



**Rangitikei**  
UNSPOILT...

Rangitikei District Council

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# Policy/Planning Committee Meeting

## Order Paper

**Thursday, 17 March 2016,  
1.00 pm**

**Council Chamber, Rangitikei District Council  
46 High Street, Marton**

**Website: [www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)**

**Email: [info@rangitikei.govt.nz](mailto:info@rangitikei.govt.nz)**

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**Chair**

Cr Lynne Sheridan

**Deputy Chair**

Cr Richard Aslett

**Membership**

Councillors Cath Ash, Angus Gordon, Rebecca McNeil, Soraya Peke-Mason  
His Worship the Mayor, Andy Watson (ex officio)

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**Please Note:** Items in this agenda may be subject to amendments or withdrawal at the meeting. It is recommended therefore that items not be reported upon until after adoption by the Council. Reporters who do not attend the meeting are requested to seek confirmation of the agenda material or proceedings of the meeting from the Chief Executive prior to any media reports being filed



# Rangitikei District Council

## Policy/Planning Committee Meeting

Order Paper – Thursday 17 March 2016 – 1:00 p.m.

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The quorum for the Policy/Planning Committee is 4.

At its meeting of 28 October 2010, Council resolved that "The quorum at any meeting of a standing committee or sub-committee of the Council (including Te Roopu Ahi Kaa, the Community Committees, the Reserve Management Committees and the Rural Water Supply Management Sub-committees) is that required for a meeting of the local authority in SO 2.4.3 and 3.4.3.

- 1 Welcome**
- 2 Apologies/leave of absence**
- 3 Confirmation of order of business**
- 4 Confirmation of minutes**

**Recommendation**

That the Minutes of the Policy/Planning Committee meeting held on 11 February 2016 be taken as read and verified as an accurate and correct record of the meeting.

- 5 Chair's report**

A report is attached

**Recommendation**

That the Chair's report to the meeting of the Policy/Planning Committee on 17 March 2016 be received.

- 6 Queries raised at previous meeting**

At its last meeting the Committee asked for an update on progress for the scoping report on levels of service arising from implementing the One Network Roding Classification.

It is too soon to say. The New Zealand Transport Agency has yet to provide information on the level of service for each class of road. However, the Agency requires an updated roading Asset Management Plan taking into account ONRC by November 2017. (The Council's roading team expects to have an initial draft of this ready for consultation by the end of 2016.) Since the current funding block is for three years ending 30 June 2018, any changes arising from ONRC are unlikely to be implemented during that time.

- 7 Risks to roading – flood damage**

Following the Committee's consideration (at its meeting on 15 October 2015) of a discussion paper by Cr Gordon on external risks to roading, the Committee requested a report which (a) set out the information available on the current management of external risks to roading assets and (b) examined the extent to which other local authorities are considering this issue. The attached report provides a view from the Council's roading team.

John Jones, Council's Roding Assets Manager will be in attendance for this item.

File: 1-AS-1-4



**Recommendation**

That the report 'Risk to roading – flood damage' be received.

**8 Proposed District Plan Change 2016 – update March 2016**

A memorandum is attached.

File: 1-PL-1

**Recommendation**

That the memorandum 'Proposed District Plan Change 2016 – update March 2016' be received.

**9 Activity Management:**

- Community leadership
- Environmental services
- Community well-being

**Recommendation**

That the activity management templates for Community Leadership, Environmental and Regulatory Services and Community Well-Being (February 2016) be received

**10 Update on communications strategy**

A memorandum is attached

File: 3-CT-15-1

**Recommendation**

That the Update on communications strategy to the Policy/Planning Committee meeting on 17 March 2016 be received.

**11 Revised Rural Fire Plan**

The proposed revised plan is attached.

The Council's obligations and duties in relation to rural fire are established in the Forest and Rural Fire Act 1974 and the Forest and Rural Fires Regulations 2005 (and subsequent amendments). As a Rural fire Authority has to review the Rural Fire Management Plan every two years for Readiness and Response and every five years for Reduction and Recovery; Council follows best practice and revises all four R's every two years.

Paul Chaffe, Principal Rural Fire Officer, will be in attendance for this item.

File: 1-ER-5-4

### **Recommendation**

1. That the revised Rural Fire Authority Plan 2016 be received
2. That the Policy/Planning Committee recommend to the Council (as the Rural Fire Authority) to adopt [as amended/without amendment] the proposed revised Rural Fire Authority Plan 2016, and delegate the Chief Executive to sign it on behalf of the Council.

## **12 Review of Manawatu-Wanganui Group Civil Defence Emergency Management Plan, 2016-21**

The Manawatu-Wanganui Civil Defence Emergency Management (CDEM) Group is reviewing its current Group Plan and has released the proposed plan for public consultation.

<http://www.horizons.govt.nz/assets/Keeping-People-Safe/Emergency-Management/CDEM-Plan-for-Consultation-Mar-2016.pdf>

Section 56 of the Civil Defence Emergency Management Act 2002 requires that Groups review their Plans at least 5 yearly. The current Group Plan will remain in effect throughout the review process; the target date for the 2016-2021 Plan becoming operative is 9 June 2016. This reviewed Plan will remain in effect until the next review period which must begin no later than 9 June 2021.

A brief presentation will be provided to the meeting

Submissions are due on 1 April 2016; a submission will be prepared for Council's consideration at its meeting on 31 March 2016.

## **13 CDEM National Capability Assessment Report**

This report is provided for the Committee's information. Overall, the report considers that all civil defence emergency management groups have improved.

## **14 Update on legislation and governance issues**

A report is attached.

File: 3-OR-3-5

### **Recommendations**

1. That the report 'Update on legislation and governance issues' to the Policy/Planning Committee's meeting of 17 March 2016 be received.
2. That the draft submission [without amendment/as amended] on the Civil Defence Emergency Management Bill be referred for final consideration to the Mayor, the Deputy Mayor and the Chief Executive and, subsequently, for the Mayor to sign on

behalf of the Council, with a copy of the final submission being included with the Chief Executive's Administrative matters report to Council's meeting on 31 March 2016.

## **15 Update of Local Governance Statement**

A marked-up revision of the Local Governance Statement adopted by Council on 27 February 2014 is attached. Section 40 of the Local Government Act 2002 requires each local authority to adopt a Local Governance Statement within six months of each triennial election; the minimum content for the Statement is also prescribed by that section. Since that time, there have been a number of legislative changes (and changes in Council's policies and procedures) so an update is proposed prior going into the triennial elections. The Act permits this.

File: 3-PY-1-2

### **Recommendations**

1. That the updated Local Governance Statement be received
2. That the Policy/Planning Committee recommends to Council that it adopts the updated Local Governance Statement [without amendment/as amended]

## **16 Proposed speed-limit change on Parewanui Road**

A Speed Limit Development Rating survey prepared by GHD is attached. The report recommends that a new 80 km/h speed limit is introduced on Parewanui Road from the existing 50/100 km/h speed limit signs to a position 50 metres south/west of Brandon Hall Road. This would require an amendment to the Speed Limit Bylaw with an associated special consultative procedure (albeit with targeted consultation). If the Committee supports a change to the Speed Limit Bylaw, then it is suggested that the proposed revised Bylaw, associated consultation documents and an engagement plan are prepared for Council to consider at its meeting on 31 March 2016. Consultation may then take place concurrently with the draft Annual Plan 2016/17.

File: 1-DB-1-7

### **Recommendations**

- 1 That the Speed Limit Development Rating survey on Parewanui Road prepared by GHD be received.
- 2 That a new speed limit of new 80 km/h speed limit is introduced on Parewanui Road from the existing 50/100 km/h speed limit signs to a position 50 metres south/west of Brandon Hall Road and that the Chief Executive prepares a proposed revision to the Speed Limit Bylaw and associated consultation documents to be considered for adoption at the Council meeting on 31 March 2016

## **17 Dog Control and Responsibility Policy and Control of Dogs Bylaw Review**

A report is attached

File: 3-PY-1-20

### **Recommendations**

1. That the report on “Dog Control and Owner Responsibility Policy and Control of Dogs Bylaw Review” be received.
2. That the proposed draft Dog Control and Owner Responsibility Policy and draft Control of Dogs Bylaw, contained in Appendices 1 and 2 [as amended/without amendment] with associated consultation documents be recommended to Council for adoption for a special consultative procedure at its meeting on 31 March 2016, and that the proposed Engagement Plan contained in Appendix 4 be recommended to Council for the special consultative procedure associated with these consultations.
3. That the proposed draft Animal Control Bylaw contained in Appendix 3 [as amended/without amendment] be recommended to Council for adoption, and that because the proposed amendment has no effect on the provisions of the Animal Control Bylaw, that no further consultation be undertaken.

## **18 Review of TAB Venue and Gambling Venue (Class 4) Policies**

A report is attached.

File: 3-PY-1-5

### **Recommendations**

- 3 That the report ‘Triennial review of the Class 4 Gambling policy and the TAB venue policy’ be received.
- 4 That the Policy/Planning Committee recommends to Council that the Gambling Venue (Class 4) and TAB Venue policies are released for public consultation without amendment and that further information and community views on this decision are sought through a consultation process concurrent with the draft Annual Plan 2015/2016.

## **19 Evaluating Horizons’ One Plan implementation – part one: water quality**

The invitation from Horizons for views on intensive land consenting and nutrient management is attached for consideration. There is no formal submission process.

## **20 Bulls Multi-purpose Community Centre – project update including progress with the fundraising plan for the Bulls Multi-purpose Community Centre**

The Council has submitted funding applications to Lotteries Community Facilities Fund and to Powerco Wanganui Trust.

A small group comprising the Mayor, the Chief Executive, representatives from the Bulls & District Community Trust and the Bulls Community Committee and some Council staff met on 25 February 2016 with the architects to review the layout in the concept plans, as a first stage in developing a final design. Two representatives from Ngati Apa joined the meeting to discuss their interest in the project. The architects will be considering feedback from this meeting in developing amendments, for consideration later this month. The design process will draw in representatives of user groups, as well as providing an opportunity for Bulls residents to have input. The design process is expected to be completed in May.

## **21 Update on the Path to Well-Being initiative and other community development programmes – March 2016**

A memorandum is attached

File: 1-CO-4

### **Recommendation**

That the memorandum 'Update on the Path to Well-Being initiative and other community development programmes – March 2016' be received.

## **22 Late items**

## **23 Future items for the agenda**

## **24 Next meeting**

Thursday 14 April 2016, 1.00 pm

## **25 Meeting closed**

# ***Attachment 1***



**Rangitikei**  
UNAPOLOGIS...  
UNAPOLOGIS...

# Rangitikei District Council

## Policy/Planning Committee Meeting

Minutes – Thursday 11 February 2016 – 1:09 p.m.

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**Present:** Cr Lynne Sheridan (Chair)  
Cr Richard Aslett  
Cr Angus Gordon  
Cr Soraya Peke-Mason  
His Worship the Mayor, Andy Watson

**Also present:** Cr Ruth Rainey

**In attendance:** Mr Michael Hodder, Community & Regulatory Services Group Manager  
Mr Johan Cullis, Environmental Services Team Leader  
Ms Denise Servante, Strategy & Community Planning Manager  
Ms Katrina Gray, Policy Analyst/Planner  
Ms Samantha Whitcombe, Governance Administrator

**Tabled documents:**

<b>Item 7</b>	<b>Issues proposed for Council-initiated Plan Change – Signage Worksheet and District Plan References sheet</b>
<b>Item 14</b>	<b>Horizons Pest Management Plan Review - Submission</b>
<b>Item 12</b>	<b>Update on Legislation and Governance Issues – Submission to the Proposed Residential Tenancies Regulations</b>



## 1 Welcome

The Chair opened the meeting at 1.09pm and then adjourned the meeting. The meeting reconvened 1.30pm.

## 2 Apologies/leave of absence

That the apology for absence from Cr Ash be received.

Cr Gordon / Cr Aslett. Carried

## 3 Confirmation of order of business

The Chair informed the Committee that Greg Carlyon (Catalyst Group), Paul Chaffe (Rural Fire and Emergency Management Officer for Rangitikei District Council) and Craig Davies (Horizons Regional Council) would all make presentations to the meeting.

## 4 Confirmation of minutes

<b>Resolved minute number</b>	<b>16/PPL/001</b>	<b>File Ref</b>
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That the Minutes of the Policy/Planning Committee meeting held on 12 November 2015 be taken as read and verified as an accurate and correct record of the meeting.

Cr Gordon / His Worship the Mayor. Carried

## 5 Chair's report

The Chair spoke briefly to her report. The Committee asked that the issue of homelessness within the Rangitikei District, as highlighted in the Chair's Report, be referred to the Safe & Caring Community Theme Group.

<b>Resolved minute number</b>	<b>16/PPL/002</b>	<b>File Ref</b>
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That the Policy/Planning Committee request the Safe & Caring Community Theme group to consider the question of homelessness in the Rangitikei and subsequently report back to the Policy/Planning Committee.

Cr Peke-Mason / Cr Aslett. Carried

<b>Resolved minute number</b>	<b>16/PPL/003</b>	<b>File Ref</b>
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That the Chair's report to the meeting of the Policy/Planning Committee on 11 February 2016 be received.

Cr Sheridan / His Worship the Mayor. Carried

## 6 Queries raised at previous meeting

The Committee noted that there were no queries raised at the previous meeting.

## 7 Issues proposed for Council-initiated Plan change

Ms Gray spoke briefly to the report provided in the order paper. Ms Gray and Mr Carlyon (Catalyst Group) narrated a presentation on the Council-initiated Plan Change.

A document was distributed to the Committee outlining the proposed changes to the District Plan and a page reference within the current plan for each proposed change.

The following were the main points discussed by the Committee:

- Refining the rules around signage to better provide for local businesses and to limit promotion on the state highways to before the next town;
- Restoring flexibility in villages having a 'rural settlement' zoning in the 1999 District Plan by allowing for retail activities there;
- Differentiating between temporary signage (e.g. for an event) and permanent signage (e.g. for a business);
- Applying fixed-fees for local businesses;
- Considering the potential to expand the commercial zone in Bulls;
- Considering potential sites in Marton and Taihape to be re-zoned as industrial land;
- Allowing residential activities to occur in the commercial zone;
- Allowing offsets to be considered when a heritage building is proposed for demolition; and
- Including a list of heritage values in Marton.

<b>Resolved minute number</b>	<b>16/PPL/004</b>	<b>File Ref</b>	<b>1-PL-1</b>
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1. That the report 'Proposed District Plan Changes' be received.
2. The Policy/Planning Committee recommends that Council adopts for consultation the proposed District Plan as discussed at the Committee's meeting on 11 February 2016.

His Worship the Mayor / Cr Gordon. Carried

Cr Gordon left the meeting 2.14pm / 2.16pm  
 Cr Peke-Mason left the meeting 2.17pm / 2.27pm  
 Cr Rainey left the meeting 2.20pm  
 His Worship the Mayor left the meeting 2.30pm / 2.35pm

Afternoon Tea 3.08pm / 3.25pm

## 8 Revised Rural Fire Plan

This item was deferred for consideration at the Committee's next meeting.

## 14 Horizons Pest Management Plan Review

Craig Davies, Horizons Regional Council, outlined the new requirements for the review of the Horizons Pest Management Plan, and highlighted the changes that are relevant to the Rangitikei District. The main points discussed were:

- the desire for a proactive rather than a punitive relationship between Horizons and territorial authorities – roadside weeds were a significant issue and the objective was best-practice management.
- priorities in the plan were set having regard for the extent of infestation.

**Resolved minute number**                      **16/PPL/005**                      **File Ref**                      **3-OR-3-12**

That the memorandum 'Horizons Pest Management Plan Review' be received.

Cr Aslett / Cr Sheridan. Carried

**Resolved minute number**                      **16/PPL/006**                      **File Ref**                      **3-OR-3-12**

That the Policy/Planning Committee recommends that, following consideration by His Worship the Mayor, the Deputy Mayor and the Chief Executive, the Mayor be authorised to sign, on behalf of the Council, the submission as amended to Horizons Regional Council on the Proposed Regional Pest Management Plan, and that the Chief Executive provides that signed submission to the next meeting of Council for formal confirmation by resolution.

His Worship the Mayor / Cr Peke-Mason. Carried

## 9 CDEM National Capability Assessment Report

The Committee noted the report attached for their information.

## 10 Update on communications strategy

**Resolved minute number**                      **16/PPL/007**                      **File Ref**                      **3-CT-15-1**

That the Update on communications strategy to the Policy/Planning Committee meeting on 11 February 2016 be received.

Cr Peke-Mason / Cr Aslett. Carried

## 11 Activity Management:

**Resolved minute number**                      **16/PPL/008**                      **File Ref**

That the activity management templates for Community Leadership, Environmental and

Regulatory Services and Community Well-Being (November 2015-January 2016) be received.

Cr Gordon / Cr Aslett. Carried

## **12 Update on legislation and governance issues**

His Worship the Mayor told the Committee that he had been informed by Minister Flavell about proposed changes to the Local Government (Rating) Act, specifically around the rating of unused and unoccupied Maori land. He informed the Committee that there is to be a meeting held at Parliament next week and information from this meeting will be brought to the next Committee meeting if possible.

Mr Hodder spoke briefly to the report, highlighting the points on the Resource Legislation Amendment Bill, the First principles study of Urban Planning and the proposed regulations under the Residential Tenancies Amendment Bill.

Ms Gray then narrated presentations on the Resource Legislation Amendment Bill and the First principles study of Urban Planning.

The Committee asked that the submission on the Resource Legislation Amendment Bill be forwarded to Pahia Turia for comment prior to Council confirming the submission.

Mr Hodder then narrated a presentation on the Residential Tenancies Amendment Bill.

Resolved minute number	16/PPL/009	File Ref	3-OR-3-5
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- |    |   |  |  |
|----|---|--|--|
| 1. | That the 'Update on legislation and governance issues' to the 11 February 2016 meeting of the Policy/Planning Committee be received.  |  |  |
| 2. | That, in terms of Council's delegation regarding a submission to the proposed regulations under the Residential Tenancies Amendment Bill, the Policy/Planning Committee authorises the Mayor to sign, on behalf of the Council, the tabled submission as amended. |  |  |

His Worship the Mayor / Cr Gordon. Carried

## **13 Update of Local Governance Statement**

This item was deferred for consideration at the Committee's next meeting

## **15 External risk to Council's roading network**

The Committee noted that a report will be provided to the Committee's March 2016 meeting.

**16 Dog Control and Responsibility Policy and Control of Dogs Bylaw Review**

This item was deferred for consideration at the Committee's next meeting

**17 Bulls Multi-purpose Community Centre – project update Including progress with the fundraising plan for the Bulls Multi-purpose Community Centre**

This item was deferred for consideration at the Committee's next meeting

**18 Update on the Path to Well-Being initiative and other community development programmes – February 2016**

This item was deferred for consideration at the Committee's next meeting

**19 Late items**

None

**20 Future items for the agenda**

To the next Finance/Performance Committee meeting – potential to roll-over the Small Projects Grant Scheme for Community Committees and Community Boards.

**21 Next meeting**

Thursday 17 March 2016, 1.00 pm

**22 Meeting closed – 5.35pm**

Confirmed/Chair: \_\_\_\_\_

Date: \_\_\_\_\_

# ***Attachment 2***

March, 2016

At our last Council meeting we heard submissions to the Heritage Strategy that had been out for consultation. One of the submitters (Mr Rob Snijders) suggested we have an ‘app’ for our heritage data base and stories, to enable visitors to the district to learn more about our place.

We can use these new technologies to also promote and support our district.

The ‘app’ might also contain other useful information, such as services (cafe’s, service stations, accommodation, parks, public toilets.....etc.) available in each town, activities (tourism), coming events, even real estate agents, panel beaters or any business. This could be one very valuable tool that could combine many of the things that are or aren’t currently being done.

This tool is an opportunity to promote and support our place, our district with up to date information.

Below is a link to a company that does exactly what we are looking for, and more.

<http://gobluebridge.com/tourism/>

The New Zealand Tourism website has an app you can put on to your phone that gives an example of what can be done. However, there is not much showing in Rangitikei. AA also has a similar idea. Heritage New Zealand has apps for a number of heritage trails.

*I would be interested in the views of the committee on this new technology.*

*Do you know of any other Councils who use ‘app’s in the way suggested?*

The **Councillor Street Table** proved very popular last month yet again, with particular interest shown in Rangitikei Tourism maps of what to do in the district. Everyone seemed to want one. People were very happy about the Make-over project and seemed to be using it during our time on Broadway. Congratulations to the Make-over team.

**Next Councillor Street Table:** 19<sup>th</sup> March outside the Leader and Watt in Broadway

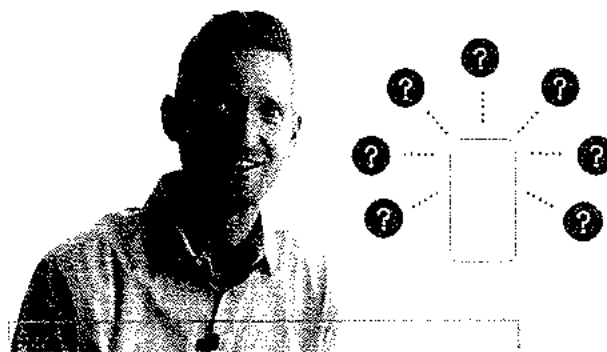
Councillor Lynne Sheridan

## MOBILE APPS FOR TOURISM

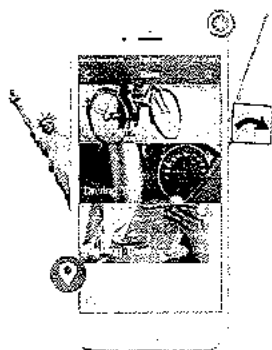
Keep visitors coming back

### HELP VISITORS ENGAGE WITH YOUR CONTENT ON-THE-GO

Your visitors are now exploring your destination the way they experience everything else—via mobile. More than an outdated printed visitors guide or a responsive website with basic information, a mobile app provides deep content that keeps them engaged and coming back.



## APPS HELP YOU:

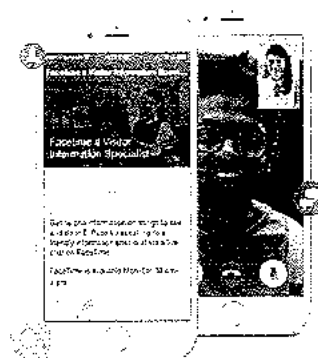


### ENGAGE ON-THE-GO

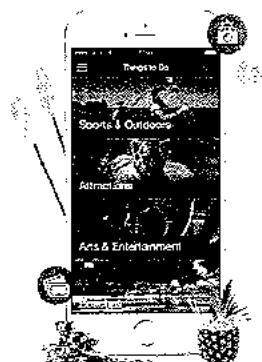
Provide an engaging, modern, mobile tool for visitors to engage find directories of local attractions, a calendar of events, places and maps, and much more. And because content is digital, it's always updated and mobile for convenient accessibility.

### BE AN INDUSTRY PIONEER

Lead the tourism industry in delighting visitors with the use of geofence technology, mapping with GPS and turn-by-turn directions, in-app FaceTime, and more.





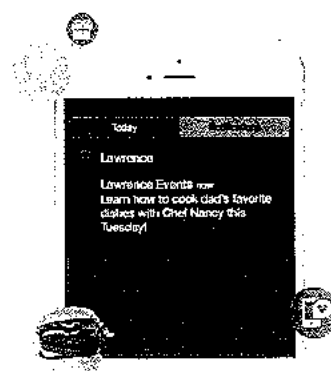


## SHOWCASE THE BEST OF YOUR DESTINATION

Curate content about your destination through experience guides and eat/stay/play directories to show visitors the best it has to offer instead of relying on third parties.

## QUICKLY COMMUNICATE

Send engaging, actionable push messages with the click of a button for event reminders, flash sales, or local news.

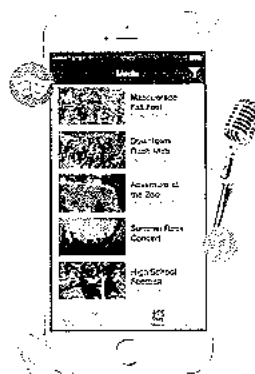


## REDUCE OVERHEAD COSTS

Reduce printing and mailing costs for visitors guides by pointing visitors to the app for the most up-to-date content about your destination. Plus, monetize the app with ads from local businesses and organizations.

## ATTRACT AND RETAIN VISITORS

Attract savvy travelers with a compelling brand story and the ability to book their stay through mobile. Or, entice conventions with a separate event app that holds the most engaging, curated content about your destination.



# Apps

Heritage Trails - your gateway to some unforgettable heritage experiences through a series of free, interactive tours for smart phones and tablets. Experience history right where it happened, and listen to extraordinary stories of amazing people and places.

Can you spare a few moment to answer [our survey](#) about your experiences with our website?

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## Path to Nationhood, Northland



See history through new eyes: prepare to be shocked, amazed and amused!

Download any of the six free *Path to Nationhood* tours for iPhones and iPads (Apple App store or [i-tunes](#)) or Android ([Google Play](#)), and experience the heart and soul of early New Zealand's Northland, where Māori and Pākehā first met, traded, philosophised, fought, loved – and established a nation like no other.

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## The Waikato War



For ten months during 1863 to 1864, the once peaceful hills and plains of Waikato rang with battle cries and the boom of warships. At stake was some of the North Island's most fertile farmland, around the Waikato and Waipa rivers. When the smoke cleared, the British had seized more than one million acres of tribal territory, and the door was open to Pakeha control of the North Island. Use the downloadable files and map to explore the 1863-64 battle sites for yourself.

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## High Street Stories



The Canterbury earthquakes (2010/2011) irrevocably damaged Christchurch's High Street precinct, with Victorian and Edwardian streetscapes and lively laneways changed forever. Download this Android app and use the augmented reality feature to see High Street as it was.

# ***Attachment 3***

# Report

Subject: Risks to Roding – Flood Damage

To: Policy/Planning Committee

From: David Rei Miller, Asset Management Officer - Roding

Copies: -

Date: 24 February 2016

File Ref: 1-AS-1-4

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## 1 Executive Summary

The June 2015 flood event caused some \$12.5 million worth of damage to the RDC Roding network. Cr Gordon, in a discussion paper to Council's Policy & Planning Committee, raised the question of the risk to our network by the actions of third parties, and also our liability for damages caused to third parties by failure of our assets.

Risks to the Roding network are managed at a high level by the Roding Assets team. Risk management underpins asset management decisions, and ultimately programming of capital works as well as maintenance priorities. The Roding Operations team deals with these issues on a day-to-day basis while operating the network and keeping roads open. Historically, there have not been approaches by Council to recover damages to the Roding network caused by third parties during flood events. Neither has Council undertaken to pay compensation for damages caused by failures of the Roding network. Practically, it can be very difficult to place liability on a particular party, especially in cases such as flood events where *force majeure* or "Acts of God" come into play.

Several mechanisms have been identified whereby Council could seek to recover costs. Notably, Section 357 of the Local Government Act 1974 and Sections 330-331 of the Resource Management Act 1991 allow for costs to be recovered. In the case of third parties disputing their liability, an approach to recover costs could end up in court.

Council must decide at what level of cost it becomes worthwhile to pursue cases of this nature, either through policy or on a case-by-case basis. The ideal approach is to be proactive in identifying risks to the Roding network caused by the actions of third parties, and taking steps to manage them before a damaging event occurs.

## **2 Context**

### **2.1 Background**

This report is in response to a discussion paper put to Council's Policy & Planning Committee by Cr Gordon on 15 October 2015. That paper raised the question of liability for damage incurred to the Roding network during flood events, if that damage could reasonably be perceived to have been caused by external parties such as private landowners. It also raised the larger question of managing risks to the Roding network (including both physical and financial).

### **2.2 Risk Management**

In terms of the wider question, risk management is an integral part of the Asset Management Plan for Roding, as well as underpinning decisions that are made on programming of works, and day-to-day operation of the network. Within the Roding activity, the Operations team is responsible for the "core business" referred to in the aforementioned discussion paper. The Assets team is responsible for the high-level overview of the network, including risk management.

The current risk management plan for the Roding network can be found in Section 8 of the 2015-2016 Asset Management Plan for Roding, which is available on [www.rangitikei.govt.nz](http://www.rangitikei.govt.nz) as well as internally.

The risk types assessed include Health & Safety, Environmental, Level of Service, Compliance, Financial and Political. The main natural hazards covered in the risk management plan are flooding, earthquakes and volcanic events.

### **2.3 Flood Events**

The issue of flood events is topical for Roding as it is the most commonly occurring event that causes damage to our network. Having suffered the effects of a reasonably large event in June 2015, it is also very much in the minds of people within the District, and we are still recovering from the damage caused.

Of the approximately \$12.5 million worth of damage caused to the Roding network from this one event, the initial clean-up cost some \$3.5 million, including clearing of slips. It is difficult to put an exact figure on how much damage could be attributed to third parties, particularly as in these situations there are usually multiple causes for a failure (for example, clearing of trees from a slope, combined with heavy rainfall, combined with the angle of that slope). However, using this figure for the initial clean-up as a surrogate, it could be very roughly estimated that a quarter of the cost was due to clearing slips, and could be said to have been caused by the impact of land (most of which would have been privately owned) on the Roding network. There were certainly cases where slips fell from private land onto the

road. In these cases, the road was cleared at Council's cost (with NZTA<sup>1</sup> subsidy), with no approach regarding compensation from third parties, in order to restore service as soon as possible.

On the other side of the coin, there have also historically been cases where a road may have slipped onto private property. In these cases, Council has not paid out any compensation. In practice, and in particular when working in the rural environment, agreements have been made with landowners that are mutually beneficial. For example, if a fence has been damaged, Council has at times paid material costs in exchange for the use of a dump site on private property. These *quid pro quo* arrangements have generally worked well, and have been a more successful approach than seeking compensation and incurring the possibility of having to pay compensation.

To answer the questions "are we responsible for the outcome" and "should some responsibility be borne by others", the likelihood is that in most situations, any liability for such occurrences could be so widespread that it becomes difficult if not impossible to attribute responsibility to one particular party. The concept of *force majeure* is relevant when considering this in the context of emergency events. Natural disasters can be considered so far beyond the control of individual persons that these persons cannot reasonably be held responsible for the effects of such.

With the onset of climate change, we can expect that flood events will be both more frequent and more severe. Regardless of arguments about the causes of climate change, it is local authorities such as ourselves who will be among those bearing the cost it causes and facing the challenges it poses. NZTA produced a research report into the effects of climate change on land transport networks in 2009.<sup>2</sup> In general across the country, NZTA identified that work was required on:

- specific mapping of areas at risk of coastal flooding/inundation caused by sea level rise and storm surge;
- performance assessment of existing drainage, culvert and bridge structures, with associated improvements to cope with increased flows driven by climate change; and
- the effects of increased rainfall intensity and frequency on inland erosion and slips, including identification of areas and regions that are vulnerable to these effects.

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<sup>1</sup> New Zealand Transport Agency

<sup>2</sup> Climate Change Effects on the Land Transport Network Volume One: Literature Review and Gap Analysis

### **3 Analysis**

#### **3.1 Legislative Environment**

##### **3.1.1 Council Bylaws**

Council bylaws pertaining to the Roding activity are the Speed Limit Bylaw and the Stock Droving and Grazing Bylaw. There are no bylaws that address the impact of damage from flood events on the Roding network.

##### **3.1.2 Land Transport Management Act 2003**

The Land Transport Management Act 2003 does not address damage to Roding networks.

##### **3.1.3 Civil Defence Emergency Management Act 2002**

The Civil Defence Emergency Management Act 2002 underpins work around emergency events within New Zealand. Nothing in this Act, or in the Manawātū-Wanganui Civil Defence Emergency Management Group Plan, contains provision for the recovery of costs associated to damage on our networks.

##### **3.1.4 Local Government Act 2002**

The Local Government Act 2002 makes provision for a local authority to recover costs that were:

- incurred by wilful damage to its works or property;
- for offences under the Act; or
- for offences under that local authority's bylaws.

It is not apparent that the situations currently under discussion would fall under the points above.

##### **3.1.5 Local Government Act 1974**

The Local Government Act 1974 (parts of which are still in force) sets out penalties for damage to roads in Section 357. A number of offences are listed, including:

- encroachment on the road with buildings, fences, ditches, planting or other obstacles;
- placing or leaving timber, earth, etc. on the road;
- digging up, removing or altering the road;
- causing or negligently allowing any retaining wall, foundation wall, fence, batter or slope of earth, etc. to damage or obstruct a road;

- digging up or removing stone, gravel, sand etc. from a river bed within 50 m of a bridge or ford on any road.

The issues in question could be covered under the points above. The maximum penalty for such is a fine not exceeding \$1,000 and (where the offence is a continuing one) \$50 for every day on which the offence has continued, but most importantly the offender:

“may be ordered to pay the cost incurred by the council in removing any such encroachment, obstruction, or matter, or in repairing any damage caused as aforesaid.”

The difficulty in applying the above in relation to a flood event is in proving that a party had caused or negligently allowed such to happen, and that it was not simply an “act of God” or *force majeure*. Without a detailed enforcement regime under this Act, any disputes over whether a third party should be liable for our costs must be taken to court, with case law (at least in part) determining the outcome. The burden of proof would be on Council, requiring strong evidence to show that an individual was directly responsible. Historically, the costs incurred in individual situations such as those under discussion have not been seen as great enough to warrant the cost and time required to prosecute. There is also the consideration of reputation and public opinion. If Council were to prosecute for every infringement of this kind, the amount of ill-will generated not only with the defendant, but also the wider community, could make prosecution even less appealing as an option.

In terms of delegations for the above, the Roading Operations Manager has delegated authority “to give notice to remove an obstruction from a drain channel or watercourse pursuant to Section 511 of the Local Government Act 1974”. Other than this, delegated authority sits with the Infrastructure Group Manager, who has authority “to carry out and undertake the Council’s operational functions, powers and duties under Part 21 of the Local Government Act 1974”, which covers Roading and includes Section 357 referenced above.

### 3.1.6 Resource Management Act 1991

Section 330 of the Resource Management Act 1991 (the RMA) contains provisions for emergency works. It allows a local authority to carry out, or direct the occupier of a place to carry out, preventive or remedial action on public works if they have been affected, or are likely to be affected by:

- an adverse effect on the environment which requires immediate preventive measures;
- an adverse effect on the environment which requires immediate remedial measures; or
- any sudden event causing or likely to cause loss of life, injury, or serious damage to property.



Section 331 of the RMA allows a local authority to reimbursement or compensation for works carried out under Section 330 above. This is likely to be the best mechanism available for the situation(s) under discussion. Notably, Horizons Regional Council used this section of the RMA to successfully obtain compensation from Ruapehu Alpine Lifts Ltd. for the 2013 Raetihi diesel spill. This compensation was in excess of \$110,000 and was paid without question by that company. Should there be a dispute as to liability, litigation would ensue.

Delegated authority here sits with the Infrastructure Group Manager, who has authority “on behalf of the Council to authorise the undertaking of emergency works pursuant to Section 330 Resource Management Act 1991.”

The RMA also contains provisions that allow enforcement in cases where an activity is not compliant with Horizons’ One Plan. Policy 12-8 of the One Plan details enforcement procedures that can be used by Horizons Regional Council in cases of non-compliance with the Plan or with the RMA. The One Plan sets out restrictions on what can be done in relation to water and land within the region. If a private landowner were to contravene a Rule in the One Plan, there are mechanisms for Horizons to recover the costs of damage caused.

Horizons Regional Council has overall responsibility for managing the natural resources of our region. They coordinate the Manawatū-Wanganui Civil Defence Emergency Management Group, and also manage a number of flood protection assets. In the case of a river or drain managed by Horizons causing damage to Roding assets, there appear to be no clear mechanisms by which they could be found liable for costs incurred in repairing or replacing those assets. Horizons does, however, also have the obligation to follow the One Plan. So, if work carried out by Horizons requires a consent and the conditions of that consent are not met, there may be recourse to recover costs.

### 3.2 Funding

Currently, Council’s Roding assets are not insured. The cost to remedy damage from flood events is funded by Council, but is subsidised by NZTA. Changes were recently made to the NZTA subsidy scheme, taking effect in the 2015-2016 financial year. Our Financial Assistance Rate (FAR) for the 2015-2016 financial year is 62%, increasing to 63% for the 2016-2017 financial year. For emergency works, the first \$1 million of expenditure is at the FAR, with all subsequent expenditure at FAR + 20% (i.e. 82% in 2015-2016, 83% in 2016-2017).

In the case of the June 2015 floods, an approach was made to NZTA for further assistance which resulted in damage caused along Turakina Valley Road to attract an enhanced FAR of 100% (i.e. a 100% subsidy for works associated with this damage). However, it may not always be possible to attract an enhanced FAR, and Council will inevitably be faced with significant repair costs from future events.

To this end, Council has been building up its Roding Reserve. Historically, that Reserve had been maintained at around \$1 million. With changes in NZTA subsidies, and beginning with the 2015-2016 financial year, Council started to build this

Reserve to a more comfortable level of \$3.5 million. Unfortunately, the timing of the June 2015 event was such that the Roding Reserve will be depleted before being able to accumulate to that level. In any case, it is entirely conceivable that a future weather event could cause damage beyond the ability of Council's Roding Reserve to fund our local share.

The Local Authority Protection Programme Disaster Fund (LAPP) provides insurance for the infrastructure of member Councils. However, it only covers buried services (e.g. water supply pipelines and sewer pipelines), and is not an option for the Roding activity.

Investigations are being made into whether Council should, either on its own or in conjunction with other local authorities, insure its Roding assets against events such as those in question. The most likely form this would take is that of Council covering (with NZTA assistance) the cost of smaller events, and insurance being used for larger events that are beyond our usual capacity to finance. Finance Manager, George McIrvine, has done some analysis around this, and around the financial impacts described above.

### 3.3 Resilience

In a way, the best insurance against emergency events is to reduce our risk exposure to those events by making our assets more resilient. In terms of emergency management, the four "Rs" are:

- Reduction
- Readiness
- Response
- Recovery

The more we can do in the way of Reduction of risk, the easier the Response to an event should become, and likewise the Recovery from that event. As well as financially, this can apply in terms of service disruption and even preservation of life.

An example of a way in which risk can be reduced is by battering the slopes of hills above roads to a shallower angle, reducing the likelihood of slips. This, however, adds (in some cases considerable) cost to capital projects where applied. The least-cost option has often been, rather than battering to a shallow angle, to simply leave a hillside at a steeper angle and incur the cost of clearing slips as they happen. In other words, to avoid a large capital cost by paying more maintenance costs. Although this is the least-cost option, it's conceivable that in some cases it won't be the best option. This situation also emphasises the importance of assessing the lifecycle cost of an asset i.e. the total cost, over the "lifetime" of a particular asset, comparing ongoing maintenance costs with the capital cost of the installation of that asset. In terms of the current discussion, that means assessing whether it's

cost-effective to spend the extra money in battering slopes back in order to save on maintenance costs. As well as cost, there are other factors to consider, including service disruptions, safety, and the importance of the route in question.

Work has been done recently on identifying the Lifelines routes within the Rangitikei District. These are the most critical routes in terms of keeping roads open in an emergency. One way to ensure that our most critical routes are resilient is to assign work on assets along these routes a higher priority and urgency. The reality of managing a 1,200 km network is that we don't have funds available to ensure all routes can withstand all events that may occur. Identifying our critical routes means that we can prioritise our most important assets, and build into them a higher level of resilience. This can be done with everything from providing better drainage to strengthening or upgrading bridges. In terms of risk management, our critical assets are those that have the highest consequence of failure.

The other part of the risk management equation is the likelihood of failure. We can use mapping data on hazards such as seismic events, volcanic events, liquefaction and flooding to identify the Roding assets that are most likely to be affected by those events. In addition to this, we can use local knowledge of our networks to be aware of assets that are frequently exposed to damage from events.

Combining our assessment of the most critical assets (consequence) with knowledge of hazard exposure (likelihood), we can determine which are our most at-risk assets, and prioritise these accordingly. When programming maintenance, renewals and/or upgrades, these assets should be given priority in terms of funding and timing.

## **4 Conclusions**

Council could attempt to recover costs for damage to the Roding network allegedly caused by third parties following storm events.

Claims would have to be considered on a case-by-case basis and would probably be advanced in terms of Section 357 of the Local Government Act 1974 or Sections 330-331 of the Resource Management Act 1991.

It is most likely that any claim to recover costs would be disputed, and would incur significant costs in time and legal advice to advance a case through the legal system.

Council would have to analyse its litigation and reputational risk prior to advancing a claim.

It would be more prudent to proactively identify flooding risks to the Roding network and work with all concerned to eliminate or reduce the risk in advance.

## **5 Recommendation**

- 5.1 That the report 'Risks to Roding – Flood Damage' be received.

Prepared by:

Reviewed by:

**David Rei Miller**

Asset Management Officer – Roding

**John Jones**

Roding Asset Manager

# ***Attachment 4***

# Memorandum

**To:** Policy/Planning Committee  
**From:** Katrina Gray  
**Date:** 9 March 2016  
**Subject:** Proposed District Plan Change 2016 - Update March 2016  
**File:** 1-PL-2-6

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## 1 Background

- 1.1 Council approved the proposed District Plan Change 2016 for public consultation at its meeting on 29 March 2016.
- 1.2 Public submissions are open from 4 March to 4 April 2016. The proposed changes have been advertised on the Rangitikei District Council website, facebook page, twitter page, and through local papers. A list of the advertisements in local papers is attached as Appendix 1.
- 1.3 During the consultation period a number of public meetings/drop in sessions have been scheduled (Appendix 2). Additionally, letters have been sent to directly affected property owners and key stakeholder groups (e.g. NZTA and Heritage New Zealand).

## 2 Comment

- 2.1 A public meeting in conjunction with the Bulls Community Committee meeting was held on 8 March 2016. There were three non-committee members at this meeting. Key issues discussed were flooding, liquefaction and approaches to consenting.
- 2.2 A public meeting in conjunction with the Marton Community Committee meeting was held on 9 March 2016. There were three non-committee members at this meeting. Key issues discussed were heritage, signage, the commercial zone and flooding.
- 2.3 There have not yet been any submissions received on the proposed changes.

## 3 Recommendation

- 3.1 That the memorandum 'Proposed District Plan Change 2016 – Update March 2016' be received.

Katrina Gray  
Policy Analyst/Planner

# *Appendix 1*

## Newspaper Publicity for Proposed District Plan Change 2016

Date	Publication	Notice type
3 March 2016	District Monitor	Bulletin – information about the DP Change.
4 March 2016	Wanganui Chronicle	Public notice/list of public meetings.
8 March	Central District Times	Public notice/list of public meetings.  Bulletin – information about the DP Change.
10 March	District Monitor	Public notice/list of public meetings.  Advertorial.
10 March	Wanganui Chronicle	Advertorial.



# *Appendix 2*



**Rangitikei**  
UNSPOILT...

## Proposed District Plan Change 2016

### List of public meetings/drop in sessions

8 March	Bulls public meeting - 5.30pm Bulls Town Hall Supper Rooms ( <i>as part of the Bulls Community Committee meeting</i> ).
9 March	Marton public meeting - 7.00pm Youth Club, 18 Humphrey Street ( <i>as part of the Marton Community Committee meeting</i> ).
14 March	Turakina public meeting - 6.00pm Presbyterian Church Hall.
15 March	Marton drop in session - 5.30-7.00pm Council Chambers, Marton.
17 March	Hunternville public meeting – 6.00pm Hunternville Town Hall Board Room.
21 March	Taihapa public meeting - 6.00pm Council Chambers, Taihapa.
22 March	Bulls drop in session – 12.30 – 2.30pm Bulls Town Hall Supper Rooms.
22 March	Mangaweka public meeting – 6.00pm Mangaweka Village Hall
23 March	Marton drop in session – 9.00-11.30am Council Chambers, Marton.
30 March	Marton drop in session – 2.30-4.00pm Council Chambers, Marton.

If you would like further information about the proposed Plan Changes please attend one of the sessions outlined above. If you are not able to attend the public sessions outlined above you can also contact Katrina directly.

For the drop in sessions Katrina will be available to answer questions during the identified time period. You may attend at any stage within this time period.

Katrina Gray  
Policy Analyst/Planner  
06 327 0099  
[katrina.gray@rangitikei.govt.nz](mailto:katrina.gray@rangitikei.govt.nz)

# ***Attachment 5***

COMMUNITY LEADERSHIP GROUP OF ACTIVITIES 2015/16			Feb-16
Performance measures in LTP/Annual Plan			
What are they:	Targets	Progress for this reporting period	
Make decisions that are robust, fair, timely, legally compliant and address critical issues, and that are communicated to the community and followed through	83% of Annual Plan actions substantially undertaken or completed during the year, all groups of activities to achieve at least 75% of identified actions	Result at 31 December 2015: Of 81 actions identified in the Annual Plan, 61 are being actively progressed. 11 are fully complete. 1 action will not be achieved Next quarterly result due 30 March 2016.	
	75% of planned capital programme expended, all network utilities groups of activities to achieve at least 60% of planned capital expenditure	Result at 31 December 2015: Total capital expenditure for the first six months was \$1.978 million from a total pro-rate budget of \$9.394 million i.e. 21% Next quarterly result due 30 March 2016.	
Requests for Service			
What are they:	Completed on time	Completed late	Overdue
General enquiry	8	1	0
Feedback requested:	Email/Telephone/Letter	In Person	Not Required
Animal Control	13	10	10
Council Housing/Property	0	1	0
Cemeteries	0	0	1
Culverts, Drainage and Non-CBD Sumps	1	0	1
Environmental Health	0	0	3
Footpaths	1	0	0
General enquiry	5	0	0
Public Toilets	0	0	2
Road Signs	0	0	0
Roads	3	0	4
Roadside Berm Mowing	1	0	1
Roadside Weeds/ Vegetation/Trees	2	1	1
Solid Waste	1	0	0
Stormwater	0	0	1
Street Lighting	0	0	0
Wastewater	0	1	0
Water	6	3	0

Grand Total	33	16	24
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COMMUNITY LEADERSHIP GROUP OF ACTIVITIES 2015/16			Feb-16
Major programmes of work outlined in the LTP/Annual Plan 2015/16			
Major programmes of work outlined in the LTP/Annual Plan			
What are they:	Targets	Progress for this reporting period	Planned for the next two months
Strategic Planning Activity	Annual Report 2014/15	Completed.	
	Annual Plan 2016/17	Annual Plan considered at February workshop by Council.	Annual Plan to be finalised.
Elections	Preparation for the 2016 elections	Electoral officer attended training late February.	
Iwi/Maori Liaison	Key outcomes from Maori Community Development Programme (to be identified)	Preparation of scoping report for Ahi Kaa on the review of its strategic plan to include social and economic goals to enable strategic priorities to be established for this funding in future years.	Undertake review of Ahi Kaa Strategic Plan
Council	Delivery of programme of policy and bylaw review (see below)	On track	See below
	Preparation of order papers that ensure compliant decision-making	Taihape and Ratana Community Board's. Turakina, Bulls, Marton, Hunterville Community Committee's. Erewhon and Hunterville Rural Water Supply Committee's. Policy/Planning, Assets/Infrastructure and Finance/Performance Committee's. Council.	
Policy and Bylaw Review	Compliance date	Progress for this reporting period	Planned for the next two months
Scoping report on the level of service for different ONRC classifications	30 June 2016	Discussion to be held at March PPL	To be advised
Rates Policy	31 December 2015	Nothing to report	Awaiting completion of Rates Legal Compliance module
Legal Compliance Project	31 December 2015	Work on rates module ongoing	Complete Rates Module. Work on Privacy and LGOIMA modeules to be started.
Rates remission policy	30 June 2016	Completed.	Nothing planned.
Review the Heritage Strategy	30 June 2016	Consultation through Jan/Feb. Oral hearings 29 February at Council.	Deliberations and adoption.
Koitiata Waste Water Reference Group	30 June 2017	Water bore testing on ongoing.	Further water bore testing.

