

SOUTH TARANAKI DISTRICT COUNCIL

Extraordinary Council Agenda

To hold the Council's Ordinary meeting that was postponed and is now being held on the original date, at the earlier time of 1pm

Monday 6 April 2020

Video Conference 1.00 pm

The meeting will be held via video conferencing and the recording will be made available on the South Taranaki District Council's website following the conclusion of the meeting.

Governance Information

Committee Members

Mayor Phil Nixon (Chairperson)

Councillor Andy Beccard
Councillor Mark Bellringer
Councillor Gary Brown
Councillor Celine Filbee
Councillor Aaron Langton
Councillor Steffy Mackay
Councillor Robert Northcott
Councillor Jack Rangiwahia
Councillor Diana Reid
Councillor Bryan Roach
Councillor Brian Rook
Councillor Chris Young

Delegations

The Full Council's role is to carry out responsibilities under the Local Government Act 2002. It is the final decision-making authority within the Council and generally ratifies recommendations made by other committees.

It is made up of all Councillors and the Mayor.

Powers that cannot be delegated

The powers that cannot be delegated by the Council are:

- (a) the power to make a rate
- (b) the power to make a bylaw
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
- (d) the power to adopt a long-term plan, annual plan or annual report
- (e) the power to appoint a chief executive
- (f) the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the Local Governance Statement.
- (g) the power to adopt a remuneration and employment policy

Health and Safety Message

In the event of an emergency, please follow the instructions of Council staff.

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

Conflicts of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected member and any private or other external interest they might have.

Extraordinary Meeting – 6 April 2020, 1.00 pm

Purpose:

To hold the Council's Ordinary meeting that was postponed and is now being held on the original date, at the earlier time of 1pm.

1. Apologies

2. Opening Remark – Councillor Mark Bellringer

3. Open Forum and Presentations

3.1 Sport Taranaki

4. Confirmation of Minutes

4.1 [Ordinary Council Minutes 24 February 2020](#) Page 8

5. Committee and Board Minutes

5.1 [Eltham Drainage Committee 26 February 2020](#) Page 17
5.2 [Extraordinary Environment and Hearings Committee 2 March 2020](#) Page 21
5.3 [Eltham-Kaponga Community Board 10 March 2020](#) Page 25
5.4 [Te Hāwera Community Board 10 March 2020](#) Page 31
5.5 [Pātea Community Board 11 March 2020](#) Page 35
5.6 [Taranaki Coastal Community Board 12 March 2020](#) Page 42
5.7 [Iwi Liaison Committee 18 March 2020](#) Page 48
5.8 [Environment and Hearings Committee 18 March 2020](#) Page 56

6. Report

6.1 [Code of Conduct](#) Page 61

7. Information Reports

7.1 [Notice of Motion – Taranaki Regional Council](#) Page 84

8. Resolution to Exclude the Public

8.1 [Ordinary Council Minutes 24 February 2020](#) Page 87
8.2 [Extraordinary Environment and Hearings Committee 2 March 2020](#) Page 90
8.3 [Environment and Hearings Committee 18 March 2020](#) Page 94



1. Apologies

Leave of Absence

The Council may grant a member leave of absence following an application from that member. Leave of absences will be held in the Public Excluded section of the meeting.



2. Opening Remark – Councillor Mark Bellringer

The opening remark is an opportunity to comment on something positive or constructive that has happened in relation to the Council or the Community.



3. Open Forum

3.1 Sport Taranaki

The Council has set aside time for members of the public to speak in the public forum at the commencement of each Council, Committee and Community Board meeting (up to 10 minutes per person/organisation) when these meetings are open to the public. Permission of the Mayor or Chairperson is required for any person wishing to speak at the public forum.



Council Minutes

| | |
|---------|--|
| To | Ordinary Council |
| Date | 6 April 2020 |
| Subject | Ordinary Council – 24 February 2020 |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Council is being asked to adopt the Ordinary Council minutes of the meeting held on Monday 24 February 2020 as a true and correct record.

Recommendation

THAT the Council adopts the minutes of the Ordinary Council meeting held on 24 February 2020 as a true and correct record.

South Taranaki District Council

Minutes of the Ordinary Meeting of the South Taranaki District Council held in the Council Chamber on Monday 24 February 2020, commencing at 7.00 pm.

PRESENT: Mayor Phil Nixon, Councillors Andy Beccard, Mark Bellringer, Gary Brown, Celine Filbee, Aaron Langton, Steffy Mackay, Robert Northcott, Jack Rangiwahia, Diana Reid, Bryan Roach, Brian Rook and Chris Young.

IN ATTENDANCE: Waid Crockett (Chief Executive), Fiona Aitken (Group Manager Community and Infrastructure Services), Marianne Archibald (Group Manager Corporate Services), Liam Dagg (Group Manager Environmental Services), Gerard Langford (Communications Manager), Darleena Christie (Governance and Support Team Leader) and one member of the press.

APOLOGIES: Nil.

Mayor Nixon welcomed Councillors, staff and press to the February Council Meeting.

1 Opening Remark

Councillor Beccard noted that he had been around for many years and decided to join Council as some infrastructure required replacement. In his 15 plus years serving the community the infrastructure had been replaced and TSB Hub has been built. Once again, it was time to spend more on infrastructure and the Council might look at other funding options.

2 Open Forum

There were no members of the public in attendance.

3 Confirmation of Minutes

3.1 Ordinary Council Minutes 9 December 2019

Correction (page 9), Te Raumanui to be changed to Te Ramanui.

RESOLUTION

(Cr Mackay/Cr Rook)

01/20 **THAT the Council adopts the minutes of the Ordinary Council meeting held on 9 December 2019 as a true and correct record.**

CARRIED

4 Committee and Board Minutes

4.1 Audit and Risk Committee held on 18 November 2019

RESOLUTION (Cr Beccard/Cr Young)

02/20 **THAT the Council receives the minutes of the Audit and Risk Committee meeting held on 18 November 2019.**

CARRIED

4.2 Eltham-Kaponga Community Board held on 27 January 2020

Councillor Bellringer referred to page 26, he asked if the Council had investigated the solid waste issue by the Kaponga Rugby Club. Ms Aitken responded that the issue was passed onto relevant staff following the meeting. She would follow-up whether the issue was additional rubbish or additional collections required.

RESOLUTION (Cr Mackay/Cr Filbee)

03/20 **THAT the Council receives the minutes of the Eltham-Kaponga Community Board held on 27 January 2020.**

CARRIED

4.3 Te Hāwera Community Board held on 27 January 2020

RESOLUTION (Cr Reid/Cr Beccard)

04/20 **THAT the Council receives the minutes of the Te Hāwera Community Board held on 27 January 2020.**

CARRIED

4.4 Taranaki Coastal Community Board held on 28 January 2020

Councillor Roach referred to page 36, he sought clarification on whether the Board project for a drinking water fountain at Manaia and Ōpunakē Beach should be done in conjunction with other community organisations. Ms Aitken responded that the Community Boards were provided with discretionary funds for exactly that purpose and were encouraged to use the funds for Board projects.

RESOLUTION (Cr Young/Cr Northcott)

05/20 **THAT the Council receives the minutes of the Taranaki Coastal Community Board held on 28 January 2020.**

CARRIED

4.5 Pātea Community Board held on 29 January 2020

Councillor Filbee referred to the issues raised in Waverley regarding traffic speed and town gardens. She asked whether the gardens would be addressed through the next Long-Term Plan. However, she was unsure if there had been news from NZTA regarding speed restrictions that were being investigated last year. Mayor Nixon agreed with the garden planting around the District and advised that he and Deputy Mayor Northcott met with the Acting Senior Sergeant to discuss the speed of traffic. He had not heard anything back on changes in speed restrictions.

Councillor Rook referred to page 39, he sought confirmation on whether the warning signs at Pātea Beach had been repaired. Mr Dagg responded that it was still under investigation by Council officers along with the dog signage at Wai-inu Beach.

Councillor Rook noted that each Community Board had reported back on the suitability of funding applications and the criteria. He asked if there was any way to lock in place criteria that was consistent across the Boards. Ms Aitken responded that there were five overarching rules under the criteria for all Boards ie. no funding food or catering, travel costs, individuals, gifts or conference attendance. Each Board set their own criteria over and above the overarching five.

Councillor Northcott advised that the Boards had expressed their desire to do their own projects as opposed to funding community groups. This enables the Board to develop their own projects that otherwise would not get completed through normal Council processes.

RESOLUTION (Cr Rook/Cr Northcott)

06/20 **THAT the Council receives the minutes of the Pātea Community Board held on 29 January 2020.**

CARRIED

4.6 Iwi Liaison Committee held on 5 February 2020

RESOLUTION (Cr Beccard/Cr Langton)

07/20 **THAT the Council receives the minutes of the Iwi Liaison Committee held on 5 February 2020.**

CARRIED

4.7 Environment and Hearings Committee held on 2 February 2020

Councillor Filbee referred to page 50, correction under item 3.1, the sentence "Mrs Jessica Sorensen provided an update on", the word on be deleted.

RESOLUTION (Cr Beccard/Cr Mackay)

08/20 **THAT the Council receives the minutes of the Environment and Hearings Committee meeting held on 5 February 2020.**

CARRIED

4.8 Policy and Strategy Committee held on 10 February 2020

RESOLUTION (Cr Rangiwahia/Cr Brown)

09/20 **THAT the Council;**

a) **Receives the minutes of the Policy and Strategy Committee held on 10 February 2020.**

b) **Adopts the recommendation 01/20 PS from the Policy and Strategy Committee:**

That Council rescind recommendation 44/15 PD Part 2, 3 and 4 and to disestablish the South Taranaki Rural Broadband and Cellphone Working Party but continue to advocate for improved cellphone coverage across the district.

- c) **Adopts recommendation 02/20 PS from the Policy and Strategy Committee: To approve a budget increase of \$500,000 for the Eltham Water Supply Trunk Main replacement project.**
- d) **Adopts recommendation 03/20 PS from the Policy and Strategy Committee To enter into grazing licences and authorises the Chief Executive to undertake the public notification process.**

CARRIED

4.9 Audit and Risk Committee held on 12 February 2020

RESOLUTION (Cr Beccard/Cr Young)

10/20 **THAT the Council receives the minutes of the Audit and Risk Committee meeting held on 12 February 2020.**

CARRIED

5 Reports

5.1 Delegation of Leases to the Chief Executive

Mr Crockett advised that there were a number of leases that came across the table under the Property Law Act 2007. The legislation required two members of the body corporate to sign off leases. This was more an operational activity and would give the Chief Executive an opportunity to raise appropriate questions.

Councillor Filbee asked if there was a reason why the current process was in place. Mr Crockett responded that this had been the process since the legislation was introduced.

RESOLUTION (Cr Rangiwahia/Cr Beccard)

11/20 **THAT the Council;**

- a) **Appoints, under section 12 of the Property Law Act 2007, the Chief Executive (and to the Acting Chief Executive in the Chief Executive's absence), by way of granting the Power of Attorney (attached in Appendix I of this report).**
- b) **Notes that the Mayor and Deputy Mayor will sign the Power of Attorney, as the two elected members acting on behalf of the South Taranaki District Council (enacting the recommendation above).**

CARRIED

5.2 Graffiti Policy

Councillor Beccard asked that consideration be given to the choice of paint colour when cleaning up graffiti and try to match the colour as much as possible. Mr Crockett advised that when the details come through for Council officers they worked through the information and completed each on a case-by-case basis.

Councillor Filbee noted that the budget had been increased to \$40k per annum and asked if this budget was still required. Ms Aitken responded that the costs were incorporated into the green space budget and was unable to see how much that was until it was separated out as a line item.

RESOLUTION

(Cr Beccard/Cr Brown)

12/20

THAT the Council;

- a) **Revokes the South Taranaki District Council Graffiti Policy.**
- b) **Notes that the process for dealing with graffiti complaints for Council-owned land has been captured in an internal standard operating procedure.**

CARRIED

5.3 Code of Conduct

Mayor Nixon advised that the Code of Conduct report was withdrawn and will be presented at the Policy and Strategy meeting on 23 March 2020 to allow for further work to be done.

5.4 Taranaki Triennial Agreement

Councillor Filbee asked whether there had been any major changes from the previous agreement. Mayor Nixon responded that it was just names and dates.

RESOLUTION

(Cr Nixon/Cr Rangiwahia)

13/20

THAT the Council;

- a) **Approves the Taranaki Triennial Agreement presented with this report.**

CARRIED

5.5 Submission to the Ministry for the Environment on the draft National Policy Statement for Indigenous Biodiversity

Councillor Beccard asked for confirmation on whether the wording was in support of the submission. He noted that this was essential as it was talked about in the District Plan process and even more important that extra resources were allocated.

Councillor Filbee asked why the submission landed with the Council instead of Taranaki Regional Council (TRC). Mayor Nixon responded the Council was required to deal with Significant Natural Areas (SNAs).

Mr Dagg commented that the resourcing of SNA mapping should be shared. TRC have rules around effects of the land change and through the District Plan there was a mechanism to deal with the landuse. Councillor Young asked whether it was a duplication. Mr Dagg responded that it was not a duplication, but using the tributes in the way we described them.

Councillor Filbee asked why the South Taranaki District Council had yet to identify all potential SNAs across the District. New Plymouth District Council (NPDC) had identified over 600 SNAs in their proposed District Plan and South Taranaki had identified 35. Mr Dagg advised that through the District Plan review process, it was decided not to do a full-scale review on some parts of the Plan. On reflection the work had been identified as needing to be done and the total cost of that would sit with the Council and the ratepayers. This was an issue that could be considered through the LTP process.

RESOLUTION

(Cr Beccard/Cr Filbee)

14/20

THAT the Council;

- a) **Receive the draft submission in Appendix 1 to MFE on their draft National Policy Statement for Indigenous Biodiversity.**
- b) **Approve the contents of the submission in Appendix 1 to MFE on their draft National Policy Statement for Indigenous Biodiversity.**

CARRIED

6 Information Report

6.1 Quarterly Financial Report for period ending 31 December 2019

Councillor Filbee referred to page 174, Cold Creek and Nukumarū Water Supply, she asked why there was no income against those projects. Mayor Nixon responded that they were run by private organisations. Councillor Filbee asked why expenditure was in excess of \$40k. Ms Aitken responded that it was the final year of tidying up the transfer, the expenditure was largely attributed to depreciation costs.

Councillor Filbee referred to page 178, she asked what the delay was around discussions with New Zealand Motor Caravan Association for the public dump station in Hāwera. Ms Aitken said that it was mostly around agreeing on a suitable site. She noted that having accessible dump sites formed part of the criteria for being a motorhome friendly town.

Councillor Filbee referred to the non-financial regulatory report, the building consents processed efficiently were down 25%. She had received a huge amount of feedback from builders/developers and queried the need for a more efficient process. Mr Dagg responded that this was being addressed.

Councillor Young referred to page 201, he asked if the Pool Safe Accreditation had come through for the Aquatic Centre. Ms Aitken explained the process and noted that it could take some time.

RESOLUTION

(Cr Beccard/Cr Rangiwahia)

15/20

THAT the Council approves the second quarter Financial Report for the period ending 31 December 2019.

