

Rārangitake take Kaunihera

Council Agenda

Monday 14 December 2020, 7pm
Council Chambers, Albion Street, Hāwera



Ngā Mema o te Komiti / Committee Members



Phil Nixon
Mayor



Robert Northcott
Deputy Mayor



Andy Beccard
Councillor



Mark Bellringer
Councillor



Gary Brown
Councillor



Celine Filbee
Councillor



Aaron Langton
Councillor



Steffy Mackay
Councillor



Jack Rangiwahia
Councillor



Diana Reid
Councillor



Bryan Roach
Councillor



Brian Rook
Councillor



Chris Young
Councillor

Apatono / 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

He Karere Haumarū / 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.

He Pānga Whakararu / 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.



Rārangi Agenda

Ordinary Council Meeting Monday 14 December 2020 at 7.00 pm

- 1. Matakore / Apologies**
- 2. Tīmatanga Kōrero / Opening Remark**
 - 2.1 Councillor Jack Rangiwahia
- 3. Whakatakoto Kaupapa Whānui, Whakaaturanga hoki / Open Forum and Presentations**
- 4. Whakaaetia ngā Menīti / Confirmation of Minutes**
 - 4.1 [Ordinary Council 2 November 2020](#)..... Page 8
- 5. Ngā Menīti Komiti me ngā Poari / Committee and Board Minutes**
 - 5.1 [Eltham Drainage Committee 28 October 2020](#)..... Page 18
 - 5.2 [Extraordinary Council 11 November 2020](#)..... Page 21
 - 5.3 [Eltham-Kaponga Community Board 16 November 2020](#)..... Page 30
 - 5.4 [Te Hāwera Community Board 16 November 2020](#)..... Page 35
 - 5.5 [Taranaki Coastal Community Board 17 November 2020](#)..... Page 42
 - 5.6 [Pātea Community Board 18 November 2020](#)..... Page 48
 - 5.7 [Audit and Risk Committee 23 November 2020](#)..... Page 52
 - 5.8 [Iwi Liaison Committee 25 November 2020](#)..... Page 63
 - 5.9 [Environment and Hearings Committee 25 November 2020](#)..... Page 69
 - 5.10 [Policy and Strategy Committee 30 November 2020](#)..... Page 73
 - 5.11 [Extraordinary Council 30 November 2020](#)..... Page 81
- 6. Pūrongo / Report**
 - 6.1 [Delegations Register Update – Resource Management Act 1991, Realignment of the Environmental Services Group](#)..... Page 85
 - 6.2 [Delegations Register Update – Acting Delegations](#)..... Page 101
 - 6.3 [Making the Proposed District Plan Operative](#)..... Page 122
 - 6.4 [2021-2031 Long Term Plan](#)..... Page 128

Next Meeting Date: Monday 22 February 2021 – Council Chamber, Albion Street, Hāwera
Elected Members’ Deadline: Monday 8 February 2021

7. Whakataunga kia noho tūmatanui kore / Resolution to Exclude the Public

7.1	Ordinary Council Minutes 2 November 2020	Page 141
7.2	Audit and Risk Committee Minutes 23 November 2020	Page 144
7.3	Environment and Hearings Committee Minutes 25 November 2020	Page 148
7.4	Policy and Strategy Committee 30 November 2020.....	Page 150



Matakore Apologies

Leave of Absence: *The Board 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.*



Tīmatanga Kōrero

Opening Remark

2. Opening Remark – Councillor Jack Rangiwhia

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

Next Opening Remark: Monday 22 February 2021 – Councillor Bryan Roach



Whakatakoto Kaupapa Whānui, Whakaaturanga hoki **Open Forum and Presentations**

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.



Ngā Menīti Kaunihera Council Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Ordinary Council – 2 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Council is being asked to adopt the Ordinary Council minutes of the meeting held on Monday 2 November 2020.

Taunakitanga / Recommendation

THAT the Council adopts the minutes of the Ordinary Council meeting held on 2 November 2020 as a true and correct record.



Menīti Minutes

Ngā Menīti take Kaunihera Ordinary Council Meeting

Council Chambers, Albion Street, Hāwera on Monday 2 November 2020 at 7.00 pm

Kanohi Kitea / Present: Mayor Phil Nixon (Chairperson), Deputy Mayor Robert Northcott, Councillors Andy Beccard, , Gary Brown, Celine Filbee, Steffy Mackay, Jack Rangiwahia, Diana Reid, Bryan Roach, Brian Rook and Chris Young

Ngā Taenga-Ā-Tinana / In Attendance: Fiona Aitken (Acting Chief Executive), Liam Dagg (Group Manager Environmental Services), Marianne Archibald (Group Manager Corporate Services), Scott Willson (Business Development Manager) via MS Teams, Darleena Christie (Governance and Support Team Leader) and 5 members of the public via MS Teams.

Matakore / Apologies: Aarun Langton and Mark Bellringer.

RESOLUTION

(Cr Roach/Cr Brown)

114/20 **THAT the apologies from Councillors Aarun Langton and Mark Bellringer be received.**

CARRIED

1. Tīmatanga Kōrero / Opening Remark

1.1 Deputy Mayor Robert Northcott

At the Pātea Community Board (the Board) meeting on 26 August 2020, Robert Carrick, an 11 year old schoolboy presented in open forum lamenting that there was no basketball hoop in Waverley. He wondered whether the Council or Community Board could help him out. He was applauded for his effort and initiative to present to the Board and it was suggested that he put a plan and costings together to present at the next meeting. On 7 October 2020, Mr Carrick came back with a possible location, costings of approximately \$5,000 and advised that a group was being established to assist with the installation and work on fundraising events to help. Since then with the help of the Community Development Advisor Mrs Maruera, the Group were obtaining two quotes for funding from external sources and liaising with the Recreation and Facilities Manager so that all the correct processes were adhered to. This was an excellent example of what individuals or community groups could achieve with a worthwhile project. By having the initiative, the right attitude, going through correct processes and using the resources available to them, Deputy Mayor Northcott was sure that Mr Carrick would soon be playing basketball in Waverley.

2. Whakatakoto Kaupapa Whānui, Whakaaturanga hoki / Open Forum and Presentations

2.1 Venture Taranaki

Five members from Venture Taranaki joined the Open Forum and Presentations session via MS Teams.

Mrs Gilliland highlighted the following key points from the quarterly report:

- Nadia Phillips was appointed in the new Partnerships Lead position and was working on a Māori Partnerships Engagement Strategy for Venture Taranaki.
- As at 31 October 2020 there had been nearly \$200,000 of funding distributed in South Taranaki for COVID-19 related enterprise support.
- High demand for people looking at Research and Development wage subsidy.
- For other COVID-19 responses Venture Taranaki were focussed on the domestic tourism attraction campaign called “Just around the corner” to attract people to Taranaki.
- November was a busy month with the Arts Trail, Garden Festival and Fringe Garden Festival. Information from the Garden Festival over the weekend was that they had already sold as many tickets as they would normally have sold in the festival week.
- A workshop was held with the construction sector to look at the skills shortage that they were going to face. There was a lot of projects in the pipeline, however a dip was projected in 2023/24.
- Retail spend overall as a region showed an average increase since lockdown of 7-8% above normal time of the year spend. There was a potential for the region’s retail sector to recover if this trend continued.
- A save the date was put out for the wind forum. There was considerable interest in the discussion paper and the forum was to bring key stakeholders together to get on the same page and progress the opportunity. It was noted that there was no Offshore Regulatory Regime in New Zealand.
- Work was continuing with the Ministry for Business Information and Employment (MBIE) on the priorities for Taranaki 2050 for a budget bid. Venture Taranaki had input from South Taranaki in terms of the priorities from the regional leadership group.

Mayor Nixon thanked Venture Taranaki and noted from the data it was looking positive for South Taranaki. He commented that the ‘buy local’ campaign was working well and there had been fantastic feedback on the visitor numbers for the garden festival. It was noted that four businesses were representing South Taranaki at the Food Show Taste of Taranaki. These were Green Meadows Beef, Kaitahi, NZ Quinoa Company and Egmont Honey.

Deputy Mayor Northcott commented that there was an increase in job seekers being 35% and yet industry was unable to secure immigrant workers. He asked whether there was a local skill shortage or if there was a correlation between the two. Mrs Gilliland responded that it came down to a skill match, as the people losing jobs were not necessarily trained in the sectors requiring the jobs.

Councillor Beccard thanked Venture Taranaki for the work they were doing for the local businesses, he had received a lot of positive feedback from businesses, especially those that wanted to update their technology and expand their business.

In response to whether the wind regime would be driven from central government, Mrs Gilliland noted that Venture Taranaki did not have a view on how it would be designed. It was more about getting it onto MBIE's work programme to design a regime in conjunction with the region.

Members of Venture Taranaki and Scott Willson left the meeting at 7.28 pm.

3. Whakaaetia ngā Menīti / Confirmation of Minutes

3.1 Ordinary Council 21 September 2020

In response to whether anything had been followed up on the keeping of bee's bylaw, Ms Archibald noted that it was a national issue. A letter would be written to obtain information from Ministry for Primary Industries (MPI) regarding a national view on the issues raised.

In response to whether Mrs Wells had been informed, Ms Archibald noted that she would contact MPI and get some information before following up with Mrs Wells. Councillor Brown had spoken with Mrs Wells who was not worried about the enforcement, but more about having a bylaw in place that she could refer to when talking with other people.

RESOLUTION

(Cr Rangiwhia/Cr Young)

115/20 **THAT the Council adopts the minutes of the Ordinary Council meeting held on 21 September 2020 as a true and correct record.**

CARRIED

4. Ngā Menīti Komiti me ngā Poari / Committee and Board Minutes

4.1 Extraordinary Environment and Hearings Committee 23 September 2020

Councillor Brown noted that the applicants to have the Otakeho church moved were critical of the process. Mr Dagg commented that most of the constraints or issues incurred arose from the existing of the church and the subsequent submission that had been forwarded by Heritage NZ. The submission was in support of the proposal and Heritage NZ withdrew from the hearing, it was a long process and was not entirely in the Council's control.

Councillor Reid commented that she felt the Environment and Hearings Committee worked hard, the process was thorough, and it was a very professional hearing with a positive outcome.

RESOLUTION

(Cr Beccard/Cr Reid)

116/20 **THAT the Council receives the minutes of the Extraordinary Environment and Hearings Committee meeting held on 23 September 2020.**

CARRIED

4.2 Eltham-Kaponga Community Board 5 October 2020

A correction was requested on page 29, paragraph 1.4 to change Eltham Municipal building to the old Kaponga Library.

RESOLUTION

(Cr Mackay/Cr Young)

117/20 **THAT the Council receives the minutes of the Eltham-Kaponga Community Board meeting held on 5 October 2020.**

CARRIED

4.3 Te Hāwera Community Board 5 October 2020

RESOLUTION

(Cr Reid/Cr Mackay)

118/20 **THAT the Council receives the minutes of the Te Hāwera Community Board meeting held on 5 October 2020.**

CARRIED

4.4 Taranaki Coastal Community Board 6 October 2020

A correction was requested on page 41, paragraph 1.2 to change Tranzit to NZTA.

RESOLUTION

(Cr Roach/Cr Young)

119/20 **THAT the Council receives the minutes of the Taranaki Coastal Community Board meeting held on 6 October 2020.**

CARRIED

4.5 Pātea Community Board 7 October 2020

RESOLUTION

(Cr Rook/Deputy Mayor Northcott)

120/20 **THAT the Council receives the minutes of the Pātea Community Board meeting held on 7 October 2020.**

CARRIED

4.6 Audit and Risk Committee 12 October 2020

RESOLUTION

(Cr Beccard/Cr Brown)

121/20

THAT the Council;

- a) Approves recommendation 53/20 AR to defer the Investment Policy Review report to the next Audit and Risk Committee meeting on 23 November 2020.
- b) Receives the minutes of the Audit and Risk Committee meeting held on 12 October 2020.

CARRIED

4.7 Iwi Liaison Committee 14 October 2020

A correction was requested on page 64 to change Manchester Street in Waverley to Pātea.

Councillor Beccard referred to page 60, the comments made about the representation review subject to Council approval. The recommendation came from the Iwi Liaison Committee and he sought clarification that Iwi were wanting this, was the Council talking to the right people and were they mandated on behalf of the rohe. Ms Aitken responded that the members of the Iwi Liaison Committee were the mandated members from each respective Iwi. The resolution was subject to the Council approval and that process had been started today with a workshop and the Extraordinary meeting to be held on 11 November.

In response to whether any further feedback was expected from Iwi in the report to be presented to the Council on 11 November 2020, or would it be solely based on the recommendation from the Iwi Liaison Committee. Ms Aitken noted it would not be solely based on the recommendation from the Committee, it would be an Officer report summarising the workshop held and these were the steps. The workshop was open to Iwi Liaison Committee and the Council to hear the information and ask questions.

RESOLUTION

(Cr Beccard/Deputy Mayor Northcott)

122/20

THAT the Council receives the minutes of the Iwi Liaison Committee meeting held on 14 October 2020.

CARRIED

4.8 Environment and Hearings Committee 14 October 2020

RESOLUTION

(Cr Beccard/Deputy Mayor Northcott)

123/20

THAT the Council receives the minutes of the Environment and Hearings Committee meeting held on 14 October 2020.

CARRIED

4.9 Policy and Strategy Committee 19 October 2020

RESOLUTION

(Cr Filbee/Cr Rangiwhahia)

124/20

THAT the Council;

- a) **Receives the minutes of the Policy and Strategy Committee meeting held on 19 October 2020.**
- b) **Adopts recommendation 48/20 PS from the Policy and Strategy Committee: THAT the Policy and Strategy Committee recommend the Council approves the draft Significance and Engagement Policy, for inclusion in the Long Term Plan 2021-2031 consultation documents; to enable the public to make submissions on the proposed amendments.**

CARRIED

5. Ngā Menīti o nga Komiti Herenga o Taranaki / Joint Committee Minutes

5.1 Taranaki Solid Waste Management Committee 20 August 2020

Councillor Roach advised that there would be a stewardess scheme or deposit scheme for tyres. Central government had not fed back how that was going to be rolled out, but it was intended to take place next year. He noted that it was a work in progress, however it was mentioned in the Regional Submission that transport was an issue for Taranaki.

Deputy Mayor Northcott referred to page 75, he felt that the trialling of plastics on the roads would cause microplastics to end up back in the environment due to wear and tear.

Deputy Mayor Northcott referred to page 77, Colson Road Landfill Special Waste, he sought clarification on whether the date to permanently close the landfill on 31 October 2020 was within the projected timeline. Councillor Roach responded that it was close, but he could not be exact. Mayor Nixon advised that feedback had been received from contractors that they were not happy with the special waste going to Bonny Glen as the prices were huge to truck it down there. He noted that Taranaki Regional Council were being quite strict on a lot of the construction waste at the moment, where it was going and how.

RESOLUTION

(Cr Young/Cr Reid)

125/20

THAT the Council receives the minutes of the Taranaki Solid Waste Management Committee held on 20 August 2020, the Taranaki Regional Transport Committee held on 9 September 2020 and the Taranaki Civil Defence Emergency Management Group Joint Committee held on 10 September 2020.

CARRIED

6. Pūrongo / Report

6.1 2021 Meeting Schedule

The report presented the 2021 Meeting Schedule to the Council to adopt for the period January to December 2021.

RESOLUTION

(Cr Filbee/Cr Roach)

126/20 **THAT the Council adopts the 2021 Meeting Schedule attached as Appendix 1.**

CARRIED

7. Pūrongo-Whakamārama / Information Reports

7.1 Regional Behaviour Change Strategy towards our zero waste vision

The report presented the draft Regional Behaviour Change Strategy (the Strategy) for Council's Waste Minimisation programme.

Deputy Mayor Northcott asked how many enviroschools were there in the District. He felt that all schools should be key stakeholders in the document regardless of status. Councillor Roach advised that there was only so many that they could accredit every year with a limited budget.

Mr Dagg provided background on the report, the purpose was to socialise the strategy with elected members to inform them of what was going on. He referred to the Waste Hierarchy on page 102, which directed people on the goals for zero waste initiatives. Should elected members be asked questions from the community the report would put everything in context for the District and support them when dealing with regional priorities.

In response to why the Council had set a small target of 5% to reduce the total waste volume per capita to landfill and total waste volume per household going to landfill, Ms Aitken advised that the data had been taken out of previously adopted waste minimisation and management plans from each council. The targets were set several years ago and were to be reviewed every six years. The Council would get another opportunity to reset these targets.

Deputy Mayor Northcott commented that it should be a national strategy and not just a regional strategy. He suggested that the strategy go to all schools to get them onboard and to ensure consistency.

RESOLUTION

(Deputy Mayor Northcott/Cr Mackay)

127/20 **THAT the Council receives the Regional Behaviour Change Strategy – towards our Zero Waste vision report.**

CARRIED

7.2 Quarterly Economic Development and Tourism Report

The report provided a combined update of activities of the Economic Development and Tourism units and presented the quarterly report from Venture Taranaki Trust (VTT).

RESOLUTION (Cr Beccard/Cr Mackay)

128/20 **THAT the Council receives the Quarterly Economic Development and Tourism Report to 30 September 2020.**

CARRIED

8. Whakataunga kia noho tūmatanui kore / Resolution to Exclude the Public
RESOLUTION (Deputy Mayor Northcott/Cr Mackay)

129/20 **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 – Ordinary Council 21 September 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 – Audit and Risk Committee 12 October 2020.		
3. Receipt of minutes – Environment and Hearings Committee 14 October 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	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i)).

CARRIED

9. **Tuwhera anō te Hui / Resume to Open Meeting**
RESOLUTION

(Cr Mackay/Cr Roach)

133/20 **THAT** the South Taranaki District Council resumes in open meeting.

The meeting concluded at 8.18 pm.

Dated this day of 2020.

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CHAIRPERSON



Ngā Menīti Komiti Committee Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Eltham Drainage Committee – 28 October 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Eltham Drainage Committee met on 28 October 2020. The Council is being asked to receive the Eltham Drainage Committee minutes from 28 October 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Taunakitanga / Recommendation

THAT the Council receives the minutes of the Eltham Drainage Committee meeting held on 28 October 2020.



Menīti Minutes

Ngā Menīti take Komiti Whakaawa ki Arakamu Eltham Drainage Committee Meeting

Taumata Recreation Park, Preston Street, Eltham on Wednesday 28 October 2020 at 10.03 am

Kanohi Kitea / Present: Ray Willy (Chairperson), Councillor Mark Bellringer (South Taranaki District Council), Councillor Rick Coplestone (Stratford District Council), Jonathon Perry, Bruce Campbell, Steven Clough.

Ngā Taenga-Ā-Tinana / In Attendance: Herbert Denton (Works Delivery Manager), Sara Dymond (Senior Governance Officer) and Samantha Greenhill (Governance and Support Officer).

Matakore / Apologies: Nil.

1. Whakatūranga Timana / Appointment of Chairperson

Mr Campbell nominated Mr Willy to be chairperson of the Eltham Drainage Committee.

RESOLUTION (Mr Campbell/Mr Perry)

05/20 ED **THAT** Mr Ray Willy be declared Chairperson of the Eltham Drainage Committee.

CARRIED

2. Whakaaetia ngā Menīti / Confirmation of Minutes

2.1 Eltham Drainage Committee Meeting held on 26 February 2020

It was noted that the drainage inspections did not take place due to COVID-19. Plans to carry out drainage inspections had been delayed until 2021 with dates to be confirmed.

Mr Willy thanked Mr Campbell, Mr Perry and Mr Clough for their assistance creating a contacts list. A letter would be sent to farm managers prior to a drainage inspection as this was considered best practice.

RESOLUTION (Cr Coplestone/Mr Clough)

06/20 ED **THAT** the minutes of the Eltham Drainage Committee held on 26 February 2020 be confirmed as a true and correct record.

CARRIED

3. Pūrongo-Whakamārama / Information Report

3.1 Financial Report

The financial report showed that expenditure to date was the reallocation of overheads. Spraying had been done prior to the COVID-19 outbreak, however this cost had not been reflected in the financial report. It was noted that there was a decrease in the amount of spraying required.

RESOLUTION

(Mr Perry/Cr Bellringer)

06/20 ED **THAT the Eltham Drainage Committee adopt the financial report as true and correct.**

CARRIED

4. Take Whānui / General Issues

4.1 Fencing on Property

An issue was identified with a fence that had been built three metres from a drain. Mr Willy sought advice from the Council regarding the location of the fence and it was advised that the fence must not obstruct the drain. An agreement had been made that if any access to the drain was required the farmer would remove the fence.

4.2 Main Drain

Mr Rye had concerns regarding one of the main drains as it had a dog leg bend in it causing reduced pressure and silt to form. This drain would be flagged to be inspected during the next drainage inspection.

4.3 Christmas function

The annual Christmas function was discussed and it was decided that this would be held in July 2021. The date was to be confirmed.

The meeting concluded at 10.24 am.

Dated this day of 2020.

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CHAIRPERSON



Menīti Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Extraordinary Council – 11 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Extraordinary Council met on 11 November 2020. The Council is being asked to receive the Extraordinary Council minutes from 11 November 2020 for their information.
2. There was one recommendation within the minutes for the Council to consider.
3. The Extraordinary Council moved a recommendation (136/20) that the Council resolve to introduce Māori representation via Māori wards for the 2022 and 2025 triennial elections and lobby Central Government to review the Local Electoral Act including removing the ability for Māori wards to be subject to a demand for a poll.

Taunakitanga / Recommendations

THAT the Council;

1. Receives the minutes of the Extraordinary Council meeting held on 11 November 2020.
2. Adopts the recommendation 136/20 from the Extraordinary Council;
THAT the Council resolve to introduce Māori representation via Māori wards for the 2022 and 2025 triennial elections and lobby Central Government to review the Local Electoral Act including removing the ability for Māori wards to be subject to a demand for a poll.



Menīti Minutes

Ngā Menīti Kaunihera Whanokē Extraordinary Council Meeting

Council Chambers, Albion Street, Hāwera on Wednesday 11 November 2020 at 5.30 pm

Kanohi Kitea / Present: Mayor Phil Nixon (Chairperson), Deputy Mayor Robert Northcott, Councillors Andy Beccard, Mark Bellringer, Gary Brown, Celine Filbee, Aarun Langton (via Zoom), Steffy Mackay, Jack Rangiwahia, Diana Reid, Bryan Roach, Brian Rook and Chris Young.

Ngā Taenga-Ā-Tinana / In Attendance: Ngapari Nui, Sandy Parata, Graham Young (Te Rūnanga o Ngāti Ruanui), John Hooker (Te Korowai o Ngāruahine), Bonita Bigham (Environment and Hearings Committee Iwi Representative), Wayne Bigham (Te Hāwera Community Board Chairperson), Waid Crockett (Chief Executive), Fiona Aitken (Group Manager Community and Infrastructure Services), Marianne Archibald (Group Manager Corporate Services), Liam Dagg (Group Manager Environmental Services), Adrienne Cook (Privacy and Policy Officer), Reg Korau (Iwi Liaison Advisor), Gerard Langford (Communications Manager), Becky Wolland (Governance and Policy Manager), Sara Dymond (Senior Governance Officer), 20 members of the public and one media.

Matakore / Apologies: Nil.

Sandy Parata (Te Rūnanga o Ngāti Ruanui) started the meeting with a karakia.

1 Take Tōmuri / Late Item

Mayor Nixon explained that the late item could not be delayed as delegations for newly developed roles had to be approved by the Council. The Council must resolve to agree to consider the report prior to adopting recommendations within the report.

RESOLUTION

(Cr Mackay/Cr Reid)

134/20 **THAT the Council agrees to accept the Delegations Register Update – Resource Management Act 1991 report to be considered as part of the agenda.**

CARRIED

The Council agreed to move the Delegations Register Update – Resource Management Act 1991 forward in the agenda.

2 Pūrongo / Report

2.1 Delegations Register Update – Resource Management Act 1991

The report proposed an update of the Register to incorporate changes made to the delegations. The report proposed that the powers and functions for the Planning Manager be amended to reflect the new role title of Planning and Development Manager.

