



AGENDA Ordinary Meeting

Tuesday 27 June 2023, 10.30am

Ordinary Council

27 June 2023 10:30 AM



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Whakataka te hau

Karakia to open and close meetings

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki te tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
Kia hī ake ana te atakura	Let the red-tipped dawn come with a sharpened air
He tio, he huka, he hauhu	A touch of frost, a promise of glorious day
Tūturu o whiti whakamaua kia tina.	Let there be certainty
Tina!	Secure it!
Hui ē! Tāiki ē!	Draw together! Affirm!

Nau mai e ngā hua

Karakia for kai

Nau mai e ngā hua	Welcome the gifts of food
o te wao	from the sacred forests
o te ngakina	from the cultivated gardens
o te wai tai	from the sea
o te wai Māori	from the fresh waters
Nā Tāne	The food of Tāne
Nā Rongo	of Rongo
Nā Tangaroa	of Tangaroa
Nā Maru	of Maru
Ko Ranginui e tū iho nei	I acknowledge Ranginui above and
Ko Papatūānuku e takoto ake nei	Papatūānuku below
Tūturu o whiti whakamaua kia	Let there be certainty
tina	Secure it!
Tina! Hui e! Taiki e!	Draw together! Affirm!



Date 27 June 2023

Subject: **Confirmation of Minutes – 16 May 2023**

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

Document: 3181676

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 at Taranaki Regional Council, 47 Cloten Road, Stratford, 16 May 2023.

Matters arising

Appendices/Attachments

Document: 3172891 Minutes Ordinary meeting 16 May 2023



Date: Tuesday, 16 May 2023, 10.30am
Venue: Taranaki Regional Council, 47 Cloten Road, Stratford
Document: 3172891

Present	Councillors	C L Littlewood	<i>Chairperson</i>
		N W Walker	<i>Deputy Chairman</i>
		M J Cloke	
		S W Hughes	
		D M Cram	
		B J Bigham	
		A L Jamieson	
		C S Williamson	
		M G Davey	
D L Lean			
Attending	Mr	S J Ruru	Chief Executive
	Mr	M J Nield	Director – Corporate Services
	Mr	A D McLay	Director – Resource Management
	Ms	A J Matthews	Director – Environment Quality
	Mr	D R Harrison	Director – Operations
	Mrs	M G Jones	Governance Administrator
	Miss	N A Chadwick	Executive Assistant
	Mr	C Woollin	Communication Advisor

The meeting opened with Karakia at 10.30am

Apologies Were received and sustained from Councillor D H McIntyre and noted Councillor B J Bigham as late.

Littlewood/Davey

1. Confirmation of Ordinary Minutes 4 April 2023

Resolved

That the Taranaki Regional Council:

- a) took as read and confirmed the minutes and resolutions of the Ordinary Council meeting of the Taranaki Regional Council held at Owae Marae, 16 North Street, Waitara on 4 April 2023.

Littlewood/Walker

2. Confirmation of Minutes Operations and Regulatory Committee 26 April 2023

Resolved

That the Taranaki Regional Council:

- a) received the minutes of the Operations and Regulatory Committee meeting of the Taranaki Regional Council at the Taranaki Regional Council, 47 Cloten Road, Stratford on Tuesday 26 April 2023 at 9am
- b) adopted the recommendations therein.

Hughes/Cram

3. Confirmation of Minutes Executive Audit and Risk Committee 8 May 2023

Resolved

That the Taranaki Regional Council:

- a) received the minutes of the Executive Audit and Risk Committee meeting of the Taranaki Regional Council at the Taranaki Regional Council, 47 Cloten Road, Stratford on Monday 8 May 2023
- b) adopted the recommendations therein.

Cloke/Jamieson

4. Setting of Administrative Charges Pursuant to Section 36 of the Resource Management Act 1991

- 4.1 Mr M Nield – Director Corporate Services spoke to the Memorandum to inform the members of the required administrative charges pursuant to section 36 of the *Resource Management Act 1991* (RMA).
- 4.2 Councillor M G Davey declared a conflict of interest and abstained from voting on this item.

10.40 Councillor B J Bigham joined meeting

Resolved

That the Taranaki Regional Council:

- a) noted 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) noted 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) adopted the Schedule of charges pursuant to section 36 of the *Resource Management Act 1991*
- d) determined that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- e) determined 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, determined 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.

Littlewood/Cloke

5. 2023/2024 Annual Plan

- 5.1 Mr M Nield – Director of Corporate Services, spoke to the members for consideration and to adopt the *2023/2024 Annual Plan*.

Resolved

That the Taranaki Regional Council:

- a) received this memorandum on the consideration and adoption of the *2023/2024 Annual Plan*
- b) noted the balanced budget deficit for 2023/2024 and confirms the transfer from the Dividend Equalisation Reserve to fund the balanced budget deficit
- c) noted 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) determined, in accordance with section 100(2) of the *Local Government Act 2002*, that it considers it is financially prudent to adopt this budget and fund the deficit from the Dividend Equalisation Reserve
- e) noted that the formatting of the *2023/2024 Annual Plan* is still to be completed and that there are a number of minor editorial changes to be made
- f) adopted the *2023/2024 Annual Plan*
- g) determined that this decision be recognised as significant in terms of section 76 of the *Local Government Act 2002*
- h) determined 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, determined 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.

Littlewood/Hughes

6. Setting of Rates 2023/2024

- 6.1 Mr M J Nield, Director - Corporate Services, spoke to the memorandum having adopted the 2023/2024 Annual Plan earlier in the meeting, the purpose of the memorandum is to set the rates for 2023/2024 financial year.

Resolved

That the Taranaki Regional Council:

- a) set 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 2023 and ending on 30 June 2024:

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	\$35,015,906,250	65.00%	\$6,506,666	\$976,000	\$7,482,666
SDC	\$4,562,592,665	8.47%	\$847,869	\$127,180	\$975,049
STDC	\$14,291,429,064	26.53%	\$2,655,721	\$398,358	\$3,054,079
Total	\$53,869,927,979	100.00%	\$10,010,255	\$1,501,538	\$11,511,793

- a rate of 0.0216884 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 0.0283618 cents in the dollar of capital value on every rating unit in the Stratford constituency of the Taranaki region – GST inclusive
- a rate of 0.0226261 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 \$4,095,472) of \$71.30 – 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 0.002325 cents in the dollar – GST inclusive, for river control and flood protection works (to produce \$802,256) 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 0.000553 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 0.006907 cents in the dollar – GST inclusive, for passenger transport services (to produce \$2,383,085) 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 0.004212 cents in the dollar – GST inclusive, for passenger transport services (to produce \$144,818) 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 0.001421 cents in the dollar – GST inclusive, for passenger transport services (to produce \$191,768) 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 2023/2024 for Group 1 Commercial and Industrial is to produce \$90,929 at a rate of 0.004932 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 rate (to produce \$232,999) 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 rate (to produce \$1,630,338) 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 rate (to produce \$125,273) of \$28.84 – 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 rate (to produce \$425,930) of \$28.84 – 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 *2023/2024 Annual Plan* as its rating categories for the year.

- b) set, 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	30 August 2023	30 August 2023	30 August 2023
Instalment 2	29 November 2023	29 November 2023	29 November 2023
Instalment 3	28 February 2024	28 February 2024	28 February 2024
Instalment 4	29 May 2024	29 May 2024	29 May 2024

- c) set, 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 2023 and which remains unpaid after the due date for that instalment.

	New Plymouth & North Taranaki Constituencies	Stratford Constituency	South Taranaki Constituency
Instalment 1	30 August 2023	30 August 2023	30 August 2023
Instalment 2	29 November 2023	29 November 2023	29 November 2023
Instalment 3	28 February 2024	28 February 2024	28 February 2024
Instalment 4	29 May 2024	29 May 2024	29 May 2024

New Plymouth and North Taranaki constituencies

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 2023 and which remain unpaid on 1 July 2023. The penalty will be applied on 30 September 2023 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 2024 (New Plymouth and North Taranaki constituencies).

Stratford constituency

The Council will charge a penalty of 10% on so much of any rates levied before 1 July 2023 which remain unpaid on 10 July 2023 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 2023 which remain unpaid six months after the previous penalty was added (Stratford constituency).

South Taranaki constituency

The Council will charge a penalty of 10% on so much of any rates levied before 1 July 2023 which remain unpaid on 1 July 2023 or such later date as required under section 58(1) (b) (ii). (South Taranaki constituency).

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 30 August 2023.

- d) set the Council's rates and charges will become 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) noted that all rates set are inclusive of GST
- f) appointed 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 in their respective constituencies
- g) delegated 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) approved 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) delegated 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) determined that this decision be recognised as significant in terms of section 76 of the *Local Government Act 2002*
- k) determined 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, determined 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/Jamieson

7. Appointment of Deputy Harbourmasters and Issuing of Warrants

- 7.1 Mr A D McLay – Director Resource Management, spoke to the Memorandum to appoint two Deputy Harbourmasters.

Resolved

That the Taranaki Regional Council:

- a) received the memorandum *Appointment of Deputy Harbourmasters and Issuing of Warrants*
- b) appointed Mr Guy Steven Mexted and Mr Jeffrey Patrick Forbes Handcock as a Deputy Harbourmasters under section 33D of the *Maritime Transport Act 1994* and section 174 of the *Local Government Act 2002*, and approves their warrant powers described in this memorandum.
- c) determined that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- d) determined 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/Cloke

8. Electoral Office’s Report on the 2022 Triennial Elections

- 8.1 Mr M Nield – Director Corporate services, spoke to the memorandum to provide an update on the Electoral Officer’s Report.

Resolved

That the Taranaki Regional Council:

- a) received the Electoral Officer's Report on the 2022 Triennial Elections.

Littlewood/Walker

There being no further business, Chairperson C L Littlewood, declared the Ordinary Meeting of the Taranaki Regional Council closed at 11.11am.

Confirmed

Taranaki Regional

Council Chairperson: _____

C L Littlewood



Date: 27 June 2023

Subject: **Operations and Regulatory Committee Minutes – 6 June 2023**

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

Document: 3181679

Recommendations

That the Taranaki Regional Council:

- a) receives the minutes of the Operations and Regulatory Committee meeting of the Taranaki Regional Council at the Taranaki Regional Council, 47 Cloten Road, Stratford on Tuesday 6 June at 9.00am
- b) adopts the recommendations therein.

