



## **FAIRLIE COMMUNITY BOARD**

### ***Membership:***

Owen Hunter (Chairman)  
Julia Bremner  
Ron Joll  
Graeme Page  
Ashley Shore

**Notice is given of the Meeting of the Fairlie Community Board  
to be held on Wednesday 26 October 2011  
at 7.00 pm in the Council Chambers, Fairlie**

**Business:**     *As per Agenda attached*

**NATHAN HOLE  
ACTING CHIEF EXECUTIVE OFFICER**

**19 October 2011**



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**FAIRLIE COMMUNITY BOARD AGENDA**  
**26 October 2011**

**I. COMMUNITY FORUM**

**II. APOLOGIES**

**III. DECLARATIONS OF INTEREST**

**IV. MINUTES**

Confirm and adopt as the correct record the Minutes of the meeting of the Fairlie Community Board held on 3 August 2011

MATTERS UNDER ACTION:

**V. REPORTS**

1. Financial Report (to be circulated)
2. Road Closure
3. Freedom Camping
4. Dog Control
5. Review of Local Authority Remuneration Setting
6. New Zealand Cycle Trails Network Expansion Project
7. Ward Member's Report
8. Reports from Members who Represent the Board on Other Committees

# MACKENZIE DISTRICT COUNCIL

## MINUTES OF THE MEETING OF THE FAIRLIE COMMUNITY BOARD HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON WEDNESDAY 3 AUGUST 2011 AT 7.00 PM

### PRESENT:

Owen Hunter (Chairman)  
Ashley Shore  
Julia Bremner  
Cr Graeme Page

### IN ATTENDANCE

Glen Innes (Chief Executive Officer)  
Garth Nixon (Community Facilities Manager)  
Paul Morris (Finance and Administration Manager)  
Rosemary Moran (Committee Clerk)

### II APOLOGY:

Resolved that an apology be received from Ron Joll.

**Graeme Page/Ashley Shore**

### III DECLARATIONS OF INTEREST:

There were no Declarations of Interest.

### IV MINUTES:

Resolved that the Minutes of the meeting of the Fairlie Community Board held on 22 June 2011 be confirmed and adopted as the correct record of the meeting.

**Ashley Shore/Julie Bremner**

### MATTERS ARISING:

#### **Fairlie Entrances Signs and Walkway Access**

The Chairman undertook to liaise with Ron Joll with regard to the project.

### V REPORTS:

#### 1. FINANCE REPORT TO JUNE 2011:

This report from the Manager – Finance and Administration provided an update for Board members on the financial performance of the Fairlie Community for the period to June 2011.

Resolved that the report be received.

**Julie Bremner/Graeme Page**

In response to concerns expressed by Ashley Shore about the complexity of the accounts, the Manager – Finance and Administration offered to conduct a

**workshop for elected members.** It was agreed that it be held on Tuesday 16 August 2011 at 7.00 pm.

2. GRANT REQUEST FROM THE FAIRLIE ICE SKATING CLUB:

This report from the Community Facilities Manager referred to a request for a grant to cover the outstanding water charges for the Fairlie Ice Skating Club.

Resolved:

1. That the report be received.
2. That a grant be made to cover the excess water charges incurred by the Fairlie Ice Skating Club subject to the Club making alternative provision to either supply water to the skating rink site or making the pond watertight by April 2012.
3. That the Ice Skating Club be advised:
  - a. that the level of excess water charges that would be covered in this instance was \$2,650.00,
  - b. that any further excess water charges would be a cost to the Club
  - c. that no further grants would be made, and
  - d. that if future excess water charges were not paid the town water supply to the site would be disconnected.

**Julia Bremner/Ashley Shore**

3. WARD MEMBER'S REPORT:

Cr Page reported:

- that the Council had determined that two trees were to be removed from the Fairlie Domain (this was to resolve the on-going issue regarding three trees in the Domain which a resident said were shading her property on Riverview Terrace, Fairlie),
- that preparations for the new solid waste regime were progressing well,
- that there had been pleasing responses to the calls for new trustees for the Mackenzie Medical Trust and the Mackenzie Tourism and Development Trust, and
- that preparatory work was underway for the new Long Term Plan.

4. REPORTS FROM MEMBER'S WHO REPRESENT THE BOARD ON OTHER COMMITTEES:

Julia Bremner advised that she had been appointed to the Mackenzie Community Enhancement Board.

She said the Mackenzie Community Centre User Group was pleased that maintenance work had been completed in the Mackenzie Community Centre.

Resolved that Julia Bremner's appointment as the Community Board's representative on the Mackenzie Community Enhancement Board be endorsed.

**Owen Hunter/Ashley Shore**

**VI GENERAL BUSINESS:****1. THEATRE GROUP LETTER**

The Community Board received a letter of appreciation from the Mackenzie Theatre Group for the Board's accommodation of the Group's request for remittance of the hall hire fees for its upcoming production.

**2. SUBMISSIONS TO ANNUAL PLAN RELATING TO FAIRLIE**

The Community Board received the list of submissions to the Council's Annual Plan which related to the Fairlie Community.

**THERE BEING NO FURTHER BUSINESS  
THE CHAIRMAN DECLARED THE MEETING CLOSED AT 9:10 PM**

**CHAIRMAN:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## MATTERS UNDER ACTION – FAIRLIE COMMUNITY BOARD

### CHAIRMAN

#### **Fairlie Community Board Page on Council Website**

The Chairman is invited to liaise with Council's IT Officer regarding the development and maintenance of a Fairlie Community Board page on Council's website.

#### **Fairlie Entranceway Signs/Walkway Access**

The Chairman undertook to liaise with Ron Joll regarding the progress of this project.

### ASSET MANAGER

#### **Air Brakes**

Regarding noise from trucks using air brakes in the township, raise the issue with LTNZ and request that appropriate signs be erected requesting that air brakes not be used. *Completed – waiting for response from LTNZ.*

*No Change*

#### **Pedestrian Crossing**

Make a fresh approach to LTNZ for a pedestrian crossing in the Village Centre opposite the statue of Mackenzie.

*Completed – waiting for response from LTNZ.*

*No Change*

*22 June 2011*

#### **Fairlie Western Catchments – Public Consultation:**

*Yet to be undertaken.*

### COMMUNITY FACILITIES MANAGER

*22 June 2011*

#### **Christmas Lights in Village Centre:**

Remove or repair the Christmas lights in the tree near the Four Square Supermarket.

*Aorangi Electric has been requested to attend to this.*

## MACKENZIE DISTRICT COUNCIL

**REPORT TO:** FAIRLIE COMMUNITY BOARD

**SUBJECT:** MARKET DAY ROAD CLOSURE

**MEETING DATE:** 26 OCTOBER 2011

**REF:** WAS 2/14

**FROM:** ASSET TECHNICAL ASSISTANT

**ENDORSED BY:** CHIEF EXECUTIVE OFFICER

### **PURPOSE OF REPORT:**

To request Community Board to consider an application to close the road area outside the Ski Shack for Mackenzie Market days

### **RECOMMENDATIONS:**

1. That the report be received.
2. That the road area outside the Ski Shack be closed to traffic as per the attached schedule.

**NICK FROUDE**  
**ASSET TECHNICAL ASSISTANT**

**GLEN INNES**  
**CHIEF EXECUTIVE OFFICER**

## **ATTACHMENTS**

- Letter of application – Mackenzie Markets
- Map of proposed closure
- Schedule of market days

## **BACKGROUND:**

Mackenzie District Council have been asked to close the area between the end of Riddle Street and the Allandale Rd access by the Old Library for market days.

Mackenzie Markets have historically been held during the summer on Sundays between 10.00AM and 1:30 PM, under the verandah outside the Ski Shack. Due to the increasing popularity of the event, stalls have become tightly packed and there has been little room for shoppers without stepping onto the roadway. With cars also using the roadway, there has been congestion and subsequent hazard to pedestrians.

## **ISSUES:**

The area that is proposed to be closed on Market days is not actually legal road, it is land owned by MDC. The property boundary is on a line that continues on from the shop fronts on Riddle St. As such, the closure could possibly be managed by a nominated stall holder. Because the only area closed to traffic is private land, legislated requirements that normally apply to road closures would not apply.

I have canvassed affected businesses (Eat Café and Four Square) and they support the proposal. There would be less parking available outside Eat but they feel that they would be compensated by increased foot traffic. Four Square do not anticipate any effect on business because of the parking change. The Ski Shack is closed over the proposed period, and the chemist is closed on market days.

The closure would be covered by a Traffic Management Plan, and council roading staff would give instruction as to setup requirements.

The first market day is 22 October 2011. A trial closure between 10.00 and 1.30 has been approved after consultation with Owen Hunter, with future closures pending consideration of this report.

## **CONCLUSIONS:**

Closure of the area on market days will increase pedestrian safety and provide the potential for the markets to expand. Impact on traffic flow and parking is expected to be minimal.



To:  
Mr Nick Froude  
Mackenzie District Council  
FAIRLIE 7925  
5<sup>th</sup> September 2011

Dear Nick,

Enclosed is a plan of the area which is used by the Mackenzie Markets for their Market days which go from 10am to 1.30pm.

Also I have enclosed a copy of the dates which the Markets will be held on. We discussed the matter of the area being closed off to traffic.

The new Convenor is Mrs Betty Morgan, Allandale Road, but it would be fine to reply to me at 20 Ayr Street, Fairlie as it was me that discussed the matter with you one morning during the last Market days.