CARRIED

7 Resolution to Exclude the Public

RESOLUTION

(Cr Young/Cr Brown)

16/20

THAT the Council agrees that the public be excluded from the following parts of the proceedings of this meeting, namely:

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

| General subject of each matter to be considered | Reason for passing this resolution in relation to each | Ground(s) under section 48(1) for the passing of this resolution |
|---|--|---|
| 1. Confirmation of minutes - Audit and Risk Committee 18 November 2019 | Good reason to withhold exists under Section 7. | That the public conduct of 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 exists. Section 48(1)(a) |
| 2. Confirmation of minutes – Ordinary Council 9 December 2019 | | |
| 3. Confirmation of minutes – Environment and Hearings Committee 5 February 2020 | | |
| 4. Confirmation of minutes – Policy and Strategy Committee 10 February 2020 | | |
| 5. Confirmation of minutes – Audit and Risk Committee 12 February 2020 | | |

This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

| Item No | Interest |
|-------------------------|--|
| 1, 2, 3, 4 and 5 | Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i)). |
| 4 | Maintain the effective conduct of public affairs through the protection of members or officers or employees of the Council, and persons to whom Section 2(5) of the Local Government Official Information and Meetings Act 1987 applies in the course of their duty, from improper pressure or harassment (Schedule 7 (2)(f)(ii)). |

CARRIED

8 Resume Open Meeting

RESOLUTION

(Cr Mackay/ Cr Langton)

22/20 THAT the South Taranaki District Council resumes in open meeting.

CARRIED

The meeting concluded at 7.39 pm.

Dated this day of 2020.

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CHAIRPERSON



Minutes

| | |
|---------|---|
| To | Ordinary Council |
| Date | 6 April 2020 |
| Subject | Eltham Drainage Committee – 26 February 2020 |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Eltham Drainage Committee met on 26 February 2020. The Council is being asked to receive the Eltham and Drainage Committee minutes from 26 February 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Recommendation

THAT the Council receives the minutes of the Eltham Drainage Committee held on 26 February 2020.

Eltham Drainage Committee

Minutes of the Eltham Drainage Committee Meeting of the South Taranaki District Council held in the Eltham Town Hall, Stanners Street, Eltham on Wednesday 26 February 2020, commencing at 10.21 am.

PRESENT: Ray Willy (Chairperson), Councillor Mark Bellringer (South Taranaki District Council), Councillor Rick Coplestone (Stratford District Council) and Jonathon Perry (*arrived 10.21am*).

IN ATTENDANCE: Herbert Denton (Works Delivery Manager), Claire Robertson (Taranaki Regional Council) and Darleena Christie (Governance and Support Team Leader).

APOLOGIES: Bruce Campbell, Steven Clough

RESOLUTION

(Mr Perry/Cr Coplestone)

01/20 ED THAT the apologies from Bruce Campbell and Steven Clough be received.

CARRIED

1 Open Forum

1.1 Claire Robertson, Taranaki Regional Council – Riparian Planting

Ms Robertson (Land Management Officer) presented the Committee with the most recent maps of the Ngaire Swamp area and highlighted which sections of the drains where riparian planting had occurred. Mr Willy invited Ms Robertson to accompany the spraying contractors, so they did not accidentally spray the recently planted drains. There was concern that the contractor could not see the small plantings. It was also noted that roundup was the spray used around the drains and there might not be a need to spray as much.

The Committee discussed the Ngaere Swamp Riparian Plans, it was noted that there were 27.2 kms of drains that get sprayed. So far there had been 92.7 kms that had been planted and Ms Robertson had been happy with the progress.

Ms Robertson was to supply an electronic copy of the map to include in the minutes.

Ms Robertson left the meeting at 10.37 am.

2 Confirmation of Minutes

2.1 Eltham Drainage Committee held on 30 July 2019

RESOLUTION

(Mr Willy/Mr Perry)

02/20 ED THAT the minutes of the Eltham Drainage Committee held on 30 July 2019 be confirmed as a true and correct record.

CARRIED

3 Report

3.1 Financial Report - Reserve Update

Mr Denton referred to the report and advised that no money had been spent on Materials and Services. The YTD remuneration was almost in line with budget and the reallocated overheads were slightly under.

RESOLUTION

(Cr Coplestone/Mr Perry)

03/20 ED THAT the Eltham Drainage Committee adopt the provisional financial report as true and correct, subject to finalisation by the Council's Finance Team.

CARRIED

4 General Business

4.1 2020 Maintenance Inspection

Mr Willy noted that he often used the digger to maintain the drains, but this had not been done for some time as the land was quite consolidated now. The drain spraying was working to keep them clear without using mechanical equipment which had been cheaper.

Councillor Coplestone asked what was the annual estimate for spraying. Mr Willy responded approximately \$4,500. The spraying takes two days and the budget was set for that, the invoice included the cost of the spray.

The Committee agreed to proceed with the spraying of the drains and confirmed a date to do inspections (Thursday 16 April 2020). This date was 3-4 weeks following the spraying, everyone agreed to meet at Bruce Campbell's at 9.30 am and start at Rāwhitiroa Road. The inspections would take approximately 2-3 hours.

RESOLUTION

(Cr Bellringer/Mr Perry)

04/20 ED THAT the drains be sprayed as per the 2020 Maintenance Inspection Programme.

CARRIED

4.2 Review letter to affected property owners in respect of Health and Safety obligations

It was noted that Mr Clough visited property owners and sought permission to enter their property. He advised them that the Committee would be undertaking a drain inspection in March/April.

Mr Willy advised which property owners still needed following up. He offered to go with Mr Perry to get property owner details and an email address. The email addresses would be collated into a distribution list and Council Officers could prepare the letter to be sent to affected property owners.

Mrs Christie to draft an information slip to be inserted with the rates notice about the Eltham Drainage Committee and how it was established.

The meeting concluded at 10.48 am

Dated this day of 2020.

.....
CHAIRPERSON



Minutes

| | |
|---------|--|
| To | Ordinary Council |
| Date | 6 April 2020 |
| Subject | Extraordinary Environment and Hearings Committee Minutes – 2 March 2020 |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Extraordinary Environment and Hearings Committee met on 2 March 2020. The Council is being asked to receive the Extraordinary Environment and Hearings Committee minutes from 2 March 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Recommendation

THAT the Council receives the minutes of the Extraordinary Environment and Hearings Committee held on Monday 2 March 2020.

Extraordinary Environment and Hearings Committee

Minutes of the Extraordinary Environment and Hearings Committee Meeting held in the Council Chamber, Administration Building, Albion Street, Hāwera on Monday 2 March 2020 commencing at 1.30 pm.

PRESENT: Councillors Andy Beccard (Chairperson), Steffy Mackay, Robert Northcott and Aaron Langton (Observer)

IN ATTENDANCE: Liam Dagg (Group Manager Environmental Services), Jessica Sorensen (Planning Manager), Darleena Christie (Governance and Support Team Leader). Moana Campbell-Knowles (the Applicant), Christopher Parata, Turangapito Parata and Jan Nichols (support for the Applicant).

APOLOGIES: Councillor Reid.

RESOLUTION

(Cr Mackay/Cr Northcott)

08/20 EH THAT the apology received from Councillor Reid be received.

CARRIED

Welcome and Introduction

Councillor Beccard welcomed everyone to the hearing and explained the proceedings. He noted that Councillor Langton was in attendance however, he was unable to consider the application until the formal qualifications required were completed.

1 Retrospective Resource Consent

1.1 Proposal to construct a residential dwelling within the minimum road boundary setback

Jessica Sorensen – Planner

Mrs Sorensen explained that a resource consent had been received for 340 Mātāngārara Road, Hāwera for an additional dwelling on the rural-residential property. The siting of the dwelling would result in two yard encroachments, depending on the size (it currently permits only one dwelling). The property was 1,647m² and the Proposed District Plan required dwellings to be set back 10m from all boundaries of the property. Refer to papakāinga – while provision was included in the application and supplied in the report, needed to invite discussions regarding papakāinga after the application had been heard. This application would be setting a precedence as it had never been sought in an application before. The reasons and recommendations for discussion following the hearing was the decisions of the committee members.

Moana Campbell-Knowles - Applicant (on behalf of the Campbell Family Trust)

Mrs Campbell-Knowles introduced herself and sought permission from the Committee to present evidence from Andrea Rowe (Planning Consultant for the Campbell Family Trust). A hardcopy was tabled and read with some of the conditions in the report challenged.

Mrs Campbell-Knowles noted that they did not agree with Condition 2 and advised that setting the dwelling further back onto the property would compromise future options. Hence the rationale for applying for the dispensation, of which all affected persons had given approval. She advised that Condition 4 was not directly connected to any adverse effects of the activity on the environment and the condition was unreasonable (colour palette of the garage door). She referred to the landscaping in Condition 5, seeking an option to enable a fence that provided sufficient screening as it was a permitted activity and would negate the need for landscaping.

Councillor Northcott referred to pages 20-21, he asked for clarification regarding the distance of the dwelling from the boundary, as there were references to 2.85m and 10m from the road throughout the application.

Mrs Sorensen noted that Condition 2 was trying to be consistent with the rest of the site. If the proposed dwelling unit was pushed back that far, then it limited the availability at the back of the property should there be a third dwelling in the future. She advised that the yard encroachment was not signed off by affected persons as it was a Council boundary.

Councillor Northcott referred to papakāinga and understood that it did not apply to this application. But noted in future if papakāinga did not apply and a third dwelling was sought, then it would come back to the Council with another resource consent. He asked whether the Committee needed to consider papakāinga at all.

Mrs Sorensen noted that the establishment of papakāinga on the site did not form part of the discussion. This was because it fell outside of the scope of the definition in the Proposed District Plan.

Councillor Mackay asked if there were plans for a specialised system for water tanks and the sewerage system. In response, it was noted that the plans had already been submitted to the Council by an architect who worked with an engineer developing the system and the design complied.

The Committee discussed the issues around fencing, the set back from the boundary and the colour for the garage door and it was suggested that the conditions be amended.

Councillor Beccard went through the process and advised of the next steps. The officers would be in touch and send the formal information out as soon as it was available, subject to conditions.

The Applicant and support left the meeting at 2.19 pm.

2 Items to be Considered with the Public Excluded

RESOLUTION

(Cr Mackay/Cr Northcott)

09/20 EH THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

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

| 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 |
|---|---|--|
| 1. Retrospective Resource Consent – Proposed second dwelling, 340 Mātāngārara | To Enable the Committee to. | That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council/Committee to deliberate in private on its decision or recommendation in any proceedings where: ii) the local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. Use (i) for the RMA hearings and (ii) for hearings under LGA such as objections to Development contributions or hearings under the Dog Control Act. s. 48(1)(d). |

CARRIED

3 Resume to Open Meeting

RESOLUTION

(Cr Mackay/Cr Northcott)

12/20 EH THAT the Environment and Hearings Committee resume in open and agrees that the decision be released to the public once the applicant has been notified of the decision.

CARRIED

The meeting concluded at 2.45 pm.

Dated this day of 2020.

.....
CHAIRPERSON



Board Minutes

| | |
|---------|---|
| To | Ordinary Council |
| Date | 6 April 2020 |
| Subject | Eltham-Kaponga Community Board – 10 March 2020 |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Eltham-Kaponga Community Board met on 10 March 2020. The Council is being asked to receive the Eltham-Kaponga Community Board minutes from 10 March 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Recommendation

THAT the Council receives the minutes of the Eltham-Kaponga Community Board held on 10 March 2020.

Eltham-Kaponga Community Board

Minutes of the Ordinary Meeting of the Eltham-Kaponga Community Board held in the Taumata Recreation Centre, Preston Street, Eltham on Tuesday 10 March 2020, commencing at 10.30 am.

PRESENT: Karen Cave (Chairperson), Sonya Douds, Alan Hawkes, Lindsay Maindonald and Councillor Steffy Mackay.

IN ATTENDANCE: Mayor Phil Nixon, Councillor Mark Bellringer, Liam Dagg (Group Manager Environmental Services), Claire Symes (Community Development Manager), Darleena Christie (Governance and Support Team Leader), nine members of the public and one media.

APOLOGIES: Nil

1 Open Forum and Presentations

1.1 Eltham Hydras Community Gym

Maree Liddington spoke on behalf of the Eltham Hydras Community Gym.

1.2 Central Taranaki Safe Community Trust (the Trust) – Di Gleeson and Danny Bates

Mr Bates introduced himself and stated that the Community Action Group of Eltham (CAGE) had contacted the Trust as they had ceased trading in the Eltham area and were under the Trust’s umbrella to take on the local security cameras. Currently they did not work, so there was no surveillance in Eltham. The cameras in Eltham could be monitored from the control centre in Stratford, although in different boundaries. The total cost to upgrade was \$32,000 and Stratford was yet to upgrade. The Trust approached the Community Board for the ongoing cost of \$10,000 if the cameras were monitored in Stratford which included the internet access and other associated costs that included backing the recordings in Stratford. The Trust had a community car which was to be used in Eltham on Friday and Saturday nights which could solve the problem, but the Trust was seeking some reassurance by having the backing of the local Community Board and Council to support continuation of the cameras. The Trust had not submitted a funding application as it was seeking guidance on how best to move forward to patrol Eltham, then moving onto Kaponga.

Councillor Mackay sought clarification around the monitoring of the cameras in Eltham. Mr Bates advised that the cameras would be manned by someone monitoring in Stratford.

It was noted that there were conflicting stories around whether the cameras were working in Eltham. Mr Maindonald had been advised that they were working and security surveillance could be viewed.

Mayor Phil Nixon advised Mr Bates that there was further homework and investigation to be done and questioned who would be undertaking this. He believed the initiative was positive.

1.3 Maree Liddington – Eltham and Districts Historical Society Funding Application

The Eltham and Districts Historical Society (the Society) were in the process of upgrading the way the Society was operated. Part of the upgrade required a computer to digitalise all the files and make them available for people online. The computer database would be available for all members and located in the reception area. Mrs Liddington explained that there was only one quote from Janko who had supplied all the other computers and would include the computer into the current network. The Society had not applied to any other funding sources for the computer as it owned an old building that required a roof replacement. The Society had a grant application pending approval for the roof replacement and building maintenance which included painting the building.

Mrs Cave noted that the current computer was 15 years old.

1.4 Maree Liddington – Eltham Community Development Group

Mrs Liddington advised that the pavers for Bridger Park, Eltham were a key part of the structural development at the entrances. She noted that they were trying to get funding to have the pavers laid down then plantings in late winter or early spring.

1.5 Patsy Lawson – Eltham Royal New Zealand Returned and Services Association (RSA) (ANZAC Day Traffic Management)

Mrs Lawson noted that traffic management for the ANZAC Day parade last year was not done correctly. The Eltham RSA reviewed the funding that they received from subscriptions and the poppy collection and were still in deficit for the cost of obtaining a traffic management plan. The poppy collection funds go to the Poppy Trust which was for the welfare of returned service men or other people that might need help.

It was asked whether the ANZAC Day march included High Street. Mrs Lawson confirmed this.