Review TAB venue policy	28 February 2016	Reported to March PPL	Consultation
Review Gambling venue (class 4) policy	30 May 2016	Reported to March PPL	Consultation
Versus survey (including new process and questions for 2015/16)	31 March 2016	Survey distributed early March.	Analysis during April.
Review Earthquake Prone Buildings Policy	30 June 2016	Not started yet	The Building (Earthquake Prone Buildings) Amendment Bill is expected to be enacted by the end of this year. From this time Council's Earthquake-prone Buildings Policy (last revised in 2011) will lapse.
Development of reserve management plans: Marton Park	31 December 2016	Scoping report to go to AI and/or Council in March	Public notice of intention to undertake a planning process.
Other pieces of work	Reference for inclusion	Progress for this reporting period	Planned for the next two months
Review of Animal Control Bylaw	Following enforcement of the Bylaw in Turakina, residents through the Community Committee have asked for a review of this Bylaw to accommodate the rural nature of the Turakina Settlement.	Completed.	
Investigation of proposal to establish CCO for Infrastructure Shared Services	Policy Team are involved in the Local Government Requirements workstream of this investigative programme.	Further work on the business plan.	Ongoing
Treasury Policies	Implement the agreed Engagement Plan on the new policies.	No submissions received and adopted at 29 February Council	Completed
Review of Control of Dogs Bylaw and Dog Onwership Policy	As a result of the Dog Control legal compliance module.	Prepared report for P/Pl on the review of these statutory documents.	Implement decision of the Committee and undertake consultation as appropriate.
Submissions on key issues affecting local government	As a result of various central government, agency/Horizons consulting on a number of issues.	Submissions submitted on: RMA Reforms, Pest Plan Management Plan, Better Urban Planning, Vehicles Dimensions and Mass VDAM Rule	Submissions due on: Civil Defence Emergency Management Bill, Next Steps for Freshwater consultation document,

<b>ENVIRONMENTAL AND REGULATORY SERVICES GROUP OF ACTIVITIES 2015/16</b>	<b>Feb-16</b>
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**Performance measures in LTP/Annual Plan**

What are they:	Targets	Progress to date
Timeliness of processing the paperwork (building control, consent processes, licence applications)	At least 92% of the processing of documentation for each of Council's regulatory and enforcement services is completed within the prescribed times	100% of all building and resource consents issued within statutory timeframes
Possession of relevant authorisations from central government	Accreditation as a building consent authority maintained	Maintained
Timeliness of response to requests for service for enforcement call-outs (animal control and environmental health); within prescribed response and resolution times	Improvement in timeliness reported in 2013/14 (84% were responded to in time and 61% completed in time)	To be calculated

**Requests for Service**

What are they:	Completed on time	Completed late	Overdue
<b>Animal Control</b>	<b>80</b>	<b>7</b>	<b>5</b>
Animal Control Bylaw matter	3	0	1
Animal welfare	3	1	0
Attacks on animal	1	0	0
Attacks on humans	2	0	1
Barking dog	11	1	1
Dog Property Inspection (for Good Owner status)	2	0	2
Found dog	12	0	0
Lost animal	15	1	0
Microchip dog	0	0	0
Property Investigation - animal control problem	3	0	0
Rushing at animal	1	0	0
Rushing at human	3	0	0
Stock worrying	0	0	0
Wandering stock	14	3	0
Wandering/stray dog	10	1	0
<b>Building Control</b>	<b>0</b>	<b>1</b>	<b>0</b>
Dangerous or Insanitary Building	0	1	0
<b>Environmental Health</b>	<b>34</b>	<b>2</b>	<b>9</b>
Abandoned vehicle	0	0	0
Dead animal	1	0	0
Dumped rubbish (outside town boundary)	3	0	4
Dumped rubbish (within town boundary)	1	0	0
Fire permit - rural	0	0	0
Food premises health issue	0	0	1
Hazardous substances	0	0	0
Livestock (not normally impounded)	1	0	0
Noise - day and night	20	1	3
Pest Problem (Council Property)	1	0	0



Untidy/overgrown section	7	0	1
Vermin	0	1	0
Grand Total	148	13	23

ENVIRONMENTAL AND REGULATORY SERVICES TEAM			Feb-16
Major programmes of work outlined in the LTP/Annual Plan 2015/16			
What are they:	Targets	Progress for this reporting period	Planned for the next two months
District Plan (and other) review processes conducted frugally	Continuous monitoring of operative District plan for minor changes.	Complete - work now focused on DP Change	Nothing planned - focus on Plan Changes.
	District Plan change process complete by 30 June 2016	Council approved proposed Plan Changes for Consultation at their 29 February meeting.	Public consultation during March - a number of public meetings/drop in sessions planned. Information available in libraries/website. Further submissions late April.
Give effect to the provisions of the Food Bill, when enacted	Implement the Food Premises Grading Bylaw	Regulations now in effect.	
Other regulatory functions			
What are they:	Targets	Statistics for this month	Narrative (if any)
Building Consents	Report on number of building consents processed, the timeliness and the value of consented work	22 BC's processed in February, 100% processed within 20 days, average days to process = 13 days. Value of work = \$1,271,881	Earthquake strengthening work to commercial premises, Keith Hay Homes transportable house, various house alterations, garages and woodburner installations
	Code of compliance certificates, notices to fix and infringements issued.	23 CCC issued, 0 NTF issued, 0 infringement issued	
Resource Consents	Report on: a) number of land use consents issued and timeliness	2 Land use consents issued with 100% processing time frame, average processing days = 16	
	b) subdivision consents and timeliness	1 Subdivision consents issued with 100% processing time frame, average processing days = 20	
	c) section 223 and 224 certification and timeliness,	1x s223 and 1x s224 certificates issued within 100% timeframe	
	d) abatement and infringements issued.	0	
Dog Control	Report on number of new registrations issued, dogs impounded, dogs destroyed and infringements issued.	23 New Dogs Registered, 16 Impounded, 7 Deceased, 1 Infringements, 7 Destroyed	747 New Dogs Registered, 97 Impounded, 35 Deceased, 33 Infringements, 4653 Dogs Registered, 256 Unregistered

Bylaw enforcement	Enforcement action taken	Three explanation letters sent regarding litter, awaiting replies	
Liquor Licensing	Report on number and type of licences issued .	5 Special Licences, 1 Renewal of Manager, 1 New On licence, 1 Renewal On licences	37 Special Licences, 18 New Managers Certificates, 38 Renewal of Managers Certificates, 18 Renewals of Club Licences, 13 Renewals Off Licences, 9 Renewals On Licences, 1 New On Licence

# COMMUNITY WELL-BEING GROUP OF ACTIVITIES 2015/16

Feb-16

## Performance measures in LTP/Annual Plan

What are they:	Targets	Progress for this reporting period	
Provide opportunities to be actively involved in partnerships that provide community and ratepayer wins	A greater proportion (than in the previous year) of the sample believe that Council's service is getting better: 37% in 2012, 30% in 2013, 16% in 2014, 17% in 2015	Survey to be undertaken in March 2016 Survey has been distributed.	
Identify and promote opportunities for economic growth in the District	The District's GDP growth: In 2013, Rangitikei's GDP growth was -0.8% and trending downwards with an increasing divergence from the national trend.	Result as at 31 December 2015: GDP growth: the Rangitikei GDP grew sharply during 2015, compared to New Zealand GDP growth and the trend is now upwards. (Infometrics data for 2013, 2014 and 2015). Next quarterly result due 30 March 2016.	
	A greater proportion of young people living in the District are attending local schools. Based on latest available Statistics New Zealand population estimates (June 2013) and school enrolments for 2014 (TKI), 56% of residents of high school age were enrolled in local schools and trending upwards.	Result as at 31 December 2015: School rolls: latest school rolls (July 2015) compared to population estimates indicate that the upward trend of residents enrolled in local high schools stabilized in 2015. Next quarterly result due 30 March 2016.	
	More people living in the District (than is currently projected by Statistics New Zealand). Based on population projections from Statistics New Zealand (medium projection based on 2013 Census), the resident population is projected to decline from 14,450 in June 2013 to 13,900 in June 2028.	Result as at 31 December 2015: Population estimates from Statistics New Zealand show a small increase in the population since the Census 2013, tracking at above the high estimates produced from Census data. Next quarterly result due 30 March 2016.	
<b>Requests for Service</b>			
What are they:	Completed on time	Completed late	Overdue
None			

COMMUNITY WELL-BEING GROUP OF ACTIVITIES 2015/16			Feb-16
Major programmes of work outlined in the LTP/Annual Plan 2015/16			
What are they:	Targets	Progress to date	Planned activities
Community Partnerships	Facilitation of Path to Well-being groups	See below	
	Delivery of work programme through the MOU	See below	
Key elements of the work outlined in Path to Well-being and MOU workplans			
What are they:	Targets	Progress to date	Planned activities
Advocacy to support the economic interests in the District at regional and national level	To actively promotes the District through multi-media advertising and the Mayor and Chief Executive undertake promotional tours on behalf of the District	Nothing further to report.	To be determined
	Lead partner in regional collaborative initiatives around economic development	Project Teams are being established.	Action Plan to be implemented.
Timely and effective interventions that create economic stability, opportunity and growth	Increased investment into economic development, e.g. partnering in rural water storage, seeding retail initiatives ('pop-up shops')	AboutUs website up and running; to encourage online presence for local businesses and increased use of online business tools.	Align/fine tune to Regional Growth Study/Strategy and begin implementation. Implement Digital Enablement Plan.
A wide range of gainful employment opportunities in the District	Facilitate and lead on a Rangitikei Growth Strategy that also aligns with and contributes to a regional Agribusiness Strategy	Nothing further to report	Align/fine tune to Regional Growth Study/Strategy and begin implementation.
Attractive and vibrant towns that attract business and residents	Provision of good infrastructure, well-maintained streets in the CBD of main towns	Nothing to report beyond business as usual.	Monitor progress and continue to facilitate and administer as required.
	Events, activities and projects to enliven the towns and District	Taihapa Showjumping and Rangitikei Shearing Sports events took place	Continue to work and liaise with the the Town Coordinators.
Up to date and relevant information for visitors and residents on a range of services, activities and attractions	Maintain information centres in Taihape and Bulls, the gateways to the District.	Tpe February 2016 532 (2015,473) Bulls February 2016 490 (2015,573 )	
	Develop an information centre in Marton as part of the "libraries as community hubs" concept.	Marton Information Centre is now established in the Marton Library, providing a full range of bus, train and ferry ticketing and event and accomation bookings, as well as general information centre services for the town.	Work with Project Marton to develop Marton webpages.

	Contract with local organisations to provide a range of information, including: * Up-to-date calendar of events, and * Community newsletters, for local distribution	Quarterly reports to end December received.	Workplans for 2016/17 due in march and report to PPL and/or Council to be prepared for April.
An up to date, relevant and vibrant <b>on line</b> presence with information about services, activities and attractions, the District lifestyle, job opportunities and social media contacts	Maintain a website that provides information about Council and community services and activities	Information on funding schemes updated	Systematically review all community, information pages on the Council website and update. Maintain regular review process.
	Provide a website that is a gateway to the District, with links through to more local web pages, with information about living in the District and social media opportunities.	Calendar of events trial complete. System up and running, capture of events improved.	Develop the District promotion strategy and identify role of the web portal. Continue to develop Be Happy Taihape. Further develop Promotional Strategy
Opportunities for residents to remain socially and physically active into their retirement years, to enable them to stay in the District for as long as possible	Facilitate and lead on a Positive Ageing Strategy that aims to enhance quality of life for older people in the District	Nothing to report	Safe and Caring Theme group to review Positive Ageing Strategy.
Opportunities for people with children to access the quality of life they desire for their families	Facilitate and lead on a Youth Action Plan that aims to enhance quality of life for children and young people in the District	Youth services in Marton and Taihape have continued as usual. BDCT planning for the Youth Leadership Forum in May.	Continue to pursue youth development services for the District. Include as an option in the Annual Plan.
A more equal and inclusive community where all young people are thriving, irrespective of their start in life	Council will facilitate and lead on a Community Charter that supports all young people in our District to become the best adult that they can	Youth scholarship scheme to be developed to recognise young leaders from the District (not associated with the school scholarships at Rangitikei College and Taihape Area School)	Complete process to identify Action Plan to address pre-school and primary aged age groups. Continue to develop engagement with young people in the Charter.
Cohesive and resilient communities that welcome and celebrate diversity	Develop high trust contracts with agencies in each of the three main towns to undertake community development	As above.	Continue to work and liaise with the the Town Coordinators.
Funding schemes which have clear criteria, which are well publicised, and where there is a transparent selection process	Facilitate at least an annual opportunity for community organisations to apply for funding under the various grant schemes administered by the Council	Creative Communities and Rural Travel Fund open during March.	

	Publish the results of grant application process to a Council-run forum showcasing the results of grant application processes where successful applicants provide brief presentations and are open to questions	Nothing further to report	Organise a meeting for grant recipients.
To see Council civil defence volunteers and staff at times of emergency (confidence in the activity)	Contract with Horizons to provide access to a full-time Emergency Management Officer	Ongoing and is on track.	
	Arrange regular planning and operational activities	EMIS training undertaken on 23/24 February, 21 staff trained in Introduction into using EMIS.	
To be assured of adequately trained, resourced and responsive rural fire force to reduce the incidence of life and property threatening fire	Provide fully trained and adequately resourced volunteer personnel who are in a position to respond to rural fire call-out with the minimum of delay	Ongoing and is on track	Training for rural fire volunteers taking place regularly.

# ***Attachment 6***



## Update on Communications Strategy

This regular report provides the Committee with an update with progress on the Council's Communications Strategy; media and communication activity.

## Update on Action Plan – to 29 February 2016

Action Description	Expected Completion	Lead Responsibility	Status
Develop the Council intranet as the primary internal business support tool	Ongoing	Information Services Team Leader (Janet Greig)	<ul style="list-style-type: none"> <li>A new intranet has been rolled out following an enhancement to Council's Sharepoint (document storage system) improvements to the intranet will be ongoing</li> </ul>
Develop and implement Corporate Identity guidelines to reinforce our professionalism	Ongoing	Executive Officer (Carol Downs)	<ul style="list-style-type: none"> <li>Style guides are being developed to ensure a consistent look to all Council documents</li> </ul>
Develop the Council website as the primary customer/resident self-help tool	Ongoing	Information Services Team Leader (Janet Greig)	<ul style="list-style-type: none"> <li>Planning for enhancements to Council's website is underway to look at priorities, resources and funding required.</li> </ul>
Provide Elected members and staff with training to ensure appropriate standards are maintained	By the end of 2015	Executive Officer (Carol Downs)	<ul style="list-style-type: none"> <li>Currently on hold</li> </ul>
Key staff to have undertaken appropriate communications training	By the end of 2015	Executive Officer (Carol Downs)	<ul style="list-style-type: none"> <li>Currently on hold</li> </ul>
Investigate and implement (where appropriate) the most effective ways of communicating within and beyond Council	Ongoing	Executive Officer (Carol Downs)	<ul style="list-style-type: none"> <li>The EO will work with the IS Team Leader on communication opportunities.</li> </ul>

## February Media Activity

The table below outlines the media activity during February, including printed media articles and website activity:

- Rangitikei Bulletin – This was published at the end of February, covering the key decisions from the February Council meeting, this featured in the Rangitikei Mail, Central District Times and District Monitor.
- Rangitikei Line – issue 19 was distributed in early February and the next edition is due on Monday, 14 March. This e-newsletter will have a new look in this latest edition, it will now be more interactive and be shown in a book style.
- Council's website and Facebook page continue to play an important role to keep residents up to date with Council information.
- Council joined up to Twitter during February to use as an additional social media channel.
- February media articles were light again, only 8 articles relating to Council appeared in local papers, of these 2 were positive, 0 was negative and 6 were neutral.

Date	Media Channel	Article Heading and Topic
2/2/16	Manawatu Standard	<b>Brainstorming ahead of Bulls facelift</b> – Bulls 7-day makeover began with an ideas work shop.
4/2/16	District Monitor	<b>Bring your ideas to Marton's 7-Day Makeover</b> – invitation to the public to participate in the 7 day makeover.
5/2/16	Manawatu Standard	<b>Funding issue for youth centres</b> - The Taihape and Marton youth clubs are very close to closing due to lack of funding.
8/2/16	Wanganui Chronicle	<b>United for Bulls revamp</b> - The 7-day makeover
11/2/16	District Monitor	<b>Makeover for Marton spaces</b> – the 7-day makeover team in Marton
17/2/16	Manawatu Standard	<b>Broadway gets a makeover</b> – The 7-day makeover
	Wanganui Chronicle	<b>Councils unite to get businesses online</b> – RDC joined the group of Councils on the move to get more local businesses to go digital.
24/2/16	Wanganui Chronicle	<b>Growth study sows the seeds</b> – highlighted opportunities offered to the Rangitikei by Government's Regional Growth Study.

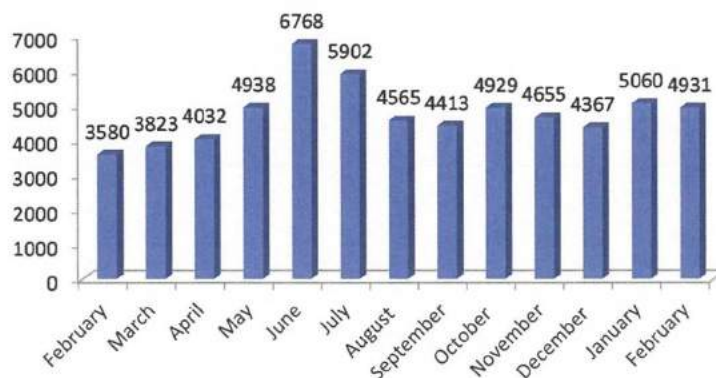
## Current Consultations Underway:

- Proposed changes to the District Plan – public meetings and drop-in sessions are being held across the District to allow residents to speak to Council staff about changes that may affect their areas.
- Residents survey – this survey is underway during March, hard copy survey forms have been sent to 1500 residents with another 870 sent letters inviting them to take part in the survey online. The survey is being advertised on Council's website, Facebook page and Twitter during March.
- Accelerate25 – this is the action plan programme coming out of the Regional Growth Study and concentrates particular on the 8 opportunity areas, of which 3 directly relate to Rangitikei – Manuka honey; Hill country sheep and beef farming; and Poultry meat production and grain growing/processing. Regular updates on these opportunities will be provided through this monthly report.

## Website Statistics

Activity on Council's website for February:

### Website Visits 2015-16



In February 53% of those who visited Council's website were new visitors to the site.

#### Top Council Webpages Visited (February)

1. Rates/My property
2. Cemeteries
3. Transfer Stations
4. District Plan

#### Top Six Geographical Locations

##### Visiting the Website (February)

1. Palmerston North area
2. \*Auckland
3. \*Wellington
4. Christchurch
5. Napier
6. Wanganui

\* note smaller areas can be recorded as Auckland or Wellington

Carol Downs  
Executive Officer

# ***Attachment 7***

# RANGITIKEI RURAL FIRE AUTHORITY



# FIRE PLAN

2016

*Rangitikei*  
UNSPOILT...



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## Foreword

The Rangitikei District with a population of over 15,000 comprises 450,000 Hectares of mainly lush, rural land and is under the jurisdiction of the Rangitikei District Rural Fire Authority.

It is a diverse district, ranging from the sand plains on the south coast which stretch inland almost as far as Bulls - to the magnificent hill country of the upper Rangitikei. The Tasman Sea bounds the district to the South, Wanganui District to the West, Ruapehu, Taupo and Hastings Districts to the North and Manawatu District to the East.

The Rangitikei District is characterised by its hills, which comprise 50% of the land area. The District is a mix of towns and rural communities, the economy stems mainly from the primary and manufacturing industries, together these two industries account for over half of the employment.

The Rural Fire Authority has two Volunteer Rural Fire forces with 30 volunteer fire fighters who give freely of their time to protect their community. Along with a the Rangitikei Civil Defence Response Team, our rural fire fighters assist not only with fire events but also Civil Defence Disasters.

This Fire Plan sets out how the Rangitikei District Council implements its policies and procedures to fulfil its statutory obligations and responsibilities to manage the risk of rural fires that may occur.

This Rural Fire Plan has been written in accordance with Part 2 of the Forest and Rural Fire Regulations 2005.

Paul Chaffe  
Principal Rural Fire Officer  
Rangitikei Rural Fire Authority

## Approval of the rural fire plan

To comply with the requirements of the Forest & Rural Fires Regulations 2005, the Rangitikei District Council authorises the issue of this Fire Management Plan.

This document details the planned processes the Rangitikei Rural Fire Authority will undertake to meet its accountability and statutory obligations for the readiness, response, reduction and recovery of rural fire in the district.

Plan prepared by Paul Chaffe, Principal Rural Fire Officer

Approved by

Ross McNeil  
Chief Executive

Date

## Distribution of the rural fire plan

Internal	Copy
Principal Rural Fire Officer	1
Deputy Principal Rural Fire Officer	2
Deputy Principal Rural Fire Officer	3
Environmental Services Team Leader	4
Rural Fire Officer - Marton	5
Rural Fire Officer – Taihape	6
Rural Fire Force Controller Marton	7
Rural Fire Force Controller Koitiata	8
Marton Emergency Operations Centre	9
Customer Service (Public Copy)	10

External	Copy
National Rural Fire Authority:	Disk Copy
NZFS Wanganui Area	Disk Copy
Central Fire Communications	Disk Copy
Ernslaw One Limited	Disk Copy

## Review of the rural fire plan

The fire plan will be reviewed every two (2) years

# **PART ONE: OVERVIEW**

## **1. Introduction**

Fire is a significant threat to life, property and the environment. It is also a tool that has many uses in the Rangitikei District.

The District Plan identifies fire as a hazard in the Rangitikei. Increased rural habitation is increasing the fire risk in rural and rural/urban interface areas of the Rangitikei.

The obligations and duties of Territorial Authorities in relation to rural fire are established in the Forest & Rural Fire Act 1977, and any amendments to this Act, as well as the Forest & Rural Fires Regulations 2005 and any following amendments.

Rangitikei District Council (RDC) has a statutory role to provide for the protection of life, property and the environment against the threat of fire, particularly wildfire. This in turn imposes a cost on the community through the provision of rate payer funded resources to provide for fire control management. The community also has a duty to use fire in a safe and responsible manner.

It shall be the duty of the Rural Fire Authority (RFA) to promote and carry out fire control measures throughout the district, by permit, inspection and physical response.

Therefore, the following Fire Plan has been compiled to carry out fire control measures to conform to the above Act and Regulations.

1. The Reduction, Readiness, Response and Recovery of a rural fire event.
2. The safeguarding of life and property from damage or risk of damage by or in relation to fire.
3. Undertaking all measures conducive to or intended to further or effect, reduction, readiness, response and recovery.
4. In order to meet the requirements of the Forest and Rural Fire Regulations 2005, this document will be reviewed every two years.
5. This document is available at the Rangitikei District Council for public viewing.

## Common abbreviations

Abbreviation	Definition
4x4	Four wheel drive vehicle
ACC	Accident Compensation Corporation
AMP	Australian Mutual Provident Society
BUI	Build Up Index
CD	Civil Defence
CDEM	Civil Defence Emergency Management
CIMS	Coordinated Incident Management System
DC	Drought Code
DOC	Department of Conservation
DPRFO	Deputy Principal Rural Fire Officer
EMQUAL	Emergency Management Qualifications Authority
EOC	Emergency Operations Centre
ESB	Emergency Services Band
FWI	Fire Weather Index
H&S	Health and Safety
HRC	Horizons Regional Council
IC	Incident Controller
ICP	Incident Control Point
ISI	Initial Spread Index
LMR	Land Mobile Radio
MSDS	Material Safety Data Sheet
MOU	Memorandum of Understanding
MWRRFC	Manawatu Wanganui Regional Rural Fire Committee
NRFA	National Rural Fire Authority
NRFO	National Rural Fire Officer
NZ	New Zealand
NZDF	New Zealand Defence Force
NZFS	New Zealand Fire Service
NZQA	New Zealand Qualifications Authority
PPE	Personal Protective Equipment
PRFO	Principal Rural Fire Officer
QEII	Queen Elizabeth Covenants
RAWS	Remote Automated Weather Station
RDC	Rangitikei District Council
RFA	Rural Fire Authority
RFB	Royal Forest and Bird Society
RFO	Rural Fire Officer
SMS	Station Management System
VHF	Very High Frequency
VRFF	Volunteer Rural Fire Force
WTA	Wildfire Threat Analysis

## 1.1 Structure of the Plan

This Plan is prepared to meet the obligations set out in Regulation 39 to 46 of the Forest and Rural Fires Regulations 2005. Those Regulations specify in detail the required structure and content of Rural Fire Plans. This Plan is therefore organised into seven parts”

Part One	Overview
Part Two	Strategies
Part Three	Reduction
Part Four	Readiness
Part Five	Response
Part Six	Recovery
Part Seven	Administration

## 1.2 Policies

The Rural Fire Plan covers the following main topics:

- **Reduction**  
The Fire Plan includes policies and procedures to reduce likelihood and consequence of fires
- **Readiness**  
The Fire Plan includes policies and procedures in relation to readiness for fire-fighting events.
- **Response**  
The Fire Plan includes policies and procedures for response to fire in district  
Response systems
- **Recovery**  
The Fire Plan includes policies and procedures for activities following fire event

## 1.3 General description of the rural fire area

The District is predominately covered in pasture however there is on-going development of small forestry blocks. The District also contains larger forests owned by Ernslaw One Limited and Arbour Forestry. These, along with coastal dunes and scrublands pose the greatest wildfire hazard.

## 1.4 Statutory requirements

Rangitikei District Council (RDC) is the RFA for much of the Rangitikei District in terms of section 10 of the Forest and Rural Fires Act 1977. RDC is responsible for all that area that is not:

- An urban fire district, or
- Department of Conservation land and a one kilometre safety margin surrounding it,
- Within a rural fire district (there are no rural fire districts in Rangitikei at present).

The Act requires Council to exercise fire control management in its area. This is defined as:

*"In relation to forest, rural and other areas of vegetation, means -*

- (a) The prevention, detection, control, restriction, suppression, and extinction of fire; and*
- (b) The safeguarding of life and property from damage and risk of damage by or in relation to fire; and*
- (c) All measures conducive to or intended to further or effect such prevention, detection, control, restriction, suppression, extinction, or safe-guarding."*

## 1.5 Urban fire control

Urban fire control rests primarily with the New Zealand Fire Service. The Rangitikei District is served by six urban New Zealand Fire Service (NZFS) volunteer fire brigades these are located in Ratana, Marton, Bulls, Hunterville, Mangaweka and Taihape.

To ensure continuity of prevention measures during fire seasons the Rangitikei District Council has adopted an Urban Fire Control bylaw for the control of outdoor fires in urban areas, see **Appendix A**

## 1.6 Health and Safety

RDC recognises the need to ensure the health and safety of its staff, contractors, volunteers and the public.

RDC acknowledges its obligations under the Health & Safety in Employment Act 1992 and its amendments.

Volunteers, including rural fire volunteers are now offered the same protection as paid staff under the Health & Safety in Employment Amendment Act 2002 and its amendments.

Staff are covered by Council's Health & Safety (H & S) policy. Copies of the H & S document are located in each Volunteer Rural Fire Force (VRFF) fire depot.

RDC contractors are required to provide adequate health and safety measures as covered in their agreements with Council.

The RDC H & S policy is attached as **Appendix B**.

Fire fighter safety is of prime importance, crews are to be briefed prior to commencing fire fighting operations. All VRFF members are to have regular safety training. The pink "LACES" card is to be issued to and carried by all crew members. Crew leaders are to be issued with the rural fire management hand book "The Green Book"

## **PART TWO: STRATEGIES**

### **2. Strategic Principles**

#### **2.1 Vision for rural fire in the district**

The vision for the Rural Fire Authority is:

##### ***Communities working together***

Home owners and residents are responsible for providing defensible spaces around their properties and introducing Fire Smart strategies.

Officials are responsible for land-use policies, planners and developers are responsible for designing and developing plans.

Rural fire management agencies are responsible for fire control in areas of vegetation: the prevention, detection, control, restriction, suppression, and extinction of fire.

For the successful control of property/vegetation interface fires, the community must work with emergency response agencies to manage fuels, make buildings fire resistant and develop the appropriate infrastructure and planning.

#### **2.2 Operational strategy policies**

The RFA will work to:

- Identify hazards and elements that create a high fire risk.
- Develop priority areas for action.
- Manage vegetation and other fuels to reduce the hazard.
- Control hazardous activities that create a fire risk.

#### **2.3 Working with local communities**

Rural Fire Officers' (RFOs') are encouraged to provide assistance to the community in fire education and control during the course of their day to day work.

#### **2.4 Assistance to Emergency Services**

The RFA will work with all Emergency Service Groups within the district to provide whatever support necessary. Combined training sessions and sharing of resources are to be encouraged.



## 2.5 Civil Defence emergency support

The goal of the RFA is to support in any ways necessary, council and other emergency services during civil defence related events that occur within the district or region or if requested nationally.

## 2.6 Voluntary Rural Fire Force establishment

The RFA has established 2 Volunteer Rural Fire Forces'. These are located at Marton (Registered VRFF #294) and Koitiata (Registered VRFF #295). The VRFF agreements' with the NRFA are attached at **Appendix C**

## 2.7 Employee/Employer relationships

Section 37 of the Forest & Rural Fire Regulations 2005 states:

*"Members of Voluntary force must be treated as employees of Fire Authority –*

- (1) For the purposes of these regulations, a member of a voluntary force must be treated as if he or she were an employee of the Fire Authority that established the force, and the provisions of the Act and these regulations apply accordingly, with all necessary modifications.*
- (2) Sub clause (1) applies except where these regulations expressly provide otherwise."*

## 2.8 Warrants of Appointment

Section 13 of the Forest & Rural Fires Act 1977 states in part:

*"In each district other than a state area the Fire Authority shall appoint 1 or more suitable persons as a Rural Fire Officer or as Rural Fire Officers. Where there are 2 or more persons, 1 shall be appointed as Principal Rural Fire Officer."*

Council has contracted out its rural fire delivery to Horizons Regional Council (HRC); the PRFO is appointed by HRC but warranted under Section 13 of the Forest and Rural Fires Act 1977 by the RFA.

RFOs' are appointed to fill the following requirements;

- To provide a duty RFO in the absence of the PRFO.
- To support the PRFO in enactment of his/her duties.

All RFOs' are warranted and all warrants must be signed by the Chief Executive, in accordance with section 38 (3) (iii) of the Forest and Rural Fire Regulations 2005.

Warrants may be limited to certain levels of delegation to match the role and experience of the fire officer either through their job description or by contract (for example a limit to authorised spending).

Current RFOs' are listed in Part 4 - Readiness.

RFOs' will be competent to fill their position or have a training plan implemented upon appointment.

## **2.9 Principal goals and objectives**

The principal goals and objectives of the RFA are:

- The prevention, detection, control, restriction, suppression, and extinction of fire;
- The safeguarding of life and property from damage and the risk of damage by or in relation to fire; and
- All measures conducive to or intended to further or effect such prevention, detection, control, restriction, suppression, extinction, or safe-guarding from fire within the RFA's area.

## **PART THREE: REDUCTION**

### **3. Reduction Section**

#### **3.1 Reduction policies**

The RFA is committed to reduction of rural fire occurrences.

Fire prevention planning is a key part of rural fire control management. It should be directed toward mitigation or elimination of those hazards and risks which pose the greatest potential to cause unacceptable damage or losses.

Key inputs:

- Concentrate on addressing highest priority items.
- Focus on preventing large and damaging fires, threat to life, reduction of fire suppression costs and subsequent change in net value of assets.
- Plan actions on a priority basis for implementation.

#### **3.2 Wildfire Threat Analysis (WTA)**

The WTA has been undertaken by Horizons RC on behalf of the Manawatu Wanganui Regional Rural Fire Committee. The WTA is attached as **Appendix D**.

#### **3.3 Population and main activities**

The district has a population of over 15,000, many of whom choose to live here for the lifestyle alternative to urban living. The District is a mix of towns and rural communities. The District economy stems mainly from the primary and manufacturing industries. These two industries account for over half of the employment.

#### **3.4 Risk Management strategies**

This is the management of the potential for ignition (risk) and the potential for fire damage (hazard).

Hazards relate to a fire's behaviour once it has ignited. The variables here include fuel, weather and topography. Reducing the danger can be achieved by:

- Boundary inspections for fire hazards
- Fire breaking, fuel modification or fuel reduction burning on land adjacent to forest boundaries or other elevated hazard areas.
- Pruning of branches or removal of fuels to mitigate fire development in elevated risk areas and/or areas of high value.

Risk relates to the potential for a fire to start. The variables here relate to the human input including uses, activities and events that have the potential to cause ignition. Some examples of increased risk are: population density, land use, power lines, recreational use and transient population. Reducing risk can be achieved by:

- Shielding ignition sources on machinery.

- Standards of ignition safety in forestry operations.
- Identification of likely ignition sources and activities.
- Determining controls for the above.
- Promotion of alternatives to using fire.

Council's hazard management activities may include such items as:

- Fire hazard inspections and removal of fire hazards. The focus to be on high risk and high value areas such as forests, urban/rural interface and specially protected areas.
- Public awareness regarding controlled burns.

Council uses section 183 of the Local Government Act 2002 to enforce removal of fire hazards in both urban and rural areas.

### **3.5 Fire prevention measures**

The RFA promotes fire prevention when and where possible, using the mediums of newspaper articles, letter drops to rural properties, fire danger signage, social media, website information, and the distribution of NRFA pamphlets and booklets.

These activities are based on minimising the number and impact of preventable fires (i.e. unplanned fires of human origin) through education and management of hazards and risks.

### **3.6 Public education activities**

Public awareness programmes are a key strategy of mitigation. Fire prevention works best if individuals and the community are informed about rural fire risks reducing the impact and highlighting responsibilities of persons that light fires.

The RFA will embark on a deliberate planned and sustained public education programme prior to, during and at the end of every fire season.

#### **Prior to the fire season**

- Make available awareness material to rural community (letter drops).
- Update RDC website as required to indicate change in Fire Season Status
- As required, liaise with other RFOs', NZFS and Defence Fire Officers and provide awareness material where appropriate.
- Make available awareness programmes to rural schools.
- Arrange broadcast radio interviews on community responsibilities.

### **During Fire Season**

- Display and update as required Fire Danger Today signs on appropriate roadsides.
- Display signage as appropriate for the Fire season Status.
- Make available pamphlets to users of Council rural assets.
- Provide local media with regular fire danger reports.
- Support regional fire committee programmes and awareness initiatives.
- Update RDC website as required to indicate change in Fire Season Status

### **End of Season**

- Removal or alter rural fire signage to the appropriate fire season level.
- Inform the community and thank them update Council web site.

## **3.7 Fire management control measures**

Council uses section 183 of the Local Government Act 2002 to enforce removal of fire hazards in both urban and rural areas.

In the Rangitikei fires in the open air are used for a number of purposes including:

- Crop farming
- Land clearing
- Forestry
- Rubbish disposal
- Traditional cooking
- Entertainment.

These activities are all permitted under the District Plan. Fire is becoming a less acceptable tool in urban and urban/rural interface areas and all reasonable alternatives need to be explored.

In certain circumstances the risk posed by fires outweighs the benefits. For example, high fire danger, proximity to roads, proximity to neighbours, or risk to property. Council will use education and enforcement to promote the use of alternatives in these situations.

The RFA will declare the appropriate fire season, use education and issue permits to ensure the safe use of fire.

## **3.8 Burn Plan requirements**

The practice of prescribed burning activities requiring a burn plan within the Rural Fire Authority's area is rare. However, should the need be determined by land or forest owners the following strategies will be applied by the PRFO.

Strategies with potential harmful consequences will be minimised by the application of a comprehensive operational plan, which clearly states objectives and incorporates principles of environmental care and safe work practices.

Planning for such a burn must satisfy the PRFO and any legal requirements, be thorough and carried out with defined procedures that maximises safety and manageable fire behaviour. Issues that are to be addressed in the plan should include but not be limited to the following:

- Burn objectives and location
- Surrounding vegetation
- Perimeter control lines

- Burn prescription
- Special conditions and resources required
- Risk of fire escape
- Rural Fire Authority to use fire
- Public and personnel safety
- Seasonal limitations
- Weather and fuel conditions
- Smoke hazards
- Post burn rehabilitation

Note: the PRFO may require additional conditions to be endorsed on the Burn Plan before formal approval. Burn Plan Template attached as **Appendix E**.

### 3.9 Declared forest areas

The District is predominately covered in pasture however there is on-going development of small forestry blocks. The District also contains larger forests owned by Ernslaw One Limited and Arbour Forestry.

At the time of the Fire Plan Review there are no Fire Safety Margins for forest areas within the RFA's Fire District.

Maps of the District boundaries including maps for Ernslaw and Arbour forests can be found attached as **Appendix F**

### 3.10 Fire safety margins

DOC land with a 1 km Fire Safety Margin, QE II Covenant Land and Royal Forest and Bird Protection Land is listed below.

<b>Name</b>	<b>Area (ha)</b>	<b>Administrator</b>
Lake Koitiata Wildlife Reserve	41.4650	DOC
Koitiata Recreation Reserve	70	RDC
Waimahora Swamp	30	DOC
Blind lakes	20	Ernslaw One
Tunnel Hill	30	Ernslaw One
Moores Bush	1.6	QEII
Greystoke Scenic Reserve	8	RDC
Silverhope Scenic Reserve	11.3413	DOC
Pryces Rahui	12.8150	RFB
Trickers Bush	3	QEII
Tutu Totara Trust	4	QEII
Tutu Totara Trust	2.4	QEII
Tutu Totara Trust	20	QEII
Dunsinane Bush	6	QEII
Denis Marshall Trust	4	QEII
Raketapauma Stewardship Area	138.275	QEII
Waiaruhe Scenic Reserve	10	QEII
Ngaurukehu Scientific Reserve	87.1	DOC
Turangarere Scenic Reserve	1.2849	DOC
Turangarere Scenic Reserve	4.3903	DOC
Turangarere Scenic Reserve	2.2030	DOC
Kaitapa Scenic Reserve	4.8411	DOC
Ringaringa Scenic Reserve	30	DOC
Puweekia Scenic Reserve	17	DOC
Papanui Scenic Reserve	55.2	DOC
Pohonuiatane Scenic Reserve	26	DOC
Te Kapua Stewardship Area	7.1832	DOC
Paengaroa Scenic Reserve	102	DOC
Taihape Domain	10	RDC
Taihape Scenic Reserve	80.3568	RDC
Namunui Scenic Reserve	32.2	DOC
Otaihape Scenic Reserve	80	DOC
Hiwera Rd Stewardship Area	2.0234	DOC
Omatane River Marginal Strip	57.6	DOC

Omatane Scenic Reserve	237	DOC
Nui Puke Bush	15	DOC
Te Rangipai Scenic Reserve	102.117	DOC
Mokai Stewardship Area	6.0476	DOC
Makino Scenic Reserve	383.4	DOC
Pukeroa Scenic Reserve	7.9369	DOC
Maungakaretu Scenic Reserve	29.3194	DOC
Turakina Valley Cons Area	12.9018	DOC
Karetu Scenic Reserve	13.804	DOC
Ohingaiti Scenic Reserve	70	DOC
Ratahauhau Bush	2	QEII
Makohine Scenic Reserve	26	DOC
Te Kapua Scenic Reserve	24.6302	DOC
Hawenga Rd Stewardship Area	6.879	DOC
Haweanga Stewardship Area	0.8852	DOC
Mangaweka Scenic Reserve	32	DOC
Mangaweka Scenic Reserve	40.5	DOC
Kapua Stewardship Area	0.5285	DOC
Kahu Scenic Reserve	39	DOC
Hautapu Scenic Reserve	8.8397	DOC
Utiku Scenic Reserve	25.09	DOC
Tunatau	37.3904	DOC
Rangitane Scenic Reserve	36	DOC
Kawhatau Scenic Reserve	167	DOC
Makopua Scenic Reserve	1.4163	DOC
Sutherlands Bush 1 and 2	60 and 12	RFB
Makohau Scenic Reserve	7.8668	DOC
Ngaruru Fragments		QE II
Lairds Bush	7	RFB
Poukiore Rec Reserve	2	DOC
Simpson Scenic Reserve	36	DOC
Glenmorven Scenic Reserve	30	DOC
Makohine Cons Area	1.0609	DOC
Ruahine Forest Park	26538	DOC
Hihitahi Forest Sanctuary	2170	DOC
Batley Private Protected land	899	
Motumatai DOC Lease	1295	DOC
Kaweka Forest Park	9672	DOC
Kaimanawa Forest Park	18112	DOC



Bruce Memorial Reserve	1.75	DOC
Bruce Park Scenic Reserve	14.08	DOC

### 3.11 Fire control bylaws

Rangitikei District Council adopted the Fire Prevention Bylaw 2014, on the 30<sup>th</sup> January 2014. The Fire Prevention Bylaw is attached as **Appendix A**

### 3.12 Clean air requirements

The Ministry for the Environment has produced National Air Quality Standards which came into effect on 8<sup>th</sup> October 2004. The National Air Quality Standards:

- Ban activities that discharge significant quantities of dioxins and other toxics into the air
- Set minimum standards for outdoor air quality
- Provide design standards for new wood burners installed in urban areas
- Establish the requirements for landfills of over 1 million tonnes of refuse to collect greenhouse gases

Horizons Regional Council has developed rules in Chapter 8 of the One Plan to limit the effects of discharges of fine particles into the air from industrial, agricultural and home based activities.

### 3.13 Storage of combustible material

Flammable or combustible materials must be kept in a suitable or protected area. Flammable or combustible material is not to be stored close to any building on neighbouring property.

**Hazardous materials must be clearly identified.**

### 3.14 Spark-hazardous engines

Sections 55 & 56 of The Forest & Rural Fire Regulations 2005 state:

**"55. Spark-hazardous engines treated as being approved for purposes of Act -**

*For the purposes of section 31 of the Act, a person must be treated as having obtained the written consent of a Rural Fire Officer for the operation of a motor vehicle in any of the places specified in that section if, -*

- (a) *for a petrol-powered motor vehicle that has a turbo-charger, the turbocharger -*
  - (i) *is fitted to the specifications of the manufacturer; and*
  - (ii) *is in good working order; or*
- (b) *for a diesel-powered motor vehicle that has a spark arrester, the spark arrester is properly fitted and the spark arrester -*
  - (i) *discharges vertically upwards and projects at least 23 cm above the top of the cab of the vehicle; or*
  - (ii) *is attached to a muffler of which the tailpipe exhaust directs backward (but does not protrude beyond the back wheels of the vehicle), and discharges within the width of the track of the vehicle; or*

- (c) *for a diesel-powered motor vehicle that does not have a spark arrester, the vehicle has attached, on the right side of the vehicle, a side delivery exhaust pipe that is fitted with a wire mesh envelope; or*
- (d) *for a petrol- or LPG-powered motor vehicle,-*
  - (i) *the vehicle has an efficient conventional exhaust system of which the tailpipe exhaust is directed vertically upwards as far as possible above the top of the cab of the vehicle; or*
  - (ii) *if the vehicle is not structurally able to comply with subparagraph (i), the vehicle has an efficient conventional exhaust system of which the tailpipe exhaust is aligned or protected to ensure that sparks are not discharged other than over the width of the track of the vehicle; or*
- (e) *for a vehicle with a solid fuel stove, -*
  - (i) *all relevant requirements in paragraphs (a), (b), (c), or (d) are met; and*
  - (ii) *a spark arrester is fitted to the chimney of the stove.*

**56. *Rural Fire Officer may require owner or operator to make vehicle or machinery available for inspection.***

1. *A Rural Fire Officer who has reasonable grounds to believe that any machinery or vehicle does not comply with section 31 of the Act may, by written notice, require the owner or operator of the machinery or vehicle to make the machinery or vehicle available for inspection.*
2. *Any machinery or vehicle to which a notice under sub clause (1) applies must be treated as machinery or a vehicle that is not approved under section 31 of the Act –*
  - (a) *from the time that the owner or operator receives the notice; and*
  - (b) *until the machinery or vehicle has been inspected and the owner or operator is given written notice from a Rural Fire Officer that the machinery or vehicle has been approved for the purposes of section 31 of the Act."*

### **3.15 Fire Permits**

Fire permits are required for fires in the open air during a restricted fire season and may be granted in special circumstances during a prohibited fire season.

Permits may only be issued during a prohibited fire season where an emergency exists or where there is temporary relief in fire danger conditions (except in urban fire districts where different rules apply). Extreme care must be exercised when issuing fire permits during a prohibited fire season.

Fire permits may only be issued by the PRFO or warranted RFOs'. In most cases an inspection will be required prior to the permit being granted. Permits should be handed directly to the permittee, and the permittee is to sign the permit in acknowledgement of their understanding of its conditions.

Anyone enquiring about lighting a fire should be made aware of their obligations and potential liability for fire fighting costs for damage caused by the fire.

The rules for authorizing fires and issuing fire permits are set out in:

- Sections 23 and 24 of the Forest and Rural Fires Act 1977.
- Regulation 50 of the Forest and Rural Fires Regulations 2005.

Normally Council will authorize fires by advertising in newspapers and on the RDC web site the type of fires authorized. This will usually be:

- Gas barbecues.
- Charcoal barbecues.

- Properly constructed incinerators (In rural areas only)
- Hangi and Umu (cultural cooking fires).

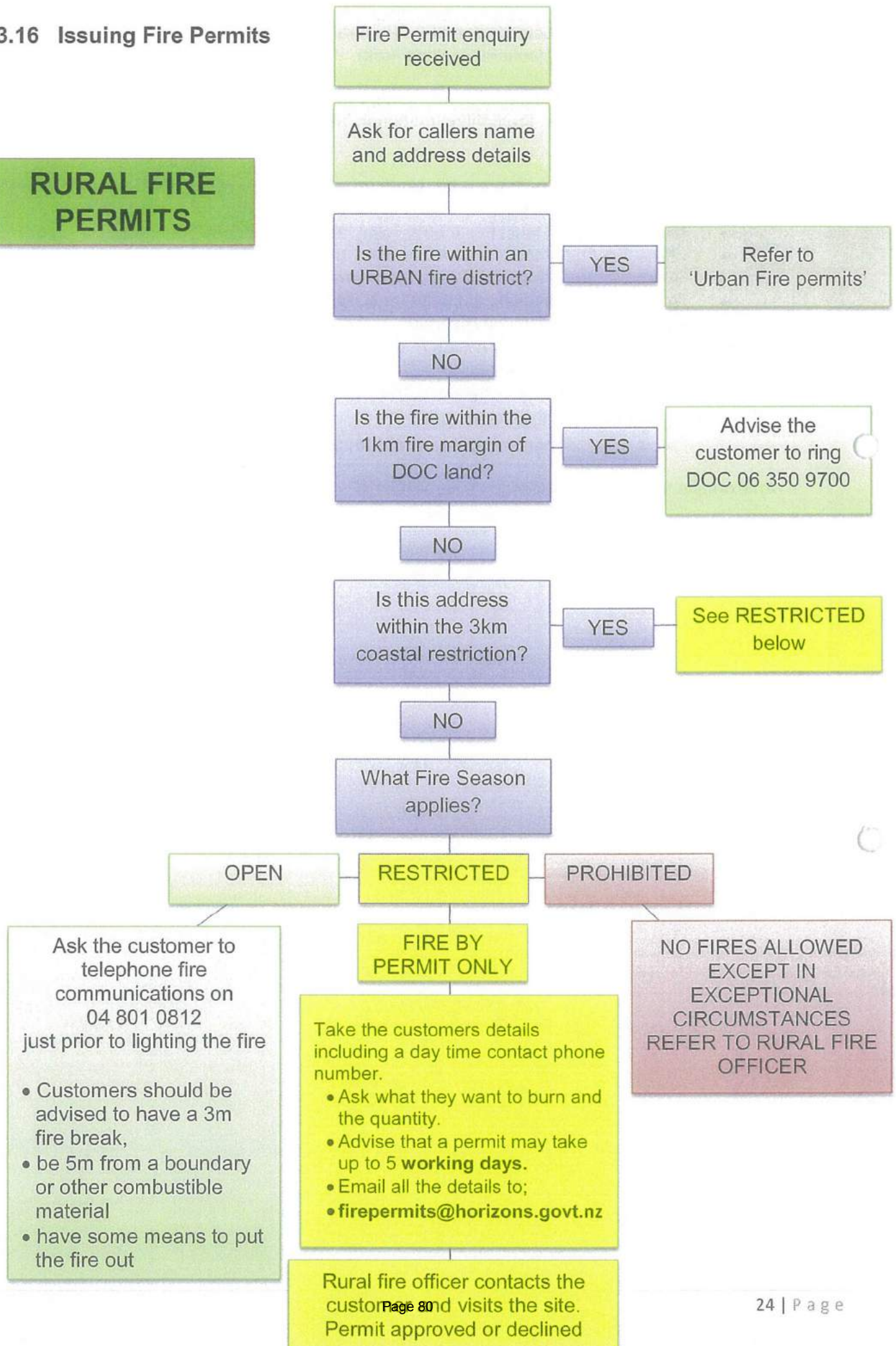
Any authorization must include reference to appropriate weather conditions, distance from other combustible material, fire fighting resources and advice to neighbours. These are likely to be:

- Fires must not be lit in strong winds or where strong winds are forecast (braziers in still or light winds only).
- Fires must be at least five metres away from the property boundary.
- Fires must be at least five metres away from buildings.
- A three-metre firebreak is to be made around the fire site.
- A means of extinguishing the fire must be available.
- Fires must not be left unattended.
- Neighbours are to be advised of the fire.
- Incinerators should have:
  - A chimney that contains a fine wire mesh (this mesh needs to be replaced annually as it will burn out).
  - A solid lid that completely cover the top of the incinerator.

An example fire permit is attached as **Appendix G**

### 3.16 Issuing Fire Permits

## RURAL FIRE PERMITS





## URBAN FIRE PERMITS

Fire Permit enquiry received

Ask for callers name and address details

Is this address within the 3km coastal restriction?

YES

See RESTRICTED below

NO

What Fire Season applies?

OPEN

RESTRICTED

PROHIBITED

Ask the customer to telephone fire communications on 04 801 0812 just prior to lighting the fire

Customers should be advised to

- have a 3m fire break,
- be 5m from a boundary or other combustible material
- have some means to put the fire out

FIRE BY PERMIT

Take the customers details including a day time contact phone number.

- Ask what they want to burn and the quantity.
- If the material to be burnt is anything out of the ordinary i.e. Slash, then refer to a Rural Fire Officer otherwise follow your internal procedures and issue an urban fire permit

NO FIRES ALLOWED EXCEPT IN EXCEPTIONAL CIRCUMSTANCES REFER TO RURAL FIRE OFFICER

Once referred to an RFO Rural fire officer contacts the customer and visits the site. Permit approved or declined

## PART FOUR: READINESS

### 4. Readiness Section

#### 4.1 Readiness policies

The RFA will maintain a level of fire readiness and preparedness by monitoring of fire danger using the Fire Weather Index (FWI), local knowledge and historic data appropriate to fire hazard conditions.

#### 4.2 Map of rural fire district is attached at Appendix F

#### 4.3 Rural Fire Authority's responsibilities

The RFA has the responsibility to protect the area of land within its mandate, that is land designated rural or outside those areas under the jurisdiction of New Zealand Fire Service.

As stated in the introduction, RDC has statutory obligations to carry out the functions of an RFA pursuant to the requirements of the Forest & Rural Fires Act 1977, the Forest & Rural Fire Regulations 2005 and their amendments.

#### 4.4 Chain of Command



## 4.5 Principal Rural Fire Officer

Operational matters regarding rural fire are delegated to the Principal Rural Fire Officer (PRFO).

The PRFO and RFOs' shall be warranted by the Chief Executive as required.

RFOs' shall be the responsibility of the PRFO in consultation with the Environmental Services Team Leader.

## 4.6 Rural Fire Officers

Position	Name	Contact Details		Vehicle and call sign
PRFO	Paul Chaffe	Pager Mobile Phone Work	026 268 7006 021 227 7216 06 327 0084	HBM855 HORIZNRFO3
DPRFO	Bradley Shanks	Pager Mobile Phone	026 268 7006	GTR772 HORIZNRFO1
DPRFO	Tony Groome	Pager Mobile	026 268 7006 027 432 4255	GPH923 HORIZNRFO2
RFO	Kirsty Chaffe	Mobile	027 466 459	
RFO	Jo Uncles	Mobile	027 347 2134	
RFO	Pat McCarthy	Mobile Phone Work	027 445 9378 06 3221558	
RFO	Graham O'Hara	Work	06 388 0604	

The on duty RFO is available 24/7 by pager 026 268 7006.

## 4.7 Training and competency

The RFA is committed to ensuring its rural fire staff and volunteers are competently trained and equipped to undertake allotted tasks.

As a minimum every person entering the fire ground shall have attained competency in the NZQA Unit Standard 3285 or be under the close supervision of a person who has that competency in Unit Standard 3285.

PRFO and RFOs' are required to undergo training and be qualified in the all relevant matters that their position requires of them.

It is the policy of the RFA that it provides training to all fire fighters to NZQA standards which shall be to the minimum NRFA training standard. The RFA encourages fire fighters to gain as many skills as possible and to document training undertaken in task books to enable a training register to be maintained.

The RFA may sign up fire fighters to an Emergency Management Qualifications (EMQUAL) Industry Training Organisation Vegetation Level 2 Structured Training Programme and pay all costs involved in that training.

Training is on-going with all fire crews training weekly in the summer months and fortnightly in the winter months.

Other training days or evenings are carried out over the year with regional fire crews and surrounding NZFS and NZDFS.

The PRFO will make himself or another RFO available if requested to assist in rural fire training.

#### **4.8 Unit Standard training**

A comprehensive list of Unit Standards and qualifications applicable to rural fire is available on the EMQUAL Website. ([www.emqual.org.nz](http://www.emqual.org.nz)).

#### **4.9 Competency standards**

The competency standards required by industry for fire fighting personnel are set by the NRFA and facilitated by EMQUAL. The RFA is to ensure that fire fighting personnel meet the required standards.

Personnel should have their competencies assessed and registered on the New Zealand Qualification Authority (NZQA) Framework.

Where personnel do not have their competencies registered on the NZQA Framework, the RFA must provide proof through the NRFA audit process for compliance.

Reference: National Rural Fire Authority Guidelines for Forest and Rural Fire Management Positions March 2014

#### **4.10 Arrangements and agreements**

The Rural Fire Authority has Agreements and Memoranda of Understanding (MOU) with the following agencies:

- MOU for rural fire control liaison between member organisations in the Manawatu-Wanganui Regional Rural Fire Committee is attached at **Appendix H**.
- Section 15 Agreement between New Zealand Fire Service Commission and Rangitikei District Council is attached at **Appendix I**.
- The Voluntary Rural Fire Force (VRFF) Agreements between the Rangitikei District Council and the Marton and Koitiata VRFFs' is attached in **Appendix C**

The Rural Fire Authority has informal agreements with water cartage contractors for rural fire response.



## **4.12 Specially protected areas**

The Rangitikei Rural Fire Authority has no specially protected areas gazetted under section 6 of the Forest and Rural Fires Act 1977. A review of specially protected areas should be undertaken from time to time.

Department of Conservation land with a 1 km Fire Safety Margin, QE II Covenant Land and Royal Forest and Bird Protection Land can be found at paragraph 3.10.

Rangitikei Beaches have a total fire ban all year round.

## **4.13 Fire Protection of buildings in rural areas**

New Zealand has two separate fire statutes. The Fire Service Act 1975 is the governing legislation of the Fire Service whose jurisdiction extends primarily to Fire Districts. The Forest and Rural Fires Act 1977 is the governing legislation for Fire Authorities whose jurisdiction operate in rural areas, being areas outside Fire Districts. The two statutes have a number of points of intersection and together provide for a system of cooperation between the Fire Service and Fire Authorities for operational fire response activities.

The Fire Service provides fire risk reduction and emergency response services in Fire Districts constituted and formally gazette under Section 26 of the Fire Service Act. Fire Districts cover the majority of urban communities in New Zealand. Fire Authorities have a duty under Section 12 of the Forest and Rural Fires Act to ensure that effective fire control measures are in place in their Areas. In the first instance, then, the responsibility and accountability for the provision of fire services and fire control measures is assigned according to geographical boundaries.

While the geographical division between the two fire management regimes is defined in legislation it is not intended to operate in a fixed or impractical way that would place obstacles in the way of providing effective firefighting services across all of New Zealand. Accordingly, both Acts make provision for responsibilities and accountabilities to be varied by agreement where it makes sound sense from a risk management perspective. The Fire Service will more often than not encounter structural fires, undertake associated fire safety tasks relating to buildings and are trained with emphasis on the idiosyncrasies of these activities. Fire Authorities predominantly undertake forest and land management tasks, encounter vegetation wildfires and are trained accordingly. However, both will encounter the spectrum of possible fires in both structure and vegetation.

The New Zealand Fire Service Commission is charged with the promotion of fire safety across the whole of New Zealand; i.e. without reference to any urban or rural geographical distinction. Similarly, the Fire Service has the statutory responsibility for approving evacuation schemes for buildings everywhere in New Zealand, again without reference to any urban or rural geographical distinction.

The Rangitikei Rural Fire Authority has identified commercial and industrial buildings in the RFA area that fall into one or more of the risk categories set out below;

- i. Places of assembly for more than 50 people;
- ii. Places of employment for more than 10 persons;
- iii. Accommodation for more than 5 paying guests or tenants (other than in a household unit);
- iv. Commercial or industrial buildings used for manufacturing or storage or processing including any facility containing hazardous or flammable substances held for any purpose; or

- v. High life risk buildings - special occupancies providing care to the very young, the very old or the disabled but not including household units.