Matters arising

Appendices/Attachments

Document: 3177981 Operations and Regulatory Minutes 6 June 2023



Date 6 June 2023, 9.00am
Venue: Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford
Document: 3177981

Present

S W Hughes	<i>Chairperson</i>
D M Cram	<i>Deputy Chairperson</i>
M J Cloke	
M G Davey	
D H McIntyre	
D L Lean	<i>(zoom)</i>
N W Walker	<i>ex officio</i>
C L Littlewood	<i>ex officio</i>
D Luke	Iwi Representative
Ā White	Iwi Representative
R Buttimore	Iwi Representative <i>(zoom)</i>

Attending

Mr	S J Ruru	Chief Executive
Ms	A J Matthews	Director - Environment Quality
Mr	A D McLay	Director - Resource Management
Mr	M J Nield	Director - Corporate Services
Ms	L Miller	Manager - Resource Consents
Mrs	V McKay	Manager - Environmental Assurance
Mr	J Glasgow	Compliance Manager
Miss	N Chadwick	Governance Administrator
Ms	K Holland	Communications Advisor (zoom)
Mr	F Kiddle	Policy lead
Mr	D Shearman	Land Services Manager
Mr	P Davison	Compliance - Team Lead

*two members of the public
one media representative joined meeting at 10.00am*

Zoom: *Emily Bailey*

Karakia: The meeting opened with a group karakia at 9.00am.

Apologies: Apologies were received and sustained from, Councillor B J Bigham, P Muir Federated Famers. Noted Councillor D H McIntyre as late.

1. **Confirmation of Minutes Operations and Regulatory Committee 26 April 2023**

Recommended

That the Taranaki Regional Council:

- a) took as read and confirmed the minutes of the Operations and Regulatory Committee of the Taranaki Regional Council held on 26 April 2023 at Taranaki Regional Council 47 Cloten Road Stratford
- b) noted the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 16 May 2023.

Cram/Cloke

2. **Deputation - Forest and Bird**

- 2.1 Tom Kay from Forest and bird delivered a presentation via zoom on the devastation of cyclone Gabrielle and other iconic flood events in New Zealand highlighting the need to prioritise nature based solutions.

3. **Resource Consents Issued under Delegated Authority & Applications in Progress**

- 3.1 Ms L Miller, spoke to the memorandum to advise the Committee of consents granted, consents under application and of consent processing actions since the last meeting.

Recommended

That the Taranaki Regional Council:

- a) received the schedule of resource consents granted and other consent processing actions, made under delegated authority.
- b) noted any specific recommendations therein.

Walker/Cloke

4. **Incidents, Compliance Monitoring Non Compliances and Enforcement Summary 30 March 2023 to 9 May 2023**

- 4.1 Mr J Glasgow spoke to the memorandum to update the Committee and provided a summary of the incidents, compliance monitoring non-compliances and enforcement for the period 30 March 2023 to 9 May 2023.

9.27 Councillor McIntyre joined meeting

Recommended

That the Taranaki Regional Council:

- a) received the memorandum *Incident, Compliance Monitoring Non- Compliance and Enforcement Summary – 30 March 2023 to 9 May 2023*
- b) received the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 30 March 2023 to 9 May, noted the action taken by staff acting under delegated authority and adopted the recommendations therein.

Cloke/Cram

5. Upcoming Freshwater Requirements for Farmers

- 5.1 Mr A D McLay Director – Resource Management, spoke to the Committee to inform the members of the update on intensive winter grazing regulations and synthetic nitrogen regulation requirements.

Recommended

That the Taranaki Regional Council:

- a) received the memorandum *Upcoming Freshwater Requirements for Farmers*
- b) noted the Council prepared a booklet and developed a land and water hub on the website to assist farmers to comply.

Walker/Cloke

6. National Environmental Standards for Plantation Forestry in Taranaki

- 6.1 Mr A D McLay Director – Resource Management & P Davison Team Leader - compliance spoke to the memorandum to advise the committee on the monitoring and enforcement activities undertaken in relation to slash management under *National Environmental Standards for Plantation Forestry (NES-PF)*.
- 6.2 PowerPoint presentation.

10.00 media joined meeting

Recommended

That the Taranaki Regional Council:

- a) received this agenda memorandum *National Environmental Standards for Plantation forestry in Taranaki*
- b) noted the Council will monitor and where necessary enforce the provisions of the *National Environmental Standard for Production Forestry and the Resource Management Act 1991 using its Enforcement Policy (2017)*
- c) noted given the differences in catchment characteristics, geology, forestry cover, harvesting methods and regulation, the issues with slash management experienced in Gisborne are unlikely to occur in Taranaki.

McIntyre/Littlewood

There being no further business the Committee Chairperson, Councillor S W Hughes, declared the public meeting of the Operations and Regulatory Committee closed at 10.27 am.

**Operations and
Regulatory**

Committee Chairperson: _____

S W Hughes Chair



Date 27 June 2023

Subject: **Policy and Planning Committee Minutes – 6 June 2023**

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

Document: 3181680

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 6 June 2023
- b) adopts the recommendations therein.

Matters arising

Appendices/Attachments

Document: 3177983 Policy and Planning Minutes 6 June 2023



Date 6 June 2023

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

Document: 3177983

Present		C L Littlewood	Chairperson
		D M Cram	
		D H McIntyre	
		S W Hughes	
		N W Walker	<i>(ex officio)</i>
		E Bailey	Iwi Representative (<i>zoom</i>)
		P Moeahu	Iwi Representative
		G Boyde	Stratford District Council
		B Haque	New Plymouth District Council
Attending	Mr	S J Ruru	Chief Executive
	Mr	A D McLay	Director - Resource Management
	Ms	A J Matthews	Director - Environment Quality
	Mr	D R Harrison	Director - Operations
	Mr	M J Nield	Director - Corporate Services
	Ms	L Hawkins	Planning Manager
	Mr	F Kiddle	Policy lead
	Mr	D Sherman	Land Services Manager
	Mr	T McElroy	Science and Technology Manager
	Mr	H Smith	Landcare research (<i>zoom</i>)
	Ms	K Holland	Communications Adviser (<i>zoom</i>)
	Mrs	M Jones	Governance Administrator
	Miss	N A Chadwick	Executive Assistant to Chief Executive

1 member of the media

1 member of the public

Apologies Were received and sustained from, C S Williamson - Committee Chairperson, Councillor B J Bigham and M Ritai.

With the absence of the Committee Chair and Deputy Chair, Mr S J Ruru - Chief Executive Taranaki Regional Council, put the motion that the committee nominate and appoint a chairperson for the Policy and Planning committee. Councillor McIntyre nominated Councillor Littlewood.

McIntyre/Littlewood

1. Confirmation of Minutes Policy and Planning Committee 14 March 2023

Resolved

That the Taranaki Regional Council:

- a) took as read and confirmed the minutes of the Policy and Planning Committee of the Taranaki Regional Council held at 10.30 on 14 March 2023 at Taranaki Regional Council 47 Cloten Road Stratford
- b) noted the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 4 April 2023.

Walker/Boyde

2. Freshwater Implementation Project Report

- 2.1 Ms L Hawkins, Director – Resource Management, Spoke to the memorandum to provide the Committee with an update of the *Freshwater Implantation project*.

Resolved

That the Taranaki Regional Council:

- a) received the memorandum *Freshwater Implementation Report*

Walker/Hughes

3. Sediment Contributions from natural land cover areas and impacts of climate change for freshwater planning in Taranaki

- 3.1 Mrs A J Matthews, Director – Environmental Quality, spoke to the memorandum to provide the Committee with an overview of the findings of a recent report commissioned by Taranaki Regional Council *SedNetNZ modelling to assess sediment contributions from natural land cover areas and impacts of climate change in Taranaki* by Manaaki Whenua Landcare Research).
- 3.2 Mr H Smith – Landcare Research provided a PowerPoint presentation.

Resolved

That the Taranaki Regional Council:

- a) received the memorandum *Sediment contributions from natural land cover areas and impacts of climate change for freshwater planning in Taranaki* and accompanying report
- b) received the presentation by Manaaki Whenua Landcare Research; and
- c) noted the recommendations of the authors and officers regarding future work.

Boyde/Cram

4. Strengthening National Direction on renewable Electrify Generation and electricity Transmission

- 4.1 Mr A D McLay, Director – Resource Management, spoke to the Memorandum and introduced Mr F Kiddle – Strategy Lead, requesting the members endorse the submission on the *Strengthening national direction on renewable electricity generation and electricity transmission consultation document* (the Consultation Document).

Resolved

That the Taranaki Regional Council:

- a) received the memorandum entitled *Strengthening National Direction on Renewable Electricity Generation and Electricity Transmission*;
- b) noted the attached *Submission on strengthening national direction on renewable electricity generation and electricity transmission*;
- c) endorsed the submission made on the Consultation Document;
- d) determined that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- e) determined 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.

Hughes/Cram

5. The Minister for the Environment’s request for information on providing for vegetable production through regional plans

- 5.1 Ms L Hawkins, Policy Manager, spoke to the Memorandum informing members of the new requirement, under section 27 of the *Resource Management Act 1991* (RMA), to carry out annual reporting to the Minister for the Environment on the Council’s intention to provide for vegetable production within its review of the Freshwater Regional Plan.

Resolved

That the Taranaki Regional Council:

- a) received this memorandum
- b) noted that the Minister for the Environment has requested annual reporting on the Taranaki Regional Councils intentions to provide for vegetable production when implementing the National Policy Statement for Freshwater Management 2020
- c) noted that the first report to the Minister has been prepared and submitted by the Chief Executive.

Littlewood/Jamieson

6. Regional Policy Statement - resource management issues

- 6.1 Ms L Hawkins – spoke to the memorandum to update the members on the Resource Management issues for the region.

Resolved

That the Taranaki Regional Council:

- a) received this memorandum titled *Regional Policy Statement – Resource management issues*;
- d) noted that these issues are draft until the Natural Resources Plan is notified by the Council (end 2024) and are subject to refinement through the Councils plan development process and feedback from stakeholders;
- b) noted that issues are mandatory provisions for the RPS under the RMA and have been prepared in accordance with RMA, National Planning Standards and current plan drafting practice;
- c) noted that the issues of significance to iwi authorities has been prepared by Ngā Iwi o Taranaki through the Pou Taiao under the Heads of Agreement;
- e) noted that the Council will be presented these issues, and any updates to them, for their endorsement in 2023 prior to consultation on the draft Natural Resources Plan and again prior to formal notification of the Proposed Natural Resources Plan.

Walker/Hughes

There being no further business the Committee Chairperson, C Littlewood, declared the meeting of the Policy and Planning Committee closed at 11.56am the meeting closed with a karakia.

**Policy and
Planning**

Chairperson: _____

C L Littlewood



Date: 27 June 2023

Subject: **Minutes Executive, Audit and Risk Committee
Minutes – 19 June 2023**

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

Document: 3181681

Recommendations

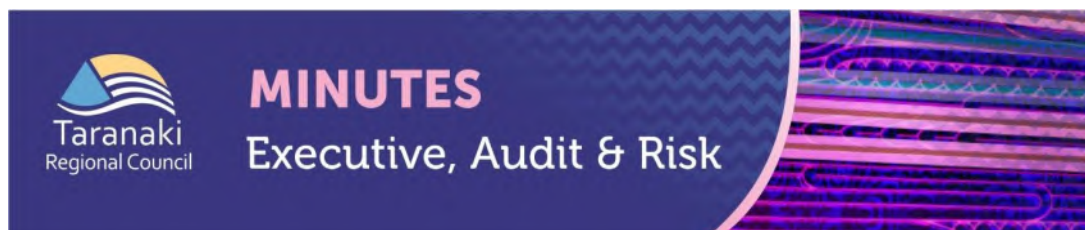
That the Taranaki Regional Council:

- 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 19 June 2023 at 8.30am
- b) adopts the recommendations therein.