1.6 Jo Menzies – Rotokare Scenic Reserve Trust

A concern was raised about the retaining wall at the boat ramp becoming dangerous. The Trust had tried to this repaired with no success and were now requesting the Community Board assist to get some traction. The boats undermined the boat ramp and the soil had eroded away and left a hole. The Trust was asking for assistance to have this repaired. Mr Menzies advised that he was unsure of the cost and suggested a site visit to assess the problem and then ascertain next steps.

1.7 Jo Menzies – Eltham Business Association

The Eltham Business Association (the Association) meet on 17 March to rebuild the Association. He highlighted his concerns regarding the vacant chair position and the progress of the Association. Councillor Mackay noted that there was a lot of projects that needed to grow and evolve. Councillor Mackay and Mrs Cave would prefer to be the neutral people to help steer the Association in the right direction.

1.8 Name – Under Veranda Lights

The Council had been approached several times regarding the under-veranda lights on the ground in Eltham. An incident where a truck hit the corner veranda in town caused the lights to fall. The Council had been contacted however to date nothing had happened.

Mayor Phil Nixon would follow up.

1.9 Lindsay Maindonald – Speeding Traffic

Mr Maindonald had been approached by an Eltham resident about the Police presence in town. There had been speeding boy racers through town and they did not stop at the crossings. He asked if there had been any progress reports from Land Transport as he believed that someone could be killed. Speeding traffic also occurred on Collingwood and King Edward Streets. The Council had been contacted several times without a response. Mr Maindonald suggested warning lights to warn of the pedestrian crossing.

Mayor Phil Nixon advised he was aware of the issues Eltham had with speeding cars around the streets and noted a similar issue had occurred in Pātea and Ōpunakē. He recently spoke with Senior Sargent Kyle Davies and the new Area Commander about the problem which was a police issue and the Council were working with them. He suggested to continue to ring the police to lodge the complaints when they occurred.

2 Confirmation of Minutes

2.1 Eltham-Kaponga Community Board Meeting held on 27 January 2020.

RESOLUTION (Ms Douds/Cr Mackay)

08/20 EL **THAT the Eltham-Kaponga Community Board adopts the minutes from the meeting held on 27 January 2020 as a true and correct record.**

CARRIED

3 Funding Applications

3.1 Eltham RSA – ANZAC Day Traffic Management

An application was received from the Eltham RSA for funding to assist with ANZAC Day traffic management.

It was suggested that the Eltham RSA look to TSB Community Trust and the TET for civil service events in the future to gain more stable funding.

RESOLUTION (Mr Hawkes/Cr Mackay)

09/20 EL **THAT the Eltham-Kaponga Community Board allocates \$1,400 from their Discretionary Fund to the Eltham RSA for the ANZAC Day traffic management.**

CARRIED

3.2 Eltham Community Development Group – Pavers for Bridger Park

Councillor Mackay and Mrs Cave declared a conflict of interest and abstained from voting.

An application was received from the Eltham Community Development Group for funding to assist with the purchase of pavers for Bridger Park.

RESOLUTION

(Ms Douds/Mr Hawkes)

- 10/20 EL **THAT the Eltham-Kaponga Community Board allocates \$6,483.44 from their Discretionary Fund to the Eltham Community Development Group for pavers for Bridger Park.**

CARRIED

3.3 Eltham and Districts Historical Society – Purchase computer for reception area

An application was received from the Eltham and Districts Historical Society for funding to assist with the purchase of a computer for the reception area.

RESOLUTION

(Mrs Cave/Mr Maindonald)

- 11/20 EL **THAT the Eltham-Kaponga Community Board allocates \$1,783.01 from their Discretionary Fund to the Eltham and Districts Historical Society for the purchase of a computer for the reception area.**

CARRIED

4 Report

4.1 Eltham Town Clock

Mrs Cave noted that there had been quite a lot of work done on the clock some years ago. It had since been rebuilt and now had independent wiring. The Eltham Community Health Trust were paying the power bill at a minimal cost.

RESOLUTION

(Mr Hawkes/Cr Mackay)

- 12/20 EL **THAT the Eltham-Kaponga Community Board recommends that the Council:**

- 1) **Agrees to take ownership of the Eltham Town Clock on behalf of the Eltham Community; and**
- 2) **Enter into a Memorandum of Understanding with the Eltham and District Community Health Trust regarding the power required to continue the operation of the clock for the future.**

CARRIED

5 Matters Arising

Property Review

The property review has been delayed until the end of the financial year 30 June. Mr Dagg referred to the crossover of staff with the retirement of Mrs Phillippa Wilson and the incoming Group Manager Corporate Services, Marianne Archibald.

Eltham Field Gun

It was noted that the Field Gun was in Kakaramea at Hooper's Engineering and not Stratford. The Matters Arising to be amended accordingly.

6 Information Reports

6.1 Community Development Activity Report

The report updated the Board on progress with community development projects and activities across the District and other items of interest.

RESOLUTION (Cr Mackay/Ms Douds)

13/20 EL **THAT the Eltham-Kaponga Community Board receives the Community Development Activity Report.**

CARRIED

6.2 District LibraryPlus Report – January 2020

The report covered the range of library activities and statistics across the District for January 2020.

RESOLUTION (Ms Douds/Mr Hawkes)

14/20 EL **THAT the Eltham-Kaponga Community Board receives the District LibraryPlus Report – January 2020.**

CARRIED

6.3 Eltham-Kaponga Facilities Usage Report – 2019/20

The facility usage report summarised the total usage of a range of Council owned assets and services, within the Eltham-Kaponga ward.

RESOLUTION (Cr Mackay/Mrs Cave)

15/20 EL **THAT the Eltham-Kaponga Community Board receives the Eltham Facilities Usage Report – 2019/20.**

CARRIED

The meeting concluded at 11.12 am.

Dated this day of 2020.

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CHAIRPERSON



Board Minutes

| | |
|---------|--|
| To | Ordinary Council |
| Date | 6 April 2020 |
| Subject | Te Hāwera Community Board – 10 March 2020 |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Te Hāwera Community Board met on 10 March 2020. The Council is being asked to receive the Te Hāwera Community Board minutes from 10 March 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Recommendation

THAT the Council receives the minutes of the Te Hāwera Community Board held on 10 March 2020.

Te Hāwera Community Board

Minutes of the Ordinary Meeting of the Te Hāwera Community Board held in the Normanby Recreation Centre, Ketemarae Road, Normanby on Tuesday 10 March 2020, commencing at 1.30 pm.

PRESENT: Wayne Bigham (Chairperson), Raymond Buckland, Russell Hockley, Nikki Watson and Councillor Diana Reid.

IN ATTENDANCE: Mayor Phil Nixon, Liam Dagg (Group Manager Environmental Services), Ella Borrows (Community Development Advisor) and Darleena Christie (Governance and Support Team Leader).

APOLOGIES: Nil.

1 Open Forum and Presentations

1.1 Nil

2 Confirmation of Minutes

2.1 Te Hāwera Community Board Meeting held on 27 January 2020.

Mrs Borrows received an email from Wendy Foreman expressing her appreciation following the recent Family Day. The email would be sent to members following the meeting. Mayor Phil Nixon attended the event and it was well organised and supported.

RESOLUTION (Cr Reid/Mr Buckland)

07/20 HA **THAT the minutes of the Te Hāwera Community Board meeting held on 27 January 2020 be confirmed as a true and correct record.**

CARRIED

3 Funding Applications

3.1 Te Hāwera Community Board – Drinking Fountain Normanby

Mrs Borrows sent the flyer to all Community Board members showing that the drinking fountain would be situated at the end of the Normanby Hall building.

RESOLUTION (Mr Buckland/Mrs Watson)

08/20 HA **THAT the Te Hāwera Community Board allocates \$3,485.83 from their Discretionary Fund to assist with the Drinking Fountain at Normanby.**

CARRIED

3.2 Te Hāwera Community Board – Sound Dish Project

It was noted that the sound mirrors would be placed at either side of King Edward Park and would have less impact on the surrounding area. In response to the query on whether the sound mirrors were located away from the poolside edge Mrs Borrows confirmed this, it would be against the hedge on the poolside and in the garden. There was a shortfall towards the concrete fitting and the pipework to stabilise the dish and the signage.

Councillor Diana Reid noted that the project was not within the scope of the King Edward Park character and would be compromised by the installation of the sound mirrors. She suggested that perhaps there were alternative locations in Hāwera to place the sound mirrors.

Mr Bigam noted that he would like to see them in the main park, and he could also see the art side to them within the gardens. Mayor Phil Nixon concurred.

RESOLUTION **(Mr Hockley/Mr Buckland)**

09/20 HA **THAT the Te Hāwera Community Board allocates \$2,729.25 from their Discretionary Fund to assist with the Sound Mirrors Project.**

CARRIED

Councillor Reid wished her vote against the recommendation be recorded.

3.3 Te Hāwera Community Board – Drinking Fountain People / Dogs

Mrs Borrows noted the drinking fountain was located at the dog park. There was an opportunity to install a fountain at a lesser value should concerns be raised about the cost of the project and how much to grant. It was noted that even if the installation cost was removed, the fountain was still a huge amount.

Councillor Diana Reid visited the area and was really impressed, it was timely that Hāwera provided water at the dog exercise area as it was well used.

It was noted that many people have commented about how thrilled they were to have a dog exercise area where they could go with their dogs regularly.

RESOLUTION **(Mr Buckland/Cr Reid)**

10/20 HA **THAT the Te Hāwera Community Board allocates \$11,898.00 from their Discretionary Fund to assist with the Drinking Fountain People / Dogs**

CARRIED

4 Matters Arising

4.1 South Road Underpass Artwork

Thanks to the many people who worked tirelessly on the project with special mention to Mrs Borrows and the team for their persistence in getting the project completed. The item could be removed from matters arising.

4.2 Hāwera Town Centre Strategy Project

Mr Dagg advised that the hearing date for Te Ramanui was scheduled for 6 April 2020. There were no other updates.

5 Information Reports

5.1 Community Development Activity Report

The report updated the Board on progress with community development projects and activities across the District and other items of interest.

It was noted that Taranaki Roadsafte held two Advanced Driver sessions over the weekend aimed at younger men and fathers.

RESOLUTION (Mrs Watson/Mr Hockley)

11/20 HA **THAT the Te Hāwera Community Board receives the Community Development Activity Report January 2020.**

CARRIED

5.2 District LibraryPlus Report – January 2020

The report covered the range of library activities and statistics across the District for January 2020.

RESOLUTION (Cr Reid/Mr Bigham)

12/20 HA **THAT the Te Hāwera Community Board receives the District LibraryPlus Report – January 2020.**

CARRIED

5.3 Te Hāwera Facilities Usage Report – 2019/20

The facility usage report summarised the total usage of a range of Council owned assets and services, within the South Taranaki District.

RESOLUTION (Mr Hockley/Mr Buckland)

13/20 HA **THAT the Te Hāwera Community Board receives the Te Hāwera Facilities Usage Report – 2019/20.**

CARRIED

The meeting concluded at 1.50 pm.

Dated this day of 2020.

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CHAIRPERSON



Board Minutes

| | |
|---------|--|
| To | Ordinary Council |
| Date | 6 April 2020 |
| Subject | Pātea Community Board – 11 March 2020 |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Pātea Community Board met on 11 March 2020.
2. There were no recommendations within the minutes for the Council to consider.
3. There are two recommendations within the Pātea Community Board minutes which require the Pātea Community Board to reconfirm.

RESOLUTION

(Cr Rook/Ms Ferris)

07/20 PA THAT the apologies from Ms Jacq Dwyer, Councillor Rob Northcott and Mayor Phil Nixon be received.

CARRIED

RESOLUTION

(Ms Ferris/Cr Rook)

10/20 PA THAT the Pātea Community Board receives the Community Development Activity Report.

CARRIED

4. Recommendations 07/20 PA and 10/20 PA were moved or seconded by Councillor Brian Rook. In accordance with the Standing Orders a Councillor is unable to vote during a Community Board meeting, with the exception of the Mayor and the Councillor appointed back to the Board. Therefore these recommendations will need to be reconfirmed by the Community Board before they can be received by the Council.

Standing Orders

5.1 Establishment of committees by the Mayor

The Mayor may establish committees of the territorial authority. Where a Mayor exercises this right a list of the committees and their terms of reference must be tabled at the next following meeting of the Council. Should the Mayor decline to establish committees under s. 41A then any decision to establish committees must follow the processes set out in these standing orders.

Nothing, however, limits or prevents a territorial authority from discharging or reconstituting, in accordance with cl. 30 of Schedule 7, LGA 2002, a committee established by the Mayor or appointing, more committees in addition to any established by the Mayor.

Please note that a Mayor is a member of every committee unless specific legislation provides otherwise, for example a committee established under s. 189 of the Sale and Supply of Alcohol Act 2012.

13. Attendance

13.1 Members right to attend meetings

A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee.

cl. 19(2), Schedule 7, LGA 2002.

If the member of the local authority is not an appointed member of the meeting at which they are in attendance they may not vote on any matter at that meeting. However, they may, with the leave of the chair, take part in the meeting's discussions.

A member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of s.48 LGOIMA. Consequently, if the meeting resolves to exclude the public any members of the local authority who are present may remain unless they are lawfully excluded.

Please note: this section does not confer any rights to non-elected members appointed to committees of a local authority.

Pātea Community Board

Minutes of the Ordinary Meeting of the Pātea Community Board held at the Hunter Shaw Building, Egmont Street, Pātea on Wednesday 11 March 2020, commencing at 4.00 pm.

PRESENT: Dianne Lance (Chairperson), Maria Ferris and Joanne Peacock .

IN ATTENDANCE: Councillor Brian Rook, Liam Dagg (Group Manager Environmental Services), Janine Maruera (Community Development Advisor), Darleena Christie (Governance and Support Team Leader) and 22 members of the public.

APOLOGIES: Jacq Dwyer, Councillor Robert Northcott and Mayor Phil Nixon.

RESOLUTION

(Cr Rook/Ms Ferris)

07/20 PA **THAT** the apologies from Ms Jacq Dwyer, Councillor Rob Northcott and Mayor Phil Nixon be received.

CARRIED

1 Open Forum and Presentations

1.1 Sue and Bruce Week – Speeding Traffic in Waverley

Mr and Mrs Week received a call from the New Zealand Transport Agency (NZTA) Dan Tate, who advised them that there was not a speeding traffic problem in Waverley. NZTA would not move the 70km signs. The Weeks requested that the issue be followed up as there had not been an infringement problem and they did not know where to proceed to from here.

Councillor Rook noted that there had been an influx of highway patrol cars in the area since the issue was raised at the last Community Board meeting. He suggested to keep the communication going and to keep lodging concerns through the appropriate channels.

Mrs Week sought clarification on what gardens the Council had ownership of and were responsible for in Waverley. At the last Community Board meeting Council Officers were to investigate this. She asked what the results were and what the expected timeframe would be for providing the information.

Mrs Lance advised that the Council was undertaking an inventory of the towns in the District before coming back with results of what was owned by the Council and what they could manage alongside the community. An update would be provided at the next Pātea Community Board meeting.

1.2 Laurie Mildenhall – Waka Waterproofing Issue

Mr Mildenhall advised that the Waka paint was lifting due to water ponding and a patching problem where ordinary paint had been used. He had raised this issue and asked how long it would take to be addressed.