All buildings that fall within these risk categories have been identified, and they have been entered into a permanent register to be maintained by the Fire Authority. The completed register was sent to Western Fire Region. Once the level of risk has been accurately assessed using the Building Risk Assessment System the Fire Service and a territorial authority can then determine whether a building or concentration of buildings carrying a particularly elevated risk would be better managed by more intensive risk planning, preparedness and response capability under the terms of an agreement under section 38 of the Fire Service Act.

The building register is attached at **Appendix J**.

#### 4.14 Fire Season trigger points

The RFA will use the following chart to assist with the Declaration of Fire Seasons. The FWI, historical information, local knowledge, current and predicted weather patterns will all assist the PRFO to determine the appropriate fire season.

Action Point	Grassland Curing%	Duff Moisture Code	Drought Code	Build-up Index
Daily reassess fire season status.	Over 50	Over 30	Over 175	Over 30
Impose a Restricted Fire Season	60+	40+	250+	45+
Impose a Prohibited Fire Season	80+	50+	300+	80+

Due to the topography of the Rangitikei District, it is not unusual for the Fire Season status to be different across the district, therefore a change in the fire season status may be declared for all, or part of the district.

#### Exotic Forest Access Trigger Points

The Authority shall use the following trigger points to assist with determining the need for restricted access into exotic forest within the fire authority area.

Trigger points will be used to assist the PRFO in conjunction with FWI, historical information, local knowledge, current and predicted weather patterns and with discussions with forest owners and their approval of restrictions.

Action Point	Duff Moisture Code	Drought Code	Build-up Index
Restricted access	Over 30	Over 200	Over 40
Close forests to the public	Over 60	Over 400	Over 80
Restrict chainsaws	Over 30	Over 200	Over 40
Ban chainsaws, silviculture operations	Over 60	Over 400	Over 80

The primary responsibility for managing forest operations and access to mitigate fire risk lies with the forest owner and intervention by the Rangitikei Rural Fire Authority must only be a last resort.

These constraints may be implemented for all, or part of the district prior to these FWI levels being reached. As the risk of fire increases, the Principal Rural Fire Officer should maintain regular contact with forest owner to determine whether operational constraints should be declared prior to the trigger point being reached.

#### 4.15 Fire Weather monitoring

During the fire season fire weather indices will be monitored daily from the NRFA website to determine the fire danger level.

Duty RFOs' are to make themselves aware of current fire weather conditions during their period of duty.

#### 4.16 Remote Automatic Weather Stations (RAWS)

The Rural Fire Authority will gather information from the following RAWS sites to monitor fire weather information:

- Tapuae
- Raumai
- Wanganui Aero
- Ngamatea
- Whangaehu
- Three Kings

#### 4.17 Fire seasons

The fire season for the RFA will be from 1<sup>st</sup> October to 30<sup>th</sup> April, in the following year or as conditions determine.

A Restricted Fire Season is in place all year round within a 3km buffer inland from the West coast.

During the fire season the RFA will inform the community of changes to the fire season status.

- The PRFO shall declare the appropriate restricted or prohibited fire seasons depending on the degree of fire danger and in consultation with adjacent RFAs'.
- During a restricted fire season no fire may be lit in the open, without a permit to burn issued by a warranted RFO.
- During a prohibited fire season no fire may be lit in the open, except in special circumstances and then only with a special permit.

#### 4.18 Fire signage

The RFA has the following fire signage:

- 5 x "Fire Danger Today" (Grapefruit signs') located at:
  - Napier – Taihape Road, near Timahanga Station.
  - Mangaweka Domain.
  - Marton Fire Station
  - Bulls Fire Station
  - SH 3 Whangaehu
  - Turakina Beach

Other "Fire Danger Today" signs are maintained by:

- NZ Defence Force SH 3 Ohakea and entrance to Raumai range.
- Ernslaw One Santoft Road and Scott's Ferry.
- 5 x Permanent Fire by Permit Only (restricted fire season) at the 3km from the west coast;
  - Parewanui Road
  - Raumai Road / Santoft Road intersection
  - Knottingly Road
  - Beamish Road / Santoft Road Intersection
  - Turakina Beach Road
  - Whangaehu Beach Road
- 2 x Permanent Total Fire Ban (prohibited fire season) signs;
  - Koitiata beach access

- Scott's Ferry beach access
- 12 x Fire by Permit Only (restricted fire season) stored in Marton
- 14 x Total Fire Ban signs (prohibited fire season).stored in Marton

The restricted and prohibited signs will be placed at all major roads into the area when that season applies.



## 4.19 Resource response

When, in the professional judgment of the PRFO, an extreme fire danger day may eventuate, this will be broadcast as widely as practical.

An extreme fire danger day is one where conditions may lead to extreme and unpredictable fire behaviour. Dry fuel and high winds are key factors in determining extreme fire danger days.

Procedures listed below will be based on prevailing fire hazards using FWI, historic data and local knowledge.

Fire Conditions	Staffing	Resources
Extreme	Duty RFO acknowledges page and responds On call RFO's respond	All VRFF appliances and crews respond 2 x Water tankers' respond
Very High	Duty RFO acknowledges page and responds	Nearest VRFF appliances and crews. Nearest Water Tanker
High	Duty RFO acknowledges page responds as appropriate	As appropriate.
Moderate	Duty RFO acknowledges page responds as appropriate	As appropriate.
Low	Duty RFO acknowledges page responds as appropriate	As appropriate.

Note 1: Levels are flexible and the Duty RFO is to adapt to meet situations and conditions.

Note 2: For Extreme and Very High ALL equipment is to be at a very high state of readiness. This may include daily checks of equipment at the discretion of the PRFO.

Local resources are listed in the Response section paragraph 5.5

Contact details for additional resources can be found in **Appendix K**

The Environmental Services Team Leader is to be kept fully informed of all changes to the Fire Season Status

District New Zealand Fire Service Brigades will be kept fully informed of all changes in Fire Season Status.

## **PART FIVE: RESPONSE**

### **5 Response policies**

The RFA will maintain an effective response to incidents based on rapid deployment of resources to minimise the effects of fire.

#### **5.1 Receiving of fire calls**

- i. The New Zealand Fire Service (NZFS) Communications Centre (Fire Com) receives fire notifications via the "111" emergency telephone system and initiates the service response to fire incidents in the Rangitikei District on a continuous 24-hour year round basis.
- ii. The RFA provides a continuous 24-hour year round duty (RFO) response to rural fire incidents in its rural fire district. Fire Com initiates this through its service response turnout process.
- iii. Council staff receiving fire notifications directly from any non-NZFS source are to advise the caller to notify the Fire Service via the '111' emergency telephone service.

#### **5.2 Response to fire calls**

- On receipt of the '111' call Fire Com despatches the NZFS predetermined brigade(s) to attend (in terms of their operating procedures).
- Within five minutes of the fire call Fire Com notify the duty RFO by pager.
- Duty RFO acknowledges this notification to Fire Com.
- Responding NZFS brigade provides a situation report which Fire Com relays to the duty RFO (usually by pager).
- Duty RFO determines response requirement and responds as required.
- If Marton or Kaitiata VRFFs are required, NZFS in attendance are to notify Fire Com, if they have not been responded on the first alarm.
- NZFS to continue with initial attack until relieved or fire out.
- Duty RFO may request Fire Com respond VRFF resources if not in attendance.
- On arrival, duty RFO receives a briefing from the IC Fire and either assumes or delegates the incident controller role from that point on.
- Duty RFO notifies the PRFO of fires that may require additional resources outside the duty RFO's delegation or where other factors warrant it.

### 5.3 Systems for response to fire calls

All rural fire personnel will be supplied with personal pagers for alert or response to fire calls and other incidents.

### 5.4 Deployment of fire fighting resources

- Any RFO warranted by the Rural Fire Authority and with appropriate delegation, or the NZFS IC Fire, may call upon such additional assistance and resources considered necessary for the early containment and suppression of vegetation fires in the rural fire district. .
- This authority applies to:
  - The immediate placement of helicopters or other aircraft on “**standby**”.
  - The immediate deployment of or placement of regional fire fighting resources including rural fire forces on “**standby**”.
- The immediate use of or placement on “**standby**” of equipment, chemicals and other resources available to the Rural Fire Authority through contracts or mutual fire agreements.
- Each request for additional resources must clearly identify the type, quantity and priority of the resources requested e.g. ground crews, smoke chaser, water tanker, pumps, chemicals, etc. The “blanket” or “non-specific” call out of resources is generally to be avoided.
- Where any large, serious or other fire operation is likely to become prolonged, contingency planning should commence early to meet on-going logistical support requirements i.e. catering, relief personnel, first aid, equipment, communications, etc., of the operation.
- All resources are to be tracked by the use of T Cards and the daily time record form RF 221. At large incidents the resource check in / out form is to be used.

### 5.5 Local resources

The RFA has fire resources on call and available as set out below. If further resources are required the RFA would call on other agreed suppliers as set down in the “Readiness” section of this document.

#### *Available Resources*

<b>Fire Appliances</b>	3 x Category Three Medium Rural Fire Appliances 1 x Category Two Smoke Chaser
<b>Pumps</b>	4 x High Pressure Low Volume pump (Wajax) 3 x Low Pressure Medium Volume
<b>Water Carriers</b>	1 Category Five Medium Water Carrier at Marton Fire Station. 1 Category Six Large Water Carrier at Mangaweka Fire Station
<b>Trailers</b>	2 x Trailer based smoke chaser units. 1 x Support trailer
<b>Hose</b>	25 & 41mm x 15 packs 70mm x 10 lengths
<b>Suppressants</b>	200 Litres Class A Foam 10 x Hydroblender capsules



<b>Flexidam</b>	3 x 2200 litre 1 x 6000 litre
<b>Power Tools</b>	2 x Chainsaws 1 x Polesaw
<b>Hand Tools</b>	10 x Shovels 5 x McLeod Tools 3 x Pulaski 3 x Axes 2 x Slashers
<b>Trained Personnel</b>	1 x PRFO 2 x DPRFO 3 x RFO 3 x Crew Leaders 15 x Fire fighters
<b>Radio Communication</b>	8 x LMR (NZFS Coms) 10 x ICOM handheld air to ground - NZFS incident/ground Cell phones Satellite phone BGAN
<b>4 Wheel Drive Vehicles</b>	PRFO (Horizons RFO3) RFO (Horizons RFO1 and 2) VRFF vehicles (Marton 8326)

## 5.6 Deployment of additional resources

Contact details for resources additional to those above are attached at **Appendix K**.

## 5.7 Recording of fire incidents

The RFA maintains a register in which the details of each rural fire call notification is recorded. The information noted includes the:

- Report method (method by which the call was received, i.e. via FireCom, or direct call).
- Date on which the report was received
- Time the report was received.
- Date on which the fire occurred.
- Location of the fire (property name, road address and NZMS 260 series map reference).
- Description of fire / fuel involved.
- Area burnt.
- Fire cause.
- Response.
- Date on which and time at which the fire was declared to be out.
- Debrief date & time.
- Debrief outcome.

For most fires this information is held in the NZFS Station Management System (SMS). A fire log (Form RF 200 CIMS Incident Management Organiser) is to be maintained at all times during a fire. The Incident Controller (IC) will initiate the fire log and then delegate the duties to an appropriate person.

The log and IAP will record:

- The incident name.
- The location of the fire.
- The incident number.
- Grid Reference.
- Assessment (Current situation).
- Action Taken.
- Factors (Weather and other factors or limitation should be noted including resource status).
- Predicted Incident development.
- Resource summary.
- Incident action plan.
- Incident management structure.
- Operational tasking.
- Log of actions.
- Communications plan.

Each member of the incident management team should record as much information on individual logs as appropriate.

As well as the RF 200 CIMS Incident Management Organizer the responding RFO is to complete a Rural Fire Report attached at **Appendix L**.

## **5.8 Notification of adjacent interested persons**

In the interests of the RFA, all adjacent Fire Authorities, Department of Conservation (DOC), NRFA, Rayonier New Zealand, other Forestry companies and any other groups deemed by the Rural Fire Authority to be interested persons, may be advised as soon as practicable of any incidents that have or could involve their real estate or could be deemed of public interest.

## **5.9 Command and Control at incidents**

The NZFS is to assume control of the incident if first on the scene, and operate under the Co-ordinated Incident Management System (CIMS) structure.

The NZFS will appoint the most senior officer at the fire as the IC Fire.

On arrival, where the NZFS has assumed control, the duty RFO will liaise with the IC Fire, receive a full briefing, then assume the position of Incident Controller (IC) or will nominate an IC. Note that RFA remains responsible for the fire whoever is the IC.

If the fire assumes larger proportions the PRFO may make the appointment instead of the duty RFO.

The PRFO (or in his absence the RFO) has authority over all resources.

CIMS will be used by the RFA for the effective management at larger fires, and where there are other organizations involved.

The IC will assign fire officers to other CIMS positions as appropriate.

Any person at any level (Incident Controller to Fire Fighter) should ensure for themselves and others that three basic requirements are met:

A clearly defined job within a person's capabilities

A clear understanding of who a person is responsible to, and

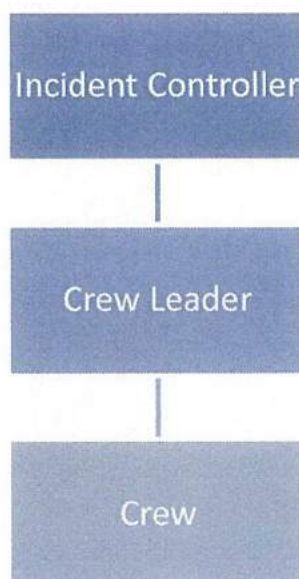
A clear understanding of what each person is responsible for

A Staging Area is to be established at the fire scene for the reception, briefing and assignment of arriving personnel and/or the re-assignment of existing resources.

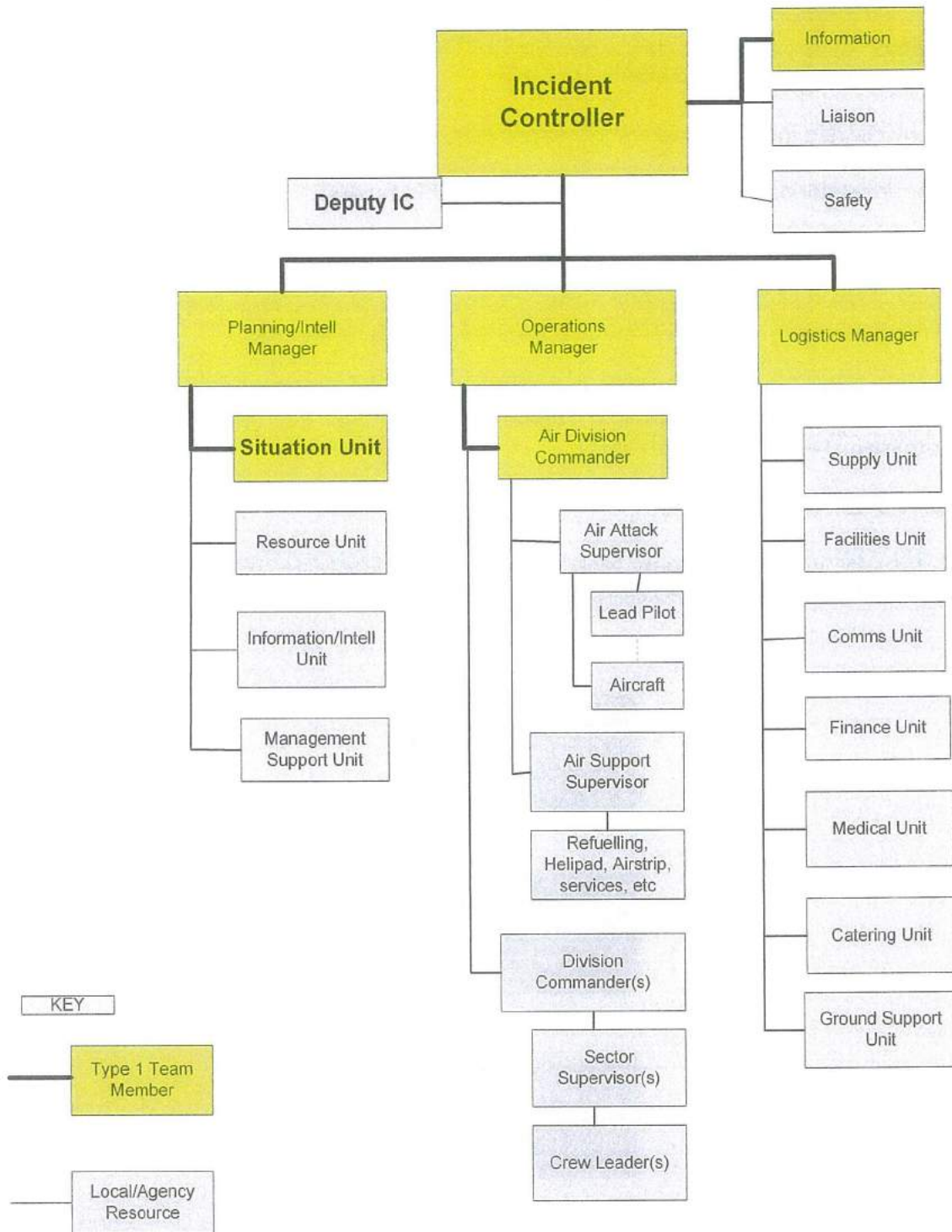
The command and control chart below and the associated position descriptions are based on the New Zealand CIMS structure. CIMS positions may be filled by Regional Incident Management Team Members (RIMT).

### Organisation chart for small fires

Most fires fall into this category, and supervision is "direct line" from crew leader to the fire fighters. This may include two crews with one Crew Leader.



# ORGANISATION CHART FOR LARGE FIRES



## Incident action plan

Phase	Step	Do this:
<b>Analyse the Situation</b>	Size up the incident	Provide an initial report
	Deductions	Ask "so what does this mean" to the issues identified in size-up. Record your conclusions
	Identify priorities Establish aims and objectives	Determine the problems (i.e. what must be done) and convert this to a clear aim and objective
		Complete the Situation Report Form and disseminate
<b>Situation Report</b>		
<b>Plan the work</b>	Identify realistic courses of action	With your planning group, consider and record <b>realistic</b> possibilities
	Consider advantage and disadvantages of each course	Go through each of the possible courses and record advantages and disadvantages
	Identify best option using appropriate criteria	Agree first on your criteria and record how your decision was reached
	Consider implications	Identify how you will support this course of action and record requirements
<b>Incident Action Plan</b>		Produce and approve the Incident Action Plan
<b>Implement the Plan</b>	Disseminate the Incident Action Plan (IAP)	Ensure that those internally and externally involved are well informed
	Monitor and review progress	Identify and note progress and problems
	Revise as required	Revise the IAP according to new priorities.

## 5.10 Fire commands instructions for units attending

1. Check in at the Incident Control Point (ICP) naming all personnel and equipment contributed.
2. Receive a defined task identifying:
  - designation within the organisation
  - to whom responsible
  - responsibilities including supervisors, personnel, equipment and sector, etc
  - additional resources available.
3. Receive a full briefing on the:
  - communications system (disposition of resources, call signs, radio channels)
  - fire (fuel types, methods of suppression, sectors, threats, weather forecasts, hazards, etc.)
4. Brief accompanying personnel
  - ensure that accompanying personnel have assigned responsibilities and tasks.
5. Carry out assignment
  - maintain communication and progress reports up the chain of command
  - maintain records of the inputs to the fire.
6. Demobilisation
  - ensure successor is briefed
  - check out at the fire ICP
  - ensure the accompanying personnel and/or equipment are checked out
  - ensure that inputs to the fire are recorded.
7. Ensure that all personnel at the fire are working safely as described in the training manuals.
8. Monitor the progress of the fire, wind direction, fire weather index and location of fire crews to ensure that any changes do not result in personnel being trapped by the fire.

9. Ensure that commands are given calmly, simply and clearly, and are understood.
10. Maintain contact up and down the fire command chain at all times.

## **5.11 Inter-communications**

### **Initial Turnout**

FireCom will turnout the nearest NZFS brigade(s), and notify the duty RFO by pager.

### **Fire ground**

The NZFS will use NZFS LMR.

VRFFs' will use the NZFS LMR and RDC ESB.

Rangitikei Rural Fire Officers will use NZFS LMR and RDC ESB

### **Fire ground to FireCom**

NZFS LMR

Mobile phone

Satellite phone

### **Fire ground to Incident Control Point (ICP)**

Handheld incident ground VHF radio "Fire 1"

Mobile phone

Satellite phone

### **Incident Control Point to Emergency Operations Centre [EOC]**

RDC ESB

Mobile phone

Satellite phone

### **Ground to Air**

Handheld incident ground VHF radio "Fire 4"

Mobile phone

Satellite phone

## **5.12 Monitoring fire behaviour**

Fire behaviour is the way fire ignites and spreads. Fire behaviour is controlled by three elements of the fire environment - fuel, weather and topography. Monitoring of fire behaviour enables specialists to calculate fire spread, intensity, perimeter, growth and suppression difficulty.

The RFA monitors fire weather throughout the year to determine the fire danger and will respond resources to incidents accordingly.

### **5.13 Recording of personal and equipment**

The RFA will maintain a Register of Personnel's details, next of kin, etc.

All equipment controlled by the Rural Fire Authority shall undergo a stocktaking check immediately post fire and prior to and after the designated fire season.

- Equipment deficiencies identified as a result of stocktaking are to be made good as soon as possible. Major item deficiencies will be investigated.
- Crew leaders will physically account for equipment used during training or operational activities before leaving the fire ground.

### **5.14 Medical assistance**

All members of the RFA's Rural Fire Force are trained in basic First Aid. Where prolonged fire situations occur or should the situation dictate, specialist medical assistance will be placed on standby. This will normally be St John Ambulance in the first instance.

### **5.15 Logistical support**

Additional logistical support will initially come from RDC and contractor resources. Protracted fire logistical support will involve members of the Manawatu Wanganui Regional Rural Fire Committee, of which the RFA is a member, and which all members have signed a Memorandum of Understanding (MOU).

### **5.16 Welfare support**

Fire fighters are required to carry sufficient high-energy snack food and liquid for immediate use on the fire ground. The RFA has a support vehicle which carries snack food and hot drink preparation kit. This will be deployed to the fire ground as soon as possible when requested.

Substantial main meals will be provided for personnel who have been working on the fire ground for an extended period of four hours or more.

During prolonged activities, including fire watch patrols, substantial meals will be provided every four hours.

Fires of short duration welfare needs will be arranged by the Incident Controller.

Fires of longer duration and complexity, welfare resources are to be the responsibility of logistics (CIMS).

Drinking water supplies for short duration fires are carried on fire appliance and the support trailer.

Firefighters engaged in fire suppression will carry personal drink bottles.

## **5.17 Relief crews**

Once the Duty RFO/PRFO has assumed or appointed a person to be Incident Controller, all requests for outside assistance must be authorised by the Incident Controller or the Logistics Manager.

For prolonged incidents, urgent attention should be given to relief crews due to the arduous nature of fire fighting.

Relief crew resources will be arranged by the Logistics Manager.



## **PART SIX: RECOVERY**

### **6. Recovery policies**

The RFA will maintain procedures that will ensure effective post fire actions are carried out. Council acknowledges it has statutory responsibilities under the Resource Management Act 1991 Section 31, The District Plan for Management of Land Resources, and for reinstatement of land damaged during fire suppression operations.

#### **6.1 Protected areas**

The RFA has no specially protected areas gazetted under Section 6 of the Forest & Rural Fires Act 1977.

#### **6.2 Rehabilitation**

Both fire and fire suppression may have an adverse impact on the environment and assets.

Section 55 of the Forest and Rural Fires Act 1977 deems that damage caused by fire fighting is to be damage caused by the fire for the purpose of insurance claims.

Minimising the rehabilitation required is done by including damage control as part of fire suppression incident action planning. This will include being mindful of flora and fauna, water quality, soil disturbance and damage to assets.

Particular care must be taken when using suppressants and retardants due to their potential impact on the eco system.

The RFA will, as soon as practicable, facilitate, in conjunction with the landowner, where the level of damage warrants:

- Restoration of soil disturbance
- Other environmental damage
- Roading repairs
- Repairs to other assets
- Removal of debris caused by fire suppression (e.g. foam containers).

## 6.3 Use of additives

### General

All containers of Class A foam, fire-troll concentrates or hydro blender capsules shall be labelled to alert fire personnel that they do not contain plain water.

### Handling, Mixing and Applying

Personnel involved with additives are to be trained in their use to protect health and safety and the environment.

Commanders at all levels are to ensure fire fighters are trained before allocating tasks involving the handling, mixing and applying of additives.

### Precautions by Crew Leaders and Fire fighters

- Always have suitable First Aid supplies including an eye wash kit on site.
- Extra effort should be taken to mitigate against accidental spills on site.
- Users must be aware of Material Safety Data Sheet (MSDS) of the chemical giving warnings and potential health effects.
- Users must ensure correct mixing ratios are employed. If users are uncertain, stop activities and ask for the correct ratios.

### Personal Safety

Fire fighting personnel are to wear the following protective clothing whilst directly working with Class A foam and retardants.

- Eye protection: goggles or full-face agricultural mask.
- Clothing: waterproof overalls.
- Respiratory Protection: Vapour Respirator during dry and dusty conditions.
- Protective Gloves: Approved Neoprene Gloves. A special skin protective cream is to be used.
- Footwear: Waterproof Polyurethane gumboots should be worn where practicable
- Ear Protection: Grade 4 Earmuffs or Level 2 earplugs must be worn.
- Head Protection: Helmets will be worn to protect head and neck areas from spills during aerial operations.

Note: Extra protective clothing items are carried on the fire appliance and the support trailer.

## 6.4 Health and Safety

The RFA recognises the need for all people engaged in Council work, to be provided with a safe and healthy environment in which to work.

The RFA will be bound by Council's Health and Safety Policy and the Health and Safety in Employment Amendment 2002. Copies of the RDC Health and Safety Management manual are located at each fire depot.

RFO's are to monitor operational and training activities to ensure safe working practices are employed.

Note: All volunteer rural fire fighters are deemed as members of Council staff and are covered by AMP insurance arrangements. All volunteer rural fire fighters shall comply with the principles of Rangitikei District Council's Health and Safety Policy.

## **Protective Clothing/Equipment**

RFO's and rural fire fighters of the RFA have been issued with personal protective clothing which meets the standard set out in the appropriate NRFA, DOC or AS/NZ Standard.

This equipment is to be carried at all times on the fire ground and is to be worn as appropriate for the task assigned.

For pump operators, bucket operations and use of suppressants and retardants, suitable clothing is available from the fire appliance or the RFO duty vehicle, including wet weather kit.

## **Reporting of Accidents**

All rural fire personnel must report any accident, injury or near miss incidents during the operation as soon as practical, but at least within 24 hours. It shall be the responsibility of the PRFO to ensure that any documentation/medical certificates, etc, are collected or completed to support any likelihood of an ACC claim.

The PRFO and persons involved must fill in the Emergency Service's Accident Report book within 24 hours of any event or near miss.

The PRFO will arrange to carry out an accident investigation on all accidents and near misses.

## **6.5 Victim Support crisis management**

Fire fighters and any other personnel involved in accidents or serious harm are to be given the opportunity to receive counselling and support through Rangitikei District Council contracted service provider.

## **6.6 Safety when working with aircraft**

Safety, particularly Aircraft Safety, is a frame of mind requiring thought and effort. Safety must be present at all times and is sensible to practice, model and encourage in others.

We must be prepared to look out for others' safety at all times, to anticipate problems and isolate, mitigate or modify them so the problem is no longer an issue - whether site, equipment or people.

With isolated fires, aircraft are a key fire-fighting tool. People and aircraft must work safely together to maximise effectiveness. Failure to do this will compromise safety, add unnecessary expense and reduce fire fighting efficiency. If in doubt ask a more experienced or qualified person.

### **Under Civil Aviation Rule 91.211**

All passengers must receive a briefing prior to any take-off. It should never be assumed that experience negates the need for this requirement.

For New Zealand rural fire fighting, the pilot or an authorised person should conduct the safety brief, i.e. Aircraft Officer or Air Observer. It remains the responsibility of the person operating the aircraft to ensure that the briefing is conducted for all passengers.

The following points must be covered:

- (i) Conditions under which smoking is permitted.

- (ii) Occupancy of seats and fastening of passenger seatbelts or harnesses.
- (iii) Seat configuration for take-off and landing.
- (iv) Location and means of opening entry doors and emergency exits.
- (v) Location of survival and emergency equipment for passenger use. (Fire extinguisher, First Aid Kit, Axe, Emergency Locator Transmitter, Life jackets if operating over water = with demonstration (CAA Rule 91.525 & 91.211 (b)(3))).
- (vi) Emergency landing procedures (as well as crash position).
- (vii) Use of portable electronic devices (CAA Rule 91.7).
- (viii) Storage of baggage and cargo in accordance with CAA Rule 91.213 & 91.215.

Wear personal protective equipment. Know how to shut off fuel and electricity on the aircraft.

### **Ground Safety**

- (a) If working on or near airstrip/helipad **always** wear protective overalls, goggles, ear protection - grade 5 or better around gas turbines.
- (b) Carry all hats, including hard hats, unless chin-straps are secured. **Particularly watch for persons wearing soft-peaked (baseball-type) caps.**
- (c) Do not leave loose objects near aircraft or landing areas where they may be blown about.
- (d) Remain well clear of landing and take-off areas when aircraft are operating unless a specific task requires you to be in the area.
- (e) Do not smoke within 15m (50 ft) of an aircraft, fuel dump or refuelling equipment.
- (f) Ensure that campfires are at least 100m away from aircraft.
- (g) Stay away from any moving parts.
- (h) Always follow the directions given by the pilot, flight crew or aircraft marshal.
- (i) If moving large crews, conduct a briefing (Safety) before they enter the aircraft. Printed cards containing safety information pertinent to the type of aircraft or work may supplement briefings.
- (k) Keep crews and their equipment together to one side, upwind of the landing area. Instruct them to face away during take-off or landings.
- (l) Have each person responsible for their own gear and be ready to board as soon as the pilot signals.

The National Rural Fire Authority publication "Aircraft Safety" is to be made available to fire fighters. Training and assessment in unit standards:

20388 Working Safely with aircraft at Emergency Incidents; and  
3288 Load Water & Water Additives for Aerial Operations

is to be incorporated into the training programme.

## **6.7 Safety when working near electricity**

Mains electrical voltages are a significant hazard. As such, health and safety policies as well as electrical requirements for safety apply.

## **6.8 Fire Fighter and Fire Appliance safety when working on roadways**

The Rural Fire Authority is to ensure that its fire fighting personnel are adequately skilled and equipped to abide by safe procedures when working on roadways. This may include:

1. Providing high visibility concepts on fire appliances:
  - Day operations - adequate high visibility colour and warning lights.

- Night operations - adequate reflective tape and warning lights.
- 2. Providing high visibility safety tabards and road marking cones/hazard warning signage as may be required for safety of fire fighting crews and personnel undertaking traffic control.
  - Tabards design to the requirement of AS/NZ 4602:1999;
  - Road cones and signage to Transit NZ requirements; and
  - May also include portable warning light devices.
- 3. Providing tuition on safe practices when working on roadways, including:
  - Being conversant with the requirements of Transit NZ - Code of Practice for Temporary Traffic Management.
  - Being conversant with safety procedures when working on roadways for the parking of fire appliances and make safe the area of work.
- 4. It is imperative to be stringent on the requirement to provide for safe operational procedures when undertaking fire operations that involve working on roadways.

## 6.9 Post fire investigation

To varying degrees all fire incidents will be investigated to determine cause, origin, any other factors contributing to liability and the need if viable for cost recovery.

The RFA may employ an independent fire investigator, where the PRFO believes necessary to determine the cause or any factors contributing to a fire.

The Rural Fire Authority will endeavour to recover all fire suppression costs for fires where practicable and liability can be determined.

The PRFO will discuss with the Environmental Services Team Leader fire incidents where prosecution action may be considered viable.

### Note: Fire Investigations

Will be instigated by the PRFO. Investigation levels shall be determined by actual or potential loss or damage.

Investigations can vary from RFO discussions, site visits or a full investigation by fire investigators.

All levels of investigation will include the following elements:

- Determine origin path and cause of fire
- Measures to protect point of origin
- Gathering, recording relevant facts
- Advising NRFA if a specialist fire investigation is needed
- Request the NRFA of another suitable person to carry out an independent investigation
- Arrange site guards or patrols if warranted.

The Wildfire Investigation - Initial Report is attached is attached at **Appendix M**.

### Charging for services

Council has a policy to charge fair and responsible costs for any service it provides.

In accordance with this policy, the RFA will pursue full cost recovery for fire suppression activities pursuant to Section 43 of the Forest & Rural Fires Act 1977.

**Charges for Equipment and Personnel** shall be set at the current NRFA schedule for fair and reasonable hire of equipment is attached at **Appendix N**.

## **COST RECOVERY PROCEDURES**

The Rural Fire Authority will apply the following procedures to recover fire suppression costs.

### **General Procedures**

- Establish facts and where possible culpability.
- Obtain costs from supporting agencies and authorities.
- Prepare and render account for payment in accordance with Council financial procedures to the person responsible for the fire.
- Inform the NRFA if there is any potential of a claim being logged with NRFA.
- Arrange payment for supporting agencies by their due date.

### **Prosecution**

A decision to proceed with prosecution actions is weighted against the severity of damage costs involved, magnitude of the breach against the Act and the likely costs of prosecution.

The responsibility for the decision to proceed or not proceed with prosecutions shall be made by the Manager, Environmental and Regulatory Services.

## **6.10 Operational debrief**

Debriefs are an important part of improving both organisational processes and providing individual development.

Formal debriefs will be held in terms of the NRFA National Debrief Template. The template is attached at **Appendix O**. Where possible all personnel who were involved in the incident should attend the debrief. As such, Council may meet reasonable costs of those attending.

Formal debriefs are required for the following events:

- Where there may be a claim on the Rural Fire Fighting Fund.
- Where a death or serious harm injury has occurred (including near misses for serious harm injury).
- Where there is public or land owner request to hold a debrief.
- Any other incident where lessons can be learnt.

A formal debrief must be held within 14 days of the fire being declared out (it will be facilitated by a suitably qualified independent person). The debrief must be documented including recommendations for improvement. A copy of the debrief will be forwarded to each organisation involved in the event.

Informal debriefs should be held as staff leave the fire ground of any event.

## **6.11 Operational review**

Fire Operational Review is an independent assessment of a significant fire in a Fire Authority's District carried out under the procedure developed by the NRFA under Section 14A of the Fire Service Act 1975.

## **PART SEVEN: ADMINISTRATIVE**

### **7. Administrative section**

This section sets out those administrative matters which enables Rangitikei District Council to operate as a safe, effective and efficient rural fire authority

#### **7.1 Rural fire representation**

##### **Regional Rural Fire Committee**

The RFA is a member of the Manawatu Wanganui Regional Rural Fire Committee and is normally represented by the PRFO at all meetings.

##### **Rangitikei District Emergency Management Committee**

Rangitikei District Council is a member of the Rangitikei District Emergency Management Committee and the Principal Rural Fire Officer is the Authority Representative on that committee

##### **Civil Defence Emergency Management Group**

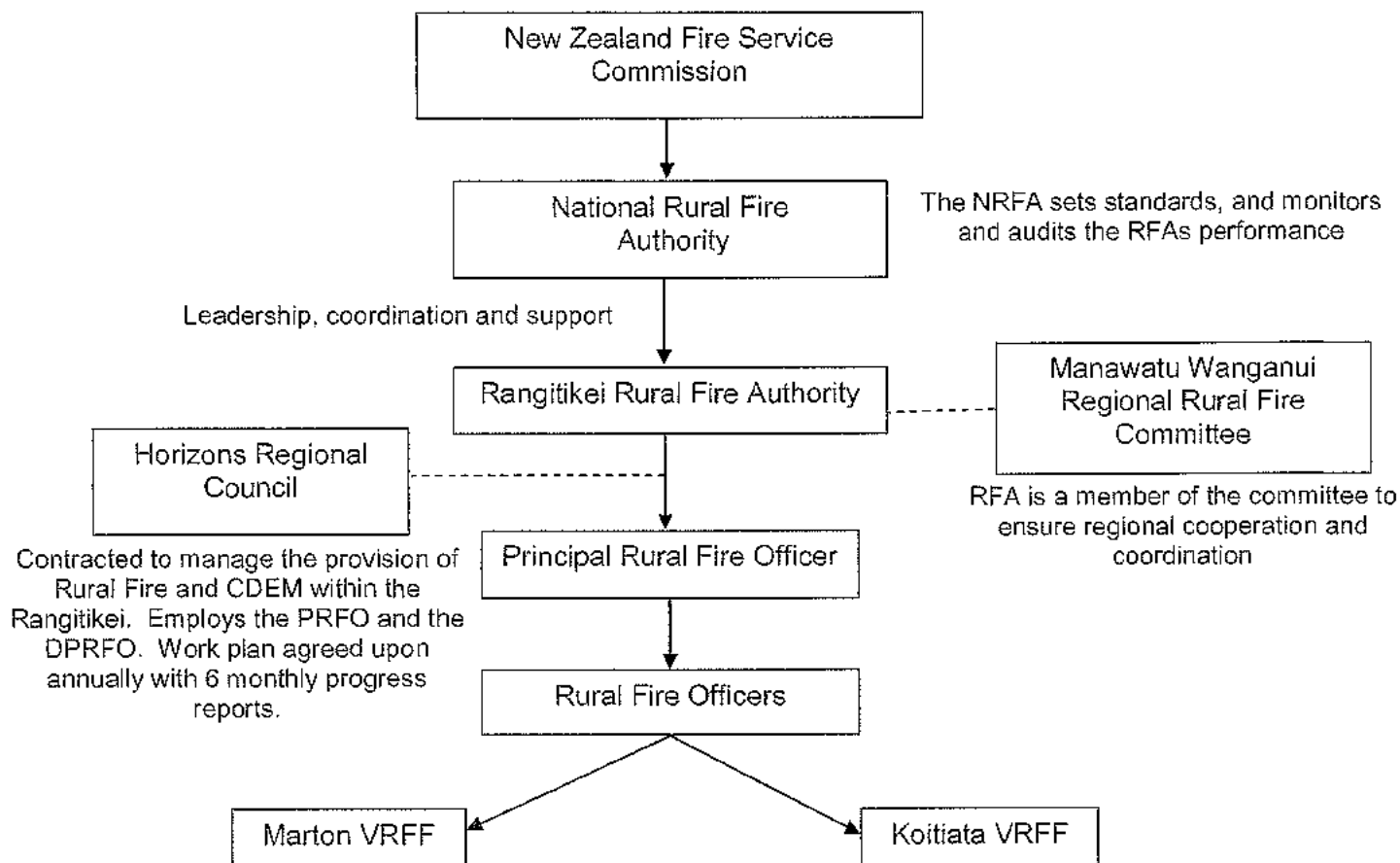
As a requirement of the Civil Defence Emergency Management Act 2002, Rangitikei District Council is a member of the Manawatu Wanganui Civil Defence Emergency Management Group. It is also a member of the Manawatu Wanganui CDEM Coordinating executive group (CEG). The Chief Executive of the Rangitikei District Council is the council representative for all emergency management matters on the CEG.

Rural Fire interests are represented on the CEG by the chairman of the Manawatu Wanganui Regional Rural Fire Committee.

#### **7.2 Governance**

As per section 2.8 of the Fire Plan, the Rangitikei Rural Fire Authority has contracted out its rural fire delivery to Horizons Regional Council; the PRFO is appointed by Horizons Regional Council but warranted under Section 13 of the Forest and Rural Fires Act 1977 by the Rural Fire Authority. The PRFO is guided in his/her decision making by the Annual Business Plan and Key Performance Indicators as agreed upon by HRC and RDC and reports to the Manager of the Emergency Management Office, HRC.





### 7.3 Financial arrangements

Rural fire control is a core activity of Council which is funded by:

- General rates
- Cost recovery for fire incidents
- Cost recovery for fire hazard mitigation.

Rural fire control is contained in the Emergency Management section of the Regulatory and Environmental Services Budget.

### 7.4 Insurance provisions

Members of the VRFFs' have insurance cover under the AMP insurance scheme.

### 7.5 Delegated authority

The Rangitikei District Council has delegated full powers to its appointed Rural Fire Officer to perform their duties pursuant to Section 36 of the Forest and Rural Fires Act.

Rangitikei District Council has also delegated authority to the Principal Rural Fire Officer to make amendments to the Fire Plan, where those amendments are considered of a minor nature and do not significantly affect the policies of the Council.

## 7.6 Confidentiality of information

Personnel are not to disclose or divulge any sensitive or confidential information obtained in the course of employment if it is likely to be regarded by the Rangitikei District Council as not for disclosure to the public. This includes reports, records, correspondence, minutes and discussions.

## 7.7 Checklist for fire plans

Checklist for Fire Plans made under the Forest and Rural Fires Regulations 2005

The Forest and Rural Fires Regulations 2005 require Fire Plans to contain four sections in the following order;

- Reduction
- Readiness
- Response
- Recovery

Under each section there are requirements in the regulations for what the Fire Plan must contain. These are detailed below:

### Reduction

Regulation 41 deals with the matters of Reduction. Under the heading of "Reduction" the Fire Plan must contain the following:

Check	Regulation	What the plan must contain	Found at
	41(1)	The policies and procedure that the Fire Authority has to reduce the likelihood and consequences of fires in its district	3
	41(2)	The policies and procedures must include the:	
	41(2)(a)	Fire Authorities fire hazard and fire risk management strategies	3.4
	41(2)(b)	Fire prevention planning carried out in the Fire Authorities district	3.5
	41(2)(c)	Public education activities carried out in the Fire Authorities district	3.6
	41(2)(d)	Fire Authority's direction to people on the use of fire as a land management tool.	3.8
	41(2)(e)	Details of the following	
	41(2)(e)(i)	Any area in the Fire Authorities district that has been declared a forest area under section 17 of the Forest and Rural Fires Act 1977.	3.9
	41(2)(e)(ii)	Any fire safety margin attached to a forest area described in 41(2)(e)(i)	3.10
	41(2)(e)(iii)	All bylaws relating to fire control measures in the Fire Authorities district	3.11
	41(2)(e)(iv)	Where, ad to what extent, in formulating fire control measures, the Fire Authority has had to regard any national or regional policy statement, regional or district plan, or regulations made under the Resource Management Act, 1991.	3.12
	41(2)(f)	Any other relevant matters.	3

### Readiness

Regulation 42 deals with the matters of Readiness. Under the heading of "Readiness" the Fire Plan must contain the following:

Check	Regulation	What the plan must contain	Found at
	42(1)	The policies and procedures that the Fire Authority has in relation to readiness for a fire-fighting event in its district.	4
	42(2)	The policies and procedures must include:	
	42(2)(a)	A map showing; The Fire Authority's district, and Any other area for which the Fire Authority is responsible, and The geographic boundaries of adjacent fire districts, and The principal roads in the areas described in subparagraphs (a) and (c).	4.2

	42(2)(b)	Details of the Fire Authority's responsibilities and chain of command.	4.3
	42(2)(c)	The name of the Principal Rural Fire Officer and the name or names of the Rural Fire Officers of the Fire Authority.	4.6
	42(2)(d)	In the case of a committee, the membership of the committee and a copy of its rules.	Appendix H
	42(2)(e)	Details of the training arrangements for the Fire Authority's managers and officers, including an outline of the way in which the Principal Rural Fire Officer and the Rural Fire Officers are educated on their legislative functions, powers, and duties under the Forest and Rural Fires Act 1977.	4.7
	42(2)(f)	A list of the agencies available to the Fire Authority for assistance with fire fighting or related activities, including the contact details of each agency.	Appendix K
	42(2)(g)	Details of all equipment and personnel listed as available to attend a fire call-out in the Fire Authority's district. <i>Note:</i> Regulation 42(3) states that the information relating to personnel is not Required to be included in the copy of the Fire Plan that is made available for public inspection in accordance with Section 12(4)(b) of the Act.	Available upon request
	42(2)(h)	A record of any arrangements or agreements made under Section 14, 15 or 16 of the Act.	Appendix I
	42(2)(i)	A record of any agreements between the Fire Authority and voluntary or other fire forces or persons for the delivery of fire services.	Appendix C
	42(2)(j)	A list of all specially protected areas in the Fire Authority's district.	4.12
	42(2)(k)	Details of the fire season status trigger points for the district.	4.14
	42(2)(l)	Details of the trigger points for imposing restricted access or for closing access into any exotic forest in the Fire Authority's district. <i>Note:</i> Regulation 42(4) states that before setting any trigger points, a Fire Authority must consult with the eligible landholders of the forest.	4.14
	42(2)(m)	Any other relevant matters.	

Regulation 43 deals with other matters which may be included in the Readiness section. This information is not required but may be useful.

Additional information relating to readiness that may be included in the Fire Plan:

Check	Regulation	What the plan must contain	Found at
	43(a)	Details of the fire protection works in the Fire Authorities district (e.g. location of fire breaks).	n/a
	43(b)	The way in which the Fire Authority implements the New Zealand Fire Danger Rating System.	4.16
	43(c)	The fire danger indicator signs used by the Fire Authority	4.18
	43(d)	The Fire Authorities awareness and resource response in relation to each level of fire danger.	4.19

## Response

Regulation 44 deals with the matters of Response. Under the heading of "Response" the Fire Plan must contain the following:

Check	Regulation	What the plan must contain	Found at
	44(1)	The policies and procedures that the Fire Authority has for responding to a fire in its district.	5
	44(2)	The policies and procedures must include details of the following matters:	
	44(2)(a)	How the Fire Authority receives and deals with calls for assistance at a fire	5.1
	44(2)(b)	How the Fire Authority initially responds to a fire that has received notice of	5.2
	44(2)(c)	How additional fire-fighting resources are deployed if extended action is required at a fire, including identification of the limits of local capacity	5.6
	44(2)(d)	The chain of command and control at a fire	5.9
	44(2)(e)	How all parties involved in the response to a fire establish effective	5.11

		communications with each other, and	
	44(2)(f)	Any other relevant matters.	
	45(1)	A description of the systems that the Fire Authority uses for responding to a fire in its district.	5.2
	45(2)	The description of the systems must include how the Fire Authority:	
	45(2)(a)	Records fire incidents attended by fire-fighting units in the Fire Authority's district	5.7
	45(2)(b)	Notifies other Fire Authorities, owners of forests, or other interested parties in the vicinity of a fire,	
	45(2)(c)	Records incoming and outgoing personnel and equipment	5.13
	45(2)(d)	Monitors fire behaviour, and	5.12
	45(2)(e)	Provides or organises logistical support (e.g. catering, relief personnel, first aid).	5.15

## Recovery

Regulation 46 deals with the matters of Recovery. Under the heading of "Recovery" the Fire Plan must contain the following

Check	Regulation	What the plan must contain	Found at
	46(1)	The policies and procedures that the Fire Authority has for activities it undertakes following a fire event in its district.	6
	46(2)	The policies and procedures must include details in relation to the following matters: The health and safety of personnel Fire operation reviews Operation debriefs Post fire investigations, and Any other recovery activities that occur after a fire has been contained.	6.4 6.9 6.11 6.10

# ***Attachment 8***



# **CDEM National Capability Assessment Report**

**December 2015**



**Ministry of Civil Defence  
& Emergency Management**  
Te Rākau Whakamarumaru



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## 1. SUMMARY

The capability assessment process provides a national snapshot of Civil Defence Emergency Management CDEM capability across New Zealand. This is the second national capability assessment. Comparisons between 2015 and the first assessment report produced in 2012 show that there has been significant improvement in some of the delivery areas, although less improvements in others.

Scores show that there have been nationwide improvements across all four goals and two Enablers of the National CDEM Strategy with the strongest improvements in Goal 2 (risk reduction) and Enabler 1 (management and governance). However, there is a consistently weaker performance nationwide in Goal 4 (recovery).

This National Capability Assessment report uses as its evidence base the data and issues identified through each of the 16 CDEM Group Capability Assessments. The assessment process uses both quantitative (assessment tool) and qualitative (interview) processes. Using a 'maturity matrix' scale, each of the 16 CDEM groups is scored in a number of performance areas across 'unsatisfactory', 'developing', 'advancing' and 'mature' score areas. The findings have identified themes that illustrate some of the opportunities and barriers to improving CDEM performance.

All of the 16 CDEM Groups have scores in the 'advancing' or above category, which is a significant improvement from 2012. Each Group was set a performance target and 11 of the 16 met or came very close to their target. Six CDEM Groups made such significant gains that they increased their overall score between 17 and 26% on their 2012 score; three CDEM Groups scored in the 'mature' score category indicating their performance is at 80% or more. These are significant and impressive achievements for these CDEM Groups.

At a CDEM functional level, scores vary indicating a greater confidence in some aspects of delivery than others. Highest performing CDEM functions include Public Information Managers, Emergency Operations Centre facilities, warning systems and CDEM Management, suggesting that many aspects of CDEM Group response arrangements are strong. The weaker scoring CDEM functions include logistics and critical resource management, and those functions that are intended to enhance New Zealand's capability to recover from emergencies. These areas are less well practised and indicate weaker confidence by CDEM Groups.

Factors that influence the ability of the CDEM Groups and stakeholders to perform at the highest level were discussed in the 2012 National Capability Assessment report. This assessment round has found that many of these are still impeding high performance in 2015. In order to support future CDEM improvements there is a need for CDEM to shift its attention away from managing disasters to managing risk, and building resilience within organisations and communities.

Notwithstanding the need to sustain robust response arrangements, CDEM agencies are increasingly examining the need to have a greater focus on risk reduction and resilience building. A focus on understanding the hazards that affect New Zealand, acknowledging the exposure to them, and being cognisant of underlying societal vulnerabilities, would allow for work that protects the long term prosperity and wellbeing needed for communities to thrive.

Aligned to the concept of resilience is the need for better connectivity between the CDEM professionals and those facilitating improved CDEM outcomes at an organisational and community level. CDEM Groups have a history of strong collaboration between partner organisations during emergencies, but this needs to extend into day to day activity. Local authorities have a range of business functions delivering services that greatly improve the resilience of its communities. What is less obvious is any deliberate, interconnected approach to building resilience across local authorities, stakeholders / partners and communities.

Rather than being seen as something 'extra', CDEM Groups need to examine ways to leverage the "resilience dividend" that delivers benefit through day to day service delivery, rather than simply focusing on recovering from shocks.

## 2. BACKGROUND

In line with the previous Civil Defence Emergency Management (CDEM) Capability Assessment Report: Part 1<sup>1</sup>, the rationale for conducting the monitoring and evaluation programme remains the same reflecting requirements for the Director CDEM to monitor and evaluate:

- the National CDEM Strategy (s8(2)(c));
- the National CDEM Plan (s8(2)(d)); and
- the performance of CDEM Groups and agencies with responsibilities under the CDEM Act (s8(2)(f)).

---

### 2.1. THE STRATEGIC FRAMEWORK

The National CDEM Strategy outlines the vision, values and principles for the delivery of CDEM in New Zealand. The strategy has four main goals underpinned by a number of objectives that describe the outcomes New Zealand aims to achieve. The capability assessment tool tests performance against each of these goals and objectives (see figure 1).

