEEN PUT INTO HOPEFULLY MEANINGFUL JOBS. IT'S IMPORTANT TO HAVE THE RIGHT PEOPLE IN THIS AREA COORDINATING AND INSPIRING OUR YOUTH FOR CAREER CHOICES IN OUR DISTRICT. INSPIRE HUBS WITHIN SCHOOLS WORKING ON EDUCATION, DRIVERS LICENCES AND HEALTH.

THE TRADES ARE RECEIVING HELP WITH TOOL PURCHASES. PRESENT LAST YEAR TRENDS SHOW 24% EMPLOYED INTO AGRICULTURE AND 22% EMPLOYED IN TRADES. THIS IS TRUE LOCALISM WORKING IN OUR COMMUNITIES.

FUNDING SCHOLARSHIPS AVAILABLE TO ALL FOR THE "OUTWARD BOUND" COURSES.

I COMMEND LEAINE RUSH ON AN EXCELLENT EFFORT IN PLACING 39 JOBS HERE IN MACKENZIE THIS LAST YEAR. HER NEW TARGET FOR THIS YEAR IS 50.

LEFT CONFERENCE TO SUPPORT PROTEST GROUNDSWELL IN BLENHEIM.

LGNZ ANNUAL GENERAL MEETING

CONFIRMED THAT INDIVIDUAL COUNCILS SHOULD BE ABLE TO CONSIDER THE IMPACT OF THE THREE WATERS REFORM ON THEIR LOCAL COMMUNITIES. COUNCILS DO NOT SUPPORT THREE WATER REFORM BEING MADE MANDATORY. ACKNOWLEDGED THAT INDIVIDUAL COUNCILS REMAIN ABLE TO EXPRESS THEIR OWN VIEWS ON REFORMS AND MAKE THEIR OWN DECISIONS .

AGM FINAL PAPERS – REMITS SECTION

PLEASE SEE APPENDIX 1 AT THE BOTTOM OF THIS REPORT.

MEETINGS

21 JUNE 2021

- OTOP MEETING: WORKSHOP FOLLOW UP – CHRISTCHURCH

22 JUNE 2021

- EXTRAORDINARY COUNCIL MEETING
- COUNCIL WORKSHOP
- CHIEF EXECUTIVE PERFORMANCE REVIEW MEETING

23 JUNE 2021

- MACKENZIE WILDING TREE MEETING – TWIZEL
- THREE WATERS REFORM – ZOOM MEETING
- AGENDA REVIEW MEETING

24 JUNE 2021

- THREE WATERS REFORM ZOOM MEETING

25 JUNE 2021

- TE MANAHUNA KI UTA – GOVERNANCE GROUP MEETING

26 JUNE 2021

- NZ ROAD TRANSPORT MEETING – TWIZEL

27 JUNE 2021

- THE BREEZE RADIO STATION – MID WINTER SWIM – TEKAPO

28 JUNE 2021

- VISIT – MAYOR SAM BROUGHTON
- LGNZ – ZOOM MEETING

29 JUNE 2021

- RECOVERY MEETING
- COUNCIL MEETING
- THREE WATERS REFORM WEBINAR

30 JUNE 2021

- CROWN INFRASTRUCTURE MEETING
- TE MANAHUNA KI UTA WORKING GROUP MEETING

2 JULY 2021

- FUTURE FOR LOCAL GOVERNMENT WORKSHOP – CHRISTCHURCH

5 JULY 2021

- HEALTH REVIEW AND FUTURE FOR LOCAL GOVERNMENT MEETING – CHRISTCHURCH

6 JULY 2021

- MTFJ MEETING
- EXTRAORDINARY COUNCIL MEETING
- COUNCIL WORKSHOP
- ASWHICK OPUHA RURAL WATER SUPPLY MEETING
- TE MOKIHI ZOOM MEETING – ENVIRONMENT CANTERBURY

7 JULY 2021

- CAVALCADE MEETING

8 JULY 2021

- THREE WATERS REFORM – ZOOM MEETING

9 JULY 2021

- ACT LEADER – DAVID SEYMOUR MEETING – SCCC TIMARU

12 JULY 2021

- LONG TERM PLAN HUI – AROWHENUA AND MOERAKI
- TE MANAHUNA KI UTA – KEY STAKEHOLDER WEBINAR

13 JULY 2021

- AUDIT AND RISK COMMITTEE MEETING

14 JULY 2021

- CHRIS GENET – AUDIT NZ – ZOOM MEETING

14 – 17 JULY 2021

- LOCAL GOVERNMENT NEW ZEALAND CONFERENCE – BLENHEIM

19 JULY 2021

- TE MANAHUNA KI UTA – DROP IN SESSION – TWIZEL

20 JULY 2021

- COUNCIL WORKSHOP

- TE MANAHUNA KI UTA – DROP IN SESSION – FAIRLIE

21 JULY 2021

- TEAM MACKENZIE MEETING

22 JULY 2021

- THREE WATERS REFORM – ZOOM MEETING

- ANNE THOMPSON – HEARTLANDS MEETING

- SAM BRAY – ALBURY WATER MEETING

APPENDIX 1: LGNZ AGM PAPERS - FINAL

ITEM THIRTEEN – REMITS

REMIT ONE – PUBLIC TRANSPORT SUPPORT MOTION:

THAT LGNZ:

- ACKNOWLEDGES THE GOVERNMENT FOR ITS RECOGNITION DURING COVID-19 OF PUBLIC TRANSPORT AS AN ESSENTIAL SERVICE;
- ACKNOWLEDGES THE STRONG FINANCIAL SUPPORT PROVIDED BY THE GOVERNMENT THROUGH WAKA KOTAHĪ NZTA DURING THE COVID-19 ALERT LEVELS, THAT ENABLED COUNCILS TO CONTINUE TO PROVIDE PUBLIC TRANSPORT FOR PEOPLE PROVIDING ESSENTIAL SERVICES AND TRANSPORT FOR THE PUBLIC TO RECEIVE ESSENTIAL SERVICES UP TO 30 JUNE 2020;
- RECOGNISES THAT COUNCILS WILL CONTINUE TO BE UNDER SIGNIFICANT FINANCIAL PRESSURE TO MAINTAIN THE VIABILITY OF PUBLIC TRANSPORT UNDER CURRENT FARE RATE SETTINGS FOR MANY MONTHS DURING THE RECOVERY PHASE FROM COVID-19; AND
- CALLS ON THE GOVERNMENT TO WORK WITH COUNCILS TO MAINTAIN THE FINANCIAL VIABILITY OF PUBLIC TRANSPORT DURING THE RECOVERY PHASE OF COVID-19.

REMIT TWO – HOUSING AFFORDABILITY MOTION:

THAT LGNZ:

- CALLS ON THE GOVERNMENT TO INTRODUCE LEGISLATION THAT WOULD FULLY ENABLE COUNCILS TO ADDRESS HOUSING AFFORDABILITY IN THEIR COMMUNITIES THROUGH A RANGE OF VALUE UPLIFT AND CAPTURE TOOLS, ONE SUCH TOOL BEING 'INCLUSIONARY ZONING';
- SEEKS TO ESTABLISH A WORKING GROUP ON AFFORDABLE HOUSING, COMPRISING OF RELEVANT/AFFECTED COUNCILS, CENTRAL GOVERNMENT (MHUD, KĀINGA ORA, MSD), IWI, AND THE COMMUNITY HOUSING SECTOR; AND
- ADVOCATES TO CENTRAL GOVERNMENT FOR AN AFFORDABLE HOUSING NATIONAL POLICY STATEMENT TO BE DEVELOPED.

REMIT THREE – RETURNING GST ON RATES FOR COUNCILS TO SPEND ON INFRASTRUCTURE MOTION:

THAT LOCAL GOVERNMENT NEW ZEALAND (LGNZ) REQUEST THAT THE GOVERNMENT USE THE APPROPRIATE MECHANISMS TO ENABLE THE 15 PER CENT GOODS AND SERVICES TAX (GST) CHARGED ON RATES BE RETURNED TO COUNCILS TO SPEND ON LOCAL OR REGIONAL INFRASTRUCTURE PROJECTS.

REMIT FOUR – NATURAL HAZARDS AND CLIMATE CHANGE ADAPTATION MOTION:

THAT CENTRAL GOVERNMENT UNDERTAKES, IN COLLABORATION WITH ALL OF LOCAL GOVERNMENT, A COMPREHENSIVE REVIEW OF THE CURRENT LAW RELATING TO NATURAL HAZARDS AND CLIMATE CHANGE ADAPTATION ALONG NEW ZEALAND'S COASTLINES, AND COORDINATES THE DEVELOPMENT OF A COASTLINE STRATEGY FOR THE WHOLE OF NEW ZEALAND WHICH WOULD COVER: THE ROLES AND RESPONSIBILITIES OF TERRITORIAL AUTHORITIES, REGIONAL COUNCILS AND CENTRAL GOVERNMENT; GREATER DIRECTION ON AN INTEGRATED APPROACH; AND DEVELOPMENT OF PRINCIPLES FOR "WHO PAYS".

REMIT FIVE – ANNUAL REGIONAL BALANCE OF TRANSFERS MOTION:

THAT LGNZ WORK WITH TREASURY, STATISTICS NEW ZEALAND AND OTHER GOVERNMENT AGENCIES TO DEVELOP AN ANNUAL REGIONAL BALANCE OF TRANSFERS TO SHOW HOW MUCH EACH REGION CONTRIBUTES IN TAXES AND HOW MUCH EACH REGION RECEIVES IN GOVERNMENT FUNDING.

REMIT SIX – LOCAL GOVERNMENT ELECTORAL CYCLE MOTION:

THAT THE LOCAL GOVERNMENT ELECTORAL CYCLE BE EXTENDED FROM THREE TO FOUR YEARS.

AN AMENDMENT WAS PUT FORWARD TO CHANGE THE WORDING TO: THAT LGNZ ADVOCATE TO CENTRAL GOVERNMENT THAT IT CONDUCTS A REFERENDUM ON THE PROPOSAL THAT THE ELECTORAL TERMS OF BOTH CENTRAL AND LOCAL GOVERNMENT BE EXTENDED FROM THREE TO FOUR YEARS.

MEMBERS WERE ASKED TO VOTE TO ACCEPT THE AMENDMENT.

MOTION:

THAT LGNZ ADVOCATE TO CENTRAL GOVERNMENT THAT IT CONDUCTS A REFERENDUM ON THE PROPOSAL THAT THE ELECTORAL TERMS OF BOTH CENTRAL AND LOCAL GOVERNMENT BE EXTENDED FROM THREE TO FOUR YEARS.

REMIT SEVEN – WATER BOTTLING**MOTION (TO BE VOTED ON IN FOUR PARTS):**

THAT LGNZ WORKS WITH THE GOVERNMENT TO:

1. PLACE A MORATORIUM ON APPLICATIONS TO TAKE AND/OR USE WATER FOR WATER BOTTLING OR BULK EXPORT;
2. REQUIRE AND ENABLE REGIONAL COUNCILS TO REVIEW INACTIVE WATER BOTTLING CONSENTS, WITH A VIEW TO WITHDRAWAL OF THE CONSENT AND DISCOURAGE CONSENT 'BANKING';
3. UNDERTAKE AN HOLISTIC ASSESSMENT OF THE POTENTIAL EFFECTS OF THE CURRENT INDUSTRY, ITS FUTURE GROWTH AND THE LEGISLATIVE SETTINGS THAT ENABLE COUNCILS TO EFFECTIVELY MANAGE THOSE EFFECTS; AND

4. INITIATE A COMPREHENSIVE NATIONWIDE DISCUSSION ON THE ISSUE OF WATER BOTTLING AND IMPLEMENT ANY CHANGES TO LEGISLATION AND POLICY SETTINGS AS REQUIRED.

AMENDMENTS WERE PUT FORWARD TO ADD (IN ITALICS):

2. ENABLE REGIONAL COUNCILS AND UNITARY AUTHORITIES TO REVIEW INACTIVE WATER BOTTLING CONSENTS, WITH A VIEW TO WITHDRAWAL OF THE CONSENT AND DISCOURAGE CONSENT 'BANKING'.

4. INITIATE A COMPREHENSIVE NATIONWIDE DISCUSSION ON THE ISSUE OF WATER BOTTLING (WITHIN THE WIDER BASIS OF WATER USE) AND IMPLEMENT ANY CHANGES TO LEGISLATION AND POLICY SETTINGS AS REQUIRED.

MOTION (ACCEPTED AMENDMENT TO BE VOTED ON IN FOUR PARTS):

1. PLACE A MORATORIUM ON APPLICATIONS TO TAKE AND/OR USE WATER FOR WATER BOTTLING OR BULK EXPORT.
2. ENABLE REGIONAL COUNCILS AND UNITARY AUTHORITIES TO REVIEW INACTIVE WATER BOTTLING CONSENTS, WITH A VIEW TO WITHDRAWAL OF THE CONSENT AND DISCOURAGE CONSENT 'BANKING'.
3. UNDERTAKE AN HOLISTIC ASSESSMENT OF THE POTENTIAL EFFECTS OF THE CURRENT INDUSTRY, ITS FUTURE GROWTH AND THE LEGISLATIVE SETTINGS THAT ENABLE COUNCILS TO EFFECTIVELY MANAGE THOSE EFFECTS.
4. INITIATE A COMPREHENSIVE NATIONWIDE DISCUSSION ON THE ISSUE OF WATER BOTTLING (WITHIN THE WIDER BASIS OF WATER USE) AND IMPLEMENT ANY CHANGES TO LEGISLATION AND POLICY SETTINGS AS REQUIRED.

REMIT EIGHT – QUORUM WHEN ATTENDING LOCAL AUTHORITY MEETINGS MOTION:

THAT LGNZ REQUESTS CENTRAL GOVERNMENT AMEND LEGISLATION TO ENABLE ELECTED OR APPOINTED MEMBERS, CONNECTING REMOTELY TO A PUBLIC COUNCIL MEETING, BE INCLUDED IN THE QUORUM. THIS WOULD PROVIDE AN OPTION FOR LOCAL AUTHORITY MEETINGS TO BE HELD COMPLETELY REMOTELY, IF REQUIRED.

REMIT NINE – USE OF MACRONS BY LOCAL AUTHORITIES MOTION:

THAT LGNZ WORK WITH CENTRAL GOVERNMENT TO PUT IN PLACE A SIMPLIFIED PROCESS FOR THE ADDITION OF MACRONS TO COUNCIL NAMES IF REQUESTED BY THAT COUNCIL OR ITS COMMUNITY.

REMIT TEN – RATES REBATES FOR LOW-INCOME PROPERTY OWNERS MOTION:

THAT THE GOVERNMENT LIFT THE LEVEL OF RATES REBATES AVAILABLE FOR LOW AND FIXED INCOME PROPERTY OWNERS – WITH YEARLY INCREASES TAKING INTO ACCOUNT THE COST FOR INPUTS INTO LOCAL GOVERNMENT SERVICES.

REMIT ELEVEN – LOCAL GOVERNMENT'S CO2 EMISSIONS MOTION:

THAT THE GOVERNMENT IMPLEMENT AN INDEPENDENT SCHEME, BASED ON THE UNITED KINGDOM MODEL OPERATED BY THE DEPARTMENT OF BUSINESS, ENERGY AND INDUSTRIAL STRATEGY, TO MEASURE AND REPORT ON CARBON EMISSIONS AT A DISTRICT LEVEL.

MAYOR HAMISH MCDOUALL, WHANGANUI DISTRICT COUNCIL, DECLARED THAT AS THE PROPOSER OF THIS REMIT THE DECISION HAD SINCE BEEN MADE TO WITHDRAW IT, WITH THE AFFIRMATION OF ALL THE SUPPORTERS, NAMELY, HASTINGS CITY COUNCIL; HORIZONS REGIONAL COUNCIL;

NAPIER CITY COUNCIL; PALMERSTON NORTH CITY COUNCIL; AND SOUTH TARANAKI DISTRICT COUNCIL.

5.2 CHIEF EXECUTIVE'S REPORT

RECOMMENDATIONS

THAT THE REPORT BE RECEIVED.

ACTIVITIES

STRATEGIC PROJECTS

LONG TERM PLAN

THE AUDIT COMMENCED AT THE END OF MAY AND IS STILL BEING FINALISED.

GOOD PROGRESS IS NOW BEING MADE WITH THE FOLLOWING DOCUMENTS FINALISED AND SUBMITTED:

- UPDATED FINANCIAL MODEL
- FINANCIAL STRATEGY 2021-2031
- AMENDED FINANCIAL POLICIES – REVENUE AND FINANCING, LIABILITY AND INVESTMENT POLICY, FINANCIALS CONTRIBUTIONS
- INFRASTRUCTURE STRATEGY 2021-2031
- ASSET MANAGEMENT PLANS
- DRAFT CONSULTATION DOCUMENT
- RATING MODEL

COUNCIL IS ANTICIPATING BEING ABLE TO ADOPT THE DRAFT LONG TERM PLAN IN MID AUGUST WITH CONSULTATION RUNNING THROUGH TO SEPTEMBER 2021.

AN ENGAGEMENT HUI HAS BEEN HELD WITH MOERAKI AND AROWHENUA.

PREPARATION FOR THE COMMUNITY ENGAGEMENT PROCESS IS PROGRESSING AND COMMUNICATIONS MATERIAL IS BEING PREPARED.

ANNUAL REPORT

WORK HAS COMMENCED ON THE 2021/2022 ANNUAL REPORT AND AUDIT HAVE ADVISED THAT THE STATUTORY REPORTING DEADLINES HAVE BEEN MOVED OUT TO DECEMBER 2021.

ADDITIONAL RESOURCING HAS BEEN BROUGHT ON BOARD TO ASSIST GIVEN THE WORKLOAD WITH FINALISING THE DRAFT LONG TERM PLAN AND THE ANNUAL REPORT.

TE MANAHUNA KI UTA

MACKENZIE DISTRICT COUNCIL, MANA WHENUA, GOVERNMENT AND THE COMMUNITY WILL WORK TOGETHER TO CURATE A 100-YEAR VISION FOR TE MANAHUNA/MACKENZIE DISTRICT. THE PROJECT INTENDS TO MAP A MORE SUSTAINABLE FUTURE FOR OUR TAOKA (TREASURE) THROUGH DEVELOPING A DESTINATION MANAGEMENT PLAN.

THE LONG-TERM GOAL IS TO ACHIEVE A VIBRANT, DYNAMIC, AND SUSTAINABLE FUTURE: ONE THAT SPEAKS TO VISITORS AND OUR COMMUNITY – MANA WHENUA, LOCALS, FARMERS, ADVENTURE SEEKERS, ARTISTS AND CONSERVATIONISTS.

JULY PROVED TO BE A VERY BUSY MONTH WITH COMMUNITY ENGAGEMENT LAUNCHING ON THIS PROJECT.

A VIDEO AND SUITABLE CONTENT WAS UPDATED ON THE WEBSITE AND THE COMMUNITY WAS ASKED E WANT TO KNOW WHAT'S IMPORTANT ABOUT THE MACKENZIE –MEMORIES OF THE PAST, VIEWS ON THE PRESENT, AND ASPIRATIONS FOR THE FUTURE. THE COMMUNITY INSIGHTS ARE IMPORTANT AND WILL HELP US TO SHAPE POSSIBLE SCENARIOS FOR THE NEXT 100 YEARS.

DROP-IN SESSIONS WERE HELD IN TWIZEL AND FAIRLIE AND STEADY FEEDBACK HAS BEEN PROVIDED VIA THE SURVEY. ENGAGEMENT RUNS UNTIL LATE AUGUST.

MANA WHENUA, PARTNERS AND COUNCIL ATTENDED SEVERAL MEETINGS DURING THE MONTH TO FLESH OUT:

- TOURISM INDUSTRY STAKEHOLDER FEEDBACK WAS COMPILED AND TABLED THROUGH THE WORKING AND GOVERNANCE GROUPS
- MANA WHENUA ASPIRATIONS AND VISION – COUNCIL WAS VERY PRIVILEGED TO ATTEND THE SECOND WANANGA WITH THE CULTURAL LEADS AND AROWHENUA RUNANGA CHAIR.
- VISION AND ASPIRATIONS SESSION TO FLESH OUT KEY PRINCIPLES, OBJECTIVES AND VISION
- TECHNICAL NARRATIVES DESCRIBING KEY TOURISM IMPACTS WERE COMPILED
- POTENTIAL SCENARIOS WERE INCLUDED ON THE WEBSITE AND THE STAKEHOLDERS, COMMUNITY AND PARTNERS WERE ASKED FOR FEEDBACK
- THIS IS VERY IMPORTANT AS IT HELPS TO DETERMINE WHERE THE MACKENZIE DISTRICT SHOULD BE POSITIONING OURSELVES FOR THE FUTURE.
- STAKEHOLDER PRESENTATIONS WERE DELIVERED VIA ZOOM
- KEY PARTNERS ALSO SUPPORTED COUNCIL WITH SUPPORTIVE COMMUNICATIONS

THE COUNCIL WISHES TO ENCOURAGE ALL KEY STAKEHOLDER, LOCAL BUSINESSES, TOURISM OPERATORS AND COMMUNITY MEMBERS TO HAVE THEIR SAY ON THIS KEY PROJECT. STAFF AND CONTRACTORS ALIKE HAVE WORKED EXCEPTIONALLY HARD TO DELIVER THE COMMUNITY ENGAGEMENT AND THE INTERNAL STAFF SHOULD BE THANKED FOR THE WORK ON THE LET'S TALK WEBSITE AND THEIR ATTENDANCE AT DROP IN SESSIONS.

THIS PROMISES TO BE AN KEY STRATEGIC PROJECT WHICH WILL HELP INFORM OUR FUTURE TOURISM DIRECTION, DELIVER REGENERATIVE OUTCOMES FOR OUR DISTRICT AND ENVIRONMENT, SUPPORTING INFRASTRUCTURE AND HELP DELIVER POSITIVE ECONOMIC BENEFITS FOR THE COMMUNITY AND MANA WHENUA IN THE LONG TERM.

LEGISLATIVE REFORMS

WATER REFORM

THE PRIME MINISTER AND MINISTER OF LOCAL GOVERNMENT HAVE ANNOUNCED A COMPREHENSIVE THREE WATERS SUPPORT PACKAGE AND DISCUSSED THE FORWARD PARTNERSHIP WITH LOCAL GOVERNMENT NEW ZEALAND (LGNZ) ON THE REFORM PROPOSALS.

THE GOVERNMENT HAS DEVELOPED, IN CLOSE PARTNERSHIP WITH LOCAL GOVERNMENT NEW ZEALAND, A PACKAGE OF \$2.5 BILLION TO SUPPORT THE SECTOR THROUGH THE TRANSITION TO THE NEW WATER SERVICES DELIVERY SYSTEM, AND TO POSITION THE SECTOR FOR THE FUTURE.

THERE ARE TWO BROAD COMPONENTS TO THIS SUPPORT PACKAGE:

- \$2 BILLION OF FUNDING TO INVEST IN THE FUTURE OF LOCAL GOVERNMENT AND COMMUNITY WELLBEING, WHILE ALSO MEETING PRIORITIES FOR GOVERNMENT INVESTMENT (THE "BETTER OFF" COMPONENT)
- \$500 MILLION TO ENSURE THAT NO LOCAL AUTHORITY IS FINANCIALLY WORSE OFF AS A DIRECT RESULT OF THE REFORM (THE "NO WORSE OFF" COMPONENT).

- THE BETTER OFF COMPONENT OF THE SUPPORT PACKAGE, WHICH COMPRISES \$1 BILLION CROWN FUNDING AND \$1 BILLION FROM THE NEW WATER SERVICES ENTITIES, IS ALLOCATED TO TERRITORIAL AUTHORITIES ON THE BASIS OF A NATIONALLY CONSISTENT FORMULA THAT TAKES INTO ACCOUNT POPULATION, RELATIVE DEPRIVATION AND LAND AREA.
- THIS FORMULA RECOGNISES THE RELATIVE NEEDS OF LOCAL COMMUNITIES, THE UNIQUE CHALLENGES FACING LOCAL AUTHORITIES IN MEETING THOSE NEEDS, AND DIFFERENCES ACROSS THE COUNTRY IN THE ABILITY TO PAY FOR THOSE NEEDS.
- TERRITORIAL AUTHORITIES WILL BE ABLE TO USE THIS FUNDING TO SUPPORT THE DELIVERY OF LOCAL WELLBEING OUTCOMES ASSOCIATED WITH CLIMATE CHANGE AND RESILIENCE, HOUSING AND LOCAL PLACEMAKING.
- THE NO WORSE OFF COMPONENT OF THE SUPPORT PACKAGE COMPRISES AN ESTIMATED \$500 MILLION CONTRIBUTION FROM THE NEW WATER SERVICES ENTITIES TO ENSURE THAT NO LOCAL AUTHORITY IS IN A MATERIALLY WORSE POSITION FINANCIALLY TO CONTINUE TO PROVIDE SERVICES TO ITS COMMUNITY AS A DIRECT RESULT OF THE REFORM.
- THIS INCLUDES AN UP TO \$250 MILLION PROVISION TO SUPPORT COUNCILS TO MEET THE UNAVOIDABLE COSTS OF STRANDED OVERHEADS ASSOCIATED WITH THE TRANSFER OF WATER ASSETS, LIABILITIES AND REVENUES.
- THE REMAINDER OF THE NO WORSE OFF COMPONENT WILL BE USED TO ADDRESS ADVERSE IMPACTS ON THE FINANCIAL SUSTAINABILITY OF TERRITORIAL AUTHORITIES.
- THE DEPARTMENT WILL UNDERTAKE FURTHER WORK WITH COUNCILS DURING THE TRANSITION PERIOD TO UNDERSTAND THE POTENTIAL FINANCIAL IMPACTS AT A LOCAL LEVEL, INCLUDING THROUGH UNDERTAKING THE ASSOCIATED DUE DILIGENCE PROCESS. IN ADDITION TO THE SUPPORT PACKAGE, THE GOVERNMENT EXPECTS TO MEET THE REASONABLE COSTS ASSOCIATED WITH THE TRANSFER OF ASSETS, LIABILITIES AND REVENUE TO NEW WATER SERVICES ENTITIES, INCLUDING STAFF INVOLVEMENT IN WORKING WITH THE ESTABLISHMENT ENTITIES AND TRANSITION UNIT, AND PROVISION FOR REASONABLE LEGAL, ACCOUNTING AND AUDIT COSTS.
- THERE IS AN ALLOCATION FOR THESE COSTS WITHIN THE \$296 MILLION TAGGED CONTINGENCY ANNOUNCED AS PART OF THE 2021 BUDGET PACKAGE FOR TRANSITION AND IMPLEMENTATION ACTIVITIES. THIS ALLOCATION IS ADDITIONAL TO THE \$2.5 BILLION SUPPORT PACKAGE.
- THE DEPARTMENT OF INTERNAL AFFAIRS IS CONTINUING TO WORK WITH LOCAL GOVERNMENT NEW ZEALAND TO DEVELOP THE PROCESS FOR ACCESSING THE VARIOUS COMPONENTS OF THE SUPPORT PACKAGE OUTLINED ABOVE, INCLUDING CONDITIONS THAT WOULD BE ATTACHED TO ANY FUNDING.

THE PROPOSED NEW SYSTEM FOR WATER SERVICE DELIVERY

1. A CASE FOR CHANGE

This Government has ambitions to significantly improve the safety, quality, resilience, accessibility, and performance of three waters services, in a way that is efficient and affordable for New Zealanders. This is critical for:

- public health and wellbeing;
- environmental outcomes;
- economic growth and employment;
- housing and urban development;
- adapting to the impacts of climate change;
- mitigating the effects of natural hazards.

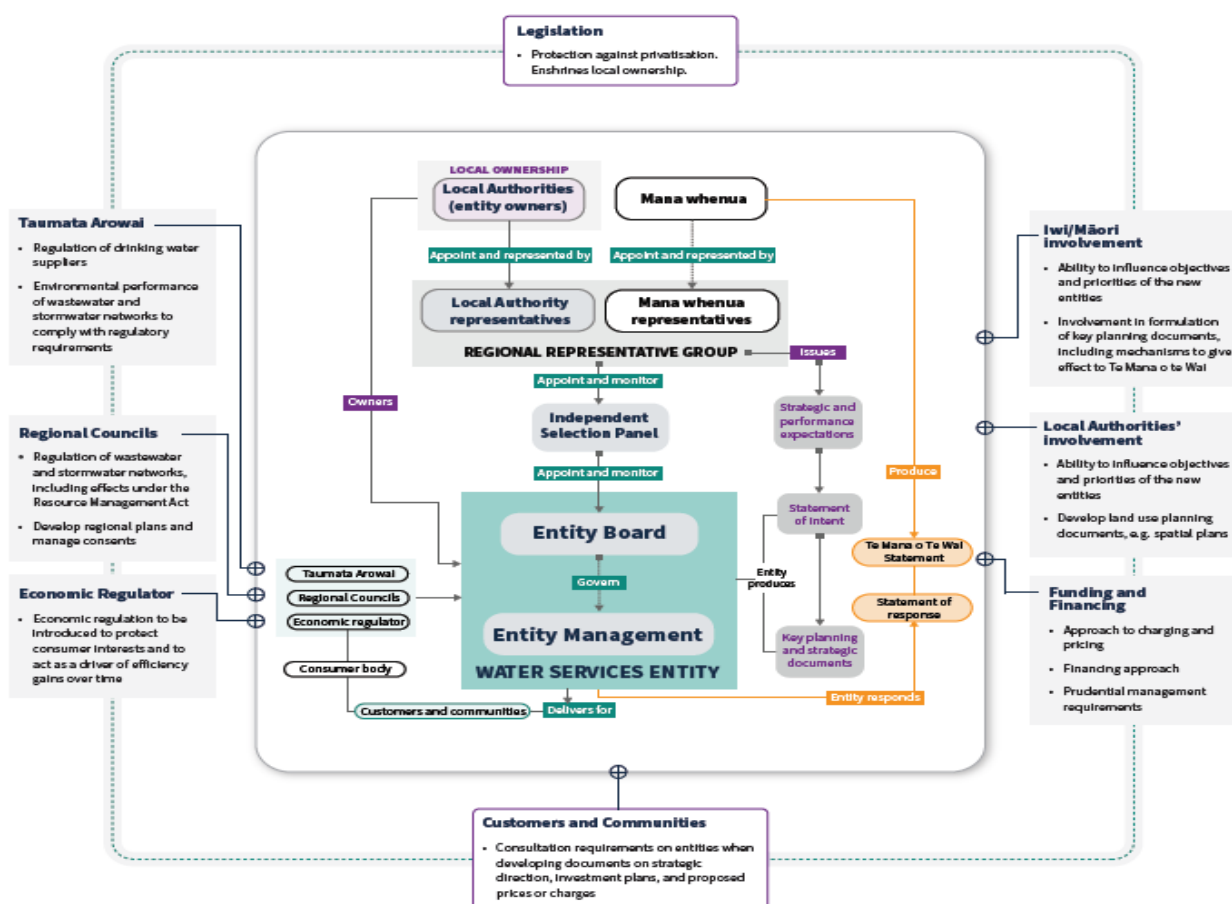
Government also wants to ensure it delivers on Treaty-related obligations, including by improving outcomes for iwi/Māori in relation to three waters service delivery.

Integral to this is effective infrastructure delivery, underpinned by an efficient, high-performing, financially-sustainable, and transparent three waters system.

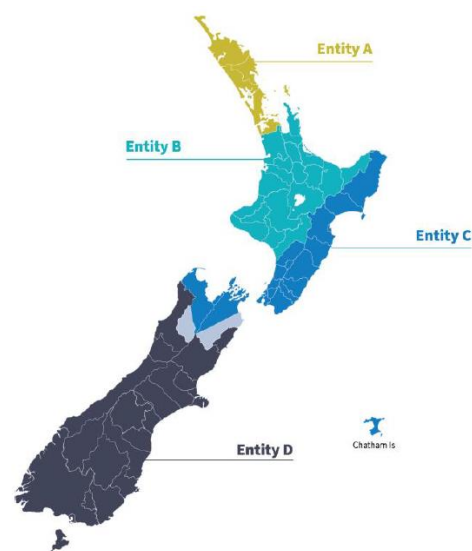
2. KEY DESIGN FEATURES



3. A NEW WATER SERVICES SYSTEM



PROPOSED WATER ENTITY FOR THE SOUTH ISLAND



	Entity A	Entity B	Entity C	Entity D
Connected population (2020)	1.7m	0.8m	1.0m	0.9m
Average household cost (2051, real)¹				
With reform	\$800	\$1,220	\$1,260	\$1,640
Without reform	\$2,170	\$4,300	\$3,730	\$4,970

OUR COUNCIL ADOPTED SOME BOTTOM LINES IN TERMS OF THE WATER REFORM SOME TIME AGO – THESE BOTTOM LINES WERE:

- (A) LOCAL REPRESENTATION AND VOICE IN ANY FUTURE WATER ENTITY – ANY WATER ENTITY DEVELOPED THROUGH THE PROCESS MUST ENABLE BOTH LOCAL AND EQUAL REPRESENTATION AND COUNCIL MUST NOT LOSE ITS ABILITY TO INFLUENCE AND REPRESENT ITS COMMUNITY.
- (B) CONTROL ON THE PRICE OF WATER – PRICING STRUCTURES AND CONTROLS ON PRICING MUST ENSURE EQUITY ACROSS THE ENTIRE REGION OF ANY FUTURE ENTITY.
- (C) THE TRANSFER OF ASSET AND DEBT MUST NOT NEGATIVELY IMPACT ON COUNCILS ABILITY TO BE A VIABLE ORGANISATION (I.E. IS NOT REFORM BY STEALTH).
- (D) COSTS AND MANAGEMENT OF ANY STRANDED ASSETS MUST BE CONSIDERED AND CATERED FOR, ALONGSIDE CENTRAL GOVERNMENT SPEEDING UP THE PROCESS THAT ARE LOOKING AT WHAT MIGHT “FILL THE GAP” LEFT BY WATERS

COUNCIL IS ANTICIPATED TO HAVE TO PROVIDE FEEDBACK BY SEPTEMBER 2021 AND HENCE

MACKENZIE DISTRICT COUNCIL WILL TO UNDERTAKE FURTHER WORK ON THIS AND CONSIDER THE FOLLOWING ASPECTS::

- LIAISE WITH OTHER CANTERBURY COUNCILS
- UNDERSTAND THE IMPACT ON COUNCIL FINANCIALS – LOSS OF REVENUE, LOSS OF ASSETS AND IMPACT ON DEBT HEADROOM AND FINANCIAL SUSTAINABILITY
- REVIEW THE HIGH LEVEL ASSUMPTIONS IN THE INFORMATION PACK DISTRIBUTED TO COUNCILS
- REVIEW THE PROPOSED HEADS OF AGREEMENT
- UNDERSTAND THE IMPACTS OF STRANDED ASSETS AND THEIR ASSOCIATED COSTS
- UNDERSTAND THE COST OF WATER FOR OUR COMMUNITY UNDER THE PROPOSED NEW ENTITY

- UNDERSTAND HOW THE LOCAL VOICE AND DECISION MAKING WILL BE HEARD UNDER THE NEW WATER ENTITY
- EVALUATE THE SWEETENER PROVIDED TO COUNCILS AND DETERMINE HOW THIS WOULD BE UTILISED
- UNDERSTAND HOW ENGAGEMENT AND CONSULTATION WITH THE COMMUNITY WILL OCCUR THROUGH THIS PROCESS
- REVIEW ALL OF THE ABOVE IN TERMS OF THE COUNCIL'S PROPOSED BOTTOM LINES.

PEOPLE AND CULTURE UPDATE**PEOPLE AND CULTURE MONTHLY REPORT
June 2021****1. RECRUITMENT:**

Recruitment in June was busy with a total of seven roles being recruited for:

- Manager Finance
- Manager Engineering
- Manager Property and Commercial
- Manager Community and Places
- IT Support Analyst
- Fixed Term Communications Assistant
- Fixed Term Administration Support Officer, Operations

Unfortunately, the Manager Engineering, fixed term Communications Assistant and IT Support Analyst roles are proving hard to recruit for due to a lack of suitable qualified candidates.

The Manager Finance and Manager Property and Commercial have had preferred candidates identified with second interviews having taken place at the time this report was written. Offers of employment are due to be made early July 2021.

2. JOB EVALUATION / ROLE SIZING:

At the end of June, it is pleasing to note that 60% of our roles within the Mackenzie District Council have either had their position descriptions revised or updated as well as a few new position descriptions being created.

3. EMPLOYEE ENGAGEMENT SURVEY:

The employee engagement survey – Team Mack, Team Chat – results have been collated and reviewed by the Executive Leadership Team with a view to sharing the top-level results at our next Team Mackenzie Meeting.

Incident Records Dashboard

- See bottom of screen for a list of records.
- Click on a graph segment to filter the rest of the dashboard based on that selection.
- To see other data relating to a segment right-click and 'Drill' to the desired field.
- Access other filters using the right-hand filters panel.
- NOTE: counters may be affected by any filters you apply.

Days since last Incident

48

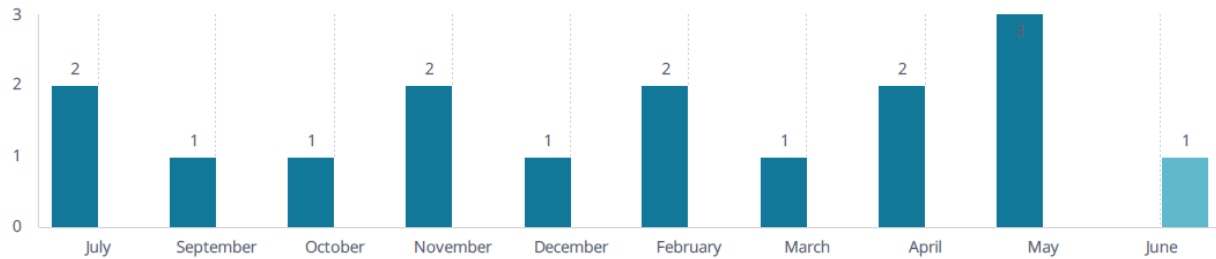
Number of records

16

Number of Reportable Incidents

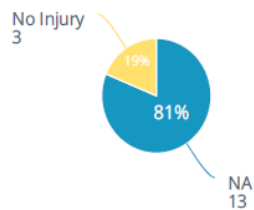
3

No. of Incidents by Month

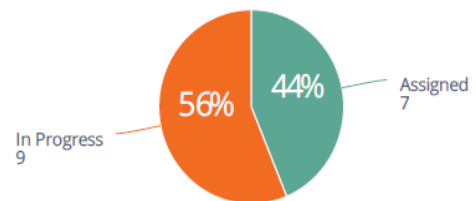


4/16

Incidents by Incident Outcome



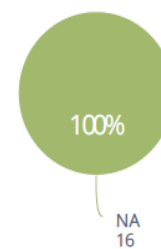
Incidents by Approval Stage



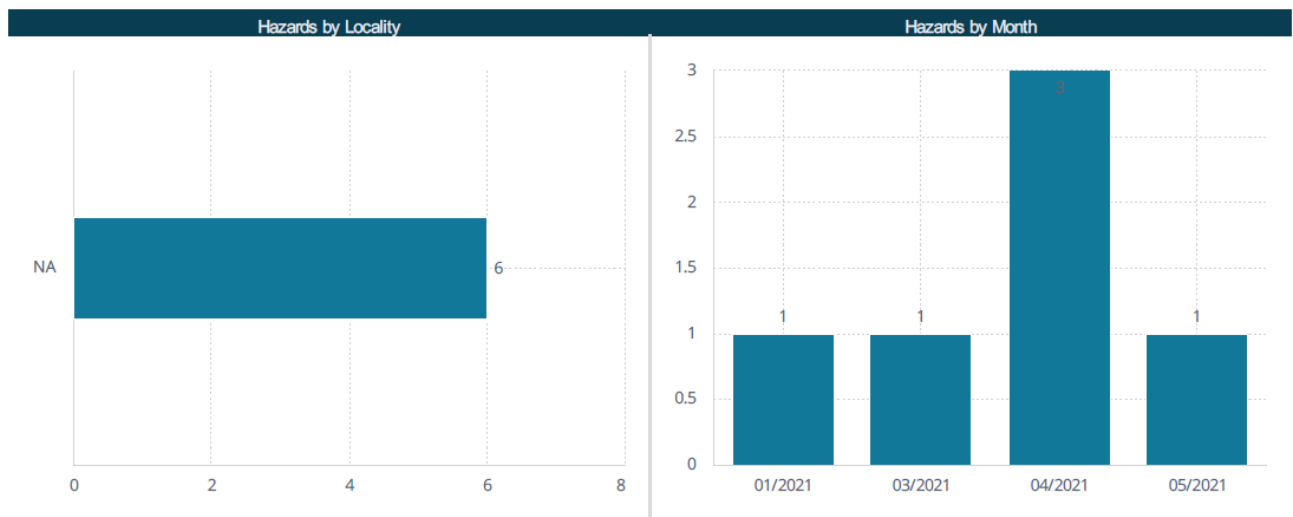
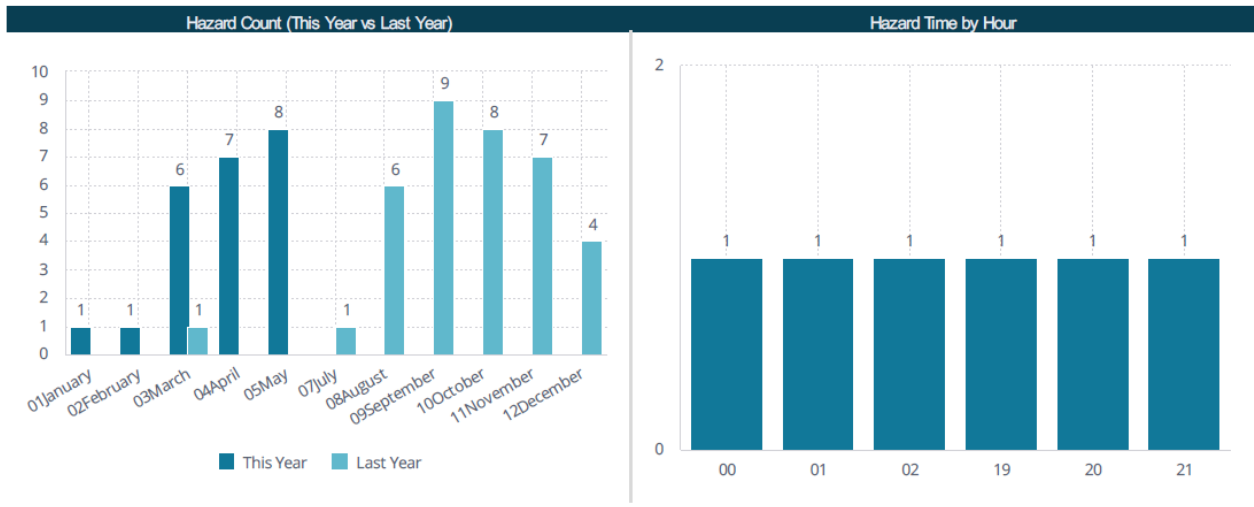
Incidents by Root Cause

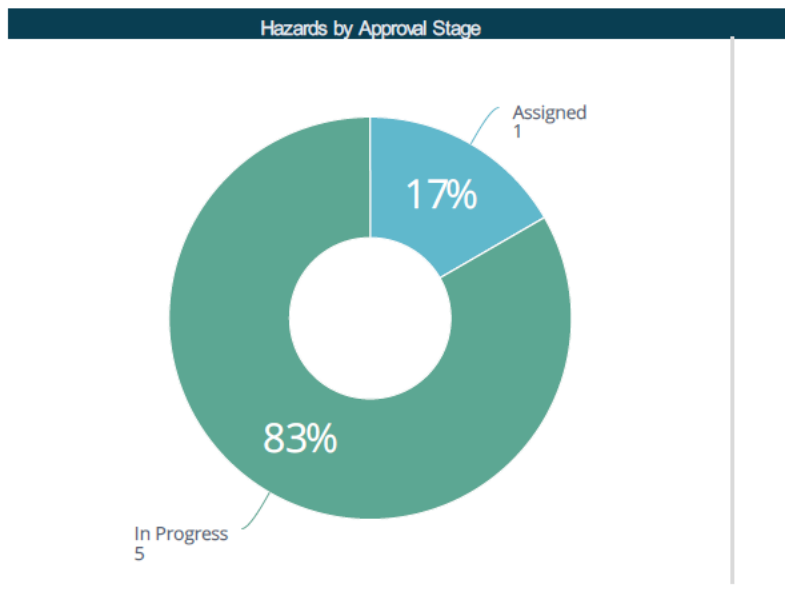


Incidents by Root Cause (secondary)

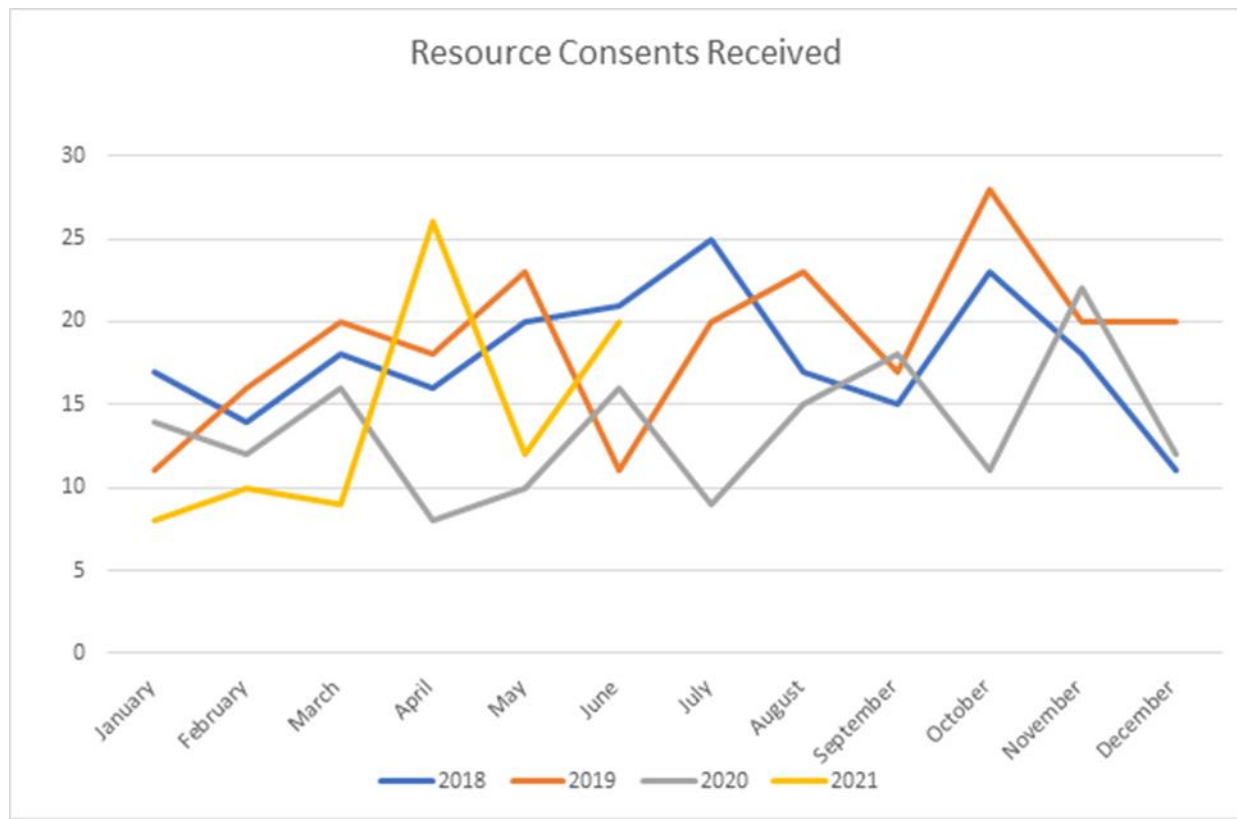


HAZARDS





Action Summary											
Hyperl... ^	Refere...	Org Unit	Date Raised	Raised by User	Action Title	Category	Action Descri...	Due Date	Assigned To	Priority	Current Status
Link to this record	36	Mackenzie District Council	1/18/21	Alexis Gray	No further action required as dealt with at time.	Corrective	NA	1/18/21	Administ...	Low	Closed

OPERATIONS UPDATE**RESOURCE CONSENTS APPLICATIONS RECEIVED****CORPORATE UPDATE****LGOIMAS RECEIVED:**

Ref	Date Received	Who From	Subject	Forwarded Date	Forwarded To / Person Responsible	Due Date	Date Completed
427	08.06.2021	Max Salmon - NZ Taxpayers Union	Closed Council Meetings	08.06.2021	Cathy & Arlene - Partial supply - referred him to our website	06.07.2021	10.06.2021
428	19.06.2021	Robin McCarthy	Copy of Pukaki Airport Managers Contract		Discussed with Chris and Darren	16.07.2021	28.06.2021
429	28.06.2021	Robin McCarthy	Copy of Publicly Notified tender re Pukaki Airport Manager	30.06.2021	Discussed with Paul & Chris	26.07.2021	12.07.2021
430	01.07.2021	Emma Hatton - Radio NZ	Class 4 Grant Funding		Chris advised answer	29.07.2021	05.07.2021
431	06.07.2021	Tina Smith	How 1.4km of Old Glen Lyon Rd came to be sealed	07.06.2021	Duty Planner and Roading Manager	03.08.2021	13.07.2021
432	13.07.2021	Robin McCarthy	Copies of all the Pukaki Airport Board documents from start to handover	14.07.2021	Paul Newman and Cathy - Charge for this one	10.08.2021	21.07.2021
433	13.07.2021	Keiller MacDuff - Stuff	Copy Building Consent & Existing Use Rights App for Tekapo Tavern Site	14.07.2021	Duty Planner/Aaron	10.08.2021	15.07.2021
434	22.07.2021	Nick Clark - Federated Farmers	Council general & targeted rates and the use of uniform annual charges.	22.07.2021	David - Finance	19.08.2021	
435	23.07.2021	Keiller MacDuff - Stuff	Audit NZ related cost for last 5 years	23.07.2021	David - Finance	20.08.2021	
436	26.07.2021	Alix Crosbie - Central Otago District Council	Heritage Funding	24.07.2021	David - Finance	24.08.2021	

COMPLAINTS RECEIVED

THERE WAS ONE FORMAL COMPLAINT RECEIVED DURING JUNE WHICH RELATED TO A REQUEST FOR A RESPONSE TO QUESTIONS RAISED IN RELATION TO THE DIVISION OF COSTS FOR THE DESIGN OF A PROPOSED NEW WASTEWATER MAIN.

COMMUNITY CENTRE BOOKINGS**JUNE**

FAIRLIE COMMUNITY CENTRE – TOTAL BOOKINGS 85 HOURS (INCLUDES 1.5 HOURS USED BY MACKENZIE DISTRICT COUNCIL).

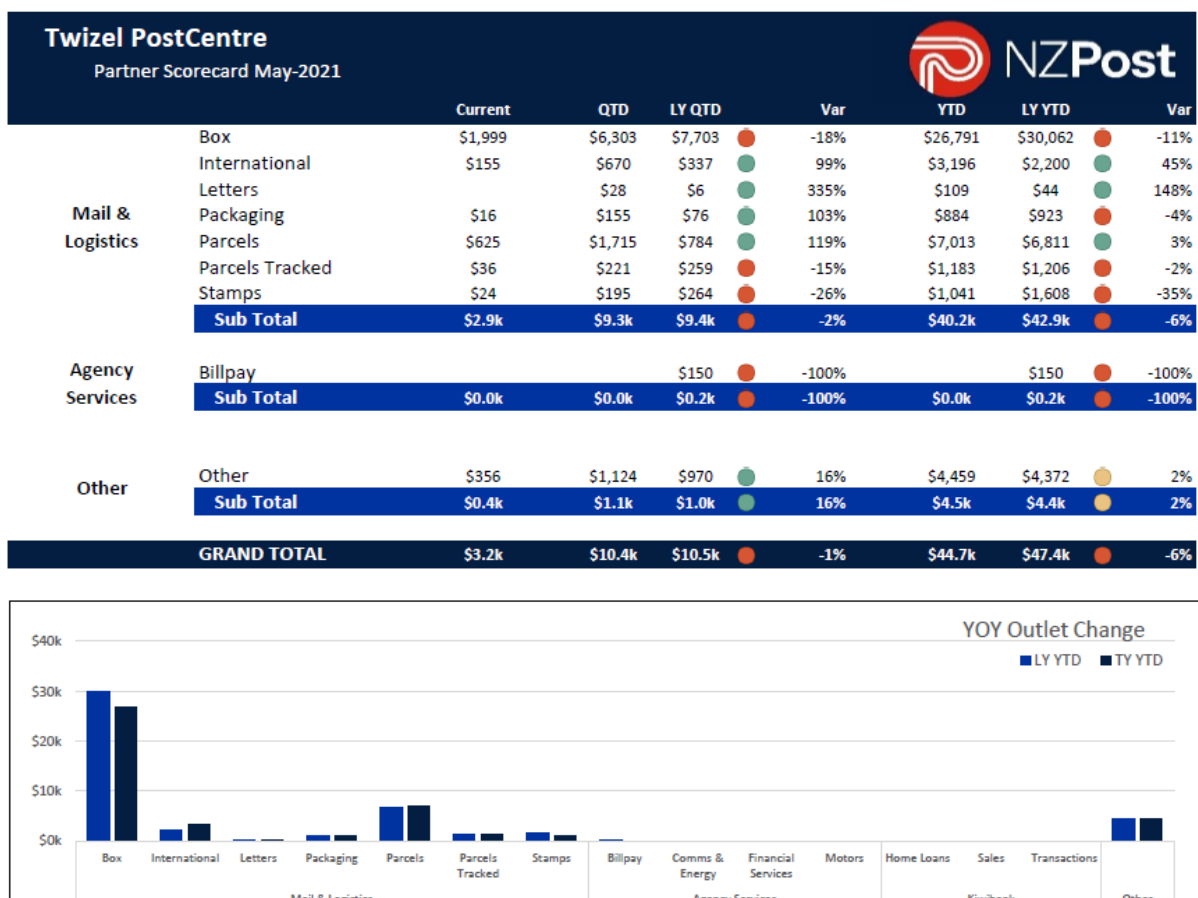
LAKE TEKAPO COMMUNITY HALL – TOTAL BOOKINGS 42.5 HOURS (INCLUDES 14.5 HOURS USED BY MACKENZIE DISTRICT COUNCIL).