Mr Dagg responded that he would find out whether there was a technical issue for the delay and would endeavour to bring an update back to the next Community Board meeting.

1.3 Alan Caple – Pātea Community Patrol NZ

Concerns were raised with lots of activity occurring with particular incidents in the town. As a community there was a police presence and however there needed to be more than one police officer in Pātea. Mr Caple suggested that to reduce incidents within the community it would be helpful to have police presence of two officers. He asked if the Pātea Community Board could support a campaign to have an increased police presence in the community.

A progress update was not able to be provided as Councillor Robert Northcott was absent today.

1.4 Gary Murphy – Contract Sprayers

A concern was raised that Fulton Hogan were observed spraying in a no spray zone. He gave several examples where the spraying had occurred including Gibson Place. He also noted that Fulton Hogan were spraying the berms with a large boon. He suggested that local unemployed people within the Pātea community could be employed to do undertake work.

Councillor Rook responded that Fulton Hogan were contracted by the Council to undertake this work. The concern around the spraying method could be raised with the Council.

Mr Murphy referred to health and safety and asked what spray was being used.

It was noted that the list of sprays was printed in the paper. The Board to follow up on the questions Mr Murphy raised.

1.5 Paepae in the Park Committee Chair - Melva Tucker

On behalf of the Committee, Ms Tucker thanked the Pātea Community Board for their support. She noted that again, it was another successful year and no doubt they would come back to the Board to have a discussion for the next event.

1.6 Pātea Rugby and Sports Club – Kelly Murdoch

Ms Murdoch provided an update on behalf of the Club and noted that in the past 12 months they had amalgamated with the Squash Club and had taken over the facility. The current condition of the tennis courts was poor and they received an estimation for the courts to be resurfaced at \$120,000. The Club had received funding to put together a feasibility study on what the Pātea community needs were over the next 20 to 30 years. She covered off all the facilities that required updating and the Rugby Club wanted to ensure that any complex built had a kitchen facility. The Club was working alongside Sport Taranaki using the strategic planning document that guided sporting development in the Region. Some ideas included redeveloping the current facilities, potentially move existing tennis courts and rebuild on the flat area, which worked in well with squash and golf.

1.7 Ruth Mackay – Paepae in the Park Signage and Directional Sign Project

Firstly, Mrs Mackay had been approached by quite a few people about why there was a Paepae sign in front of the Hunter Shaw building. She believed the sign could be located to another more appropriate site.

Mrs Mackay advised that the previous Community Board had provided a grant for a directional sign to be erected at Rocket Lookout. A huge rock was offered to the

Council to use as a base to erect the signpost. She asked whether the Board wished her to remove the rock or whether they wanted to continue with the project.

Mrs Lance responded that the Board might wish to discuss revitalising the project as it has been ongoing for several years.

1.8 Sue McKenzie – Truck Vibration

Ms McKenzie raised a concern regarding the vibration from trucks speeding past her house which had caused the bathroom tiles to shift and become loose. She noted that insurance would not cover the cost.

Councillor Brian Rook suggested approaching the engineers to do some testing to see whether the culvert was still stable. Ms McKenzie believed that it was blocked under the road.

1.9 Speed Camera

A concern was raised regarding the speed of traffic coming through Waverley. It was asked whether a speed camera could be erected in town and who should be approached to get this underway. Both Waverley and Pātea have been vetted in terms of the volume of traffic and it was suggested that a petition be started.

2 Confirmation of Minutes

2.1 Pātea Community Board Meeting held on 27 January 2020.

RESOLUTION

(Ms Ferris/Ms Peacock)

08/20 PA

THAT the Pātea Community Board adopts the minutes from the meeting held on 27 January 2020 as a true and correct record.

CARRIED

3 Funding Application

3.1 Pātea Rugby League Club – Junior Uniforms

An application was received from the Pātea Rugby League Club for funding to purchase new junior uniforms.

The Pātea Rugby League Club did not have a representative come and speak to the application. It was noted that where possible funding applicants needed to attend the meeting in support of their application and answer any questions that might arise. Ms Ferris pointed out that this was the first application since the Community Board changed the criteria, therefore someone needed to follow this up with the Club for future applications.

Ms Peacock noted a correction under items for consideration, it should read July 2019.

It was noted that there did not appear to be any information in the application to advise whether they had tried any other funding avenues or undertaken any fundraising themselves. The Discretionary Fund should be the last point of call.

Ms Peacock noted she had a lot to do with the students in these teams, it was a really positive initiative. Some played against other clubs in the Warriors curtain raiser, of which they did a lot of other fundraising.

Further discussion took place to consider giving the Club more time to gather the information that was required, or whether this would hold up ordering the uniforms. Mrs Lance suggested granting a portion of the request and advise the Club that there was insufficient information. The Board agreed that the amount allocated be the same as the previous year, \$1500, with the proviso that more detail be included with future funding applications.

RESOLUTION

(Ms Peacock/Ms Ferris)

09/20 PA THAT the Pātea Community Board allocates \$1,500.00 from their Discretionary Fund to the Pātea Rugby League Club for the purchase of new junior uniforms.

CARRIED

4 Matters Arising

4.1 Shading at Aotea Rotary Park in Waverley

A site meeting was held to look at possibilities. Ms Maruera obtained some prices from companies that supplied shelters. The Lions Club had been approached and had indicated that they would be prepared to give \$1,000. It was suggested that Rangiwahia Design be approached to complete drawings on the concept so that it could be presented to the Council for consent and further prices obtained.

5 Information Reports

5.1 Community Development Activity Report

The report updated the Board on progress with community development projects and activities across the District and other items of interest.

Ms Peacock referred to Paepae in the Park and wished to include Janine Maruera on the list of acknowledgements in assisting with the success of this event.

Ms Maruera gave an update on the Pātea Loop walkway and advised there had been a meeting with the Golf Club to discuss Stage 1 to come off the walkway from the beach access and through to Oxford Street. The Golf Club were happy to work with Council, both Councillors Jack Rangiwahia and Robert Northcott had been a part of those discussions.

RESOLUTION

(Ms Ferris/Cr Rook)

10/20 PA THAT the Pātea Community Board receives the Community Development Activity Report.

CARRIED

5.2 District LibraryPlus Report – January 2020

The report covered the range of library activities and statistics across the District for January 2020.

RESOLUTION

(Ms Peacock/Mrs Lance)

11/20 PA THAT the Pātea Community Board receives the District LibraryPlus Report – January 2020.

CARRIED

5.3 Pātea Facilities Usage Report – 2019/2020

The facility usage report summarised the total usage of a range of Council owned assets and services, within the South Taranaki District.

A suggestion was raised by several people in the community to have the pool hours extended in March and whether that would be feasible. Mr Dagg advised that he would follow this up and confirm whether the opening hours could be extended from early November to the end of March.

RESOLUTION

(Ms Ferris/Ms Lance)

12/20 PA **THAT the Pātea Community Board receives the Pātea Facilities Usage Report – 2019/2020.**

CARRIED

The meeting concluded at 5.05 pm.

Dated this day of 2020.

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CHAIRPERSON



Board Minutes

| | |
|---------|---|
| To | Ordinary Council |
| Date | 6 April 2020 |
| Subject | Taranaki Coastal Community Board – 12 March 2020 |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Taranaki Coastal Community Board met on 12 March 2020. The Council is being asked to receive the Taranaki Coastal Community Board minutes from 12 March 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Recommendation

THAT the Council receives the minutes of the Taranaki Coastal Community Board held on 12 March 2020.

Taranaki Coastal Community Board

Minutes of the Ordinary Meeting of the Taranaki Coastal Community Board held at Sandfords Event Centre, 156 Tasman Street, Ōpunakē on Thursday 12 March 2020, commencing at 2.30 pm.

PRESENT: Andy Whitehead (Chairperson), Sharlee Mareikura, Liz Sinclair and Councillor Aaron Langton.

IN ATTENDANCE: Mayor Phil Nixon, Councillor Chris Young, Marianne Archibald (Group Manager Corporate Services), Masina Taulapapa (Community Development Advisor), Darleena Christie (Governance and Support Team Leader), ten members of the public and one media.

APOLOGIES: Bonita Bigham.

RESOLUTION

(Ms Mareikura/Ms Sinclair)

08/20 TC THAT the apology from Ms Bonita Bigham be received.

CARRIED

1 Open Forum and Presentations

1.1 Coastal Taranaki Health Trust – Scanner Trolley

Mr Corkill referred to the funding the Coastal Taranaki Health Trust (the Trust) received to purchase a scanner trolley. He presented the Community Board with pictures and brought the scanner unit with him to show everyone what was purchased. The scanner was a specialised piece of equipment which could scan pregnant woman, scan for gall stones and any soft tissue type injuries. The unit saved patients having to travel the two-hour return trip to New Plymouth. The Community Board were asked to attend the Trust's fifth Anniversary.

Mr Whitehead noted that it was a relief for patients to visit the health centre and have a quick scan and know that they were fine without having to travel to New Plymouth.

1.2 Chris Fuhler – Caring for our National Environment (the ocean)

A concern was raised regarding the artificial reef in Ōpunakē. Mr Fuhler gave some background information regarding when funding was given to proceed with the artificial reef. The concern he had was in relation to the material (geo textile) that was now disintegrating and washing up on the shoreline. He approached the Taranaki Regional Council (TRC) to investigate what was being done next to have the reef cleaned up. Mr Fuhler suggested that removing the reef should be put on hold until there was funding in place to remove it properly.

Mayor Phil Nixon thanked Mr Fuhler for the update. There was a Trust that held the consent however the Trust was no longer operation. The Council had contributed towards the reef and the responsibility of the consent remained with the Taranaki Regional Council.

Mr Fuhler provided solutions on how other regions had resolved issues in relation to artificial reefs. He asked if statistics on the amount of material being washed up onto

the beach could be provided, along with an indication of how long it would take for the material to break down.

1.3 Carey Westwood – Mana Springs

Ms Westwood gave the Community Board some background information on Mana Springs. It was a place where ethical leaders gathered to refresh body, mind and spirit. Mana Springs was co-founded by herself and Wanjiru Waithaka and their mission was to connect, inspire and learn. Some of the work they did was to support the woman who voluntarily cared for vulnerable people in Kenya. Both Ms Westwood and Ms Waithaka had worked in national aid and development where they discovered a need to step in and to look after the heroes. There were 365 women in Kenya, representing 250 grass roots organisations, Mana Springs brought woman together for a residential programme. The programme consisted of two nights and three days, to learn from one another, share stories and connect, with the aim to leave more refreshed. Ms Westwood stated it was her second time in Ōpunakē sharing with students what people in a different part of the world were doing for those living in economic poverty. She wanted to thank the community for embracing Mana Springs and welcoming her to speak.

Mr Whitehead asked Ms Westwood if she returned to Ōpunakē it would be great to extend the sharing opportunity out to Hāwera and other South Taranaki communities as the work they were doing was such a worthy cause.

1.4 Lisa Beynon – Children’s Playground for Under 5s

Ms Beynon had been in the community for two years and she wished to raise a family in a small safe town. The family had loved their decision to move from Auckland. She raised concerns with the current playground at the Ōpunakē Beach and believed it was unsafe for children under 5 years. The playground had five entry and exit points that lead out to the road. The play equipment was not suitable for children under 5 because they could not play on it independently. She felt that there have been little thought given to under 5 year olds.

Mr Whitehead sought clarification on whether another playground was being requested in addition to the current beach or hilltop playgrounds or making the current playground more suitable for under 5 year olds. Ms Beynon suggested building additional playgrounds at both areas. The playgrounds did not need to be big they just need to enable under 5s to use the equipment on their own.

Mayor Phil Nixon thanked Ms Beynon for voicing her concerns and he was disappointed she had not heard from the Council. He would follow up and have staff go out and see what the concerns were.

1.5 Rex Langton – Maintenance Projects around the Community

Mr Langton raised concerns on behalf of the Ōpunakē Lions regarding the overflow that ran from Farmlands onto the Ōpunakē Lake. When it rained heavily there was an overflow and he noted that the stormwater ran off and past two houses, straight towards the Lake. Mr Langton noted he previously used to keep the drain open although now it was blocked. It was suggested that a decent culvert be put in by the walkway to mitigate these issues.

1.6 Rex Langton – Powerlines on Fox Street

A concern was raised about the powerlines on Fox Street wrapping around the trees as there was a branch that protruded out and he was worried if there was a storm then it would wipe out the lights.

Mayor Phil Nixon thanked Mr Langton for everything he did in the community and advised that someone from the Council could meet with him to discuss the issue.

2 Confirmation of Minutes

2.1 Taranaki Coastal Community Board Meeting held on 28 January 2020.

RESOLUTION (Cr Langton/Ms Sinclair)

09/20 TC **THAT the Taranaki Coastal Community Board adopts the minutes from the meeting held on 28 January 2020 as a true and correct record.**

CARRIED

3 Reports

3.1 Local Discretionary Fund Criteria Report

This report was held over from the previous meeting and provided information on the Local Discretionary Fund criteria set by each Community Board and requested that each Board consider whether they needed to update their criteria.

RESOLUTION (Ms Mareikura/Cr Langton)

10/20 TC **THAT the Taranaki Coastal Community Board confirms their Local Discretionary Fund Criteria:**

- **The Board will not normally provide retrospective funding; and**
- **Successful applicants are requested to provide a written report upon completion of their project.**

CARRIED

3.2 Funding Request Report – Waimate Development Levy Round 1 2019-20

The application from the Waimate Plains Property Society meet the criteria however funding was not provided retrospectively. It was noted that the work had not been completed, merely some preparation work that had to be done and that was why at the last meeting Ms Bigham requested further information. The Community Board should be a last resort and they had previously been granted \$1,800 under the painting incentive scheme but had not applied to any other body for funding.

The discussion continued to consider the following; there were no representatives in support of the application and the Waimate Plains Property Society Incorporated had not applied for any other funding and they had \$150,000 in term investment with no explanation as to what it was allocated to.

RESOLUTION

(Mr Whitehead/Cr Langton)

11/20 TC **THAT the Taranaki Coastal Community Board decline the funding request from the Waimate Plains Property Society Incorporated.**

CARRIED

Ms Liz Sinclair left the meeting at 3.29 pm.

4 Matters Arising

4.1 Waste Minimisation

Ms Archibald noted that a draft fact sheet had been prepared by the Group Manager Environmental Services. The document would be emailed to Community Board members for feedback.

4.2 Open Forum Register

Ms Mareikura asked that a register was created to be circulated prior to each meeting for those that wished to speak in open forum.

4.3 Advertising Community Board Meetings

Ms Mareikura would like to ensure that northern partners of the Coastal area were well informed about the next meeting that was to be held at Puniho Marae. She suggested flyers and putting something in the local Coastal newspaper.

5 Information Reports

5.1 Community Development Activity Report

The report updated the Board on progress with community development projects and activities across the District and other items of interest.

RESOLUTION

(Ms Mareikura/Cr Langton)

12/20 TC **THAT the Taranaki Coastal Community Board receives the Community Development Activity Report.**

CARRIED

5.2 District LibraryPlus Report

The report covered the range of library activities and statistics across the District for January 2020.

