



# **AGENDA** Ordinary Meeting

Tuesday 18 February, 10.30am

# Ordinary Council 18 February 2025

18 February 2025 10:00 AM



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## **Whakataka te hau**

### ***Karakia to open meetings***

Whakataka te hau ki te uru  
Whakataka te hau ki te tonga  
Kia mākinakina ki uta  
Kia mātaratara ki tai  
Kia hī ake ana te atakura  
He tio, he huka, he hauhu  
Tūturu o whiti whakamaua kia tina.  
Tina!  
Hui ē! Tāiki ē!

Cease the winds from the west  
Cease the winds from the south  
Let the breeze blow over the land  
Let the breeze blow over the ocean  
Let the red-tipped dawn come with a sharpened air  
A touch of frost, a promise of glorious day  
Let there be certainty  
Secure it!  
Draw together! Affirm!



**Date:** 18 February 2025

**Subject:** Confirmation of Ordinary Council Minutes – 10 December 2024

**Author:** M Jones, Governance Administrator

**Approved by:** M J Nield, Director - Corporate Services

**Document:** TRCID-1492626864-312

### Recommendations

That Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Ordinary meeting of the Taranaki Regional Council held at Suit two, Yarrow Stadium, Maratahu Street, New Plymouth on 10 December 2024.

### Appendices/Attachments

Document TRCID-1492626864-187: [Ordinary Council Minutes 10 December 2024](#)



<b>Date:</b>	10 December 2024	
<b>Venue:</b>	Suite Two, Yarrow Stadium, Maratahu Street, New Plymouth	
<b>Document:</b>	TRCID-1492626864-187	
<b>Present:</b>	C L Littlewood	Chairperson
	N W Walker	Deputy Chairperson
	M J Cloke	
	S W Hughes	
	M G Davey	
	A L Jamieson	
	C S Williamson	
	D H McIntyre	
	D M Cram	
	D L Lean	
	B J Bigham	Zoom
<b>Attending:</b>	S Ruru	Chief Executive
	M Nield	Director – Corporate Services
	A Matthews	Director – Environmental Quality
	A D McLay	Director – Resource Management
	D Harrison	Director - Operations
	N Chadwick	Executive Assistant to Chief Executive and Chairperson
	F Kiddle	Strategy Lead
	K Holland	Team Leader Communications

Two members of the public and one member of the media present.

The meeting opened with a group karakia at 10.00am.

**Apologies:** No apologies were received.

## 1. Deputation: Mr Dinnie Moeahu

The Chair had approved a request for Council to receive a deputation from Mr Dinnie Moeahu on a Council submission to the Principles of the Treaty of Waitangi Bill.

Councillor M J Cloke moved a procedural motion to receive the deputation immediately before item 7 Submission on Principles of the Treaty of Waitangi.

### **Resolved**

That the Taranaki Regional Council:

- a) agreed that the deputation be heard prior to the consideration of item 7, Submission on the Principles of the Treaty of Waitangi Bill.

Cloke/Hughes

## 2. Confirmation of Ordinary Council Minutes – 29 October 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 29 October 2024.

Littlewood/Hughes

## 3. Receipt of Operations and Regulatory Committee Minutes – 26 November 2024

### **Resolved**

That the Taranaki Regional Council:

- a) received the minutes of the Operations and Regulatory Committee meeting of the Taranaki Regional Council at the Taranaki Regional Council, 47 Cloten Road, Stratford on Tuesday 26 November 2024 at 9.00am
- b) adopted the recommendations therein.

Davey/Hughes

## 4. Receipt of Executive, Audit and Risk Committee Minutes – 2 December 2024

### **Resolved**

That the Taranaki Regional Council:

- a) receives the unconfirmed 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 2 December at 10.00 am
- b) adopts the recommendations therein.

Cloke/Hughes

## 5. Receipt of Taranaki Solid Waste Joint Committee Minutes – 14 November 2024

### **Resolved**

That the Taranaki Regional Council:

- a) received the unconfirmed minutes of Taranaki Solid Waste Management Joint Committee held on 14 November 2024
- b) adopted the recommendations therein.

McIntyre/Littlewood

## 6. Deputation: Mr Dinnie Moeahu

The Council received a deputation from Mr Dinnie Moeahu encouraging a submission be written to the Justice Select Committee opposing the Principles of the Treaty of Waitangi Bill.

## 7. Submission on Principles of the Treaty Waitangi Bill

S Ruru spoke to the draft submission that has been prepared on the Principles of the Treaty of Waitangi Bill.

Councillor Walker spoke to the Principles of the Treaty of Waitangi Bill and proposed that Council should simply receive the report and not approve the submission.

Councillor McIntyre then moved a motion to move straight to a vote on this matter without further discussion.

### **Resolved**

That the Taranaki Regional Council:

- a) move to a deliberative vote on item 7, Principles of the Treaty of Waitangi Bill without further discussion.

McIntyre/Walker

Chairperson Charlotte Littlewood moved that the Taranaki Regional Council:

- a) receive the memorandum Submission on the Principles of the Treaty of Waitangi Bill
- b) endorse the submission in attachment One on the Principles of the Treaty of Waitangi Bill
- c) determine that this decision be recognised not significant in terms of section 76 of the Local Government Act 2002
- d) determine 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, determine that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter

Littlewood/Hughes

The motion was lost.

## 8. 2025/2026 Annual Plan Update

M Nield provided an update on the preparation for the 20225/2026 Annual Plan.

### **Resolved**

That the Taranaki Regional Council:

- a) received the 2025/2026 Annual Plan Update

- b) noted that the approach to public consultation and engagement, including the issues to be consulted upon, will be addressed at the February 2025 Ordinary Meeting
- c) noted the progress to date in preparing the 2025/2026 estimates and the approach to addressing rates and any shortfall in Port Taranaki Limited dividends.

McIntyre/Cloke

## 9. Upcoming Meeting Dates for February 2025

### **Resolved**

That the Taranaki Regional Council:

- a) received the memorandum Meeting dates for February 2025
- b) noted the upcoming meeting dates.

Littlewood/Cram

## 10. 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 29 October 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 12:

Confirmation of Public Excluded Ordinary Council Minutes – 29 October 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 13:

Confirmation of Public Excluded Operations and Regulatory Minutes – 26 November 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 14:

Confirmation of Public Excluded Executive Audit and Risk Minutes – 2 December 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/Williamson



There being no further business the Chairperson, C L Littlewood, declared the meeting of the Ordinary Council meeting closed with a karakia at 11:08am.

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

**C L Littlewood**



**Date:** 18 February 2025

**Subject:** Election of a Chairperson

**Author:** N Chadwick, Executive Assistant to the Chief Executive and Chairperson

**Approved by:** S J Ruru, Chief Executive

**Document:** Document ID Pending

### Purpose

1. The purpose of this memorandum is to enable the Council to elect a chairperson.

### Executive summary

2. As Councillor Littlewood has resigned from the chairperson position, the Council is required to hold an election to appoint a chairperson for the remainder of the 2022- 2025 triennium.
3. Relevant considerations for the Council when undertaking this task include the additional rights, responsibilities and obligations carried by the member in this position in addition to those of an ordinary member; and the significant impact this position can have on the effective operation of Council and its ability to meet its obligations to its regional communities.
4. If there is more than one nomination, Council needs to decide on the system of voting to be used to elect a chairperson. It is also recommended that Council determine how a tied vote will be resolved (i.e. by way of a toss of a coin or the random selection of names from a hat) and that voting should be recorded by division so that there is a clear record of the vote cast by each elected member. In this way, the result will be clear.

### Recommendations

That the Taranaki Regional Council:

- a) receives the Election of a Chairperson report
- b) determines that pursuant to clause 25 (2) of Schedule 7 of the Local Government Act 2002, the Council adopts system A or B as the voting procedure for the election of the chairperson for the Council, and
- c) determines that in the event of a tie, the selection will be by way of random selection of names by the Chief Executive.
- d) determines that voting will be recorded by way of a division
- e) appoints Councillor \_\_\_\_\_ to the position of Chairperson
- 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.

## Background

5. Councillor Charlotte Littlewood was elected by Council to the role of chairperson at the 26 October 2022 Triennial meeting.
6. Councillor Littlewood has formally resigned from the position of chairperson which will take effect once the newly elected chair has read and attested to the declaration required of the Chairperson.
7. The Council is required to elect one of its members to act as chairperson (refer to section 41 and clause 21 (5)(b) of Schedule 7 of the Local Government Act 2002 (LGA)).
8. As one of the elected councillors, the chairperson shares the same responsibilities as the other councillors. In addition to this, the chairperson is:
  - a. The presiding councillor at Council meetings
  - b. Responsible for ensuring the orderly conduct of business at council meetings (as determined by the Standing Orders) and may exercise a casting vote at council meetings when votes are evenly split
  - c. The ceremonial head of Council
  - d. Responsible for representing Council and for providing leadership and feedback to members
  - e. A justice of the peace (while the chairperson holds office).
9. The chairperson is obliged to follow the same roles as other councillors with respect to making public statements and committing Council to a particular course of action, unless acting in accordance with the rules for media contact under delegated authority from the Council.
10. The chairperson carries a high level of accountability to the Council and the regional community and can be expected to work longer hours in their elected role than other members due to the need to attend to additional duties. In recognition, the chairperson has their remuneration set at a higher rate than other members by the Remuneration Authority.
11. Councillors are to nominate one of their members as chairperson. Where there is more than one nomination, a vote will be required in accordance with the provisions of clause 25 of schedule 7 of the Local Government Act (2002) (LGA). Should a vote be required, Council are required to determine by resolution that the appointments made under one of two voting systems (A or B).
12. System A allows for a progressive vote requiring election by a majority of members present and voting. The person receiving the fewest votes is excluded from further rounds until a majority outcome is reached. A tied vote, for the lowest polling candidate is resolved by lot.
13. The two options available for resolving by lot are a toss of a coin or random selection of names.
14. System A has the following characteristics:
  - a. Each councillor can vote for one candidate in each round of voting; and
  - b. There is a first round of voting for all candidates; and
  - c. If no candidate is successful gaining a majority of votes in that round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
  - d. If no candidate is successful gaining a majority of votes in that round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
  - e. In any round of voting, if two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

15. System B provides for election of the person receiving the highest number of votes in one round only. A tie is resolved by lot. A person is elected if they receive more votes than any other candidate. System B has the following characteristics:
  - a. There is only one round of voting in which each councillor can vote for one candidate; and
  - b. If two or more candidates tie for the most votes, the tie is resolved by lot.
16. Irrespective of the system chosen it is also recommended that Council agree to have the results of voting recorded by way of a division. In this way there will be a level of certainty about the vote made by each councillor and the overall outcome.

### **Process**

17. At the Triennial meeting, the Chief Executive would usually conduct the process to elect a chair.
18. As this election is occurring during a term, the process for electing a new Chair will remain the same however, the process will be led by the outgoing Chair rather than the Chief Executive as the Chair is required, under section 13.1 of the standing orders to preside at meetings of the council.
19. Standing Orders apply and the process is set out below:
  - a. The Chair will call for nominations for the position of chairperson. Each nomination requires a seconder
  - b. If there is only one nomination, the Council will resolve to appoint the unopposed nominee by moving and seconding the appointment and resolving the vote
  - c. Where there is more than one nominee, the Chair will call for members to move the adoption of a voting system to determine the appointment. A motion will require a seconder and will be put to the vote. Where the motion fails, a motion for the adoption of the alternative voting system will be called for, seconded and put to the vote
  - d. A result is reached once a motion for a voting system is carried
  - e. The Chair will call for a motion to decide the method of resolving a tied vote. The motion will be moved and seconded and put to the vote
  - f. A result is reached once a motion is carried
  - g. Once a new chairperson has been elected, they will make their oral and written declaration as chairperson as prescribed by clause 14 of Schedule 7 of the LGA.