Matters arising

Appendices/Attachments

Document: 3181826 Minutes Executive Audit and Risk Committee – 19 June 2023.



Date Monday 19 June 2023, 8.30am
Venue: Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford
Document: 3181826

Members	Councillors	M J Cloke	<i>Chair</i>
		A L Jamieson	
		D H McIntyre	
		C S Williamson	<i>(zoom)</i>
		C L Littlewood	<i>ex officio</i>
		N W Walker	<i>ex officio</i>
Attending	Mr	S J Ruru	Chief Executive
	Mr	M J Nield	Director – Corporate Services
	Ms	R Johnson	Financial Services Manager
	Mrs	M G Jones	Governance Administrator
	Miss	N Chadwick	Executive Assistant
	Mrs	J Reader	Communication and Engagement Manager

The meeting opened with Karakia at 8.30am.

Apologies: were received and sustained from Councillor Hughes

1. Confirmation of Minutes Executive Audit and Risk – 8 May 2023

Resolved

That the Taranaki Regional Council:

- a) took as read and confirmed 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 8 May 2023 at 10am
- b) noted the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 16 May 2023.

Walker/Littlewood

2. Financial and Operational Report

- 2.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum to update the committee on the Council’s financial and operational performance.

8.35 Councillor McIntyre joined the meeting

8.36 Councillor Williamson joined the meeting via zoom

Resolved

That the Taranaki Regional Council:

- a) received the memorandum *Financial and Operational Report* and the March and April 2023 Monthly Financial Reports
- b) noted the digital media update

Jamieson/Walker

3. Civic Financial Services Ltd: Annual Report 2022

- 3.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum seeking their consideration of *Civic Financial Services Ltd.’s 2022 Annual Report*.

Resolved

That the Taranaki Regional Council:

- a) received the *Civic Financial Services Ltd.’s 2022 Annual Report* .

Walker/Cloke

4. 2022/2023 Annual Report Audit Engagement Letter

- 4.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum seeking consideration of the Audit Engagement Letter relating to the audit of the *2022/2023 Annual Report*

Resolved

That the Taranaki Regional Council:

- a) received the Audit Engagement letter and the audit of the *2022/2023 Annual Report*.

Cloke/Littlewood

5. 2022/2023 Audit Planning Report

- 5.1 Mr M J Nield, Director – Corporate Services, spoke to the memorandum to seeking consideration of the Audit Planning Report relating to the audit of the *2022/2023 Annual Report*.

Resolved

That the Taranaki Regional Council:

- a) received the Audit Planning Report relating to the audit of the *2022/2023 Annual Report*.

Cloke/Littlewood

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 Executive Audit and Risk Meeting on 19 June 2023 2023 for the following reason/s:

The matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under section 48(1) of the *Local Government Official Information and Meetings Act 1987* are as follows:

Item 11 – Confirmation of Public Excluded Executive Audit and Risk Minutes – 8 May 2023

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; and/or enable any local authority holding the information to carry out, without prejudice, commercial activities

Item 12 – Purchase of land adjacent to Hollard Gardens

Item 13 – Accommodation Update

Item 14 – Yarrow Stadium update

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item 12: Purchase of land adjacent to Hollard Gardens	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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 for which good reason for withholding would exist under section 7 (2) (h) and (2) (i) of the <i>Local Government Official Information and Meetings Act 1987</i> .
Item 13: Accommodation review	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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 for which good reason for withholding would exist under section 7 (2) (i) of the <i>Local Government Official Information and Meetings Act 1987</i> .

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
<p>Item 14: Yarrow Stadium Plus: Project Steering Group Report</p>	<p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>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 for which good reason for withholding would exist under section 7 (2) (h) and (2) (i) of the <i>Local Government Official Information and Meetings Act 1987</i>.</p>

Cloke/Jamieson

There being no further business, the Committee Chairperson, Councillor M J Cloke, declared the open meeting of the Executive, Audit and Risk Committee closed at 10.05am.

Executive, Audit and Risk

Committee Chairperson: _____

M J Cloke



Date: 27 June 2022

Subject: Remits for Local Government New Zealand Annual General Meeting

Approved by: S J Ruru, Chief Executive

Document: 3181720

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 in Ōtautahi (Christchurch) on 26 July 2023.
3. At that meeting, consideration will be given to eleven 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 Charlotte Littlewood, will vote on the Councils behalf on each.

Recommendations

That the Taranaki Regional Council:

- a) receives the LGNZ Annual General Meeting Remits for 2023, 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, eleven remits have been accepted for consideration and are attached.

Discussion

7. Chair Charlotte Littlewood 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 3181714: LGNZ 2023 Remits



REMITTS

// 2023 Annual General Meeting



Please note that this document is not the full set of papers for this year's AGM. It just includes the remits going forward to the AGM so members can decide how they will vote on them. The full set of AGM papers will be shared no later than 10 working days before the AGM.

// 01

Allocation of risk and liability in the building sector

Remit: *That LGNZ:*

- *Engage directly with the Minister for Building and Construction to advocate for a change to the current joint and several liability framework, including examination of the MBIE policy position statement Risk, Liability and Insurance in the Building Sector.*
- *Make the case for alternatives and changes to joint and several liability through updating policy advice and engaging with industry groups.*

Proposed by: Queenstown-Lakes District Council

Supported by: LGNZ Metro Sector

Why is this remit important?

This remit is important because the current joint and several liability approach to building defects sees councils/Building Consent Authorities (BCAs) often being the only party left to compensate homeowners, known as the 'last party standing'.

Ratepayers are therefore bearing a disproportionate burden, affecting the ability of councils throughout Aotearoa New Zealand to carry out core services. Councils are having to borrow money to pay for significant claims to cover the failures of other parties because they are the last party standing, reducing their ability to invest in other council services (e.g. infrastructure, community services etc). There is a presumption in the current system that ratepayers are able to bear these costs that is not tenable.

Background and Context

What has caused this issue?

When there are claims by property owners relating to weather tightness and other building defects, the existing joint and several liability rule places the risk of insolvency or lack of insurance of one party onto other parties. This arbitrarily increases the liability of remaining parties (defendants) above their proportionate responsibility.

It is Queenstown Lakes District Council's (QLDC) position that requiring ratepayers to pay compensation where defendants are missing is unjust. QLDC is not unsympathetic to the need for losses to be recovered, but risk management is a shared responsibility. It is important that all participants in the system have clear accountabilities and not be able to escape their share of responsibility by ceasing to operate or liquidating.

Weather tightness and other building defect claims are a national problem.

The joint and several liability system has significant impacts including:

1. Rates increases. The settlement of large defective building claims has led to higher borrowing and interest costs for QLDC. The annual cost of the borrowing required to fund the settlements made in the past two years is \$5.3M and the increase in interest costs for

2. 2023-24 is \$4.4M, which has a rates effect of 4.03% for the year. The legal and financial challenges facing councils from these claims are ongoing and more costs can be anticipated in the future; it is not an issue that is diminishing.
3. Reduced ability to invest in community development. The subsequent effects of funding legal claims through the joint and several liability system include a loss in borrowing capacity, that could result in the reduction of investment in community assets such as parks, libraries, performing arts and recreation facilities.
4. A more cautious and demanding building consent function. The risk of being left liable has a negative impact on BCA performance and also creates higher compliance costs for the building sector. It also reduces willingness to consider non-standard solutions which potentially have a higher chance of failure. This negatively affects market performance and innovation that is vital in an era of climate adaptation.

Proposed changes

It is recommended that the liability framework should change to one of proportionate liability. This would reflect the roles and responsibilities of the parties involved and encourage those best placed to manage the risk (building practitioners) to actively manage it. This should be accompanied by a system of compulsory home warranty guarantee (that is effective) and/or insurance products. The homeowner interest would then be protected and there would no longer be an impediment to moving to proportional liability.

In the alternative, if the joint and several approach to liability remains, it is recommended that there should be a cap on BCA liability. A limit of 20% would be proportionate to the supervisory role BCAs perform under the Building Act 2004 and current apportionments underpinned by meaningful warranties and insurance (with a government underwrite if necessary) for residential properties and significant alterations.

What QLDC has already done to address this issue and bring about the proposed change

Alongside a vigorous defense of claims, QLDC is also advocating for a change to the process to address the inequitable outcomes of the current system for rate payers. It is doing this by advocating to central government, partnering with LGNZ in drafting submissions and discussion via the Metro Sector Mayors forum.

MBIE are currently reviewing the building consent process. They have refused to consider or address the impacts of the current liability settings. LGNZ (and QLDC reps in particular) have lobbied to broaden this scope, and the wider industry also seems sympathetic. It is time to escalate the issue with central government beyond officials.

How does this remit relate to LGNZ's current work programme?

LGNZ is engaged in the MBIE Review of the Building Consent System through submissions and participation on the Sector Reference Group but does not have a broader advocacy work programme of its own beyond this. And to date, LGNZ's advocacy to political leaders on the issue has been minimal.

Adopting this remit will give LGNZ a stronger and more specific mandate to progress this issue, particularly at the political level, which may assist with achieving greater traction given MBIE officials

have taken the position that the joint and several liability regime is outside the scope of building consent sector reform programmes.

How will the proposing council help LGNZ to make progress on this remit?

This is an acute issue for QLDC, but it affects any council that has a BCA function. QLDC is committed to advocating for a change to the current regime, and continuing to work alongside LGNZ, providing policy and strategy support and expertise where needed.

Is the remit relevant to local government as a whole?

Yes. This remit is about the BCA function of councils, which includes all unitary and territorial authorities.

Is the remit of a major policy nature?

Yes. This remit deals with joint and several liability within the building sector.

// 02

Rates Rebate

Remit: *That LGNZ advocate to Central Government to:*

- *Raise the income threshold for rates rebate eligibility to enable more low and fixed income property owners access to the rebate*
- *Adjust the rebate amount in line with inflation and the cost of living*
- *Investigate options to make rates rebates more accessible for residents by implementing an income data sharing process similar to that of Horowhenua District Council and Levin MSD office. This will enable Councils to obtain benefit income on behalf of the ratepayer and make it easier to apply for the rates rebate*
- *Investigate options for data sharing between Councils, Internal Affairs and Ministry of Social Development to proactively identify households that qualify for a rates rebate rather than waiting for people to apply.*

Proposed by: Horowhenua District Council

Supported by: LGNZ Zone Three

Why is this remit important?

Rates rebates are an important mechanism to assist low- and fixed-income ratepayers to pay their annual rates. In this cost of living crisis we are experiencing, more low and fixed income people are experiencing poverty and extreme hard times.

To support and assist all eligible ratepayers, the process should not be onerous, it should be streamlined, accessible and able to be carried out in a way where applicants' dignity is upheld.

Background and Context

Available from the Department of Internal Affairs, a rates rebate is a partial rebate for eligible, low-income ratepayers who pay rates on their home to a Council.

