



AGENDA Ordinary Meeting

Tuesday 28 June 2022, 10.30am

Ordinary Meeting

Venue: 47 Cloten Street, Stratford

28 June 2022 10:30 AM - 12:00 PM

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Purpose of Local Government

The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. Unless otherwise stated, the recommended option outlined in each report meets the purpose of local government and:

- Promote the social, economic, environmental and cultural well-being of communities in the present and for the future.
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

Membership of the Ordinary Committee

| | |
|---|--|
| Councillor D N MacLeod (<i>Chairperson</i>) | Councillor M P Joyce (<i>Deputy Chairperson</i>) |
| Councillor M J Cloke | Councillor M G Davey |
| Councillor D L Lean | Councillor C L Littlewood |
| Councillor M J McDonald | Councillor D H McIntyre |
| Councillor E D Van Der Leden | Councillor N W Walker |
| Councillor C S Williamson | |

Health and Safety Message

Emergency Procedure

In the event of an emergency, please exit through the emergency door in the committee room by the kitchen.

If you require assistance to exit please see a staff member.

Once you reach the bottom of the stairs make your way to the assembly point at the birdcage.

Staff will guide you to an alternative route if necessary.

Earthquake

If there is an earthquake - drop, cover and hold where possible. Please remain where you are until further instruction is given.



Date 28 June 2022

Subject: **Confirmation of Minutes - 17 May 2022**

Approved by: M J Nield, Director - Corporate Services
S J Ruru, Chief Executive

Document: 3079700

Recommendations

That the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Ordinary meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Tuesday 17 May 2022 at 10.30am.

Matters arising

Appendices/Attachments

Document 3056191: Minutes Ordinary 17 May 2022



Date: Tuesday, 17 May 2022, 10.30am
Venue: Taranaki Regional Council, 47 Cloten Road, Stratford
Document: 3056191

| | | | |
|------------------|-------------|-------------------|---|
| Present | Councillors | D N MacLeod | Chairman |
| | | M P Joyce | Deputy Chairman |
| | | M J Cloke | |
| | | D L Lean | |
| | | M J McDonald | |
| | | D H McIntyre | |
| | | E D Van Der Leden | |
| | | N W Walker | |
| | | C S Williamson | |
| | | C L Littlewood | |
| M G Davey | <i>zoom</i> | | |
| Attending | Mr | S J Ruru | Chief Executive |
| | Mr | M J Nield | Director – Corporate Services <i>zoom</i> |
| | Mr | A D McLay | Director – Resource Management |
| | Ms | A J Matthews | Director – Environment Quality |
| | Mrs | J Mack | Administration Manager |
| | Ms | R Johnson | Financial Services Manager <i>zoom</i> |
| | Miss | R S Sweeney | Governance Administrator |
| | Ms | K Holland | Communications Advisor |
| | Mr | C Woollin | Communications Advisor <i>zoom</i> |

Apologies No apologies were received.

Notification Federated Farmers Minutes – Councillor D H McIntyre

Of Late Items Upcoming Local Government Elections – Councillor D N MacLeod.

1. Confirmation of Ordinary Minutes - 5 April 2022

Resolved

That the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Ordinary meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Tuesday 5 April 2022 at 10.30am.

Walker/McDonald

Matters arising

No matters arising.

2. Consents and Regulatory Committee Minutes - 26 April 2022

Resolved

That the Taranaki Regional Council:

- a) receives the minutes of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford on Tuesday 26 April 2022 at 9.30am.
- b) adopts the recommendations therein.

Lean/Van Der Leden

Matters arising

- 2.1 Councillor M G Davey noted that the spelling of his name was incorrect within the minutes.

3. Policy and Planning Committee Minutes - 26 April 2022

Resolved

That the Taranaki Regional Council:

- a) receives the minutes of the Policy and Planning Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford on Tuesday 26 April 2022 at 10.30am
- b) adopts the recommendations therein.

Littlewood/McDonald

Matters arising

- 3.1 Councillor D H McIntyre requested an update on page 18, point 2.2 relating to E.Coli reduction investigation.
- 3.2 Ms A J Matthews, Director - Environment Quality, advised Councillor D H McIntyre that the investigation was still ongoing and no update is yet available.

4. Executive, Audit and Risk Committee – 9 May 2022

Resolved

That the Taranaki Regional Council:

- a) receives the minutes of the Executive, Audit and Risk Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford on Monday 9 May 2022 at 10am
- b) adopts the recommendations therein.
Walker/Joyce

5. May and June 2022 Meeting Dates

- 5.1 The meeting dates for the next round of meetings were attached for Members information.

6. Setting of Administrative Charge Pursuant to Section 36 of the Resource Management Act 1991

- 6.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum to introduce the submissions on the 2022/2023 administrative charges pursuant to section 36 of the *Resource Management Act 1991* (RMA), to consider those submissions, to recommend any changes to the 2022/2023 administrative charges pursuant to section 36 of the *Resource Management Act 1991* and then to fix the 2022/2023 administrative charges pursuant to section 36 of the *Resource Management Act 1991*.
- 6.2 Councillor M G Davey declared an interest in the charges for Ravensdown.

Resolved

That the Taranaki Regional Council:

- a) notes that no submissions have been received in response to the Statement of Proposal: Schedule of charges pursuant to section 36 of the *Resource Management Act 1991*
- b) notes as there are no submissions, there is no officer's report and, as a result, there are no amendments to the Schedule of charges pursuant to section 36 of the *Resource Management Act 1991*
- c) adopts the Schedule of charges pursuant to section 36 of the *Resource Management Act 1991*
- d) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- e) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Lean/Littlewood

7. Adoption of the 2022/2023 Annual Plan

7.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum to consider and to adopt the *2022/2023 Annual Plan*.

Resolved

That the Taranaki Regional Council:

- a) receives this memorandum on the consideration and adoption of the *2022/2023 Annual Plan*
- b) notes the balanced budget deficit for 2022/2023 and confirms the transfer from the Dividend Equalisation Reserve to fund the balanced budget deficit
- c) notes that the use of the Dividend Equalisation Reserve to fund the balanced budget surpluses and deficits balances out over the ten-year life of the *2021/2031 Long-Term Plan* and that, over the full ten years, the Council’s budgets balance
- d) notes that the formatting of the *2022/2023 Annual Plan* is still to be completed and that there are a number of minor editorial changes to be made
- e) adopts the *2022/2023 Annual Plan*
- f) determines that this decision be recognised as significant in terms of section 76 of the *Local Government Act 2002*
- g) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Williamson/Van Der Leden

8. Setting rates

8.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum having adopted the *2022/2023 Annual Plan* earlier this meeting, the purpose of this memorandum is to set the rates for the 2022/2023 financial year. The rates are driven from the adopted *2022/2023 Annual Plan*.

Resolved

That the Taranaki Regional Council:

- a) sets the following rates pursuant to the *Local Government (Rating) Act 2002* on rating units in the Taranaki region for the financial year commencing 1 July 2022 and ending on 30 June 2023:

Capital Value General Rate

Pursuant to section 13 of the *Local Government (Rating) Act 2002* a general rate on the rateable equalised capital value (ECV) of all land within the region known as Taranaki region to collect the following amounts:

| General rate | ECV | Percent | GST excl | GST | GST incl |
|--------------|------------------|---------|-------------|-----------|-------------|
| NPDC | \$31,510,825,488 | 64.20% | \$5,735,820 | \$860,373 | \$6,596,193 |

| | | | | | |
|-------|------------------|---------|-------------|-------------|--------------|
| SDC | \$4,107,388,783 | 8.37% | \$747,801 | \$112,170 | \$859,971 |
| STDC | \$13,464,176,050 | 27.43% | \$2,450,678 | \$367,602 | \$2,818,280 |
| Total | \$49,082,390,321 | 100.00% | \$8,934,299 | \$1,340,145 | \$10,274,444 |

- a rate of 0.0277612 cents in the dollar of capital value on every rating unit in the New Plymouth and North Taranaki constituencies of the Taranaki region – GST inclusive
- a rate of 0.0256418 cents in the dollar of capital value on every rating unit in the Stratford constituency of the Taranaki region – GST inclusive
- a rate of 0.0209905 cents in the dollar of capital value on every rating unit in the South Taranaki constituency of the Taranaki region – GST inclusive.

Pursuant to section 131 of the *Local Government (Rating) Act 2002*, the Council has used a registered valuer to make an estimate of the projected valuation of all the rateable land in the districts of the constituent territorial authorities.

Uniform annual general charge

Pursuant to section 15(1)(b) of the *Local Government (Rating) Act 2002*, a uniform annual general charge (to produce \$3,297,092) of \$58.08 – GST inclusive for every separately used or inhabited part of a rating unit in the Taranaki region.

Separately used or inhabited part of a rating unit (SUIP): A SUIP is defined as a separately used or occupied part of a rating unit and includes any part of a rating unit that is used or occupied by any person, other than the ratepayer, having a right to use or inhabit that part by virtue of a tenancy, lease, licence, or other agreement, or any part or parts of a rating unit that are used or occupied by the ratepayer for more than one single use.

Separately used or inhabited for a residential rating unit includes a building or part of a building that contains, two or more separately occupiable units, flats or houses each of which is separately inhabited or is capable of separate habitation.

Separately used or inhabited for a small holding or farmland property rating unit includes a rural property/farm with multiple dwellings (e.g., a house is used by a farm worker) each of which is separately inhabited or is capable of separate habitation.

Separately used or inhabited for a commercial or industrial rating unit: means a building or part of a building that is, or intended to be, or is able to be, separately tenanted, leased or subleased for commercial purposes.

An exception is made for motels/hotels as these are treated as one business even if each accommodation unit may be capable of separate habitation.

River Control and Flood Protection Targeted Rate

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a targeted rate of 0.003362 cents in the dollar – GST inclusive, for river control and flood protection works (to produce \$798,944) on the capital value on every rating unit in the New Plymouth and North Taranaki constituencies of the Taranaki region.

River Control and Flood Protection Targeted Rate

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a targeted rate of 0.000556 cents in the dollar – GST inclusive, for river control and flood protection works

(to produce \$74,638) on the capital value on every rating unit in the South Taranaki constituency of the Taranaki region.

Passenger Transport Targeted Rate

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a targeted rate of 0.007903 cents in the dollar – GST inclusive, for passenger transport services (to produce \$1,877,721) on the capital value on every rating unit in the New Plymouth and North Taranaki constituencies of the Taranaki region.

Passenger Transport Targeted Rate

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a targeted rate of 0.002702 cents in the dollar – GST inclusive, for passenger transport services (to produce \$90,623) on the capital value on every rating unit in the Stratford constituency of the Taranaki region.

Passenger Transport Targeted Rate

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a targeted rate of 0.000993 cents in the dollar – GST inclusive, for passenger transport services (to produce \$133,286) on the capital value on every rating unit in the South Taranaki constituency of the Taranaki region.

Yarrow Stadium Commercial and Industrial Land Value Targeted Rate

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a differential targeted rate for Yarrow Stadium on the land value on each commercial and industrial rating unit in the New Plymouth and North Taranaki constituencies of the Taranaki region. The targeted rate (in cents in the dollar of land value) for 2022/2023 for Group 1 Commercial and Industrial is to produce \$108,879 at a rate of 0.008725 cents in the dollar of land value – GST inclusive.

Yarrow Stadium Commercial and Industrial Fixed Value Targeted Rate (New Plymouth and North Taranaki Constituencies)

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a fixed targeted charge (to produce \$231,357) of \$96.60 – GST inclusive on every separately used or inhabited part of a rating unit, Group 1 Commercial and Industrial, in the New Plymouth and North Taranaki constituencies of the Taranaki region.

Yarrow Stadium Residential, Small Holdings and Farmland Fixed Value Targeted Rate (New Plymouth and North Taranaki Constituencies)

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a fixed targeted charge (to produce \$1,614,031) of \$45.30 – GST inclusive on every separately used or inhabited part of a rating unit, Group 2 Residential, Group 3 Small Holdings and Group 4 Farmland, in the New Plymouth and North Taranaki constituencies of the Taranaki region.

Yarrow Stadium Fixed Value Targeted Rate (Stratford Constituency)

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a fixed targeted charge (to produce \$141,157) of \$29.31 – GST inclusive on every separately used or inhabited part of a rating unit in the Stratford constituency of the Taranaki region.

Yarrow Stadium Fixed Value Targeted Rate (South Taranaki Constituency)

Pursuant to section 16 of the *Local Government (Rating) Act 2002*, a fixed targeted charge (to produce \$410,018) of \$29.31 – GST inclusive on every separately used or inhabited part of a rating unit in the South Taranaki constituency of the Taranaki region.

Differential Categories

The Council adopts the definition of its differential categories set out in the *Funding Impact Statement* contained in the *2022/2023 Annual Plan* as its rating categories for the year.

- b) sets, pursuant to Section 24 of the *Local Government (Rating) Act 2002*, that the Council's rates will become due and payable by four equal instalments on the following dates:

| | New Plymouth & North Taranaki Constituencies | Stratford Constituency | South Taranaki Constituency |
|--------------|--|------------------------|-----------------------------|
| Instalment 1 | 31 August 2022 | 31 August 2022 | 31 August 2022 |
| Instalment 2 | 30 November 2022 | 30 November 2022 | 30 November 2022 |
| Instalment 3 | 22 February 2023 | 22 February 2023 | 22 February 2023 |
| Instalment 4 | 31 May 2023 | 31 May 2023 | 31 May 2023 |

- c) sets, pursuant to Section 57 and 58 of the *Local Government (Rating) Act 2002*, that the following penalties on unpaid rates will be applied.

