



RANGITĪKEI
DISTRICT COUNCIL
Making this place home.

ORDER PAPER

TE ROOPUU AHI KAA MEETING

Date: Tuesday, 13 August 2024

Time: 11.00am

Venue: Council Chamber
Rangitikei District Council
46 High Street
Marton

Tumuaki Tuarua: Ms Piki Te Ora Hiroa, (Ngāti Whitikaupeka)

Tumuaki Tuarua: Ms Kim Savage (Ngāti Parewahawaha)

Nga mema: Mr Chris Shenton (Ngāti Kauae/Tauira), Mr Thomas Curtis (Te Rūnanga o Ngāti Hauiti), Ms Marj Heeney (Ngāi Te Ohuake), Ms Moira Raukawa (Ngāti Tamakopiri), Ms Leanne Hiroti, (Ngā Ariki Turakina), Dr Katarina Gray-Sharp (Ngāti Rangī), Ms Grace Taiaroa (Rātana Pā), Mr Jordan Winiata-Haines (Ngāti Hinemanu/Ngāti Paki), Cr Coral Raukawa, Cr Gill Duncan, HWTM Andy Watson

For any enquiries regarding this agenda, please contact:

Kezia Spence, Governance Advisor, 0800 422 522 (ext. 917), or via email

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Notice is hereby given that a Te Roopuu Ahi Kaa Meeting of the Rangitīkei District Council will be held in the Council Chamber, Rangitīkei District Council, 46 High Street, Marton on Tuesday, 13 August 2024 at 11.00am.

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AGENDA

1 Karakia / Prayer

2 Apologies

3 Public Forum

4 Conflict of Interest Declarations

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of items on this agenda.

5 Confirmation of Order of Business

That, taking into account the explanation provided why the item is not on the meeting agenda and why the discussion of the item cannot be delayed until a subsequent meeting, [enter item number](#) be dealt as a late item at this meeting.

6 Confirmation of Minutes

6.1 Confirmation of Minutes

Author: Kezia Spence, Governance Advisor

1. Reason for Report

1.1 The minutes from **Te Roopuu Ahi Kaa Meeting held on 11 June 2024** are attached.

Attachments

1. **Te Roopuu Ahi Kaa Meeting - 11 June 2024**

Recommendation

That the minutes of Te Roopuu Ahi Kaa Meeting held on 11 June 2024 **[as amended/without amendment]** be taken as read and verified as an accurate and correct record of the meeting, and that the electronic signature of the Chair of this Committee be added to the official minutes document as a formal record.

MINUTES

UNCONFIRMED: TE ROOPUU AHI KAA MEETING

Date: Tuesday, 11 June 2024

Time: 11.00am

Venue: Council Chamber
Rangitikei District Council
46 High Street
Marton

Tumuaki Tuarua: Ms Piki Te Ora Hiroa

Nga mema: Mr Thomas Curtis (Te Rūnanga o Ngāti Hauiti)
Ms Marj Heeney (Ngāi Te Ohuake)
Ms Kim Savage (Ngāti Parewahawaha)
Mr Jordan Winiata-Haines (Ngāti Hinemanu/Ngāti Paki)
Ms Moira Raukawa (Ngāti Tamakopiri),
Ms Leanne Hiroti, (Ngā Ariki Turakina)
Cr Coral Raukawa
Cr Gill Duncan
HWTM Andy Watson

Manuhiri: Mr Kevin Ross, Chief Executive
Mrs Carol Gordon, Group Manager- Democracy and Planning
Ms Bonnie Brown, Strategic Advisor Māori, Kaimaahukihuki
Ms Kezia Spence, Governance Advisor

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1 Karakia/Prayer

Ms Hiroa opened the meeting at 11.00am.

2 Apologies

Resolved minute number 24/IWI/027

Apologies received from Dr Katarina Gray.

Cr C Raukawa/Ms Hiroa. Carried

3 Public Forum

There was no public forum.

4 Conflict of Interest Declarations

There were no conflicts of interest declared.

5 Confirmation of Order of Business

There was no change to the order of business.

6 Confirmation of Minutes

Amendment: Spelling error of Leanne Hiroti.

Resolved minute number 24/IWI/028

That the minutes of Te Roopuu Ahi Kaa Meeting held on 9 April 2024 **as amended** be taken as read and verified as an accurate and correct record of the meeting, and that the electronic signature of the Chair of this Committee be added to the official minutes document as a formal record.