RESOLUTION

(Cr Beccard/Deputy Mayor Northcott)

135/20 **THAT the Council approves the amended delegations (contained within Appendix 1 of this report), as per their powers under section 33 of the Resource Management Act 1991.**

CARRIED

3 Whakatakoto Kaupapa Whānui, Whakaaturanga hoki / Open Forum and Presentations

3.1 Bonita Bigham

Ms Bigham was a councillor for nine years and was involved with two representation reviews. In 2011 the Council agreed against having the conversation as they believed Iwi were not united. In 2017 Iwi decided in light of the trouble in the New Plymouth district that they did not wish to put their community through the same thing, Iwi were not ready and the Council respected that. Now in 2020 Iwi were ready and she noted that the Council had ten years to prepare for this moment.

The National Council of Local Government New Zealand, Te Maruata and the sector were ready for the shift in time, attitude and generation.

In 2016, four out of ten people voted in the local government elections and 25% of those people were Māori. Instigating Māori wards might significantly lift the communication and engagement.

In terms of the risk analysis of a poll being unsuccessful Ms Bigham believed Iwi were prepared for this scenario and were ready to roll with the consequences. Iwi asked, Iwi were ready, was the Council ready.

Deputy Mayor Northcott asked if Iwi were concerned that Māori representation on the Iwi Liaison Committee (ILC) and portfolio groups would decrease due to them being considered less significant. Ms Bigham explained that this depended on the incoming council and it was up to those Iwi representatives to prove their worth and value. From her perspective there was nothing Iwi and Māori could add to the conversation that would be detrimental to the community. She believed the more Māori voices the better.

3.2 John Hooker

Ngāruahine supported Māori wards for 2022 and 2025. Mr Hooker had participated in the review as an ILC member at which time the four Iwi resolved not to support this as their community did not have the maturity to investigate it. However now feedback from the community was, they were ready. He also supported the ILC and joint governance opportunities being investigated. This was the foster of dual heritage cohesion.

In 1990 Pearce Joyce raised the bar by proposing and implementing the ILC. This was successful however the Council had rested on its laurels and he believed it needed to start moving up and challenging itself. The Council were commended for their mature and responsible approach to settlement with the four Iwi during the treaty settlement process.

Ngāruahine encouraged the Council to take the next step in reflecting that mature relationship with Tangata Whenua by implementing Māori wards. The Council's vision was the most liveable district, liveable for we who live here.

Councillor Langton joined the meeting at 5.47 pm via Zoom.

Councillor Bellringer asked if the four Iwi would be happy with the proposed two wards. Mr Hooker noted that Ngāruahine would ensure that their best people were put forward that best fit the waka configurations.

3.3 Hemi Ngarewa

The Council were asked to move forward and not stay stagnant or move backwards. In today's society there was a lot of intermarriage which was what the society was all about, moving forward and looking after one another. He supported Māori wards and changes in the system.

In response to a question regarding if representation on Māori wards would provide a better system than the current system, Mr Ngarewa responded yes as he believed it was important the system was changed making it applicable for both pākehā and Māori. He saw the people present as the leaders of tomorrow and were present to ensure the best for their Māori people.

3.4 Ngapari Nui

Introducing Māori representation via Māori wards was considered the only option and Iwi were waiting for the Council to come on board with them. Iwi were asking the Council to be brave and support Māori wards to allow the people to decide.

In terms of Iwi being ready, from Mr Nui's perspective Iwi were in a good position compared to ten years ago. Iwi were moving forward and strengthening their wards and whanau enabling them to be ready to step into these positions.

3.5 Sue Comrie

Ms Comrie supported her Māori friends and their whanau and their request for inclusion on the Council by the establishment of Māori wards. She congratulated the Council for the decision to advance the discussion of Māori representation at the request of Iwi by three years. She considered this to be a remarkable and bold act and suggested an understanding that the Māori voice and participation was essential and important to listen to and take notice of.

The Māori voices requesting even dealings and equitable participation in crucial decision making in the community were clear and strong. Several councils were set to introduce Māori wards for the next local body elections. The new minister of local government said she would prioritise repealing this flaw which allowed for a binding referendum to overturn a council's choice to include an elected Māori ward.

Māori were asking for their own representatives who they had voted for and elected, to have people they recognised and speak on their behalf. Recognisable representation around the table accountable specifically to Māori. There was no equivalent to this on the Council currently.

The first people in the country were Māori. Since the 1840s they had been overrun and overwhelmed by English settlers creating an English colony. Their lives as Māori in their own land had been interrupted and efforts were made to wipe them out and their lifestyles over the last 180 years. As a country people were now turning the tide attempting to undo the colonial structure that were holding Māori back and therefore holding everyone back as a society. It was not an English colony anymore and people were recognising what was important to them.

It was important Māori felt good about being Māori in their own country. Statistical evidence showed that Māori were not being served well in many important areas of life and in many areas the country were assessing the impact of these ways in an effort in conducting ourselves. To ensure the message to Māori was loud and clear, that their lives matter, their presence, opinions and decisions were vital and valued and were essential for the society to be functional and move forward. To send the message that their place around the South Taranaki District Council table was assured by Māori wards. By approving the establishment of Māori wards the Council would be following their own vision statement.

3.6 Carol Walsh

Mr Walsh did not support the forming of a race based ward in this area as he had full confidence the existing Council elected by the District could handle any problems and abnormalities brought to the Council. He considered everyone to be New Zealanders who had equal rights.

Elderly people were already finding it difficult with low returns due to interest rates dropping. Māori wards was another cost to the ratepayers. The Council had money invested from the sale of the Egmont Electricity which he predicted a substantial drop in returns. The Council had already committed to building Te Ramanui o Ruapūtahanga.

Mr Walsh believed the decision to introduce Māori wards was a massive decision that should be made by all ratepayers.

Mr Walsh had not made any calculations on how much the process would cost the ratepayers however believed nothing was free.

3.7 Dinnie Moeahu

Mr Moeahu thanked the Mayor and Councillors for allowing him to speak on a momentous opportunity and in support of the South Taranaki District Council establishing a Māori ward. People say *how you treat people was how you see people* and the country's history showed how their treaty partners, the crown, central and local government treated Māori.

A community member talked about equality, equity and fairness however it was visible in history that each organisation created and implemented laws through legislation to purposely disadvantage Māori. These laws were enforced to confiscate land, slave and suppress Māori in every aspect of their lives ruthlessly, methodically and with all deemed necessary and yet they were still here. Māori were considered outlaws in their own country. He remembered as a child being in the council chamber watching his elders fight for their civil rights and liberties. This had a lasting intergenerational affect for those who carried on the mission and yet they hoped for a better and more inclusive tomorrow.

The Local Government Act required councils to include a place for Māori to contribute to the decision making process but instead of making seats available at the table to fill their legal obligations councils usually made space on an independent board or advisory committee. However, there was a vast difference between being on an advisory panel to those who made the final decisions. This was an opportunity to challenge the normal and create a new. His challenge was for the Council not to see Tangata Whenua as better or worse but to see them as equals.

3.8 Allie Hemara-Wahanui

The year 2020 had been like no other, COVID-19 had been a significant game changer for the community, country and for the world. It brought the community together with neighbours looking after neighbours. As the county moved into recovery courageous leadership was needed. The establishment of a Māori ward needed courageous leadership and she was convinced this change was good for the community because it was an enabler for participation.

As civic leaders, councillors were elected to represent the interests of the entire community which she considered was an unrealistic expectation. A Māori ward would strengthen the leaders to lead with inclusion. It had taken Iwi over 180 years to get to this point and were here tonight to say yes. There were two key proverbs that were repeated in the mantra of COVID-19 which was *be kind* and *we are all in this together*. She reminded everyone that everyone was in this together. A Māori ward would allow Iwi to grow with the Council together.

In response to whether Iwi were happy to take the risk, Ms Hemara-Wahanui emphasised that Iwi were not happy to do nothing.

3.9 Karen Venables

Ms Venables was not from the rohe but travelled from New Plymouth to share her thoughts on Māori wards as New Plymouth were also going through the same process. She explained that her family arrived into Taranaki on 31 March 1841 on the William Bryan and were welcomed and supported by local Iwi. At this point every seat around the table was Māori, ten years later there were no Māori sitting around the table. 180 years later the Tangata Whenua of the land were asking for a seat at the table.

Ms Venables heard today that the Council had a strong relationship with Iwi which in her opinion made it a simple decision.

3.10 Debbie Packer

Ms Packer congratulated the ILC for their courage recommending that an early decision be made. She believed in the Council to make the best decision for South Taranaki and Tangata Whenua.

Māori had been living and working together under their own laws and regimes for thousands of years in Hawaii and Aotearoa. As new settlers arrived Māori agreed to a treaty to help bring order and rules to the unruly.

The economy of South Taranaki was built off the displacement, pain and cost of Tangata Whenua but they did not return hate with hate. The first thing Iwi did when settlement arrived was purchase a brand new building housing Ngati Ruanui Health where they had 10,500 patients of which 51% were Māori and 49% were non Māori. Iwi invested on the mountain and purchased the mountain house with pākehā managers so they could have a presence economically in tourism and be a proud hosting the area for South Taranaki. Iwi were on the front line with the hospital and fought for all of South Taranaki with the seabed mining. Iwi knew that at some stage the people in charge would do the right thing.

Māori were doing poorly in health, employment and education so it had to be shaken up to make a change. Māori were asking the Council to endorse the recommendation and let Māori do the groundwork. She encouraged the Council to let them show their love, be a region of peace and let them be the dignity to participate. She supported the ILC. She commented that what Māori needed was help to stop the racism because it was stopping them having the ability to give their true potential and allowing the region to be the best it could be.

Despite everything their families lifted up, protected, shared the joys of everything great in South Taranaki but Iwi now needed the Council to show leadership and meet them halfway. Help bring Māori wards to life.

Mayor Nixon reiterated the comment that the Council had a great relationship with Iwi which he would like to continue that relationship and see how it grow.

4 Pūrongo / Report

4.1 Māori Representation – 2022 Local Body Elections

The report considered the options available to the Council under the Local Electoral Act 2001 (the Act).

MOTION

(Cr Filbee/Cr Beccard)

THAT the Council resolve to introduce Māori representation via Māori wards for the 2022 and 2025 triennial elections and lobby Central Government to review the Local Electoral Act including removing the ability for Māori wards to be subject to a demand for a poll.

Councillor Filbee commented that the Act singled out Māori wards and similar legislation was not engaged for the establishment of other wards like rural wards. Where changes to ward boundaries were made the affected parties were consulted whereas this Act supported unaffected parties being consulted on a matter that did not affect them. The majority influenced the minority. She was initially reluctant to support Option 1 because of the risk that it would go to referendum but Tangata Whenua gave her a clear indication that Iwi were prepared to take that risk. In seconding the motion, the only consideration Councillor Beccard had was around if Iwi were ready which they clarified. He believed this was a positive move for the District.

Deputy Mayor Northcott had reservations around the timing however was convinced by the korero that Iwi were ready to move forward. He supported Option 1.

Councillor Bellringer believed there was no argument against supporting Option 1.

Councillor Rangiwahia congratulated Iwi on their joining together to move forward and believed Iwi were ready to take the risk. If Option 1 was approved, the Council and Iwi would need to work together towards achieving the preferred result.

Councillor Rook supported Option 1 because of the strength Iwi had shown and the positive vibes received. He was positive about moving forward and sitting around the table together.

Councillor Brown had given this a considerable amount of thought and was impressed by those who spoke. He supported Option 1.

Councillor Mackay had concerns with undertaking the review in 2021 as it ran the risk of a poll being demanded and then the Council would be locked out for six years with the inability to introduce it. She supported Māori representation at the Council table. She saw the legislation that sat with central government as being antiquated and was set up to fail what it was designed to do. She supported the inclusion of Option 6 to lobby the Government.

Councillor Roach thanked everyone for attending and speaking with passion. After listening to the speakers, he heard that Iwi were ready. There were many seats on the council that needed to be filled. He supported Options 1 and 6 and the inclusion of a review of the process. He saw everyone as New Zealanders going on the same journey whoever acknowledged there was history.

Councillor Reid thanked everyone for speaking and sharing information and supported Option 1.

Councillor Young supported Option 1 with the inclusion of Option 6 and believed local government should not be leading this.

Councillor Langton commented that with the additional information and an improved understanding he was in full support of the establishment of Māori wards. He considered the discussion around the table to be mature and he looked forward to local Iwi pushing themselves.



Ngā Menīti Poari

Board Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Eltham-Kaponga Community Board – 16 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Eltham-Kaponga Community Board met on 16 November 2020. The Council is being asked to receive the Eltham-Kaponga Community Board minutes from 16 November 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Taunakitanga / Recommendation

THAT the Council receives the minutes of the Eltham-Kaponga Community Board meeting held on 16 November 2020.



Menīti Minutes

Ngā Menīti take Poari Hapori o Arakamu ki Kaponga Eltham-Kaponga Community Board Meeting

Taumata Recreation Centre, Preston Street, Eltham on Monday 16 November 2020 at 10.30 am

Kanohi Kitea / Present: Karen Cave (Chairperson), Sonya Douds, Lindsay Maindonald and Councillor Steffy Mackay.

Ngā Taenga-Ā-Tinana / In Attendance: Mayor Phil Nixon, Liam Dagg (Group Manager Environmental Services), Claire Symes (Community Development Manager), Sara Dymond (Senior Governance Officer) and Sam Greenhill (Governance and Support Officer).

Matakore / Apologies: Alan Hawkes.

RESOLUTION

(Ms Douds/Cr Mackay)

44/20 EL **THAT the apology from Alan Hawkes be received.**

CARRIED

1. **Whakatakoto Kaupapa Whānui, Whakaaturanga hoki / Open Forum and Presentations**

1.1 Lindsay Maindonald – Tiles and Weeds in the Eltham Township

A local resident raised concerns with the unlevel tiles and weeds in the Eltham township. After further investigation Mr Maindonald agreed that there were several areas where the tiles were unlevel which were possibly as a result of cables being laid. Weeds were becoming more established in various gardens in Eltham. Mayor Nixon emphasised the importance that issues were brought to the Council’s attention through a CRM or Antenno.

1.2 Sonya Douds – Māori Wards

Ms Douds acknowledged and congratulated the Council on their move to establishing Māori wards. She also acknowledged the use of Te Reo in all Council documents and found it educational and useful.

2. Whakaaetia ngā Menīti / Confirmation of Minutes

2.1 Eltham-Kaponga Community Board Meeting held on 5 October 2020

A correction was requested to change Eltham Municipal building to the Kaponga Municipal Building.

RESOLUTION

(Mrs Cave/Cr Mackay)

45/20 EL **THAT the Eltham-Kaponga Community Board adopts the minutes from the meeting held on 5 October 2020 as a true and correct record.**

CARRIED

3. Ngā Take Putaina / Matters Arising

3.1 Security Cameras

Mrs Symes would follow up on the application to the Taranaki Electricity Trust.

4. Pūrongo-Whakamārama / Information Report

4.1 Draft Elected Members' Childcare Policy

The report presented the draft Elected Members' Childcare Policy (the Policy) which clarified the conditions for payment of childcare allowances and set out the Council's expectations regarding the presence of elected members' children during Council business.

Councillor Mackay commented that the Policy was now better aligned with the modern century by recognising parents who held various roles. This gave parents the opportunity to take on roles without children being the challenge.

RESOLUTION

(Cr Mackay/Ms Douds)

46/20 EL **THAT the Eltham-Kaponga Community Board receives the Draft Elected Members' Childcare Policy.**

CARRIED

4.2 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.

The plans for the Eltham and Waverley Innovative Streets Pilot trial project were out for comment and were displayed at the LibraryPlus. A safety audit of the plans would be undertaken through the New Zealand Transport Authority (NZTA). Once the final plans were confirmed residents would be advised when the treatments would be installed through a letterbox drop. The installation was planned for February/March 2021.

A site meeting was held at Soldiers Park to look at where the lime fines pathway could go. There were several obstacles to work around eg. bogginess around the creek and the tree stump. Contractors would be engaged to undertake a site visit and provide a quote.

Mayor Nixon commented on the successful Mayors' Taskforce for Jobs breakfast. It was interesting listening to guest speaker, David Hare who shared what he was doing with Tree Machine and all the other companies he was connected with.

In terms of the government's move to bring forward the timeline for 100% renewable energy Ms Douds asked if there was movement in approaching the government with projects to ensure that the energy creation money was brought back into Taranaki. Mayor Nixon noted that the Council were watching closely and taking up any opportunities available.

Councillor Mackay congratulated Mayor Nixon for going around interviewing recipients for the community awards. The new format was well received, and she had only heard positive feedback.

RESOLUTION

(Ms Douds/Mr Maindonald)

47/20 EL **THAT the Eltham-Kaponga Community Board receives the Community Development Activity Report.**

CARRIED

4.3 District Library and Cultural Services Report – September and October 2020

The report covered a range of library activities and statistics across the District for September and October 2020.

Mrs Cave acknowledged the LibraryPlus staff for their commitment to their customers with identifying and accommodating their needs. They provided a wonderful service to the community.

The Board supported promoting the LibraryPlus through their local Facebook page to increase membership. This should include all the things the LibraryPlus had to offer.

RESOLUTION

(Ms Douds/Cr Mackay)

48/20 EL **THAT the Eltham-Kaponga Community Board receives the District LibraryPlus Report for September and October 2020.**

CARRIED

4.4 Eltham-Kaponga Facilities Usage Report

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

RESOLUTION

(Cr Mackay/Ms Douds)

49/20 EL **THAT the Eltham-Kaponga Community Board receives the Eltham Facilities Usage Report – 2020/21.**

CARRIED

The meeting concluded at 10.57 am.

Dated this day of 2020.

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CHAIRPERSON



Ngā Menīti Poari Board Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Te Hāwera Community Board – 16 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. Te Hāwera Community Board met on 16 November 2020. The Council is being asked to receive Te Hāwera Community Board minutes from 16 November 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Taunakitanga / Recommendation

THAT the Council receives the minutes of Te Hāwera Community Board meeting held on 16 November 2020.



Menīti Minutes

Ngā Menīti take Poari Hapori o Te Hāwera Te Hāwera Community Board Meeting

Council Chamber, Albion Street, Hāwera on Monday 16 November 2020 at 1.30 pm

Kanohi Kitea / Present: Wayne Bigham (Chairperson), Raymond Buckland, Russell Hockley, Nikki Watson and Councillor Diana Reid.

Ngā Taenga-Ā-Tinana / In Attendance: Mayor Nixon (apologies for lateness), Liam Dagg (Group Manager Environmental Services), Ella Borrows (Community Development Advisor), Sara Dymond (Senior Governance Officer), Sam Greenhill (Governance and Support Officer) and four members of the public.

Matakore / Apologies: Nil.

Conflicts of Interest

- Mr Buckland declared a Conflict of Interest regarding the Hāwera RSA funding application.
- Mrs Watson declared a Conflict of Interest regarding the Bizlink funding application.

1. Whakatakoto Kaupapa Whānui, Whakaaturanga hoki / Open Forum and Presentations

1.1 Tom Butler – Hāwera Projects

Mr Butler shared an idea for the Hāwera Town Square. He envisaged four perspex information boards around the outside which portrayed the history through stories in English and Te Reo and diagrams. He would also like to see a carving placed outside the new facility (Te Ramanui) that recognised the European visitors and the existing Māori occupants. He believed this was an indication that everyone could work together in a positive manner.

Mr Butler's primary reason for the proposed location of the information boards was from a tourist point of view and to ensure they did not impede on stalls on market day in the square.

1.2 Sarah Elliot and Rose Haskill (Plunket)

Early in 2020 there was a name change to Plunket Whānau Āwhinā (Plunket) who was trusted and went into homes of New Zealanders across the country. These critical nurses also supported families and if a family had a specific need for support then a health worker or kaiāwhina would work with whanau to help with those issues.

As the family became stronger and less direct support was required, they would be introduced and connected to the Community Services Team which introduced them to various groups and activities. This helped to support them in their own community and grow their connections. Ms Haskill's role was to develop those groups for the community and promote parent education.

Central Government supported Plunket with funding for the nurses that went into homes and the PlunketLine. However, everything in the Community Services Team was funded only by sponsorships, grants, donations and fundraising. Due to COVID-19 there had been a reduction in fundraising which had affected their ability to help communities on the ground.

Community research had identified that there was a gap in the provision of Parent Education Courses that supported the health and wellbeing of Under 5s in Hāwera. Plunket wished to support this need. With over 400 children in their care Plunket were seeing whanau struggle and due to COVID-19 there was an increase in maternal mental health issues with mums. Hāwera Plunket were supporting families affected by unhealthy housing, property at high living costs compared to wages and whanau who had lost their jobs or were on reduced hours. Through the parent education courses families saw they were not the only ones struggling and could create greater connections with other families in the areas, develop parenting skills, build confidence in parenting and improve the start to their children's life.

When considering their application Ms Elliot asked the Board to consider the whanau who did not have good role models and needed guidance and support to making intergenerational change.

In terms of fundraising and what had been planned Ms Haskill explained that there were two main community fundraisers that they engaged in Taranaki wide being the Twilight Festival which raised approximately \$1,000 and in South Taranaki the Annual Plunket Photo fundraiser which started seven days prior and had two funding components. She was confident they would raise the estimated amount.

Mr Buckland had reservations for paying wages and asked why this was being requested. Ms Elliot explained that those people who presented the courses came with professional development or knowledge which was the requirement that had to be paid. Their contract was casual so were only paid for what was delivered. The community services activities and education were not funded through the Government.

In terms of the need for two employees, Ms Elliot explained that there were two components involved, one who delivered and facilitated the session and another who provided background support eg. bookings, questions, emails, communications and arranged the resources.

Regarding how their statistics were captured, Ms Elliot explained that through the WellChild Contract the nurses who visited families were capturing information that was loaded into a computer system and then made available to the Community Services Team. This allowed them to see trends and assisted with their research on what a community needed.

1.3 Jill Williams – South Taranaki RSA

The South Taranaki RSA wished to purchase flags to be displayed in town for ANZAC Day. The annual poppy fundraiser was unable to occur due to COVID-19. The RSA Welfare and Poppy Fund helped return service members of the Hāwera RSA with everyday activities. The Hāwera RSA held a successful Armistice Day with two schools participating and one of their youngest return members spoke to the children. Their aim was to educate children on what soldiers and the armed forces experienced.

Mrs Watson asked if an explanation could be provided on the RSA's balance sheet. Mrs Williams explained that the Hāwera RSA had to break a term deposit to carry on during COVID-19 which would be returned however the future was uncertain. Funds had also been tagged for the replacement of a chiller and for the upgrade of the Hall toilets.

2. Whakaaetia ngā Menīti / Confirmation of Minutes

2.1 Te Hāwera Community Board Meeting held on 5 October 2020.

In terms of the community consultation on the design for the mural Mrs Watson explained that there had already been a considerable amount of conversations and positivity around the design. Both Iwi had put forward book titles which was an indication to Bizlink that they supported the design. The mural had started based on that feedback.

RESOLUTION

(Mr Buckland/Mr Hockley)

45/20 HA **THAT Te Hāwera Community Board adopts the minutes from the meeting held on 5 October 2020 as a true and correct record.**

CARRIED

3. Ngā Tono Pūtea / Funding Applications

3.1 South Taranaki RSA – ANZAC day street flags

An application was received from the South Taranaki RSA for the ANZAC day street flags.

RESOLUTION

(Mr Hockley/Mr Buckland)

46/20 HA **THAT Te Hāwera Community Board allocates \$2,170 from their Discretionary Fund to South Taranaki RSA for the ANZAC day street flags.**

CARRIED

3.2 Royal NZ Plunket Trust – Fund Hāwera Parent Education Courses for Whanau of under 5s

An application was received from the Royal NZ Plunket Trust for the Hāwera Parent Education Courses for Whanau of under 5s.

MOTION

(Mrs Watson/Mr Hockley)

THAT Te Hāwera Community Board allocates \$3,000 from their Discretionary Fund to Royal NZ Plunket Trust for the Hāwera Parent Education Courses for Whanau of under 5s.

LOST

The Board were cautious about setting a precedent however supported the work that Plunket undertook in the community. Due to the extraordinary circumstances of 2020 the Board would like to support the application with a lesser amount subject to quarterly reports being provided to show where the money had been spent.

The Board asked that their comments around not normally funding wages/salary be reflected in the response letter.

RESOLUTION

(Mrs Watson/Mr Buckland)

47/20 HA THAT Te Hāwera Community Board allocates \$2,000 from their Discretionary Fund to Royal NZ Plunket Trust for the Hāwera Parent Education Courses for Whanau of under 5s subject to quarterly reports being provided on where the money had been spent.

