



POLICY MANUAL 2003

(Adopted by Council on 19 November 2003)

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POLICY ON SIGNIFICANCE

Introduction

Council is required to adopt a Policy on Significance, via the Special Consultative Procedure, by 30 June 2003. The requirements for this policy are set out in sections 90 and 278 of the Local Government Act 2002 (the Act).

The Local Government Act 2002 sets out a new framework for Council's consultation and decision making processes. Significance is a key component in this new framework. The Act sets up two general types of decision – those that are 'significant' and those that are not 'significant'. If a decision is 'significant' then the Council should follow a more rigorous consultation and decision making process.

Objective

To apply a disciplined, standardised process that enables Council to assess the significance of issues, assets or other matters and fulfil its legislative obligations under the Local Government Act 2002, particularly in relation to significant strategic assets, decision making processes and consultation procedures.

Defining Significance

Every decision the Council makes must be made in accordance with the decision making requirements set out in sections 77, 78, 80, 81 and 82 of the LGA. However, the nature, extent and detail of compliance which is appropriate in any particular case will be guided by the "significance" of the matter (section 79). The level of "compliance" includes:

- The extent to which different options are considered;
- The degree to which benefits and costs are quantified;
- The extent and detail of information to be considered;
- The extent and nature of any written records to kept as to compliance.

The Local Government Act 2002 requires local authorities to set out their "general approach to determining the significance of proposals and decisions in relation to issues, assets, or other matters" (s90(1)(a)).

The Act includes definitions of "significant" and "significance":

significance, in relation to any issue, proposal, decision, or other matter that concerns or is before a local authority, means the degree of importance of the issue, proposal, decision, or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for, -

- (a) the current and future social, economic, environmental, or cultural well-being of the district or region;
- (b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision or matter;
- (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so

significant, in relation to any issue, proposal, decision, or other matter, means that the issue, proposal, decision, or other matter has a high degree of significance.

General Approach to Determine Significance

Council will determine the significance of any issue, requiring a decision, by making judgements about the likely impact of that decision on:

- the current and future social, economic, environmental, or cultural well-being of the district,
- any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter
- the Council's capacity to perform its role and carry out its activities, now and in the future and the financial, resources and other costs of doing so.

As part of its consideration the Council will take into account how important the decision or matter is in terms of the achievement of, or ability to achieve, the community outcomes* in the Long Term Council Community Plan (LTCCP).

* (Until the Council has adopted its first LTCCP, significance will be assessed in terms of how important the decision or matter is to the achievement of, or ability to achieve, the strategic objectives as set out in the Council's Strategic Plan.)

Procedures for Assessing Significance

The policy must also set out any “thresholds, criteria, and procedures” that the council uses for assessing significance (section 90(1)(b)).

The range of issues requiring decisions by local authorities is very wide and it is impossible to foresee every possibility. It is, therefore recommended that thresholds are not used in assessing significance but that the criteria for assessing significance will be the **general approach** outlined above for determining significance.

The following procedure is then followed;

- Council Officers identify whether an issue, proposal or other matter requires a decision by the elected Council.
- Council Officers consider the issue, proposal or other matter and document an assessment of significance, using the General approach to determining significance.
- Officers provide the Council with report on significance and options
- Council considers and makes the final decision on;
 - the degree of significance of the issue; and
 - the appropriate level and type of consultation

Procedure for Reporting to Council

Council reports will include an assessment of the significant quantitative or qualitative (as appropriate) impact of the issue, proposal, decision or other matter including:

How many residents and ratepayers the issue may affect or interest.

To what extent residents and ratepayers may be affected or interested.

How much public interest the issue is likely to generate.

To what extent the issue is likely to affect the current and future social, economic, environmental, and cultural well-being of the Carterton District

To what extent the issue will affect the capacity of Carterton District Council to perform its role and carry out its existing activities, now and in the future

To what extent the issue is likely to affect service levels of any significant activity.

To what extent the outcome(s) of the issue is likely to affect the way in which any significant activity is carried out.

To what extent the outcome(s) of the issue is likely to affect the capacity of the Council to provide any significant service or carry out any significant activity.

Finally, the report should include a recommendation on the type and extent of consultation (if any) that is appropriate given the nature of the issue.

Strategic Assets

This policy must also list those council owned assets, considered by the council to be “strategic assets” (section 90(2)).

"Strategic asset" is defined in the LGA as:

“...an asset or group of assets that the local authority needs to retain if the local authority is to maintain the local authority’s capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community; and includes—

- (a) any asset or group of assets listed in accordance with section 90(2) by the local authority; and
- (b) any land or building owned by the local authority and required to maintain the local authority’s capacity to provide affordable housing as part of its social policy; and
- (c) any equity securities held by the local authority in—
 - (i) a port company within the meaning of the Port Companies Act 1988;

(ii) an airport company within the meaning of the Airport Authorities Act 1966”

Council has identified its strategic assets as:

- Housing for the Elderly
- Rooding Network, including Bridges, street lighting and footpaths
- Water Treatment, Storage and Supply network
- Water Race network
- Wastewater Treatment and reticulation network
- Stormwater Network
- Landfill site including Transfer Station
- Parks, reserves, Council owned land and buildings, public toilets and sports fields
- Cemetery
- Swimming Pools
- Civic and Cultural Facilities
- Forestry

Significant decisions in relation to strategic assets will be those decisions that affect the whole asset group and not individual components, unless that component substantially affects the ability of the Council to deliver the service. It is the principle of provision of the services, not individual roads, etc that make these asset group strategic.

Introduction

A Revenue and Financing Policy is required to be adopted by Council pursuant to Section 102(4)(a) of the Local Government Act. It performs a similar role to the Funding Policy that was required under the previous legislation.

Section 103 of the Act requires Council to:

- (i) State the Council's policies in respect of funding operating expenses
- (ii) State the Council's policies in respect of funding capital expenditure
- (iii) Show how the funding mechanisms chosen comply with the provision of Section 101(3) of the Act.

Section 101 of the Act requires Council to:

- (i) Manage its revenues, expenses, assets, liabilities, investments and general Financial dealings prudently and in a manner that promotes the current and future interests of the community
- (ii) Make adequate and effective provision in its Long Term Council Community Plan (LTCCP) and in its Annual Plan (where applicable) to meet the expenditure needs of the local authority identified in the LTCCP and Annual Plan
- (iii) Funds its needs from those sources that the local authority determines to be appropriate, following consideration of
 - The community outcomes to which the activity primarily contributes; and
 - The distribution of benefits between the community as a whole, any identifiable part of the community, and individuals; and
 - The period in or over which those benefits are expected to occur; and
 - The extent to which the actions or inaction of particular individuals or a group contribute to the need to undertake the activity; and
 - The costs and benefits, including consequences for transparency and accountability, of funding the activity distinctly from other activities; and
 - The overall impact of any allocation of liability for revenue needs on the current and future social, economic, environmental and cultural well-being of the community

The Local Government Act 2002 requires that this policy be included in Council's Draft Annual Plan for 2003/2004. This policy therefore contains the previous analysis from the Funding Policy prepared under previous legislation. Council will adopt its first Long Term Council Community Plan (LTCCP) in 2004 and this policy will be reviewed as part of the development of community outcomes in consultation with the community during the next financial year.

Funding of Capital Expenditure

Capital expenditure relates to the purchase of new assets, the replacement/renewal of existing assets and the repayment of loan principal.

Council funds capital expenditure by depreciation reserves, borrowing or a combination of both. Targeted rates also fund some of the principal loan repayments for Urban Water, Stormwater, Sewage and Waste Management.

One of the considerations in relation to the funding of activities is 'the period in or over which the benefits are expected to occur' – Section 101(3)(a)(iii). This is described as the inter-generational equity principle. The logic behind this principle is that if Council provides a new asset or substantially renews an existing asset, such as a new sewage treatment system, the cost of providing that asset should be spread, so that all those who benefit from it should pay for part of the cost. This is achieved by borrowing for the cost of the asset and repaying the loan over the life of the asset.

Borrowing is managed within the framework specified in the Liability Management Policy.

Council's overall borrowing requirement is reduced to the extent that other funds are available to fund capital expenditure. Such other funds include:

- Council reserves, including reserves comprising financial contributions under the Resource Management Act 1991
- Annual revenue collected to cover depreciation charges

- Proceeds from the sale of assets
- Operating surpluses

Funding of Operating Expenditure

Council funds operating expenditure from the following sources:

- General Rates
- Targeted Rates
- Fees and Charges
- Subsidies and Grants
- Interest from investments
- Proceeds from asset sales

Section 100 of the Local Government Act 2002 requires that Council set operating revenue at such a level as to meet the year's operating expenses. Council may choose to not fully fund operating expenditure in any particular year, if the deficit can be funded from operating surpluses in the immediately preceding year or subsequent years. An operating deficit will only be budgeted when beneficial to avoid significant fluctuations in rates, fees or charges.

1. Governance

Description

- Reflects the cost of democracy associated with elected members and meetings including the cost of administration services to elected members and meetings.
- The function includes election costs, costs of general services provided for the public benefit including records preservation and costs associated with representing the interests of residents and ratepayers.

Distribution of Benefits

- Benefits the district as a whole

Funding Mechanisms

- Uniform Annual General Rate

2. Roads, Street & Bridges

Description

- Development and maintenance of roads, streets and bridges including footpaths and associated infrastructure.
- Promotion of policies and allocation of resources and achievement of a safe efficient land transport system that maximises local safety, economic and social benefits in partnership with Transfund New Zealand.

Distribution of Benefits

- Benefits to the District relating to the general availability of the roading system for public good
- Benefits to individual users and properties at the end of rural roads, access for forestry operations, use of roads by heavy carriers, tankers and trucks

Funding Mechanisms

- General Rates
- Fees and Charges
- Subsidy

3. Urban Water Services

Description

- To activity involves the provision and maintenance of a quality water supply to meet the needs of the Carterton urban ward and where access is available provide to relevant rural users.

Distribution of Benefits

- Benefits to the district are the public health benefits in having a quality water supply and the availability of water for fire fighting capacity
- Availability of potable water to property owners connected to the water supply system is a benefit to the individual properties that can be clearly identified

Funding Mechanisms

- General Rates
- Targeted Rates
- Fees and Charges

4. Rural Water Races

Description

- The provision of water for stock, industrial users at Waingawa, non-potable domestic users and other rural users through the open water race system and the maintenance of that system.

Distribution of Benefits

- Benefits to the district are related to the provision of water for wetlands, fire fighting and protection of waterways for fish and harvesting creek plants
- Access to the water race system and use of water by property owners is a benefit to the individual properties that can be clearly identified.

Funding Mechanisms

- General Rates
- Targeted Rates

5. Stormwater

Description

- To provide the residents and ratepayers of the Carterton urban area a high quality and efficient stormwater system which will satisfy the needs of domestic, commercial and industrial users.
- Benefits to the district are related to the protection of infrastructural assets of the district, providing safe access to the public and public health.
- Benefits to the individual property owners is that Stormwater drainage is available to private properties.

Funding Mechanisms

- General Rates
- Targeted Rates

6. Sewage

Description

- To provide the residents of the Carterton urban area, and limited adjacent rural areas where access is available, with a high quality and efficient sewerage system that will satisfy the needs of domestic, commercial and industrial users

Distribution of Benefits

- Benefits to the district are related to the public health of the community.
- Benefits to the individual property owners is access to the Sewage system. This activity is substantially a private benefit to users.

Funding Mechanisms

- General Rates
- Targeted Rates

7. Refuse Collection

Description

- Provision of a contracted refuse collection and disposal service for urban households and some commercial properties and a disposal service for delivered solid waste.

Distribution of Benefits

- Benefits to the district are related to the public health of the community.
- Benefits to the individual property owners is the availability of the service. This activity is substantially a private benefit to users

Funding Mechanisms

- General Rates
- Targeted Rates

8. Landfill

Description

- Provision of landfill site and facilities for disposal of refuse.

Distribution of Benefits

- Benefits to the district are related to the public health of the community.
- Benefits to the individual is the availability of the service.

Funding Mechanisms

- General Rates
- Targeted Rates

9. Recreation & Community Services

Description

- To actively promote the use of recreational facilities by the provision of Parks and Reserves for community use
- Provision of a Cemetery that meets the needs of the people of the district and maintains the dignity of a last resting-place.
- Provision of a clean and tidy facility for users of caravans, tents and cabins as an attraction to visitors to the district.
- Provision of an efficient and effective Library service that will meet the recreational, education and information needs of the residents of the Carterton and visitors.
- Provision of an outdoor swimming facility during the summer months to meet the recreational needs of the general public.
- Provision of reasonable cost rental accommodation for the aged in the Carterton district.
- Promotion of economic growth and tourism potential in the Carterton district.
- Provision of funds for the improvement of recreation, sporting, cultural and community facilities in the Carterton district.

Distribution of Benefits

- Benefits to the district are related to the recreational and scenic environment, attraction of visitors, open access to literature and knowledge and the general welfare of the community.
- Benefits to the individuals for some of these activities.

Funding Mechanisms

- Uniform Annual General Charge
- General Rates
- Fees & Charges

10. Regulatory & Resource Management

Description

- A proper performance of the functions of health and building controls in accordance with the Local Government Act, Building Act, Health Act, Fencing of Swimming Pools Act, Dangerous Goods Act, Safety Employment Act, Forest & Rural Fires Act, Civil Defence Act, Dog Control Act, Impounding Act, local Bylaws and any other relevant enactments, regulations and bylaws currently in force in the interests of health, safety and general welfare of residents of the district and the public generally.
- Adoption of Rural Fire and Civil Defence Plans and regular updating thereof.
- Undertaking environmental, land use and development controls and monitoring within the district in accordance with the Resource Management Act and the District Plan.

Distribution of Benefits

- Benefits to the district are related to the public health, safety and welfare of the community. These activities substantially benefit district as a whole
- Benefits to the individuals for some activities.

Funding Mechanisms

- Targeted Rates – Capital Value
- Fees & Charges

SUMMARY OF ALLOCATIONS

Activities	General Rates	UAGC	Targeted Rates	Fees & Charges	Subsidies
Governance		100%			
Roads, Streets & Bridges	48%			5%	47%
Urban Water	10%		88%	2%	
Rural Water Races	10%		90%		
Stormwater	10%		90%		
Sewage	10%		88%	2%	
Refuse Collection	5%		90%	5%	
Landfill	25%		28%	47%	
Parks & Reserves	74.5%	14.5%		11%	
Cultural Services	60%	31%		9%	
Cemetery		76.5%		23.5%	
Grants		100%			
Housing				100%	
Caravan Park	55%			45%	
Regulatory & Resource Management			55%	45%	

INVESTMENT POLICY

Introduction

This policy has been prepared to fulfil Council's obligation under Section 102(4)© and Section 105 of the Local Government Act 2002.

1. GENERAL POLICIES ON INVESTMENTS

The objectives of the investment policy will be consistent with overall Council objectives and strategic plans. In particular, investments will be made with regard to the following objectives:

1. To manage short term cash flows in an efficient and prudent manner
2. To manage a level of liquidity sufficient to meet both planned and unforeseen cash requirements
3. To invest only in approved financial securities
4. To maximise interest income on investments approved within the policy
5. To minimise the risk of investments

Council acknowledges that there are various financial risks arising from its investment activities. Council recognises its fiduciary responsibility as a public authority and any investments that it does hold should be at an appropriate level of risk, giving preference to conservative investment policies and avoiding speculative investments. Council accepts that lower risk generally means lower returns on investments.

Council has the following investments:

- Cash Investments
- Special Funds/Reserves
- Equity (Shares)
- Property Intended for Sale
- Forestry

1.1 Cash Investments

Council holds cash for a variety of reasons. These include sums reserved for particular purposes and funds held for working capital requirements. These funds are managed according to the following policies:

- To minimise the risk to Council, funds will only be invested in institutions with a high degree of security – NZ Government, Stated Owned Enterprises and Local Authorities or with institutions, being registered Banks with a credit rating of A or better for long term investment or A-1+ or better for short term investments.
- Within the above constraints, funds are invested to optimise the return to Council from the investment.
- Funds are invested in a way that maintains the liquidity of Council's investments so that cash is available when needed.

Monies remaining from the sale of Wairarapa Electricity Shares of \$757,324 and Divestment of Roading assets, \$186,299 are held in general investments. Interest from these two sources are used to reduce the general rate requirement. The principal sums can only be used by resolution of Council.

1.2 Special Funds/Reserves

Council has special funds and reserves that were established for a particular purpose.

Transfers to and from Special funds can only be made by resolution of Council and any transfers are identified in the Annual Plan.

Council has the following Special fund/reserves as at 30 June 2003

RESERVE/TRUST FUNDS	Opening Balance 30 June 2003
Arts & Drama Society Trust Fund	5,266
Capital & Other Projects	25,860
Cemetery Maintenance Fund	133,302
Counties Investment Fund	25,999
Housing Fund	95,820
Office Furniture & Equipment	461
Plant Purchase & Renewal Fund	431,976
Promotions Fund	12,613
Recreation Reserve Levy Fund	168,669
Roading Emergency Works Fund	49,115
Urban Services Reserve Fund	1,491
Waste Management Reserve	28,000
Water Race Intake Reserve	10,192
Workshop/Depot Upgrade	49,203
Loan Funding Reserve	254,752
Election	0
Council Properties Disposal Reserve	447,005
Memorial Square Trust	8,747
World War 11 Memorial Trust	33,704
Interest – Distributed to each Reserve	
TOTAL RESERVE/TRUST FUNDS	1,782,175
FUNDS HELD IN GENERAL FUNDS	
Divestment Funds	186,299
Sale Electricity Share Monies	757,324

1.3 Equity (Shares)

Council has two small share holdings with NZ Local Government Insurance Corporation (Civic Insurance) and Airtel Ltd.