Mr T Curtis/Ms K Savage. Carried

7 Follow-up Actions

7.1 Follow-up Action Items from Te Roopuu Ahi Kaa Meetings

Item 2- Representation Letters

Mr Curtis to resend his representation letter to staff.

Item 3- Ngāti Waewae

The Komiti discussed this item in-depth. His Worship the Mayor advised the process that this item came to the Komiti as a request to engage and that the best connection is with the awa rather than through the Komiti.

Resolved minute number 24/IWI/029

That the report 'Follow-up Action Items from Te Roopuu Ahi Kaa Meetings' be received.

Ms Hiroa/Ms M Heeney. Carried

8 Chair's Report

8.1 Chair's Report June 2024

The Chair read her report.

Resolved minute number 24/IWI/030

That the 'Chair's Report –June 2024' be received.

Ms Hiroa/Ms M Heeney. Carried

9 Reports for Decision

9.1 Appointment of Deputy Chair of Te Roopuu Ahi Kaa

This item was discussed at the pre-hui and it was noted that the Chair and Deputy-Chair represent the southern and northern ends of the district.

Resolved minute number 24/IWI/031

That Kim Savage be appointed as Deputy Chair of Te Roopuu Ahi Kaa.

Ms Hiroa/Ms L Hiroti. Carried Unanimous

9.2 Updated Memorandum of Understanding: Tūtohinga

The Komiti discussed Kauangaroa and Whangaehu and whether to approach for inclusion in the document, noting their withdrawal.

The Komiti noted that there would be a benefit to include a map of iwi and their interests. Mr Ross responded that he knows of two maps being worked on in the district and that there could be a workshop to present the work that is happening in this space.

Resolved minute number 24/IWI/032

That the Draft Memorandum of Understanding: Tūtohunga report be received.

Mr T Curtis/Mr J Winiata-Haines. Carried

Resolved minute number 24/IWI/033

That the updated Memorandum of Understanding: Tūtohunga document be approved with amendment.

Mr T Curtis/Ms M Raukawa. Carried

9.3 Review of Marae Development Fund Policy

Ms Savage left the meeting at 12.00pm at the beginning of this item.

Staff advised that the benefit of applications being received during September/October is due to the new financial year.

Mrs Gordon responded to questions that to increase the funding the Komiti will need to put a request into the Annual Plan.

Mrs Gordon responded to questions that the current process is a letter to the Komiti requesting funding.

Resolved minute number 24/IWI/034

That the Review of Marae Development Fund Policy report be received.

Mr J Winiata-Haines/Ms K Savage. Carried

Resolved minute number 24/IWI/035

That the updated Marae Development Fund Policy be approved with amendments.

Ms L Hiroti/Ms M Raukawa. Carried

9.4 Mayor's Report - 30 May 2024

His Worship the Mayor noted that the shared services agreement for roading and three waters are ending at the end of June with Manawatu District Council.

His Worship the Mayor highlighted that he has met with Minister Jones who has agreed to come to the district.

The Komiti acknowledged the article from His Worship the Mayor on Māori wards and the support around the table on this item.

Mr Ross provided updates that the Komiti on the correct spelling of Rangitīkei and that there has been a large amount of feedback on this. The Komiti highlighted that there are other areas in the district that are misspelt, and staff encouraged that any known misspelt signage be passed on.

Resolved minute number 24/IWI/036

That the Mayor's Report – 30 May 2024 be received.

Ms Hiroa/Ms M Raukawa. Carried

10 Reports for Information

10.1 Update on Iwi Input into Local Water Done Well

The meeting adjourned at 12.35pm and returned at 12.50pm.

Mr Ross is looking for feedback and input on structing the water entities, highlighting that the partnerships are based on relationships.

Mr Ross clarified that the current proposals for the water entities do not include any central government funding, but they allow for greater borrowing power. Mr Ross noted that Council has been looking at the three waters infrastructure within a ten-year plan, however, it would be beneficial to consider this within a 30-year plan.

The timeframe to have this in place is 2027 and to have a plan with governance arrangements. Not every iwi and every council can be engaged with as governors as this would be unworkable.

The Komiti will take this korero and provide feedback to staff.

Resolved minute number 24/IWI/037

That the update on Iwi Input into Local Water Done Well report, be received.

Ms Hiroa/Cr C Raukawa. Carried

10.2 Project Management Office Report – Update to end of May 2024

Ms Hiroti left at the end of this item at 1.40pm.