A charge of 10% on so much of any instalment that has been assessed after 1 July 2022 and which remains unpaid after the due date for that instalment.

| | New Plymouth & North Taranaki Constituencies | Stratford Constituency | South Taranaki Constituency |
|--------------|--|------------------------|-----------------------------|
| Instalment 1 | 31 August 2022 | 31 August 2022 | 31 August 2022 |
| Instalment 2 | 30 November 2022 | 30 November 2022 | 30 November 2022 |
| Instalment 3 | 22 February 2023 | 22 February 2023 | 22 February 2023 |
| Instalment 4 | 31 May 2023 | 31 May 2023 | 31 May 2023 |

The Council will charge a penalty of 10% on any portion of rates that were assessed or levied in any previous financial years to 1 July 2022 and which remain unpaid on 1 July 2022. The penalty will be applied on 30 September 2022 and a further additional penalty of 10% on any rates that were assessed or levied in any previous financial years and which remain unpaid on 31 March 2023 (New Plymouth and North Taranaki constituencies).

The Council will charge a penalty of 10% on so much of any rates levied before 1 July 2022 which remain unpaid on 10 July 2022 or such later date as required under section 58(1) (b) (ii). A continuing additional penalty of 10% on so much of any rates levied

before 1 July 2022 which remain unpaid six months after the previous penalty was added (Stratford constituency).

The Council will charge a penalty of 10% on so much of any rates levied before 1 July 2022 which remain unpaid on 1 July 2022 or such later date as required under section 58(1) (b) (ii). (South Taranaki constituency).

A discount of 2% will be allowed on the total rates set for the financial year, if the rates for a financial year are paid in full on or before the due date of the first instalment for the financial year. (South Taranaki constituency only). This will be 31 August 2022.

- d) sets that the Council's rates and charges will become due and payable at the principal offices and service centres of the region's district councils. The rates and charges can also be paid at the principal office of the Taranaki Regional Council
- e) notes that all rates set are inclusive of GST
- f) appoints the New Plymouth District Council, the Stratford District Council and the South Taranaki District Council, pursuant to section 53 of the *Local Government (Rating) Act 2002*, to collect the rates set by the Taranaki Regional Council
- g) delegates to the New Plymouth District Council, the Stratford District Council and the South Taranaki District Council the power to postpone and remit rates pursuant to the relevant adopted *Rates Remission and Postponement Policy*
- h) approves the keeping of the rating information database in separate parts for the constituent districts of the region and delegates the function of maintaining the rating information database to the New Plymouth District Council, the Stratford District Council and the South Taranaki District Council, pursuant to section 27(7) of the *Local Government (Rating) Act 2002*
- i) delegates to the Chief Executive and the Director – Corporate Services, the power to resolve administrative matters in relation to the collection of the Taranaki Regional Council's rates and the administration of the rating information database
- j) determines that this decision be recognised as significant in terms of section 76 of the *Local Government Act 2002*
- k) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Joyce/McIntyre

9. Representation Review for the 2022 Local Authority Elections

- 9.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum to receive the Local Government Commission’s determination on the Taranaki Regional Council’s representation review.
- 9.2 The Committee gave thanks to the Chairman and Chief Executive for their efforts in presenting Council’s submission.

Resolved

That the Taranaki Regional Council:

- a) receives the Local Government Commission’s determination on the Taranaki Regional Council’s representation review
Cloke/McIntyre

10. LGNZ Conference

- 10.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum to appoint attendees to the 2022 Local Government New Zealand (LGNZ) Conference and Annual General Meeting to be held in Palmerston North, 20-22 July 2022.
- 10.2 Councillor D N Macleod noted that as the tour commences in Taupō, if we have Councillors taking vehicles to the conference in Palmerston North a bus would be organised to take those Councillors to Taupō.

Resolved

That the Taranaki Regional Council:

- a) appoints the Chairperson, Councillor D N MacLeod, together with the Chief Executive, Mr S J Ruru, to attend the Local Government New Zealand Conference to be held in Palmerston North, 20-22 July 2022
- b) seeks expressions of interest from Councillors who wish to attend the Local Government New Zealand Conference to be held in Palmerston North, 20-22 July 2022
- c) delegates to the Chairperson the authority to finalise the attendees at the Local Government New Zealand Conference to be held in Palmerston North, 20-22 July 2022
- d) appoints the Chairperson, Mr D N MacLeod as Presiding Delegate to the Annual General Meeting of Local Government New Zealand
- e) notes the Council is entitled to be represented at the Annual General Meeting of Local Government New Zealand by up to three delegates, and appoints up to two delegates to the Annual General Meeting of Local Government New Zealand
- f) determines that this decision be recognised as not significant in terms of section 76 of the Local Government Act 2002
- g) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Van der Leden/McDonald

11. Ngāti Maru Joint Management Agreement Committee

- 11.1 Mr S Ruru, Chief Executive, spoke to the memorandum to seek a decision on the formation of a Committee to lead negotiation of the Joint Management Agreement that Council needs to put in place with Ngāti Maru.
- 11.2 Mr S Ruru, Chief Executive, noted that discussions were underway with MfE and Te Arawhiti to resolve issues relating to the payment of costs associated with the Joint Management Agreement.

Resolved

That the Taranaki Regional Council:

- a) receives the memorandum Ngāti Maru Joint Management Agreement dated 17 May 2022
- b) notes the Ngāti Maru (Taranaki) Claims Settlement Act 2022 requires the Council to negotiate a Joint Management Agreement with Ngāti Maru and form a joint committee to lead the negotiation process
- c) determines that the Chief Executive, Director - Resource Management and Director - - Operations will be its appointees to the joint committee required under section 90 of the Ngāti Maru (Taranaki) Claims Settlement Act 2022
- d) delegates authority to the Chief Executive, Director - Resource Management and Director - Operations to negotiate a draft Joint Management Agreement
- e) determines that this decision be recognised as not significant in terms of section 76 of the Local Government Act 2002
- f) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Williamson/Littlewood

12. General Business

12.1 Minutes from Federated Farmers

Councillor D H McIntyre raised concerns that were voiced at the last Federated Farmers meeting surrounding the Council's compliance and enforcement strategy particularly surrounding freshwater rules and regulation.

12.2 Upcoming Local Government Elections

Councillors D N MacLeod and M P Joyce notified the Council that they would not be standing in the 2022 Local Government Elections.

13. Public Excluded

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987, resolves that the public is excluded from the following part of the proceedings of the Ordinary Meeting on Tuesday 21 February 2022 for the following reason/s:

Item 13 – Public Excluded Ordinary Minutes – 5 April 2022

THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Item 14 - Public Excluded Executive, Audit and Risk Minutes – 9 May 2022

THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Williamson/Cloke

There being no further business, Chairman D N MacLeod, declared the Ordinary Meeting of the Taranaki Regional Council closed at 11.20am.

Confirmed

Chairperson: _____

D N MacLeod

28 June 2022



Date: 28 June 2022

Subject: **Consents and Regulatory Committee Minutes - 7 June 2022**

Approved by: A J Matthews, Director - Environment Quality
S J Ruru, Chief Executive

Document: 3079706

Recommendations

That the Taranaki Regional Council:

- a) receives the minutes of the Consents and Regulatory Committee meeting of the Taranaki Regional Council at the Taranaki Regional Council, 47 Cloten Road, Stratford on Tuesday 7 June 2022 at 9.30am
- b) adopts the recommendations therein.

Matters arising

Appendices/Attachments

Document 3075928: Minutes Consents and Regulatory Committee - 7 June 2022



Date 7 June 2022, 9.30am

Venue: Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford

Document: 3075928

| | | | |
|----------------|------------|-------------------|--------------------|
| Members | Councillor | D L Lean | <i>Chairperson</i> |
| | Councillor | M J Cloke | |
| | Councillor | M G Davey | |
| | Councillor | C L Littlewood | |
| | Councillor | M P Joyce | |
| | Councillor | D H McIntyre | |
| | Councillor | C S Williamson | |
| | Councillor | E D Van Der Leden | |

Representative

| | | | |
|----------------|----|----------|--------------------------------|
| Members | Ms | E Bailey | Iwi Representative <i>zoom</i> |
|----------------|----|----------|--------------------------------|

| | | | |
|------------------|------|--------------|--|
| Attending | Ms | L Tester | Iwi Representative |
| | Mr | S J Ruru | Chief Executive |
| | Ms | A J Matthews | Director - Environment Quality <i>zoom</i> |
| | Mr | A D McLay | Director - Resource Management |
| | Mr | M Nield | Director - Corporate Services |
| | Mr | B Pope | Compliance Manager |
| | Mrs | J Allen | Consents Manager |
| | Ms | V McKay | Manager - Environmental Assurance |
| | Mrs | L Miller | Team Leader - Environmental Assurance |
| | Mr | C Vicars | Team Leader - Hill Country |
| | Mr | S Tamarapa | Iwi Communications Officer |
| | Miss | R Sweeney | Governance Administrator |
| | Ms | J Mack | Governance Administrator |
| | Mr | C Woollin | Communications Advisor |

Opening Karakia The meeting opened with a group karakia.

Apologies Apologies were received and sustained from Councillor D N MacLeod and Iwi Representatives M Ritai and K Holswich. Joyce/McIntyre

Notification of Late Items Due to the LGNZ Conference 2022 coinciding with the July Consents and Regulatory Committee an alternative date will need to be set.

1. Confirmation of Minutes – 26 April 2022

Resolved

That the Consents and Regulatory Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Consents and Regulatory Committee of the Taranaki Regional Council held at the Taranaki Regional Council, 47 Cloten Road, Stratford on 26 April 2022 at 9.30am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 5 April 2022.

Lean/Cloke

Matters arising

There were no matters arising.

2. Resource consents issued under delegated authority and applications in progress

- 2.1 Mrs J Allen, Consents Manager, spoke to the memorandum to advise the Council of consents granted, consents under application and of consent processing actions since the last meeting.
- 2.2 Mrs J Allen, Consents Manager, responded to questions raised by Iwi Representative, E Bailey regarding Mangatui Limited, Ferndene Group Limited and NZ Surveys 2020 Limited.
- 2.3 Mr A D McLay, Director – Resource Management responded to a query regarding measures put into place to ensure that Fabish Bros Farms Limited can continue to operate after their consent lapses.

Recommended

That the Taranaki Regional Council:

- a) receives the report, the schedule of resource consents granted and other consent processing actions, made under delegated authority.

Williamson/Davey

3. Incident, Compliance Monitoring Non-compliances and Enforcement Summary – 6 April 2022 to 17 May 2022

- 3.1 Mr B Pope, Compliance Manager, spoke to the memorandum to consider and receive the summary of the incidents, compliance monitoring non-compliances and enforcement for the period 6 April 2022 to 17 May 2022.
- 3.2 Mr B Pope, Compliance Manager responded to questions raised by Iwi Representative, E Bailey regarding enforcement action taken by the Council.
- 3.3 Councillor C L Littlewood requested an update on the timing for Remediation NZ hearing response.
- 3.4 Councillor E Van Der Leden requested information relating to what communication and education is provided to the community regarding backyard burning.

Recommended

That the Taranaki Regional Council:

- a) receives this memorandum *Incident, Compliance Monitoring Non-compliances and Enforcement Summary – 6 April 2022 to 17 May 2022*.
- b) receives the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 23 February 2022 to 5 April 2022, notes the action taken by staff acting under delegated authority and adopts the recommendations therein.

Littlewood/Van Der Leden

4. Hearing Panels Decision on Airport Farm Trustee Limited

- 4.1 Mr A D McLay, Director – Resource Management, spoke to the memorandum to formally advise the Council of the decision of the Hearing Panel, which heard application 20-05262-3.0 by Airport Farm Trustee Limited to discharge emissions into the air from a free-range poultry farming operation.

Recommended

That the Taranaki Regional Council:

- a) receives the memorandum Hearing Panels Decision on Airport Farm Trustee Limited
- b) receives the Hearing Panel report and decision of the Hearing Panel that heard the application by Airport Farm Trustee Limited
- c) notes the Hearing Panel have, under delegated authority from this Council, approved the resource consents sought
- d) notes that the decision can be appealed within 15 working days and in law Airport Farm Trustee Limited can continue to operate under their existing consent until any appeals are resolved.

Lean/Williamson

5. General Business

5.1 19 July 2022 Consents and Regulatory Committee meeting

Due to the Local Government New Zealand tour coinciding with the 19 July 2022 Consents and Regulatory Committee a resolution was passed unanimously to delegate authority to the Chief Executive and Chairperson to formally assign an alternative date.

Cloke/Williamson

There being no further business the Committee Chairperson, Councillor D L Lean, declared the public meeting of the Consents and Regulatory Committee closed at 9.55am.

Confirmed

**Consents and Regulatory
Committee Chairperson:** _____

**D L Lean
19 July 2022**



Date 28 June 2022

Subject: **Policy and Planning Committee Minutes - 7 June 2022**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 3080427

Recommendations

That the Taranaki Regional Council:

- a) receives the minutes of the Policy and Planning Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford on Tuesday 7 June 2022 2022 at 10.30am
- b) adopts the recommendations therein.

Matters arising

Appendices/Attachments

Document 3072900: Minutes Policy and Planning - 7 June 2022



Date 7 June 2022, 10.30am

Venue: Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford

Document: 3072900

| | | | |
|-----------------------|------------|-------------------|--|
| Members | Councillor | C L Littlewood | Committee Chairperson |
| | Councillor | N W Walker | Committee Deputy Chairperson |
| | Councillor | M G Davey | |
| | Councillor | M J McDonald | |
| | Councillor | D H McIntyre | |
| | Councillor | C S Williamson | |
| | Councillor | E D Van Der Leden | |
| | Councillor | M P Joyce | <i>ex officio</i> |
| Representative | | | |
| Members | Councillor | S Hitchcock | New Plymouth District Council |
| | Councillor | C Young | South Taranaki District Council |
| | Ms | B Bigham | Iwi Representative <i>zoom</i> |
| | Ms | L Tester | Iwi Representative |
| | Mr | P Moeahu | Iwi Representative |
| | Mr | P Muir | Federated Farmers |
| Attending | Councillor | D L Lean | Taranaki Regional Council |
| | Mr | S J Ruru | Chief Executive |
| | Mr | A D McLay | Director - Resource Management |
| | Ms | A J Matthews | Director - Environment Quality <i>zoom</i> |
| | Mr | D R Harrison | Director - Operations |
| | Mr | M Nield | Director - Corporate Services |
| | Mr | C Spurdle | Planning Manager |
| | Mr | S Tamarapa | Iwi Communications Advisor |
| | Ms | V McKay | Science Manager |
| | Mr | C Wadsworth | Strategy Lead |
| | Ms | K Holland | Communications Adviser |
| | Mr | C Vicars | Team Leader, Hill Country |
| | Mr | S Ellis | Environment Services Manager |
| | Mrs | L Miller | Team Leader, Environmental Assurance |
| | Ms | L Honnor | Programme Lead - Biodiversity |
| | Mrs | J Hyland | Team Leader, Riparian |
| | Miss | R Sweeney | Governance Administrator |
| | Mrs | J Mack | Governance Administrator |

Apologies Apologies were received and sustained from Councillor D N MacLeod McIntyre/Van Der Leden

Notification of and Late Items Due to the LGNZ Conference 2022 coinciding with the July Policy and Planning Committee, an alternative date will need to be set.