As Council is risk adverse, it prefers not to expose itself to the risks of equity investments. With the exception of the above two shareholdings, Council will not acquire equity investments

1.4 Property Intended for Sale

Council will not purchase property solely for investment purposes. It may purchase property to assist in the social, physical and economic development of the community in ways that Council considers the private sector would be unlikely to achieve without the Council's intervention. Once these goals have been achieved, the properties will be disposed of.

Council will review its portfolio of properties intended for sale every three years.

1.5 Forestry

Council has a substantial investment in forestry due to the extensive planting of 243.8 hectares from 1973 to 1983, assisted by forestry encouragement loans from the Ministry of Forestry.

Harvesting will begin in the summer of 2003/2004 with the forestry being re-established as it is harvested.

The forestry is managed by forestry consultants and will be harvested to ensure that the maximum return will be achieved.

2. MIX OF INVESTMENTS AND ACQUISITION OF NEW INVESTMENTS

The mix of Council's investments will be determined by the individual investment decisions made in furtherance of the Council's goals and objectives as set out in the Long Term Strategy Plan and Annual Plan. Investments are made to achieve a particular goal or objective.

2.1 Cash Investments

Surplus funds are invested in a way that maintains the liquidity of Council's investments so that cash is available when needed. New investments are acquired when surplus funds are available for investing. The Chief Executive Officer has delegated authority to acquire these investments

3. DISPOSITION OF REVENUE FROM INVESTMENTS & PROCEEDS FROM SALE

Revenue from special funds and reserves are retained in that fund, unless Council approves otherwise in the Annual Plan process.

Revenue from other cash investments, including revenue from the sale of electricity shares and roading divestment funds, are treated as part of Council general income. They are used to reduce the amount of general rates.

Revenue from the sale of investment property is retained in the Council property sales reserve and the use of these funds is determined through the Annual Plan process.

Revenue from the realisation of forestry investment will be used to repay forestry loans, to replant the forest and for any other purpose as resolved by Council. It is Council's intention that a policy will be developed in 2003/2004 for the use of remaining forestry revenue.

Revenue from asset sales is either reserved or offset for further asset acquisition.

4. PROCEDURE FOR MANAGING & REPORTING TO COUNCIL ON INVESTMENTS

The Chief Executive Officer has delegated authority to invest funds within the criteria outlined in this investment policy. The Chief Executive Officer is authorised to sub-delegate this authority to the Finance Manager.

The monthly financial report to Council provides a copy of the bank reconciliation and a list of investment accounts, amounts invested and the banks in which those investments are held.

Given that Council holds on two equity investments, disclosure in the Annual Report is sufficient for reporting to Council.

The disposal of properties can only proceed by resolution of Council.

Council's forestry Consultants provide annual reports to Council on the forest valuation and calculations of the anticipated cash flows from harvest.

5. RISK MANAGEMENT

Council's exposure to risk in relation to its investment activities is relatively minimal. The greatest risk exposure arises in relation to its cash management investments and in the property investment.

In managing its investments, Council always seeks to protect its investment and manage its risk.

When investing cash, Council seeks to minimise its risk by investing only in institutions with a high degree of security or credit rating.

Council will not invest surplus funds in equity investments due to the risks involved.

Council has a statutory obligation to promote prudent, effective and efficient financial management. In considering investments, Council may consider the following:

- Managing risk by having a diversified investment portfolio
- Identifying all or any risks
- the estimated return on investment

- the term of the investment
- the marketability of the proposed investment during its term and on completion.

LIABILITY MANAGEMENT POLICY

INTRODUCTION

This policy has been prepared to fulfill Council's obligation under Sections 102(4)(b) and

Section 104 of the Local Government Act 2002.

Section 104 of the Act states what is required to be included in Council's Policies in respect of the management of both borrowing and other liabilities and must include the following:

- (a) interest rate exposure; and
- (b) liquidity; and
- (c) credit exposure; and
- (d) debt repayment; and
- (e) specific borrowing limits; and
- (f) the giving of securities.

GENERAL POLICY

Carterton District Council will use term borrowing to fund capital expenditure providing assets where the benefits of such expenditure are received over terms greater than one financial year and the term of the borrowing would be related to the expected economic life of the assets purchased, up to a maximum of twenty years.

Internal Borrowing

Council will fund its borrowing programme for both the purchase of new assets of the re-financing of existing term debt by way of internally borrowing if it is considered prudent to do so in any given circumstance. The rate of interest charged on internal borrowing is calculated to be the weighted average rate that Council receives on its investment portfolio.

INTEREST RATE EXPOSURE POLICY

Interest rate exposure refers to the impact that movements in interest rates has on Council's debt servicing costs and cash flow.

Factors that influence interest rates for long and short term securities are beyond the control of Council but it is prudent to be aware of where interest rate cycles are when making a decision as to the type of borrowing to be undertaken and what arrangements might need to be entered into to manage the interest on borrowing.

Council's objective in managing interest risk is to minimise debt servicing cost and to maintain stability of debt servicing costs.

LIQUIDITY MANAGEMENT POLICY

Liquidity refers to the availability of financial resources to meet all obligations as they arise, without incurring penalty costs.

Council requires a minimum level of surplus liquidity to meet unexpected cash expenditure or revenue shortfall.

Short term liquidity management is monitored and controlled through daily cash management activities with long term liquidity management being monitored and controlled through the long term financial strategy for 2003/2004 and then the Long Term Council Community Plan.

As part of its overall liquidity policy, Council seeks to avoid the concentration of debt maturity dates and may maintain an overdraft facility to meet cash requirements if required.

CREDIT EXPOSURE POLICY

The only credit exposure risk to Council in relation to its borrowing activities is the risk that a counterpart to an incidental arrangement may default.

Any incidental arrangement involving a contract or arrangement for the hedging of financial risks is restricted to only those with credit worthy counterparties. Credit worthy counterparties are selected on the basis of their current rating with Standard & Poors which must be A- or better.

Any incidental arrangements involving contracts or arrangements with underwriters, brokers or any other agents are considered to be low risk and therefore do not require Council approval.

DEBT REPAYMENT POLICY

The objective of the debt repayment policy is to ensure that Council is able to repay debt on maturity with minimum impact on Council cash flows.

Council repays its debt from targeted rates, general funds, debt repayment reserves or from any other source that Council may resolve to use for debt repayment.

Council may establish 'debt repayment reserves' for external loans, but will have the discretion whether to repay or reinvest those funds having regard to the comparative interest rates and other relevant market conditions.

BORROWING LIMITS

Council will adhere to the following limits in managing borrowing;

- (1) Total debt servicing costs (principal and interest) will not exceed 12% of total operating revenue
- (2) Debt to total income ratio of not more than 2.5 times

SECURITY

The objective of the security policy is to ensure that Council is able to provide suitable security to investors whilst retaining maximum flexibility and control over assets.

Council will offer as security for borrowing a deed of charge over its rates. Council will not offer security over assets of Council, with the exception of borrowing by way of financial lease or some other form of trade credit under which it is normal practice to provide security over the asset concerned.

MANAGEMENT OF BORROWING

Council approves all proposed borrowing through the Annual Plan process and reports public debt levels in the Annual Report.

Council's borrowing activities are managed through its finance function which has the following responsibilities;

- (1) Provide appropriate finance, in terms of both maturity and interest rates and manage Council's borrowing programme to ensure funds are readily available at the best margins and costs available in the market.
- (2) Minimise adverse interest rate related increases on ratepayers charges and maintain overall interest cost and revenues within budgeted parameters.
- (3) Manage the overall cash and liquidity position of the Council's operations.
- (4) Provide timely and accurate reporting of treasury activity and performance.

REMISSION OF RATES POLICY

Introduction

In order to allow rate relief where it is considered fair and reasonable to do so, the Council is required to adopt policies specifying the circumstances under which rates will be considered for remission. There are various types of remission, and the circumstances under which a remission will be considered for each type may be different. The conditions and criteria relating to each type of remission are therefore set out separately in the following pages, together with the objectives of the policy.

This policy is prepared under section 109 of the Local Government Act 2002 for consultation using the special consultative procedure laid down in section 83 of the same Act.

1. Remission of Penalty Rates

Objectives

- To enable Council to act fairly and reasonably in its consideration of rates which have not been received by the due date.
- To provide relief and assistance to those ratepayers experiencing financial hardship.

Criteria and Conditions

Council will consider each application on its merit and remission may be granted where it is considered that the application meets the following criteria and conditions.

Criteria

1. Remission of penalty incurred on instalment one will be considered where the ratepayers pays the total amount due for the year on or before the penalty date of the second instalment.
2. Remission of one penalty will be considered in any one rating year where payment had been late due to significant family disruption. Significant family disruption is likely to be the ratepayer or a member of the household affected by serious illness, serious accident, hospitalisation or death.
3. Remission of penalty may be granted if the ratepayer is able to provide evidence that their payment has gone astray in the post or the late payment has otherwise resulted from matters outside their control. Applications under this criteria will only be accepted if the ratepayer has a history of regular payments of rates and has not incurred penalty rates in the previous two years.
4. Remission of penalty rates will be considered for those ratepayers who due to financial hardship, are in arrears and who have entered into an agreement with Council to repay all outstanding rates. Penalty rates remission will not be considered if the agreement plan is not being adhered to.

Remission will be considered if a new owner receives penalty rates through the late issuing of a sale notice, a wrong address on the sale notice or late clearance of payment by the Solicitor on a property settlement. This only applies to penalty rates incurred on one instalment. Future instalments do not qualify under this criteria.

Conditions

1. Application for remission of penalty rates must be in writing using the prescribed form
2. Penalty rates will not be considered for remission if the penalty rates were incurred in a previous rating year, regardless if the application otherwise meets the criteria.

Delegation

Council delegates the authority to remit penalty rates to the Chief Executive Officer or the Finance Manager.

2. Remission of rates for land used by sporting, recreational and community organisations

Objective

- To facilitate the ongoing provision of non-commercial sporting, recreational and community services that meet the needs of the residents of the District,
- To provide indirect financial assistance to community organisations
- To make membership of the organisation more accessible to the general public, particularly disadvantaged groups. These include children, youth, young families, aged people and economically disadvantaged people.

Conditions and Criteria

1. This policy will apply to land owned by the Council or owned and occupied by a charitable organisation, which is used exclusively or principally for sporting, recreation or community purposes.
2. Council will remit 50% of rates, with the exception of targeted rates, for organisations that qualify under this policy. Sporting organisations will qualify for 50% remission regardless of whether they hold a current license under the Sale of Liquor Act 1989.
3. Council will remit 100% of all rates for Rural Halls, to be reviewed annually to ensure that the use still remains the same.
4. The policy does not apply to organisations operated for pecuniary profit or which charge tuition fees.
5. The policy does not apply to groups or organisations whose primary purpose is to address the needs of adult members (over 18 years) for entertainment or social interaction, or who engage in recreational, sporting or community services as a secondary purpose only.
6. Applications for remission must be made to the Council prior to the commencement of the rating year. Applications received during a rating year will be applicable from the commencement of the following rating year. Applications will not be back dated.
7. Organisations making application should include the following documents in support of their application. Information of activities and programmes, details of membership and statement of objectives

Delegation

Council delegates the authority to remit 50% of rates for sporting, recreational and community organisations to the Chief Executive Officer or the Finance Manager.

3. Remission of Rates on land protected for natural, Historical or Cultural Conservation Purposes
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Objective

- To preserve and promote natural resources and heritage.
- To encourage the protection of land for natural, historic or cultural purposes.

Conditions and Criteria

1. Ratepayers who own rating units which have some feature of cultural, natural or historic heritage which is voluntarily protected may qualify for remission of rates under this part of the policy
2. Land that is non-rateable under section 8 of the Local Government (Rating) Act and is liable only for rates for water supply, sewage disposal or refuse collection will not qualify for remission under this part of the policy.
3. Applications must be made in writing. Applications should be supported by documentary evidence of the protected status of the rating unit e.g a copy of the covenant or other legal mechanism.
 4. In considering any application for remission of rates under this part of the policy the Council will consider the following criteria:

- the extent to which the preservation of natural, cultural or historic heritage will be promoted by granting remission of rates on the rating unit
 - the degree to which features of natural, cultural or historic heritage are present on the land
 - the degree to which features of natural, cultural or historic heritage inhibit the economic utilisation of the land
 - the degree to which features of natural, cultural or historic heritage are present on the land
5. In granting remissions under this part of the policy, Council may specify certain conditions before remissions will be granted. Applicants will be required to agree in writing to these conditions and to pay any remitted rates if the conditions are violated.
 6. Council will decide what amount of rates will be remitted on a case by case basis

Delegations

Applications for the remission for protection of heritage will be considered by a Council.

4. Remission of Uniform Annual General Charge in certain circumstances

Objectives

To encourage continued subdivision activity by providing rates relief to new subdivisions by limiting the rates impact of multiple UAGC's in the first year.

Conditions and Criteria

1. This policy will apply to land that is:
 - (a) subdivided into three lots more; and
 - (b) where title has been issued; and
 - (c) is owned by the original developer who is holding the individual titles.
- 1.6 Remission will only apply for the first rating year that the individual titles have been separately rated after subdivision. To avoid doubt, remission under this policy will not be given to subdivisions that were given a block rating valuation for any rating year prior to 1 July 2003.
3. Remission will be limited to 100% of the UAGC for each unsold lot except one.

Delegation

Council delegates the authority to remit UAGC's to the Chief Executive Officer or the Finance Manager.

POSTPONEMENT OF RATES POLICY

Introduction

This policy is prepared under section 110 of the Local Government Act 2002 for consultation using the special consultative procedure laid down in section 83 of the same Act.

Objective

- To assist ratepayers experiencing extreme financial circumstances which affects their ability to pay rates.

Criteria and Conditions

Council will consider, on a case by case basis, all applications received that meet the criteria listed below.

Criteria:

- The ratepayer(s) is unlikely to have sufficient funds left over, after the payment of rates, for normal health care, proper provision of maintenance of the home and chattels at an adequate standard as well as making provision for normal day to day living expenses.
- The ratepayer(s) must be the current owner of the rating unit and have owned or resided on the property or within the district for not less than five years.
- The rating unit must be used solely for residential purposes and the ratepayer(s) must reside on the property.
- The ratepayer(s) must not own any other rating units or investment properties, whether in this district or another.

Conditions:

1. Application must be in writing by the ratepayer(s) or by an authorised agent.
2. The ratepayer(s) is required to disclose to Council, all personal circumstances, including the following factors: age, physical or mental disability, injury, illness and family circumstances so that Council can consider these factors to establish whether extreme financial hardship exists.
3. Applications for postponement of rates will only be considered from the beginning of the rating year in which the application is made.
4. If Council decides to postpone rates the ratepayer(s) must first enter into an agreement with Council to make regular payments for future rates.
5. Council will charge a postponement fee on the postponed rates for the period between the due date and the date they are paid. This fee is designed to cover the Council's administrative and financial costs and may vary from year to year. The fee for 2003/2004 will be \$50.00.
6. Any postponed rates will be postponed until;
 - a. The death of the ratepayer(s); or
 - b. Until the ratepayer(s) ceases to be the owner or occupier of the rating unit; or
 - c. Until the ratepayer(s) ceases to use the property as their residence; or
 - d. Until a date specified by the Council as determined by Council in any particular case.
7. Postponed rates or any part thereof may be paid at any time. The applicant may elect to postpone the payment of a lesser sum than that which they would be entitled to have postponed pursuant to this policy.
8. Postponed rates will be registered as a statutory land charge on the rating unit under the Statutory Land Charges Registration Act 1928 and no dealing with the land may be registered by the ratepayer while the charge is registered except with the consent of Council.

Delegation

Council delegates the authority to approve applications for rate postponement to the Chief Executive Officer or the Finance Manager.

POLICY ON PARTNERSHIPS WITH THE PRIVATE SECTOR

Introduction

This policy is prepared under section 107 of the Local Government Act 2002, whereby Council is required to adopt a policy on partnerships with the private sector.

Legislative Summary

Section 107 of the Local Government Act 2002 provides:

1. 'A policy adopted under section 102(4)(e):
 - (a) Must state the local authorities policies in respect of the commitment of local authority resources to partnerships between the local authority and the private sector; and
 - (b) Must include -
 - (i) the circumstances (if any) in which the local authority will provide funding or other resources to any form of partnership with the private sector, whether by way of grant, loan or investment, or by way of acting as a guarantor for any such partnership; and
 - (ii) What consultation the local authority will undertake in respect of any proposal to provide funding or other resources to any form of partnership; and what conditions, if any, the local authority will impose before providing funding or other resources to any form of partnership with the private sector; and
 - (iii) An outline of how risks associated with any such provision of funding or other resources are assessed and managed; and
 - (iv) An outline of the procedures by which any such provision of funding or other resources will be monitored and reported on to the local authority; and
 - (v) An outline of how the local authority will assess, monitor, and report on the extent to which community outcomes are furthered by any provision of funding or other resources or a partnership with the private sector.'

Definition of Partnership with the Private Sector

Section 107 of the Local Government Act provides:

2. 'In this section **partnership with the private sector** means any arrangement or agreement that is entered into between 1 or more local authorities and 1 or more persons engaged in business; but does not include:
 - (a) Any such arrangement or agreement to which the only parties are:
 - (i) Local authorities; or
 - (ii) One or more local authorities and one or more Council organisations; or
 - (b) A contract for the supply of any goods or services to, or on behalf of, a local authority.