ALBURY HALL – TOTAL BOOKINGS 1 DAY FOR MACKENZIE DISTRICT COUNCIL.

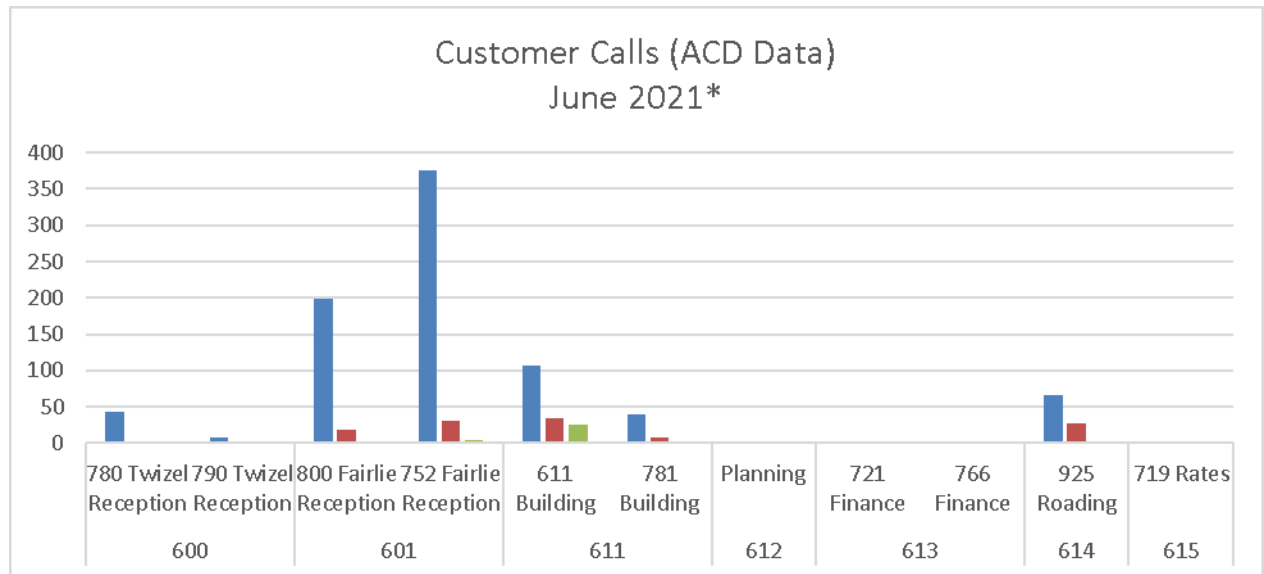
TWIZEL EVENTS CENTRE – TOTAL BOOKINGS 283.75 HOURS (INCLUDES 35.5 HOURS USED BY MACKENZIE DISTRICT COUNCIL).

TWIZEL INFORMATION CENTRE VISITOR NUMBERS

CUSTOMER NUMBERS RECORDED FOR JUNE 2021 = 2002.

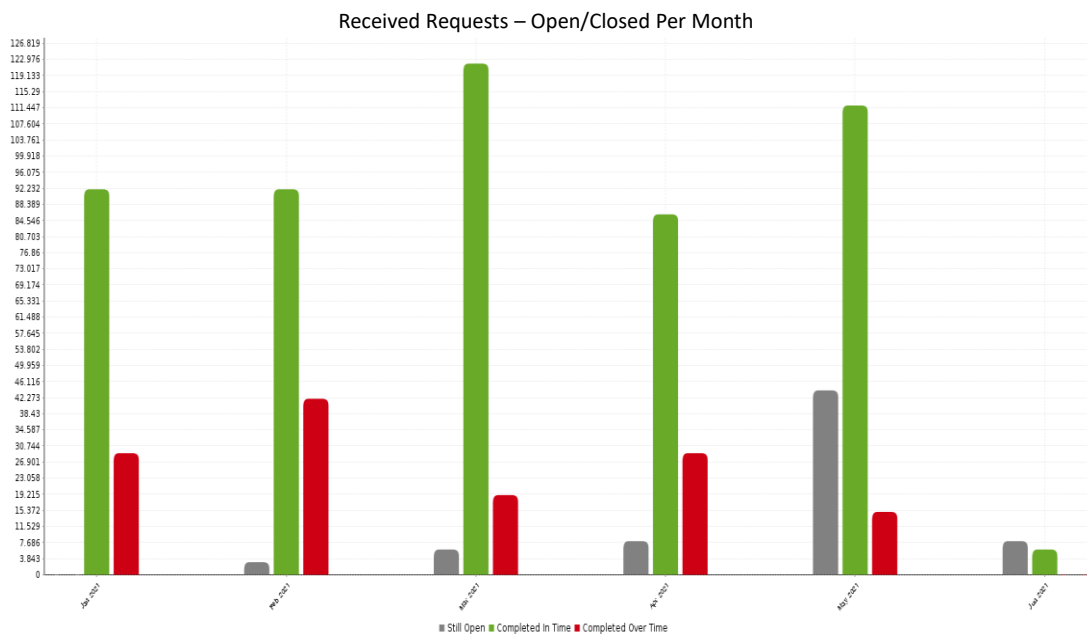


CUSTOMER CALLS

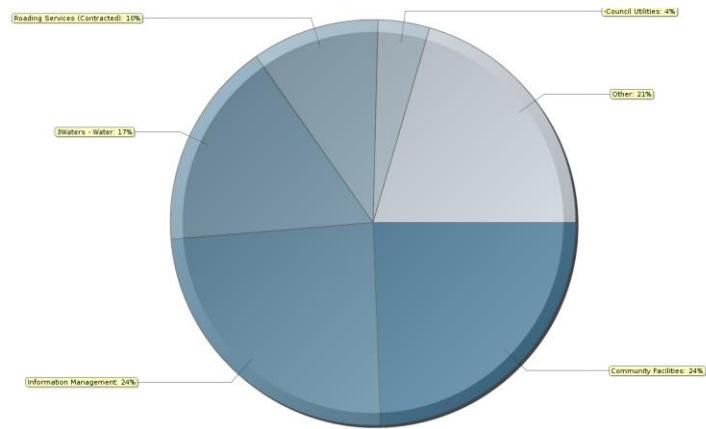


- NOTE UNANSWERED CALL NUMBERS INCLUDE CALLS TRANSFERRED TO ANOTHER EXTENSION TO BE ANSWERED. THESE TRANSFERRED CALLS ARE THEN RECORDED AS "UNANSWERED" CALLS.

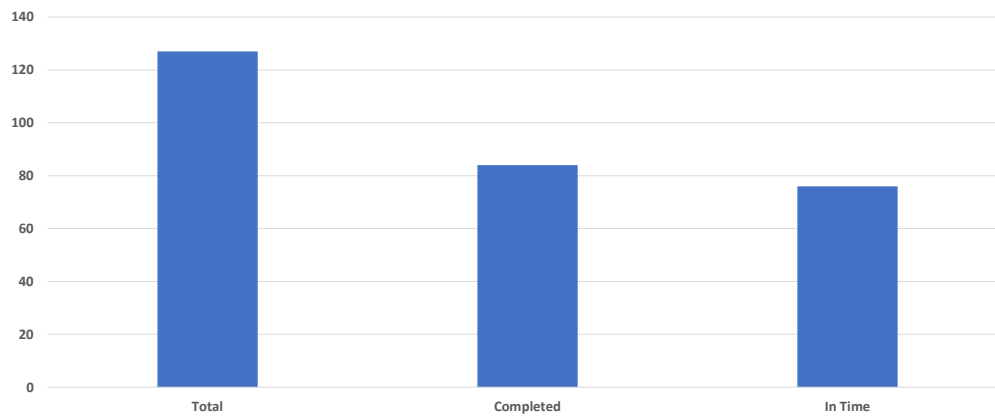
SERVICE REQUESTS SUMMARY REPORT – JUNE 2021



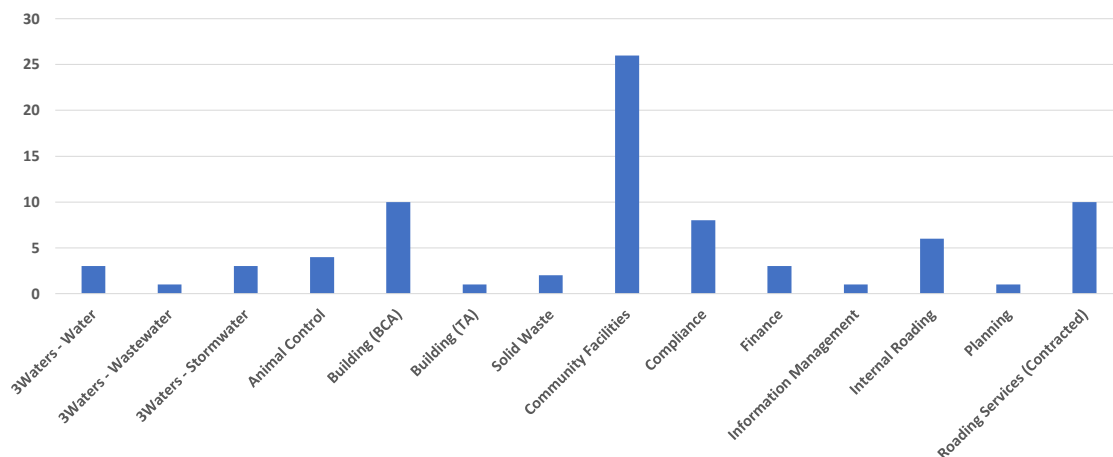
Service Requests Received Financial Year to Date by Department



Service Requests Received – May 2021

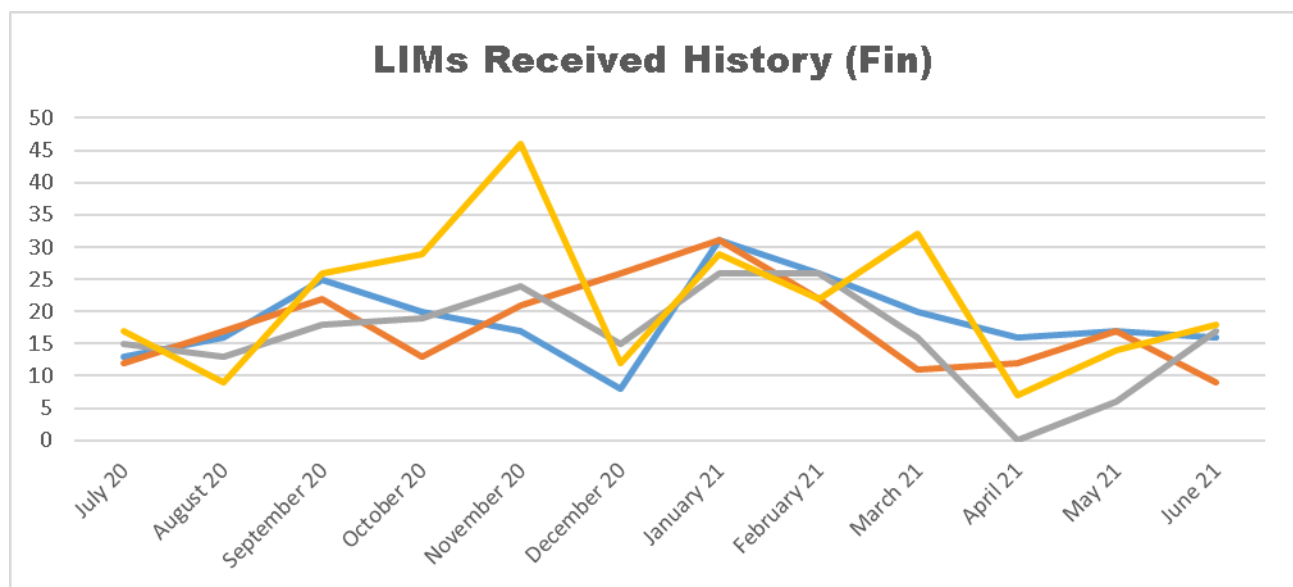


Open Service Requests by Department May 2021



LAND INFORMATION MEMORANDUMS – JUNE 2021

FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021 272 LIM APPLICATIONS WERE RECEIVED. THIS COMPARES WITH 209 FOR THE SAME PERIOD LAST FINANCIAL YEAR. TREND BY CALENDAR MONTH IS SHOWN BELOW:



MEETINGS

KEY MEETINGS ATTENDED SINCE LAST COUNCIL MEETING:

29 JUNE 2021

- COUNCIL MEETING
- ASKYOURTEAM REVIEW MEETING
- THREE WATERS REFORM WEBINAR

30 JUNE 2021

- AUDITNZ ZOOM MEETING

- CROWN INFRASTRUCTURE MEETING
- TE MANAHUNA KI UTA WORKING GROUP

1 JULY 2021

- TEAM MACKENZIE MEETING
- REGION RECOVERY MEETING

2 JULY 2021

- FUTURE OF LOCAL GOVERNMENT WORKSHOP – CHRISTCHURCH

5 JULY 2021

- WEEKLY LTP MEETING
- HEALTH REVIEW AND FUTURE FOR LOCAL GOVERNMENT WORKSHOP

6 JULY 2021

- EXTRAORDINARY COUNCIL MEETING
- COUNCIL WORKSHOP
- ASHWICK OPUHA RURAL WATER SUPPLY MEETING
- TE MOKIHI ZOOM MEETING – ENVIRONMENT CANTERBURY

8 JULY 2021

- THREE WATERS UPDATE – ZOOM MEETING

12 JULY 2021

- BRUCE MINCHAM – ZOOM MEETING
- LONG TERM PLAN HUI – AROWHENUA AND MOERAKI
- TE MANAHUNA KI UTA – KEY STAKEHOLDER WEBINAR

13 JULY 2021

- AUDIT AND RISK COMMITTEE MEETING

14 JULY 2021

- TE MANAHUNA KI UTA WORKING GROUP MEETING
- TE MANAHUNA KI UTA – KEY STAKEHOLDER WEBINAR

15 JULY 2021

- TE MANAHUNA KI UTA – KEY WORKSHOP #2

6 REPORTS

6.1 COUNCIL FINANCIAL REPORT

AUTHOR: JO HURST, MANAGEMENT ACCOUNTANT

AUTHORISER: PAUL NUMAN, GENERAL MANAGER CORPORATE SERVICES

ATTACHMENTS: 1. FINANCE REPORT TO JUNE 2021

STAFF RECOMMENDATIONS

THAT THE FINANCIAL REPORT FOR MACKENZIE DISTRICT COUNCIL TO JUNE, 2021 BE RECEIVED.



Financial Performance June 2021

	YTD Actual 2020/21	YTD Budget 2020/21	YTD Actual 2019/20	Variance v Budget	Variance v Budget (%)	Variance v 2019/20	Variance v 2019/20 (%)
Rates Revenue	10,831	10,829	10,421	2	0.02%	410	3.93%

The forecast average rates rise for the 2020/21 year per the Annual Plan was 4.48%

Other Revenue	14,436	12,522	14,572	1,914	15.29%	(136)	-0.93%
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Other revenue is above budget as reserve contributions were up \$288,000, \$2,560,000 was received being 50% of the funding for the Three Waters project and \$250,000 for the Mayors Taskforce for Jobs funding. Timber sales were up on budget; while income was received from land sales in Tekapo and the Pukaki airport. NZTA subsidies were up due to the emergency reinstatement claim. Financial contributions were lower than expected in Stormwater, this being dependent on developer activity while vested assets were budgeted for and will be a year end addition. Income from building consents is down due to a reduction in consents, and recoverable income in planning is less than budgeted due to a 15% reduction in consents received and a greater number of consents being processed in-house requiring less consultants. Revenue is down slightly on the previous year as financial and reserve contributions were higher in the previous year, along with interest and dividend income. This was offset by higher income this year from timber sales, property sales and Government grants. Vested assets, shares and forestry valuations have yet to be processed in the 2021 year, while they are included in the prior year.

Operating Expenditure	22,038	22,952	19,689	914	3.98%	(2,350)	-11.93%
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Operating expenditure is just under budget to date. Refuse collection costs are down due to lower volumes following Covid. Significant budget had been allowed for in consultancy for the Destination Mackenzie project with only \$269,933 spent to date, and in the planning area with regards to the District plan review with approximately 67% spent to date. This was offset by significant overspends in consultancy due to resourcing of the building team and the production of the long term plan. Contractor costs are up due to the management of the swimming pools and the township maintenance contract. Forestry harvesting costs were higher than budgeted. The mayors taskforce for jobs costs and the land cost relating to the section sales had not been included in the budget. Compared to the 2019/20 year expenditure is up as consultancy costs are significantly higher with regards to the district plan review, long term plan, Destination Mackenzie project and in the inspectorate due to resourcing. Contractor costs are higher than in the previous year with management of the pools, the Building Control manager function and the district plan review. Employment expenses are higher than in the previous year due to pay increases, the Covid recovery positions created and bringing the IT team back in-house.

Capital Expenditure	6,403	17,842	-	11,439	64.11%		
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Capital expenditure is currently less than budgeted. Stage one of the Twizel watermain renewal project is well underway and other initial costs have been incurred for the 3 waters consultation projects which are being funded by a Government grant. Preliminary work has begun on the Fairlie water treatment upgrade and two of the five packages of pipe renewal projects have commenced with the balance being carried over to the 2022 year. Further work has occurred on the streetlight LED upgrade with these costs paid from reserves. Budget has been allowed for the Alps to Ocean cycleway and township projects with only partial spend to date. The Twizel building renovation costs were unbudgeted with spending approved by Council. Budget of \$1.27 million has been allowed for vested assets, this being a year end addition which has yet to be calculated.

**Mackenzie District Council
Financial Report
For The Period Ended June 2021**

	YTD Actual 2020/21	YTD Budget 2020/21	%	Full Year Budget 2020/21	%	YTD Actual 2019/20	%
Income							
Governance	578,479	585,222	98.85%	585,222	98.85%	594,749	97.26%
Corporate Services	4,967,415	5,297,332	93.77%	5,297,332	93.77%	4,887,775	101.63%
Water Supply	4,955,092	2,826,993	175.28%	2,826,993	175.28%	3,305,469	149.91%
Sewer	1,180,562	1,834,333	64.36%	1,834,333	64.36%	1,781,212	66.28%
Stormwater	146,279	398,292	36.73%	398,292	36.73%	265,626	55.07%
Roading	3,937,296	3,590,058	109.67%	3,590,058	109.67%	4,074,001	96.64%
Solid Waste	1,147,258	1,150,089	99.75%	1,150,089	99.75%	1,043,203	109.97%
Planning	1,398,025	1,291,179	108.28%	1,291,179	108.28%	2,267,231	61.66%
Regulatory Services	1,370,805	1,631,856	84.00%	1,631,856	84.00%	1,520,141	90.18%
Community Facilities	514,119	515,985	99.64%	515,985	99.64%	464,684	110.64%
Recreational Facilities	1,861,043	1,823,051	102.08%	1,823,051	102.08%	1,887,603	98.59%
Commercial	3,211,095	2,406,382	133.44%	2,406,382	133.44%	2,901,724	110.66%
	25,267,468	23,350,772	108.21%	23,350,772	108.21%	24,993,418	101.10%
Operating Expenditure							
Governance	503,033	582,927	86.29%	582,927	86.29%	551,433	91.22%
Corporate Services	5,102,257	5,551,933	91.90%	5,551,933	91.90%	4,866,566	104.84%
Water Supply	1,669,679	1,682,022	99.27%	1,682,022	99.27%	1,690,376	98.78%
Sewer	833,059	914,699	91.07%	914,699	91.07%	859,519	96.92%
Stormwater	137,409	129,165	106.38%	129,165	106.38%	128,110	107.26%
Roading	4,330,935	4,365,315	99.21%	4,365,315	99.21%	4,031,471	107.43%
Solid Waste	847,775	1,160,709	73.04%	1,160,709	73.04%	923,973	91.75%
Planning	1,328,536	1,971,424	67.39%	1,971,424	67.39%	1,155,877	114.94%
Regulatory Services	2,240,856	1,697,836	131.98%	1,697,836	131.98%	1,772,487	126.42%
Community Facilities	502,635	538,217	93.39%	538,217	93.39%	518,816	96.88%
Recreational Facilities	2,421,675	1,945,112	124.50%	1,945,112	124.50%	1,810,078	133.79%
Commercial	2,120,339	2,412,482	87.89%	2,412,482	87.89%	1,379,842	153.67%
	22,038,188	22,951,841	96.02%	22,951,841	96.02%	19,688,548	111.93%
Operating Surplus/(Deficit)	3,229,280	398,931		398,931		5,304,870	

**Mackenzie District Council
Financial Report
For The Period Ended June 2021**

	YTD Actual 2020/21	YTD Budget 2020/21	%	Full Year Budget 2020/21	%
Capital Expenditure					
Governance	-	-		-	
Corporate Services	619,008	298,479	207.39%	298,479	207.39%
Water Supply	1,947,886	11,649,153	16.72%	11,649,153	16.72%
Sewer	32,861	631,346	5.20%	631,346	5.20%
Stormwater	4,872	141,236		141,236	3.45%
Roading	3,237,553	3,301,820	98.05%	3,301,820	98.05%
Solid Waste	9,187	22,085	41.60%	22,085	41.60%
Planning					
Regulatory Services	38,460	41,245	93.25%	41,245	93.25%
Community Facilities	2,982	85,378	3.49%	85,378	3.49%
Recreational Facilities	458,001	1,049,263	43.65%	1,049,263	43.65%
Commercial	52,290	622,016	8.41%	622,016	8.41%
	6,403,100	17,842,021	35.89%	17,842,021	35.89%

6.2 QUARTERLY PORTFOLIO REPORT BANCORP TREASURY SERVICES

AUTHOR: PAUL NUMAN, GENERAL MANAGER CORPORATE SERVICES

AUTHORISER: ANGELA OOSTHUIZEN, ACTING CHIEF EXECUTIVE

ATTACHMENTS: 1. MACKENZIE QUARTERLY REPORT FROM BANCORP [↓](#) 

PURPOSE OF REPORT

TO INFORM OF THE PERFORMANCE OF COUNCIL'S BOND MARKET INVESTMENT.

STAFF RECOMMENDATIONS

1. THAT THE REPORT BE RECEIVED.

PARTICULAR POINTS TO NOTE**COMPARISON WITH THE BENCHMARK**

THE COUNCIL'S PORTFOLIO OUTPERFORMED THE BENCHMARK INDEX, DECREASING IN VALUE BY 0.5%, COMPARED TO THE BENCHMARK PORTFOLIO DECREASE IN VALUE BY 0.13% OVER THE QUARTER.

DURING THE QUARTER TO 30 JUNE THE MDC PORTFOLIO DURATION OF 1.47 YEARS DECREASED IN VALUE BY 0.05% OUTPERFORMING THE BENCHMARK INDEX WITH A DURATION OF 2.28 YEARS. HOWEVER IN THE CASE OF MACKENZIE, THE PORTFOLIO ONLY HAS TWO BONDS AND THE COMPARISON WITH THE BENCHMARK IS LARGELY REDUNDANT.

LOOKING AT OVERALL PERFORMANCE ON AN ANNUAL BASIS THE COUNCIL PORTFOLIO INCREASED IN VALUE BY 1.61% TO 30 JUNE COMPARED TO THE BENCHMARK PORTFOLIO INCREASE OF 0.37%.

COUNCIL ALSO HOLDS FOUR TERM DEPOSITS, CLASSIFIED AS LONGER TERM INVESTMENT FUNDS, AS AT JUNE 30, WITH A TOTAL VALUE OF \$9.4 MILLION AND A WEIGHTED AVERAGE YIELD OF .95% - UP FROM .88% AS AT 31 MARCH.

MOVEMENTS IN THE PORTFOLIO

AT THE END OF JUNE THE WEIGHTED AVERAGE RUNNING YIELD OF COUNCILS BOND PORTFOLIO WAS 4.05% - UP ON MARCH AT 3.49%.

POLICY ADHERENCE

AS AT 30 JUNE, THE LTFP WAS COMPLIANT WITH THE INVESTMENT CREDIT RATING PARAMETERS CONTAINED IN MDC'S INVESTMENT POLICY.

IN TERMS OF LIQUIDITY, ALL THE BONDS IN THE LTFP TRADED REGULARLY ON THE SECONDARY MARKET DURING THE JUNE QUARTER. WE ARE CONFIDENT THAT THE LTFP COULD BE LIQUIDATED AT SHORT NOTICE, IF NECESSARY.

FINANCIAL MARKET MOVEMENTS

THE OFFICIAL CASH RATE REMAINED UNCHANGED AT 0.25% DURING THE PERIOD.

QUARTERLY TREASURY REPORT

FOR

MACKENZIE DISTRICT COUNCIL



FOR THE QUARTER ENDING 30 JUNE 2021



BANCORP

BANCORP TREASURY SERVICES LIMITED

AUCKLAND • CHRISTCHURCH

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1. FINANCIAL MARKETS OVERVIEW

1.1 GLOBAL OVERVIEW (FOR THE JUNE 2021 QUARTER)

Every asset class was a winner in the June quarter. US sharemarkets hit record highs, commodity prices extended their rally to levels not seen since 2011, and bond yields finally slipped after nine months of steepening. Central bankers have altered their tune and adopted a more hawkish stance, calling for rate hikes earlier than previously expected as several Q1 GDP results exceeded expectations and inflationary forces that were deemed 'transitory' could be here to stay.

In the US, the Federal Reserve ("Fed") left its Fed Funds target range unchanged at 0.0-0.25% at the June meeting, although policymakers signalled that rate hikes could come as soon as 2023 after the inclusion of the so-called 'dot plot' of expectations suggested there will be two hikes in 2023. Furthermore, the central bank now forecasts US GDP to grow at 7.0% in 2021. This more optimistic outlook saw the fixed income markets take the 'dot plots' at their projections, although Chair, Jerome Powell, played down the projections saying, *"the dots are not a great forecaster of rate moves. Dots to be taken with a big grain of salt."*

US CPI rose 5.0% in the May year from a year earlier, which was the largest 12-month increase since September 2008. Core inflation came in at 3.8%. The report showed sharp increases in transitory prices for items such as fuel and second-hand motor vehicles, but there was also a residual firmness in core inflation from the likes of rents and hotels, that is hard to ignore.

Despite rising inflation across the globe, the US 10 year Treasury Bond yield has fallen around 0.30% since the last report and finished the quarter at 1.47%. This fall in long term yields is a result of the Fed hikes that are forecasted for 2023, as the market believes these hikes reduce the inflationary pressures in the long term.

In China, the National People's Congress announced an annual GDP growth target of *"above 6.0%,"* and pledged to keep the unemployment rate below 5.5%, while the Chinese Premier, Li Keqiang, reiterated that *"economic growth this year could exceed 6.0%. We need to seek a balance between growth, income, and employment, and we cannot pursue economic growth based on high energy consumption and heavy pollution. China needs growth in employment and income and will have to work more on boosting domestic demand and consumption."*

For all of the comments from members of the Fed over the month, the European Central Bank ("ECB") has been conspicuous by its absence. ECB President, Christine Lagarde, is focussing on a 'green' recovery stating *"we need to add another element to our post-pandemic recovery plan with what I have termed a green capital markets union – a truly green European capital market that transcends national borders."* The German 10 year bund remains entrenched in negative territory, trading in a range between -0.07% to -0.35% during the quarter, finishing June at -0.20%.

1.2 NEW ZEALAND OVERVIEW (FOR THE JUNE 2021 QUARTER)

	OCR	90 day	2 years	3 years	5 years	7 years	10 years
31 Mar 2021	0.25%	0.35%	0.48%	0.66%	1.10%	1.54%	1.91%
30 Jun 2021	0.25%	0.33%	0.78%	1.00%	1.36%	1.62%	1.88%
Change	0.0%	-0.02%	+0.30%	+0.34%	+0.26%	+0.08%	-0.03%

The tone of the Reserve Bank of New Zealand's ("RBNZ") May's *Monetary Policy Statement* ("MPS") was no doubt more optimistic, with the RBNZ pointing to several areas of an upside, it also emphasised that it would maintain its stimulus *"until it is confident that consumer price inflation will be sustained near the 2 percent per annum target midpoint, and that employment is at its maximum sustainable level. The Committee agreed it will take time before these conditions are met."*

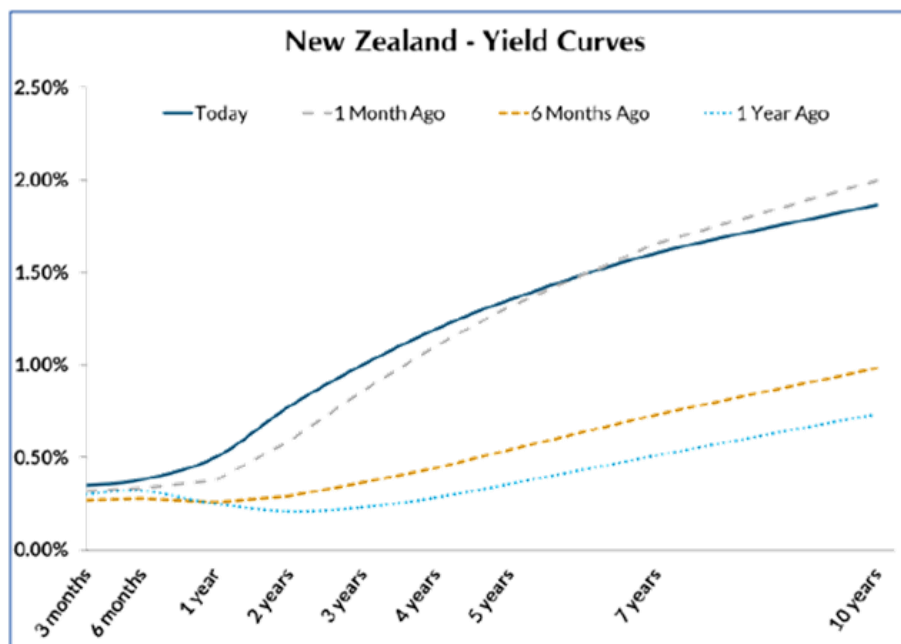
The most interesting aspect of the MPS was the inclusion of the RBNZ's OCR projections beyond 12 months. These projections suggest the OCR may start rising in the second half of 2022, topping out near 1.75% in mid-2024 as the RBNZ gains greater confidence in its outlook for the economy with *"reduced risk of extreme downside shocks."* Following the MPS, New Zealand interest rates climbed between 0.10% and 0.14% across the yield curve.

The economic recovery in New Zealand continues which was confirmed by the sensational March quarter 2021 GDP print. Quite simply, no one forecasted the 1.6% print for the quarter, nor the year on year growth at 2.4%. The RBNZ was projecting a contraction of -0.5% for the quarter, while the banks were calling for +0.5%, highlighting the 'surprise' of this print. On a sector level, the strong housing market, domestic spending, and construction offset the losses from tourism and international students. This saw some of the local banks bring forward their OCR hike projections by a quarter or two.

The unemployment rate and participation rate outperformed market expectations in the first quarter, however underlying weakness might be starting to appear. The unemployment rate decreased to 4.7% and the participation rate increased to 70.4%, while expectations were 4.9% and 70.2%. Overall, the initial labour market recovery has been impressive, however absorption of the remaining slack may be more gradual, resulting in muted wage and inflation pressures for some time.

Offshore bond movements drove down yields in New Zealand. The 10 year swap rate tested the 2.00% mark before declining 0.20% due to offshore drivers, although some of this downward movement has been reversed, finishing the quarter at 1.88%. The 3–5 year swap rates are looking the most expensive after the release of the RBNZ's MPS which illustrated that the OCR projection will reach 1.75% by 2024. The New Zealand 10 year swap rate has bounced off a long term trend line, testing the level of resistance twice within the last few months, both times being

rejected and subsequently falling, suggesting that swap rates have found a trading range. The following graph shows the changes in the shape of the yield curve over the past 12 months.



1.3 LOCAL AUTHORITY SECTOR

Listed below are the credit spreads and applicable interest rates for Commercial Paper ("CP"), Floating Rate Notes ("FRN"), and Fixed Rate Bonds ("FRB") as at 30 June at which Mackenzie District Council ("MDC") could source debt from the Local Government Funding Agency ("LGFA"), based on it being a non-guaranteeing borrower.

Maturity	Margin	FRN (or CP) Rate	FRB
3 month CP	0.20%	0.55%	N/A
6 month CP	0.20%	0.63%	N/A
April 2022	0.47%	0.987%	0.92%
April 2023	0.49%	0.99%	1.20%
April 2024	0.51%	1.01%	1.46%
April 2025	0.57%	1.07%	1.72%
April 2026	0.61%	1.11%	1.96%
April 2027	0.69%	1.19%	2.10%
April 2029	0.74%	1.24%	2.45%
May 2031	0.82%	1.32%	2.70%
April 2033	0.92%	1.42%	2.87%
April 2037	0.94%	1.44%	3.22%

Margins for the LGFA debt continued to decrease over the June quarter as the favourable conditions in the credit markets continued. The margin for the April 2026 declined by 0.14% and for the April 2037, by 0.10%. For fixed rate debt, outright yields increased at the short to

medium end of the curve, the April 2023 up 0.16% to 1.20% and the April 2026 up by 0.10% to 1.96%. At the longer end of the curve outright yields decreased with the April 2033 declining by 0.19% to 2.87% and the April 2037 declining by 0.23% to 3.22%.

2. INVESTMENT MANAGEMENT

2.1 PORTFOLIO SUMMARY

Below is a summary of the performance of MDC's Long Term Funds Portfolio ("LTFP") and the benchmark portfolio for the quarter ending 30 June 2021.

- The LTFP outperformed the benchmark index, decreasing in value by 0.05% compared to the benchmark portfolio's decrease of 0.13%.
- The weighted average purchase yield of the LTFP as at 30 June was 4.05%.
- The nominal value of the portfolio declined by \$1,000,000 to \$775,000 during the June quarter.
- As at 30 June, in addition to the funds in the LTFP, MDC had \$9,418,755.51 invested in Term Deposits ("TD").

MDC portfolio value at 31 March 2021	\$1,832,671
MDC portfolio value at 30 June 2021	\$807,742
Add coupon payments	\$24,037
Maturities	\$1,000,000
Total	\$1,831,779
Percentage change in effective cash value	-0.05%

Benchmark portfolio value at 31 March 2021	\$11,597,219
Benchmark portfolio value at 30 June 2021	\$11,546,068
Add coupon payments	\$35,550
Total	\$11,581,618
Percentage change in effective cash value	-0.13%

2.2 PORTFOLIO ACTIVITY

During the June quarter, the LTFP, which had a duration of 1.47 years, decreased in value by 0.05%, outperforming the benchmark index, which had a duration of 2.28 years, and which decreased in value by 0.13%. Given that there are only two bonds in the LTFP, the comparison with the benchmark is largely redundant.

Looking at the performance on an annual basis, the LTFP increased in value by 1.61% for the year ending 30 June, compared to the benchmark portfolio's increase of 0.37%. However, as stated in the preceding paragraph the benchmarking comparison is largely redundant. Another comparison can be made with the S&P/NZX Investment Grade Corporate Bond Index which recorded a loss of 0.96% for the year ending 30 June. Thus, MDC's under-investment in the bond market over the past year has avoided capital losses.

There were two bond maturities in the LTFP during the June quarter. These were the \$0.5 million ASB May 2021 maturity and the \$0.5 million BNZ December 2025 maturity. The latter bond was callable which gave the BNZ the right to redeem it earlier than its stated maturity date which it did.

Once the LTP is finalised and the debt and investment amounts have been finalised we will look to reinvest funds in either bonds or TDs which have been identified as financial market investments.

As at 30 June, MDC had four TDs, details of these are as follows, with the ones highlighted in red invested during the June quarter.

Bank	Amount	Term	Maturity	Rate
BNZ	\$3,000,000	180 days	14-Jul-21	0.80%
BNZ	\$2,000,000	180 days	07-Nov-21	1.00%
BNZ	\$2,000,000	181 days	24-Nov-21	0.95%
BNZ	\$2,418,755.51	181 days	20-Dec-21	1.09%
TOTAL	\$9,418,755.51			

The weighted average rate of the four TDs as at 30 June was 0.95%, up from 0.88% as at 31 March.

2.3 POLICY ADHERENCE

- As at 30 June, the LTFP was compliant with the investment credit rating parameters contained in MDC's Investment Policy.
- In terms of liquidity, all the bonds in the LTFP traded regularly on the secondary market during the June quarter. We are confident that the LTFP could be liquidated at short notice, if necessary.

3. INVESTMENT STRATEGY

Since 2014, MDC has been investing in TDs on a large majority of occasions, rather than in corporate bonds due to the yield advantage that TDs provided. This strategy is continually monitored to ensure that TDs provide a yield advantage over similar duration corporate bonds.

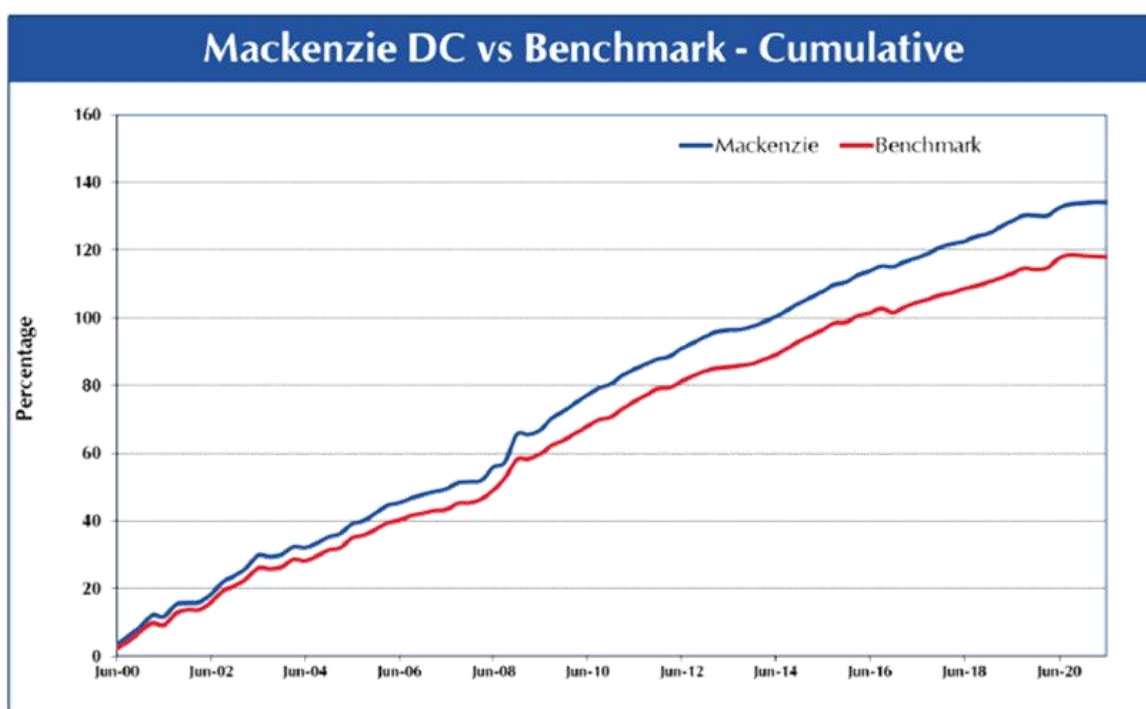
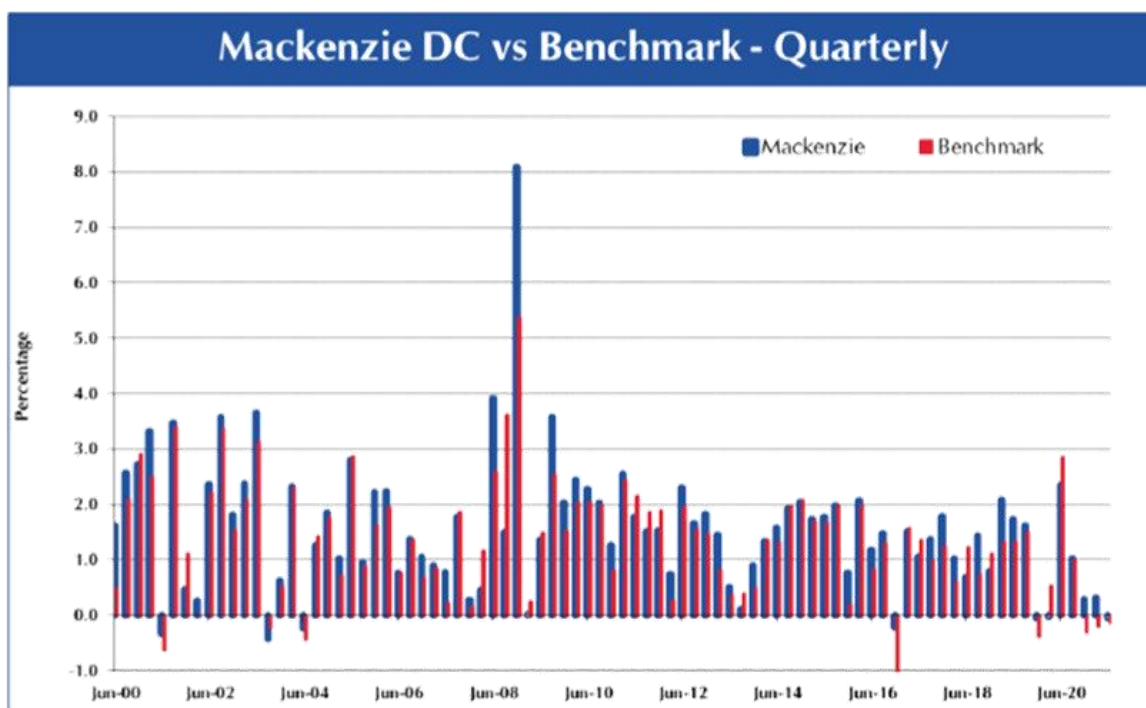
Detailed in the table below are the yields as at 30 June for various corporate bonds rated 'BBB' or higher by S&P Global Ratings, in which MDC would be able to invest under its existing Investment Policy.

The weighted average of the three TDs invested during the June quarter was 1.02%. This yield was exceeded by six of the nine bonds in the table below. However, investing in bonds over the last twelve months would have exposed MDC to revaluation losses. This is evidenced by the (negative) performance of the S&P/NZX A-Grade Corporate Bond Index which returned minus 0.96% for the twelve months to 30 June 2021.

Security	Maturity	Coupon	Rating	Yield
Chch Airport	04-Oct-21	6.25%	BBB +	0.79%
Spark Finance	25-Mar-22	4.50%	A-	0.61%
Bank of China (NZ)	17-Oct-22	4.09%	A	0.96%
Genesis	08/-Mar-23	5.81%	BBB +	1.23%
BNZ	16-Nov-23	3.65%	AA-	1.08%
Chch City Holdings	27-Nov-24	3.58%	AA-	1.54%
Auckland Council	24-Mar-25	4.18%	AA	1.41%
Fonterra	14-Nov-25	4.13%	A-	1.93%
Housing NZ	05-Oct-26	2.25%	AA +	1.58%


Bancorp Treasury will only recommend that MDC purchases bonds if such a purchase will meet MDC's requirements - to maintain an acceptable running yield, yet at the same time not expose MDC to excessive longer term revaluation risk.

Benchmark										
Security	Maturity Date	Coupon	<u>31-Mar-21</u> Nominal \$	Yield	Value \$	<u>30-Jun-21</u> Nominal \$	Coupons 01/04 to 30/06 \$	Yield	Value \$	Effective cash 30/06/2021 \$
90 Day Bank Bill	30-Jun-19		1,000,000	0.35	999,128	1,000,000		0.33	999,169	999,169
Fonterra	25-Feb-22	5.90	1,000,000	0.73	1,052,138	1,000,000		0.66	1,054,067	1,054,067
ANZ/National Bank	1-Sep-22	3.75	1,000,000	0.53	1,048,497	1,000,000		0.61	1,048,913	1,042,550
Auck Int Airport	9-Nov-22	4.28	1,000,000	1.02	1,068,633	1,000,000	\$21,400	1.02	1,049,914	1,033,368
Transpower	15-Mar-23	5.44	1,000,000	0.68	1,094,719	1,000,000		0.83	1,093,883	1,102,817
Westpac	23-Mar-23	3.72	1,000,000	0.74	1,059,223	1,000,000		0.87	1,058,855	1,050,376
Auckland Council	25-Mar-24	5.81	1,000,000	0.90	1,145,057	1,000,000		1.13	1,140,931	1,174,382
ASB Bank	19-Aug-24	1.83	1,000,000	1.10	1,026,240	1,000,000		1.33	1,021,934	986,659
BNZ	29-Jan-25	2.16	1,000,000	1.24	1,037,954	1,000,000		1.43	1,034,453	1,034,453
LGFA	15-Apr-26	1.50	1,000,000	1.33	1,015,143	1,000,000	\$6,650	1.46	1,004,953	1,011,603
Housing NZ	5-Oct-26	2.25	1,000,000	1.50	1,050,487	1,000,000	\$7,500	1.58	1,038,996	1,046,496
			<u>\$11,000,000</u>		<u>\$11,597,219</u>	<u>\$11,000,000</u>	<u>\$35,550</u>		<u>\$11,546,068</u>	<u>\$11,535,940</u>
Value as at 31/3/2021					\$11,597,219			30/06/2021		11,546,068
								Coupons		35,550
								Total		11,581,618
								Effective change in cash		-\$15,601
								% change		-0.13%
								Duration-years		2.28
Mackenzie District Council										
Security	Maturity Date	Coupon	<u>31-Mar-21</u> Nominal \$	Yield	Value \$	<u>30-Jun-21</u> Nominal \$	Coupons 01/04 to 30/06	Yield	Value \$	Effective Cash 30/06/2021
ASB Bank	26-May-21	4.25	500,000	0.36	510,341		10,625			10,625
Genesis	18-Mar-22	4.14	275,000	0.71	284,454	275,000		0.72	281,715	281,715
China Construction	15-Jun-23	4.00	500,000	1.10	537,373	500,000	10,000	1.30	526,027	536,027
BNZ Sub Debt	17-Dec-25	2.73	500,000	2.65	500,503		3,412			3,412
			<u>1,775,000</u>		<u>1,832,671</u>	<u>775,000</u>	<u>24,037</u>		<u>807,742</u>	<u>831,779</u>
31/03/2021					<u>\$1,832,671</u>			Value 30/06/2021		807,742
								Coupons		24,037
								Maturities		1,000,000
										<u>1,831,779</u>
								Effective change in cash		-\$892
								% change		-0.05%
								Duration-Years		1.47



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6.3 ADOPTION OF SUBMISSION ON THE NBA EXPOSURE DRAFT

AUTHOR: AARON HAKKAART, MANAGER - PLANNING
AUTHORISER: TIM HARTY, GENERAL MANAGER - OPERATIONS
ATTACHMENTS: 1. NBA SUBMISSION [↓](#) 

COUNCIL ROLE:

- ☒ **ADVOCACY** WHEN COUNCIL OR COMMITTEE ADVOCATES ON ITS OWN BEHALF OR ON BEHALF OF ITS COMMUNITY TO ANOTHER LEVEL OF GOVERNMENT/BODY/AGENCY.
- ☐ **EXECUTIVE** THE SUBSTANTIAL DIRECTION SETTING AND OVERSIGHT ROLE OF THE COUNCIL OR COMMITTEE E.G. ADOPTING PLANS AND REPORTS, ACCEPTING TENDERS, DIRECTING OPERATIONS, SETTING AND AMENDING BUDGETS.
- ☐ **LEGISLATIVE** INCLUDES ADOPTING DISTRICT PLANS AND PLAN CHANGES, BYLAWS AND POLICIES.
- ☐ **REVIEW** WHEN COUNCIL OR COMMITTEE REVIEWS DECISIONS MADE BY OFFICERS.
- ☐ **QUASI-JUDICIAL** WHEN COUNCIL DETERMINES AN APPLICATION/MATTER THAT DIRECTLY AFFECTS A PERSON'S RIGHTS AND INTERESTS. THE JUDICIAL CHARACTER ARISES FROM THE OBLIGATION TO ABIDE BY THE PRINCIPLES OF NATURAL JUSTICE, E.G. RESOURCE CONSENT OR PLANNING APPLICATIONS OR OBJECTIONS, CONSENTS OR OTHER PERMITS/LICENCES (E.G. UNDER HEALTH ACT, DOG CONTROL ACT) AND OTHER DECISIONS THAT MAY BE APPEALABLE TO THE COURT INCLUDING THE ENVIRONMENT COURT.
- ☐ **NOT APPLICABLE** (NOT APPLICABLE TO COMMUNITY BOARDS).

PURPOSE OF REPORT

TO ALLOW COUNCIL TO CONSIDER AND ADOPT A SUBMISSION ON THE EXPOSURE DRAFT OF THE NATURAL AND BUILT ENVIRONMENTS BILL.

STAFF RECOMMENDATIONS

1. THAT THE REPORT BE RECEIVED.
2. THAT COUNCIL ADOPT THE SUBMISSION ON THE EXPOSURE DRAFT OF NATURAL AND BUILT ENVIRONMENTS BILL FOR LODGEMENT.

BACKGROUND

THE GOVERNMENT HAS RELEASED AN EXPOSURE DRAFT OF THE NATURAL AND BUILT ENVIRONMENTS BILL (NBA) FOR SUBMISSIONS THROUGH AN INITIAL SELECT COMMITTEE ENQUIRY. THE NBA IS ONE OF THREE ACTS PROPOSED TO REPLACE THE RESOURCE MANAGEMENT ACT 1991 (THE RMA):

1. THE NBA – OVERALL INTENDED TO PROTECT AND ENHANCE THE ENVIRONMENT WHILE BETTER ENABLING DEVELOPMENT.
2. THE STRATEGIC PLANNING ACT (**SPA**) – INTENDED TO COORDINATE AND INTEGRATE DECISIONS THROUGH SPATIAL STRATEGIES.
3. CLIMATE ADAPTION ACT (**CAA**) – INTENDED TO ADDRESS MANAGED RETREAT.

THESE CHANGES HAVE BEEN DRIVEN BY GROWING CONCERNS ABOUT THE INEFFECTIVENESS OF THE RMA AT DELIVERING ON ENVIRONMENTAL AND DEVELOPMENT OUTCOMES, AND THE LENGTH AND COSTS OF RMA PROCESSES. THIS CULMINATED IN THE GOVERNMENT APPOINTING A RESOURCE MANAGEMENT REVIEW PANEL IN JULY 2019, WHO RELEASED A RECOMMENDATION REPORT ON REFORM IN JULY 2020. THE EXPOSURE DRAFT IS STRONGLY BASED ON THE RECOMMENDATION REPORT.

THERE WILL BE TWO OPPORTUNITIES FOR PUBLIC FEEDBACK ON THE NBA AS PART OF SELECT COMMITTEE PROCESSES.

THE FIRST OPPORTUNITY IS PART OF THIS INITIAL SELECT COMMITTEE INQUIRY INTO THE EXPOSURE DRAFT OF THE NBA. THIS IS AN OPEN AND TRANSPARENT WAY FOR THE PUBLIC TO HAVE AN EARLY SAY ON THIS KEY LEGISLATION.

THE EXPOSURE DRAFT IS NOT A FULL DRAFT AND IS INSTEAD INTENDED TO PROVIDE “AN EARLY LOOK AT KEY ASPECTS”, WHICH ARE SET OUT BRIEFLY BELOW AND THEN EXPLAINED FURTHER IN THIS REPORT. THE FULL DRAFT WILL THEN INCLUDE ADDITIONAL DETAILS AROUND PROCESSES, ROLES, AND HOW VARIOUS ASPECTS OF THE CURRENT RMA (SUCH AS CONSENTING, EXISTING USE RIGHTS, RESOURCE ALLOCATION, COMPLIANCE, MONITORING AND ENFORCEMENT ETC) ARE TO BE INCORPORATED INTO THE NBA.

THE SELECT COMMITTEE ENQUIRY IS ANTICIPATED TO TAKE APPROXIMATELY THREE MONTHS AND THE ENVIRONMENT COMMITTEE HAS CALLED FOR THE PUBLIC TO MAKE SUBMISSION ON THE EXPOSURE DRAFT OF THE NBA. SUBMISSIONS ARE REQUIRED TO BE SUBMITTED ON 4 AUGUST 2021.

THE SELECT COMMITTEE WILL REPORT ITS FINDINGS BACK TO THE HOUSE AND THESE WILL INFORM FURTHER POLICY DEVELOPMENT ON THE REFORM.

THE SECOND OPPORTUNITY WILL BE WHEN THE FULL NBA IS INTRODUCED TO PARLIAMENT, ALONG WITH THE STRATEGIC PLANNING ACT, IN EARLY 2022. IT IS INTENDED THAT THESE BILLS WILL BE ENACTED THIS PARLIAMENTARY TERM.