CARRIED

4. Pūrongo-Whakamārama / Information Reports

4.1 Draft Elected Members' Childcare Policy

The report presented the draft Elected Members' Childcare Policy (the Policy) which clarified the conditions for payment of childcare allowances and set out the Council's expectations regarding the presence of elected members' children during Council business.

In terms of the wording in the Policy to include those who held a guardianship role Mayor Nixon clarified that this was covered under the wording discretion and would be on a case by case basis on the request to the Chief Executive.

RESOLUTION

(Mr Bigham/Cr Reid)

48/20 HA **THAT** Te Hāwera Community Board receives the Draft Elected Members' Childcare Policy.

CARRIED

4.2 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.

Mayor Nixon commented on the successful Mayors' Taskforce for Jobs breakfast. It was interesting listening to guest speaker, David Hare who shared what he was doing with Tree Machine and all the other companies he connected with.

RESOLUTION

(Mrs Watson/Mr Buckland)

49/20 HA **THAT** Te Hāwera Community Board receives the Community Development Activity Report.

CARRIED

4.3 District Library and Cultural Services Report – September and October 2020

The report covered a range of library activities and statistics across the District for September and October 2020.

RESOLUTION

(Mr Bigham/Mr Hockley)

50/20 HA **THAT** Te Hāwera Community Board receives the District LibraryPlus Report – September and October 2020.

CARRIED

4.4 Te Hāwera Facilities Usage Report – 2020/21

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

RESOLUTION

(Mr Buckland/Cr Reid)

51/20 HA **THAT** Te Hāwera Community Board receives the Te Hāwera Facilities Usage Report – 2020/21.

CARRIED

The meeting concluded at 2.18 pm.

Dated this day of 2020.

.....
CHAIRPERSON



Ngā Menīti Poari Board Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Taranaki Coastal Community Board – 17 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Taranaki Coastal Community Board met on 17 November 2020. The Council is being asked to receive the Taranaki Coastal Community Board minutes from 17 November 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Taunakitanga / Recommendation

THAT the Council receives the minutes of the Taranaki Coastal Community Board meeting held on 17 November 2020.



Menīti Minutes

Ngā Menīti take Poari Hapori o Taranaki ki Tai Taranaki Coastal Community Board Meeting

Sandfords Event Centre, 156 Tasman Street, Ōpunakē on Tuesday 17 November 2020 at 2.30 pm

Kanohi Kītea / Present: Andy Whitehead (Chairperson), Sharlee Mareikura, Liz Sinclair (2.32pm) and Councillor Aaron Langton.

Ngā Taenga-Ā-Tinana / In Attendance: Deputy Mayor Robert Northcott, Liam Dagg (Group Manager Environmental Services), Masina Taulapapa (Community Development Advisor), Sara Dymond (Senior Governance Officer), Sam Greenhill (Governance and Support Officer), three members of the public and one media.

Matakore / Apologies: Bonita Bigham.

RESOLUTION

(Ms Mareikura/Cr Langton)

46/20 TC **THAT** the apology from Bonita Bigham be received.

CARRIED

1. **Whakatakoto Kaupapa Whānui, Whakaaturanga hoki / Open Forum and Presentations**

1.1 Ōpuankē Board Riders Club (the Club) – Sherrie Flanagan

The Club’s membership had grown to 69 with a growing contingent of whanau. Their key strategy this year was to upskill to provide skilled coaches for whanau and rangitahi. Due to the increase in membership the Club were sending their coaches on an internationally accredited two day course with the International Surfing Association. The Club were also looking at a development squad for returning rangatahi.

With health and safety being another key focus for the Club their aim was to achieve a 1 to 10 ratio. Succession planning was being undertaken going forward. The certified and trained coaches were able to sign off Level 1 coaches as a paired system. After six months supervision, coaches could then be signed off by the international association.

The Club had raised funds to assist with travel costs if needed.

1.2 Cape Egmont Lighthouse Trust (the Trust) – Ron Thompson and Len Pentelow

The Trust sought \$4,000 as their contribution to tidy up the area which had been attributed to traffic for the Lighthouse. The Trust had spent \$30,000 in the past three years keeping the Lighthouse up to tourist standards. A visitor book recorded 7,376 visitors over two and a half years based on 85% of visitors signing. There was a lot of extensive work planned for the centre of the Lighthouse due to salt spray.

The Trust and the Ōpunakē Boat Club worked closely together, and this work was considered no different. The light was gifted to the community board who entrusted them to show it. The project cost was \$18,000 and the Trust considered their share to be \$4,000.

Clarification was sought regarding donations which Mr Thompson explained that the Ōpunakē Boat Club would be contributing to the cost.

In terms of ownership of the land surrounding the Lighthouse Mr Thompson confirmed that this area was a privately owned carpark and the Council closed part of the road allowing them to operate their business. Due to there being no parking available, cars were required to drive into the grounds to park and to access the ablution pod.

2. Whakaaetia ngā Menīti / Confirmation of Minutes

2.1 Taranaki Coastal Community Board Meeting held on 6 October 2020.

RESOLUTION

(Cr Langton/Mr Whitehead)

47/20 TC **THAT the Taranaki Coastal Community Board adopts the minutes from the meeting held on 6 October 2020 as a true and correct record.**

CARRIED

3. Ngā Tono Pūtea / Funding Applications

3.1 Manaia Districts Lions Club – Manaia Christmas Parade

An application was received from the Manaia Districts Lions Club for the Manaia Christmas Parade.

As discussed at previous meetings the Board would include funding for Christmas parades in their submission to the Long Term Plan.

RESOLUTION

(Cr Langton/Ms Mareikura)

48/20 TC **THAT the Taranaki Coastal Community Board allocate \$620 from their Discretionary Fund to the Manaia Districts Lions Club for the Manaia Christmas Parade.**

CARRIED

3.2 Ōpunakē Board Riders – L1 SNZ Coaching Course

An application was received from the Ōpunakē Board Riders for the Level 1 SNZ Coaching Course.

RESOLUTION

(Ms Mareikura/Ms Sinclair)

49/20 TC THAT the Taranaki Coastal Community Board allocates \$880 from their Discretionary Fund to the Ōpunakē Board Riders for the Level 1 SNZ Coaching Course.

CARRIED

3.3 Cape Egmont Lighthouse Trust – Reseal and repair the carpark and assembly area

An application was received from the Cape Egmont Lighthouse Trust for funding to reseal and repair the carpark and assembly area.

The Board queried whether the ablution pod had any infrastructure attached to it and supported Council staff investigating options for funding.

RESOLUTION

(Mr Whitehead/Ms Mareikura)

50/20 TC THAT the Taranaki Coastal Community Board defer the application from the Cape Egmont Lighthouse Trust to reseal and repair the carpark and assembly area until Council staff investigate other option for funding.

CARRIED

4. Ngā Take Putaina / Matters Arising

4.1 Voluntary Work Register

This was ongoing and the Board supported that this be removed.

4.2 Ōpunakē Community Meeting

An Ōpunakē Community Meeting was successfully held bringing community groups together to share the projects being worked on. The Board supported holding similar meetings at different locations around their ward with the next to be in Manaia early 2021.

5. Pūrongo-Whakamārama / Information Reports

5.1 Draft Elected Members' Childcare Policy

The report presented the draft Elected Members' Childcare Policy (the Policy) which clarified the conditions for payment of childcare allowances and set out the Council's expectations regarding the presence of elected members' children during Council business.

- RESOLUTION** (Ms Mareikura/Cr Langton)
- 51/20 TC **THAT the Taranaki Coastal Community Board receives the Draft Elected Members' Childcare Policy.**

CARRIED

5.2 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.

The consultation period for the Manaia combined facility was open from Monday 23 November until Monday 21 December. This was an opportunity for the community to submit feedback which would be available at the LibraryPlus or on the website. The concept plans were developed to the budget however if the community wished to see more then Council would work with the them on a community lead initiative to help raise funding.

In terms of the consultation process Ms Taulapapa explained that the community would be consulted on the proposed design through the Manaia Town Newsletter, mail drop, community groups, social media and Antenno. A Manaia community meeting was yet to be determined and was dependant on the feedback received.

- RESOLUTION** (Ms Sinclair/Ms Mareikura)
- 52/20 TC **THAT the Taranaki Coastal Community Board receives the Community Development Activity Report.**

CARRIED

5.3 District Library and Cultural Services Report – September and October 2020

The report covered a range of library activities and statistics across the District for September and October 2020.

Discussion was held around if the Council had the desire to extend the free wifi through the centre of the smaller towns such as Rāhotu and Ōpunakē. This was considered important which was highlighted through COVID-19.

Ms Sinclair commented that if telecommunication in the area was improved then this would reduce the need for wifi in towns. Mr Dagg noted that the Senior Leadership Team agreed at management level to join Technology Users Association of New Zealand (TUANZ) which advocated for local councils for rural activity.

- RESOLUTION** (Cr Langton/Mr Whitehead)
- 53/20 TC **THAT the Taranaki Coastal Community Board receives the District Library and Cultural Services Report – September and October 2020.**

CARRIED

5.4 Taranaki Coastal Facilities Usage Report – 2020/21

The facilities usage report summarised the total usage of a range of Council owned assets and services, within the Taranaki Coastal ward.

The low usage of the Ōpunakē Town Hall (the Hall) was discussed which was believed to be as a result of the high user charges for long periods and there being alternative venues to hire. The future of the Hall would need to be investigated.

RESOLUTION

(Ms Mareikura/Ms Sinclair)

54/20 TC **THAT the Taranaki Coastal Community Board receives the Taranaki Coastal Facilities Usage Report – 2020/21.**

CARRIED

The meeting concluded at 3.25 pm.

Dated this day of 2020.

.....
CHAIRPERSON



Ngā Menīti Poari Board Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Pātea Community Board – 18 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Pātea Community Board met on 18 November 2020. The Council is being asked to receive the Pātea Community Board minutes from 18 November 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Taunakitanga / Recommendation

THAT the Council receives the minutes of the Pātea Community Board meeting held on 18 November 2020.



Menīti Minutes

Ngā Menīti take Poari Hapori o Pātea Pātea Community Board Meeting

Waverley Community Centre, Chester Street, Waverley on Wednesday 18 November 2020 at 4 pm

Kanohi Kitea / Present: Jacq Dwyer (Chairperson), Maria Ferris, Dianne Lance, Joanne Peacock and Deputy Mayor Robert Northcott.

Ngā Taenga-Ā-Tinana / In Attendance: Liam Dagg (Group Manager Environmental Services), Claire Symes (Community Development Manager), Sara Dymond (Senior Governance Officer), Sam Greenhill (Governance and Support Officer) and four members of the public.

Matakore / Apologies: Nil.

1. Whakaaetia ngā Menīti / Confirmation of Minutes

1.1 Pātea Community Board Meeting held on 7 October 2020.

Deputy Mayor Northcott updated the Board on progress with the facilities at Dallison Park, Waverley. A site visit took place with the Council's Recreation and Facilities Manager, Phil Waite, councillors and members of the Border Rugby Club. Mr Waite would report back with options available to improve the facilities under the grandstand.

RESOLUTION

(Ms Dwyer/Ms Lance)

49/20 PA **THAT the Pātea Community Board adopts the minutes from the meeting held on 7 October 2020 as a true and correct record.**

CARRIED

2 Ngā Take Putaina / Matters Arising

2.1 Beach Lookout Directional Sign

Discussions were taking place with Ngāti Ruanui regarding the concept plan for the lookout area. Further conversations with hapū and Iwi regarding the memorial would take place in the New Year. Deputy Mayor Northcott would approach Tilt NZ as a potential funding source.

2.2 Roaming Dogs

The October statistics for Pātea showed it had been relatively quiet. There were two prosecutions currently in progress. Hāwera was a hot spot with an upsurge of roaming and threatening reports. There had not been many CRMs from Waverley which emphasised the importance that people provide feedback to the Council.

Ms Ferris asked if there was scope for the Council to take a proactive approach with handling the animal control issues coming into the summer period. She suggested carrying out random permit and animal welfare checks. Mr Dagg noted that there would be additional resources for the summer period and their focus would change to spot checking unregistered dogs for December, January and February.

3 Pūrongo-Whakamārama / Information Reports

3.1 Draft Elected Members' Childcare Policy

The report presented the draft Elected Members' Childcare Policy (the Policy) which clarified the conditions for payment of childcare allowances and set out the Council's expectations regarding the presence of elected members' children during Council business.

RESOLUTION

(Ms Dwyer/Ms Ferris)

50/20 PA THAT the Pātea Community Board receives the Draft Elected Members' Childcare Policy.

CARRIED

3.2 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.

The plans for the Eltham and Waverley Innovative Streets Pilot Fund trial project were out for comments and were displayed at the LibraryPlus. A safety audit of the plans would be undertaken through New Zealand Transport Agency (NZTA). Once the final plans were confirmed residents would be advised when the treatments would be installed through a letterbox drop. The installation was planned for February/March 2021.

There had been some resistance from heavy haulage operators on the proposed speed bumps. The treatments would be monitored throughout the trial to measure their success. A 25km slow down sign would be erected prior to the speed bumps.

Regarding the reduction in carparking in Waverley as a result of the trial Mrs Symes explained that there was alternative carparking in Waverley. Carparking was also included as part of the Waverley Four Square improvements.

A blessing for the Aotea Waka in Pātea was scheduled for 27 November 2020.

Discussions with the Pātea Golf Club and Ngāti Ruanui were continuing regarding the route for Stage One of the Pātea Loop Track.

RESOLUTION

(Ms Dwyer/Ms Lance)

51/20 PA **THAT the Pātea Community Board receives the Community Development Activity Report.**

CARRIED

3.3 District Library and Cultural Services Report – September and October 2020

The report covered a range of library activities and statistics across the District for September and October 2020.

RESOLUTION

(Ms Dwyer/Ms Peacock)

52/20 PA **THAT the Pātea Community Board receives the District Library and Cultural Services Report – September and October 2020.**

CARRIED

3.4 Pātea Facilities Usage Report – 2020/21

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

RESOLUTION

(Ms Dwyer/Deputy Mayor Northcott)

53/20 PA **THAT the Pātea Community Board receives the Pātea Facilities Usage Report – 2020/21.**

CARRIED

The meeting concluded at 4.24 pm.

Dated this day of 2020.

.....
CHAIRPERSON



Ngā Menīti Komiti Committee Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Audit and Risk Committee – 23 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Audit and Risk Committee met on 23 November 2020. The Council is being asked to receive the Audit and Risk Committee minutes from 23 November 2020 for their information.
2. There were two recommendations within the minutes for the Council to consider.
3. The Audit and Risk Committee moved a recommendation (64/20 AR) that the Council approve the amendments to the Investment Policy to include a policy framework for the borrowing activity to the Council Controlled Organisations (CCOs), (including Council Controlled Trading Organisations (CCTOs)); and changes to the approved limits to align with the Council’s Liability Management Policy.
4. The Audit and Risk Committee moved a recommendation (67/20 AR) that the Council approve the Disaster Recovery Reserve (separate from the roading activity) and establish an annual contribution of \$50,000 per annum with an increase of \$20,000 per annum thereafter, capped at \$100,000 per annum; and approve the Insurance Framework.

Taunakitanga / Recommendation

THAT the Council;

1. Receives the minutes of the Audit and Risk Committee meeting held on 23 November 2020.
2. Adopts the recommendation 64/20 AR from the Audit and Risk Committee:

THAT the Audit and Risk Committee recommends that the Council approve the following amendments to the Investment Policy:

- a) Inclusion of a policy framework for the borrowing activity to the Council Controlled Organisations (CCOs), (including Council Controlled Trading Organisations (CCTOs));
- b) Changes to the approved limits to align with the Council’s Liability Management Policy.

3. Adopts the recommendation 67/20 AR from the Audit and Risk Committee:

THAT the Audit and Risk Committee recommends that the Council approve the following:

- a) The Disaster Recovery Reserve (separate from the roading activity) is established with an annual contribution of \$50,000 per annum and an increase of \$20,000 per annum, thereafter, capped at \$100,000 per annum; and
- b) The Insurance Framework be approved by the Committee.



Menīti Minutes

Ngā Menīti take o te Komiti Arotake me te Haumaru Audit and Risk Committee Meeting

Council Chambers, Albion Street, Hāwera on Monday 23 November 2020 at 11.00 am

Kanohi Kitea / Present: Mr Ian Armstrong (Chairperson), Mayor Phil Nixon, Councillors Andy Beccard, Gary Brown, Jack Rangiwahia, Chris Young and Te Aroha Hohaia (Iwi Representative).

Ngā Taenga-Ā-Tinana / In Attendance: Fiona Aitken (Acting Chief Executive), Marianne Archibald (Group Manager Corporate Services), Liam Dagg (Group Manager Environmental Services), Vipul Mehta (Chief Financial Officer), Garry Morris (Management Accountant), Ahmed Mohamed (Risk and Internal Audit Manager), Garth Gregory (Mercer) *from 11.04am*, Darleena Christie (Governance and Support Team Leader), Mark Brown and Simon Pannett (Harbour Asset Management) *from 1.00pm*.

Matakore / Apologies: Jack Rangiwahia.

RESOLUTION

(Ms Hohaia/Cr Young)

61/20 AR **THAT** the apology from Councillor Jack Rangiwahia be received.

CARRIED

1. Whakaaetia ngā Menīti / Confirmation of Minutes

1.1 Audit and Risk Committee 12 October 2020

RESOLUTION

(Cr Beccard/Ms Hohaia)

62/20 AR **THAT** the Audit and Risk Committee adopt the minutes of their meeting held on 12 October 2020 as a true and correct record.

CARRIED

Mr Garth Gregory arrived at 11.04 am.

Mr Armstrong referred to item 3.2 on page 89 regarding the Quarterly Financial Report 30 September 2020 and sought approval from the Committee to bring the item forward on the agenda for discussion.

2. Pūrongo-Whakamārama / Information Report

2.1 Quarterly Financial Report 30 September 2020

The report contained the Financial Variance Report and the Performance Measures Report for the first quarter of the financial year to 30 September 2020.

Mr Mehta advised that overall, the Council's Consolidated Operating Expenditure Statement showed a surplus of \$2,284,247 against a budgeted surplus of \$417,102 before accounting adjustments of loss on derivative contracts (\$300,762). Most of the roading works programme costs were well down, there was an increase in depreciation due to the asset revaluation completed in June.

It was noted that there was a difference between the budgeted interest rate of 4.2% which was currently sitting at 3.87%.

In response to what the funding was from Taranaki Regional Council (TRC), Ms Aitken advised that every year the Arts and Culture Trust received funds from TRC for exhibition development.

The user fees and charges income were down \$443,390 mainly due to trade waste however, some of that loss was due to COVID-19 for example; the pool patronage was not at the same level as this time last year. Putting a hold on some of the fines and fees for example; for the library, attributed to the lower income received.

In response to how the budgeting was calculated for the urban water supply schemes sundry revenue, Mr Mehta advised that it was currently divided by 12. The calculation was based on historical information and going forward the budget would be aligned correctly as the usage mainly occurred in the summer months.

Mr Armstrong referred to page 146 and requested that the name Cold Creek be removed from the report heading.

Councillor Young commented that the targeted rates for metered water invoicing was behind schedule for Waimate West water supply and asked whether that was also contributing to the decrease in income. Mr Mehta advised that there were separate cost centres for Waimate West and Inaha when normally they would be consolidated and this would be done next time.

The plot purchases and burials being lower than expected across the District was budgeted based on previous years' trends.

In response to the capital looking good for the first quarter and what issues would be faced going forward, Ms Aitken advised that additional funding was received this year for shovel ready projects and the South Taranaki Business Park. There were some big projects underway and the capital works budget was looking good however, contractors would be scarce to find to undertake the work. For example; a tender for the Waimate West work showed contractors pricing was extremely high, which would be seen more regularly.

In response to why the TSB Community Trust (TSBCT) were not renewing funding for the Swim and Survive programme, Ms Aitken advised that during COVID-19 lockdown the TSBCT decided not to consider any local authority applications for funding in the coming year.

In response to the reasons for non-compliance in the Environmental and Sustainability area of the non financial performance measures, Mr Dagg noted the following key points:

- Planning - due to an oversight resource consent applications dropped by one. During the reporting quarter, two planners had moved on from the Council;
- Planning - due to staff vacancies resource consent monitoring had been under par and through the group reorganisation an appointment was made for a dedicated Compliance Officer to start in January 2021;
- Noise Control – further investigation to be undertaken as to why this was non-compliant when the afterhours response was maintained at a good level with people generally behaving. Most complaints responded to were during the working hours of the day, however acknowledged that it was unrealistic to meet the one hour response time if an officer was in Ōpunakē and dealing with a noise complaint in Waverley; and
- Civil Defence – work was required to be done on refining what the community action plans were to contain.

Mayor Nixon was pleased to hear that a new dedicated resource was coming onboard in 2021 to undertake consent monitoring. He hoped there was a priority list for some of the non-compliance issues that should have been monitored.

Mr Armstrong commented that he was disappointed with the lack of community involvement for the Civil Defence as it was a provincial issue. There were two community groups set up in Pātea and Ōpunakē. The Ōpunakē Group was operating well and in 2015 proved its worth in terms of information flow. He hoped that it would be addressed at some stage, the leadership was initially from the Taranaki Emergency Management Office.

RESOLUTION

(Cr Brown/Mayor Nixon)

63/20 AR **THAT the Audit and Risk Committee receives the First Quarter Financial Report for the period ending 30 September 2020.**

CARRIED

Mr Dagg left the meeting at 11.29 am.

3. Pūrongo / Report

3.1 Investment Policy Review

The report sought the Audit and Risk Committee's (ARC) consideration of the amendments highlighted in the Investment Policy, which would then be presented to the Council for final approval.

In response to the amendment about "all investments held, should be low risk", Ms Archibald advised that the policy would be changed to read "... all investments held are in line with Council's risk appetite".

RECOMMENDATION

(Mayor Nixon/Cr Young)

64/20 AR **THAT the Audit and Risk Committee recommends that the Council approve the following amendments to the Investment Policy:**

- a) Inclusion of a policy framework for the borrowing activity to the Council Controlled Organisations (CCOs), (including Council Controlled Trading Organisations (CCTOs));**
- b) Changes to the approved limits to align with the Council's Liability Management Policy.**

CARRIED

3.2 Insurance Framework – Guidelines and Policy

The report sought the ARC approval for the establishment of a new “Disaster Recovery Reserve” of up to \$100,000 per annum; and approve the implementation of the proposed Insurance Framework. This was a new document, developed to provide structure to future decision-making regarding insurance. The insurance framework had been reviewed by the Council's insurance broker.

Mr Mehta commented that the Insurance Framework had gone through the insurance broker, it was a clever framework to manage risk going forward, the Council to set up a disaster recovery reserve and capped at \$100,000.

MOTION

(Cr Beccard/Ms Hohaia)

THAT the Audit and Risk Committee recommends that the Council approve the following:

- a) The Disaster Recovery Reserve (separate from the roading activity) is established with an annual contribution of \$50,000 per annum and an increase of \$10,000 per annum, thereafter, capped at \$100,000 per annum; and**
- b) The Insurance Framework be approved by the Committee.**

In response to whether the Disaster Recovery Reserve was for items that were not insured, Mr Mehta advised that part of it was for non-insured items and would be used to minimise the risk going forward.

Ms Hohaia noted that the road network was not insured and queried what the expectation was with Central Government to extend assistance with repair compared to the amount of expenditure at the time. Mr Mehta responded that when there was a disaster for roading assets, 40% was funded through the Local Authority Protection Programme (LAPP) and 60% from central government. In his opinion he was confident that this would continue.

In response to why the Public Liability and Professional Indemnity cover was withdrawn in 2017/18, Mr Mehta commented that several big councils decided at the time to seek their own insurance and it became harder for LAPP to provide the cover. LAPP then formed a partnership with AON insurance.

It was noted that \$100,000 would not go a long way, however it was not used for roading and there was no way to predict what would happen in the future.

Mayor Nixon commented that if something did happen and somehow the Council had to pay for it and the cost was worse, then having the continual going up in \$20,000 increments rather than \$10,000 was something for the Council to consider.

