

Changing a Mainstreet boundary area

Process Flowchart

Mainstreet Organisation informs Council of Intent (with proposed timeframe) → Mainstreet Agreement requirements met → Mainstreet builds support through initial consultation → Define Mainstreet Boundary → Two-year Business Plan and Budget → Draft targeted rate \$ or calculation → Mainstreet member (AGM) approval → Develop a voting register of businesses and property owners → Full consultation and voting ballot (>25% voter turnout, >50% plus one vote in favour) → Ballot results confirmed → AGM / SGM held. → Mainstreet reports to Council on process and applies for Mainstreet area map and targeted rate to be charged.

Requirements:

1. Notice of Intent to Council

Mainstreet Organisations (Mainstreet) are required to give notice within 12 months of an Annual General Meeting to Tauranga City Council of their intention to investigate changing a Mainstreet boundary area map.

All projects proposing a change to an existing Mainstreet boundary must:

- Be identified and supported in the organisations planning documents (ie AGM, Annual Plan, Strategic Plan)
- Align (timing and resources) with the Mainstreet strategic plan and expenditure budgets.
- Have adequate budget and resources to undertake the expansion project
- Have sufficient time to complete the project
- Complete the reporting requirements associated with changing a Mainstreet boundary area map (member approvals via AGM or SGM)
- Achieved the minimum required ballot mandate

All proposed Mainstreet boundary changes must align with Tauranga City Council work programmes, budget and reporting timeframes, which includes ensuring the proposal is identified in Council annual budget planning and consultation processes for:

- Council staff reporting timeframes for council committees and meetings
- Tauranga City Council Annual and Long-Term Plan budget and consultation processes
- Whilst timeframes are indicated throughout the process, Council staff will work closely with Mainstreets through this process on specific timelines as the expansion progresses.

Changing a Mainstreet Boundary

Changing a Mainstreet boundary area provides the Mainstreet an opportunity to grow and further evolve the Mainstreet programme adding value to their changing business community. Expanding the boundary ensures the Mainstreet continues to adapt and represent the wider business community in their area.

2. Initial consultation

The Mainstreet is responsible for undertaking the initial consultation with the business community located within the proposed expansion area. This includes:

- Identifying the proposed Mainstreet expansion area. The proposed expansion area must be marked using roads or property boundary lines with no gaps, or deviations. The boundary map must be contiguous and needs to include business properties that benefit from the Mainstreet programme delivery.

- Eligible Mainstreet voter list. Identify the affected parties (the voters) located within the proposed expansion area.
- Understanding what businesses (the voter) located in the expansion area need, concerns, and opportunities.
- Review the existing Mainstreet programme deliverables to identify what changes (if any) are needed to evolve the current Mainstreet programme delivery to the wider boundary area.
- Develop a draft income and expenditure budget to identify the amount of Mainstreet targeted rate grant amount it will need to deliver the programme for the following financial year.
- Identify the level of interest from eligible voters in support of becoming part of the expanded Mainstreet programme.
- This consultation could include a public meeting to communicate the proposal to expand a Mainstreet, the area that it is proposed to cover, and its potential objectives and activities.

Following this initial consultation, the Mainstreet will provide feedback in the form of a written report to Council as part of their six-monthly reporting requirements on the response received, identifying if there is a sufficient level of support to proceed with the change to the boundary (indicatively >25% support). If they wish to proceed, the following requirements would need to be met:

3. Define Mainstreet boundary area map

Tauranga City Council will assist the Mainstreet to identify the proposed Mainstreet boundary area map and a copy of the proposed expansion map will be provided via council. Council has final approval of the boundary map which should be included and presented to Council at a Mainstreet six-monthly monitoring presentation.

The purpose of the Mainstreet boundary area map is to capture:

- The geographical area for the delivery of the expanded Mainstreet programme.
- The affected properties within that geographical area which make up the eligible Mainstreet voters (landlords, owners, tenants).

4. Two-year business plan and budget

Develop a two-year business plan outlining the proposed activities and budget that will be funded by the targeted rate. The plan and budget documents must clearly show the amount of Mainstreet targeted rate grant required for each financial year and which complies with the Mainstreet Agreement.

Draft targeted rate grant amount

The Organisation and Council will agree on the level of targeted rate and the basis for its collection, required to support the Mainstreet targeted rate grant amount. The Local Government (Rating) Act 2002 gives the Council authority to set a targeted rate for an activity such as, the delivery of a Mainstreet programme.

The amount of grant needs to be enough to support the delivery of the Mainstreet programme activities. The Mainstreet members must agree (by resolution at AGM/SGM) on the total budget required, including the amount of Mainstreet targeted rate grant for the programme. The resolution is to include requesting that Council include the Mainstreet targeted rate in the Council's Annual Plan or Long-Term Plan consultation process.

5. Ballot Process

Mainstreet Eligible Voter List

The list must include both business ratepayers and business occupiers/tenants and is sourced as follows:

- Council provides a database of business ratepayers within the area identified via the proposed Mainstreet programme boundary map.
- The Mainstreet is required to identify and develop a database of all businesses identified as Mainstreet eligible voters. This includes all businesses or sole traders operating as a business within the Mainstreet programme proposed expansion area and located on:
 - Business and / or commercial zoned property or business rated property address.
 - Residential properties but operating a business (as the predominant use) from that property address.
 - A commercial business/tenant leasing premises within a Tauranga City Council owned property.
 - Any other business activities operating on any property.
- The Mainstreet is required to engage with all eligible voters utilising a range of consultation approaches, including hosting free public meetings to share information on the Mainstreet programme and ballot/voting process.
- The Mainstreet is required to make the eligible voter list publicly available (business name and property address only), at least one month before the ballot begins. This is to enable transparency of the ballot process and ensure businesses are aware of whether they will receive voting information. Any last-minute eligible voters can be added, subject to verification by the independent electoral agent.