FOLLOWING A WORKSHOP WITH ELECTED MEMBERS AND KEY STAFF THE ATTACHED SUBMISSION HAS BEEN FORMULATED TO PROVIDE MACKENZIE DISTRICT COUNCILS SPECIFIC FEEDBACK TO THE SELECT COMMITTEE.

POLICY STATUS

NOT APPLICABLE.

SIGNIFICANCE OF DECISION

THIS DOES NOT TRIGGER COUNCIL’S SIGNIFICANCE AND ENGAGEMENT POLICY.

OPTIONS**CONSIDERATIONS****LEGAL**

THERE ARE NO LEGAL CONSIDERATIONS ASSOCIATED WITH THIS DECISION.

FINANCIAL

THERE ARE NO IMMEDIATE FINANCIAL IMPLICATIONS ASSOCIATED WITH THIS DECISION. THE OUTCOMES OF THE RMA REFORM PROCESS IS LIKELY TO HAVE IMPLICATION ON MACKENZIE DISTRICT COUNCIL AND THEREFORE IT IS RECOMMENDED THAT SUBMISSION IS MADE AS PART OF THE CURRENT PROCESS.

OTHER

THE RMA REFORM PROCESS, AND NBA EXPOSURE DRAFT REPRESENTS A SIGNIFICANT CHANGE IN THE MANAGEMENT OF NATURAL AND BUILT ENVIRONMENT WITHIN NEW ZEALAND. THE FULL IMPACTS OF THESE REFORMS ARE YET TO BE UNDERSTOOD, HOWEVER, THE OPPORTUNITY TO PROVIDE A SUBMISSION ON THE NBA EXPOSURE DRAFT ALLOWS MACKENZIE DISTRICT COUNCIL TO OUTLINE ANY CONCERNS, AND TO BE PART OF THE PROCESS.

CONCLUSION

COUNCIL NEEDS TO DECIDE WHETHER THE SUBMISSION DRAFTED FOR LODGEMENT ACCURATELY REFLECTS THE POSITION OF MACKENZIE DISTRICT COUNCIL, AND IF SO, RESOLVE TO LODGE IT WITH THE SELECT COMMITTEE.

Mackenzie District Council - Submission on the Exposure Draft of the Natural and Built Environment Bill

Introduction

1. The Mackenzie District Council ('the Council') appreciates the opportunity to comment on the draft of the Natural and Built Environments Bill ('NBA').
2. The Council wishes to be heard in support of this submission.
3. The Council wishes to acknowledge and support the submissions made on behalf of Taituarā, LGNZ, and the Canterbury Mayoral Forum.

Overall

4. The Council agrees with the intent behind the NBA. In general, we consider that the Resource Management Act ('RMA') is clumsy, its processes take too long, are too expensive and are too litigious. We note that the NBA, along with other pieces of legislation, are intended to replace the current RMA and we broadly support this. However, the NBA and related legislation represent a wholesale change to the way the natural and built environment are managed for current and future generations, and it is therefore critically important that the government 'gets it right'. It is therefore important that the replacement legislation provides a better framework and does not repeat or simply vary issues arising from the RMA. At a broad level, the Council is concerned that despite the importance of this legislation:
 - a. The short timeframes provided to comment on the Exposure Draft are disappointing given the scale of impact the NBA will have on local authorities;
 - b. The Exposure Draft lacks a huge amount of detail and therefore limits the ability for meaningful and informed comments to be provided on the Exposure Draft; and
 - c. How the implementation of the NBA is resourced is as yet unknown, despite this being critical to a small rural council like Mackenzie who has a limited ratepayer base.
5. While we thoroughly support the need for the NBA to improve system efficiency and effectiveness, and provide a less complex system, we are concerned that the current proposal will not achieve this. For example, the purpose of the NBA is not dissimilar to the purpose of the RMA, but it is likely that case law developed under the RMA will no longer be relevant, and the courts will once again be asked to provide greater determination on how the purpose is to be interpreted and applied in practise. We anticipate that this will be a costly and litigious process. Similarly, we also note that while the overall number of plans will be reduced, this does not guarantee that the plan-making process will result in reduced costs.
6. We have provided further comment below on various aspects of the Exposure Draft, which take into account the reform objectives.

Local Democratic Input

7. Overall, our biggest concern with the NBA, is that it will result in increased centralisation and therefore the opportunity for local input into planning processes and outcomes will be severely diluted. While we note and support reference in the reform objectives to retaining

“appropriate” local democratic input, it is hard to see how this is achieved under the NBA because apart from proposing that there is one appointment from each local authority on the planning committee for drafting a regional-level NBA Plan, there is no other mention made in the Exposure Draft about how local input will be provided. In particular:

- a. The process for the NPF is not established, but ultimately it will be led and determined at a central government level. We consider that it is important that the NPF is drafted with meaningful opportunities for engagement with all local authorities. In particular, we consider that it is important that the process for drafting the NPF is not rushed, and that input is provided throughout the drafting process, not simply through submissions to a Board of Inquiry or independent panel. Given local government’s role in giving effect to national direction, appropriate engagement with and input from local government on the creation of new national direction, and changes to existing national direction, is hugely important.
 - b. The NBA currently lists environmental outcomes and anticipates that resolving conflicts between these outcomes will occur through the NPF and NBA Plans. We consider it important to note that the balance between achieving the outcomes sought may differ between different local areas, and it will be important to avoid a blanket one-size-fits-all approach being applied without consideration being given to important local variations.
 - c. There will no longer be a district-based planning instrument, with plan-making processes elevated to the regional level. We consider that it is still important that local community input is adequately provided for in the plan-making process.
8. We consider that providing local input into planning processes under the NBA is important because:
- a. The costs of implementing the NPF through the NBA plan and then implementing the NBA plan will fall on the Council. It is important that local communities are provided with the opportunity to have their say on matters that financially impact on them.
 - b. While we support rationalising and streamlining, it is important that local variation is still accounted for, where that is more appropriate than a blanket one-size-fits-all approach being taken. This can only be determined if appropriate and meaningful engagement is provided for.
 - c. While efficiencies can be gained from rationalising plans, the opportunity for local variation should not be lost, as in some cases this variation will be a more appropriate way to achieve the balance between the NBA’s outcomes.
9. The Council is also about to embark on a review of its District Plan. This is consistent with the statement in the Parliamentary Paper that *“The Government expects councils to continue working on the requirements of the RMA and current national direction.”*¹ However, there is no indication in the NBA about how the time and expense that will be invested in this review will be taken into account in the transition to the new system. The Council wishes to have greater assurance that the outcomes of the District Plan review and the investment made in this process will not be ‘lost’. We would support transitional arrangements that place weight on provisions that have been recently reviewed. In particular we would not support first generation NBA Plans being drafted from a ‘clean slate’ starting position. Again, the District Plan review process will also allow for the local community to be heard in setting the

¹ *Natural and Built Environments Bill - Parliamentary paper on the exposure draft. Paragraph 70.*

direction for resource management within the District for the next 10 years and so it is important that that local voice is not automatically subsumed by the NBA Plan.

10. Similarly the Council has also recently invested in a spatial planning process with its local communities, which has involved extensive community engagement. Where consistent with the purpose of the RMA, it is anticipated that aspects of these spatial plans will be implemented through the District Plan review. It is important that the time and investment made in these spatial planning processes, and the outcomes sought by the local community through them, is not lost when the regional spatial strategy is developed.
11. The Council is also embarking on a project called "*Te Manahuna Ki Uta Destination Mackenzie*" which seeks to confirm a 100-year vision for Te Manahuna/Mackenzie Basin which strikes the right balance between what residents and visitors love about living in and visiting the Basin, while creating a more sustainable future for the area. This project is being led by Mackenzie District Council (MDC), together with Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, Te Rūnanga o Moeraki, Ministry of Business, Innovation and Employment, Department of Conservation, Waka Kotahi NZ Transport Agency, Toitū Te Whenua Land Information New Zealand, and the Mackenzie Development Group. The resulting Destination Management Plan will include actions, likely costs, and policy and regulation guidance to help us move forward over the coming decades. We are currently undertaking preliminary consultation with the community to help us develop a Draft Plan, with further stages of community consultation planned. We consider that the type of approach that we are using for Te Manahuna Ki Uta should be facilitated within the NBA Act and the Strategic Planning Act; in particular because such a process allows for appropriate local as well as national input.
12. The Council would be supportive of transitional arrangements which ensure that as much as possible the outcomes of Te Manahuna Ki Uta, the Spatial Plans and the District Plan Review are not lost in the making of new regional spatial strategies and NBA Plans. We would support the legislation explicitly providing for these local destination management and spatial plans to be a starting point for the regional spatial strategy. We would also support existing district plans being transitioned into a transitional NBA Plan without losing the substance of their content, with consideration being given to progressive reviews of NBA Plans that take into account how recently those district plan provisions have been reviewed.
13. While we are supportive of each local authority having a voice on the planning committee's proposed for the development of NBA Plans, we consider greater clarity is needed on who can be 'nominated'. For example, will nominations be limited to elected representatives, or extend to a staff member, or can the local authority nominate any representative? We are also keen to ensure that parity is retained for smaller rural-based councils, and in particular seek to ensure that representation on this committee is not in any way based on population size; rather we consider that any form of representation that is pro rata'd should be based on land size.

Proposed Purpose

14. While we are not opposed to the proposed purpose of the NBA, we consider that in many ways it has not advanced far from the purpose of the RMA, in terms of seeking to provide for use of the environment to support well-being, while also upholding its natural values. We

consider that at the very heart of the purpose is an inherent conflict. We therefore consider that it is extremely important that the rest of the Act sets out a clear process and framework that advances how this inherent conflict is to be resolved. Otherwise there is a risk that the status quo will prevail and the resolution of this conflict will continue to be a cumbersome and litigious process.

National Planning Framework

15. As noted above, we consider that there is a need for the NPF to be developed with input at the local level. As a minimum, we would support a requirement for the NPF and any changes to it to be consulted on with local authorities, prior to any wider consultation process. This type of consultation is currently provided for in the RMA in terms of specific consultation with territorial authorities being required in the process for preparing a regional policy statement. In particular, we note that the NPF will have long-lasting implications for local authorities and local communities and therefore we consider it important that sufficient time is provided for its development.

Environmental Limits

16. In broad terms, we consider that the setting of limits will help provide clarity on minimum levels of acceptability. However, we consider that sufficient flexibility is needed in setting of any limits to take into account local circumstances. We again reiterate the importance of providing for appropriate local input into the setting of environmental limits to ensure an opportunity for situations where local variation is appropriate to be identified. There is also a need to appropriately balance any competing outcomes when setting environmental limits. For example, if environmental limits are set with limited ability for local communities to have input into them, there is a risk that these limits will not be set with sufficient regard to economic needs of local communities. This is particularly important in districts like Mackenzie, who have highly valued and unique landscapes and indigenous biodiversity. Limits therefore need to be flexible enough to provide different levels of environmental protection for different circumstances and locations and to ensure an appropriate balancing of any competing outcomes in any local situation.
17. There is also a need to ensure that any limits are effective and workable. We consider that local context is particularly important in ensuring that that limits are going to be effective and workable in local circumstances, and to establish whether the limit will achieve the outcomes sought in different environments and situations.

Environmental Outcomes

18. We generally support the environmental outcomes and in particular that these include development-focused outcomes. As a strongly rural district, we specifically support an outcome being provided for development in rural areas that enables a range of economic, social, and cultural activities, and contributes to the development of adaptable and economically resilient communities.
19. However, we note that the NBA simply includes a list of outcomes, and consider that many of the outcomes are likely to compete. In the Mackenzie District, in particular, we can foresee conflicts continuing to arise between values of national importance, such as landscape and indigenous biodiversity values, in an area which is economically sustained by farming and

tourism. Therefore, how these potentially competing outcomes are resolved is hugely important, and we are concerned that these appear to be left for determination through future processes where local community input is likely to be diluted.

NBA Plan-making process

20. The NBA recognises the need for matters of significance to each district to be provided for (s22(1)(e)(ii)). We support this, given the important differences between individual districts. However, it is as yet unknown how matters of significance to each district will be decided and what role each local authority will play in terms of policy making. We would support the NBA Act including provisions that provide an opportunity for each constituent local authority to develop this part of the plan for their district.
21. It is also hard to see at this stage what is the expected role of local authorities under the NBA, particularly around what role individual councils would play in terms of policy making and engagement with their constituent communities to inform the development of NBA plans by planning committees. We think it is important to provide clear mechanisms through which each local authority can have input into the drafting of NBA plans prior to their referral to an independent hearings panel, and to be clear about the extent of that input.
22. In particular, it is not yet known:
 - a. What role local authorities – both elected members and staff - will have in the Plan-making process.
 - b. How the planning committee will operate, including what happens where agreement cannot be reached.
 - c. What opportunities there will be for public participation in the plan-making process.
 - d. Whether the role of the Environment Court will be reduced from the current situation.
 - e. How a region-wide plan will be administered given the different local bodies.
23. We would support:
 - a. The opportunity being provided for local authorities to be involved in the plan-making process beyond simply a role on the planning committee;
 - b. A requirement being included for consultation on draft NBA Plans to be undertaken with local councils, prior to public notification, as is currently a requirement for regional policy statements.
 - c. The ability being provided for local authorities to submit and pursue individual outcomes through the hearings process on NBA Plans, particularly where consensus may not be reached by the Planning Committee;
 - d. Meaningful opportunities to be provided for engagement with local communities, in particular through providing locally-based opportunities (for example, in terms of hearing venues)
 - e. Greater emphasis being given to the first instance decision on an NBA Plan rather than the use of the Environment Court to undertake the main decision-making role.
 - f. Continued administration of the NBA Plans by the relevant local authorities.

Te Tiriti o Waitangi

24. We note that that NBA proposes to require that the principles of Te Tiriti o Waitangi are given effect to, which is a step up from the RMA requirement to have regard to these principles. However, in order for this to be achieved in practise requires the ability for mana whenua to

be actively involved in plan making and consent processes. For this involvement to be meaningful, it needs to be resourced appropriately. We support further thought and greater clarity being provided as to how the government will support resourcing for mana whenua to be involved in the implementation of the new system.

6.4 ROUND 5 TOURISM INFRASTRUCTURE FUND OUTCOME

AUTHOR: TIM HARTY, GENERAL MANAGER - OPERATIONS

AUTHORISER: ANGELA OOSTHUIZEN, ACTING CHIEF EXECUTIVE

ATTACHMENTS: 1. ROUND 5 NOTIFICATION LETTER  
2. EXEMPTION AND PROCUREMENT PLAN  

COUNCIL ROLE:

- ☐ **ADVOCACY** WHEN COUNCIL OR COMMITTEE ADVOCATES ON ITS OWN BEHALF OR ON BEHALF OF ITS COMMUNITY TO ANOTHER LEVEL OF GOVERNMENT/BODY/AGENCY.
- ☒ **EXECUTIVE** THE SUBSTANTIAL DIRECTION SETTING AND OVERSIGHT ROLE OF THE COUNCIL OR COMMITTEE E.G. ADOPTING PLANS AND REPORTS, ACCEPTING TENDERS, DIRECTING OPERATIONS, SETTING AND AMENDING BUDGETS.
- ☐ **LEGISLATIVE** INCLUDES ADOPTING DISTRICT PLANS AND PLAN CHANGES, BYLAWS AND POLICIES.
- ☐ **REVIEW** WHEN COUNCIL OR COMMITTEE REVIEWS DECISIONS MADE BY OFFICERS.
- ☐ **QUASI-JUDICIAL** WHEN COUNCIL DETERMINES AN APPLICATION/MATTER THAT DIRECTLY AFFECTS A PERSON'S RIGHTS AND INTERESTS. THE JUDICIAL CHARACTER ARISES FROM THE OBLIGATION TO ABIDE BY THE PRINCIPLES OF NATURAL JUSTICE, E.G. RESOURCE CONSENT OR PLANNING APPLICATIONS OR OBJECTIONS, CONSENTS OR OTHER PERMITS/LICENCES (E.G. UNDER HEALTH ACT, DOG CONTROL ACT) AND OTHER DECISIONS THAT MAY BE APPEALABLE TO THE COURT INCLUDING THE ENVIRONMENT COURT.
- ☐ **NOT APPLICABLE** (NOT APPLICABLE TO COMMUNITY BOARDS).

PURPOSE OF REPORT

TO APPROVE COUNCIL'S FUNDING ALLOCATION INTO THE RECENTLY ANNOUNCED ROUND 5 TOURISM INFRASTRUCTURE FUND (TIFF) AND DIRECT APPOINT A PROJECT MANAGER TO DELIVER THE WORKS.

STAFF RECOMMENDATIONS

1. THAT THE REPORT BE RECEIVED.
2. THAT COUNCIL ENDORSE DELIVERY OF THE FULL SUITE OF PROJECTS FUNDED THROUGH THE TOURISM INFRASTRUCTURE FUND ROUND 5, AND FURTHER THAT
3. THAT COUNCIL SUPPORT THE FUNDING OF THE REQUIRED LOCAL SHARE FOR EACH PROJECT FROM THE BUDGETS OUTLINED WITHIN THIS REPORT, AND FURTHER THAT

4. THAT COUNCIL ENDORSE THE DIRECT APPOINTMENT OF XYST LIMITED TO PROGRAM MANAGE THE DELIVERY OF ALL FOUR PROJECTS TO THE TIME FRAME REQUIRED, AND FURTHER THAT
5. THAT STAFF ARE REQUIRED TO REPORT BACK ON DELIVERY OF THE PROGRAM AT EACH ENGINEERING AND SERVICES COMMITTEE

BACKGROUND

IN APRIL 2021 COUNCIL RESPONDED TO ROUND 5 OF THE TIFF PROCESS, WHICH WAS FACILITATED BY THE MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT (MBIE). ROUND 5 OF TIFF WAS PRIMARILY TARGETED AT COUNCILS SIGNIFICANTLY IMPACTED BY COVID 19, OF WHICH MACKENZIE DISTRICT WAS ONE, NOTING THE FOLLOWING:

ROUND FIVE OF THE TOURISM INFRASTRUCTURE FUND WILL ENSURE CENTRAL GOVERNMENT SUPPORT AND INVESTMENT IN LOCAL GOVERNMENT INFRASTRUCTURE CAN CONTINUE OVER THIS UNCERTAIN TIME, TO HELP IMPROVE THE VISITOR EXPERIENCE FOR NEW ZEALANDERS, AND INTERNATIONAL VISITORS WHEN THEY RETURN.

COUNCIL SUBMITTED FIVE SEPARATE APPLICATIONS (ATTACHED) TO ROUND 5 FOR CONSIDERATION.

COUNCILS 5 APPLICATIONS COVERED:

- (A) LAKE RUATANIWHA RESERVE,
- (B) LAKE PUKAKI TOILETS
- (C) A2O PUKAKI EAST STAGE 1 OFF-ROADING
- (D) FAIRLIE DOMAIN TOILETS, AND
- (E) FAIRLIE CAMPERVAN DUMP STATION

THE TOTAL SUM OF ALL OF COUNCILS 5 APPLICATIONS WAS \$3.4M

IN EARLY JULY COUNCIL HAD IT CONFIRMED THAT IT HAD BEEN SUCCESSFUL WITH FOUR OF THE FIVE APPLICATIONS, SUBJECT TO FUNDING A PORTION OF EACH OF THE APPROVED WORKS.

THE PROJECTS THAT WERE SUCCESSFUL WERE:

1. LAKE RUATANIWHA RESERVE, \$680,000 (INCLUDING \$30K OPEX) OF \$745,250
2. LAKE PUKAKI TOILETS, \$813,480 OF \$966,000
3. FAIRLIE DOMAIN TOILETS, \$624,080 OF \$736,000, AND
4. FAIRLIE CAMPERVAN DUMP STATION \$84,100 (INCLUDING \$10K OPEX) OF \$95,000

A2O PUKAKI EAST STAGE 1 OFF-ROADING APPLICATION WAS DECLINED AS IT IS A NGĀ HAERENGA GREAT RIDE AND SUBJECT TO OTHER SOURCES OF FUNDING.

OVERALL COUNCIL HAS BEEN ALLOCATED \$2.09M FROM THIS ROUND OF TIFF.

DISCUSSION

OVERVIEW

THE ADDITION OF THE TIFF FUNDING FOR COUNCIL IS A SIGNIFICANT WINDFALL AND REPRESENTS AN OPPORTUNITY TO ADDRESS A NUMBER OF PROJECTS THAT MAY NOT HAVE PROGRESSED IN THE NEAR FUTURE.

FUNDING COUNCILS SHARE OF THE PROJECTS IS CRITICAL TO ENABLING THE FUNDS TO BE UPLIFTED AND THERE ARE ALSO PRE-CONDITIONS THAT NEED TO BE MET. THE PRE-CONDITIONS ARE THAT COUNCIL HAS COMPLETED COMMUNITY ENGAGEMENT ON THE PROJECTS AND THAT ALL REQUIRED CONSENTS ARE IN PLACE. PRE-CONDITIONS MUST BE MET PRIOR TO FUNDING BEING UPLIFTED.

COUNCIL HAS SIX MONTHS TO SATISFY THE PRE-CONDITIONS AND SIGN THE FUNDING CONTRACT AND 18 MONTHS FROM THAT SIGNING TO COMPLETE THE WORKS (2 YEARS). WHILST THIS MAY SEEM SIGNIFICANT TIME, WITHOUT GOOD PLANNING AND PROJECT MANAGEMENT, THIS COULD BE A CHALLENGE TO MEET.

PROJECT MANAGEMENT

THE RECENT FUNDING THAT COUNCIL HAS HAD FROM GOVERNMENT (THREE WATERS REFORM) AND ITS OWN ANNUAL PLAN 2020/21 CAPITAL INJECTION (\$10M FOR WATER AND SHARED USE PATHS) HAS PLACED PRESSURE ON COUNCIL'S DELIVERY STRUCTURES AND HIGHLIGHTED THE NEED FOR STRONG PROJECT MANAGEMENT. BOTH PROGRAMS HAVE DEDICATED EXTERNAL PROJECT MANAGERS ASSIGNED AND FUNDED FROM THE WORKS AND IT IS RECOMMENDED THAT THE SAME IS DONE TO SUPPORT DELIVERY OF THESE TIFF PROJECTS.

NOTWITHSTANDING THAT PROJECT MANAGEMENT CAN OCCUR WITH EXTERNAL RESOURCES, THE WORK WILL STILL PUT PRESSURE ON INTERNAL STAFF, PARTICULARLY IN THE COMMUNITY FACILITIES AREA, WHERE INTERNAL RESOURCING IS LOW.

GIVEN THE TIMEFRAME TO GET THE PROJECT UNDERWAY, IT IS RECOMMENDED THAT COUNCIL CONSIDER THE DIRECT APPOINTMENT OF XYST TO PROJECT MANAGE THE WORKS.

XYST SUPPORTED THE DRAFTING OF THE TIFF APPLICATIONS FOR COUNCIL AND ALSO ARE PROVIDING SUPPORT FOR COUNCIL IN MANAGING ITS OPEN SPACES PORTFOLIO WHILST RECRUITMENT PROCESSES ARE UNDERWAY.

FUNDING REQUIREMENTS

THE TOTAL FUNDING REQUIREMENT FOR THE INDIVIDUAL PROJECTS IS SHOWN IN TABLE 1 BELOW.

PROJECT	TOTAL COST EST	FROM TIFF*	MDC INPUT	MDC %
FAIRLIE TOILETS	\$736,000	\$624,080	\$111,920	15%
LAKE PUKAKI TOILETS	\$966,000	\$813,480	\$152,520	16%
FAIRLIE DUMP STATION	\$95,000	\$74,100	\$20,900	22%
LAKE RUATANIWA	\$745,250	\$650,000	\$95,250	13%
TOTAL	\$2,542,250	\$2,161,660	\$380,590	

TABLE 1: PROJECTS AND FUNDING ALLOCATIONS

THE PREFERRED FUNDING OPTION FOR FUNDING COUNCIL'S SHARE IS SHOWN BELOW IN TABLE 2. AND DISCUSSED IN MORE DETAIL IN THE FINANCIAL SECTION OF THIS REPORT.

Project	Possible Council Funding Sources		
	Allocated in 2021/22 LTP	Carry Over from 2020/21	Reserve Dev Fund
Fairlie Toilets	\$111,920		
Lake Pukaki Toilets			\$152,520
Fairlie Dump Station		\$20,900	
Lake Ruataniwha			\$55,250

TABLE 2: POSSIBLE FUNDING ALLOCATIONS

POLICY STATUS

FOLLOWING THE MACKENZIE DISTRICT COUNCIL PROCUREMENT POLICY, VERSION 2020-08-25 A PROCUREMENT PLAN IS REQUIRED FOR WORK WITH A VALUE OVER \$10,000 (APPENDIX 10 OF THE POLICY) AS WELL AS 3 WRITTEN COMPETITIVE QUOTES.

AS PER SECTION 5.7.2 WHERE AN EXCEPTION TO THE STANDARD PROCUREMENT IS REQUIRED, A PROPOSAL MUST BE PRESENTED TO COUNCIL FOR APPROVAL. THE PROPOSAL MUST INCLUDE:

- EVIDENCE DOCUMENTING THE REASON FOR THE EXCEPTION
- A PROCUREMENT PLAN DEVELOPED AND SUBMITTED WITH THE REQUEST FOR EXCEPTION
- CONFIRMATION THAT ESTIMATED CONTRACT COSTS ARE OVER THE \$50,000 THRESHOLD.

THIS PROPOSAL AIMS TO COVER THE ABOVE POINTS TO REDUCE THE REQUIREMENT TO GO THROUGH AN OPEN AND COMPETITIVE RFX PROCESS SO THAT XYST CAN BE DIRECTLY ENGAGED TO UNDERTAKE PROJECT MANAGEMENT FOR THE DELIVERY OF THE TIFF PROGRAM OF WORKS.

SIGNIFICANCE OF DECISION

GIVEN THE LEVEL OF TOTAL INVESTMENT (NOTWITHSTANDING THE TIFF ALLOCATION) AND THE LEVEL OF STAKEHOLDER AND COMMUNITY INTEREST, THE INVESTMENT IS CONSIDERED SIGNIFICANT AND TRIGGERS THE NEED TO CONSULT.

THE LEVEL OF CONSULTATION WILL BE RELATIVE TO EACH OF THE PROJECTS, HOWEVER, IN GENERAL IT IS ENVISIONED THAT IT WILL EITHER BE TO THE "INVOLVE OR COLLABORATE" LEVEL AS OUTLINED WITHIN COUNCILS SIGNIFICANCE AND ENGAGEMENT POLICY 2014.

EACH PROJECT PLAN WILL HAVE AN APPROVED COMMUNICATIONS AND ENGAGEMENT PLAN. THE LAKE RUATANIWHA WORKS REQUIRE A FULL CONCEPT PLAN TO BE DEVELOPED AS PART OF THE PROJECT AND PRECONSTRUCTION OF ANY FACILITIES. IT IS RECOMMENDED THAT THIS PLAN IS DEVELOPED THROUGH A FULL ENGAGEMENT PROCESS.

OPTIONS

WHILST THERE ARE MANY POSSIBLE OPTIONS AVAILABLE TO COUNCIL, THE MAIN FOUR THAT STAFF CONSIDER VIABLE ARE OUTLINED BELOW:

OPTION 1: ACCEPT THE TIFF FUNDS, FUND COUNCILS SHARE AND ENGAGE AN EXTERNAL PROJECT MANAGER TO DELIVER THE WORKS

UNDER THIS OPTION COUNCIL WOULD ACCEPT ALL OF THE TIFF ALLOCATED FUNDING AND FUND THE REQUIRED LOCAL SHARE IN GENERAL ACCORDANCE WITH THAT OUTLINED WITHIN THIS REPORT.

TO DELIVER THE WORKS, COUNCIL WOULD ENDORSE THE PROPOSAL TO DIRECT APPOINT XYST LIMITED TO UNDERTAKE PROJECT MANAGEMENT SERVICES.

OPTION 2: ACCEPT THE TIFF FUNDS, FUND COUNCILS SHARE AND EITHER GO TO THE MARKET FOR PROJECT MANAGEMENT SERVICES OR REQUEST THAT THIS BE UNDERTAKEN WITH IN HOUSE RESOURCES

UNDER THIS OPTION COUNCIL WOULD ACCEPT ALL OF THE TIFF ALLOCATED FUNDING AND FUND THE REQUIRED LOCAL SHARE IN GENERAL ACCORDANCE WITH THAT OUTLINED WITHIN THIS REPORT.

COUNCIL WOULD REQUEST STAFF TO EITHER GO TO THE MARKET TO SECURE A PROJECT MANAGER TO DELIVER THE WORKS OR ASK THAT THAT BE COMPLETED WITH IN HOUSE RESOURCES

OPTION 3: DO NOT ACCEPT ALL OF THE FUNDS AND DELIVER ONLY THOSE PROJECTS THAT MET A COUNCIL DETERMINED CRITERIA AND DELIVER VIA IN HOUSE RESOURCES.

UNDER THIS OPTION COUNCIL WOULD DETERMINE WHAT IT CONSIDERS AS AFFORDABLE WORKS (I.E., NOT LOCALLY FUNDED FROM LSDF) AND ONLY ACCEPT TIFF FUNDING FOR THOSE PROJECTS.

OPTION 4: DECLINE ALL TIFF FUNDS

UNDER THIS OPTION COUNCIL WOULD DECLINE ALL FUNDS FROM TIFF.

COUNCIL HAS INDICATED THAT THEY WOULD PREFER TO DELIVER ALL 4 PROJECTS AND IF THIS IS STILL COUNCILS PREFERENCE THEN STAFF CONSIDER OPTION 1 AS THE PREFERRED OPTION.

CONSIDERATIONS

LEGAL

THE TIFF FUNDS HAVE TWO PRECONDITIONS THAT MUST BE MET PRIOR TO BEING ABLE TO ENTER INN TO CONTRACT TO UPLIFT THE FUNDS FOR THE PROJECTS, THESE BEING:

PRE-CONDITION 1

THE RECIPIENT WILL PROVIDE THE MINISTRY WITH EVIDENCE THAT IT HAS CONSULTED WITH THE LOCAL COMMUNITY ON THE PROJECT AND HAS ADVISED THE MINISTRY OF THE OUTCOME OF THAT CONSULTATION

PRE-CONDITION 2

THE RECIPIENT WILL PROVIDE THE MINISTRY WITH EVIDENCE THAT IT HAS SECURED ALL NECESSARY CONSENTS, PERMISSIONS, PERMITS AND APPROVALS TO ENABLE IT TO DELIVER THE PROJECT

STAFF SEE NO ISSUES WITH MEETING THESE CONDITIONS AND AS SOON AS COUNCIL HAS DETERMINED THE WAY FORWARD, WILL BEGIN TO WORK ON ENSURING COMPLIANCE (IF PROJECTS ARE TO PROCEED).

FINANCIAL

TABLE 2 IN THE DISCUSSION SECTION OF THIS REPORT OUTLINES THE POTENTIAL FUNDING ALLOCATION AND MECHANISM, SHOULD COUNCIL WISH TO PROCEED WITH ALL, OR SOME, OF THESE PROJECTS.

SUMMARISED IN THIS SECTION IS THE POTENTIAL SOURCES OF LOCAL FUNDING FOR EACH OF THE PROJECTS.

FAIRLIE TOILETS

THE FAIRLIE TOILET PROJECT REQUIRES A LOCAL SHARE OF JUST OVER \$111,000. IT IS PROPOSED TO TAKE THIS FUNDING FROM THE ALLOCATION OF \$150K ALLOCATION MADE IN THE DRAFT LONG TERM PLAN 2021/31 FOR TOILET RENEWALS.

THE ALLOCATION OF THIS LEVEL OF FUNDS TO THIS ONE PROJECT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE PROGRAM, AS THE FACILITY WAS IN LINE TO HAVE A LARGE SPENT FOR THIS ACCOUNT IN THE 2021/22 IN ANY CASE.

FAIRLIE CARAVAN DUMP STATION

THE FAIRLIE CARAVAN DUMP STATION REQUIRES A LOCAL SHARE OF JUST UNDER \$21,000. IT IS PROPOSED TO TAKE THIS FUNDING FROM CARRY FORWARD BUDGET OF \$62,000 FROM THE 2020/21 YEAR PUBLIC TOILET FUNDING ALLOCATION. NONE OF THESE FUNDS WERE SPENT DUE TO BOTH THIS APPLICATION PROCESS AND THE IMMINENT DELIVERY OF A TOILET STRATEGY.

IT IS NOTED THAT THE NEW ZEALAND MOTOR CARAVAN ASSOCIATION HAS BEEN CONTACTED AND MAY BE ABLE TO PROVIDE FUNDING AND/OR EXPERTISE TO THIS PROJECT, THEREBY OFFSETTING SOME OF THE COSTS.

LAKE PUKAKI AND RUATANIWHA PROJECTS

THESE PROJECTS REQUIRE A LOCAL SHARE OF JUST \$208,000. IT IS PROPOSED TO TAKE THESE FUNDS FROM THE LAND SUBDIVISION ALLOCATION, OF WHICH THERE WAS ESTIMATED TO HAVE A BALANCE OF \$4.9M BY THE END OF 2020/21¹.

FUNDS IN THE LSDF ARE ALLOCATED TO:

"...THE USE OF CONTRIBUTIONS BY WAY OF LAND OR CASH AT THE TIME OF SUBDIVISION OR DEVELOPMENT WILL ASSIST THE COUNCIL IN ACQUIRING FURTHER RESERVES TO IMPROVE THE AVAILABILITY OF THESE OR TO IMPROVE AND MAINTAIN THE QUALITY AND FACILITIES OF EXISTING RECREATION AND OPEN SPACE AREAS. THESE NEW OR IMPROVED RECREATION AREAS AND FACILITIES WILL SERVE THE PEOPLE WHO WILL BE HOUSED OR WORK IN THE NEW SUBDIVISIONS OR DEVELOPMENTS."

BOTH PROJECTS ARE DEEMED TO MEET THE REQUIREMENTS OF THE DISTRICT PLAN REQUIREMENTS FOR DRAWING ON THESE FUNDS.

¹ COUNCIL REPORT "OPEN SPACES AND RECREATIONAL CONTRIBUTION USE SEPTEMBER 2020"

CONCLUSION

COUNCIL APPLIED FOR AND HAS SUCCESSFULLY SECURED, TIFF ROUND 5 FUNDING OF OVER \$2M FOR 5 PROJECTS ACROSS THE DISTRICT. AS PART OF THE PROCESS FOR BEING ABLE TO DRAW ON THESE FUNDS, COUNCIL MUST CONTRIBUTE A LOCAL SHARE. THIS SHARE IS NOT FUNDED IN CURRENT OR FUTURE BUDGETS AS STAFF WERE UNAWARE OF A FIFTH APPLICATION ROUND AND MUST BE MADE UP FROM ALLOCATED AND/OR EXISTING BUDGETS. THIS ALLOCATION OF FUNDS AWAY FROM ITS ORIGINAL INTENT REQUIRES COUNCIL SUPPORT.

THE ALLOCATION ALSO PUTS FURTHER WORKLOAD AS THE PROJECTS NEED TO BE COMPLETED WITHIN A 2 YEAR TIMEFRAME. WITH SUCH A TIGHT TIMEFRAME AND OTHER PRESSURES ON STAFF, IT IS RECOMMEND THAT AN EXTERNAL PROJECT MANAGER IS APPOINTED TO RUN THE PROGRAM OF WORK AND DELIVER THE PROJECTS.



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
HĪKINA WHAKATUTUKI



15 July 2021

Suzette van Aswegen
Chief Executive
Mackenzie District Council

suzette.vanaswegen@mackenzie.govt.nz

Dear Suzette

FUND: Tourism Infrastructure Fund Round 5
ORGANISATION: Mackenzie District Council

I am pleased to advise that your application/s have been approved for funding as shown in the table below:

Project	Funding Decision	Total Funding Approved (GST excl.)
Fairlie Toilets	Approved	\$624,080
Lake Pukaki Carpark and lookout toilets	Approved	\$813,480
Lake Ruataniwha Reserve Development	Approved with the condition that funding is only put toward the designated carpark, toilets and landscaping.	\$680,000 Includes \$30,000 OPEX
Fairlie Camper Dump Station	Approved	\$84,100 Includes \$10,000 OPEX

Pre-Contract Conditions

No Contract will be entered into until the Ministry has confirmed to the Recipient in writing that it has received, and found, in its sole discretion, to be satisfactory to it in form and substance, the following evidence:

- 1) The Recipient will provide the Ministry with evidence that it has consulted with the local community on the Project and has advised the Ministry of the outcome of that consultation; and
- 2) The Recipient will provide the Ministry with evidence that it has secured all necessary consents, permissions, permits and approvals to enable it to deliver the Project.

Once you have advised the Ministry that any pre-contract conditions are satisfied, the Ministry will work with you to enter into a Funding Agreement (**Contract**) for your proposed Project, based on the information provided in your application or a revised set of dates you will provide. The Contract will be sent to you electronically for signing.

Please be advised that the Ministry expects the pre-contract conditions be satisfied within six months from the date of this letter and the project to be completed within 18 months from the date the contract is signed.

Public Statements

As part of the Ministry's standard funding process, we ask that you refrain from making any media statements about this funding until it is publicly announced by the Minister of Tourism. The Ministry may include brief details of the project and the amount approved on the Ministry's website.

No Contractual Obligations

Please be aware that this letter creates no rights or obligations on either party until a written Contract has been signed on behalf of both parties and exchanged so that each party hold a copy of the signed Contract (if any). The Ministry will not be bound in any way until a Contract is executed.

If you have any questions regarding this letter please feel free to email your query to tif@mbie.govt.nz

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Liz Vallières', with a stylized flourish at the end.

Liz Vallières

Manager, Investment Management & Performance

Tourism Branch

Provision of a Program Manager to deliver the TiFF Program of Works - Procurement Plan Proposal

Prepared by: Tim Harty

Reviewed by: Council

Accepted for use: By Resolution of Council – Resolution Number _____

Revision: A

Date: 25/07/2021

1.1 Background

Councils Open Spaces and Facilities Team currently consists of 0.75 FTE and a consultant (Brain Milne, Xyst) on a fix term contract (for 40 hours a fortnight). Funding has been made available to recruit a Manager Community and Places and there is a vacant position for a Community Services Officer (to be filled after the manager is recruited).

For the Tourism Infrastructure Fund (TiFF) Round 5 application process, Council used Xyst resources to develop the 5 applications. This was due to the high possibility of success with the target for these funds being Councils whose tourism activities were significantly impacted by Covid-19.

Council has been successful with 4 of the 5 applications (some \$2.2m) and now needs to deliver the works within a 2-year period.

To do this it is proposed that Xyst Limited be secured to undertake Program Management of the delivery of all 4 projects. Xyst are the best choice for this as they have a working understanding of the district and also understand the application, being the authors.

It is expected that program management role will involve the following:

- Provision of a proposal, programme and deliverables for the works (Hold Point)
- Scoping of the works for all 4 projects, developing project briefs and determining best delivery mechanism
- Securing approval of the delivery mechanism (Hold Point)
- Developing a document(s) for the open market for the approved delivery mechanism
- Supporting award of the works (Hold Point)
- Management of the delivery of the capital works
- All reporting, both internal and external, required by Council and TiFF.

At each Hold Point a Council (staff of Council, dependant on delegations) decision must be made prior to progressing to the next stage of works.

A proposal from Xyst to undertake these works has been requested. Once received it will be processed in accordance with the Procurement Policy and Delegations.

Following the Mackenzie District Council Procurement Policy, version 2020-08-25 a procurement plan is required for work with a value over \$10,000 (Appendix 10 of the Policy) as well as 3 written competitive quotes.

As per section 5.7.2 where an exception to the standard procurement is required, a proposal must be presented to Council for approval. The proposal must include:

- evidence documenting the reason for the exception
- a procurement plan developed and submitted with the request for exception
- Confirmation that estimated contract costs are over the \$50,000 threshold.

This proposal and procurement plan aims to cover the above points to reduce the requirement to go through an open and competitive RFx process so that Xyst can be directly engaged.

It is recommended that:

1. Xyst be engaged to provide Program Management support for the delivery of the 4 TIFF funded projects
2. Xyst submit a proposal for the scope of works required for the Program Management support, as outlined within this procurement plan,
3. The submitted scope of works be approved via the processes outlined within Councils Delegations Manual.

1.1.1 Evidence Documenting the Reasons for the Exception

The key reasons for the exemption are as follows:

- To go through an open and competitive RFx process will be onerous and delay the programme of works that is already constrained.
- The works are specialist works that require a suitably experienced consultant
- The consultancy market is currently constrained
- The consultant has suitable experience and history working with the Council
- The engagement will be on a time and expenses basis with a budget estimate
- This reduces time to engage a suitable reviewer for other packages of works and provides consistency in reviewer and responsibility.

1.2 Statement of requirements

1.2.1 Description of the works

To provide the Council with Program Management support to deliver the 4 TIFF funded projects on time and within budget.

1.3 Risk management

Xyst are being engaged by Council to ensure the program of works will be delivered on time and within budget and to supplement Council resources.

Xyst staff understand Council processes and procedures and also have an in-depth knowledge of the projects having drafted the applications.

They are not tasked with delivery of the physical works nor final selection of the delivery mechanism. As such appointment of Xyst does not reduce the liability to the designers but gives additional assurances that robust process has been undertaken and that Council reduce their risks to obtaining their desired project outcomes.

1.4 Procurement strategy

The procurement strategy is to direct engage Xyst Limited following submission of a proposal and approval via delegated authority.

1.5 Proposed contract terms and conditions

The proposed contract terms and conditions are the standard conditions in the IPENZ/ACENZ Short Form Agreement for Consultant Engagement.

6.5 AD HOC GRANT APPLICATIONS**AUTHOR:** TIM MULCOCK, TRANSITION MANAGER**AUTHORISER:** ANGELA OOSTHUIZEN, ACTING CHIEF EXECUTIVE**ATTACHMENTS:**
1. **SCCC SPONSORSHIP AGREEMENT**  
2. **AORAKI FOUNDATION INVOICE**  **COUNCIL ROLE:**

- ☐ **ADVOCACY** WHEN COUNCIL OR COMMITTEE ADVOCATES ON ITS OWN BEHALF OR ON BEHALF OF ITS COMMUNITY TO ANOTHER LEVEL OF GOVERNMENT/BODY/AGENCY.
- ☒ **EXECUTIVE** THE SUBSTANTIAL DIRECTION SETTING AND OVERSIGHT ROLE OF THE COUNCIL OR COMMITTEE E.G. ADOPTING PLANS AND REPORTS, ACCEPTING TENDERS, DIRECTING OPERATIONS, SETTING AND AMENDING BUDGETS.
- ☐ **LEGISLATIVE** INCLUDES ADOPTING DISTRICT PLANS AND PLAN CHANGES, BYLAWS AND POLICIES.
- ☐ **REVIEW** WHEN COUNCIL OR COMMITTEE REVIEWS DECISIONS MADE BY OFFICERS.
- ☐ **QUASI-JUDICIAL** WHEN COUNCIL DETERMINES AN APPLICATION/MATTER THAT DIRECTLY AFFECTS A PERSON'S RIGHTS AND INTERESTS. THE JUDICIAL CHARACTER ARISES FROM THE OBLIGATION TO ABIDE BY THE PRINCIPLES OF NATURAL JUSTICE, E.G. RESOURCE CONSENT OR PLANNING APPLICATIONS OR OBJECTIONS, CONSENTS OR OTHER PERMITS/LICENCES (E.G. UNDER HEALTH ACT, DOG CONTROL ACT) AND OTHER DECISIONS THAT MAY BE APPEALABLE TO THE COURT INCLUDING THE ENVIRONMENT COURT.
- ☐ **NOT APPLICABLE** (NOT APPLICABLE TO COMMUNITY BOARDS).

PURPOSE OF REPORT

TO CONSIDER THE IMPLEMENTATION OF A FORMAL PROCESS FOR THE CONSIDERATION OF AD HOC GRANT REQUESTS. AND, IN THIS CONTEXT, TO CONSIDER A RETROSPECTIVE APPLICATION FOR AN AD HOC GRANT FROM THE AORAKI FOUNDATION FOR ANNUAL FINANCIAL SUPPORT FOR THE YEAR TO DECEMBER 2020, AND A GRANT REQUEST FROM THE SOUTH CANTERBURY CHAMBER OF COMMERCE FOR 2022 AND 2023 BUSINESS EXCELLENCE AWARDS.

STAFF RECOMMENDATIONS

1. THAT THE REPORT BE RECEIVED.
2. THAT COUNCIL RESOLVES TO ESTABLISH AN ADDITIONAL BUDGET OF \$15,000 FOR THE 2021-2022 FINANCIAL YEAR TO ALLOW FOR BUDGETED FUNDING OF ANY APPROVED AD HOC GRANT REQUESTS. THIS WOULD BE FUNDED FROM GENERAL RATES.

3. THAT COUNCIL RESOLVES TO RETROSPECTIVELY APPROVE THE ANNUAL GRANT OF \$1,000 (NO GST) FROM THE GRANTS AND DONATIONS BUDGET FOR THE YEAR TO DECEMBER 31 2020.
4. THAT COUNCIL RESOLVES TO EITHER;
5. APPROVE A GRANT OF \$2,500 PLUS GST FOR SPONSORSHIP OF THE SOUTH CANTERBURY BUSINESS EXCELLENCE AWARDS FOR THE YEAR FROM JULY 1 2021 TO JUNE 30 2022, OR
6. APPROVE A GRANT OF \$5,000 PLUS GST FOR SPONSORSHIP OF THE SOUTH CANTERBURY BUSINESS EXCELLENCE AWARDS FOR THE TWO YEAR PERIOD FROM, JULY 1 2021 TO JUNE 30 2023, OR
7. DECLINE GRANT APPLICATION.

BACKGROUND

HISTORICALLY MACKENZIE DISTRICT COUNCIL HAS MADE SEVERAL SMALL GRANTS TO WORTHY ORGANISATIONS DELIVERING BENEFITS TO THE MACKENZIE DISTRICT. THIS PROCESS HAS BEEN INFORMAL, WITH INFORMAL MAYORAL APPROVAL (OFTEN VIA EMAIL), AND PAYMENTS MADE FROM OPERATING EXPENSES.

THESE AD HOC GRANT APPLICATIONS SIT OUTSIDE THE CLEARLY DEFINED GRANT APPLICATION FUNDING OPTIONS (THESE OPTIONS INCLUDE THE CREATIVE COMMUNITIES FUND, SPORTNZ, LAND SUBDIVISION RESERVE, HERITAGE PROTECTION FUND, ETC.) HAVE HAD TO BE CONSIDERED AS UNBUDGETED FUNDING REQUESTS.

TO REMOVE THE HURDLE OF AN UNBUDGETED FUNDING REQUEST AND TO IMPROVE THE TRANSPARENCY OF THE PROCESS, IT IS PROPOSED TO ESTABLISH A SMALL FUND WITH THE POTENTIAL TO FUND WORTHY, PUBLIC GOOD, GRANT APPLICATIONS THAT COMPLY WITH THE SECTION 3.1 ASSESSMENT CRITERIA IN THE COMMUNITY GRANTS POLICY (SEE TABLE BELOW). GRANT REQUESTS THAT COULD BE CONSIDERED FOR THIS AD HOC GRANTS BUDGET COULD INCLUDE:

- SOUTH CANTERBURY BUSINESS AWARDS FUNDING
- AORAKI FOUNDATION FUNDING
- MACKENZIE COUNTY SCHOLARSHIP TOP-UP FUNDING

COUNCIL GRANTS OFFICER, (OR OTHER SUITABLY DELEGATED OFFICER) WOULD RECEIVE THESE REQUESTS AND BRING THEM FORMALLY TO A COUNCIL MEETING FOR CONSIDERATION AND APPROVAL BY FORMAL RESOLUTION.

THIS REPORT ALSO BRINGS A RETROSPECTIVE GRANT REQUEST FROM AORAKI FOUNDATION AND A CURRENT REQUEST FROM SOUTH CANTERBURY CHAMBER OF COMMERCE FOR CONSIDERATION. THESE ARE EXAMPLES OF THE AD HOC GRANT REQUESTS WE ARE PROPOSING SHOULD FOLLOW A MORE FORMAL CONSIDERATION PROCESS, WITH ANY APPROVAL CONFIRMED BY FORMAL COUNCIL RESOLUTION.

AORAKI FOUNDATION SUPPORT

AORAKI FOUNDATION IS A CHARITABLE TRUST. ITS PRIMARY FOCUS IS TO HELP CHARITABLE CAUSES IN THE SOUTH CANTERBURY DISTRICT.

THE AORAKI FOUNDATION OPERATES SEVERAL FUNDS: THE SOUTH CANTERBURY HEALTH ENDOWMENT FUND IN CONJUNCTION WITH THE SOUTH CANTERBURY DISTRICT HEALTH BOARD;

SUB FUNDS FOR THE WAIMATE, TIMARU AND MACKENZIE DISTRICTS; NAMED FUNDS FOR GIFTS OF MORE THAN \$50,000 OR MORE THAT HAVE BEEN GIFTED FOR SPECIAL PURPOSES OR CAUSES, AND THE GENERAL COMMUNITY IMPACT FUND FOR ALL OTHER GIFTS AND BEQUESTS. THE AORAKI FOUNDATION IS GUIDED BY A GROUP OF VOLUNTARY TRUSTEES.

MACKENZIE DISTRICT COUNCIL HAS HAD A HISTORIC RELATIONSHIP WITH THE AORAKI FOUNDATION CONTRIBUTING A GRANT OF \$1,000 PER ANNUM TO HELP SUPPORT THE WORK OF THE FOUNDATION. THE GRANTING PROCESS HAS NOT PREVIOUSLY BEEN FORMALLY MANAGED THROUGH THE PROCESS OF COUNCIL RESOLUTION. THIS REPORT FORMALISES THE GRANTING PROCESS.

IN THE CASE OF THE YEAR TO DECEMBER 2020, THE GRANT HAS BEEN INFORMALLY APPROVED AND PAID. THIS REPORT REQUESTS RETROSPECTIVE APPROVAL. COUNCIL HAS SUPPORTED THE AORAKI FOUNDATION WITH \$1,000 ANNUAL GRANT FUNDING FOR EACH OF THE PREVIOUS SIX YEARS.

OVER THE LAST SIX YEARS THE AORAKI FOUNDATION HAS PROVIDED FUNDING FOR KEY MACKENZIE DISTRICT COMMUNITY PROJECTS INCLUDING SUPPORT FOR THE TWIZEL MEDICAL CENTRE, THE TEKAPO FOOTBRIDGE, THE FAIRLIE SWIMMING POOL, MOREH HOUSE, TEKAPO BRIGHTSTARS EARLY LEARNING, TEKAPO SWIMMING POOL, THE PLAYGROUND TOWER AT MACKENZIE COLLEGE, AND THE FAIRLIE SKATE PARK.

AORAKI FOUNDATION GRANT REQUEST ASSESSMENT

COUNCIL'S COMMUNITY GRANTS POLICY (SPECIFICALLY SECTION 3.1 GENERAL GRANT ASSESSMENT CRITERIA) PROVIDES GRANT APPLICATION ASSESSMENT GUIDANCE. A SUMMARY OF ALIGNMENT WITH THIS SECTION FOLLOWS:

GENERAL GRANT ASSESSMENT CRITERIA	ALIGNMENT	COMMENTS
DOES THE APPLICATION ASSIST THE COUNCIL TO ACHIEVE ITS STRATEGIC DIRECTION?	YES	SUPPORTED COMMUNITY INITIATIVES PROVIDE DIRECT BENEFIT TO MACKENZIE COMMUNITIES
WILL THE GRANT DIRECTLY BENEFIT RATEPAYERS/RESIDENTS IN THE MACKENZIE DISTRICT? IF SO, HOW MANY?	YES	AORAKI FOUNDATION SUPPORT A RANGE OF COMMUNITY PROJECTS ACROSS THE MACKENZIE DISTRICT.
ARE THERE ANY OTHER BODIES WHICH ARE SPECIFICALLY DESIGNED TO CATER FOR THESE REQUESTS E.G. CREATIVE NEW ZEALAND, MID-SOUTH CANTERBURY TRUST, AND LOTTERY GRANTS COMMISSION?	N/A	AORAKI FOUNDATION ARE ONE OF SEVERAL AGENCIES OFFERING FUNDING FOR COMMUNITY INITIATIVES. THE FOUNDATION OFTEN SUPPORTS INITIATIVES THAT HAVE SEVERAL FUNDERS.