POLICY STATEMENT

1. The circumstances in which Council will enter into Partnerships

- 1.1 Where the partnership will further one or more community outcomes.
- 1.2 Where the partnership is the most effective means of furthering the community outcomes.
- 1.3 Where, in the case of service provision, the partnership is shown to be the most effective way of delivering the service to the community.
- 1.4 Where the partnership will provide services or benefits which the Council could not realistically provide on its own.
- 1.5 Where the partnership minimises the risk for Council.
- 1.6 Where the Council is satisfied the partner is able to sustainably meet its partnership agreements.
- 1.7 Council will consider the following methods for entering a partnership;
 - Provision of grants
 - Provision of loans
 - Provision of investments

- Provision of capital
 - Provision of guarantees
 - Cost sharing arrangements
 - Profit sharing arrangements
- 1.8 Where a resolution has been passed by full Council that authorises entering into the partnership arrangement or delegated authority has been passed to officers to enter certain types of partnership.

2. Consultation will take place in respect of the Decision

- 2.1 Council will not generally consult on partnerships that fall inside the circumstances outlined in this Policy or where the partnership furthers outcomes identified in other Council policies or plans
- 2.2 Council will consult when:
- (i) The partnership requires decisions which are regarded as significant in terms of Council's Policy on Significance.
 - (ii) Where possible consultation will be performed in line with Council's Long Term Council Community Plan or Annual Plan process.

3. How the risks associated with the Partnership will be managed

- 3.1 When considering a partnership a report will be made to Council which assesses the risk of the partnership by:
- (i) Identifying the risks associated with the partnership
 - (ii) Identifying the probability of the risks being realised
 - (iii) Identifying which risks are regarded as significant
 - (iv) Identifying the potential effect of the risks if they are realised
 - (v) The following areas of risk will be addressed:
 - Establishment risks
 - Operational risks
 - Legal risks
 - Health and Safety risks
 - Technological risks
 - Economic risks
 - Cessation risks
 - Organisational risks – both partners
 - Any other relevant risks
- 3.2 Having entered a partnership the Council will manage risks by:
- (i) Incorporating partnerships into the Council's risk management policies and reporting on partnership risk as the Council would any other activity of Council.
 - (ii) Transferring management of risk to the party most capable of managing it in the partnership.
 - (iii) Ensuring that the contractual relationship between the parties clearly identifies risks; who is responsible for managing the identified and unidentified risks of the partnership and who will be responsible for costs incurred when risks eventuate.
 - (iv) A report will be produced every six month which details the progress of the partnership, including what the status of identified risks is and identifying any other potential risks at the time of the report.

4. How the partnership will be monitored

- 4.1 Council will develop a set of measurable and auditable outcomes for each partnership and will identify at this time a reporting regime for each of the outcomes.
- 4.2 A formal report to Council will be produced for each partnership on a six monthly basis detailing the progress towards the partnership outcomes, the financial performance of the partnership risk management progress.
- (i) Six monthly financial reports and audited annual reports will be reported to Council.
 - (ii) The partnership reporting will be managed in the same fashion as all other Council activities and will meet the requirements of all other local government reporting. This will include reporting on how the partnership contributes to Council's outcomes

POLICY FOR REMISSION AND POSTPONEMENT OF RATES ON MAORI FREEHOLD LAND

Introduction

Maori freehold land is defined in the Local Government (Rating) Act 2002 as land whose beneficial ownership has been determined by a freehold order issued by the Maori Land Court. Only land that is the subject of such an order may qualify for remission or postponement under this policy. As at March 2003 there are seven rating units in the District that meet the definition of Maori freehold land, of which six are non-rateable.

Whether rates are remitted or postponed in any individual case will depend on the individual circumstances of each application. In general, a remission of rates will be considered, unless there is a reasonable likelihood that the subject land will be used or developed in the immediate future.

This Policy has been formulated for the purposes of;

1. Ensuring the fair and equitable collection of rates from all sectors of the community by recognising that certain Maori owned lands have particular conditions, features, ownership structures, or other circumstances that make it appropriate to provide relief from rates.
2. Meeting the requirements of Section 108 of the Local Government Act 2002 to have a policy on the remission and postponement of rates on Maori freehold land
3. In determining the policy, Council has considered the matters set out in Schedule 11 of the Act

Objectives

- To recognise situations where there is no occupier or person gaining an economic or financial benefit from the land.
- To set aside land that is better set aside for non-use because of its natural features (whenua rahui)
- To recognise matters related to the physical accessibility of the land
- To recognise and take account of the presence of waahi tapu that may affect the use of the land for other purposes
- Where part only of a block is occupied, to grant remission for the portion of land not occupied
- To facilitate development or use of the land where Council considers rates based on the rateable value make the use of the land uneconomic.

Conditions and Criteria

1. Application for this remission or postponement should be made prior to commencement of the rating year. Applications made after the commencement of the rating year may be accepted at the discretion of Council.
2. Owners or trustees making application should include the following information in their applications;
 - details of the property
 - the objectives that will be achieved by providing a remission
 - documentation that proves the land which is the subject of the application is Maori freehold land
3. Council may, of its own will, investigate and grant remission or postponement of rates on any Maori freehold land in the District.
4. Relief, and the extent thereof, is at the sole discretion of Council and may be cancelled and reduced at any time.
5. Council will give a remission or postponement of up to 100% of all rates, except targeted rates set for water supply or wastewater disposal, based on the following criteria:
 - a) the land is unoccupied and no income is derived from the use or occupation of that land, or
 - b) the land is better set aside for non-use (whenua rahui) because of its natural features, or is unoccupied, and no income is derived from the use or occupation of that land,
 - c) the land is inaccessible and is unoccupied,
 - d) only a portion of the land is occupied.

- d) the property carries a best potential use value that is significantly in excess of the economic value arising from its actual use.

POLICY ON DEVELOPMENT OR FINANCIAL CONTRIBUTIONS

Introduction

This policy is prepared under section 106 of the Local Government Act 2002 (The Act) and it outlines in which circumstances Carterton District Council intends to require development or financial contributions.

Legislative Requirements

The Act requires Council to adopt a policy on development contributions or financial contributions. This applies regardless of whether it has decided to assess:

- development contributions under the Act; or
- financial contributions under the Resource Management Act 1991

Once adopted, this policy may be amended as a Long Term Council Community Plan (LTCCP) amendment.

Policy Statement

1. Carterton District Council has provisions for financial contributions in terms of the Resource Management Act 1991 (s108) in the Carterton District Plan, March 2000 (Chapter 8).
2. Carterton District Council, as a member of the Wairarapa Planning Committee, is reviewing the policy on financial contributions over the next twelve months.

CONSULTATION POLICY

Sections 82 – 89, Local Government Act 2002 sets out principles and procedures that local authorities must follow when making certain decisions.

The minimum procedure local authorities must follow is called “**the special consultative procedure**”.

The special consultative procedure comprises the following steps:

Step One

Preparation of a statement of proposal and summary of the information contained in the statement of proposal. The summary of information must be a fair representation of the major issues contained in the statement of proposal and must include a description of the proposed decision or course of action intended by the local authority. It must include where the statement of proposal may be inspected, how a copy can be obtained, and the period within which submissions on the proposal will be accepted. The statement must also be included on an agenda of a Council meeting.

In the case of the Carterton District Council the Statement of Proposal will be included on an agenda of the Ordinary Meeting or a Special Meeting and as a minimum will be available from the Council Office and Public Library.

Step Two – Public Notice

The local authority must give public notice in a daily newspaper of the consultation being undertaken.

In the case of the Carterton District Council this will be either in the Wairarapa Times Age or Wairarapa News.

Step Three – Receive Submissions

The Council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission when Council hears submissions. The Council must allow at least one month from the date of the first publication of the public notice for submissions.

Step Five – Deliberation of the Proposal and Submissions Received

All meetings where the Council deliberates on the proposal or hear submissions must be open to the public, unless there is a reason to exclude the public under the LGOIMA. All submissions must be made available to the public unless there is a reason to withhold them under the LGOIMA.

Step Six – Provide Information about Council’s Decisions on the Submissions Received to the Proposal

A copy of the decisions and a summary of the reasons must be provided to submitters.

By law the Council must follow the special consultative procedure before it:

- Adopts a Long Term Council Community Plan (LTCCP) or Annual Plan.
- Amends a LTCCP.
- Adopts, revokes, reviews or amends bylaws.
- Changes the mode of delivery for a significant activity, if it is not provided for in the LTCCP.

The Council can and does consult outside of the special consultative procedure. The Council sees it as important to engage in processes which give it an understanding of the views in the community.

The trigger for consultation is the Council’s Policy on Significance.

Council processes for seeking community views will be managed in accordance with the principles below:

Respect

- The Council will start with an open mind and genuinely consider the submitters’ views, opinions and feelings.
- Show goodwill.
- Ensure that those who will be affected by the decision or who have an interest in it have an opportunity to have their say.

- Acknowledge the input submitters' have given making a submission.
- Ensure behaviour is non-confrontational.
- Actively listen when a submission is being spoken to.
- Ensure that ground rules are established and communicated to those participating in facilitated meetings, workshops and focus groups.

Time

- Give sufficient time for people to make a submission.
- State clear timeframes for each of the stages of consultation.
- Be on time for meetings, hearings, etc.

Consultation Techniques

- Give people a range of ways in which they can respond from attending public meetings to writing full submissions.
- Match the consultation techniques with the purpose.
- Use a range of consultation techniques.
- Have a clear and transparent process.
- Balance the Council's responsibility to consult with the efficient and effective use of resources.

Information

- Clearly state the purpose of the consultation and required outcome.
- Clearly state the influence communities will have over the decision.
- Provide correct and unbiased information.
- Present information in a consistent way.
- Use everyday language, which is easily understood.
- Provide information in a variety of ways, eg. written word or visual to suit the needs of those being consulted.
- Keep stakeholders updated on what is happening with the consultation process.
- Provide feedback on what the Council's decision is and what impact the consultation process had on the decision.

Inclusiveness

- Ensure that those who will be affected by the decision have an opportunity to have their say.
- Give an opportunity to those with special knowledge or expertise to be involved (at an early stage).
- When community representation is sought, representatives should be put forward by the community rather than Council choosing the representative it thinks most appropriate.
- Always attempt to include all ideas and find common ground so that the community is not divided into winners and losers.

COMMUNITY GRANTS POLICY
Effective from 1 July 2002

Introduction

The Carterton District Community Grant funding is provided to enable organisations to add value to the community wellbeing and resources of the Carterton district.

Annually the Council will set aside 1% of general rates for this purpose.

When are Grants Allocated?

Grants will be allocated in August/September each year.

Level of Grant Funding

To fairly distribute the available funding among community organisations the maximum grant available per organisation will be \$ 2000.00.

To demonstrate an organisation's commitment to their project they will be required to meet one-third of the financial cost of the project.

The Assessment Committee will also take into consideration voluntary labour and donated materials when assessing applications.

From time to time the Assessment Committee may make a larger grant to an organisation for a project that has widespread community support and long-term benefits to the people of the Carterton district.

Criteria for Assessing Grants

Organisations qualifying for grants will be those which:

- Provide services to the people of the Carterton district who may be denied the quality of life enjoyed by the majority.
- Provide services, which preserve and promote the district's heritage.
- Provide services, which will enhance and benefit community wellbeing and resources in the Carterton district.

Grants will not be given to:

- Organisations who are eligible to apply to Creative Communities for their project.
- Commercial organisations.
- Individuals
- Regional/national organisations except where they can clearly demonstrate that the project will have direct benefit to the Carterton district people/community.
- Payment of salary and wages.
- Travel.
- Prizes

Organisations are discouraged from becoming dependent on Council grants for ongoing operating expenses.

Adopted at the Ordinary Meeting of the Carterton District Council on 15 May 2002

WAIRARAPA LIBRARY SERVICE MEMBERSHIP POLICY

1. All new members shall fill in a Membership Application Form, all parts of the form must be completed.
2. A Library Card will be made up as soon as possible after the completed form is received.
3. Details of the proof of address sighted should be recorded (eg. “BNZ Statement”, not just “Bank Statement”, “Rates Account – Masterton” not just “Rates Account”).
4. Types of identification, which are acceptable are: Drivers Licence, Passports, Bank Statements, Rates Accounts, Electricity Accounts, Telecom or Clear Accounts. Check that the identification is current and that the address matches that on the application form. Some discretion is required.
5. No adult can be signed as a member unless they provide an alternative address.
6. The alternative address does not have to be local, it can be anywhere in New Zealand.
7. The person being given as an alternative address must be prepared to assist the Library in recovering any outstanding money or books should the applicant disappear. This should be explained to the applicant when the form is received, it is not the Library’s responsibility to seek authority.
8. Friends and acquaintances (eg. work mates, landlords, etc) are NOT acceptable as alternative addresses. A first name and surname must be supplied.
9. A pamphlet explaining Library services, hours and members responsibilities will be given to all new members. A copy of the Schedule of Charges should be given out as well.
10. By signing the membership form, including sign as a child’s parent or caregiver, the individual agrees to the following conditions:
 - Return all borrowed items
 - Notify the Library of any change of address
 - Pay on demand any charges owing for rentals, overdue, services, damages or losses.
 - Accept responsibility for all items borrowed using their card.

Other Membership Categories

1. Children (5-12) or Young Adults (13-15) may join using the Membership Application form providing their parents or guardian are willing to act as guarantor and sign the application form. Date of birth must be supplied.
2. Under 5’s may borrow on their parents cards.
3. Children require no identification.
4. Bulk loans are available to schools, kindergartens, childcare facilities and individuals as authorised by the Librarian can apply for Bulk Loan status to borrow over 20 books in one loan. Loans in this category will be for six weeks before overdue apply.
5. Housebound status is available to anyone who is resident in a resthome, for resthome bulk loans, permanently or temporarily disabled or ill and unable to come to the library, in hospital or unable to get to the library due to age. Three week loans will be available for this category, but without any overdue charges or rentals applying.
6. Staff status will apply to all those who are employed to work at the Library, the Council CEO, the Mayor and all Councillors. All of these people will revert to Adult Borrower status if they cease to work for the Council or are not re-elected. Three week loans will be available for this category, but without any overdue charges or rentals applying.
7. Temporary members may join on the Membership Application Form. The “Additional Contact” section of the form must be filled in an some form of identification produced.

Obligations of Membership/Loan Policy

1. All books, magazines and CD's will be issued for three weeks. (Exception: See Bulk Borrowers Above)
2. All videos will be issued for one week. (Exception: See Bulk Borrowers Above)
3. Some categories of books such as Reference books and local history books may be borrowed for a week or longer duration at the discretion of Library staff.
4. Overdues shall be calculated as follows: From 5.00 pm (weekdays) or 12.30 pm Saturdays on the date stamped in the book 50 cents. Seven days following the date stamped in the book \$1.00. Every seven days thereafter another \$1.00. Children's books: 25 cents from 5.00 pm (weekdays) or 12.30 pm (Saturday) on the date stamped in the book and 75 cents for each seven day period thereafter.
5. Exemption from overdues shall be for those borrowers with the status of staff or housebound.
6. Any book or other library material which is lost or damaged shall be the responsibility of the person on whose card the book or other material was issued. The replacement cost of the book shall be charged to them.
7. Some categories of books and library materials shall be charged a rental for. These are:

Premium Fiction (prf)	\$1.00 (Until 4 Nov 2002)
Rental Fiction (rf)	.50 cents
Rental Magazines (rm)	.50 cents
CD's (cd)	\$2.00
Videos (vd)	\$2.00

All rental are for one loan period only, they are not charged on renewals. Exceptions to rental charges are staff and housebound categories.

8. Any library item can be reserved by any borrower. A reserve fee of .50 cents will apply.
9. Any library item may be renewed either in person or by telephone at no additional cost (any outstanding charges, either rentals and/or overdues, will still apply).
10. A renewal can only be denied if another borrower has requested the book.
11. After two renewals the Library staff may request the book be returned or sighted before further renewals are accepted.
12. All overdue and rental fees are to be paid at the time they are incurred or on the first visit to the Library following the debt being notified.
13. Three overdue notices shall be sent to any borrower with overdue books. The final notice shall have the replacement cost of the book. A Council invoice shall then be sent to recover any losses.

Suspension and Cancellation of Membership

1. Failure to provide the information, or if later any of the information is found to be incorrect will automatically lead to suspension of membership.
2. Suspension of membership (blacklisting) will occur if fines and/or other charges reach \$10.00 or more. The suspension will be revoked when all debts are paid.
3. A member will be blacklisted if there is a poor record for paying debts or there is a long record of lost books (even if these have been paid for) or the member becomes abusive or violent toward staff. Such a blacklisting will be at the discretion of the Librarian.
4. A blacklisted member can reapply to be reinstated at any time by consulting the Librarian. Any reinstatement will be at the Librarian's discretion.

WAIRARAPA LIBRARY SERVICE CHARGING POLICY

Statement of Intent

The purpose of this policy is to gain consistency in the application of charges levied by the libraries constituting the Wairarapa Library Service. It is to provide guidelines for the staff in handling all those charges.

Policy Guidelines

1. Charges shall be levied as per the Schedule of Charges (see Appendix I).
2. Changes to the Schedule of Charges shall be considered by the Combined Library Committee and referred to the relevant Councils.
3. Both Councils will publicly consult before setting charges for any service.
4. Overdue charges, rentals, reserves and lost books shall be collected on every item incurring such a charge.
5. All the libraries within the Wairarapa Library Service have an obligation to collect any outstanding charges that appear on a members record irrespective of which library the charges are due to.
6. All charges should be collected at the time the charge is incurred. Discretion to defer charges may be applied in exceptional circumstances. Those circumstances are outlined in 7. below. Where this occurs charges should be cleared on the members next visit to the library or within a reasonable timeframe.
7. Charges may be waived under certain circumstances. Those circumstances are:
 - hospitalisation
 - death (of the person who has the books)
 - following a donation to the library (as a one-off gesture of goodwill)
 - fire or act of nature which leads to the destruction of books*
 - where a library error in returning the books occurs

* In cases where unforeseen circumstances lead to the loss of a book it may be possible for the member to claim on his or hers insurance. If this is so then the library should provide all the relevant information regarding the costs.