Yours sincerely

  
Judey Christopher

Enclosed 2

John & Judy<sup>10</sup>

**The Mackenzie Market**  
**mornings** announce the following  
dates as the days for their markets  
under the verandahs on Allandale  
Road. 10 am to 1.30pm each day

22nd October 2011

5th and 19th November 2011

3rd, 10th, 17th and 31st December 2011

7th, 14th and 21st January 2012

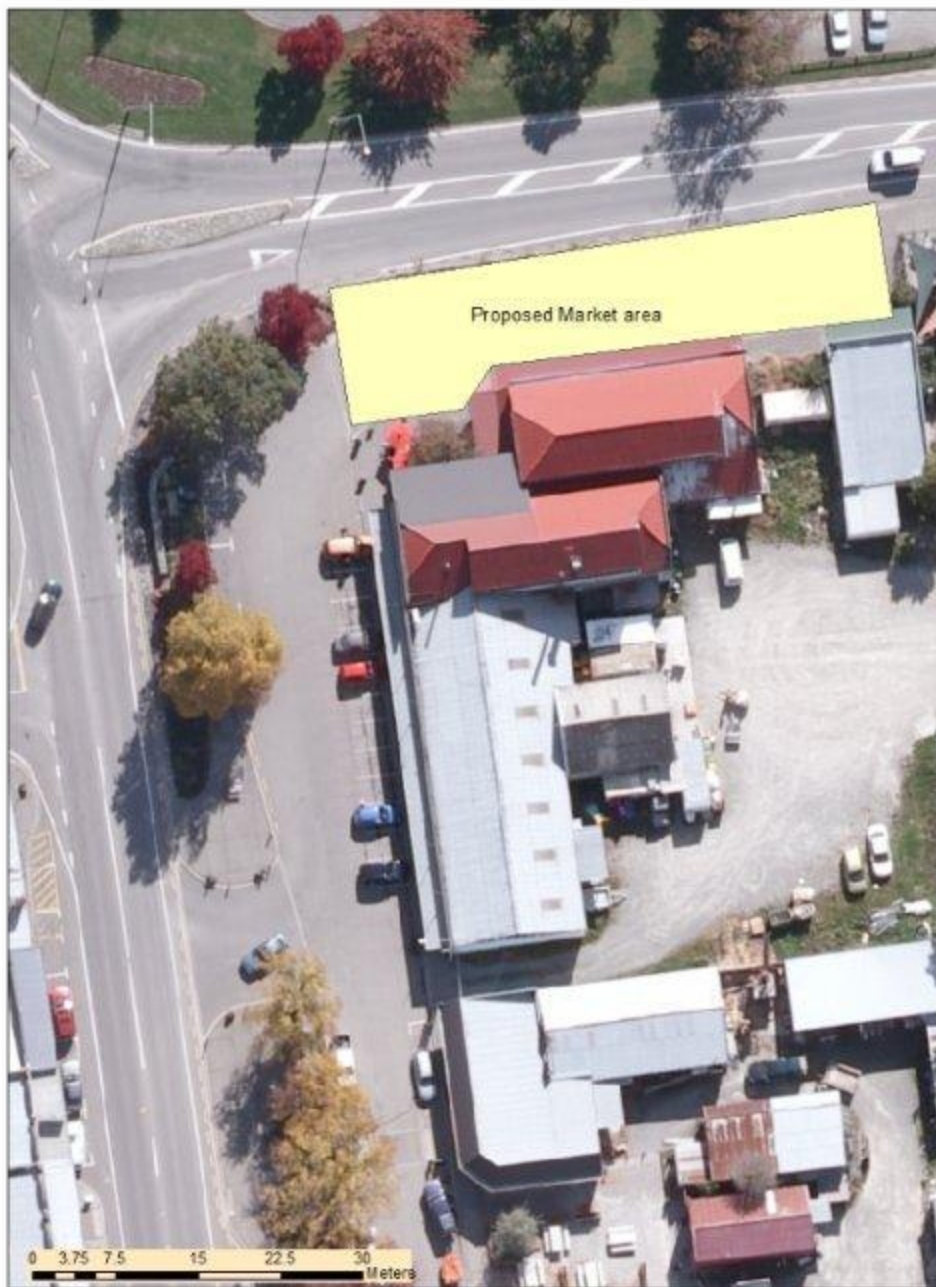
4th and 18th February 2012

3rd and 17th March 2012

7th and 21st April 2012

5th and 19th May 2012

# Proposed area for Mackenzie Market days<sup>1</sup>



## **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** TWIZEL, TEKAPO AND FAIRLIE COMMUNITY BOARDS

**SUBJECT:** FREEDOM CAMPING

**MEETING DATE:** 27 AND 28 OCTOBER 2011

**REF:** REG 4/1

**FROM:** MANAGER – COMMUNITY FACILITIES

**ENDORSED BY:** ACTING CHIEF EXECUTIVE OFFICER

### **PURPOSE OF REPORT:**

To advise of the requirement to make a bylaw consistent with the new Freedom Camping Act 2011.

### **STAFF RECOMMENDATIONS:**

1. That the report be received.
2. That the Community Boards identify areas for freedom camping on maps provided.
3. That Community Boards identify any immediate concerns.

**GARTH NIXON**  
**MANAGER – COMMUNITY FACILITIES**

**NATHAN HOLE**  
**ACTING CEO**

**ATTACHMENTS:**

- The amended Roadways and Reserves Camping Bylaw
- LGNZ Quarterly Review – Sept 2011
- Maps will be provided at the meeting

**BACKGROUND:**

We are required to make a new bylaw consistent with the new Freedom Camping Act 2011 within twelve months of its enactment.

The purpose of this exercise is to identify areas within the Townships where freedom camping is specifically permitted and areas where it should be excluded. These will be to be mapped and used to develop the new bylaw. Areas where freedom camping is allowed will be for fully self-contained vehicles; all other campers should be directed to camping ground areas.

To address any immediate concerns, we can make additions or deletion to the existing bylaw quite simply

**POLICY STATUS:**

The current policy provides for enforcement and instant fines in relation to the existing bylaw.

Additional areas can be added by ordinary Council resolution.

To create a new bylaw is a drawn out process and will require the use of the special consultative procedure. The new bylaw cannot be completed prior to this summer season.

Council is required to create a new bylaw consistent with the Freedom Camping Act 2011 prior to September 2012.

**SIGNIFICANCE OF DECISION REQUESTED:**

Not a significant decision

**CONCLUSION:**

The Community Boards should consider areas within the Townships that are suitable for freedom camping and those that are not and identify them on the map provided.

The Boards should also identify any immediate concerns that need addressing prior to the holiday season.

## ROADWAYS AND RESERVES CAMPING BYLAW

1. This bylaw is made pursuant to sections 145 and 146(b)(vi) of the Local Government Act 2002, section 12 of the Litter Act 1979, and all other Acts, powers and authorities enabling the Council in that behalf.
2. This bylaw shall be known as the Roadways and Reserves Camping Bylaw 2009.
3. Camping – No person shall camp in or upon any road, roadside, reserve or area listed in the schedule hereto.
4. Power to Move On - Any warranted officer of Council may request a person camping on land referred to in the schedule to move on and may direct them to any other camping ground or other Council land where camping is permitted.
5. Offences - Failure to comply with such a request constitutes an offence under this bylaw.
6. Penalties And Offences.- Every person commits a breach of this bylaw who:
  - (a) Commits, or causes to be committed, any act contrary to this bylaw; or
  - (b) Omits, or knowingly permits to remain undone, any act required by this bylaw; or
  - (c) Refuses, or neglects to comply with, any notice or request, or any condition in any such notice or request, given by a Council Officer pursuant to this bylaw; or
  - (d) Obstructs or hinders any officer of the Council in the performance of any power or duty conferred upon him or her by this bylaw.
  - 6.1 Every person who breaches this bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000.
7. Signs – Signs may be erected on any land in the Schedule hereto, such signs to read “No camping by order Mackenzie District Council”.
8. Definitions – For the purpose of this bylaw, the following definitions shall apply;
 

“Road” means road as defined in Section 315(l) of the Local Government Act 1974.

“Reserve” means reserve as defined in the Reserves Act 1977.

“Roadside” means the area between the road centre line and any private property either side of the road centre line.

“Camp” means to stay, or intend to stay at any time, and includes staying or intending to stay at any time with any form of moveable or portable accommodation.
9. Additions or Deletions – Additions or deletions to the schedule hereto may be made by the Mackenzie District Council from time to time by Resolution.
10. Exceptions - Council may grant exceptions to this bylaw. These exceptions may be made from time to time for special circumstances or one off events The exception may be granted by Council following application and Council resolution.

## Schedule

### A SCHEDULE OF PERMITTED AREAS

- a) Lake Opuha Council Picnic Areas and Reserves.

<u>Lot 28</u>	<u>2.7475</u> <u>Ha</u>	<u>DP</u> <u>301677</u>
<u>Lot 29</u>	<u>.8787</u> <u>Ha</u>	<u>DP</u> <u>301677</u>
<u>Lot 30</u>	<u>1.8105</u> <u>Ha</u>	<u>DP</u> <u>301678</u>

Campers need to supply their own self-contained toilet.

**No camping permitted between 23 December and the second Monday in January.**

- b) Lake Ruataniwha Reserve SEC 1 SO 346762 excluding the designated camping area

**No camping permitted between 23 December and the second Monday in January.**

- c) Pattersons Ponds off Tekapo Canal Road Lake Tekapo

- d) Lake Wardell State Highway 8 Twizel

### B SCHEDULE OF PROHIBITED AREAS

- a) All of Pioneer Drive Road Reserve from State Highway 8 intersection at the south eastern end of the road to the intersection with State Highway 8 at the north western end of the road, including all public car-parking areas and grassed areas within the road reserve.
- b) All of the Part Reserve 180 on the foreshore of Lake Tekapo in the vicinity of the Church of the Good Shepherd.
- c) All of Reserve 5182 and Pt Reserve 2923 being part of the Tekapo Domain (excluding the Motor Camp).
- d) All of the roadways in the Tekapo Domain being Domain Road and also known as Lakeside Drive and the unnamed roadway on Reserve 5182.
- e) With the exception of the Lake McGregor camping ground, the land surrounding Lake McGregor and Lake Tekapo being the following areas relating to the development of water power:

<u>Pt Res 4281</u>	<u>0.5281</u>	<u>SO8247</u>	<u>Gaz 1957</u>	<u>P615</u>
<u>Pt Res 36738</u>	<u>0.0304</u>	<u>SO8247</u>	<u>Gaz 1957</u>	<u>P615</u>
<u>Pt Res 36738</u>	<u>1.1534</u>	<u>SO8247</u>	<u>Gaz 1957</u>	<u>P615</u>
<u>Pt Res 36738</u>	<u>0.2226</u>	<u>SO8247</u>	<u>Gaz 1955</u>	<u>P2014</u>
<u>Pt Res 33695</u>	<u>0.3845</u>	<u>SO8247</u>	<u>Gaz 1955</u>	<u>P2014</u>
<u>Pt Lot1 DP9597</u>	<u>2.7562</u>	<u>SO8247</u>	<u>Gaz 1955</u>	<u>P2014</u>
<u>Pt Res 34675</u>	<u>1.1938</u>	<u>SO8247</u>	<u>Gaz 1955</u>	<u>P2014</u>
<u>Pt Res 3840</u>		<u>SO8247</u>	<u>Gaz 1955</u>	<u>P2012</u>
<u>Pt Res 36738</u>	<u>0.8701</u>	<u>SO8247</u>	<u>Gaz 1957</u>	<u>P615</u>

f) Closed Roads:

Pt Res 36738      SO8247 Gaz1957      P615

g) Pt Reserve:

Pt Res 34675    0.6404    SO8247

h) Lake Opuha Buffer Zones and Esplanade strips as described below and as identified on the attached map

<u>Lot 2</u>	<u>281.8950 Ha</u>	<u>DP 301677</u>
<u>Lot 1</u>	<u>52.2460 Ha</u>	<u>DP 301677</u>
<u>Lot 3</u>	<u>1293.270 Ha</u>	<u>DP 301677</u>
<u>Lot 27</u>	<u>5.7808 Ha</u>	<u>DP 301677</u>
<u>Lot 5</u>	<u>13.7895 Ha</u>	<u>DP 301678</u>
<u>Lot 4</u>	<u>161.4400 Ha</u>	<u>DP 301678</u>
<u>Lot 6</u>	<u>17.9460 Ha</u>	<u>DP 301678</u>
<u>Lot 7</u>	<u>7.9040 Ha</u>	<u>DP 301678</u>
<u>Lot 9</u>	<u>6.9500 Ha</u>	<u>DP 301678</u>

i) Lake Opuha Council Picnic Areas and Reserves.

