



# MINUTES Ordinary Meeting



<b>Date:</b>	14 May 2024	
<b>Venue:</b>	Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford	
<b>Document:</b>	3273961	
<b>Present:</b>	C L Littlewood	Chairperson
	N W Walker	Deputy Chairperson
	M J Cloke	
	M G Davey	
	C S Williamson	
	D H McIntyre	
	A L Jamieson	
	S W Hughes	
	D L Lean	
	B J Bigham	(Zoom)
	D M Cram	
<b>Attending:</b>	S Ruru	Chief Executive
	M Nield	Director – Corporate Services
	A Matthews	Director – Environmental Quality
	D Harrison	Director - Operations
	A D McLay	Director – Resource Management
	M Jones	Governance Administrator
	N Chadwick	Executive Assistant to Chief Executive and Chairperson
	F Kiddle	Strategy Lead
	L Hawkins	Policy Manager
	C Woollin	Communications Advisor (zoom)
	J Reader	Communications Manager (left meeting at 11.56am)
	K Holland	Team Lead – Communications (zoom)
	M Ritai	zoom (left meeting at 11.45am)
	E Bailey	zoom (left meeting at 11.45am)
	L Gibbs	zoom (joined meeting at 10.33am - left meeting at 11.30am)
	D Rowlands	Community engagement Advisor (left meeting at 11.30am)

One media representative joined via zoom at 11.19am

The meeting opened with a group Karakia at 10.30am

## 1. Confirmation of Ordinary Council Minutes – 2 April 2024

### **Resolved**

That the Taranaki Regional Council:

- a) took as read and confirmed the minutes and resolutions of the Ordinary meeting of the Taranaki Regional Council held Taranaki Regional Council, 47 Cloten Road, Stratford on 2 May 2024.

Littlewood/Hughes

## 2. Regional Land Transport Plan Hearing Of Submissions Minutes – 18 April 2024

### **Resolved**

That the Taranaki Regional Council:

- a) received the unconfirmed minutes of the Regional Land Transport Hearing of Submissions held on 18 April 2024,

Jamieson/Cloke

## 3. Confirmation of Operations and Regulatory Committee Minutes – 30 April 2024

### **Resolved**

That the Taranaki Regional Council:

- b) received the minutes of the Operations and Regulatory Committee meeting of the Taranaki Regional Council at the Taranaki Regional Council, 47 Cloten Road, Stratford on Tuesday 30 April 2024 at 9.00am
- c) adopted the recommendations therein.

Hughes/Cram

## 4. Confirmation of Policy and Planning Committee Minutes – 30 April 2024

### **Resolved**

That the Taranaki Regional Council:

- a) received the minutes of the Policy and Planning Committee meeting of the Taranaki Regional Council at the Taranaki Regional Council, 47 Cloten Road, Stratford on Tuesday 30 April 2024 at 10.30am.
- b) adopted the recommendations therein.

Williamson/Jamieson

## 5. Confirmation of Executive Audit and Risk Committee Minutes – 6 May 2024

### **Resolved**

That the Taranaki Regional Council:

- a) received the minutes of the Executive Audit and Risk Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Boardroom, 47 Cloten, Stratford on Monday 6 May at 10.00 am

- b) adopted the recommendations therein.

Cloke/Littlewood

## 6. Confirmation of Minutes – Hearing of Submission on the Consultation Document for the 2024/2034 Long-Term Plan

- 6.1 Councillor Bigham noted that she was in attendance via zoom for the hearing of submission of the Long-Term Plan. The minutes were updated accordingly.

### Resolved

That the Taranaki Regional Council:

- a) received the unconfirmed minutes of the Hearing of Submissions on Consultation Document for the 2024/2034 Long-Term Plan held on 6 May 2024.

Littlewood//Cloke

## 7. Freshwater Consultation Overview

- 7.1 L Hawkins gave a presentation on the Freshwater Overview consultation process.
- 7.2 Chair Littlewood granted Policy and Planning Committee members present speaking rights for this item.

### Resolved

That the Taranaki Regional Council:

- a) received the memorandum Freshwater Consultation Overview
- b) noted the attached presentation, which was presented to the Policy and Planning Committee 30 April 2024 as background, and that a presentation covering the content of this memorandum will be made at this meeting.

Littlewood/McIntyre

## 8. Taranaki Regional Relief Fund

- 8.1 S Ruru spoke to the members seeking approval of a proposal to establish a Service Level Agreement with the Taranaki Foundation allowing for the establishment of a Taranaki Regional Disaster Relief Fund.