### **Significance**

20. Having regard to the decision-making provisions in the LGA and the Council's Significance and Engagement Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance. The election of a chairperson is an internal governance matter that the Council is required to complete by law.

### **Financial considerations—LTP/Annual Plan**

21. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

### **Policy considerations**

22. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to,

the Local Government Act 2002, *the* Resource Management Act 1991 *and the* Local Government Official Information and Meetings Act 1987.

### **Climate change considerations**

23. This item is administrative in nature. There are no climate change impacts to consider in relation to this item.

### **Iwi considerations**

24. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the Local Government Act 2002) as outlined in the adopted Long-Term Plan and/or Annual Plan.

### **Community considerations**

25. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

### **Legal considerations**

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



**Date:** 18 February 2025  
**Subject:** Receipt of Operations and Regulatory Committee Minutes  
**Author:** M Jones, Governance Administrator  
**Approved by:** M J Nield, Director - Corporate Services  
**Document:** TRCID-1492626864-316

### Recommendations

That the Taranaki Regional Council:

- a) receives the Minutes of the Operations and Regulatory Committee meeting held at the Taranaki Regional Council, 47 Cloten Road, Stratford on Tuesday 4 February 2025
- b) adopts the recommendations therein.

### Appendices/Attachments

TRCID-1492626864-271: [Unconfirmed Operations and Regulatory Minutes 4 February 2025](#)



<b>Date:</b>	4 February 2025	
<b>Venue:</b>	Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford	
<b>Document:</b>	TRCID-1492626864-271	
<b>Present:</b>	S W Hughes	Chair
	M J Cloke	
	D M Cram	
	M G Davey	
	D L Lean	(left meeting at 9.50am)
	D M McIntyre	
	C L Littlewood	ex officio
	R Buttimore	Iwi Representative
	D Luke	Iwi Representative
	Ā White	Iwi Representative
	P Muir	Federated Farmers
<b>Attending:</b>	S J Ruru	Chief Executive
	A J Matthews	Director - Environment Quality
	M J Nield	Director – Corporate Services
	A D McLay	Director – Resource Management
	L Miller	Manager – Resource Consents
	V McKay	Manager - Environmental Assurance
	J Glasgow	Manager – Compliance
	R Honeyfield	Team Leader – Prosecutions and Compliance
	F Kiddle	Strategy Lead
	S Ellis	Manager – Environmental Services (Joined meeting at 9.16am)
	S Tamarapa	Pou Takawaenga – Relationship Facilitator
	N Chadwick	Executive Assistant
	M Jones	Governance Administrator

One member of the public present.

**Karakia:** The meeting opened with a group Karakia at 9.08am.

## 1. Confirmation of Operations and Regulatory Committee Minutes – 26 November 2024

### Resolved

That the Taranaki Regional Council:

- a) took as read and confirmed the minutes of the Operations and Regulatory Committee of the Taranaki Regional Council held on 26 November 2024 at Taranaki Regional Council 47 Cloten Road Stratford
- b) noted the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 10 December 2024.

Cram/Walker

## 2. Consent Monitoring Annual Reports

- 2.1 V McKay provided an update on the 28 compliance monitoring reports.

### Resolved

That the Taranaki Regional Council:

- a) received the schedule of resource consents granted and other consent processing actions, made under delegated authority.

Davey/Buttimore

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

- 3.1 L Miller advised of the consents granted and other consent processing actions since the last meeting.

### Resolved

That the Taranaki Regional Council:

- a) received the schedule of resource consents granted and other consent processing actions, made under delegated authority.

Walker/McIntyre

## 4. Incidents, Compliance Monitoring Non-Compliances and Enforcement Summary – 20 September to 31 October 2024

- 4.1 R Honeyfield provided a summary of the incidents and compliance monitoring non-compliance and enforcement for the period 1 November 2024 to 9 January 2025.

- 4.2 M Davey declared a conflict of interest and abstained from the discussion and the vote.

### Resolved

That the Taranaki Regional Council:

- a) received this memorandum Incident, Compliance Monitoring Non-Compliances and Enforcement Summary – 20 September to 31 October 2024
- b) received the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 20 September to 31 October 2024
- c) noted the action taken by staff acting under delegated authority



- d) adopted the recommendations therein.

Cloke/Luke

## 5. Te Uru Kahika Memorandum of Understanding with the Department of Conservation and Ministry for Primary Industries

5.1 S Ellis provided a verbal update and PowerPoint presentation on Councils work across the biosecurity system including the signing of a Memorandum of Understanding (MoU) between Te Uru Kahika, the Ministry for Primary Industries and the Department of Conservation.

- a) noted the report and Memorandum of Understanding from Te Uru Kahika
- b) received the presentation on Aotearoa New Zealand's biosecurity system.

Cram/Muir

There being no further business the Committee Chairperson, Councillor S W Hughes, declared the meeting of the Operations and Regulatory Committee closed at 10.01am.

Operations and

Regulatory

Committee Chairperson: \_\_\_\_\_

**S W Hughes**



**Date:** 18 February 2025  
**Subject:** Receipt of Policy and Planning Committee Minutes  
**Author:** M Jones, Governance Administrator  
**Approved by:** M J Nield, Director - Corporate Services  
**Document:** TRCID-1492626864-337

### Recommendations

That the Taranaki Regional Council:

- a) receives the Minutes of the Policy and Planning Committee meeting held at the Taranaki Regional Council, 47 Cloten Road, Stratford on Tuesday 4 February 2025
- b) adopts the recommendations therein.

### Appendices/Attachments

TRCID-1492626864-248: [Unconfirmed Policy and Planning Committee Minutes 4 February 2025](#)



<b>Date:</b>	4 February 2025	
<b>Venue:</b>	Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford	
<b>Document:</b>	TRCID-1492626864-248	
<b>Present:</b>	C S Williamson	Chairperson
	S W Hughes	
	B J Bigham	zoom
	D M Cram	
	C L Littlewood	ex officio
	M Ritai	Iwi Representative
	E Bailey	Iwi Representative (zoom)
	P Moeahu	Iwi Representative
	G Boyde	Stratford District Council
	L Gibbs	Federated Framers
<b>Attending:</b>	S J Ruru	Chief Executive
	A D McLay	Director – Resource Management
	M J Nield	Director – Corporate Services
	A J Matthews	Director – Environment Quality
	F Kiddle	Strategy lead
	L Hawkins	Policy Manager
	V McKay	Manager – Environmental Assurance
	T McElroy	Manager- Science and Technology
	C Pickford	Team Leader – Environmental Data
	S Tamarapa	Pou Takawaenga – Relationship Facilitator
	C Woollin	Communications Advisor
	N Chadwick	Governance Administrator
	M Jones	Governance Administrator

Three members of the public were in attendance.

The meeting opened at 10.30am.

**Apologies:** Were received and sustained from Councillor Filbee – South Taranaki District Council, and Councillor Haque – New Plymouth District Council.

McIntyre/Boyde

## 1. Confirmation of Minutes Policy and Planning 15 October 2024

### Resolved

That the Taranaki Regional Council:

- a) took as read and confirmed the minutes of the Policy and Planning Committee of the Taranaki Regional Council held at 10.45 on 15 October 2024 at Taranaki Regional Council 47 Cloten Road Stratford
- b) noted the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 29 October 2024.

McIntyre/Boyde

## 2. Government Submission Omnibus

- 2.1 P Moeahu moved a motion that Council will not lodge anymore submissions on Government legislation.

Moeahu/Ritai

10:46am L Gibbs joined the meeting

- 2.2 Following discussion, the motion was withdrawn by P Moeahu/M Ritai with the agreement of the Committee.
- 2.3 F Kiddle provided an overview of the two submissions relating to the proposed Government bills, seeking endorsement of these draft submissions, along with two submissions made by other bodies.

Councillor Bigham noted an interest with the Local Government (Water Services) Bill due to her role with Taumata Arowai.

### Resolved

That the Taranaki Regional Council:

- a) received the memorandum titled Government submissions omnibus
- b) endorsed the submission in Attachment 1 on the Resource Management (Consenting and Other System Changes) Amendment Bill
- c) endorsed the submission in Attachment 2 on the Local Government (Water Services) Bill
- d) noted the submission in Attachment 5 from the Taranaki Mayoral Forum on the Offshore Renewable Energy Bill
- e) noted that if Council has additional matters it wishes to raise on the Offshore Renewable Energy Bill not canvased in the Taranaki Mayoral Forum submission, there is a short window to lodge a separate submission ahead of submissions closing on 6 February
- f) noted the submission in Attachment 7 from Te Uru Kahika on the Regulatory Standards Bill discussion document
- g) determined that this decision be recognised as not significant in terms of section 76 of the Local Government Act 2002
- h) determined that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Hughes/Walker

### 3. Freshwater Implementation February Update

3.1 L Hawkins provided a freshwater update for February 2025.

#### **Resolved**

That the Taranaki Regional Council:

- a) received the February 2025 update on the Freshwater implementation Programme.

Williamson/Cram

### 4. Request to Commence Coastal Plan Change

4.1 L Hawkins provided an update on an issue with the drafting of Policy 43 in the Coastal Plan for Taranaki 2023 (the Coastal Plan) seeking endorsement to commence with a plan change under Schedule 1 of the Resource Management Act 1991.

#### **Resolved**

That the Taranaki Regional Council:

- a) received this memorandum entitled Proposed Plan Change to the Coastal Plan for Taranaki
- b) noted that the wording of Policy 43 likely applies to the West Coast North Island Sanctuary likely precluding many appropriate use and development activities that disturb the seabed in the CMA
- c) agreed to commence a plan change to Policy 43, and other consequential amendments, to address the issue
- d) directed staff to engage closely with iwi throughout the plan change process
- e) determined that this decision be recognised as 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, 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.

Cram/Hughes

### 5. Lake Rotorangi State of the Environment Monitoring Report 2021-2024

5.1 T McElroy provided an overview of the Lake Rotorangi State of the Environment Monitoring Report 2021-2024.

#### **Resolved**

That the Taranaki Regional Council:

- a) received the Lake Rotorangi State of the Environment Monitoring Report 2021-2024
- b) noted the recommendations therein.

Jamieson/Boyde

## 6. Awatuna Constructed Wetland

6.1 C Pickford provided an overview of an investigation into the use of constructed wetlands. This investigation included the Awatuna Constructed Wetland.

### Resolved

That the Taranaki Regional Council:

- a) received the report titled Awatuna Constructed Wetland, and accompanying documentation
- b) noted the findings of this investigation.

Littlewood/Williamson

P Moeahu spoke to the Committee on behalf of the Iwi Representatives expressing their view on who should be appointed Chair and Deputy Chair of the Taranaki Regional Council.

There being no further business the Committee Chairperson, C S Williamson, declared the meeting of the Policy and Planning Committee closed at 12:13pm.

## Policy and Planning

Committee Chairperson: \_\_\_\_\_

C S Williamson



**Date:** 18 February 2025

**Subject:** Receipt of Executive Audit and Risk Committee Minutes

**Author:** M Jones, Governance Administrator

**Approved by:** M J Nield, Director – Corporate Services

**Document:** TRCID-1492626864-313

### Recommendations

That 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 Boardroom, 47 Cloten Road on Monday 10 February 2025
- b) adopts the recommendations therein.