There were concerns about the reporting that the mana whenua implications do not change in the reporting. Council should know what interests' mana whenua have and noted that this is the benefit of looking at the mapping of interests.

Resolved minute number 24/IWI/038

That the report 'Project Management Office Report Update to end of May 2024' be received.

Cr C Raukawa/Mr J Winiata-Haines. Carried

10.3 External Submissions

The report was taken as read.

Resolved minute number 24/IWI/039

That the report 'External Submissions' be received.

Ms M Raukawa/Mr T Curtis. Carried

The meeting closed at 1.42pm.

The minutes of this meeting were confirmed at the Te Roopuu Ahi Kaa Komiti held on 13 August 2024.

.....
Chairperson

ITEM 6.1 ATTACHMENT 1

Unconfirmed

7 Follow-up Action Items from Previous Meetings

7.1 Follow-up Action Items from Te Roopuu Ahi Kaa Meetings

Author: Kezia Spence, Governance Advisor

1. Reason for Report

1.1 On the list attached are items raised at previous Te Roopuu Ahi Kaa meetings. Items indicate who is responsible for follow up, and a brief status comment.

2. Decision Making Process

2.1 Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision-making provisions do not apply.

Attachments:

1. **Follow-up Actions Register** [↓](#)

Recommendation

That the report 'Follow-up Action Items from Te Roopuu Ahi Kaa Meetings' be received.

Current Follow-up Actions

Item	From Meeting Date	Details	Person Assigned	Status Comments	Status
1	11-Jun-24	Workshop on maps and archeological information for future workshop	Carol / Kevin	Daniel and Richard be asked to attend a future workshop	In progress
2	11-Jun-24	Add map into the MOU	Carol	Will be actioned and MOU finalised.	Completed
3	20-Jun-23	TRAK representation letters for this triennium, follow up on the missing ones.	Kezia Spence	There are still letters yet to be received for Chris Shenton and Thomas Curtis	In progress
4	11-Apr-23	Continue to approach Ngāti Waewae to progress a relationship between them and Council.	Carol / Kevin	the next stage is to organise a meeting with HWTM and Ngāti Waewae.	In progress

8 Chair's Report

8.1 Chair's Report, Including Updates from Pre-Hui August 2024

Author: Piki Te Ora Hiroa, Chair

Tena Koutou katoa,

Naumai hoki mai ano mo tenei kaupapa o Te Roopu Ahi Kaa ki te taha on te kaunihera o Rangitikei!

Just an acknowledgment from our last hui of the appointment of the Deputy Chair of Te Roopu Ahi Kaa, Kim Savage representing Parewahawaha, he tino mihi e te whanaunga mo tou tautoko.

Over the last two months our council has continued to advocate and work in a number of areas on behalf of its residents and ratepayers, tangata whenua and mana whenua.

Ongoing engagement with Iwi around council owned assets such as wastewater systems at place, advice & advocacy, and continuing to maintain and build trusted relations is imperative to strong, trusted and empowering relationships. This month we have a number of new things being added into our reports which will enable Te Roopu Ahi Kaa the opportunity of having a greater understanding of the business of council.

Nationally, we have seen that the third reading of the Maori Wards amendment bill which was introduced by this coalition government has been passed. The implication of this bill will be one decided by the Rangitikei District Council at the end of this month and is certainly one of a number of kaupapa that are being debated throughout the motu.

Within the Te Ao Maori paradigm, things are certainly moving because of the ongoing and insidious peeling away and attack on Maori initiatives, the use and importance of Te Reo, Te Tiriti breaches and other major constitutional changes. A mihi to our collective Te Ranga Tupua Iwi who recently attended the National Iwi Chairs Forum for your kaha and representation in this space.

On a much more positive note, a huge mihi out to our whanaunga in Heretaunga who hosted the world first Maori Language and cultural festival in their rohe and a mihi to our whanau whanui who went over to tautoko this kaupapa. Ka mau te wehi!

As representatives of this rohe, we provide manaakitanga, Kaitiakitanga and rangatiratanga for all of our people but must never forget that we also belong to a wider Ao that needs protection!

He Whakatauki!

Mā mua ka kite a muri, mā muri ka ora a mua

Those who lead give sight to those who follow, those who follow give life to
those who lead

Nga mihi mahana

Piki Te Ora Hiroa

Tiamana

Recommendation

That the 'Chair's Report –August 2024' be received.