HAS THE ORGANISATION RECEIVED, OR HAVE THEY APPLIED FOR FUNDS FROM OTHER ORGANISATIONS FOR THE SAME PROJECT? IF SO, HOW MUCH?	YES	AORAKI FOUNDATION IS A REGISTERED CHARITABLE TRUST AND RECEIVES FUNDS FROM A WIDE RANGE OF PUBLIC AND PRIVATE ORGANISATIONS AND INDIVIDUALS.
HOW MUCH OF THEIR OWN FUNDS DOES THE ORGANISATION HAVE TO PUT TOWARD THIS REQUEST/PROJECT?	YES	AORAKI FOUNDATION TYPICALLY FUND MACKENZIE PROJECTS WELL IN EXCESS OF THE ANNUAL \$1,000 GRANT PROPOSED. E.G. IN THE 2020 CALENDAR YEAR, AORAKI FOUNDATION PROVIDED \$20,000 FUNDING SUPPORT FOR MACKENZIE INITIATIVES.
IS THE ORGANISATION/INDIVIDUAL A NON-PROFIT BODY AND ABLE TO ACCURATELY ACCOUNT FOR ANY FUNDS GRANTED?	YES	AORAKI FOUNDATION IS A REGISTERED CHARITABLE TRUST AND SUBJECT TO THE CHARITIES SERVICES REPORTING REQUIREMENTS
HAS THE ORGANISATION SUPPLIED ALL INFORMATION ON THE APPLICATION FORM INCLUDING A SET OF ACCOUNTS?	N/A	HISTORICALLY THIS EXPECTATION HAS NOT BE MADE. AORAKI FOUNDATION HAVE BEEN A REGISTERED CHARITY SINCE 2009. FINANCIAL STATEMENTS ARE AVAILABLE VIA THE CHARITY SERVICES WEBSITE (HTTPS://WWW.REGISTER.CHARITIES.GOVT.NZ/CHARITY/C42601)
WHAT IS THE EFFECT ON THE INDIVIDUAL/ORGANISATION IF THE COUNCIL DOES NOT SUPPORT THE APPLICATION?	YES	AORAKI FOUNDATION IS REGARDED AS A KEY PART-FUNDER OF PUBLIC-GOOD COMMUNITY PROJECTS IN THE MACKENZIE DISTRICT.

SOUTH CANTERBURY CHAMBER OF COMMERCE BUSINESS EXCELLENCE AWARDS

MACKENZIE DISTRICT COUNCIL HAS BEEN A MEMBER OF THE SOUTH CANTERBURY CHAMBER OF COMMERCE (SCCC) SINCE 1991 AND HAS PROVIDED FINANCIAL SUPPORT OF \$2,000 PLUS GST FOR THE BUSINESS EXCELLENCE AWARDS (RUN BY THE SCCC) SINCE 2016.

THE BUSINESS AWARDS PROGRAMME PROVIDES A SHOWCASE FOR MACKENZIE BUSINESSES AND THE FINAL GALA EVENING IS A USEFUL NETWORKING EVENT WITH OVER 350 GUESTS ATTENDING.

THIS YEAR SCCC HAS REQUESTED FINANCIAL SUPPORT FOR THE BUSINESS AWARDS OF \$2,500 + GST PER YEAR AND A COMMITMENT FROM MACKENZIE DISTRICT COUNCIL FOR THE NEXT TWO YEARS (A TOTAL FINANCIAL COMMITMENT OF \$5,000 + GST). OPTIONS PROPOSED FOR COUNCIL CONSIDERATION ARE:

- APPROVE A GRANT OF \$2,500 PLUS GST FOR SPONSORSHIP OF THE SOUTH CANTERBURY BUSINESS EXCELLENCE AWARDS FOR THE YEAR FROM JULY 1 2021 TO JUNE 30 2022 (RECOMMENDED OPTION).
- APPROVE A GRANT OF \$5,000 PLUS GST FOR SPONSORSHIP OF THE SOUTH CANTERBURY BUSINESS EXCELLENCE AWARDS FOR THE TWO YEAR PERIOD FROM, JULY 1 2021 TO JUNE 30 2023.
- DECLINE GRANT APPLICATION.

BUSINESS EXCELLENCE AWARDS GRANT REQUEST ASSESSMENT

COUNCIL'S COMMUNITY GRANTS POLICY (SPECIFICALLY SECTION 3.1 GENERAL GRANT ASSESSMENT CRITERIA) PROVIDES GRANT APPLICATION ASSESSMENT GUIDANCE. A SUMMARY OF ALIGNMENT WITH THIS SECTION FOLLOWS:

GENERAL GRANT ASSESSMENT CRITERIA	ALIGNED	COMMENTS
DOES THE APPLICATION ASSIST THE COUNCIL TO ACHIEVE ITS STRATEGIC DIRECTION?	YES	THE BUSINESS EXCELLENCE AWARDS HAVE A HIGH STRATEGIC VALUE AND SUPPORT THE COMMUNITY OUTCOME ENCOURAGING A <i>STRONG AND INNOVATIVE ECONOMY</i> .
WILL THE GRANT DIRECTLY BENEFIT RATEPAYERS/RESIDENTS IN THE MACKENZIE DISTRICT? IF SO, HOW MANY?	YES	THE BUSINESS EXCELLENCE AWARDS DIRECTLY PROVIDES THE BUSINESS COMMUNITY WITH THE OPPORTUNITY TO SHOWCASE THEIR BUSINESS AND TO BUILD STRONGER NETWORK RELATIONSHIPS ACROSS THE REGION.
ARE THERE ANY OTHER BODIES WHICH ARE SPECIFICALLY DESIGNED TO CATER FOR THESE REQUESTS E.G. CREATIVE NEW ZEALAND, MID-SOUTH CANTERBURY TRUST, AND LOTTERY GRANTS COMMISSION?	YES	WHILE THE BUSINESS EXCELLENCE AWARDS HAVE A RANGE OF OTHER SPONSORS, IT IS REGARDED AS A GOOD FIT FOR COUNCIL TO SUPPORT THIS REQUEST.
HAS THE ORGANISATION RECEIVED, OR HAVE THEY APPLIED FOR FUNDS FROM OTHER ORGANISATIONS FOR THE SAME PROJECT? IF SO, HOW MUCH?	YES	THE BUSINESS EXCELLENCE AWARDS PROGRAMME RECEIVES SPONSORSHIP FROM A WIDE RANGE OF PUBLIC AND PRIVATE ORGANISATIONS AND INDIVIDUALS. OTHER SPONSORSHIP FUNDING IS NOT SPECIFICALLY MADE AVAILABLE, BUT THE ARA CANTERBURY POLYTECHNIC IS THE PREMIER SPONSOR, AND OTHER ORGANISATIONS SPONSOR SPECIFIC AWARDS. MACKENZIE DISTRICT COUNCIL LEVEL OF SPONSORSHIP DOES NOT INCLUDE RECOGNITION ON THE WEBSITE.

HOW MUCH OF THEIR OWN FUNDS DOES THE ORGANISATION HAVE TO PUT TOWARD THIS REQUEST/PROJECT?	-	UNDISCLOSED.
IS THE ORGANISATION/INDIVIDUAL A NON-PROFIT BODY AND ABLE TO ACCURATELY ACCOUNT FOR ANY FUNDS GRANTED?	YES	SCCC IS AN INCORPORATED SOCIETY AND COMMITTED TO PROVIDING BUSINESS SUPPORT SERVICES. IT IS REGARDED AS A NOT-FOR-PROFIT (NFP) ORGANISATION.
HAS THE ORGANISATION SUPPLIED ALL INFORMATION ON THE APPLICATION FORM INCLUDING A SET OF ACCOUNTS?	N/A	HISTORICALLY THIS EXPECTATION HAS NOT BE MADE.
WHAT IS THE EFFECT ON THE INDIVIDUAL/ORGANISATION IF THE COUNCIL DOES NOT SUPPORT THE APPLICATION?	YES	SCCC HAS A RELIANCE ON FINANCIAL SUPPORT AN STRATEGIC ALIGNMENT WITH MACKENZIE DISTRICT COUNCIL. THE COUNCIL ALSO BENEFITS FROM BUSINESS EXCELLENCE AWARDS BY ASSOCIATION.

SIGNIFICANCE OF DECISION

NOT CONSIDERED TO BE A SIGNIFICANT DECISION UNDER THE SIGNIFICANCE AND ENGAGEMENT POLICY.

OPTIONS

OPTIONS FOR COUNCIL TO CONSIDERED ARE:

- THAT COUNCIL RESOLVES TO ESTABLISH A BUDGET OF \$20,000 FOR THE 2021-2022 FINANCIAL YEAR TO ALLOW FOR BUDGETED FUNDING OF ANY APPROVED AD HOC GRANT REQUESTS. THIS WOULD BE FUNDED FROM GENERAL RATES.
- THAT COUNCIL RESOLVES TO RETROSPECTIVELY APPROVE THE ANNUAL GRANT OF \$1,000 (NO GST) FROM THE GRANTS AND DONATIONS BUDGET FOR THE YEAR TO DECEMBER 31 2020.
- THAT COUNCIL RESOLVES TO EITHER;
 - (A) APPROVE A GRANT OF \$2,500 PLUS GST FOR SPONSORSHIP OF THE SOUTH CANTERBURY BUSINESS EXCELLENCE AWARDS FOR THE YEAR FROM JULY 1 2021 TO JUNE 30 2022; OR
 - (B) APPROVE A GRANT OF \$5,000 PLUS GST FOR SPONSORSHIP OF THE SOUTH CANTERBURY BUSINESS EXCELLENCE AWARDS FOR THE TWO YEAR PERIOD FROM, JULY 1 2021 TO JUNE 30 2023; OR
 - (C) DECLINE GRANT APPLICATION.

CONSIDERATIONS

LEGAL

NOT APPLICABLE.

FINANCIAL

IT IS PROPOSED THAT AN ADDITIONAL BUDGET OF \$15,000 IS ESTABLISHED AND THAT THE APPROVED AD HOC GRANTS BE FUNDED FROM THE GRANTS AND DONATIONS COST CENTRE (GENERAL LEDGER CODE 303235).

OTHER

NOT APPLICABLE.

CONCLUSION

IT IS RECOMMENDED THAT COUNCIL APPROVE THE ALLOCATION OF \$15,000 FOR AD HOC GRANTS FOR THE 2021-2022 FINANCIAL YEAR.

IT IS RECOMMENDED THAT COUNCIL RETROSPECTIVELY RESOLVE TO FULLY FUND THE AORAKI FOUNDATION GRANT APPLICATION FOR \$1,000 FOR THE YEAR TO DECEMBER 31ST, 2020.

IT IS FURTHER RECOMMENDED THAT COUNCIL APPROVE OPTION 5, FOR A GRANT OF \$2,500 PLUS GST FOR SPONSORSHIP OF THE SOUTH CANTERBURY BUSINESS EXCELLENCE AWARDS FOR ONE YEAR FROM JULY 1 2021 TO JUNE 30 2022.



25 June 2021

Mayor Graham Smith
Mackenzie District Council
PO Box 52
FAIRLIE 7949



Dear Mayor Graham,

On behalf of the South Canterbury Chamber of Commerce, we would like to thank you for your ongoing support sponsorship of the 2021 ARA Business Excellence Awards.

The ongoing sponsorship from Mackenzie District Council is much appreciated. It demonstrates a commitment to supporting our business community and enabling district wide BEA workshops to take place, and for this, we are grateful. Please find enclosed with this letter your Certificate of Appreciation as a sponsor.

The gala awards function was an extremely successful evening, showcasing the wealth of business talent in South Canterbury and we were delighted that you were able to join us. The evening was a sell out with 370 guests attending. The category and award winners have been thrilled with their successes, and the range of businesses featured highlights the impressive and inspiring business community within South Canterbury.

Photos from the gala evening are now available for viewing at:

[Business Excellence Awards 2021](#)

Looking forward to 2022 we are excited to again be hosting the ARA Business Excellence Awards at the Caroline Bay Hall and hope you will join us once again as a support sponsor. Please find attached a renewal agreement.

Yours sincerely

Wendy Smith
Chief Executive



SPONSORSHIP AGREEMENT 2022 & 2023

DATE: 25 June 2021

BETWEEN: **Mackenzie District Council** (*Sponsor*) &

The South Canterbury Chamber of Commerce (*Sponsee*)

TERMS OF AGREEMENT:

The sponsee agrees to grant the sponsor the following sponsorship rights:

- **Naming rights - Mackenzie District Council BEA Workshops.** Support Sponsor for the Business Excellence Awards 2022 and 2023.
There will be 6+ workshops. The venues will be Timaru, Fairlie, Twizel, Geraldine, Waimate and remote workshops.
- Placement on the **Business Excellence Awards website page**
<https://southcanterbury.org.nz/business/business-excellence-awards/>
- **2 complimentary tickets** to the gala awards evening.
- **Brand exposure** through promotional material and lead up events to the Business Excellence Awards.

This includes:

- Workshops for prospective applicants before the event.
- The awards entry and information page on the southcanterbury.org.nz website, the scchamber.org.nz websites, and hardcopy entry forms.
- Inclusion in social media promotion (i.e., Facebook)
- Tickets and programmes for all event attendees.
- Wide range of advertisements promoting the awards including radio, newspaper, and a hard copy printed tabloid.
- Winners workshop after the gala awards evening; and
- Hero imaging in the South Canterbury Chamber office.

- Optional newspaper advertisement in the BEA tabloid published in The Timaru Herald (at sponsors expense).
1. It is agreed that at the time of renegotiation, the sponsee will automatically invite the sponsor to renegotiate the agreement.
 2. The sponsorship will be for the period of 2 years covering the Business Excellence Awards for 2022 and 2023.
 3. The sponsor agrees to provide **\$2,500 plus GST** per year for BEA 2022 and BEA 2023.

Signed:

The sponsor

Title

Date:

Wendy Smith

The sponsee

Chief Executive

Title

25/06/2021

Date



Mackenzie District Council

Support Sponsor to the

2021 Alpine Energy Business Excellence Awards



Premier Sponsor



Proudly Brought To You By





TAX INVOICE

MacKenzie District Council
PO Box 52
Fairlie 7949

Invoice Date
29 Jan 2021

Invoice Number
INV-0046

GST Number
103-022-800

Reference
2020 Year Support

*In Account with
Aoraki Foundation*

Operational Support to Aoraki Foundation for the 12 months to 31 December 2020.	1,000.00
Subtotal	1,000.00
Total No GST	0.00
Invoice Total	\$1,000.00

Payment can be made to **BNZ 02-0888-0060224-00**

T 03 687 7363 | **E** admin@aorakifoundation.co.nz | **W** www.aorakifoundation.co.nz

The Aoraki Foundation is a registered charity (CC42607) under the Charities Act 2005.

6.6 ADOPTION OF DELEGATIONS MANUAL REVISIONS**FILE REFERENCE:****AUTHOR:** TIM MULCOCK, TRANSITION MANAGER**AUTHORISER:** ANGELA OOSTHUIZEN, INTERNAL PROJECT MANAGER - LTP**ATTACHMENTS:** 1. 3. DELEGATIONS MANUAL - DRAFT 20210727  **COUNCIL ROLE:**

<input type="checkbox"/> ADVOCACY	WHEN COUNCIL OR COMMITTEE ADVOCATES ON ITS OWN BEHALF OR ON BEHALF OF ITS COMMUNITY TO ANOTHER LEVEL OF GOVERNMENT/BODY/AGENCY.
<input checked="" type="checkbox"/> EXECUTIVE	THE SUBSTANTIAL DIRECTION SETTING AND OVERSIGHT ROLE OF THE COUNCIL OR COMMITTEE E.G. ADOPTING PLANS AND REPORTS, ACCEPTING TENDERS, DIRECTING OPERATIONS, SETTING AND AMENDING BUDGETS.
<input type="checkbox"/> LEGISLATIVE	INCLUDES ADOPTING DISTRICT PLANS AND PLAN CHANGES, BYLAWS AND POLICIES.
<input type="checkbox"/> REVIEW	WHEN COUNCIL OR COMMITTEE REVIEWS DECISIONS MADE BY OFFICERS.
<input type="checkbox"/> QUASI-JUDICIAL	WHEN COUNCIL DETERMINES AN APPLICATION/MATTER THAT DIRECTLY AFFECTS A PERSON'S RIGHTS AND INTERESTS. THE JUDICIAL CHARACTER ARISES FROM THE OBLIGATION TO ABIDE BY THE PRINCIPLES OF NATURAL JUSTICE, E.G. RESOURCE CONSENT OR PLANNING APPLICATIONS OR OBJECTIONS, CONSENTS OR OTHER PERMITS/LICENCES (E.G. UNDER HEALTH ACT, DOG CONTROL ACT) AND OTHER DECISIONS THAT MAY BE APPEALABLE TO THE COURT INCLUDING THE ENVIRONMENT COURT.
<input type="checkbox"/> NOT APPLICABLE	(NOT APPLICABLE TO COMMUNITY BOARDS).

PURPOSE OF REPORT

THE PURPOSE OF THIS REPORT IS FOR COUNCIL TO CONSIDER ADOPTION OF A REVISED DELEGATIONS MANUAL.

STAFF RECOMMENDATIONS

1. THAT THE REPORT BE RECEIVED.
2. THAT COUNCIL ADOPT THE PROPOSED CHANGES TO THE DELEGATIONS MANUAL DATED JULY 2021

BACKGROUND

MACKENZIE DISTRICT COUNCIL'S DELEGATIONS MANUAL ENSURES THAT AUTHORITY AND RESPONSIBILITY EXIST FOR THE EFFICIENT AND EFFECTIVE CONDUCT OF COUNCIL BUSINESS. IT IS A KEY TOOL IN ASSISTING THE COUNCIL TO ACHIEVE ITS GOALS EFFECTIVELY.

COUNCIL ADOPTED THE CURRENT VERSION OF THE DELEGATIONS MANUAL IN DECEMBER 2020. THE DELEGATIONS MANUAL IS TO BE REVIEWED IN FULL NO LESS THAN EVERY THREE YEARS. IN ADDITION TO THESE 3-YEARLY REVIEWS, TO REMAIN CURRENT, THE DOCUMENT CAN BE AMENDED FROM TIME TO TIME AS APPROPRIATE, FOR EXAMPLE WHERE THERE ARE CHANGES IN LEGISLATION, OR TO GOVERNANCE ARRANGEMENTS SUCH AS THE CREATION OF A NEW SUBCOMMITTEE.

EACH OF THE PROPOSED CHANGES IS DESCRIBED IN THE FOLLOWING SECTIONS WITH A SUMMARY EXPLANATION. A COPY OF THE PROPOSED REVISED DELEGATIONS MANUAL JULY 2021 IS ATTACHED FOR FURTHER INFORMATION. THE PROPOSED CHANGES ARE HIGH-LIGHTED IN YELLOW.

1. DEBTOR POLICY DELEGATIONS

CURRENT VERSION

6.2.8 RATING

S54	AUTHORITY NOT TO COLLECT SMALL AMOUNTS	MANAGER FINANCE, SENIOR REVENUE OFFICER, REVENUE OFFICER	IF AMOUNT OF RATES IN UNECONOMIC TO COLLECT, THEN STAFF HAVE THE ABILITY TO WRITE OFF THE AMOUNTS	
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PROPOSED CHANGE:

6.2.8 RATING

S54	AUTHORITY NOT TO COLLECT SMALL AMOUNTS	MANAGER FINANCE JOINTLY WITH GENERAL MANAGER CORPORATE SERVICES	IF AMOUNT OF RATES IN UNECONOMIC TO COLLECT, THEN THIS DELEGATION HAS THE AUTHORITY TO WRITE OFF UP TO THE SUM OF FIVE THOUSAND DOLLARS (\$5,000) IN ANY ONE CASE	
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PLUS NEW DELEGATION:

6.2.1 GENERAL FUNCTIONS – OTHER DELEGATIONS

	TO WRITE OFF UNRECOVERABLE DEBTS UP TO A MAXIMUM OF FIFTEEN THOUSAND DOLLARS (\$15,000) IN ANY ONE CASE.	GENERAL MANAGER CORPORATE SERVICES JOINTLY WITH CEO		
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2. ALBURY HALL COMMITTEE

TRADITIONALLY AN INFORMAL PUBLIC COMMITTEE HAS TAKEN RESPONSIBILITY FOR SOME MAINTENANCE AND IMPROVEMENT WORK ON THE ALBURY HALL WHICH IS A COUNCIL-OWNED ASSET.

THE FORMALISING OF THE RELATIONSHIP BETWEEN COUNCIL AND THE ALBURY HALL COMMITTEE WOULD ALLOW THE COMMITTEE A CLEAR MANDATE TO BE INVOLVED WITH THE UP-KEEP AND MANAGEMENT OF THE HALL. IT IS PROPOSED TO ADD A SECTION 4.6 TO THE DELEGATIONS

MANUAL TO CONFIRM THE RELATIONSHIP. THIS MODEL COULD ALSO BE USED TO EMPOWER OTHER COMMUNITY GROUPS.

PROPOSED NEW SECTION:

4.7 DELEGATIONS FROM COUNCIL BY WAY OF MEMORANDUM OF UNDERSTANDING WITH COMMUNITY GROUPS

4.7.1 ALBURY HALL COMMITTEE

THE MEMORANDUM OF UNDERSTANDING WITH THE ALBURY HALL COMMITTEE AUTHORISES THE COMMITTEE TO PROVIDE COUNCIL WITH APPROVED INVOICES, AND COUNCIL PAYS THESE INVOICES FROM FUNDS HELD ON BEHALF OF THE ALBURY HALL.

3. STANDARDISE ON TERMINOLOGY “CHAIR” NOT “CHAIRPERSON”.

CURRENTLY THE DELEGATIONS MANUAL LARGELY USES THE TERM “CHAIR” BUT THERE ARE SEVERAL INSTANCES WHERE THE POSITION IS REFERRED TO AS “CHAIRPERSON” OR “CHAIRMAN”.

- SECTION 4.4.3.3
- SECTION 4.4.5.4
- SECTION 4.4.5.5
- SECTION 4.4.6

IT IS PROPOSED TO STANDARDISE ON THE TERM “CHAIR”.

4. IANZ AUDIT PROPOSED CHANGES

FOLLOWING THE IANZ AUDIT ON THE 15TH JULY 2021 SEVERAL CHANGES TO BUILDING CONTROL AUTHORITY DELEGATIONS ARE PROPOSED.

4.1 CHANGE REFERENCE TO “PRINCIPAL BUILDING CONTROL OFFICER”

PRINCIPAL BUILDING CONTROL OFFICER IS NOT A POSITION WIDELY USED ACROSS NATIONAL BCA’S. IT IS PROPOSED TO CHANGE THIS TERM TO “SENIOR BUILDING CONTROL OFFICER” IN THE SECTION WHERE IT OCCURS.

6.2.2 BUILDING CONTROL; S31, S33, S34, S34(4), S35, S36, S38, S39, S45, S46, S48, S49, S50, S51, S52, S54, S67, S68, S90, S91, S93, S94, S95, S96, S98, S99, S102, S106, S107, S109, S110, S111, S112, S113, S115, S116, S116A, S121, S123, S133AL, S133AN, S133AO, S164, S166, S167, S177, S180, S219, S222, S363A, S372

6.2.10.8 SALE AND SUPPLY OF ALCOHOL; S100(F).

4.2 CHANGE S45 DELEGATION

CURRENT VERSION:

S45	TO DETERMINE THAT A BUILDING CONSENT APPLICATION MEETS THE REQUIREMENTS OF SECTION 45	MANAGER REGULATORY, PRINCIPAL BUILDING CONTROL OFFICER, BUILDING CONTROL OFFICER, SENIOR BUILDING CONTROL OFFICER, BUILDING ADMINISTRATION SUPPORT OFFICER		
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PROPOSED VERSION:

S45	TO DETERMINE THAT A BUILDING CONSENT APPLICATION MEETS THE REQUIREMENTS OF SECTION 45	MANAGER REGULATORY, BUILDING CONTROL OFFICER, SENIOR BUILDING CONTROL OFFICER, BUILDING ADMINISTRATION SUPPORT OFFICER		APPOINTED CONTRACTOR
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4.3 ADDITION OF SECTION 133AT DELEGATION

THE CURRENT VERSION OF THE DELEGATIONS MANUAL INCLUDES NO DELEGATED AUTHORITY FOR THE REQUIREMENT IN SECTION 133AT OF THE BUILDING ACT WITH REGARD TO BUILDING ALTERATIONS SUBJECT TO EARTHQUAKE PRONE BUILDINGS. IT IS PROPOSED TO ADD THIS DELEGATION.

PROPOSED NEW ADDITION:**6.2.2 BUILDING CONTROL**

S133AT	POWER TO ASSESS BUILDING CONSENTS FOR ALTERATIONS TO BUILDINGS SUBJECT TO AN EARTHQUAKE PRONE BUILDING NOTICE	MANAGER REGULATORY, OR SENIOR BUILDING CONTROL OFFICER		APPOINTED CONTRACTOR
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4.4 CHANGE TO SECTION 72, 73 AND 74 DELEGATION

FOLLOWING IANZ AUDIT ADVICE IT IS PROPOSED TO CHANGE THE DELEGATIONS FOR SECTIONS 72, 73 AND 74 OF THE BUILDING ACT.

CURRENT VERSION:**6.2.2 BUILDING CONTROL**

S72, S73 & S74	POWER TO GRANT A BUILDING CONSENT FOR BUILDING ON LAND SUBJECT TO NATURAL HAZARDS IN CERTAIN CASES WHERE IT IS JUDGED THAT THE BUILDING WORK WILL NOT ACCELERATE, WORSEN OR RESULT IN A NATURAL HAZARD ON THE LAND AFFECTED OR ON ANY OTHER PROPERTY	MANAGER REGULATORY		
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PROPOSED CHANGE:

6.2.2 BUILDING CONTROL

S72, S73 & S74	POWER TO GRANT A BUILDING CONSENT FOR BUILDING ON LAND SUBJECT TO NATURAL HAZARDS IN CERTAIN CASES WHERE IT IS JUDGED THAT THE BUILDING WORK WILL NOT ACCELERATE, WORSEN OR RESULT IN A NATURAL HAZARD ON THE LAND AFFECTED OR ON ANY OTHER PROPERTY	MANAGER REGULATORY, SENIOR BUILDING CONTROL OFFICER, OR BUILDING CONTROL OFFICER		APPOINTED CONTRACTOR
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4.5 CHANGE TO 6.2.2 BUILDING CONTROL – AMUSEMENT DEVICES REGULATIONS

TO ALLOW PROPERLY AUTHORISED CONTRACT BUILDING CONTROL OFFICERS TO UNDERTAKE THESE FUNCTIONS IT IS PROPOSED TO AMEND THE DELEGATED AUTHORITY TO ALLOW APPOINTED CONTRACTORS TO FULFIL THE DUTIES.

CURRENT VERSION:

6.2.2 BUILDING CONTROL – AMUSEMENT DEVICES REGULATIONS

S11	TO ISSUE A PERMIT FOR AMUSEMENT DEVICES	BUILDING CONTROL OFFICER		
S21A	TO INSPECT AND ISSUE A PERMIT FOR AMUSEMENT DEVICES	BUILDING CONTROL OFFICER		
S23	POWER OF ENTRY WITH REGARD TO AMUSEMENT DEVICES REGULATIONS 1978	BUILDING CONTROL OFFICER		

PROPOSED CHANGED VERSION:

6.2.2 BUILDING CONTROL – AMUSEMENT DEVICES REGULATIONS

S11	TO ISSUE A PERMIT FOR AMUSEMENT DEVICES	BUILDING CONTROL OFFICER		APPOINTED CONTRACTOR
S21A	TO INSPECT AND ISSUE A PERMIT FOR AMUSEMENT DEVICES	BUILDING CONTROL OFFICER		APPOINTED CONTRACTOR
S23	POWER OF ENTRY WITH REGARD TO AMUSEMENT DEVICES REGULATIONS 1978	BUILDING CONTROL OFFICER		APPOINTED CONTRACTOR

4.6 NEW ADDITION TO 6.2.2 BUILDING FOR AUTHORISING MINOR VARIATIONS

PROPOSED ADDITION PROVIDES AUTHORITY FOR BCA AND/OR EQUIVALENTLY QUALIFIED CONTRACTOR TO ALLOW AUTHORISATION BY APPOINTED CONTRACTORS.

PROPOSED NEW VERSION:

S45A	TO DETERMINE THAT AN APPLICATION FOR A MINOR VARIATION MEETS THE REQUIREMENTS OF SECTION 45A ONSITE OR WITHIN THE OFFICE.	MANAGER REGULATORY, BUILDING CONTROL OFFICER, SENIOR BUILDING CONTROL OFFICER, BUILDING ADMINISTRATION SUPPORT OFFICER		APPOINTED CONTRACTOR
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4.7 CHANGE TO 6.2.2 BUILDING CONTROL – ISSUING CCC'S

TO ALLOW BUILDING ADMINISTRATION SUPPORT OFFICERS TO ISSUE CODE OF COMPLIANCE CERTIFICATES.

CURRENT VERSION:

6.2.2 BUILDING CONTROL

S91	POWER TO ISSUE A CODE OF COMPLIANCE CERTIFICATE IN RESPECT FOR BUILDING WORK IN WHICH CONSENT HAS BEEN GRANTED	MANAGER REGULATORY, PRINCIPAL BUILDING CONTROL OFFICER, SENIOR BUILDING CONTROL, OR BUILDING CONTROL OFFICER		APPOINTED CONTRACTORS
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PROPOSED CHANGED VERSION:

6.2.2 BUILDING CONTROL

S91	POWER TO ISSUE A CODE OF COMPLIANCE CERTIFICATE IN RESPECT FOR BUILDING WORK IN WHICH CONSENT HAS BEEN GRANTED	MANAGER REGULATORY, SENIOR BUILDING CONTROL, OR BUILDING CONTROL OFFICER, BUILDING ADMINISTRATION SUPPORT OFFICER		APPOINTED CONTRACTORS
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4.8 ADDITION OF SECTION 162D FOR SWIMMING POOL INSPECTION AUTHORITY

THE CURRENT VERSION OF THE DELEGATIONS MANUAL INCLUDES NO DELEGATED AUTHORITY FOR THE REQUIREMENT IN SECTION 162D OF THE BUILDING ACT WITH REGARD TO SWIMMING POOL INSPECTIONS. IT IS PROPOSED TO ADD THIS DELEGATION.

PROPOSED NEW ADDITION:

6.2.2 BUILDING CONTROL

S162D	POWER TO PERIODICALLY INSPECT RESIDENTIAL SWIMMING POOLS	MANAGER REGULATORY, SENIOR BUILDING CONTROL OFFICER, OR BUILDING CONTROL OFFICER		APPOINTED CONTRACTOR
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4.9 CHANGE TO 6.2.2 BUILDING CONTROL – APPLYING FOR A DETERMINATION

TO ALLOW APPOINTED CONTRACTORS THE AUTHORITY TO APPLY FOR A DETERMINATION AND TO WITHDRAW A DETERMINATION IN CONSULTATION WITH MANAGER REGULATORY.

CURRENT VERSION:

6.2.2 BUILDING CONTROL

S177	TO APPLY FOR A DETERMINATION	SENIOR BUILDING CONTROL OFFICER IN CONSULTATION WITH MANAGER REGULATORY		
S180	TO APPLY FOR A DETERMINATION TO BE WITHDRAWN	SENIOR BUILDING CONTROL OFFICER IN CONSULTATION WITH MANAGER REGULATORY		

PROPOSED CHANGED VERSION:

6.2.2 BUILDING CONTROL

S177	TO APPLY FOR A DETERMINATION	SENIOR BUILDING CONTROL OFFICER, OR APPOINTED CONTRACTOR, IN CONSULTATION WITH MANAGER REGULATORY AND GENERAL MANAGER CORPORATE SERVICES		
S180	TO APPLY FOR A DETERMINATION TO BE WITHDRAWN	SENIOR BUILDING CONTROL OFFICER, OR APPOINTED CONTRACTOR, IN CONSULTATION WITH MANAGER REGULATORY		

		AND GENERAL MANAGER CORPORATE SERVICES		
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5. DELEGATION TO BORROW

THE CURRENT VERSION OF THE DELEGATIONS MANUAL HAS NO SPECIFIC AUTHORITY FOR COUNCIL TO AUTHORISE BORROWING OTHER THAN AS PART OF AN ADOPTED LONG TERM PLAN. IT IS PROPOSED TO ADD A BULLET POINT TO SECTION 1.6 AS DESCRIBED BELOW.

PROPOSED NEW ADDITION:

1.6 ADDITIONAL POWERS AND RESPONSIBILITIES RETAINED BY THE COUNCIL

- TO BORROW MONEY, AUTHORISE HEDGING INSTRUMENTS, OR PURCHASE OR DISPOSE OF ASSETS, OTHER THAN IN ACCORDANCE WITH THE LONG TERM PLAN
- THE POWER TO ADOPT A LONG TERM PLAN OR AN ANNUAL PLAN.

PROPOSED NEW ADDITION:

6.2.1 GENERAL FUNCTIONS – OTHER DELEGATIONS

	TO NEGOTIATE LOAN INTEREST RATES AND TERMS WITH BROKERS AND/OR LENDING INSTITUTIONS FOR LOANS RAISED BY COUNCIL	GENERAL MANAGER CORPORATE SERVICES, CEO		
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6. TENDER FOR SALE AUTHORITY

THE CURRENT VERSION OF THE DELEGATIONS MANUAL ONLY REFERS TO EXPENDITURE IN THE SUB-DELEGATED FINANCIAL AUTHORITY. IT IS PROPOSED TO ADD A BULLET-POINT TO 5.3 SCHEDULE OF STAFF DELEGATIONS TO CLARIFY THAT THE FINANCIAL DELEGATIONS ARE TO AUTHORISE BOTH EXPENDITURE AND INCOME DECISIONS.

PROPOSED NEW ADDITION:

5.3 SCHEDULE OF STAFF DELEGATIONS

- FOR CLARITY, THE FINANCIAL AUTHORITY SUB-DELEGATED TO STAFF INCLUDES THE AUTHORITY FOR BOTH EXPENDITURE AND INCOME DECISIONS.

7. MAYORAL CREDIT CARD AUTHORITY

THE PURCHASE CARDS POLICY CLARIFIES THE MONTHLY SPENDING LIMIT ON THE CREDIT CARD ASSIGNED TO MAYOR. HOWEVER, THERE IS CURRENTLY NO EQUIVALENT DELEGATED AUTHORITY IN THE DELEGATIONS MANUAL. IT IS PROPOSED TO CHANGE, SECTION 5.1 CREDIT CARD

AUTHORITIES, TO CONFIRM THE MAYORAL CREDIT CARD AUTHORITY. IT IS ALSO PROPOSED TO REMOVE THE DETAILS ABOUT APPROVING THE CREDIT CARD EXPENDITURE AS THIS IS COVERED IN THE PURCHASE CARDS POLICY AND THE SENSITIVE EXPENDITURE POLICY.

CURRENT VERSION:

5.1 CREDIT CARD AUTHORITIES

ALL CREDIT CARD EXPENDITURE SHALL BE IN ACCORDANCE WITH THE SENSITIVE EXPENDITURE POLICY (SECTION 3.5) AND THE PURCHASE CARDS POLICY (SECTION 2.0).

CREDIT CARDS WILL BE APPROVED BY THE MAYOR AND THE CHIEF EXECUTIVE OFFICER. THE GENERAL MANAGER CORPORATE SERVICES THEN APPROVES ALL CREDIT CARD EXPENDITURE.

THE CREDIT CARD HELD BY THE SENIOR PAYROLL OFFICER/CREDITORS IS USED UNDER THE INSTRUCTION OF BUDGET HOLDERS IN ACCORDANCE WITH THE FINANCIAL DELEGATIONS. INVOICES ARE SIGNED BY THE RELEVANT BUDGET HOLDER AND APPENDED TO THE CREDIT CARD STATEMENTS FOR APPROVAL BY THE MAYOR AND CHIEF EXECUTIVE OFFICER, AND GENERAL MANAGER CORPORATE SERVICES.

PROPOSED VERSION:

5.1 CREDIT CARD AUTHORITIES

ALL CREDIT CARD EXPENDITURE SHALL BE IN ACCORDANCE WITH THE FINANCIAL DELEGATIONS IN THIS DELEGATIONS MANUAL, THE SENSITIVE EXPENDITURE POLICY (SECTION 3.5) AND THE PURCHASE CARDS POLICY (SECTION 2.0).

THE MAYOR HAS DELEGATED AUTHORITY FOR CREDIT CARD EXPENDITURE UNDER THE CONDITIONS AND TO THE LIMITS DESCRIBED IN THE DELEGATIONS MANUAL, THE SENSITIVE EXPENDITURE POLICY AND THE PURCHASE CARDS POLICY.

8. DELEGATION FOR DECISIONS REGARDING PRIVATE ROADS AND PRIVATE WAYS

CURRENTLY ONLY THE MANAGER ENGINEERING HAS DELEGATED AUTHORITY WITH RESPECT TO POWERS OF COUNCIL OVER PRIVATE ROADS AND PRIVATE WAYS. TO BETTER FACILITATE COUNCIL DECISIONS, IT IS PROPOSED TO EXTEND THIS AUTHORITY TO THE MANAGER PLANNING.

CURRENT VERSION:

6.2.11 ROADING

S348	POWERS OF COUNCIL WITH RESPECT TO PRIVATE ROADS AND PRIVATE WAYS	MANAGER ENGINEERING		
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PROPOSED CHANGED VERSION:

6.2.11 ROADING

S348	POWERS OF COUNCIL WITH RESPECT TO PRIVATE ROADS AND PRIVATE WAYS	MANAGER ENGINEERING, MANAGER PLANNING		
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POLICY STATUS

THE COUNCIL'S CURRENT DELEGATIONS MANUAL WAS ADOPTED IN DECEMBER 2020 AND HAS NOT BEEN AMENDED SINCE THAT DATE. THE PRESENT DELEGATIONS MANUAL DECEMBER 2020 REMAINS IN FORCE UNTIL A NEW MANUAL IS ADOPTED.

THE DRAFT DELEGATIONS MANUAL IS IN ACCORDANCE WITH, AND SHOULD BE READ IN CONJUNCTION WITH, COUNCIL'S KEY POLICIES INCLUDING THE PROCUREMENT POLICY, SENSITIVE EXPENDITURE POLICY, AND PURCHASE CARDS POLICY.

SIGNIFICANCE OF DECISION

THE DECISION TO ADOPT THE REVISED DELEGATIONS MANUAL IS AN IMPORTANT ONE BUT IS NOT CONSIDERED SIGNIFICANT UNDER THE TERMS OF THE COUNCIL'S SIGNIFICANCE AND ENGAGEMENT POLICY. IT DEALS LARGELY WITH THE OPERATION OF THE COUNCIL, AND THIS IS NOT REGARDED AS A SIGNIFICANT DECISION UNDER THE SIGNIFICANCE AND ENGAGEMENT POLICY.

OPTIONS

OPTIONS FOR COUNCIL TO CONSIDER ARE:

- ADOPT THE REVISED DELEGATIONS MANUAL DATED JULY 2021; OR
- INSTRUCT STAFF TO MAKE AMENDMENTS TO THE REVISED DELEGATION MANUAL DATED JULY 2021 AND ADOPT THE REVISED MANUAL INCLUSIVE OF THOSE SPECIFIED CHANGES.

CONSIDERATIONS**LEGAL**

THERE ARE STATUTORY LIMITATIONS ON WHAT CAN BE DELEGATED. THE LOCAL GOVERNMENT ACT ALSO CONTAINS PROVISIONS REGARDING DELEGATIONS. THE PROPOSED MANUAL COMPLIES WITH THESE REQUIREMENTS.

FINANCIAL

THERE ARE NO FINANCIAL IMPLICATIONS FROM ADOPTING THE REVISED MANUAL.

CONCLUSION

THIS PAPER SEEKS THAT COUNCIL ADOPT THE REVISED DELEGATIONS MANUAL.

Delegations Manual DRAFT

July 2021

Delegations Manual

REVISION HISTORY

Previous Version:	December 2020
Date Created:	July 2021
Review Date:	June 2022
Department:	Corporate Services
Responsible Officer:	Corporate Planner
Sponsor:	General Manager – Corporate Services
Approved by:	Chief Executive Officer
New Review Date:	June 2022

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1 Introduction



The Delegations Manual has been adopted by the Mackenzie District Council to ensure that authority and responsibility exists for the efficient and effective conduct of council business. The Delegations Manual is a key tool in assisting the Council achieve its goals effectively.

The delegations contained in this Manual are made in accordance with the Local Government Act 2002 and any other statutory authority permitting delegation.

1.1. Purpose

The purpose of the Delegations Manual is to define and authorise the scope of:

- a) Council's delegations of governance activities to Council committees, subcommittees, and Community Boards
- b) Council's delegations of management activities to the Chief Executive Officer
- c) the Chief Executive Officer's delegations to Council officers.

The Delegations Manual provides for specific delegations relating to finance, regulatory and policy functions and specific statutory responsibilities devolved to Council through legislation. Other aspects of Council's work programme may be delegated by Council resolution from time to time. Separate delegations are not required for Council officers to undertake any work included in Long Term Plan or Annual Plan which are adopted by Council.

1.2. Philosophy

Delegations are *the assignment of a duty or power of action to another, together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.*

In the interests of good management and effective administration, Council believes that **decision-making should be delegated to the lowest competent level**. This will enable the best use of elected member and Council officer abilities and minimise the cost of material, technical and financial resources.

Authority and responsibility are inseparable. Those with the responsibility for a task or function should always have the authority to carry it out effectively. Those with authority should always be responsible for its wise use.

Delegations do not remove ultimate accountability of elected members, the Chief Executive Officer and the Executive Team for the affairs of Council.

*Delegations Manual July 2021 – Draft***1.3. Council Guidelines Regarding Setting Delegations**

The Council and Chief Executive Officer delegate a wide range of their powers and functions within the bounds imposed by legislation. When deciding which powers to delegate, and to which staff position(s), the Council and Chief Executive Officer will balance the following requirements:

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

Other principles followed by the Delegations Manual are that:

- Delegations will normally be made to positions, not to specific people
- Delegations must be recorded in this Delegations Manual
- Any delegations made following the publication of this update will be recorded in the Appendix of Subsequent Delegations (Appendix One to this document)
- The Council may from time to time review or amend its delegations and this manual, including a regular three-yearly review.

1.4. General Terms and Conditions

1. There is nothing in Schedule 7, clause 30(6) of the Local Government Act 2002 that entitles a local authority or committee to rescind or amend a decision made under a delegation. The Council would be bound by the decision to the extent that the decision had already become binding on the Council by the operation of law and could not be reversed.
2. If a delegate's decision is invalid it cannot be ratified by the delegator. The correct action is generally for the matter to be considered in full again by the delegate, assuming it is within the delegate's power to determine the matter at issue.
3. The delegator does not lose the function, power or duty by delegation and may exercise this concurrently with the delegate. No delegations shall limit the power of Council or other delegator to exercise a function, duty or power in substitution for a delegate.
4. The delegate, while having the authority to make a decision under delegation, has the right not to exercise that delegation and therefore not make a decision. In such instances, the delegate should refer the matter to the delegator.
5. It is implicit that a delegation may be revoked at any time without notice.

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6. The delegate is acting on behalf of the Council when exercising delegated authority.
7. Before exercising any delegation, staff should always bear in mind Council's responsibilities to and relationships with, Māori, Te Rūnanga o Ngāi Tahu and Ngā Papatipu Rūnanga, including under:
 - The Ngāi Tahu Claims Settlement Act 1998;
 - Section 81 of the Local Government Act 2002;
 - Any relevant relationship agreements or Memoranda of Understanding.
8. In the exercise of any delegation, the delegate will ensure they act in accordance with:
 - Any binding statutory authority (in relation to each delegation, relevant sections of the Act will be identified); and
 - Any relevant Council policy or procedural documents (including reporting and recording) requirements.
9. A responsibility, duty or power delegated to an officer holding a named position is also delegated to any officer who performs or exercises the same or substantially similar role or function, whatever the name of his or her position, provided that the Chief Executive Officer has confirmed that the role or function is the same or substantially the same.
10. An officer who is delegated a responsibility, duty or power is also delegated any ancillary responsibilities, duties or powers necessary to give effect to that delegation.
11. Where a delegation refers to repealed legislation, the reference is to be read as a reference to the legislation that, with or without modification, replaces or corresponds to the repealed legislation.
12. Delegates must consider the significance of the decision that they are making or the powers they are exercising, in accordance with the Council's Significance and Engagement Policy. In particular, if a decision relates to a matter that is out of the ordinary, delegates are encouraged to discuss the matter with their manager.
13. All significant decisions made or actions taken under a delegated authority are to be recorded in writing.
14. Delegates must exercise delegations in accordance with any relevant Council policy or procedure that is relevant to the delegation. For example, an officer with delegated approval to grant a resource consent must only do so if that is consistent with any relevant policy or procedure.
15. Any other terms and conditions prescribed as relating to a specific delegation shall be deemed to be a term and condition that has to be complied with when exercising the delegation.
16. Where two different delegations apply to the action, both delegations must be complied with (for example, where a person is given a delegation to obtain professional advice, that delegation must also be exercised in accordance with the financial delegations given to the person).

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17. For the avoidance of doubt, line managers shall have the same powers of delegation as reporting staff, unless the exercise of such delegation requires, by law, a particular qualification or registration.
18. An appointed officer working in an acting capacity of a role shall have full delegation in accordance with that role, subject to the approval of the Chief Executive Officer.
19. A delegation from the Council to the Chief Executive Officer can be sub-delegated unless specified otherwise. Any other delegation may only be sub-delegated if the delegation specifically provides for sub-delegation (other than when a delegation is being exercised by a person in an 'acting' capacity).
20. The Council may, at any time, revoke, suspend for a period, or amend the terms or conditions in relation to any delegation it has made. Where this occurs, it will be recorded by resolution of Council.
21. The Chief Executive Officer may revoke or suspend for a period, or amend the terms and conditions in relation to any delegation to subordinates that he or she has made either as a Chief Executive Officer delegation or as a sub-delegation. Where this occurs, this will be recorded in writing by the Chief Executive Officer.

1.5. Legal Restrictions on Delegations by the Council

Under the Local Government Act, the Council can delegate all statutory powers other than the following:

- the power to make a rate; or
- the power to make a bylaw; or
- the power to borrow money, or
- the power to purchase or dispose of assets, other than in accordance with the Long-Term Plan; or
- the power to adopt a Long-Term Plan, Annual Plan, or Annual Report; or
- the power to appoint a Chief Executive Officer; or
- the power to adopt policies required to be adopted and consulted on under the Act in association with the long-term plan or developed for the purpose of the local governance statement; or
- the power to adopt a remuneration and employment policy.

1.6. Additional Powers and Responsibilities Retained by the Council

- Creation of subcommittees, other than those implicit in the Terms of Reference for a standing committee.
- Governance processes, including electoral matters and representation review.
- Consideration of matters relating to significant new activities or areas of involvement such as infrastructure which are not the responsibility of a specific committee.
- Provision of leadership on key issues that require a collaborative approach between a number of parties.
- Relationships with Community Boards.

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- The Council's cultural governance relationship with Te Rūnanga o Ngāi Tahu (TRONT) and ngā papatipu rūnanga (kanohi ki te kanohi).
- Development, adoption and implementation of the Triennial Agreement and the Code of Conduct.
- Consideration of matters relating to elected members' remuneration matters.
- Chief Executive Officer appointments and contracts.
- Approval of all delegations to the Chief Executive Officer, including the authority for further delegation to staff.
- Receipt and consideration of recommendations and matters referred to it by its committees, joint committees, subcommittees and working parties.
- Approval of membership to external bodies and organisations, including Council Controlled Organisations.
- To borrow money, authorise hedging instruments, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
- The power to adopt a Long Term Plan or an Annual Plan.
- Exercising of the powers and duties conferred on council by the Public Works Act 1981, including receiving and considering reports on proposals under this Act from the Engineering & Services Committee.
- Consideration of major projects¹.
- Approval of the sale, purchase, or disposal of any Council property, land or buildings, including land swaps.
- Review and adoption of policy and practice in respect of governance.
- To provide or withhold affected persons approval for planning applications on land adjoining Council owned land.
- Monitoring and reviewing Council's facilitation role in economic development and tourism, including development and monitoring of economic development strategies as appropriate.
- Approval of expenditure that exceeds the delegated authority of officers but is within the parameters of the current Annual Plan or Long Term Plan.
- Approval of expenditure that exceeds that in the current Annual Plan or Long Term Plan.
- Approval of the Council's fees and charges.

1.7. Delegations to the Chief Executive Officer

Council may delegate any function to the Chief Executive Officer except those expressly precluded by legislation. Delegations to the Chief Executive Officer are outlined in sections 5 and 6 below.

¹ Guidance note: this includes discretionary or large-scale commercial proposals such as sports and aquatic centres, but would not include core infrastructure or service projects such as water supplies.

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The Chief Executive Officer may appoint one of the Executive Management team to assume delegated authority for planned or unplanned leave, absence or unavailability.

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1.8. Delegation of Powers to any other Officer

Schedule 7 (section 32B) of the Act provides, with some restrictions, powers for an officer to further delegate their delegations to any other officer. One of the functions of this Delegations Manual is to record all delegations from the Chief Executive Officer to other staff positions.

1.9. Amendments to this Manual

This Manual shall be maintained by the Senior Corporate Planner who shall amend it in accordance with:

1. Any instruction to that effect given by the Council and any delegate authorised to amend this manual; or
2. Any need for typographical, grammatical or other minor amendment where the intention of the Council in the matter of a delegation is not altered.

In addition, the Chief Executive Officer is authorised to amend the Delegations Manual to reflect changes in the organisation's structure.

The Delegations Manual will be reviewed at least three-yearly.

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2 Use of the Common Seal

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The Delegations, The Mayor or any Councillor together with the Chief Executive Officer and other officers authorised by the Chief Executive Officer may affix the seal to any document which is required to be sealed and signed.

In the absence of the Mayor or Councillors, the documents may be sealed and signed by the Chief Executive Officer and any other officers authorised by the Chief Executive Officer.

All documents sealed and signed on behalf of the Council shall be recorded in a register and reported to the Council at its next ordinary meeting.

The officers currently authorised by the Chief Executive Officer are as follows:

- General Manager Corporate Services
- General Manager Operations
- Manager Finance

3 Delegations to the Mayor

- The power to determine representation of Council on various external organisations.
- The power to attend and vote or appoint proxies to vote at meetings of shareholders of the following companies:
 - Alpine Energy Limited
 - Local Government Insurance Company Ltd
- The power to appoint elected members and other persons to represent Council at conferences and functions and to remunerate elected members for training courses.
- Power to witness the affixing of Council's common seal on documents along with the Chief Executive Officer or other members of the executive management team.
- Power to make media statements or produce media releases and to subdelegate to appropriate Councillor(s).
- Power to countersign cheques in conjunction with the Chief Executive Officer or a General Manager:
 - General Manager Corporate Services
 - General Manager Operations
 - Manager Finance

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4 Governance Delegations

4.1. Introduction

The Council's delegation model is designed to enable committees of Council to fully and completely undertake their roles consistent with their terms of reference.

From time to time when urgency requires, matters that would normally be the business of a standing committee will go directly to Council for decision.

4.2. Delegations to Committees

Pursuant to section 41A of the Local Government Act 2002, the Mayor has established the following Standing Committees:

- Engineering and Services Committee;
- Commercial and Economic Development Committee;
- Planning and Regulatory Committee;
- Strategy Committee;
- Audit and Risk Committee.

Council delegates to each standing committee all powers necessary to effectively carry out the committee's terms of reference and scope, excluding those reserved to Council.

Delegations for subcommittees are set out under each subcommittee's terms of reference and scope.

Full Council has a role to monitor the functioning of, and performance of delegated powers by, all committees.

Full Council will consider matters not within the delegation of any one Council committee.

Full Council may at any time, revoke or modify a delegation to a Council Committee, either permanently, for a specified time or to address a specific matter, if it considers there is good reason to do so.

The delegations provided to committees may be further delegated to subcommittees unless the power of further delegation is restricted by Council or by statute.

The terms of reference for each Committee are set out below.

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4.3. Council Standing Committees**4.3.1. Audit and Risk Committee**

The purpose of the Audit and Risk Committee is to provide governance and oversight of the effectiveness of risk management and internal control systems, including internal audit and external audit relationships.

4.3.1.1. Terms of Reference

- Monitor the Council's external and internal audit process.
- Consider and make recommendations to the Council on:
 - a. Monitoring the robustness of the internal control framework and financial management practices;
 - b. The integrity and appropriateness of internal and external reporting and accountability arrangements;
 - c. The robustness of risk management systems, processes and practices;
 - d. The independence and adequacy of external audit functions;
 - e. All year-end financial reporting obligations;
 - f. Compliance with applicable laws, regulations and standards, and best practice guidelines; and
 - g. The establishment and maintenance of controls to safeguard the Council's financial and non-financial assets.
- Discuss, with the external auditor, matters affecting the annual financial and non-financial statements and the annual audit.
- Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable or illegal activities.
- Support measures to improve management performance and internal controls.
- Ensure the quality of internal and external reports of financial and non-financial information.
- Develop policy relating to published financial statements and accounting standards of the Council.
- To review annual financial statements prior to Council adoption and ensure disclosures are in accordance with statutory requirements and consistent with best practice.
- Develop and monitor Annual Reports.

4.3.1.2. The scope of this Committee includes:

- Recommending the approval of the annual external audit proposal.
- Liaising with Council's external auditor:
 - a. at the start of each audit, confirm the terms of engagement with the external auditor including the nature and scope of the audit, timetable and fees;
 - b. approve the external audit engagement letter and letter of undertaking and any additional services to be provided by the external auditor;

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- c. receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within;
- d. conduct a members only session (i.e. without any management present) with external audit to discuss any matters that the auditors wish to bring to the committee's attention and/or any issues of independence;
- e. meet with Council's audit direction on a quarterly basis
- Internal Control Framework:
 - a. review whether management's approach to maintaining an effective internal control framework is sound and effective;
 - b. review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour;
 - c. review whether there are appropriate systems, processes and controls in place to prevent, detect and effectively investigate fraud.
- External Reporting and Accountability:
 - a. agree the appropriateness of the Council's existing accounting policies and principles and any proposed change;
 - b. enquire of external auditors for any information that affects the quality and clarity of the Council's financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response to the above;
 - c. satisfy itself that the financial statements and statements of service performance are supported by appropriate management signoff on the statements and on the adequacy of the systems of internal control (ie letters of representation), and recommend to Council the signing of the financial statements by the Chief Executive Officer/Mayor and adoption of the Annual report.
- Overseeing the Council's systems, processes, and practices for risk management:
 - a. Ensure that management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of the Council's significant risks (including financial and non-financial risks);
 - b. consider whether appropriate action is being taken by management to mitigate Council's significant risks.
- Reviewing insurance arrangements annually.
- Monitoring insurance claims.
- Reviewing all audit reports of Council activities, including (but not limited to) building control authority audit reports, NZTA audit reports, Long Term Plan audit, and any other external audits.
- Preparing the Annual Report and carryovers.