1. Confirmation of Minutes – 26 April 2022

Resolved

That the Policy and Planning Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Policy and Planning Committee of the Taranaki Regional Council held in the Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford on Tuesday 26 April 2022 at 10.30am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 17 May 2022.
McIntyre/Van Der Leden

Matters arising

There were no matters arising.

2. Climate Change projections and impacts for Taranaki

- 2.1 Ms V Mckay, Science Manager, spoke to the memorandum on the findings and recommendations of a recent report on climate change projections and impacts for Taranaki, commissioned by Council and undertaken by the National Institute of Water and Atmospheric Research.
- 2.2 Councillor E Van Der Leden suggested that a media release of the findings be organised by the Council to notify the community.
- 2.3 Members of the Committee enquired how the report would impact the Council. Officers responded that the effects of greenhouse gases will be a Government requirement within consenting later in the year. Climate change is also a matter for consideration in the development of the Council's Natural Resources Plan. Further information will be passed to the Committee as it arises.
- 2.4 Mrs A J Matthews advised the Committee that work in collaboration with Taranaki Emergency Management Office and Venture Taranaki, along with the territorial authorities, was an opportunity to help us plan ahead and make the most of any opportunities.

Recommended

That the Taranaki Regional Council:

- a) receives the memorandum
- b) notes the findings and conclusions of the Climate change projections and impacts for Taranaki report, as outlined in the memorandum
- c) notes the report will be made available to the public.
Joyce/Muir

3. Essential Freshwater Implementation Review

- 3.1 Mr C Wadsworth, Strategy Lead - Resource Management, spoke to the memorandum to provide the Committee with a Freshwater implementation programme update.
- 3.2 Mr D R Harrison, Director – Operations, provided an update on the riparian field monitoring device test phase. He noted some technical issues were being addressed and it will be operational in the near future.
- 3.3 Councillor N W Walker advised that the Ministry for Primary Industries are in the process of setting up an entity called ‘integrated farm planning’ that will assist farmers to meet their freshwater and greenhouse gas requirements by 2025.
- 3.4 Mr M J Nield gave further details surrounding the Waitara Catchment fund (currently \$19.6m) which is currently held in trust. To date the only funds that have been spent are for bank fees. The establishment of the Committee is progressing well with consultation with iwi taking place.

Recommended

That the Taranaki Regional Council:

- a) receives the Memorandum on Freshwater implementation programme.
Walker/Van Der Leden

4. Key Native Ecosystems Programme Update

- 4.1 Mr D R Harrison, Director – Operations, spoke to the memorandum to present, for Members’ information, an update on the identification of sixteen new Key Native Ecosystem (KNE) sites.
- 4.2 Councillor N W Walker requested a media release be prepared to highlight the amount of land that will be preserved and that the Council finds an appropriate way to celebrate the success of the programme.
- 4.3 Mr D R Harrison, advised Mr Walker that all KNE’s were listed on the Council’s website. However, further consideration will be given to how to further acknowledge the efforts.

Recommended

That the Taranaki Regional Council:

- a) receives this memorandum and the attached inventory sheets for Patui, Barrel's Creek, Morrison's Bush (QEII 5/06/358), Pukekotahuna Headwaters Reserve, Whare Piwakawaka, NERGE Orchid Haven and Swamp Forest, Middle Bush, Cool Acres, Sunman Farms QEII Covenant, Gillett Family Bush, Patea Saltmarsh Estuary, Fangorn and Forbidden Forest, Ben's Block, Bruce's Bush & Danny's Pond, Mangamaio, Manui Farm QEII Covenants
- b) notes that the aforementioned sites have indigenous biodiversity values of regional significance and should be identified as Key Native Ecosystem sites.
Williamson/Young

5. Submission on Space Invaders: A review of how New Zealand manages weeds that threaten native ecosystems

- 5.1 Mr D R Harrison, Director – Operations, spoke to the memorandum to introduce the Council's submission. This was prepared in response to the report and recommendations made by the Parliamentary Commissioner for the Environment, on Space invaders: A review of how New Zealand manages weeds that threaten native ecosystems.
- 5.2 Mr D R Harrison further noted that uncertainty surrounding leadership and responsibilities still exists and requires clarification. Weeds located on conservation land will need to be handled by the Department of Conservation.

Recommended

That the Taranaki Regional Council:

- a) receives this memorandum entitled Submission on Space invaders: A review of how New Zealand manages weeds that threaten native ecosystems
- b) endorses the attached submission.

Muir/Hitchcock

6. Weedbusters Taranaki Guide

- 6.1 Ms L Honnor, Programme Lead - Biodiversity, spoke to the memorandum to introduce the Taranaki Regional Council's newly published *Weedbusters Taranaki* guide.
- 6.2 Councillor C L Littlewood suggested that before the mid period review of the Pest Management Plan , a workshop be held that allowed an in-depth review on why certain plants are or are not within the Pest Management Plan.
- 6.3 Councillor E D Van Der Leden requested the engagement statistics for the Weedbusters email and social media relating to this.

Recommended

That the Taranaki Regional Council:

- a) receives this memorandum entitled Weedbusters Taranaki guide
- b) notes that the *Weedbuster Taranaki* guide is available to the community online or for free as a hard copy upon request to the Council.

Davey/McDonald

7. Towards Predator-Free Taranaki Project

- 7.1 Mr S Ellis, Environment Services Manager, spoke to the memorandum to present for Members' information a quarterly update on the progress of *Taranaki Taku Tūrangā Our Place - Towards Predator-Free Taranaki project*.
- 7.2 Mr S Ellis, provided an update on scheduled 1080 drops noting that the National Park is on a rotational cycle which will be due next year. Works with Taranaki Mounga Project and conservation groups are under way.
- 7.3 An update on the programme's timeline, productivity and budget was provided. In summary the programme is in year four out of five year funding commitment from the Government. The complete eradication of possums has ended up costing more

than what was budgeted for, however other portions such as rural rollout has come in under budget, so reallocation of funds has been able to take place.

Recommended

That the Taranaki Regional Council:

- a) receives this memorandum Taranaki Taku Tūrangā Our Place - Towards Predator-Free Taranaki project
- b) notes the progress and milestones achieved in respect of the urban, rural and zero density possum projects of the *Taranaki Taku Tūrangā Our Place - Towards Predator-Free Taranaki project*
Davey/Van Der Leden

8. Hill Country Sustainable Land Management Programme

- 8.1 Mr C Vicars, Team Leader – Hill Country, spoke to the memorandum to provide Members an overview of Council’s hill country sustainable land management programme. This included what it had achieved to date and provide insight on the future work planned to meet the requirements of Government's Essential Freshwater reforms.
- 8.2 Mr C Vicars advised the Committee that the performance of the additional resources is being measured by two monitoring regimes. Firstly, an in house hill country monitoring app has been developed and background work feeding into this has occurred to address data accuracy. The second, is state of environment monitoring
- 8.3 Mr C Vicars responded to a statement made about the proposal to restrict exotic forestry advising it is appropriate to make sure that the right trees are planted in the right place and central Government was aware of the impacts of carbon farming impacting traditional land uses.

Recommended

That the Taranaki Regional Council:

- a) receives the memorandum on the Council’s current hill country sustainable land management programme
- b) notes the progress that the sustainable land management programme has achieved and the focus areas for future work.

Williamson/Young

Councillor S Hitchcock left at 12.05pm

9. Riparian Programme and Public Waterways and Ecosystem Restoration Fund Achievements.

- 9.1 Mrs J Hyland, Team Leader - Riparian, spoke to the memorandum to provide the Members with an overview of the Council's riparian programme and the delivery of the Ministry for the Environment’s Public Waterways and Ecosystem Restoration Fund.

- 9.2 The Committee gave thanks to those involved, including farmers, for achieving the large target.
- 9.3 Clarification surrounding suitable planting and use within the riparian buffer zone was provided.

Recommended

That the Taranaki Regional Council:

- 9.4 notes the recent completion of the Transforming Taranaki PWER funding project and its achievements, and the focus areas for future work.

Davey/Boyd

10. General Business

19 July 2022 Policy and Planning Committee Date

Due to the Local Government New Zealand regional tour coinciding with the 19 July 2022 Policy and Planning Committee, a resolution was passed unanimously to delegate authority to the Chief Executive and Chairperson to formally assign an alternative date.

McIntyre/Van Der Leden

There being no further business the Committee Chairperson, Councillor C L Littlewood, declared the meeting of the Policy and Planning Committee closed at 12.17pm. The meeting closed with a karakia.

Confirmed

Policy and Planning

Chairperson: _____

**C L Littlewood
19 July 2022**



Date: 28 June 2022

Subject: **Executive, Audit and Risk Committee Minutes - 20 June 2022**

Approved by: M J Nield, Director - Corporate Services
S J Ruru, Chief Executive

Document: 3079714

Recommendations

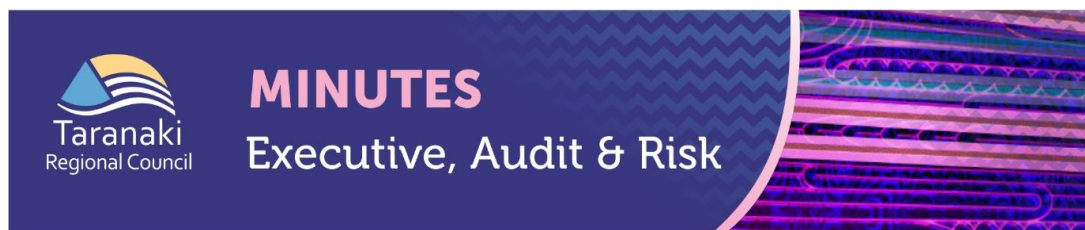
That the Taranaki Regional Council:

- a) receives the minutes of the Executive, Audit and Risk Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Monday 20 June 2022 at 10am
- b) adopts the recommendations therein.

Matters arising

Appendices/Attachments

Document 3079590: Minutes Executive, Audit and Risk Committee - 20 June 2022



Date 20 June 2022, 10am
Venue: Taranaki Regional Council chambers, 47 Cloten Road, Stratford
Document: 3079590

| | | | |
|-----------------------------------|--|--|---|
| Members | Councillors | N W Walker M J Cloke D L Lean C L Littlewood M J McDonald D N MacLeod M P Joyce | Committee Chairperson <i>zoom</i> <i>zoom</i> <i>ex officio zoom</i> <i>ex officio zoom</i> |
| Attending | Mr Mr Mr Ms Ms Ms Ms Mr Ms Miss Councillor Ms <i>Two members of the public</i> | S Ruru M J Nield D R Harrison R Johnson S Hiestand K Humphries F Ritson C Woollin J Reader R Sweeney C S Williamson S Singh | Chief Executive Director – Corporate Services Director – Operations Financial Services Manager Transport Engagement Manager Transport Coordinator Senior Policy Analyst Communications Advisor Communications Manager Governance Administrator Taranaki Regional Council I Love Public Transport |
| Apologies | There were no apologies. | | |
| Notification of Late items | There were no late items. | | |

1. Deputation – Suraya Sidhu Singh, I Love Public Transport

- 1.1 Mrs Suraya Sidhu Singh gave a deputation to the Council on behalf of the I Love Public Transport community group in regards to the benefits of better regional and inter-regional services to ensure Taranaki has a connected and efficient public transport network.
- 1.2 The Committee thanked Mrs Singh for her deputation.

2. Confirmation of Minutes – 9 May 2022

Resolved

That the Executive, Audit and Risk Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Executive, Audit and Risk Committee held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford on 9 May 2022 at 10am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on 17 May 2022.
Littlewood/Walker

3. Financial and Operational Report

- 3.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum receiving information on the operational and financial performance of the Council.
- 3.2 Mr D R Harrison, Director – Operations, responded to a question raised by Councillor C L Littlewood on the fatal crash in Waitara and whether the Council had a bollard in place.

Recommended

That the Taranaki Regional Council:

- a) receives the memorandum *Financial and Operational Report* and the *April 2022 Monthly Financial Report*
- b) notes the digital media update
Walker/Littlewood

4. Health and Safety Report

- 4.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum to receive and consider health and safety performance.

Recommended

That the Taranaki Regional Council:

- a) receives the April 2022 health and safety report
- b) receives the May 2022 health and safety report.
Joyce/Lean

5. Update and Future Steps for Public Transport

- 5.1 Ms S Hiestand, Transport Engagement Manager, spoke to the memorandum is to provide an update to the Committee regarding current public transport improvements to date and the strategy and deliverable improvements to Public Transport for the upcoming financial year.

Recommended

That the Taranaki Regional Council:

- a) receives the memorandum Update and Future steps for Public Transport
- b) notes the update on performance for the current financial year future strategy and implementation for the coming financial year.

MacLeod/Littlewood

6. Endorsement of submission on Horizons Draft Regional Public Transport Plan 2022

- 6.1 Mr M J Nield, Director – Corporate Services, Taranaki Regional Council, spoke to the memorandum to seek formal endorsement of a submission on *Horizons Draft Regional Public Transport Plan 2022-2032*.