9 Reports for Decision

9.1 Consideration of Māori Wards

Author: Katrina Gray, Manager Strategy and Development

Authoriser: Carol Gordon, Group Manager - Democracy & Planning

1. Reason for Report

- 1.1 To provide an overview of the [Local Government \(Electoral Legislation and Māori Wards and Māori Constituencies\) Amendment Act 2024](#) and provide Te Roopuu Ahi Kaa with the opportunity to provide a recommendation to Council on their preferred approach.

2. Context

- 2.1 The Coalition Government has recently enacted the *Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024*. The Act has three key aspects:

- Reinstating polls on Māori wards.
- Requiring Councils to either reverse their Māori wards decision or hold polls.
- Adjustments to election timing to address postal pressures.

Reinstating polls on Māori wards

- 2.2 This aspect restores the pre-2021 poll provisions where polls can be demanded by 5% of electors, the outcome is binding for two triennial elections, councils can initiate a poll. Specific timing applies. The provisions come into force after the 2025 local elections.

Requiring Councils to either reverse their Māori wards decision or hold polls

- 2.3 As Council currently has Māori wards, the most significant aspect of the Act is that Council will need to make a decision on their approach to Māori wards by 6 September 2024, from the following two options:

- *Disestablish Māori wards* – This decision will apply for two terms. If this decision is made, Council will need to either complete a shortened representation review process (September-December 2024) or roll back to the pre-Māori wards arrangements if they can meet fair and effective representation requirements. Under this approach, the next representation review would be before the 2028 elections.
- *Retain Māori wards and hold a binding poll* - Under this option, a poll would occur concurrently with the 2025 local body elections using the First Past the Post electoral system. The outcome of the poll will apply to the 2028 and 2031 elections. This means the next opportunity to consider the establishment or disestablishment of Māori wards is ahead of the 2034 elections.

- 2.4 Use of the special consultative procedure is not required for this decision but should be guided by the general principles of decision-making in the Local Government Act 2002.

- 2.5 If a decision is not made, it makes Council non-compliant with the legislation.

Adjustments to election timing to address postal pressures

- 2.6 Minor changes have been made to extend the voting period from 22.5 days to 32.5 days, extend the delivery period from 6 days to 14 days.

3. Options

- 3.1 Council will need to decide on one of two options:
- Option 1 - Disestablish Māori wards.
 - Option 2 - Retain Māori wards and hold a poll.
- 3.2 Te Roopuu Ahi Kaa are invited to provide Council with a recommendation on their preferred option to inform Council's decision-making.

4. Financial Implications

- 4.1 The financial implications are likely to be as follows:
- 4.1.1 Option 1 - Disestablish Māori wards. External consultant costs to support staff to run a condensed representation review process, costs to be determined.
- 4.1.2 Option 2 - Retain Māori wards and hold a poll. Costs associated with holding a poll alongside the election, which is estimated to be around \$20,000.

5. Impact on Strategic Risks

- 5.1 Relevant strategic risks include:
- 5.1.1 Failure to honour commitments of Te Tiriti o Waitangi – Council is required by legislation to make the decision on whether to disestablish Māori wards or hold a poll.
- 5.1.2 Insufficient capability and capacity to fulfil agreed commitments – if Council decides to disestablish Māori wards, staff capacity or external resources will be required to undertake the shortened representation review.
- 5.1.3 Changes to governmental legislation are transformational – the new Act creates changes that Council is required to respond to.

6. Strategic Alignment

- 6.1 This decision should be considered in the context of Council's strategic framework. Most relevant is the outcomes 'A trusted partner with iwi', 'Cultural wellbeing', 'Social wellbeing'.

7. Mana Whenua Implications

- 7.1 This topic has direct implications on Council's Māori wards structure.

8. Climate Change Impacts and Consideration

- 8.1 There are no climate change implications.

9. Statutory Implications

- 9.1 Council will need to make this decision following the requirements set out in sections 76 – 81 of the Local Government Act 2002. This includes consideration of the significance of the decision, consideration of all options and the advantages and disadvantages of

ITEM 9.1

each, consideration of views of persons likely to be affected by or have an interest in the matter, and the principles of local authorities (section 14 of the LGA 2002).