8. For those where charges are a problem on humanitarian grounds should be considered for housebound status. Housebound status should be considered for the handicapped, elderly, rest home residents and medically unfit.
10. Any discretionary action is the responsibility of the individual exercising the discretion.
11. Library members may establish credits by pre-paying for library services. All such credits should be loaded onto their membership record.
12. All money owed over \$50.00 should never be waived, and should be referred to the respective Council for further action following all documented attempts to recover such debts.

APPENDIX I

SCHEDULE OF CHARGES

Rentals	
Adult Fiction Books	.50 cents
Magazines	\$1.00
CD's & Videos	.50cents
Reserves	.50cents
Overdue Books	
Adults	.50 cents for the first week \$1.00 for each subsequent week \$5.50 maximum
Junior	.25 cents for the first week .75 cents for each subsequent week \$3.75 maximum
Lost Item	Replacement Cost
Replacement Library Card	\$2.00
Photocopying	
A3	.40 cents per page
A4	.20 cents per page
School Homework	.10 cents per page
Doublesided	add .10 cents per page to above
20 or more copies	Librarian's Discretion
Interloans	
Per book or article	\$5.00
Per subject request	\$5.00
Charges from Other Libraries (\$2.00 non-refundable in advance and \$3.00 on delivery)	At Cost
Internet	
Per 15 minutes or part thereof	\$1.50
Laminating (Greytown Only)	
A3	\$3.00
A4	\$2.00
Fax Service (Greytown Only)	
Fax Out	.50 cents
Fax In	.30 cents
Australia	\$2.00
Other Countries	\$5.00

Purpose

This policy is to provide users of the Wairarapa Library service with a mechanism for having their concerns about services and/or the actions of staff dealt with in a fair way which resolves conflict in the best interests of all concerned. It is also to have a set of actions available for staff to assist in the resolution process.

Introduction

Most complaints or misunderstandings handled by the librarians revolve around day to day operational matters. In the vast majority of cases these can be adequately dealt with by the staff member concerned through the explanation of library and/or Council policy.

In some instances complaints need to be handed on for a more thorough investigation and/or resolution. A very small number of complaints arise from library users contacting Library Committee members or Councillors or senior Council staff. These require more direction action on behalf of the Wairarapa Library Service to resolve.

Guidelines

- Where possible complaints should be handled at the time they occur directly between the staff members and user concerned.
- Complaints of a day to day operational matters that are not resolved in 1. Above (lost books, missing property, health and safety issues or disruptions to service) should be referred to the senior librarian available for resolution.
- If resolution of a complaint cannot be reached then the complaint should be referred as follows:
Should be brought to the attention of the other librarians at the monthly librarians meeting.
Refer to the Library Committee for resolution.
- A complaint against the behaviour of any staff member. Refer to relevant Council Policy.
- The user who initiates the complaint should be informed that the complaint has been referred to the appropriate body for resolution. This should be done as soon as it is practical following the initial complaint.
- Once the complaint has been investigated the outcome of this investigation should be communicated to the user involved at the earliest opportunity and in an appropriate manner.
- Should the outcome of any investigation fail to resolve the issue then the issue should be submitted to the Library Committee for final settlement.
- Any complaint received in writing should be responded to in writing.
- Library staff should not be expected to tolerate offensive language or behaviour.
- All complaints will be taken seriously and every endeavour shall be made to resolve the issues within a reasonable timeframe given the meeting times and reasonable time for investigation.
- Any user who makes a complaint shall have the complaint dealt with confidentially.
- Complaints directed in the first instance to a Councillor shall be redirected according to the level and nature of the complaint in accordance with the above procedure. In this instance a report shall be made to the Councillor concerned as well as the user.
- All the libraries within the Wairarapa Library Service are pleased to receive any suggestion for improving services. Where appropriate these suggestions will be discussed at the librarians monthly meeting and/or the Library Committee meeting.
- Those making suggestions should indicate if they wish to be informed by the Wairarapa Library Service about the outcome of any such suggestions.

Purpose

The purpose of this policy is to provide a framework for the Wairarapa Library Service to operate within the national inter-library loan scheme known as the Interloan Scheme. This enables the Wairarapa Library Service to borrow books from other libraries and to lend books from the Wairarapa Library Service's collections on a co-operative basis.

Introduction

The Wairarapa Library Service recognises its responsibilities under the national interloan scheme charter to abide by the guidelines of that Charter.

In effect the interloan scheme enables the users of the Wairarapa Library Service to have access to a much wider selection of library resources than it would ever be possible to provide on site. To do this subscription to the National Library web based service Te Puna (a national database of library holdings) is critical to the success of providing this service.

Through the interloan charter the nature of this scheme is co-operative. Therefore it is important that the Wairarapa Library Service makes its holdings available through the Te Puna service.

This service is made available to all users of the Wairarapa Library Service equally and on the basis of payment of a small fee to off-set postage and Te Puna expenses. This fee is advertised as one of the library charges and will be reviewed as part of the annual planning deliberations of both Councils'.

Costs incurred from lending libraries will be passed onto the requesting user. As a matter of principle all users should be made aware of additional costs before an interloan is proceeded with.

As the service is made available to all users equally and usage is divided equally between two Districts the cost of providing this service should be divided evenly between the two District Councils' as funders of the Wairarapa Library Service.

Procedure

Outward Interloans

- A member of the public filling in an appropriate Interloan Request Form (see Appendix I) may generate an interloan at any of the four Wairarapa Library Service libraries.
- All interloans will be processed by the Wairarapa Library Service staff member designed to perform all interloan tasks (Interloans Librarian).
- The Interloans Librarian will be responsible for.
 - Checking that the title being requested is not held by any of the Wairarapa Library Service libraries.
 - Verifying the bibliographic information using Te Puna and other appropriate Internet or other available reference sources.
 - Obtaining correct New Zealand library holdings from Te Puna.
 - If necessary the library user should be contacted for further information or to advise them of additional costs imposed by other libraries.
 - Filling in the appropriate National Library interloan request card and sending it to the appropriate library.
 - Amending the Interloan Request Form to record the date of request, the library sent the request and correcting any bibliographic information.
 - Once a request has been received the Interloan Request Form should be updated with the library that supplied the request, the date received and the date due.
 - The borrower should be contacted to collect the requested item from the appropriate library.
 - Once the borrower has returned the requested item it should be sent back to the originating library. This can be done directly from any of the four libraries.
 - The date it is returned to the originating library is to be forwarded to the Interloans Librarian to record on the Interloans Request Form.
 - All overdue and renewals should be recorded by the Interloans Librarian on the Interloans Request Form. Other librarians who deal directly with any interloan should report the outcome of that interaction to the Interloans Librarian so it may be recorded.

Inwards Interloans

On receiving a request for an interloan item the holding library should retrieve the requested item from the shelf.

The Wairarapa Library Service database should be checked to see if the requesting library has been set up as a registered borrower.

If yes then issue the book to the library and send it to them.

If no then set the library up as a borrower with a basic record (category) and then issue and send the book.

Overdues and follow-ups will then be the responsibility of the Interloans Librarian.

Once the item has been returned it can be dealt with as a standard return.

INTERLOANS REQUEST FORM

Name	
WLS	
Telephone Number	
Other Contact Details	
Author	
Title	
Journal Title	
Journal Details	
Other Information	
Library Symbols	
Supply Library	
Sent	
Due	
Received	
Returned	
Notes	

Purpose

This policy outlines the rules regarding the access and use of the internet at any of the Wairarapa Library Service libraries by members of the public. It does not supercede any District Council policy related to internet access and use by paid Council employees or contract workers.

Introduction

Access to the internet is provided as service by the Wairarapa Library Service. Under Council policy the service is provided for a fee to offset costs. This fee is reviewed annually as part of the Council's Annual Planning process.

Internet access is seen as providing library users with access to a wide range of knowledge that would otherwise be expensive and difficult to replicate by the libraries traditional resources. It is also seen as an important method of communication.

Within the southern Wairarapa region a wide range of people uses the internet. Families are able to keep in touch, inexpensively via e-mail. Tourists, likewise, can communicate with family in other countries. Businesses benefit through being able to access key information and students make use of the internet for furthering their education. There is also some recreational use.

The internet is an integrated part of the service that the library provides and can also be utilised by the staff to assist the public in the pursuit of information.

This policy is to provide some rules and guidance in its use and to prevent the misuse of the internet. The warnings given are not to prevent legitimate use, but to assist people in making decisions about how they use the internet.

Rules for Internet Use

Access

1. Internet use will be provided at all Wairarapa Library Service libraries for public use.
2. Fees set for internet access will be in accordance with Council policy.
3. Library customers have the right to access any internet information, access e-mail and send e-mail. (Note restrictions and warnings below).
4. A customer's privacy in the use of the internet will be respected, however staff and Council's IT Administrators reserve the right to monitor use, especially of children.
5. Children will be allowed internet access except where parents refuse permission.
6. Library Staff may use their discretion to use the internet to assist in locating information for a library user. When this occurs no charge will be made.
7. The Wairarapa Library Service takes no responsibility for any costs incurred by a library customer from use of fee based services on the internet.
8. Printouts from the internet are permitted and charged for as photocopies.
9. Downloading to disc is permitted providing the library customers provide their own disc and it has been virus checked.
10. Storage of information on library computer hard-drives is not permitted. Such material will be deleted when found.
11. Staff will provide basic instruction and assistance in the use of the internet and e-mail. This will be limited to the individual staff members' own knowledge of the service.

Inappropriate Use

1. Violation of computer system security including the altering or deleting of any computer file.
2. The unauthorised accessing passwords or the illegal use of passwords assigned to other people.
3. Intentional damage to any computer or associated equipment.
4. Accessing, creating or sending offensive or illegal internet sites regardless of subject content.
5. Violation of any New Zealand law regarding use of the internet, copyright or censorship.
6. Violation of another persons privacy.
7. Violation of any of the above restrictions may result in a customer being restricted in their use or banned from using the library internet facilities.

Warnings

1. The library cannot be responsible for the content of information found on the internet.
2. There are many offensive sites (pornographic, gambling, hate-sites) which are inappropriate for children. It is impossible to monitor or filter all these. Guidance should be provided to children before they access the internet. Parents are responsible for their children's use of the internet.
3. Any search has the potential to lead to sites that contain elements of the above warnings. Be aware of this before entering any internet site.

Staff

1. Staff use of the internet should be guided by the policies of the Carterton and South Wairarapa District Councils policies regarding use of the internet.
2. Staff should be familiar in the basic use of the internet, in particular assisting customers to set up their own e-mail accounts and basic searching for information.
3. Staff should be encouraged to use the internet as a tool for assisting customers to locate information.
4. Staff need to be aware that the internet is a tool and should be used appropriately. It should not be regarded as the first resort in answering requests for information.

WAIRARAPA LIBRARY SERVICE PRIVACY POLICY

Purpose

This policy is the Wairarapa Library Service's statement on the treatment of personally identifiable information held by any of the libraries. It is to assist in the protection of individuals who wish to use any of the libraries.

Introduction

The Wairarapa Library Service acknowledges that it holds some personal information about individuals. This information is collected and stored as part of the contract between the Wairarapa Library Service and the individual concerned. That information is necessary to maintain an efficient library service.

Under no circumstances should a member of staff pass any information regarding a third party, held by the library as part of its user database, to any other individual or organisation. The only lawful exception to this is when the third party has given consent to the Wairarapa Library Service for that information to be shared.

Procedure

1. No telephone numbers or address details should be passed to any third party without the relevant library user having given permission. That permission should be in writing.
2. No information is to be stored by the Wairarapa Library Service other than that required to operate the Membership Policy and to maintain an accurate record of library activity related to any member.
3. Information regarding a particular library user's reading patterns shall not be given to any other person or organisation.
4. Requests from a user for any information held by the Wairarapa Library Service about them shall be supplied.
5. Any request by a library user to modify any information held by the library shall be actioned by the Wairarapa Library Service.
6. Information made public by library users (such as notes left in books, identifying marks left on books) shall not be covered by this policy.
7. Publicly available information purchased as part of the library collections shall not be covered by this policy.
8. To enable sensible monitoring the parents and/or guardians of children under 16 should be able to access information regarding their child's library records.

Wairarapa Library Service Collection Development Policy

August 2003

Purpose

The primary goal of this policy is to present an official statement of the Wairarapa Library Service's commitment to a collection that attempts to meet the needs of the public it serves. This policy serves both to guide the libraries and to inform the public about the principles upon which selection and maintenance decisions are made.

The scope of the collection is intended to offer a choice of format, treatment and level of difficulty so that the needs of individual library users can be met. This policy is designed to provide an overview of the current collection, as well as a plan for the future development of the collection in accordance with the budgets set by the Carterton District Council and the South Wairarapa District Council.

The collections of all four independent libraries are treated collectively as the collection of the Wairarapa Library Service for the purpose of this document.

Responsibility

Designated staff shall have the responsibility for the expenditure of the annual collection budget to be undertaken in a collective environment. This will enable a co-operative approach to building the collection and ensure that the independent libraries complement each other.

The same principle of collective decision making will also apply to the withdrawal of items from the collection. Consistent criteria for the withdrawal and disposal of items will form a part of this policy.

There is an important role for library users in the selection process. Library users can make suggestions for purchase using the appropriate form (Appendix A). These requests should be shared between the libraries as part of the overall selection process. The monitoring of interloans should also be used in the selection process.

In making selection decisions library staff responsible for purchasing will act in accordance with the following practices:

"...in the selection of materials, librarians should not discriminate on any grounds whatsoever." LIANZA Code of Professional Conduct.

Budget

The annual budgets shall be divided between the broad collection areas as described in this policy. That annual distribution shall be notified to the Library Committee and reported on monthly.

In dividing the budget due consideration shall be given to the strengths and weaknesses of the four individual collections so that the budget distribution may look different for each library.

Acquisitions (Purchases)

The majority of purchases will be through commercial transactions between the designated librarians and reputable suppliers. Each individual item selected shall be judged on its own merits and in relation to the value it will add to the collection. While budget considerations will set boundaries to expenditure the cost of any individual item must be weighed against the benefits to the wider community.

There are some broad criteria which should be applied to the purchasing process. These are :

- The needs of the community
- Reputation or standing of the item or author in the subject area
- The diversity of the collection and where gaps may be identified
- Cost
- Quality of the production
- Relevance of the content

Acquisitions (Donations and Gifts)

Donations of books or other library items can generally be accepted. Such gifts should, as a general rule, follow the selection guidelines for purchasing and the specific category guidelines.

The donor should be informed of the following conditions.

- The item or items donated will be taken into the collection only if they meet standing selection guidelines
- Any donated item may be sold by the Wairarapa Library Service at some time in the future
- Any donated item may be placed in the collection at any of the libraries that constitute the Wairarapa Library Service
- Any special arrangements that a donor wishes to place on a donation will need to be discussed with a librarian with designated purchasing responsibility and/or the Wairarapa Library Service Committee.

Donations of money shall be accepted in accordance with the *Wairarapa Library Service Fundraising and Donations Policy*.

The librarians may solicit donations from community groups or individuals for specific projects as defined in the *Wairarapa Library Service Fundraising and Donations Policy*.

A donor's pamphlet (Appendix B) should be given to all donors of books and/or money.

Withdrawals and Disposals

[Yet to be developed]

Collections

The following areas have been designated as the broad categories under which the collection will be developed. They represent different forms or levels of literature, or information presented in different formats. The purpose of making these distinctions is that different categories require different selection criteria and different budget allocations.

The categories are :

- Adult fiction
- Adult non-fiction
- Children's and Young persons
- Videos, CDs and other audio-visual formats
- Magazines and Newspapers
- Reference
- Local history
- Stack Room

New categories may be formed in the future to cover new formats or areas of interest. These should be formalised collectively between the librarians. Standards for new categories will need to be set.

Any new category needs to be referred to the Library Committee for consideration and alteration to the *Collection Development Policy*, or any other library policy.

Each category of the collection is split into three sections. A statement of objective is to place the category within the context of the whole Wairarapa Library Service collection. It will also show where there is to be any local variation between the four libraries. Criteria for selection and disposal will be set for each category. The percentage guideline for the overall growth will follow the National Library of New Zealand's guideline for collection development.

To ensure that the policy is working statistics on the collections will be monitored through the library system. A collection development report shall be prepared for the Wairarapa Library Service Committee by January 31 each year.

Adult Fiction

Objective

To ensure that library users have access to a wide range of fictional works for recreational reading and study purposes. The fiction collection recognises the need to maintain a healthy community through entertaining and thought provoking literature. It is important to maintain this collection with the most recent published works of a range of authors.

Criteria

- Standing of the author
- Maintenance of a series of books
- To maintain a range of genres; crime, horror, science fiction, fantasy, romance, western, historical, war and general
- Cost
- Number required in the collection to service demand (see list of authors required by all four libraries – Appendix C)

Percentage

The recommended percentage for adult fiction by the *LIANZA Standards for New Zealand Public Libraries*, 2002 is 30-40% per library.

Criteria for Determining Free New Zealand and Free Classic Categories

Free New Zealand

- Any author that is born in New Zealand and currently resides within New Zealand
- Any author who is born outside New Zealand but currently resides within New Zealand and who writes with New Zealand themes
- Any author born in New Zealand but who resides overseas and who writes with New Zealand themes
- An author who is born overseas and writes with New Zealand themes shall not be considered for “Free New Zealand” unless all four librarians agree that their work requires that status

Free Classics

All authors that fall within the criteria of “Free Classics” shall be determined solely by the librarians based on the position the author has within the literary community. It is generally expected that such an author would be:

- Widely recognised as making a significant contribution to literature
- Be the subject of study at tertiary level
- Have won a major prize in literature and continued to contribute to literature at a high level

Adult Non-fiction

Objective

To ensure that a broad range of subjects defined by the Dewey Decimal Classification system is maintained to support educational opportunities, business and economic development and provide information on the widest range of topics possible.