Recommended

That the Taranaki Regional Council:

- a) receives the memorandum entitled *Endorsement of submission on Horizons Draft Regional Public Transport Plan 2022-2032*
- b) endorses the submission made to the Horizons Regional Council on the Horizons Draft Regional Public Transport Plan 2022-2032

MacLeod/Joyce

7. Pukeiti Upgrade Update

- 7.1 Mr G Rine, Regional Gardens Manager, spoke to the memorandum to update the Council on the Pukeiti Upgrade and answer any question that arose from the Committee.
- 7.2 The Committee gave thanks and recognition for the many years of values works by Mr G Rine.

Recommended

That the Taranaki Regional Council:

- a) receives and notes the memorandum *Pukeiti Upgrade Update*.

Littlewood/Lean

8. Public Excluded – Executive, Audit & Risk Committee

In accordance with section 48(1) of the *Local Government Official Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Executive, Audit and Risk Committee Meeting on Monday 28 March 2022 for the following reason/s:

Item 10 - Public Excluded Minutes – 9 May 2022

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Item 11 – IRIS Next Generation (IRIS NG)

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information

Item 12 – Purchase of Property – 43 Cloten Road, Stratford

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information

Item 13 – Yarrow Stadium Plus: Project Steering Group Report

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Littlewood/MacLeod

There being no further business, the Committee Chairperson, Councillor N W Walker, declared the open meeting of the Executive, Audit and Risk Committee closed at 10.35am.

Confirmed

**Executive, Audit &
Risk Chairperson:** _____

N W Walker

1 August 2022



Date: 28 June 2022

Subject: **Joint Committee Minutes**

Approved by: M J Nield, Director - Corporate Services
S J Ruru, Chief Executive

Document: 3080423

Purpose

1. The purpose of this memorandum is to receive for information the minutes of the Taranaki Civil Defence Emergency Management Group Joint Committee meeting held on Thursday 19 May 2022, the Taranaki Solid Waste Management Committee meeting held on Thursday 26 May 2022 and the Taranaki Regional Transport Committee meeting held on Wednesday 1 June 2022.

Executive summary

2. The Taranaki Solid Waste Management Committee, Taranaki Civil Defence Emergency Management Group Joint Committee and the Regional Transport Committee are Joint Committees between the Taranaki Regional Council and the three district councils of Taranaki.
3. *The Local Government Act (Schedule 7, clause 30(8))* states that a joint committee is deemed to be both a committee of the local authority and a committee of the other local authority or public body.
4. Each council will therefore be given the minutes of the joint committee meetings for their receipt and information.

Recommendations

That the Taranaki Regional Council:

- a) receives the unconfirmed minutes of the Taranaki Civil Defence Emergency Management Group Joint Committee meeting held on Thursday 19 May 2022
- b) receives the unconfirmed minutes of the Taranaki Solid Waste Management Committee meeting held on Thursday 26 May 2022
- c) receives the unconfirmed minutes of the Taranaki Regional Transport Committee meeting held on Wednesday 1 June 2022.

Matters arising

Appendices/Attachments

Document 3064999: Minutes Taranaki Civil Defence Group Joint Committee - 19 May 2022

Document 3069473: Minutes Taranaki Solid Waste Joint Committee - 26 May 2022

Document 3072345: Minutes Taranaki Regional Transport Committee - 1 June 2022



Committee: Taranaki Emergency Management Group Joint Committee
Date: 19 May 2022, 10.30am
Venue: Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford
Document: 3064999

| | | | |
|------------------|------------|--------------|--|
| Present | Councillor | M J Cloke | Taranaki Regional Council (<i>Chairman</i>) |
| | Mayor | N Volzke | Stratford District Council |
| | Mayor | P Nixon | South Taranaki District Council |
| | Mayor | N Holdom | New Plymouth District Council <i>zoom</i> |
| Attending | Mr | S Ruru | Taranaki Regional Council |
| | Mr | S Hanne | Stratford District Council |
| | Mr | T Velvin | Taranaki Emergency Management |
| | Mr | W Crockett | South Taranaki District Council |
| | Ms | L Poutu | Tokomaru Representative |
| | Ms | S Gauden-Ing | Taranaki Emergency Management Office |
| | Mr | C Stevenson | New Plymouth District Council |
| | Mr | P Renshaw | National Emergency Management Agency <i>zoom</i> |
| | Miss | R Sweeney | Taranaki Regional Council |

Opening Karakia The meeting opened with a Karakia.

Apologies Apologies were received and sustained from Councillor D N MacLeod
Cloke/Volzke

Notification of Late Items There were no late items.

1. Confirmation of Minutes – 24 February 2022

Resolved

That the Taranaki Civil Defence Emergency Management Group Joint Committee:

- a) takes as read and confirms the minutes and resolutions of the Taranaki Civil Defence Emergency Management Group Joint Committee held in the Taranaki Regional Council Boardroom, 47 Cloten Street, Stratford on Thursday 24 February 2022 at 10.30am
- b) notes that the unconfirmed minutes of the Taranaki Civil Defence Emergency Management Joint Committee held via zoom on Thursday 24 February 2022 at 10am, have been circulated to the New Plymouth District Council, Stratford District Council and the South Taranaki District Council for their receipt and information.

Cloke/Nixon

Matters arising

There were no matters arising.

2. Taranaki Civil Defence Emergency Management Co-ordinating Executive Group Minutes – Thursday 5 May 2022

Resolved

That the Taranaki Civil Defence Emergency Management Group Joint Committee:

- a) receives the unconfirmed minutes of the Taranaki Civil Defence Emergency Management Co-ordinating Executive Group Meeting held in the Taranaki Regional Council Chambers on Thursday 5 May 2022 at 10.30am
- b) adopts the recommendations therein.

Cloke/Nixon

Matters arising

There were no matters arising.

3. Advisory Group Minutes

Resolved

That the Taranaki Civil Defence Emergency Management Group Joint Committee:

- a) receives the unconfirmed minutes of the meeting of the Taranaki Seismic and Volcanic Advisory Group (TSVAG) on 3 March 2022

Cloke/Volzke

Mayor N Holdom left the meeting at 10.41am

Matters arising

- 3.1 Mr T Velvin, Group Manager, Taranaki Emergency Management Office, spoke to the issues raised by the Committee on attendance of the LAG, a revision of the terms of reference is taking place currently.
- 3.2 Councillor M J Cloke suggested that when revisiting the attendance, to use the opportunity to look at those attendees around the table to do a presentation of their industry to identify vulnerable departments in the event of an emergency (i.e. avian).
- 3.3 Councillor S Hanne responded that he has had circa one per meeting.
- 3.4 Councillor M J Cloke suggested the Committee to write a letter giving thanks to Teresa Gordon, for her valuable work.
- 3.5 Community support during COVID-19 has now been handed entirely to the Ministry of Social Development. Mr T Velvin gave thanks to the Council and their staff for the support given to the community during those times.
- 3.6 Discussions about the service level agreement between New Plymouth District Council and Taranaki Regional Council were had. It was noted that discussions between Mr C Stevenson, New Plymouth District Council and Mr T Velvin, Taranaki Emergency Management Office are taking place, a round of edits from Mr T Velvin will be provided to Mr S Hanne, Stratford District Council once available.
- 3.7 Councillor M J Cloke asked whether if hiring a generator would be a more suitable option moving forward?

Mayor N Holdom re-joined the meeting at 10.41am

- 3.8 Mr T Velvin advised the option of hiring rather than purchasing would be considered in his study. However, advised a majority of the cost identified is to close up that side of the office that will then protect the generator.
- 3.9 Discussions were had around the Whakaari/White Island Court Ruling for National Emergency Management Agency. Mr T Velvin assured the Committee that NEMA lawyers are working with the Bay of Plenty lawyers on the next coronial inquest.
- 3.10 Group managers and NEMA have been working on a partnership agreement on how the two parties work together moving forward. NEMA are going to circulate this amongst staff on 31 May. There will likely be amendments to roles, responsibilities and work programmes may be amended as a result of this negotiations, once available, Mr T Velvin will circulate this information.
- 3.11 An update on the Trifecta programme was provided, works are still taking place. The bill is in the process of being written, once finalised confirmation and direction from the minister will be sought and the final round of ministerial engagement is anticipated to take place in July. There is an emphasis on ensuring Group Managers get a clear understanding of roles, responsibilities and accountability on legalities.

- 3.12 Mr W Crockett, South Taranaki District Council suggested a workshop be organised on the submission in order for coordination to take place on a regional scale.
- 3.13 The Committee raised concerns about being the length of the consultation period being unsuitable in order to provide suitable and practical feedback and in addition, consultation periods clashing with multiple other submissions (Resource Management Act, Three Waters, health reforms etc.).
- 3.14 Mayor N Volzke, Stratford District Council asked whether progression on strategic goals and objectives was true due to all works being identified as 'tracking to plan' or 'concerns – mitigations in place'
- 3.15 Mr T Velvin responded that some of the objectives identified are not tangible to be signed off or completed. While rewriting the group plan, consideration will be given on identifying tangible objectives. Some objectives have slowed/changed drastically due to higher priorities that have arisen over the past two years. Further advised that staff members are allowed five items 'above the line' and are unable to commence new tasks until other items have been completed.
- 3.16 Mr T Velvin highlighted a risk around recovery manager depth and the current across roles with fatigue across councils and businesses advising that we are likely to see change within the depth of statutory roles.
- 3.17 Mayor P Nixon, congratulated TEMO on the Taranaki model being singled out nationally as a stand out District Health Board and additionally, the efforts of iwi during difficult periods to ensure the community is looked after.
- 3.18 Mr T Velvin gave further information on the increased spend on legal and professional fees, being that the New Plymouth District Council legal team was engaged on Official Information Request under the Official Information Act (OIA). Noting that within those costs are also external consultation fees.
- 3.19 It was noted that Mr T Velvin would investigate the overspend in general costs and revert back to the Committee.
- 3.20 Mr W Crockett requested that future reporting identified budget anomalies.
- 3.21 Ms L Poutou, Tokomaru Representative and Mr T Velvin to liaise on the Earthquake and Volcano readiness plans on how to best work with iwi on consultation.
- 3.22 It was noted that the first area of focus for the new Marketing Manager would be hazards and what ways can we build resilience in the community with things like inflation.

4. Quarter Three Performance Report 2021-2022

- 4.1 Mr T Velvin, Group Manager, Taranaki Emergency Management Office, spoke to the memorandum to present the Quarter Two Report for 2021 - 2022 to the Taranaki Emergency Management Group Joint Committee.
- 4.2 An update on staff was provided being that Teresa Gordons final day of employment is scheduled for 2 June 2022, Lisa McMillan commenced on Monday 19 June 2022 and Valarie (Val) De Feo, the new GIS advisor has been employed on a two year contract.

Resolved

That the Taranaki Civil Defence Emergency Management Group Joint Committee:

- a) receives the Memorandum, *Quarter Three Performance Report 2021-2022*.
Holdom/Nixon

5. Appointment of Group Controller

- 5.1 Mr T Velvin, Group Manager, Taranaki Emergency Management Office, spoke to the memorandum to approve the appointment of Mr Kelvin Wright to the role of Group Controller and retain his Local Controller appointment by the Taranaki Civil Defence Emergency Management (CDEM) Group.

Resolved

That the Taranaki Civil Defence Emergency Management Group Joint Committee:

- a) receives the memorandum *Appointment of Group Controller*
- b) approves the appointment of Mr Kelvin Wright to the role of Group Controller to Taranaki CDEM
Clope/Holdom

6. Appointment of Local Controller

- 6.1 Mr T Velvin, Group Manager, Taranaki Emergency Management Office, spoke to the memorandum to approve the appointment of Mr Simon Woods to the role of Local Controller by the Taranaki Civil Defence Emergency Management (CDEM) Group.

Resolved

That the Taranaki Civil Defence Emergency Management Group Joint Committee:

- a) receives the memorandum *Appointment of Local Controller*
- b) approves the appointment of Mr Simon Woods to the role of Local Controller to Taranaki CDEM
Clope/Volzke

7. Updated Terms of Reference for the Co-ordinating Executive Group

- 7.1 Mr T Velvin, Group Manager, Taranaki Emergency Management Office, spoke to approve the updated Terms of Reference from the Co-ordinating Executive Group.

Resolved

That the Taranaki Civil Defence Emergency Management Group Joint Committee:

- a) receives memorandum, Approval of the Updated Terms of Reference for the Co-ordinating Executive Group
- b) approves the updated Term of Reference.
Clope/Volzke

8. General Business

- 8.1 It was noted the Rural Coordination group has now gone through its review, it is a large group of people however it is incredibly functional, the appointment of Mike Green has been beneficial due to the focus on valuable improvements.
- 8.2 It was requested that the Committee meeting commence with a karakia.

There being no further business the Committee Chairperson M J Cloke thanked attendees and declared the Taranaki Civil Defence Emergency Management Group Joint Committee Meeting closed at 11.40pm.

Confirmed

Chairperson _____

M J Cloke

11 August 2022



Date: 26 May 2022, 10.30am
Venue: Taranaki Regional Council, 47 Cloten Road, Stratford
Document: 3069473

| | | | |
|------------------|---|---|---|
| Present | Councillors | N W Walker A Jamieson B Roach M Chong D H McIntyre R Handley | Taranaki Regional Council (<i>Chairperson</i>) Stratford District Council (<i>Deputy Chair</i>) South Taranaki District Council New Plymouth District Council Taranaki Regional Council New Plymouth District Council <i>zoom</i> |
| Attending | Ms Mrs Miss Ms Ms Mr Mr Ms Ms Mr Ms Councillor | A Matthews V McKay R Sweeney L Jones L Campbell P McNamara J Cooper J Dearden R Martin J Beeslar T Hunt C L Littlewood | Taranaki Regional Council Taranaki Regional Council Taranaki Regional Council Taranaki Regional Council <i>zoom</i> Stratford District Council <i>zoom</i> Stratford District Council Stratford District Council New Plymouth District Council <i>zoom</i> South Taranaki District Council <i>zoom</i> South Taranaki District Council South Taranaki District Council <i>zoom</i> Taranaki Regional Council <i>zoom</i> |

Apologies An apology from A Brash, New Plymouth District Council was received Jamieson/Roach

Notification of Late Items There were no late items.