Membership

The Audit and Risk Committee will be a standing committee of all Councillors and the Mayor. The Committee may appoint an additional person to the Committee where it considers that person has skills, attributes, or knowledge that will assist the work of the Committee.

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Quorum	The quorum shall be four members.
Chair	The Chair will be nominated by the Mayor.
Meetings	The Audit and Risk Committee will meet on a quarterly basis or as required.

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4.3.2. Chief Executive Performance Committee

The purpose of the Chief Executive Performance Committee is to review the performance of the Chief Executive annually, and also undertake the legislative requirements in relation to the Chief Executive's performance. The legislative basis for this committee is Schedule 7 clause 30 (1) (a), Local Government Act 2002.

4.3.2.1. Terms of Reference

The committee's role is to:

1. In May of each year:
 - a. Review the performance of the Chief Executive against the performance targets for the preceding year.
 - b. In conjunction with the Chief Executive Officer, set and confirm the performance targets for the upcoming year.
2. In December of each year:
 - a. Undertake a mid-year performance review; and
 - b. In conjunction with the Chief Executive Officer, set or amend, where appropriate, the key performance indicators for the remainder of the performance year.
3. In August of each year, the committee will, in consultation with the Chief Executive Officer, undertake a review of the terms, conditions and term of employment agreement in accordance with the following:
 - a. As a good employer, any amendments or alterations to the terms and conditions will be made in mutual agreement of the Committee and Chief Executive Officer, in good faith, providing fair and proper treatment in all aspects of employment.
 - b. The Committee is committed to applying fair and equitable remuneration and reward practices, taking into account internal and external relativities, Local Government practices and the ability to achieve the Mackenzie District Council strategic objectives.

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- c. As part of the Remuneration considerations, individual performance as well as internal and external relativities will be taken into account regarding any Chief Executive Officer remuneration based decisions, balanced by the organisational context, performance and affordability.
- 4. Undertake a performance review at end of first term of appointment as required by Schedule 7, clause 35 of the Local Government Act 2002, which currently provides:
 - (1) *A local authority must, not less than 6 months before the date on which the chief executive's contract of employment for the first term expires, conduct and complete a review of the employment of the chief executive.*
 - (2) *The review must assess –*
 - (a) *The performance of the chief executive; and*
 - (b) *The mix of skills and attributes possessed by the chief executive, and the degree to which they are consistent with the skills and attributes that the local authority considers necessary for the future; and*

4.3.2.2. The scope of this Committee includes:

Considering matters relating to the performance of the Chief Executive Officer, including annual performance review.

The Committee shall have delegated authority to make decisions for and on behalf of the Council.

Membership	The Chief Executive Performance Committee will be a standing committee of all Councillors and the Mayor.
Quorum	The quorum shall be four members.
Chair	The Chair will be appointed by the Mayor.
Meetings	The Committee will meet at least twice a year (May and December) to review performance and once per year to review employment arrangements (August), and six months before the expiry date of the Chief Executive's contract of employment.

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4.3.3. Commercial and Economic Development Committee

The purpose of the Commercial and Economic Development Committee is to provide governance and oversight in the management of the Council's commercial activities including its investments, real estate, forestry, Pukaki Airport, tourism promotion and economic development.

4.3.3.1. Terms of Reference

- Ensure that operational strategies, capital works programmes and activity management plans for Council's commercial, tourism and economic development portfolio as a whole support appropriate returns on investment after balancing risks, commercial return, community outcomes and community well-being.
- Monitor and improve the performance of Council's commercial, tourism and economic development portfolio, including identifying further opportunities to increase the portfolio.
- Receive and consider reports on strategies, and investments along with the identification and mitigation of financial and operational risk.
- Make recommendations to the Council on new investments, disposals, business opportunities and other matters in relation to the commercial portfolio.

4.3.3.2. The scope of this Committee includes

- Commercial investments including Council's shares in Alpine Energy Limited
- Forestry investments and administration
- Property managed on a commercial basis
- Pukaki Airport
- Tourism promotion
- Alps2Ocean cycleway
- Economic development support
- The establishment of subcommittees or working parties as appropriate within the terms of reference/scope of the Committee.

Membership

The Commercial and Economic Development Committee will be a standing committee of all Councillors and the Mayor. The Committee may appoint three additional members to the Committee where it considers that those persons have appropriate commercial expertise to assist the work of the Committee.

Quorum

The quorum shall be six members.

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Chair	The Chair will be nominated by the Mayor.
Meetings	The Commercial and Economic Development Committee will meet on a quarterly basis or as required.

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4.3.4. Engineering and Services Committee

This Committee has responsibilities for all Council-owned infrastructure, assets, operations and services. The purpose of the Committee is to ensure that Council services are delivered in an efficient and effective manner that meets the needs of its communities, and that Council protects its investment in infrastructural assets in accordance with accepted professional standards.

4.3.4.1. Terms of Reference

- Monitor progress and completion of capital, operations and services projects.
- Oversee capital works contracts.
- Oversee the development of, and approving Asset Management Plans and other operational or activity plans (e.g. Waste Management Plan, reserves plans).
- Develop and approve of the three-yearly bid to NZTA for Roding financial assistance.
- Monitor the risks and operational performance of the infrastructural asset services delivered by Council.
- Approve the vesting and disposing of infrastructural assets as a result of subdivision or capital works being undertaken.
- Ensure that project management including procurement processes is appropriately undertaken and consistent with the Council's agreed processes.
- Approve of the Council's procurement plan.
- Review plans, policies, and legislative changes of central government or other external agencies which may affect or impact on Council assets or the provision of services, and lodgement of responses/submissions as necessary.
- Consider any proposal for the taking or designation of land for any purpose, for approval by Council.
- Receive reports and consider and decide recommendations from Community Boards on matters within the scope of the Committee, including the approval of any additional or unbudgeted expenditure sought by Community Boards.
- Approve contracts relating to the responsibilities of the Committee.

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4.3.4.2. The scope of this Committee includes:

- Transportation & roading
- Water supplies
- Sewerage and wastewater treatment
- Stormwater collection and management
- Public toilets
- Solid & hazardous waste management
- Active recreation (including indoor recreation and sports facilities)
- Public open space and reserves management, landscaping
- Library services
- Community development, including development and implementation of social policies and other local public services
- Cemeteries and burials
- Community halls
- Pensioner housing
- The establishment of subcommittees or working parties as appropriate within the terms of reference/scope of the Committee.

Membership

The Engineering and Services Committee will be a standing committee of all Councillors and the Mayor.

Quorum

The quorum shall be four members.

Chair

The Chair will be nominated by the Mayor.

Meetings

The Engineering and Services Committee will meet on a quarterly basis or as required.

4.3.5. Planning and Regulatory Committee

The purpose of this Committee is to govern all planning and regulatory functions of the Council. This includes the development of bylaws and all resource management, health, sale and supply of alcohol, civil defence/emergency management, parking, legal disputes, animal control, and building functions.

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4.3.5.1. Terms of Reference

- To develop and approve Council's regulatory policies, and review as appropriate and necessary.
- To develop district bylaws and recommend them for Council approval, and review as appropriate and necessary.
- To consider any reports relating to any regulatory function of the Council.
- To consider reports relating to any environmental monitoring.
- To ensure that Council meets all compliance requirements relating to its regulatory responsibilities.
- To approve contracts relating to the responsibilities of the Committee.

4.3.5.2. The scope of this Committee includes:

- Resource Management Act administration.
- Statutory administration of the District Plan.
- To initiate and progress any change to or review of the District Plan under the Resource Management Act.
- Review of changes to central government policy or laws affecting Council's regulatory and policy functions; review of regulatory or planning documents and policies of external agencies (including Regional Policy Statements and Plans), and lodgement of responses/submissions as necessary.
- Regulatory policy and administration of regulatory functions (e.g. Gambling Class 4 Venue Policy, Local Alcohol Policy).
- Building control.
- Environmental health.
- Civil Defence Emergency Management planning and operations.
- Environmental policies and programmes.
- Animal control and dog control.
- Responsible camping.
- Parking control.
- Hearing and determining public hearings under the Dog Control Act and hearings related to road stoppages by the process of using accredited Councillors.
- To appoint Hearings Panels and/or Commissioners as appropriate/required.
- To further delegate the ability to appoint Hearing Commissioners or a Hearings panel to hear and decide notified or limited notified resource consent applications (for example to the Chair of the Committee & the Mayor).
- The establishment of subcommittees or working parties as appropriate within the terms of reference/scope of the Committee.
- Any other regulatory matter not listed.

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Membership

The Planning and Regulatory Committee will be a standing committee of all Councillors and the Mayor. The Committee may appoint an additional person(s) as one representative from each of the Papatipu Rūnanga whose rohe are within the Mackenzie District.

Quorum

The quorum shall be four members.

Chair

The Chair will be nominated by the Mayor.

Meetings

The Planning and Regulatory Committee will meet on a 6-weekly basis or as required.

4.3.6. Strategy Committee

The purpose of this Committee is to set the strategic direction for the District by formulating policy that clearly identifies Council's role and direction on issues. This Committee will develop, evaluate, approve and monitor the implementation of strategic policy, provide strategic oversight of mid to long term planning.

4.3.6.1. Terms of Reference**Strategic Direction**

- Develop and monitor Council's vision and values
- Identify and assess significant strategic district issues and initiatives.
- Identify and review Council's strategic objectives.
- Develop and monitor of Community Well-being and community outcomes.
- Monitor of the implementation / progress towards the achievement of strategic objectives and priorities.

External Advocacy

- Advocate on matters pertaining to strategic directions, to central government and other relevant agencies including the review of plans, policies, and legislative changes and lodgement of responses/submissions as necessary.
- Provide governance oversight and approval of submissions on external issues, legislative and policy changes affecting Council or our community.

*Delegations Manual July 2021 – Draft***Corporate Planning**

- Provide oversight of the Long Term Plan project, including monitoring the progress of Long Term Plan and Long Term Plan amendments.
- To monitor and report the overall financial and non-financial performance of the Council and its achievement of LTP objectives.
- Provide oversight of development and monitoring of Annual Plans, including variances from the Long Term Plan.

Membership	The Strategy Committee will be a standing committee of all Councillors and the Mayor. The Committee may appoint an additional person(s) as one representative from each of the Papatipu Rūnanga whose rohe are within the Mackenzie District.
Quorum	The quorum shall be four members.
Chair	The Chair will be nominated by the Mayor.
Meetings	The Strategy Committee will meet on a quarterly basis or as required.

4.4. Joint Committees**4.4.1. Alps2Ocean Joint Committee – Terms of Reference**

The Alps2Ocean Joint Committee is a joint committee of the Waitaki and Mackenzie District Councils. It includes members of other stakeholder groups (see below).

4.4.1.1. Purpose and Function

The purpose and function of the Alps2Ocean Joint Committee is to:

- Monitor construction of the joint venture project
- Acting on behalf of the shareholders
- Providing opportunity for stakeholder participation

4.4.1.2. Objectives and Delegations**4.4.1.2.1. Monitor construction of the joint venture project**

- To ensure the Alps2Ocean Cycle Trail is constructed from Aoraki Mount Cook to Oamaru.
- To approve, monitor and account for the grant of \$2.75m from the Ministry of Economic Development for the construction of the Trail.

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- To represent the councils, with the Ministry in all matters regarding the grant funding agreement.
- To seek additional funding to develop the Trail.
- To negotiate and obtain appropriate access agreements for the entire length of the Trail
- To establish the operating structure, resources and activities for the Trail, including protecting intellectual property and establishing business opportunities.
- To determine the fair allocation between the Councils of costs in accordance with the joint venture agreement.

4.4.1.2.2. Acting on behalf of shareholders

- To constitute a company to operate the Trail.
- To recommend the transfer of all appropriate assets of the joint venture to the Company.
- To monitor the activities and performance of the company on behalf of the shareholders, including receiving statutory reports on behalf of the shareholders.
- To ensure statements of intent are prepared and approved by the committee in principle, prior to recommendation to the councils.
- To establish criteria for appointing Directors to the company for approval of the councils.
- To select Directors in accordance with the approved appointment policy for recommendation to the councils.
- To discuss matters that relate to each Council's joint shareholding.
- To determine the fair allocation between the Councils of costs in accordance with the shareholders agreement.

4.4.1.2.3. Providing opportunity for stakeholder participation

- To monitor the relationship between the company and stakeholders.
- To advocate for the importance of the Trail as part of the National Cycleway and as a tourism opportunity for the Mackenzie and Waitaki districts.

4.4.1.3. Financial Delegation

- To spend up to \$5,000 per financial year to obtain advice on matters of governance of the Company.
- To spend meeting fees and administration costs of operating meetings.
- To spend the National Cycle Fund Grant, in accordance with the grant application and funding agreement.
- To spend any grants received by the Joint Committee.

All expenses to be invoiced 50/50 to each Council.

4.4.1.4. Membership

The Alps2Ocean Joint Committee membership will comprise of one member appointed from each of the following groups:

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- Waitaki District Council
- Mackenzie District Council
- Mackenzie Tourism and Development Trust
- Waitaki Development Board Ltd
- Department of Conservation
- Meridian Energy Ltd

4.4.1.5. Land Owners Appointment Process

The Territorial Authorities, Waitaki Development Board, Mackenzie Tourism and Development Trust, Meridian and Department of Conservation will nominate their representatives. These members will then call a meeting of land owners, who have provided access of their land for the Trail and are otherwise not represented. At this meeting nominations will be called for and a vote will be taken of the land owners to elect their representative.

4.4.1.6. Standing Orders

The standing orders of Waitaki District Council, as adopted after each triennial election and amended from time to time, shall be the standing orders for this Committee, except as changed by this terms of reference.

The Joint Committee is subject to the Local Government Official Information and Meetings Act 1987.

4.4.1.7. Quorum

In accordance with LGA2002 Sch7 cl 30(9)(b), the quorum shall be four (4), this being the majority of members (including vacancies).

4.4.1.8. Meeting Frequency

The Joint Committee may meet as required, but must meet at least twice per year to receive a 6 monthly report, annual report and statement of intent from the company.

4.4.1.9. Officers

The Chair of Committee shall be appointed by the committee. The committee shall reconsider the appointment of the chair in February of each year.

4.4.1.10. Term

In accordance with LGA2002 Sch7 cl 30(7) the councils have resolved that the Joint Committee is a permanent Joint Committee and cannot be discharged unless the councils agree to the Joint Committee being discharged.

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Members are appointed for a term of five years and can be reappointed for a second term of five years at the discretion of the relevant nominated bodies, except that the Council representatives must be elected representatives. In the event that an elected representative is not re-elected they will immediately cease to be a member of the Joint Committee and the Council should make a new appointment.

In the event of one or both elected members ceasing to be a member and new members having not been appointed, the quorum remains unchanged.

4.4.1.11. Operating Philosophy

The Joint Committee will at all times operate in accordance with the following:

- Be culturally sensitive observing tikanga Māori.
- Give consideration to and balance the interests of all communities in the districts in debate and decision making.
- Members will work in a collaborative and co-operative manner using their best endeavours to reach solutions that balance the interests of all sector of the community.
- Promote a philosophy that the Alps2Ocean Cycle Trail is a key economic driver for the districts smaller communities.
- The Committee will seek consensus in its decision making where at all possible. Where despite the best endeavours of members unanimous agreement is not able to be reached a decision may be taken if in the view of the significant majority it represents the best interest of all sectors of the community.
- In the event that neither unanimous agreement is able to be reached nor a significant majority view formed, the Committee must in the first instance seek assistance from the Chief Executives of the Councils to further Committee discussions and deliberations.
- Where the Committee is unable to reach consensus despite having sought assistance and exhausted all avenues, they must recommend that the Councils disband them and appoint a new Committee.

4.4.1.12. Administration

- The Committee is administered by the Mackenzie Tourism and Development Trust.
- Remuneration for non-elected representative members will be paid in the form of meeting fees at the following levels:

a) Half day meetings	\$100
b) Full day meetings	\$200
c) Travel	\$0.70/km

4.4.2. Canterbury Regional Transport Committee – Terms of Reference

The Canterbury Regional Transport Committee is established pursuant to the Land Transport Management Act 2003.

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4.4.2.1. Purpose and Functions

The purpose and function of the Canterbury Regional Transport Committee is to prepare for approval by the regional council a regional land transport plan; as well as advise and assist the regional council on any other matter relating to its transport responsibilities.

4.4.2.2. Objectives and Delegated Powers

1. To develop at least every six years a Regional Land Transport Plan (RLTP), including any associated documents desired by the region or as directed by the requiring legislation, and recommend this to the Regional Council for approval.
2. To promote the Regional Land Transport Plan within the region and to monitor the progress of its implementation.
3. To provide forums on land transport issues of regional significance, enabling comprehensive and region-wide involvement.
4. To report and recommend to the Regional Council, local territorial authorities and other organisations where appropriate on the Committee's objectives and delegated powers.
5. To establish and support suitable working groups to help guide the development and implementation of the RLTP (including any associated documents).
6. To adopt a policy that determines significance in respect of variations to the RLTP.
7. To provide the Regional Council with any advice and assistance it may request in relation to its transport responsibilities.

4.4.2.3. Membership

- **Regional Council:** Two Canterbury Regional Councillors (who shall be the Chair and Deputy Chair of the Committee).
- **Territorial Local Authorities:** One elected member from each City/District Council in the region.
- **Crown Entities:** One New Zealand Transport Agency representative.
- **Sector Representatives:** In the interests of establishing more direct links with sector groups within the community, the Regional Transport Committee has agreed to appoint a range of expert advisors to sit in on Committee discussions and provide input and expert advice where necessary. Nominations from the community to fill these roles will be sought through advertising the positions in appropriate media every three years.
 - One Cultural Advisor
 - One Environmental Sustainability Advisor
 - One Public Health Advisor
 - One Safety Advisor
 - One Economic Advisor

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4.4.2.4. Quorum

Nine members, of whom at least one shall be a Regional Councillor.

4.4.2.5. Meetings

Ordinary meetings of the Committee shall take place on a quarterly basis, but may take place more or less frequently if determined by the Committee as necessary to effectively deliver its functions.

4.4.2.6. Voting

All members shall have full speaking rights; however sector representatives are not entitled to vote.

4.4.2.7. Support

Administration and technical support and advice shall be provided by officers of Environment Canterbury and the Canterbury Regional Land Transport Officers Group.

4.4.3. Canterbury Waste Joint Committee

The Canterbury Waste Joint Committee comprises all territorial authorities located in Canterbury (except Waitaki) plus Environment Canterbury. Advancing regional waste minimisation is the aim of the committee, and actions initiated by the committee are over and above what each authority achieves on its own. All member councils contribute funding towards regional projects.

Purpose

To work together towards promoting waste minimisation.

- To ensure optimum effectiveness of waste management.
- To pursue maximum efficiency in waste management.
- For the benefit of Canterbury's environment and people.

Guiding Principles**Working Together**

- We will freely share non-confidential information and resources with Canterbury Councils and others where practicable.
- We will endeavour to ensure the coordination and compatibility of our waste management operations and services.
- We will support equitable access to waste management operations, regardless of district boundaries.

What We Will Do

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- We will take responsibility for our actions to the wider environment and community both within and outside the region.
- We will lead by example, incorporating waste minimisation into our own operations.
- We will promote reduction as the preferred means of minimising waste.
- We will ensure that waste diversion is our primary aim in managing waste that is already created.
- We will recognise that waste disposal is the last resort and must be undertaken in an environmentally responsible manner.
- We will ensure economic/regulatory policies are consistent with and promote waste minimisation goals.
- We will consider the environmental, social and economic impacts from waste management.
- We will actively promote the principles of waste reduction at source, by working with and influencing industrial and commercial interests and central government.

How We Will Do It

- We will involve and support our community in waste management decision making and operations.
- We will encourage people to take responsibility for their own waste and meet the associated costs where practicable.
- We will ensure our community is informed and educated regarding waste management and waste minimisation.
- We will make decisions regarding waste management based on sound information where it is available, and will actively seek it when it is not.

Signatories (August 2000)

- Ashburton District Council
- Hurunui District Council
- Mackenzie District Council
- Timaru District Council
- Waimate District Council
- Christchurch City Council
- Kaikoura District Council
- Selwyn District Council
- Waimakariri District Council

*Delegations Manual July 2021 – Draft***4.4.4. Canterbury Civil Defence Emergency Management Committee (CDEM) – Terms of Reference****32****4.4.4.1. Parties**

- Ashburton District Council
- Banks Peninsula District Council
- Christchurch City Council
- Environment Canterbury
- Hurunui District Council
- Kaikoura District Council
- Mackenzie District Council
- Selwyn District Council
- Timaru District Council
- Waimakariri District Council
- Waimate District Council

4.4.4.2. Purpose

The purpose of the CDEM Group is provided in section 17 of the Civil Defence Emergency Management Act 2002 (“the CDEM Act”).

In summary the CDEM Act (section 17) compels all Canterbury Councils, and the CDEM Group, to:

- Identify, assess and manage relevant hazards and risks
- Provide suitably trained and competent personnel and an appropriate organisational structure for effective civil defence emergency management in its area
- Respond to and manage adverse effects of emergencies
- Carry out recovery activities
- Assist other CDEM groups
- Promote and raise public awareness of CDEM and compliance with the CDEM Act within its area
- Develop, approve, implement, monitor and regularly review a CDEM Group Plan
- Participate in the development of the National CDEM Strategy and National CDEM Plan

The powers and duties of the CDEM Group are provided for elsewhere in the CDEM Act. Of particular relevance to the establishment of the CDEM Group are sections:

- 12 (Establishment of CDEM groups)
- 13 (Membership of CDEM groups)
- 16 (Powers and obligations of members of CDEM groups)

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- 18 (General powers of CDEM groups)
- 20 (Appointment of Coordinating Executive Groups)
- 23 (Establishment of administering authorities)

Copies of these sections are also attached in Schedule 1.

4.4.4.3. Background

The CDEM Act requires Civil Defence Emergency Management planning to be undertaken on a regional basis by emergency management groups consisting of territorial authorities and a regional authority, constituted as a joint standing committee under section 114s of the Local Government Act 1974, until section 30(1)(b) of Schedule 7 of the Local Government Act 2002 comes into effect on 1 July 2003.

Pursuant to section 12 of the CDEM Act, the parties to these Terms of Reference (“the Councils”) will be the members of the joint standing committee for the Canterbury Civil Defence Emergency Management area and together will constitute the Canterbury Civil Defence Emergency Management Group (“the Group”).

Canterbury Regional Council (“Environment Canterbury”) is the administering authority of the Group, pursuant to section 23(1) of the CDEM Act.

4.4.4.4. Membership of the Group

Each Council will use its best endeavours to ensure that at all times its representative on the Group, whether the Chair, Mayor or some other elected member of that Council appointed under section 13(4) of the CDEM Act (copy in attached schedule) is aware of the need for attendance at meetings of the Group to satisfy the quorum requirements arising under section 114l(4)(b) of the LG Act 1974 and section 23(3)(b)(ii) of schedule 7 of the Local Government Act 2002.

Each Council will ensure that at all times its representative on the Group has sufficient delegated authority to enable the Group to exercise its powers and to fulfil its functions under sections 16, 17 and 18 of the CDEM Act on a timely and efficient basis.

Nothing in clause 5.2 shall derogate from the principle that adequate notice must be given of all matters to be discussed at a meeting of the Group. In any case where a matter of significance is to be considered then, notwithstanding anything in the CDEM Act or Model Standing Orders NZS9202:2001 (or any Model Standing Orders passed in substitution therefore) to the contrary, prior written notice of the background to and rationale for that matter must be given in sufficient time to enable each representative to consult fully with his or her appointing Council before the date of the meeting at which the matter is to be considered.

For the purposes of clause 5.3 a “matter of significance” may be one which affects:

- all Councils;
- only one Council; or
- some (but not all) Councils.

*Delegations Manual July 2021 – Draft***4.4.4.5. Organisation**

At its first meeting the Group will appoint a representative of one of the Councils to be Chair of the Group and some other representative to be deputy Chair.

The term of appointment of the Chair and Deputy Chair, which may be for any period not necessarily corresponding with the timing of triennial local government elections, must be agreed at the time of appointment.

In any case where the term of appointment of the Chair or Deputy Chair extends beyond a triennial election date and the Chair or Deputy Chair is not re-elected to his or her Council then the Chair or Deputy Chair shall be deemed to have resigned on the date of the declaration of the election result for his or her Council.

The quorum for the CDEM Group shall consist of 11 (eleven) representatives, as required by section 114I(4)(b) of the Local Government Act 1974 and section 23(3)(b)(ii) of schedule 7 the Local Government Act 2002.

A sub-committee of the CDEM Group, with full-delegated authority to carry out the functions, duties and powers of the CDEM Group, will be established to ensure communication and decision-making are not hindered by the quorum problem outlines in 6.5.

The quorum for the CDEM Group sub-committee shall be 6 members, pursuant to 23(3)(a)(ii) of schedule 7 the Local Government Act 2002.

4.4.4.6. Continuation of Standing Committee

The Councils acknowledge that the Group will not be discharged by a triennial election, pursuant to section 12(2) of the CDEM Act.

Notwithstanding clause 7.1, following a triennial election any delegations made by a Council under section 13(4) of the CDEM Act must be renewed.

4.4.4.7. Powers, Obligations and Functions

The powers, obligations and functions of the Group and its members are set out in sections 16, 17 and 18 of the CDEM Act, copies of which are attached within Schedule 1.

4.4.4.8. Activities, Budgets and Funding

The Group will determine the basis for funding of CDEM Group activities, develop annual activities programmes, prepare annual budgets for those activities, and complete a CDEM Group Plan within two years of the formation of the CDEM Group. Member Councils will be fully consulted whenever any plans or activities are proposed that may have direct financial implications for them.

*Delegations Manual July 2021 – Draft***4.4.5. Downlands Joint Standing Committee – Terms of Reference**

The Downlands Joint Standing Committee (“the Downlands Committee”) is a joint committee of the Timaru, Waimate and Mackenzie District Councils (collectively referred to as “Councils”) established pursuant to the provisions of the Local Government Act 2002 (“the Act”).

Purpose

To ensure the ongoing governance and administration of the Downlands Water Supply Scheme (“the Downlands Scheme”).

To give effect to the purpose of these Terms of Reference the Councils agree:

1. The Memorandum of Agreement between the Ministry of Works and the Levels, Geraldine, Waimate and Mackenzie County Councils dated 29 November 1960, as amended by amendments dated 1 April 1979 and 28 November 1993, is revoked.
2. The Waimate District Council and Mackenzie District Council will each enact a water services bylaw which has enforcement provisions that are consistent with the enforcement provisions contained in the Timaru District Council’s Chapter 7 – Water Service Bylaw.
3. The Councils agree the Timaru District Council shall be appointed as the Downlands Scheme Manager, with responsibilities including, but not limited to:
 - (i) The receiving and processing of applications from the Downlands Scheme’s customers, and prospective customers, in respect of water to be supplied by the Downlands Scheme.
 - (ii) The ongoing inspection and maintenance of all works comprising the Downlands Scheme.
 - (iii) Investigating and promoting viable means of improving and extending all works comprising the Downlands Scheme.
 - (iv) Investigating and promoting viable means of water treatment and conservation, and any means of obtaining additional water for the Downlands Scheme.
 - (v) Undertaking any other matters that will assist in the efficient, cost effective and productive management of the Downlands Scheme.
4. The Waimate District Council and Mackenzie District Council shall resolve the powers of enforcement, inspection and administration vested in those territorial authorities in relation to the provision of water services (and any other regulatory matter required to assist in the efficient management of the Downlands Scheme) shall be delegated to the Timaru District Council.
5. The Waimate District Council and Mackenzie District Council shall pursuant to the provisions of the Act appoint selected officers or agents of the Timaru District Council to be enforcement officers for the Waimate and Mackenzie Districts. The Waimate District Council and Mackenzie District Council shall also issue warrants, as required by the Act, to those selected enforcement officers stipulating their powers in relation to the administration of the Downlands Scheme.
6. The formation of the Downlands Committee and the means of appointing its member and office holders are set out in clause 1 and 2 of the Agreement in Relation to Joint Committee executed by the Councils.

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7. The formation of the Downlands Committee may meet together for the despatch of business, adjourn or otherwise regulate their meetings as they think appropriate.
8. The Downlands Committee shall supply agendas to their members detailing the business to be brought before that meeting together with relevant attachments which must be sent to every member not less than two clear working days before the day appointed for the meeting.
9. Questions arising at any meeting of the Downlands Committee shall be decided by a majority of votes of those present, each member having only one vote. In the case of an equality of votes, the Chair shall have a casting vote. If the standing orders of any of the Councils do not provide for the Downlands Committee Chair to have a casting vote, each Council shall amend its standing orders accordingly.
10. The quorum necessary for the transaction of business of the Downlands Committee shall consist of each elected member of the Councils and two (2) other appointed members.
11. The Downlands Committee shall keep minutes recording:
 - (a) The names of the members present at each meeting; and
 - (b) All resolutions and proceedings at all meetings of the Downlands Committee.
12. The Downlands Committee may provide any advice and develop and recommend any strategies, policies and procedures necessary to assist the Timaru District Council in fulfilling its responsibilities as the Downlands Scheme Manager.
13. All members of the Downlands Committee shall be remunerated by their respective appointing Council.
14. The Councils each resolve to undertake to collect all monies in relation to water supplied by the Downlands Scheme within its district, which will be accounted for and forwarded to the Timaru District Council for payment into a nominated bank account operated in accordance with any local authority accounting regulations presently in force.

4.4.6. Upper Waitaki Zone Water Management Committee – Terms of Reference

The area of the Upper Waitaki Water Management Zone is shown on the attached map.

4.4.6.1. Establishment

The Committee is established under the auspices of the Local Government Act 2002 in accordance with the Canterbury Water Management Strategy 2009.

The Committee is a joint Committee of Environment Canterbury (the Regional Council) and Mackenzie and Waitaki District Councils (the Territorial Authorities).

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4.4.6.2. Purpose and Functions

The purpose and function of the Committee is to:

- Facilitate community involvement in the development, implementation, review and updating of a Zone Implementation Programme that gives effect to the Canterbury Water Management Strategy in the Upper Waitaki Zone; and
- Monitor progress of the implementation of the Zone Implementation Programme

4.4.6.3. Objectives

1. Develop a Zone Implementation Programme that seeks to advise the CWMS vision, principles, and targets in the Upper Waitaki Zone.
2. Oversee the delivery of the Zone Implementation Programme.
3. Support other Zone Implementation Programmes and the Regional Implementation Programme to the extent they have common areas of interest or interface.
4. Ensure that the community of the Zone are informed, have opportunity for input, and are involved in the development and delivery of the Upper Waitaki Zone Implementation Programme.
5. Consult with other Zone Water Management Committees throughout the development and implementation of the Upper Waitaki Zone Implementation Programme on matters impacting on those Zone areas.
6. Engage with relevant stakeholders throughout the development of the Upper Waitaki Zone Implementation Programme.
7. Recommend the Upper Waitaki Zone Implementation Programme to their respective Councils.
8. Review the Zone Implementation Programme on a three yearly cycle and recommend any changes to the respective Councils.
9. Monitor the performance of Environment Canterbury, the Mackenzie and Waitaki District Councils, and other agencies in relation to the implementation of the Upper Waitaki Zone Implementation Programme.
10. Provide Environment Canterbury and List Districts with updates on progress against the Zone Implementation Programme.

4.4.6.4. Limitation of Powers

The Committee does not have the authority to commit any Council to any path or expenditure and its recommendations do not compromise the Councils' freedom to deliberate and make decisions.

The Committee does not have the authority to submit on proposed Resource Management or Local Government Plans.

The Committee does not have the authority to submit on resource consent matters.

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4.4.6.5. Committee Membership

The Zone Committee will be made up as follows:

1. One elected member or Commissioner appointed by Environment Canterbury;
2. One elected member appointed by each Territorial Authority operating within the Zone Boundary;
3. A member from each of Arowhenua, Waihao and Moeraki Runanga;
4. Between 4-7 members appointed from the community and who come from a range of backgrounds and interests within the community;
5. Environment Canterbury and the Mackenzie and Waitaki District Councils will appoint their own representatives on the Committee. Arowhenua, Waihao and Moeraki Runanga will nominate their representatives and the appointments will be confirmed by Environment Canterbury and the Mackenzie and Waitaki District Councils.

4.4.6.6. Selection of Community Members

To be eligible for appointment to a Zone Committee the candidate must either live in or have a significant relationship with the zone. Recommendations on Community Members for the Banks Peninsula Zone Committee will be made to Environment Canterbury and Christchurch City Council by a working group of representatives from Environment Canterbury, Christchurch City Council, Te Runanga o Wairewa, Te Hapu o Ngati Wheke, Te Runanga o Koukourarata and Te Runanga o Onuku. The recommendations will take into account the balance of interests required for Banks Peninsula, geographic spread of members and the ability of the applicants to work in a collaborative, consensus-seeking manner. Environment Canterbury and Christchurch City Council will receive the recommendations and make the appointments.

4.4.6.7. Quorum

The quorum at a meeting consists of:

1. Half of the members if the number of members (including vacancies) is even; or
2. A majority of members if the number of members (including vacancies) is odd.

4.4.6.8. Chair and Deputy Chair

Each year the Committee shall appoint the Chair and Deputy Chair from the membership by simple majority. There is no limit on how long a person can be in either of these positions.

4.4.6.9. Term of Appointment

Members of Committees are appointed for a term of three years. To coincide with Local Government Election processes terms shall commence from January each year, with each Committee requiring confirmation of membership by the incoming Council. The term for community members will be staggered so that one third of the community members is appointed (or reappointed) each year. There is no limit on the number of consecutive terms.

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4.4.6.10. Financial Delegations

None.

4.4.6.11. Operating Philosophy

The Committees will at all times operate in accordance with the requirements of the Local Government Official Information and Meetings Act 1987, and will observe the following principles:

1. Give effect to the Fundamental Principles, Targets and goals of the CWMS;
2. Be culturally sensitive observing tikanga Māori;
3. Apply a Ki uta ki tai (from the mountains to the sea) approach;
4. Work with the CWMS Regional Committee to support the implementation of the CWMS across the region as a whole;
5. Give consideration to and balance the interests of all water interests in the region in debate and decision-making;
6. Work in a collaborative and cooperative manner using best endeavours to reach solutions that take account of the interests of all sectors of the community;
7. Contribute their knowledge and perspective but not promote the views or positions of any particular interest or stakeholder group;
8. Promote a philosophy of integrated water management to achieve the multiple objectives of the range of interests in water;
9. Seek consensus in decision-making where at all possible. In the event that neither unanimous agreement is able to be reached nor a significant majority view formed, in the first instance seek assistance from an external facilitator to further Committee discussions and deliberations. Where the Committee encounters fundamental disagreements, despite having sought assistance and exhausted all avenues to resolve matters, recommend that the respective Councils disband them and appoint a new Committee.

4.4.6.12. Meeting and Remuneration Guidelines

1. The Committee will meet at least eight times per annum and with workshops and additional meetings as required. At times, the workload will be substantially higher. Proxies or alternates are not permitted.
2. Any Committee may co-opt such other expert or advisory members as it deems necessary to ensure it is able to achieve its purpose. Any such co-option will be on a non-voting basis.
3. Remuneration for members will be paid in the form of an honorarium currently set at the following levels:
 - i. Appointed members - \$4,000 pa
 - ii. Deputy Chair - \$5,000 pa
 - iii. Chair - \$6,000 pa.

Staff or elected members of Territorial Authorities or the Environment Canterbury shall not be eligible for remuneration.

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Mileage will be reimbursed.

4.4.6.13. Committee Support

The Committee shall be supported by Environment Canterbury and the Territorial Councils, primarily through the Committee Secretary and the Zone Facilitator.



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4.4.7. Orari-Temuka-Opihi-Pareora Zone Water Management Committee – Terms of Reference

The area of the Orari-Opihi- Pareora Water Management Zone is shown on the attached map.

4.4.7.1. Establishment

The Committee is established under the auspices of the Local Government Act 2002 in accordance with the Canterbury Water Management Strategy 2009.

The Committee is a joint Committee of Environment Canterbury (the Regional Council) and Timaru District Council and Mackenzie District Council (the Territorial Authorities).

4.4.7.2. Purpose and Functions

The purpose and function of the Committee is to:

- Facilitate community engagement in the development and periodic review of a Water Management Implementation Programme that gives effect to the Canterbury Water Management Strategy and takes into account the Implementation Programmes of other Committees where there is a common area of interest or interface; and
- Monitor progress in the implementation of the programme by the Water Executive.

*Delegations Manual July 2021 – Draft***4.4.7.3. Objectives**

- To develop a rolling 10 year Implementation Programme that seeks to advance the management of water and any associated documentation required to support the programme or as required by legislation.
- Take into account and support other Implementation Programmes to the extent they have common areas of interest or interface.
- Consult with other Committees throughout the development of their Implementation Programme on matters impacting on those Committees.
- Consult with relevant stakeholders throughout the development of the Implementation Programme.
- Recommend the Implementation Programme to their respective Councils.
- In developing the Implementation Programme ensure that the obligations to consult and obtain input from the public are met.
- To consider the Management Plan prepared by the Water Executive in response to the Implementation Programme and, if satisfied approve the Management Plan.
- To monitor the performance of the Water Executive in relation to the implementation of the Management Plan.
- To provide the relevant Territorial and Regional Authorities with updates on progress against the Implementation Programme.
- To review the Implementation Programme on a three yearly cycle and amend as deemed necessary.

4.4.7.4. Limitation of Powers

No Committee shall have the authority to commit any Council to any path or expenditure and shall operate in such a way as it does not compromise those Council's freedom to deliberate and make such decisions as it deems appropriate.

No Committee shall have the authority to submit on resource consent matters in its own right.

4.4.7.5. Committee Membership

The Zone Committee will comprise no less than 7 and no more than 11 members made up as follows:

- One member appointed by the Regional Council who shall be an elected member
- One member appointed by each Territorial Authority operating within the Zone Boundary who shall be an elected member
- One member from each rūnanga with interests in the zone
- Between four and seven members appointed from the community and who come from a range of background and interests within the community

In determining the composition of the Committee consideration shall be given to balancing the following interests in water management:

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- Agricultural interests
- Indigenous biodiversity/Environmental groups
- Recreational users
- Economic development interests
- Energy/electricity interests
- General community interests
- Geographic spread

To be eligible to be considered for appointment to a Zone Committee the candidate must either live in or have a significant relationship with the zone.

4.4.7.6. Quorum

The quorum at a meeting consists of:

1. half of the members if the number of members (including vacancies) is even; or
2. a majority of members if the number of members (including vacancies) is odd

4.4.7.7. Chair and Deputy Chair

The Committee shall appoint the Chair and Deputy Chair from the membership.

4.4.7.8. Term of Appointment

Members of Committees are appointed for a term of three years and can be reappointed for a second term of three years. To coincide with Local Government Election processes terms shall commence from December each year, with each Committee requiring confirmation of membership by the incoming Council.

4.4.7.9. Financial Delegations

None

4.4.7.10. Operating Philosophy

The Committees will at all times operate in accordance with the following.

1. Give effect to the Fundamental Principles, Targets and goals of the Canterbury Water Management Strategy.
2. Be culturally sensitive observing tikanga Māori.
3. Give consideration to and balance the interests of all water stakeholders in the region in debate and decision-making.
4. Work in a collaborative and co-operative manner using best endeavours to reach solutions that take account of the interests of all sector of the community.

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5. Members of the Committee are appointed on the basis of their experience and knowledge and not to represent a particular interest or group. Accordingly members will contribute their knowledge and perspective but not promote the views or positions of any particular interest and stakeholder group.
6. Promote a philosophy of integrated water management to achieve the multiple objectives of the range of stakeholders with interests in water.
7. The Committee will seek consensus in its decision-making where at all possible.
8. In the event that neither unanimous agreement is able to be reached nor a significant majority view formed, the Committee must in the first instance seek assistance from an external facilitator to further Committee discussions and deliberations.
9. Where the Committee encounters fundamental disagreements, despite having sought assistance and exhausted all avenues to resolve matters, they must recommend that the respective Councils disband them and appoint a new Committee.

4.4.7.11. Guidelines

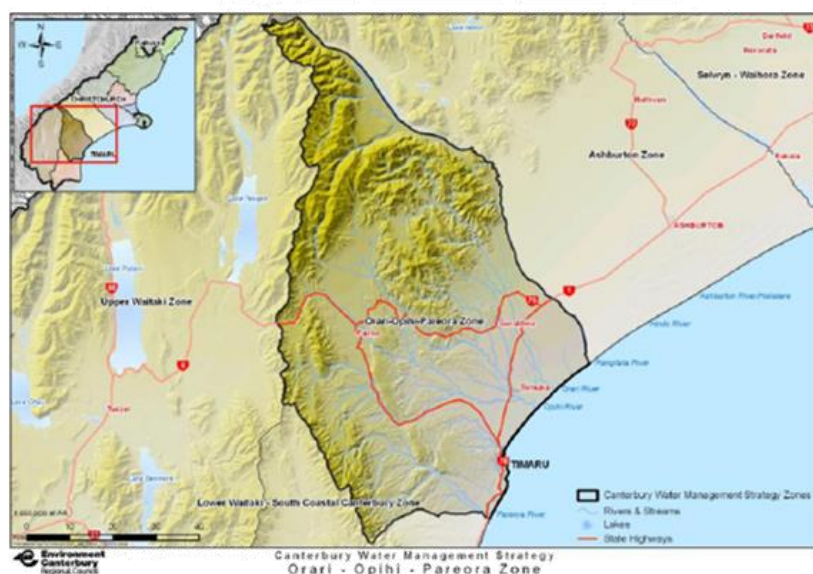
- The Committee is formed on a three-yearly basis.
- Remuneration for members will be paid in the form of an honorarium at the following levels:
 - Appointed members - \$2,000 pa
 - Deputy Chair - \$3,000 pa
 - Chair - \$5,000 pa
- Staff or elected members of Territorial Authorities or the Regional Council shall not be eligible for the above remuneration.
- Reasonable travel expenses will be reimbursed.
- The Committee will meet at least four times per annum and with workshops and additional meetings as required. In its first year of operation the Committee is likely to meet at least once a month.
- Proxies or alternates are not permitted.
- Any Committee may co-opt such other expert knowledge or advisory as it deems necessary to ensure it is able to achieve its purpose. Any such co-option will be on a non-voting basis.

4.4.7.12. Committee Support

The Committee shall be supported by the Territorial and Regional Councils operating primarily through the Water Executive.

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4.5. Mackenzie District Council Community Boards

In accordance with Clause 32 (6), Schedule 7 of the LGA 2002, Councils are required to consider if delegation to Community Boards would enable the Boards to best achieve their roles. The Council has three community boards, in Fairlie, Tekapo and Twizel.

Delegations to the Community Boards are set out below. Council delegations must be exercised in compliance with Council policies and any delegations must have purely local effect.

The Fairlie, Tekapo and Twizel Community Boards have each been delegated the following responsibilities:

- The ability to consider requests from local organisations for financial assistance in the form of grants, where budget exists for such matters and subject to no one grant exceeding \$1,000.
- The ability to appoint local representatives to organisations within the community board area and other organisations where local representation is requested.
- The ability to authorise, within approved budgets, board members' attendance at relevant conferences and/or training courses.
- The ability to approve routine changes in policy affecting locally funded facilities within the community board area.

*Delegations Manual July 2021 – Draft***4.6. Special Delegations to Timaru District Council**

Delegated: All functions as required under the provisions of the Health Act 1956, the Food Hygiene Regulations 1974, the Sale and Supply of Alcohol Act 2012 as are necessary to facilitate an agreement between the Mackenzie District Council and Timaru District Council effective from 1 January 2004.

In addition to the delegations in section 6.2.6 of this Manual, the following specific delegations and appointments are made:

- Appointment of those Timaru District Council Officers as are necessary as Environmental Health Officers
- Appointment of those Timaru District Council Officers as are necessary as Licensing Inspectors.

4.7. Delegations from Council by way of Memorandum of Understanding with Community Groups**4.7.1. Albury Hall Committee**

The Memorandum of Understanding with the Albury Hall committee authorises the committee to provide Council with approved invoices, and Council pays these invoices from funds held on behalf of the Albury Hall.

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5 Financial Delegations

5.1 Credit Card Authorities

All credit card expenditure shall be in accordance with the financial delegations in this Delegations Manual, the Sensitive Expenditure Policy (section 3.5) and the Purchase Cards Policy (section 2.0).

The Mayor has delegated authority for credit card expenditure under the conditions and to the limits described in the Delegations Manual, the Sensitive Expenditure Policy and the Purchase Cards Policy.

5.2 Payment Signatory Delegations

The authority under this delegation is to execute documents on behalf of the Council (cheques, automatic payment schedules and electronic funds transfer payments) to enable payment of items that have been approved for payment by an authorised party. Only Council officers may have delegated powers under this category, with the exception of the Mayor who has delegated authority to countersign cheques (refer section 3 above). Authorised signatories do not have financial limits on their signing authority. Any two of the following nominated positions are authorised to sign Council payments:

- Chief Executive Officer
- General Manager Corporate Services
- General Manager Operations
- Manager Finance

5.3 Schedule of Staff Delegations

- The contractual authorities for staff are set down in the chart following. Where staff are not included in the chart they have no authority to enter into contract/commitments on behalf of the Council. The amounts stated are all maximums and are subject to Council's procurement procedures having been adhered to. All expenditure shall be in accordance with Council's Sensitive Expenditure Policy and Procurement Policy.
- Where a cost centre controller is aware that an activity is about to be or has been overspent, he/she should report that fact to the person to whom he/she is responsible as soon as practicable.
- The authority to approve expenditure other than that specifically delegated requires one-up approval subject to financial delegations.
- All expenditure under financial delegated shall be within budgeted amounts.
- For clarity, the financial authority sub-delegated to staff includes the authority for both expenditure and income decisions.
- All amounts in the delegations are GST exclusive.

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Role	Amount
Chief Executive Officer	\$2,000,000
General Manager Operations	\$500,000
General Manager Corporate Services	\$250,000
Manager Property and Commercial	\$150,000
Manager Engineering	\$80,000
Roading Manager Three Waters Manager Community Services and Waste Officer Community Facilities and Services Officer	\$50,000
Manager People and Culture Manager Finance Manager Information and Engagement Manager Planning Manager Regulatory Planning Team Leader	\$20,000
Manager Transition Emergency Management Officer Customer Services Manager Senior Corporate Planner Business Liaison Officer Economic Development Officer Executive Assistant Grants Officer	\$10,000
Management Accountant Senior Payroll Officer/Creditors Regulatory Compliance Officer Communications Officer Administration Support Officer	\$5,000
Senior Revenue Officer	\$2,000

The following delegations are only applicable following an activation of Council's Emergency Operations Centre, until revoked by the Chief Executive Officer:

Role	Amount
Civil Defence Controller Recovery Manager	\$50,000

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6. Statutory and Other Delegations

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6.1 Delegations to the Chief Executive Officer

6.1.1 Legislation and Regulations

All the powers, duties and responsibilities contained in the legislation and any associated regulations set out below that are of an enforcement, inspection, licensing, and administration nature (but excluding the powers outlined below):

Amusement Devices Regulations 1978	Litter Act 1979
Animal Welfare Act 1999	Local Government (Rating) Act 2002
Building Act 2004	Local Government Act 1974
Building Research Levy Act 1969	Local Government Act 2002
Burial and Cremation Act 1964	Local Government Official Information & Meetings Act 1987
Canterbury Museum Trust Board Act 1993	Machinery Act 1950
Civil Defence Emergency Management Act 2002	New Zealand Geographic Board Act 2008
Dog Control Act 1996	New Zealand Library Association Act 1939
Electricity Act 1992	Privacy Act 1993
Fencing of Swimming Pools Act 1987	Property Law Act 2007
Fire Services Act 1975	Prostitution Reform Act 2003
Food Act 1981	Public Bodies Leases Act 1969
Food Act 2014	Public Records Act 2005
Forest and Rural Fires Act 1977	Public Works Act 1981
Freedom Camping Act 2011	Rates Rebate Act 1973
Gambling Act 2003	Rating Valuations Act 1998
Gas Act 1992	Reserves Act 1977
Hazardous Substances & New Organisms Act 1996	Resource Management Act 1991
Health (Drinking Water) Amendment Act 2007	Sale and Supply of Alcohol Act 2012
Health Act 1956	Smoke-free Environments Act 1990
Heritage New Zealand Pouhere Taonga Act 2014	Soil Conservation & Rivers Control Act 1941
Human Rights Act 1993	Telecommunications Act 2001
Impounding Act 1955	Transport Act 1962
Land Act 1948	Unit Titles Act 1972
Land Drainage Act 1908	Utilities Access Act 2010
Land Transfer Act 1952	Walking Access Act 2008
Land Transport Act 1998	Waste Minimisation Act 2008
Land Transport Management Act 2003	

For the avoidance of doubt, if Council has powers, duties and functions under any other legislation or regulation that is not specified in the foregoing table that are of an enforcement, inspection, licensing, and

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administration nature then the Chief Executive Officer is delegated the powers, duties and functions as if the legislation or other regulation was specified in the foregoing tables.

This delegation excludes the following powers:

- Power to adopt plans, strategies, policies or bylaws;
- Powers that are unable by statute to be delegated;
- Power to lodge legal proceedings in any courts or tribunals, other than those specifically outlined in section 6.2 below.

6.1.2 Bylaws

All the powers, duties and functions contained in the following bylaws adopted by the Mackenzie District Council set out below that are of an enforcement, inspection, licensing, and administration nature (but excluding the powers outlined below):

Role	Amount
Cemetery Fees Bylaw 2010	Mobile Shops and Traders Bylaw 2014
Dog Control Bylaw 2014	Solid Waste Bylaw 2013
Downlands Water Supply Bylaw 2014	Speed Limit Bylaw 2013
Responsible Freedom Camping Bylaw 2016	Wastewater Bylaw 2014
Market Place Liquor Ban Bylaw 2014	Water Supply Bylaw 2014

For the avoidance of doubt, if the Council has powers, duties and functions under any other bylaw that is not specified in the foregoing table that are of an enforcement, inspection, licensing, and administration nature then the Chief Executive Officer is delegated the powers, duties and functions contained therein as if the bylaw was specified in the foregoing table.

This delegation excludes the following powers:

- Power to adopt bylaws;
- Powers that are unable by statute to be delegated;
- Power to lodge legal proceedings in any courts or tribunals, other than those specifically outlined in section 6.2 below.

6.1.3 Warrants

Pursuant to Clause 32A Schedule 7 of the Local Government Act 2002 Council delegates to the Chief Executive Officer the power to grant warrants to officers of Council under any of the legislation that provides for warrants to be issued to officers.

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6.2 Sub-delegations

The Chief Executive Officer makes the following sub-delegations of any powers granted to the Council as regards the regulation, inspection, licensing and infringement of offences and any other functions and duties set out in the following legislation and all statutory regulations made thereunder, notices issued thereunder, all bylaws (and all matters contained therein) passed and enforced in the area of the Mackenzie District and more specifically detailed as set out in the following sections.

The following schedule details all delegations for each piece of legislation. Delegations shown in these sections to Council staff or service delivery providers are made through this sub-delegation of the Chief Executive Officer's delegated powers. For the avoidance of doubt the Chief Executive Officer may withdraw and replace delegates at any time and any sub-delegation made by the delegate is withdrawn at the same time.

In the absence of any evidence to the contrary, it is accepted that all officers who exercise any authority have been delegated these powers by the Chief Executive Officer.

For the avoidance of doubt, it is also accepted that any staff members carrying out higher duties in a temporary acting capacity have the delegated powers, duties and responsibilities of the position in which they are acting. Likewise, where a staff position is delegated any power, duty or responsibility, the General Manager and any Manager supervising that staff position also share the same delegation, unless the exercise of such delegation requires, by law, a particular qualification or registration.

As well as the delegations outlined in section 6.1 above, a number of specific delegations to the Chief Executive Officer are also included in the tables below including those that are subject to specific conditions.