RESOLUTION

(Cr Langton/Ms Mareikura)

13/20 TC **THAT the Taranaki Coastal Community Board receives the District LibraryPlus Report January 2020.**

CARRIED

5.3 Taranaki Coastal Facilities Usage Report – 2019/20

The facility usage report summarised the total usage of a range of Council owned assets and services, within the South Taranaki District.

Ms Mareikura referred to the usage of the Ōpunakē Town Hall and noted there had been good numbers because of Zumba classes held there. She asked whether there was a way to promote the Hall for hire to the wider community. She noted the Community Board could advise the community about what facilities were available in our area for hire and who to contact.

Mr Whitehead referred to the Ōpunakē swimming pool and asked whether the money going to the swimming pool included wages or if the wages were paid for by the Pool Trust. The Trust had expressed that they were made to look just as expensive to the District, yet they did not receive as much support as some of the other pool complexes.

Councillor Aarun Langton noted that there was a grant that the Council provided to run the pool. All other pools in the District were run by the Council. Mayor Phil Nixon advised that he would investigate whether the running costs for the Hāwera Aquatic Centre included wages.

RESOLUTION

(Ms Mareikura/Cr Langton)

14/20 TC

THAT the Taranaki Coastal Community Board receives the Taranaki Coastal Facilities Usage Report – 2019/20.

CARRIED

The meeting concluded at 3.38 pm.

Dated this day of 2020.

.....
CHAIRPERSON



Committee Minutes

| | |
|---------|--|
| To | Ordinary Council |
| Date | 6 April 2020 |
| Subject | Iwi Liaison Committee – 18 March 2020 |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Iwi Liaison Committee met on 18 March 2020. The Council is being asked to receive the Iwi Liaison Committee minutes from 18 March 2020 for their information.
2. A report was presented to the Iwi Liaison Committee (ILC) on 18 March 2020, proposing a terms of reference for the development of a road naming policy. The report also recommended the establishment of a road naming policy advisory group. One amendment was proposed to the terms of reference. The ILC supported the report and recommends the following to the Council (which is contained in the minutes of the ILC meeting):
 - a) *Recommends that the Council approves the draft Terms of Reference for the Road Naming Policy with the additional wording on research “including examples from other councils on changes to existing roads” (attached in Appendix I of this report);*
 - b) *Recommends that the Council establish a Road Naming Policy Advisory Group.”*
3. See attached the Terms of Reference with track changes highlighting the amendment proposed.
4. There were no other recommendations within the minutes for the Council to consider.

Recommendation

THAT the Council:

- a) Receives the minutes of the Iwi Liaison Committee held 18 March 2020.
- b) Adopts recommendation 07/20 IL to approve the draft Terms of Reference for the Road Naming Policy (attached in [Appendix I](#) of this report) and establish a Road Naming Policy Advisory Group.

Draft Terms of Reference Proposed Road Naming Policy

Purpose of Policy

To set out the process for road naming in the South Taranaki District.

Background

The Council approved the Iwi Liaison Committee's recommendation that a road naming policy for new and existing roads is developed for the Council's consideration during the 2020 calendar year. The Council also approved the recommendation that a Terms of Reference for the development of the road naming policy, incorporating Iwi and hapū partnership arrangements, be reported back to the Iwi Liaison Committee in March 2020 for discussion and finalisation.

The Council is provided powers under the Local Government Act (LGA) 1974 to name or rename street/roads within its district. Naming criteria is set out under NZS 4819:2011: Rural and urban addressing. Under section 319 of the LGA 1974, the Council has general powers in respect of roads, which includes: *"to name and to alter the name of any road, and to place on any building or erection on or abutting on any road a place bearing the name of the road."*

The Council is required, under section LGA 1974, to send a copy of the resolution to the Registrar-General of Land and the Surveyor-General, if the Council names any road for the first time or alters the name of any road. Any road names with a macron need to be approved and recognised by the NZ Geographic Society.

Considerations

Council officers have undertaken initial research on how other communities name and rename roads. Of the 66 councils canvassed, 36 have a road naming policy.

Policy development

The proposed process for developing the Road Naming Policy includes:

- Develop draft Terms of Reference
- Research ([including examples from other Councils on changes to existing roads](#))
- Establish a Road Naming Policy Advisory Group consisting of four Iwi representatives; four Community Board representatives; and four Councillors
- Develop draft Road Naming Policy
- Undertake formal consultation (Special Consultative Procedure) following Council's obligations under the LGA 2002, and the Council's Significance and Engagement Policy
- Adopt the Road Naming Policy

Iwi Liaison Committee

Ngā mēniti o te Komiti Takawaenga-ā-Iwi I te Rūnanga o te Whare Matua o te Kaunihera, kei Te Hāwera i te Rāapa 18 Poutū-te-rangi 2020, ka tīmata i te 10.00 o te ata.

Minutes of the Iwi Liaison Committee meeting held in the Council Chamber, Albion Street, Hāwera on Wednesday 18 March 2020, commencing at 10.00 am.

NGĀ MEMA O TE KOMITI I KŌNEI / PRESENT:

Mayor Phil Nixon, Councillor Robert Northcott (Deputy Mayor), Councillors Andy Beccard and Aaron Langton, John Niwa (Te Kāhui o Taranaki), John Hooker and Cheryl Luke-Maraki (Te Korowai o Ngāruahine), Sandy Parata, Ngapari Nui and Graham Young (Te Rūnanga o Ngāti Ruanui).

I KONEI / IN ATTENDANCE:

Waid Crockett (Chief Executive), Fiona Aitken (Group Manager Community and Infrastructure Services), Marianne Archibald (Group Manager Corporate Services), Liam Dagg (Group Manager Environmental Services), Reg Korau (Iwi Liaison Advisor), Adrienne Cook (Policy Advisor), Sara Dymond (Governance Officer) and two members of the public.

KĀORE I KONEI / APOLOGIES:

Marty Davis and Paul Sullivan (Te Kāhui o Rauru), Puna Wano-Bryant (Te Kāhui o Taranaki).

MŌTINI / RESOLUTION

(Mr Nui/Mr Hooker)

05/20 IL **THAT** the apologies from Marty Davis and Paul Sullivan (Te Kāhui o Rauru), Puna Wano-Bryant (Te Kāhui o Taranaki) be received .

TAUTOKO / CARRIED

1 Mō Ngā Whānau Whānui / Open Forum and Presentations

1.1 Andrea Rowe – Planning Consultant

Mrs Rowe was engaged to represent the Campbell Family Trust with the proposal for a second dwelling on 340 Mātāngārara Road in the interest of Papakāinga housing. The intention of the Papakāinga definition in the District Plan had good intentions but when applied became problematic as it specified specific areas where Papakāinga could happen.

The site was adjacent to land associated with Taiporohenui Marae and was set up as a Trust for the purpose of multi-unit māori family living. In terms of Papakāinga under the guidance of Te Puni Kokiri this land was considered māori customary land. The application was for two dwellings as the client did not know if the application would be accepted. The District Plan allowed for bulk location provisions where dwellings had to be set back from boundaries. Mrs Rowe believed this was an opportunity for the District Plan definition of Papakāinga to be reviewed as well as the insertion of the setback rules

for when Papakāinga was applied. It was important that Papakāinga be thought of as a traditional land use in the Rural Zone for māori.

Mrs Rowe believed it was appropriate moving forward to initiate conversations with Iwi and Hapū because Papakāinga would look and feel different for each Iwi and Hapū.

Mayor Nixon commented that the definition of Papakāinga and how it would fit within the District Plan would be investigated by Council staff and would be considered through the District Plan process.

1.2 Reg Korau – Te Raumanui o Ruapūtahanga

A prototype statue envisaged for outside Te Raumanui o Ruapūtahanga was presented to the Committee. The statue was a glass figurine (bust of Ruapūtahanga) 800mm in height sitting on a concrete pou and would be situated on the corner of High Street and Regent Street, Hāwera.

Discussion on where it would be located was underway. Diagrammatic views would be used to ensure its placement was perfect.

2 Whakaae o Ngā Mēniti / Confirmation of Minutes

MŌTINI / RESOLUTION

(Cr Northcott/Mr Hooker)

06/20 IL THAT the minutes of the Iwi Liaison Committee meeting held on 5 February 2020 be confirmed as a true and correct record.

TAUTOKO / CARRIED

3 Pūrongo / Report

3.1 Terms of Reference – Road Naming Policy

The draft Terms of Reference (ToR) were presented to the Committee which outlined the process the Council would follow during the development of the Road Naming Policy.

Mr Young (Te Rūnanga o Ngāti Ruanui) suggested a note be added to the bullet point research that this was with reference to changing existing road names and the process that had been used to achieve this with other councils. This was to ensure there was a direct reference on how this would be achieved.

TŪTOHI / RECOMMENDATION

(Mayor Nixon/Mr Hooker)

07/20 IL THAT the Iwi Liaison Committee recommends that the Council

- a) Approves the draft Terms of Reference for the Road Naming Policy with the additional wording on research “*including examples from other councils on changes to existing roads*”; and**
- b) Establish a Road Naming Policy Advisory Group.**

TAUTOKO / CARRIED

4 Pūrongo-Ā-Pitopito Kōrero i Muri Mai / Matters Arising

Pātea Harbour Endowment

Mr Nui (Te Rūnanga o Ngāti Ruanui) asked for information around the Pātea Harbour Endowment Committee and its Terms of Reference. Mr Hooker (Te Korowai o Ngāruahine) would also like to be involved with this.

5 Pūrongo-Whakamārama / Information Reports

5.1 Community Development Activity Report

The report updated the Committee on progress with community development projects and activities across the District and other items of interest.

The *South Taranaki Heritage and Family History Week* which was to run from 28 March to 3 April 2020 had been cancelled by the Genealogy Society.

The additional funding for the Sound Mirrors had been confirmed and was provided from the Te Hāwera Community Board. Installation would now proceed.

Mr Nui brought it to the Council's attention that there were no visible safety signs for swimming at the Pātea River. Mr Crockett noted that signage would be addressed by Council staff.

In response to the query around the future of the Board Riders' building Mr Crockett noted that offers from Council staff to meet with members had not been taken up. He welcomed any assistance Mr Nui could provide in that space in order to get action.

Councillor Northcott had attended meetings in relation to the access to the Pātea River on York Street, Pātea. In terms of funding his understanding was the sale of forestry in Whanganui had been deemed to be invested back into the Pātea Community which he suggested could be used to develop this area. This would allow the waka to be launched for practicing. Mr Nui added that there was a waka at the Pātea Area School that could be used in this plan.

A Pātea River Walkway site visit was being scheduled to gage support from Hapū and Iwi. Ownership of the land was being investigated.

Councillor Northcott questioned whether the cost for emptying the Cape Egmont Ablution Pod would be significantly more due to its geographical location. Ms Aiken commented that a local contractor would be used and believed this would depend on how much it was used.

MŌTINI / RESOLUTION

(Cr Northcott/Cr Beccard)

08/20 IL THAT the Iwi Liaison Committee receives the Community Development Activity Report.

TAUTOKO / CARRIED

5.2 Infrastructure Services Activity Report

The report updated the Committee on recent and current activities by the Infrastructure Services Group across the District and other items of interest.

MŌTINI / RESOLUTION

(Mr Nui/Cr Northcott)

09/20 IL **THAT the Iwi Liaison Committee receives the Infrastructure Services Activity Report.**

TAUTOKO / CARRIED

5.3 Poutakawaenga-ā-Iwi / Iwi Liaison Advisor Activity Report

The report updated the Committee on progress with Poutakawaenga-ā-Iwi / Iwi Liaison Advisor Activity Report projects and activities across the District and other items of interest.

MŌTINI / RESOLUTION

(Mr Hooker/Cr Beccard)

10/20 IL **THAT the Iwi Liaison Committee receives the Poutakawaenga-ā-Iwi / Iwi Liaison Advisor Activity Report.**

TAUTOKO / CARRIED

5.4 Te Maruata Report

The report updated the Committee on Te Maruata activities at the request of the Committee. This was provided by Bonita Bigham.

Ms Bigham was congratulated for being re-elected as the Te Maruata Chairperson.

Te Maruata hosted the motu in Taranaki Ki Te Tonga for its mid-year hui on 11 and 12 March. It was an opportunity to welcome Te Maruata members from all over the motu with a wide representation from 40 plus Te Maruata whanau from across the country. Ms Bigham reminded the Committee that it was about all who sat at a governance space around the council table in a decision or advisory capacity.

Dave Cull, Te Maruata's current president announced he would be stepping down as Local Government New Zealand (LGNZ) president at the July Annual General meeting at conference. He had been instrumental in the forward momentum and development of Te Maruata and māori responsiveness in the sector. He presented on his reflections and what he believed needed to be done. Malcolm Alexander, CEO of LGNZ for eight years was retiring in May. He was presented a taonga which was blessed on the day and named Maruata. Andrew Judd shared his story during his ten years as Mayor working towards māori wards. Justine Smith who worked for the minister in a DIA capacity was responsible for helping the minister roll out work programs in her capacity as Local Government Minister. She outlined Local Government's responsiveness to kaupapa māori, iwi issues and rural partnerships in the local government space. Ms Bigham was working with Ms Smith to bring together people from across the motu to start providing that feedback directly to the Minister. Creative New Zealand showed the power that creative arts could have in helping Iwi reinsert their identities back into their whenua. Creative New Zealand would help to enable Iwi to undertake this. Mr Peter Morehu was appointed to the Creative Communities Art Council.

Mayor Phil Nixon left the meeting at 10.57 am and Deputy Mayor Robert Northcott chaired the remainder of the meeting.

Key points that came out of the hui was preparing for the next elections, increasing education levels, the need for civic education in schools, sharing success stories and

good practice and LGNZ making the commitment to stand behind more strongly to push for the removal of the referendum part of legislation.

With the next conference scheduled for July in Blenheim and the Te Maruata hui following she encouraged those who were interested in attending to signal their interest to the Council. Te Maruata had challenged each council to speak about what they were undertaking each year this year being around ways to improve māori engagement with council.

MŌTINI / RESOLUTION

(Mr Hooker/Mr Niwa)

11/20 IL **THAT the Iwi Liaison Committee supports Ms Bonita Bigham as Chairperson for Te Maruata.**

TAUTOKO / CARRIED

MŌTINI / RESOLUTION

(Mr Hooker/Mr Niwa)

12/20 IL **THAT the Iwi Liaison Committee receives the Te Maruata Update Report.**

TAUTOKO / CARRIED

6 Umanga whanui / General Business

Silver Fern Farms

Te Rūnanga o Ngāti Ruanui were concerned with the processes carried out in relation to the incident at Silver Fern Farms which resulted in the death of tuna and pollution of their awa. It was felt there was a lack of leadership from the Council and what action would be taken to ensure it would not happen again was being sought.

Coronavirus – COVID-19

In terms of leadership Te Rūnanga o Ngāti Ruanui wanted to ensure that all agencies across the communities was connected and there was clear messaging to the communities especially vulnerable communities.

Mr Nui left the meeting at 11.04 am.

Ms Luke-Maraki (Te Korowai o Ngāruahine) appreciated the assistance provided by Council staff in helping them with their Regional Kapahaka event being held in the upcoming weekend. This would now be a closed event.