### Resolved

That the Taranaki Regional Council:

- a) received the report Taranaki Regional Disaster Relief Fund
- b) approved the proposed Services Level Agreement between the Taranaki councils and Taranaki Foundation and delegated authority to the Chair and Chief Executive to finalise and execute the proposed agreement.
- c) determined that this decision be recognised as not significant in terms of section 76 of the Local Government Act 2002
- d) determined that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determined that it does not require further information, further assessment of options or

further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Littlewood/Jamieson

## 9. Adoption of the 2024/2034 Long-Term Plan

9.1 M Nield provided an update on the 2024/2034 hearing of submissions, submitting the 2024/2034 LTP for adoption.

### **Resolved**

That the Taranaki Regional Council:

- a) received this memorandum on the consideration of the 2024/2034 Long-Term Plan
- b) noted the balanced budget deficit for 2024/2025 and confirmed the transfer from the Dividend Equalisation Reserve to fund the balanced budget deficit
- c) noted that the use of the Dividend Equalisation Reserve to fund the balanced budget surpluses and deficits balances out over the ten-year life of the 2024/2034 Long-Term Plan and that, over the full ten years, the Council's budgets balance
- d) determined, in accordance with section 100(2) of the Local Government Act 2002, that it considers it is financially prudent to adopt these budgets and the proposed budget surpluses and deficits, and confirmed the transfers to and from the Dividend Equalisation Reserve to fund the balanced budget surpluses and deficits
- e) noted that the formatting of the 2024/2034 Long-Term Plan is still to be completed and that there are a number of minor editorial changes to be made
- f) noted that once the Council has adopted the 2024/2034 Long-Term Plan, the Council's auditors, Deloitte on behalf of the Controller and Auditor-General, will issue an audit opinion on the 2024/2034 Long-Term Plan
- g) adopted the 2024/2034 Long-Term Plan.
- h) determined that this decision be recognised as significant in terms of section 76 of the Local Government Act 2002
- i) determined that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determined that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Walker/Cloke

## 10. Setting of Rates 2024/2025

10.1 M Nield provided an update on the setting of rates for the 2024/2025 financial year following the adoption of the 2024/2034 LTP.

### **Resolved**

That the Taranaki Regional Council:

- a) set the following rates pursuant to the Local Government (Rating) Act 2002 on rating units in the Taranaki region for the financial year commencing 1 July 2024 and ending on 30 June 2025:

### 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	\$34,127,865,126	65.52%	\$7,763,390	\$1,164,509	\$8,927,899
SDC	\$4,217,418,000	8.10%	\$959,760	\$143,964	\$1,103,724
STDC	\$13,741,371,500	26.38%	\$3,125,736	\$468,860	\$3,594,596
<b>Total</b>	<b>\$52,086,654,626</b>	<b>100.00%</b>	<b>\$11,848,886</b>	<b>\$1,777,333</b>	<b>\$13,626,219</b>

- a rate of 0.0255877 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 0.0266275 cents in the dollar of capital value on every rating unit in the Stratford constituency of the Taranaki region—GST inclusive
- a rate of 0.0265033 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 \$5,125,311) of \$87.40—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 0.002444 cents in the dollar—GST inclusive, for river control and flood protection works (to produce \$852,595) 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 0.000550 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 0.007772 cents in the dollar—GST inclusive, for passenger transport services (to produce \$2,711,628) 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 0.003914 cents in the dollar—GST inclusive, for passenger transport services (to produce \$162,236) 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 0.001602 cents in the dollar—GST inclusive, for passenger transport services (to produce \$217,333) 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 2024/2025 for Group 1 Commercial and Industrial is to produce \$56,238 at a rate of 0.003049 cents in the dollar of land value—GST inclusive.

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

Pursuant to section 16 of the Local Government (Rating) Act 2002, a fixed targeted rate (to produce \$240,148) of \$96.60—GST inclusive on every separately used or inhabited part of a rating unit, Group 1 Commercial and Industrial, in the New Plymouth and North Taranaki constituencies of the Taranaki region.

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

Pursuant to section 16 of the Local Government (Rating) Act 2002, a fixed targeted rate (to produce \$1,657,880) of \$45.30—GST inclusive on every separately used or inhabited part of a rating unit, Group 2 Residential, Group 3 Small Holdings and Group 4 Farmland, in the New Plymouth and North Taranaki constituencies of the Taranaki region.

### **Yarrow Stadium Fixed Value Targeted Rate (Stratford Constituency)**

Pursuant to section 16 of the Local Government (Rating) Act 2002, a fixed targeted rate (to produce \$145,116) of \$28.16—GST inclusive on every separately used or inhabited part of a rating unit in the Stratford constituency of the Taranaki region.

### **Yarrow Stadium Fixed Value Targeted Rate (South Taranaki Constituency)**

Pursuant to section 16 of the Local Government (Rating) Act 2002, a fixed targeted rate (to produce \$406,087) of \$28.16—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 2024/2034 Long-Term Plan as its rating categories for the year.