Camping not permitted between 23 December and the second Monday in January.

Lot 28	2.7475 Ha	DP 301677
Lot 29	.8787 Ha	DP 301677
Lot 30	1.8105 Ha	DP 301678

Campers need to supply their own self-contained toilet.

This bylaw was adopted by the Council on 15 December 2009 following the completion of a special consultative procedure under Section 86 of the Local Government Act 2002.

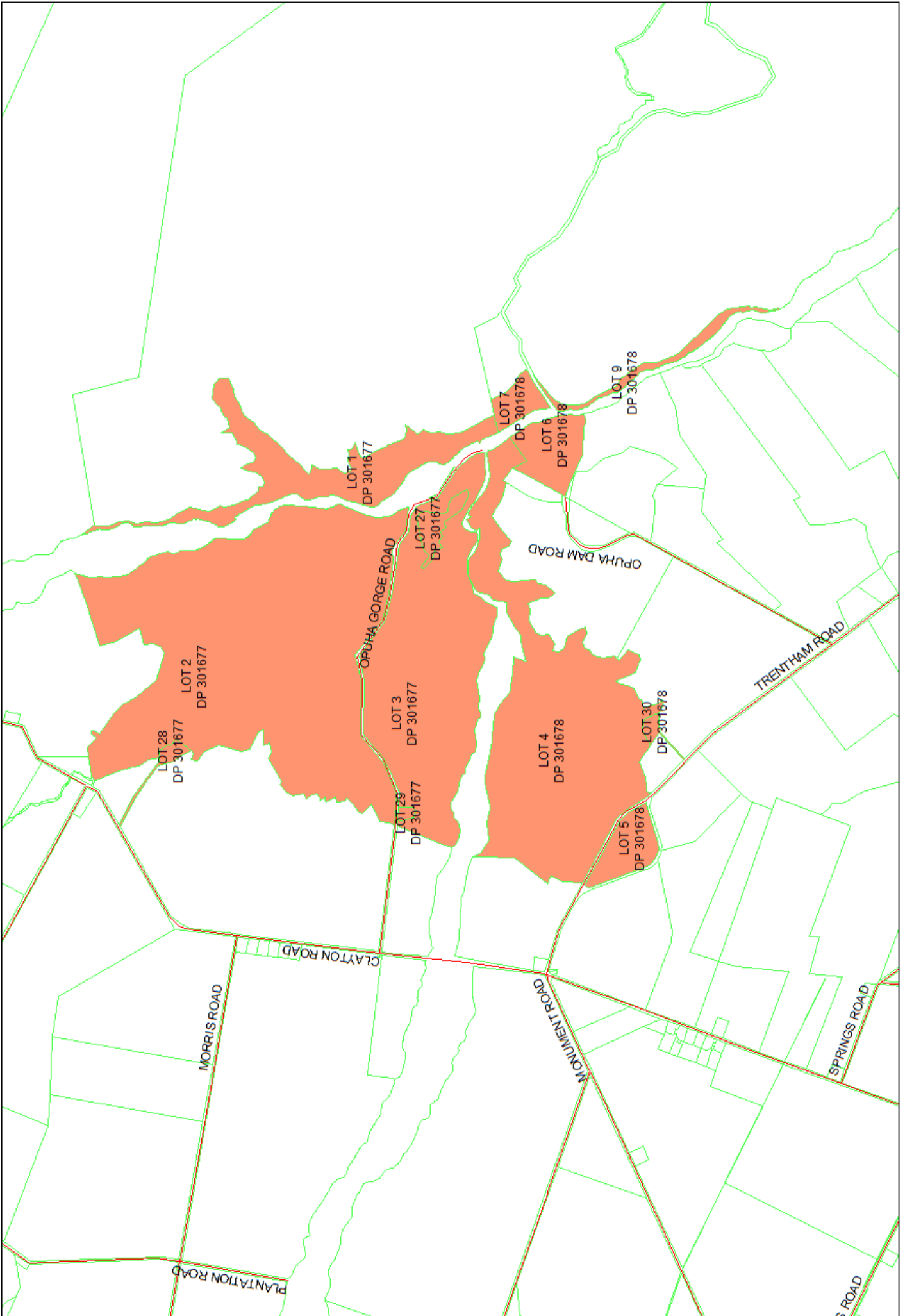
THE COMMON SEAL OF THE MACKENZIE DISTRICT COUNCIL was hereto affixed in the presence of:

\_\_\_\_\_  
The Mayor

\_\_\_\_\_  
The Chief Executive Officer

Common Seal of the Mackenzie  
District Council









## Freedom Camping Act a win for local government

Lobbying from *Local Government New Zealand* (LGNZ) on behalf of members saw the Government act on freedom camping and pass the Freedom Camping Act 2011 recently.

"This was an important step towards managing the nuisance created by inappropriate camping practices in communities," said LGNZ President Lawrence Yule.

"Many New Zealanders and overseas visitors enjoy freedom camping, particularly during the summer months but unfortunately some campers are acting irresponsibly. The cost of cleaning up the mess they leave is ultimately borne by the affected community," he said.

The ability to issue instant fines provided by the Act represents an important new tool available to both local authorities and the Department of Conservation.

Until now, councils have not had access to the full range of regulatory tools needed to effectively manage freedom camping in their city, district or region. The Freedom Camping Act provides these.

LGNZ policy advisor Simon King worked closely with the Department of Internal Affairs and the Ministry for the Environment to identify the issues councils were experiencing with freedom campers

and how legislation could be developed to address the concerns.

Impetus for advocacy on the issue came from the 2010 LGNZ Annual General Meeting where a remit was passed calling on LGNZ to investigate the issue and advocate for improved enforcement tools.

Under the Act instant fines can be issued for two different types of offences either for the depositing of waste and litter or for camping in an area explicitly prohibited by either a council bylaw, or by the Department of Conservation.

However, councils wishing to continue enforcing instant fines for existing bylaw offences will have to make new bylaws consistent with the new Act within one year of commencement.

"For some councils freedom camping is not an issue but for those that have a problem with the activity this Act is going to give them a

new range of tools to help manage the situation," said Mr King.

Mr Yule says enforcement is only one element to managing freedom camping.

"Helping councils educate their campers is still vital and we continue to work with the Freedom Camping Forum to help councils educate campers on responsible camping.

"The Act represents a major win for local government. It provides those councils which choose to enforce the law with a cost saving tool to stop irresponsible freedom campers and help keep our special places clean and pleasant for all users. Our international reputation is at stake," said Mr Yule.

*For more information on the implementation of this Act, please go to [www.lgnz.co.nz](http://www.lgnz.co.nz).*

### In this issue

2 News briefs from the local government sector

3 Councils to play part in delivering safer roads

4 Spotlight on key issues in the local government

6 A novel way of supporting the community

7 Introducing the LGNZ Māori Committee

8 Building safer communities through environmental design

## MACKENZIE DISTRICT COUNCIL

**REPORT TO:** TWIZEL, TEKAPO AND FAIRLIE COMMUNITY BOARDS  
**SUBJECT:** REVIEW OF DOG CONTROL BYLAW  
**MEETING DATE:** 25 OCTOBER 2011 (TWIZEL AND TEKAPO), 26 OCTOBER 2011 (FAIRLIE)  
**REF:** REG 4/1  
**FROM:** ACTING CHIEF EXECUTIVE OFFICER

### **PURPOSE OF REPORT:**

To seek feedback from discussing the review of the Council's dog control bylaw.

### **STAFF RECOMMENDATIONS:**

1. That the report be received.



**NATHAN HOLE**  
**ACTING CHIEF EXECUTIVE OFFICER**

**ATTACHMENTS:**

Mackenzie District Council Dog Control Bylaw 2006 – Control of Dogs

**BACKGROUND:**

The Council's existing dog control bylaw is slightly overdue for review. The existing bylaw came into effect on 16 May 2006 and is required to be reviewed after a period of five years.

As part of the review I would like to seek feedback from the Community Board in relation to specific parts of the bylaw. For example is the Board comfortable with the areas where dogs are prohibited from, leashed areas and exercise areas.

Also for consideration is the restriction on the number of dogs that can reside on a residential property. Currently no more than two dogs may reside permanently on any residential property.

**POLICY STATUS:**

The Council has a dog control policy which is implemented through the bylaw.

**SIGNIFICANCE OF DECISION REQUESTED:**

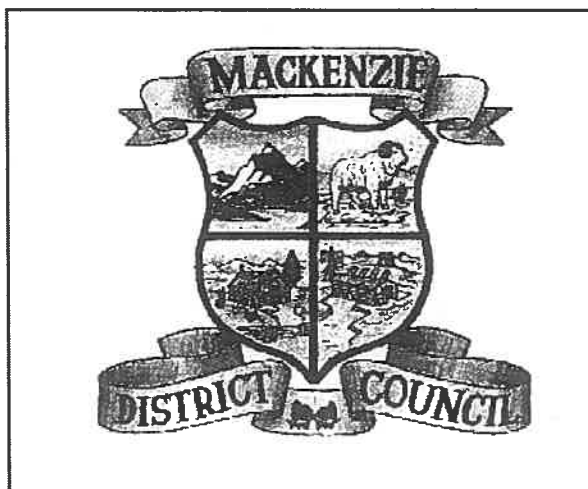
No decision is required, but feedback is welcomed.

**CONSIDERATIONS**

The review of the bylaw is required to go through the special consultative procedure even if we readopt the existing bylaw without change, so it is not too onerous to incorporate any changes if the Board would like to recommend any changes.