1. Confirmation of Minutes – 3 March 2022

Recommendations

That the Taranaki Solid Waste Management Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Taranaki Solid Waste Management Committee meeting held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Thursday 3 March 2022 at 10.30am
- b) notes that the unconfirmed minutes of the Taranaki Solid Waste Management Committee held at the Taranaki Regional Council, 47 Cloten Road, Stratford on Thursday 3 March 2022 have been circulated to the New Plymouth District Council, Stratford District Council and South Taranaki District Council for receipt and information.

Jamieson/Roach

Matters Arising

- 1.1 Ms J Dearden, New Plymouth District Council, provided an update on the kerbside recycling audit. She advised that the audit was now complete and data being analysed, and that information would then be circulated to the Committee once available, noting that it would be prior to the next meeting.
- 1.2 Ms J Dearden shared a slide showing the Material Recycling Facilities (MRF) result for April was 19%, a reduction from 25% in previous months. It was noted that the aim is to further reduce this to 8%. It was also noted that the reduction was not believed to be related to COVID.
- 1.3 Ms J Dearden advised that the Strength, Weakness, Opportunity and Threat (SWOT) report will provide further information in order to inform further actions to improve compliance with kerbside recycling requirements.
- 1.4 A discussion was had surrounding how other districts are progressing with contamination rates. It was noted that the Hawkes Bay District Council has a 2% community contamination rates. The Committee requested that an invitation be extended to Hawkes Bay District Council to attend the next meeting to share any learnings with the Committee.

2. Regional Submission for Ministry for the Environment Consultation – Transforming your Recycling

- 2.1 Ms J Dearden, New Plymouth District Council, spoke to advise Members that the Ministry for the Environment (MfE) has released a consultation document 'Transforming Your Recycling'. Submissions were open up until 22 May 2022. A draft submission was circulated to the Members of this Committee on 18 May 2022.
- 2.2 Ms R Martin, South Taranaki District Council, provided further details on how a container return scheme could work for the region after concern was expressed by the Committee on how practical it would be for rural towns to manage a return scheme. As works are still being done, there have been no formal decisions made however, consideration is being given to ensuring accessibility across the region. The proposal includes stores over 60 sqm which would encompass Four Square Supermarkets located in many small rural towns.

- 2.3 Ms R Martin spoke further to the diversion of organic waste from landfill, noting that the feasibility assessment of required infrastructure has now been completed and that a workshop will take place with all Councils.
- 2.4 Ms J Dearden gave a further update on the engagement survey, information is being compiled for a gap analysis which will identify the barriers and assist in setting new processes. An overview of the survey results will be presented to the Committee at the next meeting. As there are three rounds of engagement, it allows ample time for consultation and feedback from the community.
- 2.5 A discussion was had surrounding collection impacts for glass recycling due to contractor staffing impacts as a result of COVID.

Resolved

That the Taranaki Solid Waste Management Committee of the Taranaki Regional Council:

- a) receives the memorandum *Ministry for the Environment Consultant – Proposed Waste Strategy Regional Submission*
- b) endorses the submission on the proposed waste strategy changes.
Jamieson/Roach

3. Regional Annual Education Plan 2022/2023

- 3.1 Ms R Martin, South Taranaki District Council, spoke to the memorandum Regional Annual Education Plan 2022/2023.
- 3.2 Ms R Martin advised the Committee that education is funded by the waste levy as opposed to rates directly. Currently the Litter Act and the Waste Minimisation Act are under review, that review will look at giving more power to Councils which then provides an opportunity to reassess programme funding.
- 3.3 Ms J Dearden, New Plymouth District Council, provided an update on the Agrecovery 'One stop shop events' advised that there was regional funding to hold more events in future however, an alternative provider would be involved due to unforeseen circumstance when it came to the disposal of the materials (i.e. offshore) and some materials offering no end use.
- 3.4 Ms R Martin responded to a suggestion of Farmsource being an alternative provider, noting that a number of suppliers offer chemical and silage wrap collection services. Agrecovery was primarily funded through MfE. Investigations are underway to potentially subsidise the service.

Resolved

That the Taranaki Solid Waste Management Committee of the Taranaki Regional Council:

- a) receives the memorandum *Update on the Current Significant Projects for Taranaki*
Walker/Jamieson

4. General Business

- 4.1 Chairman N W Walker, requested for an EnviroWaste representative to be invited along to the next Committee meeting.
- 4.2 Next Committee meeting to be held at the Junction with Sustainable Taranaki.

There being no further business, Committee Chairperson, N W Walker, declared the meeting of the Taranaki Solid Waste Management Committee closed at 11.52am.

Confirmed

Chairperson _____

N W Walker
18 August 2022



Date 1 June 2022, 10.30am
Venue: Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford
Document: 3072345

| | | | |
|------------------|-------------|-------------|---|
| Present | Councillors | M McDonald | Taranaki Regional Council (<i>Chairperson</i>) |
| | | M J Cloke | Taranaki Regional Council (<i>Deputy Chairperson</i>) |
| | | H Duynhoven | New Plymouth District Council |
| | Mayor | N Volzke | Stratford District Council |
| | Ms | L Stewart | Waka Kotahi NZ Transport Agency |
| Attending | Mr | M Nield | Taranaki Regional Council |
| | Ms | S Downs | Waka Kotahi NZ Transport Agency |
| | Mr | S Bowden | Stratford District Council |
| | Mr | R Leitao | New Plymouth District Council |
| | Mr | V Lim | South Taranaki District Council |
| | Mr | R Broad | AA Taranaki |
| | Miss | R Sweeney | Taranaki Regional Council |
| | Ms | K Humphrey | Taranaki Regional Council <i>zoom</i> |
| | Ms | F Ritson | Taranaki Regional Council |
| | Mr | G Roper | New Zealand Police |

One member of the media.

Apologies Apologies were received from Mayor P Nixon, South Taranaki District Council.
 McDonald/Duynhoven

Notification of Late Items There were no late items.

1. Confirmation of Minutes – 3 March 2022

Resolved

That the Taranaki Regional Transport Committee:

- a) takes as read and confirms the minutes of the Taranaki Regional Transport Committee meeting held at 47 Cloten Road, Stratford on Wednesday 3 March 2022 at 10.30am
- b) notes that the unconfirmed minutes of the Taranaki Regional Transport Committee held at 47 Cloten Street, Stratford on Wednesday 3 March 2022 at 10.30am, have been circulated to the New Plymouth District Council, Stratford District Council and the South Taranaki District Council for their receipt and information.

Cloke/Duynhoven

Matters arising

- 1.1 Ms L Stewart, Director - Regional Relationships, Waka Kotahi provided an update surrounding the Egmont Village Community Group deputation received at the last Regional Transport Committee. Works are planned to be brought forward into the New Plymouth section of works, any short term changes are being investigated and implemented where possible.

2. Regional Transport Advisory Group Minutes – 11 May 2022

Resolved

That the Taranaki Regional Transport Committee:

- a) receives the confirmed minutes of the Regional Transport Advisory Group meeting held on Wednesday 11 May 2022.

Cloke/Volzke

Matters arising

- 2.1 It was noted that within the Ahititi Stock effluent facility update it states that “Investigation into effluent removal to Te Kuiti is underway, with the Stratford site being unavailable due to resource consent” which is incorrect, the Stratford site does have consent, however that consent restricts materials being moved through different regions.

3. State Highway 3 Working Group Minutes – 1 April 2022

Resolved

That the Taranaki Regional Transport Committee:

- a) receives the unconfirmed minutes of the State Highway 3 Working Group meeting held on 1 April 2022 at 10.30am via audio-visual link (Zoom).

Duynhoven/McDonald

4. Waka Kotahi New Zealand Transport Agency Update

- 4.1 Ms L Stewart, Director - Regional Relationships, Waka Kotahi New Zealand Transport Agency, gave a presentation updating Members on activities of the Agency.
- 4.2 The TRC expressed concerns over its role in co-ordinating the regional speed management plan whilst not being a road controlling authority.
- 4.3 An update on the Egmont Road improvements was provided, a safety assessment of the intersection has been completed and the short term solution in place.
- 4.4 The Committee requested for an additional column within the Emergency works table to include the date the works were identified.
- 4.5 Waka Kotahi advised that a letter was received from the Mayoral Forum with regards to their concerns with speed and infrastructure works done to date, these concerns have been taken on board internally. Waka Kotahi noted that they are in the early stages of new ways of working with the region and are keen to ensure this is done in partnership with the Regional Transport Committee.

Resolved

That the Taranaki Regional Transport Committee:

- a) receives with thanks the presentation and updates provided by Waka Kotahi New Zealand Transport Agency.
Clove/Duynhoven

5. Submission for endorsement – Road User Charges System Review

- 5.2 Ms F Ritson, Senior Policy Analyst, spoke to the memorandum to seek formal endorsement from the Regional Transport Committee (the Committee) on the submission on the Road User Charges (RUC) System review.
- 5.3 The Committee thanked those involved for their work on the submission.

Resolved

That the Taranaki Regional Transport Committee:

- a) receives the memorandum entitled *Submission for endorsement - Road User Charges System review*
- b) endorses the submission to Te Manatū Waka Ministry of Transport on the discussion document, *Driving Change: Reviewing the Road User Charges System*.
Clove/Duynhoven

6. Changes to speed management planning

- 6.2 Ms F Ritson, Senior Policy Analyst, spoke to update Members on changes to speed management planning which will have a significant impact in the regions and on the Committee in particular.

Resolved

That the Taranaki Regional Transport Committee:

- a) receives the memorandum entitled *Changes to speed management planning*

- b) receives the presentation provided by Waka Kotahi
- c) notes the significant changes to how speed is managed in New Zealand, including the new requirement for regional transport committees to prepare and consult on regional speed management plans.

Cloke/McDonald

7. Transport Policy Updates

- 7.2 Ms F Ritson, Senior Policy Analyst, spoke to update Members on a range of Transport Policy matters.

Resolved

That the Taranaki Regional Transport Committee:

- a) receives the memorandum entitled *Transport policy updates*
- b) notes that more detailed updates on individual transport policy work streams will be brought to the Committee in due course.

Duynhoven/Volzke

8. Strategic case for freight and logging

- 8.2 Sarah Downs, Regional Manager, System Design – Central North Island, Waka Kotahi, spoke to update Members on the Central North Island Logging and Freight Strategic Study and provide an opportunity to provide feedback and discuss how we work together collaboratively.
- 8.3 The Committee expressed the requirement for the Taranaki Regional Transport Committee to have involvement in the strategic case.

Resolved

That the Taranaki Regional Transport Committee:

- a) receives the memorandum entitled *Strategic Case for freight and logging*
- b) notes the work underway by Waka Kotahi to progress the Strategic Case for logging and freight.

Duynhoven/Volzke

9. Territorial Authorities Update

- 9.1 Mr V Lim, South Taranaki District Council, spoke to the report updating the committee on transport activities within the South Taranaki District. It was noted:
- 9.2 Mr S Bowden, Stratford District Council, spoke to the report updating the committee on transport activities within the Stratford District. It was noted:
- 9.3 Mr R Leitao, New Plymouth Council, spoke to the report updating the committee on transport activities within the New Plymouth District. It was noted:

Resolved

That the Taranaki Regional Transport Committee:

- a) receives the update provided by the Stratford District Council on its transport activities
- b) receives the update provided by the South Taranaki District Council on its transport activities
- c) receives the update provided by the New Plymouth District Council on its transport activities.

Volzke/Duynhoven

10. General Business

New Zealand Police Update

- Mr R O’Keffe, New Zealand Police, spoke further to the largest contributor to road fatality being impairment, operations focusing on alcohol screening is underway and is looking and increasing more daytime testing.

There being no further business the Committee Chairperson, Councillor M J McDonald, thanked the Committee for their work and declared the Regional Transport Committee meeting closed at 12.58pm.

Confirmed

**Taranaki Regional Transport
Committee Chairperson:** _____

M J McDonald

Wednesday 31 August 2022



Date 28 June 2022

Subject: **Meeting Dates for July and August 2022**

Approved by: M J Nield, Director - Corporate Services
S J Ruru, Chief Executive

Document: 3080424

Purpose

1. The purpose of this memorandum is to provide notification to members of the meeting dates for the first round of meetings for July and August 2022.

Meeting Dates

| | |
|-------------------------------------|--------------------------------|
| Consents and Regulatory Committee | Tuesday 26 July 2022, 9.30am* |
| Policy and Planning Committee | Tuesday 26 July 2022, 10.30am* |
| Executive, Audit and Risk Committee | Monday 1 August 2022, 10am |
| Ordinary | Tuesday 9 August 2022, 10.30am |

** The amended dates for the July Consents and Regulatory and Policy and Planning and Committees are yet to be finalised.*



Date: 28 June 2022

Subject: **Elected Member Protocols**

Approved by: M J Nield, Director - Corporate Services
S J Ruru, Chief Executive

Document: 3080197

Purpose

1. The purpose of this memorandum is to receive and consider the *Local Government Election Year Protocols for Elected Members*.

Recommendations

That the Taranaki Regional Council:

- a) receives the *Local Government Election year Protocols for Elected Members*.

Background

2. In previous elections the Office of the Controller and Auditor-General has issued communication protocols for elected members during the election period. These protocols became dated and have been withdrawn.
3. To replace these protocols, LGNZ and Taituarā have developed replacement protocols - attached. These are designed to provide confidence that the election process is free from bias or the perception of favouring existing elected members.