The Rates Rebates Scheme provides a rebate for eligible applicants who need to apply each year and:

- Provide the total household income, before tax;
- Complete the rates rebate application form;
- If applicable, complete the retirement village or company-share declaration form; and
- Return their application to the relevant Council by 30 June each year.

To apply for the rebate, applicants must be:

- Living in their own home on 1 July of the current rating year
- Listed as the ratepayer in the Council's Rating Information Database (RID).

Looking to streamline the application process for a rates rebate, in 2022, Horowhenua District Council worked with the Levin Ministry of Social Development (MSD) office to implement a 'Rates Rebate MSD Wavier Form'. This form was designed to provide Council with customer income details to assist with the rates rebate application process. Once the form was signed by the property owner, it was lodged with MSD who then confirmed income details with Council. This removed the need for the applicant to travel to the MSD, as well Council, to provide proof of income, which can be a burden to the process and it made the process smarter and less time consuming.

As this is currently a process unique to the Horowhenua District Council and Levin MSD, it is proposed that this process and any income/data sharing initiatives be implemented into the application process country-wide.

It is also proposed that enhancements to data sharing between Councils, the Department of Internal Affairs and MSD be investigated with the aim of streamlining the process and ensuring that those who are eligible, receive the rebate, through using available incomes and rates information.

Further, it is proposed that the threshold for eligibility is lowered to enable more low- and fixed-income property owners access to the rebate. With high inflation and household costs rising over the past two years, more households are struggling including those on low and fixed incomes. An increase in the eligibility for a rates rebate, by lowering the income threshold would assist those who are potentially most vulnerable in our community.

How does this remit relate to LGNZ's current work programme?

This remit is aimed at advancing a similar remit passed at the 2020 AGM:

"That LGNZ works with the Government to lift the level of rates rebates available for low- and fixed-income property owners – with yearly increases taking into account the cost for inputs into local government services."

LGNZ is still to make substantial progress on the 2020 remit.

How will the proposing council help LGNZ to make progress on this remit?

A member of the Horowhenua District Council Executive Leadership Team and members of the Finance Team with rates rebates expertise are open to working with LGNZ to progress this work for the benefit of New Zealand's low-income ratepayers.

Is the remit relevant to local government as a whole?

Yes.

Is the remit of a major policy nature?

Yes: rates rebates are an important mechanism to assist low- and fixed-income ratepayers to pay their annual rates. Due to the cost-of-living crisis, more low- and fixed-income ratepayers are experiencing financial difficulty.

// 03

Roading/Transport Maintenance Funding

Remit: *That LGNZ:*

- *Publicly lobby all political parties to increase Crown funding for state highway and local road maintenance budgets.*
- *Consider and pursue other avenues including the Office of the Auditor General to seek resolution of the issues facing the country in relation to the systemic rundown of our national roading infrastructure.*

Proposed by: New Plymouth District Council

Supported by: Kāpiti Coast District Council, Whanganui District Council, Palmerston North City Council, Grey District Council, Waipā District Council, Matamata-Piako District Council, Rotorua Lakes Council, Thames-Coromandel District Council, Masterton District Council, Whakātane District Council, Far North District Council, South Taranaki District Council, Rangitīkei District Council, Tasman District Council, Wairoa District Council, Waimakariri District Council, South Waikato District Council, Kaikōura District Council, Waikato District Council, Hamilton City Council, Mackenzie District Council, Central Hawke's Bay District Council

Why is this remit important?

The current state of national highways is unacceptable. Sufficient increase in funding is required to achieve a national average for remaining seal life of no less than 3.6 years (pre-2010 levels) across the state highway network. This needs to be done within the next 10 years, in partnership with councils, and with corresponding asset health improvements on local roads, to ensure the safety of all New Zealanders. Other avenues to seek resolution from include the Auditor-General, relevant Ministers and the Transport and Infrastructure Select Committee.

Background and Context

Waka Kotahi's maintenance and renewal programme has clearly been insufficient to maintain asset health measured via the average remaining seal life. There are numerous media reports about the issues being faced across New Zealand.

Graph 1 (attached in Appendix #) shows the average remaining seal life of state highways by region. This information was obtained under the Official Information Act 1982 from Waka Kotahi. It shows the significant decline in the average seal life of state highways. Nationally, the average remaining life in 2010 was 3.6 years. In 2018 this declined to around 1.8 years and remains steady. However, at a regional level there are large discrepancies.

In 2010 every region had an average remaining life of between 2.9 and 4.4 years (a range of 1.5 years difference). By 2023 the range was from -0.6 to 3.3 years (a range of 3.9 years) with four regions having a seal age of less than one year, including Hawke's Bay which recorded its seventh year with an average of less than zero.

The issue nationally is predominantly with chipseal roads rather than asphalt mix, with some exceptions. In 2023, across chipseal roads, five regions have an average remaining life of less than one year, with Hawke's Bay's roads again below zero. Within asphalt roads, Southland set an unfortunate record with an average remaining life of -2.5 years. Graph 2 (attached) shows the average remaining life of different surface types by region today.

Last year LGNZ commissioned Infometrics to undertake a report into trends in road transport funding¹. That report noted that funding for roads per kilometre travelled only increased by 0.8% p/a in the five years to 2021, whilst construction costs increased 1.1% p/a in the same five years. That report ended its analysis in 2021. With considerable cost inflation over the past two years and decreased land transport revenue due to Covid, it is almost certain that the funding gap has grown even further. Inflation for Heavy and Civil Engineering Construction peaked at 15.1% pa in the September 2022 quarter².

That increased funding gap to roads is likely to result in even further pressure on state highway maintenance and lifespans. The national stabilisation of the average remaining life of state highways may falter in the coming years, seeing further downward movement. Such a decrease will see more parts of the state highway network fail.

This year the Government is developing its next Government Policy Statement on Land Transport (the GPS). The GPS sets the funding buckets for Waka Kotahi. Influencing the development of the next GPS is one key way in which to ensure regional state highways do not continue to deteriorate. The Land Transport Management Act specifically states the Minister must regard the views of LGNZ. This remit therefore proposes a position for LGNZ.

How does this remit relate to LGNZ's current work programme?

Following the commissioning of the Infometrics report, there is further work to be done to ensure New Zealand's roading infrastructure reaches an acceptable quality level. LGNZ need to have input into the development of the next GPS and undertake a much wider advocacy role by:

- Seeking further investigations from the Auditor-General on state highway maintenance and asset management practices. This will build on the 2020 investigation into the Network Outcomes Contracts³ which highlighted poor performance measures for network performance.
- Meeting with relevant Ministers (including Transport, Infrastructure and Finance) on issues with the funding, renewals and asset management of state highways, to highlight the outlined issues.
- Meeting with the Transport and Infrastructure Select Committee and its members at appropriate times to highlight these issues, such as during the annual review of Waka Kotahi.

Progressing this remit would form part of LGNZ's existing, broader advocacy work on transport.

¹ <https://www.lgnz.co.nz/assets/PDFs/Analysing-trends-in-road-transport-funding-November-2022.pdf?vid=3>

² <https://www.stats.govt.nz/information-releases/business-price-indexes-december-2022-quarter/>

³ <https://oag.parliament.nz/2020/nzta-contracts>

How will the proposing council help LGNZ to make progress on this remit?

New Plymouth District Council would be available in an advocacy/committee member capacity to provide input and feedback as LGNZ undertake the tasks outlined in this remit.

Is the remit relevant to local government as a whole?

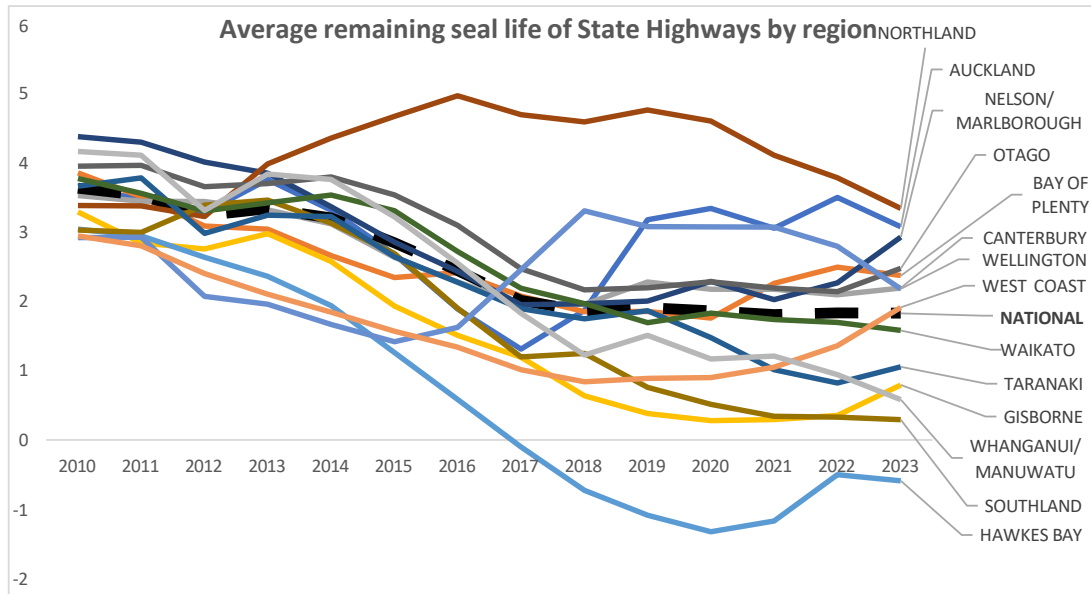
Yes. This remit is about addressing the rundown of our national roading infrastructure and increasing the funding available for the network as a whole. The 23 councils that supported it represent five out of six LGNZ zones, showing it's an issue across local government.

Is the remit of a major policy nature?

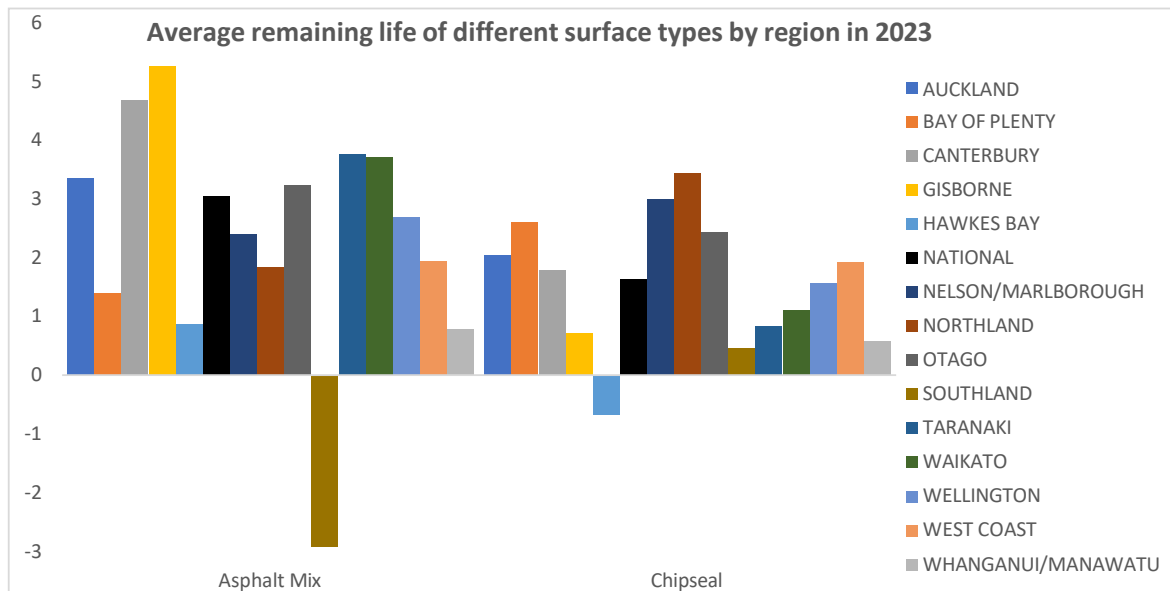
Yes. This remit deals with national funding and a large, system-wide issue that affects the safety of our roads for all New Zealanders.