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<sup>1</sup> CDEM Capability Assessment Report Parts 1 and 2, April 2012; Ministry of Civil Defence & Emergency Management

Goal One	Goal Two	Goal Three	Goal Four	Enabler One
Increasing community awareness, understanding, preparedness and participation in civil defence emergency management	Reducing the risks from hazards to New Zealand	Enhancing New Zealand's capability to manage civil defence emergencies	Enhancing New Zealand's capability to recover from civil defence emergencies	Ensuring all agencies have the structures and authorities to be able to reduce risks, be ready for, respond to and recover from civil defence emergencies
1A: Increasing the level of community awareness and understanding of the risks from hazards	2A: Improving the coordination, promotion and accessibility of CDEM research	3A: Promoting continuing and coordinated professional development in CDEM	4A: Implementing effective recovery planning and activities in communities and across the social, economic, natural and built envts	5A: Ensuring compliance with relevant legislative frameworks
1B: Improving individual and community preparedness	2B: Developing a comprehensive understanding of New Zealand's hazardscape	3B: Enhancing the ability of CDEM Groups to prepare for and manage emergencies	4B: Enhancing the ability of agencies to manage the recovery process	5B: Implementing effective organisational structures for CDEM
1C: Improving community participation in CDEM	2C: Encouraging all CDEM stakeholders to reduce the risks from hazards to acceptable levels			5C: Ensuring agencies have funding for CDEM
1D: Encouraging and enabling wider community participation in hazard risk management decisions				5D: Ensuring agencies are able to function to the fullest possible extent during and after an emergency

**2012:**  
Capability Assessment Tool Goals and objectives of the National CDEM Strategy (with additional Enabler)

Goal One	Goal Two	Goal Three	Goal Four	Enabler One	Enabler Two
Increasing community awareness, understanding, preparedness and participation in civil defence emergency management	Reducing the risks from hazards to New Zealand	Enhancing New Zealand's capability to manage civil defence emergencies	Enhancing New Zealand's capability to recover from civil defence emergencies	Governance and management arrangements support and enable civil defence emergency management	Organisational resilience supports effective crisis management
1A: Increasing the level of community awareness and understanding of the risks from hazards	2A: Improving the coordination, promotion and accessibility of CDEM research	3A: Promoting continuing and coordinated professional development in CDEM	4A: Implementing effective recovery planning and activities in communities and across the social, economic, natural and built envts	5A: Implement effective organisational structures for CDEM	6A: Organisational resilience is developed through risk management and planned strategies
1B: Improving individual and community preparedness	2B: Developing a comprehensive understanding of New Zealand's hazardscape	3B: Enhancing the ability of CDEM Groups to prepare for and manage emergencies	4B: Enhancing the ability of agencies to manage the recovery process	5B: CDEM Group culture positively influences the effective delivery of CDEM	6B: Organisational resilience is developed through adaptive capacity
1C: Improving community participation in CDEM	2C: Encouraging all CDEM stakeholders to reduce the risks from hazards to acceptable levels			5C: Ensure agencies have funding for civil defence emergency management	
1D: Encouraging and enabling wider community participation in hazard risk management decisions					

**2015:**  
Capability Assessment Tool Goals and objectives of the National CDEM Strategy (with additional 2 Enablers)

Figure 1: 2012 and 2015 capability assessment tool frameworks



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## 2.2. CAPABILITY ASSESSMENT TOOL REVIEW AND PROGRAMME OUTPUTS

Prior to starting this round of capability assessments, the capability assessment tool was reviewed resulting in a number of minor amendments made to improve the quality of the tool, alongside some more substantial changes to reflect current CDEM delivery.. In summary, the key changes made to the tool were:

- New content was added in Goal 1 to assess Group progress in building community resilience;
- Goal 2 (risk reduction) was amended to clarify the actions that progressively contribute towards a reduction of hazards;
- Content within Goal 3 (managing emergencies) was amended to reflect revised thinking in Emergency Operation Centre arrangements, controllers, critical resources, welfare and lifelines;
- Enabler 1 (management and governance) had new measures added to capture emergency management culture and leadership;
- Enabler 2 (organisational resilience) was created to capture the adaptive and planned functions that organisations undertake to support effective crisis management.

The capability assessment process however, has remained largely unchanged. Each of the CDEM Groups participated in:

- a quantitative component (self-assessment using the capability assessment tool);
- a qualitative component that includes the review of key CDEM Group doctrine; and
- interviews with key personnel across governance, management and CDEM delivery which informally explored CDEM Group performance from the perspective of those involved.

A core monitoring and evaluation team of two staff provided consistency in the approach for scoring, conducting interviews and generating reports across most of the 16 CDEM Group assessments.

The outputs of the capability assessment process are somewhat changed. CDEM Groups each received shorter reports, focussing on verified areas of strength and improvement opportunities across each of the four goals and two enablers. Reports make only one recommendation, asking each CDEM Group to prepare a corrective action plan based on the report and data, which is approved by its Joint Committee and is subsequently lodged with MCDEM. The corrective action plans will be used by CDEM Groups when reviewing its CDEM Group Plan, and developing annual work programmes. Collectively, the corrective action plans may inform future areas of focus for MCDEM in its business planning.

In addition to a CDEM Group-level capability assessment report, each CDEM Groups is provided with its collective capability assessment tool data. This data includes CDEM Group self-assessment scores alongside the scores moderated by MCDEM. Following feedback from the first round of capability assessments, CDEM Groups also now receive self-assessment data from the local authority (which is unmoderated by MCDEM). This data can further support the CDEM Group in identifying particular territorial authorities that are strong in areas of CDEM, and opportunities to leverage good practice across the CDEM Group.

## 2.3. SCORING

This section describes how the score for each CDEM Group is obtained and how this information contributes to the national picture of CDEM performance.

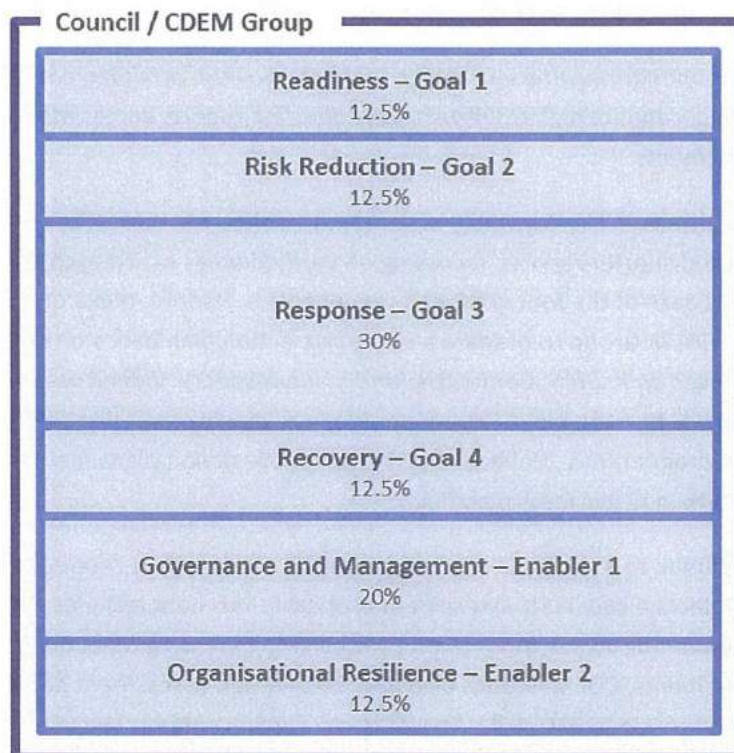


**Figure 2:** Framework of goals, objectives, indicators and measures that comprises the CDEM Capability Assessment Tool

The Capability Assessment Tool is comprised of goals/enablers and objectives ('the strategic framework', as derived from the National CDEM Strategy), which are broken down into performance indicators and measures ('capability criteria') – illustrated in Figure 1.

CDEM Groups are evaluated and scored at the performance measure level. These scores are then aggregated upwards into indicator, objective and goal-level scores. A final overall CDEM Group score provides a broad overview of performance.

Goals/enablers (and objectives, indicators, and measures) have weighted contributions towards the overall score, and this remains largely unchanged from the previous CDEM Capability Assessment Tool. Figure 2 shows the proportional contribution from each goal and enabler.



**Figure 3:** Weighted contribution to scores

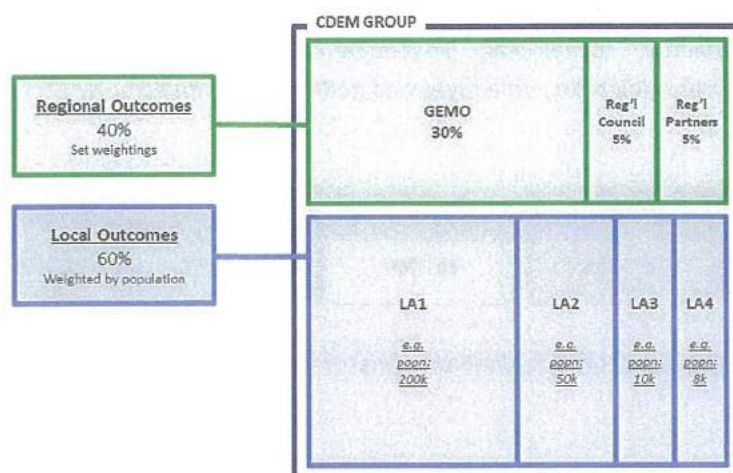
A 'maturity index' was introduced in the first National Capability Assessment report, which categorises performance as 'unsatisfactory', 'developing', 'advancing' or 'mature'. These categories describe achievement across measures, indicators, objectives and goals in the Capability Assessment Tool.

Unsatisfactory	Developing		Advancing	Mature	
0 – 19%	20 – 39%	40 – 59%	60 – 79%	80 – 89%	90 – 100%

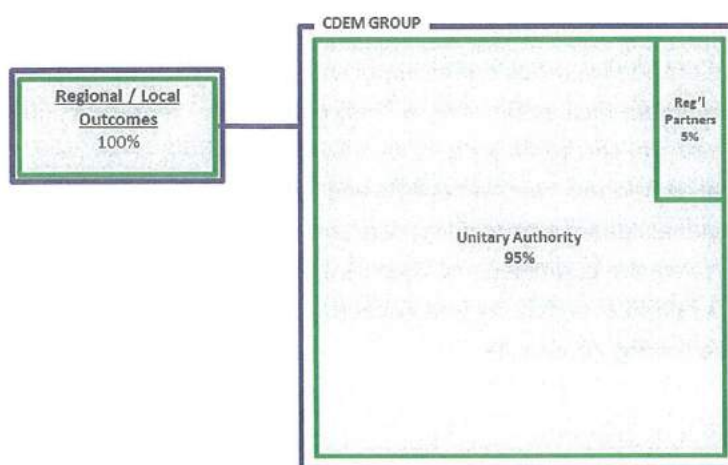
**Figure 4:** CDEM Group scoring framework ('maturity matrix')

Minor changes were made in the way CDEM Group (collective) scores were constructed for this capability assessment round. Allowing for structural variations in CDEM Groups (particularly for unitary authorities or those with shared service models) was important. In a 'traditional' CDEM Group model comprised of several member local authorities, a 'local component' represents 60% of the overall score, with each of the member territorial authorities having a weighted proportion based on population size. A regional component represents 40% and is made up of the Group Emergency Management Office, regional council and regional partners. For unitary councils that provide local and regional services, these are combined and there is only one level (100% of the score). For shared service models, a hybrid of weighting was applied to reflect the delivery arrangements. Figure 5 shows these scoring constructs.

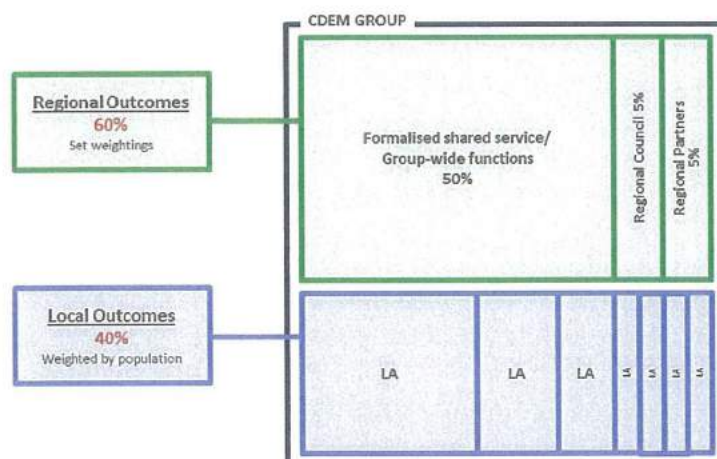




Traditional CDEM Group score construct comprised of regional outcomes (40%) delivered by a Group Emergency Management Office (along with Regional Council and Regional partners), and a local outcome component (60%) delivered by Local Authorities (weighted by population).



Unitary Council construct where both regional and local outcomes are delivered by one unitary authority alongside regional partners (100%).



Formalised shared service delivery model where the majority of CDEM functions (60%) are delivered from one centralised team (supported by the Regional Council and regional partners), alongside local delivery outcomes (40%) delivered by local authorities (weighted by population)

**Figure 5:** Scoring constructs for traditional CDEM Groups, unitary authorities and formalised shared service arrangements.



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## 2.4. CDEM CONTEXT

Since the first National Capability Assessment Report, CDEM Groups and stakeholders have reflected on the experiences and early lessons from the Canterbury earthquakes of September 2010 and February 2011. With the completion of the corrective action plan arising from the *Review of the Civil Defence Emergency Management Response to the 22 February Christchurch Earthquake*, revised approaches in a number of functional areas (such as welfare arrangements) will be reflected in CDEM Group-level corrective action plans and subsequently through revised CDEM Group plans.

Additionally there is growing recognition of the need to consider the role of risk<sup>2</sup> in the management of disasters. The second extended *United Nations International Strategy for Disaster Risk Reduction (ISDR)*, the *Sendai Framework for Disaster Risk Reduction 2015 – 2030*<sup>3</sup> and notably its 'priorities for action'<sup>4</sup> places a greater emphasis on those activities that are conducted ahead of emergencies, rather than those solely focused on response management. This has informed this round of capability assessments and the revisions to the capability assessment tool.

The findings from this report will support MCDEM in its ongoing conversations with the CDEM Groups and stakeholders, as well as providing an invaluable input into the upcoming revision of the National CDEM Strategy. In particular, integrating professionalisation across CDEM Groups and stakeholders and moving from managing disasters to managing risk, are key areas for improvement (discussed further in section 4).

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<sup>2</sup> Examples include: *Protecting New Zealand from Hazards* (October 2014); *Insurance Council of New Zealand; Managing natural hazard risk in New Zealand – towards more resilient communities* (October 2014); and *Local Government New Zealand*. There are many other examples.

<sup>3</sup> See [http://www.preventionweb.net/files/43291\\_sendaiframeworkfordrren.pdf](http://www.preventionweb.net/files/43291_sendaiframeworkfordrren.pdf)

<sup>4</sup> Priorities are: (1) Understanding disaster risk, (2) Strengthening disaster risk governance to manage disaster risk, (3) Investing in disaster risk reduction for resilience and (4) Enhancing disaster preparedness for effective response and to "Build Back Better" in recovery, rehabilitation and reconstruction.

### 3. 2015 CDEM CAPABILITY SNAPSHOT

#### 3.1. HIGH LEVEL PROGRESS ON THE NATIONAL CDEM STRATEGY

##### 3.1.1. National level overview

Figure 6 shows steady progress has been made by the CDEM Groups since 2012 with performance improvements across all goals and enablers. National CDEM performance is determined by the average score across each of the 16 CDEM Groups. At a goal /enabler level, comparisons of the scores between 2012 and 2015 show that improvements in CDEM performance have been made across the board, with the most notable improvements in Goal 2 and Enabler 1. Enabler 1 is the most improved area suggesting that strengthened management and governance of CDEM has significantly contributed to improvements in all areas.

2015	72.4	69.7	72.2	56.8	77.5	66.2	70.3
2012	62.9	57.6	67.5	46.8	58.1	n/a	58.8
	Goal 1	Goal 2	Goal 3	Goal 4	Enabler 1	Enabler 2	National Score

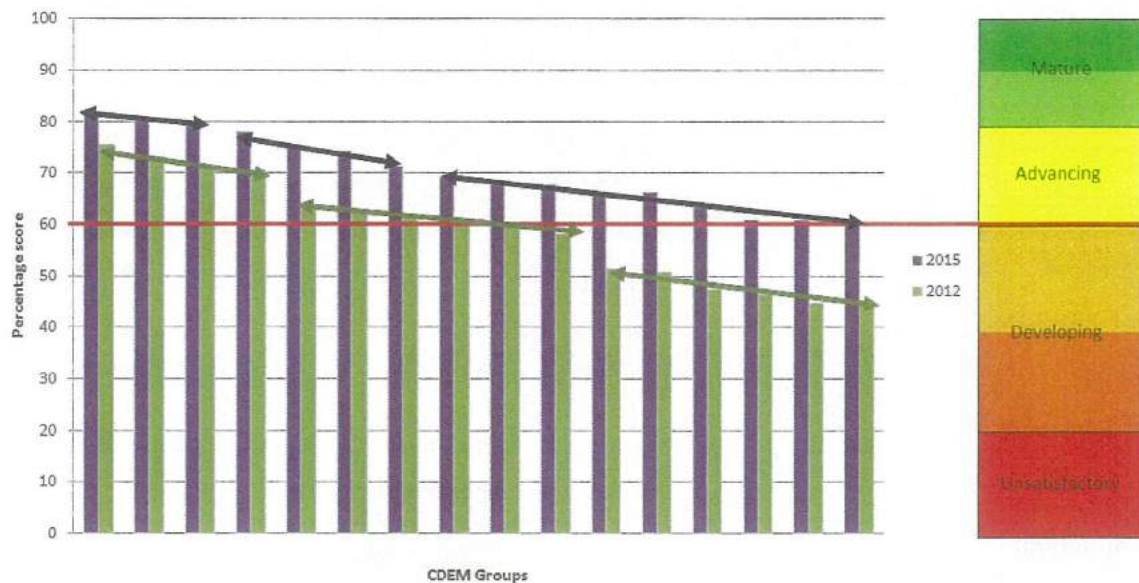
Developing	Advancing		Mature	
40 – 59%	60 – 69%	70 – 79%	80 – 89%	90 – 100%

- Goal 1: Increasing community awareness, understanding, preparedness and participation in civil defence emergency management
- Goal 2: Reducing the risks from hazards to New Zealand
- Goal 3: Enhancing New Zealand's capability to manage civil defence emergencies
- Goal 4: Enhancing New Zealand's capability to recovery from civil defence emergencies
- Enabler 1: Governance and management arrangements support and enable civil defence emergency management
- Enabler 2: Organisational resilience supports effective crisis management

**Figure 6:** High level comparison of Goal/Enabler scores in 2015 and 2012.

##### 3.1.2. CDEM Group level overview

Figure 7 shows the distribution of CDEM Group scores in 2015 and 2012. The delineation between the 'developing' and 'advancing' score categories shows that in 2015, all 16 CDEM Groups attained a performance ranking of advancing or higher. This is a significant improvement on the 2012 scores, where only nine CDEM Groups scored in the advancing score category. The red and green arrows indicate the 'clusters' of CDEM Group scoring in both 2015 and 2012. In 2015, the largest proportion of CDEM Groups sit within the 60 – 69% cluster.



**Figure 7: 2015 and 2012: Distribution of CDEM Group scores**

A comparison of goal and objective level performance in 2015 and 2012 can be seen in figure 8. The lower scoring areas from the 2012 assessment can be seen in the orange coloured boxes, namely objectives 1C; 1D; 2B; 2C, 5D and all of Goal 4. In 2015, these show improvements in all areas (excluding Goal 4), having moved from the 'developing' into the 'advancing' score category. In addition, objectives that scored in the 'advancing' category in 2012 have increased their scores further in the 2015 data.

Although the national average scores provide a broad brush indication of CDEM performance in New Zealand, there are significant variations in performance scores between CDEM Groups. These are for a range of reasons that are discussed further in section 4.

To illustrate this variation, the highest and lowest scoring CDEM Groups are compared in Figure 9.

Similarly, within each of the objectives, there are also variations of higher and lower performing indicators at both CDEM Group and local authority level that illustrate trends in the uptake of CDEM at a more operational level (see sub-section 'Performance Improvements by CDEM Indicator').



Goal One	Goal Two	Goal Three	Goal Four	Enabler One
Increasing community awareness, understanding, preparedness and participation in civil defence emergency management	Reducing the risks from hazards to New Zealand	Enhancing New Zealand's capability to manage civil defence emergencies	Enhancing New Zealand's capability to recover from civil defence emergencies	Ensuring all agencies have the structures and authorities to be able to reduce risks, be ready for, respond to and recover from civil defence emergencies
1A: Increasing the level of community awareness and understanding of the risks from hazards	2A: Improving the coordination, promotion and accessibility of CDEM research	3A: Promoting continuing and coordinated professional development in CDEM	4A: Implementing effective recovery planning and activities in communities and across the social, economic, natural and built envts	5A: Ensuring compliance with relevant legislative frameworks
1B: Improving individual and community preparedness	2B: Developing a comprehensive understanding of New Zealand's hazardscape	3B: Enhancing the ability of CDEM Groups to prepare for and manage emergencies	4B: Enhancing the ability of agencies to manage the recovery process	5B: Implementing effective organisational structures for CDEM
1C: Improving community participation in CDEM	2C: Encouraging all CDEM stakeholders to reduce the risks from hazards to acceptable levels			5C: Ensuring agencies have funding for CDEM
1D: Encouraging and enabling wider community participation in hazard risk management decisions				5D: Ensuring agencies are able to function to the fullest possible extent during and after an emergency

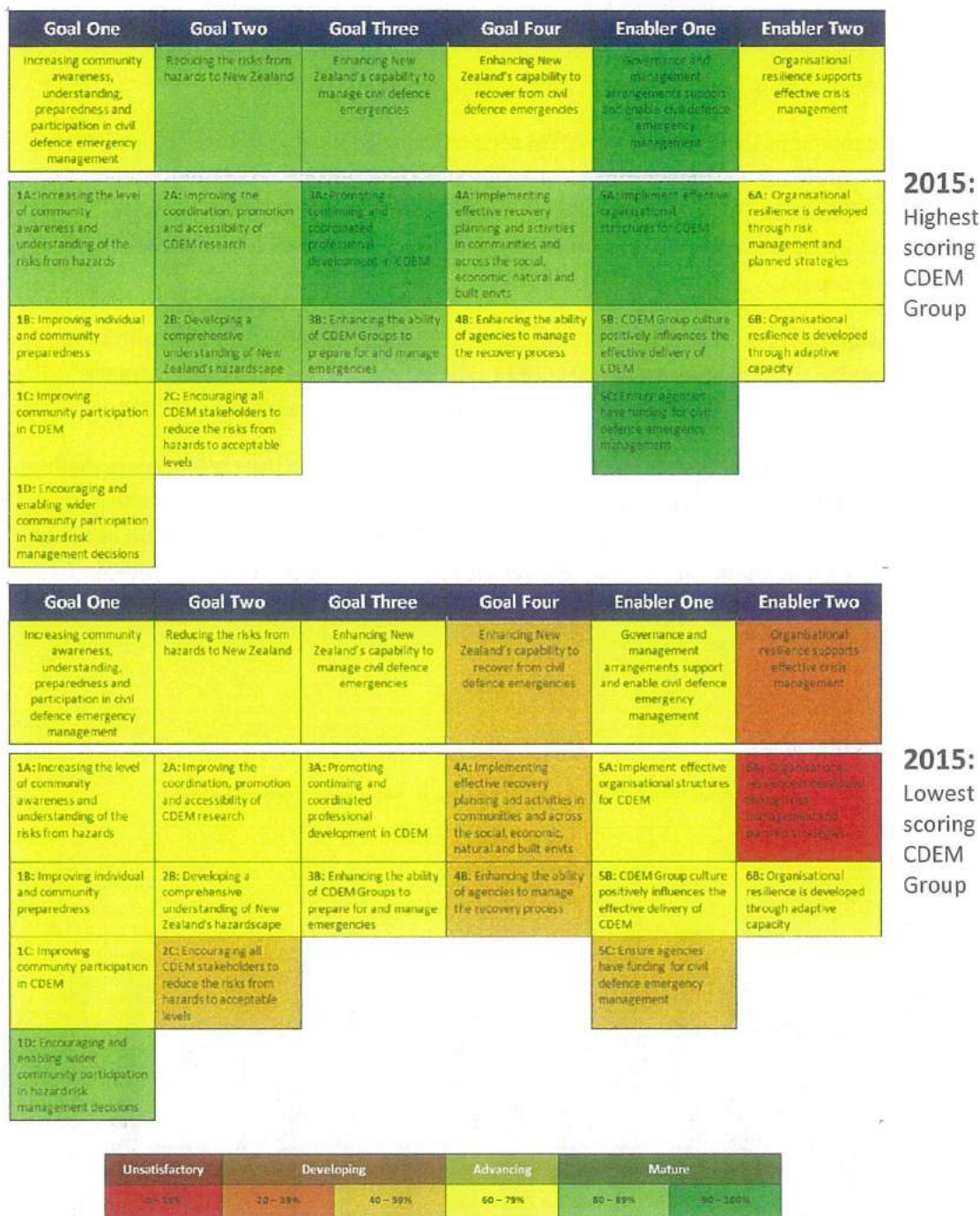
**2012:**  
Average national CDEM performance across goals and objectives

Goal One	Goal Two	Goal Three	Goal Four	Enabler One	Enabler Two
Increasing community awareness, understanding, preparedness and participation in civil defence emergency management	Reducing the risks from hazards to New Zealand	Enhancing New Zealand's capability to manage civil defence emergencies	Enhancing New Zealand's capability to recover from civil defence emergencies	Governance and management arrangements support and enable civil defence emergency management	Organisational resilience supports effective crisis management
1A: Increasing the level of community awareness and understanding of the risks from hazards	2A: Improving the coordination, promotion and accessibility of CDEM research	3A: Promoting continuing and coordinated professional development in CDEM	4A: Implementing effective recovery planning and activities in communities and across the social, economic, natural and built envts	5A: Implement effective organisational structures for CDEM	6A: Organisational resilience is developed through risk management and planned strategies
1B: Improving individual and community preparedness	2B: Developing a comprehensive understanding of New Zealand's hazardscape	3B: Enhancing the ability of CDEM Groups to prepare for and manage emergencies	4B: Enhancing the ability of agencies to manage the recovery process	5B: CDEM Group culture positively influences the effective delivery of CDEM	6B: Organisational resilience is developed through adaptive capacity
1C: Improving community participation in CDEM	2C: Encouraging all CDEM stakeholders to reduce the risks from hazards to acceptable levels			5C: Ensure agencies have funding for civil defence emergency management	
1D: Encouraging and enabling wider community participation in hazard risk management decisions					

**2015:**  
Average national CDEM performance across goals and objectives

Unsatisfactory	Developing	Advancing	Mature
0 – 19%	20 – 39%	40 – 59%	60 – 79%
			80 – 99%
			100 – 100%

**Figure 8:** Comparison of performance by goal and objective in 2012 and 2015



**Figure 9: Illustrating the variation in CDEM performance - highest and lowest scoring CDEM Groups (2015)**



Whilst the CDEM Group scores contribute towards a national picture of improved CDEM performance, some CDEM Groups have made greater improvements than others.

With a vision of continuous improvement, MCDEM set performance targets for each of the CDEM Groups after the first National Capability Assessment Report to encourage a consistent rise in performance across the country. Greater levels of improvement were required for the lower performing CDEM Groups, with lower performance improvements required for the already high performing CDEM Groups.

Figure 10 compares the scores from the 2012 capability assessment round against scores from the 2015 round, alongside the target score set by MCDEM. The greatest levels of improvement are shown by those CDEM Groups that have the most diverging scores between 2012 and 2015.

The 2015 data shows that 11 of the 16 CDEM Groups met or came close to their target score (half exceeding their performance targets, and a further three CDEM Groups only narrowly missing their target by less than 2%). The six most improved CDEM Groups increased their overall score between 17 and 26% on their 2012 score. Three CDEM Groups scored 80% or more in their capability assessments with these scores sitting in the 'mature' score category. These are significant and impressive achievements for these CDEM Groups.

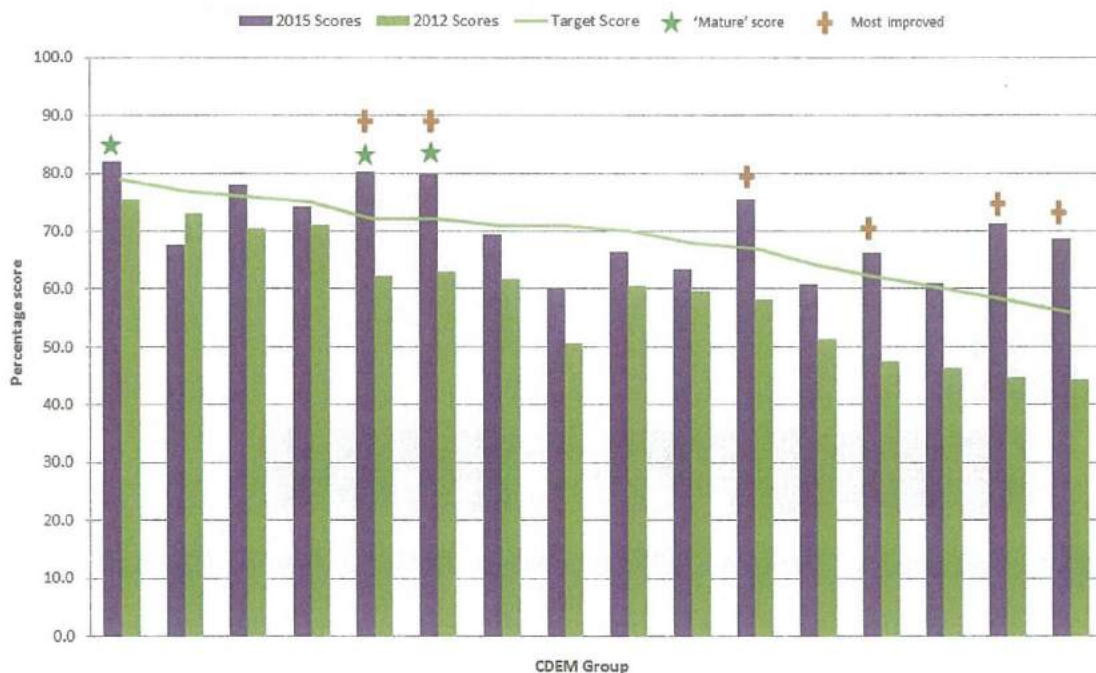


Figure 10: 2015 and 2012 Capability Assessment scores and target by CDEM Group

### 3.2. PERFORMANCE IMPROVEMENTS BY CDEM INDICATORS

Within each of the objectives of the National CDEM Strategy, there are clusters of performance indicators and measures that illustrate the functional delivery of CDEM (e.g. public education, controllers, capability development, recovery planning etc.). As part of the analysis of these functional areas, it became apparent that much of this activity sat within the 'advancing' category. Whilst the capability assessment tool had only one broad scoring area of between 60 – 79% for the advancing category, for the purposes of national granularity, this has been split into two sub scoring areas to better illustrate where the vast majority of CDEM delivery areas lie.

The scoring areas and percentage ranges used during the analysis of national data are illustrated below which excludes the unsatisfactory score category as no national data fell in this range.

Developing	Advancing		Mature	
40 – 59%	60 – 69%	70 – 79%	80 – 89%	90 – 100%

Figure 11: Maturity matrix scoring used for this national report

Figure 12 shows the range in performance across the maturity matrix for the varying CDEM functional areas across the scoring range.

Developing	Advancing		Mature
Logistics Critical resources Recovery planning Recovery managers Recovery implementation Community resilience monitoring	Volunteers Investment in social capital Community resilience programmes Community preparedness Reducing risk from hazards Welfare planning / delivery Planned organisation resilience	Public education Public information management Availability of hazard info. Public awareness of hazards Hazard research Capability development EOC staffing Exercising Multi agency collaboration Controllers Lifeline utilities CDEM planning & monitoring Adaptive organisational resilience CDEM Governance	Public Information Managers EOC facilities Warning systems CDEM management

Figure 12: Maturity matrix overview of indicators 2015



### 3.2.1. Mature score indicators (80 – 89%)

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CDEM functional areas that sit within the mature scoring category include Public Information Managers (PIMs); Emergency Operations Centre (EOC) facilities, warning systems, and management and governance. These four functional areas are consistently stronger within most CDEM Groups.

Scores for public information management were consistently high across the country. This was one of the few areas illustrating the effect of good CDEM integration within local authority service delivery. Most PIMs tended to be communications professionals with well-established networks and practices for communicating with the public. With some supplementary training for transitioning this into emergencies, the PIM function tends to be well connected to the emergency management team and is generally quick to fulfil the role as emergencies unfold.

EOCs and warning systems are two of the response functions that are the most regularly activated and tested, with strong scores across the CDEM Groups indicating confidence in these areas.

The strong scores within CDEM management specifically considers the performance of the Coordinating Executive Groups. A key theme identified in the 2012 National Capability Assessment Report was the need to build better foundations for CDEM – namely the leadership, structure, funding and culture of CDEM Groups – in order to drive progress. Coordinating Executive Groups have assumed a greater responsibility for overseeing CDEM activity, with a number of CDEM Groups reviewing their management and governance arrangements in the intervening years. Coordinating Executive Groups have ensured a greater engagement and accountability for CDEM performance, and have in general assumed a more active leadership role. This change has contributed to noticeably improved performance in those CDEM Groups that took action, which is reflected in the much improved scoring in this area nationally.

### 3.2.2. Advancing score indicators (60 – 79%)

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There are a number of CDEM functions that sit at the upper end of the advancing category that have strengthened to a greater or lesser degree since the previous national capability assessment report. Notable gains have been made in building the capability and capacity of controllers, EOC staffing and multi-agency collaboration.

Gains in these areas are in part due to collaboration across CDEM in building response capability through the Controller Development Programme and the Integrated Training Framework (ITF). The ITF is led by CDEM Groups and supported by MCDEM, and has created a tiered approach to building capability across a range of response functions. Although a work in progress, it has contributed significantly to the growing skill base within the EOC environment. In addition, stewardship by Coordinating Executive Groups to ensure that the right number of EOC staff are identified, trained and exercised is growing which also supports an enhanced response performance. The inclusion of multi-agency staff in capability building creates foundations for connectivity between agencies during emergencies. These are still areas of progress and continued investment in them will yield stronger gains over time.



Other areas that sit within the upper end of the advancing category include:

- public education;
- the public's awareness of hazards;
- the availability of hazard information and hazard research;
- CDEM planning and monitoring;
- adaptive organisational resilience;
- lifeline utilities; and
- CDEM governance.

At the lower end of the advancing score category are a number of emerging functions that are gaining traction across CDEM Groups. The growing acknowledgement that the community is a vital component of response management means CDEM Groups are investing in community response planning. Some CDEM Groups are moving beyond having communities simply 'prepared' for disasters. They are working alongside communities to enhance 'networks of networks' that can support communities beyond response and into recovery. By understanding the existing community fabric of an area and their particular vulnerabilities, CDEM Groups can support communities in planning to manage these vulnerabilities. This is discussed further in section 4.

Business continuity planning scored poorly in the first National Capability Assessment Report. This area has been split into two key areas (see enabler 2), that considers the formalised, planned strategies and work programmes that organisations implement, alongside the more adaptive, cultural aspects that help organisations navigate crisis situations. Whilst measures that consider the more 'intuitive behaviours' of crisis management score well (upper end of advancing), the elements of planned organisational resilience are still a work in progress for most CDEM Groups.

Welfare planning and delivery, and reducing hazards are also at the lower end of the advancing score category. Although there is a growing acknowledgement of the need to shift the focus away from response management and into risk reduction, these performance areas still require further development.

Many local authorities have programmes of work that support reducing risk, for example within their asset management and regulatory services, but the connectedness of this activity with the wider remit of CDEM remains weak.

Overall accountability for welfare planning and delivery has yet to bed down across New Zealand and planning is still in the early stages. Despite some shifts in leadership for the respective welfare sub-functions, these responsibilities are not new. Generally the weaker scores across welfare planning and delivery reflect CDEM's enhanced understanding of what constitutes effective welfare delivery following the Canterbury earthquakes. There is much to do and CDEM Groups and stakeholders need a more focused programme of work that supports communities that are affected in the short, medium and long term following significant emergencies. In-roads in welfare planning will also support improved recovery outcomes and this is discussed further in section 4.

### 3.2.3. Developing score indicators (40 – 59%)

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At the lower end of the national scoring picture are logistics management, management of critical resources, recovery planning, recovery managers, recovery implementation, and community resilience monitoring.

Logistics management and critical resources are functions of response management that are not often well practised, with many CDEM Groups feeling less confident in these areas. The recent publication of the Director's Guideline *Logistics in CDEM: Director's Guideline for Civil Defence Emergency Management Groups [DGL 17/15]* is timely and can support CDEM Groups to better understand and plan for these critical response functions, and in turn gain more confidence in these areas. This will be supported in the future by the development of logistics management training as part of the ITF.

The three functional areas relating to recovery (namely recovery planning, recovery managers and recovery implementation) are consistently weak across CDEM and reflect an anticipation of change within the recovery discipline following the Canterbury earthquakes. Recovery managers lack formalised professional development, and current recovery capability focuses more on the production of recovery plans than the activities that bring these to life. The subject of recovery is discussed further in section 4.

Community resilience is an emerging CDEM function and while scores for its delivery sit in the lower end of advancing, how to usefully monitor the effectiveness of these programmes of work is still an area of development.

## 4. KEY THEMES

### 1.1. 2012 CDEM CAPABILITY ASSESSMENT KEY THEMES: REVIEW AND UPDATE

Following the first capability assessments (2009 – 2012), the 2012 National Capability Assessment Report identified five key themes. This section reviews those findings and provides a short update on their relevance to the 2015 Capability Assessment Report.

#### 4.1.1. The Challenges of Undertaking CDEM

This theme examined the priority afforded to CDEM: who delivers it, how CDEM is perceived, and the challenges smaller councils face in meeting their obligations under the CDEM Act 2002.

Since 2012, the role of the traditional emergency management officer (EMO) 'being all things to all people' with a somewhat dated focus on response, has shifted. Smaller rural local authorities have sought partnerships with their neighbours to share this critical resource, and the concept of crisis management has become everyone's business rather than the EMO's to sort out.

However challenges remain in 2015 as local authorities have an ever-increasing statutory responsibility across a broad spectrum of legislation. What remains clear is that where a local authority experiences challenges in its business *prior* to an emergency, these challenges are unlikely to improve *following* an emergency. The ongoing professionalisation of CDEM Groups and stakeholders in respect of response management has provided confidence for local authorities, with a general feeling that they are able to support their communities through an emergency.

#### 4.1.2. Integrating Emergency Management in Councils

This theme explored the breadth and depth of CDEM (as per the CDEM Act 2002) and the wide range of activities delivered by local authorities and partner agencies – with a particular focus on how this wider contribution was poorly understood. CDEM was seen as an activity that 'sat on the edge' of council business that was largely forgotten until an emergency. This theme explored the activities beyond traditional EOC-focused readiness and response, highlighting risk reduction and recovery planning as the 'poor' and 'poorer' cousins of CDEM delivery.

Whilst in 2015 neither of these areas is 'solved', there is a growing understanding of how both risk reduction and recovery planning strategically inform council business and make good business sense.

#### **4.1.3. Getting the Foundation Right: Leadership; Structure; Funding and Culture**

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This theme examined some of the key success factors of higher performing CDEM Groups in 2012. Attributes such as an engaged leadership that is cognisant of its role and responsibilities; structures that interface well with each other; funding arrangements that are transparent and drive accountability, and a strong cultural tempo that reflects aspirations of continuous improvement, deliver tangible CDEM outcomes for the organisation and the community. Those CDEM Groups that scored lowest had the least number of these attributes, with some having almost none.

In 2015 there are a number of CDEM Groups that have clearly reflected on this theme and have proactively sought to address it – these are the CDEM Groups who have made the most significant performance improvements in 2015, which is a clear reinforcement of the importance of this theme.

#### **4.1.4. Partnerships in CDEM**

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This theme identified the critical need for strong partnerships with a broad range of agencies for successful CDEM delivery. It examined the extent to which partner agencies contribute, where they engage (if at all); and the role CDEM has as a supporting rather than lead agency.

In 2012, the most successful CDEM Groups had partners that were far and wide reaching (particularly in welfare, lifelines, and community preparedness). Successful CDEM Groups had emergency services represented at Coordinating Executive Group from a management and governance perspective and led strong Emergency Service Coordinating Committees with an emphasis on response planning.

In 2015 this is still very much the case. Strong emergency services relationships at a CDEM Group level are supported by practical engagement by local stations at a local authority level. Relationships are built and collaborative training and exercising occurs. However, this level of performance varies significantly between CDEM Group to CDEM Group and over time, as much of this relies heavily on individuals rather than systemic policy – and points of contact with the emergency services change fairly frequently.

A further issue raised in this theme was the role that CDEM plays as a lead or support agency. In 2012, few CDEM Groups fully understood the contribution they make as a support agency. The publication of the second edition of the Coordinated Information Management System (CIMS) manual in 2014 clearly articulated the concepts of 'lead' and 'support' agency during a response. In 2015, particularly with the changes in welfare delivery, the value that CDEM Groups bring as a support agency is more widely understood by partner agencies and local authorities.

#### **4.1.5. The New Way to Approach Community Engagement**

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This theme considered the maturing of CDEM since the CDEM Act 2002. Whilst in 2012 some CDEM Groups were still very much focused on response management in a lead agency environment, many were considering wider functions. The concept of CDEM Group performance in the context of

‘developing’, ‘advancing’ and ‘mature’ score zones examined what CDEM delivery might look like across a range of functions. It introduced approaches for engaging the community in CDEM and how this might best be achieved, and sowed seeds of an idea of community resilience as a significant contributing factor to successful CDEM outcomes.

In 2015, the performance categories formed the basis of the Capability Assessment Tool with CDEM Groups focused on raising their previous performance scores. This has been realised with all CDEM Group scoring 60% or more (advancing score category), including three Groups scoring within the lower end of the mature score category (80% or greater). The term resilience has been used extensively to describe a range of states – predominantly with a focus on preparations that allow communities or organisations to absorb shocks, adapt to a new normal and thrive in the face of change.



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## 4.2. 2015 CAPABILITY ASSESSMENT KEY THEMES AND CONSTRAINTS

During the course of interviewing and through the analysis of CDEM Group data, there were a number of recurring themes that seemed to be either constraints to or enablers of effective delivery of CDEM. These are explained below.

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### 4.2.1. From Response to Risk and Resilience

Scores across Goal 3 (the capability to manage civil defence emergencies), generally indicate that some 13 years on from the introduction of the CDEM Act 2002, there is a strong confidence across CDEM Groups of their response arrangements. Whilst this varies somewhat between the 16 CDEM Groups (predominantly based on response capacity and an absence of regular emergencies or 'testing'), CDEM Groups have collectively been exposed to managing small and medium-sized emergencies and, since the Canterbury earthquakes of 2010 and 2011, larger emergencies.

The need for multi-agency collaboration, clear response arrangements and engagement with communities has driven the majority of CDEM work programmes for many years. This environment has changed over time, with many CDEM Groups adjusting their operational arrangements in favour of shared service models aiming to provide a layer of professionalism across the range of activities that CDEM Groups undertake. This has in turn galvanised further collaborative work that will enhance the capability of key role holders through the introduction of the Controller Development Programme, and the development and implementation of the Integrated Training Framework; both aiming to define minimum competency standards.

However, data in 2015 suggests that the effort invested in building this response capability may have had detrimental effects on other areas within the 4Rs<sup>5</sup>; namely the areas of risk reduction and recovery. A range of 'think pieces' (see footnote 2), and work at a national level have aligned and reinforced the view that 'being ahead of the curve' and shifting the focus from managing disasters to managing risk may yield greater benefit over time.

In order to test the temperature of CDEM Groups with respect to risk reduction, the capability assessment tool for Goal 2 (reducing the risks from hazards) was revised in an attempt to see where risk reduction efforts are currently applied at a local and Group level. Data suggested that whilst as a nation we are fairly good at investing effort in research, the ability to directly translate that knowledge into risk management was less obvious (with some exceptions where emergencies have occurred in the past).

Even where CDEM Groups or local authorities explore the tension between infrastructure improvement options (for example stop-banks; larger storm water drainage) and other management options (such as special land management policies; public purchase of specific at-risk properties), there is an inconsistent approach in consulting with affected communities to identify appropriate risk treatment options. In addition, there is almost no work that re-quantifies the residual risk post-

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<sup>5</sup> The 4Rs are Reduction, Readiness, Response and Recovery.

intervention, nor any deliberate transference or 'hand off' of that residual risk to emergency management professionals for preparedness planning (figure 13).

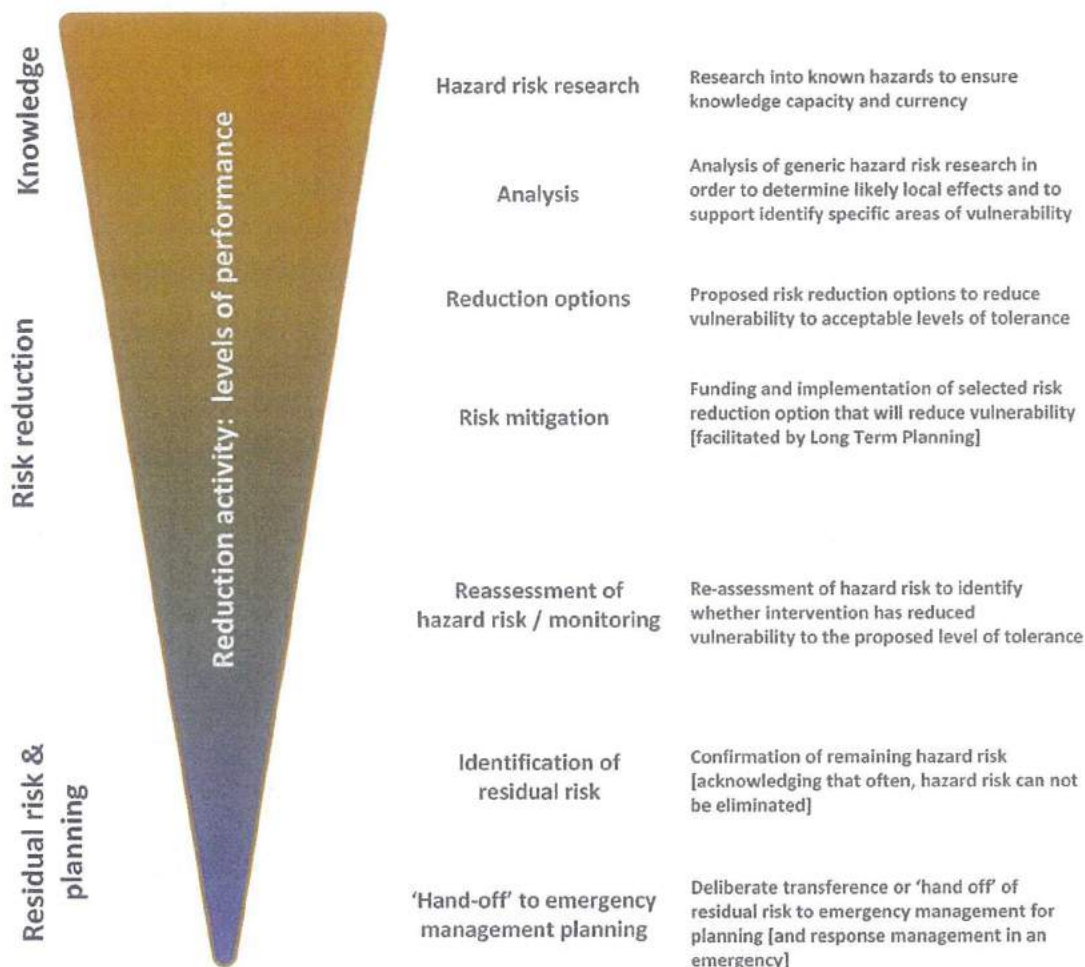


Figure 13: Reduction activity: levels of performance in New Zealand (schematic)

There are some notable examples where this linear approach to risk reduction is working well within local authorities; however, the Coordinating Executive Group rarely owns progress in this area. This suggests that whilst a risk management approach may well exist, it tends to occur at a local authority level without much collective risk reduction oversight at a CDEM Group level.

Aligned to risk reduction are the efforts in building 'resilience' at a community level. There is much discussion and activity around the development of Community Response Plans which generally provide for arrangements at a community level in the event of an emergency. Community response planning occurs in a range of settings (usually driven by the community) and has had the greatest traction in more rural areas, or those areas with an obvious hazard (i.e. coastal communities and tsunami risk).

Many CDEM Groups are delivering community response plans to or with the community, but often without an overarching consideration as to the purpose. Community response plans are usually supported by CDEM professional staff, often without engagement from other partners or stakeholders and tend to be focused on early provision of community level support (self-help and/or



community led centres), and an ability to be the on the ground eyes and ears for Emergency Operations Centres.

Some CDEM Groups have expanded the community response plan concept to have a more 'community resilience' focus (rather than preparedness). This means an emphasis on building contacts with neighbours and connecting networks within neighbourhoods for ongoing benefit (a community development approach rather than a response planning one). However, resilience in its broadest sense doesn't stop there. If 'being ahead of the curve' is beneficial, it may also be appropriate to look at how a resilience building approach affects a range of interventions at differing levels; i.e. at individual, household, community, government, business (asset) and societal levels.

During the capability assessment interview process, if the interview team asked interviewees not to talk specifically about their response arrangements, most were often confused as to what the interview team wanted to hear. When asked to talk about the work their organisation did to strengthen resilience, most were able to talk at length about the range of activity that was already underway. This suggests that resilience building in its broadest context is not necessarily a new idea for many organisations – it's just that perhaps this focus is not currently seen as a core outcome of CDEM.

#### **4.2.2. The Effect of 'Reach' on CDEM Performance**

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Reach relates to the value CDEM Groups get from strong connections across council business units, partner agencies and ultimately the community. Although many local authorities have sought to combine CDEM resources through shared service models, there is an ongoing assumption by many CDEM Groups that CDEM is delivered primarily by a handful of 'CDEM professionals'. The challenges identified within the theme of 'Integrating Emergency Management in Councils' (2012 National Capability Assessment Report) still exist in 2015.

Interviews indicated that the majority of CDEM work plans consist mainly of core readiness and response activities delivered by CDEM professional staff. The topics below are featured regularly in reporting to Coordinating Executive Groups and Joint Committees (the mandated management and governance entities):

- Public education and preparedness;
- EOC maintenance and testing;
- Capability development and exercising;
- Lifelines; and
- Welfare

Interviewees were asked to consider how other council business units (or partner agencies) support in the delivery of CDEM outcomes. Most indicated that the responsibility for the delivery of CDEM rested predominantly with the CDEM professional staff, rather than it being embedded horizontally across the organisation as a core function. There were some good examples where the 'reach' afforded by engaging more widely with partners and stakeholders was better understood. The contribution by CDEM stakeholders in the delivery of welfare and lifelines was often cited, but in



many cases these were two of the least accountable and least discussed areas at the Coordinating Executive Group.

The purpose section of the CDEM Act 2002, clearly describes CDEM more broadly than response management, and is quite specific about the need for the coordination of planning and activities 'across a wide range of agencies and organisations'.

Those CDEM Groups that demonstrated the greatest reach were not necessarily the highest scoring during the capability assessment programme. Those CDEM Groups that are already working across various local authority business units, and with CDEM stakeholders in meeting the vision of a 'Resilient New Zealand' or region, have many levers to pull.

Although the alignment of this activity may still be work in progress, connecting relevant work streams across councils and CDEM stakeholders may yield the greatest opportunity for improvement. An oversight of this activity by the Coordinating Executive Group will ensure that all agencies share the responsibility.



Figure 14 outlines that for some CDEM Groups, the activities of CDEM professional staff and some local authority business units was the extent considered when scoring the capability assessment tool (purple lines), with perhaps some direct engagement with the community (green line). For other CDEM Groups, scoring considered the benefits afforded by engaging across each of the circles (orange lines).

**Figure 14:** Expanded CDEM "reach" afforded by concentric circles of activity

Although this approach is more complicated to account for, recognition of the breadth of activity across CDEM stakeholders in building more resilient communities better reflects the intention of the CDEM Act.

The Coordinated Executive Group's ownership of a more integrated approach and a facilitation of strategic discussions with CDEM stakeholders could ensure that this connected approach is seen as a priority, which could in turn help join up work that is delivering similar outcomes.

#### 4.2.3. Considering Exposure and Vulnerability, Scale and Complexity

One issue that was raised throughout the capability assessment process was that many local authorities (and hence CDEM Groups) felt that their circumstances were different from other local authorities. Some of this 'uniqueness' was described as differing hazards, exposure to hazards, and social fabric of its communities.

What became clear was that there isn't a 'one-size-fits-all' approach for CDEM. For each CDEM Group and their respective local authorities, different considerations were needed to address risk, exposure and vulnerability.

Whilst the individual elements that create risk may vary across New Zealand, the risks CDEM Groups face are comprised of the same basic components; hazards, exposure and vulnerability (figure 15). It is the variance in these components that creates different levels of risk.



Figure 15: Understanding our risk

Understanding the hazard scape was nearly always cited as an important factor informing CDEM planning. However, this was most often articulated as understanding the *types* of hazards that could eventuate, and the *probability* of them occurring. Understanding the range of likely consequences of different hazards – in terms of exposure and vulnerability of communities and their assets – was cited far less, and it was not clear whether this was really understood as a critical factor in understanding overall risk (and ability to prioritise work as a result). Within each CDEM Group there are council business units and/or agencies that understand the hazard scape, there are others that understand their exposure, and others that understand their vulnerabilities. What appeared to be less obvious, in most cases, was any mechanism to examine all three components together.

There were notable examples in the more rural councils where potentially affected communities cope better. They understand how likely it is that electricity or that telecommunications can be disrupted (hazard consequences), and tend to adapt their lives accordingly. There appeared to be a better community connectedness and an inherent resilience at a rural level. However, the implications of electricity or communication outages within urban environments (particularly CBD areas) seemed to be more acute, with urban populations having less well established coping mechanisms. There also appeared to be additional layers of complexity afforded by commerce,



fragile and interdependent infrastructure, tourists and transient populations - all of which are rarely systemically addressed by CDEM.

