



MINUTES Ordinary Meeting



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

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

Apologies No apologies were received.

Notification Federated Farmers Minutes – Councillor D H McIntyre

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

1. Confirmation of Ordinary Minutes – 5 April 2022

Resolved

That the Taranaki Regional Council:

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

Walker/McDonald

Matters arising

No matters arising.

2. Consents and Regulatory Committee Minutes – 26 April 2022

Resolved

That the Taranaki Regional Council:

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

Lean/Van Der Leden

Matters arising

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

3. Policy and Planning Committee Minutes – 26 April 2022

Resolved

That the Taranaki Regional Council:

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

Littlewood/McDonald

Matters arising

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

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

Resolved

That the Taranaki Regional Council:

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

5. May and June 2022 Meeting Dates

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

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

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

Resolved

That the Taranaki Regional Council:

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

Lean/Littlewood

7. Adoption of the 2022/2023 Annual Plan

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

Resolved

That the Taranaki Regional Council:

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

Williamson/Van Der Leden

8. Setting rates

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

Resolved

That the Taranaki Regional Council:

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

Capital Value General Rate

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

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

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

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

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

Uniform annual general charge

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

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

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

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

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

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

River Control and Flood Protection Targeted Rate

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

River Control and Flood Protection Targeted Rate

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

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

Passenger Transport Targeted Rate

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

Passenger Transport Targeted Rate

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

Passenger Transport Targeted Rate

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

Yarrow Stadium Commercial and Industrial Land Value Targeted Rate

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

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

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

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

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

Yarrow Stadium Fixed Value Targeted Rate (Stratford Constituency)

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

Yarrow Stadium Fixed Value Targeted Rate (South Taranaki Constituency)

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

Differential Categories

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

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

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

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

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

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

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

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

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

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

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

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

Joyce/McIntyre

9. Representation Review for the 2022 Local Authority Elections

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

Resolved

That the Taranaki Regional Council:

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

10. LGNZ Conference

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

Resolved

That the Taranaki Regional Council:

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

Van der Leden/McDonald

11. Ngāti Maru Joint Management Agreement Committee

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

Resolved

That the Taranaki Regional Council:

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

Williamson/Littlewood

12. General Business

12.1 Minutes from Federated Farmers

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

12.2 Upcoming Local Government Elections

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

13. Public Excluded

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

Item 13 – Public Excluded Ordinary Minutes – 5 April 2022

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

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

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

Williamson/Cloke

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

Confirmed

Chairperson: _____

D N MacLeod

28 June 2022