- 9.2 The guidance document also suggests consideration of Section 4 of the Local Electoral Act should be considered in Council's decision making. This section sets out principles around representation and elections, such as fair and effective representation for individuals and communities.
- 9.3 Views from Te Roopuu Ahi Kaa will form part of the information required and considered as part of Council's decision-making process.

10. Decision Making Process

- 10.1 Council is required to make a decision on whether to disestablish Māori wards or hold a binding poll at the 2025 local body elections, by 6 September 2024, so in order to meet this requirement Council will discuss this at their 29 August 2024 meeting.

Recommendation 1

That the report 'Consideration of Māori Wards' be received.

Recommendation 2

That Te Roopuu Ahi Kaa recommend to Council that they make the following decision on Māori wards (as required under the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024):

EITHER

To disestablish Māori wards for the 2025 local body elections.

OR

To retain Māori wards for the 2025 and hold a poll.

10 Reports for Information

10.1 Verbal Update on Staffing Matters

Author: Carol Gordon, Group Manager - Democracy & Planning

1. Reason for Report

- 1.1 A verbal update will be provided to the Komiti on staffing matters.

Recommendation

That the 'Verbal Update on Staffing Matters' be received.

10.2 Verbal Update from Chief Executive on Local Water Done Well

Author: Kevin Ross, Chief Executive

ITEM 10.2

1. Reason for Report

- 1.1 A verbal update will be provided to the Komiti from Mr Kevin Ross, Chief Executive on Local Water Done Well.

Recommendation

That the 'Verbal Update from CE on Local Water Done Well' be received.

10.3 Introduction to the development of an Economic Wellbeing Strategy and Action Plan

Author: Jarrod Calkin, Economic Wellbeing Lead

Authoriser: Katrina Gray, Manager Strategy and Development

1. Reason for Report

- 1.1 The purpose of the report is to introduce the development of an Economic Wellbeing Strategy and Action Plan and seek guidance on engagement with mana whenua.

2. Context

- 2.1 Council's Economic Development Strategy was developed in 2020. However, due to a wide range of changes experienced by the local, national, and international economy since that time, a review/development of a new strategy is needed. Officers are working on developing a new strategy and action plan focusing on Economic Wellbeing.
- 2.2 The objectives of the Economic Wellbeing strategy and Action Plan are:
 - 2.2.1 To gain a greater understanding of the economic environment Council is currently operating in, including key challenges and opportunities.
 - 2.2.2 To define what economic wellbeing means for the Rangitikei District.
 - 2.2.3 To set out an economic wellbeing strategy for Council that is aligned with and implements Council's strategic framework.
 - 2.2.4 To develop an economic wellbeing action plan that will guide Council work programmes.
- 2.3 Council has engaged Beca as the consultant to lead the development of the Economic Wellbeing Strategy and Action Plan. The project is led internally by Jarrod Calkin, Economic Wellbeing Lead who is the point of contact for this piece of work. However, Beca will play a key role, including leading workshops, interviews, and strategy drafting. Genevieve Doube, Kaiwhakaterere at Beca in Palmerston North will support Council with mana whenua engagement.
- 2.4 The draft work plan is below:

Step 1 – Inception Phase

The work in this phase includes a desktop review to understand the current economic environment, identify key industries and complete a SWOT (strengths, weaknesses, opportunities, and threats) analysis for the Rangitikei District.

Step 2 – Initial Engagement

The purpose of initial engagement is to introduce the project, get feedback and input into defining economic wellbeing, and understand key issues and opportunities relevant to economic wellbeing. This step will include elected members, mana whenua, business and industry leaders.

Step 3 – Strategy and Action Plan development

The purpose of this step is to engage / interview stakeholders which will assist in the development of the draft strategy and action plan linked back to the goals of the wellbeing strategy.

Step 4 – Engagement on the draft Strategy and Action Plan

This will include sending a draft document to the key parties involved in steps 2 and 3. The purpose of this step is to get feedback on the draft strategy and action plan before it is put out to community consultation.

Step 5 – Finalise draft Strategy and Action Plan

This step involves assessing the feedback from key parties and finalising the draft Strategy and Action Plan for wider community consultation.

Step 6 – Community consultation, deliberations, and adoption

This step involves public consultation, deliberations on submissions and adoption.