Mr Crockett reassured that the Council was coordinating with their counterparts and other parts of the District. The Council had implemented their Pandemic Response Plan with one key focus being to ensure core infrastructure services were kept operational. The Community Pandemic Plans were in place which provided general guidance to manage community response. Messages from the Ministry of Health would be distributed through the Council's Facebook page and through SouthLink.

Kaūpokonui River

Concerns were raised with the lack of communication from Council staff to those in close proximity of the river when signage was erected at Kaūpokonui River warning swimmers not to swim due to a spillage. These comments were taken on board and would be addressed.

7 Karakia Whakamutunga / Closing Karakia

**Ko te wā whakamutunga 11.19 o te ata.
Meeting closed at 11.19 am.**

(Ko te rangi / dated this)

(te rā o / day of)

2020.

.....
TIAMANA / CHAIRPERSON



Minutes

| | |
|---------|---|
| To | Ordinary Council |
| Date | 6 April 2020 |
| Subject | Environment and Hearings Committee Minutes – 18 March 2020 |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Environment and Hearings Committee met on 18 March 2020. The Council is being asked to receive the Environment and Hearings Committee minutes from 18 March 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Recommendation

THAT the Council receives the minutes of the Environment and Hearings Committee held on Wednesday 18 March 2020.

Environment and Hearings Committee

Minutes of the Environment and Hearings Committee Meeting held in the Council Chamber, Administration Building, Albion Street, Hāwera on Wednesday 18 March 2020 commencing at 4.00 pm.

PRESENT: Councillors Andy Beccard (Chairperson), Aaron Langton, Steffy Mackay, Robert Northcott and Diana Reid.

IN ATTENDANCE: Liam Dagg (Group Manager Environmental Services), Jess Sorensen (Planning Manager), Maria Hokopaura (Planner), Nathan Sutherland (Planner), Dhruva Suresh (Development Engineer) and Sara Dymond (Governance Officer).

APOLOGIES: Nil.

Councillor Beccard welcomed everyone to the Hearing and explained the proceedings. Councillor Aaron Langton was in attendance however was unable to consider the application until the formal qualifications required were completed.

1 Confirmation of Minutes

1.1 Environment and Hearings Committee 5 February 2020.

RESOLUTION (Cr Mackay/Cr Northcott)

13/20 EH **THAT** the Environment and Hearings Committee confirms the minutes from the meeting held on 5 February 2020 as a true and correct record.

CARRIED

1.2 Extraordinary Environment and Hearings Committee 2 March 2020.

RESOLUTION (Cr Mackay/Cr Northcott)

14/20 EH **THAT** the Environment and Hearings Committee confirms the extraordinary minutes to hear a retrospective resource consent for 7 Rata Street, Hāwera from the meeting held on 2 March 2020 as a true and correct record.

CARRIED

2 Land Use Consent Report

2.1 Proposed visitor accommodation in the Commercial Zone – Large Format Trade and Service at 28 Grey Street, Hāwera

Nathan Sutherland – Planner

Wallis Developments had applied for resource consent to establish visitor accommodation in the large format trading services area of the commercial zone. The area was designed for big box retailers, trade and service activities and wholesale retailers. Visitor accommodation, residential activities and residential care facilities were sensitive activities not permitted in this zone as they carried discretionary activity status. No individual activity shall occupy a total floor area less than 500m². At 370m², the area occupied by the visitor accommodation would not meet this performance standard.

The proposal was for a 12 bedroom backpacker style accommodation with 27 beds designed for seasonal workers and contractors associated with shutdowns as well as traditional backpacking accommodation.

In terms of Mr Sutherland's assessment, it was considered and was anticipated that the establishment of the activity would be consistent with the mixed level of amenity that presently existed in this locale and would be unlikely to compromise the amenity values anticipated by the Plan for this area. By the same token, the proposal would be unlikely to generate reverse sensitivity issues due to the nature of the surrounding environment alongside the mitigation offered. The activity was aligned with the objectives and policies of the District Plan and purpose and principles of the Resource Management Act (RMA).

Applicant – Wallis Developments

The visitor accommodation was sought urgently by Silver Fern Farms three months after the resource consent was submitted. The conditions set by the planners were deemed acceptable by the applicant.

In response to Councillor Reid's query, if it was envisaged that additional contractors would replace the existing or be open to the general public, Mr Wallis confirmed the purpose was to provide cheap accommodation for seasonal shutdowns however would also be open to the general public. Mr Rangiwahia noted that there was an opportunity for the facility to be utilised by workers from the Hydrogen Plant and the Whareroa shut down.

In relation to the standard of the accommodation Mr Wallis believed it to be nice and tidy inside and was suitable for backpackers looking for cheap accommodation.

Regarding the timeframe for the installation of double glazed windows along Cambria Street façade Mr Sutherland confirmed this was to be undertaken immediately and would be monitored by Council staff.

Discussion was held in relation to asbestos. Mr Sutherland explained that AECOM undertook remediation work, cleaned up and submitted a report. He noted that asbestos was fine unless disturbed.

In relation to the Hail Site Mr Sutherland advised that NES did not apply as it was only activated when a person removed or replaced an underground fuel storage system, sampled soil, disturbed soil, subdivided and/or changed the land use. The change of use was only triggered when there was a risk to human health greater than what already existed previously. The site was sealed in its entirety so not considered a change in use.

The Committee thoroughly discussed the three month period of consecutive occupancy as they did not wish to restrict a contractor from staying an additional week if their contract was extended. Mr Sutherland's recommendation was on the basis that this was visitor accommodation and any longer would be considered residential activity (consistent with other District Plan temporary versus permanent timeframes). Mr Wallis supported four months.

3 Subdivision Consent Report

3.1 Proposed 2-lot rural subdivision at 8 Ahipaipa Road, Ōkaiawa

Maria Hokopaura – Planner

Mr Richard and Mrs Julie Freer had applied for resource consent to subdivide their rurally zoned land parcel at 8 Ahipaipa Road, Ōkaiawa into two lots. The proposal would not meet the District Plan requirements for rural subdivision due to the underlying lot being 2 hectares however the other performance standards would be met which included minimum lot size, onsite servicing and access.

There had been other rural subdivisions which had created lots of less than the 20 hectare requirement however had met the District Plan requirements by amalgamating with an adjoining lot.

The District Plan objectives and policies around rural subdivision stated that rural productive land should be kept for rural productive purposes in which this application was the first to challenge that intent and had the potential to set a precedent for rural subdivision. There were some mitigating factors which included the underlying lot size of 2 hectares and had a limited productive capacity. The existing character and amenity of the surrounding area she believed would not be adversely affected as there were several dwellings already. She did not believe these reasons could be considered and applied to any other rural subdivision.

Thorough discussion was held around setting a precedence bearing in mind the purpose of the District Plan and what it was to achieve. Resource consents were considered by the Committee on a case by case basis.

4 Information Reports

4.1 Hāwera West Structure Plan

The Hāwera West Structure Plan (the Plan) was seeking feedback and comments prior to the Plan being presented to the Ordinary Council meeting. The report provided a considered analysis of a structure plan for the western part of Hāwera including Rata Street, Glover Road, Goodson Road and Larlin Drive. The report concluded that the site was generally appropriate for residential zoning.

The Committee supported the development of the Plan to ensure that consideration for connection, subdivision, roading etc was taken. This would potentially relieve the pressure on subdivision in the rural zone. Land with the infrastructure to support it being made available for investors was a positive move for the District however a conversation was required around developer contribution.

RESOLUTION

(Cr Mackay/Cr Reid)

15/20 EH **THAT** the Environment and Hearings Committee receives the Hāwera West Structure Plan – Stage 2 Report, dated 9 December 2019.

CARRIED

4. Items to be Considered with the Public Excluded

RESOLUTION

(Cr Northcott/Cr Mackay)

16/20 EH **THAT** the public be excluded from the following parts of the proceedings of this meeting, namely:

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

| 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 |
|---|---|---|
| 1. Confirmation of Minutes 2 March 2020. | To Enable the Committee to. | That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council/Committee to deliberate in private on its decision or recommendation in any proceedings where: ii) the local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. Use (i) for the RMA hearings. |

5

CARRIED

5. Resume to Open Meeting

RESOLUTION

(Cr Mackay/Cr Northcott)

20/20 EH THAT the Environment and Hearings Committee resumes in open meeting and agrees that the decision be released to the public once the applicant has been notified of the decision.

CARRIED

The meeting concluded at 4.56 pm.

Dated this day of 2020.

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CHAIRPERSON



Report

| | |
|---------|--|
| To | Extraordinary Council |
| From | Governance and Policy Manager, Becky Wolland |
| Date | 6 April 2020 |
| Subject | Code of Conduct |

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. The Local Government Act 2002 (LGA 2002) requires the Council to adopt a Code of Conduct as soon as practicable after the beginning of the triennium. The Code of Conduct (the Code) must set out the expectations of the Council regarding the manner in which members may conduct themselves while acting in their capacity as members. The Code must include an explanation of the Local Government Official Information and Meetings Act 1987 and any other enactment applicable to elected members.
2. Local Government New Zealand have recommended some changes to the Code of Conduct template, with the inclusion of guidelines on the personal use of social media. The amended Code of Conduct is attached with tracked changes as [Appendix I](#).

Recommendation

THAT the Council

Adopts the updated Code of Conduct, including section 10.1 Undischarged Bankrupt, attached as Appendix I.

Background

3. The Code sets out the standards of behaviour expected from elected members in exercising their duties. The purpose is to enhance the effectiveness of the local authority; promote effective decision-making and community engagement; enhance the credibility and accountability of the local authority; and develop a culture of mutual trust, respect and tolerance between the elected members and management.
4. All councils were required to adopt a Code of Conduct as soon as practicable after the commencement of the triennium. The Council can amend or replace the code but cannot revoke it without replacement. To amend or replace the Code a vote in support of not less than 75% of the members present is required.

Local Government Purpose

5. Schedule 7 clause 15 of the LGA 2002 states that a local authority must adopt a Code of Conduct and that it must set out understandings and expectations about the manner in which members may conduct themselves while acting in their capacity as members.

6. Schedule 7 clause 15(5) of the LGA 2002 requires that the local authority considers whether it must require a member to declare an undischarged bankrupt.

Options – Identification and analysis

7. In accordance with the LGA 2002 Schedule 7 clause 15(1) a local authority must adopt a Code of Conduct.
8. The LGA 2002 requires the Council, when adopting a Code of Conduct, to consider whether elected members must declare if they are an undischarged bankrupt. In the 2016-2019 Code of Conduct the Council adopted the Code with the inclusion of section 10.1.

“Undischarged bankrupt

In accordance with clause 15(5) of Schedule 7 (LGA 2002) any member who is an “undischarged bankrupt” will notify the chief executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt. The member will also provide the chief executive with a brief explanatory statement of the circumstances surrounding the member’s adjudication and the likely outcome of the bankruptcy.”

Considerations and Assessments

Assessment of Significance and Engagement

9. South Taranaki District Council’s general approach to determining level of “significance” will be to consider:

| Level | Goal | Outcome |
|------------|--|--|
| Degree | The number of residents and ratepayers affected and the degree to which they are affected by the decision or proposal. | The Code of Conduct has little impact on ratepayers as it sets out the manner in which elected members may conduct themselves. |
| LOS | The achievement of, or ability to achieve, the Council’s stated levels of service as set out in the Long-Term Plan 2015-2025. | There is no impact on levels of service. |
| Decision | Whether this type of decision, proposal or issue has a history of generating wide public interest within South Taranaki. | The issue is unlikely to generate wide public interest. |
| Financial | The impact of the decision or proposal on the Council’s overall budget or included in an approved Long Term Plan and its ability to carry out its existing or proposed functions and activities now and in the future. | There is no impact on the LTP budget. |
| Reversible | The degree to which the decision or proposal is reversible. | The Code of Conduct can be replaced or amended if 75% of members present support this decision. |

10. Based on the above table this matter is of low significance.
11. The level to which the Council will engage will align with the significance of the decision to be made and will be to inform.

| Level | Goal | Outcome |
|--------|---|--|
| Inform | To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions. | The Council will advise the public through the agenda minutes. |

Legislative Considerations

12. The adoption of a Code of Conduct is a statutory requirement under Schedule 7 of the LGA 2002.

Financial/Budget Considerations

13. The costs are insignificant and will be met from current budgets.

Consistency with Plans/Policies/Community Outcomes

14. Nothing in this report is inconsistent with any Council policy, plan or strategy.

15. This matter contributes to the following community outcomes as detailed below:

- Connected South Taranaki
- Together South Taranaki
- Secure and Healthy South Taranaki

Impact on Māori/Iwi

16. As the Code of Conduct regulates the conduct of elected members it will have a positive impact on Māori together with other members of the public.

Conclusion

17. It is a statutory requirement for a local authority to adopt a Code of Conduct, and when adopting a Code of Conduct consider whether elected members must declare if they are an undischarged bankrupt.

Becky Wolland
Policy and Governance Manager

[Seen by]
 Marianne Archibald
Group Manager Corporate Services

1. Introduction

This Code of Conduct (the Code) sets out the standards of behaviour expected from elected members of ~~the~~ South Taranaki District Council in the exercise of their duties. Its purpose is to:

- Enhance the effectiveness of the local authority and the provision of good local government of the South Taranaki District;
- Promote effective decision-making and community engagement;
- Enhance the credibility and accountability of the ~~local authority~~ South Taranaki District Council to its communities; and
- Develop a culture of mutual trust, respect and tolerance between the members of the ~~local authority~~ South Taranaki District Council and between the members and management.

This purpose is given effect through the values, roles, responsibilities and specific behaviours agreed in this Code.

2. Scope

The Code has been adopted in accordance with clause 15(1) of Schedule 7 of the Local Government Act 2002 (LGA 2002) and applies to all members, including the members of any local boards as well as the members of any community boards that have agreed to adopt it. The Code is designed to deal with the behaviour of members towards:

- Each other;
- The Chief Executive and staff;
- The media; and
- The general public.

It is also concerned with the disclosure of information that members receive in their capacity as elected members and information which impacts on the ability of the ~~local authority~~ South Taranaki District Council to give effect to its statutory responsibilities.

This Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Council’s Standing Orders.

3. Values

The Code is designed to give effect to the following values:

1. **Public interest:** members will serve the best interests of the people within the South Taranaki District and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council,

will work together constructively ~~and uphold the values of honesty, integrity, accountability and transparency in an accountable and transparent manner.~~

3. **Ethical behaviour:** members will ~~not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behaviour.~~ Act with honesty and integrity at all times and respect the impartiality and integrity of officials;
4. **Objectivity:** members will make decisions on merit; including appointments, ~~—~~and recommending individuals for awards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability. ~~Members will respect the impartiality and integrity of officials.~~
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by this Code of Conduct, and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to ensure they fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council’s collective performance.

These values complement, and work in conjunction with, the principles of s.14 of the LGA 2002 and the governance principles of s.39 of the LGA 2002.