### Appendices/Attachments

TRCID-1492626864-304: [Unconfirmed Executive Audit and Risk Minutes 10 February 2025](#)



<b>Date:</b>	10 February 2025	
<b>Venue:</b>	Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford	
<b>Document:</b>	TRCID-1492626864-304	
<b>Present:</b>	M J Cloke	Chairperson
	S W Hughes	
	C S Williamson	
	A Jamieson	
	D H McIntyre	
	C L Littlewood	ex officio (zoom)
	N W Walker	ex officio
<b>Attending:</b>	D M Cram	Councillor
	S J Ruru	Chief Executive
	M J Nield	Director – Corporate Services (zoom)
	B Muir	Senior Health, Safety and Wellness Adviser
	A De Faria	Finance Manager
	M Jones	Governance Administrator
	N Chadwick	Executive Assistant to Chief Executive and Chair

The meeting opened with a group Karakia at 10.00am.

**Apologies:** Were received and sustained from B Robertson.  
Walker/Hughes

## 1. Confirmation of Minutes Executive Audit and Risk Committee Minutes – 2 December 2024

### Resolved

That the Taranaki Regional Council:

- took as read and confirmed the minutes of Executive Audit and Risk Committee of the Taranaki Regional Council held at 10.00am on Monday 2 December 2024 at Taranaki Regional Council 47 Cloten Road Stratford
- noted the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 10 December 2024.

McIntyre/Williamson



## 2. Financial and Operational Report

2.1 M Nield and Amy De Faria provided an update on the operational and financial performance.

### Resolved

That the Taranaki Regional Council:

- a) received the memorandum Financial and Operational Report and the October and November 2024 Monthly Financial Reports.
- b) noted the digital media update
- c) received the common seal transactions:
  - 2024/02 – Renewal of lease – 125-139 Breakwater Road, New Plymouth
  - 2024/03 – Renewal of lease – 143-145 Breakwater Road, New Plymouth.

Williamson/Jamieson

## 3. Quarterly Operational Report

3.1 M Nield provided an update of the progress through the delivery of the programme of activities agreed to in the Long-Term Plan.

### Resolved

That the Taranaki Regional Council:

- a) received the Quarterly Operational Report for the quarter ended 31 December 2024.

Cloke/Walker

## 4. Health and Safety Report

4.1 M Nield and B Muir provided an update on health and safety performance.

### Resolved

That the Taranaki Regional Council:

- a) received the January 2025 Health and Safety Report.

Cloke/Williamson

## 5. Yarrow Stadium Plus: Project Update

5.1 M Nield and J Patterson provided an update on the Yarrow Stadium Project.

### Resolved

That the Taranaki Regional Council:

- a) noted the progress to date and the next steps on the Yarrow Stadium Plus Redevelopment Project.

McIntyre/Walker

## 6. Public Excluded

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987, resolved that the public is excluded from the following part of the proceedings of the Executive Audit and Risk Meeting on 10 February 2025 for the following reason/s:

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

Item 11 – Confirmation of Public Excluded Executive Audit and Risk Minutes – 2 December 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.

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item 12: Yarrow Stadium Plus: Project Steering Group Report	The report contains information relating to performance of the contractor which is subject to ongoing monitoring and negotiation.	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 <a href="#">section 7</a> (2) (h) of the Local Government Official Information and Meetings Act 1987

Cloke/Walker

There being no further business the Committee Chairperson, M J Cloke, declared the meeting of the Executive Audit and Risk Committee meeting closed at 10.44am.

**Executive Audit and Risk**

**Committee Chairperson:** \_\_\_\_\_

**M J Cloke**



**Date:** 18 February 2025

**Subject:** Council Conduct Complaint

**Author:** N Chadwick, Executive Assistant to the Chief Executive and Chair & S J Ruru, Chief Executive

**Approved by:** S J Ruru, Chief Executive

**Document:** TRCID-1492626864-294

### Purpose

1. The purpose of this memorandum is to determine the course of action that should be taken in relation to a complaint received about Council's conduct during its deliberations as to whether to approve a submission on the Principles of the Treaty of Waitangi Bill.

### Executive summary

2. This report addresses both a complaint received regarding Council conduct during deliberations on a submission concerning the Principles of the Treaty of Waitangi Bill and issues raised at the 4 February 2025 Operations and Regulatory and Policy and Planning Committee meetings.
3. The complaint alleges pre-determination, bias, and failure to comply with obligations under the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987, the principles of natural justice, and Council's Code of Conduct.
4. The report concludes that the decision-making process followed at the 10 December 2024 meeting deviated from established Council procedures, legal requirements, and expectations of good governance, potentially undermining public confidence.
5. The report details three options to address the concerns and identify opportunities to improve Council processes: establishing a Conduct Review Committee, appointing an external reviewer, or initiating an internal review led by the Chief Executive.
6. The report recommends the third option, an internal review, as a cost-effective approach to documenting the process, identifying areas for improvement in meeting procedures and governance, and engaging with the complainant, councillors, and iwi representatives.
7. The proposed actions aim to address the complaint, improve future governance processes, and rebuild trust within the community.

### Recommendations

That the Taranaki Regional Council:

- a) receives the Council Conduct Complaint memorandum
- b) confirms that at its meeting on 10 December 2024 it acted in a manner inconsistent with:

- its normal meeting protocol and the expectations that it has about the way in which it wishes to operate as reflected in its Mission, Organisational Values and principles in Standing Orders
  - relevant statutory provisions within the Local Government Act 2002 and Local Government Official Information and Meetings Act 1987
  - expectations of good practice as set by the Ombudsman, Office of the Auditor-General and other sources of good practice relating to local government.
- c) apologises to Mr Dinnie Moeahu, the Iwi representatives on Council standing committees, the Taranaki community and councillors who were not able to express a view on the merits (or otherwise) of making a submission on the Principles of the Treaty of Waitangi Bill (the Bill) for the short-comings identified above
- d) agrees that it should initiate an internal review (as proposed under option 3) of what occurred at its 10 December 2024 meeting, its current meeting procedures and standing orders with a view to identifying improvements that it can make during the current triennium and/or recommendations that it might make to the new Council to be elected in October 2025 as to how it can improve its governance processes
- e) asks the Chief Executive to report back on a suggested process for reviewing current meeting processes and standing orders including options for allowing for all councilors to express a view on both the 10 December 2024 meeting and options for improving its meeting processes given their experiences during the current triennium
- 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.

## Background

8. The Council has extensive legal responsibilities to support the active involvement and participation of Māori and give effect to the Treaty of Waitangi (as reflected in section 4 of the Local Government Act 2002) in its work and associated decision-making processes. Many of these responsibilities are set by legislation that apply to all local authorities, while others are in legislation that is specific to Taranaki and this Council.
9. Council has, as reflected in its Long-Term Plan, a sizeable work programme to both actively involve Iwi in its mainstream work programmes and negotiate a range of 'partnering agreements'. While some of these agreements might be required under legislation, others reflect the value that Māori can add to the work that Council does. They are also not dissimilar to the sorts of arrangements that Council regularly puts in place with a range of other entities, such as Wild for Taranaki, Predator Free 2050 and a range of government departments, that are also important to the work it does.
10. Given the above, and the significance of the Treaty/Te Tiriti to Māori, it is clear that the proposals in the Bill are of strategic importance to the work of Council and the relationships that it has with Iwi Māori. This is why it was considered important that Council consider lodging a submission on the Bill.
11. At its ordinary meeting on 10 December 2024 the Council considered a report and proposed submission to the Justice Select Committee.
12. Prior to considering the item, Council also heard a deputation from Mr Dinnie Moeahu. The request from Mr Moeahu to speak to the item was received within the relevant statutory timeframes and approved by the Chair as provided for in standing orders.

13. Given that the question of whether Council should make a decision on the Bill was already on the agenda for the 10 December meeting the deputation fell with the scope of the business for that meeting and as such it was appropriate for the Chair to approve the deputation and the time at which it should be heard.
14. After the Chair had invited Mr Moeahu to speak to his deputation a motion was moved (and passed) asking that the hearing of the deputation be delayed until just before consideration of Item 7, the proposed submission on the Bill. This motion was likely in breach of standing orders given that the Chair had already made a decision as to when the deputation should be heard.
15. The report, and drafted submission, that was presented for Council's consideration noted how the Bill, as currently drafted, could affect the work that Council is doing with iwi and hapū, expressed a view that the Bill was progressing in a way that undermined the Treaty/te Tiriti, is inconsistent with the Treaty/te Tiriti, and the implications of the Bill on resource management matters.
16. A number of the issues highlighted in the Bill had already been raised in officials reports and the Regulatory Impact Statement for the Bill. As such they were issues that had already been considered by Government in its preliminary decision-making processes but were of importance to Council and its work. It is accepted practice for the Council (and other local authorities) to lodge submissions on Bills and other government policy proposals outlining the practical implications of the proposals for Council, the work that it does and the Taranaki community.
17. As recorded in the minutes of the 10 December Ordinary meeting, Councillor Walker spoke to the Principles of the Treaty of Waitangi Bill item and proposed that Council should not support the lodging of a submission on the Bill.
18. Councillor McIntyre moved a procedural motion to hold a deliberative vote on the Principles of the Treaty of Waitangi Bill without a formal debate as such, which represented a significant variation to normal Council procedure and the process provided for in standing orders. That motion was carried.
19. Chairperson Littlewood then moved the recommendations in the report, which were for Council to approve the submission, with Councillor Hughes seconding the motion. The motion was lost.
20. On 25 January 2024 a written complaint concerning Council's conduct at its 10 December meeting was received by the Chief Executive. A copy of the complaint is attached.
21. Key points raised include:
  - a. That a number of Councillors showed a level of pre-determination and bias in their decision-making in relation to the item
  - b. That Council failed to meet a number of its obligations under the Local Government Act 2002 (LGA) and the Local Government Official Information and Meetings Act 1987 (LGOIMA) including having regard to the principles of the Treaty of Waitangi
  - c. That Council failed to abide by the principles of natural justice when hearing and considering the points made during the deputation
  - d. That there was a failure to comply with the Council's Code of Conduct and general expectations for public sector agencies. (Any allegations against individual members which come within the terms of the Code will be dealt with using the procedure in the Code. This report relates to the other allegations.)
22. The complaint indicates that the solution being sought by the complainant is an independent review of the Council's actions by way of a judicial review, which is a form of civil proceeding before the High Court. During such proceedings, the primary focus would likely be on the decision-making process followed, including the mindset of the decision-maker(s) at the time.
23. The onus for initiating judicial review proceedings rests with the person wishing to challenge the Council's decision. The decision made by Council remains valid and enforceable until it is changed by the Council itself or is overturned by a Court.

24. While the issue of whether judicial review proceedings are initiated is beyond the control of Council there are steps that the Council can take to address the issues raised by the complaint and/or seek to resolve the complaint without the need for legal proceedings. In deciding whether it should take such action it is appropriate for the Council to determine whether it considers there were shortcomings in the process that it followed. This issue is discussed further below.
25. During discussions with the complainant the option of Council acknowledging that there were deficiencies with the processes it followed, apologising for those failings and identifying opportunities for improving its governance and meeting processes moving forward were discussed and seen to represent a practical way forward.
26. Separate to the complaint itself, issues relating to the events that occurred at the 10 December meeting were also raised during the 4 February Operations and Regulatory Committee and the Policy and Planning Committee. In these, concern was expressed about the appropriateness of the decision-making process followed by Council and the impact that the decisions made had on the relationship between Council and Ngā Iwi o Taranaki.
27. During discussion of the issues raised it was noted that it would be desirable for Council to discuss the issues arising at its 18 February ordinary meeting and an informal request was made for the Chief Executive to prepare a report to enable these matters to be considered further.
28. This paper seeks to outline a series of options for addressing the issues raised at the 4 February Committee meetings and by the complaint. In doing so it suggests that there were variations of some significance between the decision-making process followed at that meeting, the expectations that Council has set for itself in Standing Orders and elsewhere, good practice, and the relevant legal requirements. It is proposed that Council acknowledge the short-comings in its process and proactively take steps to review what occurred and identify steps that might be taken to improve its meeting processes moving forward.
29. It is for the Council to decide whether it agrees with the suggestion that there were short-comings and what action(s), if any, it wishes to take at this juncture.