- 2.5 The above work plan sets out opportunities for mana whenua involvement in the development of the Economic Wellbeing Strategy and Action Plan at step 2, 3, 4 and 6. There is an opportunity for the engagement relevant to step 2 and 3 to be completed at the same time. It is our intention to engage with mana whenua in a way that best suits and is most appropriate and welcome guidance from the Komiti on this.
- 2.6 An option for that engagement is shown below:

Steps	Purpose	When	Who
<i>Combined Step 2 - Initial engagement Step 3 - Strategy and action plan development engagement</i>	To assist with defining what Economic Wellbeing means to Rangitikei District To provide input into the development of the Economic Wellbeing Strategy and Action Plan (before any drafting occurs)	Now - September 2024	These steps could be done either in person, digital meetings or via email. There are options to hold face-to-face meetings individually or with multiple Iwi where appropriate.
<i>Step 4 - Review of draft</i>	To provide input into the development of the strategy and action plan	September to October 2024	with multiple Iwi where appropriate.
<i>Step 6 - Community consultation</i>	To provide feedback on the draft strategy and action plan	Late 2024	Via written submission and oral hearing.

3. Next steps

- 3.1 Council Officers propose to send an email to mana whenua (including Te Roopuu Ahi Kaa members and Iwi contacts) with an introduction to the strategy and invitation to be involved in the development of the Economic Wellbeing Strategy and Action Plan.

Recommendation

That the 'Introduction to the development of an Economic Wellbeing Strategy' report is received

10.4 Horizons Update

Author: Michael Fryer, Policy Advisor Iwi and Hapu Relationships (Horizons Regional Council)

ITEM 10.4

1. Reason for Report

1.1 Mr Fryer and Ms Hautapu have provided a report, as attached.

Attachments

1. Horizons Report - 13 Aug 24 [↓](#)

Recommendation

That the report 'Horizons Update' be received.



7 August 2024

Te Roopuu Ahi Kaa Komiti
45 High Street, Marton, 4700

TO: Tumuaki o Te Roopuu Ahi Kaa

cc: Kezia.Spence@rangitikei.govt.nz

Kei aku rangatira, tēnā koutou

Emergency Management

1. Following the CDEM joint kōmiti hui back in May 2023 Horizons continue to engage with Chris Kumeroa to assist us with undertaking work on a hazard risk register across the region. It aims to identify and capture key hazard risks in local areas, in particular marae and other significant areas. As a starting point Council are seeking a series of wānanga with Iwi and hapū to see this through. At present, Council staff are engaging with Iwi and hapū to seek interest.

Māori Constituency

2. Following the recent law change on Māori Constituencies, Councils are locked into a process to resolve whether to disestablish its Māori Constituencies or enter into a public referendum at the 2025 Local Government Elections. In 2021, Council resolved to establish two Māori Constituencies for the 2022 & 2025 Local Government Elections. Consequently these seats were filled. In response to this law change and prescribed process, council will be resolving their response on 27 August 2024.

AUTHOR: MICHAEL FRYER | Senior Policy Advisor (Māori)

10.5 Mayor's Report

Author: Andy Watson, His Worship the Mayor

Hautapu River Parks, Taihape

I am using this report to acknowledge the work done at Papakai in Taihape. For many years people like the late Les Thurston, Joe Byford, Don Tantrum and team have nurtured the bush on the banks of the Papakai and Mt Stewart. They have put in paths, removed Old Man's Beard and unwanted species like the sycamores. Remember also, that they have been the drivers, along with others, of the planting and maintenance of the lookout at the Mt Stewart Reserve.

Tracks through the Papakai native forests were initially established in 1912 for the community from the Power Station Hydro Outlet, to the Papakai Park, to the Memorial Park. This reserve contains Kahikitea, Totara and Matai and was critically endangered. This forest type is regarded to provide high ecological value to New Zealand and is described as being critically endangered. Friends of Taihape Charitable Society's committee undertook the project to rejuvenate the reserve's forest and tracks in partnership with Ngāti Tamakōpiri and Rangitīkei District Council. The project connects Taihape township's native reserves along the Hautapu River, delivering a multi-use native flora experience. The essential linking component of the reserves are the bridges, which adjoins both sides of the River's tracks and parks. The upgrade of Papakai Park is in effect the continuation of that vision. Joe and Tash Coogan have done a remarkable job improving the walking tracks and redesigning Papakai Park, levelling and grassing ready for a spring re-opening. They have done all of this by working around the frustrating process of Council building the new pump station.

Matt Thomas and the Friends of Taihape have been the glue that has tied the work at Papakai and the bridges together. This project has been eight years of planning and fundraising to get to this position, Matt has been exceptional in this space.