**CONCLUSION:**

While this is a routine consideration, it is a good opportunity for the Community Boards to reassess dog control within the District's three towns.



**MACKENZIE DISTRICT COUNCIL DOG  
CONTROL BYLAW 2006**

**CONTROL OF DOGS**

## **Introduction**

This Dog Control Bylaw replaces Council's 1997 bylaw and gives effect to the Dog Control Policy which was adopted by Council on 19 April 2005.

It contains some general provisions relating to the control of dogs in the District and also deals with fouling by dogs and circumstances where dogs may be impounded.

The bylaw defines certain areas where dogs are prohibited and where they must be kept on a leash. Other areas have been set aside for dog exercise areas. These areas are defined in the schedules of the bylaw.

The bylaw also generally limits the number of dogs that may be kept on urban land to two per property unless special permission has been obtained from the Council.

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## **THE MACKENZIE DISTRICT COUNCIL DOG CONTROL BYLAW 2006**

### **ANALYSIS**

1. *Short Title*
2. *Commencement*
3. *Object of Bylaw*
4. *Interpretation*
5. *Dog Control*
6. *Fouling of Dogs*
7. *Impounding of Dogs*
8. *Convictions and Fines*
9. *Amendments and Revocations*

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Pursuant to the powers vested in it by the Local Government Act 2002 and the Dog Control Act 1996 the MACKENZIE DISTRICT COUNCIL makes this Bylaw.

#### **1. SHORT TITLE**

This bylaw may be cited as the Mackenzie District Council Dog Control Bylaw 2006

#### **2. COMMENCEMENT**

This bylaw shall come into force on 16 May 2006.

### 3. OBJECT OF BYLAW

The object of this bylaw is to control the keeping of dogs in the Mackenzie District.

### 4. INTERPRETATION

In this Bylaw, unless the context otherwise requires,

<b>“Act”</b>		Means the Dog Control Act 1996.
<b>“Animal Welfare Inspector”</b>	<b>Welfare</b>	Means an officer appointed under the Animal Welfare Act 1999.
<b>“Bylaw”</b>		Means Mackenzie District Council Dog Control Bylaw 2006
<b>“Control”</b>		Has the same meaning as Section 52 and 52A of the Dog Control Act 1996.
<b>“Council”</b>		Means the Mackenzie District Council.
<b>“District”</b>		Means the area administered by the Mackenzie District Council.
<b>“Dog Control Officer”</b>		Means an officer appointed under Section 11 of the Act.
<b>“Dog Ranger”</b>		Means a ranger appointed under Section 12 of the Act and includes an honorary dog ranger.
<b>“Dog Exercise Area”</b>		Means any public place so defined within the District where a dog may be exercised off the leash.
<b>“Dog Prohibited Area”</b>		Means any public place so defined within the District where a dog is prohibited either generally or at specified times.
<b>“Effective Control”</b>		Means in any public place where a dog is leashed or is responding to the commands of the person accompanying the dog.
<b>“Leash”</b>		Means an adequate restraint, not exceeding 3 metres in length and held by a person physically capable of restraining a dog.
<b>“Leash Control Area”</b>		Means any public place so defined in the District where a dog is required to be kept under continuous control by means of a leash.
<b>“Owner”</b>		In relation to any dog, means every person who either: <ul style="list-style-type: none"> <li>(a) Owns the dog; or</li> <li>(b) Has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner; or</li> <li>(c) The parent or guardian of a person under the</li> </ul>



age of 16 years who:

- i) Is the owner of the dog pursuant to paragraph (a) or paragraph (b) of this definition; and
- ii) Is a member of the parent or guardian's household living with or dependant on the parent or guardian;

But does not include any person who has seized or taken custody of the dog under the Bylaw, or the Dog Control Act 1996 or the Animal Welfare Act 1999 or the National Parks Act 1980 or the Conservation Act 1987 or any order made under the Dog Control Act 1996 or the Animal Welfare Act 1999.

**“Public Place”**

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

**5. DOG CONTROL**

- 1) Dogs on streets or public places
- (a) Prohibited Areas

No person shall cause, permit, suffer or allow any dog of which that person is the owner to enter onto or remain within the following places;

- (i) Any of the areas specified in the first schedule of this bylaw.
- (ii) Any premises used as a Public/Community Library.
- (iii) Any public swimming baths owned or controlled by the Council.
- (iv) Any area used as a public children's playground, or on the playing area of any sportsfield.
- (v) Any land or premises used as a school, kindergarten, play centre, public hall or community centre, unless specific approval has been obtained from the Controlling Authority of that land or those premises.
- (vi) Any cemetery.

(b) Other public Places

No person shall cause, permit, suffer or allow any dog of which that person is the owner to enter or remain in any public place within the district of the Council which is not covered by clause 2(a) or 2(c) hereof unless the dog is kept under continual and sufficient control; which means that the dog is under the continual surveillance and immediate control (by carrying a leash at all times) of a responsible person over the age of nine years.

(c) Leash Control Areas

No person shall allow dog(s) to wander without leash control in any area as defined by the fourth schedule of this bylaw. Any person found with a dog(s) in the mandatory leash control areas commits an offence under the bylaw.

2) Control of Dogs

- (a) The owner of every dog shall at all times keep and prevent the dog(s) from wandering or being at large, in or upon any public place, without being under effective control in accordance with Section 52 and 52A of the Dog Control Act 1996.
- (b) The owner of any dog shall at all times keep and prevent the dog(s) from being at large on any land or premises, without the consent (express or implied) of the occupier or person in charge of that land or premises.

NOTE: Working dogs driving stock are exempt from these provisions providing they are under control by the person directing the dogs.

3) Number of Dogs

- (a) No occupier of land in any areas listed in the Third Schedule, shall allow or cause to remain or keep for any period exceeding seven days, more than 2 dogs over the age of three months on the premises unless the occupier shall be the holder of a licence from the Council.
- (b) A licence may be issued upon or subject to such terms, conditions, and restrictions as the Council may think fit. Any breach of the terms, conditions or restrictions of the licence shall be a breach of

this bylaw. Without limitation, the Council may impose conditions and restrictions relating to, requiring or governing:

- (i) Drainage from the kennel and run.
  - (ii) The siting of such kennels.
  - (iii) The maximum number of dogs to be kept.
  - (iv) Fencing and control of the dog(s) on the property.
- (c) Any person desiring to allow or cause to remain or keep two or more dogs over the age of three months on any premises shall make written application to the Council for a licence in the form as may from time to time be prescribed by the Council and shall give to the Council information in respect of the application as may be required by the form or as the Council may reasonably require.
- (d) For every licence there shall be paid to the Council a fee as set from time to time by Council resolution. The licence shall remain in force until 30 June next following its issue, provided that the licence may during its currency be cancelled by the Council for breach of any of its terms, conditions or restrictions.
- (e) The fee for the licence shall be payable in addition to current registration fees payable under the Act and is not refundable where the licence is cancelled by Council.
- 4) Dog Exercise Areas
- (a) The Council may from time to time set aside areas where dogs are permitted to roam free for the purpose of training or exercising. These areas shall include those set out in the Second Schedule. Dogs in exercise areas shall be under the control of the owner at all times.
- 5) Mangy or diseased dogs
- (a) Mangy or diseased dogs shall not enter onto or remain within any public place. The owner of any dog which is found in contravention of this clause commits an offence against this bylaw.
- 6) Bitches on heat
- (a) Bitches on heat shall be confined to the owner's property and shall not enter onto or remain within any public place while on heat. While so confined the owner shall make adequate provision for the exercise of the dog in season. The owner of any dog which is

found in contravention of this clause commits an offence against this bylaw.

- 7) Nuisance or likely to be injurious to health
- (a) The owner of any dog or the occupier of any premises where any dog or dogs are kept, either permanently or temporarily, shall take adequate precaution to prevent the dog or dogs, or the keeping thereof, from being an actual or potential nuisance or an actual or potential injury to the health of itself or themselves, other dogs, people or animals.
- (b) If, in the opinion of a duly authorised officer of the Council, any dog or dogs or the keeping thereof has or is likely to become a nuisance or injurious to the health of either itself or themselves, other dogs, people or animals the occupier, by notice in writing, shall be required to do all or any of the following;
- (i) Reduce the number of dogs on the premises.
  - (ii) Construct, alter, reconstruct or otherwise improve the kennels or other buildings used to house or contain such dog or dogs.
  - (iii) Require such dog or dogs to be tied up or otherwise confined during specified periods.
  - (iv) Take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance or injury to health.
- (c) Any person to whom notice is given under the proceeding provisions of this clause and who fails to comply with such notice within the time therein specified shall commits an offence against this bylaw.
- 8) Accommodation of Dogs
- (a) The minimum standards for shelter of any dog are;
- (i) A weatherproof kennel or place of confinement,
  - (ii) The kennel shall have a floor and be constructed on dry ground,
  - (iii) Any kennel, other than a motel unit or one with a run, shall have fixed to it a chain which allows the dog free movement about the kennel,
  - (iv) The kennel shall have sufficient room for the dog to freely move, stretch out and recline,

- (v) Such kennel or place of confinement shall allow access to clean water at all times,
  - (vi) The kennel or place of confinement shall be kept clean, and in a sanitary condition, so as to prevent the accumulation of faeces, food, hair or other organic matter,
  - (vii) The area immediately around the kennel shall be kept clean, tidy and in a sanitary condition.
- (b) No owner of any dog shall permit any dog to be kept beneath the floor of any building.
- 9) Disposal of dogs
- (a) The owner or person having charge of a dog shall, within 24 hours of the death of that dog, bury the dog below the surface of the ground and with at least 750 mm of cover or placed in an offal pit of a depth of 2 metres or more below ground level.

## 6. FOULING BY DOGS

No person being the owner or a person having charge of any dog shall permit the dog to foul in a public place with droppings or on land or premises other than that occupied by the owner.

- (a) Provided that, no offence shall be deemed to have been committed against this bylaw where the owner or the person having charge of the dog removes the droppings immediately after the dog has deposited them.
- (b) Any person having charge of any dog shall at all times while exercising the dog whether within a designated exercise area or any public place carry a suitable receptacle to remove and dispose of dog droppings immediately after the dog has deposited them.
- (c) Plastic bags, paper bags or acceptable pooper scoopers are examples of suitable receptacles.
- (d) Where a public litter bin or similar receptacle is used to dispose of the droppings, they must be suitably wrapped or contained to prevent fouling the receptacle.