Criteria

- Standing of the author
- Specialist collecting area (see Appendix D)
- Collection requirements – where gaps exist
- Age of existing collection
- Level of production – reading level, knowledge level and/or purpose of the item
- Cost

Percentage

The recommended percentage for adult non-fiction by the *LIANZA Standards for New Zealand Public Libraries*, 2002 is 35-45% per library.

Children's and Young Persons

Objective

To ensure that library users have access to a wide range of fictional works for recreational reading and study purposes. It is important to maintain this collection with the most recent published works of a range of authors.

To ensure that a broad range of subjects defined by the Dewey Decimal Classification system is maintained to support educational opportunities and provide information on the widest range of topics possible.

Criteria

- Standing of the author
- Collection requirements – where gaps exist
- Age of existing collection
- Level of production – reading level, knowledge level and/or purpose of the item
- Maintenance of a series of books
- Cost]*

**This portion of the Children's/Young Persons category will be revised and updated as time permits*

Percentage

The recommended percentage for the children's and young persons collection by the *LIANZA Standards for New Zealand Public Libraries*, 2002 is 25-30% per library.

Videos, CDs and other Audio-visual Formats

Objective

To provide a relevant collection of audio-visual materials for the main library user groups where possible.

Criteria

- Selection will be largely through donation
- Purchases shall be limited to popular areas with emphasis on non-fiction/informational videos
- No commercial videos will be purchased unless they fit the following:
 - Relate directly to a work of literature
 - Are free from any copyright implications

Percentage

There is no standard percentage for audio visual materials recommended by the LIANZA or National Library of New Zealand. The Wairarapa Library Service will adopt a percentage of 5%.

Magazines and Newspapers

Objective

To ensure that a range of magazines and newspapers are made available to the users of the Wairarapa Library Service. All local newspapers will be kept by each library for at least two months.

Criteria

- Subject suitability
- Cost
- Local interest

Percentage

There is no standard percentage for magazines recommended by LIANZA or the National Library of New Zealand. The percentage to be adopted by the Wairarapa Library Service is inclusive with the non-fiction percentage given above. As this category is treated as non-capital expenditure by both Council's it need not be considered in budget considerations as other percentages.

Local History

Objective

To ensure that at least one copy of books and publications related to the Carterton and South Wairarapa is kept for reference purposes at each library. Special emphasis should be given to those related to the specific area served by each individual library.

Criteria

- One copy of any book related to the history, geography or biography of the Carterton and South Wairarapa Districts will be purchased by each of the libraries in the Wairarapa Library Service.
- A second lending copy of books related to the specific area of the individual library will be kept.
- Books on the wider Wairarapa region will be kept as part of the local history collection, on merit, in at least two libraries of the Wairarapa Library Service.

Percentage

There is no recommended percentage for local history set by LIANZA or the National Library of New Zealand. This is included with reference.

Reference

Objective

To ensure that users of the Wairarapa Library Service can gain quick and accurate access to very specific information through the maintenance of a current reference collection.

Criteria

- Standing of the individual publication
- Covers an area of need either through user requirement or identified gap
- Accuracy of information
- Ease of use
- Appropriateness for age group
- Cost
- Specialist collecting area (see Appendix D)
- Falls into required texts (see Appendix E)

Percentage

The percentage adopted by the Wairarapa Library service is 5%.

Stack Room

Objective

[Yet to be developed]

Interloan

Interloan should not be seen as an alternative to maintaining a good and relevant collection for the Wairarapa Library Service. The Interloan charter clearly outlines this as a responsibility of libraries. For details on the libraries interloan policy refer to the *Wairarapa Library Service Interloans Policy*.

Should a book be inter-loaned more than three times in any one calendar year then that title should be considered for purchase. The responsibility for purchase should be that of the individual library with the most interloan requests. If this is unclear then the responsibility should be negotiated between the librarians who have requested the title.

Age and/or the transitory nature of the subject covered may influence any decision to purchase any title that falls into this interloan category.

**CARTERTON DISTRICT COUNCIL
DISTRICT LICENSING AGENCY
RELEVANT CRITERIA/LEGISLATIVE REQUIREMENTS**

To be Read in Conjunction with Policy Statement

Introduction

The object of the Sale of Liquor Act includes the statement “to establish a reasonable system of control over the sale and supply of liquor to the public with the aim of contributing to the reduction of liquor abuse, so far as that can be achieved by legislative means.....” The object of the Act further requires that every District Licensing Agency “... shall exercise its jurisdiction, powers, and discretions under the Act in the manner that is most likely to promote the object of this Act”.

The District Licensing Agency therefore has a role to play in the reduction of liquor abuse through its responsibilities and obligations under the Sale of Liquor Act. The Council believes that the key to achieving the aims of the Act is in the promotion of responsible attitudes of both licensees and the public in achieving a mature approach to liquor consumption.

The District Licensing Agency carries out its role in conjunction with the other statutory agencies pursuant to the Act, the Police and the Public Health Service of Choice Health.

Object and Content of the Policy

The purpose of the Sale of Liquor Policy is to clearly define the Council’s attitude to an administration of its responsibilities pursuant to the Act. The policy defines the parameters, which guide liquor licensing within the district and specify how the District Licensing Agency will carry out its statutory functions. The policy contains guidelines in respect of the hours of operation of licensed premises in or adjacent to residential areas, criteria for the reporting on and approval of licence applications and renewals, enforcement procedures, communication between the various sectors and strategies aiming to reduce liquor abuse.

1.1 A “Proactive” Approach to Liquor Licensing

The Carterton Regulatory Agency in conjunction with South Wairarapa and Masterton agencies carries out a proactive approach to liquor licensing which includes working with the industry and carrying out promotional activities and strategies encouraging compliance with the legislation and the creation of safe drinking environments. The agency believe this approach reduces the need for enforcement action at a later date and is more cost effective.

The projects and strategies carried out by the agency targets the industry and general public.

1.2 The Public Role in the Licensing Process

The District Licensing Agency and its regulatory partners encourage public input to the licensing process. Efforts have been made over a number of years to make the general public more aware of the role of the District Licensing Agency (ie. the Council) in the licensing process by way of newsletters, various publications disseminated to licensed establishments. The District Licensing Agency will continue with efforts to ensure the general public is aware of its role and functions.

2.1 Alcohol Health Promotion and Communication

The District Licensing Agency recognises that, rightly or wrongly, alcohol is part of the New Zealand social fabric and that the general public and the individual have a responsibility in respect of maintaining a healthy attitude to alcohol consumption. The Sale of Liquor Act provides a legislative basis. However initiatives from statutory agencies, stakeholder groups such as ALAC and the industry (groups such as HANZ, SCANZ etc) also encourage a healthy public and industry attitude to alcohol and the reduction of liquor abuse.

The District Licensing Agency in collaboration with its regulatory partners, the Police and the Public Health will continue to carry out strategies promoting a responsible attitude towards the use of alcohol with the public and industry.

Strategies will be targeted at specific groups that are appropriate from time to time, including:

2.2 Youth as a primary target with parents and other adults as a secondary target

Strategies will encourage moderation and responsibility with alcohol as well as affirming those who choose not to drink. Strategies will also target the secondary audience of parents, caregivers and other adults by emphasising responsibility in respect of the supply of *alcohol (and the impact of adult role models)* to minors.

2.3 The General Public

Strategies will also emphasise moderation, responsibility and respecting other people and their rights. The general public need to be aware of the requirements of the Act.

2.4 Licensees and their staff

Strategies promoting awareness of licensee and staff responsibilities under the Act will continue. Strategies include the provision of information and advice in respect of licensees and licensed premises staff awareness of and compliance with the legislative requirements.

2.5 Staff of District Licensing Agency and other agencies or organisations involved in the licensing process

In order to carry out their functions and responsibilities in accordance with the act it is essential for staff of the District Licensing Agency and other organisations to be aware of, and up to date with the requirements of the Sale of Liquor Act, along with other relevant legislation or regulations.

2.6 Communication

Communication is a key tool in the local licensing process, so it is essential that all parties involved communicate regularly, and are working towards similar common goals within the bounds of their own legislative or association requirements and purposes. The District Licensing Agency will continue to work with its partners defined by legislation as well as working in a close and co-operative manner with other relevant bodies and groups including ALAC, HANZ and SCANZ, South Wairarapa and Masterton District licensing agencies.

3.1 Host Responsibility

Host Responsibility is a statutory requirement of the Act. The principles of host responsibility include the promotion and availability of low and non alcohol drink and food, serving alcohol with care and responsibility, responsible approaches to dealing with intoxicated and underage people and information about safe transport options. The Liquor Licensing Authority or District Licensing Agency can impose other conditions it considers appropriate to promote the responsible consumption of liquor. The Carterton District Licensing Agency requires a written Host Responsibility Policy detailing the premises approaches to the above matters in respect of all licence and renewal applications.

4.1 Alcohol Promotions

Pursuant to the Act a licensee or manager of a premises commits an offence if they do anything in the promotion of the business conducted on the premises or in the promotion of any event or activity held or conducted on the premises that is likely to encourage persons on the premises to consume alcohol to an excessive extent.

A “National Protocol on Alcohol Promotions” has been distributed to all regulatory and licensees to assist in providing some nationally consistent guidelines. These guidelines have been prepared by national industry and statutory agencies with input from all relevant groups.

5.1 Evidence of Age Documents

Recognised evidence of age documents pursuant to the Act are a passport, NZ photo drivers licence or a HANZ 18+ card. Any other form of photo ID may not be a reasonable defence pursuant to the Act. The regulatory agency strongly recommends that all premises accept only a passport, NZ photo drivers licence or HANZ 18+ card for age verification.

6.1 Breweries

Breweries (and wineries) wishing to sell liquor to members of the public need to obtain either On or Off licences in accordance with the Act.

The District Licensing Agency recognises that breweries/wineries should also be a partner in any activities or initiatives with the objective of reducing liquor abuse. It is important that breweries/wineries maintain a responsible public role, particularly in the promotion of their products. Breweries/wineries also have significant influence on the target groups of the projects carried out by the agencies. The agencies will therefore endeavour to work with breweries/wineries as partners in promotions and strategies targeting the responsible use of liquor.

Brewery/winery representatives should be aware of and encourage compliance with the guidelines set down in the National Protocol on Alcohol Promotions.

7.1 The Brewing Process

Functions of the District Licensing Agency (DLA) and the Liquor Licensing Authority (LLA)

Pursuant to the Act the functions of the District Licensing Agency (Council) and the Liquor Licensing Authority are as follows:

7.2 Functions of the District Licensing Agency include:

- **Determining unopposed applications for On, Off and Club licences and managers certificates and renewals.**
- **Determining temporary authority applications (On/Off licences).**
- **Varying conditions of On, Off and Club licences (if conditions imposed by DLA).**
- **Determining caterers and auctioneers Off licence applications.**
- **Determining applications for special licences.**
- **Appointing one or more Licensing Inspectors.**

7.3 Functions of the Licensing Inspector Include:

- **Reporting on all applications for licences and managers certificates and renewals to the DLA or LLA.**
- **Monitoring licensed premises compliance within the requirements of the Act and reporting to the DLA or LLA.**
- **Power of entry to any licensed premises at any reasonable time (the inspector must carry a warrant of appointment).**
- **Ability to require to see the premises' licence or any records reasonably required to establish compliance with the Act.**
- **Ability to apply to the Licensing Authority for the variation, suspension or cancellation of a licence.**

7.4 Functions of the Liquor Licensing Authority include:

- **Determining opposed applications for On, Off and Club licences and renewals and managers certificates referred to it by District Licensing Agencies (DLAs).**
- **Determining appeals arising from decisions of DLAs.**
- **Giving direction on sale of liquor matters to DLAs.**
- **Determining applications for variation, suspension or cancellation of On, Off or Club licences and managers certificates from the Police or a Licensing Inspector.**

- **Considering the suspension or cancellation of licences in respect of certain offences (relating to sale and supply of liquor to minors, unauthorised sale or supply, sale or supply to intoxicated persons or allowing persons to become intoxicated) referred to them by the Police.**

7.5 The Licensing Process of the District Licensing Agency

Full details on the application process and information required with licence applications is available from the District Licensing Agency at the Carterton District Council. This information includes the specific details to be supplied with a licence application and explains the issues that a licence applicant must address. Applicants should be familiar with the Sale of Liquor Act and the information that is available.

The District Licensing Agency is responsible for the functions detailed above. This section of the policy details how the District Licensing Agency will carry out those functions in a transparent and accountable manner. Where appropriate some powers and duties of the District Licensing Agency have been delegated to staff in accordance with section 104 of the Act.

7.6 The Political Function

The District Licensing Agency will operate in accordance with this Policy adopted by the Carterton District Council. The District Licensing Agency Committee (Policy & Hearings Committee) will meet on an as required basis. This Committee operates within the overall Council Policy and is delegated to consider opposed special licence or temporary authority applications or other applications that fall outside the parameters of the Policy.

7.7 The Administrative Role

The administrative role is the responsibility of the Regulatory Officer and includes receiving all liquor licence and certificate applications, checking for completeness and accuracy and referring applications to the Licensing Inspector, Police and Medical Officer of Health for consideration. All reports and any objections raised are collated and checked to ensure that all aspects of the reporting and application process have been followed.

7.8 The Inspectorial Role

The Inspectorial role is the responsibility of the Environmental Health Officer. The Council's Environmental Health Officer is appointed as Licensing Inspector pursuant to the Act. The Inspector reports on all applications for licences, managers certificates and renewals. The Environmental Health Officer is also responsible for the monitoring and enforcement requirements of the legislation in conjunction with the other statutory agencies.

7.9 The DLA Secretarial Role

It is considered appropriate in the light of the present staff structure that the Planning & Regulatory Manager have delegated authority to carry out the functions of Secretary on behalf of the District Licensing Agency. All applications are forwarded to the Secretary. The applications are checked for compliance with the legislation and Council Policy. If there are no objections or matters in opposition and the application complies with the legislation and the Policy, the licence is issued in accordance with the delegated authority. If the application does not comply with the Policy, it is referred to the Policy & Hearings Committee for consideration. The Secretary is responsible for the co-ordination of the licensing activities and to ensure that relevant applications are submitted to the Policy & Hearings Committee or the Liquor Licensing Authority where appropriate.

All opposed applications (ie where an objection has been lodged by a member of the public) and applications to which the Licensing Inspector, Police or Medical Officer of Health have raised a matter in opposition are referred to the Liquor Licensing Authority.

In the absence of the Planning & Regulatory Manager, the role of Secretary for the Carterton District Licensing Agency be sub delegated to the Regulatory Officer.

There is a distinct separation of the inspectorate staff/reporting roles to the functions of the Planning & Regulatory Manager and the Regulatory Officer.

District Licensing Agency Roles in the Licensing Process

A. Council – Policy & Hearings Committee

- **Set the DLA policy and delegations and oversee the licensing process.**

B. DLA Secretary

- **Role carried out by the Manager Planning & Regulatory under delegated authority.**
- **Responsible for administration of and compliance with Sale of Liquor Policy.**
- **Check all applications for compliance with legislation/LLA guidelines and Council policy.**
- **Delegated authority to issue licences that comply with legislation, LLA guidelines and the DLA policy.**
- **Applications referred to DLA Committee or to Liquor Licensing Authority.**
- **Objections/Matters in opposition – referred to Liquor Licensing Authority.**

C. Regulatory Officer

- **Receive applications.**
- **Check for completeness and supporting documentation.**
- **Obtains reports from Inspector and Agencies.**

D. Licensing Inspector

- **Environmental Health Officer warranted as Licensing Inspector.**
- **Inspection and Interview in respect of all licence applications.**
- **Report on all applications.**
- **Appear before DLA Committee and LLA as required.**
- **Enforcement Issues – Monitoring and compliance.**

On Licence Criteria

8.1 Hours of Operation in or adjacent to a Residential Area

The hours of operation are set by the Liquor Licensing Authority or District Licensing Agency after consideration of the reports from the Licensing Inspector, Police Medical Officer of Health and any objections. An application for an On licence must comply with the Resource Management Act before it is lodged, however sometimes additional restrictions in respect of hours of operation are required. This usually relates to the proximity of a licensed premises to a residential area and the nuisance potential which may arise from activities related to the premises. In such instances restrictions may be imposed. Factors in this may be public concern (ie objections) or of concern from officers (ie Police, Licensing Inspector etc).

9.1 Non Residential Areas

While problems may be encountered with all types of licensed premises from time to time, generally problems experienced relate to more the management of the premises rather than the hours they are licensed to operate.

Management of premises operating on a late hour basis need to ensure that they can adequately provide supervision to ensure that problems often associated with a late night licensed premises do not occur or are kept to an absolute minimum. Where problems are encountered with the operation of a late licensed premises, or indeed any premises, the Licensing Inspector, Police or Medical Officer of Health may request the District Licensing Agency or Liquor Licensing Agency to reduce the licensed hours or take other enforcement action.

9.2 Reporting Criteria for Licensing Inspector

The Licensing Inspector's report in respect of an On licence application will take into account the following:

- The nature of the operation
- The suitability of the applicant
- The hours of operation and the proposed activity
- Compliance of the premises with other relevant legislation
- Matters raised in objection to the application
- The applicant's Host Responsibility Policy (includes food, non/low alcohol drink & transport)
- The persons or types of person to whom liquor may be sold pursuant to the licence
- Any other matters in respect of the application promoting the responsible consumption of liquor
- The need to recommend whether or not the licence should be granted and any special conditions/circumstances.