AMENDMENT TO MOTION

(Mayor Nixon/Cr Brown)

THAT the Audit and Risk Committee recommends;

- a) **The Disaster Recovery Reserve (separate from the roading activity) is established with an annual contribution of \$50,000 per annum and an increase of \$20,000 per annum, thereafter, capped at \$100,000 per annum; and**

RECOMMENDATION

(Mayor Nixon/Cr Brown)

65/20 AR

THAT the Audit and Risk Committee recommends that the Council approve the following:

- a) **The Disaster Recovery Reserve (separate from the roading activity) is established with an annual contribution of \$50,000 per annum and an increase of \$20,000 per annum, thereafter, capped at \$100,000 per annum; and**
- b) **The Insurance Framework be approved by the Committee.**

CARRIED

This became the substantive motion.

3.3 Statement of Investment Policy and Objectives

Mercer provided an updated Statement of Investment Policy and Objectives as a result of change in Strategic Asset Allocation approved by the ARC on 19 August 2020.

Mr Mehta commented that the report was brought back after making suggested changes from the meeting held on 19 August 2020.

Ms Hohaia noted the alternative assets were listed under the asset classes on page 48, yet throughout the rest of the document there was no mention. Mr Mehta advised that the alternative asset classes line would be deleted.

Mr Armstrong commented that there would be a 4% return on the LTIF expected from Mercer. There was currently a drawdown of 4.3% of a \$150 million, the Council would actually be running down the LTIF if the budgeted return was received. He noted that it was against policy. Mr Mehta advised that it would start at 4.3% and hopefully the Fund percentage would grow in the future on what was taken out.

The policy change was major because the policy for the LTIF was to maintain the real return and the excess went into a buffer above the real return. The change would see the Council carving into that buffer and reducing it down, Mr Armstrong wanted to make the Council aware of this.

RESOLUTION

(Cr Beccard/Cr Brown)

66/20 AR **THAT the Audit and Risk Committee receives and approves the amendments to the Statement of Investment Policy and Objectives as per the approval on 19 August 2020.**

CARRIED

4. Pūrongo-Whakamārama / Information Reports

3.1 Mercer’s Quarterly Investment Monitoring Report – LTIF

Mr Gregory commented that it was a long time since he had been here and in that small amount of time there had been a substantial fall over. However, equity markets had recovered and at the end of last week global equity markets had improved in the US. Mr Gregory covered off the effects from the US Presidential elections and the reasons for the central banks driving down interest rates which had been kept low.

Six months from the COVID-19 lockdown the markets were back to where they were, if not higher. Mortgage and lending rates had lowered but what that meant was returns on the Council’s bond portfolio, global bonds and cash would be lowered. It was a good quarter, with the overall growth return for the Fund at 3.3%, which was above the benchmark and the Fund stands at \$149 million. There was an investment fluctuation reserve of \$27 million. If the Council did aim to spend 4.3% inevitably it would chip away at the LTIF. The strongest performer over the period was in ANZ global equities.

It was noted that the Hedge of Hedge fund was taking longer to exit than anticipated and Mr Garth expected more formal advice about receiving the funds on 2 December 2020. Once the funds were received the portfolio would be rebalanced.

Mr Armstrong referred to page 75, under the heading Investment Performance, he asked going forward if the line with “10 years per annum” would be dropped down to follow the actual, as it currently reads 4% budgeted for the 10 years.

RESOLUTION

(Cr Young/Ms Hohaia)

67/20 AR **THAT the Audit and Risk Committee receives the Mercer’s Quarterly Investment Monitoring Report to 30 September 2020.**

CARRIED

3.3 Outstanding Debtors Report

The report contained financial information relating to the age trial balances for all debtors and the variance of outstanding debt for rates up to 30 September 2020. The overall trial balance had increased primarily due to water meter rates which were invoiced in September, but due to be paid in October. There had been no major effects from COVID-19.

In response to the animal debt for past due >90 days, Ms Aitken advised that the Council made a decision to delay animal registrations and fines for not registering dogs.

RESOLUTION

(Cr Beccard/Ms Hohaia)

68/20 AR **THAT the Audit and Risk Committee receives the Outstanding Debtors Report as at 30 September 2020.**

CARRIED

3.4 COVID-19 Update

Ms Archibald provided an update to the ARC on the ongoing response approaches to COVID-19, both local and regional. She commented that there had been several economic development projects for example; the Start-up Taranaki weekend took place on 13-15 November and was very well attended and Mr Mohamed won the competition with his business idea.

The Council processes had been reviewed by Mr Mohamed, in particular the process for staff taking Council property home to work remotely, tighter controls were needed to check the list of returned equipment. The electronic signatures process was being reviewed as part of the Digital Transformation Strategy.

RESOLUTION

(Mayor Nixon/Cr Brown)

69/20 AR **THAT the Audit and Risk Committee receives the COVID-19 Update report.**

CARRIED

3.5 2021-2031 Long Term Plan (LTP) Update

The report provided the ARC with an update on strategies and policies to be included in the 2021-2031 LTP.

Mr Armstrong commented that the LTP was the most important document that the Council would be completing this year and there would be issues if it was not done within the statutory timeline for example striking of the rates.

In response to what major concerns or issues in relation to the LTP, Ms Archibald responded compliance costs as they were significant in terms of the three waters reform that the Government was proposing. The Council was planning under the assumption that it would oversee the three waters. There would be significant costs associated with freshwater regulations, a lot of work had been done to get the numbers right, keeping any eye on what the other councils were doing and Audit NZ had provided a self-assessment tool to work through. Ms Aitken advised that the new water regulator Taumata Arowai, would come into effect around 1 July 2021. She noted that it was not just capital costs further out around wastewater, but there would be increased operational costs immediately as the councils only had one year to comply.

Mayor Nixon noted that as the Council go through the LTP and work out what the extra compliance costs were, he asked that a record be kept. When the LTP goes out for consultation the Council need to be transparent to the public that due to the new regulations this is where 2% or 5% of rates was going for Government compliance, it was an option that needed to be conveyed to ratepayers.

RESOLUTION

(Cr Young/Cr Beccard)

70/20 AR **THAT the Audit and Risk Committee receives the 2021-2031 Long Term Plan update report.**

CARRIED

3.6 Audit and Risk Committee Work Plan

The ARC work plan for 2020/2021 was attached for the Committee to review.

Mr Armstrong asked that a brief LTP Update report be included into future meetings about the progress.

RESOLUTION

(Mayor Nixon/Ms Hohaia)

71/20 AR **THAT the Audit and Risk Committee receives the workplan for the period 2020/2021.**

CARRIED

5. Ngā Take Putaina / Matters Arising

5.1 Procurement and Contract Management

It was noted that a report on procurement and contractor management would be presented at the meeting in February 2021.

The meeting adjourned at 12.20pm.

The meeting reconvened at 12.53pm.

6. Nga Tōkeketanga kia noho tūmatanui kore / Resolution to Exclude the Public

RESOLUTION

(Mayor Nixon/Cr Young)

72/20 AR **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 12 October 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. Presentation – Harbour Investment		
3. Quarterly Investment Monitoring Report as at September 2020		
4. Committee Discussion		

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)).
2, 3, 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

7 Tuwhera anō te Hui / Resume Open Meeting

RESOLUTION

(Mayor Nixon/Cr Beccard)

75/20 AR **THAT** the Audit and Risk Committee resumes in open meeting.

CARRIED

The meeting concluded at 2.18 pm

Dated this day of 2020

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CHAIRPERSON



Ngā Menīti Komiti Committee Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Iwi Liaison Committee – 25 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Iwi Liaison Committee met on 25 November 2020. The Council is being asked to receive the Iwi Liaison Committee minutes from 25 November 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Taunakitanga / Recommendation

THAT the Council receives the minutes of the Iwi Liaison Committee held on 25 November 2020.



Menīti Minutes

Ngā mēniti Take o te Komiti Takawaenga-ā-Iwi Iwi Liaison Committee Meeting

Council Chambers, Albion Street, Hāwera on Wednesday 25 November 2020 at 10.00 am

Kanohi Kitea / Present: Mayor Phil Nixon, Deputy Mayor Robert Northcott, Councillor Aaron Langton (online), Graham Young (Te Rūnanga o Ngāti Ruanui), John Niwa (Te Kāhui o Taranaki), John Hooker and Ferinica Hawe-Foreman (Te Korowai o Ngāruahine).

Ngā Taenga-Ā-Tinana / In Attendance: Waid Crockett (Chief Executive), Fiona Aitken (Group Manager Community and Infrastructure Services), Marianne Archibald (Group Manager Corporate Services), Rebecca Martin (Acting Group Manager Environmental Services), Adrienne Cook (Privacy and Policy Advisor), Reg Korau (Iwi Liaison Advisor), Sara Dymond (Senior Governance Officer) and three members of the public.

Matakore / Apologies: Councillor Andy Beccard, Ngapari Nui, Sandy Parata (Te Rūnanga o Ngāti Ruanui), Marty Davis (Te Kāhui o Rauru), Wharehoka Wano (Te Kāhui o Taranaki)

MŌTINI / RESOLUTION

(Mr Hooker/Deputy Mayor Northcott)

49/20 IL **THAT** the apologies from Councillor Andy Beccard, Ngapari Nui, Sandy Parata (Te Rūnanga o Ngāti Ruanui), Marty Davis (Te Kāhui o Rauru), Wharehoka Wano (Te Kāhui o Taranaki) be received.

TAUTOKO / CARRIED

1. Whakatakoto Kaupapa Whānui, Whakaaturanga hoki / Open Forum and Presentations

1.1 Taranaki Trails Trust – Ian Armstrong and Darrel Nicholas

The Taranaki Trails Trust, Ara Hononga o Taranaki, (the Trust) was launched on Monday 2 November. The website showcased trails all over New Zealand by using data from all four councils in Taranaki including the Taranaki Regional Council and putting them onto one site. There were several features that could be added on and in terms of the Ōpunakē Loop Trail representatives from their committee were working on bringing together stories which could be added on verbally or as written stories connected to a GIS code.

A map showing a conceptual red line around the maunga was their vision for 2050 trails, how they linked and connected communities. There were already trails that existed and planned but the red line had a lot of potential for what it could do for Taranaki. The trail could be undertaken in stages and stories attached as they believed if a story was attached to a trail then it became a journey. The red line had less than a 5% gradient the entire way around which meant it was sustainable. There were 24 different trails bringing people to the District. There was a lot of conversation to be had.

Groundwork would be undertaken post-Christmas with GPS locating old tracks to establish a potential corridor around the maunga to provide a further point of discussion with Iwi going forward. This was a long term project that had the potential to bring a lot of tourists and visitors to the District and our own people to make use it. The project would be a collaborative partnership.

Deputy Mayor Northcott asked if Mr Armstrong was happy to facilitate the project which he confirmed. In terms of how the Council could assist with progressing the project Mr Armstrong commented that initially a potential track needed to be determined to enable further discussions to be had with Iwi. Going forward the maunga settlement was a positive for the development of the project. Mr Young reiterated that the maunga settlement would be critical to anything that happened in the defined national park boundary now. Until that occurred it would be difficult in advancing the project however this did not mean Iwi could not discuss it and socialise the idea.

Mr Armstrong explained that the Trust had been set up with two available spots reserved for Iwi. There was a draft MOU which had been circulated. The Trust would like to discuss this and progress it further.

Mayor Nixon supported the concept as it opened a lot of opportunity for the Region. In terms of signage he suggested QR codes that took people to the app telling the story about where they were at that point.

Mr Hooker on behalf of Te Korowai o Ngāruahine formally acknowledged the Committee as part of a wider South Taranaki District Council for the momentous decision to go ahead with Māori wards. He felt it needed to be endorsed due to the hard work done to date. Mayor Nixon thanked Mr Hooker for his comments and agreed it was a momentous time for the Council.

Mr Hooker left the meeting at 10.23am.

2. Whakaaetia ngā Menīti / Confirmation of Minutes

2.1 Iwi Liaison Committee minutes held on 14 October 2020.

MŌTINI / RESOLUTION

(Deputy Mayor Northcott/Mr Niwa)

50/20 IL THAT the minutes of the Iwi Liaison Committee meeting held on 14 October 2020 be confirmed as a true and correct record.

TAUTOKO / CARRIED

3. Ngā Take Putaina / Matters Arising

3.1 Māori Representation

Both the Community Portfolio; and the Infrastructure Portfolio Groups were yet to have a representative appointed. Mr Korau would send a reminder to Iwi. Ms Hawe-Foreman explained that Te Korowai o Ngāruahine had appointed their new board and would like to look at this in the New Year in discussions with their sister Iwi.

3.2 Manutahi Marae

A letter had been sent to Manutahi Marae with feedback around potential funding opportunities.

4. Pūrongo-Whakamārama / Information Reports

4.1 Pouherenga-a-Iwi / Iwi Liaison Advisor Report

The report updated the Iwi Liaison Committee on activities that concern all Iwi groups and the organisation relevant to each Iwi. This was for the period June to September 2020.

MŌTINI / RESOLUTION

(Mr Young/Mr Niwa)

51/20 IL THAT Iwi Liaison Committee receives the Puherenga-a-Iwi Activity Report.

TAUTOKO / CARRIED

4.2 Environmental Services Activity Report

The report updated the Iwi Liaison Committee on activities relating to the Environmental Services Group since the last update on 14 October 2020.

MŌTINI / RESOLUTION

(Mr Young/Ms Hawe-Foreman)

52/20 IL THAT the Iwi Liaison Committee receives the Environmental Services Activity Report.

TAUTOKO / CARRIED

4.3 Community Services Activity Report

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

The plans for the Eltham and Waverley Innovative Streets Pilot trial project had been out for community consultation. The project would enhance the centre of the streets and make them safer. Mayor Nixon looked forward to seeing them in place in February 2021.

MŌTINI / RESOLUTION

(Deputy Mayor Northcott/Mr Young)

53/20 IL **THAT the Iwi Liaison Committee receives the Community Services Activity Report.**

TAUTOKO / CARRIED

4.4 Corporate Services Activity Report

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

Mr Niwa endorsed the comments made by Mr Hooker in terms of the establishment of Māori wards. He looked forward to working with the Council to progress that matter.

MŌTINI / RESOLUTION

(Mr Niwa/Deputy Mayor Northcott)

54/20 IL **THAT the Iwi Liaison Committee receives the Corporate Services Activity Report.**

TAUTOKO / CARRIED

4.5 Te Maruata Report

The verbal report updated the Iwi Liaison Committee on recent and current activities by Te Maruata and other items of interest.

Ms Bigham thanked the Committee for their recommendation to establish Māori wards and congratulated the Council for making a unanimous decision. The minister for local government had signalled strongly that she intended to deal with issues around poll divisions and referendum. Although people understood there was a long history in the sector it was highly unlikely the legislation that went through would be dealt with retrospectively which meant it was likely any decision made in this round of representation reviews where the hope the poll division would be removed in time of the next elections would not be the case. From Te Maruata's perspective this had been a long time coming. It was anticipated that people like Hobsons Pledge devotees would come to the realisation that they were becoming obsolete, out of date and irrelevant going forward in the Aotearoa's society.

The next Te Maruata Roopu Whakahaere hui was 18 December. Ms Bigham tonono the Iwi Liaison Committee to send representatives to each of the hui when the opportunity arose to hear from the wider sector as to what was happening in terms of Māori engagement in this space. She asked the Council to support that to happen.

Te Maruata had made their recommendation for nominations to sit on the Taumata Arowai Board. This was the new Water Services Regulator set up by the Government to administer and enforce the new drinking water regulatory system, while contributing to improved environmental outcomes from wastewater and stormwater networks. That advisory Committee would help drive the decisions of the Board. Te Maruata had nominated Ms Bigham and she would be discussing the possibility of a Te Maruata position with the Department of Internal Affairs (DIA). It was important to have people with an understanding of the sector, an understanding of Iwi/Māori engagement within the sector and who were firmly grounded.

In terms of the Three Water Reform Mr Crockett had concerns that the Government were not engaging with Māori/Iwi enough around this issue which was extremely significant. Ms Bigham noted that the hui called by the DIA was badly delivered to Iwi. She attended the hui with a LGNZ hat on and was only one out of the eight Iwi at the table. She raised this with the DIA and suggested that they should have liaised with Te Puni Kōkiri and held better conversations with the sector in that space.

Mr Crockett added that the Council were having to undertake an assessment consuming a considerable amount of staff time providing information to the DIA about our three waters infrastructure. It was important that Iwi were engaged in the conversations now.

Karakia Whakamutunga / Closing Karakia

**Ko te wā whakamutunga 10.48 o te ata.
Meeting closed at 10.48 am.**

(Ko te rangi / dated this)

(te rā o / day of)

2020.

.....
TIAMANA / CHAIRPERSON



Ngā Menīti Komiti Committee Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Environment and Hearings Committee – 25 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Environment and Hearings Committee met on 25 November 2020. The Council is being asked to receive the Environment and Hearings Committee minutes from 25 November 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Taunakitanga / Recommendation

THAT the Council receives the minutes of the Environment and Hearings Committee meeting held on 25 November 2020.



Menīti Minutes

Ngā Menīti take o te Komiti Taiao me ngā Whakawā Environment and Hearings Committee

Council Chamber, Albion Street, Hāwera on Wednesday 25 November 2020 at 4.00 pm

Kanohi Kitea / Present: Deputy Mayor Robert Northcott, Councillors Andy Beccard (Chairperson), Aaron Langton, Steffy Mackay, Diana Reid and Bonita Bigham (Iwi Representative) via MS Teams.

Ngā Taenga-Ā-Tinana / In Attendance: Rebecca Martin (Environment and Sustainability Manager), Jessica Sorensen (Planning and Development Manager) via MS Teams, Sara Dymond (Senior Governance Officer) and one member of the public.

Matakore / Apologies: Nil.

1. Whakaae i Ngā Mēniti / Confirmation of Minutes

1.1 Environment and Hearings Committee 14 October 2020.

RESOLUTION

(Cr Mackay/Deputy Mayor Northcott)

54/20 EH **THAT** the Environment and Hearings Committee confirms the minutes from the meeting held on 14 October 2020 as a true and correct record.

CARRIED

2. Pūrongo-Whakamārama / Information Report

2.1 Environmental Services Activity Report

The report updated the Environment and Hearings Committee on activities relating to the Environmental Services Group for the month of October.

Councillor Reid declared a conflict of interest regarding the property at 5 Glover Road, Hāwera.

Regarding the 61% of building consents issued within statutory timeframe for October, Deputy Mayor Northcott asked if the Council were looking on track for improving in November. Mrs Sorensen confirmed this noting that 100% would not be achieved until the following year when there was a full complement of staff.

In terms of the implications for the Council when consents were not issued within the timeframe, Mrs Sorensen explained that the Council's IANZ Accreditation would be affected when it came up for review in July, however this had been identified and a plan of action had been put in place. The Council had offered discounts, reduced payment and reimbursement to those who received their building consent after the timeframe.

The Committee were pleased to see the improvements being made with the Notices to Fix and Dangerous Building Notices.

In terms of the number of buildings without consent Mrs Sorensen explained that complaints for legal buildings was a mix of responding to historical complaints and an influx of new complaints. This was potentially due to the new building exemptions and as awareness grew via the media people became more concerned about whether consents were required.

It was noted that the figures in the graph showing Building Consents lodged by locality did not match the figures in the table Building Consents lodged by type. Mrs Sorensen would include more clarification around this in the next report.

RESOLUTION

(Cr Mackay/Ms Bigham)

55/20 EH THAT the Environment and Hearings Committee receives the Environmental Services Activity Report – October 2020.

CARRIED

3. Nga Tōkeketanga kia noho tūmatanui kore / Resolution to Exclude the Public

RESOLUTION

(Deputy Mayor Northcott/Cr Mackay)

56/20 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 14 October 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 and (ii) for hearings under LGA such as objections to Development contributions or hearings under the Dog Control Act. s.48(1)(d)

CARRIED

4. Tuwhera anō te Hui / Resume to Open Meeting

RESOLUTION

(Cr Mackay/Cr Reid)

58/20 EH THAT the Environment and Hearings Committee resumes in open meeting.

CARRIED

The meeting concluded at 4.23 pm.

Dated this day of 2020.

.....
CHAIRPERSON



Ngā Menīti Komiti Committee Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Policy and Strategy Committee – 30 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Policy and Strategy Committee met on 30 November 2020. The Council is being asked to receive the Policy and Strategy Committee minutes from 30 November 2020 for their information.
2. There were two recommendations within the minutes for the Council to consider.
3. The Policy and Strategy Committee moved a recommendation (51/20 PS) that the Council authorises officers to obtain detailed designs for strengthening the Eltham Town Hall to 67% funded from the existing Earthquake Prone Building's budget and notes that once the detailed designs and costings are obtained that a further report be presented to the Council.
4. The Policy and Strategy Committee moved a recommendation (52/20 PS) that the Council receives the draft Environment and Sustainability Strategy; approves the inclusion of the draft Environment and Sustainability Strategy in the public consultation process for the draft 2021-2031 Long Term Plan and notes that some of the work programmes within the draft Environment and Sustainability Strategy will require new funding through the 2021-2031 Long Term Plan.
5. The Policy and Strategy Committee moved into decision making mode during public excluded. There is no reason under the Local Government Official Information and Meetings Act 1987 Sections 6, 7, or 9 where the decision to move into decision making mode can be withheld in Public Excluded.

Taunakitanga / Recommendation

THAT the Council;

1. Receives the minutes of the Policy and Strategy Committee meeting held on 30 November 2020.

2. Adopts recommendation 51/20 PS from the Policy and Strategy Committee:

THAT the Council;

- (a) Authorises officers to obtain detailed designs for strengthening the Eltham Town Hall to 67% of the New Building Standard, to be funded from the existing Earthquake Prone Building's budget.
- (b) Notes that once detailed designs and costings have been obtained a further report will be presented to the Council outlining these costs so a decision can be made on whether to proceed with bringing the Hall up to 67% of the New Building Standard.

3. Adopts recommendation 52/20 PS from the Policy and Strategy Committee:

THAT the Council;

- (a) Receives the draft Environment and Sustainability Strategy.
- (b) Approves the inclusion of the draft Environment and Sustainability Strategy in the public consultation process for the draft 2021-2031 Long Term Plan.
- (c) Notes that some of the work programmes within the draft Environment and Sustainability Strategy will require new funding through the 2021-2031 Long Term Plan.

4. That the Council releases the decision 55/20 PS, to move into decision making mode, into the public meeting.



Menīti Minutes

Ngā Menīti take o te Komiti Kaupapa Here me te Rautaki Policy and Strategy Committee

Council Chamber, Albion Street, Hāwera on Monday 30 November 2020 at 1.00 pm

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

Ngā Taenga-Ā-Tinana / In Attendance: Wayne Bigham (Te Hāwera Community Board Representative), Karen Cave (Eltham-Kaponga Community Board Representative), Jacq Dwyer (Pātea Community Board Representative), Waid Crockett (Chief Executive), Fiona Aitken (Group Manager Community and Infrastructure Services), Marianne Archibald (Group Manager Corporate Services), Liam Dagg (Group Manager Environmental Services), Rebecca Martin (Environment and Sustainability Manager), Gerard Langford (Communications Manager), Sara Dymond (Senior Governance Officer), Sam Greenhill (Governance and Support Officer) and one media.

Matakore / Apologies: Bonita Bigham (Taranaki Coastal Community Board Representative).

RESOLUTION

(Cr Beccard/Cr Rangiwahia)

49/20 PS **THAT** the apology from Bonita Bigham (Taranaki Coastal Community Board representative) be received.

CARRIED

1. Whakaae i Ngā Mēniti / Confirmation of Minutes

1.1 Policy and Strategy Committee held on 19 October 2020.

RESOLUTION

(Cr Mackay/Cr Young)

50/20 PS **THAT** the Policy and Strategy Committee adopts the minutes from the meeting held on 19 October 2020 as a true and correct record.

CARRIED

2. Pūrongo / Reports

2.1 Eltham Town Hall (the Hall) Strengthening

The report asked the Committee to consider obtaining detailed designs for strengthening the Hall to 67% of the New Building Standard, to be funded from the existing Earthquake Prone Building's budget.

Councillor Beccard noted that money had already been spent on the Hall and supported spending more to keep an iconic building in Eltham.

Councillor Bellringer believed the Hall was an iconic building for South Taranaki that needed to be retained. He supported investing the money now to strengthen the Hall to 67% as costs would only increase.

Councillor Mackay was surprised that the Hall required further strengthening as she recalled in August 2015 a motion being moved for this work to be undertaken. The Hall was a "grand old lady" and used by a lot of people. It had low usage due to it being closed for 18 months while the rear of the Hall was earthquake strengthened however usage was increasing again. Ms Aitken explained that in 2015 the Initial Seismic Assessment (ISA) was undertaken at which time officers were of the understanding that this work would bring the Hall up to 67% however the Detailed Seismic Assessment specified it would bring it up to 34%.