## Issues

30. There is a need for Council to determine the steps, if any, that should be followed to address the complaints against the Council and more general concerns that have been raised by Ngā Iwi o Taranaki, some its members and during the discussion that occurred at the Operations and Regulatory and Policy and Planning Committee meetings on 4 February 2025.

## Discussion

31. There were two critical decisions made by Council in relation to the item on the Principles of the Treaty of Waitangi Bill. These were:
  - a. A procedural decision to move to a vote on whether to approve the submission drafted by officers without debating the relative merits of lodging a submission or what the content of any submission might be
  - b. The decision to not support the lodging of a submission on the Bill.
32. The decisions made by Council were options available to it. The moving of procedural motions is provided for in standing orders and the option of the Council not submitting on the Bill, a 'do nothing' option, was explicitly identified in the officer report.
33. The mere fact that they were options available, however, does not address the question as to whether the Council followed an appropriate process during its consideration of the item nor whether a different decision might have been made if a more 'typical' and comprehensive deliberations process, in which different councilors were able to express a view on the matter, had been followed.

34. Discussion and debate on an item before Council (or any governance body) is an essential part of a good decision-making process. It is important for ensuring that a 'good quality' and well considered decision is made.
35. The decision-making framework in Part 6 of the Local Government Act 2002 explicitly requires the consideration of all reasonably practicable options, the identification and consideration of the full range of community views that might exist on the matter and the pros and cons of the different options.
36. As stated in section 1.2 of the standing orders, the standing orders are part of the framework of processes and procedures designed to ensure that our system of local democracy and in particular decision-making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which include that a local authority should:
  - Conduct its business in an open, transparent and democratically accountable manner;
  - Give effect to its identified priorities and desired outcomes in an efficient and effective manner;
  - Make itself aware of, and have regard to, the views of all of its communities;
  - Take account, when making decisions, of the diversity of the community, its interests and the interests of future communities as well;
  - Ensure that any decisions made under these standing orders comply with the decision-making provisions of Part 6 of the LGA; and
  - Ensure that decision-making procedures and practices meet the standards of natural justice.
37. These principles are reinforced by the requirement that all local authorities act so that "governance structures and processes are effective, open and transparent" (s. 39 LGA 2002).
38. Given the high level of public interest in the Bill it is also clear that the question of what should happen to the Bill is a matter of some significance to Iwi, the wider community and the Council itself given the statutory obligations that it has to work with Iwi and Māori more generally and the impact that it could have on its work.
39. Under Part 6 of the LGA, the Council must have explicit regard to the level of significance of the decision when deciding on the decision-making process it should follow. It would be challenging to prove that this occurred given that Council explicitly resolved not to make a decision as to whether it had complied with the LGA requirements or the relative significance of the decision it was considering. That failure leaves the Council decisions vulnerable to a review challenge and falls short of what is seen as good practice across the sector.
40. The unusual nature of the process followed by Council also raises questions about both the reasonableness of the decision made to not allow a debate to occur and whether the process followed met the relevant statutory and good practice requirements.
41. The issues that are raised in the complaint predominantly relate to the process that Council followed and how that process might be seen by others, including the community that the Council is here to serve.
42. A way of thinking about how the process might be seen is to utilise the "informed objective bystander" test, which is established jurisprudence for use in considering conflicts of interest. While this test is not jurisprudence for matters covered in the complaint it is suggested that it provides a useful test that is worthy of consideration.
43. Given the statutory, good practice and expectations that Council itself has set it is suggested that it would not be difficult to reach a conclusion that an 'informed objective bystander' is highly likely to have concerns about what occurred at the 10 December meeting and how the decisions made were reached.
44. Given that conclusion, this paper identifies areas in which there appear to have been variations between the decision-making process followed by Council and good practice, the expectations that it has set for its own conduct and its legal obligations. It is recommended that Council take proactive

action to address the issues that have been identified and also look at how it might improve its meeting processes in the future. It is recommended that Council implement option 3.

## Options

45. The options to be considered include:

### Option 1 – Establishment of Conduct Review committee

46. The Council could establish a Conduct Review committee to investigate the alleged breach and prepare a report to be presented and considered by Council.
47. The Conduct Review committee could be directed by Council to investigate and report on any issues raised within the complaint (besides any Code of Conduct allegations, which must follow their own procedure).
48. This option would incur no additional costs to establish the committee and conduct an internal review.
49. This option is not considered to be practical or appropriate. It could be criticised as the Council reviewing itself. Further it may be inappropriate for individual members, against whom Code of Conduct concerns have been raised, to be involved in considering the appropriateness of their Council actions via a Conduct Review committee or the recommendations from that committee when the final report is presented back to Council for consideration.

### Option 2 - External Reviewer option

50. The second option available to Council is to appoint an External Reviewer to undertake a review of its decision-making process.
51. There are a range of options available should this option be selected such as appointing a retired judge or senior lawyer through to appointing an external contractor with experience in undertaking such reviews across local government.
52. Should Council select this option, officers would develop a full list of potential reviewers for further consideration.
53. The disadvantage of this option is that the costs to undertake an external review will not be known until research is conducted. Council would be advised of the expected costs before the External Reviewer is appointed.
54. The establishment of an external review will allow for a more objective review of the complaint in full and removes the risk of perceived bias.
55. External reviews have been undertaken by Gore District Council, Tauranga City Council, Invercargill City Council and Wellington City Council in recent years and are examples of how this process can work effectively.

### Option 3 – Internal Review option

56. The third option is for Council to direct the Chief Executive to initiate an Internal Review of the way in which the Bill matter was handled by Council with a view to:
  - a. document the steps taken and assess the effectiveness of the way in which the matter was managed
  - b. identify any opportunities for improving Council processes including the governance structure, processes and standing orders
  - c. the way in which Iwi input is sought on matters which need to be considered with a degree of urgency
  - d. identify any further review work that might be warranted given the findings of the internal review work that is completed.



57. This option is the preferred option as it would allow a review to be initiated by the Chief Executive, without incurring significant additional costs. It would also allow the Chief Executive to engage with the complainant, councillors and iwi representatives and address some of the hurt that has been noted by parties involved.
58. It would also allow the Chief Executive the opportunity to identify any operational processes that may need to change to ensure members, including iwi representatives, are able to have meaningful input into Council decision-making processes.
59. It would also remain an option, once the internal review work had been completed, for Council to have further work undertaken by an external reviewer/expert if that was seen as warranted.

### **Significance**

60. Given that the complaint is about the conduct of the Council's governance body and that it alleges that there has been a failure to comply with a number of statutory obligations and good practice it is clear that the issue of how Council might respond to the complaint and issues that have been discussed at Council committee meetings is of considerable significance. The quality of the governance that Council provides is clearly fundamental to the operation of Council and the level of confidence that the Taranaki community can have in its Council's decision-making processes.
61. A decision in accordance with the recommendations would see the Council acknowledging that there were shortcomings in its processes and agreeing that it needs to identify how it can improve in the future. In that sense it is not dissimilar to a typical business process improvement exercise, which is considered good practice.
62. While the decisions being made are seen as being of some significance, officers believe it is reasonable for the Council to conclude a decision in accordance with the recommendations would not be significant. In this regard it will have no impact on levels of service, will not incur more than \$10,000,000 budgeted or \$5,000,000 of unbudgeted expenditure, or involve any transfer of ownership or control of a strategic asset.

### **Financial considerations—LTP/Annual Plan**

63. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Costs that might be associated with any internal review process would be funded from within existing budgets.

### **Policy considerations**

64. Council policies set out organisational standards which should be met in order to facilitate:
  - a. The maintenance of effective working relationships built on trust, respect and tolerance
  - b. Maintenance of the credibility and accountability of the Council with its community.
  - c. The effectiveness of the Council as a governance body in meeting its responsibilities for the provision of good local government to the Taranaki region.
65. A number of principles that are consistent with the organisational values, have been adopted as part of the strategic framework in the Long-Term Plan.
66. Clause 15 of Standing Orders details the provisions relating to the hearing of deputations at meetings. These include a requirement that the matter to be discussed should be within the terms of reference for that particular meeting. They also delegate the responsibility for making a decision on whether the deputation to be received and when it occurs within the meeting to the Chair.
67. Where a decision has been made under delegation that decision is legally enforceable and has the same effect as if the decision had been made by the Council itself. The Council also cannot 'over-ride'

the decision that was made if it has concerns with it. Rather the appropriate course of action is to ask the individual/body who made the decision to reconsider the matter having regard to any views that the Council may want to express about the original decision.

### **Climate change considerations**

68. This item is administrative in nature. There are no climate change impacts to consider in relation to this item.

### **Iwi considerations**

69. Council is obliged by section 4 and 14 (1) (d) of the LGA to provide opportunities for Māori to contribute to its decision-making processes.
70. The Council are required by the Te Atiawa Claims Settlement Act 2016, Taranaki Iwi Claims Settlement Act 2016 and the Ngāruahine Claims Settlement Act 2016 to provide an effective mechanism for the iwi of Taranaki to contribute to the decision-making processes of the Council.
71. The objectives of this are to encourage and enable the iwi of Taranaki to:
- a. Participate directly in the decision-making processes of the Council
  - b. Contribute directly to a wide range of the Council's policy, regulatory and advocacy functions
  - c. Have an effective and workable representation that is cost-effective for the Council and of benefit to both the Council and the iwi of Taranaki.
72. As the founding document of New Zealand, the Treaty/te Tiriti is of significance to Māori as the purpose of the document was to protect Māori rights and taonga (treasures), establish government and to keep peace and order.
73. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the Local Government Act 2002) as outlined in the adopted Long-Term Plan and/or Annual Plan.

### **Community considerations**

74. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.
75. The principles of natural justice in New Zealand exist to ensure that people are treated fairly and impartially when decisions are made about them and include the right to be heard, the right to respond and the right to an impartial decision.
76. Under these principles decision makers should be unbiased and make decisions in good faith and without assumption before hearing from everyone. It is reasonable for the Council to assume that a significant section of its community would expect the principles of natural justice are applied as they are an essential part of the law.

### **Legal considerations**

77. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.
78. Both the LGA and the Local Government Official Information and Meetings Act (LGOIMA) 1987 emphasise the importance of open and transparent decision-making by Council.
79. The LGA establishes principles requiring councils to conduct their business in an open, transparent, and accountable manner, promoting community participation. It also contains, in Part 6, specific

requirements in relation to the process that must be followed to make decisions. Schedule 7 requires that all elected members comply with standing orders and the adopted Code of Conduct.