Moving to the bridges. Frame Group, under the leadership of Geoff Wigley, were contracted to design the bridges to make the access walkways throughout the reserve link together. I have included some of the photos of the bridge team led by our local contractor Matthew Preece and the first bridge near completion. Having named some of the special people involved in these projects it is fitting that I acknowledge several more. Thanks go to Matthew, Sarah and Ben Preece, Jim Haley, Joe Byford, Bennett and Glen Horton, Byford's Read Mix, the Benson Family and Hautapu Pine and Rural Supplies, the Taihape Engineering team, Michael and the One Step Team, Steven Tweedale, Ōtūpae Station, Rimanui Farms, Don and Conchita Tweeddale, JBS Dudding Trust, Four Regions Trust, Horizons, Daryl O'Hara at Lasercraft and Don Tantrum. Our Iwi Reps Richard, Moira, Robert and Dianne with a special thanks also to Council Staff and Councillors Gill Duncan, Piki Te Ora Hiroa and Jeff Wong. I apologise to the many others I may have missed and to the literally hundreds of people who have planted, financially supported or provided assistance in kind.

The team will complete three bridges and then re-assess the budget regarding the completion of the remaining two bridges, where abutments are already in. Any person or organisation who may consider helping with funding please feel free to reach out under confidence to Matt Thomas.

Our district has been built on the backbone of community support and it is great to have the time to tell this story.



ITEM 10.5





On other matters, the 2024/25 rates have been loaded onto our website. You can now search your current property rates and history under the “Quicklinks” tab for the latest information.

ITEM 10.5

Mayors Engagements

July 2024

1	<p>Attended meeting with Chief Executive</p> <p>Attended welcome meeting for new RDC staff</p> <p>Attended Mayors Taskforce for Jobs Governance Group Online Meeting</p>
2	<p>Attended meeting with ratepayer in Bulls</p> <p>Attended weekly meeting with Deputy Mayor</p>
3	<p>Attended meeting with ratepayer in Taihape</p> <p>Attended Taihape Network Meeting</p> <p>Attended Wearable Arts Show at Te Matapihi</p>
4	<p>Assisted with clean-up of Te Matapihi following Wearable Arts Show</p> <p>Attended meeting with Recruitment Agency Rep</p>
5	<p>Attended meeting with Chief Executive</p> <p>Attended meeting with Tamariki Rangatahi Youth Engagement Officer</p> <p>Attended Bulls & District Community Trust AGM</p>
5	<p>Attended Working Bee at B&C Dams</p>
8	<p>Attended meeting with ratepayer in Bulls</p>
9	<p>Attended meeting with Acting Chief Executive</p> <p>Attended weekly meeting with Deputy Mayor</p>
10	<p>Attended Triannual meeting with staff and Kainga Ora</p> <p>Attended meeting with ratepayer in Taihape</p>
11	<p>Attended meeting with Acting Chief Executive</p> <p>Attended meeting with Chief Executive</p> <p>Attended Assets & Infrastructure Meeting</p> <p>Attended Council Workshop</p>
12	<p>Attended Fortnightly Economic Development Meeting with staff</p> <p>Attended Urban Growth Plan Change Discussion with staff</p> <p>Attended monthly RDC/Police catchup meeting</p> <p>Attended meeting with ratepayer in Marton</p>
15	<p>Attended breakfast meeting with Mayor Helen Worboys</p> <p>Attended meeting with Marton resident</p> <p>Attended meeting with Acting Chief Executive</p>
16	<p>Attended meeting with Acting Chief Executive</p> <p>Attended Regional Transport Matters/Regional Chief’s Fortnightly Zoom Meeting</p>

