

From: [Allie Dunn](#)
To: [REDACTED]
Subject: Response to request for information re Special Purpose Vehicles
Date: Wednesday, 23 October 2024 11:52:00 am

Kia ora

I refer to your official information request dated 22 October 2024 for information on special purpose vehicles formed by the Tararua District Council over the past five years.

Our response follows.

The Tararua District Council is a territorial authority constituted by the Local Government (Manawatu-Wanganui Region) Reorganisation Order 1989, Gazette 1989, p2351.

The Council is not a business entity / company / corporation. It has no ability to set up subsidiary companies to undertake specific business purposes or activities.

The Council does however have the power to form Council Organisations, Council-Controlled-Organisations, and Council-Controlled Trading Organisations as defined by the Local Government Act 2002 (refer section 6 of that Act, available on www.legislation.govt.nz). I have copied below the definitions of each of these types of organisations, as detailed within section 6 of the Local Government Act 2002.

Council Organisation means:

- (a) a company—
 - (i) in which equity securities carrying voting rights at a meeting of the shareholders of the company are—
 - (A) held by 1 or more local authorities; or
 - (B) controlled, directly or indirectly, by 1 or more local authorities; or
 - (ii) in which 1 or more local authorities have the right, directly or indirectly, to appoint 1 or more of the directors (however described) of the company; or
- (b) an entity in respect of which 1 or more local authorities have, whether or not jointly with other local authorities or persons,—
 - (i) control, directly or indirectly, of 1 or more of the votes at any meeting of the members or controlling body of the entity; or
 - (ii) the right, directly or indirectly, to appoint 1 or more of the trustees, directors, or managers (however described) of the entity.

Council-Controlled Organisation means a Council Organisation that is:

- (a) a company—
 - (i) in which equity securities carrying 50% or more of the voting rights at a meeting of the shareholders of the company are—
 - (A) held by 1 or more local authorities; or
 - (B) controlled, directly or indirectly, by 1 or more local authorities; or
 - (ii) in which 1 or more local authorities have the right, directly or indirectly, to appoint 50% or more of the directors of the company; or
- (b) an entity in respect of which 1 or more local authorities have, whether or not jointly with other local authorities or persons,—
 - (i) control, directly or indirectly, of 50% or more of the votes at any meeting of the members or controlling body of the entity; or
 - (ii) the right, directly or indirectly, to appoint 50% or more of the trustees, directors, or managers (however described) of the entity

Council-Controlled Trading Organisation means a council-controlled organisation that operates a trading undertaking for the purpose of making a profit.

The Local Government Act 2002, Schedule 10 (28) requires all Councils to provide information regarding their involvement in trading organisations (CCTOs), companies and other organisations under the control of Council, or in which Council has a significant interest.

This information is published in the Council's Annual Report each year. For the 2022-23 Annual Report, you

will find this information on page 242. Following is a link to our web page where you can download a copy of the Annual Report:

<https://www.tararua.govt.nz/publications/plans-and-reports/annual-report>

You will see there is one entity reported, and that is Manawatu-Whanganui LASS Limited. This company was set up in 2008 by seven local councils to investigate the possibilities of economies of scale by joint procurement. Tararua District Council owns 1/7th equal share or 14% of this company, and has a liability for \$1,000 share capital. Council has exempted this company from being a CCO, in accordance with the Local Government Act 2002 section 7(3).

Ngā mihi

Allie Dunn | Manager - Democracy Services

Strategy & Community Wellbeing - Democracy Services | Tararua District Council

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Allie.Dunn@Tararua.govt.nz

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www.facebook.com/tararua

-----Original Message-----

From: [REDACTED]

Sent: Wednesday, October 23, 2024 11:13 AM

To: Allie Dunn <Allie.Dunn@Tararua.govt.nz>

Subject: Re: RE: SPV LGOIMA

EXTERNAL EMAIL ALERT: Caution advised. This message is from an external sender. Verify the sender's identity and use caution with attachments and links.

Yes, Allie, that is correct, thanks.

Best wishes

[REDACTED]

[REDACTED]

Sent from Proton Mail Android

----- Original Message -----

On 23/10/24 7:59 am, Allie Dunn <Allie.Dunn@Tararua.govt.nz> wrote:

> Kia ora [REDACTED]

>

> I refer to your official information request dated 22 October 2024 for information on "special purpose vehicles."

>

> You requested the total figures for how many SPVs council has funded/contracted with in the past 5 years and the cost and purpose of each. We need some more clarity about what you are seeking in order to respond to your request.

>
> By "special purpose vehicle" do you mean a subsidiary company that is formed to undertake a specific business purpose or activity?
>
> Please note, any clarification or amendment of a request is considered to be a new request for the purpose of calculating the maximum statutory timeframe for response - see section 13(7) of the Local Government Official Information and Meetings Act.
>
> Ngā mihi
>
>
>
> Allie Dunn | Manager - Democracy Services
>
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> Phone: +64 6 3744080 | Mobile: +64 27 3331626
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> -----Original Message-----
> From: [REDACTED]
> Sent: Tuesday, October 22, 2024 7:48 PM
> To: Allie Dunn <Allie.Dunn@Tararua.govt.nz>
> Subject: SPV LGOIMA
>
> EXTERNAL EMAIL ALERT: Caution advised. This message is from an external sender. Verify the sender's identity and use caution with attachments and links.
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> Special Purpose Vehicles (SPVs)
>
> Hi Allie, can you please give me the total figures for how many SPVs council has funded/contracted with in the past 5 years and the cost and purpose of each.
>
>
> Best wishes
>
> [REDACTED]
> [REDACTED]
> [REDACTED]
>
> Sent from Proton Mail Android
>