Discussion

4. The purpose of the protocols is to allow the Council and Councillors to continue to make decisions as well as campaign for re-election.
5. If an incumbent elected member is standing for re-election, they must clearly and transparently differentiate between Council business as usual and campaigning for re-election.
6. Council resources should only be used for Council business and not for re-election purposes.
7. The protocols are based on the three complementary principles.

- Principle 1:** The operation of local authorities continues during the pre-election period. Elected members continue to have the right to govern and make decisions during the pre- election period.
- Principle 2:** During the pre-election period, communities have the same legitimate need for information about their local authority's decisions and activities as at any other time.
- Principle 3:** Local authorities must not promote, or be perceived to promote, the prospects of any candidate, especially a sitting member. Using Council resources for re-election of sitting members is unacceptable and possibly unlawful.

Financial considerations—LTP/Annual Plan

8. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

9. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

10. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan.

Community considerations

11. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

12. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Document 3074092: Local Government Election Year Protocols for Elected Members

Taranaki Regional Council

Local Government Election Year Protocols for Elected Members

Summary

1. In an election year, elected members standing for re-election have two roles. They continue to make the decisions of the Taranaki Regional Council and, as candidates, campaign for re-election.
2. If an incumbent elected member is standing for re-election, they must clearly and transparently differentiate between council 'business as usual' and campaigning for re-election. These protocols will assist elected members to manage this important distinction, particularly during any year in which a local government election is held.
3. Resources owned by the Taranaki Regional Council and made available to elected members should only be used for Taranaki Regional Council purposes. This applies at all times, but is especially relevant in the pre-election period (three-months before election day).
4. During an election year, the use of council resources for re-election purposes is unacceptable and possibly unlawful.
5. These protocols are based on guidance from Local Government New Zealand and Taituarā; such guidance being reviewed by the Office of the Auditor-General and the Department of Internal Affairs.

Principles

The protocols are based on three complementary principles:

Principle 1: The operation of local authorities continues during the pre-election period. Elected members continue to have the right to govern and make decisions during the pre-election period.

Principle 2: During the pre-election period, communities have the same legitimate need for information about their local authority's decisions and activities as at any other time.

Principle 3: Local authorities must not promote, or be perceived to promote, the prospects of any candidate, especially a sitting member. Using Council resources for re-election of sitting members is unacceptable and possibly unlawful.

General business of council continues during pre-election period

The normal business of the Council continues during an election year, including during the pre-election period and elected members continue to have the right and responsibility to govern and make decisions.

During the pre-election period a heightened level of media and public scrutiny about the Council's decisions and business can be expected. To assist elected members and Council staff during this period, the Council may choose to adopt certain limited restraints on

business as usual. For example:

- as far as is reasonably possible, make significant decisions and provide direction to officers on any major issues prior to the pre-election period
- decide not to make major policy decisions or changes which will significantly impact on the incoming Council during the pre-election period.

Choosing to adopt limited restraints on normal business during the pre-election period assists elected members and employees to manage any potential confusion which may occur between the Council's business as usual and candidates' campaign manifestos.

It is important to note that not all decisions should, or can, be made prior to the start of the pre-election period. The general principle is that business can continue as normal.

Use of council resources

If a sitting elected member is seeking re-election a clear and transparent distinction will be made between that member's business-as-usual activities and the member's campaigning activities.

Elected members can use Council resources and technology only in their capacity as an elected member and should use their own resources and technology in their capacity as an election candidate.

In an election, the Council does not supply any candidate with technology resources. Having access to a Council resource could create an electoral advantage, regardless of whether there is an actual cost to the Council. All candidates, including sitting members, should use their own resources for electioneering.

Mileage allowances will not be paid for any travel relating to electioneering.

Use of Chairperson's resources

Council resources provided for the Chairperson's use should not be used for any electioneering activities associated with any candidate.

If an incumbent Chairperson is seeking re-election a clear and transparent distinction will be made between that Chairperson's business-as-usual activities and the Chairperson's campaigning activities. An incumbent Chairperson seeking re-election will establish private support for any campaigning activities.

The incumbent Chairperson's office will establish systems and protocols to ensure that any information or other requests from the public, media, other elected members or Council employees during the pre-election period are identified as either business as usual or campaign related and to ensure that these are kept separate and responded to appropriately. Staff resource will not be used to respond to campaign queries.

Elected members correspondence

During the pre-election period normal day-to-day elected members' official correspondence with their constituents on appropriate matters should be consistent with the general

principle that the Council must not promote, nor be perceived to promote, the re-election prospects of a sitting member or any candidate for election.

Correspondence relating to any sitting member's campaign for re-election should not utilise a Council email address, stationery or business card. Council email addresses should not be used for electioneering purposes.

Council communications

The use Council communication resources for re-election purposes is unacceptable and may be unlawful.

Criticism of an elected member or candidate for election by a sitting elected member is unacceptable in any Council-funded communication.

Criticism of decisions of the Council is unacceptable in any Council-funded communication.

The Council's Code of Conduct and reference to contact with the media referred to in that document apply at all times.

Particular care will be exercised in the use of Council resources for communications to ensure that they do not unreasonably raise, or could have the effect of unreasonably raising, the personal profile of any elected member or candidate for election in the community. This will include careful consideration of the tone, content and style of any communication to ensure that it is factual, accurate, complete, fairly expressed, and politically neutral.

During the pre-election period (from 8 July 2022 to 8 October 2022), the following communications must be authorised by the Chief Executive, or their delegate:

- council-funded communications
- communications by or about elected members, in their capacities as spokespersons for council
- events and speaking invitations.

Photographs of elected members and content authored by elected members in Council publications and advertising will be suspended during the pre-election period.

Council support staff for elected members

Executive Support and Governance staff provide support to elected members. Such support continues for the purpose of assisting elected members to fulfil their responsibilities in conducting the business of the Council.

Support staff will not provide any assistance relating to electioneering activities.

Neutrality of public servants

A major characteristic of New Zealand's constitutional arrangements is that public servants are apolitical. This applies to public servants in local and central government.

Having a heightened awareness of the need for public servants to be seen to act with political neutrality does not mean the work of Council is disrupted. All staff will continue to support elected members in performing their role during the election period.

It does mean however, that during an election year and particularly during the pre- election period, additional care must be taken to ensure that activities are not seen, in any way, to support or preference one candidate over another.

This is particularly important with respect to activities such as media relations, advertising campaigns, responding to *Local Government Official Information and Meetings Act 1987* requests, interaction with electoral candidates, public speaking engagements, appointment processes, programme and strategy launches and promotions, and the release of discussion documents.

The Chief Executive is responsible for setting appropriate election year protocols for staff.

Definitions

Council resources means: council's human resources; budgets; and council-owned, or controlled, property and other resources; including information technology and telecommunications devices.

Electioneering means activity that relates exclusively to the campaign for the election of a candidate, and occurs solely in the candidate's capacity as a candidate, and not in his or her capacity as a member of the council.

Pre-election period means the three months prior to election day (8 July to 8 October 2022).

Complaints about potential breaches of this policy

Complaints about potential breaches of this policy must be made in writing to the Council Chief Executive who will consider each complaint on a case by case basis with reference to this and other relevant policies.

Complaints about the conduct of the elections are made to the Electoral Officer. If any complaint involves the use of council resources the Electoral Officer will bring the complaint to the attention of the Chief Executive.

FAQs

1. *Some of the opportunities that I have for attending to campaign activities occur between meetings at the council. It is not feasible for me to travel home to use my personal computer in order to draft a speech.*

The underlying principle is that of electoral advantage. The issue is whether, by having access to a computer that you do not have to pay for, you are at an advantage over other candidates. You should use your own resources for election related activity. You may need to carry two laptops during the electoral campaign.

2. *What are the relevant dates for the 2022 elections?*

| | |
|-------------------------------|--|
| Friday 15 July 2022 | Nominations open |
| Noon, Friday 12 August 2022 | Nominations close |
| 16 – 21 September 2022 | Delivery of voting documents |
| Noon, Saturday 8 October 2022 | Close of voting |
| 13 October 2022 | Declaration of results |
| 9 December 2022 | Return of election expenses & donations form |

The pre-election period is 8 July 2022 to 8 October 2022.

Dale Ofoske
 Electoral Officer
 Taranaki Regional Council
 June 2022

Doc: 3074092



Date: 28 June 2022

Subject: **Remits for Local Government New Zealand Annual General Meeting**

Approved by: S J Ruru, Chief Executive

Document: 3079579

Purpose

1. The purpose of this memorandum is to present the remits that are going to the upcoming Local Government New Zealand (LGNZ) Annual General Meeting (AGM). It asks that Council give consideration as to whether it wishes to give pre-AGM direction to the voting delegate about the Taranaki Regional Council's (TRC) support or otherwise of each of these remits.

Executive summary

2. The LGNZ AGM is to be held online on Thursday, 28 July 2022.
3. At that meeting, consideration will be given to five remits that have been submitted by local authorities. Each has received either formal support from councils, or support from at least one zone or sector group meeting prior to being submitted, and have been screened through the LGNZ Remits Screening Policy.
4. The TRC delegate, Chair David MacLeod, will vote on the Councils behalf on each.

Recommendations

That the Taranaki Regional Council:

- a) receives the LGNZ Annual General Meeting Remits for 2022, noting that the Chair will vote on behalf of the TRC
- b) provides any guidance that it considers appropriate to the Chair as to its view on each of the remits.

Background

5. Usually the AGM is held either prior to or immediately following the LGNZ conference.
6. LGNZ has a Remits Screening Policy which determines which remits, submitted by local authorities, will be considered at the LGNZ AGM. This year, five remits have been accepted for consideration and are attached.

Discussion

7. Chair David MacLeod will attend the AGM on behalf of Council as the Council's voting delegate. Council is only entitled to one voting delegate who would exercise the Council's voting rights. As the Council's senior office holder, the Chair is the most appropriate delegate to attend.
8. So that the Chair can represent the position of Council, consideration needs to be given to each remit, and a decision made for each on whether council supports the remit proposed. Council may decide that it does not have a position on a remit, and that the delegate may make a decision at the meeting following discussion on the particular matter. It is important to note that councils speak to their remits, so delegates at the AGM may be in a more informed voting position than councillors are prior to the AGM.

Financial considerations—LTP/Annual Plan

9. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

10. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

11. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan.

Community considerations

12. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

13. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Document 3079578: LGNZ 2022 Remits

Who's
putting local
issues on
the national
agenda?

**We are.
LGNZ.**

Te Kāhui Kaunihera o Aotearoa.

2022 Annual General Meeting

Remits

1

Central government funding for public transport

| | |
|----------------------|--|
| Remit: | That LGNZ: <ul style="list-style-type: none">• Calls on central government to fully and permanently fund free public transport for students, community service card holders, under 25s, and total mobility card holders and their support people.• Joins the Aotearoa Collective for Public Transport Equity (ACPTÉ) in support of the Free Fares campaign. |
| Proposed by: | Porirua City Council |
| Supported by: | Metro Sector |

Background information and research

1. Nature of the issue

At present, an inequitable, car-dominated transport system constrains mobility and limits opportunity for thousands of people. Transport is the second-largest source (21%) of domestic carbon emissions in Aotearoa – and 70% of these emissions come from cars, SUVs, utes, vans and light trucks.

The Aotearoa Collective for Public Transport Equity (ACPTÉ) are a vast collection of community organisations from across Aotearoa, joining together to advocate for more equitable public transport. The ACPTÉ are now asking for councils across the country to join their Free Fares campaign.

ACPTÉ's Free Fares campaign is asking for central government to fund free fares for public transport users, starting with low income groups and under-25s. The ACPTÉ believes that these groups are the right place to start because they represent a large portion of public transport users who rely on the service the most but are least likely to be able to afford it.

2. Background to its being raised

Transport is New Zealand's fastest growing source of greenhouse gas emissions, having doubled since 1990. Targeting transport is a key way to mitigate our fastest growing source of emissions. Porirua City Council's view is that we need to provide more sustainable transport options and enable people to transition from private vehicles to public transport.

The proposed remit suggests we can't meet our climate change targets without reducing how much we drive – not even by replacing petrol and diesel cars with EVs. Both in Aotearoa and overseas there are examples of free public transport incentivising mode shift away from private vehicle use. Free fares enable people to switch to public transport, which produces far less emissions per kilometre than private cars.

With housing costs and other expenses rising, many Community Service Card holders, tertiary students, under 25s and total mobility card holders find that a regular \$3 bus ticket is out of reach – and that's at the very time that we need to promote connection to combat loneliness and poor mental health. The high cost of public transport also leaves too many disconnected from family, friends and activities that bring us joy, leading to isolation and loneliness. The proposed remit suggests free fares would allow disadvantaged communities to better access services and seek education and employment.

To ensure transport equity, Porirua City Council suggests it is imperative we prioritise those who struggle the most to afford and access transport. All sectors of society are affected when the cost of fares prevent people from travelling. Businesses miss out on customers, community groups lose participants and volunteers, and tourist spots miss out on visitors. Free fares will allow more people to make these trips, connecting communities so we are all better off.

The ACPTTE started in 2021 calling for free public transport for students and community card holders. A coalition of climate action groups, student organisations, churches, unions and political youth wings joined together in asking central government and the Greater Wellington Regional Council to fund a trial for free public transport for these two target groups in the Greater Wellington region.

After submitting to GWRC, the ACPTTE decided that leading up to the Emissions Reduction Plan (ERP) consultation, the campaign should go national. Over the months leading up to the ERP consultation, the ACPTTE connected with groups across Aotearoa to advocate for free fares. The campaign also shifted to include under 25s, with the aim of normalising public transport as the main form of transport for the next generation.

During this time, the ACPTTE also reached out to councils inviting them to join in the advocacy effort, and several councils passed motions supporting free fares.

This campaign is specifically requesting that free fares are funded by central government. Signing onto this campaign would have no impact on councils' finances and would add no extra burden on rates.

3. New or confirming existing policy

This is new policy.