Councillor Roach suggested obtaining a price scale of the work be provided for earthquake strengthening to allow an informed decision to be made. Ms Aitken's understanding was that under the legislation 34% was earthquake prone and anything between 34% and 67% was still an earthquake risk. She would discuss this with the designers and report back.

In terms of if any additional work was required on the Hall, Ms Aitken explained that funding of \$220,600 was allocated in 2020/21 to replace the exterior iron cladding on the Hall. It would be prudent to undertake any further strengthening work in conjunction with this work. Mr Waite added that there was a sprinkler system run by an aged diesel pump which required work. Funding had been allocated in the Long Term Plan for refurbishment work on the sprinkler system for compliance purposes.

Councillor Beccard had concerns regarding the proposed timeframe with the lack of available contractors and asked how long it was expected to take to reach a final decision. Mr Waite explained that once the decision was approved at the next Council meeting officers would proceed with obtaining detailed designs. The Council had found it difficult with professionals being busy due to what was happening around the Region.

Considering how long it might take Councillor Bellringer asked if the hole at the front of the Hall would be addressed as it was leaking and damaging the boards. Mr Waite noted that this would form part of the \$60,000 allocated to undertake any ongoing maintenance work that was required.

Mayor Nixon supported further investigation being undertaken and agreed with the comments regarding the Hall. He would like to see the Hall retained as he considered it a District asset.

RECOMMENDATION

(Cr Mackay/Cr Filbee)

51/20 PS THAT the Policy and Strategy Committee recommends the Council;

- (a) Authorises officers to obtain detailed designs for strengthening the Eltham Town Hall to 67% of the New Building Standard, to be funded from the existing Earthquake Prone Building's budget.**
- (b) Notes that once detailed designs and costings have been obtained a further report will be presented to the Council outlining these costs so a decision can be made on whether to proceed with bringing the Hall up to 67% of the New Building Standard.**

CARRIED

2.2 Draft Environment and Sustainability Strategy

The purpose of this report was to present the draft Environment and Sustainability Strategy (the Strategy) for inclusion in the consultation process for the draft 2021-31 Long Term Plan (LTP).

Councillor Filbee referred to the determination that rated this matter medium significance. In her opinion this was greater than medium as it would have a significant financial impact and the consequences for not adopting the Strategy were serious. Mr Crockett explained that through the deliberation for the next LTP another significant factor would be added around environmental sustainability.

In terms of the composting facility Councillor Filbee asked if it would impact the rates positively because it was more cost effective and what the cost would be to the rate payers in order to have that facility. Mr Crockett would need to look at the calculations for that however in terms of how the project would be funded he believed this was an opportunity to source external funding from or for it to be included into the solid targeted rate across the District. The Council had already undertaken reduced the amount of targeted rate around solid waste. The numbers in the table although had been projected in year 1 of the LTP to 2 and 3 going forward those were still up for debate when the Council had LTP conversations about programming this work. The table might look different once the draft LTP was adopted.

Councillor Filbee hoped that if a facility was up and running that the activity would fund itself. Mr Crockett commented that commercial composting facilities such as solid waste was all about volume and demand. The Council might be looking at a joint venture around those type of operations. Ms Martin added that the total cost of the facility was \$1.85 million of which \$249,000 was the Council's contribution, cost sharing with the other councils and the Ministry of the Environment. It would be a significant facility but had a relatively low cost to South Taranaki. The project was provisional until all councils undertook their LTP processes. Another option was for a private operator to set up the facility in South Taranaki of which the Council would be a customer. There was still a lot of work to be done before pressing go.

In terms of how carbon credits were calculated and if it could be undertaken accurately Ms Martin explained that the Council had a complex footprint consisting of two layers, inhouse and supplying services to the entire District. Work would be required on how this could be calculated accurately however was confident it could be accurately calculated plus or minus 10%. Mr Crockett commented that understanding carbon credits and prices was a key aspect to this Strategy. It created an opportunity for the Council to use this as an investment to continue with the programmes in the future. Being able to use this as part of the Investment Portfolio was critical to how quickly the Council could go with the actions in there. Ms Martin added that the price of carbon credits in the open market had increased significantly. The figures used in the Strategy were modelled on \$30 per tonne however it was already sitting at \$5 per tonne more.

In terms of the Investment Portfolio, Councillor Filbee asked if the Council anticipated having to make significant changes to where that money was invested in order to meet targets. A meeting had been scheduled in the New Year to undertake a background analysis on where those investments sat and whether tweaking was required. This would ensure the Council's investments were more carbon friendly or more ethical for sustainability in the long run which was a conversation being had while going through the LTP. Mayor Nixon noted that this was managed through the Audit and Risk Committee.

The Strategy made no mention of lobbying Central Government around issues such as packaging. Councillor Filbee asked if this was carried out as a matter of course and was not required in the Strategy or if it should be included. Ms Martin commented that the Council were constantly in touch with Central Government and worked with the other councils to lobby on various issues. This was something the Council undertook as a matter of course however it could be included as an action.

In terms of the budget Councillor Filbee asked if it included the anticipated staffing for implementation or was it expected that it would be undertaken with existing officers. She considered the Significant Natural Areas (SNA) mapping to be a significant piece of work. Ms Martin explained that the costs were operational capital expenditure cost and did not cover additional staffing. The three year alliteration of the Strategy were mostly new work programmes and the plan for the following three years was to gradually build them in and imbed them across the organisation. Regarding the Significant Natural Areas (SNAs), Councillor Young suggested coordinating with the Taranaki Regional Council. Councillor Beccard felt it was essential to establish what was out there as soon as possible to protect SNAs. He was supportive of native trees being planted where possible to encourage biodiversity.

Councillor Reid believed it was important to educate the community on the functionality aspects to the project and asked what was planned for educating the public broadly on helping to make this happen. Ms Martin explained that the Council would work with existing agencies like non-government organisations to holistically embed the Strategy into everything the Council undertook. Every project would be looking to the future to help improve environment and sustainability. Mr Crockett noted that education and advocacy were two key actions to include in the Strategy.

Regarding the Council aligning with legislative requirements in becoming a Carbon Zero organisation in 2035, Councillor Bellringer asked if this could be achieved. Ms Martin noted it was aspirational however if a target was not set then it could not be achieved.

Councillor Roach noted that the cost for SNA mapping was a lot however his main concern was around the cost to the Council and ratepayers to meet the target to achieve carbon neutral by 2035. He was concerned that as a result New Zealand would become an expensive country to live in. Mr Crockett explained that these projects required a funding source to be identified. If funding could not be identified a report would be presented to the Council to decide. The intention was to have the least impact on rates on these activities and programmes. This was why different investment opportunities were being investigated to help self-fund environment and sustainability work. He expected to see some funding opportunities through the Government as they had an invested interest in ensuring these projects moved forward. It was key the Council were ready to go with some of these projects.

Mayor Nixon referred to the statement in the Strategy that said the biggest issue facing the community was that there was too much information, too many issues and too many experts telling us what to do or not to do. If Council were to take a leadership role, we need to provide some cut-through on this for the community and make strategic decisions that were based on best-practice, widely accepted and well understood.

RECOMMENDATION

(Deputy Mayor Northcott/Cr Filbee)

52/20 PS THAT the Policy and Strategy Committee recommend the Council;

- (a) Receives the draft Environment and Sustainability Strategy.**
- (b) Approves the inclusion of the draft Environment and Sustainability Strategy in the public consultation process for the draft 2021-2031 Long Term Plan.**
- (c) Notes that some of the work programmes within the draft Environment and Sustainability Strategy will require new funding through the 2021-2031 Long Term Plan.**

CARRIED

3. Nga Tōkeketanga kia noho tūmatanui kore / Resolution to Exclude the Public

RESOLUTION

(Deputy Mayor Northcott/Cr Young)

58/20 PS 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.	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)

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 of disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i)).

CARRIED

4. Tuwhera anō te Hui / Resume Open Meeting

RESOLUTION

(Cr Brown/Cr Young)

55/20 PS THAT the Policy and Strategy Committee resumes in open meeting.

CARRIED

The meeting concluded at 1.59 pm.

Dated this day of 2020.

.....
CHAIRPERSON



Menīti Minutes

To	Ordinary Council
Date	14 December 2020
Subject	Extraordinary Council – 30 November 2020

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Extraordinary Council met on 30 November 2020. The Council is being asked to receive the Extraordinary Council minutes from 30 November 2020 for their information.
2. There were no recommendations within the minutes for the Council to consider.

Taunakitanga / Recommendation

THAT the Council receives the minutes of the Extraordinary Council meeting held on 30 November 2020.



Menīti Minutes

Ngā Menīti Kaunihera Whanokē Extraordinary Council Meeting

Council Chambers, Albion Street, Hāwera on Monday 30 November 2020 at 11.30 am

Kanohi Kitea / Present: Mayor Phil Nixon (Chairperson), Deputy Mayor Robert Northcott, Councillors Aarun Langton, Andy Beccard, Brian Rook, Bryan Roach, Celine Filbee, Chris Young, Diana Reid (11.45am apologies for lateness), Gary Brown, Jack Rangiwahia, Mark Bellringer and Steffy Mackay.

Ngā Taenga-Ā-Tinana / In Attendance: Waid Crockett (Chief Executive), Fiona Aitken (Group Manager Community and Infrastructure Services), Liam Dagg (Group Manager Environmental Services), Marianne Archibald (Group Manager Corporate Services), Vipul Mehta (Chief Financial Officer), Garry Morris (Management Accountant), Claire Bourke (Assistant Accountant), Chris Webby (Audit New Zealand) and Samantha Greenhill (Governance and Support Officer).

Matakore / Apologies: Nil.

1 Pūrongo / Report

1.1 Adoption of 2019/20 Annual Report

The adoption of the Annual Report is a statutory requirement under Section 98 (1) and Section 98 (3) of the Local Government Act 2002 which requires the Council to adopt the audited Annual Report for the year ended 30 June, by 31 October each year.

Mr Webby from Audit New Zealand advised that this had been a tough year, not just for Audit New Zealand but also for the Council and the world. He commented that it was good to be at this point, however due to the impacts of COVID-19 there was more audit work to be done. It was noted that revaluations were an area of focus for the year and these made up a large portion of the Annual Report. The Annual Report was tagged by Audit New Zealand due to a fault in how after hours complaints were recorded. It was noted that procedures were being put in place to correct the issue.

Mayor Nixon had noted that this had been a very different year with the local government elections being held, the newly elected mayor and councillors were settling into business as usual when COVID-19 occurred. Business as usual was maintained by staff and councillors working remotely. The Council made a decision to freeze fees and charges and set in place a zero rates increase. Progress on big developments had slowed due to COVID, however infrastructure had made good progress. Mayor Nixon commented that he was happy with the overall result for the year.

Deputy Mayor Northcott noted that the Council had a bold vision statement and had done well to live up to and work towards that statement. He was pleased with the work being done in the environmental and sustainability area. There had been small issues with stormwater and building control, however these had been identified and worked through.

Councillor Beccard reiterated the same message as the Mayor and Deputy Mayor. It had been a difficult year and most people were adapting to the changing circumstances.

In response to how long the complaint recording issue with afterhours had been occurring, Ms Archibald noted that it had always been this way. Councillor Beccard noted that Mr Dagg had done a great job identifying issues in the compliance and building area. There had been great results during a difficult year.

Councillor Filbee noted that there was a figure on page 16 of the Annual Report regarding Council's borrowing that had been entered incorrectly. Mr Mehta noted that this would be corrected. In response to why the targets on page 49 had not been achieved, Ms Aitken advised that this was due to contracts being marked complete when the contractor closed the job creating a delay in reporting. Councillor Filbee congratulated council staff on the satisfaction results of the public toilets survey which was a major achievement.

Councillor Young congratulated staff on the way they had assisted the councillors to settle in, especially with the added difficulty of COVID-19. He noted that on page 196 of the agenda the Iwi reps had been listed incorrectly.

Councillor Roach commented that the photos in the Annual Report were great and told a story of the District. In response to whether the figures regarding water supply on page 51 were the average per resident or per property, Ms Aitken noted that it was an average per resident (per person), the figure was the total water divided by the population of the District.

Councillor Bellringer referred to the stormwater complaints recorded on page 59. He noted that the recorded figure was zero, however he had received multiple complaints and passed these on. Ms Aitken advised that complaints were to be lodged with the Contact Centre via email or a phone call. It was noted that these figures were for the period ending 30 June 2020.

Councillor Rook reiterated Councillor Youngs comments regarding the support they had received from councillors and staff. He noted that the Council was functional, robust, debated the issues and was generally unanimous when voting.

RESOLUTION

(Mayor Nixon / Deputy Mayor Northcott)

137/20

THAT the Council adopts the audited Annual Report of the South Taranaki District Council for the year ended 30 June 2020, in accordance with Section 98(1) and Section 98 (3) of the Local Government Act 2002.

CARRIED

The meeting concluded at 11:55 pm.

Dated this day of 2020.

.....
CHAIRPERSON



Pūrongo Report

To	Ordinary Council
From	Kaitātari Matatapu me te Kaupapa Here / Privacy and Policy Advisor – Adrienne Cook
Date	14 December 2020
Subject	Delegations register update – Resource Management Act 1991 – Realignment of the Environmental Services Group

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Delegations Register is a living document which requires regular updates to ensure that it is current and correct. The Delegations Register (the Register) provides a clear transfer of delegation of authority from the Council to the Chief Executive (CE), and from the CE on to the appropriate officers (specific to their position). An exception to this is delegations under the Resource Management Act (RMA) 1991, which are directly conferred by the Council to officers.
2. This report proposes an update of the Resource Management Act (RMA) 1991 delegations, contained within the Council's Delegations Register (as noted in [Appendix I](#) of this report), as a result of the realignment of the Environmental Services Group. The report proposes that the powers and functions be delegated from the Council to the officers listed (highlighted in track changes). This includes incorporating new roles: Planning Team Leader, and Compliance Team Leader; and updating existing roles due to title changes.

Taunakitanga / Recommendations

- 1) THAT the Council **approves** the delegations contained within [Appendix I](#) of the report, transferring powers under the Resource Management Act 1991, to the officers listed (as highlighted in track changes); and updating current delegations to reflect role title changes, as per its powers under section 34A of the Resource Management Act 1991.

Kupu Whakamārama / Background

3. A Register is a formal document which effects the daily operation of the Council and as such, it is important in providing a legal foundation to decision-making and exercising of authority provided for by legislation, regulations, bylaws and policies. It provides evidence showing how particular functions are authorised.

4. The Register is considered a living document which requires regular updates to ensure that:
 - a) The document reflects changes to legislation, regulations, Council bylaws, and policies;
 - b) Changes to the operation of the Council are incorporated into the document; and
 - c) Officers are provided with the correct delegation to undertake specific tasks.
5. To ensure that the Council operates at an efficient and effective manner, the powers provided to the Council under legislation can be divided into the following:

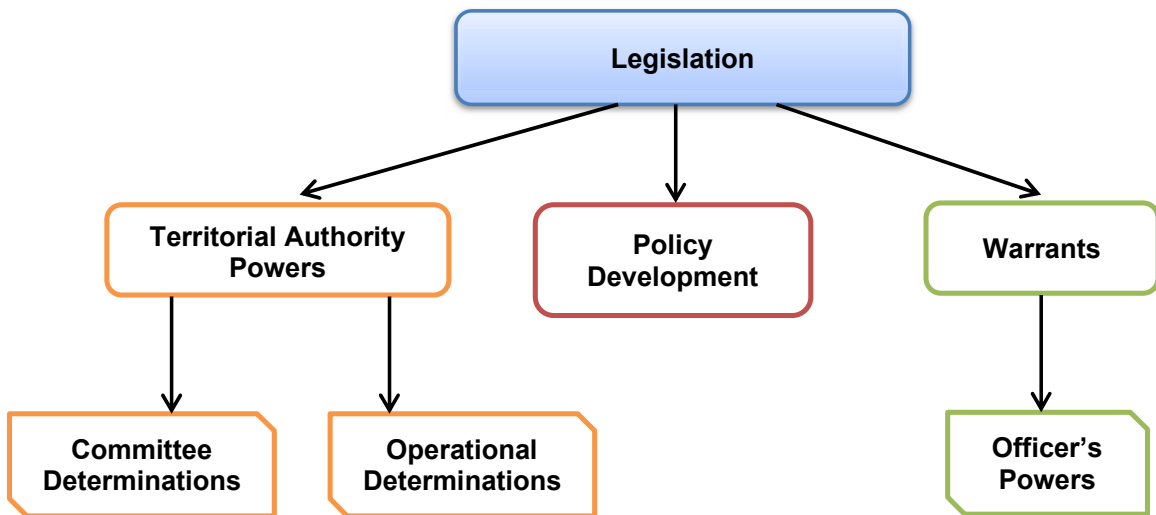


Figure 1: powers provided under legislation.

Local Government Purpose

6. Under the LGA 2002, the Council’s purpose is to *“promote the social, economic, environmental and cultural well-being of communities in the present and for the future.”* It is important to be able to balance the regulatory aspect of enforcing legislation to maintain the health and safety of the public (to promote well-being of communities), with the rights of individuals within the community. Therefore, it is important that officers are warranted and authorised to undertake their delegated functions; and be able to legally provide that regulatory function.

Ngā Kōwhiringa / Options – Identification and analysis

7. Reviews on the existing Register are undertaken on a regular basis to ensure that the Council has delegated powers to enable council officers to make operational decisions and act on behalf of the Council.
8. The Environmental Services Group is a highly legislative area of the Council. Operations within the area are driven by meeting Council’s legal obligations (e.g. building consents, resource consents, dog control, liquor licensing, health and food), enforcing the rules (Acts, Regulations, Bylaws, Policies and Plans), and issuing infringements or notices.

9. It is important to ensure that before new roles are appointed, that delegations to those roles are adopted, so that the officer can undertake their role. Delegations under the RMA 1991 are required to be directly transferred by the Council, to the officer. This report proposes that two newly developed roles in the Environmental Services Group: Planning Team Leader, and Compliance Team Leader; are incorporated into the delegations register, as proposed in [Appendix I](#) of this report.
10. Other minor amendments to update existing roles and their corresponding delegations (Technical Support Officer, EA – Environmental Services, Compliance Officer, and RS After Hours Contractors) is also highlighted in [Appendix I](#) of this report, for the Council to approve.

Risks

11. The following points provide a risk analysis associated with this decision:

- a) Political

A Register provides transparency to the general public on how the Council operates and who is delegated with the power to make decisions under specific legislation, policies and bylaws. This provides certainty that the Council is undertaking its obligations with the required legal authority.

- b) Legal

This is the most important risk that the Council needs to consider when analysing the impact of this decision. The Register provides assurance that the authority to act under the Act, Regulation, Bylaw or Policy has been correctly transferred from the Council directly to officers (such as required under the RMA 1991), or to the CE and then on-delegated from the CE to officers. This reduces the risk of legal challenge.

Options available

Adopt the Proposed Recommendation

12. Adopting the recommendation would ensure that new and realigned officer roles are included in the Register, so that daily operational matters under the Resource Management Act 1991 can be undertaken by those roles (along with the existing delegations to other officers).

Amend the Proposed Delegations

13. The Council may wish to amend the proposed delegations.

Whaiwhakaaro me ngā aromatawai / Considerations and Assessments

Assessment of Significance and Engagement

14. South Taranaki District Council's general approach to determining the level of "significance" will be to consider:

Criteria	Measure	Assessment
Degree	The number of residents and ratepayers affected and the degree to which they are affected by the decision or proposal.	Low: Residents and rate payers would not be affected by this decision.
LOS	The achievement of, or ability to achieve, the Council’s stated levels of service as set out in the Long-Term Plan 2018-2028.	Low: No effect on the Long Term Plan.
Decision	Whether this type of decision, proposal or issue has a history of generating wide public interest within South Taranaki.	Low: This is an internal function.
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.	Low: The incorporation of delegations within the Delegations Register has been absorbed into existing budgets and will ensure officers are delegated to undertake operational matters.
Reversible	The degree to which the decision or proposal is reversible.	Medium: The Council may revoke delegated authority by resolution.

15. In terms of the Council’s Significance and Engagement Policy, this matter is of Low Significance. Consultation is not required for delegations, as it is an internal legislative requirement.

Legislative Considerations

16. Under Schedule 7 of the LGA 2002, section 32 states that:

“for the purposes of efficiency and effectiveness in the conduct of a local authority’s business, a local authority may delegate to[an] officer of the local authority, any of its responsibilities, duties, or powers except

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

17. Under section 34A of the RMA 1991 the delegation of powers is limited as follows:

“34A Delegation of powers and functions to employees and other persons

- (1) A local authority may delegate to an employee, or hearings commissioner appointed by the local authority (who may or may not be a member of the local authority), any functions, powers, or duties under this Act except the following:*

- (a) *the approval of a proposed policy statement or plan under clause 17 of Schedule 1:*
- (b) *this power of delegation.”*

Financial/Budget Considerations

- 18. The costs relating to the review and amendment of the Register have been, and will continue to be, derived from existing budgets.

Consistency with Plans/Policies/Community Outcomes

- 19. Transferring the daily operational powers and functions within the RMA 1991 (as listed within [Appendix I](#) of this report), to Council officers, would provide a consistent approach for all RMA 1991 delegations contained within the Register.

Impact on Māori/Iwi

- 20. Māori will benefit from the Council undertaking its operational functions, as will all the South Taranaki community. This is a statutory process.

Affected Parties Consultation

- 21. External consultation is not required for additions or amendments to the Delegations Register. This is a statutory process.

Whakakapia / Conclusion

- 22. This report proposes that the Council adopts the amendments as attached in [Appendix I](#) of this report, and transfers powers to the officers listed (as highlighted by track changes in the document).