## **7. IMPOUNDING OF DOGS**

- (a) Any dog ranger, dog control officer or constable may impound a dog which is found at large or not under control in any public place contrary to this bylaw.
- (b) The provisions of Sections 67 - 72 (inclusive) of the Dog Control Act 1996 shall apply to the impounding of any dog pursuant to subclause (1) of this clause.
- (c) The costs of sustaining the dog while impounded shall be payable by the owner or custodian of the dog to the Council.

## **8. CONVICTIONS AND FINES**

Any person in breach of any provisions of this bylaw may be subject to enforcement action in accordance with the Dog Control Act 1996.

## **9. AMENDMENTS AND REVOCATIONS**

The Mackenzie District Council Dog Control Bylaw 1991 is hereby revoked.

## **FIRST SCHEDULE**

### **DOG PROHIBITED AREAS**

Dogs are prohibited from the following places:

#### Fairlie

1. Fairlie Domain
2. Strathconan Park recreational grounds

#### Lake Tekapo

1. Tekapo Village Centre, namely in the lakeside of State Highway 8 between Tekapo River bridge and the western boundary of the Tekapo hotel and includes the land in front of the Village Centre to the water edge of Lake Tekapo.

#### Twizel

1. Market Place shopping mall

Dogs are also prohibited from:

1. Any premises used as a community Library;
2. Any public swimming pool owned or controlled by the Council;
3. The playing area of any sports field;
4. Any area used as a children's playing ground
5. Any land or premises used as a school, kindergarten or play centre unless specific approval has been obtained from the controlling authority; and
6. Any cemetery

### **TEMPORARY PROHIBITED AREAS**

The Council may from time to time declare certain other areas to be prohibited areas for a specified time and shall give public notice of its intention to declare such areas as temporarily prohibited. Appropriate signs will be posted in the area and prior notice will be published in a newspaper circulating in the District.

## **SECOND SCHEDULE**

### **DOG EXERCISE AREAS**

The following locations are designated as areas where dogs are permitted to be exercised provided they are controlled at all times.

#### Fairlie

1. Mount Cook Road green area;
2. McLean Park;
3. The road reserve from Gray Street South along the eastern side of State Highway 8

#### Lake Tekapo

1. The lake side from Pioneer Drive/State Highway 8 eastern inter-section to the Pines Picnic area

#### Twizel

2. The following areas of recreation land situated within the town boundaries of Twizel, namely:
  - a) Glen Lyon Road and State Highway 8,
  - b) Land adjoining rear boundaries of properties on Tekapo Drive, Jollie Road and Wairepo Road; and
  - c) North West Arch green areas.



## THIRD SCHEDULE

### CONTROLLED DOG OWNERSHIP AREAS

Fairlie: The areas within the Fairlie Community constituted Boundaries and zoned "residential" or "urban" in the operative District Plan and includes the Areas known as the "Reserve"

Burkes Pass: The area zoned "urban" or "residential" in the operative District Plan.

Kimbell: The area zoned "urban" or "residential" in the operative District Plan.

Albury: The area zoned "urban" or "residential" in the operative District Plan.

Tekapo: The area zoned "residential" in the operative District Plan or any Village Centre, Tourist, Tourist Accommodation, Residential One, Residential Two and Industrial zones.

Twizel: The area zoned "residential" in the operative District Plan or any Village Centre, Tourist, Tourist Accommodation, Residential One, Residential Two and Industrial zones.

## **FOURTH SCHEDULE**

### **MANDATORY DOG LEASH AREAS**

Dogs are permitted in the following areas provided they are controlled on a leash.

#### Fairlie

1. Fairlie Village Centre as defined by the District Plan, between State Highway 79 intersection with State Highway 8 and School Road on the west side of Main Street and Talbot Street on the east side of Main Street.
2. Fairlie Village Green, bordering Talbot Street and State Highway 8 and recognised as Rec P in the District Planning maps.
3. The peripheral area surrounding a sports field for a distance of up to 10 metres.

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# Review of Local Authority Remuneration Setting

**Discussion Document**

## Responses to this Discussion Document

Local Authorities are invited to respond to this discussion document – see section 8 for questions for responses.

Only one response from each council or board, please.

Responses may be sent to one of the following:

### A. To Local Government New Zealand (this is the preferred place to send responses)

Local Government New Zealand has offered to collate the responses it receives.

Responses should be sent to:

**Mike Reid, Manager Governance**  
[mike.reid@lgnz.co.nz](mailto:mike.reid@lgnz.co.nz)

### B. To Representatives

To any of the following representatives of local government with whom the Remuneration Authority is consulting:

**Richard Kempthorne, Mayor of Tasman**  
[richard.kempthorne@tasman.govt.nz](mailto:richard.kempthorne@tasman.govt.nz)

**Adrienne Staples, Mayor of South Wairarapa**  
[themayor@swdc.govt.nz](mailto:themayor@swdc.govt.nz)

**Dave Cull, Mayor of Dunedin**  
[mayor@dcc.govt.nz](mailto:mayor@dcc.govt.nz)

**Brendan Duffy, Mayor of Horowhenua**  
[mayor@horowhenua.govt.nz](mailto:mayor@horowhenua.govt.nz)

**Mick Lester, Chair Community Board Executive Committee**  
[mglester@clear.net.nz](mailto:mglester@clear.net.nz)

**Brian Lester, Chief Executive Ashburton**  
[brianl@adc.govt.nz](mailto:brianl@adc.govt.nz)

**Kevin Lamb, Administration Manager, Waimakariri District Council**  
[kevin.lamb@wmk.govt.nz](mailto:kevin.lamb@wmk.govt.nz)

### C. The Remuneration Authority

Responses should be sent to:  
[info@remauthority.govt.nz](mailto:info@remauthority.govt.nz)

## Introduction

This discussion document has been prepared by the Remuneration Authority to facilitate a review of how the Authority goes about setting remuneration for elected members of local authorities in a way that meets the requirements of the Local Government Act and the Remuneration Authority Act.

The Remuneration Authority is consulting with representatives of local government in order to gain their input and insights into the review.

It is expected that a final proposal will be prepared following that consultation. The final decisions, of course, will be made by the Remuneration Authority.

This document:

1. Examines the need for a review
2. Outlines the expected consultation process
3. Sets out a timetable for the review
4. Outlines historic and current processes for setting residual pools for local authorities, noting any issues
5. Outlines historic and current processes for setting remuneration for Mayors of Territorial and Unitary Councils and Chairs of Regional Councils, noting any issues
6. Explains two broad options for future determinations of remuneration for elected members (excluding Mayors and Chairs) with high-level pros and cons for each option
7. Examines in more detail each option, including possible ways of implementing each
8. Outlines inputs which would be helpful from local government representatives.

The obligations of the Remuneration Authority for the setting of salaries and allowances for local authority elected members, as set out in the Remuneration Authority Act and the Local Government Act, are summarised in Appendix A.

## 1. Why Review?

The current pool system of setting remuneration for local authority elected members was established in 2001/02 after consultation with local authority representatives.

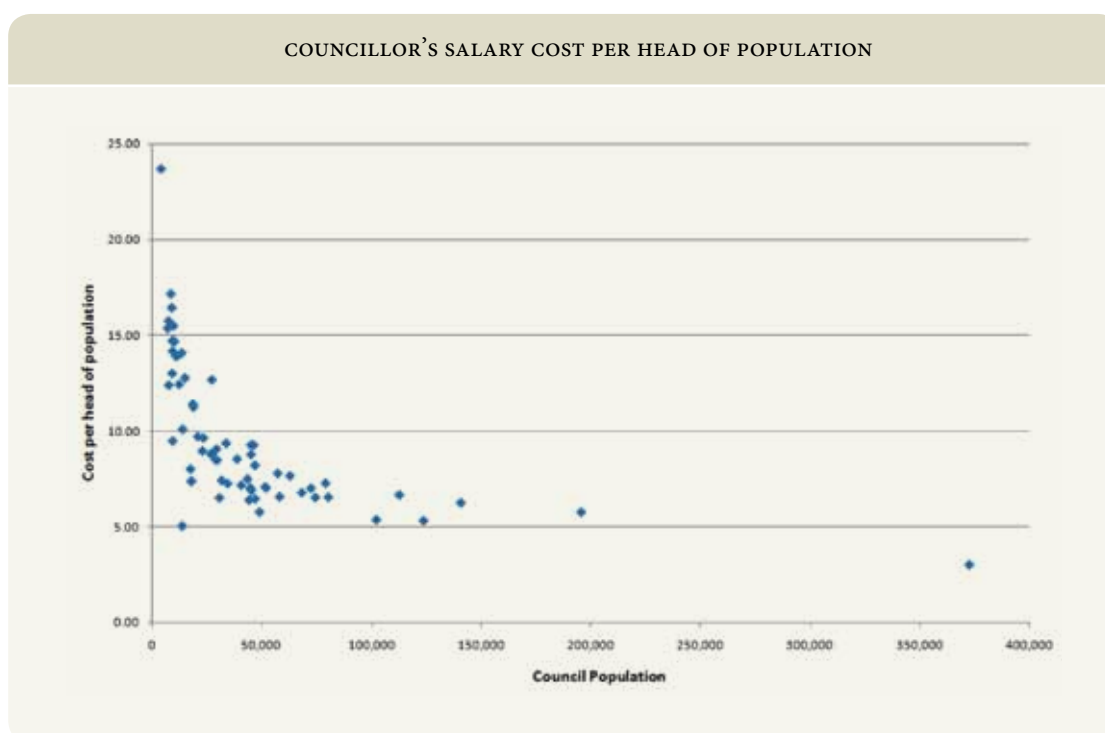
Under the system a pool is established each year for each local authority and the allocation of the pool to each elected member position is determined by the Remuneration Authority after considering representations from each authority.

It is appropriate to examine, from time to time, the outworking of any approach to remuneration setting and to ask whether the system employed is producing the 'right' answers and whether any unexpected or perceived unfair results are being produced.

Some analysis of the outworking of the current approach has been carried out. The analysis shows a variety of salaries for different councillors and Community Board members, in which it is difficult to see the reflection of a fair remuneration for the job. This is illustrated in some information drawn from the 2010/11 Determinations (post election).