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

	New Plymouth & North Taranaki Constituencies	Stratford Constituency	South Taranaki Constituency
Instalment 1	28 August 2024	28 August 2024	28 August 2024
Instalment 2	27 November 2024	27 November 2024	27 November 2024
Instalment 3	26 February 2025	26 February 2025	26 February 2025
Instalment 4	28 May 2025	28 May 2025	28 May 2025

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

A charge of 10% on so much of any instalment that has been assessed after 1 July 2024 and which remains unpaid after the due date for that instalment.

	New Plymouth & North Taranaki Constituencies	Stratford Constituency	South Taranaki Constituency
Instalment 1	28 August 2024	28 August 2024	28 August 2024
Instalment 2	27 November 2024	27 November 2024	27 November 2024
Instalment 3	26 February 2025	26 February 2025	26 February 2025
Instalment 4	28 May 2025	28 May 2025	28 May 2025

### New Plymouth and North Taranaki constituencies

The Council will charge a penalty of 10% on any portion of rates that were assessed or levied in any previous financial years to 1 July 2024 and which remain unpaid on 1 July 2024. The penalty will be applied on 30 September 2024 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 2025 (New Plymouth and North Taranaki constituencies).

### Stratford constituency

The Council will charge a penalty of 10% on so much of any rates levied before 1 July 2024 which remain unpaid on 10 July 2024 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 2024 which remain unpaid six months after the previous penalty was added (Stratford constituency).

### South Taranaki constituency

The Council will charge a penalty of 10% on so much of any rates levied before 1 July 2024 which remain unpaid on 1 July 2024 or such later date as required under section 58(1) (b) (ii). (South Taranaki constituency).

## South Taranaki constituency

A discount of 2% will be allowed on the total rates set for the financial year, if the rates for a financial year are paid in full on or before the due date of the first instalment for the financial year. (South Taranaki constituency only). This will be 30 August 2024.

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

Hughes/Williamson

## 11. Proposed Changes to the Local Electoral Act 2001

11.1 N Chadwick gave an overview of the proposed changes to the local electoral Act 2001 relating to the establishment of Māori constituencies and proposal to seek delegated authority for the lodgement of a submission to the elect committee.

### Resolved

That the Taranaki Regional Council:

- a) received this memorandum titled Proposed Changes to local electoral Act 2001
- b) delegated authority to the Chief Executive and Chairperson to make a submission on the Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill should it be opened for public submissions
- c) determined that the submission should, amongst other matters, advocate for decision-making on whether to establish a Māori constituency to rest with local authorities and be subject to appeal processes to the Local Government Commission rather than being subject to a ratepayer poll
- d) noted that it is likely that it will need to make a decision, between July and early September 2024, as to whether it wishes to disestablish the Taranaki Māori Constituency prior to the 2025



elections or hold a referendum at the 2025 elections seeking a decision on whether to continue to have a Māori constituency for the trienniums commencing in 2028 and 2031

- e) determined that this decision be recognised not significant in terms of section 76 of the Local Government Act 2002
- f) determined that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, and determined that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Hughes/Williamson

## 12. Meeting Dates for May and June 2024

### **Resolved**

That the Taranaki Regional Council:

- a) received and noted the memorandum Meeting Dates for May and June 2024.

Littlewood/McIntyre

## 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 Council Meeting on 14 May 2024 for the following reason/s:

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

Item 18 - Confirmation of Public Excluded Ordinary Council Minutes – 2 April 2024

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 (a) and section 7 (2) (a) and (2) (g) of the *Local Government Official Information and Meetings Act 1987*.

Item 19 - Confirmation of Public Excluded Operations and Regulatory Minutes – 30 April 2024

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 (a) and section 7 (2) (a) and (2) (g) of the *Local Government Official Information and Meetings Act 1987*.

Prosecution under the Resource Management National Environmental Standards for offences against section 338 of the *Resource Management Act 1991* for contravening section 15 and any other offences'. Making any of this information publically available would result in a breach of the *Privacy Act 2020*.

The public interest in knowing the nature of the offence and why Council has made the decision to prosecute is not outweighed by the harm that would be caused to the alleged offender(s).

Item 20 – Confirmation of Public Excluded Executive Audit and Risk Minutes – 6 May 2024

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or enable any local authority holding the information to carry out, without prejudice, commercial activities.

Littlewood/Hughes

There being no further business the Council Chairperson, C L Littlewood, declared the meeting of the Ordinary Council meeting closed with a karakia at 12.03pm.

**Council Chairperson:** \_\_\_\_\_

**C L Littlewood**