Adrienne Cook

**Kaitātari Matatapu me te Kaupapa Here /
Privacy and Policy Advisor**



[Seen by]

Becky Wolland

**Kaihautū Kaupapa Here me te Whaitikanga /
Policy and Governance Manager**

Appendix I – Delegations under the Resource Management Act 1991

Resource Management Act 1991	Description	Delegated to
RMA 2	<p>Section 22 – Direction for personal information where breach of RMA Power to direct a person who is breaching or has breached any of the obligations of Part 3 of the Act, to give his or her full name, address, and date of birth (where a natural person); or, where not a natural person, the person's full name & address; or, where the person is breaching or has breached the obligations of Part 3 of the Act on behalf of another person, the same information of that person.</p>	1) Environmental Monitoring Officer 2) Planner 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 4	<p>Section 35 – Gathering information, monitoring and keeping records Power to gather such information, and undertake or commission such research, as is necessary to carry out effectively its functions under this Act or regulations under this Act.</p>	1) Environmental Monitoring Officer 2) Planner 3) Planning Team Leader 4) Planning and Development Manager 5) Group Manager Environmental Services
RMA 5 a	<p>Section 36 – Administrative Charges 3.) Power to impose additional charges within the policies set by the Council.</p>	6) Environmental Monitoring Officer 5) Development Engineer 4) Planner 2) Planning Team Leader 1) Planning and Development Manager 3) Group Manager Environmental Services
RMA 5 b	<p>Section 36 – Administrative Charges 7.) Power to not commence or continue processing resource consent applications if insufficient money has been paid as required by the Council's Fees and Charges policy.</p> <p>Note: When using this provision the application effectively remains "on hold" until the correct payment is made.</p>	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Planner 4) Development Engineer 4) Environmental Monitoring Officer
RMA 6	<p>Section 37 and 37A Power of waiver and extension of time limits.</p>	For non-notified consents: 1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader For notified consents up to close of submissions: 1) Group Manager Environmental Services

Appendix I – Delegations under the Resource Management Act 1991

		For notified consents: 1) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s) or the chair for any matter prior to the commencement of hearing.
RMA 10	Section 42A – Reports to local authority Powers in relation to requiring or commissioning a report on information provided on any matter described in section 39(1).	4) Planner 1) Planning Team Leader 2) Planning and Development Manager 3) Group Manager Environmental Services
RMA 12	Section 87F – Consent authority’s subsequent processing Providing a report on applications that are to be determined by the Environment Court and attending relevant hearings.	1) Planner 2) Environmental Monitoring Officer 2) Development Engineer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 13	Section 87G – Documentation for Environment Court hearing Power to, without delay, provide the Environment Court with— (a) the application to which the notice of motion relates; and (b) the authority's report on the application; and (c) all the submissions on the application that the authority received; and (d) all the information and reports on the application that the authority was supplied with.	1) Planner 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 14	Section 87I – Applications returned from Environment Court Power to determine a resource consent application when: (a) an applicant receives a report under section 87F(5); and (b) either— (i) the applicant advises the authority that the applicant does not intend to lodge a notice of motion with the Environment Court under section 87G(2); or (ii) the applicant does not lodge a notice of motion with the Environment Court under section 87G(2); and (c) the applicant continues to want the application determined.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s) or the chair for any matter prior to commencement of hearing.
RMA 15	Section 88 – Incomplete resource consent Power to determine that a resource consent application is incomplete.	1) Group Manager Environmental Services 2) Planning and Development Manager

Appendix I – Delegations under the Resource Management Act 1991

		2) Planning Team Leader 3) Planner
RMA 18 a	Section 92 – Further information may be required To require any applicant for resource consent to provide further information relating to the application and power to set a time limit for further information.	1) Planner 2) Environmental Monitoring Officer 2) Development Engineer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 18 b	Section 92 – Commissioning a Report To commission a report on any matters raised in relation to the application.	1) Planner 2) Environmental Monitoring Officer 2) Development Engineer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 19 a	Sections 95A, 95B and 95C Decisions on public notification, limited notification and notification after request for further information.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 19 b	Sections 95D, 95E and 95F Adverse Effects, Affected Persons Decision as to whether the activity will have, or is likely to have, effects on the environment that are more than minor and if there are any affected persons or affected customary order holders.	1) Planner 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 21	Section 98 – Advice of submissions to applicant A list of submissions received by Council is to be supplied to the applicant.	1) Planner 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 23	Section 100 – Obligation to hold a hearing Decisions as to necessity for hearings where applicants or persons who have made submissions do not wish to be heard.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 24	Section 101 – Hearing date and notice To set a hearing date and inform all parties.	1) Planner 3) Planning Team Leader 3) Planning and Development Manager

Appendix I – Delegations under the Resource Management Act 1991

		4) Group Manager Environmental Services
RMA 27 a	Sections 104A, 108 and 220 Determination of applications for controlled activities, Conditions of resource consents and Conditions of subdivision consents Granting consent for non-notified controlled activities not involving a matter of precedent and imposing conditions for those matters over which control is reserved in an NES or in the Plan or proposed Plan.	2) Group Manager Environmental Services 1) Planning and Development Manager 1) Planning Team Leader
RMA 28 a	Sections 104B, 108 and 220 Determination of application for discretionary or non-complying activities, Conditions of resource consents and Conditions of subdivision consents Granting consent for non-notified and limited notified discretionary and non-complying activities that do not require a hearing or involve a matter of precedent and imposing conditions.	1) Group Manager Environmental Services 1) Planning and Development Manager
RMA 32	Section 108 – Conditions of resource consent Inclusion of conditions (s.220 for subdivisions).	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee 3) Planner 3) Development Engineer
RMA 33	Section 108A – Bonds Requiring bonds.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee
RMA 34	Section 109(3) – Special provisions in respect of bonds or covenants The power to decide whether any work the subject of a Bond or Covenant is completed satisfactorily.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 36	Section 114 – Notification Notification of decisions.	1) Planner 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 37	Section 124 – Exercise of resource consent while applying for new resource consent	1) Group Manager Environmental Services 2) Planning Team Leader

Appendix I – Delegations under the Resource Management Act 1991

	Power determine an application for a new consent for the same activity at least 6 months before the expiry of the existing consent; or between 6 and 3 months before the expiry of the existing consent (at the discretion of council) with reference to practice under existing consent, while allowing the holder of the existing resource consent that is due to expire to continue to operate until the application for the new consent is determined.	2) Planning and Development Manager 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)
RMA 38	Section 125 – Lapsing of consent To determine whether consent period should be extended and for how long.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 39	Section 126 – Cancellation of consent Power to cancel a resource consent by written notice served on the consent holder if the resource consent has been exercised in the past but has not been exercised during the preceding 5 years.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 40	Section 127 – Change or cancellation of consent condition on application by consent holder Power to grant a change or cancellation of a condition of the consent.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee
RMA 42	Section 129 – Notice of review Inform consent holder of review of consent conditions.	1) Environmental Monitoring Officer 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 43	Section 130 – Notification of a review of conditions Power to require that a review of conditions be notified and a hearing be held even if a plan expressly states that a rule shall affect the exercise of existing consents under section 68(7).	1) Environmental Monitoring Officer 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 45	Section 133A – Minor correction of resource consents Power to make minor corrections to resource consents.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 47	Section 139 – Consent authorities and Environmental Protection Authority to issue certificates of compliance Grant or refuse certificate of compliance.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 48	Section 139A – Consent authorities to issue existing use certificates	1) Group Manager Environmental Services

Appendix I – Delegations under the Resource Management Act 1991

	Grant or refuse existing use certificates.	2) Planning and Development Manager 2) Planning Team Leader
RMA 50	Section 149G – EPA must provide board or Court with necessary information Provision of report to EPA.	1) Planner 2) Environmental Monitoring Officer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 51	Section 149ZD – Costs of process under this part recoverable from applicant Recover cost of undertaking work from applicant.	1) Planning Team Leader 2) Planning and Development Manager 3) Group Manager Environmental Services
RMA 52 a	Section 168A – Notice of requirement for a public work Powers to issue and decide whether to notify a notice of requirement for a designation.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 53 a	Section 171(2) – Recommendation to requiring authority Power to make recommendations to the requiring authority including reasons when no hearing is required.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 54	Section 173 – Notification of decision on designation Power to notify a requiring authority's decision.	2) Planning Team Leader 2) Planning and Development Manager 1) Group Manager Environmental Services
RMA 56	Section 176A – Outline plan Approval of Outline Plans, requests for changes to Outline Plans and waivers of the requirement to provide Outline Plans.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 57	Section 181(3) – Alteration of a designation Power for minor alterations of designations.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 58	Section 182 – Removal of designation Power to remove a designation on request of Requiring Authority.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 59	Section 184 – Lapsing of designations which have not been given effect to	1) Group Manager Environmental Services 2) Planning and Development Manager

Appendix I – Delegations under the Resource Management Act 1991

	Power to determine a longer period than 5 years for the expiry of a designation, on an application made within 3 months before the expiry of that period that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made.	2) Planning Team Leader
RMA 61	Section 190 – Further information, notification, submissions, and hearing for notice of requirement to a territorial authority Procedural matters relating to notice of requirement (Heritage Orders) to a territorial authority.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 64	Section 196 – Removal of heritage order Removal of heritage order on request of Heritage Protection Authority.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 66	Section 221 – Conditions subject to Consent Notice Issue, review, change or cancel a consent notice in whole or in part.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Planner
RMA 67	Section 222 – Completion certificates Issue of Completion Certificates and extension of time.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 68	Section 223 – Approval of survey plan by TA Approval of survey plan by the Council	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 69	Section 224 – Restrictions upon deposit of a survey plan Issuing of a certificate stating that all or any of the conditions of the subdivision consent have been complied with.	1) Group Manager Environmental Services 2) Planning and Development Manager (on confirmation of compliance with conditions). 2) Planning Team Leader
RMA 70	Section 226 – Restrictions upon issue of certificates of title for subdivision 1) e) TA may certify (signed by Principal Administrative Officer or other authorised officer) that: i), ii), or iii).	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 71	Section 230 – Creation of esplanade strips on allotments less than 4 hectares	1) Group Manager Environmental Services 2) Planning and Development Manager

Appendix I – Delegations under the Resource Management Act 1991

	Power, where any allotment of less than 4 hectares is created when land is subdivided, to set aside an esplanade reserve 20 metres in width from that allotment along the mark of mean high water springs of the sea, and along the bank of any river or along the margin of any lake.	2) Planning Team Leader 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)
RMA 72 a	Section 232 – Creation of esplanade strips The creation of esplanade strips 20 metres wide.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)
RMA 75	Section 237B – Access strips Power to create access strips and conditions of use of such easement, variation and cancellation of conditions.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 77	Sections 237E, 237F, 237G & 237H Power to pay to the registered proprietor of an allotment compensation for any esplanade reserve or any interest in land taken for any esplanade strip or coastal marine area and to contract a valuer to this end.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 78	Section 240 (4) – Covenant against transfer of allotments Cancellation of covenant against transfer of allotments.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 79	Section 241 (3) – Amalgamation of allotments Cancellation of conditions of amalgamation of titles.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 80	Section 243 (e) – Survey plan approved subject to grant or reservation of easements Revocation of conditions on survey plans.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 90	Section 323 – Compliance with abatement notice If person whom abatement notice issued under section 322 (1) (c) fails to comply, an enforcement officer may enter (with a constable if a dwelling house) and reduce noise level or seize and impound noise source.	1) Environmental Health Officer 1) Compliance Officer 1) Environmental Monitoring Officer 2) Compliance Team Leader 2) Regulatory Services Manager 2) Planning and Development Manager 3) Group Manager Environmental Services

Appendix I – Delegations under the Resource Management Act 1991

RMA 91 a	Section 325A – Cancellation of abatement notice 2) TA or enforcement officer may cancel abatement notice at any time.	1) Environmental Health Officer 1) Compliance Officer 1) Environmental Monitoring Officer 2) Compliance Team Leader 2) Regulatory Services Manager 2) Planning and Development Manager 3) Group Manager Environmental Services
RMA 92	Section 327 – Issue and effect of excessive noise direction (END notice) 1) Enforcement officer may issue a direction to the occupier or other person responsible for noise, to immediately reduce noise to reasonable level. 2) May issue a direction written or orally. 3) Direction is for 72 hours or shorter period as Enforcement Officer specifies.	1) Environmental Health Officer 1) Compliance Officer 1) RS After Hours Contractors 1) Environmental Monitoring Officer 2) Compliance Team Leader 2) Planning and Development Manager 3) Regulatory Services Manager 4) Group Manager Environmental Services
RMA 93	Section 328 – Compliance with an excessive noise direction If person fails to comply with excessive noise direction or person cannot be reasonably identified/found responsible, an Enforcement Officer (accompanied by constable) may enter the place and: seize and remove, render inoperable, or lock or seal to make unusable; any noise making device. Other than exemptions in 326.	1) Environmental Health Officer 1) RS After Hours Contractors 1) Environmental Monitoring Officer 2) Compliance Team Leader 2) Planning and Development Manager 2) Regulatory Services Manager 3) Group Manager Environmental Services
RMA 94	Section 330 – Emergency works and powers to take preventative or remedial action Power to determine whether s330 provisions apply.	1) Group Manager Environmental Services 2) Chief Executive
RMA 95	Section 331 Power to determine reimbursement or compensation for emergency works.	1) Group Manager Environmental Services 2) Chief Executive
RMA 96	Section 332 – Power of entry for inspection Enforcement Officer may go onto, into, under or over (excluding a dwelling house) to inspect.	1) Environmental Monitoring Officer 1) Development Engineer 1) Planner 1) Environmental Health Officer 1) RS After Hours Contactors 2) Planning Team Leader

Appendix I – Delegations under the Resource Management Act 1991

		2) Planning and Development Manager 2) Regulatory Services Manager 3) Group Manager Environmental Services
RMA 97	Section 333 - Power of entry for survey Power of entry for survey.	1) Environmental Monitoring Officer 1) Development Engineer 1) Enforcement Officer appointed under s38 1) Planner 2) Planning Team Leader 2) Planning and Development Manager 3) Group Manager Environmental Services

Schedule 1 - Preparation, change, and review of policy statements and plans		
RMA 101	Part 1 – Clauses 3 & 3C – Consultation Power to consult during the preparation of a proposed policy statement or plan.	1) Planner 2) Environmental Monitoring Officer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 102	Part 1 – Clause 4 – Requirements Power to invite requiring authorities which have a designation in the district that has not lapsed to give written notice to the territorial authority stating whether the requiring authority requires the designation to be included in the proposed plan, with or without modification.	1) Planner 2) Environmental Monitoring Officer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 106	Part 1 – Clause 11 – Notification of decision on submissions Power, at the same time as a local authority publicly notifies a decision under clause 10(4)(b), to serve, on every person who made a submission on the proposed policy statement or plan concerned.	1) Planning and Development Manager 2) Group Manager Environmental Services
RMA 107	Part 1 – Clause 13 – Decision of requiring authority or heritage protection authority Power to ensure a notice of decision by the requiring authority or heritage protection authority and a statement of the time within which an appeal may be lodged is served	1) Planning Team Leader 2) Planning and Development Manager 3) Group Manager Environmental Services

Appendix I – Delegations under the Resource Management Act 1991

	on every person who made a submission on the requirement, and on the land owners and occupiers who are directly affected by the decision.	
RMA 109	Part 2 – Clauses 23 and 24 – Further Information may be required To require any applicant for a plan change to provide further information relating to the application.	<ul style="list-style-type: none"> 1) Planner 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services



Pūrongo Report

To	Ordinary Council
From	Kaitātari Matatapu me te Kaupapa Here / Privacy and Policy Advisor – Adrienne Cook
Date	14 December 2020
Subject	Delegations register update – Acting Delegations

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Delegations Register is a living document which requires regular updates to ensure that it is current and correct. The Delegations Register (the Register) provides a clear transfer of delegation of authority from the Council to the Chief Executive (CE), and from the CE on to the appropriate officers (specific to their position). An exception to this is delegations under the Resource Management Act (RMA) 1991, which are directly conferred by the Council to officers.
2. This report proposes that the Council resolves to delegate the same powers which the CE holds, to an additional role of Acting CE. This report also proposes that the Council appoints Acting roles under the Resource Management Act (RMA) 1991. The Acting roles under the RMA 1991 will exist as vacant roles, and when required (for operational purposes), the CE will temporarily appoint an officer to the role, as and when required.

Taunakitanga / Recommendations

- 1) THAT the Council **approves** the delegation of powers under the Resource Management Act 1991 (contained within [Appendix I](#) of the report – but excluding appointments to the Environment and Hearings Committee or any duly appointed Hearings Commissioner(s), and Environment and Hearings Committee Chair), to “vacant Acting” positions for each officer role.
- 2) THAT the Council **notes** that the “vacant Acting” positions will be contained within the delegations register and will only be used when the Chief Executive or Acting Chief Executive appoints an “Acting” position on a as required basis to fulfill operational requirements.
- 3) THAT the Council **approves** the delegation of powers under the Resource Management Act 1991 (listed in [Appendix 1](#) of this report - but excluding appointments to the Environment and Hearings Committee or any duly appointed Hearings Commissioner(s), and Environment and Hearings Committee Chair), to apply to the Chief Executive and Acting Chief Executive.

Kupu Whakamārama / Background

3. A Register is a formal document which effects the daily operation of the Council and as such, it is important in providing a legal foundation to decision-making and exercising of authority provided for by legislation, regulations, bylaws and policies. It provides evidence showing how particular functions are authorised.
4. The Register is considered a living document which requires regular updates to ensure that:
 - a) The document reflects changes to legislation, regulations, Council bylaws, and policies;
 - b) Changes to the operation of the Council are incorporated into the document; and
 - c) Officers are provided with the correct delegation to undertake specific tasks.
5. To ensure that the Council operates at an efficient and effective manner, the powers provided to the Council under legislation can be divided into the following:

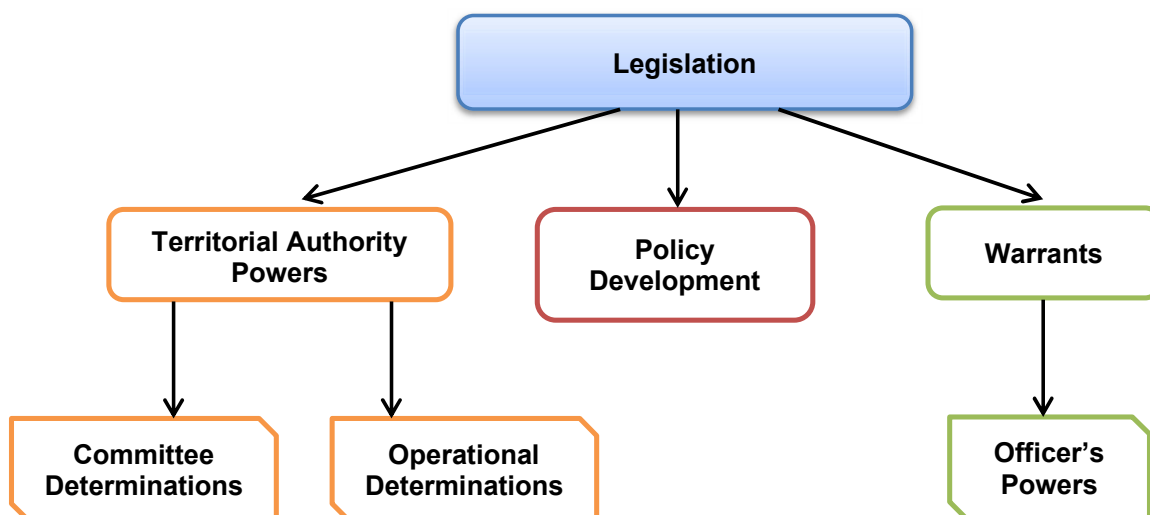


Figure 1: powers provided under legislation.

Local Government Purpose

6. Under the LGA 2002, the Council’s purpose is to “*promote the social, economic, environmental and cultural well-being of communities in the present and for the future.*” It is important to be able to balance the regulatory aspect of enforcing legislation to maintain the health and safety of the public (to promote well-being of communities), with the rights of individuals within the community. Therefore, it is important that officers are warranted and authorised to undertake their delegated functions; and be able to legally provide that regulatory function.

Ngā Kōwhiringa / Options – Identification and analysis

7. Reviews on the existing Register are undertaken on a regular basis to ensure that the Council has delegated powers to enable council officers to make operational decisions and act on behalf of the Council.

8. Delegations under the RMA 1991 cannot be on-delegated, and any delegations must come directly from the Council. Legal advice has suggested that the Council should delegate powers under the RMA 1991 to vacant "Acting" positions. When an existing role is either on leave, or otherwise unable to undertake their roles, the CE would be able to appoint an officer temporarily as "Acting". This is to ensure that an officer can be appointed in an Acting capacity for roles contained within the RMA 1991 are not contrary to the process and cannot be legally challenged.
9. This report proposes that the Council transfers the same powers that it has provided to the CE, to an additional role of "Acting CE". This will result in the CE being able to temporarily appoint an officer to the role of Acting CE. That appointment would then be able to undertake the same role as himself, including on-delegating when required, as the LGA 2002 prohibits multiple on-delegation of powers.

Risks

10. The following points provide a risk analysis associated with this decision:

- a) Political

A Register provides transparency to the general public on how the Council operates and who is delegated with the power to make decisions under specific legislation, policies and bylaws. This provides certainty that the Council is undertaking its obligations with the required legal authority.

- b) Legal

This is the most important risk that the Council needs to consider when analysing the impact of this decision. The Register provides assurance that the authority to act under the Act, Regulation, Bylaw or Policy has been correctly transferred from the Council directly to officers (such as required under the RMA 1991), or to the CE and then on-delegated from the CE to officers. This reduces the risk of legal challenge.

Options available

Adopt the Proposed Recommendation

11. By adopting the recommendations, the Council will ensure that the CE can appoint an Acting CE to undertake the same role (including on-delegation); and will also ensure that Acting roles under the RMA 1991 can be appointed when required.
12. Adopting the recommendation would ensure that Acting roles are included in the Council's Delegations Register; so that when required, daily operational matters under the Resource Management Act 1991 can be undertaken by officers who may be required to step into Acting roles.

Amend the Proposed Delegations

13. The Council may wish to amend the proposed delegations.

Whaiwhakaaro me ngā aromatawai / Considerations and Assessments

Assessment of Significance and Engagement

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

Criteria	Measure	Assessment
Degree	The number of residents and ratepayers affected and the degree to which they are affected by the decision or proposal.	Low: Residents and rate payers would not be affected by this decision.
LOS	The achievement of, or ability to achieve, the Council’s stated levels of service as set out in the Long-Term Plan 2018-2028.	Low: No effect on the Long Term Plan.
Decision	Whether this type of decision, proposal or issue has a history of generating wide public interest within South Taranaki.	Low: This is an internal function.
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.	Low: The incorporation of delegations within the Delegations Register has been absorbed into existing budgets and will ensure officers are delegated to undertake operational matters.
Reversible	The degree to which the decision or proposal is reversible.	Medium: The Council may revoke delegated authority by resolution.

15. In terms of the Council’s Significance and Engagement Policy, this matter is of Low Significance. Consultation is not required for delegations, as it is an internal legislative requirement.

Legislative Considerations

16. Under Schedule 7 of the LGA 2002, section 32 states that:

“for the purposes of efficiency and effectiveness in the conduct of a local authority’s business, a local authority may delegate to[an] officer of the local authority, any of its responsibilities, duties, or powers except

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

17. Schedule 7 section 32B details the limitations on the powers of officers delegating to another officer, as follows:

“(1) An officer of a local authority may delegate to any other officer of the local authority 1 or more of his or her powers under this Act or any other enactment except—

(a) the power to delegate under this clause; or

(b) any power delegated to the officer under clause 32 that is subject to a prohibition on delegation; or

(c) any power under an enactment where the enactment expressly prohibits the delegation of the power.

(2) An officer acting under subclause (1) may include conditions, limitations, or prohibitions in the delegation.

(3) An officer to whom any responsibilities, powers, or duties are delegated may, without confirmation by the officer that made the delegation, exercise or perform them in the like manner and with the same effect as if the officer who made the delegation could himself or herself have exercised or performed them.”

18. Under section 34A of the RMA 1991 the delegation of powers is limited as follows:

“34A Delegation of powers and functions to employees and other persons

(1) A local authority may delegate to an employee, or hearings commissioner appointed by the local authority (who may or may not be a member of the local authority), any functions, powers, or duties under this Act except the following:

(a) the approval of a proposed policy statement or plan under clause 17 of Schedule 1:

(b) this power of delegation.”

Financial/Budget Considerations

19. The costs relating to the review and amendment of the Register have been, and will continue to be, derived from existing budgets.

Consistency with Plans/Policies/Community Outcomes

20. Transferring the daily operational powers and functions within the legislation and policies (listed in [Appendix I](#) of this report), to Council officers, would provide a consistent approach for RMA 1991 delegations contained within the Register.

Impact on Māori/Iwi

21. Māori will benefit from the Council undertaking its operational functions, as will all the South Taranaki community. This is a statutory process.

Affected Parties Consultation

22. External consultation is not required for additions or amendments to the Delegations Register. This is a statutory process.

Whakakapia / Conclusion

23. This report proposes that the Council transfers the same powers that it has provided to the CE, to an additional role of “Acting CE”. This will result in the CE being able to temporarily appoint an officer to the role of Acting CE. That appointment would then be able to undertake the same role as himself, including on-delegating when required, as the LGA 2002 prohibits multiple on-delegation of powers.
24. This report also proposes that the Council delegates powers to vacant “Acting” positions under the RMA 1991 (in [Appendix I](#) of this report). This will result in the CE being able to appoint temporary acting positions, as and when required during the operation of the Council, whilst ensuring that the correct process for delegating under the RMA 1991 has been followed.



Adrienne Cook

**Kaitātari Matatapu me te Kaupapa Here /
Privacy and Policy Advisor**



[Seen by]

Becky Wolland

**Kaihautū Kaupapa Here me te Whaitikanga /
Policy and Governance Manager**

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

- 1) All roles in the following appendix, which are transferred to Officers of the Council (excluding Environment and Hearings Committee or any duly appointed Hearings Commissioner(s), and Environment and Hearings Committee Chair,) requiring the corresponding “Acting” position to be delegated by the Council.
- 2) The roles of Chief Executive and Acting Chief Executive apply to all delegations, where an officer has been appointed.