### ■ Councillor salary cost per head of population

The following chart shows the total councillor salary cost (ie including supplements for additional responsibilities) per head of the local authority's population against the local authority's population base:



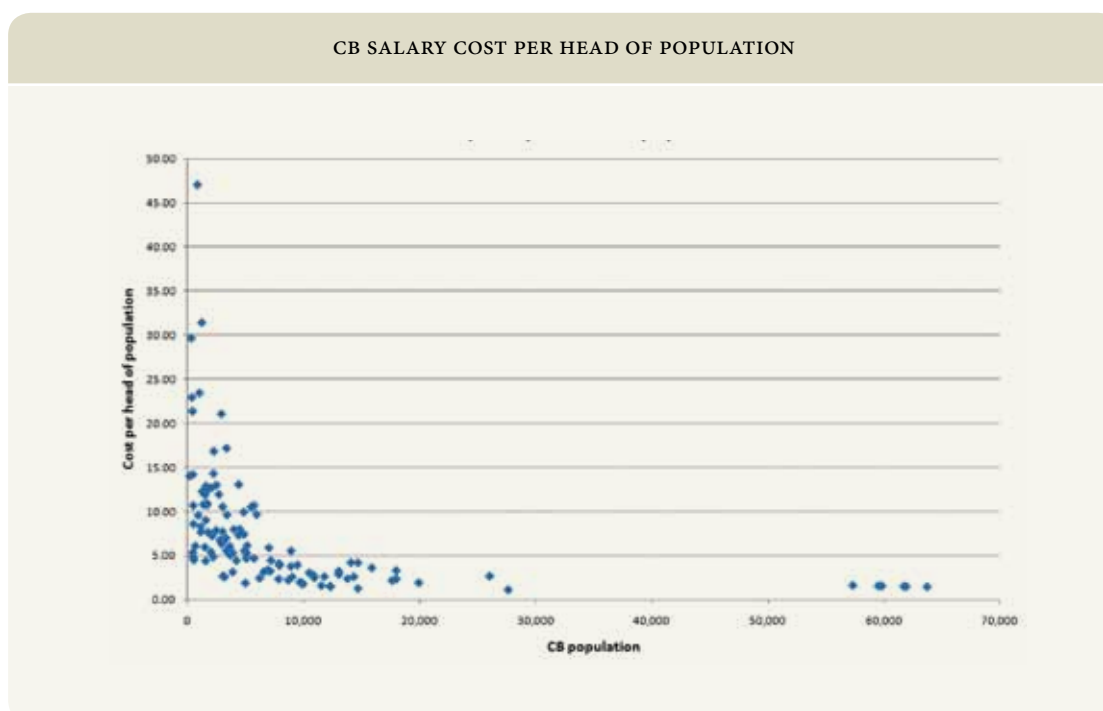
Some details are shown in the table below:

Council	Total Population	Number of Councillors	Population per Councillor	Cost per head of population
Christchurch	372,500	13	28,654	\$3.05
Far North	58,000	9	6,444	\$6.59
Tauranga	112,600	10	11,260	\$6.68
Queenstown – Lakes	27,140	10	2,714	\$12.69
Wairoa	8,420	6	1,403	\$17.17

This shows that ratepayers in different territories can be paying significantly different amounts for councillors' services. In particular, ratepayers in smaller territories are paying much more than ratepayers in larger territories.

### ■ Community Boards

The following chart shows the same information for Community Boards (an outlier has been excluded from this chart):





Some details are shown in the table below:

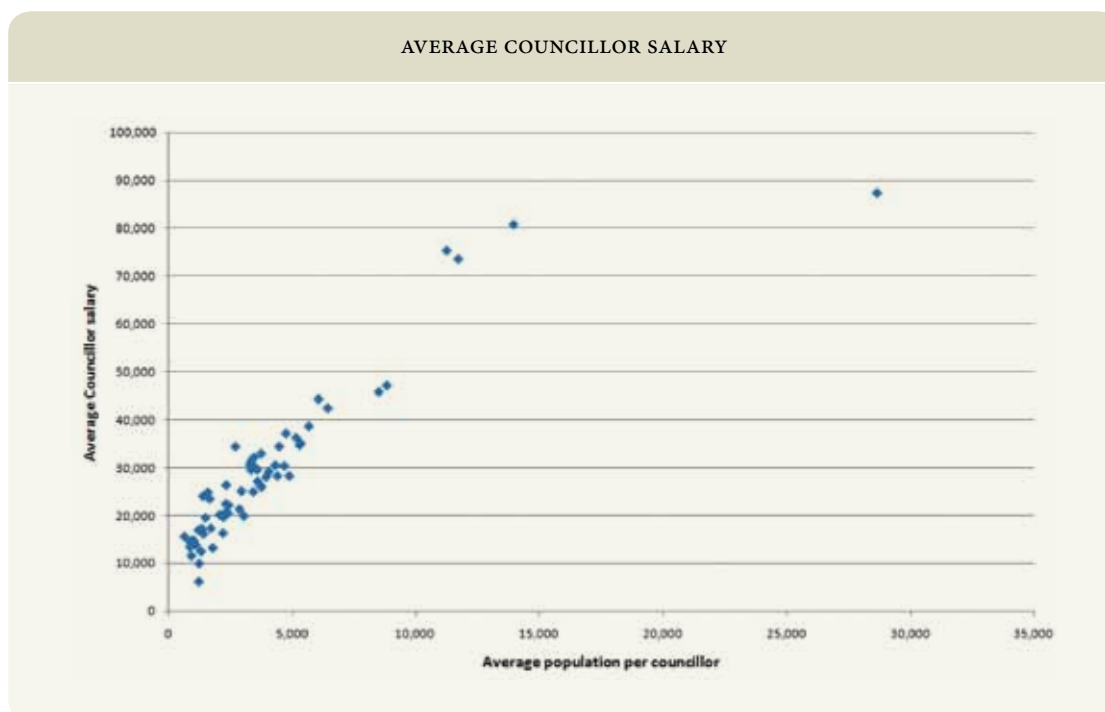
Community Board	Total CB Population	Number of CB Members	Population per CB Member	Cost per head of population
Greytown	3,050	6	763	\$2.65
Bay of Islands – Whangaroa	26,000	7	4,333	\$2.65
Lyttelton – Mount Herbert	5,710	6	1,142	\$10.66
Taupiri	460	8	77	\$10.67
Ahuriri	1,200	6	240	\$31.41

Clearly there are wide differences in remuneration levels between Community Boards. Some of the differences may be explained by different degrees of delegation given to different Community Boards, or different representational expectations between Boards. However, there do not seem to be any universal delegation or representational guidelines for Community Boards and the Remuneration Authority has no knowledge of levels of delegation or representational responsibilities for individual Community Boards. This leads to concerns that remuneration for the members of various Community Boards might not be reflecting a fair rate of pay for the job.

Most councils pay 50% of Community Board salaries from the pool, and some meet all Community Board salaries from inside the pool. There are no rules or guidelines set down anywhere to cover how Community Board salaries are to be funded.

### ■ Councillor salaries

The next chart shows average councillor salary (including additions for extra duties) against average population per councillor:



Some details are shown in the table below:

Council	Population per Councillor	Base Councillor salary <sup>1</sup>	Average Councillor salary <sup>2</sup>
Whakatane District	3,434	\$23,748	\$24,983
Taupo District	3,362	\$30,988	\$31,553
Kapiti Coast District	4,891	\$23,403	\$28,320
Napier City	4,761	\$34,000	\$37,178

This shows that there are wide differences between councillors' salaries for what appear to be similar-sized responsibilities.

## ■ Conclusion

The current pool system is giving results that seem to be counter intuitive.

It is also opportune to examine whether the current system is providing a fair remuneration for elected members, and the extent to which the Remuneration Authority should be involved in the allocation of the pools (if they are retained).

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1. Base Councillor Salary is the salary paid to a councillor with no additional responsibilities

2. Average Councillor Salary is the total salaries paid to all councillors divided by the number of councillors

## 2. Outline of Consultation Process (with timetable)

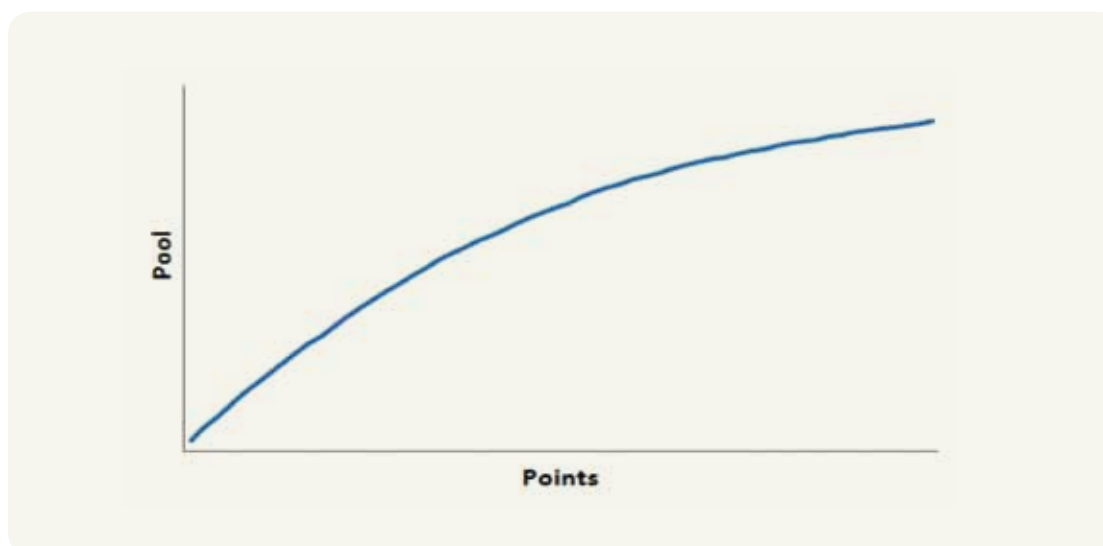
Activity	By Whom	Target Completion Date
Produce discussion document ready for discussion with representatives	Remuneration Authority	30 August 2011
Decide on representatives and advise Remuneration Authority (with details of main contact point)	Local Government NZ	15 August 2011
Meetings between Remuneration Authority and representatives, to outline issues, present discussion document, and discuss issues	Remuneration Authority and representatives	September 2011
Distribute discussion document to all local authorities, with request for any feedback by 10 November	Remuneration Authority	10 September 2011
Preparation of Preferred Option with details of how it will work and sample remuneration results	Remuneration Authority	30 October 2011
Review Preferred Option and feedback from constituencies	Representatives	15 November 2011
Meeting between Remuneration Authority and representatives to finalise details of Preferred Option	Remuneration Authority and representatives	30 November 2011
Implementation of Preferred Option for the 2012/13 year	Remuneration Authority	1 March 2012

During the process the Remuneration Authority will keep the Local Government Minister and officials apprised of the process and its progress.

The timetable is tight but is achievable with full cooperation between all parties.