4. How the issue relates to objectives in the current Work Programme

This remit is broadly consistent with existing LGNZ work, particularly on climate change mitigation and the Future for Local Government Review, but has a more specific focus.

LGNZ is committed to working alongside central government and iwi to address social issues in our communities, including inequity between social groups.

5. What work or action on the issue has been done on it, and the outcome

The Government began a trial of half-price public transport fares from 1 April 2022. This three-month trial was extended by two months, and made permanent for community services cardholders, as part of the Government's Budget 2022 announcements. (Note that this decision is to provide half-price fares only to community service card holders, and not free fares which this remit and the ACPTA are advocating for).

While LGNZ has made statements in press releases about the Government's half-price public transport fares trial and its decisions around continuing this trial as part of Budget 2022 and ERP announcements, no formal work has been undertaken by LGNZ on this issue.

ACPTA has undertaken work on this issue, detailed in section 2 above. In addition to the work noted above, ACPTA has compiled research from within Aotearoa and abroad about the impact free fares could have for climate and equity and submitted their findings to the ERP consultation, and started a petition which received over 13,000 signatures and was handed to the Minister of Transport in March 2022.

6. Any existing relevant legislation, policy or practice

- Central government's public transport half-price fares trial extended for two months (total 5 months), and made permanent for community services cardholders, as part of Budget 2022 announcements
- NZ Transport Agency [Total Mobility scheme: policy guide for local authorities](#) 2017
- Ministry of Transport [SuperGold Card public transport funding](#)
- Aotearoa Collective for Public Transport Equity (ACPTA) [Free Fares NZ](#)
- [Government Policy Statement on Land Transport, 2021/22](#) – 30/31 including outcomes addressing "Inclusive Access" and "Resilience and security"
- [The Zero Carbon Act](#) 2019 and [Emissions budgets and the emissions reduction plan](#)

7. Outcome of any prior discussion at a Zone or Sector meeting

This proposed remit was endorsed by the Metro Sector at its meeting on 13 May 2022.

8. Suggested course of action

That LGNZ calls on central government to fully and permanently fund free public transport for students, community service card holders, under 25s, and total mobility card holders and their support people.

That LGNZ joins the Aotearoa Collective for Public Transport Equity (ACPTA) in support of the Free Fares campaign.

2

Review of Government transport funding

| | |
|----------------------|---|
| Remit: | That LGNZ call for an independent review into the way in which government, through Waka Kotahi, fund transport investments in Aotearoa. This includes funding of new developments and maintenance programmes. |
| Proposed by: | New Plymouth District Council |
| Supported by: | Rangitikei District Council, Hauraki District Council, South Taranaki District Council, Western Bay of Plenty District Council, Stratford District Council and Hamilton City Council |

Background information and research

1. Nature of the issue

A key part of the advocacy role of LGNZ includes being involved in discussions with central government on significant issues affecting local government. This is a critical role that is at the core of the work and purpose of LGNZ.

This remit asks that LGNZ work with government to ensure that an independent review into the funding model of Waka Kotahi is undertaken. The current funding model does not fully recognise the costs of maintenance of roads and related infrastructure and does not provide certainty to councils in setting their own budgets. This appears to be related to funding being heavily reliant on the annual budget of the government of the day and income that varies depending on many factors.

Such a review should consider how long-term projects such as roading should not be so reliant on annual fluctuations and more should be funded through long-term debt such as with local government major infrastructure.

2. Background to its being raised

The Government Policy Statement on land transport (GPS) states that “transport investments have long lead times, high costs and leave long legacies. Therefore transport planning and investments need to be guided by a long-term strategic approach, with a clear understanding of the outcomes that government is seeking to achieve”.

Over \$4 billion of New Zealanders’ money is spent through the national land transport fund each year, which is supplemented by co-investment from local government and additional funding and financing.

The GPS recognises that as the largest co-funder of National Land Transport Programme (NLTP) projects, local government has an important role in building strong, evidence-based projects and programmes for investment. This shows the appropriateness of LGNZ requesting a review is undertaken.

The Ministry of Transport and Waka Kotahi already look to other financing tools for larger intergenerational projects over \$100 million. The review should consider if this goes far enough and options for fixing the massive hole in existing budgets – such as the \$400 million one recently highlighted in Auckland for road maintenance and public transport projects.

The review should also consider the consistency of government actions across various infrastructure. The Three Waters Reform programme creates new entities to gain “a greater ability to borrow to fund long-term infrastructure” and aims “to protect consumer interests and drive efficient investment and performance”. Government recognises that Three waters requires long-term investment, but this review is needed to consider that view in relation to transport infrastructure.

3. New or confirming existing policy

Transport is one of LGNZ’s five key policy priorities. However, LGNZ is not currently actively advocating for a review of transport funding. This is therefore a new policy issue.

4. How the issue relates to objectives in the current Work Programme

Transport is, and always has been, a very critical issue for local government. There is a heavy reliance on uncertain Waka Kotahi funding and the need to advocate for investment in our regions. One of the LGNZ priorities is “Ensuring local voice is heard on the important issues – three waters, resource management, housing, transport, climate change and the future for local government”.

This remit meets the existing aims of LGNZ to represent the national interest of councils in Aotearoa, to ‘decode policy’ and to “help local government run better through development, support and advocacy”. By working with government to ensure an independent review of transport funding is undertaken, LGNZ would help fulfil their Whakamana/Advocate role.

As transport is also one of LGNZ’s five key policy priorities, and the ongoing funding of the local roading network is an issue that has emerged in ongoing conversations with the sector and in Future for Local Government workshops, advocating for an independent review of the funding system may speed up the pace of any review.

5. What work or action on the issue has been done on it, and the outcome

The Ministry of Transport regularly reviews its Government Policy Statement on Transport (typically every three years). This however would not meet the intent of the remit that there be an independent review of the broader system of funding of transport investment.

Based on recent engagement with the Ministry of Transport, LGNZ is aware that the Ministry has begun scoping work on what the future funding tools and requirements of the transport system should be. As such, this remit may provide value in demonstrating to the Government

how important this issue is to local government, and it may also signal some of the issues that should be included in scope of that review (including the benefit of the review being independent). As noted above, the remit may need to be updated depending on whether a Ministry of Transport-led review into how the transport system is funded is announced prior to the AGM. We do not have any indication of when such a review will be announced (if indeed it does proceed).

6. Any existing relevant legislation, policy or practice

The Land Transport Management Act 2003, Government Policy Statement on land transport and the National Land Transport Programme outline Government's position.

7. Outcome of any prior discussion at a Zone or Sector meeting

The proposed remit is supported by Rangitikei District Council, Hauraki District Council, South Taranaki District Council, Western Bay of Plenty District Council, Stratford District Council and Hamilton City Council.

8. Suggested course of action envisaged

That LGNZ work with the Government to ensure a review of land transport funding in New Zealand is undertaken. This should include looking at the funding of new transport infrastructure and maintenance and how best to fund these in a realistic, efficient and equitable manner alongside local government.

An independent review may not be possible given decisions around this work programme for the Government may be made (and possibly announced) prior to the AGM in July – though we do not have any indication of when the Government will make announcements about a possible review, or if indeed it will do that. However, support for this remit would provide LGNZ with the ability to demonstrate the importance of such a review to local government, and influence the particular issues that local government thinks should be within the scope of any review – including funding of new developments and maintenance programmes.

3

Illegal street racing

- Remit:** That Local Government New Zealand (LGNZ) implement a nation-wide working group of subject matter experts with the objective of formulating an action plan to effectively enforce the Land Transport Act 1998 and work with police to tackle illegal street racing and the antisocial behaviour associated with it.
- Proposed by:** Hutt City Council
- Supported by:** Upper Hutt City Council, Masterton District Council, Carterton District Council, Tauranga City Council, Hamilton City Council and Porirua City Council

Background information and research

1. Nature of the issue

Excessive noise from vehicles and other intimidating behaviour (such as convoys blocking the road and vehicles driving at high speeds) has been a frequent complaint from residents towards their local councils. Various attempts to curb this behaviour have had some success, while some measures have simply moved the problematic behaviour to another geographical location.

Councils across the nation have implemented various measures to limit dangerous vehicle use, such as speed cushions, concrete speed bumps, and visual distractions. With the additional cost of maintenance and road signs, these can be a significant cost to councils with only a limited impact on the problem.

Due to the illegal street racers often being in a network, they can communicate to avoid detection by police and move across several councils' territories in one night. This can pose an issue if multiple councils do not have consistent bylaws in their respective areas.

2. Background to its being raised

New Zealand laws deterring illegal street racing (occasionally referred to as 'boy racing') include the Land Transport Act (1998) and the Land Transport (Unauthorised Street & Drag Racing Amendment Act) (2003). Several other councils around New Zealand have chosen to include illegal street racing in their Public Places Bylaw, noting that intimidating behaviour or excessive noise from vehicles is prohibited. New Plymouth District Council and Waipā District Council both have proposed bylaws (not yet in force) specifically about illegal street racing. Christchurch City Council has a "Cruising and Prohibited Times on Roads Bylaw 2014" which is currently under

review. It is unclear how successful these bylaws have been, as there has been no evaluation material available to view.

Based on reports from other locations, the issue of vehicle noise, speed, intimidation, and damage is widespread across the country. Despite laws from central government and supplementary bylaws from local councils, the issue continues to persist. This does not support the argument that these laws have been effective.

Discussions with police and council officers have revealed the challenges of enforcing the law. Under-resourcing has not met the demand, as there are incidents where upwards of 100 illegal street racers converge in a single area with only one patrol car available.

Complaints about illegal street racers have been received by the Hutt City Council Deputy Mayor and council officers in the transport division. Noise is a prominent theme in these complaints when the illegal street racers are in close proximity to residences, along with tyre tread marks and oil on the road. Stolen road signs and other damage to property (both public and private) create further safety issues, along with alcohol use and some assaults to police officers or members of the public when attempting to communicate with the illegal street racers.

3. New or confirming existing policy

The issue is not currently covered by existing LGNZ policy.

4. How the issue relates to objectives in the current Work Programme

The issue aligns with LGNZ's Whakahono//Connect leadership pillar given the request from Hutt City Council to bring together the different actors involved with local government (including NZ Police, Waka Kotahi and the Ministry of Social Development) to address illegal street racing.

5. What work or action on the issue has been done on it, and the outcome

There does not appear to be any collective effort or plan underway to nationally address street racing. However, it does seem that there are a few localised plans, initiatives (including bylaws, speed cushions etc) or teams being stood up to address this issue (for example, in the Waikato, New Plymouth and Hutt City).

Hutt City Council's view is that these initiatives have had a limited impact on the problem, which is often moved elsewhere rather than stopping gatherings altogether.

6. Any existing relevant legislation, policy or practice

Land Transport Act (1998), and Land Transport (Unauthorised Street and Drag Racing) Amendment Act (2003).

7. Outcome of any prior discussion at a Zone or Sector meeting

The proposed remit is supported by Upper Hutt City Council, Masterton District Council, Carterton District Council, Tauranga City Council, Hamilton City Council and Porirua City Council.

8. Suggested course of action envisaged

The remit recommends LGNZ establishes a nation-wide working group of subject matter experts to develop a plan of action to address the issue and enforcement of the law. It suggests it will be useful to have input from police, community patrol officers, policy makers, and transport analysts in formulating the group.

4

Bylaw infringements

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|----------------------|---|
| Remit: | That LGNZ lobby Government to implement an infringement notice regime for general bylaws. |
| Proposed by: | Auckland Council |
| Supported by: | Auckland Zone |

Background information and research

1. Nature of the issue

Section 259 of the Local Government Act 2002 (LGA) provides for the making of regulations and amongst other matters, prescribing breaches of bylaws that are infringement offences under the Act. The power has been seldom used to date.

Between working with and “educating” people and taking a prosecution, there are no enforcement options available making it extremely difficult to achieve compliance especially in an environment of increasing disrespect for authority and aggression.

Working with people or educating them can be time consuming but is effective especially where the breaches are unintentional. However, in relation to intentional breaches of bylaws, in the absence of an infringement regime, after working with and educating people the next step is prosecution. Prosecution is expensive and time consuming. Also, it is often out of proportion with the breach that has occurred. Even following a successful prosecution, the penalties available to courts are low and provide minimal deterrence.

The obstacle in passing regulations allowing for infringement fee regulations has been the need to tailor those regulations to each instance of an infringement offence bylaw by bylaw. Therefore, a two-step approach is required: firstly, amending the legislation to enable regulations to be made nationwide across different bylaw types and then relevant regulations being passed.

By developing a more comprehensive infringement regime, councils in New Zealand will be better able to take proportionate and timely steps to help ensure compliance with their bylaws. In doing this, confidence of communities in the work of local government will be enhanced.

2. Background to its being raised

Discussion around the need for an infringement regime for local government bylaws is not new.

Provision for the making of regulations was included in section 259 of the LGA. Part 9, Subpart 3 “Infringement Offences” of the LGA provides a mechanism for imposing and collecting infringement fees. Apart from regulations establishing infringement fees for some navigational bylaws, the provisions have not been used.

This issue was well-canvassed in the Productivity Commission’s 2013 Report, *“Towards better Local Government Regulation.”* The Productivity Commission’s report includes the following comment:

“Much of a local authority’s regulatory functions are authorised by its bylaws. The Act under which bylaws are made may authorise the local authority to enforce certain provisions in bylaws by the use of infringement offence notices. If not, bylaws must be enforced under the Summary Proceedings Act 1957...I submit that the enforcement of local authorities’ regulatory functions would be significantly more effective and efficient if the use of infringement offence provisions is more widely available than at present.” (Richard Fisk, sub.19, p.1).

In the Auckland Region, the challenges in enforcing bylaws were brought into stark relief over summer 2021/2022 with an increased number of complaints about people camping on beaches and in reserves (not freedom camping) and an expectation from members of the public and elected members that steps would be taken to enforce the bylaws.