Further to this is the issue of scale. For many CDEM Groups, planning considerations address known or likely consequences – generally those that have been experienced in previous emergencies. The Canterbury earthquakes in 2010 and 2011 provided an insight and catalyst for CDEM Groups to consider a more catastrophic ‘what if’ consequence for their own communities. For New Zealand’s larger cities, scale and complexity are already factors informing the way forward, including resilience programmes and intergenerational infrastructure investment. For other local authorities, particularly smaller city council areas, attempts to apply CDEM approaches that are more successful in rural areas may not be an appropriate solution for urban environments. A better understanding of local exposure and vulnerability may inform prioritisation of work that seeks to redress this.

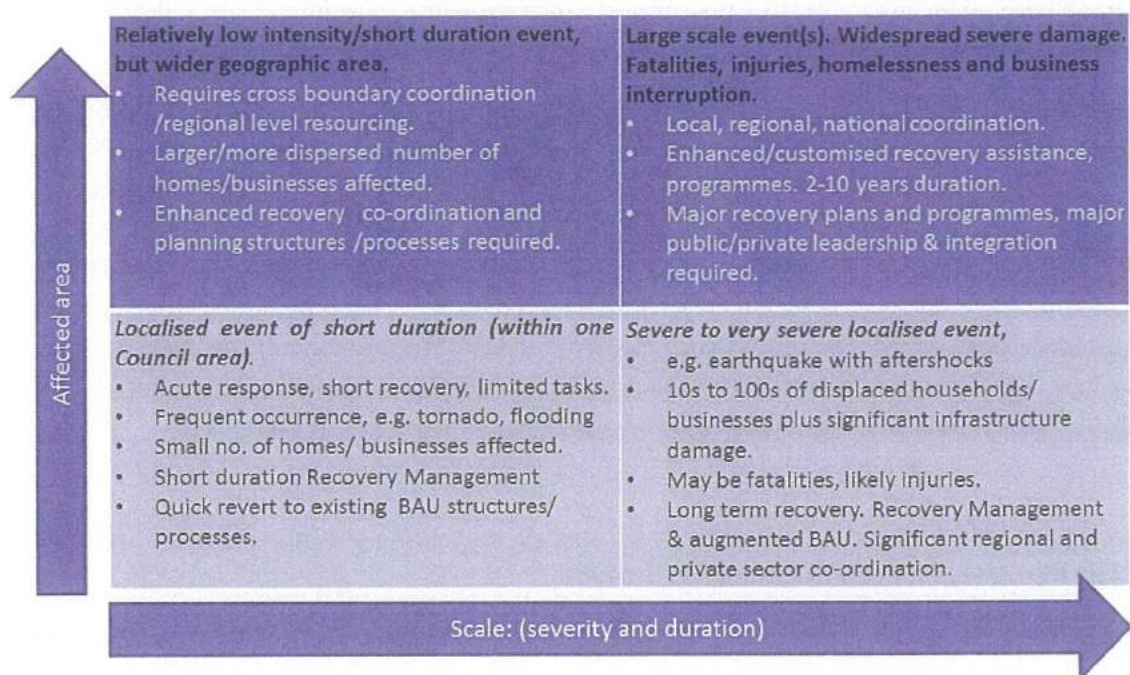
#### **4.2.4. Recovery Planning: Planning to Thrive?**

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Recovery is the weakest scoring area within the capability assessment tool by national average. The tool examines two main objective areas: the structures and arrangements in place to steward recovery, and the functions or approaches that Groups would undertake during recovery. Neither scores more strongly than the other.

Where individual CDEM Groups scored above the national average for recovery, these tended to be CDEM Groups that had recently experienced an emergency or had emergencies fairly regularly. In these instances, the events tended to be at the small-to-medium scale. Nevertheless, this provided opportunity to ‘test’ arrangements more frequently than those CDEM Groups that had not experienced an emergency in the recent past.

Figure 16 illustrates the recovery parameters influenced by the severity and duration, and the size of the affected area. Very few emergencies within New Zealand have occurred on the right hand side of the diagram. Impacts of the types of events that sit on the right hand side are generally poorly understood by local authorities, as are the subsequent impacts on long term planning.



**Figure 16:** Recovery impacts from increased scale or affected area (*adapted from Simon Markham, Manager Strategy & Engagement (and Recovery Manager), Waimakariri District Council*).

During interviews, most respondents were clear that their recovery capabilities needed to improve, particularly around any aspect of recovery that was not focused on assets. During discussions there was a feeling that Recovery Managers themselves felt un-prepared for the role and had little opportunity for training or exercising. Generally, having recovery added onto their already busy role meant that the relationships needed for effective recovery planning and delivery were rarely established. A lack of confidence, a reliance on a recovery plan that often had no real implementation plan behind it and a general disinterest at an organisational level contributes to the poor performance within recovery. In summary, recovery has not been considered a priority.

When the issue of recovery planning was raised during interviews, senior managers generally felt that there was an appropriate level of insurance, and that access to emergency funds would support effective recovery. Very seldom did any interviewee discuss the potential effects of recovery on long-term planning or the potential fiscal impact on the council or business community. Recovery was very much seen as a 'dust-pan and brush' activity after the emergency itself. Strategic discussions about risk appetite, risk management, intergenerational investment through risk reduction and resilience approaches such as 'build back better' or retreat were generally thought of as 'too difficult' and an unlikely consequence.

Alongside the strategic considerations, there was little activity within the social recovery space. In addition to the impacts of the emergency itself, there appears to be little planning for the ongoing shocks and stressors that recovery can present (e.g. changing schools, unemployment, navigating insurance companies and EQC) and the effects of these on individuals along with the compounding effects this may have on the management of social recovery. Coordinating Executive Groups have

yet to connect the extensive 'Welfare Services in an Emergency'<sup>6</sup> reform work with successful social recovery outcomes. A failure to effectively steward welfare planning is likely to have repercussions during recovery following a significant emergency where communities are greatly affected. The work of the Canterbury Earthquake Recovery Authority (CERA) through its wellbeing index examines a breadth of indicators that take a 'temperature gauge' of how people are coping post-earthquake. Over time, this data has attempted to provide evidence for nimble adaptation of interventions to help people recover from the ongoing and cumulative effects of recovery. CDEM Groups could consider the areas of the wellbeing index<sup>7</sup> as part of their own social recovery planning.

Recovery options are complex, expensive and require strategic discussions, without which, CDEM Groups potentially face raising expectation about future environments or creating a 'menu without prices'. There were examples during the interviews where local authorities were able to cite investment in asset renewal programmes that leverage from technological advances. These 'betterment' programmes are likely to yield improved recovery outcomes from an asset perspective. These are incremental but will provide benefit to the end user over time through minimising the risk of disruption. Rarely does the Coordinating Executive Group have a collective oversight of this cumulative risk reduction.

At the time of writing this report, legislative changes are proposed that will provide for extra powers in recovery and require CDEM Groups to have appointed a recovery manager (akin to requirements for Group Controller), alongside a requirement to have prepared a strategic recovery plan. It is the implementation of these changes, however, that will, in part, be critical to supporting improved recovery arrangements. Notwithstanding the fact that over the coming years, lessons from the Canterbury earthquakes will inform recovery thinking, for now, Coordinating Executive Groups and CDEM stakeholders may like to consider how the breadth of its normal business functions would be delivered rapidly to support rebuilding communities that thrive, not simply survive.

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<sup>6</sup> Welfare Services in an Emergency; Director's Guideline for Civil Defence Emergency Management Groups and agencies with responsibilities for welfare services in an emergency [DGL 11/15].

<sup>7</sup> The CERA wellbeing index considers the areas of: social connectedness, knowledge and skills, economic wellbeing, housing, health, mental wellbeing and safety. <http://cera.govt.nz/recovery-strategy/social/canterbury-wellbeing-index>



## 5. SUMMARY AND CONCLUSIONS

The capability assessment process has identified some areas where efforts over the last five years have yielded solid improvements for CDEM. Response functions, a general focus on accountability and good customer service have raised the profile of CDEM across all agencies. There is good evidence of the connectivity between response partners and their engagement, not only during emergencies, but in shaping the future of CDEM at the Coordinating Executive Group table.

The collaborative effort to raise the standard of the capability needed to effectively manage emergencies has leveraged expertise across New Zealand. Supported by a range of guidance documentation developed after the Canterbury earthquakes, our response arrangements have matured. However, there are some areas that CDEM Groups need to address to ensure that this response capability is strong in all areas; specifically logistics management and recovery.

A number of think pieces over the last few years have emphasised that a continued focus on the management of emergencies does not reduce the risk of them occurring in the future. Risk is not static. The effects of New Zealand's hazards, our exposure to them and the increasing vulnerabilities of our communities means that new approaches are needed. CDEM is not starting from scratch in this regard.

If the current CDEM focus broadens from the almost exclusive activities of a few CDEM professionals to also consider the many other staff who work to reduce risk and improve resilience, a more comprehensive picture of activity is revealed. With some high level analysis of what is being delivered by local authorities and stakeholders as part of normal business (and under the CDEM banner), there may be opportunities to better connect activity, have an oversight of what is already being done, and spot opportunities to strengthen resilience. CDEM Groups may like to consider this approach as part of, or as a lead into, the revision of its Group Plan.

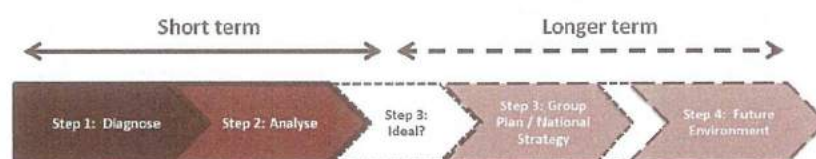
At a national level, the themes raised in this report will inform thinking when developing the National Resilience Strategy (due in 2017), and will guide the implementation of recently completed work (for example, Welfare in an emergency; Logistics management; and the Guide to the National Plan).

## 5.1. WHAT NEXT? THINGS YOU CAN DO TODAY

In order to improve New Zealand's CDEM performance, CDEM Groups and stakeholders could consider how each of the key themes raised in this report affects current contribution towards CDEM delivery, and factor what can be done to strengthen performance into strategic planning. The CDEM Group planning process may be one avenue.

The table overleaf provides a prompt for agencies to examine the themes highlighted in this report against potential future opportunities. Step 1 suggests an analysis of current activity. Step 2 challenges CDEM agencies to consider what actions could be undertaken immediately with no additional funding or dedicated resources – this is about spotting real opportunities to connect activities or consider things differently. A cross analysis of agency feedback at a CDEM Group level may provide some strategic oversight of where opportunities to strengthen delivery may exist.

## DISCUSSION EXERCISE TEMPLATE



- Step 1:** Review current performance and identify factors that contribute to CDEM delivery (positive or negative).
- Step 2:** Consider how delivery could change in the short term to support building capacity.
- Step 3:** Consider what the ideal outcome might be and assign a priority

	<b>Step one</b> <i>How does this theme apply to current CDEM delivery?</i> <i>(some example questions to consider)</i>	<b>Step two</b> <i>What can you do to improve in the <u>short term</u>?</i> <i>(no more resources; no more dedicated staff)</i>	<b>Step three</b> <i>What might ideal look like and is it important?</i>
	<b>Diagnosis</b>	<b>Analysis of opportunity</b>	<b>Priority</b>
<b>From response to risk and resilience</b>	<ul style="list-style-type: none"> <li>What proportion of our work is focused on response planning/management vs risk and resilience?</li> <li>Is risk reduction activity connected to CDEM and is there any collective oversight?</li> <li>Is the current focus on resilience building or preparedness planning?</li> </ul>		
<b>The effect of 'reach' on CDEM performance</b>	<ul style="list-style-type: none"> <li>Can we grow our partner base?</li> <li>Do our partners support CDEM delivery?</li> <li>Do we define co-benefits when we work with partners?</li> <li>Is CDEM delivery integrated across council and partners?</li> </ul>		
<b>Considering exposure and vulnerability, scale and complexity</b>	<ul style="list-style-type: none"> <li>Do we understand our exposure and vulnerability as much as our hazards?</li> <li>Do we consider the drivers of risk (e.g. building stock, demographics, community connectedness etc.?)</li> </ul>		
<b>Recovery Planning: Planning to thrive?</b>	<ul style="list-style-type: none"> <li>Who owns and drives our recovery relationships?</li> <li>Are we building resilience into our asset management?</li> <li>Are we having strategic conversations about how we would approach recovery? And/or the hard conversations about our approach to issues like managed retreat?</li> <li>Do we consider recovery implications on our communities, or how we would or could engage communities on matters of recovery</li> </ul>		



# ***Attachment 9***



**Rangitikei**  
UNUSUALLY...

# REPORT

**SUBJECT:** Update on legislation and governance Issues

**TO:** Policy/Planning Committee

**FROM:** Michael Hodder, Community & Regulatory Services Group Manager

**DATE:** 8 March 2016

**FILE:** 3-OR-3-5

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## **1 Executive summary**

- 1.1 This update notes legislative and regulatory changes in the past month which impact on the Council's operations.
- 1.2 The proposed amendments to the Local Government Act to facilitate greater collaboration have yet to be introduced.
- 1.3 The Minister for Maori Development has indicated that, as part of the Te Ture Whenua Maori Bill, there will be changes to the Local Government (Rating) Act to allow local councils to write off arrears on unoccupied or unused land in Maori ownership and to ease the 2 ha limit on non-rateable land which contains a marae or a burial ground.
- 1.4 The Civil Defence Emergency Management Amendment Bill was introduced on 11 November 2015 and was referred to the Government Administration Committee on 9 February 2016. Submissions are due by 24 March 2016.
- 1.5 A national resilience strategy is being explored as fulfilling the requirements for a new national strategy under the Civil Defence & Emergency Management Act, due by the end of 2017.
- 1.6 The projected work programme on policies and bylaws for 2016 is contained within the activity template for Community Leadership.

## **2 Rating of unused and unoccupied Maori land**

- 2.1 On 11 February 2016, the Minister for Maori Development announced that the Government intended to make amendment to the Local Government (Rating) Act 2002 to provide local councils with the ability to remove rates arrears on unoccupied and unused Maori land where there is
  - a demonstrable commitment to use or occupy land, or

- there is a little prospect of the land ever being used or occupied.

In addition, it is intended to remove the two hectare non-rating limit for marae and urupa (burial grounds).

- 2.2 It is not yet clear whether these changes will also include a prescription to enable councils to identify such land on a consistent basis – for example, how will occasional use for hunting tourism be regarded. Rating records are not primarily focussed on use or occupancy, so some other form of assessment will be needed. In the Rangitikei District, the unused/unoccupied characteristic is the basis for dealing with landlocked land which in 2015/16 totals just under 43,000 ha.
- 2.3 Marae and urupa in the District are typically surrounded by privately owned land so the potentially enlarged area which is non-rateable is small.
- 2.4 There has been no indication that the Government will reimburse councils for the potential loss of rates revenue through this legislative change.

### **3 Civil Defence Emergency Management Amendment Bill**

- 3.1 The first reading of this Bill was completed on 9 February 2016 and it was referred to the Government Administration Committee. Submissions have been called for by 24 March 2016, meaning that there will not be an opportunity for full Council to consider the matter.
- 3.2 The Bill recognises that recovery starts on day one of the response, and that it can be complex, and typically requires strong management and effective co-ordination. But the present Civil Defence and Emergency Management Act contains no formal mechanism to continue the recovery work started during the response. The Bill addresses this gap through the following measures:
  - a mandate for Recovery Managers;
  - a requirement for recovery planning;
  - powers for the initial stage of recovery by way of a formally notified transition period; and
  - permanent legislative authority to improve the Crown's reimbursement process for response and recovery costs.
- 3.3 This is stage one of the review of the recovery framework and focusses on small to moderate-scale emergencies (although the provisions will also be available for large-scale emergencies). Stage two will develop a blueprint for draft legislation for recovery from large-scale emergencies drawing on the Canterbury earthquake experience.

- 3.4 The Bill requires each Civil Defence Emergency Management Group to prepare and approve a civil defence emergency management strategic recovery plan “in accordance with any guidelines, codes, or technical standards issued under section 9(3) [of the principal Act]”.<sup>1</sup> The Ministry acknowledges that this imposes costs, but expects an offset through the resulting more effective and timely recovery.<sup>2</sup> There is no specific provision in the Bill on when these plans are to be done: if it is at the time all provisions come into effect – 180 days after the Bill receives Royal Assent – that may be an unrealistic timeline especially if the Ministry wishes to prepare new guidelines etc. for the Groups to use.
- 3.5 As noted in the report to the Committee’s February 2016 meeting, the main focus of the Bill is to give a higher profile for recovery managers, including statutory powers in terms of co-ordinating use of personnel, materials, information services etc. Regional Civil Defence Emergency Groups will be responsible for making these appointments, both at the group and local level.<sup>3</sup> However, there is no compulsion to appoint a *local* recovery manager: perhaps it should be if the territorial authority requests that, following a formal resolution at a meeting for that.
- 3.6 One important change is the concept of ‘transition period’ either nationally or at a local level, to ensure “a timely and effective recovery”.<sup>4</sup> Of particular note is the new section 94H which specifies powers available to recovery managers during a transition period:
- (a) carry out or require to be carried out all or any of the following:
    - (i) works
    - (ii) clearing of roads and other public places:
    - (iii) removing or disposing of, or securing or otherwise making safe, dangerous structures and materials wherever they may be:
  - (b) provide for the conservation and supply of food, fuel, and other essential supplies:
  - (c) disseminate information and advice to the public.
- 3.7 While these powers are certainly relevant, the Bill is silent on ensuring collaboration between external organisations, including government agencies, particularly their communications with the community. This proved a

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<sup>1</sup> Clause 21, new section 57A.

<sup>2</sup> Ministry of Civil Defence & Emergency Management: Regulatory Impact Statement – Civil Defence Emergency Management Amendment Bill, para. 46

<sup>3</sup> Clause 17: amended sections 29, 30 and new section 30A

<sup>4</sup> Clause 28. new parts 5A and 5B (sections 94A to 94P).

significant issue for Rangitikei after the rainfall event in June 2015. During a transition period it is essential that there are consistent and coherent messages to the community, and the logical co-ordination point is the Recovery Manager. This could be assured by adding to 94H:

(ba) require external organisations (including government agencies) to advise (and, if necessary, to modify) intended communications to the community within the area covered by the transition period;

3.8 In addition, both the recovery manager and police constables are given specific powers during a transition period to

- direct the evacuation of any premises or place and the exclusion of any person or vehicles from any premises or place;
- enter or break into any premise or place to save life, prevent injury or rescue people;
- require a person to stop any activity which may cause or substantially contribute to the consequences of an emergency; and
- require proof of identity and authority.

3.9 A local transition period is limited to 28 days, but this may be extended. A national transition period ends after 90 days, but this may also be extended. Where a local state of emergency has not been declared, a local transition period can be declared only with the approval of the Minister for Civil Defence.

3.10 The combination of specified powers and a transition phase addresses the risk of stalling or undermining progress during the response phase. It recognises that 'there may be circumstances where broader public interests outweigh individual interests'<sup>5</sup>. Examples are when there is a need to prevent people from accessing land or using roads that are or may be subject to ground deformation and subsidence, or to conserve limited fuel supplies in isolated communities, or to require information from lifeline utilities to effectively sequence recovery activities.<sup>6</sup>

3.11 The Ministry's view (which has been carried into the Bill) is that the powers used would be 'proportionate in the circumstances' and 'only exercised to the extent reasonably necessary for the public interest' but it accepts that such powers may impinge on property rights and impact on natural justice. The Ministry considers that the reporting requirements<sup>7</sup> play an important role in subjecting the use of powers to public scrutiny. However, these reports are

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<sup>5</sup> Regulatory Impact Statement, para.59

<sup>6</sup> Ibid, para.65.

Ibid: paras 68 and 70.

<sup>7</sup> Clause 28: proposed new section 94P.

required only at the end of each transition period, for submission (if local) to the regional Civil Defence Emergency Management Group and to the Director of Civil Defence Emergency Management.<sup>8</sup> Public accountability would be strengthened if local reports were posted on the relevant council website<sup>9</sup> (and notified in a newspaper circulating in the area) and requiring the Director to give a copy of all such reports to the Minister.<sup>10</sup>

- 3.12 The Bill does not provide for diminishing powers for extended transition periods, relying on the concept of 'proportionate' use. One potential mechanism is, in a second or subsequent transition period, to limit the application of evacuation of premises and places (new section 94K) by providing that a person may not be excluded from any premises or place which that person owns or normally occupies unless that person is prohibited by other enactments.<sup>11</sup> Whether the Bill has struck the best balance is likely to be one point of scrutiny by the Select Committee. Eugenie Sage (Green) made the following comment during the first reading:

...the Minister or mayors<sup>12</sup> can override normal legislation, such as the Resource Management Act, and can continue to exercise these extraordinary powers for up to 6 months<sup>13</sup>. These powers include carrying out works, preventing people from entering public places, closing public roads, and giving directions to stop any activity or to take any action. They are very broad powers. We have seen in Christchurch that residents were prevented from going into the central city, where there was widespread demolition, by the extraordinary powers that the Canterbury Earthquake Recovery Authority used that overrode the Resource Management Act, which prevented people from getting involved and having a say on demolition.

- 3.13 The Bill extends sections 108 and 109 of the principal Act to include compensation for loss or damage as a result of actions taken by the National Recovery Manager, Group Recovery Manager, Local Recovery Manager or the Police. However, the Crown accepts liability only for actions by the National Recovery Manager, police constables or their delegates. The Regional Civil Defence Emergency Management Groups have the liability for actions by the Group or Local Recovery Managers. This follows the position adopted in the principal Act for the response phase. Since these actions have been sanctioned

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<sup>8</sup> The Ministry's preference was for reporting for the national transition period to be every 28 days, but that isn't reflected in the Bill, which would be after 90 days if the full 90 days is notified and used.

<sup>9</sup> Although part of the Ministry's preferred position in the Regulatory Impact Statement, this requirement is not included in the Bill.

<sup>10</sup> Clause 28: proposed new 94P(5)(b) allows the Director discretion, whereas reports relating to a national transition period must be given to the Minister

<sup>11</sup> Such as formal notification of a dangerous, affected, earthquake-prone or insanitary building under section 128 of the Building Act 2004.

<sup>12</sup> This is not necessarily the case, but the Bill does continue (in new section 25A) the default provision in section 25(5) of the principal Act which allows a mayor of a territorial authority to declare a state of local emergency covering the district of that local authority.

<sup>13</sup> Or longer: new section 94D(5) provides that a transition period may be extended more than once.

by legislation, it seems more reasonable that all compensation claims should be the Crown's responsibility.

- 3.14 In addition, section 110 extends the denial of subrogation<sup>14</sup> for insurers through the period when a transition notice is in effect. More significantly, clause 40 provides for a new section 115A 'Permanent legislative authority for payment of certain expenses', provided they "are incurred in respect of civil defence emergency management activities specified in the national civil defence emergency management plan or any relevant guidelines". This dispenses with the need to seek specific appropriation from Parliament. It is uncertain whether this will improve the time to assess eligibility of claims and provide a more balanced sharing of costs between the Crown and local councils.
- 3.15 During the first reading debate, Adrian Rurawhe, MP for Te Tai Hauāuru observed:

I think we also need to look at where incidents like this, events like this, happen to residents over and over again. Something more permanent needs to be done, whether it is relocation or it is raising their homes so that they do not flood. These are things that could be easily remedied, I think. I had a conversation with the Mayor of Rangitikei, who really wants to address that issue with the residents in the Rangitikei who are continually being flooded. In the Act itself, of course, we do support the inclusion of the transition periods. I think the implementation, though, needs to be carefully thought out.

While this is within the scope of section 33.6.1 of the *Guide to the National CDEM Plan 2015*, having a legislative mandate is potentially useful reinforcement. The Bill's focus on recovery 'transition' periods means that a longer-term view is easily lost. An additional requirement could address that:

94HA Post-transition needs

A recovery manager must give consideration to community and business needs following the end of the transition period and include that analysis and any recommendations in the final report.

- 3.16 A draft submission is attached as [Appendix 1](#).

## **4 National resilience strategy**

- 4.1 The Ministry of Civil Defence & Emergency Management is reviewing the current National Civil Defence Emergency Management Strategy. The underpinning objective in this process is to shift the focus from 'managing

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<sup>14</sup> i.e. recovering from local authorities or the Crown any amounts insurers have paid to insured persons in relation to claims for damages.



disasters' to 'managing risks'. In March 2015 New Zealand made a commitment to the international Sendai Framework for Disaster Risk Reduction

[http://www.unisdr.org/files/43291\\_sendaiframeworkfordrren.pdf](http://www.unisdr.org/files/43291_sendaiframeworkfordrren.pdf)

This aims to achieve 'the substantial reduction of disaster risk and losses in lives, livelihoods and health and in the economic, physical, cultural and environmental; assets of persons, businesses, communities and counties'.

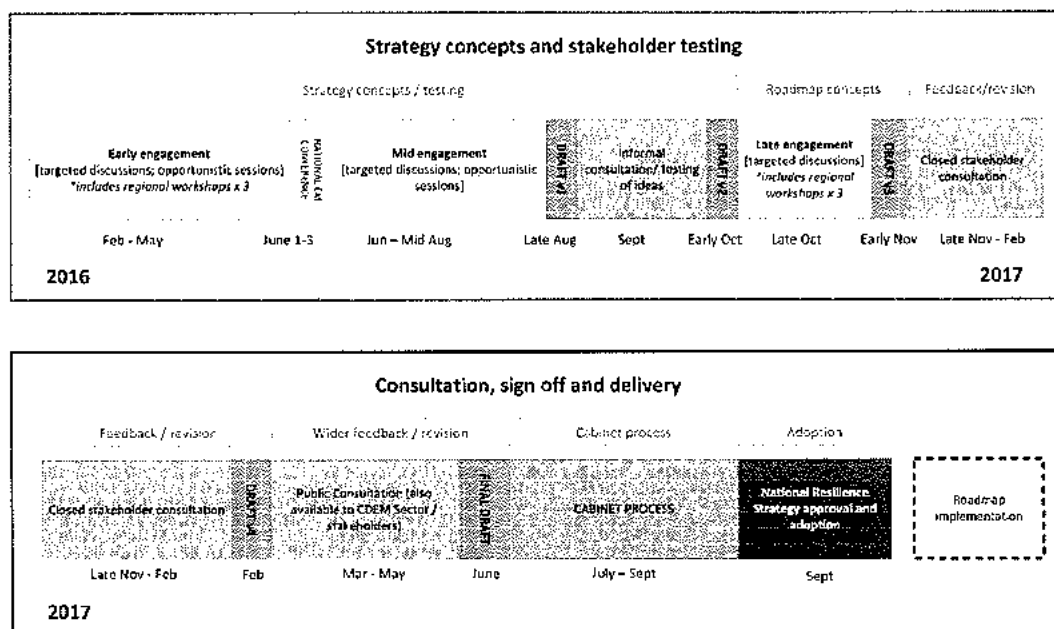
#### 4.2 New Zealand has identified four priority areas:

- understanding disaster risk;
- strengthening disaster risk governance to manage disaster risk;
- investing in disaster risk reduction for resilience; and
- enhancing disaster preparedness for effective response and to 'build back better' in recovery, rehabilitation and reconstruction.

#### 4.3 Regional workshops are being held in April ahead of a national conference in June. There will be some self-run modules which will be brought to the Committee for consideration.

#### 4.4 The Ministry envisages that the new National Resilience Strategy will be adopted in September 2017.

### Strategy Development Timeline



## 5 Food Act 2014

### 5.1 This Act became fully effective from 1 March 2016. The co-regulators toolkit (called "Information for Regulators and Verifiers") went live that day. It contains information on registering food businesses under the new Act,

including template forms and a MAPS<sup>15</sup> user guide, information on becoming a recognised agency or person, and information for those working as a verifier, an evaluator, or a food safety officer. It also includes information on how to deal with businesses during the transition period.

- 5.2 Territorial Authorities are automatically recognised to verify template food control plans under the new Act. They are also deemed as being recognised to verify template food control plans developed before 1 March 2016. However, territorial authorities are not deemed to verify national programmes, so when a national programme business (such as a corner dairy or an early childhood education service) applies to register with a territorial authority they need to engage a verifier or verification agency and identify them in their application. Rangitikei shares a staff member employed by Whanganui District Council: both councils are currently investigating verification of national programmes.
- 5.3 MPI recently surveyed territorial authorities whether they had a current food grading bylaw – and if so, what was intended in terms of amendment or review. Council adopted such a bylaw last year.
- 5.4 The Food Act 2014 and associated regulations do not automatically override such a bylaw but it is conceivable that some inconsistency could arise in future which would require the bylaw to be amended (although, in this case, simply by a Council resolution).<sup>16</sup> The Food Business Grading Bylaw will need to be amended before 30 January 2020 and the special consultative procedure must be used for that process.

## **6 Other legislation and central government policy initiatives.**

- 6.1 There has been no formal announcement about the proposed amendments to the Local Government Act 2002 which would give greater opportunity for formal collaboration between councils including transfers of functions between regional councils and territorial authorities. The recent visits to different parts of the country by the Local Government Commission demonstrate broader thinking, including amalgamating district/city councils without impinging on their regional councils and establishing representative committees. However, it is not yet clear whether a regional council could continue as a separate body (say for the Wairarapa) but have those functions partly or wholly absorbed by one or unitary authorities (say for Wellington-Porirua). It is unclear whether the legislative changes will include incentives or penalties for local authorities not moving to increased formal collaboration.
- 6.2 The other anticipated change is the introduction of more benchmarks to complement those prescribed by the Local Government (Financial Prudence

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<sup>15</sup> Multiple Approvals Processing System.

<sup>16</sup> This could arise through amendment to the Act, regulations under the Act, adopted joint food standards, domestic food standards, notices under the Act, or directions given by MPI's Chief Executive under the Act: section 446.

and Reporting) Regulations 2014 and the mandatory performance measures promulgated through Order In Council for roading, water, wastewater, stormwater and flood control.

- 6.3 Parliament's second reading of the Building (Earthquake-prone Buildings) Amendment Bill was completed on 1 March 2016, meaning the Bill is likely to be assented to by the end of the month. The Council's suggestion for a risk layer based on population density to be placed over the seismic assessment was not taken up. There has not yet been an opportunity to comment on the associated regulations.
- 6.4 A number of local authorities in areas with high visitor counts have expressed concern about the impact of freedom camping on their areas. At present councils are not permitted to prohibit freedom camping outright but some have drawn a distinction between those vans which have self-contained ablution and toilets and those which do not.

## **7 Recommendations**

- 7.1 That the report 'Update on legislation and governance issues' to the Policy/Planning Committee's meeting of 17 March 2016 be received.
- 7.2 That the draft submission [without amendment/as amended] on the Civil Defence Emergency Management Bill be referred for final consideration to the Mayor, the Deputy Mayor and the Chief Executive and, subsequently, for the Mayor to sign on behalf of the Council, with a copy of the final submission being included with the Chief Executive's Administrative matters report to Council's meeting on 31 March 2016.

Michael Hodder  
Community & Regulatory Services Group Manager

# *Appendix 1*

17 March 2016

File No: 3-OR-3-5

Ruth Dyson  
Chair  
Government Administration Committee  
Parliament Buildings  
Private Bag 18041  
Wellington 6160

By email: [selectcommittees@parliament.govt.nz](mailto:selectcommittees@parliament.govt.nz)

Dear Ruth

### **Civil Defence Emergency Management Amendment Bill**

The Rangitikei District Council appreciates the opportunity to submit on the Civil Defence Emergency Management Amendment Bill. We strongly support the intent of the Bill: the Council's experience with major flood incidents – most recently in June 2015 – is that well managed recovery is crucial. The structured approach set out in the Bill will assist both local councils and their communities when further such events arise.

We draw on that experience in the following comments and suggestions, which we hope are useful to the Committee.

## **1 Strategic recovery plan**

- 1.1 New section 57A in the Bill requires each Civil Defence Emergency Management Group to prepare and approve a civil defence emergency management strategic recovery plan "in accordance with any guidelines, codes, or technical standards issued under section 9(3) [of the principal Act]". In its Regulatory Impact Statement, the Ministry acknowledges that this imposes costs, but expects an offset through the resulting more effective and timely recovery. We accept that view.
- 1.2 However, there is no specific provision in the Bill on when these plans are to be done: if it is at the time all provisions come into effect – 180 days after the Bill receives Royal Assent – that may be an unrealistic timeline especially if the Ministry wishes to prepare new guidelines etc. for the Groups to use.

## 2 Recovery managers

- 2.1 New section 30 allows (but does not require) a Civil Defence Emergency Management Group to appoint one or more persons to be a Local Recovery Manager. We think the Group should be required to make such an appointment if a resolution from a local council requests that. This could be achieved by amending 30(1) to read:

A Civil Defence Emergency Management Group may (or must, if it receives a resolution from a local council requesting it to do so) appoint.....

- 2.2 New section 94H specifies powers available to recovery managers during a transition period:

(a) carry out or require to be carried out all or any of the following:

(i) works

(ii) clearing of roads and other public places:

(iii) removing or disposing of, or securing or otherwise making safe, dangerous structures and materials wherever they may be:

(b) provide for the conservation and supply of food, fuel, and other essential supplies:

(c) disseminate information and advice to the public.

- 2.3 While these powers are certainly relevant, the Bill is silent on ensuring collaboration between external organisations, including government agencies, particularly their communications with the community. This proved a significant issue for Rangitikei after the rainfall event in June 2015. During a transition period it is essential that there are consistent and coherent messages to the community, and the logical co-ordination point is the Recovery Manager. This could be assured by adding to 94H:

(ba) require external organisations (including government agencies) to advise (and, if necessary, to modify) intended communications to the community within the area covered by the transition period;

- 2.4 In addition, both the recovery manager and police constables are given specific powers during a transition period to

- direct the evacuation of any premises or place and the exclusion of any person or vehicles from any premises or place;
- enter or break into any premise or place to save life, prevent injury or rescue people;
- require a person to stop any activity which may cause or substantially contribute to the consequences of an emergency; and
- require proof of identity and authority.

These are all relevant too.

### 3 The transition period

- 3.1 Clause 28 details the important concept of 'transition period' either nationally or at a local level, to ensure "a timely and effective recovery". A local transition period is limited to 28 days, but this may be extended. A national transition period ends after 90 days, but this may also be extended. Where a local state of emergency has not been declared, a local transition period can be declared only with the approval of the Minister for Civil Defence. We support that precaution.
- 3.2 The combination of specified powers and a transition phase addresses the risk of stalling or undermining progress during the response phase. We agree with the Ministry's view in the Regulatory Impact Statement that it recognises that 'there may be circumstances where broader public interests outweigh individual interests'.
- 3.3 The Ministry's view (which has been carried into the Bill) is that the powers used would be 'proportionate in the circumstances' and 'only exercised to the extent reasonably necessary for the public interest' but it accepts that such powers may impinge on property rights and impact on natural justice. The Ministry considers that the reporting requirements<sup>1</sup> play an important role in subjecting the use of powers to public scrutiny. However, these reports are required only at the end of each transition period, for submission (if local) to the regional Civil Defence Emergency Management Group and to the Director of Civil Defence Emergency Management.<sup>2</sup> Public accountability would be strengthened if local reports were
- posted on the relevant council (or if national) the Ministry's website (as the Ministry suggested),
  - notified in at least one newspaper circulating in the area) and
  - the Director was required to give a copy of all such reports to the Minister.
- 3.4 The following amendments to new section 95P would give effect to these suggestions:
- (2) add and be posted on the Ministry's or local council's website (as applies) and notified in at least one newspaper circulating in the area.
- (5) (b) may must give a copy of the report to the Minister....

<sup>1</sup> Clause 28: proposed new section 94P.

<sup>2</sup> The Ministry's preference was for reporting for the national transition period to be every 28 days, but that isn't reflected in the Bill, which would be after 90 days if the full 90 days is notified and used.



- 3.5 The Bill does not provide for diminishing powers for extended transition periods, relying on the concept of 'proportionate' use. While Council accepts the principle of informed judgement being applied by those entrusted with making such decisions, there is a risk of creating a 'new norm', especially since there is no limit on the number of extensions to the transition period. The Bill should strike the best balance between public interest (and safety) and individual rights and needs. We think amending section 94K would be a good recognition of this objective:

(1) Despite anything in section 94G, a Recovery Manager or a constable may, if necessary, in his or her opinion, for the preservation of human life, direct –

- (a) the evacuation of any premises or place, including any public place:
- (b) the exclusion of any persons or vehicles from any premise or place including any public place.

(2) In a second or subsequent transition period, a person may not be excluded from any premises or place which that person owns or normally occupies unless that person is prohibited by other enactments.

- 3.6 An example of other enactments is as formal notification of a dangerous, affected, earthquake-prone or insanitary building under section 128 of the Building Act 2004.

#### **4 Compensation and reimbursement**

- 4.1 The Bill extends sections 108 and 109 of the principal Act to include compensation for loss or damage as a result of actions taken by the National Recovery Manager, Group Recovery Manager, Local Recovery Manager or the Police. However, the Crown accepts liability only for actions by the National Recovery Manager, police constables or their delegates. The Regional Civil Defence Emergency Management Groups have the liability for actions by the Group or Local Recovery Managers.
- 4.2 This follows the position adopted in sections 107-110 of the principal Act for the response phase. However, since these actions have been sanctioned by legislation, it seems more reasonable that all compensation claims should be the Crown's responsibility.
- 4.3 We support the proposed amendment to section 110 to extend the denial of subrogation<sup>3</sup> for insurers through the period when a transition notice is in effect.

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<sup>3</sup> i.e. recovering from local authorities or the Crown any amounts insurers have paid to insured persons in relation to claims for damages.

- 4.4 Council is pleased to see new section 115A 'Permanent legislative authority for payment of certain expenses', which should assist in providing more timely payments. However, while it seems reasonable that the expenses for payment must be those that "are incurred in respect of civil defence emergency management activities specified in the national civil defence emergency management plan or any relevant guidelines", we are unclear whether (a) this will ease the amount of work which Ministry and council officials currently spend in assessing eligibility of claims and (b) the criteria (which are outside the ambit of legislative control) will provide a reasonable balance in sharing costs between the Crown and local councils.

## 5 The longer-term view

- 5.1 During the first reading debate, Adrian Rurawhe, MP for Te Tai Hauāuru observed:

I think we also need to look at where incidents like this, events like this, happen to residents over and over again. Something more permanent needs to be done, whether it is relocation or it is raising their homes so that they do not flood. These are things that could be easily remedied, I think. I had a conversation with the Mayor of Rangitikei, who really wants to address that issue with the residents in the Rangitikei who are continually being flooded. In the Act itself, of course, we do support the inclusion of the transition periods. I think the implementation, though, needs to be carefully thought out.

- 5.2 While this longer-term view is within the scope of section 33.6.1 of the *Guide to the National CDEM Plan 2015*, Council suggests that a legislative mandate is potentially useful reinforcement. The Bill's focus on recovery 'transition' periods' may mean that a longer-term view is easily lost. An additional requirement could address that:

94HA Post-transition needs

A recovery manager must give consideration to community and business needs following the end of the transition period which is not subsequently extended and include that analysis and any recommendations in the final report.

I would like to talk with the Committee. The person to contact at Council on this is Carol Downs, phone (06) 327-0099 or email [carol.downs@rangitikei.govt.nz](mailto:carol.downs@rangitikei.govt.nz)

Yours sincerely

Andy Watson  
Mayor of the Rangitikei District

# ***Attachment 10***



**Rangitikei**  
UNSPOILT...

# Local Governance Statement

## RANGITIKEI DISTRICT COUNCIL

[reviewed February 2015](#)

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# 1. Introducing the Local Governance Statement

## 1.1 What is the Purpose of the Local Governance Statement?

A Local Governance Statement is a collection of information about the processes through which the Council engages with its community, how the Council makes decisions, and how citizens can influence these processes. A Local Governance Statement helps support the purpose of local government by promoting local democracy. The statement does this by providing the public with information on the ways to influence local democratic processes.

## 1.2 The Legal Requirement to Have a Local Governance Statement

Section 40 of the Local Government Act 2002 (LGA 2002) requires Council to have a Local Governance Statement.

## 1.3 What Information Does the Statement Contain?

To meet the purposes, this Local Governance Statement includes the following broad categories of information or identifies for citizens where this information can be found:

- Functions, responsibilities and activities of the Rangitikei District Council<sup>1</sup>;
- Electoral arrangements<sup>2</sup>;
- The way elected members' make decisions and relate to each other and to the management of the Rangitikei District Council<sup>3</sup>;
- Governance structures and processes<sup>4</sup>; and
- The key policies of the Rangitikei District Council<sup>5</sup>.

## 1.4 Where do I get further information?

The documents mentioned in this Local Governance Statement (including plans, reports, policies and memorandum of understanding agreements) are available from the Rangitikei District Council's website [www.rangitikei.govt.nz](http://www.rangitikei.govt.nz). Hard copies are available on request (and are in some cases subject to a charge or fee), and are available for viewing at the Council's Office in Marton or at any of the District's libraries. This includes:

- Rangitikei District Council Long Term Plan<sub>2</sub>
- Rangitikei District Council Annual Plan<sub>2</sub>
- Rangitikei District Council Annual Report<sub>2</sub>
- Rangitikei District Council Bylaws<sub>2</sub>
- Membership list of the Taihape and Ratana Community Boards, and the Marton, Turakina, Bulls and Hunterville Community Committees<sub>2</sub>
- Rangitikei District Council Agendas and Minutes<sub>2</sub>
- Memorandum of Understanding: Tutohinga<sub>2</sub>

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<sup>1</sup> LGA 2002 s.40(1)(a)

<sup>2</sup> LGA 2002 s.40(1)(c)

<sup>3</sup> LGA 2002 s.40(1)(g)

<sup>4</sup> LGA 2002 s.40(1)(f)

<sup>5</sup> LGA 2002 s. 40(1)(l)

- Rangitikei District Plan

## 2. Functions, Responsibilities and Activities of the Council

### 2.1 Functions

Under the ~~Local Government Act~~ LGA 2002, the purpose of local government has been defined as being:

- *“To enable democratic local decision-making and action by, and on behalf of communities and;*
- *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.<sup>6</sup>”*

The 2012 Amendments to the ~~Act~~ LGA 2002 changed the focus of local government, from promoting the social, economic, environmental and cultural well-being of communities to providing infrastructure and local public services in a cost-effective manner<sup>7</sup>.

And the role of a local authority has been defined as being to:

- *“Give effect, in relation to its district, to the purpose of local government and; perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.<sup>8</sup>”*

Core services of Council are identified as;

- network infrastructure,
- public transport services,
- solid waste collection and disposal,
- the avoidance or mitigation of natural hazards, and,
- libraries, museums, reserves, recreational facilities, and other community infrastructure<sup>9</sup>.

### 2.2 Principles

The LGA 2002 sets out a number of principles which the Council must act in accordance with<sup>10</sup>:

- Conduct business in an open, transparent and democratically accountable manner.

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<sup>6</sup> LGA 2002 s.10(1)

<sup>7</sup> LGA 2002 s. 10(2)

<sup>8</sup> LGA 2002 s. 11

<sup>9</sup> LGA 2002 s. 11A

<sup>10</sup> LGA 2002 s. 14



- Implement priorities and outcomes as effectively and efficiently as possible.
- Have regard to the views of the community.
- Take account of; the diversity of the community, community interests, interests of both current and future communities, when making a decision.
- Provide opportunities for Maori in decision making processes.
- Collaborate with other local authorities.
- Undertake commercial transactions in accordance with sound business practices.
- Periodically assess expected returns from commercial activities and ensure the returns are likely to outweigh the risks.
- Ensure prudent stewardship and the efficient and effective use of resources.
- Take a sustainable development approach considering; the social, economic, and cultural interests of people and communities; the need to maintain and enhance the quality of the environment; and the needs of future generations.

~~The 2013 Bill seeks to change these principles by increasing the requirement for Council to actively collaborate with other local authorities~~

### 2.3 Delivery of Services

~~The 2013 Bill introduces a~~ A new provision within the LGA 2002 ~~which~~ identifies Councils responsibility for the delivery of services<sup>11</sup>. As soon as practicable after each triennial election the Council must review the cost-effectiveness of current arrangements for meeting the needs of the community for good quality infrastructure, public services and regulatory functions. The review must consider options for governance, funding, and delivery of infrastructure services and regulatory services.

### 2.4 Responsibilities

The Rangitikei District Council has determined that it has the overall responsibility and accountability for the proper direction and guidance of the activities under its direct control. This responsibility and accountability includes:

- Providing a leadership focus for the District.
- Formulating the District's strategic direction.
- Ensuring activities are carried out in accordance with the Long Term Plan.
- Managing the principal risks to Council assets, services, infrastructure and investments.
- Administering all relevant legislation and regulations, and upholding the law.

<sup>11</sup> ~~LGA 2013 Bill Section 17A~~ LGA 2002 s. 17A(1) and s. 17A(2)

- Encouraging -economic and social development within the District.
- Representing local and community interests as appropriate.
- Providing and maintaining recreational and leisure facilities and facilitating the provision of community services.
- Reporting to ratepayers on the above.

## 2.5 General and Local Legislation

In addition to the legislation that applies to all local authorities, and such further legislation and amendments that Government from time to time may impose, the Rangitikei District Council is also bound by the following local legislation (Acts or sections of Acts) that apply specifically to it. These Acts are:

- Reserves and Other Lands Disposal and Public Bodies Empowering Act 1906. (Section 22 and schedule 6. Site for volunteer drill-shed Marton).
- Reserves and Other Lands Disposal and Public Bodies Empowering Act 1907. (Section 55 and Schedule 20 – Vesting land to Bulls Town Board for the purpose of town hall).
- Reserves and Other Lands Disposal and Public Bodies Empowering Act 1910. (Section 35 Exchange of certain lands in Bulls for recreation and rifle range purposes).
- Reserves and Other Lands Disposal Act and Public Bodies Empowering Act 1912<sup>27</sup>. (Section ~~25~~ 29 Authorising the erection of seaside cottage on Koitiata Domain).
- Maori Purposes Act 1954. (Section 5 Ratana Settlement administration).
- Local Legislation Act 1961. (Section 17 Validating deed of covenant between Marton Borough Council and Marton RSA).
- Water Conservation (Rangitikei River) Order 1993.

## 2.6 Local Bylaws

The Rangitikei District Council has a number of bylaws as follows:

- Speed Limit Bylaw 2009: Sets speed limits for the District. Adopted ~~2 November~~ 27 August 2009. (Reviewed and amended 2013, ~~and~~ 2014 and 2015).
- Water Related Services Bylaw 2013: Manages and regulates the water supply, wastewater, stormwater and land drainage systems. Adopted 2 May 2013<sup>12</sup>.
- Animal Control Bylaw 2013: Sets regulations on the keeping of animals (excluding Dogs) within the District so that they do not cause nuisance or endanger health. Adopted 7 October 2013; amended 29 October 2015 (for Turakina) and 17 December 2015 (for Mataroa and Crofton).

<sup>12</sup> However, Part 2 and Part 3 are not yet in effect. They introduce provisions for public and private stormwater drainage. Before these parts are put into effect, a series of maps clarifying the status of public and private drains will be released for consultation.

- Control of Dogs Bylaw ~~2004~~2014: Requires owners to suitably confine, house and otherwise control their dogs. Adopted ~~16 December 2004 (Reviewed 2010)~~, 27 November 2014.
- Stock Droving and Grazing Bylaw 2013: Presents permitted standards on droving and grazing to protect road surfaces, improve road safety and avoid nuisance. Adopted 7 October 2013.
- Control of Advertising Signage Bylaw 2013: To ensure health and safety, reduce hazards and to maintain aesthetic standards. Adopted 31 January 2013.
- Control of Skateboarding Bylaw 2010: control the use of skateboards to prevent injury, nuisance and damage. Adopted 24 June 2010.
- Trading in Public Places Bylaw 2013: To regulate the conduct of persons selling goods to the public on footpaths, roads or from vehicles. Adopted 31 January 2013.
- Public Places Bylaw 2013: To maintain standards of safety, amenity and civic values and address damage that may be caused to public places through use of facilities. Adopted 31 January 2013.
- Mokai Bridge Bungy Jumping Bylaw 2013: To ensure sufficient authority for an operator to use Mokai Bridge. Adopted 3 October 2013.
- Liquor Control in a Public Place Bylaw 2010: To minimise the potential for offensive alcohol related behaviour in public places. Adopted 1 September 2010.
- Food Business Grading Bylaw 2014: To ensure that all food businesses comply with minimum standards under legislating regulating the sale of food to the public and to introduce a grading system that will allow the community to make informed decisions in respect to food businesses. Adopted 27 November 2014.
- Fire Prevention Bylaw 2014: To prevent the spread of fire within Rangitikei urban fire district and prevent both nuisance and harm from fire within all parts of the Rangitikei district not zoned Rural in the operative District Plan. Adopted 30 January 2014.



- 3. Electoral Systems and Representation Arrangements

### 3.1 Electoral System

The Rangitikei District Council currently operates its elections under the first-past-the-post electoral system. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner regardless of the proportion of votes that the candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV). This system is used in District Health Board elections.

Under the Local Electoral Act 2001 the Council can resolve to change the electoral system to be used at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll. A poll can be initiated by at least 5 percent of electors signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections, i.e. - we cannot change our electoral system for one election and then change back for the next election.

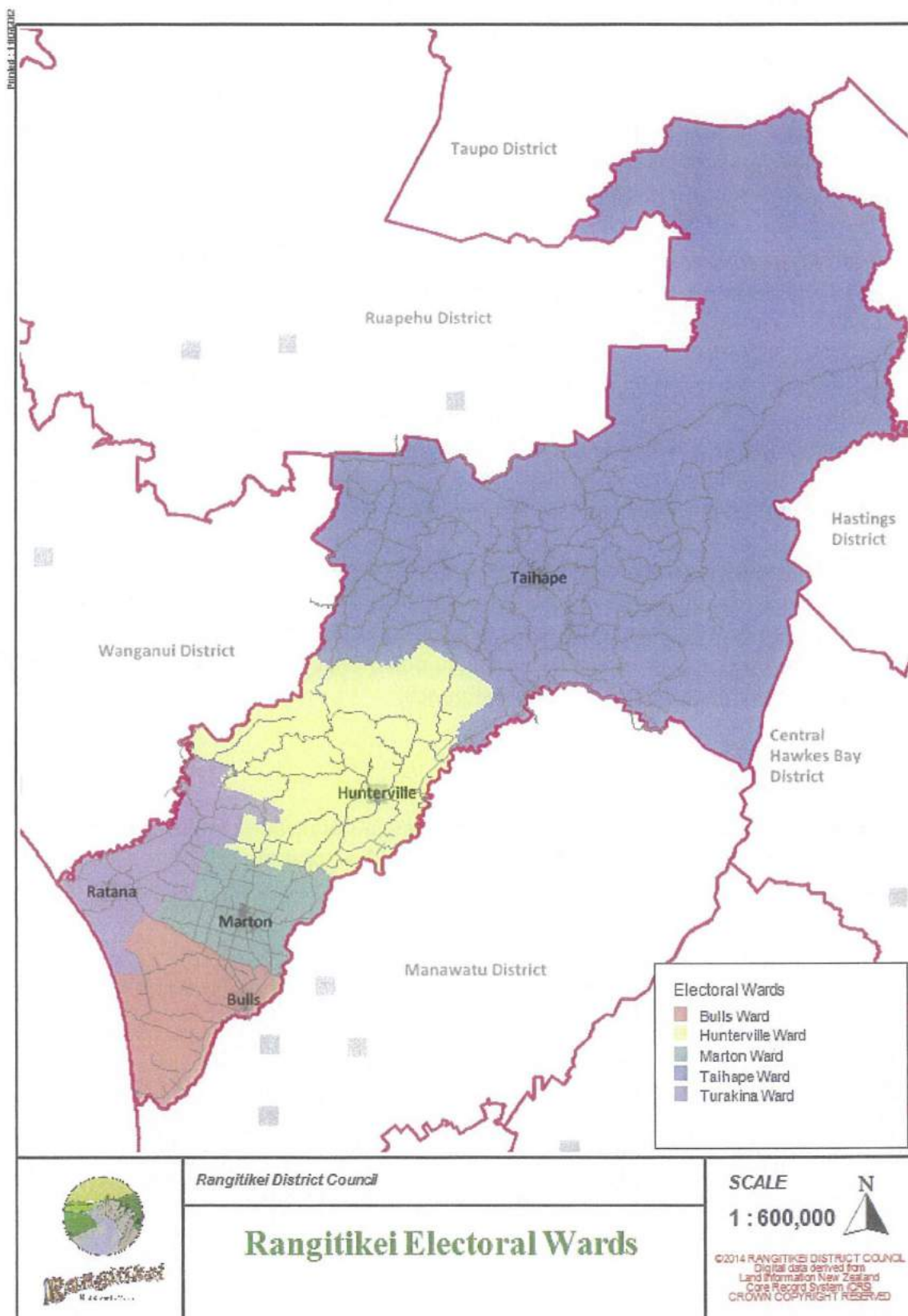
The Council's last review of electoral systems was in 2012 and (as a result) no change was made to Council's electoral system for the 2013 and 2015 elections. As no change was made to the electoral system, Council could resolve in 2017 to change the system for the 2018 elections or Council could also resolve to conduct a poll or electors could also demand a poll if 5%~~percent~~ of them made such a demand to Council.