Resource Management Act 1991	Description	Delegated to
RMA 1	Section 10 – Certain existing uses in relation to land protected Power to administer the determination of extensions to period of discontinuance allowed for activities with existing use rights.	1) Group Manager Environmental Services 2) Planning and Development Manager
RMA 2	Section 22 – Direction for personal information where breach of RMA Power to direct a person who is breaching or has breached any of the obligations of Part 3 of the Act, to give his or her full name, address, and date of birth (where a natural person); or, where not a natural person, the person's full name & address; or, where the person is breaching or has breached the obligations of Part 3 of the Act on behalf of another person, the same information of that person.	1) Environmental Monitoring Officer 2) Planner 3) Planning Team Leader 4) Planning and Development Manager 5) Group Manager Environmental Services
RMA 3 a	Section 34A – Delegation of powers and functions to employees and other persons Power to appoint an independent commissioner or panel of independent commissioners when an application is one in which the Council is, or could be perceived to be an interested party, or where there is other good reason to do so, such functions, powers or duties as may be delegated.	1) Group Manager Environmental Services AND 1) Environment and Hearings Committee Chair
RMA 3 b	Section 34A – Delegation of powers and functions to employees and other persons Power to appoint to the Hearings Panel one or more extra Commissioners who, because of their technical experience or training, can assist the panel to consider and determine any particular application.	1) Group Manager Environmental Services AND 1) Environment and Hearings Committee Chair
RMA 3 c	Section 34A – Delegation of powers and functions to employees and other persons	1) Group Manager Environmental Services AND 1) Environment and Hearings Committee Chair

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

	To delegate to an employee, or hearings commissioner appointed by the local authority (who may or may not be a member of the local authority), such functions, powers or duties as may be delegated.	
RMA 4	Section 35 – Gathering information, monitoring and keeping records Power to gather such information, and undertake or commission such research, as is necessary to carry out effectively its functions under this Act or regulations under this Act.	1) Environmental Monitoring Officer 2) Planner 3) Planning Team Leader 4) Planning and Development Manager 5) Group Manager Environmental Services
RMA 5 a	Section 36 – Administrative Charges 3.) Power to impose additional charges within the policies set by the Council.	1) Planning and Development Manager 2) Planning Team Leader 3) Group Manager Environmental Services 4) Planner 5) Development Engineer 6) Environmental Monitoring Officer
RMA 5 b	Section 36 – Administrative Charges 7.) Power to not commence or continue processing resource consent applications if insufficient money has been paid as required by the Council’s Fees and Charges policy. Note: When using this provision the application effectively remains “on hold” until the correct payment is made.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Planner 4) Development Engineer 4) Environmental Monitoring Officer
RMA 6	Section 37 and 37A Power of waiver and extension of time limits.	For non-notified consents: 1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader For notified consents up to close of submissions: 1) Group Manager Environmental Services For notified consents: 1) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s) or the chair for any matter prior to the commencement of hearing.
RMA 7	Section 38 – Authorisation and responsibilities of enforcement officers	1) Chief Executive

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

	To authorise officers to carry out all or any of the functions and powers as Enforcement Officer under the Resource Management Act 1991.	
RMA 9	<p>Section 42 – Protection of sensitive information Response to requests to protect sensitive information (e.g. tikanga Maori; commercial sensitivity).</p> <p>To make an order pursuant to s.42 prohibiting or restricting publication or communication.</p>	<p>For non-notified consents: 1) Group Manager Environmental Services</p> <p>For notified consents: 1) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s) or the chair for any matter prior to the commencement of hearing.</p>
RMA 10	<p>Section 42A – Reports to local authority Powers in relation to requiring or commissioning a report on information provided on any matter described in section 39(1).</p>	<p>1) Planning Team Leader 2) Planning and Development Manager 3) Group Manager Environmental Services 4) Planner</p>
RMA 12	<p>Section 87F – Consent authority’s subsequent processing Providing a report on applications that are to be determined by the Environment Court and attending relevant hearings.</p>	<p>1) Planner 2) Environmental Monitoring Officer 2) Development Engineer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services</p>
RMA 13	<p>Section 87G – Documentation for Environment Court hearing Power to, without delay, provide the Environment Court with— (a) the application to which the notice of motion relates; and (b) the authority's report on the application; and (c) all the submissions on the application that the authority received; and (d) all the information and reports on the application that the authority was supplied with.</p>	<p>1) Planner 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services</p>
RMA 14	<p>Section 87I – Applications returned from Environment Court Power to determine a resource consent application when: (a) an applicant receives a report under section 87F(5); and (b) either— (i) the applicant advises the authority that the applicant does not intend to lodge a notice of motion with the Environment Court under section 87G(2); or (ii) the applicant does not lodge a notice of motion with the Environment Court under section 87G(2); and</p>	<p>1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s) or the chair for any matter prior to commencement of hearing.</p>

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

	(c) the applicant continues to want the application determined.	
RMA 15	Section 88 – Incomplete resource consent Power to determine that a resource consent application is incomplete.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Planner
RMA 16	Section 89A – Referring applications to Maritime New Zealand Power to send relevant resource consent applications to Maritime New Zealand.	1) Group Manager Environmental Services
RMA 17	Section 91 – Deferral pending application for additional consents Deferral of processing of resource consent pending application for additional consents.	1) Group Manager Environmental Services
RMA 18 a	Section 92 – Further information may be required To require any applicant for resource consent to provide further information relating to the application and power to set a time limit for further information.	1) Planner 2) Environmental Monitoring Officer 2) Development Engineer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 18 b	Section 92 – Commissioning a Report To commission a report on any matters raised in relation to the application.	1) Planner 2) Environmental Monitoring Officer 2) Development Engineer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 19 a	Sections 95A, 95B and 95C Decisions on public notification, limited notification and notification after request for further information.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 19 b	Sections 95D, 95E and 95F Adverse Effects, Affected Persons Decision as to whether the activity will have, or is likely to have, effects on the environment that are more than minor and if there are any affected persons or affected customary order holders.	1) Planner 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 20	Section 96 – Making submission on resource consent	1) Group Manager Environmental Services

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

	Decision to lodge submission on resource consent application in another jurisdiction.	2) Environment and Hearings Committee
RMA 21	Section 98 – Advice of submissions to applicant A list of submissions received by Council is to be supplied to the applicant.	1) Planner 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 22 a	Section 99 – Pre-hearing meetings Appointment of persons to meet with parties to applications and to decide on subjects of such meetings and report to the appropriate Hearings Panel or Commissioner.	1) Group Manager Environmental Services
RMA 22 b	Section 99A – Referral to Mediation Power to refer to mediation a person who has made an application for a resource consent and some or all of the persons who have made submissions on the application.	1) Group Manager Environmental Services
RMA 23	Section 100 – Obligation to hold a hearing Decisions as to necessity for hearings where applicants or persons who have made submissions do not wish to be heard.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 24	Section 101 – Hearing date and notice To set a hearing date and inform all parties.	1) Planner 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 25 a	Section 102 – Joint hearings by two or more consent authorities Power to arrange a joint hearing.	1) Group Manager Environmental Services
RMA 25 b	Section 102 – Waiving need for joint hearings Decision to waive the need for a joint hearing by agreement with the applicant.	1) Group Manager Environmental Services
RMA 26 a	Section 103 – Combined hearings in respect of two or more applications Power to arrange a combined hearing.	1) Group Manager Environmental Services

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

RMA 26 b	Section 103 – Waiving combined hearings Decision to waive the need for a combined hearing by agreement with the applicant.	1) Group Manager Environmental Services
RMA 27 a	Sections 104A, 108 and 220 Determination of applications for controlled activities, Conditions of resource consents and Conditions of subdivision consents Granting consent for non-notified controlled activities not involving a matter of precedent and imposing conditions for those matters over which control is reserved in an NES or in the Plan or proposed Plan.	1) Planning and Development Manager 1) Planning Team Leader 2) Group Manager Environmental Services
RMA 27 b	Not grant consent (insufficient information to determine it is a Controlled Activity) section 104A(a).	1) Group Manager Environmental Services
RMA 28 a	Sections 104B, 108 and 220 Determination of application for discretionary or non-complying activities, Conditions of resource consents and Conditions of subdivision consents Granting consent for non-notified and limited notified discretionary and non-complying activities that do not require a hearing or involve a matter of precedent and imposing conditions.	1) Group Manager Environmental Services 1) Planning and Development Manager
RMA 28 c	Decline consent.	1) Group Manager Environmental Services
RMA 29 a	Sections 104C, 108 and 220 Determination of applications for restricted discretionary activity, Conditions of resource consents and Conditions of Subdivision consents Granting consent for non-notified and limited notified restricted discretionary activities that do not require a hearing or involve a matter of precedent and imposing conditions only for those matters to which discretion has been restricted in an NES or the Plan or proposed Plan.	1) Group Manager Environmental Services 2) Planning and Development Manager
RMA 30 a	Sections 104D, 108 and 220 Particular restrictions on grant of consent for non-complying activities, Conditions of resource consents and Conditions of subdivision consents Granting consent for non-notified and limited notified non-complying activities that do not involve a matter of precedent and imposing conditions.	1) Group Manager Environmental Services 2) Planning and Development Manager
RMA 32	Section 108 – Conditions of resource consent Inclusion of conditions (s.220 for subdivisions).	1) Group Manager Environmental Services 2) Planning and Development Manager

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

		<ul style="list-style-type: none"> 2) Planning Team Leader 3) Environment and Hearings Committee 3) Planner 3) Development Engineer
RMA 33	Section 108A – Bonds Requiring bonds.	<ul style="list-style-type: none"> 1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee
RMA 34	Section 109(3) – Special provisions in respect of bonds or covenants The power to decide whether any work the subject of a Bond or Covenant is completed satisfactorily.	<ul style="list-style-type: none"> 1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 35	Section 110 – Refund of money and return of land where activity does not proceed Refunds where activity does not proceed.	<ul style="list-style-type: none"> 1) Planning and Development Manager 2) Group Manager Environmental Services
RMA 36	Section 114 – Notification Notification of decisions.	<ul style="list-style-type: none"> 1) Planner 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 37	Section 124 – Exercise of resource consent while applying for new resource consent Power determine an application for a new consent for the same activity at least 6 months before the expiry of the existing consent; or between 6 and 3 months before the expiry of the existing consent (at the discretion of council) with reference to practice under existing consent, while allowing the holder of the existing resource consent that is due to expire to continue to operate until the application for the new consent is determined.	<ul style="list-style-type: none"> 1) Group Manager Environmental Services 2) Planning Team Leader 2) Planning and Development Manager 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)
RMA 38	Section 125 – Lapsing of consent To determine whether consent period should be extended and for how long.	<ul style="list-style-type: none"> 1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 39	Section 126 – Cancellation of consent	<ul style="list-style-type: none"> 1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

	Power to cancel a resource consent by written notice served on the consent holder if the resource consent has been exercised in the past but has not been exercised during the preceding 5 years.	
RMA 40	Section 127 – Change or cancellation of consent condition on application by consent holder Power to grant a change or cancellation of a condition of the consent.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee
RMA 41	Section 128 – Circumstances when consent conditions can be reviewed Power to review conditions of existing resource consent.	1) Group Manager Environmental Services
RMA 42	Section 129 – Notice of review Inform consent holder of review of consent conditions.	1) Environmental Monitoring Officer 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 43	Section 130 – Notification of a review of conditions Power to require that a review of conditions be notified and a hearing be held even if a plan expressly states that a rule shall affect the exercise of existing consents under section 68(7).	1) Environmental Monitoring Officer 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 44	Section 132 – Decisions on review of consent conditions Change conditions or cancel consent.	1) Group Manager Environmental Services 2.) Environment and Hearings Committee
RMA 45	Section 133A – Minor correction of resource consents Power to make minor corrections to resource consents.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 47	Section 139 – Consent authorities and Environmental Protection Authority to issue certificates of compliance Grant or refuse certificate of compliance.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 48	Section 139A – Consent authorities to issue existing use certificates Grant or refuse existing use certificates.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 50	Section 149G – EPA must provide board or Court with necessary information	1) Planner 2) Environmental Monitoring Officer

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

	Provision of report to EPA.	3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 51	Section 149ZD – Costs of process under this part recoverable from applicant Recover cost of undertaking work from applicant.	1) Planning Team Leader 2) Planning and Development Manager 3) Group Manager Environmental Services
RMA 52 a	Section 168A – Notice of requirement for a public work Powers to issue and decide whether to notify a notice of requirement for a designation.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 52 b	Section 170 – Including requirement in proposed plan Power to include a notice of requirement in a proposed plan instead of complying with section 169 when proposing to publicly notify a plan within 40 working days of receipt of that notice of a requirement.	1) Group Manager Environmental Services
RMA 53 a	Section 171(2) – Recommendation to requiring authority Power to make recommendations to the requiring authority including reasons when no hearing is required.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 54	Section 173 – Notification of decision on designation Power to notify a requiring authority's decision.	2) Planning Team Leader 2) Planning and Development Manager 1) Group Manager Environmental Services
RMA 56	Section 176A – Outline plan Approval of Outline Plans, requests for changes to Outline Plans and waivers of the requirement to provide Outline Plans.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 57	Section 181(3) – Alteration of a designation Power for minor alterations of designations.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 58	Section 182 – Removal of designation Power to remove a designation on request of Requiring Authority.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 59	Section 184 – Lapsing of designations which have not been given effect to	1) Group Manager Environmental Services 2) Planning and Development Manager

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

	Power to determine a longer period than 5 years for the expiry of a designation, on an application made within 3 months before the expiry of that period that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made.	2) Planning Team Leader
RMA 60	Section 189 – Notice of requirement to territorial authority Power to, upon receipt of notification that a heritage protection authority to withdraw its requirement for a heritage order- (a) publicly notify the withdrawal; and (b) notify all persons upon whom the requirement has been served.	1) Group Manager Environmental Services
RMA 61	Section 190 – Further information, notification, submissions, and hearing for notice of requirement to a territorial authority Procedural matters relating to notice of requirement (Heritage Orders) to a territorial authority.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 63	Section 195A – Alteration of heritage order Power for minor alteration of a Heritage Order.	1) Group Manager Environmental Services
RMA 64	Section 196 – Removal of heritage order Removal of heritage order on request of Heritage Protection Authority.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 66	Section 221 – Conditions subject to Consent Notice Issue, review, change or cancel a consent notice in whole or in part.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Planner
RMA 67	Section 222 – Completion certificates Issue of Completion Certificates and extension of time.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 68	Section 223 – Approval of survey plan by TA Approval of survey plan by the Council	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 69	Section 224 – Restrictions upon deposit of a survey plan Issuing of a certificate stating that all or any of the conditions of the subdivision consent have been complied with.	1) Group Manager Environmental Services 2) Planning and Development Manager (on confirmation of compliance with conditions).

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

		2) Planning Team Leader
RMA 70	Section 226 – Restrictions upon issue of certificates of title for subdivision 1) e) TA may certify (signed by Principal Administrative Officer or other authorised officer) that: i), ii), or iii).	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 71	Section 230 – Creation of esplanade strips on allotments less than 4 hectares Power, where any allotment of less than 4 hectares is created when land is subdivided, to set aside an esplanade reserve 20 metres in width from that allotment along the mark of mean high water springs of the sea, and along the bank of any river or along the margin of any lake.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)
RMA 72 a	Section 232 – Creation of esplanade strips The creation of esplanade strips 20 metres wide.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)
RMA 72 b	Section 232 – Creation of esplanade strips The creation of esplanade strips less than 20 metres wide.	1) Group Manager Environmental Services AND 1) Environment and Hearings Committee Chair
RMA 73	Section 234 – Variation or cancellation of esplanade strips Power to vary or cancel an esplanade strip.	1) Group Manager Environmental Services
RMA 74	Section 235 – Creation of esplanade strips Creation of esplanade strips by agreement.	1) Group Manager Environmental Services
RMA 75	Section 237B – Access strips Power to create access strips and conditions of use of such easement, variation and cancellation of conditions.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 76	Section 237C – Closure of strips to public Power to close esplanade strips to the public and to erect relevant signs.	1) Group Manager Environmental Services
RMA 77	Sections 237E, 237F, 237G & 237H	1) Group Manager Environmental Services 2) Planning and Development Manager

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

	Power to pay to the registered proprietor of an allotment compensation for any esplanade reserve or any interest in land taken for any esplanade strip or coastal marine area and to contract a valuer to this end.	2) Planning Team Leader
RMA 78	Section 240 (4) – Covenant against transfer of allotments Cancellation of covenant against transfer of allotments.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 79	Section 241 (3) – Amalgamation of allotments Cancellation of conditions of amalgamation of titles.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 80	Section 243 (e) – Survey plan approved subject to grant or reservation of easements Revocation of conditions on survey plans.	1) Group Manager Environmental Services 2) Planning and Development Manager 2) Planning Team Leader
RMA 81	Sections 267 and 274 - Conferences Power to appear at Environment Court Conference.	1) Group Manager Environmental Services AND 1) Environment and Hearings Committee Chair
RMA 88 a	Sections 315, 316, 320 and 321 - Enforcement orders Ensure compliance with an order.	1) Enforcement Officer appointed under s38 2) Group Manager Environmental Services
RMA 89 a	Section 322 – Scope of abatement notice Enforcement officer may serve abatement notice requiring noise to not exceed a “reasonable level”.	1) Enforcement Officer appointed under s38 2) Regulatory Services Manager 3) Group Manager Environmental Services 4) Chief Executive
RMA 89 b	Section 322 – Scope of abatement notice Power to determine form and content of an abatement notice. Power to serve an abatement notice. Power to enter premises for compliance with an abatement notice.	1) Group Manager Environmental Services 2) Chief Executive
RMA 90	Section 323 – Compliance with abatement notice If person whom abatement notice issued under section 322 (1) (c) fails to comply, an enforcement officer may enter (with a constable if a dwelling house) and reduce noise level or seize and impound noise source.	1) Environmental Health Officer 1) Compliance Officer 1) Environmental Monitoring Officer 2) Compliance Team Leader 2) Regulatory Services Manager 2) Planning and Development Manager

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

		3) Group Manager Environmental Services
RMA 91 a	Section 325A – Cancellation of abatement notice 2) TA or enforcement officer may cancel abatement notice at any time.	1) Environmental Health Officer 1) Compliance Officer 1) Environmental Monitoring Officer 2) Compliance Team Leader 2) Regulatory Services Manager 2) Planning and Development Manager 3) Group Manager Environmental Services
RMA 92	Section 327 – Issue and effect of excessive noise direction (END notice) 1) Enforcement officer may issue a direction to the occupier or other person responsible for noise, to immediately reduce noise to reasonable level. 2) May issue a direction written or orally. 3) Direction is for 72 hours or shorter period as Enforcement Officer specifies.	1) Environmental Health Officer 1) Compliance Officer 1) RS After Hours Contractors 1) Environmental Monitoring Officer 2) Compliance Team Leader 2) Planning and Development Manager 3) Regulatory Services Manager 4) Group Manager Environmental Services
RMA 93	Section 328 – Compliance with an excessive noise direction If person fails to comply with excessive noise direction or person cannot be reasonably identified/found responsible, an Enforcement Officer (accompanied by constable) may enter the place and: seize and remove, render inoperable, or lock or seal to make unusable; any noise making device. Other than exemptions in 326.	1) Environmental Health Officer 1) RS After Hours Contractors 1) Environmental Monitoring Officer 2) Compliance Team Leader 2) Planning and Development Manager 2) Regulatory Services Manager 3) Group Manager Environmental Services
RMA 94	Section 330 – Emergency works and powers to take preventative or remedial action Power to determine whether s330 provisions apply.	1) Group Manager Environmental Services 2) Chief Executive
RMA 95	Section 331 Power to determine reimbursement or compensation for emergency works.	1) Group Manager Environmental Services 2) Chief Executive
RMA 96	Section 332 – Power of entry for inspection Enforcement Officer may go onto, into, under or over (excluding a dwelling house) to inspect.	1) Environmental Monitoring Officer 1) Development Engineer 1) Planner 1) Environmental Health Officer 1) RS After Hours Contactors

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

		<ul style="list-style-type: none"> 2) Planning Team Leader 2) Planning and Development Manager 2) Regulatory Services Manager 3) Group Manager Environmental Services
RMA 97	<p>Section 333 - Power of entry for survey Power of entry for survey.</p>	<ul style="list-style-type: none"> 1) Environmental Monitoring Officer 1) Development Engineer 1) Enforcement Officer appointed under s38 1) Planner 2) Planning Team Leader 2) Planning and Development Manager 3) Group Manager Environmental Services
RMA 98	<p>Section 336 – Return of property seized under sections 323 and 328 2) If application is made, TA must arrange for the return of the property if: satisfied that return of property is not likely to lead to resumption of emission of noise beyond a reasonable level and applicant has paid all costs incurred by TA in seizing, impounding, transporting and sorting the property. 5) Where (a-b) TA may dispose of property in accordance with subsection 6).</p>	<ul style="list-style-type: none"> 1) Group Manager Environmental Services 2) Regulatory Services Manager
RMA 99	<p>Sections 343C and 343D - Infringement Notice Power to prepare and deliver infringement notice and retain infringement fees.</p>	<ul style="list-style-type: none"> 1) Enforcement Officer appointed under s38 2) Group Manager Environmental Services
RMA 100	<p>Section 357 Consideration and determination of objections to certain decisions and requirements.</p>	<ul style="list-style-type: none"> 1) Group Manager Environmental Services 2) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)

Schedule 1 - Preparation, change, and review of policy statements and plans

RMA 101	<p>Part 1 – Clauses 3 & 3C – Consultation Power to consult during the preparation of a proposed policy statement or plan.</p>	<ul style="list-style-type: none"> 1) Planner 2) Environmental Monitoring Officer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 102	<p>Part 1 – Clause 4 – Requirements</p>	<ul style="list-style-type: none"> 1) Planner

Appendix I – Delegations to Acting roles under the Resource Management Act 1991

	Power to invite requiring authorities which have a designation in the district that has not lapsed to give written notice to the territorial authority stating whether the requiring authority requires the designation to be included in the proposed plan, with or without modification.	2) Environmental Monitoring Officer 3) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 103	Part 1 – Clauses 5 & 7 – Public notice Power, where a local authority that has prepared a proposed policy statement or plan, to- (a) prepare an evaluation report for the proposed policy statement or plan in accordance with section 32 and have particular regard to that report when deciding whether to proceed with the statement or plan; and (b) publicly notify the proposed policy statement or plan if the local authority decides to proceed with the policy statement or plan.	1) Planning and Development Manager 2) Group Manager Environmental Services
RMA 106	Part 1 – Clause 11 – Notification of decision on submissions Power, at the same time as a local authority publicly notifies a decision under clause 10(4)(b), to serve, on every person who made a submission on the proposed policy statement or plan concerned.	1) Planning and Development Manager 2) Group Manager Environmental Services
RMA 107	Part 1 – Clause 13 – Decision of requiring authority or heritage protection authority Power to ensure a notice of decision by the requiring authority or heritage protection authority and a statement of the time within which an appeal may be lodged is served on every person who made a submission on the requirement, and on the land owners and occupiers who are directly affected by the decision.	1) Planning Team Leader 2) Planning and Development Manager 3) Group Manager Environmental Services
RMA 109	Part 2 – Clauses 23 and 24 – Further Information may be required To require any applicant for a plan change to provide further information relating to the application.	1) Planner 2) Planning Team Leader 3) Planning and Development Manager 4) Group Manager Environmental Services
RMA 110	Part 2 – Clause 28 – Withdrawal of request for plan change Power to deem a request from a person for a change to a district plan to be withdrawn.	1) Group Manager Environmental Services



Pūrongo Report

To	Ordinary Council
From	Kaiarataki Taiao / Group Manager Environmental Services, Liam Dagg
Date	14 December 2020
Subject	Making the Proposed District Plan Operative

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The purpose of this report is to seek Council approval and an associated formal resolution to make the Proposed South Taranaki District Plan operative.
2. Decisions on submissions on the Proposed District Plan were notified in November 2016. Nine appeals were received on these decisions. Seven appeals were resolved via mediation, and two appeals were heard and determined by the Environment Court – all appeals have now been resolved.
3. By making the Proposed District Plan formally operative, the current Operative District Plan (2004) will cease to have effect and no longer needs to be considered when determining whether a resource consent is required for an activity.
4. The operative date of 22 January 2021 is recommended.

Taunakitanga / Recommendation(s)

THAT the Council;

- 1) **approves** the Proposed District Plan to be made operative, as set out in [Appendices 1 and 2](#) to this report.
- 2) **authorises** the Common Seal be affixed to the Proposed District Plan to affect its approval of the Plan as the new Operative District Plan 2021, and His Worship the Mayor, and the Chief Executive sign the Plan.
- 3) **approves** 22 January 2021 as the operative date for the Plan.