80. The LGOIMA reinforces the open and transparent requirements by ensuring that council meetings are generally open to the public, providing access to official information, and facilitating public involvement in council processes.
81. Together, these Acts aim to make local government decision-making processes more accessible, accountable, and understandable to the public.
82. In the October 2023 report from the Ombudsman titled Meeting and workshop practices at Taranaki Regional Council, the Ombudsman emphasises that legislative provisions designed to promote open and public business transactions should be applied proactively and substantively, not merely in a perfunctory or technical manner.
83. The Ombudsman recommends a shift from focusing on strict adherence to the letter of the law towards a more principled approach that prioritises the spirit of transparency and participation. This means going beyond the minimum legal requirements to actively foster openness by providing clear, timely, and comprehensive information to the public, ensuring genuine opportunities for engagement, and making council decisions and processes understandable to the community. The core idea is to actively promote and enable public scrutiny and understanding, rather than simply avoiding legal breaches.
84. The Ombudsman has noted that:

*Trust is at the core of the relationship between the people and their locally elected representatives. One way local government can earn trust is through transparent decision making that is open to public involvement and scrutiny. Transparency supports accountability, encourages high performance and increases public confidence. People may not always agree with council's decisions but a transparent process allows them to understand a council's reasoning, and can mitigate any suspicions of impropriety in the decision making process. Even a perception of secrecy can be damaging, as secrecy breeds suspicion.*

*Achieving the principle and purposes of the LGOIMA depends significantly on the culture of a council, and the attitudes and actions of its senior leaders. Elected members, chief executives, and senior managers, should take the lead in developing an environment that promotes openness and transparency within the organisation, with external stakeholders, and importantly, with their constituents. This environment should champion positive engagement with those who want to know and understand the work a council is doing.*

85. A decision to not have an open and transparent debate about the merits of lodging a submission on a matter that is of high public interest is not consistent with the above principles and good practice as defined by the Ombudsman.

## Appendices/Attachments

TRCID-1492626864-319: [P Moeahu Council Conduct Complaint January 2025](#)

TRCID-1492626864-318: [PowerPoint - Council conduct complaint](#)

January 2025

259 Te Arei Road West  
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New Plymouth 4373  
M: 02102730763  
E: [pmoeahu3@gmail.com](mailto:pmoeahu3@gmail.com)

Steve Ruru  
CEO  
Taranaki Regional Council

Tena koe Steve,

It is with deep disappointment that I lay a formal complaint against the Taranaki Regional Council for serious breaches of the Local Government Act, Treaty of Waitangi, natural justice, standing orders and code of conduct.

#### **The Complaint**

At the Taranaki Regional Council Meeting of 10 December 2024, held at Yarrow Stadium, Councilors acted in a unfair, premeditated, deliberate, determined, divisive, concerted, disrespectful, biased, unlawful and mutually contrived way to subvert the democratic process.

In so doing councilors were in breach of their legal obligations and responsibilities under the Local Government Act, Treaty of Waitangi, natural justice, standing orders, code of conduct and Ombudsman recommendations.

Councils actions undermined the fundamental principles of democracy when affected parties were treated unfairly and with disrespect, not given an opportunity to be heard and decision makers were biased and did not take into account the view of the region as a whole.

#### **The Law**

This complaint articulates the law that governs local authority meetings and provides a sworn affidavit by complainant Peter Moeahu where councilors were in breach of these laws at the council meeting of 10 December 2024.

#### **Section 4 Local Government Act states;**

In order to recognise and respect the Crown's responsibility to take appropriate account of the Principles of the Treaty of Waitangi and to maintain and improve opportunities for Maori to contribute to local government decision making processes, Parts 2 and 6 provide principles and requirements for local authorities that are intended to facilitate participation by Maori in local authority decision making processes.

#### **Principles and Rights of Natural Justice include;**

- The right to be heard. People have the right to speak and be listened to.
- The right to impartial decision makers. Decision makers should be unbiased and keep an open mind until they have heard from everyone.
- The right to be treated fairly.
- The right to reasons. People have a right to know the reasons for a decision.

**Council Standing Orders require council to;**

- Conduct its business in an open, transparent and democratically accountable manner.
- Make itself aware of, and have regard to, the views of all its communities.
- Take account, when making decisions, of the diversity of the community, its interests and the interests of future communities.
- Ensure that any decisions made under these standing orders comply with the decision making provisions of Part 6 of the LGA; and
- Ensure that decision making procedures and practices meet the standards of natural justice.
- These principles are reinforced by the requirement that all local authorities act so that “governance structures and processes are effective, open and transparent” (s. 39 LGA)

**Council Code of Conduct requires council to;**

- Consider all facts, debate and discussion before making a decision on an issue.
- Allow others to consider all facts, debate and discussion before making a decision on an issue.
- Promote effective local governance by helping elected members establish and maintain working relationships built on trust and respect.
- Uphold the codes set of the principles of good conduct and standards of behaviour for elected members in their dealings with each other, the Chief Executive, staff and the general public.
- Show respect to a member of the public called upon to address the council.
- Serve only the interests of the region as a whole and act with honesty, integrity, objectivity and accountability.

**Chief Ombudsman Recommendations**

- Ensure inclusive participation of diverse voices at council meetings.
- Elected members lead and promote openness and transparency.
- Promote open and transparent public meetings.
- Meeting minutes should represent a full and accurate record of meetings.
- Minutes should include details of any debate or discussion not just the final decision.

**The Complainant**

1. Peter Moeahu is a experienced iwi appointed representative on the Taranaki Regional Council Policy and Planning Committee. He attended the council meeting as an observer on 10 December 2024.
2. His sworn affidavit sets out his observations at the 10 December 2024 meeting and claim council willfully abandoned its legal obligations and denied open and transparent discussion on agenda item 7, Treaty Principles Bill submission.
3. Councils blatant suppression of open and transparent democratic processes at its 10 December 2024 meeting was an attack on democracy and the rule of law and cannot go unchallenged. One often hears the call, “one law for all,” when it comes to Maori issues. One law for all, and councilors must be held accountable to it. Council cannot be allowed to disregard their lawful duty with impunity.

**Council breaches - The evidence shows council;**

- Failed to give effect to sec 4 of the Local Government Act.
- Failed to give effect to the principles and rights of natural justice.
- Failed to give effect to the principles of good governance and council standing orders.
- Failed to give effect to proper meeting processes and councils code of conduct.

- Failed to give effect to the principles of the Treaty of Waitangi.
- Failed to give effect to the Ombudsman October 2023 Report.

### **Loss of Confidence**

Councils website says, "The Council strives to ensure its decision-making, planning and consenting processes are inclusive and collaborative to ensure that iwi perspectives can be properly considered." On 10 December 2024 council intentionally and purposefully ignored working inclusively and collaboratively with iwi and in so doing failed to ensure an iwi perspective was properly considered.

This complaint affirms a loss of confidence in the Taranaki Regional Council's ability to conduct its business without prejudice. The Local Government Act, principles of democracy, natural justice, Treaty of Waitangi, standing orders, code of conduct and Ombudsman recommendations were all deliberately dispensed with by councilors on 10 December 2024.

This loss of confidence is underlined by the letter to chairman Charlotte Littlewood, from iwi representative Dion Luke of 23 December 2024, signed by all six council iwi representatives.

Taranaki whanau, hapu and iwi support councils Treaty Principles Bill submission. They are displeased that their elected representative, Bonita Bigham, was denied the opportunity to speak to this issue. As a result they have lost confidence in councils impartially.

Councils attitude has been likened to that of early colonialists who ignored the Treaty of Waitangi, committed unspeakable crimes against Taranaki Maori, then passed retrospective laws allowing them to avoid justice and keep their ill gotten gains. Most councilors are beneficiaries of these crimes and Treaty breaches.

The denial of open debate at councils 10 December 2024 meeting undermined councils relationship with Taranaki Maori, exactly what councils submission on the Treaty Principles Bill warned of.

Dinnie Moeahu went on to address the South Taranaki, Stratford and New Plymouth district councils on the Treaty Principles Bill. Following open discussion all three councils agreed to submit in opposition to the Bill. Horizons Regional Council submitted opposing the Treaty Principles Bill.

### **Judicial Review**

Because a majority of Taranaki Regional councilors supported the actions complained of I do not have confidence council will investigate this complaint impartially and without prejudice. I therefore seek an independent public inquiry in the form of a Judicial review.

- A judicial review is where a judge may review an action or decision that has been made under a legal power, such as the Local Government Act. The judge may look at whether the matter was made in accordance with the law.
- A judicial review may look at whether there has been procedural impropriety, such as failure to observe the guidelines of natural justice and the failure to act fairly towards the party affected by the decision.
- A judicial review may examine whether a process was followed as outlined in policy documents or guidelines such as standing orders and code of conduct.
- A judicial review may look at whether a decision was made after a fair hearing and consultation with affected parties.

Signature .....  
*P. Moeahu*

Date .....  
*25/1/25*

Peter Moeahu  
Iwi Representative  
Policy and Planning Committee  
Taranaki Regional Council

**Appendix**

1. Peter Moeahu affidavit

AFFIDAVIT OF PETER MOEAHU

In the Matter of  
The Taranaki Regional Council  
Meeting agenda item 7, page 29  
10 December 2024

1. I, Peter Moeahu, Iwi Representative on the Taranaki Regional Council Policy and Planning Committee, affirm that the information contained in this affidavit is true and correct to the best of my knowledge.

**The Facts**

2. On 10 December 2024 I attended the Taranaki Regional Council (TRC) Committee meeting held at Yarrow Stadium to observe proceedings.
3. Also in attendance was my son, ratepayer and South Taranaki resident Dinnie Moeahu. Dinnie is a New Plymouth District Councilor and a prominent and respected member of the Taranaki Maori community.
4. Dinnie was granted permission by the chairman Charlottle Littlewood, to address the meeting as a deputation on agenda item 7. Agenda item 7 was the Councils submission to Parliaments Justice Select Committee, opposing the Treaty Principles Bill.
5. The meeting began at 10am and the chairman invited Dinnie to the speakers rostrum to address the meeting.
6. Dinnie was about to speak when councilor Tom Cloke interjected and objected to Dinnie addressing the meeting.
7. Deputy chairman Neil Walker and councilor Donald McIntyre joined in and spoke forcefully against Dinnie addressing the council meeting.
8. Dinnie watched this unfolding drama from the speakers rostrum in stunned silence.
9. I thought the councilors objections, interjections and interruptions were rude, uncalled for and contrary to the chairmans authority, council standing orders and code of conduct.
10. The chairman tried to ameliorate the situation but councilors were adamant they did not want Dinnie to speak.
11. In the end their objections were so vociferous Dinnie was forced to withdraw and vacate the speakers rostrum embarrassed and humiliated.
12. As an iwi representative on Councils Policy and Planning committee I was appalled that councilors would treat a respected member of the Maori community, albeit my son, unfairly and with such rude disdain and disrespect.
13. This was even more galling given the congratulations Dinnie received from councilors and council staff for the excellent work he did for council, as Master of Ceremonies, at councils annual environmental awards evening on 20 November 2024.





14. The objections against Dinnie speaking appeared premeditated, deliberate, coordinated and mutually contrived and were aimed at shutting down open and transparent discussion on a matter of national importance, the Treaty Principles Bill.
15. The importance of this issue was underscored by the tens of thousands of ordinary citizens who peacefully protested against the Treaty Principles Bill at parliament on 19 November 2024.
16. The council meeting continued and when it reached agenda item 7, Dinnie was again invited by the chairman to address the meeting from the speakers rostrum. It was clear to me that Dinnies confidence had been shaken by the earlier vehement objections to him speaking.
17. When Dinnie finished speaking councilors launched a pre-emptive attack against councils Treaty Principles Bill submission. They refused to let it be discussed in open forum. Their reasons appeared contradictory and disingenuous as reported in the subsequent news article.
18. The chairman tried to explain the relevance of the submission but was interrupted, spoken over and drowned out by councilors.
19. Council CEO, Steve Ruru tried at length to explain the reasons for the councils submission and the impact the Bill could have on council relationships with tangata whenua, but was also spoken over and drowned out by the councilors.
20. I was appalled by the behaviour of councilors Walker, Cloke and McIntyre in particular and considered it overbearing and tantamount to bullying. The stifled reaction from other councilors confirmed that their method had its desired effect.
21. In the end McIntyre moved that councils submission, opposing the Treaty Principles Bill, not be considered nor discussed and Walker seconded the motion. It was put to the vote and carried by majority. Only chairman Charlotte Littlewood, Maori ward councilor Bonita Bigham and Susan Hughes KC voted against the motion.
22. This showed me that the majority of councilors were not interested in democracy, free speech, open and transparent discussion, the chairmans rulings or the CEO advice.
23. Nor were they interested in their legal obligations and responsibilities under the Local Government Act, the Treaty of Waitangi, natural justice, council standing orders or code of conduct.
24. They appeared to be only interested in bullying council into submission, instead of allowing council to openly debate its own submission.
25. The main protagonists in this affair were councilors Walker, McIntyre and Cloke. I had the the distinct impression that they harboured unspoken support for the governments Treaty Principles Bill and would not countenance any discussion that might oppose it.
26. It was apparent to me that their vehement and vociferous opposition to councils submission was because it did not align with their support for the Bill.
27. I was astounded that these long serving council members, who should have known better, would undertake such a coup d'etat, and even more astounded that their fellow councilors allowed them to get away with it.