### 3.2 Wards and Constituencies

The Rangitikei District Council has one Mayor and eleven Councillors. The Mayor is elected at large while Councillors are elected from five wards. The ward boundaries are illustrated on the next page.

Ward	Number of Councillors	Population estimate 2012 <sup>13</sup>
Bulls	Two	2517
Marton	Four	5849
Hunternville	One	1308
Turakina	One	1244
Taihape	Three	3794
TOTAL	Eleven	14330

<sup>13</sup> These population figures were the basis for revising the boundaries in the 2012 Representation Review.



### 3.3 Representation Options

#### 3.3.1 Maori Wards

The Local Electoral Act 2001 also gives the Council the ability to establish separate Wards for Maori electors. The Council may resolve to create separate Maori Wards or conduct a poll on the matter, or the community may demand a poll. A petition of five percent of electors can require the Council to conduct a poll.

The question of having Maori Wards was discussed in conjunction with the 2012 representation review, and advice from Te Roopu Ahi Kaa was sought. The Komiti thought the priority was to review the value of the Komiti as an advisory group compared to direct relationships with iwi and the Council.

#### 3.3.2 Community Boards

The Rangitikei District Council has two Community Boards – the Taihape Community Board and the Ratana Community Board, both part of the initial arrangements for the District when established in 1989. These boards are currently constituted under s. ~~section~~ 49 of the Local Government Act LGA 2002 to<sup>14</sup>:

- Represent and act as an advocate for the interests of their community.
- Consider and report on any matter referred to it by the Council and any issues of interest or concern to the Community Board.
- Make an annual submission to Council on expenditure in the community.
- Maintain an overview of services provided by the Council within the community.
- Communicate with community organisations and special interest groups in the community.
- Undertake any other responsibilities delegated by the Council (currently the Council has not delegated any such responsibilities).

The Ratana Community Board comprises of five~~our~~ members. Electors in the Ratana Community elect four~~all~~ members triennially. The fifth member is the Turakina Ward Councillor. ~~re are no members appointed from the Council but there is a Councillor who liaises with the Board.~~

The Taihape Community Board comprises of six~~four~~ members. Electors in the Taihape Community elect four members triennially and the Rangitikei District Council appoints any two of the Taihape Ward Councillors as members of the Community Board.

Both Community Boards elect their own Chairperson at their first meeting after the triennial election.

The Council reviewed the Community Board structures in 2012 as part of the Representation Review. It was decided, following public consultation, to retain both

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<sup>14</sup> LGA 2002 s. 52



~~Boards, at the request of the respective Community Boards, to not change the structure of the community boards.~~

### **3.4 Changing Representative Arrangements**

The Council is required to review its representation arrangements at least once every six years. The Council last conducted a review in 2012. It is not legally required to review representation again until 2018.

This review must include the following:

- The number of Elected Members (between six and 30 including the Mayor).
- Whether the Elected Members (other than the Mayor) shall be elected by the entire district, or continue to be elected by their Ward (or a mix of both systems).
- The boundaries and names of those wards and the number of members that will represent each ward (if election by wards is preferred).
- Whether or not to have separate Maori Wards.
- Whether to have Community Boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

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

Electors also have the right to appeal some decisions to the Local Government Commission, which will make a binding decision on the appeal.

## 4. Reorganisation Process

Local government reorganisation, as set out by the ~~Local Government Act~~LGA 2002 s. ~~section~~24, may provide for 1 or more of the following matters:

- The union of districts or regions,
- the constitution of a new district or region, including the constitution of a new local authority for that district or region,
- the abolition of a district or region, including the dissolution or abolition of the local authority for that district or region,
- the alteration of the boundaries of any district or region,
- the transfer of a statutory obligation from one local authority to another,
- the assumption by a territorial authority of the powers of a regional council.

The purpose of reorganisation<sup>15</sup> is to:

- Improve the effectiveness and efficiency of local government by:
  - Providing communities with the opportunity to initiate, and participate in considering, alternative local government arrangements for their area; and
  - Requiring the Commission, in consultation with communities, to identify, develop, and implement in a timely manner the option that best promotes good local government

A reorganisation application may be made to the Local Government Commission by any person, body or group. The 2012 and 2013 Amendments to the LGA 2002, ~~as well as, the 2013 Bill~~ have steadily increased the flexibility related to reorganisation.

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<sup>15</sup> LGA 2002 s. 24AA



## 5. Roles and Conduct

### 5.1 Mayor and Councillors' Role

The Mayor and the Councillors of the Rangitikei District Council have the following roles:

- Setting the policy direction of Council.
- Monitoring the performance of the Council.
- Representing the interests of the District
- Employing the Chief Executive.

On election, all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgement in the best interests of the District.

### 5.2 Mayor's Role

The Mayor is elected by the District as a whole. The Mayor shares the same responsibilities as other elected members of Council, and also has the following roles:

- Presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in Council's Standing Orders).
- Advocate on behalf of the District. This role may involve promoting the District and representing interests of the District's residents. Such advocacy will be most effective where it carried out with the knowledge and support of the Council.
- Ceremonial head of Council.

The 2012 Amendments [to the LGA 2002](#) also add the following roles of the Mayor<sup>16</sup>:

- Ability to appoint a Deputy Mayor.
- Ability to establish principal committees and appoint the Chair. The Mayor is a member of each committee.
- Provide leadership to elected members and people of the district.
- Lead the development of the District's plans, including the LTP and Annual Plan, policies, and budgets for consideration of Council.

### 5.3 Deputy Mayor's Role

The Mayor has the authority to elect the Deputy Mayor. The Deputy Mayor exercises the same roles as other elected members. In addition:

- If the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties of the Mayor, and may exercise the powers of the Mayor.

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<sup>16</sup> [LGA 2002 s. 41A](#)

- The Deputy Mayor may be removed from office by resolution of Council.

#### 5.4 Committee Chairperson's Role

The Chairperson of a committee is responsible for:

- Presiding over meetings of the Committee.
- Ensuring that the Committee acts within the powers delegated by Council, and as set out in the Council's Delegations Register.
- A Committee Chair may be removed from office by resolution of Council.

#### 5.5 Chief Executive's Role

The Chief Executive is appointed by the Council in accordance with ~~Section~~ s. 42 and Clause 33 and 34 of Schedule 7 of the ~~Local Government Act~~ LGA 2002. Recruitment of any new Chief Executive will be through an open and transparent recruitment process, with the final decision being made by full Council.

The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Under ~~s. section~~ 42 of the ~~Local Government Act~~ LGA 2002, the responsibilities of the Chief Executive are:

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

The Chief Executive is the only employee of the Council, and the only person who may lawfully give instructions to other staff. Any complaint about individual staff members should therefore be directed to the Chief Executive and not elected members. Any complaints about the Chief Executive should be directed in the first instance to the Mayor or Deputy Mayor.

The Chief Executive has an annual performance review, which all Councillors contribute to in a public excluded meeting. The Council will only monitor performance against criteria that have been identified and agreed with the Chief Executive in advance, and are focused on organisational operation and delivery of the core services.

#### 5.6 Elected Members

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

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

### 5.7 Code of Conduct

All elected members are required to adhere to Council's Code of Conduct. There is provision for Council to revise its Code of Conduct after each triennial election. Once adopted a Code of Conduct may only be amended by a 75 percent or more vote of the Council. The code sets out the Council's understanding and expectations of:

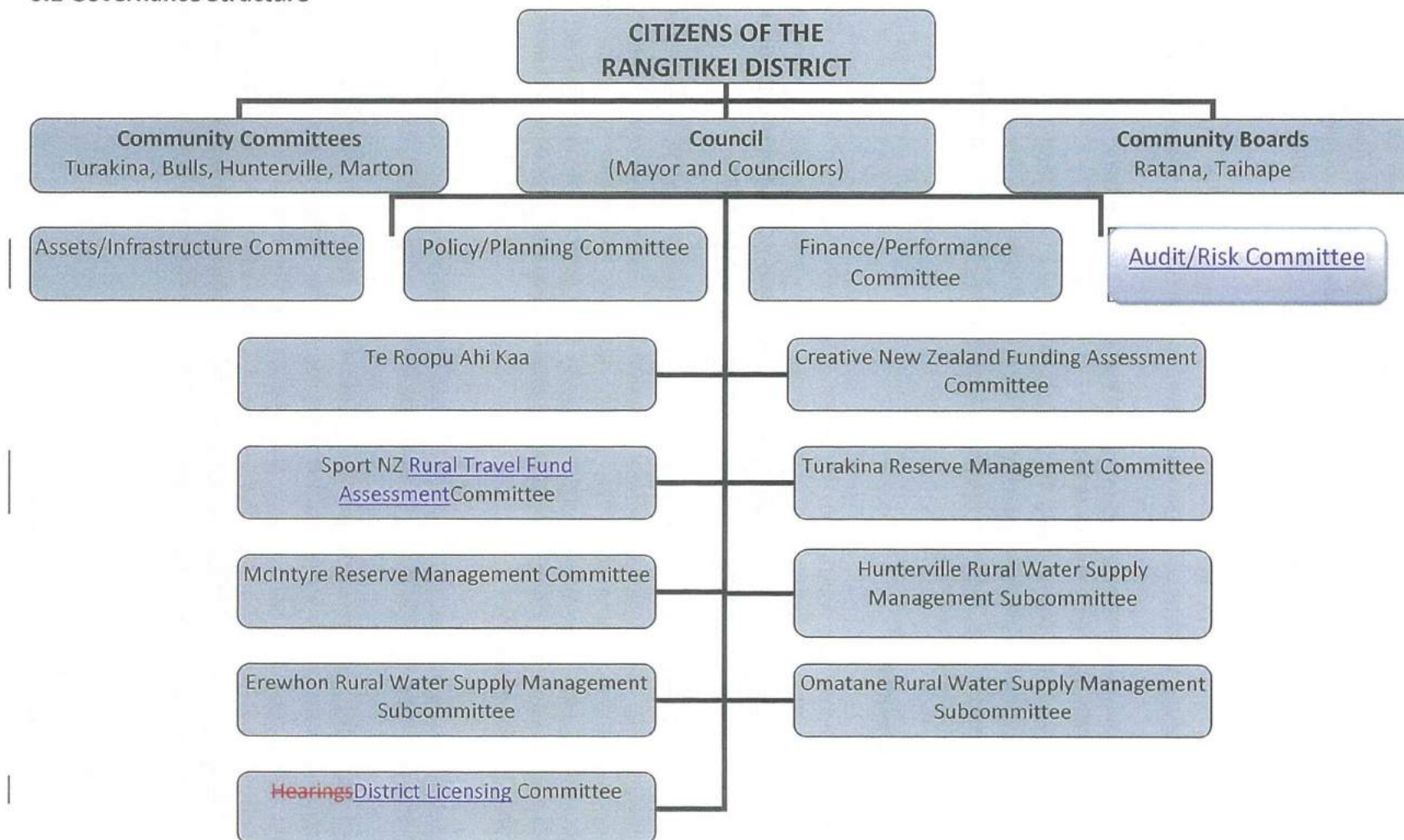
- How the Mayor and Councillors will relate to one another, to staff, to the media and to the general public in the course of their duties;
- Disclosure of information and management of sensitive or confidential information.

The Code of Conduct also contains a general explanation of the Local Government Official Information and Meetings Act 1987.



## 6. Governance and Management Structure and Delegations

### 6.1 Governance Structure



## 6.2 Delegations<sup>17</sup>

Council is assigned powers to act by a wide range of legislation, trust deeds and documents. In order to allow its Committees and the Chief Executive to carry out their functions, Council delegates some of these powers to act. The Chief Executive has to further delegate a number of these powers to allow Council staff to carry out their functions. The Council delegates authority to enable decisions to be taken at the lowest possible competent level subject to the provisions the ~~Local Government Act~~ LGA 2002. All delegations of power are contained in the Councils Delegations Register.

In delegating its powers to act under Schedule 7, clauses 32, 32A and 32B of the ~~Local Government Act~~ LGA 2002, the Council has regard for the following five principles;

- achieving more expert consideration of technical detail;
- gaining a more timely response;
- providing clarity where the responsibility for initial action lies;
- ensuring sufficient capacity to address and resolve issues; and
- maximising Council's focus on governance issues and matters which it may not lawfully delegate.

## 6.3 Council Committees<sup>18</sup>

The Mayor reviews the committee structure after each triennial election. The Mayor appoints committees as necessary to achieve optimum efficiency and effectiveness in the execution of Council's functions having regard to the need to minimise administration and maximise the opportunity for thorough deliberation and consultation.

Following the election in October 2012, the Mayor resolved to have three principal standing committees; the Assets/Infrastructure Committee, Policy/Planning Committee and Finance/Performance Committee. The Mayor appoints the Chair of each committee. Membership of each committee is determined by full Council. The Deputy Chair is elected by members of each committee. The Mayor is an ex officio member of each committee. The Committees meet monthly.

Subsequently, in July 2014, the Council endorsed the Mayor's proposal to establish a fourth standing committee, the Audit/Risk Committee, with an independent chair.

Council does not have ~~In addition the Council has~~ a Hearings Committee to deal with regulatory matters which by legislation must be heard. When the need arises, Council decides which members will conduct the hearing. ~~It has delegation to hear any matter under the Council's bylaws or specified legislation (i.e. Building Act, Dog Control Act, Fencing of Swimming Pools Act, and Sale of Liquor Act. Hearing Panels for matters within the scope of the Resource Management Act are appointed by the Mayor and the Chief Executive.~~

<sup>17</sup> Incorporating CLG1 from old Policy Manual

<sup>18</sup> Incorporating CLG2 from old Policy Manual



Council has appointed a District Licensing Committee (DLC), as required by s.186 of the Sale and Supply of Alcohol Act 2012. A commissioner has been appointed (under s.193) who is the chair of the DLC. Continuous service by a DLC member (and the commissioner) is limited to ten years. However, Council has limited the term to the end of the current triennium.<sup>19</sup>

The Council has a Maori Liaison Standing Committee called Te Roopu Ahi Kaa. They advise Council on issues that affect Maori and provide a Maori perspective for Council's policies, plans and bylaws.

The Council has four Community Committees (Bulls, Turakina, Marton and Hunterville) which meet bi-monthly. The purpose of these committees is to provide a local link and point of contact for Council liaison with the community, and to provide for the exchange of information, communication, and to assist with the Council's consultative processes. Membership of these Committees is available on the Council's website [www.rangitikei.govt.nz](http://www.rangitikei.govt.nz).

#### **6.4 Council Membership and Representation on other organisations<sup>20</sup>**

Council will maintain representation on other organisations as listed in the Delegations Register for the purposes of collaboration with these key stakeholders, including for the following reasons<sup>21</sup>:

- To respond to statutory requirements or pre-requisites for additional funding from central government.
- To demonstrate a commitment to community well-being and progressing community outcomes.
- To influence the strategy and programmes of regional organisations which operate in the Rangitikei as well as in neighbouring districts.
- To influence the distribution of funds into the Rangitikei.

Representatives may be elected members or other persons appointed by Council.

A Councillor may be a Board member in his/her own right but such an appointment is not as Council's representative.

#### **6.5 Management Structure**

A key to the efficient running of local government is that there is a clear division between the role of Council and that of management. The Rangitikei District Council elected members concentrate on setting policy, strategy, and determining the level of financial

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<sup>19</sup> [13/RDC/303 and 304.](#)

<sup>20</sup> Incorporating CLG3 from old Policy Manual

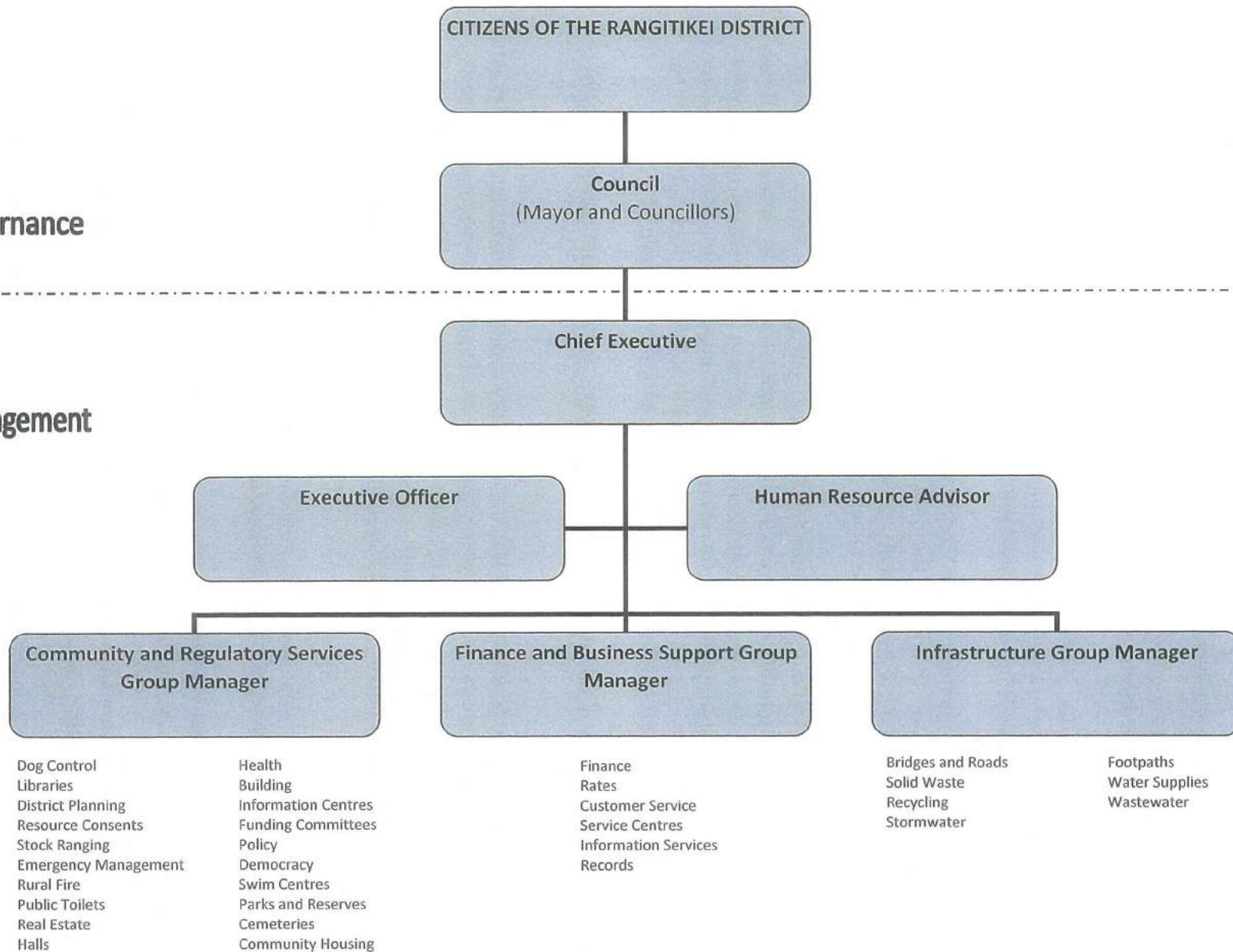
<sup>21</sup> 08/SPP /026

resources. The Council then reviews progress. Management is concerned with implementing Council policy and strategy.



## Governance

## Management



## 7. Meeting Processes

### 7.1 The Rules for Meetings and Standing Orders

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

All Council and Committee meetings are open to the public unless there is reason to consider some item 'in committee'. Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with the Council.

The scheduled monthly meetings of the Council provide a Public Forum which provides an opportunity for any person to address the Council on any matter which is relevant to the Council's business and statutory obligations. (This opportunity is also available at the start of meetings of Te Roopu Ahi Kaa and the Taihape Community Board).

The ~~Local Government Official Information and Meetings Act~~ LGOIMA contains a list of the circumstances where councils may consider items with the public excluded. These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information and the maintenance of public health, safety and order. Any decision to have an agenda item considered in the public excluded portion of the meeting may be challenged through referral of the matter to the Ombudsman.

The Council agenda is a public document, although parts may be withheld if the above circumstances apply.

The Mayor or committee chair is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member of the Council who does not comply with Standing Orders (a set of procedures for conducting meetings). With a few specific changes, the Council has adopted the NZS 9202:2003 Amendment 1. Model Standing Orders for meetings of Local Authorities and Community Boards.

Minutes of meetings are kept and made publicly available, subject to the provisions of the ~~Local Government Official Information and Meetings Act~~ LGOIMA.

For a meeting of the Council, at least 14 ~~days notice~~ days' notice of the time and place of the meeting must be given. Extraordinary meetings can generally be called on three working ~~days notice~~ days' notice. A monthly schedule of forthcoming meetings of the Council, its committees and the Community Boards is advertised in the local newspapers during the third week of every month.

During meetings of the Council, Committees or Community Boards, all Council participants (the Mayor or Chair, Councillors, or Members) must follow Standing Orders unless Standing Orders are suspended by a vote of 75 percent (or more) of the members present.

In addition, the Council Code of Conduct sets out some expectations of the behaviour, which elected members expect of one another at meetings.



## 8. Consultation Policies

Local authorities must follow certain consultation principles and a procedure when making certain decisions. This procedure, the special consultative procedure, ~~is regarded as a minimum process and~~ is outlined in sections 83, 86 and 87 of the Local Government Act LGA 2002.

~~Under the Act, the Council must follow the special consultative procedure before it:~~

- ~~• Adopts or amends a Long Term Plan (LTP);~~
- ~~• Adopts, revokes, reviews or amends a bylaw; or~~

~~The 2013 bill removes the requirement to use the special consultative procedure when:~~

- ~~• Adopting the annual plan, unless the proposed changes are likely to have a significant public interest or impact, for example would trigger an amendment to the LTP.~~
- ~~• Changes the mode of delivery for a significant activity (for example from the Council to a Council Controlled Organisation or from a Council Controlled Organisation to a private sector organisation) if that is not provided for in an LTP.~~

Consultation ~~would still have to~~ must be undertaken in accordance with best practice consultation principles given in section 82 of the LGA 2002 Act.

Under section 76AA of the Act LGA 2002, Council is required to have a Significance and Engagement Policy. This policy must set out:

- The Council's general approach to determining the significance of proposals and decisions in relation to issues, assets, and other matters; and
- Any criteria or procedures that are to be used by the local authority in assessing the extent to which issues, proposals, assets, decisions, or activities are significant or may have significant consequences; and
- How the Council will respond to community preferences about engagement on decisions relating to specific issues, assets, or other matters, including the form of consultation that may be desirable; and
- How the Council will engage with communities on other matters.

The Significance and Engagement Policy, which includes details of statutory consultation requirements, can be found in the Statutory Policy Manual. ~~The Council may be required to use the special consultative procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so.~~

### **8.1 Public Participation (Consultation) Policy**

~~The Rangitikei District Council believes that public participation is an essential part of good local government. Good consultation and participation processes that allow individuals and~~

organisations to contribute to democratic local decision making and action both builds social capital and civic pride, and leads to better decisions.

When undertaking consultation, the Council will use the following set of principles to guide public participation processes. The Council will:

- Select appropriate tools and techniques for consultation depending upon the level of engagement sought<sup>22</sup> and the impact of the issue being consulted upon;
- use simple and straightforward language when asking for feedback on proposals;
- ensure that documents are accessible;
- encourage councillors, community boards and community committees to engage with local communities and assist Council in consulting on public proposals;
- exercise discretion in circumstances where:
  - the costs of consultation outweigh the benefits;
  - a pre-set deadline (outside of the Council's control) precludes meaningful public participation taking place;
  - the risk to health and safety would be increased by delaying the decision;
  - views held by affected or interested parties are already known to a reasonable degree.

## **8.2 Significance and Engagement Policy**

The 2013 Bill introduces the requirement for Council to prepare a Significance and Engagement policy<sup>23</sup>. The policy must be adopted by 1 December 2014. The purpose of the policy is to enable Council and communities to:

- Identify the significance of particular issues;
- provide clarity about how and when communities can expect to be consulted, and;
- inform Council about the extent of public engagement which is expected and the type of engagement which is required.

This policy document Councils general approach to;

- determining the significance of proposals and decisions;
- outlining criteria for assessing the significance of proposals and decisions, and;
- how the council will engage with communities.

<sup>22</sup> For example, the IAP2 (<http://www.iap2.org/associations/4748/files/IAP2%20Spectrum-vertical.pdf>) or similar matrix

<sup>23</sup> Section 76AA

~~The policy must also list all assets which Council considers to be strategic. The policy may be amended when considered necessary by Council.~~



## 9. Liaison with Maori – Te Tangata Whenua O Rangitikei

### 9.1 Memorandum of Understanding: Tutohinga

The Memorandum of Understanding: Tutohinga establishes the protocols between the Rangitikei District Council, Te Tangata Whenua O Rangitikei and the Maori community Rātana-~~community~~. Under these protocols Te Roopu Ahi Kaa, as a Standing Committee of the Rangitikei District Council, has a number of significant responsibilities to discharge on behalf of Te Tangata Whenua O Rangitikei.

The Memorandum of Understanding Tutohinga was last reviewed in 2012. Reviews coincide with the six-yearly cycle of Representation Reviews.

The Memorandum of Understanding has been put together on the basis that:

- Both parties have entered into the Memorandum of Understanding: Tutohinga in good faith and with a view to making the partnership work.
- Both parties recognise that there may be constraints from time to time in respect of resources.
- Both parties can see mutual benefits being derived from the establishment of the Memorandum of Understanding: Tutohinga.
- Both parties express the wish that their partnership will develop and become stronger over time.

Conversely, the Council also has significant responsibilities to both Te Roopu Ahi Kaa and Te Tangata Whenua O Rangitikei under the Memorandum.



## **10. Equal Employment Opportunities**

### **10.1 Equal Employment Opportunity Policy**

The Council is committed to the principles of Equal Employment Opportunity for all its employees and will act in accordance with the following policy:

- People with the best skills and qualifications to do particular jobs are employed regardless of their gender, race, marital status, physical impairment, or sexual preference.
- All employees will have a fair and equitable chance to compete for appointment or promotion and to pursue their careers.
- The recruitment and promotion of employees is based on merit.
- All employees have equitable access to training and skills development.

## 11. Key Planning and Policy Documents

### 11.1 Long Term Plan (LTP)

In accordance with section 93 of the ~~Local Government Act~~ LGA 2002, the Council adopted its ~~fourth~~<sup>third</sup> Long Term Plan<sup>24</sup> (LTP) in June 2015<sup>2</sup>. The LTP was adopted following the special consultative procedure set out in sections ~~93A~~<sup>83</sup> and ~~84~~ of the ~~Local Government Act~~ LGA 2002.

The purpose of the LTP is to:

- Describe the activities of Council.
- Describe community outcomes.
- Provide integrated decision making and co-ordination of resources.
- Provide a long-term focus for decisions and activities of council.
- Provide a basis for accountability to the community.
- ~~Provide an opportunity for participation by the public in decision making.~~

The LTP is the central focus for the Council's future over the next 10 years. The plan will be reviewed by 30 June 2018<sup>5</sup> and will be reviewed every three years thereafter. It is important to note that Council cannot significantly deviate from the LTP without re-engaging the community through the special consultative procedure. In other words, once the plan is adopted it determines the Council's direction for the next three years. The LTP is subject to audit.

The LTP is the Council's key document and contains information on:

- Groups of Activities: The LTP shows the level of service Council will provide for each activity, the assets employed and the total costs (both capital and operating) to Council for providing those services.
- Financial Strategy: to underpin prudent financial management, with an analysis of the key factors likely to impact on the Council (population change, investment in infrastructure etc.)
- Infrastructure: to make explicit how Council envisages it will manage its roads, water, wastewater and stormwater facilities over the next 30 years.<sup>25</sup>
- Variations between the LTP and earlier assessments of water services, sanitary services and waste management within the District.
- Forecast financial statements: Detailed forecasts for three years and summary forecasts for the seven years after the first three.
- Details of any Council-controlled organisations, its objectives, scope of activities and targets.
- Funding Impact Statement: How the rates are going to be allocated/charged to ~~r~~Ratepayers.

<sup>24</sup> The Long Term Plan was renamed in the 2010 changes to the Local Government Act 2002. The Long Term Plan was previously referred to in legislation as the Long Term Council Community Plan, or the LTCCP.

<sup>25</sup> Council has opted to include community and leisure assets within this strategy.

- A Revenue and Financing policy: who pays for services provided, why and how
- Significant Forecasting assumptions and associated risks to the financial estimates. A summary of the Council's Significance and Engagement Policy. ~~This Policy's purpose is to ensure that the Rangitikei District is fully consulted and able to actively participate in the consideration of issues, proposals, decisions or other matters, which are significant and/or involve the District's strategic assets.~~
- Development of Maori Capacity to Participate in Council Decision-making.
- How Council will develop Maori capacity to contribute to the decision making process.
- Describe community outcomes; good access to health services, a safe and caring community, lifelong educational opportunities, a treasured natural environment, a buoyant district economy and enjoying life in the Rangitikei.

~~The 2013 Bill also requires the inclusion of;~~ As a consequence of the LGA 2002 Amendment Act 2014, the LTP is now required to also include:

- the infrastructure strategy, and,
- the projected number of rating units within the District.

## 11.2 The Annual Plan

In the intervening years of the adoption of a LTP, the Council adopts an Annual Plan through the ~~special~~ consultative procedure as set out in sections ~~95A83 and 85 82~~ of the ~~Local Government Act~~ LGA 2002.<sup>26</sup> The Annual Plan focuses on the budgets for the current financial year and the setting of rates. This document is not able to significantly deviate from the LTP.

## 11.3 The Annual Report

Under section 98 of the ~~Local Government Act~~ LGA 2002 Council is required at the end of each financial year to report back to the community on how the year actually turned out compared with the Annual Plan or LTP. The purpose of this report is to ensure Council is accountable to the Community. The report is audited.

## 11.4 The Pre-Election Report

Under s. 99A and clause 36 of Schedule 10 of the ~~Local Government Act~~ LGA 2002, Council is required to prepare a pre-election report with certain information for the three years preceding (and following) the year of the election.

## 11.5 The Rangitikei District Plan

The Rangitikei District Plan was adopted on 3 October 2013. The Plan sets out the framework of objectives, policies, and methods to be used to achieve integrated management of the effects of the use and development of resources and protection of the

<sup>26</sup> However, s.95(2A) allows the Council to dispense with this requirement if the proposed annual plan does not include significant or material differences from the content of the long-term plan for the financial year to which the proposed annual plan relates.



natural and physical resources of the Rangitikei District. The principal method in the Plan to control the effects of land use and land subdivision is through rules. Rules are deemed to have the effect of regulation for the purposes of the Resource Management Act 1991 (RMA 1991).

The ~~Resource Management Act~~RMA 1991 prescribes submission and appeal processes before the notified plan becomes operative.

The Plan has been prepared to fulfil the requirement of Part 5 of the ~~Resource Management Act~~RMA 1991 that there be, at all times, one District Plan for each territorial authority district. Implementation of the Plan's policies and methods are intended to assist the Council to carry out its functions under the RMA Act 1991. The Plan is one of a number of initiatives to be used by the Council to achieve the (sustainable management) purpose of the RMA Act 1991.

### 11.6 Triennial Agreements

Triennial agreements contain protocols for communication and co-ordination among the named local authorities covering the period until the next triennial election. Agreements must be entered into no later than 1 March after each election.

~~The 2013 Bill widens the scope of~~ S. 15 of the LGA 2002 requires triennial agreements to include:

- Processes and protocols for identifying, delivering and funding facilities and services which are significant to more than one district<sup>27</sup>.
- May include commitments to establish or continue joint committees or other joint governance arrangements<sup>28</sup>.
- Terms of reference for committees or other arrangements, including delegations<sup>29</sup>.
- That council must notify other local authorities when making decisions which are inconsistent with the triennial agreement<sup>30</sup>.

The Council enters into two triennial agreements; it is a principal signatory with the Manawatu-Wanganui (Horizons) Region and a non-primary signatory with the Hawkes Bay Region.

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<sup>27</sup> LGA 2002 s. 15(2)(c)

<sup>28</sup> LGA 2002 s. 15(3)(a)

<sup>29</sup> LGA 2002 s. 15(3)(b)

<sup>30</sup> LGA 2002 s. 15(7)

## 12. Request for Official Information

### 12.1 Request for Official Information

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

Once a request is made the Council must supply the information unless reason exists for withholding it. The ~~Local Government Official Information and Meetings Act~~ LGOIMA says that information may be withheld ~~id~~ if the release of information would:

- Endanger the safety of any person<sup>31</sup>.
- Prejudice maintenance of the law<sup>32</sup>.
- Compromise the privacy of any person<sup>33</sup>.
- Reveal confidential or commercially sensitive information<sup>34</sup>.
- Cause offence to Tikanga Maori or would disclose the location of Waahi Tapu<sup>35</sup>.
- Prejudice public health or safety<sup>36</sup>.
- Compromise legal professional privilege<sup>37</sup>.
- Disadvantage the local authority while carrying out negotiations or commercial activities<sup>38</sup>.
- Allow information to be used for improper gain or advantage<sup>39</sup>.

The Council must answer requests within 20 working days (although there are certain circumstances where this timeframe may be extended). A charge shall be made to recover all reasonable costs incurred by Council in providing the information. An estimation of cost prior to providing the information can be made available. Council has adopted the charging guidelines issued by the Ministry of Justice.

In the first instance you should address requests for official information to:

Information Request  
Chief Executive  
Rangitikei District Council  
Private Bag 1102  
Marton 4741

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<sup>31</sup> LGOIMA s. 6

<sup>32</sup> LGOIMA s. 6

<sup>33</sup> LGOIMA s. 7

<sup>34</sup> LGOIOMA s. 7

<sup>35</sup> LGOIOMA s. 7

<sup>36</sup> LGOIMA s. 7

<sup>37</sup> LGOIMA s. 7

<sup>38</sup> LGOIMA s. 7

<sup>39</sup> LGOIOMA s. 7

# ***Attachment 11***





# **Rangitikei District Council**

## Parewanui Road

### Speed Limit Development Rating Survey

February 2016





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## Appendices

- Appendix A – Speed Limit Survey Form (Rating Diagram)
- Appendix B General Information Form

# 1. Introduction

## 1.1 Background

Rangitikei District Council received a complaint from residents in High Street / Parewanui Road about the high speed of traffic entering the township of Bulls from the west. They requested the 50 km/h speed limit be extended to the west of its current location to encourage drivers to slow down before they entered the Bulls urban area.

## 1.2 Purpose of this report

GHD was engaged to consider what practicable steps could be taken to address this speed problem and to ascertain whether or not the speed limit on Parewanui Road could/should be altered as requested by residents.

## 1.3 Disclaimer

This report: has been prepared by GHD for the Rangitikei District Council and may only be used and relied on by Rangitikei District Council for the purpose agreed between GHD and the Rangitikei District Council as "Principal".

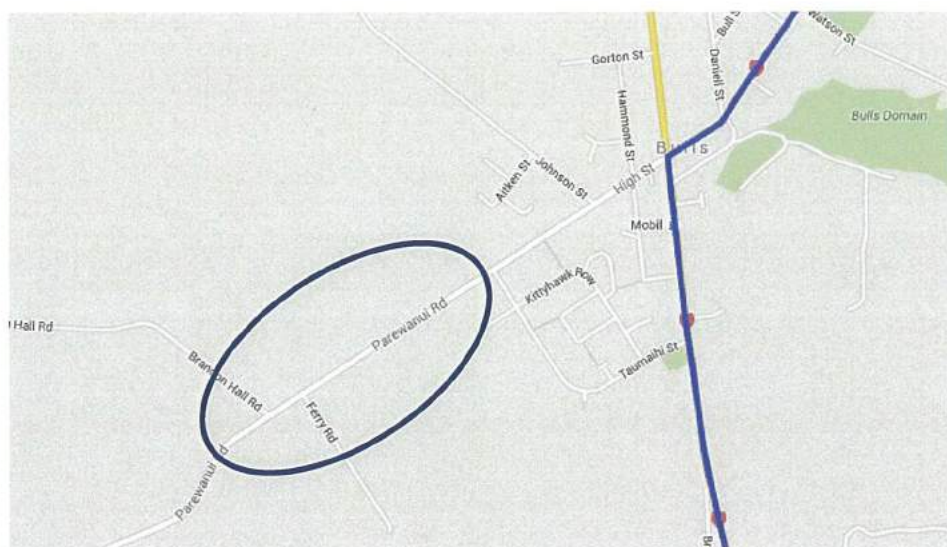
The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

## 1.4 Assumptions

The speed limit development rating survey was undertaken in accordance with the requirements of the "Land Transport Rule: Setting of Speed Limits (2003)".

## 1.5 Location

Parewanui Road starts at the western end of High Street in Bulls and runs out toward the Tasman Sea.



**Figure 1 Location Map**

## 2. Findings

### 2.1 Speeds on Parewanui Road

Traffic heading into Bulls along Parewanui Road is travelling in an open road speed limit. Accordingly it is estimated that the mean speed is about 80 km/h while the 85<sup>th</sup> percentile speed is closer to 90 to 100 km/h. Site observations indicate that the traffic does not appear to start slowing down until they get to the speed limit signs so they are still travelling at open road speeds past the speed limit signs.

This is very similar to what used to happen in Marton on Calico Line and Wanganui Road.

### 2.2 Threshold Treatment

Drivers' lines of sight as they enter Bulls are blocked by large hedges which prevent drivers from seeing and recognising their approach to the Bulls urban environment. Compounding this problem is the fact that the road widens out once inside the urban area which gives the impression to drivers that they can go faster.

There are no visual cues to drivers to alert them to the change in speed environment until after they get past the speed limit signs, hence the contributing factor to the perceived speed problems being experienced by local residents.

### 2.3 Development Rating Survey Findings

The survey results show the average development rating for the 700 metre long length of Parewanui Road from the existing 50/100 km/h speed limit signs to 50 metres west of Brandon Hall Road is 5.14 units per 100 metres. This equates to an 80 km/h speed limit.

If one were to look at extending the existing 50 km/h speed limit 150 metres westward along Parewanui Road to include the first 5 houses, the average development rating value is only 6.00. This is well short of the 11.00 plus required by the Speed Limit Setting Rule so cannot be supported.

## 3. Recommendations

There are two recommendations as follows:

### 3.1 Threshold Treatment of 50/100 Speed Change Point

It is recommended that some form of threshold treatment be introduced at the 50/100 km/h speed limit change point. This should make the 50 km/h speed limit signs more conspicuous and, if done correctly, will provide a strong visual cue to drivers that they need to slow down before they get to the speed limit change point. Ways of doing this include:

- Increasing the size of the 50 km/h speed limit signs.
- Placing a blue and white backing board behind the speed limit roundel with Bulls written on it.
- Or putting the larger 50 km/h roundel on twin or triple white painted posts to give the appearance of a gate narrowing down the road.
- Constructing a low kerbed garden with low growing vegetation around the base of the signs to give the appearance that the road narrows at this point.
- Painting a flush median along the centreline of the road between the speed limit signs.



- Change the 100 km/h roundel to 80 km/h if second recommendation below is adopted.
- Replace the 100 km/h roundel with an RS3 speed limit derestriction sign.

### 3.2 Introduce a new 80 km/h Speed Limit

It is also recommended that Council give serious consideration to introducing a new 80 km/h speed limit along Parewanui Road from the existing 50/100 km/h speed limit signs to a position 50 metres south/west of Brandon Hall Road, as shown in Figure 2 below.



**Figure 2 Proposed speed limit change points**

### 3.3 High visibility garments

When residents mow the grass verge in front of those properties near the speed limit change point, it is recommended that they be encouraged to wear a high visibility orange Day-Glo jacket so they can be clearly seen by approaching drivers. If pedestrians are clearly visible close to edge of the road, most drivers tend to slow down and give them a wider berth.

## **4. Likely Outcome**

If these recommendations are adopted and implemented by Council we would expect a similar lowering of operating speed along Parewanui Road as it enters Bulls as has occurred on Calico Line and Wanganui Road in Marton when the speed limits were reduced on those roads. Reducing the speed limit on Wellington Road through Crofton south of Marton also had the effect of lowering operating speeds in that location.

Upgrading the speed limit signs where the 50 km/h speed limit starts by introducing a threshold treatment will also have the effect of making the speed limit change point more conspicuous, encouraging drivers to slow down before they reach the urban area of Bulls thereby improving the safety of adjoining residential properties along High Street through lower vehicle operating speeds.



## **Appendices**

## **Appendix A** – Speed Limit Survey Form (Rating Diagram)

Sheet 1 of 2

**SPEED LIMIT SURVEY FORM (RATING DIAGRAM)**

Road Controlling Authority Manawatu District Council At FEILDING

Road Sardon From 50/100 km/h Signs To Ranfurly Road

Surveyed by Roger McLEAY

Date 28/1/16

TO	DEVELOPMENT RATING			ROADWAY RATING							Total	Notes
	Frontage	Side Road	Sub Total	Peds	Cyclist	Parking	Geometry	Traffic Control	Use	Sub Total		
	—	—	—	1	1	1				3		
869	2	—	2	1	1	1				3		
832	2	—	2	1	1	1				3		
785	3	—	3	1	1	1				3		
738	3	—	3	1	1	1				3		
	3	—	3	1	1	1				3		
555	3	—	3	1	1	1				3		
558	2	—	2	1	1	1				3		
505	—	—	—	1	1	1				3		
476	5	—	5	1	1	1				3		
407	1	—	1	1	1	1				3		
	1	—	1	1	1	1				3		
279												
247												
242												
163												
94												
FROM			25							25		

Average rating between 50/100 signs and Ranfurly Rd. equals 4.17



## **Appendix B** General Information Form

# GENERAL INFORMATION FORM

Instructions: Circle the answer, tick the box, describe or fill-in data as appropriate

Road Controlling Authority Manawatu D.C. At FEILDING  
Road Sardon Rd From 50/100 Signs To Ranfurly Road  
Surveyed by Roger McLeay Date 28/1/16

1. The surrounding land environment is: Fully developed urban ☐ Low density urban ☐  
Urban fringe ☒ Rural settlement ☐ Rural selling place ☐ Fully rural ☐  
Holiday resort ☐

2. The classification of this section of road is: Arterial ☐ Collector ☒ Local ☐

3. What is the length of road under consideration? 1.2 km m

4. What is the current speed limit on the road? 100 km/h

5. What are the speed limits on the adjoining road sections? 100 km/h, 50 km/h

6. Are there any features that would provide suitable change points between limits?  
Yes ~~Yes~~ No Describe: Ranfurly Road Intersection

7. Is the road divided by a solid or flush median? ~~Yes~~ No Solid ☐ Flush ☐  
Note: a median should extend for at least 500 metres.

8. How wide is the median? NA m

9. Does the median provide sufficient width and turn slots to provide adequate protection for turning and crossing vehicles? Yes / No NA

10. How many lanes? 2 What is the typical lane width? 3.5 m  
Note: count only the number of through lanes normally used by drivers.

11. Note any special lanes, e.g. cycle lanes: None

12. What is the setback of the through traffic lanes to the property boundary? 7 m  
Note: If the development is similar on both sides of the road, use the lower value. If development is not balanced, use the setback on the more developed site.

13. Is there a consistent standard of street lighting? ~~Yes~~ / No

14. What is the mean speed 80 km/h and 85<sup>th</sup> percentile speed 95 km/h for free running vehicles on this section of road?

15. Examine crash data for the section of road for the previous two years. Note any changes that have occurred that may affect crashes.

Number of injury crashes / 100 million vehicle km (two year average): \_\_\_\_\_

List any special crash types \_\_\_\_\_

16. Are there any special traffic conditions or roadside developments that may affect speeds, or require special consideration? Describe: Life style blocks and blind corners.



GHD

Level 2, 52 The Square  
Palmerston North 4410

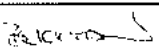
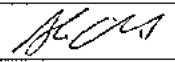
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Document Status

Revision	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
	Roger McLeay	Brian Hickton		Alex Chisholm		1/2/2016

[www.ghd.com](http://www.ghd.com)



# ***Attachment 12***



**Rangitikei**  
DISTRICT COUNCIL

# Report

Subject: **Dog Control And Responsibility Policy And Control Of Dogs Bylaw Review**

To: Policy/ Planning Committee

Date: 29 January 2016 (updated 24 February 2016<sup>1</sup>)

File Ref: 3-PY-1-20

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## 1 Executive Summary

- 1.1 The purpose of this report is to enable the Policy/Planning Committee to consider changes to the Dog Control and Owner Responsibility Policy following the legal compliance review of Council's dog control processes. This review recommended minor changes to the Dog Control and Owner Policy 2014 for better alignment with current dog control policies and operations.
- 1.2 These amendments relate primarily to enabling a discretionary power to neuter menacing dogs (rather than a mandatory one) and the introduction of a property inspection regime which ensures properties are regularly inspected prior to a menacing dog classification.
- 1.3 The report suggests that the opportunity is taken to concurrently review the Control of Dogs Bylaw to ensure it remains an adequate enforcement tool and also to maintain the ten year statutory concurrent review cycle for both these documents.
- 1.4 If the proposed amendments are accepted by the Committee, then the draft Policy and the draft Bylaw, with associated consultation documents will be put to Council for adoption for a special consultative procedure at its meeting on 31 March 2016, along with the proposed Engagement Plan.

## 2 Context

- 2.1 Under the Dog Control Act 1996 (the Act), every council **must** have a dog control policy and **may** have a dog control bylaw. When a dog control bylaw is reviewed, the Act requires a council's dog control policy to be reviewed at the

---

<sup>1</sup> This report was included on the agenda for the Committee's meeting on 12 February 2016, but was deferred because of the pressure of other business. Accordingly, references to Council approval on 29 February 2016 have been updated to Council's meeting on 31 March 2016. With that exception, the report is unchanged.

same time. In consulting on a proposed new dog control policy and bylaw, the Local Government Act 2002 requires the use of the Special Consultative Procedure.

- 2.2 The Control of Dogs Bylaw was reviewed in 2014. The Local Government Act requires bylaws to be reviewed at least every 10 years. However, a recent legal compliance review of Rangitikei District Council's processes to meet its obligations under the Act suggested that Council could tighten some of the provisions of its dog control policy to support the Animal Control Team in carrying out their duties under the Act.<sup>2</sup>
- 2.3 Specifically, the recommendations of the legal compliance review concerned:
- the provision of a blanket de-sexing policy for all dogs classified as menacing. It may be advantageous that de-sexing for menacing classifications is discretionary at dog control officer level, allowing for each case to be taken on its merits
  - introducing a regime of property inspections prior to classifying menacing dogs
- 2.4 Should the Committee feel that it is appropriate to amend the Dog Control and Owner Responsibility Policy 2014, then it is also appropriate to review the Bylaw to ensure that it remains an effective enforcement tool for the Policy. The simultaneous review of the Bylaw with the Policy also means that the statutory period for the next review extends to 2026.
- 2.5 A minor oversight has been spotted with regards to the Animal Control Bylaw. This bylaw has been amended by Council only recently at its meeting held on 17 December 2015 (15/RDC/374) and the amendment discussed in this report will not impact the regulatory function nor alter the Bylaw to any extent.

### **3 Dog Control and Owner Responsibility Policy**

- 3.1 The proposed draft Dog Control and Owner Responsibility Policy is attached as Appendix 1. The following minor editorial changes have been made and are not marked up.
- All references to the Dog Control Bylaw have been changed to Control of Dogs Bylaw for consistency
  - All references to "Good Owner" have been changed to "Responsible Owner". This removes a perception of subjectivity about "good" and aligns with the term used in the Act.

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<sup>2</sup> The review also recommended simplification of the fee structure which will be addressed in the 2016/17 Schedule of Fees and Charges.

- References to specific fees have been removed which enables Council to consider fees annually without requiring changes to the Policy.
- Senior dog control officer has been added to the definitions section in order to align more closely with the delegations provided to a Senior Dog Control Officer in the Delegations Register.
- Abatement of Nuisance paragraph (7.13.3) has been condensed and reworded for clarity
- Barking Dogs paragraph (7.13.4) has been aligned more closely with the enabling legislation (s. 55 of the Act)
- The inclusion as appendices of GIS maps of dog exercise areas in the main towns of Bulls, Marton and Taihape

3.2 More significant changes which are marked up and which the Committee is asked to consider are:

7.1.9: Introduction of an enabling clause to explicitly permit penalties for late registration of dogs.

7.2.8: A new clause suggesting a maximum period between property inspections of five years. This allows the Dog Control team to inspect properties more frequently if necessary. The Committee may wish to prescribe a more (or less) frequent inspection regime.

7.3.6 Removal of the clause specifying that dogs must not be fed untreated sheep or goat meat since this prohibition is no longer necessary.

7.4.10 Introduction of a discretionary authority, rather than a mandatory one, for the Senior Dog Control Officer to require that a menacing dog is neutered. This aligns the policy with the Delegations Register and enables the Council to avoid potentially lengthy appeals processes.

7.5.1 Further clarification of the requirements to achieve Responsible Owner classification, and hence to secure reductions in registration fees.

7.5.2 As above.

## 4 Control of Dogs Bylaw

4.1 If the Committee is minded to review the Dog Control and Owner Responsibility Policy as above, then the following amendments are required for the Control of Dogs Bylaw as attached in Appendix 2 (marked up).

14.2 b) Removal of the clause specifying that dogs must not be fed untreated sheep or goat meat since this prohibition is no longer necessary.



- 19 Abatement of Nuisance paragraph has been condensed and reworded for clarity and to align with the change proposed for the Policy.

## **5 Animal Control Bylaw**

- 5.1 The Animal Control Bylaw, paragraph 12.1 notes that “It is an offence under the Rangitikei District Council Control of Dogs Bylaw to allow any dog to be fed or have access to any untreated sheep or goat meat”. Should the Committee consider that this provision should be removed from both the Dog Control and Owner Responsibility Policy and the Control of Dogs Bylaw, then for consistency it needs to be removed from the Animal Control Bylaw (see [Appendix 3](#)). However, this is a very minor editorial amendment that has no effect on the Animal Control Bylaw itself. Therefore it is not considered necessary to undertake any public consultation to make this minor change.

## **6 Next Steps**

- 6.1 A draft Engagement Plan is attached as [Appendix 4](#). It provides an opportunity for public comment on the proposed amendments to the Dog Control and Owner Responsibility Policy and the Control of Dogs Bylaw that is appropriate for the level of public interest in this matter.

## **7 Recommendations**

- 7.1 That the report on “Dog Control and Owner Responsibility Policy and Control of Dogs Bylaw Review” be received.
- 7.2 That the proposed draft Dog Control and Owner Responsibility Policy and draft Control of Dogs Bylaw, contained in Appendices 1 and 2 [as amended/without amendment] with associated consultation documents be recommended to Council for adoption for a special consultative procedure at its meeting on 31 March 2016, and that the proposed Engagement Plan contained in Appendix 4 be recommended to Council for the special consultative procedure associated with these consultations.
- 7.3 That the proposed draft Animal Control Bylaw contained in Appendix 3 [as amended/without amendment] be recommended to Council for adoption, and that because the proposed amendment has no effect on the provisions of the Animal Control Bylaw, no further consultation be undertaken.

Alex Staric  
Policy Analyst

# *Appendix 1*



# Rangitikei District Council

Policy Title	Dog Control and Owner Responsibility Policy
Date of Adoption by Council	<del>XXXX</del> <del>27 November</del> 2016 <del>4</del>
Resolution Number	<del>146</del> /RDC/ <del>XXX</del> <del>247</del>
Date by which review must be completed	<del>XXX</del> <del>27 November</del> 2026 <del>19</del>
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# PROPOSED

## DOG CONTROL AND OWNER RESPONSIBILITY POLICY

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### **ABSTRACT**

- ❖ Section 10 of the Dog Control Act statutorily mandates Council to develop and adopt a policy on dogs in accordance with the special consultative procedure set out in Section 83 of the Local Government Act 2002.
- ❖ Council must give effect to the enforcement of this policy by developing and adopting under Section 20 of the Act the necessary Control of Dogs Bylaw.
- ❖ Council wishes to encourage dog ownership with the accompanying positive effects such ownership brings, however, Council recognises that this must be balanced by ensuring measures are in place to minimise and mitigate problems that dogs can cause.

## 1. INTRODUCTION

- 1.1 Under the Dog Control Act 1996 Council is responsible for both administering the Dog Control Act 1996 within its territorial district and developing a dog control bylaw. This policy forms the basis of the Rangitikei District Council Dog Control Bylaw 2014 which is made pursuant to Section 20 of the Act and sets out a framework on how Council proposes to implement the various measures prescribed by the Act as being the responsibility of Council, meet community outcomes and Council's performance measures for dog control as set out in its 10 Year Long Term Plan.
- 1.2 Council acknowledges that the majority of dog owners within the Rangitikei district are responsible dog owners and that most interactions between dogs and people are positive. However, there will always be instances when a dog becomes a nuisance or danger to the community. A core feature of this policy is ensuring a balance is maintained between public safety and meeting the recreational needs of dogs and their owners.
- 1.3 In developing this policy Council has had regard to the urban / rural character of the Rangitikei district and has sought to encourage and reward responsible dog ownership recognising the value of well-behaved dogs whilst ensuring adequate measures are in place to minimise or mitigate the nuisance to the community that dogs can cause.