With the changing attitudes and behaviours of our communities arising in part through people’s experience of the Covid-19 response, Auckland Council’s position is that now is the right time to revisit the development of a more comprehensive infringement regime for local government.

3. New or confirming existing policy

This remit would confirm and enhance existing policy work that LGNZ has underway.

4. How the issue relates to objectives in the current Work Programme

This remit connects indirectly to LGNZ’s strategy and Work Programme to the extent that the lack of being able to enforce local bylaws frustrates local citizens and undermines public perceptions of local government’s effectiveness.

5. What work or action on the issue has been done on it, and the outcome

As noted above, the Productivity Commission considered bylaws and an infringement notice regime in its 2013 Report, *“Towards better Local Government Regulation.”* Findings and recommendations set out in that report have not been acted on to date, but remain relevant, specifically:

- F4.8 – There are indications of a low level of prioritisation of monitoring and enforcement resources based on risks. Constraints on the use of infringement notices – combined with the low level of fines where infringement notices can be used – can also inhibit councils’ capacity to encourage compliance with regulation.

- R10.3 – Agencies responsible for regulations that local government enforces should work with Local Government New Zealand to identify regulations that could usefully be supported by infringement notices and penalty levels that need to be increased.
- R10.4 – Section 259 of the Local Government 2002 – relating to the empowerment of infringement notices – should be amended to enable regulations to be made for infringement notices for similar kinds of bylaws across local authorities, rather than on a council-specific and bylaw-specific basis.

LGNZ has highlighted this issue in a number of briefing papers and advice to various ministers and central government officials since the early 2000s. Although the issue has been of concern to LGNZ and councils for nearly 20 years, it has never been the subject of an AGM remit.

Parliament's Regulations Review Committee wrote to LGNZ in late 2021 advising that it was considering a review of the bylaw provisions of the LGA. LGNZ was invited to provide advice on the effectiveness of local authority bylaws and the enforcement of them. LGNZ recently appeared before the Committee to speak to its submission.

We are still awaiting a decision from the Committee on whether or not it will undertake a review of the bylaw provisions of the LGA, and if so, what the scope of that review will be. Although the Committee did ask for specific advice on the infringement regime, it also sought advice on other matters including the use of model bylaws and the expansion of the model bylaws used in the Freedom Camping Act 2011.

6. Any existing relevant legislation, policy or practice

- Local Government Act 2002
- Productivity Commission's 2013 Report, *"Towards better Local Government Regulation."*

7. Outcome of any prior discussion at a Zone or Sector meeting

This proposed remit was supported by the Auckland Zone.

8. Suggested course of action envisaged

Auckland Council has not provided any detail as to how it suggests LGNZ progresses the proposed remit.

While the inquiry that the Regulations Review Committee has underway (and in which LGNZ has been engaged) is a significant step forward, there is no guarantee that the Committee will agree with LGNZ's submission, or, should the Committee agree, that work to review the bylaw provisions of the LGA would be supported by either this Government or a future one.

To gain traction, and to ensure that any review of the bylaw provisions addresses the issues that local government is most concerned with, this remit (along with the national publicity that tends to accompany successful remits) might be very helpful at this time.

5

Density and proximity of vaping retailers

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|----------------------|--|
| Remit: | That LGNZ requests the Government to: <ul style="list-style-type: none">• Restrict the sale of vaping products to R18 specialist vape stores.• Develop proximity limits to prevent the clustering of vaping product retailers and protect young people. |
| Proposed by: | Kaipara District Council |
| Supported by: | Zone 1 |

Background information and research

1. Nature of the issue

Vaping products are widely available from generic retailers (e.g., dairies, service stations) and specialist vape retailers. To date, New Zealand has 713 specialist vape stores; a British American vape brand is available from 2000 retail outlets throughout Aotearoa. Vaping products are also available via several online stores (both NZ-based and international).

Dargaville's main street, Victoria Street, has 13 vape retailers: ten General Vape Retailers and three Specialist Vape Retailers, all within a 1km length. The three licensed Specialist Vape Retailers are located within 150m of each other.

Youth vaping has risen sharply over recent years; among 14 to 15 year olds, daily vaping rose from 1.8% in 2018 to 9.6% in 2021; among 14-15 year old Rangatahi Māori, daily vaping rose from 5.9% in 2019 to 19.1% in 2021. Widespread product availability normalises vaping and makes experimentation easier.

Many towns and regions around New Zealand also need to address the proliferation of vaping outlets and rising vaping among Rangatahi.

2. Background to its being raised

The widespread sale of vaping occurred in 2018, when the Ministry of Health lost a case taken against Philip Morris alleging their "HEETS" products breached the Smokefree Environments Act 1990. Until the Smokefree Environments and Regulated Products Amendment Act was passed in 2020, vaping products were largely unregulated and vaping manufacturers

advertised their brands using youth-oriented promotions. Even post-legislation, retailers with little or no knowledge of vaping remain able to sell vaping products.

Surveys of young people, such as the Youth19 survey and the Snapshot Year 10 survey conducted by ASH revealed many adolescents who had never smoked had begun vaping. A 2021 report into youth vaping found that 14.6% of those surveyed reported smoking one or more traditional cigarettes in the last 7 days and 26.6% reported that they had vaped (e-cigarettes) in the past 7 days. Almost all those (98%) who had smoked a traditional cigarette in the last week had also vaped in the last week. However, a significant portion (46.2%) of those who had vaped in the last week had not smoked a cigarette. These data provide important evidence that youth vaping is rising rapidly and reveal that many young people who vape have never smoked.

The Smokefree Environments and Regulated Products Amendment Act 2020 extended many of the existing restrictions governing smoked tobacco products to vaping products. This legislation allows any business to sell vaping products as long as they follow the regulations for General Vape Retailers or apply to become a Specialist Vape Retailers. However, the Vaping Regulatory Authority does not consider retailer density or proximity to facilities such as schools when assessing applications.

The Government's Smokefree 2025 Action Plan will introduce a provision requiring general retailers selling vaping products to advise the Director-General of Health that they are doing so. This provision aims to provide information on the number and type of retailers selling vaping products.

We recognise that people who smoke and who have not been able to quit using existing treatments will benefit if they make a complete transition to vaping products and stop smoking. However, survey data showing rising vaping prevalence among young people suggests existing policy does not provide an appropriate balance between the needs of people who smoke and the rights of young people who do not, and who deserve protection from products that are designed to target them.

Limiting the retail availability of vaping products to specialist stores will not prevent people who smoke from accessing these products and instead will increase the likelihood they receive smoking to vaping transition advice that improves the chances they will stop smoking. Furthermore, people who smoke will continue to be able to access vapes through stop smoking services.

Kaipara District Council elected members have been receiving questions and concerns from the local community about the density and proximity of vape retailers in Dargaville.

While we support the supply of vapes to people wanting to use these products to stop smoking, it is of the utmost importance that we also protect our community, particularly our Rangatahi and other whānau who would not usually vape, from using these addictive products.

3. New or confirming existing policy

This is a new policy.

4. How the issue relates to objectives in the current Work Programme

This remit aligns with LGNZ's pillar Whakauru // Include – to ensure that every New Zealander can participate, thrive and be represented by local government.

It could be argued that restricting the density and proximity of vaping retailers shows some alignment with enhancing community safety, public health and promoting social wellbeing. However, the remit does not show strong alignment with LGNZ's existing policy priorities or engagement in major ongoing local government reform programmes. Further discussion is needed to determine whether LGNZ's membership agree it is relevant to local government as a whole.

5. What work or action on the issue has been done on it, and the outcome

A petition was received by Kaipara District Council regarding the density and proximity of vape retailers. The petition was accepted and responded to. Given this issue sits outside Kaipara District Council's control and existing policy frameworks, a remit was recommended as the appropriate action to take. Councillor Karen Joyce-Paki is the sponsor of the remit and is working closely with Smokefree NZ, Cancer Society and local Māori Health Provider, Te Ha Oranga.

The Smokefree Coordinator for Northland, Bridgette Rowse, has been providing support and is working with the Far North District Council (FNDC) policy team to review the FNDC Smokefree Policy, which currently covers smokefree parks, playgrounds and sports grounds. She has also worked with Whāngarei District Council and Kaipara District Council to review and align our smokefree policies to create more smokefree outdoor public spaces as well as making all smokefree outdoor public spaces vape-free.

6. Any existing relevant legislation, policy or practice

The relevant legislation is the Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020. The Act aims to balance between ensuring vaping products are available to smokers who want to switch to a less harmful alternative, while ensuring these products aren't marketed or sold to young people. New regulations are in the process of being implemented from November 2020 until January 2023. While these regulations cover factors such as how vape retailers can advertise, who they can sell their products to and where vaping is allowed, there are no regulations around proximity limits to prevent the clustering of vaping product retailers as the remit requests.

7. Outcome of any prior discussion at a Zone or Sector meeting

The remit was supported at the most recent Zone 1 meeting by all members present.

8. Suggested course of action envisaged

This remit suggests that LGNZ requests the Government to:

- Restrict the sale of vaping products to R18 specialist vape stores.
- Develop proximity limits to prevent the clustering of vaping product retailers and protect young people.

We understand that an Amendment Bill is expected to be introduced in 2022 (according to the Government's Smokefree Action Plan). Kaipara District Council has suggested that one way to progress this remit would be to advocate for the Amendment Bill provision which only allows authorised retailers to sell smoked tobacco products to be extended to restrict the number who can sell vape products.

Progressing this remit is likely to require LGNZ working with officials from the Ministry of Health to advocate for changes to regulations and the upcoming Amendment Bill.



Date: 28 June 2022

Subject: **Our Place: Taranaki's State of Environment 2022**

Approved by: AJ Matthews, Director - Environment Quality
S J Ruru, Chief Executive

Document: 3079635

Purpose

1. The purpose of this memorandum is to present Council with a final draft of *Our Place: Taranaki's State of Environment 2022* report, and advise on the public release of the report.

Executive summary

2. Natural resource management is a core function of the Council, as set out in legislation, our strategic direction, policies and community outcomes. One of these requirements is to monitor and report on the state of the environment.
3. The last State of Environment (SoE) report was published in 2015. *Our Place: Taranaki's State of Environment 2022* builds on previous reporting, setting the scene with a general overview of the region before updating readers with the latest science and research information for different aspects of the environment.
4. The report presents key information about the region in the 'Our Region' section, followed by three main chapters: climate and air, land and water. Each chapter of the report presents content on a range of different topics outlining: 'What we know', presenting the current state and trends; 'What we're doing', outlining the work that the Council and community are currently undertaking; and 'Where we're heading' which aims to provide our community with information around the future direction and work to be undertaken over the next five years. Case studies highlighting some of the work undertaken to address key pressures are included throughout the report.
5. Public release of the report is scheduled for 28 June 2022 following the Ordinary Council meeting. A workshop with Councillors and Committee members was held following the Policy and Planning meeting on 7 June 2022 to familiarise elected members with the overarching messages contained within the report. A copy of the final draft report was shared with Council in advance of this meeting.
6. The report will be socialised through a range of channels, with an initial media release followed by sharing of content via social media, and a special focus in the next edition of *Talking Taranaki* due out in mid-July. Report content will also help inform discussions

with the community as part of Council's Freshwater Implementation programme over the next 12-18 months.

Recommendations

That the Taranaki Regional Council:

- a) receives this memorandum *Our Place: State of Environment 2022* and an embargoed copy of the final draft report
- b) notes the public release of *Our Place: State of Environment 2022* is scheduled for Tuesday 28 June 2022.

Background

7. State of Environment reporting is a component of environmental monitoring and reporting outputs delivered in accordance with our legislative requirements to monitor and report on the state of the environment.
8. The last SoE report was published in 2015. *Our Place: State of Environment 2022* builds on previous reporting, updating readers with the latest science and research information around the climate, air quality, productive land, contaminated land, solid waste, biodiversity and biosecurity, and our freshwater and coastal marine environments. This report also introduces a range of new information around climate change.
9. A workshop was held with Council and members of the Policy and Planning Committee on Tuesday 7 June 2022 to present the content and key messages of the report. A final draft version of the report has been provided to Council in advance of this meeting.

Discussion

10. It is anticipated that the broad summary provided by *Our Place: State of Environment 2022*, and further detail available in the supporting technical reports, will provide the foundation for pending policy and planning processes, and inform discussions with communities through processes such as the development of our revised Regional Policy Statement (RPS) and Natural Resources Plan (NRP). It is anticipated that this information can be utilised to inform the prioritisation of Council activities such as land and freshwater management through improved targeting of interventions and actions.
11. To complement the report, officers are also working on a series of online catchment summaries. The aim of these is to provide our community with key information about the region's natural environment within each of the proposed Freshwater Management Units (FMUs), the scale at which we will be required to undertake reporting to Government on progress against identified freshwater limits and action plans to maintain and/or improve freshwater outcomes. Our hope is that this format will provide the community with more timely information around the state of the region's natural resources, and improve public access to the most recent data and information.
12. Public release of the State of Environment 2022 report is scheduled for 28 June 2022 following the Ordinary Council meeting. A workshop with Councillors and Committee members was held following the Policy and Planning meeting on 7 June 2022 to familiarise elected members with the overarching messages contained within the report. A copy of the final draft report was shared with Council in advance of this meeting.
13. The report will be socialised through a range of channels, with an initial media release followed by sharing of content via social media, and a special focus in the next edition of

Talking Taranaki due out in mid-July. Report content will also help inform discussions with the community as part of Council's Freshwater Implementation programme over the next 12-18 months.

Financial considerations—LTP/Annual Plan

14. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

15. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

16. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan.

Community considerations

17. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

18. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Ordinary Meeting Public Excluded

In accordance with section 48(1) of the *Local Government Official Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Ordinary Meeting on Tuesday 28 June 2022 for the following reason/s:

Item 11 – Public Excluded Ordinary Minutes – 17 May 2022

THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Item 12 - Public Excluded Executive, Audit and Risk Minutes – 20 June 2022

THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Item 13 - Ngāti Maru Joint Management Agreement Establishment Costs

THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.