Note:

The Licensing Inspector should have copies of any public objections or matters raised in opposition by the Police or Medical Officer of Health before making a recommendation to the District Licensing Agency or the Liquor Licensing Authority.

9.3 On Licence Renewals

All On licences are required to be renewed after an initial 12 month period and then every three years thereafter. The District Licensing Agency will send a reminder notice to all licensees that their licence is due for renewal. It is however the responsibility of the licensee to ensure that the renewal application is lodged on time.

9.4 On Licence Renewal Criteria

The criteria for which the District Licensing Agency will consider an application for renewal of an On licence includes all relevant matters raised by the Police, Medical Officer of Health or in the Licensing Inspector's report.

Matters considered will include, but not be restricted to, the following:

- Outcomes review of the premises
- Evidence of the sale or supply of liquor to minors, intoxication, behavioural problems, motor vehicle accidents, violence or any other anti-social acts or consequences in which the management of the premises is a factor.
- The adequacy and implementation of the premises Host Responsibility Policy
- Any adverse environmental impact
- Any objections/concerns lodged through the public process or raised by any effected parties

- The approach of the management of the premises to the Act and its requirements, and
- Promotion of the premises and control of liquor abuse. Is the management philosophy in keeping with the spirit of the Act?

In undertaking the outcome review of each premises, the District Licensing Agency and or its inspector may take into account the following:

- Information obtained from any public complaint relating to the premises directly or indirectly
- Information obtained from the Police, Medical Officer of Health, Fire Service or any other body considered appropriate by the Inspector or District Licensing Agency
- Information obtained from any independent study or monitoring commissioned by or undertaken on behalf of the District Licensing Agency
- Any other information/source that the District Licensing Agency deems appropriate
- The suitability of the premises and effects of any variation to the conditions sought by the applicant
- In addition to the above criteria the Licensing Inspector may also take into account the required reporting criteria for On licence applications

Off Licence Criteria

10.1 Hours of Operation in or Adjacent to a Residential Area

The hours of operation are set by the Liquor Licensing Authority or District Licensing Agency after consideration of the reports from the Licensing Inspector, Police and any objections. An application for an Off licence must comply with the Resource Management Act before it is lodged, however sometimes additional restrictions in respect of hours of operation are required. This usually relates to the proximity of a licensed premises to a residential area and the nuisance potential which may arise from activities related to the premises. In such instances restrictions may be imposed. Factors in this may be public concern (ie objections) or concern from the Police, Licensing Inspector etc.

The District Licensing Agency notes that there is a difference between “Stand Alone” Off licences (ie a retail liquor shop) and those associated with a hotel or tavern. While the Resource Management Act will ultimately determine whether an application for a stand alone Off Licence in or adjacent to a residential area may be lodged, it is possible that the District Licensing Agency may require more restricted hours than those contained in this Policy.

11.1 Non Residential Areas

A number of premises have Off licences which allow for the sale of takeaway liquor from a bottle store between certain hours (often 9.00 am and 11.00 pm) and over the bar at other times. There is no restriction in the Act to a stand alone Off licence operating outside of these hours (ie 24 hours a day). However as with an On licence, the applicant would need to be able to justify and adequately manage such an undertaking.

Management of premises operating on a late basis need to ensure that they can adequately provide supervision to ensure that problems associated with a late night licensed premises do not occur or are kept at an absolute minimum. Where problems are encountered with the operation of a late licensed premise, or indeed any premise, the Licensing Inspector, or Police may request the District Licensing Agency or Liquor Licensing Authority to reduce the licensed hours or take other enforcement action.

11.2 Reporting Criteria for Licensing Inspector

The Licensing Inspector’s report in respect of an off licence application will take into account the following:

- **The nature of the operation**
- **The suitability of the applicant**
- **The hours of operation and the proposed activity**
- **Compliance of the premises with other relevant legislation**
- **Matters raised in objection to the application**
- **Any other matters in respect of the application promoting the responsible consumption of liquor**
- **The need to recommend whether or not the licence should be granted and any special conditions/circumstances**

Note:

The Licensing Inspector should have copies of any public objections or matter raised in opposition by the Police before making a recommendation to the District Licensing Agency or the Liquor Licensing Authority.

11.3 Off Licence Renewals

All Off licences are required to be renewed after an initial 12 month period and then every three years thereafter. The District Licensing Agency will send a reminder notice to all licensees that their licence is due for renewal. It is however the responsibility of the licensee to ensure that the renewal application is lodged on time.

11.4 Off Licence Renewal Criteria

The criteria for which the District Licensing Agency will consider an application for renewal of an off licence includes all relevant matters raised by the Police or in the Licensing Inspector's report.

Matters considered will include, but not be restricted to, the following:

- **Outcomes review of the premises**
- **Evidence of the sale or supply of liquor to minors or intoxicated persons, or any other consequences in which the management of the premises is a factor.**
- **The adequacy and implementation of the premises Host Responsibility Policy**
- **Any adverse environment impact**
- **Any objections/concerns lodged through the public process or raised by any effected parties.**
- **The approach of the management of the premises to the Act and its requirements, and**
- **Promotion of the premises and control of liquor abuse. Is the management philosophy in keeping with the spirit of the Sale of Liquor Act?**

In undertaking the outcome review of each premises, the District Licensing Agency and or its Inspector may take into account the following:

- **Information obtained from any public complaint relating to the premises directly or indirectly**
- **Information obtained from the Police, Medical Officer of Health, Fire Service or any other body considered appropriate by the Inspector or District Licensing Agency**
- **Information obtained from any independent study or monitoring commissioned by or undertaken on behalf of the District Licensing Agency**

- Any other information/source that the District Licensing Agency deems appropriate
- The suitability of the premises and effects of any variation to the conditions sought by the applicant
- In addition to the above criteria the Licensing Inspector may also take into account the required reporting criteria for Off licence applications

11.5 Supermarkets and Grocery Stores – Off Licences

The act provides for supermarkets or grocery stores which meet certain criteria to hold an Off licence to sell wine and beer. The District Licensing Agency when considering an application from such premises will take into account all criteria listed in the Policy relating to other Off licence applications.

11.6 Host Responsibility – Off Licences

Off licensed premises should also have their own Host Responsibility Policy. While it is obvious that the requirements for an Off licence are considerably different from that of an On or Club licence, the District Licensing Agency believe that Off licence premises should have its own Host Responsibility Policy appropriate to its particular operation. The Host Responsibility Policy for an Off licence premises should include requirements such as measures to ensure that sales to minors or intoxicated persons do not take place as well as other measures aimed at reducing alcohol abuse, like the availability and promotion of low alcohol beers, non-alcoholic drinks, and the display of appropriate cautionary measures.

Club Licence Criteria

12.1 Hours of Operation

The hours of operation are set by the Liquor Licensing Authority or District Licensing Agency after consideration of the reports from the Licensing Inspector, Police, Medical Officer of Health and any objections. An application for a Club licence must comply with the Resource Management Act before it is lodged, however sometimes additional restrictions in respect of hours of operation are required. This usually relates to the proximity of a licensed premises to a residential area and the nuisance potential which may arise from activities related to the premises. In such instances restrictions may be imposed. Factors in this may be public concern (ie objections) or concern from the Police, Licensing Inspector etc.

This is of particular relevance to Club licences, as a significant number of clubs are in or adjacent to residential areas. The sale of liquor must be ancillary to the club's activities and the licensed hours must also be relevant. Because of the diversity of activities and locations of clubs, it is not practical to impose specific restrictions in respect of types of clubs in residential or non residential areas. Generally though, there are recommended hours of operation for club premises which are the parameters within which most Club licences should fall.

12.2 Reporting Criteria for Licensing Inspector

The Licensing Inspector's report in respect of a club licence application will take into account the following:

- The nature and activities of the club
- The size and membership and degree of social activities
- The hours of operation and their relevance to the club's prime activity
- Compliance of the premises with other relevant legislation
- Matters raised in objection to the application
- The club's Host Responsibility Policy (includes food, non/low alcohol drink & transport)
- The persons or types of person to whom liquor may be sold pursuant to the licence
- Any other matters in respect of the application promoting the responsible consumption of liquor

- The need to recommend whether or not the licence should be granted and any special conditions/circumstances
- Are the club premises on Council or Reserve property with any special conditions applying?

Note:

The Licensing Inspector should have copies of any public objections or matters raised in opposition by the Police or Medical Officer of Health in their reports before making a recommendation to the District Licensing Agency or the Liquor Licensing Authority.

12.3 Club Licence Renewal

All Club licences are required to be renewed after an initial 12 month period and then every three years thereafter. The District Licensing Agency will send a reminder notice to all licensees that their licence is due for renewal. It is however the responsibility of the club to ensure that the renewal application is lodged on time.

12.4 Club Licence Renewal Criteria

The criteria under which the District Licensing Agency will consider an application for renewal of a Club licence will include all relevant matters raised by the Police, Medical Officer of Health or in the Licensing Inspector's report.

Matters considered will include, but not be restricted to, the following:

- Outcomes review of the premises
- Evidence of the sale or supply of liquor to minors, intoxication, behavioural problems, motor vehicle accidents, violence or any other anti-social acts or consequences in which the management of the premises is a factor.
- The adequacy and implementation of the premises Host Responsibility Policy
- Any adverse environmental impact
- Any objections/concerns lodged through the public process or raised by any effected parties
- The approach of the management of the premises to the Act and its requirements, and
- Promotion of the premises and control of liquor abuse. Is the management philosophy in keeping with the spirit of the Act?

In undertaking the outcome review of each premises, the District Licensing Agency and or its Inspector may take into account the following:

- Information obtained from any public complaint relating to the premises directly or indirectly
- Information obtained from the Police, Medical Officer of Health, Fire Service or any other body considered appropriate by the Inspector or District Licensing Agency
- Information obtained from any independent study or monitoring commissioned by or undertaken on behalf of the District Licensing Agency
- Any other information/source that the District Licensing Agency deems appropriate
- The suitability of the premises and effects of any variation to the conditions sought by the applicant
- In addition to the above criteria the Licensing Inspector may also take into account the required reporting criteria for Club licence applications

Special Licences

13.1 What is a Special Licence?

A Special licence can be issued pursuant to either Section 73 or 74 of the Act. A Special licence issued under Section 73 authorises the holder of the licence to sell and supply liquor on the premises or conveyance described in the licence to anyone attending any occasion or event or series of occasions or events described in the licence.

A Special licence issued under Section 74 authorises the holder of an On or Club licence to sell and supply liquor for consumption on the premises, at any time when the premises are required to be closed for the sale of liquor, to persons attending social gatherings of any kind specified in the licence.

13.2 “Occasion or Event or a Series of Occasions or Events” and “Social Gatherings”

An occasion or event or series of occasions or events can be any lawful purpose. A social gathering must involve people sharing a common interest with the principal activity of the function being something other than the consumption of liquor. There is a need to separate an “occasion or event or series of occasions or events” and “social gatherings” from a regular activity that would be covered by an On, Off or Club licence.

This Policy endeavours to define the legitimate use of a Special licence and the point at which the activity is one for which an On, Off or Club licence should be sought. This is a general policy only and should be applied in respect of the merits of each particular Special licence application.

13.3 *Private Social Gatherings on Licensed Premises*

If a private social gathering (eg a wedding or birthday party) is being held on a licensed premises outside the hours or conditions of the licence and the host of the function is giving the liquor to their guests and paying the licensee for the cost afterwards, the person selling the liquor (ie the licence holder) requires a Special licence.

13.4 Special Licence Procedure

- **All applications for Special licences should be submitted at least 10 working days prior to the event. Applications received later than 10 days prior to the event will be accepted and processed only where, in the opinion of the District Licensing Agency Secretary or a delegated officer, if it is practicable to do so.**
- **All applications for Special licences will be referred to the Police and Licensing Inspector for reports as required by the Act**
- **Where the District Licensing Agency (Secretary or delegated officer) consider it appropriate the Medical Officer of Health may also be consulted and requested to comment on a particular special licence application.**
- **The Secretary of the District Licensing Agency (or delegated officer) may require public notice of a Special licence application**
- **Where there are no objections or matters raised in opposition by the Licensing Inspector or Police, the Special licence will be granted subject to any conditions imposed by the District Licensing Agency**
- **Where there are any objections or the Licensing Inspector or Police raise any matters in opposition to a Special licence application, the applicant will be advised and given a copy of the relevant report.**
- **The applicant will also have the opportunity to meet with the Licensing Inspector and Police in order to resolve any matters in opposition before the application proceeds to a public hearing**

13.5 Reporting Criteria for Licensing Inspector

The Licensing Inspector's report in respect of a Special licence application will take into account the following:

- **The nature of the event for which the licence is being sought**
- **The suitability of the applicant**
- **The hours of operation and the proposed activity**
- **Compliance of the premises with other relevant legislation**
- **Matters raised in objection to the application**
- **Any other matters in respect of the application promoting the responsible consumption of liquor**
- **The need to recommend whether or not the licence should be granted and any special conditions/circumstances**

13.6 Hours for Special Licences

The Carterton District Licensing Agency does not have a policy imposing general restrictions on the hours of operation for Special licence events. However restrictions on hours will be imposed if the District Licensing Agency consider it appropriate in respect of any environmental or other considerations which may require constraints on the hours of operation. Such issues may be raised by the Licensing Inspector, Police or other relevant effected parties.

13.7 Designation of Areas for Special Licences

The District Licensing Agency may require that a particular area in respect of a Special licence be designated either a restricted or supervised area in accordance with the Act. The District Licensing Agency may impose such a designation after consultation or upon recommendation from the Licensing Inspector or Police.

13.8 Certified Manager in Attendance

The Carterton District Licensing Agency may require, as a condition of a Special Licence, that the holder of a General or Club Manager's Certificate be responsible for the sale of liquor under that licence.

Managers Certificate Criteria

14.1 New Applications

The Act defines the process for considering applications for Managers Certificates. Unopposed applications are considered by the District Licensing Agency while applications that are opposed by the Licensing Inspector or Police are referred to the Liquor Licensing Authority. The DLA or LLA must have regard to the following matters when considering an application for a manager's certificate:

- **The applicant's character and reputation**
- **Any criminal convictions**
- **Experience, in particular recent experience, in the control of a licensed premises**
- **Training, in particular recent training that the applicant has undertaken**
- **Issues raised by the reports from the Inspector and the Police**
- **For Club Managers applications, the DLA will also consider their involvement in the club's activities**

Applications for Managers Certificates are referred to the Licensing Inspector and Police for reports. The Licensing Inspector and Police will report to the District Licensing Agency on the suitability of the applicant in respect of the above criteria.

14.2 Manager's Certificate Renewals

Applications for renewal of Manager's Certificates are also referred to the Licensing Inspector and Police for reports. The Licensing Inspector and Police will consider any matters brought to their attention in respect of the individual's performance during the term of the certificate in regard to the above criteria. Where there are no matters raised in opposition by the Licensing Inspector or Police the application will be approved by the District Licensing Agency. Where any matters are raised in opposition the application will be referred to the Liquor Licensing Authority.

14.3 Prescribed Qualifications

- In order for an individual to hold a General Managers Certificate after 1 December 2002 the individual must submit evidence of holding a prescribed qualification.**
- All applications for a General Managers Certificate lodged after 1 December 2002 must be accompanied by evidence of the applicant holding a prescribed qualification.**
- All applications for three yearly renewals of General Managers Certificates extending beyond 1 December 2002 must also submit evidence of the applicant holding the prescribed qualification.**
- If such evidence is not provided the District Licensing Agency will only renew the General Managers Certificate to 30 November 2002.**
- A prescribed qualification is a qualification or requirement listed at a particular time in the Sale of Liquor Regulations or advised by the Liquor Licensing Authority.**
- For Club Managers Certificate applications or General Managers Certificate applications in the period up to 30 November 2002 the District Licensing Agency will only issue certificates where the applicant has submitted evidence of having completed a course approved by the District Licensing Agency or in accordance with advice issued from the Liquor Licensing Authority.**

15.1. Enforcement Procedures

The District Licensing Agency is involved in the enforcement of the Act and works closely with the Police and other agencies such as the Public Health Service. The agencies generally pursue a consultative approach to enforcement issues with licensees having an opportunity to address issues of concern before the agencies will refer a matter to the District Court or the Liquor Licensing Authority.

The Sale of Liquor Amendment Act 1999 has lowered the minimum drinking age to 18, introduced an "evidence of age" document and significantly increased penalties for particular infringements which are referred to in section 132A of the Act. These particular infringements are:

- Sale or supply of liquor to minors**
- Sale or supply of liquor to intoxicated persons**
- Allowing a person to become intoxicated**
- Unauthorised sale or supply**

This places a significant responsibility on licensees to comply with the legislation and the regulatory agencies to monitor and enforce it. To be effective the approach of agencies which is reflected in this policy needs to be clear and consistent. The regulatory agencies and the industry should have a clear understanding of their responsibilities and the expectations upon them.