Supporting Document

Graph 1



Graph 2



// 04

Local election accessibility

Remit: *That LGNZ ensure Local Government Elections are fully accessible by advocating to central government to make local government candidates eligible for the Election Access Fund.*

Proposed by: Whangārei District Council

Supported by: LGNZ Zone 1

Why is this remit important?

This remit aims to ensure Local Government Elections are fully accessible to disabled people who decide to stand as a candidate.

This requires action as disabled people make up 25% of New Zealand's population, which makes it the largest minority group. Yet there is almost no representation of people with disabilities in both central and local government.

Background and Context

Local government elections have been inaccessible to candidates with disabilities.

The Election Access Fund (the Fund) currently operates for disabled people who are standing for parliament in the general elections. At present, the Fund does not extend to disabled people standing for local elections.

The disability community tend to have lower disposable incomes than the rest of the population. This makes access to council positions extremely difficult. It is a non-accessible environment, and the general cost of campaigning and other council-associated expenses are prohibitive.

The Fund can be used to pay for disability related costs during selection or campaigning, such as, accessible transport to events or meetings, or New Zealand Sign Language Interpreters.

At the time of the establishment of the Fund, while there was extensive consultation with disability organisations, the disability community expressed deep disappointment that the fund was limited to general elections. The rationale for the exclusion is unclear.

There is no good reason for such exclusion, and it diminishes the principle of enabling disabled people to stand for political roles and undermines New Zealand's commitment to Article 29 of the United Nations' Convention on the Rights of Persons with Disabilities.

We know that representation is critical for creating change for any group of people. As the largest minority in New Zealand and in the world, disabled people lack political representation, which leads to poor outcomes.

Having a voice in local government provides a different lens on various issues and has the potential to make a significant difference to disabled people and the wider community.

Whangārei District Council feel that this remit is an obvious extension of a provision that is already in place at central government level.

How does this remit relate to LGNZ's current work programme?

LGNZ's vision is to create the most active and inclusive local democracy in the world. Therefore this proposed remit fits squarely in the space of ensuring inclusive participation in local government. Progressing this work could form part of the work LGNZ is already doing to promote greater diversity, equity and inclusion in local government.

How will the proposing council help LGNZ to make progress on this remit?

Whangārei District Council will support the implementation of the remit to ensure that local accessibility issues are addressed, to enable inclusivity throughout the local government election cycle.

Is the remit relevant to local government as a whole?

Yes.

Is the remit of a major policy nature?

Yes.

Supporting Document



LGNZ Remit – Election Access Fund for Local Elections

Submission: The Disability Advisory Group request that Whangarei District Council (alongside other Northland councils) supports and submits a remit to LGNZ for the Election Access Fund to be extended to local body elections.

Disabled people make up 25% of New Zealand’s population, which makes it the largest minority group. Yet there is almost no representation in both central and local government.

It is important that people with lived experience of disability receive the support they need to run in both general and local body elections. Disabled people have a different lens to many issues and lack representation.

There is no reason why this access fund should not be applicable to local government elections. New Zealand ratified the United Nation Convention on the Rights of Persons with Disability (UNCRPD), in 2008. Article 29 of the Convention is Participation in political and public life. The fund is a direct response to that Article.

Background: The Election Access Fund currently operates for disabled people who are standing for parliament in the general elections. At present, this fund excludes disabled people standing for local elections.

“The purpose of the Fund is to reduce cost barriers faced by disabled people by covering disability-related costs which non-disabled candidates do not face. The Fund covers both seeking selection to be a candidate, and campaigning as a candidate. The Fund will enable the Commission to pay for additional costs that candidates incur because of their disability when organising and preparing to stand for Parliamentary elections.

The Fund does not cover local body elections.”

Retrieved from the Electoral Commission website: [elections.nz](https://www.elections.nz)

The disability community tend to have lower disposable incomes than the rest of the population. This makes access to council positions extremely difficult. It is a non-accessible environment, and the general cost of campaigning and other council-associated expenses are prohibitive.

The Fund can be used to pay for disability related costs during selection or campaigning. For example, accessible transport to events or meetings, or New Zealand Sign Language Interpreters.

At the time of the establishment of the fund, while there was extensive consultation with disability organisations, the disability community expressed deep disappointment that the fund was limited to general elections. The rationale for the exclusion is unclear.

There is no good reason for such exclusion, and it diminishes the principle of enabling disabled people to stand for political roles and undermines NZ's commitment to Article 29 of the UNCRPD.

We know that representation is critical for creating change for any group of people. As the largest minority in NZ and in the world, disabled people lack political representation, which leads to poor outcomes. Northland elected members should also note that their region has the second highest rate of disability at 29% according to the 2013 Disability Stats (which is being conducted again this year).

Having a voice in local government provides a different lens on various issues and has the potential to make a significant difference to disabled people and the wider community.

// 05

Ability for co-chairs at formal meetings

Remit: *That LGNZ explores and promotes options that enable councils to make greater use of co-chair arrangements for standing committees, joint committees and sub committees.*

Proposed by: Northland Regional Council

Supported by: LGNZ Zone 1

Why is this remit important?

There is currently a lack of clarity around what arrangements councils can adopt to enable co-chairs for standing committees, joint committees and sub-committees. This is despite growing emphasis on increasing diversity in our governing arrangements, including by the Future for Local Government Review. Enabling councils to easily appoint co-chairs is one way to increase diversity and inclusion by providing opportunities for under-represented groups, including Māori, to take a more active role in local governance. More clarity is needed for councils on how to adopt effective co-chairing arrangements.

Background and Context

The Northland Regional Council (NRC), like many councils in New Zealand, has been continually looking at the different ways it can work effectively with its Te Tiriti o Waitangi partners. To deliver on that commitment it has established a number of joint committees and working parties, for example a Joint Climate Change Adaptation Committee. This committee was established in 2021 by the four Northland councils to ensure an effective, efficient, and equitable response to the impacts of climate change. The joint committee has 50/50 membership with each council appointing an elected member and an iwi/hapu representative. It believes that this committee would benefit from a co-chairing arrangement.

There is currently a lack of clarity around whether joint committees, standing committees and sub-committees can have co-chairs. Making it easier for councils to adopt co-chair arrangements would help to increase diversity and inclusion in local government decision-making.

Co-chair arrangements can also be a helpful way of building knowledge and skills amongst new elected members who may have little experience of local government – especially representatives from sectors of communities who are often under-represented, such as youth and migrant communities. Working alongside existing chairs can help to de-mystify council processes and support councils and communities to develop a more diverse and inclusive group of future leaders.

This remit would give LGNZ scope to explore current barriers to co-chair arrangements, find ways to overcome those barriers, and undertake work to support councils to make greater use of co-chair arrangements, for example providing guidance and/or sharing best practice examples.

How does this remit relate to LGNZ's current work programme?

The particular issue the remit raises is not currently part of LGNZ's work programme. However, it aligns with two of LGNZ's goals: that more people value and participate in local government, and stronger Te Tiriti-based partnerships between local government and Māori. The remit also aligns with LGNZ's focus on increasing diversity and inclusion in local government, and the Future for Local Government Review's focus on increasing participation in local government. This remit proposes taking action that would enhance that existing work.

How will the proposing council help LGNZ to make progress on this remit?

NRC would be advocates, alongside LGNZ, for any necessary changes in legislation required to provide the ability for Co-Chairs on council standing committees, joint committees and sub committees.

Is the remit relevant to local government as a whole?

Yes

Is the remit of a major policy nature?

Yes: the remit provides an option for increasing diverse and inclusive participation in council decision-making processes. This would also help to ensure local governance practice reflects the content and spirit of Te Tiriti o Waitangi.

// 06

Parking infringement penalties

Remit: *That LGNZ advocate to central government to enable councils to determine penalties for parking infringements.*

Proposed by: Whangārei District Council

Supported by: LGNZ Zone 1

Why is this remit important?

Currently penalties for parking infringements are set by legislation and are not appropriate for the cost of resourcing the infringements, nor set at a level that is appropriate for the infringement.

Background and Context

Currently the Land Transport (Offences and Penalties) Regulations 1999, Schedule 1B Part 1 sets the amount for parking infringements and the Transport (Towage fees) Notice 20204 sets the towage fees.

Whangārei District Council is currently charging the allowable amounts under this legislation but is unable to recover actual public land towing costs from the vehicle owner.

This remit advocates for penalties to be able to be set at a local level so that they are appropriate to the costs, with particular focus on:

- ensuring that clearway towing fees allow councils to recover full costs associated with towing on clear ways, and
- allowing councils to consider increases to infringement fees for misuse of disability parking spaces.

How does this remit relate to LGNZ's current work programme?

LGNZ is not currently working on this particular issue. However, this remit aligns with LGNZ's priority to campaign for greater local decision-making and localism, in that it advocates for councils setting parking infringement penalties at a local level that resonate with the local community - to ensure rate payers are not subsidising these activities and that those misusing services are contributing appropriately.

How will the proposing council help LGNZ to make progress on this remit?

Whangārei District Council will support any proposed changes to the legislation that will allow for parking infringements to be set at a local level, and will also provide support if the preferred approach is to update legislation to ensure parking infringements are in line with current resourcing costs for these infringements.

Is the remit relevant to local government as a whole?

Yes. This remit calls for legislative change to the Land Transport (Offences and Penalties) Regulations 1999 to allow all councils to determine penalties for parking infringements and towage fees appropriate to their local area.

Is the remit of a major policy nature?

In part. This remit is calling for legislative change, but it is a relatively narrow request and we need to test members' level of interest further.

// 07

Rural and regional public transport

Remit: *That LGNZ:*

- *Acknowledges the Government stated support for a major uplift in all urban bus networks nationwide under New Zealand's first emission reduction plan.*
- *Calls on the Government and opposition parties to commit to increasing investment in public transport for rural and regional communities to support access to essential services and amenities, vibrant rural communities and just transition to a low emission transport system.*

Proposed by: Waikato Regional Council

Supported by: Zone 2 Meeting May 2023. Remit discussed and received unanimous support.