### 3. Outline of Current Process for Residual Pools

The residual pool is set each year by reference to the population, expenses, and net assets ('statistics') of each authority. Points are allocated using weights for each statistic. The size of the pool for each authority is derived from the points allocated to the authority using an algorithm<sup>3</sup>. The algorithm increases the pool size by tranches of points, where the higher points' tranches result in lower allocations to the pool. This produces a relationship between points and pool size as illustrated in the following graph:



An additional statistic (Capital) is used for Regional Councils.

Change factors, which recognise growth or decline in population (over the last five years) above or below the average for all authorities, are applied to the points before they are used to determine the pool.

A loading is applied for Unitary Authorities to recognise their dual responsibilities.

The weights used have remained unchanged over the years.

These are:

	Territorial and Unitary Authorities	Regional Authorities
Population	50%	30%
Expenses	33%	30%
Net Assets	17%	5%
Capital		35%

3. An algorithm is a set of instructions, sometimes called a procedure or a function, which is used to perform a certain task.

The algorithm for converting points to pool size has remained basically unchanged, apart from increasing the pool size in each tranche each year to reflect movement in wages. As an example, the algorithm used to convert points to residual pool amounts for the 2011/12 year was:

Points		Residual Pool
From	To	
0	11,245	61,300 plus (points – 0) times 6.22
11,245	31,235	131,215 plus (points – 11,245) times 5.33
31,235	63,594	237,719 plus (points – 31,235) times 5.22
63,594	127,189	406,636 plus (points – 63,594) times 4.65
127,189	190,783	702,361 plus (points – 127,189) times 3.82
190,783	254,377	945,441 plus (points – 190,783) times 3.09
254,377	317,971	1,142,002 plus (points – 254,377) times 2.47
317,971	381,566	1,299,002 plus (points – 317,971) times 1.88
381,566	445,160	1,418,310 plus (points – 381,566) times 1.31
445,160	508,754	1,501,794 plus (points – 445,160) times 1.13
508,754	572,349	1,573,753 plus (points – 508,754) times 0.88
572,349	1,224,899	1,629,616 plus (points – 572,349) times 0.88

Until 2010, the total number of points for all councils was equal to the total population for all councils divided by the population percentage. As a result the total number of points was equal to twice the population (for Territorial and Unitary Authorities), as adjusted each year. Because the basic algorithm remained unchanged, pool sizes increased each year by both the increase in population and the wage movement adjustment. This may have distorted pool sizes, both overall and relatively.

From 2010 the figure for total points was kept constant and the algorithm adjusted by movements in wage growth only. There were further adjustments to the algorithm to compensate for the removal of the Auckland councils from the pool-setting process.

The method of determining and applying the change factors was also changed from 2010 to better reflect perceived additional remuneration needs for councils whose population movement was other than average.

Total pools are advised to each local authority, which then makes recommendations to the Remuneration Authority regarding allocation of the pool between various elected member positions.

Some councils apply part of the pool to the payment of meeting fees. The daily rates for meeting fees and the maximum fees payable vary considerably between councils.

## ■ Issues Arising

1. Councils with the same pool sizes but different numbers of councillors have different per councillor salaries
2. The existence of Community Boards does not affect the points or residual pool size so that Councils with Community Boards have lower councillor salaries
3. Generally, 50% of Community Board salaries are met from the pool – is this ideal?
4. Do the current residual pools enable the payment of reasonable salaries for councillors and Community Board members?
5. Should there be separate pools for councillors and Community Board members?
6. Rates set for meeting fees, and maximum amounts, vary considerably between councils
7. Should meeting fees be allowed? If so, should there be a standard rate or rates?
8. Recommendations about how the pools should be allocated between positions of increased responsibility vary considerably between councils – should there be some standardisation?
9. Should the Remuneration Authority set minimum councillor salaries (depending on council size) and thereby possibly limit the amounts available for additional responsibilities?
10. Should the Remuneration Authority specify standard positions for additional responsibilities?
11. Should there be some extra allowances (over and above the pools) for district planning meetings?
12. Are there conflicts of interest for councillors in setting their own allocation from the pool?

## 4. Outline of Current Process for Mayors and Chairs

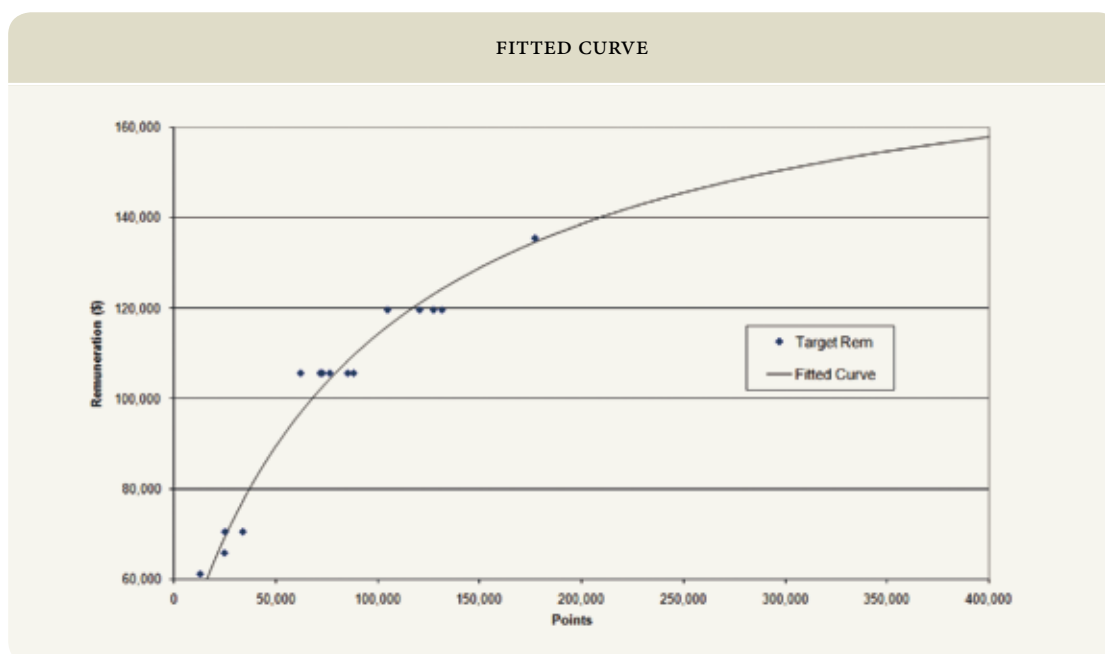
A system similar to that used for setting residual pools (see above) was used up to 2010.

From the 2010/11 year the system was revised.

The revised system:

- Identifies sample councils (both Territorial and Regional) for which the mayoral and chair positions have been independently job sized
- Sets target remuneration for those sample councils by reference to the Remuneration Authority's standard remuneration scales (which are reviewed annually) and the proportion full time deemed for each sample position
- Assigns points for each sample position, using the same statistics as are used for the residual pools (Population, Net Assets, Expenses and, for Regional Chairs, Capital)
- Finds a curve (or formula) that gives the best fit<sup>4</sup> of points and target remuneration for the sample councils. For Territorial and Unitary councils the weights for each statistic are the same as those used for the residual pools. For Regional councils the weights are varied for each statistic to enhance the best fitting process
- The formula for the curve is then used to determine remuneration for all positions by assigning points using the optimum weights for the statistics.

As an example, the sample points and fitted curve are shown for Territorial and Unitary councils for the 2011/12 year:



We are comfortable with this revised system for mayors and chairs. It is likely that we will use the enhanced Regional system for Territorial and Unitary councils in future years.

4. Two candidate curves are used – a rectangular hyperbola with offset and a power curve with offset. Curve fitting is done using Excel Solver Add-in. Goodness of fit is measured by use of the R2 statistic.

## ■ Issues Arising

1. The need to ensure that suitable sample councils are identified, given they must represent all councils and must cover the range of the size of councils
2. The need to ensure regularly that the positions are correctly sized for the sample councils
3. The need to ensure regularly that the proportion of full-time work a position is deemed to have is fair and reasonable
4. Are salary reductions for the provision of mayoral or chair cars fair and reasonable?
5. Could the Remuneration Authority allow changes to cars (or usage) during the year, within set bands, without the need to adjust salaries?



## 5. Options for the Future

Two broad options have been identified for setting remuneration for councillors and Community Board members.

### ■ Pool Approach:

This is similar to the approach used in the past. It has the following key features:

- A pool is determined for each authority (either a single pool or one pool for councillors and one for Community Board members)
- Councils recommend the allocation of the pool for Remuneration Authority approval
- The Remuneration Authority may set minimum councillor salaries and/or specify standard councillor positions.

Pros and cons for this approach are:

Pros:

- Allows councils the flexibility to arrange their councillor roles to best meet their particular circumstances
- It is a system many are used to.

Cons:

- Councillors with similar-sized responsibilities in different councils may be paid markedly different salaries
- 'One size fits all' for councils with differing numbers of councillors or Community Boards may not be the best way
- Can be administratively complicated.

### ■ Specified Salary Approach:

This approach would have the following key features:

- The Remuneration Authority would specify the base councillor salary for each council, based on an estimate of relative council size
- The Remuneration Authority would specify the base Community Board salary for each Community Board, based on an estimate of relative Community Board size
- The Remuneration Authority may allocate an amount for each council that could be used to increase councillors' salaries to recognise increased responsibilities, or be used for meeting fees.

Pros and cons for this approach are:

Pros:

- Councillors with similar job sizes would be paid the same
- Perceived greater fairness between councils
- Community Board members' pay may be fairer.

Cons:

- Removes some ability for councils to arrange their salaries and positions to best meet their particular circumstances
- Some councillors' salaries might have to 'mark time' or be reduced if the salaries are higher than the set base salary
- The Remuneration Authority would need to job-size more positions and to assess the proportion to which those positions are full time
- It might be difficult for the Remuneration Authority to assess the time and degree of complexity relating to the governance and representational aspect of councillors' jobs.