15.2 Enforcement Procedure for “Section 132A” Category Offences

- **Where the enforcement agencies are satisfied that one of the following offences has been committed they will charge the licensee or manager or other person (not being a licensee or manager) accordingly.**

Sale or supply of liquor to minors

Sale or supply of liquor to intoxicated person

Allowing a person to become intoxicated

Unauthorised sale or supply

- **If the licensee or manager or other person is prosecuted in the District Court then the Police are obliged to advise the Liquor Licensing Authority under section 132A. The Liquor Licensing Authority must then immediately consider whether to hold a hearing or to adjourn the hearing to allow the licensee to remedy the situation.**

15.3 Enforcement Procedure for other offences under the Sale of Liquor Act

Where the agencies are aware of an enforcement issue with a licensed premises the following actions will be taken:

- **The licensee will be requested to meet with representatives of the District Licensing Agency and Police to discuss any enforcement issues or infringements of the Act. This meeting will identify solutions or action that should be taken in order to rectify the situation.**
- **The District Licensing Agency will document the meeting, noting any infringements of the Act that may have taken place, noting the issues raised with the licensee and the action that the District Licensing Agency and/or the Police require in order to remedy the situation.**
- **Copies of documentation of the meeting and any related correspondence are placed on licensee’s records for future reference.**
- **Ongoing monitoring of the premises will continue.**
- **In cases where continual enforcement problems are encountered without satisfactory remedial measures being undertaken by the licensee the District Licensing Agency will take further action under the enforcement provisions of the Act. These include application for a variation, suspension, or cancellation of a licence under Section 132 of the Act, or the suspension, or cancellation of a Manager’s Certificate under Section 135. In addition the Fire Service and Medical Officer of Health may request the suspension of a licence for non compliance with public health or fire safety requirements.**

15.4 Infringement Notices

Where the Police have issued infringement notices in respect of minors being on licensed premises illegally or having purchased liquor from a licensed premises the regulatory agencies will give serious consideration to taking enforcement action in accordance with section 17.1 or 17.2 of the Policy.

**CARTERTON DISTRICT COUNCIL
DISTRICT LICENSING AGENCY
SALE OF LIQUOR POLICY**

1. The Carterton District Licensing Agency will continue to inform the public on liquor issues generally with a particular emphasis on
 - Awareness of the District Licensing Agency and its role and
 - Awareness of the public responsibility in ensuring a responsible approach to liquor consumption.
2. The Carterton District Licensing Agency maintains a continuing public awareness and communication role targeting the above mentioned groups, with a view to increasing public awareness of the need for moderation in alcohol consumption and a high level of compliance with legislative requirements.
3.
 - All licensed premises are required to have a written operative Host Responsibility policy, which is to be observed at all times.
 - A copy of the premises current Host Responsibility policy must be submitted to the District Licensing Agency with all On, Off and Club licence renewal applications.
4.
 - The regulatory agency in Carterton endorses the national protocol and request all licensees carry out promotions or activities in accordance with the protocol.
 - Where the agencies consider that an activity or promotion infringes the Act the enforcement procedures as detailed in section 15.3 of the Criteria/Legislative Requirements Statement will apply.
5. That all licensees are encouraged to require evidence of age documents (passport, NZ photo drivers licence or HANZ 18+ card) for age verification purposes. The agency will take practicable steps to actively encourage the use of evidence of age documents.
6.
 - The District Licensing Agency will encourage breweries/wineries operating in the Carterton District to carry out all promotions or sponsorship activities in a responsible and balanced manner.
 - The District Licensing Agency will encourage participation from the breweries/wineries in projects and strategies targeting moderation and responsibility with li
7.
 - That the Planning & Regulatory Manager be given delegated authority to carry out the functions of Secretary for the Carterton District Licensing Agency. This delegation not to relate to any issues under any of the sub clauses which requires public hearing in which case the matter be referred to the Policy and Hearings Committee.

For the purpose of any public hearing required for an application, any three members of the committee be granted delegated authority to make a decision on any such application. Determination of the hearing members be determined by the Committee Chairperson, Mayor and Planning & Regulatory Manager.
 - That in the absence of the Planning & Regulatory Manager, the Regulatory Officer be given sub delegated authority to carry out the functions of Secretary for the Carterton District Licensing Agency.
8. That in general there be a restriction on the operation of an On licence premises in or adjacent to residential areas as follow:

Sunday to Friday 10.00 am – 12.00 midnight

Saturday 10.00 am – 12.00 midnight

These hours are intended as a guideline only and may be modified by the District Licensing Agency, taking each individual situation into consideration.

9. The Carterton District Licensing Agency will not impose any general restrictions on the hours of operation in non residential areas, but will consider each application on its merits taking into consideration any issues raised by the reports submitted by the Licensing Inspector, Police or Medical Officer of Health.

Note:

“Residential” and “non residential” referred to above are not definitions from the Council’s District Plan. For the purpose of this Policy a residential area can be “an area where in the opinion of the Licensing Inspector, Police Medical Officer of Health the establishment or operation of licensed premises may have an adverse impact on residential habitat”. For example: a licensed premises may be located in a non residential area, however the effect of traffic travelling to and from the premises through an adjacent residential area could have a detrimental effect on that adjacent residential area.

10. That in general there be a restriction on the operation of Off licence premises in or adjacent to residential areas as follows:

Sunday to Friday 10.00 am – 12.00 midnight

Saturday 10.00 am – 12.00 midnight

These hours are intended as a guideline only and may be modified by the District Licensing Agency, taking each individual situation into consideration.

11. The Carterton District Licensing Agency will not impose any general restrictions on the hours of operation in non residential areas, but will consider each application on its merits taking into consideration any issues raised by the reports submitted by the Licensing Inspector, Police or Medical Officer of Health.

Note:

“Residential” and “non residential” referred to above are not definitions from the Council’s District Plan. For the purpose of this Policy a residential area can be “an area where in the opinion of the Licensing Inspector, Police Medical Officer of Health the establishment or operation of licensed premises may have an adverse impact on residential habitat”. For example: a licensed premises may be located in a non residential area, however the effect of traffic travelling to and from the premises through an adjacent residential area could have a detrimental effect on that adjacent residential area.

12. That in general the hours of operation for Club licence premises must fall within the following parameters:

Sunday to Friday 8.00 am – 12.00 midnight

Saturday & Public Holidays 8.00 am – 1.00 am the following day

These are not standard hours and the Licensing Inspector or District Licensing Agency will consider each particular application on its merits.

13.

- An occasion or an event can be any identifiable event and should be outside the usual or regular activities of an On, Off or Club licensed premises.
- A series of occasions or events is defined as a series of related events or activities which has specified beginning and end points.
- A special licence can be used for any lawful activity that does not fall into the regular activity of any other category of licence specified in the Act.
- A Special licence will not be issued where, in the opinion of the District Licensing Agency, the extent or regularity of the activity is such that an On, Off or Club licence is required by the Act
- In all cases the supplier of alcohol to be sold under the Special licence must be the applicant

14. The District Licensing Agency will grant applications for Managers Certificate Applications in circumstances where:

- The Licensing Inspector and Police have reported on the application in accordance with the specified criteria and have raised no matters in opposition, and
- The applicant has submitted proof of having obtained any prescribed qualifications

The District Licensing Agency will renew Managers Certificates in circumstances where:

- The Licensing Inspector and Police have reported on the application in accordance with the specified criteria and have raised no matters in opposition, and
- The applicant has submitted proof of having obtained any prescribed qualifications

STOCK MOVEMENT POLICY

Council recognises that farming constitutes a significant sector of the Carterton district, and that it makes an important contribution to the region in social and economic terms. The purpose of this policy is to accommodate the changing environmental and road usage patterns, without placing unnecessary interference on farming operations that could affect farm viability.

Frequent crossings of roads by dairy herds causing damage to surfaces due to the aggressive action of animal excrement and the concentration of wear and tear on a narrow section of road, is a source of concern to the Council.

The most preferable means of shifting stock on a regular basis from one side of a road to the other is by way of a stock underpass. Existing crossings may be required to be upgraded. Options will be discussed with farmers based on their individual circumstances.

Farmers extending their operations and contemplating the purchase of neighbouring properties which may be separated from their existing farm by a road, another property, a water course or other form of division, or farmers negotiating to purchase farm properties which may already be separated in that way, should give serious consideration to the manner in which the operation is to be conducted and plan to reduce the use of public roads for the passage of stock.

The Purpose of the Carterton District Council Stock Movement Policy, is:

- To minimise the potential danger and damage that stock may cause to roads and road users.
- To provide guidelines which enable farmers to continue with their farming activity but will minimise damage to carriageways caused by animal excrement and mud etc carried on animals hooves, and will minimise inconvenience, nuisance, and potential danger to motorists and other road users.
- To inform property owners of their responsibilities and obligations.

Objectives:

- The safety of all road users
- The protection of the structure and surface of roads
- To encourage farmers to protect road surface from stock excrement and mud by some means.
- The prevention of roads being used as stock races on a regular basis.
- To encourage farmers to install underpasses where practical and possible, as a more preferable means of shifting stock from one side of the road to another on a regular basis.
- To encourage farmers extending their operations and contemplating the purchase of neighbouring properties which may be separated from their existing farm by a road, another property, a water course, or other form of division, to give serious consideration to the manner in which the operation is to be conducted, and plan to reduce the use of public roads for the passage of stock on a regular basis.

All farmers must consider the need to comply with Regional Council requirements regarding discharges for any wash down facilities.

All stock movements shall be in compliance with the conditions as set in the Carterton District Council Stock Movement Guidelines.

All stock crossings, stock droving, roadside grazing, shall comply with the Carterton District Council Stock Movement Guidelines.

Council assistance in the provisions of approved structures

1.1 Stock underpasses

Where a stock underpass is contemplated Council will provide the following assistance:

- (a) Public notification of road closure during construction and payment of such notification
- (b) Reinstatement of the road above the underpass, cost shall be borne by Council
- (c) Provision and erection of safety rails around the underpass on completion of the work

This Policy should be read in conjunction with the Carterton District Council Stock Movement Guidelines.

This Policy shall be reviewed on an annual basis.

Dated 18th September 2002.

WASTE MANAGEMENT DALEFIELD ROAD LANDFILL ENTRY & FEES POLICY

Introduction

The purpose of this policy is to encourage waste minimisation to reduce the cost of landfill operations, and to provide Carterton district ratepayers and residents with easy access to the landfill within defined parameters.

Qualification for Entry to the Dalefield Road Landfill

- Every urban ratepayer who pays the landfill rate as part of their rate demand will receive an identification sticker.
- All other Carterton district residents on payment of the current landfill rate will receive an identification sticker and entry to the landfill will be at the sticker price.
- People who do not have a landfill identification sticker will pay the “No Sticker” entry charge.

Landfill Opening Days and Hours

The Dalefield Road landfill is open for access to the public as follows:

Tuesdays	11.30 am – 1.30 pm
Thursdays	1.30 pm - 3.30 pm
Saturdays	10.30 am - 1.30 pm
Sundays	1.30 pm - 4.30 pm

Conditions of Entry to the Landfill

- Entry to the landfill site will be restricted to vehicles displaying a current entry identification sticker on their windscreen and after payment of the appropriate fee.
- Any vehicle entering the landfill without a current entry identification sticker permanently affixed to their windscreen will be charged the appropriate “No Sticker” entry fee.

Landfill Entry Charges

In recognition of people who sort their refuse into recyclable components accepted for recycling at the Dalefield Road landfill, an approximate 20% discount on the relevant entry charge will be given for half loads or greater of recyclable material.

Landfill entry charges as at 1 September 2002 are appended to this policy.

Procedures for Obtaining Replacement or Additional Identification Stickers

Ratepayers wanting to obtain additional or replacement identification stickers will be required to provide the Council Administration staff or the Kiosk Operator with the following information:

Additional Sticker

- Name, Current Address and Telephone Number
- Proof of residential address, ie. rate demand or power bill
- Reason for requiring additional sticker, ie. two cars.

Replacement Sticker

- Where a car is sold or a windscreen broken, in addition to the above requirements the owner will need to provide with the following evidence.
 - Change of Ownership
 - Invoice for windscreen replacement.

A fee of \$5.00 will be charged for additional/replacement identification stickers to cover administration costs.

Identification Stickers for Properties with Tenants

Where a property is rented out, it will be the responsibility of the landlord to provide tenants with landfill identification stickers that are available to that property. Landlords will be required to comply with the Procedures for Obtaining Additional Stickers if required by tenants.

Official Council Refuse Bags

Residents will be able to dispose of rubbish bagged and secured in a Carterton District Council Official Refuse Bag free of charge at the landfill on condition that it is deposited where directed by Council's Operator. Recycling of official bags will not be permitted as the disposal cost is built into the cost of the bag.

Conditions of Acceptance of Waste at the Landfill

Most solid waste will be accepted.

- All bagged rubbish must be secure.
- All loose paper must be bagged or tied.
- All waste must be placed where directed by Council's Contractor.

The following will not be accepted.

- Hazardous waste as defined in the Bylaws.
- Liquid Wastes
- Hot Ashes

Concession Tickets

Effective from 1 July 2002 the Council will no longer operate concession passes to the landfill. However ratepayers and residents will be able to purchase 10 trip entry passes to the landfill for convenience.

The above policy and charging regime will be effective from 1 September 2002.

Adopted by the Carterton District Council on 17 July 2002

CARTERTON DISTRICT COUNCIL**APPLICATION FOR ADDITIONAL/REPLACEMENT
DALEFIELD ROAD LANDFILL IDENTIFICATION STICKER**

Charges: **Additional/Replacement Sticker \$ 5.00**
 Rural Ratepayer \$52.50

Full Name:	
Address:	
Telephone No.	

Reason for Requiring Additional/Replacement Landfill Identification Sticker

Signed **Date**

Office Use

No. Sticker/s Issued	
Sticker/s Issued for Valuation Ref.	
Date	
Rec. No.	

VEHICLE CROSSING POLICY

1. A vehicle crossing is defined as extending between the property boundary and the kerb or edge of the seal line.
2. Vehicle crossings shall be installed at the expense of the owner. Any person intending to construct a crossing shall apply to the Council for approval to do the proposed work. All crossings shall comply with the Council standard specification for vehicle crossings, NZ Standard 4404 approach and departure angles, and NZ Standard 4121 (Code of Practice for design for access and use of buildings and facilities by disabled persons). Installations are to be carried out by suitably experienced persons. Applications may be granted subject to any conditions the Council considers necessary to avoid any danger or inconvenience to the public using the road. Conditions will also include that the applicant pay a cash deposit of 10% of the estimated cost of the work as guarantee of completion of such work within 5 working days of commencement of work. Should the work not be completed within 5 working days of commencement, Council will carry out such works as are necessary to complete the work to the appropriate standards, and the cost of this work will be a charge against the property.

Alternatively the property owner may apply to Council for a quotation, and within 10 working days of payment of the quoted value, Council staff will install a crossing to standard.
3. Where the Council has installed the crossing, the Council will be responsible for the maintenance of the crossing for a period of one year following construction (provided that any damage is not as a result of improper use by the property owner) after which time the property owner is responsible for the maintenance of the entire crossing. If the crossing has been installed by a contractor engaged by the owner, then the owner shall be responsible for the maintenance of the crossing from the date of installation. All maintenance works must be to Council standards. Where maintenance works have been carried out on a crossing which are considered to be unsafe, or an inconvenience to the public, the Council will make good the repair at the expense of the owner.
4. Where a lack of maintenance of Council assets contributes to the deterioration of a vehicle crossing, any damage so caused will be restored by the Council at the Council's expense.
5. Where grounding of a vehicle is caused by a vehicle crossing profile which does not comply with the requirements set out in Clause 2, then replacement of the crossing with a suitable profile shall be paid for on a 50/50 cost share basis between Council and the property owner. Such responsibility shall extend to altering driveways and footpaths where it is necessary to lower these to achieve satisfactory access. This clause shall only apply to vehicle crossings which have been properly constructed in the first instance. Property owners who feel that their crossing profile does not comply with these requirements shall apply to Council for an assessment of the crossing. Where the Council finds that the crossing does not comply with these standards, Council will supply a quotation to repair, or reconstruct the crossing. Council will undertake these works within 20 working days of payment of the property owner's share to Council.
6. Where vehicle crossings are affected by Council activities which cause the crossing to no longer comply with NZS 4404, Council will reinstate the crossing to ensure compliance with that standard at Council's expense.
7. Where road reconstruction is proposed which involves kerb and channel, and/or shoulder reconstruction, Council will as far as is practical and economic, improve the access to properties where grounding is a problem.

CATTLESTOP POLICY

Purpose

To develop a policy for the repair and maintenance of cattlestops within the district.

Provision of Cattlestops

The provision of cattlestops in the Carterton District has historically been authorised by the Carterton District Council's predecessors, the Wairarapa South County Council.

Cattlestops were installed by and for the sole benefit of the landowner concerned to prevent stock from wandering. However the policy, although consistent was verbal and never committed to paper.

Maintenance and Repair

No policy has been implemented for the maintenance and repair of existing cattlestop structures. This is reflected in the poor condition of some of the cattlestops.

In the last decade the Carterton District Council has, at the Council's cost, repaired one or two cattlestops which were in very poor condition and represented a safety issue.

Future Maintenance and Repair

Any future maintenance or repair undertaken on cattlestops will be notified to the landowner prior to any work being undertaken.

The landowner will be required to pay in full for the cost of repairs to the cattlestop.

Removal of Cattlestop

Should the landowner not wish to pay for the repair or maintenance of the cattlestop, the structure will be removed and the Council will reinstate the road.

Cattlestop Installations

For future cattlestop installations the landowner must have the cattlestop design and its location approved by Council. Generally the cattlestops shall be constructed 150mm above the surrounding ground or road level and the approaches graded accordingly. The purpose of this is to prevent road runoff draining into the cattlestop.

Minimum Width of Cattlestop

The minimum width of any cattlestop to be installed on a sealed Council road is 6.0 metres, and 4.0 metres on unsealed roads.

Access Gateway

Concurrent with the construction of the cattlestop to be installed a 4.0 metre gateway for stock access and alternative vehicle access shall be erected adjacent to the cattlestop.

Cattlestop Approaches

To ensure that cattlestop installations do not become full of road gravels the road either side of the cattlestop is to be sealed for a distance of 10 metres and for the full width of the road.