6.2.1 General Functions

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 2002				
s157	Obligation to issue public notice of the making of any bylaw and to make copies available	Manager Planning		
s162	Power to seek a District Court injunction restraining a person from committing a breach or bylaw or an offence under the LGA 2002	CEO		
s163	Power to remove works constructed in breach of a bylaw and recover the costs of doing so	CEO following consultation with the Mayor		
s164	Power to seize and impound property if materially involved in the commission of an offence	Compliance and Monitoring Officer subject to consultation with the CEO and Manager Regulatory		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 2002				
s165	Power to seek a warrant to seize property on private land	CEO	Such a warrant is issued by a judicial officer and authorizes an enforcement officer to enter private property involved in the commission of an offence, and seize and impound property. The application for a warrant must be made in writing and on oath.	
s166	Authority to exercise a warrant to seize property on private land	Any enforcement officer specifically authorised to do so by the CEO	In exercising this authority, the enforcement officer must be accompanied by a member of the police	
s167	Power to return or decline to return any property seized or impounded	CEO or any General Manager	Property may be returned if it is not likely to be involved in an offence for which it was seized and the cost involved in seizure and impounding has been paid. Some judgement is involved. Any refusal to return seized property may be appealed to the District Court	
s168	Power to dispose of property seized and impounded	CEO or any General Manager	Allowed if property not returned within 6 months	
s171	Power to exercise the power of entry on any land or building other than a dwelling house	A duly authorised officer	Notice of intention is required. Judgement is needed as to how entry is to be exercised and what notice is reasonable in the circumstances	
s172	Power of entry for enforcement purposes where a breach of bylaw or offence under the LGA 2002 is suspected on reasonable grounds	Any warranted enforcement officer specifically authorised to do so by the CEO or any General Manager. Notice of entry is required unless such notice would defeat the purpose of entry.	The power of entry to a dwelling house can only be exercised when authorised by a warrant issued by a District Court Judge on written application on oath. In such a case, the enforcement officer must be accompanied by a member of the police	

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 2002				
s173	Power to enter occupied land or buildings without prior notice in cases of emergency if: (a) there is a sudden emergency causing or likely to cause— (i) loss of life or injury to a person; or (ii) damage to property; or (iii) damage to the environment; or (b) there is danger to any works or adjoining property.	Any authorised person or Council officer	This power can only be exercised for the purpose of doing anything that the Council is authorised to do under the LGA 2002 law. Advice of entry is required to be given to the occupier and owner as soon as practicable afterwards	
s174	Authority to act under warrant and enter private land	Any authorised person or Council officer	The warrant is required as proof of authority and must be produced	
s177	Power to appoint enforcement officers	CEO		
s179	Power to contract out the administration of enforcement functions	CEO	This power includes the administration of any of Council's regulatory functions including the operational aspects of enforcement, inspection, licensing and other administrative matters. Council can contract with another local authority or any other person. NB: Council is still responsible for the manner in which its contracted tasks are undertaken including legal responsibility	
s181	Power to construct works on private land where the landowner consents or where the requirements of Schedule 12 have been met	CEO, General Manager Operations or any other duly authorised officer or contractor	This power is limited to the construction of water supply, trade wastes disposal, land drainage, sewage and land drainage works. Schedule 12 requires notice to be given to the owner, includes a right of hearing by Council to any objection and the ability to appeal to the District Court	
s181 (4)	Power to enter land to inspect and repair works constructed on private land	General Manager Operations, Manager Engineering, and Three Waters Manager or any other duly authorised officer or contractor	Reasonable notice of the intention to enter must be given to the owner and occupier	

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 2002				
s182	Power of entry to check utility services	Manager, Engineering, Three Waters Manager or any enforcement officer authorised by the Manager Engineering or Three Waters Manager	Reasonable grounds must exist to suspect water wastage, misuse of any drainage works or any Council utility works or equipment is in a dangerous state. Prior notice must be served.	
s185	Power to approve occupier doing any work required by the LGA in default by the owner	CEO or any General Manager	This power applies generally to any work required to be done under the LGA 2002	
s186	Power to execute works in default of the owner or occupier	CEO		
s187	Power to recover costs of works undertaken by Council	CEO	This follows on from default by a person of any action where such default is an offence under the LGA	
s190	Power to agree compensation for land taken by Council for a public work for land injuriously affected by a public work or for damage caused by exercise of my powers under the LGA 2002	CEO	The compensation is determined under the Public Works Act 1991	
s198	Power to require development contributions in accordance with a Council policy	CEO		
s208	Power to exercise powers under the LGA 2002 if development contributions not paid	CEO		
s209	Power to refund money or return land if development does not proceed	CEO		
s210	Power to refund money or return land if not applied to specific reserve purposes	CEO	There is a ten year time limit to utilise land or money required as a development contribution required for a specified reserve purpose	
s215	Power to apply to a District Court for a removal order to remove or alter a fence, structure or vegetation	CEO following consultation with the Mayor	No notice is required. Power can also be exercised by a member of the police. Schedule 14 sets out the process which includes a right of objection to the District Court	

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 2002				
s220 (2), s221	Power to authorise entry onto property to ensure compliance with a removal order	CEO	The powers of entry are limited to those authorised in writing by the CEO, entry must be made at reasonable times, evidence of identity and authority must be carried and shown, and notice must be given in writing to the owner and occupier as soon as practicable afterwards	
s245	Power to issue infringement notices	Any enforcement officer	The enforcement officer must have observed the person committing the infringement offence or have had reasonable cause to believe that an offence is being or has been committed by that person	
s249	Power to represent Council in proceedings	CEO or General Manager when it is not appropriate for Regional Council to act		
s251 (a)	Power to produce the rating database in any legal proceedings to show ownership of the land	General Manager Corporate Services, Manager Finance, or Senior Revenue Officer		
s251(b)	Power to sign an affidavit providing evidence of Council ownership vesting or control of any works or property in any legal proceedings	CEO		
s252	Power to commence action to recover debts	CEO, General Manager Corporate Services, Manager Finance, or Senior Revenue Officer		
Schedule 7 Clause 28	Requirement to keep minutes of proceedings	Governance Advisor, or Executive Assistant		
Schedule 7 Clause 12	Authority to pay elected members in accordance with the determination of the remuneration Authority	Senior Revenue Officer, or Manager Finance		
Schedule 7 Clause 32A	Delegation of power to issue warrants to enforcement officers	CEO		
Other delegations				

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 2002				
	To lodge submissions and further submissions on behalf of Council, excluding on matters outlined in Section 6.2.6: Planning.	Senior Corporate Planner in consultation with General Manager Corporate Services or General Manager Operations		
	To write off unrecoverable debts up to a maximum of fifteen thousand dollars (\$15,000) in any one case.	General Manager Corporate Services jointly with CEO		
	To negotiate loan interest rates and terms with brokers and/or lending institutions for loans raised by Council	General Manager Corporate Services, Finance Manager		

6.2.2 Building Control

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s31	To provide Project Information Memorandum to owner on application of a building consent	Manager Regulatory, Senior Building Control Officer or Building Control Officer		
s33	To determine the adequacy of information received with an application for a Project Information Memorandum and require further information on an application	Manager Regulatory, Senior Building Control Officer or Building Control Officer		
s34	To issue a Project Information Memorandum	Manager Regulatory, Senior Building Control Officer Building Control Officer, or Building Administration Support Officer		
s34(4)	To determine if any Project Information Memorandum already issued contains an error or omission, or determine if any information received affects that Project Information Memorandum, and re-issue the Project Information Memorandum	Manager Regulatory, Senior Building Control Officer or Building Control Officer		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s35	To determine the content of a Project Information Memorandum	Manager Regulatory, Senior Building Control Officer or Building Control Officer		
s36	Power to attach a Development Contribution Notice to a Project Information Memorandum	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		
s37	Where a Resource Consent has not been obtained and it may affect building work which a PIM relates, the power to attach an additional certificate to the PIM to that effect	Manager Planning, Planning Team Leader Senior Planner, or Planner		
s38	Requirement to give a copy of PIM to a network utility operator or statutory authority where it contains information previously supplied by that operator or authority	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		
s39	Requirement to advise heritage New Zealand Pouhere Taonga that in five days of receiving an application for a PIM where the application affects a registered historic place, historical area or wahi tapu	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		
s45	To determine that a building consent application meets the requirements of section 45	Manager Regulatory, Building Control Officer, Senior Building Control Officer, Building Administration Support Officer		Appointed contractor
s45A	To determine that an application for a minor variation meets the requirements of section 45A onsite or within the office.	Manager Regulatory, Building Control Officer, Senior Building Control Officer, Building Administration Support Officer		Appointed contractor
s46	Requirement to provide a copy of certain applications for building consent to the NZ Fire Service Commission	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s48	Power to process applications for Building Consent	Manager Regulatory, Building Control Officer, or Senior Building Control Officer		Appointed Contractors
s49	Power to grant a Building Consent subject to receipt of fees and any levy payable	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		
s50	Power to refuse an application for Building Consent	Manager Regulatory, or Senior Building Control Officer,		Appointed Contractors
s51	Power to issue a Building Consent	Manager Regulatory, Senior Building Control Officer, Building Control Officer, or Building Administration Support Officer		
s52	Power to extend the period in which a Building Consent would otherwise lapse	Manager Regulatory, or Senior Building Control Officer		Appointed Contractors
s54	To advise the applicant of the amount payable	Manager Regulatory, Senior Building Control Officer, Building Control Officer, or Building Administration Support Officer		
s59	Responsibility to pay monthly to the CEO of the Ministry of Business, Innovation and Employment for Housing Building Levies collected on its behalf	Manager Regulatory		
s62	Power to recover unpaid levies from applicants for Building Consents	Manager Regulatory, Senior Revenue Officer, or Finance Administration Support Officer		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s64	The duty to keep in safe custody all records and building consents issued including the estimated value of the building work	Manager Regulatory in consultation with Records Advisor		
s67	Ability to grant Building Consents subject to waivers or modifications of the Building Code	Manager Regulatory, or Senior Building Control Officer		Appointed contractors
s68	Requirement to notify CEO of the Ministry of Business, Innovation and Employment for waiver or modification of the Building Code granted	Manager Regulatory, Senior Building Control Officer		Appointed contractors
s70	Requirement to refer any applications for Building Consent related to energy work that involves the granting or refusal of a waiver or modification of the Building Code to the CEO of the Ministry of Business, Innovation and Employment	Manager Regulatory		
s71	Power to refuse to grant a Building Consent for construction of a building or major alterations to a building on land subject to Natural Hazards	Manager Regulatory		
s72, s73 & s74	Power to grant a Building Consent for building on land subject to Natural Hazards in certain cases where it is judged that the building work will not accelerate, worsen or result in a Natural Hazard on the land affected or on any other property	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s75, s76 & s77	Where a PIM is sought to construct building on land that is on 2 or more allotments, the power to make the grant of a Building Consent conditional upon those allotments not being separately transferred	Manager Regulatory in consultation with Manager Planning		
s83	Consideration of a request for an entry under Section 78 to be removed	Manager Regulatory		
s90	Power to undertake inspections of building work	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		External contractors

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s91	Power to issue a Code of Compliance Certificate in respect for building work in which consent has been granted	Manager Regulatory, Senior Building Control, or Building Control Officer, Building Administration Support Officer		Appointed contractors
s93, s94 & s95	Power to determine all matters in relation to whether a Code Compliance Certificate will be issued, including requiring further information, and issue Code Compliance Certificates	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractors
s96	Power to issue a Certificate of Acceptance in certain circumstances	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractors
s98	Power to decide whether to grant or refuse an application for a Certificate of Acceptance or to request further information	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractors
s99	Power to determine whether any qualifications should be made on any Certificate of Acceptance to be issued	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractors
s102	Requirement to issue a compliance schedule with Code of Compliance Certificate in certain cases where such a schedule is required	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractors
s106	Power to consider whether to amend the Compliance Schedule on application by the owner	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s107	Power to amend Compliance Schedule by Territorial Authority acting on its own initiative	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s109	Power to either accept or refuse a recommendation from a building practitioner to amend a Compliance Schedule	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s110	To require production of annual written reports on compliance schedules	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s111	Power to undertake any building inspections for which Compliance Schedule has been issued and the specified systems in the building	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		External contractors
s112	Power to consider alteration to existing buildings, particularly in terms of means of escape from fire and access facilities for persons with disabilities	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s113	Power to grant a Building Consent for buildings with specified intended lives less than 50 years	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s115	The power and authority to determine the change of use of buildings	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s116	Power to consider Code of Compliance requirements with respect to the extension of life of buildings and subdivision of buildings	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s116A	To determine whether to permit a subdivision that affects a building or part of a building	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s121	To determine whether a building is dangerous, including seeking advice from Fire and Emergency New Zealand	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s123	To determine whether a building is insanitary	Manager Regulatory, or Senior Building Control Officer		Appointed contractor
s124	Power to fence off, attach warning notices to and give written notice of remedial work required to be carried out on any building deemed to be dangerous, affected or insanitary following a resolution to that affect by the Council	General Manager Operations in consultation with Manager Regulatory	The ability for a Territorial Authority to carry out work in default of any notice issued under s124 must be authorised by a resolution by Council. This includes the demolition of all or part of the building (s126 & 127)	
s129	Power to take measures to avoid immediate danger to the safety of people or to fix insanitary conditions	General Manager Operations in consultation with Manager Regulatory		
s133AF	Power to identify any part of a public building, road, footpath or other thoroughfare in an area of medium or high seismic risk as a priority building	General Manager Operations in consultation with Manager Regulatory	Must use special consultative procedure as determined by s83 of the LGA 2002	
s133AG & s133AK	Power to identify a building or any part of a building as earthquake prone	Manager Regulatory		
s133AL	Power to issue notice for earthquake prone buildings	Manager Regulatory, or Senior Building Control Officer		Appointed contractor
s133AN	Power to exempt from requirement to carry out seismic work	Manager Regulatory, or Senior Building Control Officer		Appointed contractor
s133AO	Power to extend the deadline for completing seismic work on certain heritage buildings	Manager Regulatory, or Senior Building Control Officer		Appointed contractor
s133AT	Power to assess building consents for alterations to buildings subject to an Earthquake Prone Building notice	Manager Regulatory, or Senior Building Control Officer		Appointed contractor

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s162D	Power to periodically inspect residential swimming pools	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		Appointed contractor
s164 & 166	Power to issue Notice to Fix	Manager Regulatory, or Senior Building Control Officer		Appointed contractor
s167	Power to inspect building work subject to a Notice to Fix	Manager Regulatory, or Senior Building Control Officer	This includes the power to confirm or refuse to confirm compliance with such a notice	Appointed contractor
s177	To apply for a determination	Senior Building Control Officer, or appointed contractor, in consultation with Manager Regulatory and General Manager Operations		
s180	To apply for a determination to be withdrawn	Senior Building Control Officer, or appointed contractor, in consultation with Manager Regulatory and General Manager Operations		
s215	Requirement to gain accreditation and be registered	CEO		
s216	Requirement to keep information about buildings	Manager Regulatory in consultation with Manager Information and Engagement		
s217	Requirement to provide access to certain information kept by the Council	Manager Regulatory in consultation with Manager Information and Engagement		
s218	Requirement to provide information to the CEO of Ministry of Business, Innovation and Employment	Manager Regulatory		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s219	Ability to impose fee or charge and to collect the levy payable to the CEO in accordance with s53, and to refuse to perform the function or service unless the fee, charge or levy is paid.	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		
s220	Ability of the Council to apply to a District Court for an Order authorising it to carry out building work in default as authorised by resolution of Council	General Manager Operations in consultation with Manager Regulatory		
s221	Ability to recover costs when Council carries out work on default	General Manager Operations in consultation with Manager Regulatory		
s222	Power to undertake inspections of building work and the ability to enter premises for that purpose	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		
s227	Ability to apply to the District Court for an authorised officer to enter a household unit for the purpose of undertaking an inspection under Section 22	General Manager Operations in consultation with CEO		
S363A	Power to issue a Certificate of Public Use	Manager Regulatory, Senior Building Control Officer, or Building Control Officer		
s371	Ability to commence proceedings under the Summary Proceedings Act 1957 following the issue of an infringement notice	General Manager Operations in consultation with CEO		
s372	Power to issue infringement notices	Manager Regulatory, or Senior Building Control Officer	The person issuing the notice must have a warrant that clearly states the authorised functions and powers	
s375	Ability to prosecute any offences under this act	General Manager Operations in consultation with CEO		
s377	Power to lay information of an offence against the Building Act 2004	General Manager Operations in consultation with CEO		
Amusement Devices Regulations 1978				

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Building Control Act 2004				
s11	To issue a permit for amusement devices	Building Control Officer		Appointed contractor
s23	Power of entry with regard to Amusement Devices Regulations 1978	Building Control Officer		Appointed contractor
Machinery Act 1950				
s21A	To inspect and issue a permit for amusement devices	Building Control Officer		Appointed contractor

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Other delegations				
	Power to appoint independent contractors to undertake work under the Building Act 2004	Manager Regulatory with General Manager Operations, in consultation with Manager People and Culture	Functions to be undertaken by appointed contractors must be in accordance with above following delegations.	

6.2.3 Community Facilities

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Reserves Act 1977				
s8	To appoint rangers	CEO		
s40	To carry out the functions of an administering body in relation to reserves under its control	Community Facilities and Services Officer in consultation with Manager Property and Commercial and Manager Engineering		
s53	To carry out powers (other than leasing) in respect of recreation reserves	Community Services Officers in consultation with Manager Property and Commercial and Manager Engineering	Relates to most operational requirements of reserves	
Burial and Cremations Act 1964				

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Reserves Act 1977				
Excluding s4 & 16	To carry out the management of cemeteries	Community Facilities and Services Officer in consultation with Manager Property and Commercial and Manager Engineering	All powers pertaining to local government for running of cemeteries with the exception of those powers contained in sections 4 & 16 for providing cemeteries and making of bylaws and of those functions or tasks not budgeted for within the current annual plan	
Part 2 – s19	To appoint officers to carry out functions within a cemetery	CEO		

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6.2.4 Engineering Management**6.2.4.1 Prevention of Fires**

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 1974				
s647	Power to determine the positioning of fire hydrants in the towns with water reticulation systems and keep them in effective working order	Manager Engineering, Three Waters Manager, or Consents Engineer		
s648	Responsibility to keep the pipes serving the fire hydrants charged with water	Manager Engineering, or Three Waters Manager		

6.2.4.2 Land Drainage and Rivers Clearance

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 1974				
s509	Power of Council related to drainage channels in land drainage works	Manager Engineering, or Three Waters Manager		
s510	Power to inspect private dams	Manager Engineering		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s511	Power to remove obstruction from a drainage channel or water course	Manager Engineering, or Three Waters Manager		
s512	Power to respond to any request to the Council to order removal of the drainage obstruction	Manager Engineering, or Three Waters Manager		
s516	Exercise of land drainage powers on roads and public works not under the control of Council	Manager Engineering		

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6.2.5 Information and Engagement

All delegations to the Communications Advisor are retained in full by the Chief Executive Officer in lieu of the assumed one-up exercise of delegation.

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Official Information and Meetings Act 1987				
s13	Approve or decline to approve requests for information in accordance with the requirements of Parts 2-4 of the Act, including the release of information subject to the request	Relevant manager/officer in consultation with the Records Advisor or Communications Advisor		
s42	All the other powers of the local authority under parts 2-5 of the Local Government Official Information and Meetings Act 1987 except Section 32	CEO, General Manager Corporate Services, Manager Information and Engagement, Records Advisor		
s44A	To prepare and approve Land Information Memorandum	Customer Services Manager		
s46	To publicly notify meetings	Governance Advisor in consultation with the Communications Advisor		
s46A, 49, 51	To make available agendas, reports and minutes	Governance Advisor		
s51A	To publicly notify resolutions of extraordinary meetings	Governance Advisor		
Privacy Act 1993				
s23	Appointment of privacy officer	CEO	CEO & Records Advisor are the Council's Privacy Officers	

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s23(a)-(d)	Functions of the nominated privacy officer	CEO or, Records Advisor in consultation with the CEO	NB: CEO & Records Advisor are the Council's Privacy Officers. Functions are to be undertaken in accordance with Council's Privacy Policy	
Public Records Act 2005				
s17	Responsibility to create and maintain, in an accessible form, all full and accurate records.	CEO		
s40	Responsibility to provide for the protection and preservation of protected records.	CEO	Protected records can be disposed if the record is transferred to the control of the Chief Archivist following the satisfaction of (3) and (4).	
s45	Requirement to classify records as an open access record or a restricted access record.	CEO	Classifications must be made in accordance with s46 PRA 2005.	
s49	Prohibition on public access or copying	CEO		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Other delegations				
	Undertake administrative responsibilities associated with the Mackenzie District Council Grants Policy	Governance Advisor, Grants Officer		
	Prepare and release advertising	Relevant manager in consultation Communications Advisor		
	Make media statements or media releases	CEO or Communications Advisor		Relevant manager/officer with Communications Advisor
	Authority to access and release Council surveillance camera services and recordings	Appointed privacy officers		

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6.2.6 People and Culture

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Employment				
	To authorise advertising related to employment opportunities	Manager People and Culture in consultation with Communications Advisor		
	Appointment of salaried and waged staff with budget	CEO		
	To approve change to employment status	Manager People and Culture in consultation with CEO		
	To issue employment documentation	Manager People and Culture	Subject to approval by CEO	
	Termination of staff	CEO in consultation with Manager People and Culture and relevant General Manager		
	Power to appoint independent contractors to undertake work	Relevant Manager with General Manager, in consultation with Manager People and Culture and CEO		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Employment				
	To approve flexible working arrangements	Relevant General Manager in consultation with Manager People and Culture		

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6.2.7 Property and Commercial Management

Powers to be delegated under the Reserves Act 1977 and Public Bodies Leases Act 1969

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Land Transfer Act 1952				
	Consenting to dealing with land where that land is subject to a caveat or encumbrance that requires the consent of Council before registration of any instrument under the Land Transfer Act 1952	Manager Planning or Planning Team Leader in consultation with the Manager Property and Commercial		
s164(2)	Authority to certify documents on Council's behalf	Manager Planning or Planning Team Leader in consultation with Manager Property and Commercial		
Local Government Act 2002				
s116	Requirement to maintain a register of changes over any Council property	General Manager Corporate Services		
Reserves Act 1977				
	To grant tenancies over pensioner housing units including rental adjustments	General Manager Operations in consultation with Community Facilities and Services Officer	Within existing policies and guidelines	
	To grant and administer licence to occupy sites on legal road and including termination thereof where required for non-payment of rental or other good reason	Manager Property and Commercial with the General Manager Corporate Services in consultation with Community Facilities and Services Officer	Within existing policies and guidelines	

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s40	To carry out the functions of an administering body in relation to reserves under its control	Community Facilities and Services Officer in consultation with Manager Property and Commercial and Manager Engineering		
s53	To carry out powers (other than leasing) in respect of recreation reserves	Community Services Officers in consultation with Manager Property and Commercial and Manager Engineering	Relates to most operational requirements of reserves	
s56	To grant leases or licenses over Council reserves	Manager Property and Commercial with the General Manager Corporate Services		
Public Bodies Leases Act 1969				
s7	To grant leases (other than farm land) over which the Public Bodies Leases Act 1969 applies	Manager Property and Commercial with the General Manager Corporate Services		
s22	To review rents periodically of land over which the Public Bodies Leases Act 1969 applies	Manager Property and Commercial		
s23	Powers relating to surrender of leases, rent reduction etc	Manager Property and Commercial		
s23A	To grant leases to subtenants	Manager Property and Commercial with the General Manager Corporate Services		
Other delegations				
	To review and confirm conditions of sale subject to Council Sale and Purchase Agreement.	Manager Property and Commercial in consultation with the General Manager Corporate Services	All amendments/variations to sale and purchase agreement conditions to be reported to Commercial and Economic Development Committee following use of this delegation	

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
	To approve the leasing or granting of any license to occupy or tenancy, to vary the conditions of any lease, license to occupy or tenancy, or to terminate any lease, license to occupy or tenancy involving Council land subject to affixing of the Council Seal where appropriate.	Manager Property and Commercial in consultation with the General Manager Corporate Services	Exercise of this delegation to be reported to Commercial and Economic Development Committee. NB: excludes public body leases and licences to occupy legal road.	

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6.2.8 Rating

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government (Rating) Act 2002				
s27(5)	The decision on whether to divide rating units and the methodology for division	General Manager Corporate Services, Manager Finance, Senior Revenue Officer	Pursuant to the Council's Rating policy	
s28(2)	The decision on whether the disclosure of the name of any person is necessary to identify a rating unit	Manager Finance, Senior Revenue Officer		
s29	Authority to determine objections to the Rating Information Database	Manager Finance, Senior Revenue Officer	This power would be generally delegated to the Council's Valuation Service Providers	This power may be delegated to the Council's Valuation Service Providers
S35	Authority to remove a name from the Rating Information Database	Manager Finance, Senior Revenue Officer, Revenue Officer		
s39	Authority to determine objections to the rates records	Manager Finance, Senior Revenue Officer, Revenue Officer		
s40	Authority to correct errors in the RID and Rates Records	Manager Finance, Senior Revenue Officer, Revenue Officer		
s41	Authority to issue amended rates assessments	Manager Finance, Senior Revenue Officer, Revenue Officer		
s42(3)	Authority to fix interest rates to be charged on additional rates	Manager Finance, Senior Revenue Officer, Revenue Officer		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s48	Authority to issues rates invoices with rates assessments	Manager, Senior Revenue Officer, Revenue Officer		
s50	Authority to issue invoices based on previous years rates	Manager Finance, Senior Revenue Officer, Revenue Officer		
s54	Authority not to collect small amounts	Manager Finance, jointly with General Manager Corporate Services	If amount of rates is uneconomic to collect, then this delegation has the authority to write off up to the sum of five thousand dollars (\$5,000) in any one case	
s61	Authority to collect unpaid rates from the owner	Manager Finance, Senior Revenue Officer, Revenue Officer		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government (Rating) Act 2002				
s62	Authority to collect unpaid rates from persons other than the owner	Manager Finance, Senior Revenue Officer, Revenue Officer	If the owner does not pay rates, the Council has the ability to collect the rates from the first mortgagee or others that may have an interest in the land	
s63	Ability to commence legal proceedings for the recovery of rates that are in default	Manager Finance, Senior Revenue Officer, Revenue Officer	Council has the right to commence legal proceedings to recover rates that are four months overdue	
s85, 87, 88, 90, 114, 115	To administer rate remissions and postponement Policies	Manager Finance, Senior Revenue Officer, Revenue Officer	Pursuant to the Remission and Postponement Policies approved by Council.	
s135	To sign documents for court proceedings	Manager Finance, Senior Revenue Officer, Revenue Officer		
Rating Valuations Act 1998				
s10	To prepare and maintain district valuation roles	General Manager Corporate Services, Manager Finance, Senior Revenue Officer		
s12 & 13	Powers regarding general revaluations	General Manager Corporate Services, Manager Finance, Senior Revenue Officer		
s14-17	To determine whether a new valuation will be provided upon request from an owner or ratepayer	General Manager Corporate Services		
s34(4)	To determine to alter a valuation or decline to alter a valuation	General Manager Corporate Services		
s35	To notify an objector of result of review	Senior Revenue Officer		
s39	To give effect to decisions of Tribunal	General Manager Corporate Services, Manager Finance, Senior Revenue Officer		
s41-42	To disclose information	General Manager Corporate Services, Manager Finance, Senior Revenue Officer		
s43	To obtain contribution to the cost of preparing and maintaining the valuation roll from the regional council	General Manager Corporate Services		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Rates Rebate Act 1973				
s5-7	To provide for application of rebate of rates to be considered by the Chief Executive Officer	General Manager Corporate Services		
Rates Rebate Act 1973				
s9	To provide from application to Secretary for Local Government for refund of rebates granted	General Manager Corporate Services		
s13	To receive declarations	General Manager Corporate Services Manager Finance Senior Revenue Officer		

6.2.9 Resource Management Planning

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
s10	To extend the period of grace (normally 12 months) which a protected existing use of land may be resurrected if the use temporarily ceases	Manager Planning, Planning Team Leader		
s22	To direct a person to supply information in accordance with section 22	Manager Planning, Planning Team Leader or any Enforcement Officer specifically authorised in writing by the CEO		
s34A	To appoint and delegate the functions and powers of the Council to an independent Hearing Commissioner or panel of Commissioners to hear and decide on any application for resource consent or to hear and recommend on any private plan change request that was accepted by Council	Manager Planning, Planning Team Leader	Such appointments shall be made following consultation with the Chair of the Planning and Regulations Committee	
s36(3) & (3A)	To set additional administrative charges and provide estimates of these where Councils approved schedule of charges is insufficient to cover the actual and reasonable costs involved	Manager Planning, Planning Team Leader		
s36(5)	To remit all or part of any administrative charges made under this section	Manager Planning, Planning Team Leader		
s37	To extend time limits or waive compliance with requirements of RMA	Manager Planning, Planning Team Leader		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
s38	To authorise officers of Council, other local authorities, the MfE or DOC to act as enforcement officers under the RMA 1991	CEO, or General Manager Operations		
s41B	To direct applicants and submitters to provide briefs of evidence before a hearing	Manager Planning, Planning Team Leader		
s42	To respond to requests to protect sensitive information and to make orders protecting such information	Manager Planning, Planning Team Leader following consultation with the General Manager Operations	Such protection must be needed to avoid serious offences to Takata Māori or to avoid the location of Wāhi tapu or to avoid the disclosure of a trade secret or unreasonable prejudice to the commercial position of the person who supplied or is the subject of the information	
s42A	To prepare a report on information provided on any matter described in section 39(1) by the applicant or any person who made a submission	Manager Planning, Planning Team Leader, Senior Planner, or Planner		
s87BA	To consider and decide upon an application for a boundary activity exemption	Manager Planning, Planning Team Leader		
s87BB	To consider and decide upon when a marginal/temporary activity is a permitted activity	Manager Planning, Planning Team Leader		
s87F	To prepare reports to the Environment Court where the applicant has requested direct referral to the Environment Court	Manager Planning, Planning Team Leader		
s88	To acknowledge receipt on an application	Manager Planning, Planning Team Leader, Senior Planner, Planner, or Planning Administration Support Officer		
s88(3)	To assess the adequacy of information received with an application for a Resource Consent and to determine whether or not it should be accepted for further processing as a complete and valid application to be returned as incomplete	Manager Planning, Planning Team Leader, Senior Planner, or Planner		
s91	To determine whether or not to proceed with an application for a Resource Consent pending receipt of additional consents	Manager Planning, Planning Team Leader		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
s92	To require further information in respect for an application for a Resource Consent	Manager Planning, Planning Team Leader, Senior Planner, or Planner		
s95A	To determine whether public notification of a Resource Consent application is or is not required	Manager Planning, Planning Team Leader		
s95B	To determine whether limited notification of a Resource Consent application is or is not required	Manager Planning, Planning Team Leader		
s95C	To determine whether public notification of a Resource Consent application is or is not required following a request for further information	Manager Planning, Planning Team Leader		
s95D	Forming an opinion as to whether adverse effects are likely to be more than minor for the purposes of determining public notification	Manager Planning, Planning Team Leader		
s95E (excluding s95E(3) – to give approval as an affected person)	Forming an opinion as to who may be adversely affected	Manager Planning, Planning Team Leader, Senior Planner, or Planner		
s99	To initiate or respond to requests for pre-hearing meetings	Manager Planning, Planning Team Leader		
s99A	To refer to mediation a person who has made an application for a resource consent and some or all of the persons who have made submissions on the application	Manager Planning, Planning Team Leader		
s99A(3)(b)	To delegate to an appropriate person the power to conduct mediation	Manager Planning, Planning Team Leader		
s100	To determine that a formal hearing is not needed, provided a hearing commissioner is available to make a decision within the prescribed period or that the matter can be handled under staff delegated authority	Manager Planning, Planning Team Leader		
s101	To determine hearing dates and give notice of these	Manager Planning, Planning Team Leader, or Senior Planner		
s102	To make a decision to establish a joint hearing, provided that prior	Manager Planning, Planning Team Leader		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
	consultation takes place with the Mayor			
s103	To decide and arrange the holding of combined hearings where two or more applications are made to the Council	Manager Planning, Planning Team Leader		
s104A- 104D, 106, 108	To consider, decide upon and set conditions for applications for resource consent that are non-notified or where notified a hearing is not required	Manager Planning, Planning Team Leader		
s106	To refuse subdivision consent in certain circumstances	Manager Planning, Planning Team Leader	In consultation with the Chair of the Planning and Regulations Committee	
s108, 108A	To require bonds or covenants for certain works or conditions relating to an application for a Resource Consent	Manager Planning, Planning Team Leader in consultation with Manager Engineering	On recommendation of other relevant staff member.	
s109	To decide whether any work that is subject to a bond or covenant is completed satisfactorily	Manager Planning, Planning Team Leader in consultation with Manager Engineering	On recommendation of other relevant staff member.	
s110	To determine whether to refund all or part of any financial contribution or provision of land in accordance with condition of a Resource Consent, where the activity does not proceed	Manager Planning, Planning Team Leader		
s113	In those cases where staff are exercising delegated authority to decide on applications for Resource Consent, the power to record the decision in writing and to give reasons for the decision	Manager Planning, Planning Team Leader		
s114	To serve on parties copies of decisions on applications for Resource Consents and arrange public notification of such decisions where appropriate	Manager Planning, Planning Team Leader, Senior Planner, Planner, or Planning Administration Support Officer		
s124B	To permit the exercise of a resource consent pending determination for an application for a replacement consent	Manager Planning, Planning Team Leader		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
s125	To extend the period in which a Resource Consent lapses	Manager Planning, Planning Team Leader		
s126	To cancel an un-exercised consent or one that has not been exercised in the preceding five years	Manager Planning, Planning Team Leader		
s127	To consider and decide upon an application to cancel or vary a condition of a resource consent that does not require a hearing	Manager Planning, Planning Team Leader		
s128-132	To make the decision to review the conditions of a resource consent, to issue a notice to a consent holder of Council's intention to review the conditions of a Resource Consent and to administer the review of such conditions	Manager Planning, Planning Team Leader		
s133A	To issue an amended consent which corrects minor mistakes or defects in the consent except where the delegated officer is processing the application. Where it relates to a decision made by a Hearing Panel, to do so in consultation with the Chair of the Hearings Committee or the sole Commissioner who made the original decision	Manager Planning, Planning Team Leader		
s138	To accept or refuse a surrender of a Resource Consent, and to direct that a person need not complete any work to give effect to the consent	Manager Planning, Planning Team Leader		
s139	To issue Certificates of Compliance	Manager Planning, Planning Team Leader		
s139A	To issue Existing Use Certificates	Manager Planning, Planning Team Leader		
s142	To request the Minister to call in a matter that is or is part of a proposal of national significance	General Manager Operations upon recommendation of Manager Planning, Planning Team Leader		
s143	To comply with the Minister's direction to call in applications of national significance, serve copies of the direction and give notice as required and recover actual and reasonable costs incurred by the Council in so doing	General Manager Operations upon recommendation of Manager Planning, Planning Team Leader		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
s145	To lodge a matter with the Environmental Protection Agency	Manager Planning, Planning Team Leader		
s149, s149B, s149E- s149G	To respond to a request from the Environmental Protection Agency for further information, to provide further information and prepare a report.	Manager Planning, Planning Team Leader		
s168-170 excluding s168A	To process a Notice of Requirement for a designation received from a requiring authority	Manager Planning, Planning Team Leader	These are procedural aspects applicable to the processing required of Council by a Minister of the Crown or another Local Authority. Sections 92, 93, 95 – 103 are applied to a requirement as if it were a Resource Consent. The Council reserves to itself, the powers under Section 168A where it proposes to issue a Notice a Requirement for Designation for public work within the District and for which it has financial responsibility or where a restriction is necessary for the safe or efficient function or operation of a public work.	
s176A	To approve outline plans for designations under section 176A(3) of the Act and to waive the requirement for an outline plan pursuant to section 176A(2) of the Act	Manager Planning, Planning Team Leader		
s173	To notify any requiring authority's decision in respect of and designation	Manager Planning, Planning Team Leader		
s175	To include any approved designation in the Council's District Plan and any proposed District Plan	Manager Planning, Planning Team Leader		
s176A	To waive the requirement for an outline plan of any public work to be constructed on designated land	Manager Planning, Planning Team Leader	Council reserves to itself the power to request any changes of a requiring authority prior to it constructing a public work on any designated land	
s181	To agree to a minor alterations of any designation as requested by the requiring authority	Manager Planning, Planning Team Leader		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
s182	To agree to a requiring authority removing a designation or part of a designation that it no longer requires	Manager Planning, Planning Team Leader	Where the Manager Planning considers the effect of the removal of part of the designation and the remaining designation is more than minor, they may recommend that the Council decline to remove that part of the designation	
s184	To extend the period in which a designation would otherwise lapse on the grounds that substantial progress or effort has been made towards giving effect to the designation	Manager Planning, Planning Team Leader	For the designation of a Territorial Authority in its own District, the power to extend the time in which the designation would otherwise lapse lies with the Council itself	
s189	To notify the withdrawal of a Heritage Order by a Heritage Protection Authority	Manager Planning, Planning Team Leader		
s189A	To publicly notify any Council requirement for a Heritage Order within the District following a Council resolution to seek such an order	Manager Planning, Planning Team Leader	It will be the Councils responsibility to determine by resolution whether an Order is required and it will retain the right to confirm withdraw or modify a requirement following the hearing of submissions	
s220	To grant subdivision consent	Manager Planning, Planning Team Leader	This does not limit power to impose conditions under section 108 of the Act	
s221	To issue a Consent Notice requiring any condition for subdivision consent to be complied with on a continuing basis	Manager Planning, Planning Team Leader		
s222	To issue a Completion Certificate stating that the Completion of any work required as a condition of subdivision consent or the making of any financial contribution has been secured by way of a bond of such amount and on such terms as specified by the Council	Manager Planning, Planning Team Leader		
s223	Approval of a Survey Plan confirming that the plan conforms with an approved subdivision consent or Certificate of Compliance	Manager Planning, Planning Team Leader		
s224(c)	To certify (as an 'authorised officer') compliance with all specified conditions prior to the deposit of a survey plan	Manager Planning, Planning Team Leader		
s224(f)	To issue a Completion Certificate confirming that every building or part of a building complies with Section 116 of the Building Act 2004	Manager Planning, Planning Team Leader		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
s226(1)(e)	To issue a Certificate confirming allotments are in accordance with the provisions of the relevant District Plans and statutory documents	Manager Planning, Planning Team Leader		
s232	To establish an instrument creating an esplanade strip as may be required upon subdivision	Manager Planning, Planning Team Leader		
s235	To negotiate the creation of esplanade strips by agreement with the landowner and the Council	Manager Planning, Planning Team Leader		
s237	To approve survey plans where esplanade reserves or strips required	Manager Planning, Planning Team Leader		
s237B	To acquire easements to create access to esplanade strips	Manager Planning, Planning Team Leader		
s237C	To close esplanade strips or access strips to the public as specified in the instruments creating them or during periods of emergency or public risk	Manager Planning, Planning Team Leader		
s240	To enter into a covenant against the transfer of allotments as part of a subdivision consent	Manager Planning, Planning Team Leader		
s241	To cancel any condition of a subdivision consent requiring lots not to be disposed of individually or being held under separate certificates of title	Manager Planning, Planning Team Leader		
s243	To revoke any grant or reservation of easements that has been part of a survey plan approval	Manager Planning, Planning Team Leader		
s268 and s268A	To undertake and confirm alternative disputes resolution process	General Manager Operations in consultation with CEO		
s281	To agree to a waiver of notice which has been subject to an application to the Environment Court	Manager Planning, Planning Team Leader		
s314-s321	To respond to any enforcement order or interim enforcement order or to seek change or cancellation of an enforcement order made against Council	Manager Planning, Planning Team Leader following consultation with the CEO		
s316 & s320	To seek an application for an enforcement order or an interim enforcement order	Manager Planning, Planning Team Leader following consultation with the CEO		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
s322	To serve an Abatement Notice	Duly authorised enforcement officer as appointed under s38 following consultation with the CEO		
s325A	To cancel an Abatement Notice	CEO		
s327-s238	To issue an excessive noise direction notice in response to any complaint and to ensure compliance with any such direction	Duly authorised enforcement officer		
s330	To undertake emergency works or to take preventative or immediate action	CEO or General Manager Operations in consultation with Manager Engineering		
s330B	To undertake emergency works under the Civil Defence Emergency Management Act 2002	CEO, Civil Defence Controller, Alternate Local Controller, General Manager Operations, or Manager Engineering	These powers are prescribed by the Regional Civil Defence Plan	
s332	Power of entry onto any property for inspection purposes	Duly authorised enforcement officer		
s333	Power of entry for survey purposes	Duly authorised enforcement officer		
s334 & s335	To make application for a warrant for entry for search	Manager Planning, Planning Team Leader		
s336	To return property seized under Sections 323 & 328 including the power to refuse to return property and to dispose of unclaimed property	Manager Planning, Planning Team Leader		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
s343C	To issue infringement notices	Manager Planning, Planning Team Leader, a duly authorised enforcement officer in consultation with Manager Planning, Planning Team Leader		
s367D	To uphold objections to conditions of consent where there is a favourable staff recommendation	Manager Planning, Planning Team Leader		
Schedule 1 Clause 3(2)	To determine what additional parties are to be consulted during the preparation of the proposed policy statement or plan	Manager Planning, Planning Team Leader		
Schedule 1 Clause 5	To decide upon whom public notice should be sent in relation to a policy statement or plan or a change or variation	Manager Planning, Planning Team Leader		
Schedule 1 Clause 7	To summarise on behalf of the Council submissions made in respect of a policy statement or plan or change or variation	Manager Planning, Planning Team Leader		
Schedule 1 Clause 16(2)	To alter information or correct minor errors in a proposed policy statement or plan	Manager Planning, Planning Team Leader		
Schedule 1 Clause 23 & 24	To seek further information on a request for a plan change or change of policy statement or to modify such requests with the agreement of the person who made it	Manager Planning, Planning Team Leader		
Other delegations				
	Authority to issue resource consent application public notices	Manager Planning, Planning Team Leader		
	To lodge submissions and further submissions on behalf of Council on: <ul style="list-style-type: none"> Any proposed District Plan or variation to a proposed District Plan administered by Council or by any other council Any Council initiated or privately initiated change to a District Plan administered by Council or by any other 	Manager Planning, Planning Team Leader in consultation with General Manager Operations	Exercise of this delegation to be reported to the Planning and Regulatory Committee at the next available opportunity to allow for review and endorsement of submission.	

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Resource Management Act 1991				
	<ul style="list-style-type: none"> council Any notice of requirement for a heritage order Any notice of requirement for a designation Any proposed Regional Plan or variation to a proposed regional Plan, or on any change to a regional Plan Any proposed Policy Statement administered by Council or by any other Council Any matter lodged with the Environmental Protection Authority. 			

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6.2.10 Regulatory**6.2.10.1 Animal Control**

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Dog Control Act 1996				
s10A	To report on Dog Control Policy and Practices	Manager Regulatory	Administrative function for information purposes	
s11 & 12	To appoint dog control officers and dog rangers	CEO	TA required by the Act to appoint one or more dog control officers and may appoint rangers at discretion.	
s14	Powers of entry	Manager Regulatory, warranted Compliance and Monitoring Officer or warranted contractor		
s15	Power of dog control officer or dog ranger to feed and shelter dogs	Manager Regulatory, warranted Compliance and Monitoring Officer, or warranted contractor		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s17	To recover all reasonable costs incurred in the seizure, custody, sustenance, and transport of any dog pursuant to s17.	Manager Regulatory, warranted Compliance and Monitoring Officer, or warranted contractor		
s19, s19A	Power of dog control officer or dog ranger to obtain information	Manager Regulatory, warranted Compliance and Monitoring Officer or warranted contractor		
s21	To classify any person as a probationary owner	Manager Regulatory	If a person commits an offence under the Act the TA can declare that person on probation as an owner.	
s23A	To require dog owner education	Manager Regulatory	If owner is on probation the TA can require the person to undertake Dog education. If fail to comply they can be prosecuted	
s25	To disqualify any person from being an owner of a dog	Manager Regulatory	TA can disqualify a person from owning a dog if they meet the criteria-outlined in s25(1) of the Act	
s28(6)	To extend a period of disqualification	Manager Regulatory		
s31	To classify a dog as dangerous	Manager Regulatory	If dog is aggressive/threatening to people or owner convicted under the Act and subject to criteria- the dog can be declared dangerous	
s32A(1)	To consent to the disposal of a dangerous dog	Manager Regulatory	If owner fails to comply with conditions of dangerous dog notice, TA has powers to take the dog away	
Dog Control Act 1996				
s33A	To classify a dog as menacing	Manager Regulatory	TA can declare a dog as menacing based on reported behaviour and believes the dog may pose a threat to the public	
s33C, s33ED	To classify dogs as dangerous or menacing by breed or type as listed in schedule 4	Manager Regulatory		
s33E	To exempt any dog or class of dog classified as menacing from the muzzling or control requirements in public places	Manager Regulatory		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s35	To provide register information and to determine whether a dog should be delivered into the custody of a dog control officer or ranger	Manager Regulatory	Council is restricted in ability to give out information in the Dog Control Register and only to certain organisations e.g. other TA or Police.	
s36A	To issue instructions relating to the making available of a dog for verification that it has been implanted with a functioning microchip transponder	Manager Regulatory		
s39	To issue refund or reduce fees	Manager Regulatory	If dog dies or extreme hardship act provides ability to refund or reduce fees	
s40	To require written statement that a dog is a working dog of a specified class and to require production of a certificate that a dog has been neutered	Manager Regulatory	As described by the section	
s42	To seize and impound unregistered dogs	Warranted Compliance and Monitoring Officer, or warranted contractor		
s46	To issue a replacement label or disc	Manager Regulatory, or Customer Services Officer	As described by section	
s50	To seize and impound dogs not wearing proper label or disc	Warranted Compliance and Monitoring Officer, or warranted contractor		
s56	To remove a barking dog causing distress	Warranted Compliance and Monitoring Officer, or warranted contractor		
s57	To remove a dog which a dog control officer or dog ranger has reasonable grounds to believe, has attacked persons or animals	Warranted Compliance and Monitoring Officer, or warranted contractor		
s57A	To remove a dog which a dog control officer or dog ranger has reasonable grounds to believe, has rushed at persons, animals or vehicles in a manner described in section 57A	Warranted Compliance and Monitoring Officer, or warranted contractor		

Dog Control Act 1996

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s59	To seize or destroy a dog at large in the vicinity of protected wildlife as described in section 57A	Manager Regulatory		
s66 (1) (2)	To Issue Infringement Notices and commence proceedings in accordance with the Summary Proceedings Act 1957.	Warranted Compliance and Monitoring Officer, or warranted contractor	Infringement offences can be issued for lesser offence and are prescribed by the amendment acts. If not paid the Act gives the Council the powers to send the fines to the courts collection agency for collection	
s69, s70	To dispose of a dog	Manager Regulatory	If a dog has been impounded and not retrieved within 7 days TA has the power to dispose of the dog.	
s71	To authorise retention of a dangerous dog	Manager Regulatory	Power to keep the dog retained by TA if the TA believes that if the dog is released (in accordance with the Act) it will still pose a threat to the public and stock.	
s72A	To retain custody of a dog or seize a dog released in breach of section 72	Manager Regulatory		
Impounding Act 1955				
s3	Duty to provide and maintain a public pound and provide for spate holding of infected stock	Manager Regulatory		
s8-10	To appoint pound keeper, rangers and deputies as necessary for the proper carrying out of the provisions of this Act	Manager Regulatory	TA shall appoint 1 or more pound keepers for each pound in its area.	
s14	To recover actual costs of poundage and providing sustenance	Manager Regulatory		
s32	Declare any fenced paddock a temporary pound with the consent of the occupier and appoint a keeper and fix a notice setting out specified information	Manager Regulatory		
s38	To issue notice regarding wild stock trespassing on land and sell the stock if not required	Manager Regulatory		
Impounding Act 1955				
s46 (1) and (2)	To sign notice to the owner of impounded stock	Manager Regulatory	If stock has been impounded TA must notify the owner. If owner unknown place an advert in the paper. (Stock may be sold after 7 days being impounded.)	
s50	To authorise person to act as auctioneer for the sale of impounded stock	Manager Regulatory		
s52	To destroy worthless or suffering animals	Manager Regulatory		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s53	To dispose of unsold stock	Manager Regulatory		
s56	To recover any deficiency in costs from the owner of the stock	Manager Regulatory		
Animal Welfare Act 1999				
s139	Obligation to destroy sick, diseased or injured animals	Manager Regulatory		
s173	To recover costs from owner or person in charge of animal	Manager Regulatory		

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6.2.10.2 Drones

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Civil Aviation Rules - Policy On Flying Unmanned Aircraft				
Part 101	Power to approve or decline applications in accordance with the Policy on Flying Unmanned Aircraft	Manager Regulatory, or Manager Planning, Planning Team Leader	Consideration of applications for flying unmanned aircraft over Council owned or administered land, in accordance with the Policy on Flying Unmanned Aircraft.	
Unmanned Aircraft Policy 2015				
	To approve or decline permission under the Unmanned Aircraft Policy.	Manager Planning, Planning Team Leader in consultation with Manager Engineering		

6.2.10.3 Gambling

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Gambling Act 2003				
s100	To approve or decline applications in accordance with the Gambling Venue Policy (Class 4) and TAB Venue Policy	Regulatory Manager, or Manager Planning, Planning Team Leader	Consideration of applications for gambling venues in accordance with the Gambling Venue Policy (Class 4) and TAB Venue Policy.	

*Delegations Manual July 2021 – Draft***6.2.10.4 Hazardous Substances and New Organisms**

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Hazardous Substances and New Organisms Act 1996				
s97	Authority to appoint warranted district hazardous substances officers	General Manager Operations		
s98	To take enforcement action under the HSNO Act	General Manager Operations		

6.2.10.5 Health

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Health Act 1956 and Regulations				
s23	To improve, promote and protect public health within the district	Manager Regulatory		Timaru District Council
s34	To enter premises to abate nuisance, without notice to occupier	Manager Regulatory		Timaru District Council
s42	To require repairs and issue a closing order	Manager Regulatory		Timaru District Council
s54	To grant consent for offensive trade	Manager Regulatory		Timaru District Council
s58	To grant consent for stock sale-yards	Manager Regulatory		Timaru District Council
s81	Authority to require disinfection of premises	Manager Regulatory		Timaru District Council
s81	Obligation to disinfect and cleanse when required to by Medical Officer of Health	Manager Regulatory		Timaru District Council
s83	To destroy articles that cannot be effectively disinfected	Manager Regulatory		Timaru District Council
s86	Duty to cause bodies to be buried when required by Medical Officer of Health	Manager Regulatory		Timaru District Council
s128	Power of entry to inspect and execute work	Manager Regulatory		Timaru District Council
Regulation 28	Power to appoint Environmental Health Officers	CEO	Health services are contracted to Timaru District Council. Power to appoint a requirement of the Act	Timaru District Council
Regulation 41	Power to Issue Cleansing Order	Manager Regulatory in consultation with General Manager Operations	TA's have the power to issue cleansing order to prevent danger to health of people or for rendering the premises fit for occupation	Timaru District Council

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Camping-Grounds Regulations 1985				
Regulation 3	Power to refuse to issue or renew a registration for premises as a camping ground.	Manager Regulatory	If a camping ground does not comply with the regulations certification shall be refused until compliance has been achieved.	Timaru District Council
Regulation 15	Power of inspection	Manager Regulatory	Requirement of the Act to appoint an inspector.	Timaru District Council
Health (Hairdressers) Regulations 1980				
Regulation 3	Maintain a hairdressing shop	Manager Regulatory	Requirement of the Act to register these premises. Contracted to Timaru District Council.	Timaru District Council
Regulation 4	Power to enforce minimum standard of hairdressing shops	Manager Regulatory	Requirement of the Act to enforce minimum standards of these premises. Contracted to Timaru District Council.	Timaru District Council
Health (Registration of Premises) Regulations 1966				
Regulation 5	Power to issue or renew a certificate of registration	Manager Regulatory	Requirement of the Act. Mainly an administration matter and contracted to Timaru District Council	Timaru District Council
Regulation 9	Power to revoke registration	Manager Regulatory	If a premises fails to comply with any enactment registration can be revoked. Based on potential health effects on people.	Timaru District Council
Food Hygiene Regulations 1974				
s4 & 5	Power to issue certificate of registration	Manager Regulatory	Requirement of the act to register food premises	Timaru District Council
Food Act 2014				
s54	Power to refuse application for registration	Manager Regulatory		Timaru District Council
s55	Power to require further information and allow further time	Manager Regulatory		Timaru District Council
s56, 57, 60, 61	Power to register food control plan refuse to register, register and impose or vary conditions, and decide duration of registration	Manager Regulatory		Timaru District Council
Food Act 2014				
s62, 63, 65	Power to suspend operations, or extend a suspension under registered food control plan and give directions	Manager Regulatory		Timaru District Council
s67, 69, 70	Power to cancel registration and give directions	Manager Regulatory		Timaru District Council

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s84	Power to refuse application for registration of food business subject to national programme	Manager Regulatory		Timaru District Council
s85	Power to require further information and allow further time	Manager Regulatory		Timaru District Council
s86-89	Power to register business subject to national programme, refuse to register or to impose conditions on registration	Manager Regulatory		Timaru District Council
s90,91, 93	Power to suspend operations of business subject to national programme and give directions	Manager Regulatory		Timaru District Council
s95-97	Power to cancel registration business subject to national programme and give directions	Manager Regulatory		Timaru District Council
s219	Power to issue and cancel infringement officer	Manager Regulatory		Timaru District Council Food Safety Officer
s250	Power to file charging document	Manager Regulatory		Timaru District Council
s296-298	Power of Food Safety Officers	Manager Regulatory		Timaru District Council Food Safety Officer
s299	Power to facilitate entry, search and seizure	Manager Regulatory		Timaru District Council Food Safety Officer
s300-302, 304, 305	Powers to gather information, examine, issues notices, give directions	Manager Regulatory		Timaru District Council Food Safety Officer
s306-308	Power to seize, condemn and require disposal, restrict use or close place	Manager Regulatory		Timaru District Council Food Safety Officer
s310-312	Power to enter and test samples	Manager Regulatory		Timaru District Council Food Safety Officer
s322-326	Power to apply for, execute and act under search warrant	Manager Regulatory		Timaru District Council
s331	Power to apply for Compliance Order	Manager Regulatory		Timaru District Council

6.2.10.6 Litter

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Litter Act 1979				
s5	Power to appoint Litter Control Officers	CEO	Power of authority to appoint the necessary staff to control the dumping of litter in the district.	