Kupu Whakamārama / Background

5. The Proposed District Plan was publicly notified in August 2015. Following hearing the submissions on the Proposed District Plan, Council notified its decisions on submissions in November 2016. Nine appeals were received, from Damian Ellerton, Department of Conservation, Fonterra, NZ Heavy Haulage Association (House Movers Section), Meridian Energy, Ngāti Ruanui, Powerco, Taranaki Energy Watch and Tararua Wind Power. The appeals covered a range of topics across several sections of the plan including:
 - rural character and amenity
 - reverse sensitivity of Rural Zone adjacent to Rural Industrial Zone
 - Fonterra’s Kapuni manufacturing plant and wastewater irrigation farm
 - managing the risk and environmental effects from the use and storage of hazardous substances
 - reverse sensitivity from use and storage of hazardous substances
 - network utilities, primarily electricity distribution
 - large-scale renewable energy activities (wind farms)
 - petroleum prospecting, exploration and production
 - landfarming
 - location and extent of the coastal environment
 - areas of outstanding natural character
 - subdivision, use and development in the coastal environment
 - goat farming within 2km of Egmont National Park
 - significant waterbodies
 - relocated buildings and performance bonds
 - noise limits

6. Informal discussions and Environment Court mediation were held during 2017 which resolved most of the appeals. Agreements reached through these discussions and mediation were lodged with the Environment Court and the Court issued consent orders resolving all appeals, apart from two (Heavy Haulage and Taranaki Energy Watch) where agreement could not be reached.

7. The New Zealand Heavy Haulage Association Inc (House Movers Section) appealed the provisions in the Proposed District Plan relating to relocated buildings. In particular, the Association sought to remove the requirement for a bond. The Environment Court held a hearing and issued a decision in May 2018 declining this appeal. In making this decision, the Court identified some drafting matters, and a final decision was issued in January 2019 with amended provisions.

8. Taranaki Energy Watch appealed various provisions in the Proposed District Plan relating to petroleum prospecting, exploration and production, hazardous substances, landfarming and reverse sensitivity. While some matters in this appeal were resolved through mediation, a range of matters were not. The Environment Court held a series of hearings from March 2018 through to August 2019 considering extensive evidence from the appellant and the Petroleum Exploration and Production Association of NZ. The Environment Court issued three interim decisions (one in November 2018, and two in March 2020) and issued a final decision in September 2020. This final decision resolved all appeals on the Proposed District Plan.

9. The changes set out in the consent orders (as agreed through mediation) and in the Environment Court decisions have been incorporated into the Proposed District Plan to create a new version that can now be made operative ([Appendix 1 \(text\)](#) and [Appendix 2 \(maps\)](#)).
10. As the review of the current Operative District Plan started in 2014 (and in part prior to this date), making the Proposed District Plan 'operative' marks a significant milestone in the project. It has involved a significant amount of Councillor and staff time, particularly in the workshops held prior to the Proposed District Plan being notified, and through the hearings held in 2016 after the Proposed District Plan was notified.
11. When the Proposed District Plan is made 'operative' the current Operative District Plan 2004 will cease to have effect. This means any future resource consent applications will only need to be considered under the new 'Operative District Plan 2021'. This step will create greater efficiency and certainty for all parties.

Local Government Purpose

12. The Proposed District Plan has been prepared to assist Council to carry out its functions in order to achieve the purpose of the Resource Management 1991. The purpose of the Resource Management Act 1991 is set out in Section 5 of the Act which states:

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

*(2) In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

13. This purpose aligns with the purpose of local government in Section 10 of the Local Government Act 2002 of promoting the social, economic, environmental or cultural well-being of communities in the present and for the future.

Ngā Kōwhiringa / Options – Identification and analysis

14. Clause 17 of Schedule 1 of the Resource Management Act 1991 sets out that a local authority shall approve a proposed plan once it has made amendments under Clause 16 (which refers to directions of the Environment Court). As the Environment Court has issued consent orders and decisions on all appeals on the Proposed District Plan, Council is now required to approve the Proposed Plan and define an operative date.
15. Under Clause 20 of Schedule 1 of the Resource Management Act 1991, Council is required to notify the date on which the plan becomes operative at least five working days prior to the operative date.

16. It is recommended the operative date is 22 January 2021. This date was chosen as it provides sufficient time to complete the administrative tasks in notifying the operative date and publishing the new Operative District Plan. In addition, the date avoids the main summer holiday period. Council could choose to make the Proposed District Plan operative on a different date. However, Council is required under Section 21 of the Resource Management Act to avoid unreasonable delay, so this must be considered when setting the operative date.

Whaiwhakaaro me ngā aromatawai / Considerations and Assessments

Assessment of Significance and Engagement

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

Criteria	Measure	Assessment
Degree	The number of residents and ratepayers affected and the degree to which they are affected by the decision or proposal.	The District Plan relates to all properties in the district. However, this decision is effectively a procedural step and does not directly affect any parties.
LOS	The achievement of, or ability to achieve, the Council’s stated levels of service as set out in the Long-Term Plan 2018-2028.	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 decision will be of some interest, particularly to submitters on the Proposed District Plan. However, the plan review process was undertaken in accordance with the Resource Management Act and involved significant community input.
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 Long Term Plan budget.
Reversible	The degree to which the decision or proposal is reversible.	The decision is not reversible. However, the Council can decide to change the new Operative District Plan in the future.

18. Based on the above table, this matter is of low significance.
19. Council is legally required to place a public notice in a locally distributed newspaper at least five working days prior to the operative date of the plan. It is also proposed to inform all submitters on the Proposed District Plan that this milestone has been reached.
20. In addition, updated copies of the new Operative District Plan will be distributed to all of the Council's offices, libraries and service centres, as well as to the iwi authorities, Minister for the Environment, Taranaki Regional Council, and adjoining territorial authorities. The Council website will also be updated accordingly with the copy of the Operative District Plan.

Legislative Considerations

21. As stated above, under Clauses 17 and 20 of Schedule 1 of the Resource Management Act 1991, Council is required to make the Proposed District Plan formally operative and notify the date on which the plan becomes operative.

Financial/Budget Considerations

22. Some administrative and printing costs will be incurred in making the Proposed District Plan operative. These costs will be met by existing District Plan budgets.

Consistency with Plans/Policies/Community Outcomes

23. Nothing in this report is inconsistent with any Council policy, plan or strategy.
24. This matter contributes to the following community outcomes as detailed below:
 - Vibrant South Taranaki
 - Together South Taranaki
 - Prosperous South Taranaki
 - Sustainable South Taranaki

Impact on Māori/Iwi

25. The four iwi authorities were involved in the preparation of the Proposed District Plan, including making submissions.

Whakakapia / Conclusion

26. Making the Proposed District Plan formally operative is the final step in the District Plan Review project – a significant milestone. The operative status for the Proposed District Plan means the new District Plan formally supersedes the current Operative District Plan which ceases to have effect. The decision to make the Proposed District Plan is effectively procedural, with the main consideration the date it is made formally operative.

27. Following Council's approval to make the Proposed District Plan operative, a public notice will be placed in a locally distributed newspaper and parties with particular interest in the District Plan informed.



Liam Dagg
Kaiarataki Taiao /
Group Manager Environmental Services



[Seen by]
Waid Crockett
Pouhautu /
Chief Executive



Pūrongo Report

To	Ordinary Council
From	Kaihautū Kaupapa Here me te Whaitikanga / Policy and Governance Manager, Becky Wolland
Date	14 December 2020
Subject	2021-2031 Long Term Plan

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

Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Council has held a number of workshops to develop and review the policies and information required to be included in the 2021-2031 Long Term Plan (LTP). The purpose of this report is to present the following information for approval to be included in the draft 2021-2031 LTP:
 - a) Forecasts and Assumptions

Taunakitanga / Recommendation(s)

THAT the Council approves the following information for inclusion in the Draft 2021-2031 Long Term Plan:

- a) Forecasts and Assumptions

Kupu Whakamārama / Background

2. Schedule 10 of the Local Government Act 2002 (LGA) sets out the information to be included in the LTPs. This report is the second in a series of reports that will be presented to the Council requesting information and policies be approved for inclusion in the 2021-2031 LTP. Workshops have been held throughout 2020 to provide direction and review information and policies that feed into the LTP.
3. When consulting on the LTP, the Council must prepare a Consultation Document (CD) which represents the matters proposed for inclusion in the LTP. The CD will be the focus of the Council's consultation and will go out to all residents. Some submitters are however, interested in the full LTP document and this will be available on the Council's website during the consultation process.

Significant Forecasting Assumptions

4. Schedule 10 Part 1(17) of the LGA states that an LTP must identify significant forecasting assumptions and risks which underly the financial estimates. A workshop was held with the Council to discuss the identified assumptions, determine the risk and whether it was likely, possible or unlikely that the risk would occur. The Council are being asked to approve the significant forecasting assumptions for inclusion in the 2021-2031 LTP as attached in [Appendix I](#).

Local Government Purpose

5. The Council's LTP and CD describes to the community the plans and activities the Council intends to take over the next ten years. Through formal consultation the community have an opportunity to feed into the LTP enabling democratic local decision making.

Whaiwhakaaro me ngā aromatawai / Considerations and Assessments

Assessment of Significance and Engagement

6. South Taranaki District Council's general approach to determining the level of "significance" will be to consider:

Criteria	Measure	Assessment
Degree	The number of residents and ratepayers affected and the degree to which they are affected by the decision or proposal.	All residents and ratepayers within South Taranaki will be affected by the plans and policies in the draft 2021-2031 LTP.
LOS	The achievement of, or ability to achieve, the Council's stated levels of service as set out in the Long-Term Plan 2018-2028.	The levels of service in the current LTP are not affected by this decision however this decision will determine future levels of service.
Decision	Whether this type of decision, proposal or issue has a history of generating wide public interest within South Taranaki.	The plans and policies in the draft 2021-2031 LTP generate some interest within the South Taranaki community.
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.	The impact on the Council's overall budget will be affected by the Revenue and Financing Policy.
Reversible	The degree to which the decision or proposal is reversible.	The Council will call for public submissions and feedback on the draft 2021-2031 LTP in 2021 prior to adoption in June 2021.

7. A formal consultation process will be undertaken in April-May 2021 on the Council's draft 2021-2031 LTP Consultation Document.

Legislative Considerations

8. The Council is required under Schedule 10 of the LGA to include a variety of information in the draft 2021-2031 Long Term Plan.

Financial/Budget Considerations

9. There are no financial considerations at this time. The adoption of the draft 2021-2031 LTP in June 2021 will include a ten year budget for the Council.

Consistency with Plans/Policies/Community Outcomes

10. The forecasting and assumptions align with the Council's vision, outcomes and community priorities and key strategic risks. These documents contribute to the vibrant, together, prosperous and sustainable community outcomes.

Impact on Māori/Iwi

11. Māori will be impacted by the information and policies within the draft 2021-2031 LTP. The Council has begun pre-engagement through workshops held with the Iwi Liaison Committee.

Affected Parties Consultation

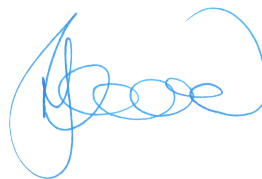
12. Pre-engagement for the 2021-2031 LTP was undertaken in late 2018 and early 2019 through the community visioning exercise. Feedback received through this process was collated where the Community's key priorities emerged.
13. A formal consultation process will be undertaken in March-April 2021 on the Council's draft 2021-2031 LTP Consultation Document.

Whakakapia / Conclusion

14. A series of reports will be presented to the Council requesting information and policies to be approved for inclusion in the 2021-2031 LTP. This report seeks that the Council approves the Building Māori Capacity to Contribute to Council Decision-Making Policy and forecasting assumptions.



Becky Wolland
**Kaihautū Kaupapa Here me te Whaitikanga /
Policy and Governance Manager**



[Seen by]
Marianne Archibald
**Kaiarataki Tōpūranga /
Group Manager Corporate Services**

Appendix 1

1

Forecasting Assumptions

Population and Growth

1 Population

What we think will happen

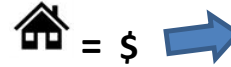


Pre COVID-19 we were expecting a modest growth of 0.3% per year across the District. However, it is now anticipated that there will be minimal or no growth for the next three years. Most of our rural areas are likely to experience a small decrease while modest growth is predicted for Hāwera and its environs. South Taranaki’s population is ageing, although not enough for us to change our current levels of service.

RISK – There is a risk that the population increases more than projected or declines, which means we would then need to review our growth-related projects and work programmes. We consider this to be likely as there is some evidence of growth in the residential area, based on the number of building and planning consent applications including subdivisions we have received. The National Policy Statement on Urban Development 2020 identifies New Plymouth as a tier 2 urban environment which, in effect, identifies it as a growth area and we expect there will be some corresponding development spill-over to the Stratford and South Taranaki Districts.

2 Change in number of rating units

What we think will happen



Based on the growth projections indicated for South Taranaki we do not anticipate a sharp increase in the rating base.

RISK – If there is an increase ahead of the projections, we may not have infrastructure in place to meet this growth. We consider this to be likely as there is some evidence of growth in the residential area, given the number of building and planning consent applications including subdivisions we have received.

We are addressing this by identifying areas of growth, such as the northern and western structure plans in Hāwera.

3 Economic growth – South Taranaki

What we think will happen



A decrease in economic growth of up to 8.5% is expected during the first two years of the LTP. It is unknown how long it will take for the economy to recover from the COVID-19 pandemic, although BERL notes that, historically, the economy takes ten years to recover from a financial crisis. We are looking at ways to increase economic growth and we are part of the Taranaki Region’s economic strategy, Tapuae Roa: Make way for Taranaki.

RISK – There is a risk that the economy will take longer to recover, potentially delaying some projects. Provided that we remain within Level 1 this is unlikely as we are already seeing some evidence of economic recovery.

4 **Land use and development**

What we think will happen



Demand for residential, commercial and industrial sections is expected to be mainly focussed around the Hāwera and Normanby areas. The current supply of consented subdivision lots is expected to meet demand for several years at current rates of development. An expected increase in demand for water and wastewater services in Hāwera’s new residential areas has been planned for through our Infrastructure Strategy.

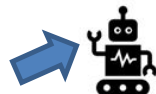
RISK - If there is an increase beyond our projections, we may not have infrastructure in place to meet this growth or support new commercial or industrial facilities. This is unlikely as work has commenced on supporting the area identified for the South Taranaki Business Park.

5 **Technological changes – how we work**

What we think will happen



What could happen



We expect continued technology changes and we are developing a Digital Strategy to meet these changes.

RISK - We are mindful that radical changes in technology developments could affect the way in which society operates, works, accesses information and services. It is possible that there maybe some technology advancements that we are unable to keep up with.

Environment and Sustainability

6 Climate Change

What we think will happen



We anticipate that over the life of the LTP there will be an increase in droughts, extreme rain and wind events and changing weather patterns. Climate change is likely to affect most Council activities over the medium to long term. Our asset management planning includes climate change impacts.

RISK – There is a risk that there will be more frequent and severe weather events than anticipated which will put extra pressure on our built and natural environments, assets and infrastructure. We maintain and update our Business Continuity Plans and we have performance measures to monitor our preparedness for a civil defence emergency event.

7 Natural and biological disasters/pandemics



We are part of the Taranaki Emergency Management Office and plans are in place to manage natural or biological disasters or a pandemic event. We are prepared to establish the Emergency Operations Centre in Hāwera and activate our Business Continuity Plans. In the event of a biological or pandemic event we expect to be able to deliver essential services to the community. We assume there will not be a new widespread outbreak of COVID-19 that takes New Zealand back into higher alert levels.

RISK – There is a possibility that our ability to respond is severely disrupted during a disaster or an event.

8 Sea level rise

What we think will happen What could happen



While we expect sea levels will continue to rise at a rate of approximately 3mm per year, a rise dramatically beyond expectations could have impacts on our coastal communities and infrastructure.

RISK – There is a possibility that sea level rise will accelerate beyond 3mm and potentially to 10mm.

9 Energy

What we think will happen



We expect energy costs will increase in line with inflation.

What could happen



RISK – There is a risk that there will be large increases in energy costs, particularly transport-related, which could result in changes to living, working and recreation patterns.

10 Waste minimisation levy

What we think will happen



We anticipate that there will be substantial increases in Waste Minimisation Levies in the next five to ten years.

RISK – There is a possibility that Waste Minimisation Levies will increase beyond anticipated levels and severely increase the costs associated with recycling.

Legislative Requirements

11 Legislative changes

What we think will happen

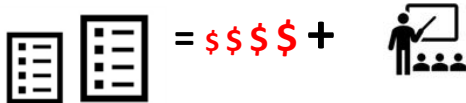


There are indications from central Government that we will continue to see legislative changes occurring, with some impacts on the delivery of core services and budgets.

RISK – There is a risk that major unexpected changes to legislation will affect how we operate, what we do and who pays. There is a possibility that this will occur and could have an effect on budgets.

12 Climate Change Response Act 2002 amendments National Policy Statement for Indigenous Biodiversity (NPSIB)

What we think will happen

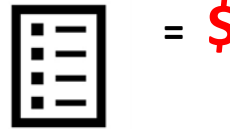


We anticipate further amendments to the Climate Change Response Act 2002 and the introduction of the NPSIB will have direct impacts on our costs and operations.

RISK – There is a risk that additional amendments could be introduced that could affect our costs and our ability to deliver services. We consider this is a possibility over the life of this Plan.

13 Resource consents held by the Council

What we think will happen



The Taranaki Regional Council has indicated that there will be an increase in consent conditions with more stringent environmental requirements. This is likely to occur during drier months when water consumption is at its peak, potentially raising the need for water restrictions.

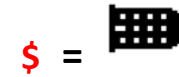
RISK – If resource consent conditions escalate more than anticipated it is likely that this will result in increased costs and/or breaches of resource consent conditions.

14 Building Act 2004 Subpart 6A – earthquake-prone buildings

What we think will happen



What could happen



We expect to continue to administer the Building Act 2004 Subpart 6A and fulfil our obligations as a building owner and territorial authority. Council buildings considered to be the most important for public safety are being strengthened, but we may not be able to meet our obligations if sufficient funding is not available. We are reviewing our assistance to private building owners.

RISK – If insufficient budgets are allocated there is a risk that we will not be able to meet our legislative requirements. Due to the number of buildings that require assessments across the country it may become difficult to engage qualified assessors.

Financial

15 Global economy

What we think will happen



What could happen



Despite recent events we do not expect the global economic climate to change greatly during the life of this Plan. We will continue to monitor international and national developments and can respond by changing priorities through the Annual Plan.

RISK – A risk remains for a global economic crisis to occur as a result of COVID-19. If there is a global economic crisis this could have a major impact on the people of South Taranaki.

16 Inflation

What we think will happen



What could happen



We have predicted modest inflation over the life of this Plan, based on the latest BERL estimates of annual CPI increases of 1.6% to 2.2% between 2021 and 2031.

RISK – It is possible that inflation will not match our estimates which could result in unbudgeted costs.

17 Interest rates on loans

What we think will happen



What could happen



The forecast interest rates on loans are expected to be between 2.73% to 3.66% based on discussions with PriceWaterhouseCoopers.

18 Interest rates on investments

What we think will happen



What could happen



The forecast interest rates on investments are expected to be between 1% to 3% based on current and projected interest rates.

19 Credit rating

What we think will happen



What could happen



It is anticipated that our credit rating will remain at AA-. However as a result of COVID-19 and potential increase in treatment standards for three waters we may need to increase our debt levels. If our debt levels increase beyond previously projected levels, Standard & Poors may downgrade our credit rating.

RISK – If our credit rating is downgraded our borrowing costs will increase.

20 **Valuations and depreciation**

What we think will happen



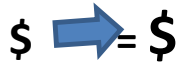
The forecast valuations and depreciation are thought to be correct.

RISK - Inaccurate calculations could have an impact on our budgets, resulting in insufficient funds to replace strategic assets. If our infrastructure is compromised this may lead to breaches of resource consent conditions and failure to meet legislative standards.

Long Term Investment Fund

21 **Long Term Investment Fund**

What we think will happen



The forecasted return on the Long Term Investment Fund is expected to be between \$6.1 million to \$6.8 million. This is based on our Statement of Investment Policy Objectives (SIPO) together with our strategic Asset Allocation / Benchmark portfolio. We need to achieve a minimum return of \$6.6m annually to meet our subsidy obligation, on average over the ten-year period.

RISK - Lower than forecasted returns will mean we will receive less income than budgeted.

Funding

22 NZTA subsidy

What we think will happen



What could happen



During the COVID-19 pandemic Waka Kotahi New Zealand Transport Authority's income decreased dramatically and therefore it is possible that the subsidies provided by WKNZTA may decrease although we have been advised that our subsidy will increase from 58% to 63% by 1 July 2021, however this has yet to be confirmed.

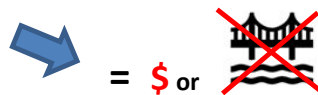
RISK - If the funding decreases substantially or ends our budgets would be greatly affected. Given the uncertain economic environment as a result of COVID-19 we believe our overall funding from NZTA may decrease over the life of this Plan.

23 Project funding from other sources

What we think will happen



What could happen

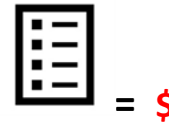


It is anticipated that external funding sources will remain available to us. South Taranaki was successful in securing \$15.4 million (\$10.4 million for Council projects) of funding via the Provincial Growth Fund.

RISK - If there is less or no external funding available our costs would increase and/or major projects may be put on hold or cancelled.

24 Local Government Funding Agency (LGFA) guarantee

What we think will happen



It is likely that the Local Government Funding Agency will continue to be a funding source and the Agency will remain solvent.

RISK – There is a minor risk that the LGFA defaults and will be unable to support us. We believe this to be unlikely.

Community

25 Relationships with external bodies

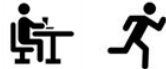
What we think will happen



We have good working relationships with external bodies including Iwi, the Regional Council and other Government departments. We will continue to build on these relationships and identify areas where they can be developed further.

RISK – If there is a lack of desire for collaboration or co-operation this may result in a loss of efficiency savings and/or the loss of important partners.

What could happen



26 Community support

What we think will happen



We expect the community will continue to support the Council and the projects committed through the Plan.

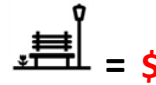
RISK – If there is loss of support from the community the benefits created from the completion of projects will be minimal or projects may need to be cancelled.

What could happen



27 Levels of service – community expectations

What we think will happen



Good two-way communication with our communities ensures that expectations are realistic and achievable. We carry out periodic service delivery reviews and acknowledge that the community may expect higher levels of service that we cannot meet without increasing rates.

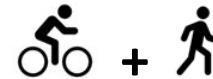
RISK – There is a risk that the community will expect higher levels of service without an increase in cost.

What could happen



28 Recreation – changing trends

What we think will happen



Feedback received from the community has shown a growing demand for more walkways, cycleways and combined community facilities.

RISK – We expect the above trend will continue; however, it is likely that there will be a decrease in club sports and demand for the facilities associated with these sports.

Three Waters

29 **Three Waters**

What we think will happen



What could happen



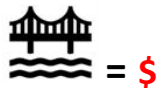
This Plan continues to focus on projects and maintenance associated with three waters and in the short term we will continue to deliver these activities.

RISK – With the Government’s focus on the three waters reform it is possible in the long term that local authorities will no longer be responsible for these activities. If three waters is removed from local authorities other functions and activities within Council will be less affordable.

Infrastructure Projects and Maintenance

30 **Major capital projects**

What we think will happen



What could happen



Given the additional funding provided through the Provincial Growth Fund and funding for three waters, we are already experiencing some issues with contractor and resource availability. We anticipate that major capital projects may be delayed as a result of contractor and resource availability. Projects are identified and planned utilising the best information available; however, from time to time

unforeseen circumstances can affect the timing or costs associated with major capital projects.

RISK – Delays in delivering projects are likely to result in higher costs, delivery delays, carryovers on the capital works programme and an increase in reactive maintenance and operating costs.

31 **Maintenance contractors**

What we think will happen



What could happen



We expect contractors will be available to continue to undertake maintenance for the Council.

RISK - A shortage of contractors could affect our levels of service or increase our maintenance costs.

7. Whakataunga kia noho tūmatanui kore / 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 2 November 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 – Audit and Risk Committee 23 November 2020.		
3. Receipt of minutes – Environment and Hearings Committee 25 November 2020.		
4. Receipt of minutes – Policy and Strategy Committee 30 November 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	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i)).