The cost of the sealing of the road either side of new cattlestop installations is to be met in full by the landowner.

Payment for Installations, Repair or Maintenance

The payment for any installation of any new cattlestop including the sealing of approaches or the repair and maintenance of any existing cattlestop is to be met in full by the landowner.

Landowners will be advised by Council of any work required to be done on existing structures and will be advised at the time of the cost of any proposed works. If the work only entails the clearing out of the structure the landowner, may on agreement with the Council, be able to undertake the clean out work at not cost to Council.

Any damage done to the cattlestop from the landowner undertaking work on the cattlestop is to be repaired by Council at the landowner's expense.

CLAREVILLE CEMETERY OUT OF DISTRICT BURIAL POLICY

Purpose

This policy sets out the criteria to assess who are legitimately entitled to be interred at Clareville Cemetery . Interments which do not meet the criteria will be categorised as “out of District” burials and will incur an additional charge.

Background

It has been brought to the Councils attention that people residing outside of the District of Carterton are being interred at the Clareville Cemetery due to Carterton having substantially cheaper plot and interment fees than some other District and City Councils.

This means that the ratepayers of Carterton District are subsidising people not residing in the district when they are interred at Clareville Cemetery.

It is common policy for many council’s to address fee discrepancies by incurring an “ Out of District” fee to redress the situation.

Procedure

Criteria to determine Eligibility as a legitimate user.

- 1] That the person is a resident of Carterton District.
- 2] The immediate family of the deceased is living in Carterton District. (Immediate Family is either spouse, father, mother, brother, sister, son or daughter.
- 3] Spouse or immediate family member of the deceased is already interred at the cemetery.
- 4] The deceased hasn’t resided out of the District for more than 5 years.
- 5] At the discretion of the Recreation and Community Services Manager or Chief Executive Officer.

All burials that do not meet any of the above criteria are deemed to be “ Out of District”

The “Out of District” fee will not apply to the interment of ashes.

A double depth plot will only incur one “Out of District” fee due to it occupying one allotted area of land..

Payment

The payment of the fee shall be made

- 1] At the time of plot purchase, or
- 2] When the plot is reserved.

The “Out of District” fee will be determined by Council and is in addition to the existing plot and interment fees. This fee will be reviewed annually during the Annual Plan deliberations.

Adopted by Council 17 July 2002

THE PROTECTED DISCLOSURES ACT A SUMMARY

Introduction

The Protected Disclosures Act better known as the Whistleblowing legislation is designed to protect employees who raise concerns about serious wrongdoing within their workplace. Under the Protected Disclosures Act employees may make disclosures provided:

- The information is about serious wrongdoing in or by that organisation, and
- The employee believes on reasonable grounds that the information is true or is likely to be true, and
- The employee wishes to disclose the information so that the serious wrongdoing may be investigated, and
- The employee wishes the disclosure to be protected.

Internal Procedures

An employee must disclose information in the manner provided by the internal procedures adopted by the Council, for receiving and dealing with disclosures. The internal procedures must:

- Comply with the principles of natural justice,
- Identify the persons within Council to who disclosures may be made,
- Be published widely throughout the organisation and be republished at regular intervals.

If there are no procedures in place, or if the employee making the disclosure believes on reasonable grounds that the head of the organisation is or may be involved in the serious wrongdoing alleged in this disclosure, or if the disclosure is not actioned within 20 working days after the date on which the disclosure was made, then the employee may take the disclosure to an appropriate authority.

Disclosures may be made to the Minister of the Crown or Ombudsman in certain circumstances:

1. A disclosure of information may be made to the Minister of the Crown or an Ombudsman if the employee making the disclosure:
 - a. Has already made substantially the same disclosure in accordance with Section 7, 8 or 9 of the Act.
 - b. Believes on reasonable grounds that the person or appropriate authority to whom the disclosure is made:
 - has decided not to investigate the matter, or
 - has decided to investigate the matter but has not made progress with the investigation within a reasonable time after the date on which the disclosure was made to the person or appropriate authority; or
 - has investigated the matter but has not taken any action in respect of the matter nor recommended the taking of action in respect of the matter, as the case may require, and
 - c. Continues to believe on reasonable grounds that the information disclosed is true or likely to be true.
2. A disclosure under this section may be made to an Ombudsman only if:
 - d. It is in respect of a public sector organisation; and
 - e. It has not already been made to an Ombudsman under Section 9.

NOTE

If a person chooses to make an anonymous disclosure they may do so however if they wish to obtain protection under the Protected Disclosures Act, the onus will be on them to prove:

- They made the disclosure.
- They were an employee when they made the disclosure; and
- The disclosure was made in accordance with the Act.

Protections

Under the Protected Disclosures Act:

- Any employee is protected from any retaliatory action from the employer under personal grievance procedures and the anti-discrimination provisions of the Human Rights Act.
- Protections conferred by this Act and by Section 66(1)(a) of the Human Rights Act do not apply where the person who makes a disclosure of information makes an allegation known to that person to be false or otherwise acts in bad faith, ie ignores internal procedures.
- No person who:
 - Makes a protected disclosure of information, or
 - Refers a protected disclosure of information to an appropriate authority for investigation is liable to any civil or criminal proceedings or to a disciplinary proceeding by reason of having made or referred that disclosure of information.
- Employees who do not follow the procedures adopted by Council and only report their concerns to the media or a Minister of Parliament should note that they are not protected by the provisions of the Protected Disclosures Act.

Confidentially

Every person to whom a protected disclosure is made or referred must use his or her best endeavours not to disclose information that might identify the person who made the protected disclosure unless:

- That person consents in writing to the disclosure of that information, or
- The person who has acquired knowledge of the protected disclosure reasonably believes that disclosure of identifying information:
 - Is essential to the effective investigation of the allegations in the protected disclosure, or
 - Is essential to prevent serious risk to public health or public safety or the environment, or
 - Is essential having regard to the principles of natural justice.

A request for information under the Official Information Act 1982 (other than one made by a member of the Police for the purpose of investigating an offence) may be refused, as contrary to this Act, if it might identify a person who has made a protected disclosure.

Definitions

- An employee includes:
 - Each individual currently employed by Council.
 - A person seconded to Council.
 - An individual who is engaged or contracted under a contract for services to do work for the organisation.
 - A person concerned in the management of the organisation.
 - A former employee.
- Serious Wrongdoing:
 - An unlawful, corrupt or irregular use of public funds or public resources, or
 - An act, omission or course of conduct that constitutes a serious risk to public health or public safety or the environment, or
 - An act, omission or course of conduct that constitutes a serious risk to the maintenance of law, including the prevention, investigation, and detection of offences and the right to a fair trial, or
 - An act, omission or course of conduct that constitutes an offence, or
 - An act, omission or course of conduct by a public official that is oppressive, improperly discriminatory, or grossly negligent, or that constitutes gross mismanagement, whether the wrongdoing occurs before or after the commencement of this Act.
- “Appropriate Entity”

Includes

1. - The Commissioner of Police
- The Controller & Auditor General
- The Director of the Serious Fraud Office
- The Inspector-General of Intelligence and Security
- An Ombudsman
- The Parliamentary Commissioner for the Environment

- The Police Complaints Authority
 - The Solicitor-General
 - The State Services Commissioner
 - The Health & Disability Commissioner, and
2. Includes the head of every public sector organisation, whether or not mentioned in paragraph (1); and
 3. Includes a private sector body which comprises members of a particular profession or calling which has power to discipline its members; but
 4. Does not include:
 - A Minister of the Crown, or
 - A Member of Parliament

THE PROTECTED DISCLOSURES ACT CARTERTON DISTRICT COUNCIL INTERNAL PROCEDURES

Initiating the Procedure

An employee who is considering or wishes to raise a concern about serious wrongdoing within the Council must notify one of the Council appointed Protective Disclosures Act Officer, scheduled below either orally or in writing, that he or she is considering or intends making a disclosure of information under this Act.

Initiating Response by Protective Disclosure Act Officer

The Protective Disclosure Act Officer is to:

- Discuss the matter with the employee.
- Record the date that the notification was received and details of the alleged wrongdoing, if advised.
- Provide information and guidance to that employee on the following matters:
 - The kinds of disclosures that are protected under the Act.
 - The protections and remedies available under this Act and the Human Rights Act 1993 of the disclosure of information in accordance with this Act leads to victimisation of the person making the disclosure.
 - How particular information disclosed may be referred to another appropriate authority under the Act.
- Advise the employee considering or making a disclosure that the alleged wrongdoings will be brought to the attention of the Chief Executive officer (or in his absence the Acting CEO) and that he/she will be advised within 20 working days how the matter has been dealt with.
- The Protective Disclosures Act Officer is to advise the Chief Executive Officer (or in his absence the Acting CEO) of the possibility of a disclosure being made or advise of the alleged wrongdoing.

Chief Executive Officer's Responsibility Should An Employee Lodge an Allegation of Serious Wrongdoing

- The Chief Executive Officer (or in his absence the Acting CEO) is responsible for undertaking whatever investigative or restorative or disciplinary actions are considered necessary to deal with the alleged wrongdoing.
- The Chief Executive Officer is to ensure that the appropriate Protective Disclosures Act Officer is advised how the matter is being dealt with or how it has been resolved so that the employee who made the disclosure can be advised in writing within 20 working days from the date that the disclosure was made.

Follow-Up Action by Protective Disclosures Act Officer

The Protective Disclosures Act Officer is to:

- Advise the person who made the disclosure orally and in writing within 20 working days how the matter has been dealt with.
- Ascertain whether the employee is satisfied that the matter has been adequately addressed.
- Having followed the above procedures should the employee who made the disclosure consider that the matter has not been adequately addressed then the Protective Disclosures Act Officer is to make the employee aware of his/her right to take the matter to the Minister of the Crown or the Ombudsman (provided Clause 10 of the Act is observed).
- Advise the Chief Executive Officer of the employee's acceptance of the action taken or if further action may be taken by the employee.

Carterton District Council Protective Disclosures Act Officers

Employees considering or intending to raise a matter of serious wrongdoing within Council under the Protective Disclosures Act must notify one of the following Council appointed Protective Disclosures Act Officers:

- Departmental Manager
- Chief Executive Officer
- Mayor

CARTERTON DISTRICT COUNCIL SMOKE FREE POLICY

Council is committed to comply with the requirements of the Smoke Free Environments Act 1990. A review of Councils Smoke Free Policy occurs each twelve months.

SMOKE FREE ENVIRONMENTS ACT 1990

1. NON SMOKING AREA.

The below mentioned are classified as total smoke free areas. Smoking will not be permitted in the areas listed below:

- a. The entire Council Administration Offices/Chambers building in Holloway Street.
- b. The entire Carterton Public Library building, Holloway Street.
- c. The entire offices, Holloway Street depot.
- d. Staff Room, Holloway Street depot (during normal working hours).
- e. Hazardous Goods storage areas.
- f. The entire Refuse Tip Kiosk area.
- g. Public Halls & Restrooms.
- h. Swimming Baths Changing Rooms
- i. Treatment Plants (Sewer & Water)

2. OTHER CONDITIONS

- Signs will be placed to indicate that the area is classified as smoke free as listed in paragraph 1 (a - i).
- The smoking policy will come into force on 1 July 2003.
- The smoking policy will be reviewed on 1 July 2004.

3. VEHICLE POLICY

- There shall be no smoking in Council pooled vehicles.

4. COMPLAINTS PROCEDURE

Should any complaint arise through the implementation of the smoking policy, the following conditions and procedures will be adopted:

- a. Any complaint may be laid but be on reasonable grounds
- b. Any such complaint must be directed in writing to the Planning & Regulatory Manager or the Chief Executive Officer who will be responsible for dealing with said complaint
- c. Where a complaint is received, the following actions will occur:
 - The complaint will be investigated within 20 working days with an attempt to resolve it.
 - If the Council is in contravention of the Act, the Council will give an assurance to the complainant that there will be no repetition of the cause of the complaint. If the employee is in contravention of the Act, the employer being the Council shall seek an assurance that there will be no repetition of the cause of the complaint.
 - The worker's representative shall be entitled to be present in the resolution if any problems should arise.

- Should the Council as employer be unable to gain agreement from the parties concerned, a written complaint will then be referred to the Smoke Free Officer, Choice Health Wairarapa, who is designated on behalf of the Director General of Health in the first instance who will seek Ministry advise if required.

5. DISCIPLINARY/DISMISSAL PROCEDURES

In the case of an employee of the Council failing to comply with the smoking policy, disciplinary or dismissal procedures will follow the personal grievance and disputes procedure as appropriate. Elsewhere in this document are set down procedures to attempt to resolve any such grievance or dispute internally.

6. CONCLUSION

The above review of the smoking policy is based on the Smoke Free Environments Act 1990 and will be the policy of the Carterton District Council.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Carterton District Council is committed to equality in the work place and use policies of non discrimination as employers.

Carterton District Council is required under section 119G Local Government Act, 1974 to each year develop and publish an equal employment opportunities programme.

Carterton District Council is committed to a policy of providing equal employment opportunities.

Council has appointed a staff committee to develop and implement an EEO Policy and Programme.

In adopting the policy of EEO the Council provides for positive action in the following areas:-

- Staff appointments
- Staff training
- The working environment of all staff
- Any possible sources of inequality
- Redundancy and termination of employment

Carterton District Council is aware of:-

- Race relations Act 1971
- Human Rights Act 1993
- Principles of the Treaty of Waitangi recognising Maori and Bi-Culturalism issues

Quite apart from the requirements of law, it is the belief of the Council that decisions to appoint, promote, reward or discipline should always be made on the grounds of effectiveness and that the sorts of discrimination that are the subjects of the Acts are unfair at the human level and poor business practice. They are detrimental for employee morale and lead to poor use of the human resources available to us.

The Council will ensure that for any given position the most suitable person will be appointed irrespective of gender, race ethnic or national origins, religious or ethical beliefs, disability, material status, sexual orientation or any other factor not related to the position.

Staff training will be provided to ensure development and realisation of potential relevant to the workplace.

Employees will be able to work at their place of employment free from harassment, victimisation or discrimination with procedures in place for solution of difference or disputes.

The Council will consult with the employees to integrate EEO into their activities and

STAFF POLICY

Superannuation

That Council continues to subsidise superannuation schemes for existing contributors with the National Provident Fund Pension and Lump Sum Schemes as at 31 March 1991, dollar for dollar to a maximum subsidy of 6% inclusive of Resident Withholding Tax.

That it be Council Policy from 1 April 1991 that any new scheme presented to it on behalf of an employee or employees and accepted by Council by subscribed by Council at the same level.

That for the avoidance of doubt it is hereby clarified that the maximum contribution to any scheme for any individual staff member is 6% of Resident Withholding Tax in total, a subsidy payable one for one commensurate with employees contributions.

That an employee is required to be in the scheme for a period of two years before they are eligible to drawdown on the contributions.

Schemes approved in addition to the above:

- Union Brokers Trust Personal Lump Sum Fund – Approved August 1993

GOVERNANCE POLICY

Community Recognition

That the Council adopt a policy of awarding a Certificate of Recognition to persons within the district who are to be recognised for their contribution to the community of Carterton district. That any such Award to be given after resolution of Council and presented to the recipient at any Council or community function which was appropriate.

OPERATIONS POLICY

Water Connection to Rural Properties

That it be Council Policy that water connections will be available to properties in the rural ward from the urban water supply where circumstances warrant provided that the applicant in all cases meets full costs of connection or main extension, meter installation, rural water user charges including penalty charges for excess water usage.

Sewer Connection – Cross Lease

That it be Council Policy that all new dwellings in the urban ward be required to install new sewer and water connections to their property. Any exemption from this requirement would need the approval of Council.

Bond for Road Events

That it be Council Policy to levy a bond of \$300.00 on rally organisation for road events held in Carterton District roads.

That after each road event the Roading Services Manager, Council's Roading Consultant and rally organisation representative will inspect the road. Where exceptional wear to the road has occurred the rally organisation will be responsible for the cost of reinstatement of the road to pre-event condition.

RECREATION & COMMUNITY SERVICES

Tree Planting in Streets

Proposals for tree planting in urban streets be promoted by inclusion in the Annual Plan process for significant proposals (eg whole streets) or referred to Council for endorsing resolution for minor proposals. The appropriate report to Council be subject to the following pre-requisitions.

- Consultation between the Recreation & Community Services Manager and the Operations Department.

- Appropriate regard to traffic, cyclists and pedestrian safety.
- Aware of Council and other underground services and the taking of precautions to protect or prevent the blockage of those services.
- Consultation with and agreement of other relevant agencies, ie Transit NZ, telecommunications and electricity providers for underground services.
- Report to be done by a qualified horticulturalist on the type and location of planting having regard to the above criteria.

Reasons

- The public should be given the opportunity for submission on significant proposals.
- Inter-departmental communication is vital to verify the existence of underground services and to mitigate any effects.
- Public safety especially adjacent to intersections and significant access/exit sites is paramount.
- Other affected parties are entitled to be consulted.

Eligibility for Dudson Place Flats

That the eligible age to occupy a flat a Dudson Place pensioner complex be 50 years of age.

Carports at Pensioner Housing Units

That it is Council policy that Council will not construct carports at its pensioner housing units.

That a tenant can erect a carport subject to the following conditions:

- That the purchase and construction of the carport will be at the tenant's cost.
- That they must submit plans for inspection and site approval by the Recreation & Community Services Manager.
- That the tenant is responsible for obtaining the necessary building consent.
- That the carport becomes the property of the Council on the tenant vacating the pensioner housing unit.

Watering of Civic Gardens

That it be Council Policy during periods when Council water restrictions are imposed to permit the watering of Council civic gardens as appropriate at times during the day in the interests of community pride and presentation.