## 2. DEFINITIONS

"Act" means the Dog Control Act 1996 and any amendments to it.

"At Large" means at liberty, free, not restrained.

"Bylaw" means the Control of Dogs Bylaw 2014.

"Confined" means enclosed securely in a building or vehicle or tied securely to an immovable fixture on a premise or within an enclosure from which the dog cannot escape.

"Dangerous Dog" means any dog that behaves aggressively or threatens the safety of any person, stock, poultry, domestic animal or protected wildlife as defined under Section 31 of the Act.

"Disability Assist Dog" has the same meaning as defined under the Act.

"Dog Control Officer" means a dog control officer appointed under Section 11 of the Act; and includes a warranted officer exercising powers under Section 17 of the Act.

"Dog Ranger" means a dog ranger appointed under Section 12 of the Act; and includes an honorary dog ranger.

**"Senior Dog Control Officer"** is of the same meaning as "Dog Control Officer" with the addition of further delegated responsibilities.

**"Domestic Animal"** has the same meaning as defined under the Act

**"Council"** means Rangitikei District Council.

**"Infringement Offence"** has the meaning given to it under Section 65(1) of the Act.

**"Menacing Dog"** has the same meaning as defined under the Act and means any dog that Council considers may pose a threat to any person, stock, poultry, domestic animal or protected wildlife due to either observed or reported behaviour or dogs which are classified as menacing under Section 33A or 33C of the Act.

**"Neutered Dog"** has the same meaning as defined under the Act.

**"Non-Working Dog"** means all dogs that are not working dogs as defined in this Policy.

**"Owner"** has the same meaning as defined under the Act.

**"Policy"** means the Dog Control and Owner Responsibility Policy.

**"Poultry"** has the same meaning as defined under the Act.

**"Probationary owner"** means a dog owner who has received three or more infringement notices in a 24 month period or been convicted of any offence under the Act or any offence against Part 1 or Part 2 of the Animal Welfare Act 1999 in respect of a dog, or any offence against Section 26ZZP of the Conservation Act 1987, or Section 561 of the National Parks Act 1980.

**"Protected Wildlife"** has the same meaning as defined under the Act.

**"Public Place"** has the same meaning as defined under the Act.

**"Under Control"** means a dog that is under the direct control of a person either through the use of a leash, voice or hand commands (when in a leash free area) or which has its movements physically limited through the use of a leash and/or muzzle.

**"Registration Year"** has the same meaning as that given to the term "financial year" in Section 5(1) of the Local Government Act 2002.

**"Roaming Dog"** has the meaning given under Section 52 of the Act any is any dog unaccompanied by its owner found in a public place or on private land or premises other than that occupied by the owner.



“Responsible Owner” means any person who demonstrates to the satisfaction of a Council dog control officer, that they are able to comply with the requirements as specified in section 7.5.1 of this policy.

“Rushing” has the same meaning as defined under Section 57 (1) of the Act and includes a dog in a public place which rushes at, or startles any person or animal in a manner that causes a person to be killed, injured or endangered; or any property to be damaged or endangered; or which rushes any vehicle in a manner that causes or is likely to cause an accident.

“Stock” has the same meaning as defined under the Act.

“Working Dog” has the same meaning as defined under the Act.

### 3. LEGISLATIVE CONTEXT

3.1 Section 4 of the Act states that the purpose of the Act is

- “(a) *to make better provision for the care and control of dogs –*
  - i. by requiring the registration of dogs; and*
  - ii. by making special provision in relation to dangerous dogs and menacing dogs; and*
  - iii. by imposing on the owners of dogs, obligations designed to ensure that dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person; and*
  - iv. by imposing on owners of dogs obligations designed to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife; and*
- (b) to make provision in relation to damage caused by dogs.*

3.2 Dog owners are responsible for their dog and its behaviour. Section 5 of the Act sets out statutory obligations for every dog owner which they are required to comply with and include:

- “(a) *Ensuring that the dog is registered in accordance with the Act and that all relevant territorial authorities are promptly notified of any change of address or ownership of the dog;*
- (b) Ensuring that the dog is kept under control at all times;*
- (c) Ensuring that the dog receives proper care and attention and is supplied with proper and sufficient food, water and shelter;*
- (d) Ensuring that the dog receives adequate exercise;*
- (e) Taking all reasonable steps to ensure that the dog does not cause a nuisance to any other person, whether by persistent and loud barking or howling or by any other means;*



- (f) *Taking all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person;*
- (g) *Taking all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife;*
- (h) *Taking all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person;*
- (i) *Complying with the requirements of the Act and of all regulations and bylaws made under the Act.*

*Nothing in the Act limits the obligations of any owner of a dog to comply with the requirements of any other Act or of any regulations or bylaw regulating the control, keeping, and treatment of dogs.*

#### **4. POLICY CONSIDERATIONS**

4.1 Dog control is a statutory regulatory function which Council is required under Section 6 of the Act to provide. Further, Council is required under Section 10 of the Act to adopt a dog control policy which must:

- a) Specify the nature and application of any bylaw made or to be made under Section 20;
- b) Identify any public place from which dogs are to be prohibited, either generally or at specified times, pursuant to a bylaw made under Section 20(1)(a);
- c) Identify any particular public place, and any areas or parts of the district in which dogs (other than working dogs) in public places are required by a bylaw made under Section 20(1)(b) to be kept on a leash;
- d) Identify those areas or parts of the district in respect of which no public place or area has been identified under paragraph (b) or (c) above; and
- e) Identify any space within areas or parts of the district that are to be designated as dog exercise areas permitting dogs to be exercised at large;
- f) State whether dogs classified by any other Council as menacing dogs under Section 33A or 33C are required to be neutered under Section 33EB(2) if the dog is currently registered with Council and, if so whether the requirement applies to all such dogs and if not, the matters Council will take into account when determining whether a particular dog must be neutered;
- g) Include such other details of the policy as Council thinks fit including, but not limited to, details of the policy in relation to:
  - i. Fees or proposed fees;
  - ii. Owner education programmes;
  - iii. Dog obedience courses;
  - iv. The classification of owners;
  - v. The disqualification of owners; and

- vi. The issuing of infringement notices.

## **5. POLICY OBJECTIVES**

- 5.1 Council seeks to promote a high standard of dog care and control so that people can enjoy the benefits of a dog ownership without adversely affecting other members of the public, and for people of all ages to feel safe in our communities during their interactions with dogs.
- 5.2 As required by Section 10(4) of the Act, this policy has been made having regard to the need to:
  - a) Minimise danger, distress and nuisance to the community;
  - b) Avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
  - c) Enable, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
  - d) Provide for the exercise and recreational needs of dogs and their owners.

## **6. SHARED SERVICES AND COMMUNITY PARTNERSHIPS**

- 6.1 Council Officers liaise on dog control issues (as appropriate) with key external community stakeholders such as the SPCA, veterinary surgeons, New Zealand Police, dog obedience clubs, kennel/dog breed clubs and adjoining councils.
- 6.2 Recent amendments to the Local Government Act 2002 require Council to fulfil its dog control obligations under the Act in an efficient and cost effective method. Council does this partly through contractual agreement with Manawatu District Council and Wanganui District Council.

## **7. NATURE AND APPLICATION OF POLICY**

### **7.1 FEES AND CHARGES**

#### Registration fees

- 7.1.1 Registration of dogs is a central principle of the Act, with all registered dogs listed in the national dog database. Councils are statutorily required to keep a register of all dogs registered in their district and dog owners must ensure that their dogs are registered with Council each year. Dog registration is an effective tool for Council to use to communicate with known dog owners, and creates a valuable record detailing the history of each dog and dog owner within the district.
- 7.1.2 Council's tiered fee structure reflects a partial "user pays" system in that the dog control activity is partially funded through Council rates as the service incorporates an element of public good associated with community safety

outcomes. Despite payment of both registration and impounding fees Council does not fully recover the costs associated with this regulatory activity.

- 7.1.3 The dog registration fees are set by Council each year and reflect the respective levels of service required by each category of dog owner. Payable by 31 July each registration year, reduced registration fees are payable for neutered dogs, working dogs, and "Responsible Owners" providing an incentive for responsible dog ownership.
- 7.1.4 A key component of this policy is the control of dogs within the district particularly unwanted dogs and accordingly registration fees for dogs which have been neutered are set lower than dogs which have not been neutered.
- 7.1.5 All dogs over the age of three months are required to be registered. Accordingly, when a dog is first registered only the balance of the current years registration fee is payable.
- 7.1.6 Dog owners are required to advise Council promptly of any change of dog ownership or address.
- 7.1.7 Registration fees are set for all dogs over three months of age for each registration year. The registration fee shall be payable by 31 July in each registration year.
- 7.1.8 Pursuant to Section 32(1)(e) of the Act the registration fee of a dog classified as dangerous is 150% of the level that would apply if the dog were not so classified.

#### Penalties for late registration

- 7.1.9 Council may choose to apply a penalty fee on late registrations as stipulated under Section 37(3) of the Dog Control Act 1996 and outlined in the current schedule of fees and charges.

#### Impounding fees

- 7.1.9 Council has a statutory duty of care pursuant to Sections 67-72 of the Act for all dogs impounded, seized or committed to its custody. Each year Council pursuant to Section 68 of the Act sets fees relating to the impounding, seizing or committing dogs to its custody and the costs associated with this activity.

These fees are intended to capture the costs of Councils Officers time undertaking such activities, the daily sustenance costs for impounded dogs and also the costs associated with euthanising impounded dogs. As part of the tiered user pays fees structure for dog control activities but also as a sanctioning /deterrent element of this policy Council resolved to impose higher pound fees on the owner of any dog which has a second or subsequent impoundment within a single 12 month period.

- 7.1.10 Before any impounded dog can be released into the care of its owner or rehomed all impounding fees and charges must be paid in full and the dog (if not already) must be registered and micro chipped.

## **7.2 DOG CONTROL MATTERS**

- 7.2.1 Dog owners must keep their dogs on a leash at all times when in a public place, (excluding those locations designated as dog exercise areas or where dogs are specifically prohibited). Dog owners are required to keep their dog under continuous and effective control when in a public place.
- 7.2.2 Any dog which is placed on an open tray of a vehicle must be kept restrained by a leash or chain of a length which is sufficiently short to ensure that the dog cannot fall from the vehicle or rush at passers-by. This provision will not apply if the dog is placed in a suitable cage or box which can adequately contain it.
- 7.2.3 Bitches in season are not permitted to enter or remain upon a public place except a registered veterinary clinic and must be kept contained upon their owner's property in such a way so that they are inaccessible to roaming dogs.
- 7.2.4 Dogs suffering from any infectious disease are not permitted to enter or remain upon a public place but must be kept contained within its owner's property or alternatively be confined at a registered veterinary clinic while the disease, is being medically treated.
- 7.2.5 Council provides signage to inform the community of areas where dogs are prohibited or required to be on a leash or where they may be exercised off the leash. Signage is also used to reinforce Councils requirement that dog owners remove their dog's faeces when on public places.
- 7.2.6 Any dog owner or person responsible for a dog when out on any public place or upon land not owned or occupied by that person, must carry a suitable container to collect and remove any dog faeces defecated by the dog under their control, and dispose of it in a sanitary manner. Dog faeces can contain bacterial disease or parasites which are potentially dangerous to public health particularly for children.
- 7.2.7 Any dog found roaming on any public place or private land not owned or occupied by its owner shall be in breach of Council's Control of Dogs Bylaw and may be impounded or destroyed.
- 7.2.8 All properties of registered dog owners will be checked by Council's dog control officers or dog rangers within a 5 year period in relation to the contents of this Policy, the Control of Dogs Bylaw, and Dog Control Act 1996

## **7.3 DOG OWNERSHIP**

### Minimum Standard of Care



- 7.3.1 Dog ownership carries with it responsibilities on the part of the owner to provide the dog with proper facilities, care, attention and exercise. Failure to do so can lead to unhealthy conditions for the dog and give rise to nuisance to neighbours through odours, vermin, pests and noise from the dog barking or howling.
- 7.3.2 Every owner, or person responsible for a dog must ensure that the area of the property that the dog has access to is fully fenced suitable for the purpose of confining the dog.
- 7.3.3 Every owner, in respect of every dog in the care of the owner, must provide accommodation, which meets the following minimum standards:
- a) A weatherproof kennel in which there is sufficient room for the dog to stand up and turn around;
  - b) The kennel must be constructed on dry ground and be sheltered from the weather. It should be a solid structure with a roof and a floor, and allow the dog access to clean water at all times and be kept in a clean and sanitary condition.
- 7.3.4 The kennel must not be located nearer than one metre to any boundary of the property. Failure to comply with this is an offence under the Control of Dogs Bylaw and may result in an infringement notice being issued.
- 7.3.5 The dog owner must ensure that their dog is supplied with proper and sufficient food and water, is free from injury or infection or, is receiving proper care and attention for the injury or infection. Failure to comply with this is an offence under the Control of Dogs Bylaw and may result in an infringement notice or prosecution under the Act.
- 7.3.6 ~~Each dog owner must ensure that their dog is not fed, nor has access to, any untreated sheep or goat meat.)~~
- 7.3.7 Each dog owner must ensure that the dog receives adequate exercise.
- 7.3.8 Where a case of neglect or cruelty to a dog is found an appropriate agency will be informed and the dog may be seized immediately.

#### **7.4 DOG CLASSIFICATION**

##### Dangerous Dogs

- 7.4.1 Sections 31 – 33 of the Act set out the reasons how or why a dog may be classified as dangerous and the obligations and responsibilities such a classification imposes on the dog owner.
- 7.4.2 Pursuant to Section 31 of the Act Council must classify a dog as dangerous if:

- a) the owner of the dog has been convicted of an offence in relation to the dog under section 57A(2)<sup>1</sup> of the Act; or
  - b) the territorial authority has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on 1 or more occasions, reasonable grounds to believe that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife; or
  - c) the owner of the dog admits in writing that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife.
- 7.4.3 When a dog is classified as dangerous Council must give the owner of the dog notice of its classification whereupon the owner has 14 days to object in writing to Council of its classification. The owner is entitled to be heard by Council in support of their objection to the classification.
- 7.4.4 The owner of a dog classified as dangerous must ensure that the dog is:
- a) kept contained within a securely fenced area of their owners property which it is not necessary to enter to obtain access to at least 1 door of any dwelling on the property;
  - b) kept confined within a vehicle or cage, or muzzled in such a manner to prevent the dog from biting but allowing it to breathe and drink without obstruction, or controlled on a leash (except when in a dog exercise area) when in a public place or private way; and
  - c) neutered or has been neutered within 1 month of receipt of the dangerous dog classification and produces to Council a veterinary certificate confirming this; or
  - d) there are reasons why the dog is not in a fit condition to be neutered before the date specified in the veterinary certificate. In such circumstances, the dog owner must produce to Council a certificate that the dog has been neutered within 1 month of the date specified in the veterinary certificate.
- 7.4.5 The owner of a dog which has been classified as dangerous is not permitted to transfer ownership of the dog without the prior written permission of Council.

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<sup>1</sup> **57A Dogs rushing at persons, animals, or vehicles**

(1) This section applies to a dog in a public place that—

- (a) rushes at, or startles, any person or animal in a manner that causes—
  - (i) any person to be killed, injured, or endangered; or
  - (ii) any property to be damaged or endangered; or
- (b) rushes at any vehicle in a manner that causes, or is likely to cause, an accident.

(2) If this section applies,—

- (a) the owner of the dog commits an offence and is liable on conviction to a fine not exceeding \$3,000 in addition to any liability that he or she may incur for any damage caused by the dog; and
- (b) the court may make an order for the destruction of the dog.

(3) A dog control officer or dog ranger who has reasonable grounds to believe that an offence has been committed under subsection (2)(a) may, at any time before a decision of the court under that subsection, seize or take custody of the dog and may enter any land or premises (except a dwellinghouse) to do so.



The obligations imposed by Section 32 of the Act and owning a dangerous dog transfer to any new owner.

- 7.4.6 The classification of a dangerous dog extends throughout all of New Zealand.

#### Menacing Dogs

- 7.4.7 Sections 33A – 33EC of the Act set out the reasons how or why a dog may be classified as menacing and the obligations and responsibilities such a classification imposes on the dog owner.

- 7.4.8 Pursuant to Section 33A of the Act Council may classify a dog as menacing if:

- a) it has not been classified as a dangerous dog under Section 31; but Council considers may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of any observed or reported behaviour of the dog; or any characteristics typically associated with the dogs breed or type.

- 7.4.9 When a dog is classified as menacing pursuant to Section 33A(2) of the Act Council must give the owner of the dog notice of its classification whereupon the owner has 14 days to object in writing to Council of its classification. The owner is entitled to be heard by Council in support of their objection to the classification.

- 7.4.10 The owner of a dog classified as menacing must ensure that the dog is:

- a) not allowed to be at large or in any public place or in any private way, except when kept confined within a vehicle or cage, or muzzled in such a manner to prevent the dog from biting but allowing it to breathe and drink without obstruction, or controlled on a leash (except when in a dog exercise area) when in a public place or private way; and
- c) ~~is neutered or has been neutered within 1 month of receipt of the menacing dog classification and produces to Council a veterinary certificate confirming this;~~ neutered as required by a Senior Dog Control Officer, who at his/her discretion can, on a case by case basis, require a classified menacing dog to be neutered within a month of notice and for the owner to provide a veterinary certificate to Council as confirmation;
- d) ~~there are reasons why the dog is not in a fit condition to be neutered before the date specified in the veterinary certificate. In such circumstances, the dog owner must produce to Council a certificate that the dog has been neutered within 1 month of the date specified in the veterinary certificate.~~ In such circumstances where a dog is not in a fit condition to be neutered before the date specified by the Senior Dog Control Officer, the Owner must produce to Council a veterinary certificate advising of the date when neutering may take place, and the dog must be neutered within 1 month of the date specified in the veterinary certificate.

- 7.4.11 All breeds listed in Schedule 4 of the Act, or types of dog belonging wholly or predominantly to 1 or more breeds or types listed in Schedule 4 of the Act will be classified as menacing and will be subject to muzzling and a ban on importation.

7.4.12 The classification of a menacing dog extends throughout all of New Zealand.

## 7.5 DOG OWNER CLASSIFICATION

### Responsible Owner

7.5.1 Any person who demonstrates to the satisfaction of the Council's dog control officer that they are able to comply with all the following requirements will be designated a Responsible Owner and will be entitled to a discounted registration fee as outlined in the current Schedule of Fees and Charges:

- a) The dog is provided with adequate accommodation. Kennels are sited on a hard surface and kept clean, and are able to provide the dog with shelter from the elements and be free from dampness. In the event that the dog does not have a kennel, the dog must be kept in a building.
- b) ~~When the dog is not under the direct control of the owner it must be kept in a completely fenced off or contained area.~~
- c) At all times the dog is under the proper control of the owner at all times either through direct interaction with the owner (voice, sightlines, leash), or via a control apparatus (full fenced space, running wire).
- d) The Dog responds to owner's basic commands
- d) ~~The dog is not fed, nor has access to, any raw offal or untreated sheep or goat meat.~~
- e) The dog is registered and microchipped.
- f) There has been no justified complaints within a 24 month period made against the dog.
- g) The Owner has not received a conviction under the Dog Control Act 1996, nor receive any infringement notice in the last year.
- h) The owner has not had a dog impounded over the last year.
- i) The owner has not been classified as a Probationary or Disqualified owner.
- f) The Owner will be in attendance when required for any inspection and shall provide the dog control officer with assistance as requested.
- g) The owner will promptly notify Council of any ~~birth, death, sale~~ or transfer of any dog they own.
- h) The owner will comply with all requirements of the Act and Council's Control of Dogs Bylaw.
- i) Has submitted an application to be a Responsible Owner four weeks prior to 31 July each registration year and a Council dog control officer has visited the property and determined that the owner is appropriately classified as a Responsible Owner.

7.5.2 Failure to comply with any of the above conditions may result in the dog owner losing their Responsible Owner classification for a minimum of two complete registration years effective immediately, except in the case of late registration, in which case the dog owner will lose their Responsible Owner classification for a period of one registration year.



As Responsible Owner classification is granted to the person identified as the owner of a dog or dogs, the inability of the owner to meet Responsible Owner classification as specified under 7.5.1 due to the transgression of one dog, will effectively mean the Responsible Owner classification be revoked even though other dogs under the Owner's ownership have not transgressed.

The loss of Responsible Owner classification will result in the dog owner being liable for the payment of the difference between their Responsible Owner classification fee and whichever other fee they would otherwise be liable for. This will impact all dogs under the ownership of the Owner.

#### Probationary owner

- 7.5.3 Council may under Section 21 of the Act classify a dog owner as a probationary owner. Council must give the person notice of its decision to classify them as a probationary owner whereupon they shall have 14 days to object in writing to Council of their classification. The probationary owner is entitled to be heard by Council in support of their objection to the classification.
- 7.5.4 The effect of such a classification shall continue for a period of 24 months, unless Council or the Environmental and Regulatory Services Manager determine that a lesser period of time is appropriate.
- 7.5.5 The classification of a probationary owner extends throughout all of New Zealand.

#### Duties of a Probationary Owner

- 7.5.6 A probationary owner is not permitted to be the registered owner of a dog, unless they were the registered owner of the dog on the date of the classification. Within 14 days of receiving the probationary owner classification the probationary owner must dispose of any unregistered dog that they own.
- 7.5.7 Council may require the probationary owner to attend at the dog owners expense a dog owner education programme or dog obedience course (or both) which has been previously approved by Council or the Environmental and Regulatory Services Team Leader.
- 7.5.8 Every person commits an offence and is liable upon conviction to a fine not exceeding \$3,000 who without reasonable excuse fails to attend the dog owner education programme or dog obedience course (or both).

#### Disqualified Owner

- 7.5.9 Where section 25 of the Act applies Council must disqualify a person from being a dog owner unless Section 25(1A) applies. Owners can be disqualified from owning a dog for a period of up to five (5) years.
- 7.5.10 Council must give the person notice of its decision to disqualify them from being permitted to own a dog whereupon they shall have 14 days to object in writing to

Council of this decision. The disqualified dog owner is entitled to be heard by Council in support of their objection to being disqualified.

- 7.5.11 The disqualification from being permitted to own a dog extends throughout all of New Zealand.

#### Duties of a Disqualified Owner

- 7.5.12 A disqualified person is not permitted to be the registered owner of any dog, and must within 14 days of receiving notice that they have been disqualified from owning any dog must dispose of all dogs that they own.
- 7.5.13 All of the disqualified person's dogs must be disposed of in a manner that does not constitute an offence under the Act or any other Act; and they must not be disposed of to any person who resides at the same address as the disqualified person.
- 7.5.14 Every disqualified person commits an offence and is liable upon conviction to a fine not exceeding \$3,000:
- a) If they fail to dispose of all of the dogs that they own within the specified time frame; or
  - b) do not dispose of their dogs in a manner which doesn't constitute an offence under the Act or any other Act, or if they dispose of their dogs to any person who resides at the same address; or
  - c) if at any time while they are disqualified to own a dog become the owner of a dog.
- 7.5.15 Every person commits an offence and is liable upon conviction to a fine not exceeding \$3,000 if they dispose of or give custody or possession of a dog to any person, knowing that that person is disqualified from owning a dog pursuant to Section 25 of the Act.
- 7.5.16 Where a disqualified person fails to dispose of any dog that they own within the specified 14 day timeframe then Council's dog control officers may seize any dog owned by the disqualified person.

### **7.6 PROHIBITED AREAS**

- 7.6.1 All dogs (except working dogs whilst carrying out their function as a working dog) shall be prohibited at all times from the following areas:
- a) All public buildings;
  - b) The playing surfaces of sports grounds and up to 20 metres of the playing surfaces where contained within the perimeter fence of the sports ground;
  - c) Public swimming pools;
  - d) All children's playgrounds in public places;
  - e) Picnic areas;
  - f) Wilson Road stock route, Hunterville.

- 7.6.2 All areas from which dogs are prohibited from entering shall have appropriate signs posted notifying the public that dogs are prohibited within that area.
- 7.6.3 Dogs which are kept on a leash by their owner or person in charge of the dog are permitted to move through the playing surface of sports grounds, children's playgrounds, picnic areas and the Wilson Road stock route travelling from one side to the other if there is no viable alternative route; however, the dog owner or person in charge of the dog is not permitted to stop with the dog whilst within any of these areas.
- 7.6.4 Council, may upon written request, allow dogs to enter public buildings for the purpose of a dog show or such other events as Council may at its discretion authorise. In considering such written requests, Council will consider the suitability of the building concerned for holding such an event, the duration of the event, and measures necessary to ensure public health and safety. The determination of this request will be made at the appropriate delegation level within Council.

#### Conservation areas

- 7.6.5 No dogs (except working dogs carrying out their function as a working dog) are permitted in scenic reserves, conservation or forest parks and named conservation areas unless the dog owner has obtained a permit from the Department of Conservation.

#### **7.7 LEASH CONTROL AREAS**

The owner of a dog shall not allow the dog on any public place (not being a prohibited area or dog exercise and recreation area) unless the dog is controlled on a leash or is under the continuous control to the satisfaction of Council's dog control officer.

#### **7.8 DOG EXERCISE AND RECREATION AREAS**

- 7.8.1 Dog exercise areas are designated locations within the district where Council permits dogs to run at large off the leash. The dog owner must have the dog under their control at all times and a leash to be used if necessary. The areas listed below have been designated by Council as dog exercise areas:

<b>Marton</b>	<b>The periphery of Wilson Park (excluding the children's playground) (Appendix 1)</b>
<b>Taihape</b>	<b>The north eastern section of Taihape Domain (Appendix 2) 16-18 Robin Street, Taihape (Appendix 3)</b>
<b>Bulls</b>	<b>The northern section of Bulls Domain (Appendix 4)</b>

7.8.2 Other areas may be designated dog exercise areas by resolution of Council and these may include certain beach areas.

7.8.3 Subject to the practicality of undertaking the necessary work, some dog exercise areas may be fenced to provide a secure area for both dog owners and non-dog owners alike.

7.8.4 All dog exercise areas shall have appropriate signs posted prominently notifying the public that dogs are permitted to exercise within that area.

## **7.9 EDUCATION PROGRAMMES**

7.9.1 While Council itself does not provide any owner education programmes or dog obedience courses it will continue to visit schools to familiarise children on issues of dog safety and caring for their dog.

7.9.2 Areas where dogs are prohibited or conversely where they may exercise will be publicised through this Policy and appropriate signage will be displayed on the street or at the park concerned or sports ground.

7.9.4 Additionally, an extensive website containing information for dog owners, adults and children on dog safety is maintained by the Department of Internal Affairs <http://www.dogsafety.govt.nz/>.

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

## **7.10 CONTROL OF DOGS BYLAW**

7.10.1 The main tool that Council will use to meet its statutory obligations and implement this policy in order to achieve its policy objectives is its Control of Dogs Bylaw ~~2014~~2016. This Bylaw will include inter alia:

- a) Prescribing minimum standards for the housing of dogs;



- b) Regulating and controlling dogs in Public Places;
- c) Designating specific areas as dog exercise areas;
- d) Requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas of parts of the district;
- e) Requiring owners of dogs that defecate in public places (except as exempted by the Bylaw) to immediately remove faeces;
- f) Requiring bitches in season to be confined;
- g) Providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by Council under the Act.

7.10.2 As required by Section 10(6)(a) of the Act Council will review its Control of Dogs Bylaw within 60 days of adopting this Policy.

### **ENFORCEMENT**

7.11.1 Council provides a 24 hour Animal Control Service and encourages people to report nuisance dog behaviour and dangerous or menacing dogs.

7.11.2 Council seeks to promote a high standard of dog care and control within the district and acknowledges that the majority of dog owners within the Rangitikei district are responsible dog owners. Council recognises that sometimes even a responsible dog owner may breach the policy, Bylaw or Act. On such occasions Council's Environmental and Regulatory Services Team Leader may use discretion and issue a written warning provided that the incident did not involve injury or distress to a person or animal, or a health issue e.g. the non-removal of dog faeces.

7.11.3 Dog owners who are in contravention of the Act (including any subsequent amendments) or a Council Bylaw will be liable to enforcement action. Such enforcement action may generally take the form of one or more of seven (7) mechanisms:

1. A verbal or written warning;
2. The issuance of an infringement notice (an instant fine) for an Infringement Offence pursuant to Sections 65-66 of the Act as specified in Schedule 1 of the Act; or
3. Filing Court papers for those statutory infringement offences under the Act which are enforced under Section 21 of the Summary Offences Act 1957;
4. Seizing and impounding dogs;
5. Classifying dogs as menacing or dangerous;
6. Classifying dog owners as probationary or disqualifying people from being allowed to own a dog;
7. Prosecuting dog owners.

7.11.4 Infringement notices shall be issued by Council's dog control officers and dog rangers for infringement offences as specified in Schedule 1 of the Act. With

respect to any of those offences, Council gives delegated authority to the Senior Animal Control Officer who may in his absolute discretion decide to issue either a verbal or written warning or an Infringement Notice for any subsequent offending of that offence.

- 7.11.5 There will be instances whereby legal action is initiated for serious offences under the Act or Control of Dogs Bylaw. A serious offence in this instance would include but not be limited to, situations where a dog:

- a) Creates a nuisance to any person;
- b) Causes distress to any person;
- c) Causes damage or injury to any person;
- d) Causes serious injury to any person;
- e) Causes damage to property;
- f) Causes damage or injury to any animal;

Where legal action has been initiated Council gives delegated authority to the Environmental and Regulatory Services Team Leader in his absolute discretion to determine if it is appropriate to proceed with legal action.

- 7.11.6 In addition to statutory offences contained within the Act, Council may impose further penalties for offences specific to Rangitikei district through its Control of Dogs Bylaw.

## **7.12 DOG POUND**

- 7.12.1 Due to the costs associated with building, maintaining, securing and staffing an impounding facility for dogs, bitches or puppies Council does not have a permanent pound facility, rather Council uses the Wanganui District Council and Manawatu District Council pound facilities through a contractual agreement.

- 7.12.2 Whenever a dog is impounded Council officers shall make all reasonable efforts to contact the owner to advise them that their dog has been impounded and shall provide written notice to the owner advising that they have seven (7) calendar days to pay in full all fees payable or their dog may be sold, euthanised or otherwise disposed of. Where Council officers are able to identify and contact the owner of a dog which has been impounded, regardless of the outcome, Council will seek to recover from the Owner all fees and costs incurred as a consequence of the impounding with respect to the dog.

- 7.12.3 Before any dog can be released from the pound the following conditions must be satisfied:

- a) When a dog is claimed by its owner it must be registered, micro chipped (if it is not already), and all other fees and charges must be paid in full.
- b) Council dog control officers must be satisfied that the prospective new owner of a dog being rehomed is a fit and proper person and that the property condition where they reside is suitable for a dog.

- c) Any unregistered dog before being rehomed and prior to it being released from the pound to its new owner must be both registered and micro chipped at the new owner's expense and all fees and charges must be paid in full.
  - d) The release of any impounded dog from the pound shall be by a pre-arranged appointment.
- 7.12.4 Council will not rehome any dog which in the opinion of Council dog control officers is menacing, dangerous or has undesirable traits.
- 7.12.5 It is an offence under Section 72 of the Act to attempt to unlawfully release a dog from a council controlled pound or to be in possession of a dog that has been unlawfully released from such a pound.

### **7.13 NUISANCE**

- 7.13.1 A person must not keep a dog on any land or premises if:
  - a) The dog is causing a nuisance; or
  - b) The dog poses a significant health or safety risk to people.
- 7.13.2 Any person is in breach of this policy if they cause a dog on any land, premises or public place to become unmanageable; or if they incite a dog to fight with or attack any domestic animal, poultry, protected wildlife, stock or person.

#### Abatement of Nuisance

- 7.13.3 Where a dog or dogs on any property has become or is likely to become a nuisance or injurious to health, a notice will be issued to the owner at the discretion of a dog control officer or dog ranger.

The notice will request the owner within a specific timeframe to complete reasonable action to minimise or remove said nuisance or injury to health and can include the following:

- c) reducing the number of dogs living on the property
- d) repairing kennel so that it meets Council's minimum standard of accommodation
- e) constructing a new kennel so that it meets Council's minimum standard of accommodation

#### Barking Dogs

- 7.13.4 Where the dog control officer or dog ranger has received a complaint and has reasonable grounds for believing that a nuisance is being created pursuant to Section 55 of the Act by the persistent and loud barking or howling of a dog, the dog control officer or dog ranger, under the provisions of section 55. may:

- a. "Enter the property at any reasonable time (excluding the dwelling house), on which the dog is kept, to inspect the conditions under which the dog is being kept; and
- b. Regardless of whether or not the dog control officer or dog ranger makes such an entry upon the property, may give the owner of the dog an abatement notice requiring them to make such provision on the property to abate the nuisance as specified in the notice or, if considered necessary, to remove the dog from the land or premises."

7.13.5 Non-compliance with an abatement notice may result in Council taking enforcement action.

#### Roaming Dogs

7.13.6 Roaming dogs can cause annoyance and danger to the community, domestic animals, poultry, protected wildlife and stock.

7.13.7 In the first instance, when the owner of a roaming dog can be identified by dog control officers or dog rangers the dog control officers or dog rangers will have discretion to return the dog to the owner with a warning or alternatively to issue the owner with an Infringement Notice.

7.13.8 Excepting paragraph 7.13.7 above roaming dogs may be impounded by dog control officers or dog rangers and the dog owner will be required to pay all impound fees and other associated charges, daily sustenance before the dog will be allowed to be released from the pound to its owner.

### **7.14 POLICY REVIEW**

7.14.1 Pursuant to Section 10 of the Act, this policy shall be reviewed or amended, using the special consultative procedure prescribed by Section 83 of the Local Government Act 2002, within ten (10) years from the date that the policy is adopted, or earlier if directed by Council or in response to changed legislative or statutory requirements.

### **7.15 REPEAL**

Upon the commencement date of this policy all previous Rangitikei District Council Dog Control and Owner Responsibilities policies are hereby repealed.

#### **7.16 COMMENCEMENT DATE**

7.16.1 This policy was duly adopted by Council by a resolution passed on the ~~27<sup>th</sup> day of November 2014~~, following the use of the special consultative procedure as set out in Section 83 of the Local Government Act 2002.

7.16.2 The Rangitikei District Council Dog Control and Owner Responsibility Policy will commence on the ~~28<sup>th</sup> day of November 2014~~.

#### **7.17 RELEVANT LEGISLATION**

- Dog Control Act 1996.
- Dog Control Amendment Act 2003.
- Dog Control Amendment Act 2004.
- Dog Control Amendment Act 2006.
- Dog Control Amendment Act 2010.
- Dog Control (Perro de Presa Canario) Order 2010.
- Dog Control Amendment Act 2012.
- Impounding Act 1955.
- Animal Welfare Act 1999.



## 16-18 Robin Street

Print Date: 4/02/2016  
Print Time: 3:40 PM



Scale: 1:2000  
Original Sheet Size A4

Projection: NZGD2000 / New Zealand Transverse Mercator 2000  
Bounds: 1839444.87054351, 5603737.31064155  
1840458.82431249, 5604296.56335265

Digital map data sourced from Land Information New Zealand. CROWN COPYRIGHT RESERVED.  
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It is made available in good faith but its accuracy or completeness is not guaranteed.  
If the information is relied on in support of a resource consent it should be verified independently.



# North Eastern section of Taihape Domain

Print Date: 13/11/2015  
Print Time: 2:51 PM



Scale: 1:2000  
Original Sheet Size A3

Projection: NZGD2000 / New Zealand Transverse Mercator 2000  
Bounds: 1840081.88596427, 5604063.5004286  
1840592.66093733, 5604616.7953198

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# The northern Section of Bulls Domain.

Print Date: 13/11/2015  
Print Time: 3:02 PM



Scale: 1:1750  
Original Sheet Size A3

Projection:  
Bounds:

NZGD2000 / New Zealand Transverse Mercator 2000  
1803410.74740131, 5550046.57150407  
1804046.94776009, 5550433.06426733

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# The periphery of Wilson Park (excluding the children's playground)

Print Date: 13/11/2015  
Print Time: 2:57 PM



Scale: 1:1500  
Original Sheet Size A3

Projection: NZGD2000 / New Zealand Transverse Mercator 2000  
Bounds: 1803195.4322541, 5560730.41684357  
1803831.63261419, 5561116.90962683

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## *Appendix 2*





# Rangitikei District Council

## CONTROL OF DOGS BYLAW

### 1. INTRODUCTION

Pursuant to the powers vested in it by the Local Government Act 2002 and amendments, together with the Dog Control Act 1996 and amendments, the Impounding Act 1955 and amendments, together with every other power and authority conferred on it, the Rangitikei District Council hereby makes this bylaw.

### 2. PURPOSE OF THE BYLAW

The purpose of this Bylaw is to give effect to the Rangitikei District Council Dog Control and Owner Responsibility Policy 2016<sup>4</sup> by specifying standards of control which must be observed by dog owners in the Rangitikei District. The requirements are deemed necessary to ensure compliance with the Dog Control Act 1996 ~~and the Rangitikei District Council Dog Control and Owner Responsibility Policy 2014~~, and to give effect to the objectives of that Act and the Council's Dog Control and Owner Responsibility Policy.

### 3. SCOPE OF THE BYLAW

3.1 Under Section 10(6) of the Dog Control Act 1996 Council must give effect to the Policy adopted under Section 10 of the Act by adopting the necessary bylaw under Section 20 of the Act.

3.2 Section 20(1) of the Act permits Council in accordance with the Local Government Act 2002, to make bylaws for all or any of the following purposes:

- a) prohibiting dogs, whether under control or not, from specified public places;
- b) requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the district;
- c) regulating and controlling dogs in any other public place;
- d) designating specified areas as dog exercise areas;
- e) prescribing minimum standards for the accommodation of dogs;
- f) limiting the number of dogs that may be kept on any land or premises;

- g) requiring dogs in its district to be tied up or otherwise confined during a specified period commencing not earlier than half an hour after sunset, and ending not later than half an hour before sunrise;
- h) requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces;
- i) requiring any bitch to be confined but adequately exercised while in season;
- j) providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by the territorial authority under this or any other Act;
- k) requiring the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to cause that dog to be neutered (whether or not the owner of the dog has been convicted of an offence against Section 53);
- l) any other purpose that from time to time is, in the opinion of the territorial authority, necessary or desirable to further the control of dogs.

3.3 Pursuant to Section 20(3) of the Act no bylaw authorised by any of the provisions of paragraphs (a) to (d) of subsection (1) above shall have effect in respect of any land for the time being included in—

- a) a controlled dog area or open dog area under section 26ZS of the Conservation Act 1987; or
- b) a national park constituted under the National Parks Act 1980; or
- c) Te Urewera, as defined by section 7 of the Te Urewera Act 2014.

3.4 This Bylaw is authorised by Section 20 of the Dog Control Act 1996 and is made in accordance with the Local Government Act 2002. ~~This Bylaw shall be deemed to have been made under the Local Government Act 2002.~~

3.5 Under Section 20(5) of the Act any person who commits a breach of this Bylaw commits an offence and is liable on conviction to the penalty prescribed by section 242(4) of the Local Government Act 2002.

3.6 An injunction preventing a person from committing a breach of any bylaw authorised by Section 20(5) of the Act may be granted in accordance with section 162 of the Local Government Act 2002.

#### 4. SHORT TITLE

The short title of this bylaw is the Rangitikei District Council Control of Dogs Bylaw ~~2014~~2016.

#### 5. COMMENCEMENT

This bylaw shall commence on ~~28 November 2014~~.



## **6. REVOCATION OF BYLAW**

This bylaw repeals the Rangitikei District Council Bylaw 2004 adopted on 16 December 2004 and amended 30 September 2010. However, with respect to infringement notices issued or the enforcement of any offences which occurred prior to the commencement of this Bylaw the Rangitikei District Council Bylaw 2004 will continue to apply.

## **7. APPLICATION OF BYLAW**

This bylaw applies to the whole Rangitikei District unless otherwise stated.

## **8. INTERPRETATION**

In this bylaw the terms used have the meaning given to them in the Dog Control Act 1996 except these terms which have the following meanings:

**“Act”** means the Dog Control Act 1996.

**“At large”** means at liberty, free, not restrained.

**“Bylaw”** means the Rangitikei District Council Control of Dogs Bylaw.

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

**“Under Control”** means a dog that is under the direct control of a person either through the use of a leash, voice or hand commands (when in a leash free area) or which has its movements physically limited through the use of a leash and/or muzzle.

**“Council”** means Rangitikei District Council.

**“Designated Dog Exercise Area”** means a public place designated for the exercise of dogs under this bylaw.

**“District”** means the Rangitikei District.

**“Dog Control Officer”** means a dog control officer appointed under Section 11 of the Act; and includes a warranted officer exercising powers under Section 17 of the Act.

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

**“Policy”** means the Dog Control and Owner Responsibility Policy.

**“Occupier”** means any person, who is not the owner of the land or premises in question, who has the right to occupy and use the land or premises by virtue of a lease, sub-lease, licence or renewal thereof, granted by the owner of the land or premises.

**“Owner”** has the same meaning as defined in Section 2 of the Dog Control Act 1996 and shall include any person who has a dog in their possession for the purpose of caring for such dog for a short period of time on behalf of the owner.

## **9. PENALTIES**

Every person who commits a breach of this bylaw is liable to either:

- a) An infringement fee not exceeding \$750 or
- b) Upon summary conviction, a fine not exceeding \$20,000

## **10. CONTROL OF DOGS IN PUBLIC PLACES**

10.1 An owner or the person responsible for or having custody or control of a dog must have his or her dog on a leash at all times when the dog is in a public place (excluding those areas which are designated prohibited areas or dog exercise and recreation areas). A working dog is not required to be on a leash in a public place, while it is working if it is not normally on a leash when carrying out the work being undertaken.

10.2 Any dog which is placed on an open tray of a vehicle must be kept restrained by a leash or chain of a length which is sufficiently short to ensure that the dog cannot fall from the vehicle or rush at passers-by. This provision will not apply if the dog is placed in a cage or similar enclosure which can adequately contain it.

## **11. DOG PROHIBITED AREAS**

All dogs (except working dogs whilst carrying out their function as a working dog) shall be prohibited from the following areas:

- a) All public buildings;
- b) The playing surfaces of sports grounds and up to 20 metres of the playing surfaces where contained within the perimeter fence of the sports ground;
- c) Public swimming pools;
- d) All children’s playgrounds in public places;
- e) Picnic areas;
- f) Wilson Road stock route, Hunterville.

## 12. DOG SHOWS

Clause 11.1(a) above does not apply to any use of any prohibited public place for the purposes of a dog show not exceeding 48 hours and authorised in writing prior to the show by Councils principal administrative officer.

## 13. DESIGNATED DOG EXERCISE AND RECREATION AREAS

13.1 Council may from time to time, declare by resolution any public place, except in all cases the playing surfaces of sports grounds and up to 20 metres of the playing surfaces where contained within the perimeter fence of the sports ground, to be a designated dog exercise area. The following areas within the District are designated dog exercise areas:

- a) The northern section of the Bulls Domain, Bulls;
- b) The north eastern section of Taihape Domain, Taihape;
- c) The periphery of Wilson Park, Marton (and excluding the children's playground);
- d) 16-18 Robin Street, Taihape<sup>1</sup>.

13.2 Within a dog exercise and recreation area the owner of a dog shall ensure that the dog is under their continuous control but shall not be obliged to keep the dog on a leash.

## 14. MINIMUM STANDARDS FOR THE ACCOMMODATION AND CARE OF DOGS

14.1 Every owner must provide their dog with a kennel that meets the following standards:

- a) There is sufficient room for the dog to stand up and turn around;
- b) The kennel is on dry ground and sheltered from the elements;
- c) The kennel must be a solid structure with a roof and floor;
- d) The kennel and its surrounds must be kept in a clean and sanitary condition.

14.2 If a kennel is not provided, dogs must be confined inside premises with an adequate sleeping area provided.

14.2 Every owner of a dog must ensure at all times:

- a) That the dog receives proper care and attention and is supplied with proper and sufficient food and water;
- ~~b) That the dog is not fed, nor has access to, any untreated sheep or goat meat.~~
- e)b) That the dog receives adequate exercise.

14.3 No owner shall permit a kennel to be located closer than 1 metre to any boundary of the premises.

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<sup>1</sup> So long as it remains available for this purpose under the licence from the Ministry of Justice.

## **15. CONFINEMENT OF DOGS**

The owner of any dog must provide means of confining the dog upon the owner's property so that it is unable to gain access to any other private property or to any public place.

## **16. BITCHES IN SEASON AND DISEASED DOGS**

16.1 The owner of a bitch dog in season or any dog suffering from an infectious disease, distemper or mange shall at all times ensure the dog does not enter on or remain in a public place or on any land or premises other than the land or premises occupied or owned by the owner of the dog, or at a registered veterinary clinic.

16.2 The owner of any bitch dog in season or dog suffering an infectious disease, distemper or mange must do the following:

- a) Keep the dog confined;
- b) Provide the dog with adequate food, water, veterinary care and exercise.

## **17. REMOVAL OF FAECES**

The owner of a dog that defecates on any land or premises, other than that occupied by the owner, must promptly remove and dispose of the faeces.

## **18. AGGRAVATION OF DOGS**

No person shall wilfully or negligently cause any dog to behave or contribute to any dog behaving in such a manner that would, if that person were the owner of the dog constitute a breach of the obligations imposed by Section 5(1)(e), (f) or (g) of the Act.

## **19. ABATEMENT OF NUISANCE**

~~If in the opinion of a Council dog control officer or dog ranger a dog or dogs or the keeping of dogs on any property, has become or is likely to become a nuisance or injurious to health, the dog control officer or dog ranger may, by notice in writing, require the owner or occupier of the property, within a timeframe which is specified in the notice to take such reasonable action as the dog control officer or dog ranger deems necessary to minimise or remove the likelihood of nuisance or injury to health. Such action may include reducing the number of dogs living on the property; repairing or constructing a new kennel so that it meets Councils minimum standard of accommodation facility.~~



Where a dog or dogs on any property has become or is likely to become a nuisance or injurious to health, a notice will be issued to the owner at the discretion of a dog control officer or dog ranger.

The notice will request the owner within a specific timeframe to complete reasonable action to minimise or remove said nuisance or injury to health and can include the following:

- a) reducing the number of dogs living on the property
- b) repairing kennel so that it meets Council's minimum standard of accommodation
- c) constructing a new kennel so that it meets Council's minimum standard of accommodation

## **20. IMPOUNDING OF DOGS FOUND IN BREACH OF THIS BYLAW**

20.1 Any dog found at large in breach of this bylaw, whether or not it is wearing a registration label or disc as required by the Act, may be seized and impounded by a Dog Control Officer or a Dog Ranger.

20.2 As soon as practicable after any dog has been impounded Council shall:

- a) In the case of a dog wearing a registration label or disc or where the owner of the dog is known through some other means, give written notice to the owner that the dog has been impounded and unless the dog is claimed and any fee payable paid within seven (7) days of receipt of the notice, it may be sold, euthanised or otherwise disposed of in such a manner as Council sees fit; and after the expiry of that period Council may so dispose of the dog.
- b) Where the owner of the dog is not known or despite reasonable enquiry cannot be identified, Council may, after the expiration of seven (7) days after the date of the seizure and impounding of the dog, sell, euthanize or otherwise dispose of the dog in such manner as it thinks fit.
- c) No dog which is not registered in accordance with the Act shall be released until it is registered, micro chipped and all fees due paid in full.
- d) The sale, destruction or disposal of any dog in accordance with this Bylaw shall not relieve the owner of the dog of liability for the payment of any fees or penalties payable under this Bylaw.

## **21. DATE BYLAW MADE**

This Bylaw was made by the Rangitikei District Council, passed and adopted at a meeting of Council on xxxxxxxxx.

## *Appendix 3*



# **RANGITIKEI DISTRICT COUNCIL ANIMAL CONTROL BYLAW 2013**



## **1. TITLE**

- 1.1. This bylaw shall be known as the Rangitikei District Council Animal Control Bylaw 2013.

## **2. COMMENCEMENT**

- 2.1. This bylaw comes into force on 7 October 2013.

## **3. SCOPE**

- 3.1. This bylaw is made under the authority given by:
- a) Sections 145 and 146(a)(v) of the Local Government Act 2002; and

## **4. PURPOSE**

- 4.1. The purpose of this bylaw is to:
- a) Control the keeping of animals within the district to ensure they do not create a nuisance or endanger health;
  - b) Enable Enforcement Officers to manage animal nuisance in the urban area; and
  - c) Regulate the slaughtering of animals in urban areas.
- 4.2. This Bylaw does not apply to dogs, the control of which is provided for under the Rangitikei District Council Control of Dogs Bylaw and relevant legislation.

## **5. INTERPRETATION**

- 5.1. For the purposes of this bylaw, the following definitions apply:

**ENFORCEMENT OFFICER** means an authorised officer of Rangitikei District Council or an officer of the New Zealand Police.

**HOUSEHOLD UNIT** means all land and buildings within a single rating unit.

**NUISANCE** means any damage, excessive noise or odour, where an enforcement officer has received a complaint and upon investigation of the complaint, is of the opinion that the noise or odour is excessive or offensive.

**POULTRY** means caged or free range poultry, and includes chickens, peacocks, geese, ducks, turkeys and domestic fowls of all descriptions.

URBAN AREA includes any property zoned as Residential, Commercial and Industrial under the operative District Plan (i.e. does not include Rural Living and Rural Zones), but excludes the properties in Crofton, Mataroa, and Turakina zoned Residential.

STOCK means cattle, sheep, horses, deer, donkeys, mules, goats, pigs, alpacas, llamas, of any age or gender.

STOCK UNIT (SU) is taken to have the same meaning as in the Statistics New Zealand Glossary, i.e. one 55 kg ewe rearing a single lamb. Under this definition, for example, 1 hogget = 0.7 SU; 1 Jersey cow = 6.5 SU; 1 mature Red Deer stag = 1.5-2.0 SU

DISPENSATION means every dispensation under this Bylaw will be reviewed at least every three years.

## **6. KEEPING OF ANIMALS**

- 6.1. No person shall keep any animal in such a manner or in such conditions, which in the opinion of an enforcement officer, creates a nuisance or causes a threat to public health or safety.
- 6.2. It is the responsibility of any person keeping an animal to confine the animal within the boundaries of the premises where the animal is being kept, except where an animal is being led, driven, ridden or exercised.

## **7. CATS**

- 7.1. No person shall keep more than three cats over three months of age on any household unit in any urban area, unless given a written dispensation by an enforcement officer.
- 7.2. Clause 7.1 shall not apply to any veterinary clinic, SPCA shelter, or registered breeder as accredited under the Cattery Accreditation Scheme operated by the New Zealand Cat Fancy.

**Note:** Boarding or breeding establishments for more than 15 cats require resource consent under the operative District Plan.

## **8. POULTRY**

- 8.1. No person shall keep more than 12 head of poultry on any household unit in any urban area, unless given a written dispensation by an enforcement officer.
- 8.2. No poultry house shall be erected or maintained so that any part of it is within 10 metres from any dwelling in an urban area, or within 2 metres of any property boundary.
- 8.3. Every poultry house and poultry run shall be maintained in good repair, and in a clean condition free from any offensive smell or overflow, and free from vermin.

- 8.4. No person shall keep any rooster in any urban area, nor keep a rooster in such a manner that at any time the rooster can come within 100 metres of a boundary with any urban area, unless given a written dispensation by an enforcement officer

## **9. BEES**

- 9.1. The Council recognises that bees occupy a unique niche in the urban ecosystem and responsible bee-keeping can bring many benefits to the local environment.
- 9.2. Notwithstanding the above, no person shall keep bees in any urban area if in the opinion of an enforcement officer the keeping of bees is, or is likely to become, a nuisance or causes a threat to public health or safety.
- 9.3. An enforcement officer may prescribe conditions relating to the location and number of hives able to be kept on any premises or place within any urban area of the District.

## **10. PIGS**

- 10.1. No person shall keep pigs within any urban area, nor keep pigs in such a manner that at any time the pigs can come within 25 metres of a boundary with any urban area, unless given a written dispensation by an enforcement officer.

## **11. GRAZING STOCK IN URBAN AREAS**

- 11.1. No person shall keep stock at a stocking rate greater than 1 stock unit per 1000 square metres of grazeable pasture within any urban area, unless given a written dispensation by an enforcement officer.

**Note:** Refer to the Rangitikei District Council Stock Droving and Grazing Bylaw for regulations on the grazing of road reserves and movement of stock within the District.

## **12. ANIMAL SLAUGHTER**

- 12.1. No person shall slaughter any stock in any urban area, or within 100 metres of a boundary with any urban area.