*MS*

28. Free speech and democracy was stifled, denied and bullied into submission by the premeditated, deliberate, determined, and mutually contrived actions of Taranaki regional councilors.

29. Their actions show privilege and entitlement which allows them to ignore their legal obligations and responsibilities as councilors.

30. I find this attitude offensive and worrying because it shows a lack of moral character in councilors who have no compunction to undermine open and transparent democracy when it suits their bias nature.

Name PETER MOEAHU

Signed P. Moeahu

Date 24 January 2025



Witness KRYSZYNA BEARDMAN

Signed K Beardman

Date 24 January 2025

Krystyna Beardman, JP  
#20155  
New Plymouth  
Justice of the Peace for New Zealand

Peter Moeahu  
Iwi Representative  
Policy and Planning Committee  
Taranaki Regional Council  
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New Plymouth 4373  
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# Council Conduct Complaint

Council Meeting  
18 February 2025

# Mission statement

## **To work for a thriving and prosperous Taranaki by:**

- Promoting the sustainable use, development and protection of Taranaki's natural and physical resources
- Promoting and providing for Taranaki's regionally significant services, amenities and infrastructure
- Safeguarding Taranaki's people and resources from natural and other hazards
- Representing Taranaki's interests and contributions to the regional, national and international community

We will do this by leading with responsibility, working co-operatively, encouraging community participation, and taking into account the Treaty of Waitangi.

# Organisational Values

*He ngākau o mātou matapono*

## VALUES

*He ngākau pono*

### Integrity

*Ehara o mātou mahinga tika, i te hanga ngawari.*  
We do what is right, rather than what is easy.

*He ngākau tuki tahi*

### Teamwork

*He kapa mahi tahi, whitake mātou, Te kaunihera o Taranaki.*

We are one TRC team, working together with courage and purpose.

*He ngākau aroha*

### Care and Respect

*Ko to mātou manaakitanga ki a tatou, he whakairo pai ki ngā tāngata katoa.*

We demonstrate care and respect for ourselves and others; we treat everyone with dignity.

*He ngākau kakama*

### Agility

*E whai ana mātou kia piki ake te kounga o te puna auaha*  
We strive for excellence, embracing change as an opportunity for innovation.



# Partnering with Māori Priority

## Partnering with Māori

The partnering with Māori focus area is anchored in the importance of Te Tiriti o Waitangi Treaty of Waitangi and working with Iwi Māori as tangata whenua. It also recognises the legal obligations on local government to ensure that Māori are more actively involved in our decision-making processes.

Our overriding commitment is that our future work with Māori will be based on mutually recognised trust and respect, noting that building this needed trust and respect is a journey we have commenced, but we acknowledge there is more work to do.

See the Working together with Māori section of this Plan.

# Standing orders - principles

## 1.2 Principles / Ngā Mātāpono

Standing orders are part of the framework of processes and procedures designed to ensure that our system of local democracy and in particular decision-making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which include that a local authority should:

- Conduct its business in an open, transparent and democratically accountable manner;
- Give effect to its identified priorities and desired outcomes in an efficient and effective manner;
- Make itself aware of, and have regard to, the views of all of its communities;
- Take account, when making decisions, of the diversity of the community, its interests and the interests of future communities as well;
- Ensure that any decisions made under these standing orders comply with the decision-making provisions of Part 6 of the LGA; and
- Ensure that decision-making procedures and practices meet the standards of natural justice.

These principles are reinforced by the requirement that all local authorities act so that “governance structures and processes are effective, open and transparent” (s. 39 LGA 2002).

# Code of conduct principles

## Principles of the Code of Conduct for Elected Members

The Code is based on the following principles of good governance:

### Public Interest

8. Members should serve only the interests of the region as a whole and should not improperly confer an advantage or disadvantage on any one person.

### Honesty and Integrity

9. Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

### Objectivity

10. Members should make decisions on merit including making appointments, awarding contracts, or recommending individuals for rewards or benefits. Elected members should also note that, once elected, their primary duty is to the interests of the entire region and not just the constituency they represent.

### Accountability

11. Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with the scrutiny appropriate to their particular office.



# Code of conduct principles (cont.)

## Openness

12. Members should be as open as possible about their actions and those of the Council, and should be prepared to justify their actions.

## Personal Judgement

13. Members can and will take account of the views of others, but should reach their own conclusions on the issues before them, and act in accordance with those conclusions.

## Respect for Others

14. Members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation, or disability. They should respect the impartiality and integrity of the Council staff.

## Duty to Uphold the Law

15. Members should uphold the law, and on all occasions, act in accordance with the trust the public places in them.

## Stewardship

16. Members must ensure that the Council uses resources prudently and for lawful purposes, and that the Council maintains sufficient resources to meet its statutory obligations.

## Leadership

17. Members should promote and support these proposals by example, and should always endeavour to act in the best interests of the region.

# LGA Principles – Section 14

## **The Council must:**

- Act in transparent, open and accountable manner
- Give effect to your identified priorities
- Consider the views of the community
- Provide opportunities for Māori to contribute
- Act in accordance with sound business practice
- Take a sustainable development approach

# Decision-making – Section 76

## 76 Decision-making

- (1) Every decision made by a local authority must be made in accordance with such of the provisions of [sections 77, 78, 80, 81, and 82](#) as are applicable.
- (2) Subsection (1) is subject, in relation to compliance with [sections 77 and 78](#), to the judgments made by the local authority under [section 79](#).
- (3) A local authority—
  - (a) must ensure that, subject to subsection (2), its decision-making processes promote compliance with subsection (1); and
  - (b) in the case of a significant decision, must ensure, before the decision is made, that subsection (1) has been appropriately observed.

# LGA Decision Making Framework

- Consider community views (s78)
  - Identify likely community views
  - Decide what to do as a result
  - Does not automatically require consultation
- Assess options by considering (s77)
  - Advantages and disadvantages
  - Other relevant factors
- Assess significance for each decision (s76AA)

# Compliance Provision (s79)

- Council can determine what is appropriate
  - Information collected
  - Assessment of costs and benefits
  
- Consider
  - Significance and section 14 principles
  - Resources
  - Circumstances in which decision needed
  
- Discretionary judgement

## Case Law

- Thorndon Quay Collective v Wellington CC (2024)
  - S76 imposes a *substantive obligation*
  - Significant decisions v other decisions
  
- Wellington CC v Minotaur (2017)
  - S79 gives broad discretion re process but decision must be rational
  
- Whakatane District Council v EBOP
  - Process and reasoning must be explicit

# Deputation – 10 December

- Standing order 15
  - *...Should a deputation be agreed to be received, it will be conducted at a time determined by the chairperson of the meeting.*
  
- Standing order 6.4
  - *Nothing in standing orders allows a council... to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation...*

# 10 December

- Voted against:
  - Receiving the report
  - Decision being not significant
  - Declined to exercise sec 79
- So the decision was significant?
- How did you demonstrate compliance with the decision-making requirements?



# Predetermination & Bias

- OAG view

*Predetermination is any situation where you are making a decision about something and there is a risk that people will think you made up your mind before you considered all of the evidence.*

ANY  
QUESTIONS  
?



**Date:** 18 February 2025

**Subject:** **Appointment of Councillor Littlewood to Standing Committees**

**Author:** N Chadwick, Executive Assistant to the Chief Executive and Chairperson

**Approved by:** S J Ruru, Chief Executive

**Document:** TRCID-1492626864-307

### **Purpose**

1. The purpose of this memorandum is for Council to make the appointment of Councillor Littlewood to standing committees.

### **Executive summary**

2. This memorandum addresses the appointment of Councillor Littlewood to standing committees following the election of a new council Chairperson.
3. Council is requested to consider options for committee appointments, the preferred option being a direct swap into vacant committee positions created by the new Chair assuming ex officio roles.
4. This approach is recommended for its ease of implementation and to ensure Councillor Littlewood's continued contribution to committee discussions.

### **Recommendations**

That the Taranaki Regional Council:

- a) receives the Appointment of Councillor Littlewood to Standing Committees memorandum
- b) selects and approves option one: direct swap into vacancies on standing committees created by the election of the new Chair
- c) determines that this decision be recognised as not significant in terms of section 76 of the Local Government Act 2002
- d) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

### **Background**

5. Councillor Littlewood was elected to the Chairperson position at the Council's Triennial meeting on 26 October 2022.

6. A workshop was held with Councillors on 1 November 2022 to discuss the Committee structures and delegations for the 2022-2025 triennium.
7. At the subsequent ordinary meeting on 8 November 2022, Council resolved to establish the following standing committees:
  - Operations and Regulatory
  - Policy and Planning
  - Executive, Audit and Risk
  - Regional Transport
  - Chief Executive Liaison.
8. These committee structures were adopted by Council at the Ordinary meeting held 8 November 2022.
9. A report was presented by Councillor Littlewood at this meeting, in her capacity as Chairperson, with recommendations on the appointment of councillors and staff to council committees and joint committees.
10. The Council's Chairperson and Deputy Chair are appointed to all committees as ex officio members.
11. The Chairperson is also appointed to the Taranaki Mayoral Forum, Local Government New Zealand (LGNZ) Regional Sector group and the LGNZ Zone 3. Appointment to these committees is role specific and as such the newly elected Chair will assume these roles.
12. Councillor Littlewood is appointed to the Taranaki Passenger Transport Joint Committee and would retain this appointment as this was not a position based appointment.

## Issues

13. The issue to be resolved is the appointment of Councillor Littlewood to council's standing committees.

## Discussion

14. In the ex officio capacity, Councillor Littlewood was appointed to the Operations and Regulatory Committee, Policy and Planning Committee and Executive, Audit and Risk Committee.
15. Once the new Chair is elected, this councillor would assume the ex officio position on the three mentioned committees.
16. This report seeks consideration from Council to appoint Councillor Littlewood to any of the standing committees as an appointed member, the options for this are discussed below.

## Options

17. The following options are available:

### **Option one: Direct swap into vacancies**

18. Once a new Chair is elected, they will become ex officio to the Operations and Regulatory Committee, Policy and Planning Committee and Executive, Audit and Risk Committee.
19. This will leave a vacant slot on all committees that this Councillor previously held.
20. This option is seen as the most appropriate as it will be simple to implement and allow Councillor Littlewood to participate in the next round of meetings, rather than not being appointed until the next ordinary meeting in 6 weeks' time.
21. Councillor Littlewood has been an effective member of the committees and the skills knowledge and experience she brings is still valuable for those committees.

**Option two: Chair recommendations**

22. The usual process following confirmation of the committee structures, if for the Chair to prepare recommendations of committee appointments for Council to consider.
23. Under this option, the newly elected Chair would prepare some recommendations which would be presented at the 1 May Ordinary meeting for consideration.
24. While this option would allow time for the Chair to make recommendations, it would mean that Councillor Littlewood is not a part of any committees for one full meeting cycle.