Mainstreet Ballot

The Mainstreet is responsible for:

- engaging the services of the independent election agent.
- meeting all required costs and delivery deadlines.
- The ballot campaign must be undertaken in a democratic manner and must not interfere with or unduly influence voters. Refer to Section 122, 124, and 128 of the Local Electoral Act 2001.
- Ballots are coordinated by an election agent polling agent independent from Tauranga City Council and the Mainstreet.
- Voting in the ballot is based on the principle of ‘one entity – one vote’, an entity being a business ratepayer and/or a business/tenant. The election agent will combine the eligible Mainstreet voter list and Tauranga City Council ratepayer data to form the complete eligible voter list.
- The delivery of the voting papers (ballot pack) depends on the requirements of the Mainstreet, the voting area and subject to the discretion of the election agent.
- **The election agent will have the final say regarding who is entitled to vote and the ballot delivery/voting options.**
- Ballots must be for at least 4 weeks (20 working days) and completed by the end of November in any year.
- The ballot pack must include a range of material* approved by Tauranga City Council before sending to the polling agent.

***Material and information to be included in the ballot pack**

- Proposed Mainstreet expansion map,
- The purpose of the ballot,
- Mainstreet programme targeted rate grant amount,
- Mainstreet rating mechanism, how the rate will be calculated,
- Mainstreet detailed income and expenditure budget for the following two years,
- Mainstreet organisation’s objectives and goals (annual plan),
- Mainstreet organisation’s membership form,

- Further information including key contact details for the Mainstreet organisation, the polling agent, and Tauranga City Council staff.

6. **Mainstreet ballot mandate**

The minimum mandate required for a successful ballot result.

- **A valid ballot must achieve a threshold of at least 25% of the total voting forms being returned.**
- **Of the returned voting forms, a minimum of 50% plus one vote must be in favour of the proposition raised on the ballot form to achieve a mandate.**

Mainstreet programme expansion project approval -

(Insert as flowchart)

- Successful ballot by achieving the required mandate → Mainstreet organisation AGM / SGM to approve and adopt ballot results and reconfirm Mainstreet targeted rate, income and expenditure and business plan documents → Mainstreet provides a written report to Council confirming all requirements set out 1 to 6 above have been completed by 31 January. → Council staff to report to Community, Transparency and Engagement Committee approving the Mainstreet expansion map and confirm for approval the Mainstreet targeted rate in final annual or 10-year budget → Mainstreet amended targeted rate approved by Council struck commencing 1 July → Mainstreet Agreement reviewed and updated
- Unsuccessful ballot → Undertake AGM/SGM to approve and adopt ballot results by November 1 → Mainstreet ballot results notified to Council, no further action → Current Mainstreet rate continues to be struck

Exceptional or unexpected circumstances affecting a Mainstreet ballot

There may be exceptional and/or unexpected circumstances that have an impact on a ballot result. Examples include natural disaster, pandemic, or a major event that causes extended business disruption.

If feasible, and on the advice of the polling agent, the council staff recommend postponing the ballot if possible or extending the ballot period if voting has commenced.

When deciding whether to give effect to a ballot result, Council, at its discretion, may depart from the requirement that 25% of total voting forms must be returned for the ballot to be valid. When considering this discretion, Tauranga City Council will consider evidence of support to date, what is fair, and any impact from amending the voting threshold mandate.

7. **Mainstreet Organisation reporting to membership.**

To progress the Mainstreet expansion the members of the Mainstreet must confirm and approve by Special Resolution (refer to Mainstreet constitution) the completed expansion project (presented in a written report) including accepting the Mainstreet ballot result.

The written report to include: report on the Mainstreet expansion project to be made available to members confirming all requirements 1 to 6 have been completed including achieving a successful ballot result. The report must include:

- Overview of the project
- Engagement and consultation processes
- Ballot results
- Mainstreet members approvals (AGM/SGM), copies of AGM and / or SGM minutes

- Any proposed member approved changes to the business plan, income and expenditure budget, Mainstreet targeted rate grant
- Examples of the types of engagement and communication utilised
- confirming all requirements set out 1 to 6 above have been completed.
- A copy of the AGM/SGM minutes including the resolution approving the Mainstreet expansion and a copy of the Mainstreet expansion report must be forwarded to council staff no later than 31 January.

Reporting to Tauranga City Council

On receipt of the Mainstreet Organisations expansion report (completing requirements 1 to 6) and AGM/SGM minutes (requirement 7) approving the expansion, council staff will draft a report to the Community, Transparency and Engagement committee (or Council) seeking approval via resolution of the Mainstreet expansion area map and the proposed Mainstreet targeted rate for the following financial year.

Next Steps

Council staff will advise the Mainstreet the expansion has been approved. Staff will also work with the Mainstreet to review, amend, and update the Mainstreet Agreement.

The Mainstreet will receive their targeted rate grant from 1 July.

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