**Note:** It is an offence under the Health Act 1956 to leave animals or animal carcasses in a state where they are offensive or injurious to health. It is an offence under the Resource Management Act 1991 to contaminate waterways with animal remains. It is an offence under the Biosecurity (Meat and Food Waste for Pigs) Regulations 2005 to feed pigs untreated meat or untreated food waste.

## **13. OFFENCES AND PENALTIES**

- 13.1. Everyone commits an offence against this Bylaw who:
- a) Does, or causes to be done, or permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided for in this Bylaw.

- b) Omits, or neglects to do, or permits, or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw, ought to be done at the time and in the manner therein provided.
- c) Does not refrain from doing anything which under this Bylaw they are required to refrain from doing.
- d) Permits or suffers any condition of things to exist contrary to any provision contained in this Bylaw.
- e) Refuses or neglects to comply with any notice duly given under this Bylaw.
- f) Obstructs or hinders any enforcement officer in the performance of any duty to be discharged by such officer under or in the exercise of any power, conferred by this Bylaw.
- g) Fails to comply with any notice or direction given in this Bylaw.

13.2. Any breach of this bylaw is an offence and liable to summary conviction and a fine not exceeding \$20,000, in accordance with Section 242(4) of the Local Government Act 2002.

## *Appendix 4*

## **Engagement Plan – Proposed amended Dog Control and Owner Responsibility Policy & Control of Dogs Bylaw**

### **Project description and background**

The purpose of these proposed amendments is to better align current dog control policies and operations with the Dog Control and Owner Responsibility Policy. A recent review of the Council's dog control processes found that the policy could be amended to better support the Animal Control Team particularly when dealing with a menacing dog classification event.

### **Engagement objectives**

The purpose of the engagement is to obtain the community's view of:

- Whether the Dog Control and Owner Responsibility Policy and Control of Dogs Bylaw is clear, unambiguous and easy to understand
- Whether the Dog Control and Owner Responsibility Policy and Control of Dogs Bylaw reflects the community's views of how dog control is managed in the community.
- Whether the community would like to see any further changes to the Dog Control and Owner Responsibility Policy and Control of Dogs Bylaw.

### **Timeframe and completion date**

<b>Key project stages</b>	<b>Completion date</b>
Amended Dog Control and Owner Responsibility Policy and Control of Dogs Bylaw adopted by Council for public consultation	29 February 2016
Community engagement (written submissions)	To be confirmed but to align with Annual Plan consultation
Community engagement (oral submissions)	To be confirmed but to align with Annual Plan consultation
Oral and written submissions considered by Council, final amendments made, amended Policy and Bylaw adopted.	To be confirmed but to align with Annual Plan consultation
Dog Control and Owner Responsibility Policy and Control of Dogs Bylaw publically notified	Day after adoption



## Communities to be engaged with

- The entire Rangitikei District community
- Community Boards and Community Committees
- Te Roopu Ahi Kaa
- Registered Dog Owners within the District
- SPCA Wanganui
- New Zealand Institute of Animal Control Officers
- Southern Rangitikei Veterinary Services
- Hunterville Veterinary Clinic/Club
- New Zealand Kennel Club

## Engagement tools and techniques to be used

Engagement Spectrum position desired: Consult

Community group or stakeholder	How this group will be engaged
Rangitikei District community	Website Rangitikei Line Printed media Information in libraries
Community Committees and Community Boards	Officer's report
Te Roopu Ahi Kaa	Officer's report
Registered Dog Owners within the District	Letters to Registered Dog Owners within the District
SPCA Wanganui	Letter/email to SPCA Wanganui
New Zealand Institute of Animal Control Officers	Letter/email to New Zealand Institute of Animal Control Officers
Southern Rangitikei Veterinary Services	Letter/email to Southern Rangitikei Veterinary Services
Hunterville Veterinary Clinic/Club	Letter/email to Hunterville Veterinary Clinic/Club
New Zealand Kennel Club	Letter/email to New Zealand Kennel Club

## Resources needed to complete the engagement

Resources beyond staff time required for this engagement are:

- Notification in the local print media
- The production of printed materials

## Communication planning

### Key messages

- Enhancing dog control and dog care is valued by the community
- Council's dog registration is necessarily robust

### Reputation risks

- Responsible owner status is more prescriptive than previously, change may not be supported by community

## Basis of assessment and feedback to the communities involved

After analysing community input, Council officers will prepare a report outlining the communities' views, and any suggested changes to the amended Policy and Bylaw. This will then be referred to Council for consideration prior to final adoption. The feedback to the communities will follow after Council adopts the Policy and Bylaw. A response will be sent to each person who makes a submission. Copies of the Dog Control and Owner Responsibility Policy and Control of Dogs Bylaw will be available on the website and from the District's libraries.

## Project team roles and responsibilities

Team member	Role and responsibilities
Denise Servante	Project sponsor
Alex Staric	Project leader
Alex Staric	Print media
Alex Staric	Officers reports/letters
Anna Dellow	Website

# ***Attachment 13***



**Rangitikei**  
UNAPOLOGICALLY...

# REPORT

**SUBJECT:** Review of TAB Venue and Gambling Venue (Class 4) Policies

**TO:** Policy/Planning Committee

**FROM:** Alex Staric, Policy Analyst

**DATE:** 11 March 2016

**FILE:** 3-PY-1-5

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## **1 Executive Summary**

### **1.1 Purpose of the report**

The purpose of this report is to inform the Policy/Planning Committee of the review of Council's TAB Venue and Gambling Venue Policies.

### **1.2 Major recommendations**

That the Policy and Planning Committee receive the report "Review of TAB Venue and Gambling Venue (Class 4) Policies".

That the Policy/Planning Committee recommends to Council that the Gambling Venue (Class 4) and TAB Venue policies are released for public consultation without amendment and that further information and community views on this decision are sought through a consultation process concurrent with the draft Annual Plan 2015/2016.

## **2 Background**

2.1 The Gambling Venue (Class 4) and TAB Venue policies are required under S 103(5) of the Gambling Act 2003, and S 65(e) of the Racing Act 2003 (respectively) to be reviewed within three years. The policies were last reviewed in 2013.

2.2 During this review no amendments were made to the TAB Venue policy (Appendix 1).

2.3 The Gambling Venue (Class 4) Policy ([Appendix 2](#)) underwent two amendments during its last review in 2013. The amendments to the policy included the removal of restrictions on the establishment of new Gambling Venues (Class 4) and a new cap reducing the number of gaming machine numbers permitted in the District to 83. This was the number of gaming machines already present in the District at that time.

- 2.4 Council had considered further restrictions to the Gambling Venue (Class 4) policy (a sinking lid policy), but substantive evidence representing gambling harm within the District was not available to warrant amendments.

### **3 Social Impact Assessment**

- 3.1 In determining its policies, the territorial authority must have regard to the social impact of gambling with the district. A draft Social Impact Assessment is attached as Appendix 3.

- 3.2 The social impact assessment contains information on:

- National information about gambling behaviours and patterns
- Information about existing Class 4 and TAB venues, drawn from the Department of Internal Affairs and Statistics New Zealand
- Information about the distribution of funding throughout the District from Class 4 venue gambling drawn from the various Gaming Machine Trusts operating in the District, and
- Information about/from gambling support agencies that provide services to the District, drawn from the Ministry of Health and Problem Gambling Foundation.

- 3.3 A summary of this information is given below:

- Rangitikei District residents are at risk of gambling harms based on average high level of socioeconomic deprivation and high percentage of Māori.
- There are no standalone TAB venues and seven Class 4 gambling venues containing 70 poker machines.
- In 2015, the Gaming Machine Proceeds of pokie machines was \$2,708,892.
- During April 2014 - March 2015, the Lion Foundation granted \$94,965 to local community groups, and during April - November 2015, Pub Charity provided \$94,295.52 in grants to local community groups.
- The number of Rangitikei residents accessing gambling harm services, including telephone services, has reduced since 2012.

- 3.4 The social impact assessment provides little evidence of widespread or growing harm in the District from problem gambling. Local problem gambling agencies have been contacted for further information and it is expected that this will be forthcoming in the next four – six weeks.

### **4 TAB Venue Policy**

- 4.1 The tools for the regulation of TAB venues are:

- Prohibiting or allowing the establishment of new venues
- Specifying where any new venues may be established

4.2 There are no standalone TAB venues in the District and the TAB Venue policy (Appendix 1) does not permit any new standalone TAB venues to be established.

4.3 If the TAB Venue policy is either replaced or amended, the Racing Act 2003 (S65) stipulates Council must formally engage with

- New Zealand Racing Board, and
- Organisations representing Māori in the territorial authority district

4.4 Options

	<b>Option 1: Status Quo- retain current policy</b>	<b>Option 2: Relax policy and permit new standalone TAB venues</b>
Advantages	Signal to the community that the Council has regard for the social impact of gambling with the district.	No perceived advantages.
Disadvantages	No perceived disadvantages.	Community may perceive that the Council has no concern to the social impact of gambling with the district.

## 5 Gambling Venue (Class 4) Policy

5.1 The tools available to the Council for the regulation of Class 4 gambling are limited to:

- The establishment of new Class 4 venues may be allowed or prohibited
- The location of new Class 4 venues may be further defined
- The present district-wide cap of 83 machines may be adjusted

5.2 The current policy permits the establishment of new Class 4 venues to operate up to 9 gaming machines, providing that the total number of gaming machines in the District does not exceed 83<sup>1</sup>.

5.3 This provision was particularly in response to comments from the Community Boards and Community Committees that the opportunity to apply for gaming trust funding should be available to local communities.

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<sup>1</sup> This number equals the number of gaming machines in the District as at 6 May 2013



5.4 Section 102 of the Gambling Act 2003 stipulates Council to formally engage with:

- Each corporate society that holds a Class 4 venue licence for a venue in the territorial authority district; and
- Organisations representing Māori in the territorial authority district.

5.5 Options

	<b>Status Quo- Retain current Cap on the amount of class 4 machines in the district</b>	<b>Option 2: Relax the policy - remove or increase the Cap</b>	<b>Option 3: Tighten the policy - replace current policy with a sinking lid policy or low Cap</b>
<b>Advantages</b>	<p>Would provide opportunities for business expansion.</p> <p>Would maintain opportunity for community to access gaming trust funds.</p>	<p>Would provide additional opportunities for business expansion.</p> <p>Would maintain opportunity for community to access gaming trust funds.</p>	<p>No impact on existing businesses but would prevent new businesses or business expansion.</p> <p>Signal to the community that Council has regard to social impact of gambling within the District.</p>
<b>Disadvantages</b>	<p>Community could perceive Council as not being proactive in addressing gambling related harm.</p>	<p>Community could perceive Council as having no concern to address gambling related harm.</p>	<p>Further limitations on Class 4 gambling could reduce the sustainability of businesses.</p> <p>Could reduce opportunity for community to access gaming trust funds.</p>

## 6 Conclusions

6.1 Council's current Gambling venue (Class 4) policy is generally permissive in terms of enabling new venues to be established and in providing for gaming machines to be replaced up to the specified limit.

- 6.2 Problem gambling is likely to be a significant problem for a minority of residents in the Rangitikei. Availability of, and access to, gaming machines in Class 4 venues is one of the main contributing factors to the incidence of problem gambling. In reality, changes to Council policies are unlikely to have any impact or influence to reduce the harm caused by problem gambling. In addition, evidence of a widespread or growing problem is not apparent.
- 6.3 Further information may be available from both the gaming societies and local agencies concerned to address problem gambling. This may affect Council's decision about whether or not to amend either or both of these policies.
- 6.4 Council would be better able to gauge whether or not the community wants to take a more restrictive stance on this issue by enabling a public debate through a community consultation, taking particular note of the bodies with which it has a statutory duty to consult.
- 6.5 The Council's Significance and Engagement Policy provides grounds for the review of these policies to be consulted upon through a special consultative procedure. It would be cost effective to carry out this consultation concurrently with the Annual Plan 2016/17.

## **7 Recommendations**

- 7.1 That the Policy and Planning Committee receive the report "Review of TAB Venue and Gambling Venue (Class 4) Policies" be received.
- 7.2 That the Policy/Planning Committee recommends to Council that the Gambling Venue (Class 4) and TAB Venue policies are released for public consultation without amendment and that further information and community views on this decision are sought through a consultation process concurrent with the draft Annual Plan 2015/2016.

Alex Staric  
Policy Analyst

# *Appendix 1*

## **TAB VENUE POLICY**

<b>Policy Title:</b> TAB VENUE POLICY	
<b>Date of Adoption:</b> 30 September 2004	<b>Resolution:</b> 04/RDC/229
<b>Review Date:</b> 2016	
<b>Statutory reference for adoption:</b> Racing Act 2003, Gambling Act 2003 schedule 8, Local Government Act 2002 s 83	
<b>Statutory reference for review:</b> Gambling Act 2003 s102 (5)	
<b>Included in the LTP:</b> no	
<b>Date Amended or Reviewed</b>	<b>Resolution</b>
13 April 2006	06/RDC/122
29 January 2009	09/SPP/ 026 - 09/RDC/067
28 February 2013	13/RDC/045

### **1 INTRODUCTION**

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

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

### **2 POLICY OBJECTIVES**

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

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

### **3 TAB VENUE CONDITIONS**

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

### **4 REVIEW**

- 4.1 The TAB Venue Policy will be reviewed concurrently with the Gambling Venue (Class 4) Policy.

## *Appendix 2*

## **GAMBLING VENUE (CLASS 4) POLICY**

**Policy Title:** GAMBLING VENUE (CLASS 4) POLICY

**Date of Adoption:** 25 March 2004

**Resolution:** 04/RDC/064

**Review Date:** 2016

**Statutory reference for adoption:** Gambling Act 2003 /Resource Management Act 1991

**Statutory reference for review:** Gambling Act 2003 s102 (5)

**Included in the LTP:** no

<b>Date Amended or Reviewed</b>	<b>Resolution</b>
13 April 2006	06/RDC/122
29 January 2009	09/SPP /026 – 09/RDC/067
28 February 2013	13/RDC/043
30 May 2013	13/RDC/124

### **1 POLICY OBJECTIVES**

- 1.1 To ensure the Rangitikei District Council and the community has influence over the location of new Class 4 gambling venues and new gaming machines (pokie machines) within the District as a whole in compliance with the Gambling Act 2003.
- 1.2 To place a cap on the number of gaming machines which may be operated in the District.
- 1.3 To ensure that the local community may continue to access funding from the proceeds of Class 4 gaming in the District.

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

- 2.1 Any new Class 4 venue may only be established on licensed premises where the primary activity is not predominantly associated with family and/or children's activities.
- 2.2 An applicant for Council consent under this policy must:
  - comply with the objectives of this policy;
  - comply with the general conditions of this policy;
  - meet the application requirements specified in this policy; and
  - meet the fee requirements specified in this policy;
- 2.3 The application will be publicly notified and a notice will be displayed on the proposed premises.

### **3 APPLICATION DETAILS REQUIRED**

- 3.1 Applications for Rangitikei District Council consent must be made in writing and provide the following information:



- a) Name and contact details of the applicant.
- b) Street address of premises proposed for the Class 4 venue licence.
- c) Description of the structure of the applicant (Society or Corporate Society) together with incorporation details:
  - trust and trustee details if appropriate;
  - the names of management staff; and
  - a 12 month business plan or budget for the establishment, covering both gambling and other activities proposed for the venue.
- d) Details of Host Responsibility policies and procedures covering:
  - training for operational staff on dealing with problem gamblers;
  - provision and display of problem gambling material;
  - support for and supervision of those affected by addictive gambling; and
  - implementation and monitoring plans.
- e) Details about the venue operator including:
  - operating structure;
  - ownership of the premises;
  - evidence of police approval for owners and managers of the venue; and
  - nature of the businesses operated from the premises.
- f) A floor plan covering both gambling and other activities proposed for the venue, including:
  - layout of each floor of the venue;
  - location and number of Class 4 machines being proposed for the premises;
  - location of clocks;
  - location and description of signage; and
  - location of displays of problem gambling material.
- g) Details of liquor licence(s) applying to the premises.
- h) A location map showing the nature of businesses and other activities conducted in the general neighbourhood.
- i) Information about the Trust responsible for the distribution of gambling profits will be made available to the public (as required under the Gambling Act 2003) and to the Rangitikei District Council, and will include:
  - contact details (address, phone numbers, electronic contact); and
  - names of trustees
- j) Evidence and any supporting material to assure the Rangitikei District Council that their proposed application is a permitted activity under the Rangitikei District Council District Plan, the Resource Management Act 1991 and the Gambling Act 2003.

3.2 Council may request comment from health providers or those working with problem gambling.

## **4 NUMBER OF GAMING MACHINES TO BE ALLOWED**

- 4.1 Council wishes to reduce the number of gaming machines in the District through a process of natural attrition as machines cease operating.
- 4.2 New venues may apply for a licence to operate up to 9 gaming machines, providing that the total number of gaming machines in the District does not exceed 83<sup>1</sup>.

## **5 DECISION MAKING**

- 5.1 The Council has 30 working days to determine a consent application.
- 5.2 Such determination will be made at the appropriate delegation (officer) level within the Council and will be considered against the criteria set out in this policy.
- 5.3 When considering an application for a new gaming venue under Class 4, the relevant council officer will consider:
- comply with the objectives of this policy;
  - comply with the general conditions of this policy; and
  - meet the application requirements specified in this policy.

## **6 APPLICATION FEES**

- 6.1 These will be set by the Rangitikei District Council from time to time, pursuant to section 150 of the Local Government Act and shall include consideration of:
- The cost of processing the application, including any consultation involved;
  - The cost of monitoring notification of the distribution of profits and provision of information;
  - The cost of reviewing Gambling Venue policies.

## **7 ADOPTION AND COMMENCEMENT**

- 1) This policy was adopted on 30 May 2013 at the duly notified Council Meeting after completion of the special consultation procedure, of the Local Government Act 2002.

## **8 REVIEW**

- 9 This policy will be reviewed 3 years after it is adopted and comes into effect.

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<sup>1</sup> This number equals the number of gaming machines in the District as at 6 May 2013

## *Appendix 3*



# Rangitikei District Council

## Assessment of the Social Impact of Gambling

Draft

March 2016

## **1 Introduction**

The obligations of territorial authorities to develop, and review, Gambling venue (Class 4) and TAB venue policies are contained in the Gambling Act 2003 and the Racing Act 2003, respectively. Decisions on Class 4 and TAB venue policies should therefore be consistent with the purposes of these Acts.

### **1.1 Purpose of the relevant Acts in relation to gambling venue policies**

The Gambling Act 2003 categorises gambling activities into four classes. Territorial authorities have responsibilities with respect to venues for Class 4 gambling. Class 4 gambling is any activity that involves the use of a gaming machine outside a casino. Class 4 gambling is gambling from which the net proceeds (profits) are applied to or distributed to authorised purposes: in general terms this means the profits are distributed back to the community.

The purpose of the Gambling Act 2003 is to:

- a) control the growth of gambling
- b) prevent and minimise the harm caused by gambling, including problem gambling
- c) authorise some gambling and prohibit the rest
- d) facilitate responsible gambling
- e) ensure the integrity and fairness of games
- f) limit opportunities for crime or dishonesty associated with gambling
- g) ensure that money from gambling benefits the community
- h) facilitate community involvement in decisions about the provision of gambling.

Racing and sports betting do not fall within the classification system under the Gambling Act 2003 but are subject to the Racing Act 2003. Territorial authorities have responsibilities with respect to standalone TAB<sup>1</sup> venues where race and sports betting are conducted.

The purpose of the Racing Act 2003 is to:

- a) provide effective governance arrangements for the racing industry
- b) facilitate betting on galloping, harness, and greyhound races, and other sporting events
- c) promote the long-term viability of New Zealand racing.

It should also be noted that one of the functions of the New Zealand Racing Board, under the Racing Act 2003, is to develop or implement, or arrange for the development or implementation of, programmes for the purposes of reducing problem gambling and minimising the effects of that gambling.

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<sup>1</sup> A standalone TAB venue is any premise that is owned or leased by the Totalisator Agency Board and where the main business carried out is providing racing-betting or sports-betting services.

## **1.2 Limits to influence of Council's policy**

Territorial authority consent is required to establish or re-establish a Class 4 venue or to increase the number of gaming machines operated at a Class 4 venue. Consents are issued in line with the Gambling venue (Class 4) policy.

Territorial authority consent is also required to establish new standalone TAB venues in the District. Again consents are issued in line with the TAB venue policy.

It should be noted that territorial authority consent is irrevocable once issued, and cannot lapse or expire. Council does not have any retrospective powers under the Gambling Act 2003 over venues it has already consented.

Therefore Council's sphere of influence over gambling in the District is extremely limited and applies only to new Class 4 or TAB venues that require territorial authority consent.

## **1.3 Social Impact Assessment**

Territorial authorities must review their Gambling venue (Class 4) and TAB venue policies at least every three years. As part of the review process, Council is required to undertake an assessment of the social impact of gambling in its District. The Council may also have regard to any other relevant matters, including the cumulative effects of additional opportunities for gambling in the District.

Whilst the focus of this social impact assessment, therefore, is Class 4 gambling and, to a lesser extent, race betting and sports betting (through the TAB), nationally available data relating to other forms of gambling is summarised to provide the context for a consideration of the cumulative effects of other forms of gambling.

This report is the fourth social impact assessment to be conducted by the Rangitikei District Council in relation to gambling. The previous report was compiled in October 2012. The data from the 2012 report has been updated to allow comparisons to be made with previous data and to confirm or establish trends.

In assessing the social impact of gambling in the District, this report draws on the following sources and considers both the positive and negative impacts of gambling:

- reviews of national information about gambling behaviours and patterns.
- information about the District and its communities;
- information about existing Class 4 and TAB venues, drawn from the Department of Internal Affairs and Statistics New Zealand
- information about the distribution of funding throughout the District from Class 4 venue gambling drawn from the various Gaming Machine Trusts operating in the District, and
- information about/from gambling support agencies that provide services to the District, drawn from the Ministry of Health and Problem Gambling Foundation.



## **2 Pertinent information about the District and its communities**

### **2.1 Deprivation**

People living in high deprivation neighbourhoods are more likely than people living in other neighbourhoods to be problem gamblers and to suffer gambling-related harm (Ministry of Health 2006). Low income groups tend to spend proportionately more of their household incomes on gambling, and gambling harm disproportionately affects low income New Zealanders (Abbott and Volberg, 2000).

For these reasons, areas with low income and high deprivation figures may warrant particular consideration when reviewing the venue policy, especially if these figures correlate with other demographic factors associated with a higher risk of gambling harm (such as high gambling expenditure, and/or a high percentage of Māori and Pacific peoples).

Rangitikei is a district that has higher than average rates of high deprivation neighbourhoods and low income groups. High deprivation neighbourhoods are concentrated in the more densely populated areas of the District: Marton, Bulls, Taihape, Hunterville and also Mangaweka, Kaitiaki and Ratana. 2013 Socioeconomic deprivation scores from the 2013 Census for areas containing one or more Class 4 Venues compare to the figures derived from the 2006 Census as follows:

- Marton- Deprivation rating of 9 (up from 8 in 2006)
- Hunterville – Deprivation rating of 9 (up from 8 in 2006)
- Taihape – Deprivation rating of 8 (up from 7 in 2006)
- Bulls – Deprivation rating of 7 (unchanged from 2006)

It is unlikely that a viable business would be located outside of the population centres. The correlation between concentration of Class 4 gambling and TAB venues in areas of high deprivation/low income does not necessarily have the same implications for a rural District such as Rangitikei as it does for an urban authority, such as Auckland or Wellington.

### **2.2 Ethnicity**

Māori and Pacific people are more likely than other groups to be problem gamblers, and are more likely to suffer gambling-related harm (Ministry of Health 2008, Abbott and Volberg 2000).

- Māori populations are 36.1% of intervention service clients<sup>2</sup> and 17.9% of Helpline callers<sup>3</sup>, and only 15% of the population<sup>4</sup>.

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<sup>2</sup> For the most recently reported period, July 2013-June 2014. Ministry of Health (2015). Intervention Client Data. Retrieved 11 May 2015 from <http://www.health.govt.nz/our-work/mental-health-and-addictions/problem-gambling/service-user-data/intervention-client-data#ethnicity>

<sup>3</sup> For the most recently reported period, 2011. Ministry of Health (2012). Gambling Helpline client data. Retrieved 2 July 2014 from <http://www.health.govt.nz/our-work/mental-health-and-addictions/problem-gambling/service-user-data/gambling-helpline-client-data>

<sup>4</sup> Statistics New Zealand (2014). 2013 Census – Major ethnic groups in New Zealand. Retrieved 2 July 2014 from <http://www.stats.govt.nz/Census/2013-census/profile-and-summary-reports/infographic-culture-identity.aspx>

- 85.6% of Māori women seeking help for their gambling problems cite pokie machines as their major mode.<sup>5</sup>

Therefore, Class 4 gaming machines pose particular risks for Māori and Pacific people, especially women (Health Sponsorship Council 2007, Department of Internal Affairs 2008). Areas with higher percentages of Māori and/or Pacific people may warrant particular consideration when reviewing the venue policy, especially if these figures correlate with other demographic factors associated with a higher risk of gambling harm (such as high gambling expenditure and high deprivation).

3, 453 Māori usually residing in Rangitikei and make up 23 per cent of the District's total population. As nearly a quarter of the District's population is Māori, members of this group may be experiencing unreported gambling related harm.

### 3 Prevalence of Class 4 and TAB gambling and gambling venues in the Rangitikei

#### 3.1 Class 4 gaming machines and TABs in the Rangitikei

The location and density of TABs and Class 4 gaming machines is important because being a problem gambler is significantly associated with living closer to gambling venues (Ministry of Health 2008).

This means that areas with high population per machine figures may warrant particular consideration when reviewing the Gambling venue (Class 4) policy, especially if these areas correlate with other demographic factors associated with a higher risk of gambling harm (such as high deprivation and/or a high percentage of Māori and Pacific people).

Within the Rangitikei, the number of venues and gaming machines has dropped since the last review in 2012.

**Table 1: Number of Class 4 gambling venues in the Rangitikei**

Year	No. Venues	Count of EGM
June 2015	7	70
June 2014	8	85
June 2013	7	76
June 2012	8	83

Source: Department of Internal Affairs

**Table 2: Location and number of Class 4 gaming machines**

	Jun-12	Jun-13	Jun-14	Jun-15	Dec-15
<b>Bulls</b>					
Bulls RSA	5	5	5	5	5
Criterion Hotel	10	10	10		
Rangitikei Hotel	18	18	18	18	18
<b>Hunterville</b>					

<sup>5</sup> Centre for Social and Health Outcomes Research and Evaluation. (2008). Assessment of the social impacts of gambling in New Zealand. Auckland: SHORE. Retrieved 29 January 2013 [http://www.shore.ac.nz/projects/Gambling\\_impacts\\_Final%2010\\_02\\_09.pdf](http://www.shore.ac.nz/projects/Gambling_impacts_Final%2010_02_09.pdf)

Station Hotel	4	6	6	3	3
<b>Marton</b>					
Captain Cook	9	9	9	9	9
Club Hotel	18	18	18	18	18
Marton Hotel	9	0	9	7	7
<b>Taihape</b>					
Gretna Hotel	10	10	10	10	10
<b>Total</b>	<b>83</b>	<b>76</b>	<b>85</b>	<b>70</b>	<b>70</b>

Source: Department of Internal Affairs

There are five TAB venues in the District. These are all non-standalone TABs located in pubs and are not required to obtain territorial authority consent under the Racing Act 2003. There has been an increase of one non-standalone TAB venue since 2008 (Club Hotel, Marton).

**Table 3: Non-standalone TABs in the District**

	Non-standalone TABs		
	2008	2012	2012
Rangitikei Tavern, Bulls	Pub TAB	Pub TAB	Pub TAB
Station Hotel, Hunterville	Self-service	Self-service	Self-service
Captain Cook Marton	Pub TAB	Pub TAB	Pub TAB
Club Hotel, Marton		Self-service	Self-service
Gretna Hotel, Taihape	Pub TAB	Pub TAB	Pub TAB
<b>Total</b>	<b>4</b>	<b>5</b>	<b>5</b>

Source: Department of Internal Affairs and TAB website( [www.tab.co.nz](http://www.tab.co.nz))

### 3.2 Expenditure

It is important to know the gambling expenditure from Class 4 gaming machines within the district because problem gambling research indicates a strong relationship between preferences for regular involvement in, and high expenditure on, forms of gambling that are “continuous”<sup>6</sup> in nature (Abbott 2001).

If there are high expenditure-per-gaming-machine figures in particular areas, relative to other areas, this would indicate that the machines in these areas are being used more extensively than in other areas.

If there are high expenditure-per-person figures in particular areas, relative to other areas, then this would indicate that the people in that area spend proportionally more on gaming machines than people in other areas.

Areas with high-expenditure-per machine and high-expenditure-per-person figures, relative to other areas, may warrant particular consideration when reviewing the venue policy, especially if these figures correlate with other demographic factors associated with a higher

<sup>6</sup> “Continuous” is understood as those forms of gambling where there is a minimal delay period between playing and the result. These forms of gambling include gaming machines which involve very short delays between betting and outcome and thus enable rapid and repeated betting within a short period of time. Non-continuous forms (race betting and lotteries) involve time delays between placing a bet and knowing the outcome.

risk of gambling harm (such as low income, high deprivation and/or a high percentage of Māori and Pacific peoples).

**Table 4: Annual Gaming Machine Proceeds (GMP) - Rangitikei**

Year	GMP
2012	\$2,820,298
2013	\$2,623,099
2014	\$2,573,227
2015	\$2,708,892

Source: Department of Internal Affairs

A figure for the expenditure on race betting (TAB) within the district is harder to estimate. The prevalence of alternative means of access to race betting (internet and phone betting) means that figures obtained for revenue generated by physical sites within the district would disguise the revenue generated by these alternative means of access. In addition, race betting is a “non-continuous” form of gambling and less associated with problem gambling.

### 3.3 National comparisons

Every territorial authority is unique, and therefore assessing the impact of gambling within each territorial authority will be of primary importance. However, knowing how the numbers of, and expenditure on, Class 4 gaming machines in the Rangitikei district compares with the national average may provide some useful context.

Currently, the Rangitikei District has 0.7% of the population of New Zealand and 0.57% of its Class 4 venues and 0.43% of its Electronic Gaming Machines. Table 5 demonstrates that, in addition, the amount spent per machine is lower for Rangitikei than for the national average.

**Table 5: Comparison of Gaming Machine Proceeds (GMP) per Electronic Gaming Machine (EMG) between Rangitikei District and New Zealand**

12 Month Period	GMP - Rangitikei	EGMs (at 31/12/2015)	GMP/EGM - Rangitikei	GMP - NZ	EGMs (at end of period)	GMP/EGM - NZ
July 2011 - June 2012	\$2,934,447	83	\$35,355	\$853,962,784	17,943	\$47,593
July 2012 - June 2013	\$2,668,618	76	\$35,113	\$826,749,198	17,534	\$47,151
July 2013 - June 2014	\$2,587,567	85	\$30,442	\$806,271,431	17,130	\$47,068
July 2014 - June 2015	\$2,626,284	70	\$37,518	\$818,113,112	16,579	\$49,346
Jan 2015 - Dec 2015	\$2,708,892	70	\$38,698	\$828,026,639	16,393	\$50,511

Source: Department of Internal Affairs, Statistics New Zealand

It is impossible to know how many people will travel out of (or in to) the District rather than gamble locally since it is known that many people with gambling problems will travel to gamble so that the extent of their gambling is hidden from friends and family.

But it remains the case that gaming proceeds per machine are less than the national average. This is in line with findings in other aspects of service provision in rural areas; it is difficult to maximise use/profit for almost any service in areas of low population density.

## 4 Benefits of Gambling

There are a range of benefits to the community from gambling. These are largely the distribution of grant funds, but also include economic activity including employment opportunities, contribution to the tax base, and the role that gambling plays as a recreational and leisure activity for many New Zealanders. Two possible benefits from gambling, fundraising for community purposes and entertainment, are considered further in this report.

### 4.1 Grants to the Community

Gaming machines are set up to return to the gambler between 78-92 cents per dollar wagered. A minimum of 37% of the profits are returned to the community by way of grants - some societies consistently distribute 40-50% to the community. Of the remainder 32% goes to the Government by way of taxes including the Problem Gambling Levy, Gaming Duty, GST and fees and licences. Up to 26% is associated with the costs of owning and maintaining the machines and payment to venues for hosting the machines. The remainder (up to 5%) is spent on society administration costs.

Grants are made by the incorporated societies that operate gaming machines within the district. The Charity Gaming Association currently has three member trusts operating within the Rangitikei – the Lion Foundation, and Pub Charity.

The amount of grants available to a district depends on the amount of money generated through gambling in that district. So the fewer gaming machines in the Rangitikei, the less revenue is generated and the less money is available for community groups in the Rangitikei.

**Table 6: Charity Gaming Association members operating within Rangitikei<sup>7</sup>**

Society name	Venue
Pub Charity Limited	Rangitikei Hotel Captain Cook's Bar & Cafe Marton Hotel Gretna Hotel
The Lion Foundation	Station Hotel Club Hotel Marton

Source: Department Of Internal Affairs, Statistics New Zealand

The most recent figure available showing the amount of money granted to the community are shown in Tables 7 and 8.

<sup>7</sup> The Bulls RSA operates independently. The number of Clubs operating gaming machines in their own premises to raise funds for their own purposes has been decreasing for many years.

**Table 7: Pub Charity Donations<sup>8</sup>**

Period	How many recipients	Total for period
April 2015 –September 2015	18	\$63614.52
October 2015 – November 2015	11	\$30,681.00

Source: Pub Charity

**Table 8: The Lion Foundation Donations<sup>9</sup>**

Period	How many recipients	Total for period
April 2012- March 2013	15	\$33457
April 2013- March 2014	17	\$38315
April 2014- March 2015	17	\$94965

Source: The Lion Foundation

Generally, community perception is that the community effects of gambling and particularly gaming machines are negative and there are relatively few community benefits. However, with gambling funding being recognised as providing a significant support for aspects of communities which otherwise have difficulty raising money, there is a level of ambivalence.

## 4.2 Entertainment

There is, of course, an entertainment aspect to gambling, and the vast majority of gamblers do not have a gambling problem but merely enjoy a 'flutter' every so often. About half of New Zealanders have gambled during the previous twelve months – the vast majority playing Lotto (70% of all gambling).

## 5 Problem Gambling

The Gambling Act 2003 defines problem gambling to mean harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling. Broadly, the social impacts of problem gambling revolve around:

- Increased crime (particularly theft and fraud)
- Violence and violent crime
- Effects on family and friends of problem gambling behaviour
- Loss of productivity and/or employment
- Inability to provide the basics for oneself and/or ones family

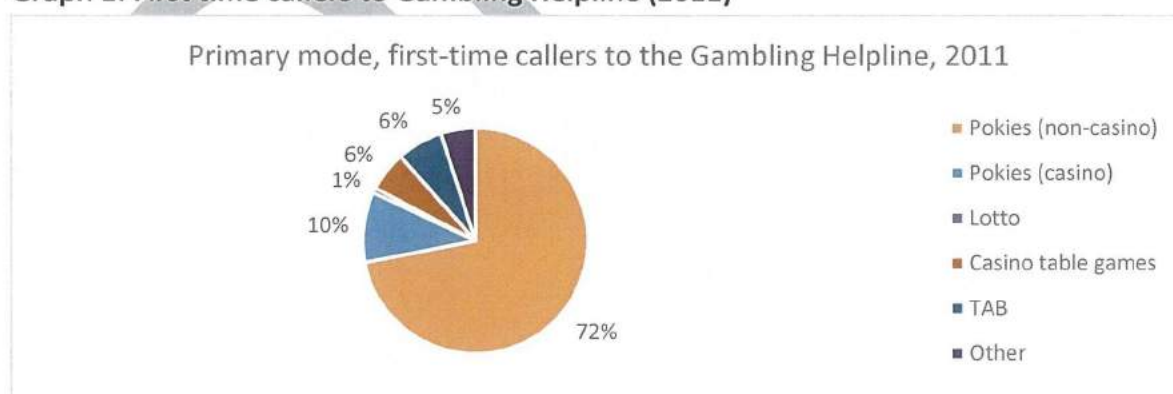
The majority of gamblers are recreational gamblers – only a small proportion is at risk from their gambling (Ministry of Health 2012). In population studies, the indication is that moderate risk gambling affects between 1 - 9% of the adult population, problem gambling affects 0.3 - 1.8% of the adult population and up to 10 people are affected by someone else's problem gambling. The Problem Gambling Foundation estimates that problem gamblers are responsible for up to 24% of all annual gaming machine proceeds. The variance indicates that the available data is inconsistent and, therefore inconclusive.



The following list provides a snapshot of gambling trends and problem gambling harm in New Zealand.

- About 18% of adults use pub/club gaming machines over a 12 month period.<sup>10</sup> This is a ratio of 34 possible gaming machine users to any 1 machine.
- The \$823 million that gaming machines take annually requires each machine user to spend and lose an average of over \$1,400.<sup>11</sup>
- Just 1.7% use gaming machines weekly or more often. 82% of adults never use gambling machines.<sup>12</sup>
- 2 in 5 (40%) of regular gaming machine users (participates weekly or more) report experiencing a problem at some point.<sup>13</sup>
- 1 in 5 (20%) of regular gaming machine users have current problems.<sup>14</sup>
- 72% of first-time callers to gambling helpline counselling services cited non-casino pokie machines as their primary mode of gambling (Graph 1).
- 54% of problem gambling clients attending face-to-face counselling cited non-casino gaming machines as their primary mode of gambling, and a further 12% cited casino gaming machines<sup>15</sup> (Graph 2)

**Graph 1: First time callers to Gambling Helpline (2011)**



Source: Problem Gambling Foundation of New Zealand

<sup>10</sup> Abbott, M., Bellringer, M., Garrett, N., & Mundy-McPherson, S. (2014). New Zealand 2012 National gambling study: Overview and gambling participation. Wellington: AUT.

<sup>11</sup> Adult population for this district was determined using 2013 census data and the NZ.Stat tool from Statistics New Zealand, found online at <http://nzdotstat.stats.govt.nz/wbos/Index.aspx>.

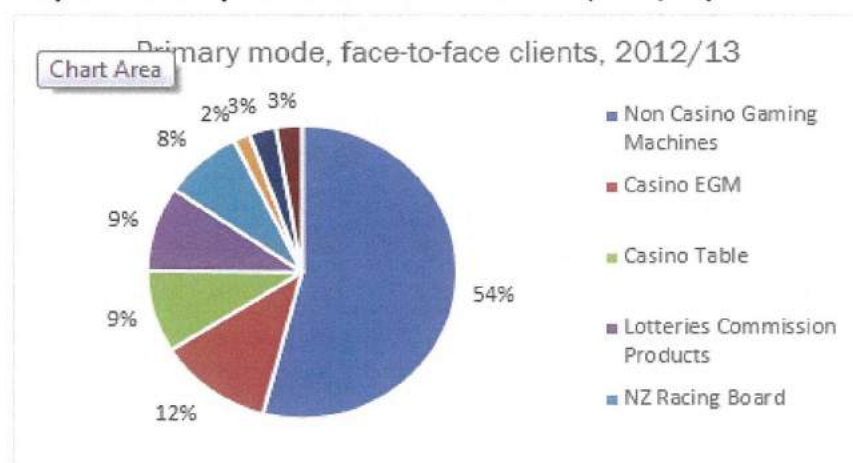
<sup>12</sup> Abbott, M., Bellringer, M., Garrett, N., & Mundy-McPherson, S. (2014). New Zealand 2012 National gambling study: Overview and gambling participation. Wellington: AUT.

<sup>13</sup> Devlin, M. & Walton, D. (2012). The prevalence of problem gambling in New Zealand as measured by the PGSI: adjusting prevalence estimates using meta-analysis. *International Gambling Studies*, 10.1080/14459795.2011.653384. Retrieved 31-May 2012 from <http://www.tandfonline.com/doi/abs/10.1080/14459795.2011.653384>

<sup>14</sup> Department of Internal Affairs (DIA). (2009) Problem gambling in New Zealand – a brief summary. Retrieved 29 Jan 2013 from [http://www.dia.govt.nz/pubforms.nsf/URL/ProblemGamblingFactsFinal.pdf/\\$file/ProblemGamblingFactsFinal.pdf](http://www.dia.govt.nz/pubforms.nsf/URL/ProblemGamblingFactsFinal.pdf/$file/ProblemGamblingFactsFinal.pdf)

<sup>15</sup> Ministry of Health (2013). Table 11: Problem gambling client presentation data. Provides information on client presentation numbers, both new and existing clients, by gambling industry sector, for the 2004/05 to 2012/13 Financial Years. Wellington, MOH. Retrieved 30 June 2014 from <http://www.health.govt.nz/our-work/mental-health-and-addictions/problem-gambling/service-user-data/intervention-client-data>

**Graph 2: Primary mode face-to-face clients (2012/13)**



Source: Problem Gambling Foundation of New Zealand

## 6 Problem Gambling in the Rangitikei District

The Ministry of Health collates and stores gambling intervention client data. This data represents the number of clients who have received problem gambling treatment services. The data indicates that the number of Rangitikei District residents accessing gambling treatments has dropped between June 2013 (3) and June 2015 (1).

It is difficult to find tangible evidence to support the assessment that the Gambling policy adopted in 2013 had some influence in the decline of residents accessing gambling health services, but nonetheless Council's stance and parameter may have played a partial role.

Gambling Lifeline New Zealand<sup>16</sup> indicates no new gambling helpline clients, from the Rangitikei District between 2013 and 2015.

## 7 Conclusion

This report seeks to provide Council with information to assess the social impacts of gambling within the district. This report is prepared for the purpose of the review of the Gambling venue (Class 4) policy, and the TAB venue policy.

Twelve years since the adoption of the Gambling venue (Class 4) policy and TAB venue policy, the number of gaming machines in the district has fallen from 112 (in 2003) to 83 (2012) to 70 (2015), and the number of Class 4 venues has fallen from 11 (2003), 8 (2012) and 7 in 2015. There are no standalone TAB venues in the District (and the Council's current policy does not provide for any to be established). Expenditure was trending downwards but there has been a slight increase in Gaming Machine Proceeds 2015.

There is no evidence from the data on people seeking help for problem gambling that this is a growing problem in the District.

<sup>16</sup> Gambling Helpline is a 24 hour free-phone service that provides immediate support, as well as referral and information services for gambling problems

In common with the vast majority of services/facilities available in the District, these venues are located in the towns of Marton, Bulls, Taihape and Hunterville. These are also areas of high deprivation, low income and high Māori population which are risk factors for problem gambling. However it is difficult to draw the conclusion that the charitable gaming trusts are targeting areas where the risk of problem gambling is higher.

Nonetheless, it appears that treatment services to support people with problem gambling, and those affected by someone else's problem gambling, are generally not as available for residents in the District as for the population as a whole. Again, this is a common phenomenon in rural areas. It seems unlikely that the issue of equitable service provision in rural areas is going to be addressed. It is more likely that inequality of access to services will get higher as resources become increasingly scarce and rural areas become further depopulated.

The benefits that accrue to the District from gambling, beyond opportunities for the local population to access gambling facilities for recreational use, are two-fold. Firstly, the viability of businesses which include pokies (7 venues) is increased through the host fees available from the charitable gaming trusts and, secondly, the grants to the community from the charitable gaming trusts (approximately \$185,000 during 2015). Set against this is the \$2.7 million lost to the pokies in the District, disproportionately lost from those who, arguably, can least afford to lose money in this fashion.

The question for Council is one of balance. Through its Gambling venue (Class 4) policy, Council can further limit the access of the local population to gaming machines. The aim of this would be to protect those at risk from problem gambling, at least from being able to easily access pokie machines in the urban centres of the District. The cost would be to deprive the majority of (social and leisure) gamblers of the opportunity for an "occasional flutter" in the District. Whilst the costs of gambling to the District can be counted as \$2.7 million, it is unknown whether this money would be retained in the District should the number of pokies reduce further, and this is set against the very real economic benefits of gambling to the businesses involved and to the community organisations that receive grants from the proceeds.

# ***Attachment 14***



4 February 2016

Ross McNeil  
Chief Executive  
Rangitikei District Council  
Private Bag 1102  
Marton 4741

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To: .....  
File: .....  
Doc: .....

Dear Ross

## EVALUATING HORIZONS' ONE PLAN IMPLEMENTATION – PART ONE: WATER QUALITY

Starting this month, Horizons Regional Council will be looking at our progress on putting the *One Plan* into effect.

The first piece of evaluation work will look at progress in implementing **coastal and freshwater quality** rules, and focus on the topical and challenging issues of **intensive land use** and **nutrient management**.<sup>1</sup> This area has been chosen for early consideration because of its high public interest. Consenting of intensive agricultural land use is a new process, which has rightly remained in the spotlight as we put it in place.

This letter is to advise you of this evaluation work, and invite your views. While it is important to be clear about the evaluation's scope and purpose - this is not a Plan change and review process, and does not revisit community values or the Plan's framework itself. We are committed to an inclusive process, where interested groups with views on the past year's experience with the implementation of the *One Plan*'s nutrient management rules, are able to have a say. I invite you to send this letter on through any parts of your networks which may be interested, or otherwise to let them know about the work that is happening. Your comments will inform our understanding of what is important to people as we go through this process, and make sure that perspectives are fully taken into account.

In considering comments you may wish to make:

- The main focus is on rules for **intensive land use consenting** and **nutrient management** (and resulting *One Plan* water quality objectives). Other parts of the *One Plan* will be evaluated later.
- The evaluation is about progress achieved and problems experienced, in putting the new rules into effect. We want to know what's working (or what's not), and kick the tyres on any problems.
- Are you happy with progress, and Horizons' approach? We welcome comments on what any issues for you might be.

Kairanga

Marton

Palmerston North

Taihape

Taumarunui

Wanganui

Woodville

<sup>1</sup> For background, see Report No. 15-265 *One Plan Evaluation: Proposed Framework and Scope* (8 December 2015). This report is available on Horizons website at [http://www.horizons.govt.nz/assets/Uploads/Events/Strategy\\_Policy\\_Committee\\_Meeting/2015-12-08\\_130000/Table-of-contents-Dec.pdf](http://www.horizons.govt.nz/assets/Uploads/Events/Strategy_Policy_Committee_Meeting/2015-12-08_130000/Table-of-contents-Dec.pdf).

- Social impact assessment and economic modelling are important parts of the work. Comments you may have on social or economic impact are relevant.
- As with the *One Plan*, evaluation work will continue to be informed and led by the freshwater science – understanding where we are, for example, against new national river and lake health bottom lines.
- We will be considering the *National Policy Statement on Freshwater Management* (NPSFM) and its requirements.

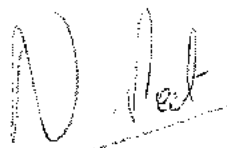
While it may seem early days to be evaluating where we are up to, we think this important to ensure that the process is being well managed, and to provide a clear picture for council and our community of any issues arising. This, in turn, supports all of us in making good decisions.

The focus at this stage is on how the *One Plan* is being put into effect. There will not be a formal submission process. If, at some future time, it was thought (perhaps because of implementation problems or new requirements through the NPSFM) that the *One Plan* itself needed to be reviewed or changed, this would be a publicly notified process, involving a full statutory consultation and review of the policy options.

The current piece of evaluation work is due to be completed by **August 2016**. If you have views or comments it would be helpful to receive these early. You are welcome to contact Claire Browning, Project Manager by email: [claire.browning@horizons.govt.nz](mailto:claire.browning@horizons.govt.nz) or phone: (06) 9522 824 to signal your group's interest in the work and ask any questions, or you may like to simply submit any views or comments in writing.

In the meantime, work to implement the *One Plan* continues. Input from the community is an important part of ensuring we are getting it right. I hope you feel encouraged to be involved.

Yours sincerely



Nic Peet

**GROUP MANAGER STRATEGY & REGULATION**



# ***Attachment 15***



**Rangitikei**  
COUNCIL

# MEMORANDUM

TO: Policy/Planning Committee

FROM: Samantha Whitcombe

DATE: 1 March 2016

SUBJECT: **Update on the Path to Well-Being initiative and other community development programmes – March 2016**

FILE: 1-CO-4

## 1 Background

- 1.1 This report identifies meetings that have taken place involving members of the Policy Team through the Community Partnerships activity, focussing on the Path to Well-being initiatives. Added commentary is provided where necessary.
- 1.2 This report also covers applications for external funding as required by the Policy on external grant applications made by Council.

## 2 Meetings

What?	When/Where?	Why?
Greg Carlyon, Tutaenui Restoration Trust	3 February Marton	To be briefed on developments with the trust, attended by Three Waters Asset Manager and Policy Team members
Safe and Caring Community Theme Group	3 February Taihape	Regular meeting. Particular discussion around homelessness in the the District following Public Forum at Council in January.
Jan Harris, Susan Crawshaw (Youth Services)	5 February Bulls	Meeting to confirm content and format of Youth Leadership Forum to be held in May.
Smokefree Outdoor Urban Areas Forum	10 February Palmerston North	Networking opportunity with guest speaker from Australia.
Whanganui/Taranaki Community Response Model Forum	12 February Whanganui	Group reconvened by MSD on instruction from Minister Goodhew to re-establish the Forum in this area.
Linda Holman and Margaret Thompson	12 February Marton	Key members of the Digital Enablement Plan Steering Group to catch up on next steps.

<b>What?</b>	<b>When/Where?</b>	<b>Why?</b>
Marton Community Charter Board meeting	17 February Marton	Regular meeting of the Board – additional member, Danelle Whakatahi of the Whanganui Children's Team

### **3 Homelessness**

- 3.1 Following the presentation at Public Forum in January, the issue was raised at the meeting by the Policy Team. Members present undertook to try to identify the extent of this problem and appropriate support agencies/opportunities.
- 3.2 It was noted by the group that a further issue is the poor quality of housing, including inappropriate use of properties as housing (commercial premises and/or over-occupancy of premises).

### **4 Youth Leadership Forum**

- 4.1 Bulls and District Community Trust continue to develop this event as the 2015/16 Path to Well-being conference. The work with the Marton Community Charter and MSD has indicated that any youth development requires extensive input and direction from youth. The Forum will bring together agencies and services with young people for a face-to-face conversation about the delivery of youth services in the District.

### **5 Funding**

- 5.1 Two opportunities for funding have recently been identified. The first is the Settling In fund via the Office of Ethnic Affairs and the second is Community Road Safety Fund.
- 5.2 Staff are currently investigating the potential to apply to these funds for projects which will support a) the integration of the Samoan community in southern Rangitikei, perhaps particularly Samoan youth and b) driver licence schemes for youth and for the Samoan community. The details are still being worked through with partners and it may be that Council will not be the applicant. However, if it is considered appropriate, then the Committee is asked to agree in principle to Council acting as the lead agency for applications to these funds.

### **6 Recommendations**

- 6.1 That the memorandum 'Update on the Path to Well-Being Initiative and other community development programmes – March 2016' be received.

Samantha Whitcombe  
Governance Administrator

## Appendix 1

Fund	Project description	How much	Desired outcomes and milestones	Lead Agency	Council role	Policy Team Role	Final report due
MSD - Quality Services and Innovation Fund	Taihape Community Connections; to develop better collaborative and referral practices amongst local health and social service providers, collation and provision of information about services within Taihape.	\$120,000	Central information resource, improved access to services	Taihape Community Development Trust	Support Agency	Prepared application, project steering group: no reporting responsibilities	Dec-13
Whanganui Community Foundation	Swim 4 All	\$10,000	Swimming lessons for Primary School aged children in the Rangitikei District	RDC	Lead agency, fund holder	Prepared application, holds funds, manages project, reports back to funder	Jan-16
Lottery Community Committee	Swim 4 All	\$10,000	Swimming lessons for Primary School aged children in the Rangitikei District	RDC	Lead agency, fund holder	Prepared application, holds funds, manages project, reports back to funder	Apr-16
MYD - Youth Development Fund	Youth Action Plan	\$15,000	Delivery of one youth-led civic projects in Taihape, District-wide training in place-making	RDC	Lead agency, fund holder	Prepared application, holds funds, manages project, reports to funder. In kind support from Council. Cash support from TCP budget for Place-making training sessions.	Jun-16
MYD - Community Investment Fund	Youth Action Plan	\$20,000	Support for Marton Youth Club pending feasibility study on longer term	RDC	Lead agency, fund holder	Holds funds, contracts with HYPE for youth club management. Responsibility to deliver feasibility study to be agreed within Marton Community Charter.	Final report submitted December 2015

Fund	Project description	How much	Desired outcomes and milestones	Lead Agency	Council role	Policy Team Role	Final report due
KiwiSport	Swim 4 All	\$10,000	Swimming lessons for Primary School aged children in the Rangitikei District	RDC	Lead agency, fund holder	Prepared application, holds funds, manages project, reports back to funder	Jun-16
as at 02/09/2015	Confirmed	\$185,000					