4. Role and responsibilities

~~Good governance requires clarity of roles and respect between those charged with responsibility for the leadership of the Council and those responsible for advice and the implementation of Council decisions. The key roles are: The Code of Conduct is designed to strengthen the good governance of the South Taranaki District. Good governance requires that the complementary roles of the governing body and the administration are understood and respected. These roles involve:~~

4.1 Members

The role of the governing body includes:

- Representing the interests of the people of the South Taranaki District;
- Developing and adopting plans, policies and budgets;
- Monitoring the performance of the Council against stated goals and objectives set out in its long term plan;
- Providing prudent stewardship of the Council’s resources;
- Employing and monitoring the performance of the Chief Executive; and

- Ensuring the Council fulfils its responsibilities to be a 'good employer' and meets the requirements of the Health and Safety at Work Act 2015.

4.2 Chief Executive

The role of the Chief Executive includes:

- Implementing the decisions of the Council;
- ~~providing advice to all elected members;~~
- Ensuring that all responsibilities delegated to the Chief Executive are properly performed or exercised;
- Ensuring the effective and efficient management of the activities of the ~~local authority~~ South Taranaki District Council;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- Providing leadership for the staff of the Council; and
- Employing ~~staff~~ on behalf of the Council, the staff of the South Taranaki District Council (including negotiation of the terms of employment for those staff).

Under s.42 of the LGA 2002 the Chief Executive is the only person *directly* employed by the Council itself. All concerns about the performance of an individual member of staff must, in the first instance, be referred to the Chief Executive.

4.3 The Mayor

~~Under s.41A of the LGA 2002 the Mayor has the authority to:~~

- ~~• lead the development of plans, policies and budgets;~~
- ~~• appoint the Deputy Mayor~~
- ~~• establish committees and appoint chairpersons.~~

4.4 The Deputy Mayor

~~The role of the Deputy Mayor includes:~~

- ~~• chairing meetings and generally perform functions and duties in the Mayor's absence;~~
- ~~• exercising the powers of office if the Mayor is prevented by illness or there is a vacancy in the office of the Mayor.~~

~~The Deputy Mayor may be removed from office by resolution of the Council under schedule 7 of the LGA 2002.~~

5. Relationships

This section of the Code sets out agreed standards of behaviour between members; members and

staff; and members and the public. ~~Any failure by a member to comply with the provisions of this section can represent a breach of the Code.~~

5.1 Relationships between members

Given the importance of relationships to the effective performance of the Council, members will conduct their dealings with each other in a manner that:

- Maintains public confidence;
- Is open and honest;
- Is courteous;
- Is focused on issues rather than personalities;
- Avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and
- Avoids aggressive, offensive or abusive conduct, including the use of disrespectful or malicious language.

~~Any failure by members to act in the manner described in s.5.1 represents a breach of this Code.~~

Please note that nothing in this section of the Code is intended to limit robust debate ~~within the Council as long as it is conducted in a respectful and insightful manner.~~

5.2 Relationships with staff

An important element of good governance involves the relationship between the Council, ~~and~~ its Chief Executive and its staff. Members will respect arrangements put in place to facilitate this relationship, and:

- Raise any concerns about employees, officers or contracted officials with the Chief Executive;
- Raise any concerns about the performance or behaviour of the Chief Executive with the Mayor or the chairperson of the Personnel Committee;
- Make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe those requirements at all times, such as the duty to be a good employer;
- Treat all employees with courtesy and respect and ~~avoid not~~ publicly criticising any employee;
- Observe any protocols put in place by the Chief Executive concerning contact between members and employees;
- ~~avoid doing anything which might compromise, or could be seen as compromising, the impartiality of an employee.~~

~~Any failure by members to act in the manner described above represents a breach of this Code.~~

Please note, ~~Elected members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to be a good employer and consequently expose the council to civil litigation or affect the risk assessment of Council's management and governance control processes undertaken as part of the Council's audit.~~

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5.3 Relationship with the public

Given ~~the vital role that democratic local government plays in our communities it is important that the performance of the Council requires~~ has the trust and respect of ~~individual~~their citizens. To facilitate trust and respect in their Council, members will:

- ~~Ensure their interactions with citizens are members of the public in a~~ fair, respectful, equitable and honest manner;
- Be available to listen and respond openly and honestly to ~~community citizens'~~ concerns;
- ~~Represent the consider all points of views of citizens and organisations accurately, regardless of the member's own opinions of the matters raised; and or interests when participating in debate and making decisions;~~
- Ensure their interactions with citizens and communities uphold the reputation of the local authority.
 - ~~treat members of the public in a courteous manner; and~~
 - ~~act in a way that upholds the reputation of the local authority.~~

~~Any failure by members to act in the manner described above represents a breach of this Code.~~

6. Contact with the media

The media play an important part in the operation and efficacy of local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council. Any failure by members to comply with the provisions of this section can represent a breach of the Code.

~~From time to time individual members will be approached to comment on a particular issue either on behalf of the Council, or as an elected member in their own right. When responding to the media members must be mindful that operational questions should be referred to the Chief Executive and policy related questions referred to the Mayor or the member with the appropriate delegated authority.~~

~~When speaking to the media more generally members will abide by the following provisions:~~

~~6.1 Media contact on behalf of the Council~~

- ~~the Mayor or chairperson is the first point of contact for an official view on any issue, unless delegations state otherwise. Where the Mayor is absent requests for comment will be referred to the Deputy Mayor or relevant committee chairperson;~~

- ~~the Mayor may refer any matter to the relevant committee chairperson or to the Chief Executive for their comment; and~~
- ~~no other member may comment on behalf of the Council without having first obtained the approval of the Mayor.~~

6.2 Media comment on a member's own behalf

~~Elected members are free to express a personal view in the media, at any time, provided the following rules are observed:~~

- ~~media comments must not state or imply that they represent the views of the Council;~~
- ~~media comments which are contrary to a Council decision or policy must clearly state that they do not represent the views of the majority of members;~~
- ~~media comments must observe the other requirements of the Code; for example, comments should not disclose confidential information, criticize, or compromise the impartiality or integrity of staff; and~~
- ~~media comments must not be misleading and should be accurate within the bounds of reasonableness.~~

~~Any failure by members to meet the standards set out above represents a breach of this Code.~~

1. In dealing with the media elected members must clarify whether they are communicating a view endorsed by their Council, committee or community board, or are expressing a personal view.
2. Members are free to express a personal view to the media or social media at any time, provided the following rules are observed:
 - Comments shall be consistent with the Code;
 - Comments must not purposefully misrepresent the views of the Council of the views of other members;
 - Social media pages controlled by members and used for making observations relevant to their role as an elected member should be open and transparent, except where abusive or inflammatory content is being posted; and
 - Social media posts about other members, Council staff or the public must be consistent with section five of this Code. (See Appendix A for guidelines on the personal use of social media).

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7. Information

Access to information is critical to the ~~effective performance of~~trust in which a local authority ~~is held and overall performance. A failure to comply with the provisions below can represent a breach of the Code, and the level of public trust felt by the public.~~

7.1 Confidential information

In the course of their duties members will ~~occasionally~~ receive information ~~whether in reports or~~

through debate, that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

7.2 Information received in capacity as an elected member

~~Members will disclose to other members and, where appropriate the Chief Executive, any information received in their capacity as an elected member that concerns the Council's ability to give effect to its responsibilities.~~

~~Members who are offered information on the condition that it remains confidential will inform the provider of the information that it is their duty to disclosure the information and will decline the offer if that duty is likely to be compromised.~~

~~Any failure by members to act in the manner described above represents a breach of this Code.~~

~~Please note: failure to observe these provisions may impede the performance of the Council by inhibiting information flows and undermining public confidence. It may also expose the Council to prosecution under the Privacy Act and/or civil litigation.~~

Occasionally members will receive information from external parties which is pertinent to the ability of their Council to properly perform its statutory duties. Where this occurs, and the information does not contravene the privacy of natural persons, the member will disclose such information to together members and/or the Chief Executive as soon as practicable.

8. Conflicts of Interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member's spouse/partner contracts with the authority or has a pecuniary interest, such as through a contract with the Council. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive *immediately*. Members may also contact the Office of the Auditor General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

Please note: Failure to observe the requirements of the LAMIA could potentially invalidate the

decision made, or the action taken, by the Council. Failure to observe these requirements could also leave the elected member open to prosecution (see Appendix B.A). In the event of a conviction, elected members can be ousted from office.

9. Register of ~~Declaration of~~ Interests

Members shall, at least annually, make a declaration of interest. These declarations are recorded in a public Register of ~~Declarations of~~ Interests maintained by the Council. The declaration must include information on the nature and extent of any interest, including:

- a) Any employment, trade or profession carried on by the member or the members' spouse/partner for profit or gain;
- b) Any company, trust, partnership etc for which the member or their spouse/partner is a director, business partner or trustee;
- c) ~~the address~~A description of any land in which the member has a beneficial interest within the jurisdiction of the ~~local authority~~South Taranaki District; and
- d) ~~the address~~A description of any land owned by the local authority in which the member or their spouse/partner is:
 - a tenant; or
 - the land is tenanted by a firm in which the member or spouse/partner is a business partner, a company of which the member or spouse/partner is a director, or a trust of which the member or spouse/partner is a trustee;
- e) Any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member (if the member is in any doubt on this, the member should seek guidance from the Chief Executive)

Please note ~~that~~ where a member's circumstances change they must ensure that the Register of ~~Declarations of~~ Interests is updated as soon as practicable.

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10. Ethical behaviour

Members will seek to promote the highest standards of ethical conduct. Accordingly members will:

- Claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
- Not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families personal or business interests;
- Only use the Council resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and
- Not solicit, demand, or request any gift, reward or benefit by virtue of their position

and notify the Chief Executive if any such gifts are accepted. Where a gift to the value of \$50 or more is accepted by a member, that member must immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

Any failure by members to comply with the provisions set out in this section represents a breach of this Code.

10.1 Undischarged bankrupt

In accordance with clause 15(5) of Schedule 7 (LGA 2002) any member who is an “undischarged bankrupt” will notify the Chief Executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt. The member will also provide the Chief Executive with a brief explanatory statement of the circumstances surrounding the member’s adjudication and the likely outcome of the bankruptcy.

11. Creating a supportive and inclusive environment

In accordance with the purpose of the Code, members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance. These include:

- Attending post-election induction programmes organised by the Council for the purpose of facilitating agreement on the Council’s vision, goals and objectives and the manner and operating style by which members will work.
- Taking part in any assessment or evaluation of the Council’s ~~overall~~ performance and operating style during the triennium.¹
- Taking all reasonable steps to ~~ensure acquire~~ they ~~possess the required~~ skills and knowledge to effectively fulfill their Declaration of Office and contribute to the good governance of the South Taranaki District.

12. Breaches of the Code

Members must comply with the provisions of this Code (LGA 2002, schedule ~~57, cl. 15(4)s-14(4)~~). Any member, or the Chief Executive, who believes that the Code has been breached by the behaviour of a member, may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

12.1 Principles:

The following principles will guide any processes for investigating and determining whether or not a breach under this Code has occurred:

- That the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the alleged ~~breach~~ ~~complained about~~;

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- That the ~~roles-processes~~ of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
- That the concepts of natural justice and fairness will apply in the determination of any complaints made under this Code. This requires, conditional on the nature of an alleged breach, ~~that directly~~ affected parties:
 - Have a right to know that an investigation process is underway;
 - Are given due notice and are provided with an opportunity to be heard;
 - Have confidence that any hearing will be impartial;
 - Have a right to seek appropriate advice and be represented; and
 - Have their privacy respected.

12.2 Complaints

All complaints made under this Code must be made in writing and forwarded to the Chief Executive. On receipt of a complaint the Chief Executive must forward ~~the~~ complaint to the Mayor or, where the Mayor is a party to the complaint, an independent investigator, drawn from a pool of names or agency agreed in advance, for a preliminary assessment to determine whether the issue is sufficiently serious to warrant a full investigation.³

Please note, only members and the Chief Executive may make a complaint under this Code.

~~12.3 Investigation, advice and decision~~

~~The process, following receipt of a complaint, will follow the steps outlined in Appendix B.~~

~~12.4 Materiality~~

~~An alleged breach under this Code is material if, in the opinion of the independent investigator, it would, if proven, bring a member or the Council into disrepute or, if not addressed, reflect adversely on another member of the Council.~~

Complaint referred to the Mayor

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On receipt of a complain made under the provisions of the Council’s Code of Conduct the Mayor will, as the situation allows:

- Interview the complainant to assess the full extent of the complaint.
- Interview the member(s) subject to the complaint.
- Assess the complaint to determine materiality.
- Where a complaint is assessed by the Mayor to be trivial, frivolous or minor, either dismiss the complaint, require an apology or other course of action, or assist the relevant parties to find a mutually agreeable solution.
- Where a complaint is found to be material, or no mutually agreed solution can be reached, the Mayor will refer the complaint back to the Chief Executive who will forward it, along with any recommendations made by the Mayor, to the Council or an adjudicative body established by the Council to assess and rule on complaints made under the Code.

If the Mayor chooses they may, instead of undertaking an initial assessment, immediately refer

the complaint to the independent investigator, via the Chief Executive.

Complaint referred to Independent Investigator

On receipt of a complaint from a member which concerns the Mayor, or from the Mayor after initial consideration, the Chief Executive will forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to be referred, with recommendations if necessary, to the Council or an adjudicative body for assessing and ruling on complaints. The process, following receipt of a complaint, will follow the steps outlined in Appendix C.

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13. Penalties and actions

Where a complaint is determined to be material and referred to the Council or an adjudicative body established to consider complaints, the nature of any penalty or action will depend on the seriousness of the breach.

13.1 Material breaches

In the case of material breaches of this Code, the Council, or the adjudicative a committee with delegated authority, may require one of the following:

1. A letter of censure to the member;
2. A request (made either privately or publicly) for an apology;
- ~~2.1. a vote of no confidence in the member;~~
3. Removal of certain Council-funded privileges (such as attendance at conferences);
4. Removal of responsibilities, such as committee chair, deputy chair or portfolio holder;
5. Restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
6. Limitation on any dealings with Council staff ~~so that they are confined together than~~ the Chief Executive or identified senior manager only;
- ~~7. A vote of no confidence in the member;~~
- ~~7.8.~~ Suspension from committees or other bodies to which the member has been appointed; or
- ~~8.9. an~~ Invitation tofor the member to consider resigning from the Council.

A Council or ~~committee~~ adjudicative body with delegated authority may decide that instead of a penalty ~~will not be imposed where a respondent agrees to~~ one or more of the following may be required:

- Attend a relevant training course; and/or
- Work with a mentor for a period of time; and/or
- Participate in voluntary mediation (if the complaint involves a conflict between two members); and/or

- Tender an apology.

The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

13.2 Statutory breaches

In cases where a breach of the Code is found to involve regulatory or legislative requirements, the complaint will be referred to the relevant agency. For example:

- Breaches relating to members' interests (where members may be liable for prosecution by the Auditor-General under the LAMIA);
- Breaches which result in the Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s.30 of the LGA 2002 which may result in the member having to make good the loss or damage); or
- Breaches relating to the commission of a criminal offence which will be referred to the Police (which may leave the elected member liable for criminal prosecution).