**Option three: not appoint Councillor Littlewood**

25. The committees will still meet their quorum requirements and have sufficient membership to continue to have robust discussions.
26. This main disadvantage of this option is that it does not recognise the contribution Councillor Littlewood could bring to items discussed at any of councils standing committees.

**Significance**

27. This decision is assessed as not significant with regards to the Significance and Engagement Policy. It will have no impact on levels of service, incur more than \$10,000,000 budgeted or \$5,000,000 of unbudgeted expenditure, or involve the transfer of ownership or control of a strategic asset.:

**Financial considerations—LTP/Annual Plan**

28. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

**Policy considerations**

29. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the Local Government Act 2002, the Resource Management Act 1991 and the Local Government Official Information and Meetings Act 1987.

**Climate change considerations**

30. There are no climate change impacts to consider in relation to this item.

**Iwi considerations**

31. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the Local Government Act 2002) as outlined in the adopted Long-Term Plan and/or Annual Plan.

**Community considerations**

32. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

**Legal considerations**

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



**Date:** 18 February 2025

**Subject:** 2025/2026 Annual Plan and Estimates Approach

**Author:** M J Nield, Director - Corporate Services

**Approved by:** S J Ruru, Chief Executive

**Document:** TRCID-1492626864-299

### Purpose

1. The purpose of this memorandum is to consider the options, and then to adopt an approach, for the preparation and adoption of the 2025/2026 Annual Plan.

### Executive summary

2. The Council is required to prepare and adopt a 2025/2026 Annual Plan.
3. The Local Government Act 2002 (LGA) allows a council to adopt an annual plan with no further public consultation if there are no significant or material differences from the long-term plan for that year that the proposed annual plan refers.
4. The proposed 2025/2026 Annual Plan contains no significant or material differences from the work plans and programmes established, and already fully consulted on, in the 2024/2034 Long-Term Plan for 2025/2026.
5. It is recommended that the streamlined processes in section 95(2A) of the Local Government Act 2002 be used in the preparation and adoption of the 2025/2026 Annual Plan, as the proposals and budgets have already been fully consulted on through the preparation and adoption of the 2024/2034 Long-Term Plan. This involves adopting the 2025/2026 Annual Plan with no further public engagement or consultation.
6. A separate special consultative process is still required for the adoption of fees and charges under section 36 of the Resource Management Act 1991 (RMA)

### Recommendations

That the Taranaki Regional Council:

- a) receives and notes this memorandum on the preparation and adoption of the 2025/2026 Annual Plan
- b) notes the requirements of section 95 of the Local Government Act 2002 in the preparation of the 2025/2026 Annual Plan
- c) confirms that there are no significant or material differences proposed for the 2025/2026 Annual Plan from the content of the 2024/2034 Long-Term Plan
- d) approves the preparation and adoption of the 2025/2026 Annual Plan without any further public engagement or consultation in accordance with section 95(2A) of the Local Government Act 2002

or

- e) approves the preparation of a 2025/2026 Annual Plan Statement of Proposal and an associated consultation document, with a consultation process to be undertaken in accordance with section 95(2) of the Local Government Act 2002
- f) notes the preparation and adoption of administrative charges under section 36 of the Resource Management Act 1991 will require the use of the Local Government Act 2002 special consultative process
- g) notes the approach and timetable to be undertaken dependent upon whether the decision is to undertake further public engagement and consultation.
- h) determines that this decision be recognised as not significant in terms of section 76 of the Local Government Act 2002
- i) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

## Background

- 7. The Council is required to prepare and adopt an annual plan in each year that it does not prepare and adopt a long-term plan. Section 95 of the Local Government Act 2002 sets out the requirements for an annual plan – refer Appendix 1.
- 8. In relation to the approach to be adopted in preparing the 2025/2026 Annual Plan, the relevant part of the legislation is section 95(2A). This section gives the Council the option to tailor its engagement and consultation on the annual plan in line with the level of significant or material difference from the long-term plan for that year. That is, if the annual plan is in line with that proposed for that year in the appropriate long-term plan, and there is no material or significant difference, further engagement and consultation is not required. Rather, an annual plan for that year can be adopted by resolution.
- 9. The Council is required to use the special consultative procedure, as set out in section 83 of the LGA, to fix its annual administrative charges under section 36 of the RMA. This process is normally completed in conjunction with the special consultative procedure used to adopt the Long-Term Plan or Annual Plan.
- 10. The 2014 amendment to the LGA that allowed the Council to undertake no additional engagement or consultation if there are no significant or material changes proposed for that year compared to the proposals adopted for that year in the Long-Term Plan, did not amend the RMA. That is, the requirement to use section 83 of the LGA to fix administrative charges under section 36 of the RMA remains in place.
- 11. If the Council decides not to undertake any additional engagement or consultation on its 2025/2026 Annual Plan, it must undertake a section 83 of the LGA special consultative procedure to fix its 2025/2026 administrative charges pursuant to section 36 of the RMA.

## Issues

- 12. The issue for this agenda item is whether to move straight to the preparation of an Annual Plan for 2025/2026 or whether to proceed to the preparation of a draft 2025/2026 Annual Plan and undertake further consultation and engagement.



## Discussion

13. The Council put considerable effort into the preparation and adoption of its 2024/2034 Long-Term Plan. This included a full special consultative procedure as required by the Local Government Act 2002.
14. The key engagement issues in the 2024/2034 Long-Term Plan were improving resource management, delivering on freshwater, adapting and mitigating climate change, the approach to possum control, the future of Towards Predator-Free Taranaki, and protecting indigenous biodiversity.
15. The next step is the preparation and adoption of the 2025/2026 Annual Plan. As part of this process, consideration needs to be given to the application of sections 95(2) and 95(2A) of the Local Government Act 2002.
16. The traditional approach to the preparation and adoption of an annual plan has been as follows:
  - Up to December - Councillor briefings and involvement in the key issues
  - February - adoption of an annual plan statement of proposal
  - Mid-March to Mid-April - annual plan statement of proposal is open for public consultation and engagement
  - May - the hearing of submissions on the annual plan statement of proposal, deliberation on those submissions and then adoption of an annual plan. Following adoption of the annual plan, the rates for the year are set
  - 1 July - implementation of the annual plan commences.
17. The Council is able to utilise the section 95(2A) provisions, should it so choose. This Item addresses the approach to preparing and adopting the 2025/2026 Annual Plan.
18. The Council has moved straight to the preparation of an annual plan on four previous occasions with latest occurrence being the 2023/2024 Annual Plan.
19. The Local Government Act 2002 gives clear guidance to local government that it should be taking a long-term focus to planning and putting considerable effort into the preparation and adoption of its long-term plans. As a counter to this effort, it has, by putting in section 95(2A), made it clear to local government that if it is delivering on the plans contained in the long-term plan and there are no significant or material differences from the plans already consulted on, there is no need or requirement to undertake further public engagement or consultation.
20. With the effort put into the preparation and adoption of the 2024/2034 Long-Term Plan, the Council fully engaged and consulted on its plans. The proposed 2025/2026 Annual Plan is consistent with the plans for 2025/2026 contained in the 2024/2034 Long-Term Plan. That is, there are no material or significant differences proposed for 2025/2026 from that outlined for 2025/2026 in the 2024/2034 Long-Term Plan.
21. The Council continues to operate in a volatile and changing political, policy and legislative environment. Change is continuing in areas such as essential fresh water.
22. The 2025/2026 year is expected to be just as volatile with factors such as local government elections, central government expectations and obligations on local government expenditure and rates, and community financial pressures providing complexity to the operating environment.
23. Therefore, the 2025/2026 Annual Plan is focused on delivery of the 2024/2034 Long-Term Plan and responding to the volatile environment, whilst continuing to grow our capacity, capability and supporting systems to address the demands of changes in the political, policy and legislative landscape.
24. As such, there are no new significant initiatives or programmes of work proposed that have not already been subject to a public consultation/engagement process.
25. Section 95(2A) applies where there are no significant or material differences from the content of the long-term plan for the financial year to which the proposed annual plan relates. There is no specific guidance in the Act as to what constitutes significant or material differences. The Council's Significance

and Engagement Policy provides some guidance in relation to the significance of matters considered in the annual plan. Taituarā (the Society for Local Government Managers) has provided some guidance on considering whether there are significant or material differences. This guidance was used in the following assessment of whether there are significant or material differences.

26. The first thing to identify is whether the proposed annual plan content is different from that in the LTP for the year. The Act does not define difference – the standard dictionary definition is “being different or unlike”, that is to say if something in the annual plan is unlike the LTP (in whatever respect).
27. Section 95A (2) provides some clues in that it refers to:
  - variations or departures from the financial statements and funding impact statement (FIS)
  - new spending
  - delays to or abandonment of projects.
28. Having established whether differences exist, the test becomes whether the differences are significant or material. There are two tests for each identified difference.

### **Materiality**

29. From Taituarā’s guidance, and for the purposes of this part of the Act, a difference is material if “it could, in itself, in conjunction with other differences, influence the decisions or assessment of those reading or responding to the consultation document.”
30. This implies tests for two levels of materiality. Firstly, the materiality of any identified difference has to be determined. Second, once this process is complete, you need to assess the materiality of all of the differences as a set. This is not materiality in the sense used by accountants and cannot always be reduced to a set of numbers.
31. In this context, what is material will be circumstance specific. The following are useful tests to have in mind:
  - does the difference involve a change to the financial strategy or funding impact statement – if the answer is yes then proceed with extreme caution before deciding not to consult
  - might the difference(s) alter a reasonable person’s conclusions about the affordability of the plan – if the answer is yes the change should be regarded as material
  - might the difference(s) alter a reasonable person’s conclusions about the levels of service contained in the plan – if the answer is yes the change should be regarded as material
  - might the difference(s) lead to a reasonable person deciding (or not deciding) to make a submission on any consultation document (for example, has some policy shift been signalled) – if the answer is yes the change should be regarded as material.
32. These tests need to be applied objectively and reasonably but realistically.

### **What if the Council doesn’t consult because it has previously consulted**

33. If the Council decides that it does not need to consult and engage on its annual plan because it has done so previously, then it need only adopt the annual plan by resolution.
34. An annual plan must be prepared regardless of whether consultation and engagement on the plan occurs. The annual plan must include all the information set out in part 2 of schedule 10 of the Local Government Act 2002. That is to say:
  - forecast financial statements for the year covered by the annual plan, and forecast financial statements from the previous year for comparative purposes 19 of schedule 10)
  - the funding impact statement including all of specified details about the setting of rates and charges
  - rating base information

- statements about reserve funds.
35. It is good practice that local authorities not consulting on an annual plan still notify the community of their intent to adopt an annual plan.