Why is this remit important?

Improving public transport is both an opportunity to reduce transport emissions and support a just transition to a low emission economy by providing a cheap alternative to increasing costs of owning and running a conventionally fuelled car.

A lack of explicit support for rural and regional public transport services means these communities will be exposed to the wider suite of policy shifts supporting a transition to a low emission transport system, without any meaningful alternative transport options.

Many of New Zealand's rural and regional communities have high proportions of people on low and fixed incomes and for whom the financial or practical barriers to owning an electric vehicle will be too great.

Sustainable funding for these rural and regional public transport solutions will be important to provide rural and regional communities the confidence that they will not be left behind as New Zealand transitions to a low emission transport system.

Background and Context

The Government's emission reduction plan (2022) and subsequent policy and transport funding opportunities including Climate Emission Reduction Fund opportunities, are targeted at optimising investment in terms of carbon emission reductions.

Meanwhile several policies that were specifically intended to support a just transition have been recently abandoned and investment signals for rural and regional public transport have been muted.

Investing in rural and regional public transport is a strategic and sustainable way to improve the quality of life and economic opportunities for people living outside urban areas. Rural and regional public transport can provide multiple benefits, such as:

- Access for people on fixed incomes: Many rural residents, especially the elderly, disabled, and low-income groups, do not have access to private vehicles or cannot afford to use them frequently. Public transport can offer them a more affordable and reliable way to access essential services, such as health care, education, shopping, and social activities. Public transport can also reduce their isolation and enhance their well-being.
- A just transition to a low carbon transport system: Public transport can help reduce greenhouse gas emissions and air pollution by shifting people away from using private cars. Public transport can also support the development of renewable energy sources, such as biofuels, solar, geothermal, and wind power, by providing the infrastructure and demand for them. Public transport can also contribute to climate change adaptation by improving the resilience of rural communities to extreme weather events and natural disasters.
- Support for local economies: Public transport can link people with essential services such as healthcare. Public transport can also be an important force in supporting local economies by connecting residents (especially non-drivers) with local businesses and job opportunities. Public transport can also attract tourists and visitors to rural areas, creating more income and employment opportunities.

It is important to note public transport does not just mean a 30-seater bus. Public transport authorities like the Waikato Regional Council are becoming increasingly innovative with the services they provide and support – be they community transport services or on-demand mini-bus services, the solutions being increasingly tailored to needs of local communities.

How does this remit relate to LGNZ's current work programme?

Transport affordability and accessibility is already a part of LGNZ's policy and advocacy work programme, but there's no current work to gain cross-party support for better public transport for rural and regional communities. Work to progress this remit could be integrated into LGNZ's broader transport advocacy work programme.

How will the proposing council help LGNZ to make progress on this remit?

Waikato Regional Council did not specifically outline how it might work with LGNZ on progressing this remit in its application form but noted:

Many public transport authorities such as the Waikato Regional Council are already providing some rural and regional public transport services in the form of Total Mobility (subsidised taxi fares), support for community transport service providers, and some more traditional bus-based public transport.

These have been highly valued by those communities, providing many people with affordable access to essential services and amenities.

Demand for these services is growing, however the ability to afford the council or National Land Transport Fund shares is increasingly constrained.

Is the remit relevant to local government as a whole?

Yes. This remit is most relevant to rural and regional councils but aims to reduce New Zealand's transport emissions overall. Improved regional public transport will also benefit provincial and metropolitan councils.

Is the remit of a major policy nature?

Yes. This remit is dealing with public transport investment and a just transition to a low carbon transport system.

// 08

Establishing resolution service

Remit: *That LGNZ:*

- *Investigates the creation of an LGNZ independent, national process to handle complaints or concerns, ensuring fairness, protection, and accountability in local government.*
- *Works with the Local Government Commission⁴ to implement findings from its September 2021 Report – Local Government Codes of Conduct⁵*

Proposed by: Hutt City Council & YEM

Supported by: Invercargill City Council, Far North District Council, Hauraki District Council, Central Otago District Council, Hutt City Council, Selwyn District Council, Porirua District Council

Why is this remit important?

This remit is critically important as it addresses the pressing issue of a lack of a proportionate, flexible, responsive, and independent process/service for handling complaints and concerns in councils and escalating issues within local government.

Background and Context

The proposing and support councils and the Young Elected Members' Committee acknowledge that issues arise across local government that require a range of interventions – from education, mentoring, support, facilitation, mediation, inquiry, investigation, or review.

The absence of a national, standardised and independent process that triages complaints and concerns provides the right intervention for the issue, and managing escalation for complaints within local government has led to the pressing need for action. Currently, councils oversee their own problems on an ad-hoc basis, leaving many complaints unanswered and individuals hesitant to come forward. This lack of a clear and impartial process undermines transparency, accountability, and public trust in local government. It also fails to provide legal protection for complainants and increases the risk of defamation. The Code of Conduct inquiry is often very expensive and results in sanctions (if approved by a majority of Councillors in some cases) in what can only be called the “wet bus ticket”.

The intense scrutiny placed on local body governance by the community emphasises the need for regular external support to drive positive change. Without such support, unresolved issues can

⁴ Referred to as LCG for the balance of this remit

⁵ *Local Government Codes of Conduct/ Ngā tikanga whanonga Kāwanatanga ā-Rohe, Report to the Minister of Local Government, September 2021, Wellington [report found here](#).*

ultimately lead to the involvement of the DIA and the appointment of a commissioner, representing a worst-case scenario.

Relevant legislation, policy, or practice has not adequately addressed this issue, resulting in gaps and inconsistencies in handling complaints. Code of Conduct process enables the issue to be escalated to the Chief Executive. Informal conduct complaints are to be escalated to the Mayor, however if the Mayor is part of the problem this doesn't provide for a safe environment.

If a councillor is to escalate to a Code of Conduct complaint, often this results in a very public fight which also generally results in a public apology that doesn't really resolve anything.

It appears that where there is no national process or independent forum in which to take these issues, issues have been left to escalate or fester leading to governance breakdowns.

The absence of legal protection for complainants further exacerbates the problem, discouraging individuals from raising legitimate concerns.

We acknowledge that the process of investigation opens local government up to media scrutiny and often fails to protect the complainants coming forward. While this is keenly felt by the communities in which it is occurring, it also does a disservice to local democracy and local government generally.

Given the degree of intense community scrutiny on local body governance, regular and external support is often necessary to shift the dial.

Many terms of reference used to investigate complaints often fail to address the core issues comprehensively. Consequently, the necessary outcomes required to restore confidence in councils or individuals are not adequately addressed, resulting in slow progress and ongoing dissatisfaction.

By establishing a comprehensive framework that includes a complaints/issues/support/mediation forum and a tiered escalation process, this remit aims to promote fairness, protect complainants, restore public confidence, strengthen local democracy, and ensure timely and effective issue resolution as well as being cost effective for councils.

Taking action is crucial to uphold good governance, address grievances, and maintain the integrity of local government institutions.

How does this remit relate to LGNZ's current work programme?

While there have been some conversations about the need for a national service for addressing complaints about member conduct (including with central government), and LGNZ does provide support to councils, including on an "as requested" basis and by providing a model Code of Conduct at the start of each triennium, work to develop a national, independent process/service is not one of LGNZ's current work priorities.

Work on this remit would align with LGNZ's vision of New Zealand being the most active and inclusive local democracy in the world, and LGNZ's goal that more people value and participate in local government.

How will the proposing council help LGNZ to make progress on this remit?

The proposing and supporting councils and Young Elected Members' Committee have all expressed a willingness to support LGNZ with work to progress this remit, including sharing relevant experience and assisting with engaging with Ministers, officials and the Local Government Commission.

Is the remit relevant to local government as a whole?

Yes.

Is the remit of a major policy nature?

Yes: At some stage, virtually all councils will have faced the issue of member misconduct. The tools currently available for dealing with such issues are widely seen as inadequate. There is a need for a proportionate, flexible, responsive, and independent process/service for handling complaints and concerns in councils and an approach that is consistent across all councils.

// 09

Earthquake prone buildings

Remit: *That LGNZ investigate and report to members on ways to help councils and communities that are struggling with the time frames in the Earthquake Prone Building (EPB) sections of the Building Act and council policies pertaining to Priority Thoroughfares.*

Proposed by: Manawatū District Council

Supported by: LGNZ Zone 3

Why is this remit important?

Timeframes to strengthen or demolish earthquake prone buildings (EPBs) range from 50 years in low earthquake risk zones in New Zealand to 7.5 years in high-risk zones where councils have implemented Priority Thoroughfares. As the clock has been ticking for a while, that 7.5 years is already down to less than 5 years. These building owners have been issued notices under the Building Act to strengthen or demolish by a certain date.

While some strengthening has, and is taking place, it is clear that many EPBs will not be strengthened or redeveloped within the required short timeframes. These communities face the prospect of vacant sites, and worse still, abandoned buildings.

In many cases these EPBs have stood through many earthquakes for 70 – 140 years and they have considerable heritage value, but not necessarily with any real heritage protection, and they add positively to the character and aesthetic quality of towns and cities.

EPB owners have major concerns about what will happen in March 2028 when their 7.5 years is up, and other dates in other communities. In many cases they either can't afford to strengthen in the timeframe, or it is not currently financially viable to do so in the current commercial real estate marketplace. There are many cases where the property value is Land Value only, or Land Value less the cost of demolition. The buildings currently provide no added value to the value of the land.

This remit aims to address the timeframes of Priority Thoroughfares in particular, which were imposed as policy by councils, and which triggered the issuing of Building Act notices to strengthen or demolish by a certain date. The issuing of these notices seems to be more difficult to change than amending Priority Thoroughfare policies.

Manawatū District Council is concerned that town and city centres may be destroyed by legislative and policy decisions, rather than by an actual earthquake.

Background and Context

Some towns and cities with low commercial rents and low commercial property values are struggling with the financial viability and affordability of either earthquake strengthening or redeveloping within the short timeframes. These towns and cities have lower pedestrian counts, and therefore earthquakes are of lower risk to human life than in larger cities with higher rents and values, and where both strengthening and redeveloping is more viable.

The legislation gave no criteria in terms of pedestrian or traffic count for Priority Thoroughfares. It was left for councils to decide, and some councils implemented Priority Thoroughfares and some with similar town centres did not. Communities have building owners who are prepared to make progress with strengthening if a longer timeframe existed but are not prepared to commence strengthening knowing that they can't complete all of the work required within the short timeframe required. This is an unforeseen consequence of the short timeframes of the legislation and Priority Thoroughfare policies. Instead of the buildings becoming safer over time, the short timeframe has meant that no safety improvements are taking place in many cases.

An example of this is a prominent two-storey Hotel in Feilding, being a reasonably large Edwardian building built using unreinforced masonry, as are many of Feilding's EPBs. This is a most attractive building voted by the Manawatū community to be their favourite Feilding town centre building. The rent is circa \$70,000 P/A, and the cost to strengthen is circa \$2,000,000 with likely another \$2,000,000 required for renovation. The current use and rental doesn't justify the investment within 5 years. Another use or uses will be required to justify the investment and this will likely happen in the future, but such changes take time.