14. Review

Once adopted, a Code of Conduct continues in force until amended by the Council. The Code can be amended at any time but cannot be revoked unless the Council replaces it with another Code. ~~Once adopted,~~ Amendments to the Code require a resolution supported by 75 per cent of the members of the Council present at a Council meeting where the amendment is considered.

Councils ~~are encouraged to may~~ formally review their ~~existing~~ Code ~~and either amend or re-adopt it~~ as soon as practicable after the beginning of each triennium ~~in order to ensure that all members have the opportunity to provide their views on the Code's provisions. The results of that review will be considered by the Council in regard to potential changes for improving the Code.~~

Appendix A: Guidelines on the personal use of social media

There's a big difference in speaking "on behalf of Council" and speaking "about" the Council. While your rights to free speech are respected, please remember that citizens and colleagues have access to what you post. The following principles are designed to help you when engaging in **personal or unofficial online** communications that may also refer to your Council.

1. **Adhere to the Code of Conduct and other applicable policies.** Council policies and legislation, such as LGOIMA and the Privacy Act 1993, apply in any public setting where you may be making reference to the Council or its activities, including the disclosure of any information online.
2. **You are responsible for your actions.** Anything you post that can potentially damage the Council's image will ultimately be your responsibility. You are encouraged to participate in the social media but in so doing you must exercise sound judgment and common sense.
3. **Be an "advocate" for compliments and criticism.** Even if you are not an official online spokesperson for the Council, you are one of its most important advocates for monitoring the social media landscape. If you come across positive or negative remarks about the Council or its activities online that you believe are important you are encouraged to share them with the governing body.
4. **Let the subject matter experts respond to negative posts.** Should you come across negative or critical posts about the Council or its activities you should consider referring the posts to the Council's authorised spokesperson, unless that is a role you hold, in which case consider liaising with your communications staff before responding.
5. **Take care mixing your political (Council) and personal lives.** Elected members need to take extra care when participating in social media. The public may find it difficult to separate personal and Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council is doing, can bring you into conflict with the Code should it not be clear that they are your personal views.
6. **Never post sensitive and confidential information** provided by the Council, such as confidential items, public excluded reports and/or commercially sensitive information. Such disclosure will contravene the requirements of the Code.
7. **Elected Members' social media pages should be open and transparent.** When commenting on matters related to the local authority no members should represent themselves falsely via aliases or differing account names or block. Neither should they block any post on any form of social media that they have control over unless there is clear evidence that the posts are actively abusive. Blocking constructive debate or feedback can be seen as bringing the whole Council into disrepute.

Appendix B: Legislation bearing on the role and conduct of elected members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members. The full statutes can be found at www.legislation.govt.nz.

The Local Authorities (Members’ Interests) Act 1968

The Local Authorities (Members’ Interests) Act 1968 (LAMIA) provides rules about members discussing and voting on matters in which they have a pecuniary interest and about contracts between members and the Council.

A pecuniary interest is likely to exist if a matter under consideration could reasonably give rise to an expectation of a gain or loss of money for a member personally (or for their spouse or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

With regard to pecuniary or financial interests a person is deemed to be “concerned or interested” in a contract or interested “directly or indirectly” in a decision when:

- A person, or spouse or partner, is “concerned or interested” in the contract or where they have a pecuniary interest in the decision; or
- A person, or their spouse or partner, is involved in a company that is “concerned or interested” in the contract or where the company has a pecuniary interest in the decision.

There can also be additional situations where a person is potentially “concerned or interested” in a contract or have a pecuniary interest in a decision, such as where a contract is between an elected members’ family trust and the Council.

Determining whether a pecuniary interest exists

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote. When determining if this is the case or not the following test is applied:

“...whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned.” (OAG, 2001)

In deciding whether you have a pecuniary interest, members should consider the following factors.

- What is the nature of the decision being made?
- Do I have a financial interest in that decision - do I have a reasonable expectation of gain or loss of money by making that decision?
- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the LAMIA apply to me?

- Could I apply to the Auditor-General for approval to participate?

Members may seek assistance from the mayor/chair or other person to determine if they should discuss or vote on an issue but ultimately it is their own judgment as to whether or not they have pecuniary interest in the decision. Any member who is uncertain as to whether they have a pecuniary interest is advised to seek legal advice. Where uncertainty exists members may adopt a least-risk approach which is to not participate in discussions or vote on any decisions.

Members who do have a pecuniary interest will declare the pecuniary interest to the meeting and not participate in the discussion or voting. The declaration and abstention needs to be recorded in the meeting minutes. (Further requirements are set out in the Council’s Standing Orders.)

The contracting rule

A member is disqualified from office if he or she is “concerned or interested” in contracts with their council if the total payments made, or to be made, by or on behalf of the Council exceed \$25,000 in any financial year. The \$25,000 limit includes GST. The limit relates to the value of all payments made for all contracts in which you are interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by you.

The Auditor-General can give prior approval, and in limited cases, retrospective approval for contracts that would otherwise disqualify you under the Act. It is an offence under the Act for a person to act as a member of the Council (or committee of the Council) while disqualified.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not members need to ask:

“Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?”

The question is not limited to actual bias, but relates to the appearance or possibility of bias reflecting the principle that justice should not only be done, but should be seen to be done. Whether or not members believe they are not biased is irrelevant.

Members should be focused on the nature of the conflicting interest or relationship and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- members’ statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, members have a “closed mind”); and
- members have a close relationship or involvement with an individual or organisation affected

by the decision.

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an RMA hearing).

Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 sets out a list of meetings procedures and requirements that apply to local authorities and local/community boards. Of particular importance for the roles and conduct of elected members is the fact that the chairperson has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should:

- create a disturbance or a distraction while another councillor is speaking;
- be disrespectful when they refer to each other or other people; or
- use offensive language about the Council, other members, any employee of the Council or any member of the public.

See Standing Orders for more detail.

Secret Commissions Act 1910

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to \$1000. A conviction would therefore trigger the ouster provisions of the LGA 2002 and result in the removal of the member from office.

Crimes Act 1961

Under this Act it is unlawful for an elected member (or officer) to:

- accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council; and
- use information gained in the course of their duties for their, or another person's, monetary gain or advantage.

These offences are punishable by a term of imprisonment of seven years or more. Elected members convicted of these offences will automatically cease to be members.

Financial Markets Conduct Act 2013

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever Council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

The Local Government Act 2002

The Local Government Act 2002 (LGA 2002) sets out the general powers of local government, its purpose and operating principles. Provisions directly relevant to this Code include:

Personal liability of members

Although having qualified privilege, elected members can be held personally accountable for losses incurred by a local authority where, following a report from the Auditor General under s.44 LGA 2002, it is found that one of the following applies:

- a) money belonging to, or administered by, a local authority has been unlawfully expended; or
- b) an asset has been unlawfully sold or otherwise disposed of by the local authority; or
- c) a liability has been unlawfully incurred by the local authority; or
- d) a local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

Members will not be personally liable where they can prove that the act or failure to act resulting in the loss occurred as a result of one of the following:

- a) without the member’s knowledge;
- b) with the member’s knowledge but against the member’s protest made at or before the time when the loss occurred;
- c) contrary to the manner in which the member voted on the issue; and
- d) in circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

In certain situations members will also be responsible for paying the costs of proceedings (s.47 LGA 2002).

Appendix C: Process for the determination and investigation of complaints

~~The following process is a guide only and councils are encouraged to adapt this to their own specific circumstances.~~

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Step 1: Chief Executive receives complaint

On receipt of a complaint under this Code the Chief Executive will refer the complaint to an independent investigator ~~selected from a panel agreed at the start of the triennium~~. The Chief Executive will also:

- inform the complainant that the complaint has been referred to the independent investigator and the name of the investigator, and refer them to the process for dealing with complaints as set out in the Code; and
- inform the respondent that a complaint has been made against them, the name of the investigator and refer them to the process for dealing with complaints as set out in the Code.

Step 2: Investigator makes preliminary assessment

On receipt of a complaint the investigator will assess whether:

1. the complaint is frivolous or without substance and should be dismissed;
2. the complaint is outside the scope of the Code and should be redirected to another agency or process;
3. the complaint is non-material; and
4. the complaint is material and a full investigation is required.

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In making the assessment the investigator may make whatever initial inquiry is necessary to determine the appropriate course of action. The investigator has full discretion to dismiss any complaint which, in their view, fails to meet the test of materiality.

On receiving the investigator’s preliminary assessment the Chief Executive will:

1. where an investigator determines that a complaint is frivolous or without substance, inform the complainant and respondent directly and inform other members (if there are no grounds for confidentiality) of the investigator’s decision;
2. in cases where the investigator finds that the complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint to the relevant agency and inform both the complainant and respondent of the action.

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Step 3: Actions where a breach is found to be non-material

If the subject of a complaint is found to be non-material the investigator will inform the Chief Executive and, if they choose, recommend a course of action appropriate to the breach, such as;

- that the respondent seek guidance from the Chairperson or Mayor;
- that the respondent attend appropriate courses or programmes to increase their knowledge

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and understanding of the matters leading to the complaint.

The Chief Executive will advise both the complainant and the respondent of the investigator's decision and any recommendations, neither of which are open to challenge. Any recommendations made in response to a non-material breach are non-binding on the respondent and the Council.

Step 4: Actions where a breach is found to be material

If the subject of a complaint is found to be material the investigator will inform the Chief Executive, who will inform the complainant and respondent. The investigator will then prepare a report for the Council on the seriousness of the breach.

In preparing that report the investigator may:

- consult with the complainant, respondent and any affected parties;
- undertake a hearing with relevant parties; and/or
- refer to any relevant documents or information.

On receipt of the investigator's report the Chief Executive will prepare a report for the Council or committee with delegated authority, which will meet to consider the findings and determine whether or not a penalty, or some other form of action, will be imposed. The Chief Executive's report will include the full report prepared by the investigator.

Step 5: Process for considering the investigator's report

Depending upon the nature of the complaint and alleged breach the investigator's report may be considered by the full Council, excluding the complainant, respondent and any other 'interested' members, or a committee established for that purpose.

In order to avoid any suggestion of bias, a Code of Conduct Committee may often be the best mechanism for considering and ruling on complaints. Committees should be established at the start of a triennium with a majority of members selected from the community through either an application process or by invitation.

The Council or committee will consider the Chief Executive's report in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, such as the misuse of confidential information or a matter that would otherwise be exempt from public disclosure under s.48 of the LGOIMA, in which case it will be a closed meeting.

Before making any decision in respect of the investigator's report the Council or committee will give the member against whom the complaint has been made an opportunity to appear and speak in their own defense. Members with an interest in the proceedings, including the complainant and the respondent, may not take part in these proceedings.

The form of penalty that might be applied will depend on the nature of the breach and may include actions set out in section 13.1 of this Code.

In accordance with this Code Councils will agree to implement the recommendations of a Code of Conduct Committee without debate.

South Taranaki District Council Code of Conduct - pg 20

Information Report

Central File Ref

| | |
|---------|--|
| To | Ordinary Council |
| From | Vipul Mehta, Chief Financial Officer |
| Date | 6 April 2020 |
| Subject | Information Report – Taranaki Regional Council – Notice of Motion |

7

(This report shall not be construed as policy until adopted by full Council)

Executive Summary

1. A Notice of Motion (NoM) was raised by then Councillor Ian Wards in August 2019 to review the contract to collect rates on behalf of the Taranaki Regional Council (TRC). His reasons for his recommendations were:
 - a. Many South Taranaki ratepayers made no distinction between STDC and TRC rates;
 - b. TRC’s targeted rate (for Yarrow Stadium) would extract \$20m from South Taranaki residents over the next 25 years; and
 - c. The targeted rate unfairly impacted those ratepayers who could least afford it.
2. We undertook a review to analyse the costs versus commission received by the Council. This report outlines our findings.

Recommendation

THAT the Council receives the Information Report – Taranaki Regional Council – Notice of Motion.

Background

3. In August 2019, Councillor Wards raised a NoM, which was accepted by the Council. We undertook a review to compare costs versus commission for collecting TRC’s rates. The costs of collecting TRC’s rates are embedded with Council’s own collection of rates, and therefore is almost impossible to get an accurate number for the costs of collecting TRC’s rates. In order to come up with a reliable number, we had to make numerous assumptions, based on the following:
 - Time spent on providing information relating to the rating database to TRC for their Annual Plan.
 - Time spent on setting TRC’s rates in our Property and Rating system including time spent on testing.
 - Time spent by our Council’s IT Unit on setting rates/changes to TRC’s assessments.
 - Costs of postage and printing of the rates assessments/invoices including costs of re-designing.
 - Time spent on debt collection.
 - Costs of rates write-offs.
 - Time spent on applying remissions.

- A portion of the Finance Unit's other costs.
 - A portion of legal costs relating to rates and collection of rates.
 - A portion of 3% discounts given to ratepayers who pay full rates by the due date of the first instalment.
 - Time spent on maintaining the rating database.
 - Time spent by our Contact Centre in answering queries relating to TRC's rates.
 - A portion of rates remissions.
 - A portion of our IT Unit's other costs.
4. We analysed the costs based on the above assumptions and came to the following conclusion regarding costs versus commission.

| | |
|---|-------------------------|
| Costs to our Council for collecting TRC's rates | Approximately \$105,000 |
| Commission received | Approximately \$ 82,000 |

A shortfall of around \$23,000.

Existing Council Policy

5. The Council currently has a contract in place with TRC to collect their rates which include receiving a commission of 2% on an annual basis. The Council pays TRC 100% of the rates struck by TRC. In other words, we incur and are responsible for costs relating to outstanding rates, collections, write offs etc.

Legislative Considerations

6. The current legislation allows our Council to collect TRC's rates on their behalf.

Discussion/Evaluation

7. The commission received by our Council do not fully recover costs of collecting TRC's rates. If TRC was to collect their own rates, this could result in increased costs to the South Taranaki ratepayers since TRC currently has no system and resources to collect their own rates. Our Council could also re-negotiate the contract in order to receive an appropriate commission to offset costs incurred.
8. In the last year, Council staff have received more enquiries and complaints as a result of "Yarrow Stadium Rates".

Conclusion

9. Following a comparison of costs versus commission for collecting TRC's rates it was determined that there was a shortfall for STDC of approximately \$23,000. This is based on the assumptions provided in the report. The comparison was undertaken in response to Councillor Ian Wards' (2016-2019 Councillor) NoM.

Vipul Mehta
Chief Financial Officer

[Seen by]
Marianne Archibald
Group Manager Corporate Services

8. Resolution to Exclude the Public

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

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

| 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 |
|---|---|---|
| 1. Confirmation of minutes – Ordinary Council 24 February 2020 | Good reason to withhold exists under Section 7. | That the public conduct of 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 exists. Section 48(1)(a) |
| 2. Receipt of minutes – Environment and Hearings Committee 2 March 2020. | | That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council/Committee to deliberate in private on its decision or recommendation in any proceedings where: ii) the local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. Use (i) for the RMA hearings and (ii) for hearings under LGA such as objections to Development contributions or hearings under the Dog Control Act. s. 48(1)(d) |
| 3. Receipt of minutes – Environment and Hearings Committee 18 March 2020. | | |

This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

| Item No | Interest |
|---------|--|
| 1 | Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i)). |