## 6. Pool Approach

### ■ How it will work

A pool approach would have the following features:

- A method to rank councils by 'size'. The 'size' will reflect the extent and complexity of the council's business. This can be done by job-sizing selected councils on the basis of the job size if the whole of the council's governance were carried out by a single person. Statistics (eg population, expenses) for the selected councils can then be used to find a combination of the statistics ('points formula') which gives roughly the same number of points for each council of the same size. The 'points formula' is then applied to all councils so that each council has a number of points allocated to it
- A method to determine a fair pool size in relation to points. This can be done, for sample councils, by assessing a fair salary for the councillors (taking into account the size of the job and assessed proportion to which the position is full-time), multiplying by the number of councillors and adding a margin for additional responsibilities to get a fair amount for each council's pool. An algorithm can then be found which translates the points for each of the sample councils to give the fair pool amount. The algorithm is then applied to the points for each council
- There may be some adjustments to the resulting pools to recognise:
  - a. Significant changes in an individual council's population base
  - b. The presence or otherwise of Community Boards
  - c. Efficiencies or additional responsibilities of Unitary Councils
  - d. Additional work of councils in years when there are District Planning reviews
- The Remuneration Authority may set some guidelines on minimum salaries and/or additional remuneration for additional responsibilities
- There may be some guidelines on the use and amount of meeting fees
- The Remuneration Authority will determine remuneration after considering recommendations by councils.
- The Remuneration Authority may issue some guidelines on appropriate additional salaries for sample positions with additional responsibilities.

### ■ Issues

Issues to be addressed for the pool approach:

1. How to establish 'correct' pool size and 'correct' relativities:
  - a. Build up from councillor job sizes and Remuneration Authority standard pay scales?
  - b. How should correct full-time proportions for councillors in different councils be assessed?
  - c. How much extra should be available for additional responsibilities?
  - d. Separate pools for Community Boards?
  - e. What proportion of Community Board salaries should come from the pool?
2. What statistics to use to establish 'correct' relativities between councils:
  - a. Population, assets, expenses?
  - b. What weights?
3. How to translate points to pool size:
  - a. Stepped algorithm or smooth curve?
  - b. Need to review whole process regularly to ensure it still remains fair and reasonable.
4. Should the Remuneration Authority set minimum councillor salaries for each council?

5. Should the Remuneration Authority set standard salaries and positions' descriptions for positions of responsibility?
6. Should meeting fees be allowed? Should rates and caps be standardised?
7. Should there be extra pool amounts for years in which district plans are reviewed?
8. Should there be some recognition of varying governance and representational roles between councils? How?
9. Should the representational roles of Community Boards be recognised by reducing the representational component of salaries for councillors whose wards include Community Boards? How?
10. Should a change multiplier continue to be used to recognise population growth (or decline) outside the average?
  - a. Does change in population numbers really make a difference to size of job or time required to do job?
  - b. What formula should be used to recognise growth or decline outside the average?
11. How should the additional responsibilities of Unitary Councils be addressed?
  - a. Use a Unitary multiplier (currently 1.25)?
12. How should the transition to new system be managed?
  - a. Minimum pools?

## 7. Specified Salary Approach

### ■ How it will Work

A Specified Salary approach would be likely to have the following features:

- The Remuneration Authority would set the base salary for each councillor for each local authority. The base salary is likely to be based on the job size and the proportion full time that is assessed as being needed for the position's responsibilities to be effectively carried. Research to date has indicated that there are about three different job sizes across all local authorities and the proportion full time ranges from 20% (equivalent to one day a week on average) to 80% (equivalent to 4 days a week on average). The relativities between local authorities (job size and proportion full time) will need to be determined.
- The Remuneration Authority will set the base salary for each Community Board member. The base salary is likely to take into account the population base of the Community Board and the level of delegation to the Community Board.
- An additional pool will be allocated to each local authority to enable the payment of additional salaries for additional responsibilities. It is possible that part of that pool could be used for meeting fees. The additional pool is likely to be based on a fixed percentage of the total of the base councillors' and community board members' salaries.
- The Remuneration Authority will determine the additional salaries and/or the meeting fees' rules after considering representations from the local authorities.

### ■ Issues

Issues to be addressed for the Specified Salaries approach:

1. Identification of sample councils from which to job size standard councillor positions and full-time proportions
2. What statistics are to be used to establish 'correct' relativities between councils:
  - a. Population, assets, expenses?
  - b. What weights?
3. Should the representational roles of Community Boards be recognised by reducing the representational component of salaries for councillors whose wards include Community Boards? How?
4. How much extra (over and above standard salaries) should be allowed for additional responsibilities?
5. Should the Remuneration Authority set standard salaries and position descriptions for positions of responsibility?
6. Should there be some recognition of varying governance and representational roles between councils? How?
7. Should there be some recognition of population growth (or decline) outside the average?
  - a. How?
8. Should meeting fees be allowed?
  - a. Standard rate?
  - b. Standard cap?
9. Should there be extra pool amounts for years in which district plans are reviewed?
  - a. How much?
10. How should the additional responsibilities of Unitary Councils be accommodated?
  - a. Use a Unitary multiplier (currently 1.25)?
11. How should the transition to a new system be managed?
  - a. Minimum pools?

## 8. Questions to which Responses are Sought

It will be helpful to the Remuneration Authority if respondents give their views on the following (as well as views on any other relevant matters):

1. Preferred approach – Pool or Specified Salary? Reasons?
2. The best ways of establishing relativities between local authorities
3. Appropriate local authorities to use as representational samples
4. Proportion full time appropriate for local authorities of differing sizes
5. Should meeting fees be allowed? Set rate and cap?
6. Should allowance be made for the extra work generated by planning reviews in the years in which District Plans are reviewed? How?
7. If the Pool approach is chosen:
  - a. Should the Remuneration Authority set a minimum salary for councillors?
  - b. Should the Remuneration Authority set a minimum salary for Community Board members?
  - c. What are the best statistics to measure relativities between councils? Population? Expenses? Assets? Capital?
  - d. Should pool size be set independently of the existence of Community Boards?
  - e. What portion of community board salaries should be met from the pool?
  - f. Should pool size be adjusted for abnormal population growth or decline?
  - g. What is the best way to recognise the additional responsibilities of Unitary Councils?
8. If the Specified Salary approach is chosen:
  - a. Should standard salaries reflect the existence of Community Boards (ie be reduced if there are Community boards)?
  - b. How much extra money should be allowed for additional responsibilities and/or meeting fees?
  - c. Should the Remuneration Authority set standard salaries and positions' descriptions for positions of responsibility
  - d. Should standard salaries be adjusted for abnormal population growth or decline?
  - e. What is the best way to recognise the additional responsibilities of Unitary Councils?

## Appendix A

### ■ Remuneration Authority's Obligations

The Local Government Act, Schedule 7 section 6, provides that:

1. The Remuneration Authority must determine the remuneration, allowances, and expenses payable to elected members
2. The Remuneration may do one or more of the following things:
  - a. Fix –
    - i. Scales of salaries
    - ii. Scales of allowances
    - iii. Ranges of remuneration
    - iv. Different forms of remuneration
  - b. Prescribe –
    - v. Rules for the application of those scales, ranges, or different forms of remuneration
    - vi. Rules for reimbursing expenses incurred by elected members
  - c. Differentiate –
    - vii. Between persons occupying different positions in different local authorities or community boards
    - viii. Between persons occupying equivalent positions in the same local authorities or community boards
    - ix. Make determinations that apply to individuals, or groups occupying equivalent positions
3. Section 19 of the Remuneration Authority Act applies.

The Remuneration Authority Act has the following provisions which apply to determinations made under the local Government Act:

Sections 18 and 18 A require the Authority when making determinations to have regard to, or to take into account:

- a. The need to achieve fair relativity with levels of remuneration achieved elsewhere
- b. The need to be fair to both –
  - a. The people whose remuneration is being determined, and
  - b. Taxpayers or ratepayers
- c. The need to recruit and retain competent people
- d. The requirements of the position concerned
- e. The conditions of service for those whose remuneration is being determined and conditions of employment for comparable positions
- f. Any prevailing adverse economic conditions.

Section 19 covers the frequency of determinations and adjustments to determinations.





9 September 2011

Claire Barlow  
Mayor  
Mackenzie District Council  
PO Box 52  
FAIRLIE

Dear Claire

### **New Zealand Cycle Trail Network Expansion Project**

I write to inform you of a new phase of work that has been initiated under the New Zealand Cycle Trail (NZCT).

The initial focus of the NZCT has been on developing the 18 'Great Rides' that have received government funding. These are premier rides, predominantly off-road, that showcase the best of New Zealand.

However, it has always been a longer term objective of the NZCT to create an expanded network of rides that caters for a wider range of cycling abilities and interests, maintaining an emphasis on the cycle tourist. This new phase of work is focused primarily on mapping and signposting existing roads and cycle paths.

The aim is to establish cycle routes that link the Great Rides, urban centres, transport hubs and key tourist attractions and that steer cyclists away from busier state highways and arterial routes, spreading the economic benefits of cycle tourism throughout the regions of New Zealand.

The NZCT's Network Expansion Project was launched over the weekend of 20-21 August with the opening of our first three on-road cycle touring routes: Taumarunui to New Plymouth (including the Forgotten World Highway); Taumarunui to the Pureora Timber Trail; and Taumarunui to the Ruapehu-Whanganui Trails.

The NZCT is now seeking proposals for cycle routes from interested stakeholders, with local authority support, towards creating this nationwide cycling network.

I would encourage you to visit 'The Big Idea' page on the NZCT website ([www.nzcycletrail.com](http://www.nzcycletrail.com)) for more information about this expansion project, including a copy of the NZCT's *Route Planning & Selection Guidelines*.

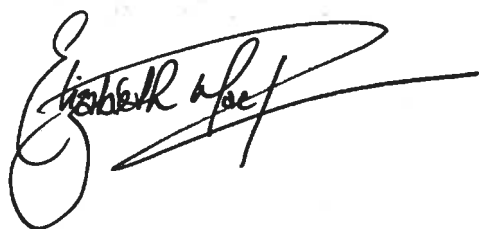
Please note that this expanded network of rides is a long term vision and as such, it is anticipated that any improvements required to some proposed cycle routes (to meet the NZCT criteria) may take time.



With the planning processes underway to develop regional land transport programmes and long term plans, now is a good time to consider potential routes in your region. If funding is required for safety improvements it should be identified as either part of routine road improvement and maintenance programmes and/or integrated into the short, medium and long term planning programmes for cycling infrastructure in your region, especially where it complements the NZCT. No further funding is currently available through the NZCT.

If you have any questions or require more information about this initiative, please contact Jude Ellis, NZCT Project Manager at [jude.ellis@med.govt.nz](mailto:jude.ellis@med.govt.nz) or (04) 498 7426. The NZCT project team will be available to meet with local councils to present on this exciting new initiative.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Liz MacPherson', with a long horizontal flourish extending to the right.

Liz MacPherson  
Deputy Secretary

Cc: Chief Executive, Mackenzie District Council  
Chief Executive, New Zealand Transport Agency  
New Zealand Transport Agency Regional Directors