This remit hopes that compromise solutions, that remove the risk to human life in a timely manner, but in affordable and viable ways will be explored, such as extending the timeframe for strengthening lower-risk parts of buildings. The proposing council recognises that a range of options may be appropriate – including legislative and policy options – and so is keen that these are looked at.

Manawatū District Council has done a lot to help get EPBs strengthened. It has organised subsidised engineering reports through Heritage Equip, held seminars, sought advice, found a strengthening company that offers a fixed price package deal at a good price and without the need for occupants to vacate the building. Along with a few other councils Manawatū District Council has achieved a change in the regulations that lifted the financial threshold for relatively minor work before the full provisions of the Building Act are triggered. It has advocated to MPs from all political parties.

How does this remit relate to LGNZ's current work programme?

LGNZ is not currently actively working on this issue but has done work around EPB legislative and policy settings in the past. LGNZ has access to political parties, central government officials and other national stakeholder organisations that could help local government to make progress on this issue.

How will the proposing council help LGNZ to make progress on this remit?

Several members of Manawatū District Council will assist in any way possible (including participating in working groups, providing case studies and practical examples and experience when engaging with political parties) and will continue with their own efforts and share any useful information.

Is the remit relevant to local government as a whole?

The problem of EPBs affects many councils and communities throughout New Zealand, and particularly those in high- and medium-risk earthquake zones. With less than five years to go for some councils, there is an urgent need to find a compromise solution.

Is the remit of a major policy nature?

Yes

// 10

KiwiSaver contributions for elected members

Remit: *That LGNZ ask the Government to amend the law to enable councils to make contributions to an elected members' KiwiSaver scheme.*

Proposed by: Hamilton City Council & promoted by CBEC

Supported by: Queenstown Lakes District Council, Palmerston North City Council, New Plymouth District Council, Kāpiti Coast District Council. Far North District Council

Why is this remit important?

Currently, elected members are treated as independent contractors, with no entitlement to employer KiwiSaver contributions, or KiwiSaver deductions. This could be viewed as a disadvantage and a barrier to people standing for election, as the loss in KiwiSaver employer contributions can be in the tens of thousands by the time someone retires from public politics. This leaves elected members without employer contribution support for their retirements, which is provided to most other New Zealanders.

Background and Context

Currently, elected members are considered independent contractors, rather than employees of Council. As such, they are expected to set aside their own KiwiSaver contributions and do not receive any employer contribution.

Members of Parliament became eligible for KiwiSaver, but local government elected members are not. The Remuneration Authority Report on Members of Parliament Remuneration (July 2021) states 'MPs elected after 1992 are entitled to a superannuation subsidy contribution. The scheme can be KiwiSaver or registered retirement savings...'

Hamilton City Council is advocating for changes to the Employment Relations Act 2002 to allow KiwiSaver deductions to be taken from elected members' remuneration, and for employer contributions to be allocated.

The topic of elected member remuneration has been addressed in the draft report *He mata whāriki, he matawhanui*, prepared as part of the Review into the Future for Local Government, resulting in the key recommendations 17 and 18 as set out below:

- 17 - That central and local government, in conjunction with the Remuneration Authority, review the criteria for setting elected member remuneration to recognise the increasing complexity of the role and enable a more diverse range of people to consider standing for election.
- 18 - That local government develops a mandatory professional development and support programme for elected members; and local and central government develop a

shared executive professional development and secondment programme to achieve greater integration across the two sectors.

Hamilton City Council strongly believe that as a sector we should continue to advocate for changes to remuneration (such as those outlined above) to ensure local governance roles remain attractive.

How does this remit relate to LGNZ's current work programme?

This proposed remit aligns with LGNZ's strategy and policy priorities, including its vision that New Zealand is the most active and inclusive local democracy in the world, and its goal that more people value and participate in local government.

While the issue of KiwiSaver deductions and employer contributions has been highlighted in various submissions LGNZ has made in the past, there has been no official communication to the Minister of Local Government about the implications of elected members not being eligible for KiwiSaver deductions or employer contributions from councils.

How will the proposing council help LGNZ to make progress on this remit?

Hamilton City Council will continue to advocate for these changes.

Is the remit relevant to local government as a whole?

Yes.

Is the remit of a major policy nature?

Yes: remuneration is a critical factor that citizens consider when deciding to stand or not for election.

// 11

Audit NZ Fees

Remit: *That LGNZ calls on central government to take action to reduce council audit fees by:*

- *revisiting the scope and requirements of reporting and auditing on councils*
- *conducting a review on the practice of audit in councils and work on best practice guidance to streamline this process*

This review should examine whether the reporting and audit requirements of councils are consistent with the level of reporting and audit that is required of other public entities.

Proposed by: Whanganui District Council

Supported by: New Plymouth District Council, Horizons Regional Council, Palmerston North City Council, Stratford District Council, Selwyn District Council

Why is this remit important?

While reporting and audit requirements are important for transparency and accountability, the scope of them are constantly inflating as council work programmes and rates intakes increase over time. These costs are then passed back to the ratepayer during a cost-of-living crisis and with food and housing insecurity steadily increasing. The scale and content of reporting and auditing needs to be reviewed to ensure that they are being conducted efficiently, relate to information that is relevant to the community and to council fulfilling its statutory duties, and is not overly onerous on under-resourced councils.

Background and Context

Local authorities have significant reporting requirements under the Local Government Act 2002 (LGA). These include annual reports, which review financial and service performance for the preceding financial year, and Council-Controlled Organisation (CCO) reports, and audits of Long-Term Plans and Long-Term Plan amendments. In the interests of transparency and accuracy, these reports are required to be audited under the LGA.

The Auditor General is the auditor of all public entities and they determine who will audit specific organisations. Council audits are conducted by Audit New Zealand. We understand that some councils' CCOs have permission to seek other audit providers, but for the vast majority of councils Audit New Zealand is the only allowable provider.

Councils are legally required to conduct an audit but do not have the ability to choose between multiple organisations to conduct it, which prevents competition on cost. Further, there are barriers to the timing and efficiency of the annual audit due to only being able to use one provider. While Whanganui District Council (Council) agrees that the audit is a critical function that provides assurance on information contained within our reports, it questions whether the financial and staffing costs of audits are now exceeding the benefit provided to our communities.

Reporting and auditing are a key part of local democracy. Reporting is a necessary factor for transparency and accountability both to central government and to the communities that councils

serve. Audits ensure that the information being reported is full, accurate, and meets all its requirements under legislation.

Whanganui District Council is also aware of the technical difficulty of conducting audits. Even when conducted by organisations with extensive experience, auditing council financial reports involves working through a significant amount of financial information and highly technical analysis and close familiarity with the accounting standards financial reports are held to.

The amount of work needed to complete an audit also increases over time in line with the amount and complexity of information going into council reports. Councils have increasing expenditure and increasing workloads over time, both internally as a result of work undertaken on behalf of their communities, and externally as outside pressures such as economic conditions, legislation and pressing issues like housing require more direct local investment and management.

How does this remit relate to LGNZ's current work programme?

This is an issue for the entire sector, with many councils expressing concern over the extent of fees required for obligatory audits of our reporting. It aligns with responsiveness to the needs of local government by taking action on a mandatory cost that local government bodies have no control over.

Advocacy on this issue aligns with LGNZ's commitment to localism and championing local voice on issues that are having significant impact at the local level.

LGNZ is aware of members' concerns about audit fees and has been having a number of conversations with Audit New Zealand, the Minister and central government officials. However, this remit would add further weight to the importance of the issue.

How will the proposing council help LGNZ to make progress on this remit?

Whanganui District Council will submit on consultations run by either central government or LGNZ.

Is the remit relevant to local government as a whole?

Yes: all councils are currently required to pay audit fees.

Is the remit of a major policy nature?

Yes.



Date: 27 June 2023

Subject: **Electoral Decisions**

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

Document: 3182087

Purpose

1. The purpose of this memorandum is to consider whether to use First Past the Post (FPP) or Single Transferable Vote (STV) electoral system, and whether to undertake a representation review for the 2025 Council elections.

Executive summary

2. The *Local Electoral Act 2001* provides for the Council to consider the electoral system for the 2025 elections. There is no legal requirement to undertake a representation arrangements review as the last review was undertaken in 2021/2022, although a further review or minor adjustments of internal boundaries may be undertaken in 2023.
3. The review of the electoral system must be completed by 19 September 2023 and must consider whether:
 - The First Past the Post (FPP) electoral system is retained
 - The Single Transferrable Voting (STV) electoral system is introduced; or
 - A poll of electors is held on which electoral system is to be used for the next two triennial elections.
4. A representation arrangements review is not required to be undertaken unless the Council wishes to undertake a further review or make internal boundary adjustments.

Recommendations

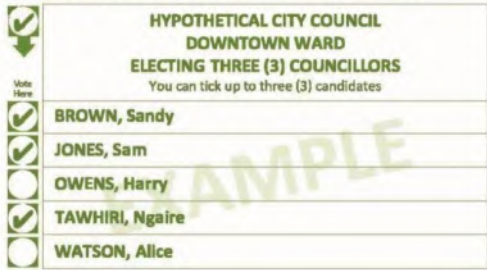
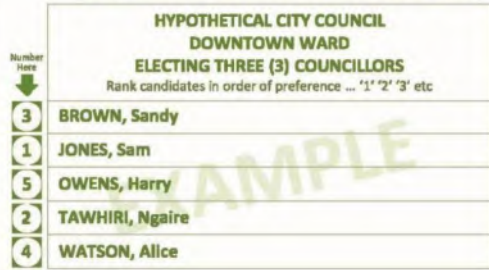
That the Taranaki Regional Council:

- a) receives the memorandum Electoral Decisions
- b) pursuant to section 27 of the *Local Electoral Act 2001* resolves for the 2025 Taranaki Regional Council triennial elections to either:
 - retain the First Past the Post electoral system; or
 - change to the Single Transferrable Voting electoral system; or

- undertake a poll of electors on the electoral system to be used for the 2025 and 2028 elections and that public notice be given by 19 September 2023 of the decision and of the right of electors to demand a poll on the electoral system to be used;
- c) does not undertake a representation arrangements review
- 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.