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
s8	Power to appoint Litter wardens	CEO	Power of authority to appoint the necessary staff to control the dumping of litter in the district	
s10	To require owners of private property to clear litter from their property	Manager Regulatory, Compliance Officer		
s14	To issue infringement notices	Manager Regulatory, Compliance and Monitoring Officer		

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6.2.10.7 Mobile Trading

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
	Authority to approve and issue, and to review and amend conditions of mobile trading permits in accordance with the Mackenzie District Council Mobile Trading Bylaw.	Compliance and Monitoring Officer		

6.2.10.8 Sale and Supply of Alcohol

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Sale and Supply of Alcohol Act 2012				
s64	Issue a licence, certificate, or authority to the applicant	Manager Regulatory	Process applications for liquor licences, certificate and authorities. Delegation with Timaru District Council as the District Licensing Committee.	Secretary of the District Licensing Committee: Timaru District Council
s66	Keep a record of every application filed with the licensing committee and the decision on the application and a register of special licences	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council
s72	Issue a duplicate licence or certificate to the holder if they are satisfied the licence or certificate has been lost or destroyed	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council
s73	Notify the secretary of the licensing committee if a licence or certificate has been surrendered	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Sale and Supply of Alcohol Act 2012				
s100(f)	Provide building code information for the issue of a licence	Manager Regulatory, or Senior Building Control Officer		
s100(f)	Provide Resource Management Act information for the issue of a licence	Manager Planning, Planning Team Leader		
s102, 128, 140	Must give a copy of every objection to the applicant	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council
s103, 141, 220, 225	Must send to the applicant a copy of any report filed with the licensing committee	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council
s139	May require an applicant to give public notice of a special licence	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council
s155	On notice of appeal, must send to the secretary of the licensing committee any application and supporting documents and other papers relating to the decision appealed against	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council
s189	Power to select DLC members from combined list for hearings	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council
S196	Authority to function as the Secretary of the District Licensing Committee	Manager Regulatory		Group Manager Environmental Services, Timaru District Council
S197	Power to appoint Chief Licensing Inspector and Licensing Inspector	Manager Regulatory		Group Manager Environmental Services, Timaru District Council
s203	Sign any decision, order, direction, certificate or other document issued by the committee	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council
s283	Fix the earliest practicable date for public hearing of an application for a variation, suspension, or cancellation of special licences	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Sale and Supply of Alcohol Act 2012				
S279-291	Powers of enforcement	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council
Reg 10(2)	Reduction in fee for Special Licence by one class	Manager Regulatory		Secretary of the District Licensing Committee: Timaru District Council

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6.2.10.9 Responsible Camping

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Freedom Camping Act 2011 and Responsible Freedom Camping Bylaw				
Freedom Camping Act 2011	To perform the functions and exercise the powers conferred on a warranted enforcement officer in relation to offences against the Freedom Camping Act	Manager Regulatory, Compliance and Monitoring Officer		
Clause 8 Responsible Freedom Camping Bylaw 2016	To grant or revoke consent to waive Freedom camping restrictions in any of the areas identified in Schedule 1 and 2 of the Bylaw	CEO following consultation with Planning and Regulatory Committee Chair and Manager Regulatory		
Clause 9 Responsible Freedom Camping Bylaw 2016	To close or temporarily restrict entry to any overnight freedom camping area or part of any freedom camping area	CEO following consultation with Planning and Regulatory Committee Chair and Manager Regulatory		
Clause 10.2 Responsible Freedom Camping Bylaw 2016	To issue an infringement notice	Manager Regulatory, Compliance and Monitoring Officer, Appointed Consultant		
Clause 10.3 Responsible Freedom Camping Bylaw 2016	To require information from a person who the enforcement officer believes has committed an offence under the Bylaw	Manager Regulatory, Compliance and Monitoring Officer, Appointed Consultant		

*Delegations Manual July 2021 – Draft***6.2.11 Roading**

NB: most of Council's powers with respect to roads are still contained under the Local Government Act 1974 and Land Transport Act 1998.

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 1974				
s319 except subsections H & J	Exercise of general powers in respect of roads apart from stopping the roads, or creating or altering road names	Manager Engineering, or Roading Manager	These powers include construction like roading and repair of roads, laying out new roads, diverting roads, altering the width of roads, determining areas for carriageways, footpaths and cycle tracks, altering the level of the road, establishing and using temporary roads, selling surplus spoil etc.	
s319(A)	Advising Surveyor General of any new or changed road names	Manager Engineering		
s319(B)	Allocation of property numbers	Manager Engineering	This is for electoral, postal and other purposes and includes the rapid numbering system.	
s330	Ability to set road levels and create a map of these for all the roads in the district	Manager Engineering, or Roading Manager		
s331	Power to form and upgrade footpaths and channels	Manager Engineering, or Roading Manager	This power does not include the ability to charge half the cost to landowners other than with the approval of Council.	
s332	Ability to form public cycle tracks	Manager Engineering, or Roading Manager		
s333	Ability to create remove or alter dividing strips for traffic separation purposes	Manager Engineering, or Roading Manager		
s334	Ability to erect monuments and provide facilities on or under roads	Manager Engineering, or Roading Manager in consultation with Community Facilities and Services Officer or Community Services and Waste Officer		
s334(A)	Ability to light the roads	General Manager Operations, Manager Engineering, or Roading Manager		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 1974				
s335	Ability to require the installation of vehicle crossings	Manager Engineering, or Consents Engineer		
s337	Ability to require the alteration of pipes and drains on or under a road	Manager Engineering, or Roading Manager		
s342(1)(b)	Ability to close any road to traffic on a temporary basis in accordance with Schedule 10	Manager Engineering, or Roading Manager	This allows for the temporary closure of a road or section of a road to traffic in circumstances where the provisions of Schedule 10 of the Local Government Act 1974 where the required 42 days' notice cannot be achieved.	
s344	Power to permit the erection of a swing gate or cattle stop across any road or to require the removal of these	Manager Engineering, or Roading Manager	Note that any objection to Council's intention to remove a gate or cattle stop will be determined by Council	
s347	Determination of the widths, grades and formation of private roads	Manager Engineering, Roading Manager, or Consents Engineer	Standards required for private roads should be the same as those applied to other roads under the control of the Council	
s348	Powers of Council with respect to private roads and private ways	Manager Engineering, Manager Planning		
s353	Ensuring general safety provisions as to roads are undertaken during road works	Manager Engineering, or Roading Manager		
s354	Powers to control excavations in the vicinity of roads	Manager Engineering, or Roading Manager		
s355	Power to have overhanging trees removed, lowered or trimmed	Manager Engineering	Manager must issue a notice under the hand of the CEO for such actions to take place. There is a right of appeal to the District Court	
s356A	Ability to remove abandoned vehicles from roads	Manager Regulatory, or Compliance and Monitoring Officer	These powers include the power to sell any abandoned vehicle after appropriate procedures have been undertaken	
s357 LGA 1974	To penalize a person who commits an offence which encroaches on a road	Manager Engineering		
Schedule 10 Clause 11 (except paragraph (e))	Temporary prohibition of traffic	Manager Engineering		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 1974				
Land Transport Act 1998				
s16A	Powers regarding restriction of heavy traffic on roads	Manager Engineering, or Rooding Manager		
s157	Power as road controlling authority to control, restrict and prohibit traffic	Manager Engineering, or Rooding Manager		

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6.2.12 Wastewater & Stormwater

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 1974				
s451	Power to approve the diversion of Council drainage works to provide for the erection of a dwelling	General Manager Operations, or Manager Engineering	The costs of such works are payable by the person benefiting	
s459	Ability to require owners of land under certain circumstances to provide private drains	General Manager Operations, or Manager Engineering		
s467	Ability to replace or repair any property destroyed or damaged by any unlawful connection of a private drain and charge the costs of the works to the person responsible	General Manager Operations, or Manager Engineering		
s468	Ability to take action where tree roots obstruct public drains	General Manager Operations, or Manager Engineering	A formal notice signed by the CEO is required and there is a right of appeal to the District Court	
Local Government Act 2002				
s196	Power to authorise a discharge of trade waste into a Council sewer drain	General Manager Operations, or Manager Engineering		

*Delegations Manual July 2021 – Draft***6.2.13 Waste Management**

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Waste Minimisation Act 2008				
s32	Duty to spend levy money received on waste minimisation initiatives or in accordance with a water management and minimisation plan	General Manager Operations, or Community Services and Waste Officer		
s52	Ability to conduct waste management operations and manage waste management facilities	General Manager Operations, Community Services and Waste Officer or Manager Property and Commercial		
s53	Duty to use any proceeds from a service undertaken under section 52 in implementing the waste management and minimisation plan	General Manager Operations, or Community Services and Waste Officer		
s54	Ability to arrange for the collection and the disposal of waste	General Manager Operations, or Community Services and Waste Officer in consultation with Manager Property and Commercial		
s66	To enforce provisions of a bylaw	General Manager Operations, or Community Services and Waste Officer, Compliance and Monitoring Officer		
s73, 74	To initiate proceedings for infringement offences and to issue and serve infringement notices	General Manager Operations, or Community Services and Waste Officer in consultation with Manager Regulatory		
s75	To retain infringement fees	General Manager Operations, or Community Services and Waste Officer		
s76	To authorise any officer to be an enforcement officer	CEO		

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Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Waste Minimisation Act 2008				
s79, 80-82, 84 & 85	Powers on enforcement officers	General Manager Operations, or Community Services and Waste Officer		Authorised enforcement officers
s86-87	To keep records and provide details if required	General Manager Operations, or Community Services and Waste Officer in consultation with Records Advisor		

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6.2.14 Water Services

Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation
Local Government Act 2002				
s125	Power to undertake the mandatory assessment of water services and other sanitary services	General Manager Operations, Manager Engineering, or Three Waters Manager	Such an assessment is required to be adopted by Council using the special consultative procedure	
s130	Obligation to maintain water services	General Manager Operations, Manager Engineering, or Three Waters Manager		
s193	Power to restrict water supply in response to offences relating to water supplies under the LGA 2002 or any bylaw	General Manager Operations, Manager Engineering, or Three Waters Manager	If an emergency is present and neither General Manager Operation, nor Manager Engineering, nor Three Waters Manager are available, Council's Utilities Maintenance Contractor are delegated to impose a restriction.	If an emergency is present and neither General Manager Operations, nor Manager Engineering, nor Three Waters Manager are available, Council's Utilities Maintenance Contractor are sub-delegated to impose a restriction.

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Appendix 1: Subsequent Delegations or Changes to Delegations

Subsequent delegations

Date	Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation

Changes to delegations

Date	Section	Power to be delegated	Delegated to	Commentary & conditions	Sub-delegation

Other changes to Delegations Manual

Date	Section of Manual	Delegation	Change to Delegation Manual

Adopted by Council on:

Review date:





Mackenzie
DISTRICT COUNCIL

6.7 JUNE REPORT FROM SOUTH CANTERBURY CHAMBER OF COMMERCE

AUTHOR: LEAINE RUSH, BUSINESS LIAISON OFFICER

AUTHORISER: PAUL NUMAN, GENERAL MANAGER CORPORATE SERVICES

ATTACHMENTS: 1. MONTHLY REPORT FROM SOUTH CANTERBURY CHAMBER OF COMMERCE - JUNE 2021  

STAFF RECOMMENDATIONS

THAT THE INFORMATION BE NOTED.

BACKGROUND

MONTHLY REPORT FROM SOUTH CANTERBURY CHAMBER OF COMMERCE.

CONCLUSION

CONCLUSION

- SCCC was successful in tendering for the Mackenzie Business Support Package, funded through CRAG. Webinars start on 3 August and one-on-one support, with subsidised funding, is available to Mackenzie Businesses.
- 29 businesses received one-on-one support in June.
- 8 businesses were assessed for RBP funding, and 6 businesses were issued funding, totalling 14 businesses.
- Mackenzie Business Reference Group met on 24 June. Topics raised:
 - Dismay at loss of MoU and consequent loss of service
 - Advocacy around restraint of growth and immigration issues
 - Advocacy forgiveness of SBCS and other govt loans
 - Clearer pathways to consenting and compliance – having a dedicated person employed at MDC to provide guidance for projects of significant value and/or added value to district
 - Plan Change 18 concerns – suggestion of a central Sth Island regulatory board encompassing larger area and multiple Councils
 - Martin Homisan gave an overview of the ED strategy (still in draft form)
- Businesses concerned about Immigrations changes. SCCC has been approached by various Mackenzie businesses with their concerns
- Successful Business Excellence Award held with Skyscape, High Country Salmon and Fairlie Bakehouse being successful.
- Number of training courses reduced in June due to the Excellence Awards
- SCCC will be potentially delivering in-house training on various topics to two Mackenzie businesses



Business Vitality

Economic & Business Support Services Report to Mackenzie District Council. June 2021

Introduction:

There has been increased communication from Mackenzie businesses, the highest in a single month since November 2020. Businesses are particularly concerned at labour shortage and economic impact on growth industries constrained by significant vacancies and geographic isolation; serious concerns from the rural community regarding consequences of Plan Change 18. Refer below for topics, sectors and town splits.

Mackenzie Business Support Package: SCCC is the successful bidder of this tender funded by MDC's CRAG group. Contract signed, working through timelines/delivery/processes. Webinars to commence 3rd August, presenters secured. Total project value max. \$80k, \$17k to SCCC and remaining max. \$63k distributed directly by MDC to service providers working with individual businesses assessed and approved by SCCC. Delivery between July and November. Refer Appendix 1 for details.

Mackenzie District Services

43 businesses supported one-on-one in June period (highest since Nov '20):

Industry Sector	Fairlie	Mt Cook	Tekapo	Twizel	Grand Total
A: AGRICULTURE, FORESTRY AND FISHING	3				3
E: CONSTRUCTION				1	1
G: RETAIL TRADE			1	1	2
H: ACCOMMODATION AND FOOD SERVICES	4	1	4	1	10
L: RENTAL, HIRING AND REAL ESTATE SERVICES			2	1	3
M: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES			1		1
P: EDUCATION AND TRAINING				1	1
R: ARTS AND RECREATION SERVICES	3		1	1	5
S: OTHER SERVICES	1		1		2
Grand Total	12	1	10	6	29

- **29 businesses as per graph above** – highest this year. Key Topics: distribution/supply chains; flood relief advice; skilled labour shortage; business diversification; New immigration & Visa policies; RBP & funding; business planning & continuity; hibernation; cashflow and financial planning; digital marketing; in-house training.
In addition:
- **14 businesses assessed or issued [Regional Business Partner](#) funding.** \$20,250 + GST issued to 6 businesses.

Funding split: Towns - 2 x Fairlie; 2 x Tekapo; 2 x Twizel = 6.

Sectors -3 x Accom & Food; 1 x Rental & Hiring; 1 x Retail; 1 x Art & Rec = 6

Since the Regional Business Partner Network funds opened in April 2020, SCCC has issued \$397k (rounded) to 152 Mackenzie businesses. This high level of distribution can be attributed to the strength of engagement between SCCC and Mackenzie businesses.

Mackenzie Business Reference Group meeting 24th June: Topics raised by attendees: dismay expressed at loss of MoU and consequent loss of services to business community; advocacy around economic impact on growth industries constrained by significant vacancies and geographic isolation, and what govt may do to address this through variations to immigration settings and other support; revisit advocacy forgiveness of SBCS and other govt loans; clearer pathways to consenting & compliance – someone inside MDC to guide through entire process for projects of a significant \$value and/or added value to district; Plan Change 18 concerns and consequences to rural community – suggestion of a central South Island regulatory board encompassing larger area and multiple Councils; MDC's Martin Homisan gave an overview of new Mackenzie District Development Strategy 2021-25 still in draft form – focusing on transformational projects, dovetailing into LTP and Te Manahuna Ki Uta/Destination Mackenzie.

Advocacy:

INZ/MSD new immigration policies: businesses are concerned these new policies may further exacerbate an already acute labour shortage. SCCC has a long-established trusted relationship with INZ and MSD, often engaged in assisting those agencies come to decisions. SCCC has been approached by various Mackenzie businesses and hopes to continue to advocate on their and Mackenzie District's behalf, although this ability may be affected by the end of the MoU.

Training & Events:

ARA 2021 Business Excellence Awards – Gala Event 18th June.



Category, Special Award winners and overall Supreme Winner announced at Gala Event, Caroline Bay Hall, Friday 18th June.

Mackenzie District businesses were well represented with 13 finalists. Mackenzie business winners were:

Small Business Award: Skyscape

Sustainability & Environmental Award: High Country Salmon

People's Choice Award: Fairlie Bakehouse

MDC's annual sponsorship of \$2k covers pre-entry workshops and post Award workshop to help businesses leverage off their experience and success. The Award Winners and Finalists workshop was held 25th June with presenters from [Goanna/Fluid](#) marketing agency.

The number of Training Courses in June were reduced due to Business Awards: Topics included Mental Health Management, Mental Health Management for Staff, and Health & Safety.

SCCC is currently negotiating and will deliver in-house training for two Mackenzie businesses covering six specialist topics over three months.

SCCC Training Directory June-December 2021 offers an extensive range of business training and development.

Mackenzie Business Connection:

Two newsletters in May (441 opens). Total database 278. This platform remains the main method of mass communication with businesses. Strong engagement and feedback.

Most viewed/shared: Business Excellence Awards results; INZ update; Training Directory;

General:

Although disappointing, the SC Chamber of Commerce naturally accepts MDC's decision to end its MoU with the Chamber, in favour of taking economic and business support services in-house. A six-month contract has been signed, ending 31st December 2021. Further discussion continues around details of MDC subsidising Mackenzie businesses to join the Chamber, continued support of Business Excellence Awards and possible future 'one-off' events.

6.8 SUBMISSIONS TO REPRESENTATION REVIEW PROPOSALS

Author: Arlene Goss, Governance Advisor

Authoriser: Angela Oosthuizen, Acting Chief Executive

Attachments:

1. Written Submissions [!\[\]\(d66ff64371a51729ac8c1cdaa685ba6f_img.jpg\)](#) [!\[\]\(0f31ebba7abcd47777e178db26f29705_img.jpg\)](#)
2. Verbal Submission [!\[\]\(63ea948177b1bcc486b2b76d20d5fb69_img.jpg\)](#) [!\[\]\(886f7dced1265a6d438eca0881817b40_img.jpg\)](#)
3. Public Notice of Initial Proposals Published March 2021 [!\[\]\(bb381b56be27580041e232a6cbb04464_img.jpg\)](#) [!\[\]\(b2c220e365f65fbecc36477cc11d1df9_img.jpg\)](#)

PURPOSE OF REPORT

To receive and consider public submissions to proposed changes to council and community board representation, and to approve the final public notice.

STAFF RECOMMENDATIONS

1. That the report be received.
2. That Council receives and considers the submissions to the representation review proposals.
3. That Council makes no amendments to the original proposal, in that:
 - a) Council comprises of the Mayor and seven councillors elected from three wards, and
 - b) community board boundaries are expanded to fit the ward boundaries,and instructs staff to prepare and publish a final notice to that effect.
OR
4. That Council makes no amendments to the original proposal, in that:
 - a) Council comprises of the Mayor and seven councillors elected from three wards, andrejects the proposal to change community board boundaries due to the rates impact on individual ratepayers, and instructs staff to prepare and publish a final notice to that effect.

BACKGROUND

On March 16, 2021, the Mackenzie District Council reviewed its representation arrangements and decided it would like to make some changes to how councillors and community boards are elected. Members of the public were then invited to consider these changes and provide feedback.

The goal of the review was to provide for 'effective representation of communities of interest' and 'fair representation of electors' (as required by the Local Government Act).

It is not possible to continue with the status quo because the latest census shows that the population of the Twizel/Pukaki area has grown faster than the population of the Fairlie/Opuha area. This has created an imbalance between the two wards.

CONSULTATION

The proposals were advertised in the Timaru Courier, the Fairlie Accessible and on local Facebook pages. Submission forms were made available on Let's Talk, and at the council offices in Fairlie and

Twizel. The governance advisor also spoke at all three community board meetings and encouraged those present to provide feedback.

Summary of Engagement via the Let's Talk Platform

First Period of Public Engagement (October 12, 2020 to November 30, 2020)

- Aware (looked at the website page) – 246 people
- Informed (clicked and read further information) – 147 people
- Engaged (submitted their thoughts) – 37 people

Second Period of Public Engagement (March 29, 2021 to May 5, 2021)

- Aware (looked at the website page) – 212 people
- Informed (clicked and read further information) – 58 people
- Engaged (submitted their thoughts or asked questions) – 17 people online, plus one hand-written submission.

HEARING OF SUBMISSIONS

One submitter requested to be heard in person. This person, Luke Paardekooper, attended the council meeting in Twizel on May 18, 2021, and spoke. The minutes of his presentation to Council are attached to this report.

At the same time, the written submissions were forwarded to the councillors for consideration.

PROPOSAL TO CHANGE COUNCIL REPRESENTATION

The Mackenzie District is currently split into two electoral wards - Opuha and Pukaki - with three councillors elected from each ward. The Mayor is elected at large.

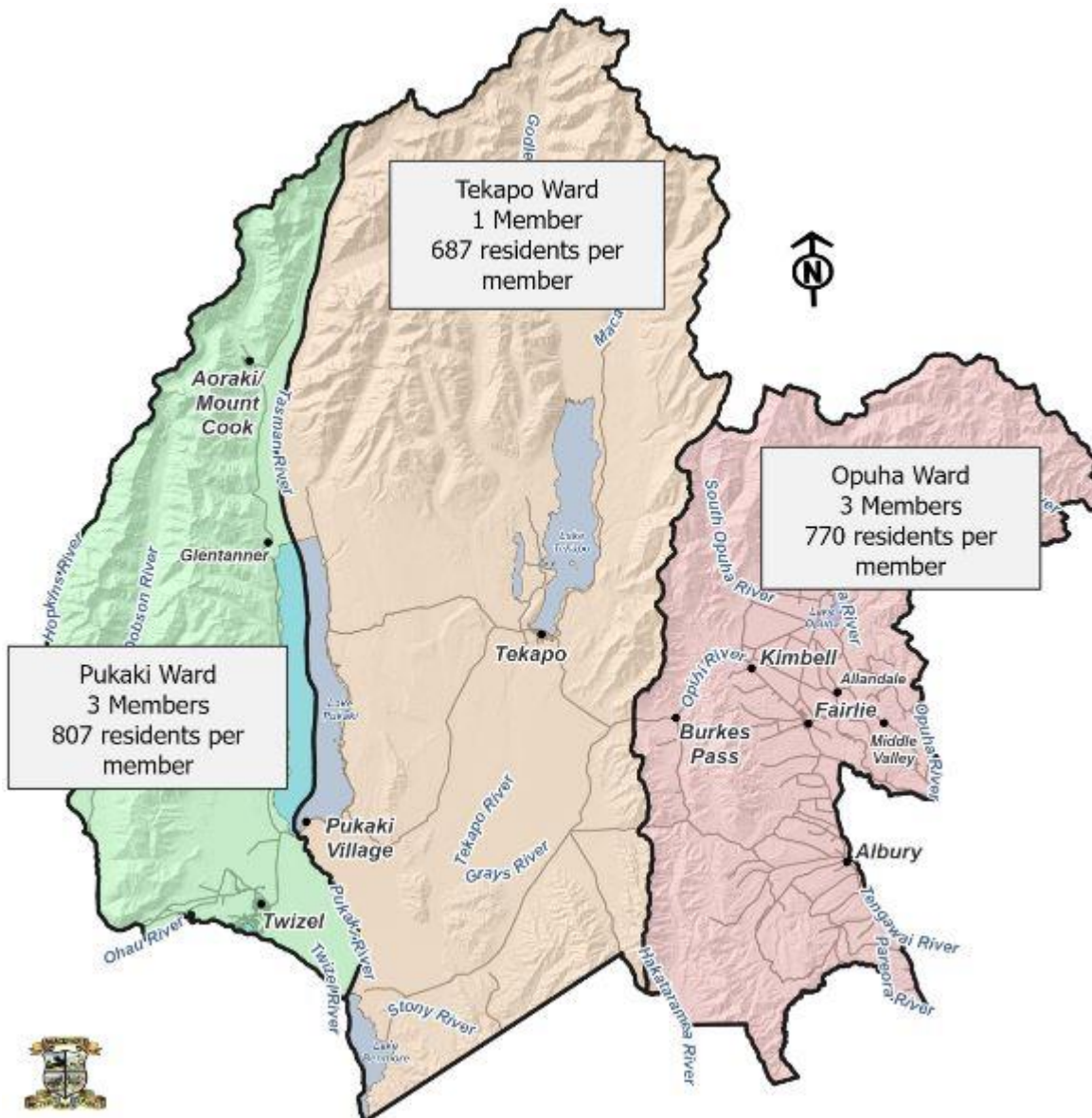
It is proposed that the Council comprises of the Mayor and seven members elected from three wards.

What Would Change?

1. The number of wards in the district would increase from two to three with the creation of a new, Tekapo Ward.
2. The number of councillors in the district would increase from six to seven, plus the Mayor.

Reasons for Change

1. Updated population statistics have been released by Statistics New Zealand. This shows that the population of the Pukaki Ward has grown much faster than the Opuha Ward. The current arrangement of two equal wards now falls outside the statutory requirement for a fair population-to-member ratio, so the current arrangements cannot legally continue.
2. Pre-engagement with the community showed that some Tekapo voters strongly supported the creation of a Tekapo ward.

How Would it Look?**POINTS RAISED BY SUBMITTERS**

	Raised by	Staff Comments
Reasons for agreement		
Tekapo needs its own representation, Tekapo needs a voice	Submitters 2, 3, 8, 11, 14	The proposal includes this.
Proposal is fairer than the current situation	Submitters 3, 4	Agree.
Proposal takes account of Twizel growth	Submitters 6, 8	Agree. Proposal is based on 2018 census results.
Proportional representation	Submitter 10	Proposal is proportional to 2018 census figures.

	Raised by	Staff Comments
Additional councillor would help share workload	Submitter 14	Agree. The proposal includes this.
Reasons for disagreement		
Wards create a silo mentality, “us and them”, divides the communities, councillors are not acting in the best interests of the whole district	Submitters 1, 5, 12	This is a valid concern, however legislation requires that councillors act in the best interests of the district as a whole.
Proposal creates a “kingmaker” situation with Tekapo	Submitters 1, 5, 12	This is a valid concern. There may also be situations when councillors from other areas will out-vote the single Tekapo councillor on matters of concern to Tekapo.
Proposal leaves Twizel with the least representation per head of population, Twizel should have more elected members	Submitters 5, 9	Suggestion rejected. Adding another councillor in Twizel takes it outside the legislative requirement for plus/minus 10%.
Census figures do not take into account holiday home owners who are ratepayers. What happens when the population includes non-resident ratepayers?	Submitters 5, 10	This is one of the drawbacks of relying on census figures, but the legislation does not currently provide an alternative. Non-resident ratepayers are able to vote in local government elections if they are on the ratepayers roll.
Mount Cook is included in Twizel ward but is more similar to Tekapo. Where does Mount Cook Village sit?	Submitter 5, 12	The intention of this proposal is that Mount Cook village would continue to be included in the Pukaki Ward, but would not become part of an extended community board area, as the village is managed by DOC.
Twizel is growing faster than the other towns and the people per councillor proportion will get worse in the next six years	Submitter 5	Legislation does not require Council to anticipate future growth for this process.
Proposal does not fit within the 10% range in the Local Electoral Act (in regards to Tekapo Ward)	Submitter 12	This is correct. The Tekapo Ward is about 10 people short. If this proposal becomes final it will need to go to the Local Government Commission for approval. At a previous meeting Council considered adding Burkes Pass to the Tekapo Ward to make up the numbers, but considered Burkes Pass to have a

	Raised by	Staff Comments
		stronger “community of interest” connection with Fairlie than Tekapo.
More consultation with the community is needed	Submitter 12	Consultation efforts are outlined above. These are over and above the legal requirement.

PROPOSAL TO CHANGE COMMUNITY BOARD REPRESENTATION

There are currently three community boards, Twizel, Tekapo and Fairlie. Each community board has four members elected from the community and one appointed councillor. The community board boundaries enclose the urban areas of each town.

It is proposed that the three community boards continue with the same number of members, but that the boundaries be expanded to include rural areas.

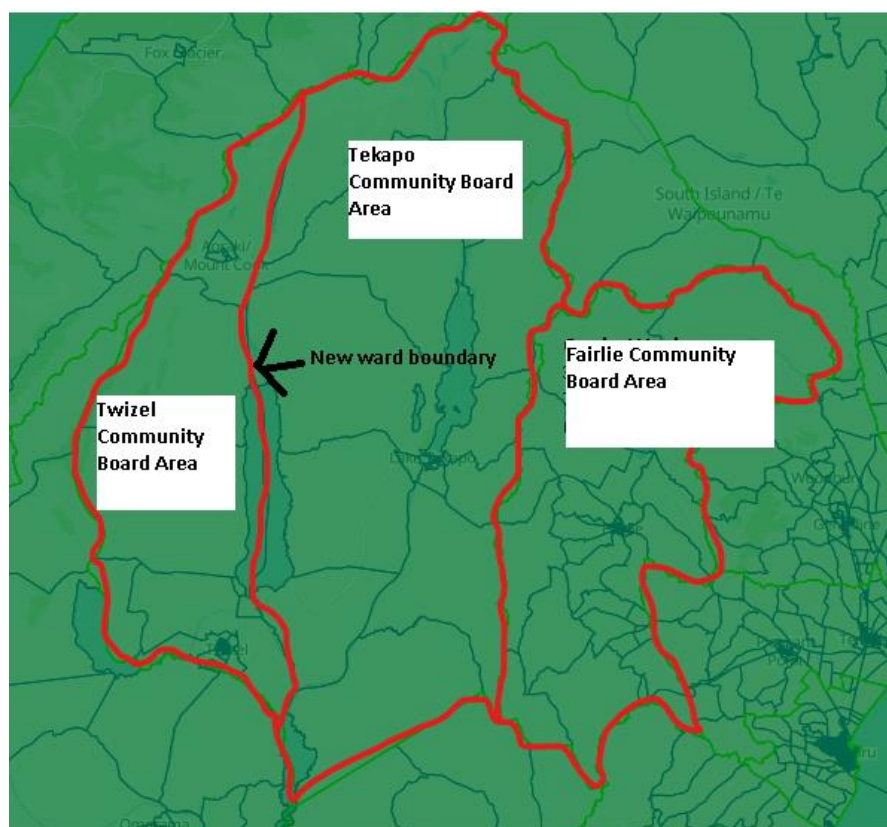
What Would Change?

Community board boundaries would be extended from the current township-only arrangement to include the entire ward area. This means everyone in the district would vote for community board members as well as the councillor/s and Mayor.

Reason for Change

Council and community boards recognise that people living in rural areas use township services such as parks, community centres and swimming pools, and should therefore have a say in who governs these assets.

How Would it Look?



POINTS RAISED BY SUBMITTERS

	Raised by	Staff Comments
Reasons for agreement		
Community board boundaries should be the same as ward boundaries	Submitter 3	The proposal includes this.
Rural people should be included in community board representation	Submitters 4, 11	The proposal includes this.
Right level of representation	Submitter 7	
Reasons for disagreement		
The boundary for the Tekapo ward should include Mount Cook village and be called the Tasman ward	Submitter 5	Mount Cook Village is managed by DOC and would not be included in any of the community board areas.
Twizel should have more community board members	Submitter 9	This is an option.
Extending the community board boundaries does not ensure rural people are elected or rural voices are heard	Submitter 12	Disagree. It encourages rural people to stand for election and vote for community board members.
Prefer one rural community board covering the whole district	Submitter 12	This idea was considered earlier in the process and rejected.
I think you should have five elected members and no council appointee on community boards. The (community board) chair could report to council on community board activities.	Submitter 15	This is an option but I disagree. Community boards get value from having a councillor at their meetings reporting on council activity and being aware of community issues.

CONSIDERATIONS**Legal**

The statutory requirement of a representation review is to provide for 'effective representation of communities of interest', and to ensure 'fair representation of electors'. In this process, the word "fair" means having equal representation for all voters across the district.

Financial

Some options come with costs as follows:

- If ward or community board boundaries change, Council is required to pay the Surveyor General to conduct a survey to establish the new boundaries. The cost of new plans is hard to judge at this point. However, as an example, five new plans were prepared for Ashburton District Council at the last review, at a cost of \$2,460. One of the drivers of cost will be the complexity of the plans and the detail required.

- If Council decides to appoint a seventh councillor, this person would be paid a base rate of \$18,676 per year. The Remuneration Authority's advice is that any change in councillor numbers following a representation review does not affect the size of Council's governance remuneration pool. The available governance pool would be spread among more people.

Rates Impact

The proposal to introduce a third ward and seventh councillor is not anticipated to have any impact on rates other than the cost of employing the seventh councillor.

However, the proposal to introduce expanded community board boundaries may have an impact on targeted rates. Rating maps and representation maps are separate, and one does not automatically follow the other. However, Council will eventually need to decide whether rural property owners who are given the right to vote for community boards under this proposal will also be charged the community board targeted rate.

NEXT STEPS

The next step is to consider whether the original proposals (as above) should be amended. If there are no amendments, a final public notice will be published and appeals invited. The proposals (and any appeals) will then go to the Local Government Commission for consideration. This is a compulsory step for Mackenzie District Council because the population of the new Tekapo ward is 10 people fewer than the legislation allows. This means we need to seek approval from the commission.

If the original proposals are amended at this meeting it may add an extra consultation step to the process above. The public might require another month to submit on the amended proposals and the matter will come back to Council again following that. This will depend on the extent of the changes.

CONCLUSION

This report provides background information and public submissions on the council's representation review proposals.

Council Wards

As the Governance Advisor, the advice is to move ahead with the original proposal (Council) to establish three wards and increase the number of councillors to seven. This would be appreciated by the Tekapo Community and would not incur significant costs. It would also benefit local democracy and increase participation in voting. It also solves the problem of the imbalance in population between the current two wards.

Community Boards

The original proposal to extend the community board boundaries to make them the same as the three ward boundaries has been complicated by the possibility of a rates increase for some ratepayers further down the track. Although changes to targeted rates are not an automatic outcome of changing community board boundaries, it is something that would need to be considered separately by Council if the proposal went ahead as the additional costs have not been provided for.

The people submitting on the changes to the community board boundaries did not know about the rates impact at the time they submitted. My feeling is that this requires more public consultation before a decision is made. Therefore, my advice is to reject the proposal to expand the community

board boundaries and continue with the current community board boundaries until the next representation review.

Survey Responses

05 April 2021 - 04 May 2021

Submission Form - Your Choice

Let's Talk | Kōrero Mai - Mackenzie

Project: Your Choice - 2022 Election Review Consultation



VISITORS					
23					
CONTRIBUTORS			RESPONSES		
14			14		
7	0	7	7	0	7
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous



Respondent No: 1

Login: [REDACTED]

Email: [REDACTED]

Responded At: Apr 05, 2021 10:50:06 am

Last Seen: Apr 04, 2021 22:35:49 pm

IP Address: [REDACTED]

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

Mt Cook Lakeside Retreat

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

Disagree. The Mackenzie has a small population and the current ward system gives rise to parochial views of the area of the Mackenzie that a Councillor represents. i.e: councillors are vested in their own geographic area that they represent, this is not beneficial and is distracting and encourages politicking and a waste of valuable time. I would like to see a Council that truly represents the whole Mackenzie with Councillors that act as informed representatives and leaders of our whole community. Their role is to set set policies, make regulatory decisions and review council performance. These decisions and actions need to be towards a common good. The past siloing of the District into wards has given rise to silo'ed mentality and forming of an 'us and them' mentality and people feeling envious of aggrieved about what they perceive as unfair treatment. The water infrastructure improvement project was a good example of this. Given the current current culture of representation, I believe the proposed structure will have the unintended consequence of creating a 'kingmaker' situation and the Mackenzie will continue to be divided.

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

Agree. For the reasons stated in the proposal.



Respondent No: 2

Login: Shazz

Email: [REDACTED]

Responded At: Apr 06, 2021 16:09:29 pm

Last Seen: Apr 29, 2021 20:45:33 pm

IP Address: 1 [REDACTED]

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

Agree - It is vital that Tekapo has its own representation which must be inclusive of it's rural community. Changing the existing wards is a massive step forward to future proofing the area.

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

Agree



Respondent No: 3

Login: [REDACTED]

Email: [REDACTED]

Responded At: Apr 06, 2021 22:03:17 pm

Last Seen: Apr 06, 2021 09:47:31 am

IP Address: [REDACTED]

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

I agree, because it is a fairer representation of the Mackenzie District, & gives Tekapo a voice. Also like the idea of 7 councilors instead of 6 plus the Mayor.

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

I agree, because the Community Board boundary should be the same as the Tekapo Ward.



Respondent No: 4

Login: [REDACTED]

Email: [REDACTED]

Responded At: Apr 06, 2021 22:28:14 pm

Last Seen: Apr 06, 2021 10:25:07 am

IP Address: [REDACTED]

- Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below. not answered
- Q2. Are you submitting on behalf of an organisation? No I am submitting as an individual.
- Q3. Which organisation are you submitting on behalf of? not answered
- Q4. Do you wish to attend a hearing and address Council in person? No, I do not want to address Council in person.
- Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?
Agree. It makes sense with the statistics and give a fair representation of all areas.
- Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?
Agree. Rural people that have given so much to the town have missed out for so long.

**Respondent No:** 5**Login:** Anonymous**Email:** n/a**Responded At:** Apr 07, 2021 13:06:20 pm**Last Seen:** Apr 07, 2021 13:06:20 pm**IP Address:** n/a

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

I disagree. 1 - the proposed change will still leave the community that is growing the fastest in the region (Twizel) with the least representation per head of population. The census only looked at the number of residents on that night and doesn't take into account all the holiday home owners who are ratepayers and a significant part of the Twizel community. The Council has values which include being fair to everyone and this proposal does not seem to be in line with these values. 2 - The proposal has the Mt Cook area within the Pukaki ward however their issues are similar to those of Tekapo where tourism is the driving force underpinning both these communities. 3 - The proposed changes have the potential to set up an Opuha ward vs Pukaki ward scenario. There is already hints of this, including in some Councillor's comments reported in the media. If this goes ahead then the Tekapo Councillor will often have a deciding vote which will give the smallest area of representation the largest say on the direction of Council. Again this does not align with the Council's value of fairness. 4 - the proposal is not future proofed. Twizel is growing faster than other towns in the district and any disproportional representation that is set up now will only get worse over the next 6 years until another review takes place. I believe that the better and more fairer option is to do away with the ward system.

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

I disagree. The proposal has the Mt Cook area within the Pukaki ward however their issues are similar to those of Tekapo where tourism is the driving force underpinning both these communities. The boundary for the Tekapo Ward should be extended to include the Mt Cook village. The Ward could be renamed to be Tasman for the glacier and lake which sits between Tekapo and Mt Cook.

**Respondent No:** 6**Login:** Anonymous**Email:** n/a**Responded At:** Apr 07, 2021 19:05:35 pm**Last Seen:** Apr 07, 2021 19:05:35 pm**IP Address:** n/a

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

not answered

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

Agree. Twizel has grown & needs better representation within the district.

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

Agree.

**Respondent No:** 7**Login:** Anonymous**Email:** n/a**Responded At:** Apr 07, 2021 19:12:47 pm**Last Seen:** Apr 07, 2021 19:12:47 pm**IP Address:** n/a

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

Agree. Major population centres need to have right level of representation. Looks good.

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

Agree. Right level of representation

**Respondent No:** 8**Login:** Anonymous**Email:** n/a**Responded At:** Apr 07, 2021 19:48:46 pm**Last Seen:** Apr 07, 2021 19:48:46 pm**IP Address:** n/a

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

Agree. I feel that the twizel community as a whole is underrepresented and giving tekapo their own representative will even things out.

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

not answered



Respondent No: 9

Login: Anonymous

Email: n/a

Responded At: Apr 07, 2021 22:03:10 pm

Last Seen: Apr 07, 2021 22:03:10 pm

IP Address: n/a

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

Given the bigger population in Twizel I think that Twizel should have more councilors and community board members

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

See above



Respondent No: 10

Login: [REDACTED]

Responded At: Apr 08, 2021 11:19:20 am

Last Seen: Apr 07, 2021 22:20:39 pm

IP Address: [REDACTED]

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

I agree with a proportional representation, HOWEVER, the definition of residents vs. ratepayers is unclear. I note that a lot of ratepayers (particularly in Tekapo and Twizel) are non-resident - what happens when the "population" includes non-permanent resident ratepayers?

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

I agree with a proportional representation, HOWEVER, the definition of residents vs. ratepayers is unclear. I note that a lot of ratepayers (particularly in Tekapo and Twizel) are non-resident - what happens when the "population" includes non-permanent resident ratepayers?



Respondent No: 11

Login: [REDACTED]
[REDACTED].com

Responded At: Apr 16, 2021 11:49:35 am

Last Seen: Apr 15, 2021 23:44:51 pm

IP Address: [REDACTED]

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

I fully support the proposed changes. Tekapo is growing and deserves to have its own representative at Council level.

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

It's great that those living in rural farms will feel part of our community and be represented at the Community Boards.



Respondent No: 12

Login: Anonymous

Email: n/a

Responded At: Apr 26, 2021 13:17:59 pm

Last Seen: Apr 26, 2021 13:17:59 pm

IP Address: n/a

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

Yes please send me a time slot for the hearing on May 25 in Fairlie.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

Disagree Key Points : • Over the last 9 years approx., the approach has been "one district we are all in this together". The importance of each councillor representing the interest of the whole district. What is needed in one part of the district is supported by the others, for the good of everyone. • I feel the formation of a third ward would move away from this also creating a "king maker" around the table. • In the past candidates have been elected on their merit. This was shown in the last election where you had people voting in someone from Tekapo as the best person for the job not from where they are • Where does Mt Cook Village sit? Local Electoral Act 'In accordance with section 19V(2), Local Electoral Act 2001, the population that each member represents must be within the range of 774 +/- 10% (697 to 851), unless particular community of interest considerations justify otherwise. This proposal does not fit within the stipulated range.' • Based on Tekapo Ward not sitting in the stipulated range, at best there would need to be more input from the community than just this process. This is a major change and should not be left to a small number of people [councillors] to decide what 'particular community interest' is. It is a decision that needs to be made with full consultation with the community. Representation Numbers Based on the numbers in the table provided: • Opuha would have 770 people per member. • Tekapo would have 687 and Pukaki 807 per member. Pukaki therefore has 120 more people per councillor than Opuha or Tekapo. This is not representational. • If you combined both Pukaki and Tekapo = 3110 and divide this by 4 councillors, you get 777 very much the same as Opuha. • So the figures seem to support an Opuha ward and a Pukaki/Tekapo ward – the status quo. Table Provided by MDC... Population (2018 census) Members Population-Member Ratio Pukaki Ward 2,423 3 807 Opuha Ward 2,310 3 770 Tekapo Ward 687 1 687 Total 5,420 7 774

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

Disagree The challenge of extending each CB boundary is that it is more likely that you will end up with people from the Towns on the CB's and not someone representing the Rural population. I have said before that it would be good if each Ward had its own Rural CB, however on discussion and reflection I feel the District needs to have one Rural CB covering the whole area. Issues relating to Rural people are different to those in the towns and need a voice. Mixing with the towns will water down this voice. Yes we do use town services sometimes, be it on a very small basis.

**Respondent No:** 13**Login:** Anonymous**Email:** n/a**Responded At:** Apr 27, 2021 17:45:41 pm**Last Seen:** Apr 27, 2021 17:45:41 pm**IP Address:** n/a

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

not answered

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

Agree

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

Agree



Respondent No: 14

Login: [REDACTED]

Email: [REDACTED]

Responded At: Apr 30, 2021 17:00:49 pm

Last Seen: Apr 30, 2021 03:02:37 am

IP Address: [REDACTED]

Q1. Do you want to be kept informed about the outcome of this process? If yes, type your email below.

[REDACTED]

Q2. Are you submitting on behalf of an organisation?

No I am submitting as an individual.

Q3. Which organisation are you submitting on behalf of?

not answered

Q4. Do you wish to attend a hearing and address Council in person?

No, I do not want to address Council in person.

Q5. Do you agree or disagree with the proposed changes to council representation? Please tell us why?

I agree with the proposal, especially as Lake Tekapo has such a diverse population with so many diverse needs.. and it's great to see the rural areas included... The Diversity of residence in Lake Tekapo and the Mackenzie is ultimately its strength! But we need to be represented well. And I believe additional councilor would help to share the workload, so we the ratepayers, residents can be better represented and not just been directed by employed staff.

Q6. Do you agree or disagree with the proposed changes to community board representation? Please tell us why?

agree, similar reason as 5

Your Choice - 2022 Election Review

Submission Form

Mackenzie
DISTRICT COUNCIL

On March 16, 2021, the Mackenzie District Council reviewed its representation arrangements and resolved that some changes are made to how the council and its community boards are elected.

Please review the proposal which is available at letstalk.mackenzie.govt.nz, at the libraries in Twizel & Fairlie, or on request from Council Offices.

Consultation closes at 5pm on Sunday 30 April 2021.**You can submit this form:**

Online:

By email:

By mail:

You can complete the form at letstalk.mackenzie.govt.nz

arlene.goss@mackenzie.govt.nz

Election Review, PO Box 52, Fairlie, 7925.

**Tell us what you think**

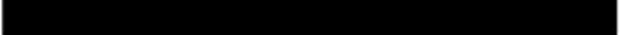
By making a submission you agree that Mackenzie District Council may use and publish that feedback, including your name and contact details. If you do not wish for your personal details to be made public, please indicate this in your submission.

Your information is held and administered by Mackenzie District Council in accordance with the Privacy Act 2020 and Mackenzie District Council's Privacy Policy - details can be found at mackenzie.govt.nz.

Tell us about youName Address  FAIRLIE Telcapo Road,

FAIRLIE.

Postcode 7987

Phone number  MobileEmail **Are you submitting on behalf of an organisation?**☐

Yes, I'm submitting on behalf of an organisation

☒

No, I'm submitting as an individual

Which organisation are you submitting on behalf of?

N/A

Do you wish to attend a hearing?

You can attend a hearing and address the councillors in person. Hearings will be held in Fairlie on May 25, 2021.

☐ I wish to address Council at the hearing on May 25.

☒ I do not want to address Council.

The following questions are optional, but will help us make better decisions and ensure we're hearing from a range of people across the District.

Which age category are you in?

☐ 0-14 ☐ 15-24 ☐ 25-39 ☒ 40-64 ☐ 65+

Where is your usual place of residence?

☐ Fairlie ☐ Twizel ☐ Tekapo ☒ Elsewhere in the Mackenzie ☐ Outside the Mackenzie District

Do you agree with the proposed changes to council and community board representation?

☐ Yes ☒ No

Please tell us why you agree or disagree?

I agree that increasing the areas that the community Board serves is a good idea. I don't think your changes go far enough to address the wider community area. I think you should have 5 Board members elected, no council appointee. I think better representation would be given by the community Board chair updating council or council committees on community matters.

Please continue on another page if necessary. Thank you for taking the time to submit on the 2021 Mackenzie District Council Representation Review.

Excerpt from Minutes of Council Meeting:

**MINUTES OF MACKENZIE DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE EVENTS CENTRE LOUNGE, TWIZEL
ON TUESDAY, 18 MAY 2021 AT 9.30AM**

- PRESENT:** Mayor Graham Smith, Deputy Mayor James Leslie, Cr Anne Munro, Cr Stuart Barwood, Cr Murray Cox, Cr Emily Bradbury, Cr Matt Murphy
- IN ATTENDANCE:** Suzette van Aswegen (Chief Executive), Paul Numan (General Manager Corporate Services), Tim Harty (General Manager Operations), Alexis Gray (General Manager People and Culture), Aaron Hakkaart (Planning Manager), Katherine Hill (Senior Corporate Planner), Sam Molyneux (Executive Assistant), Arlene Goss (Governance Advisor), Charlie O'Mannin (media), seven members of the public including the public forum speakers.

1 OPENING AND PUBLIC FORUM

The Mayor opened the meeting with a karakia and welcomed everyone. He then opened the public forum and Neville Cunningham spoke first about Pukaki Airport. After this the Mayor invited Luke Paardekooper to speak.

Luke Paardekooper asked for clarification on the time available to speak. He wanted to speak about the representation review (which would normally occur in a hearing rather than a council meeting) and had other matters to discuss in the public forum. The governance advisor asked Mr Paardekooper if he agreed to speak about the representation review at this public forum, without the need to close the meeting and open a hearing. He agreed to this.

He said it was important to have the best people on Council. He was surprised that a lot of Twizel people supported a Tekapo candidate at the last election. If three wards were created, it would create a kingmaker situation in Tekapo. He would feel uncomfortable with a council that had a kingmaker at the table. He did not think the proposal was consistently fair. If the third ward was put in place Twizel would have more people per councillor and this was unfair.

Regarding the community board proposal, issues in townships were different to issues in rural areas. He felt it would be better to have a rural community board across the district, which would give rural people a voice. Also, how does Mount Cook fit into the picture? He asked if there were any questions from councillors and there were none. The Mayor thanked him for his submission.

Mr Paardekooper then spoke about other issues unrelated to the representation review.

(Mr Paardekooper's written submission on the representation review is available as an attachment to these minutes.)

The council meeting then continued.

Initial Proposal for Representation Arrangements for the 2022 Local Elections



Every three years elections are held for local authorities. This includes for mayors, councillors, community board members and local board members. These are often called 'the triennial local authority elections'.

In order to achieve fair and effective representation at these elections, local authorities are required by the Local Electoral Act 2001 to review their representation arrangements at least once every six years.

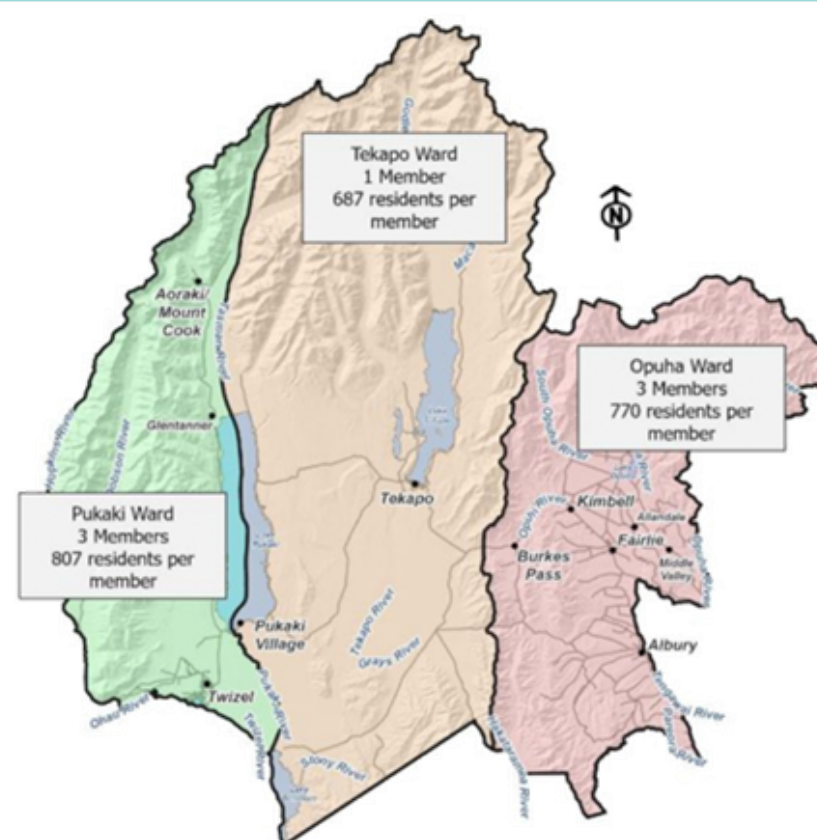
A representation review addresses the total number of councillors there should be for the district or region and the way they are elected. In the case of territorial authorities, this involves deciding whether councillors are elected from wards or 'at large' across the whole district, or by a mix of both wards and 'at large'.

A review also covers the boundaries of wards and constituencies, and their names. In the case of territorial authorities, a review also needs to address whether there should be community boards in the district and, if so, the number of boards; their names and boundaries; the number of members for each board including any appointed members; and whether the board area should be subdivided for electoral purposes.

On March 16, 2021, the Mackenzie District Council reviewed its representation arrangements and decided it would like to make some changes to how councillors and community boards are elected. Members of the public are invited to provide feedback.

You can comment on this initial proposal for the 2022 Local Authority Election from Saturday 20 March 2021 to 5pm on Friday 30 April 2021.

All submissions will be considered by a hearings panel made up of the full Council. All submitters will have the opportunity to present to the hearings panel at the end of May 2021.



Council Representation

It is proposed that the Council comprises of the Mayor and seven members elected from three wards.

What Would Change?

- The number of wards in the district would increase from two to three with the creation of a new, Tekapo Ward.
- The number of councillors in the district would increase from six to seven, plus the Mayor.

Reasons for Change

- Updated population statistics have been released by Statistics New Zealand. This shows that the population of the Pukaki Ward has grown much faster than the Opuha Ward. The current arrangement of two equal wards now falls outside the statutory requirement for a fair population-to-member ratio, so the current arrangements cannot legally continue.
- Engagement with the community showed that some Tekapo voters strongly supported the creation of a Tekapo ward.

How Would it Look?

The wards will reflect the following identified communities of interest:

Pukaki Ward	Twizel township and the rural area to the west and south of Lake Pukaki, but not including Mount Cook Village.
Tekapo Ward	Tekapo township and the rural area from the shore on the eastern side of Lake Pukaki to the top of the mountain range that separates the Mackenzie basin from the South Canterbury low land.
Opuha Ward	Fairlie, Burkes Pass, Kimbell and Albury townships and the rural area from Burkes Pass in the west to the boundary with Timaru District Council in the east.