## Differences

36. The 2025/2026 Annual Plan proposes no significant or material differences from the plan outlined for 2025/2026 in the 2024/2034 Long-Term Plan . This conclusion is reached based upon the following criteria:
- There are no significant changes to the performance management framework. That is, there are no changes to the 2024/2034 levels of service and only insignificant/immaterial minor updates to the performance measures and targets.
  - There are no significant new projects/activities or spending for 2025/2026 that are not in the 2024/2034 Long-Term Plan.
  - There are no significant delays to or abandonments of projects or activities for 2025/2026 that are not in the 2024/2034 Long-Term Plan .
37. The specific changes/differences are around delays to fresh water plan progress and IRIS NextGen implementation resulting from central government policy changes and build/implementation delays respectively.
38. In total, there are no material/significant variations or departures from the financial statements and the funding impact statement in terms of the overall total Council budget and the impact on individual ratepayers. There are variances on the budgets for each individual activity.
39. The 2024/2034 Long-Term Plan outlined a 13.2% total rates increase for 2025/2026. The 2025/2026 Annual Plan proposes a 12.9% total rates increase. The range of targeted rates proposed for 2025/2026 are the same as those proposed in the 2024/2034 Long-Term Plan, although there are some minor changes to the amounts collected by each targeted rate. None of these changes in the level of targeted rates is significant or material individually or in total particularly.
40. In summary, the proposed 2025/2026 Annual Plan recommends work programmes that are materially unchanged from that proposed for 2025/2026 in the 2024/2034 Long-Term Plan. There are changes in budgets to deliver these programmes as we respond to the volatile regulatory environment, inflation and continue to invest in our capacity and capability to deliver our work programmes. There are no changes to the Financial Strategy and the Funding Impact Statement is materially unchanged. Whilst there are some minor changes in the targeted rates and the total budget for individual activities, in absolute terms, these are not large sums of money and do not fundamentally alter the affordability of the Plan. There are no significant changes in the activities, projects, works programmes, levels of service, key performance indicators and performance targets. There is nothing that is new and has not already consulted upon in the proposed 2025/2026 Annual Plan.
41. Overall, the 2025/2026 Annual Plan proposes business as planned for in the 2024/2034 Long-Term Plan for 2025/2026, with no significant or material differences that warrant undertaking additional public engagement and consultation.
42. If the Council decides not to undertake any further engagement and consultation there will be direct and indirect cost and time-savings. The cost of preparing and publishing an annual plan statement of proposal and an annual plan consultation document will be saved. Costs associated with advising the public about the consultation and engagement process, receiving submissions, preparing the officer's report and holding a hearing will also be saved.
43. The Council successfully utilised these provisions in the preparation and adoption of the 2016/2017, 2020/2021, 2022/2023 and 2023/2024 annual plans.

44. Accordingly, it is recommended that the Council consider adopting the 2025/2026 Annual Plan without any additional engagement and consultation in accordance with section 95 (2A) of the Local Government Act 2002.

### **Resource Management Act Administrative Charges**

45. A draft schedule of 2025/2026 administrative charges pursuant to section 36 of the RMA has been prepared. This will become the statement of proposal for the special consultative procedure. The proposal is not materially or significantly different from the schedule of administrative charges fixed pursuant to section 36 of the RMA in the 2024/2034 Long-Term Plan. The construction, structure and nature of administrative charges is unchanged. That is, there is nothing structurally new or different in the schedule of administrative charges from that adopted in the 2024/2034 Long-Term Plan. Consent holders, and others impacted by these charges, will have a long-term familiarity with the approach to RMA administrative charges.
46. The charge-out rates, the fixed minimum charges, the schedules of charges and the individual monitoring programme charges have been reviewed and updated. There is a proposed 10% increase in charge-out rates and fees to address the rising cost of operations.
47. As there is little in the way of change to the administrative charges, there is an overall familiarity with the approach and there is a logistical difficulty around summarising the charges, it is not proposed to prepare a summary of the statement of proposal – section 83 (1)(a)(ii).
48. Similarly, it is not proposed to undertake a complex or comprehensive consultation process. All of the individual compliance monitoring programmes have been referred to the appropriate consent holder for their feedback. This is the biggest section of the administrative charges. Therefore, it is proposed to distribute the statement of proposal via the Council's website. Hard copy of the statement of proposal will be available upon request. There will be a public notice on the statement of proposal and the consultation process. This will note that the statement of proposal is publicly available. Submissions will be via our website or in writing.
49. The statement of proposal will be open for consultation for one month. There will then be a hearing for those submitters that wish to present their submission. The Council will then consider, amend, if necessary, and adopt the schedule of administrative charges for inclusion in the 2025/2026 Annual Plan. The Council will then consider and adopt the 2025/2026 Annual Plan.

### **Timetable**

50. A streamlined approach, utilising section 95 (2A) of the Local Government Act 2002, for the preparation and adoption of the 2025/2026 Annual Plan and the preparation and adoption of administrative charges under section 36 of the RMA would be:
- 18 February 2025 - Council considers the approach to be taken for the preparation and adoption of an annual plan and confirms that section 95 (2A) is to be used
  - 1 April 2025 - The Council adopts the statement of proposal for the schedule of 2025/2026 administrative charges pursuant to section 36 of the RMA
  - 2 April 2025 to 2 May 2025 - The statement of proposal for the schedule of 2025/2026 administrative charges pursuant to section 36 of the RMA is open for consultation
  - 13 May 2025 - The Council hears submissions on the statement of proposal for the schedule of 2025/2026 administrative charges pursuant to section 36 of the RMA. The Council considers submissions and, if necessary, amends the schedule of charges. Adoption of the schedule of charges follows. The Council adopts the 2025/2026 Annual Plan. Following adoption of the annual plan, the rates for the year are set.
  - 1 July 2025 - implementation of the annual plan commences.

51. If the Council decides to undertake additional engagement and consultation on the 2025/2026 Annual Plan, the following timetable is for the preparation and adoption of the Plan. The schedule of 2025/2026 administrative charges pursuant to section 36 of the RMA will be included in the 2025/2026 Annual Plan Statement of Proposal and consultation and engagement will occur simultaneously:
- 1 April 2025 - Council adopts the 2025/2026 estimates, consultation document and 2025/2026 Annual Plan Statement of Proposal
  - 2 April to 9 May 2025 - Annual Plan is open for consultation and submissions
  - 16 June 2025 - Ordinary Meeting following the Executive, Audit and Risk Committee meeting, for the Council to hear submissions on the 2025/2026 Annual Plan Statement of Proposal, deliberate on those submissions and then adopt the 2025/2026 Annual Plan.
  - 24 June 2025 - Following adoption of the 2025/2026 Annual Plan, the rates for the year are set.
  - 1 July 2025 - Implementation of the 2025/2026 Annual Plan commences.
52. The issues that the Council wishes to consult on (included in the Consultation Document) will need to be identified and documented, if the Council decides to undertake additional public engagement and consultation on the 2025/2026 Annual Plan.

### Options

53. There are two main options. The Council is required to prepare and adopt a 2025/2026 Annual Plan. The options are to either:
- adopt a 2025/2026 Annual Plan without any further public consultation or engagement; or
  - prepare and adopt a 2025/2026 Annual Plan utilising the special consultative procedure as outlined in the LGA.

### Significance

54. All of the significant issues and programmes of work included in the 2025/2026 Annual Plan have been included in the 2024/2034 Long-Term Plan. Therefore, the decision to not consult on the preparation and adoption of the 2025/2026 Annual Plan is deemed to not be significant in terms of the Significance and Engagement Policy as:
- the decision does not affect a large number of residents and ratepayers to a moderate extent
  - the decision does not affect a small number of residents and ratepayers to a large extent
  - the decision does not have a history of generating wide public interest within the Taranaki region or New Zealand generally.

### Financial considerations—LTP/Annual Plan

55. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

### Policy considerations

56. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the Local Government Act 2002, the Resource Management Act 1991 and the Local Government Official Information and Meetings Act 1987.

### **Climate change considerations**

57. There are no additional climate change impacts, other than those identified in the 2024/2034 Long-Term Plan, to consider in relation to this item.

### **Iwi considerations**

58. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted Long-Term Plan and/or Annual Plan.

### **Community considerations**

59. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

### **Legal considerations**

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

## Appendix 1: Section 95 of the Local Government Act 2002

### 95 Annual plan

1. A local authority must prepare and adopt an annual plan for each financial year.
2. Subject to subsection (2A), a local authority must consult in a manner that gives effect to the requirements of section 82 before adopting an annual plan under this section.  
  
2A. Subsection (2) does not apply if the proposed annual plan does not include significant or material differences from the content of the long-term plan for the financial year to which the proposed annual plan relates.
3. An annual plan must be adopted before the commencement of the year to which it relates.
4. Despite subsection (1), for the first year to which a long-term plan under section 93 relates, the financial statement and funding impact statement included in that long-term plan in relation to that year must be regarded as the annual plan adopted by the local authority for that year.
5. The purpose of an annual plan is to—
  - (a) contain the proposed annual budget and funding impact statement for the year to which the annual plan relates; and
  - (b) identify any variation from the financial statements and funding impact statement included in the local authority's long-term plan in respect of the year; and
  - (c) provide integrated decision making and co-ordination of the resources of the local authority; and]
  - (d) contribute to the accountability of the local authority to the community
  - (e) Repealed.
6. Each annual plan adopted under this section must—
  - (a) be prepared in accordance with the principles and procedures that apply to the preparation of the financial statements and funding impact statement included in the long-term plan; and
  - (b) contain appropriate references to the long-term plan in which the local authority's activities for the financial year covered by the annual plan are set out; and
  - (c) include the information required by Part 2 of Schedule 10.
- 6A. Except where subsection (5) requires otherwise, the local authority must comply with subsection (6) (b) and (c) by means of reference to, rather than duplication of, the long-term plan.]
7. A local authority must, within 1 month after the adoption of its annual plan,—
  - (a) make its annual plan public
  - (b) send copies of that plan to—
    - (i) the Secretary; and
    - (ii) the Auditor-General; and
    - (iii) the Parliamentary Library.



**Date:** 18 February 2025

**Subject:** Meeting Dates March 2025

**Author:** M Jones, Governance Administrator

**Approved by:** M J Nield, Director - Corporate Services

**Document:** TRCID-1492626864-314

### Purpose

1. The purpose of this memorandum is to notify members of the scheduled meeting dates for October 2024.

### Recommendations

That Taranaki Regional Council:

- a) receives the memorandum Meeting Dates
- b) notes the upcoming meeting dates.

### Meeting Dates

CDEM – Joint Committee	1.00pm Thursday 6 March 2025
Regional Transport Committee	10.30am Thursday 13 March 2025
Operations and Regulatory Committee	9.00am Tuesday 18 March 2025
Policy and Planning Committee	10.30am Tuesday 18 March 2025
Taranaki Solid Waste Management Committee	10.30am Thursday 20 March 2025
Executive Audit and Risk Committee	10.00am Monday 24 March 2025



## Public Excluded Recommendations – Ordinary Council 18 February 2025

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 18 February 2025 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 15:

Confirmation of Public Excluded Ordinary Council Minutes – 10 December 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 16:

Confirmation of Public Excluded Executive Audit and Risk Minutes – 10 February 2025

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.



### **Kia uruuru mai**

#### ***Karakia to close meetings***

Kia uruuru mai  
Ā hauora  
Ā haukaha  
Ā haumaia  
Ki runga, Ki raro  
Ki roto, Ki waho  
Rire rire hau  
Paimārie

Fill me with  
Vitality  
Strength  
Bravery  
Above, below  
Within, outwards  
Let the wind blow and bind  
Peace upon you

### **Nau mai e ngā hua**

#### ***Karakia for kai***

Nau mai e ngā hua  
o te wao  
o te ngakina  
o te wai tai  
o te wai Māori  
Nā Tāne  
Nā Rongo  
Nā Tangaroa  
Nā Maru  
Ko Ranginui e tū iho nei  
Ko Papatūānuku e takoto ake nei  
Tūturu o whiti whakamaua kia  
tina  
Tina! Hui e! Taiki e!

Welcome the gifts of food  
from the sacred forests  
from the cultivated gardens  
from the sea  
from the fresh waters  
The food of Tāne  
of Rongo  
of Tangaroa  
of Maru  
I acknowledge Ranginui above and Papatūānuku  
below  
Let there be certainty  
Secure it!  
Draw together! Affirm!

## AGENDA AUTHORISATION

Agenda for the Ordinary Council Meeting of the Taranaki Regional Council held on  
Tuesday 18 February 2025

Approved:

Not Cast

M J Nield  
Director Corporate Services

Approved:



12 Feb, 2025 9:03:32 AM GMT+13

S J Ruru  
Chief Executive