Background

5. The *Local Electoral Act 2001* (LEA) provides for flexibility and local choice in several electoral related matters. The principal matters requiring consideration by local authorities in 2023/2024 for the 2025 elections are (i) the choice of electoral system (between FPP and STV), (ii) for some, to undertake a representation arrangements review.
6. The FPP electoral system was confirmed by Council for the 2022 elections and now Council has a further opportunity to review the electoral system to be used for the 2024 elections.
7. A table comparing FPP and STV follows:

COMPARING FPP AND STV	
A typical FPP voting document could look like this	A typical STV voting document could look like this
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FPP	STV
FPP has long been widely used in New Zealand, is familiar and is generally easy to understand.	STV is currently used in Australia, United States, Ireland and Malta. Along with all the DHBs it is also being used by fifteen New Zealand Councils in 2022. STV is also used by companies like Fonterra, to select board members.
Each voter is able to cast one vote for each vacancy to be filled. Voters place a tick beside the name of the candidate or candidates they wish to vote for.	Each voter gets one vote, no matter how many vacancies. Voters rank candidates in order of preference - "1" beside their most preferred candidate "2" beside the second-most preferred candidate, and so on. Voters do not have to rank all candidates, but must use consecutive numbers.
The candidate who receives the most votes is elected. Where there is more than one vacancy, the candidates (equal to the number of vacancies) who receive the most votes are elected.	A candidate must reach the quota to be elected. Where there is more than one vacancy, the candidates (equal to the number of vacancies) who reach the quota are elected.
FPP is not a form of proportional representation. Each tick is counted as a vote for that candidate and the candidate or candidates with the most votes are elected. A candidate may be elected by a small margin.	STV is a proportional electoral system. Proportional systems are intended to provide more effective representation for all significant points of view, although it cannot be guaranteed that STV will provide an increased diversity of representation.
A candidate may receive more votes than they need to get elected.	A candidate would not receive more votes than they would need to get elected, as surplus votes are transferred to the next preference.
Some voters may not have supported any of the candidates who get elected.	If voters rank every candidate, they are likely to have supported at least one successful candidate.
Where political parties or organised political groupings contest the elections, and there are say 3 vacancies, voters can vote for the 3 candidates representing a political party or organised political group ("block" voting). This can result in all candidates from a political party or organised political group being elected.	STV can moderate "block" voting as voters can rank every candidate therefore making it more difficult for all candidates from a political party or organised political group to be elected.

Council to Resolve Which Electoral System is to be Used

8. Council can resolve to retain the current electoral system (FPP) or resolve to change the electoral system (to STV). Such a resolution must be made no later than 12 September 2023 (two years prior to the next triennial election) unless it decides to hold a poll of electors prior to the 2025 elections.
9. Any such resolution changing the electoral system would take effect for the 2025 elections, and continue in effect until either Council resolves otherwise, or a poll of electors is held.

Electors' Right to Demand a Poll

10. Under section 28 of the LEA, Council must give public notice, by 19 September 2023, of the right of electors to demand a poll on the electoral system to be used for the 2025 elections. If Council passes a resolution under section 27 of the LEA to change the electoral system from FPP to STV the public notice must include: Notice of that resolution; and

- A statement that a poll is required to countermand that resolution.
 - Section 29 of the LEA allows 5% of the electors enrolled at the previous triennial election to demand a binding poll be held on which electoral system is to be used for the next two triennial elections. The poll demand must be made in writing to the Chief Executive by a number of electors equal to or greater than 5% of the electors (4,083 electors) and can be made anytime, but to be effective for the 2022 elections, must be made by 21 February 2021.
11. Section 29 of the LEA allows 5% of the electors enrolled at the previous triennial election to demand a binding poll be held on which electoral system is to be used for the next two triennial elections. The poll demand must be made in writing to the Chief Executive by a number of electors equal to or greater than 5% of the electors (4,354 electors) and can be made anytime, but to be effective for the 2025 elections, must be made by 21 February 2024.
 12. If a valid demand for a poll is received after 21 February 2024, a poll must be held after 21 May 2024 (e.g. with the 2025 elections), the outcome effective for the 2028 and 2031 elections.

Council May Decide to Hold a Poll of Electors

13. Council can decide to hold a poll of electors at any time (section 31 of the LEA), but to be effective for the 2025 elections, must decide no later than 21 February 2024, irrespective of whether a valid demand has been received, or the time has expired for electors to demand a poll.
14. Public notice of the poll must be given as soon as practicable after the resolution and the poll itself must be completed by 21 May 2024 (to be effective for the 2025 elections).
15. The result of the poll is binding and will determine whether FPP or STV is to be used for at least the next two triennial elections (2025, 2028) and for all subsequent elections until either a further resolution takes effect or a further poll is held.

Representation Arrangements Review

16. A representation arrangements review must be undertaken at least once every six years (section 19H of the LEA). As the last review was undertaken in 2021/2022, a further review is not required. However, a further review can be undertaken if considered desirable.
17. Given the recent representation review and the relative lack of change in land use and communities of interest, a further review is not recommended.

Issues

18. The issues to be resolved are the voting system to be used for the 2024 Council elections and whether to undertake a further representation review.

Options

19. In terms of the options for the electoral system, the Council needs to select either first past the post or single transferable voting. Further, the Council can choose to make a decision now or go to a poll of electors.

20. In terms of the representation review, the Council can choose to undertake a representation review or stay with the current arrangements. In 2021/2022, the Council undertook a comprehensive representation review and made a number of changes. Part of this process involved a hearing of submitters by the Local Government Commission. As this review has just been completed and was comprehensive in nature, it is recommended that a representation review not be undertaken.

Significance

21. In terms of the *Significance and Engagement Policy*, the decision is determined as not significant as:
- the decision does not affect a large number of residents and ratepayers to a moderate extent
 - the consequences of the decision do not affect a small number of residents and ratepayers to a large extent
 - the decision does not have a history of generating wide public interest with the Taranaki region or New Zealand generally.
22. As such, further consultation and/or engagement is not considered warranted.

Financial considerations—LTP/Annual Plan

23. 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

24. 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

25. 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

26. 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

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

Appendices/Attachments

Document 3182102: Electoral Decisions Report



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// bringing change

Title: Electoral Decisions

Report to: Taranaki Regional Council

Author: Dale Ofoske, Electoral Officer

Date: 13 June 2023

1.0 Summary and conclusions

The Local Electoral Act 2001 provides for Council in 2023 to consider for the 2025 elections the electoral system to be used.

The review of the electoral system must be completed by 12 September 2023 and is to consider whether:

- the First Past the Post (FPP) electoral system is retained; or
- the Single Transferable Voting (STV) electoral system is introduced; or
- a poll of electors is held on which electoral system is to be used for the next two triennial elections.

2.0 Recommendations

1. That the report titled 'Electoral Decisions' be received; and
2. That pursuant to section 27 of the Local Electoral Act 2001 Council resolves for the 2025 Taranaki Regional Council triennial elections to:
either
 - (i) retain the First Past the Post electoral system;
or
 - (ii) change to the Single Transferable Voting electoral system;
or
 - (iii) undertake a poll of electors on the electoral system to be used for the 2025 and 2028 elections;

and that public notice be given by 19 September 2023 of the decision and of the right of electors to demand a poll on the electoral system to be used.

3.0 Narrative

3.1 Background

The Local Electoral Act 2001 (LEA) provides for greater flexibility and local choice in electoral related matters. The principal matter requiring consideration by Taranaki Regional Council in 2023 for the 2025 elections is the choice of electoral system (FPP or STV) by 12 September 2023.

3.2 Electoral System

Council is required under section 27 of the LEA to consider every three years the electoral system to be used for the 2025 elections, by 12 September 2023.

Council has historically used the FPP electoral system and now has the opportunity to review the electoral system to be used for the 2025 elections.

For the 2022 triennial elections, 63 of 78 local authorities used the FPP electoral system, and 15 of 78 local authorities used the STV electoral system. Local authorities currently using the STV electoral system are:

Dunedin City Council, Far North District Council, Gisborne District Council, Greater Wellington Regional Council, Hamilton City Council, Kaipara District Council, Kapiti Coast District Council, Marlborough District Council, Nelson City Council, New Plymouth District Council, Palmerston North City Council, Porirua City Council, Ruapehu District Council, Tauranga City Council and Wellington City Council.

A table comparing FPP and STV (as used in a territorial authority’s electoral system poll and approved by DIA) follows:

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The process that Council can follow to determine its electoral system is:

- (i) Council can resolve which electoral system is to be used, with a required public notice
- (ii) five per cent of electors can demand a poll be held on this at any time
- (ii) Council can choose to hold a poll on this, irrespective of whether or not a poll is demanded by electors.

(i) COUNCIL TO RESOLVE WHICH ELECTORAL SYSTEM IS TO BE USED

Council can resolve to retain the current electoral system (FPP) or resolve to change the electoral system (to STV). Such a resolution must be made no later than 12 September 2023 (two years prior to the next triennial election) unless it decides to hold a poll of electors prior to the 2025 elections.

Any such resolution changing the electoral system would take effect for the 2025 elections, and continue in effect until either Council resolves otherwise, or a poll of electors is held.

(ii) ELECTORS' RIGHT TO DEMAND A POLL

Under section 28 of the LEA, Council **must** give public notice, by 19 September 2023, of the right of electors to demand a poll on the electoral system to be used for the 2025 elections. If Council passes a resolution under section 27 of the LEA to change the electoral system from FPP to STV the public notice must include:

- (a) notice of that resolution; and
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If a valid demand for a poll is received after 21 February 2024, a poll must be held after 21 May 2024 (e.g. with the 2025 elections), the outcome effective for the 2028 and 2031 elections.

(iii) COUNCIL MAY DECIDE TO HOLD A POLL OF ELECTORS

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Public notice of the poll must be given as soon as practicable after the resolution and the poll itself must be completed by 21 May 2024 (to be effective for the 2025 elections).

The result of the poll is binding and will determine whether FPP or STV is to be used for at least the next two triennial elections (2025, 2028) and for all subsequent elections until either a further resolution takes effect or a further poll is held.

	Name and title of signatory	Signature
Author	Dale Ofsoske, Electoral Officer	

Public Excluded Recommendations – Ordinary Council 27 June 2023

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 Council Meeting on 27 June 2023 2023 for the following reason/s:

The matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under section 48(1) of the *Local Government Official Information and Meetings Act 1987* are as follows:

Item 12 – Confirmation of Public Excluded Executive Audit and Risk Minutes – 19 June 2023

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; and/or enable any local authority holding the information to carry out, without prejudice, commercial activities

Purchase of land adjacent to Hollard Gardens

Accommodation Update

Yarrow Stadium update

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Purchase of land adjacent to Hollard Gardens	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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 for which good reason for withholding would exist under section 7 (2) (h) and (2) (i) of the <i>Local Government Official Information and Meetings Act 1987</i> .
Accommodation review	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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 for which good reason for withholding would exist under section 7 (2) (i) of the <i>Local Government Official Information and Meetings Act 1987</i> .

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Yarrow Stadium Plus: Project Steering Group Report	<p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>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 for which good reason for withholding would exist under section 7 (2) (h) and (2) (i) of the <i>Local Government Official Information and Meetings Act 1987</i>.</p>

Item 13 – Accommodation Update

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item 13: Accommodation review	<p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>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 for which good reason for withholding would exist under section 7 (2) (i) of the <i>Local Government Official Information and Meetings Act 1987</i>.</p>

AGENDA AUTHORISATION

Agenda for the Ordinary Council Meeting of the Taranaki Regional Council held on Tuesday 27 June 2023.

Approved:



20 Jun, 2023 1:50:17 PM GMT+12

M J Nield
Director - Corporate Services



20 Jun, 2023 12:34:07 PM GMT+12

S J Ruru
Chief Executive