	Population (2018 census)	Members	Population - Member Ratio
Pukaki Ward	2,423	3	807
Opuha Ward	2,310	3	770
Tekapo Ward	687	1	687
Total	5,420	7	774

In accordance with section 19V(2), Local Electoral Act 2001, the population that each member represents must be within the range of 774 +/- 10% (697 to 851), unless particular community of interest considerations justify otherwise. This proposal does not fit within the stipulated range.

Only the representation of the Tekapo Ward falls outside the stipulated range. The Council considers that the Tekapo Ward warrants a ratio outside the range for the effective representation of communities of interest within isolated communities situated within the district.

Community Board Representation

It is proposed that the three community boards continue with the same number of members, but that the boundaries be expanded to include rural areas.

What Would Change?

Community board boundaries would be extended from the current township-only arrangement to include the entire ward area. This means everyone in the district would vote for community board members as well as the councillor/s and Mayor.

Reason for Change

Council and community boards recognise that people living in rural areas use township services such as parks, community centres and swimming pools, and should therefore have a say in who governs these assets.

How Would it Look?

It is proposed that the following three community boards be elected at the 2022 election:

Twizel Community Board

Four (4) elected members from the Pukaki Ward as a whole and one (1) appointed member, (the appointed member being a Pukaki Ward councillor, appointed by Council). The community board boundary shall be the same as the boundary of the Pukaki Ward.

Tekapo Community Board

Four (4) elected members from the Tekapo Ward as a whole and one (1) appointed member, (the appointed member being the Tekapo Ward councillor). The community board boundary shall be the same as the boundary of the Tekapo Ward.

Fairlie Community Board

Four (4) elected members from the Opuha Ward as a whole and one (1) appointed member, (the appointed member being an Opuha Ward councillor, appointed by Council). The community board boundary shall be the same as the boundary of the Opuha Ward.

Submissions are Invited

The full proposal can be viewed on council's engagement platform letstalk.mackenzie.govt.nz, at council offices and public libraries. Submissions can be submitted by:

- completing the submission online at letstalk.mackenzie.govt.nz
- requesting a submission form from our customer services team on 0800 685 8514

Completed submission forms can be sent to:

Election Review Submissions or emailed to:
P.O. Box 52 arlene.goss@mackenzie.govt.nz
Fairlie 7949

Submissions must be received by Council no later than 5pm on Friday, April 30, 2021.

Suzette van Aswegen, Chief Executive Officer

26 March 2021

0800 685 8514

mackenzie.govt.nz

7 COMMUNITY BOARD RECOMMENDATIONS

There are no community board recommendations at this meeting.

8 CONFIRM COUNCIL MINUTES AND RECEIVE COMMITTEE MINUTES

8.1 MINUTES OF ENGINEERING AND SERVICES COMMITTEE MEETING - 20 APRIL 2021

Author: Arlene Goss, Governance Advisor

Authoriser:

Attachments: 1. Minutes of Engineering and Services Committee Meeting - 20 April 2021

RECOMMENDATION

1. That the Minutes of the Engineering and Services Committee Meeting held on Tuesday 20 April 2021 be received and the recommendations therein be adopted.



Unconfirmed MINUTES

Engineering and Services Committee Meeting

20 April 2021

**MINUTES OF MACKENZIE DISTRICT COUNCIL
ENGINEERING AND SERVICES COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, FAIRLIE
ON TUESDAY, 20 APRIL 2021 AT 11.19AM**

PRESENT: Cr Stuart Barwood (Chairperson), Cr Emily Bradbury, Cr Murray Cox, Cr James Leslie, Cr Anne Munro, Cr Matt Murphy, Mayor Graham Smith

IN ATTENDANCE: Suzette van Aswegen (Chief Executive), Paul Numan (GM Corporate Services), Tim Harty (GM Operations), Chris Clarke (Communications Advisor), Bernie Haar (Asset Manager), Geoff Horler (Utilities Manager), Angie Taylor (Solid Waste Manager), Brian Milne (Community Services Officer), Arlene Goss (Governance Advisor).

1 OPENING

The chairman opened the meeting.

2 APOLOGIES

There were no apologies.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 VISITORS

There were no visitors.

5 REPORTS

5.1 MINUTES OF ENGINEERING AND SERVICES COMMITTEE MEETING - 2 MARCH 2021

COMMITTEE RESOLUTION ENG/2021/9

Moved: Cr Matt Murphy

Seconded: Cr Murray Cox

That the Minutes of the Engineering and Services Committee Meeting held on Tuesday 2 March 2021 be received and confirmed as an accurate record of the meeting.

CARRIED

5.2 ASSET MANAGER'S REPORT

This report is to update the Assets and Services Committee on the progress of various projects and the normal operation of the department for the past month.

Discussion included the following matters:

- The Fairlie skate park has been well received and is well used.
- The use of local contractors for footpath projects has been well received in Twizel.
- The public toilets at Lake Pukaki smelled bad. This toilet needed replacing and upgrading and was on the list of matters that could be addressed by the Tourism Infrastructure Fund.
- The Pukaki Airport water upgrade work was finished.
- Benchmarking put the Mackenzie District as the highest water user in the country. Discussion took place on high water use in Twizel. Alexandra and Clyde were similar climates and had moved to universal metering to address the same issues. Water metering was on the list of MDC's stimulus projects.
- Lilybank Road continued to create gravel issues and was included in the LTP for seal extension. It was not currently appropriate to put a targeted rate on residents to pay for that road.
- Requests for expressions of interest were going out for the road maintenance contract this week. Mr Harty outlined the tender process.
- Regarding LED streetlights, the shipment of lights has not arrived. Mr Haar said he was originally told the lights had arrived, when they hadn't. They were now due at the end of April. Mr Haar agreed he needed to complete this work by the end of the financial year to receive the higher subsidy rate. Cr Munro would like a communication with the community and the Dark Sky board because she would like to front foot this matter. She suggested the following resolution:

That the Engineering and Services Committee updates the community and Dark Sky board on progress with the LED lights and the programme going forward.

The chief executive suggested that council instead waits until the fittings arrive and then announce they have arrived. Mr Harty will look at the terms and conditions of the contract with Netcon and come back to the councillors with a way forward. He asked for a couple of days to do this. He suggested sending a notice to the contractor demanding a date and time and report back to the next workshop. An amended resolution, as below, was carried.

COMMITTEE RESOLUTION ENG/2021/10

Moved: Cr Anne Munro

Seconded: Cr Murray Cox

That the Engineering and Services Committee requests that staff report back on the LED street light contractual levers, and following this an update be sent out to the community and Dark Sky Board.

CARRIED

5.3 COMMUNITY FACILITIES REPORT

The report gave the committee an overview of activities within the community facilities area, with specific focus on township maintenance works.

Mr Harty took the report as read and asked for questions.

Cr Munro noted a safety issue with what appeared to be a contractor wearing jandals. The chief executive explained that the person was not a council contractor but a local who jumped in to help with tree clearing.

Generally pleased with swimming pool management. There would be a formal review to determine how to run this service in the future and a decision made whether it would be outsourced or managed in-house.

Cr Murphy acknowledged the work done on the ground between the playground and Dark Sky building in Tekapo and was pleased to see the improvement.

Alps2Ocean trail work would be included in the trails strategy and more funding was being applied for to get more of the trail off-road.

Discussion moved to the Peace Trees in Fairlie. Some were on private property. Discussion took place on whether the council or land owners should maintain these trees. Mr Haar would investigate whether there was any historical agreement between the council and land owners regarding this. A more detailed discussion on the trees would take place at the next Fairlie Community Board meeting. Chris Rutherford to be invited to this meeting.

5.4 COMMUNITY SERVICES AND WASTE

The solid waste manager took the report as read. She noted that the increased waste levy would be reflected in fees and charges. There would be a need for public communication when these new charges were introduced.

The Mayor noted that Fairlie had a high proportion of green waste in its bins. Some education might be required on other options for the disposal of green waste.

5.5 3 WATER STIMULUS PROGRAMME PROGRESS REPORT

Mr Harty updated the committee on the 3 Water Stimulus Programme. A total of 33 projects are planned with seven of those currently in progress. He was looking to bring in more resources to carry out this work.

Cr Munro asked about easements that would be required for the new Twizel sewerage main. There were two of these and they were currently being investigated by the property group. This was the same group that was also working on procuring land for the Fairlie water supply project.

5.6 ADOPTION OF STREET NAMES FOR STATION BAY DEVELOPMENT, TEKAPO

The purpose of this report was for the Engineering and Services Committee to consider proposed street names for the Station Bay Development in Tekapo.

Mr Haar said since writing the report approval had been received from the Runanga for the street names proposed by the developers.

Cr Leslie believed that LINZ required apostrophes to be dropped from place names, so the apostrophe would need to be dropped from Pete's Place.

COMMITTEE RESOLUTION ENG/2021/11

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

1. That the report be received.

CARRIED**COMMITTEE RESOLUTION ENG/2021/12**

Moved: Mayor Graham Smith

Seconded: Cr Matt Murphy

2. That the street names Station Bay Rise and Pete's Place, as proposed by the developers for the Station Bay Subdivision, be approved.

CARRIED**5.7 THEREE WATERS AND FOOTPATH PROJECT UPDATE**

Mr Harty said the second tranche of work was approaching and a workshop was to be held with designers working on the new Fairlie Water Treatment Plant. The procurement of the land was progressing, with Cr Barwood assisting staff on this matter.

COMMITTEE RESOLUTION ENG/2021/13

Moved: Cr Matt Murphy

Seconded: Cr Murray Cox

That the report be received.

CARRIED

The Meeting closed at 12.36pm.

The minutes of this meeting were confirmed at the Engineering and Services Committee Meeting held on .

.....
CHAIRPERSON

8.2 MINUTES OF COMMERCIAL AND ECONOMIC DEVELOPMENT COMMITTEE MEETING - 20 APRIL 2021

Author: Arlene Goss, Governance Advisor

Authoriser:

Attachments: 1. Minutes of Commercial and Economic Development Committee Meeting - 20 April 2021

RECOMMENDATION

1. That the Minutes of the Commercial and Economic Development Committee Meeting held on Tuesday 20 April 2021 be received and the recommendations therein be adopted.



Unconfirmed MINUTES

Commercial and Economic Development Committee Meeting

20 April 2021

**MINUTES OF MACKENZIE DISTRICT COUNCIL
COMMERCIAL AND ECONOMIC DEVELOPMENT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, FAIRLIE
ON TUESDAY, 20 APRIL 2021 AT 9.30AM**

PRESENT: Cr Murray Cox (Chairperson) Cr Stuart Barwood, Cr Emily Bradbury, Cr James Leslie, Cr Anne Munro, Cr Matt Murphy, Mayor Graham Smith, Mr Rick Ramsay (by Zoom)

IN ATTENDANCE: Suzette van Aswegen (Chief Executive), Paul Numan (GM Corporate Services), Tim Harty (GM Operations), Mark Samways by Zoom (Commercial Manager), Chris Clarke (Communications Advisor), Brian Milne (Community Services Officer), Arlene Goss (Governance Advisor)

1 OPENING

The chairperson opened the meeting and welcomed everyone.

2 APOLOGIES

There were no apologies

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 VISITORS

There were no visitors.

5 REPORTS

**5.1 MINUTES OF COMMERCIAL AND ECONOMIC DEVELOPMENT COMMITTEE MEETING -
15 DECEMBER 2020**

COMMITTEE RESOLUTION COM/2021/14

Moved: Cr Stuart Barwood

Seconded: Cr Matt Murphy

That the Minutes of the Commercial and Economic Development Committee Meeting held on Tuesday 15 December 2020 be received and confirmed as an accurate record of the meeting.

CARRIED

6 PUBLIC EXCLUDED**RESOLUTION TO EXCLUDE THE PUBLIC****COMMITTEE RESOLUTION COM/2021/15**

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
6.1 - Commercial and Economic Development Update	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
6.2 - Minutes of Public Excluded Commercial and Economic Development Committee Meeting - 15 December 2020	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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

COMMITTEE RESOLUTION COM/2021/16

Moved: Cr Anne Munro

Seconded: Cr Matt Murphy

That the committee moves out of closed meeting into public meeting.

CARRIED

Commercial Manager Mark Samways was thanked for his work on behalf of the committee. He leaves the council on April 30.

The Meeting closed at 10.59am.

The minutes of this meeting were confirmed at the Commercial and Economic Development Committee Meeting held on .

.....

CHAIRPERSON

8.3 MINUTES OF PLANNING AND REGULATIONS COMMITTEE MEETING - 20 APRIL 2021

Author: Arlene Goss, Governance Advisor

Authoriser:

Attachments: 1. Minutes of Planning and Regulations Committee Meeting - 20 April 2021

RECOMMENDATION

1. That the Minutes of the Planning and Regulations Committee Meeting held on Tuesday 20 April 2021 be received and the recommendations therein be adopted.



Unconfirmed MINUTES

Planning and Regulations Committee Meeting

20 April 2021

**MINUTES OF MACKENZIE DISTRICT COUNCIL
PLANNING AND REGULATIONS COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, FAIRLIE
ON TUESDAY, 20 APRIL 2021 AT 12.48PM**

PRESENT: Cr Anne Munro (Chairperson), Cr Stuart Barwood, Deputy Mayor James Leslie, Mayor Graham Smith, Cr Emily Bradbury, Cr Murray Cox, Cr Matt Murphy

IN ATTENDANCE: Suzette van Aswegen (Chief Executive), Tim Harty (GM Operations), Aaron Hakkaart (Planning and Regulations Manager), Mark Offen (Compliance Officer), Rachel Willox (Planner), Chris Clarke (Communications Advisor), Arlene Goss (Governance Advisor).

1 OPENING

The chairperson opened the meeting.

2 APOLOGIES

There were no apologies.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 VISITORS

There were no visitors.

5 REPORTS

5.1 MINUTES OF PLANNING AND REGULATIONS COMMITTEE MEETING - 2 MARCH 2021

COMMITTEE RESOLUTION PRC/2021/100

Moved: Cr Murray Cox

Seconded: Cr Stuart Barwood

That the Minutes of the Planning and Regulations Committee Meeting held on Tuesday 2 March 2021 be received and confirmed as an accurate record of the meeting.

CARRIED

5.2 UPDATE ON POLICY AND BYLAWS REVIEW

Planner Rachel Willox was invited to speak to this report. She was planning to pass 10 bylaws this year, with final adoption planned for October.

Cr Barwood asked if it was possible to use bylaws from other councils, rather than each council writing them. The bylaws were modelled on a general bylaw used across the country, with relevant local parts added.

Cr Leslie asked a question about the liquor policy and the distance between liquor licenced premises and schools. Compliance officer Mark Offen explained the background to this issue. The MDC bylaw would not override the Local Alcohol Policy for South Canterbury.

5.3 RESOURCE CONSENTS UPDATE

Resource consent numbers are well below what they have been over the last few years. They are being processed on time. There has been a slight increase in the number of applications at the start of this month, which isn't reflected in the report. It was not known if this was a blip or the start of a recovery in numbers.

5.4 REPORT ON COUNCIL'S BUILDING CONTROL AUTHORITY

The committee agreed that this report looked good. Was there a good news story to tell the builders? Cr Cox suggested celebrating. Mr Harty said there were plans to meet with the industry again. Planning was also meeting deadlines and it would be good to push this out wider.

6 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION PRC/2021/101

Moved: Cr Emily Bradbury

Seconded: Cr Matt Murphy

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
6.1 - Update on Monitoring and Compliance Activities	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(f)(ii) - the withholding of the information is necessary to maintain the effective conduct of	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

	public affairs through the protection of Council members, officers, employees, and persons from improper pressure or harassment	
6.2 - Minutes of Public Excluded Planning and Regulations Committee Meeting - 2 March 2021	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	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>COMMITTEE RESOLUTION PRC/2021/102</p> <p>Moved: Cr Matt Murphy</p> <p>Seconded: Cr Emily Bradbury</p> <p>That the committee move out of closed meeting into open meeting.</p> <p style="text-align: right;">CARRIED</p>
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The Meeting closed at 1.20pm.

The minutes of this meeting were confirmed at the Planning and Regulations Committee Meeting held on .

.....
CHAIRPERSON

8.4 MINUTES OF STRATEGY COMMITTEE MEETING - 20 APRIL 2021

Author: Arlene Goss, Governance Advisor

Authoriser:

Attachments: 1. Minutes of Strategy Committee Meeting - 20 April 2021

RECOMMENDATION

1. That the Minutes of the Strategy Committee Meeting held on Tuesday 20 April 2021 be received and the recommendations therein be adopted.



Unconfirmed MINUTES

Strategy Committee Meeting

20 April 2021

**MINUTES OF MACKENZIE DISTRICT COUNCIL
STRATEGY COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, FAIRLIE
ON TUESDAY, 20 APRIL 2021**

FOLLOWING THE PLANNING AND REGULATIONS COMMITTEE MEETING

PRESENT: Deputy Mayor James Leslie (Chairman), Cr Stuart Barwood, Cr Anne Munro, Mayor Graham Smith, Cr Emily Bradbury, Cr Murray Cox, Cr Matt Murphy

IN ATTENDANCE: Suzette van Aswegen (Chief Executive), Paul Numan (GM Corporate Services), Tim Harty (GM Operations), Chris Clarke (Communications Advisor), Katherine Hill (Corporate Planner), Aaron Hakkaart (Planning Manager), Arlene Goss (Governance Advisor)

1 OPENING

The chairperson opened the meeting and welcomed everyone.

2 APOLOGIES

There were no apologies.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 VISITORS

There were no visitors.

5 REPORTS

5.1 MINUTES OF STRATEGY COMMITTEE MEETING - 2 MARCH 2020

COMMITTEE RESOLUTION STR/2021/29

Moved: Mayor Graham Smith

Seconded: Cr Anne Munro

That the Minutes of the Strategy Committee Meeting held on Tuesday 2 March 2020 be received and confirmed as an accurate record of the meeting.

CARRIED

5.2 UPDATE ON LONG TERM PLAN 2021-2031

It was noted that a workshop was planned to follow the meeting and this was to discuss the Long Term Plan financials and financial strategy.

Council has received legal advice that the date to strike the rates was not fixed as stated in the report. The Mayor expressed concern that target dates would not be fixed. The corporate planner said she would come back to Council with an achievable plan, in conjunction with Audit NZ's timeframes.

Cr Munro asked to note in the minutes her disappointment at the suggestion that the date of 6th August be shifted again. She was reluctant to see that deadline moved again.

The chairperson said he wanted to comment in defence of staff trying to get the Long Term Plan across the line. The chief executive said the legal advice was that once the statutory deadline passed you could adopt the plan and strike the rates whenever you want. It was not possible to cut budgets just to make things work. It had to be done properly and done right.

The chairman said acknowledging that the dates had changed has raised a level of discomfort and concern.

Cr Cox said there was a significant increase coming for ratepayers and it was important to meet the timeframe of ratepayers expectations.

5.3 UPDATE ON SPATIAL PLANNING AND DISTRICT PLAN REVIEW

The chairperson said he appreciated the recent consultation and drop-in sessions conducted by Mr Hakkaart's team.

Workshops were held last week with one person attending in Fairlie, seven in Tekapo and 24 in Twizel. These were productive and people were happy to engage and contribute.

A survey is currently underway and booklets were being taken by members of the public from the Twizel and Fairlie offices.

Following the consultation there would be a final document come to Council for adoption on June 30.

A draft procurement plan was being written up for the district plan review. A steering group has been established. An invitation will be extended to Runanga to join this group.

6 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION STR/2021/30

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
6.1 - Update on Te Manahuna Ki Uta/Destination Mackenzie Project	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
CARRIED		

COMMITTEE RESOLUTION STR/2021/31
Moved: Deputy Mayor James Leslie
Seconded: Cr Stuart Barwood
That the meeting moves out of closed meeting into public meeting.
CARRIED

The Meeting closed at 2.00pm.

The minutes of this meeting were confirmed at the Strategy Committee Meeting held on .

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CHAIRPERSON

8.5 MINUTES OF AUDIT AND RISK COMMITTEE MEETING - 18 MAY 2021

Author: Arlene Goss, Governance Advisor

Authoriser:

Attachments: 1. Minutes of Audit and Risk Committee Meeting - 18 May 2021

RECOMMENDATION

1. That the Minutes of the Audit and Risk Committee Meeting held on Tuesday 18 May 2021 be received and the recommendations therein be adopted.



MINUTES

Audit and Risk Committee Meeting

18 May 2021

**MINUTES OF MACKENZIE DISTRICT COUNCIL
AUDIT AND RISK COMMITTEE MEETING
HELD AT THE TWIZEL EVENTS CENTRE LOUNGE, TWIZEL
ON TUESDAY, 18 MAY 2021 AT 12.50PM**

PRESENT: Bruce Mincham (Chairman), Cr James Leslie, Cr Stuart Barwood, Cr Anne Munro, Mayor Graham Smith, Cr Murray Cox, Cr Matt Murphy

IN ATTENDANCE: Suzette van Aswegen (Chief Executive), Paul Numan (General Manager Corporate Services), Tim Harty (General Manager Operations), Alexis Gray (General Manager People and Culture), Katherine Hill (Corporate Planner), Arlene Goss (Governance Advisor), Chris Genet (Audit New Zealand)

1 OPENING

The chairman opened the meeting and welcomed everyone.

2 APOLOGIES

An apology was received from Cr Emily Bradbury.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 VISITORS

Audit Director Chris Genet, from Audit NZ, was welcomed to the meeting.

5 REPORTS

5.1 MINUTES OF AUDIT AND RISK COMMITTEE MEETING - 16 MARCH 2021

COMMITTEE RESOLUTION AUD/2021/52

Moved: Mr Bruce Mincham

Seconded: Deputy James Leslie

That the Minutes of the Audit and Risk Committee Meeting held on Tuesday 16 March 2021 be received and confirmed as an accurate record of the meeting.

CARRIED

5.2 LONG TERM PLAN 2021-2031 UPDATE

Katherine Hill updated the committee on the project plan for the Long Term Plan. She outlined the main dates in the plan leading up to the adoption on 30th September.

The first rates instalment in the new financial year would be set at the current level, with the new rates level spread out over the remaining three instalments.

Chris Genet confirmed that AuditNZ have agreed to undertake the audit of the LTP consultation document as per the dates as outlined in the Plan and answered questions. He outlined the Office of the Auditor General's five areas of focus and national trends for councils. There was currently a focus on council assets. There had also been a push back on those councils assuming central government funding would be forthcoming when that was not guaranteed in all cases. He then explained the difference between a qualified and unqualified opinion.

The chairman thanked Katherine Hill for her report.

5.3 REPORT TO THE AUDIT AND RISK COMMITTEE ON THE FINAL AUDIT OF MACKENZIE DISTRICT COUNCIL FOR THE YEAR ENDED 30 JUNE 2020

Paul Numan said this report was being presented to the committee for information before staff responded to Audit New Zealand on the details.

The Mayor said he was concerned about Albury Water Supply. Did it need to become a CCO of council? Mr Genet said this was a separate legal entity but was included in council's results. Work needed to be done to assess whether it was a controlled entity or a separate entity. The chief executive asked whether this was a legal opinion or an accounting opinion. Potentially both.

The structure of the water supply committees was discussed. The chairman raised the issue of this matter possibly affecting the outcome of the Long Term Plan.

Mr Numan said he was largely happy with the report from a management view and would act on the recommendations accordingly.

Cr Munro asked about disclosures. At what point did they become material? Mr Genet said he had discovered a couple of things that were below his financial limit. These would become material if they were for a larger amount.

Cr Cox asked if Council still got a legal opinion before setting the rates. Katherine Hill said this had been factored into the Long Term Plan.

The Mayor asked about the recovery of additional costs by Audit NZ due to extra work done by auditors. Mr Genet said the budget was for 682 hours of work. The actual was 1,676 hours. He said there were some things not provided, or not correct up front. Corrections and errors took a lot of time. Covid19 brought into play some complexities that were outside our control. The valuations required more work. And there was some double handling and delays.

The chief executive asked what was meant by working papers in support of the annual report. This was the working figures behind the annual report.

Chris Genet said the budget blow out was not new and had also happened in previous years.

Would it be better next year? Yes, but a level of this was down to preparation. Mr Genet agreed that Audit NZ was changing the goalposts as well, and this contributed to the extra hours.

The chief executive asked if the report was clear enough to help Council get it right next time. Mr Numan said he was confident about the next report. Covid had an impact last time and the council was better resourced now.

Mr Genet talked about a new dashboard tool that would provide clear expectations and recognise the roadblocks. This would be used next time.

The chief executive asked for communication between audit and council staff to be in writing instead of verbal, so this could be tracked. Mr Numan said this was generally done via email.

The chief executive asked why it was not recorded in the report that the technical review was asked for in November and did not come from Audit until February.

The Mayor asked about audit staff charge out rates. These ranged from \$90 to \$300 an hour.

COMMITTEE RESOLUTION AUD/2021/53

Moved: Mr Bruce Mincham

Seconded: Mayor Graham Smith

1. That the report be received.
2. That the Audit and Risk Committee notes the report, findings, and management responses.

CARRIED

6 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION AUD/2021/54

Moved: Mayor Graham Smith

Seconded: Cr Anne Munro

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

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

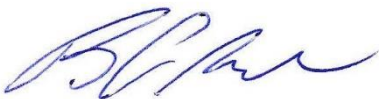
General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
6.1 - Minutes of Public Excluded Audit and Risk Committee Meeting - 16 March 2021	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege. s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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

6.2 - Equip Alignment Session - Action Plan	s6(b) - the making available of the information would be likely to endanger the safety of any person. s7(2)(f)(i) - the withholding of the information is necessary to allow free and frank expression of opinions by or between or to members or officers or employees of any local authority	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
6.3 - Health, Safety and Wellbeing	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
6.4 - Risk Management Report	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest	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>COMMITTEE RESOLUTION AUD/2021/55</p> <p>Moved: Cr Anne Munro</p> <p>Seconded: Deputy James Leslie</p> <p>That the Audit and Risk Committee moves out of closed meeting into open meeting.</p> <p style="text-align: right;">CARRIED</p>
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The Meeting closed at 2.50pm.

The minutes of this meeting were confirmed at the Audit and Risk Committee Meeting held on .



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CHAIRPERSON

8.6 MINUTES OF COUNCIL MEETING - 22 JUNE 2021

Author: Arlene Goss, Governance Advisor

Authoriser:

Attachments: 1. Minutes of Council Meeting - 22 June 2021

RECOMMENDATION

That the Minutes of the Council Meeting held on Tuesday 22 June 2021 be received and confirmed as an accurate record of the meeting.



Mackenzie

DISTRICT COUNCIL

Unconfirmed MINUTES

Extraordinary Council Meeting

22 June 2021

**MINUTES OF MACKENZIE DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, FAIRLIE
ON TUESDAY, 22 JUNE 2021 AT 9.30AM**

PRESENT: Mayor Graham Smith, Deputy Mayor James Leslie, Cr Anne Munro, Cr Stuart Barwood, Cr Murray Cox, Cr Emily Bradbury, Cr Matt Murphy

IN ATTENDANCE: Suzette van Aswegen (Chief Executive), Paul Numan (General Manager Corporate Services), Tim Harty (General Manager Operations), Alexis Gray (General Manager People and Culture), Tim Mulcock (Transition Manager), Aaron Hakkaart (Planning Manager), Arlene Goss (Governance Advisor), Sam Molyneux (Executive Support), Charlie O'Mannin (media).

1 OPENING

The Mayor opened the meeting and welcomed everyone. He then gave a karakia.

2 APOLOGIES

There were no apologies.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 REPORTS

4.1 ADOPTION OF COMMISSIONERS RECOMMENDATION ON PLAN CHANGE 18 TO THE DISTRICT PLAN

The purpose of this report was for Council to make a decision on provisions and matters raised in submissions on Plan Change 18 (Indigenous Biodiversity).

The Mayor introduced the background to Plan Change 18 and asked the Planning Manager to speak to his report.

Aaron Hakkaart tabled an amendment to appendix B of the commissioners' report. He said the amendment was in response to a question from staff regarding whether fence maintenance and clearance carried out for flood protection would be a permitted activity. Clarification was sought from the commissioners who confirmed this was permitted. The amendment was added to the resolution passed by Council (below) to clarify this matter.

Cr Barwood raised the issue of the definition of pasture. This was raised by the ecologist employed by MDC, Mr Harding, in a press release. Mr Hakkaart said the commissioners had all the information in front of them when they made a decision on this and it would not be appropriate to re-litigate it. It was noted that Mr Harding's opinion was considered this at the hearing.

The National Policy Statement on Biodiversity was due to come out soon and Mr Hakkaart believed this decision was a step in the same direction.

Cr Murphy said he had received concerns about a heavy handed approach and the impacts on the future development of land. Mr Hakkaart said this was considered by the commissioners. The Mayor noted that this decision gave farmers the ability to maintain existing tracks, fences and also ensured the continued use of improved pasture.

RESOLUTION 2021/42

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

That the report be received.

CARRIED

RESOLUTION 2021/43

Moved: Deputy Mayor James Leslie

Seconded: Cr Murray Cox

That Council adopt the recommendations prepared by the hearing commissioners on Plan Change 18 and notify the decision pursuant to Clause 10(4)(b) of Schedule 1 of the Resource management Act 1991, after making the following amendment to appendix B to clarify ambiguity around track and fence maintenance above 900m (consent not required):

1.3.2 Any indigenous vegetation clearance in the following locations, unless specified as a permitted activity under Rule 1.1.1.1, 1.1.1.5 or 1.1.1.6 or a restricted discretionary activity under Rule 1.2.3:

CARRIED

Cr Stuart Barwood asked for his vote against the resolution to be recorded.

5 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2021/44

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
5.1 - Increase in Approved Contract Sum: Contract 1222 and 1169	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out,	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting

	without prejudice or disadvantage, commercial activities	would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
5.2 - Funding Local Share of Tourism Infrastructure Projects - Twizel Long Vehicle Carpark and Tekapo/Takapo Car Park/Bus Stop	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
5.3 - Appointment of External Engineer to Contract for Various Contracts	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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>RESOLUTION 2021/45</p> <p>Moved: Deputy Mayor James Leslie</p> <p>Seconded: Cr Anne Munro</p> <p>That Council moves out of closed meeting into open meeting.</p> <p style="text-align: right;">CARRIED</p>

The Meeting closed at 10.39am.

Staff Farewell – Bernie Haar

The Mayor invited former Asset Manager Bernie Haar to the front of the room and also welcomed the Assets team.

After 19 years, Mr Haar was the longest serving person in the building. The Mayor thanked him for what he had given to the district over many years of outstanding service. In particular the Mayor recognised Mr Haar's contribution to Civil Defence, and his work to help the district recover from past snow events.

Cr Munro and Cr Barwood recounted stories of starting as a new councillor and the help they received from Mr Haar.

Mr Haar thanked the Mayor for his kind words and said over those 19 years he had spent millions of ratepayers dollars, making Mackenzie a better place for a lot of people. He was proud of the collective achievements of the council, and was proud of his team.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Mackenzie District Council held on .

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CHAIRPERSON

8.7 MINUTES OF COUNCIL MEETING - 6 JULY 2021

Author: Arlene Goss, Governance Advisor

Authoriser:

Attachments: 1. Minutes of Council Meeting - 6 July 2021

RECOMMENDATION

That the Minutes of the Council Meeting held on Tuesday 6 July 2021 be received and confirmed as an accurate record of the meeting.



Mackenzie

DISTRICT COUNCIL

Unconfirmed MINUTES

Extraordinary Council Meeting

6 July 2021

**MINUTES OF MACKENZIE DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, FAIRLIE
ON TUESDAY, 6 JULY 2021 AT 10.00AM**

PRESENT: Mayor Graham Smith, Cr Anne Munro, Cr Stuart Barwood, Cr Murray Cox, Cr Emily Bradbury, Cr Matt Murphy

IN ATTENDANCE: Suzette van Aswegen (Chief Executive), Paul Numan (General Manager Corporate Services), Alexis Gray (General Manager People and Culture), Arlene Goss (Governance Advisor by Zoom), Sam Molyneux (Executive Support).

1 OPENING

The Mayor opened the meeting with a karakia.

2 APOLOGIES

An apology was received from Cr James Leslie.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2021/69

Moved: Cr Emily Bradbury

Seconded: Cr Matt Murphy

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
4.1 - Mackenzie District Council - Stumpage Log Sale Tender	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the	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

	person who supplied or who is the subject of the information	withholding would exist under section 6 or section 7
CARRIED		

RESOLUTION 2021/70

Moved: Cr Matt Murphy

Seconded: Cr Anne Munro

That Council moves out of closed meeting into open meeting.

CARRIED**The Meeting closed at 10.37am.****The minutes of this meeting were confirmed at the Ordinary Meeting of the Mackenzie District Council held on 3 August 2021.**

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CHAIRPERSON

8.8 MINUTES OF COUNCIL MEETING - 29 JUNE 2021

Author: Arlene Goss, Governance Advisor

Authoriser:

Attachments: 1. Minutes of Council Meeting - 29 June 2021

RECOMMENDATION

1. That the Minutes of the Council Meeting held on Tuesday 29 June 2021 be received and the recommendations therein be adopted.



Mackenzie

DISTRICT COUNCIL

Unconfirmed MINUTES

Ordinary Council Meeting

29 June 2021

**MINUTES OF MACKENZIE DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, FAIRLIE
ON TUESDAY, 29 JUNE 2021 AT 9.30AM**

PRESENT: Mayor Graham Smith, Cr Anne Munro, Cr Stuart Barwood, Cr Murray Cox, Cr Emily Bradbury, Cr Matt Murphy

IN ATTENDANCE: Suzette van Aswegen (Chief Executive), Paul Numan (General Manager Corporate Services), Tim Harty (General Manager Operations), Alexis Gray (General Manager People and Culture), Tim Mulcock (Transition Manager), Aaron Hakkaart (Planning Manager), Sam Molyneux (Executive Assistant), Arlene Goss (Governance Advisor), Charlie O'Mannin (media).

1 OPENING AND PUBLIC FORUM

The Mayor declared the meeting open. A karakia was given by Cr Emily Bradbury.

There were no requests to speak in the public forum.

2 APOLOGIES

An apology was received from Cr James Leslie.

3 VISITORS

There were no visitors.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 BEREAVEMENTS

The Mayor read out the following bereavements and a moment of silence was observed.

Jean Evans – died May 27, 2021. Wife of Tony, mother and mother-in-law of Wayne, Dorothy and the late Robyn. Aged 81 years.

Felicity Knubley – died June 19, 2021. Wife of Miles, mother of Christopher and Peter. Aged 83 years.

Rex Tonycliffe – died June 12, 2021. Husband of Jean, father of Shane and Danielle, Debbie and Warren, Kim and Enzo. Aged 69 years.

6 MAYOR'S REPORT

6.1 MAYORAL ACTIVITIES REPORT

The Mayor took his report as read and noted a speech given by Professor James Dalziel which was well received.

The councillors noted that the Mayor had had a very full month and congratulated him on this. The Mayor said he enjoyed the opening of the Hooker Hut.

The Mayor then gave an account of the mid-winter swim at Lake Tekapo.

The meeting with Tourism Minister Stuart Nash was positive. The Mayor also had an urgent meeting with the Prime Minister last Thursday. It was about recovery from the recent flooding. The Prime Minister made money available to Canterbury for recovery. It was a positive meeting but a lot of concern in the room about the cumulative effects of disasters. One concern was the massive amount of shingle in the river beds. Ecan has a big job shifting shingle and mending stock banks. An extra \$100,000 would go to the Mayors for welfare needs. Phill Mackay was working as recovery manager in this area. Council had some damage to fencing on forestry blocks and this would be covered by insurance.

The Mayor asked people to be mindful of Covid and scan when out and about.

Cr Murphy asked about the dinner with St Johns. This was to thank the volunteers.

RESOLUTION 2021/46

Moved: Cr Stuart Barwood

Seconded: Cr Anne Munro

That the report be received.

CARRIED**7 REPORTS****7.1 CHIEF EXECUTIVE OFFICER'S ACTIVITIES REPORT**

The councillors went through this report and noted the highlights.

The chief executive updated the councillors on the progress of Te Manahuna Ki Uta/Destination Mackenzie. This initiative would go out for public consultation next week. There are no major concerns and everything is going well.

Discussion took place on the number of service requests in the community services area. Tim Harty noted this number was down but the area remained busy.

RESOLUTION 2021/47

Moved: Cr Anne Munro

Seconded: Cr Murray Cox

That the report be received.

CARRIED**7.2 COUNCIL FINANCIAL REPORT**

Paul Numan outlined the highlights of the financial report. Generally speaking Council was in a stable financial decision. Capex would right itself in the next few months or be rolled into the

following year. Forestry harvesting costs were up due to the need to harvest storm damaged trees.

The timing of financial reports was discussed. These were released monthly, with the latest report included on the agenda for meetings. It was noted that the presentation of financial reports would be improved in the future.

RESOLUTION 2021/48

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

That the financial report for Mackenzie District Council to May 2021 be received.

CARRIED**7.3 AFFECTED PERSON APPROVAL RM210056 - 208 GLEN LYON ROAD, TWIZEL**

The purpose of this report was to consider a request for affected party approval under Section 95E of the Resource Management Act 1991.

Councillors were concerned about the significance of the overhang, and also that the building would be accommodation rather than a garage, due to the presence of a toilet on the plan.

RESOLUTION 2021/49

Moved: Cr Emily Bradbury

Seconded: Cr Murray Cox

1. That the report be received.

CARRIED**RESOLUTION 2021/50**

Moved: Cr Anne Munro

Seconded: Cr Murray Cox

2. That affected persons approval be withheld for land use consent RM210056 to construct a garage within the 10-metre internal setback required in the Residential 4 Zone from the south-east internal boundary where the land adjacent is owned by Council and zoned Recreation Passive.

CARRIED**7.4 AQUATIC SERVICES - SEC 17A REVIEW**

Council was asked to consider the report "Aquatic Services Provision – Service Delivery, Section 17A Local Government Act, May 2021" and determine the approach to be applied.

Tim Harty took the report as read. He said there had been a good swimming season last summer with good feedback from the community. He asked Council to consider outsourcing the aquatic

services for three years. He also would like to add to the contract that Council may or may not take up an option to contract the management of the Twizel Events Centre.

The contract would include terms and conditions to comply with things like health and safety. This will be an open tendered process following policy. Anyone can tender.

RESOLUTION 2021/51

Moved: Cr Anne Munro

Seconded: Cr Stuart Barwood

1. That the report be received.

CARRIED

RESOLUTION 2021/52

Moved: Cr Emily Bradbury

Seconded: Cr Anne Munro

2. That MDC undertake a procurement process to deliver recreation facility management services. The facilities included will be:
 - Strathconan Swimming Pool, Fairlie
 - Twizel Swimming Pool, Twizel
3. That the option for the future inclusion of the Twizel Event Centre into the contract be further explored.
4. That the term of the contract be a minimum of three years with options for extensions based on performance.

CARRIED

7.5 DEBT RECOVERY POLICY

Audit New Zealand have identified the need for Mackenzie District Council to have a formal policy guiding the process and decisions regarding debt recovery. This policy was presented to Council for adoption.

Tim Mulcock said this policy aligned the council with legislation and confirmed practice, particularly in recovering unpaid rates.

There were various options to recover rates. It could take several years to work through a situation where there was a long term failure to pay rates.

RESOLUTION 2021/53

Moved: Cr Murray Cox

Seconded: Cr Matt Murphy

1. That the report be received.

CARRIED

RESOLUTION 2021/54

Moved: Cr Murray Cox

Seconded: Cr Anne Munro

2. That the Debt Recovery Policy be adopted by Council.

CARRIED

7.6 STATEMENT OF PROPOSAL FOR THE IDENTIFICATION OF STRATEGIC ROUTES AND PRIORITY THOROUGHFARES

Tim Mulcock spoke to this report. The purpose of this Statement of Proposal (SOP) was to seek public feedback on the proposed priority thoroughfares and strategic routes that may warrant prioritising due to their location, strategic importance and proximity to Unreinforced Masonry Buildings (URM).

This Statement of Proposal was presented to Council for adoption, following which it will be presented for public consultation.

RESOLUTION 2021/55

Moved: Cr Stuart Barwood

Seconded: Cr Matt Murphy

1. That the report be received.

CARRIED

RESOLUTION 2021/56

Moved: Mayor Graham Smith

Seconded: Cr Anne Munro

2. That the Statement of Proposal for the Identification of Strategic Routes and Priority Thoroughfares be adopted by Council.
3. Emily/Anne moved one below

That the Mayor and Chief Executive be delegated authority to amend the dates for consultation if deemed appropriate.

CARRIED

7.7 ECONOMIC DEVELOPMENT STRATEGY

This report was pulled from the agenda and will go to the Commercial and Economic Development Committee for further discussion. The report was not received.

7.8 MONTHLY REPORT - SOUTH CANTERBURY CHAMBER OF COMMERCE - APRIL 2021

Paul Numan said the MOU with the Chamber of Commerce had been signed and council would continue to work with them.

The Mayor said it was a thrill to see so many entries in the business awards from the Mackenzie District. It was heartening to see so many businesses inspired and optimistic in what had been a difficult year.

Cr Murphy asked about the new MOU. The chief executive said this was contractual so shouldn't be discussed in public. It would be workshopped with councillors.

7.9 RECOVERY MANAGER COVID-19 FINAL REPORT

Recovery Manager Phill Mackay was welcomed to the meeting. He took his report as read and was happy to take questions.

There were job vacancies across the district in different types of jobs, and there was a challenge getting people to move into the district. Supply chain issues were affecting people and slowing things down.

Council recognised that Covid was with us for the foreseeable future and was being recognised in business as usual. The community advisory group would continue to meet. They were driving some good initiatives for the community.

A researcher was surveying in this area and had asked to meet with Council.

Two workshops were held in Fairlie and Twizel by the district health board looking at the social needs of the community. This was productive and appreciated.

The Mayor thanked Mr Mackay on behalf of Council for his work as recovery manager and the councillors applauded.

7.10 UPDATE ON THE RENOVATION OF COUNCIL OFFICES - FAIRLIE AND TWIZEL

The purpose of the report was to provide Council with an update on the recently completed building renovation works at the Fairlie and Twizel Council offices.

Tim Harty outlined the report. This was the first significant upgrade and maintenance of both buildings in 30 years. Cr Murphy asked about fire egress for both buildings. This work on fire egress would be funded in year 1 of the Long Term Plan.

RESOLUTION 2021/57

Moved: Cr Anne Munro

Seconded: Cr Stuart Barwood

1. That the report be received, and

CARRIED

RESOLUTION 2021/58

Moved: Cr Stuart Barwood

Seconded: Cr Anne Munro

2. That staff inform the community of the purpose, nature and cost of the alterations via Council's usual communication channels.

CARRIED

7.11 PROCUREMENT OF TECHNICAL REVIEW SERVICES FOR ENGINEERING PROJECTS

Staff sought to engage Technical Review Support from GHD Limited for significant engineering projects, including, but not limited to, the Fairlie Water Treatment Plant and Three Waters Reform Projects.

Tim Harty outlined the need for engineering support due to the number of large projects currently being undertaken and the recent retirement of the asset manager.

The cost of this would come from government funding, so there was zero ratepayer impact. The councillors asked to remove the word "initial" from the staff recommendation, and add the words "up to" \$100,000.

RESOLUTION 2021/59

Moved: Cr Matt Murphy

Seconded: Cr Emily Bradbury

- 1) That the report be received, and
- 2) That the recommendation in the attached proposal and procurement plan be approved, and further that
- 3) A budget of up to \$100,000 (excluding GST), funded from approved and appropriate project allocations be accepted for this ongoing engagement.

CARRIED

7.12 HERITAGE FUND APPLICATION

The purpose of this report was to consider an application for funding from the Heritage Protection Fund from H & S Tennent.

Aaron Hakkaart and Melissa McMullan joined the meeting. Council has a Heritage Fund of \$5000 per year. Staff advertised this fund and received one request. This was the request now before Council.

Discussion was held on how to ensure the unspent money was not lost and would accrue to the next year.

Cr Murphy asked about the application being retrospective. Council has the discretion to grant retrospective applications.

RESOLUTION 2021/60

Moved: Cr Anne Munro

Seconded: Cr Matt Murphy

1. That the report be received.

CARRIED

RESOLUTION 2021/61

Moved: Cr Stuart Barwood

Seconded: Cr Murray Cox

2. That Council consider the payment of \$2,500.00 from the Heritage Protection Fund to H & S Tennent as a contribution towards the restoration work already completed on the Bank of New Zealand Building, Main Street, Fairlie.

CARRIED

7.13 ADOPTION OF MACKENZIE SPATIAL PLANS

The purpose of this report was to seek Mackenzie District Council's endorsement and adoption of proposed Spatial Plans for Fairlie, Tekapo/ Takapō, Twizel, Albury, Kimbell and Burkes Pass.

These plans have been in progress for 18 months and have reached the stage where proposed plans have been prepared using community and runanga feedback. These would form a key part of the district plan review.

Cr Cox asked about process. Once approved the ability of the public to question these would be through the district plan review. The Mayor thanked the planning team for their work and effort to engage the community on the spatial plans.

RESOLUTION 2021/62

Moved: Cr Anne Munro

Seconded: Cr Matt Murphy

1. That the report be received.

CARRIED

RESOLUTION 2021/63

Moved: Cr Stuart Barwood

Seconded: Cr Emily Bradbury

2. That Council resolve to endorse and adopt the Spatial Plans for Fairlie, Tekapo/ Takapō, Twizel and the Settlement Plans for Albury, Kimbell and Burkes Pass.

CARRIED

7.14 BYLAW AND POLICY STATEMENT OF PROPOSAL ADOPTION

The purpose of this report was to provide Council with the relevant background information to the attached Statements of Proposal. This process was required to ensure a suite of bylaws that were legislatively sound. These bylaws need to go through a statutory consultation process.

Aaron Hakkaart asked Council to consider the options regarding gaming machines.

The number of gaming machines in the district was currently 45, with a cap of 65. Questions were asked to clarify the different options. It was noted that the revenue collected by gaming machines did not come back to the Mackenzie community.

There were very few benefits to the district of having gaming machines. Cr Murphy asked if there was a need for any machines in the district at all.

Cr Barwood suggested a ceiling of 45 gambling machines. and if businesses were sold the machines would continue with the new business owners, but if the business was closed the machines would get taken out and the ceiling dropped. He moved a motion to this effect and Cr Munro seconded.

Cr Murphy argued that 45 machines was too high.

A vote was taken and there was a split, as recorded below. The motion was carried.

RESOLUTION 2021/64

Moved: Cr Anne Munro

Seconded: Cr Matt Murphy

1. That the report be received.

CARRIED

2. That Council adopt option three in relation to the proposed Class 4 Gambling and TAB Venue Policy 2021. This being a sinking lid with the ability to transfer the machines when the business sells, but should the business close the machines would be non-transferrable.

In Favour: Crs Anne Munro, Stuart Barwood and Emily Bradbury

Against: Crs Murray Cox and Matt Murphy

Abstained: Cr Graham Smith

CARRIED

RESOLUTION 2021/65

Moved: Cr Anne Munro

Seconded: Cr Stuart Barwood

3. That the Council adopt the Policies and Bylaws Review – Statement of Proposal pursuant to section 83 of the LGA 2002.

CARRIED

RESOLUTION 2021/66

Moved: Cr Stuart Barwood

Seconded: Cr Anne Munro

4. That the Council adopt the Proposed New Policies and Bylaws – Statement of Proposal pursuant to section 83 of the LGA 2002.

CARRIED

8 COMMUNITY BOARD RECOMMENDATIONS

8.1 MINUTES OF TWIZEL COMMUNITY BOARD MEETING - 3 MAY 2021

RESOLUTION 2021/67

Moved: Cr Matt Murphy

Seconded: Cr Murray Cox

1. That the Minutes of the Twizel Community Board Meeting held on Monday 3 May 2021 be received.
2. That Council notes the following resolutions passed by the Twizel Community Board:
 - a) That a professional mountain bike/pump track builder be engaged to undertake maintenance and upgrade works to the Twizel Pump track (Glen Lyon Rd).
That this work be undertaken in conjunction with community engagement.
That follow-up rider training be provided over a weekend following completion of the track works.
That funding of approximately \$9,000 to undertake this project be allocated from the Twizel Township Projects budget.
 - b) That the Twizel Community Board instructs staff to remove the one tree closest to the building in Market Place, and prune the rest of the trees.
 - c) That a grant of \$450 be approved for Lakes Ballet towards the costs of a teacher and six students attending an event in Christchurch.
 - d) That a grant of \$500 be approved for the Twizel Kindergarten Committee to bring a parenting speaker to Twizel to speak to parents and professionals.
 - e) That a grant of \$61.35 be approved for Neighbourhood Support to pay for venue hire for a public meeting in Twizel.

CARRIED

8.2 MINUTES OF TEKAPO COMMUNITY BOARD MEETING - 5 MAY 2021

RESOLUTION 2021/68

Moved: Cr Matt Murphy

Seconded: Cr Murray Cox

1. That the Minutes of the Tekapo Community Board Meeting held on Wednesday 5 May 2021 be received.
2. That Council notes the following resolutions passed by the Tekapo Community Board:
 - a) That the Tekapo Community Board requests that council carry forward the balance of the Tekapo grants fund to the new financial year.
 - b) That the Community Board recommend that Council adopt the 2021/22 fees and charges for the community facilities within the Community Board area as proposed, with the change to a standardised approach of a 20% discount for regular hall users who use the facility 10 times or more.

CARRIED

8.3 MINUTES OF FAIRLIE COMMUNITY BOARD MEETING - 6 MAY 2021

RESOLUTION 2021/69

Moved: Cr Matt Murphy

Seconded: Cr Murray Cox

1. That the Minutes of the Fairlie Community Board Meeting held on Thursday 6 May 2021 be received.
2. That Council notes the following resolutions passed by the Fairlie Community Board:
 - a) That the Fairlie Community Board instructs staff to come back to the next meeting with a proposal for community engagement on the Peace Trees.
 - b) That the Fairlie Community Board asks Council to carry forward the balance of community board funds into the new financial year.
 - c) That staff obtain a quote for the removal of the Fairlie Domain Douglas Fir from an MDC-approved contractor, and
That the applicant be approached to discuss the costs for removal of the Douglas Fir, and if agreeable to meet the costs, that the tree and stump be removed, and
That a suitable replacement deciduous tree be planted in the winter following the removal of the Douglas Fir, at a location within the Fairlie Domain.
 - d) That the Community Board recommend that Council adopt the 2021/22 fees and charges for the community facilities within the Community Board area as proposed with the changes noted in the minutes.

CARRIED

9 CONFIRM COUNCIL MINUTES**9.1 MINUTES OF COUNCIL MEETING - 18 MAY 2021****RESOLUTION 2021/70**

Moved: Cr Matt Murphy

Seconded: Cr Murray Cox

That the Minutes of the Council Meeting held on Tuesday 18 May 2021 be received and confirmed as an accurate record of the meeting.

CARRIED

10 ADJOURNMENTS

The meeting adjourned at 11.13am for morning tea and reconvened at 11.32am.

11 PUBLIC EXCLUDED**RESOLUTION TO EXCLUDE THE PUBLIC**

Resolution 2021/71

Moved: Cr Anne Munro

Seconded: Cr Matt Murphy

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
11.1 - Minutes of Public Excluded Council Meeting - 18 May 2021	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
11.2 - Equip Alignment Session - Action Plan	s6(b) - the making available of the information would be likely to endanger the safety of any person s7(2)(f)(i) - the withholding of the information is necessary to allow free and frank expression of opinions by or between or to	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

	members or officers or employees of any local authority	
11.3 - Engagement of the Property Group to Provide Consultancy Support for Private Property Issues	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	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
11.4 - CHRISTCHURCHNZ Destination Marketing services Contract	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	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
11.5 - Judicial Review Decision - Tekapo Sky Hotel	<p>s6(a) - the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
Carried		

<p>Resolution 2021/72</p> <p>Moved: Cr Anne Munro</p> <p>Seconded: Cr Emily Bradbury</p> <p>That Council moves out of closed meeting into open meeting.</p> <p>Carried</p>
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The Meeting closed at 12.10pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 3 August 2021.

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CHAIRPERSON

9 PUBLIC EXCLUDED**RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
9.1 - Downlands Water Scheme - Joint Committee Agreement	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
9.2 - Fairlie Building and Twizel Event Centre Upgrades - Initial Assessments	s7(2)(f)(i) - the withholding of the information is necessary to allow free and frank expression of opinions by or between or to members or officers or employees of any local authority	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
9.3 - Appointments to Water Zone Committees	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
9.4 - Minutes of Public Excluded Commercial and Economic Development Committee Meeting - 20 April 2021	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(h) - the withholding of the information is necessary to enable Council to carry out,	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

	without prejudice or disadvantage, commercial activities	
9.5 - Minutes of Public Excluded Planning and Regulations Committee Meeting - 20 April 2021	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
9.6 - Minutes of Public Excluded Strategy Committee Meeting - 20 April 2021	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
9.7 - Minutes of Public Excluded Audit and Risk Committee Meeting - 18 May 2021	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
9.8 - Minutes of Public Excluded Council Meeting - 22 June 2021	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
9.9 - Minutes of Public Excluded Council Meeting - 6 July 2021	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the

	disadvantage, commercial activities	disclosure of information for which good reason for withholding would exist under section 6 or section 7
9.10 - Minutes of Public Excluded Council Meeting - 29 June 2021	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	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