	<p>Attended Mayor Tory Whanau's Lunch for 2024 Festival for the Future in Wellington</p> <p>Attended Youth Council dinner in Wellington</p>
17	<p>Attended Lunch function in Taihape for Hautapu Bridges Project</p> <p>Attended Zone 3 online meeting</p>
18	<p>Attended meeting with Acting Chief Executive</p> <p>Delivered flowers to Carters for Diamond Wedding Anniversary</p> <p>Attended Official Opening of MDC Library Hub Te Ahuru Mowai in Feilding</p>
19	<p>Attended meeting with Acting Chief Executive</p> <p>Attended meeting with Downer</p>
21	<p>Attended Hunterville Senior Citizens Morning Tea & Joan Bull's 100th Birthday</p> <p>Attended Royal Navy Band Concert at Huntley School</p>
22	<p>Attended meeting with Chief Executive</p> <p>Attended LGNZ Transport Forum Online Meeting</p> <p>Attended meeting with Skye Properties</p>
23	<p>Attended NZ Tiny House Association online meeting</p> <p>Attended National Community Boards Online Hui</p> <p>Attended weekly meeting with Deputy Mayor</p>
24	<p>Attended meeting with ratepayer in Bulls</p> <p>Attended Four Regions Trust AGM in Whanganui</p> <p>Attended Infrastructure Fund Meeting with Staff</p>
25	<p>Attended Marton Office & Library Project Governance Team Meeting</p> <p>Attended Council Workshop</p> <p>Attended Smokefree/Vapefree Policy Hearings</p> <p>Attended Council Meeting</p> <p>Attended BECA Client Function at Massey University</p>
26	<p>To attend meeting with Chief Executive</p> <p>To attend fortnightly Economic Development meeting with staff</p> <p>To attend staff mid-winter Christmas lunch</p>
29	<p>To attend meeting with Chief Executive</p> <p>To attend Taihape Waste Water Treatment Plan Hui and Site Visit</p>
30	<p>To attend Regional Transport Matters/Regional Chief's Fortnightly Zoom Meeting</p> <p>To attend weekly meeting with Deputy Mayor</p>
31	<p>To attend meeting with Chief Executive</p> <p>To attend Taihape Neighbourhood Support Meeting</p> <p>To attend Taihape Town Centre Revitalisation Meeting</p>

Attachments:

ITEM 10.5

1. **Elected Member Attendance- July 2024** [↓](#)
2. **Remit Papers AGM 2024** [↓](#)

Recommendation

That the Mayor's Report – 25 July 2024 be accepted.

	A	B	C	D	F	G	H	I	J	K	L	M	N	O
2	Date	Meeting	HWTM	Wilson	Carter	Dalgety	Duncan	Hiroa	Lambert	Loudon	Maughan	Sharland	Raukawa	Wong
174	29-May-24	Creative NZ Committee	PR				PR							
175	30-May-24	Finance/Performance	PR	PR	AP	PR				PR	PR	AP		PR
176	30-May-24	Council Meeting	PR	PR	AP	PR	PR	PR	AP	PR	PR	PR	PR	PR
177	6-Jun-24	Turakina CC	PR		AP							AT		
178	10-Jun-24	HRWS	PR			PR			PR					
179	10-Jun-24	Huntermville CC	CB			PR			PR					
180	11-Jun-24	TRAK Meeting	PR				PR	PR					PR	
181	11-Jun-24	ERWS	PR											PR
182	11-Jun-24	Ratana CB	PR					PR						
183	12-Jun-24	Marton CC	CB	PR										
184	12-Jun-24	Taihape CB	PR				PR							PR
185	13-Jun-24	PPL Meeting	PR	PR			PR	PR	PR		AP			PR
186	19-Jun-24	Santoft DMC	PR		PR							AT		
187	20-Jun-24	RA Meeting	PR	PR		PR		PR		PR				
188	27-Jun-24	Finance/Performance	PR	PR	PR	PR	AT			PR	PR	PR		PR
189	27-Jun-24	Council Meeting	PR	PR	PR	PR	PR	AP	PR	PR	PR	PR	PR	PR
190	11-Jul-24	AIN Meeting	PR	PR	PR	PR	PR		PR	PR	PR	PR		PR
191														
192														
193														
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199														
200														

	Present (and is a member of the committee)	PR
	Apology	AP
	Absent - no apology received	AB
	Not a member of the committee	
	Not a member of the committee (but still attended)	AT
	Not present as on Council business	CB
	Attended via Zoom [this indicator is no longer used]	ZM



2024 Annual General Meeting

REMITTS

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ITEM 10.5 **ATTACHMENT 2**

Please note that this document is not the full set of papers for this year's AGM. It just includes the remits going forward to the AGM so members can decide how they will vote on them. The full set of AGM papers will be shared no later than 10 working days before the AGM.



Prioritising remits

Every year, LGNZ adopts new remits at the AGM. Each remit requires resourcing to deliver, and there is no limit to the number of remits that can be considered and passed. This means remits can create resourcing challenges, including conflict with agreed policy priorities.

LGNZ's National Council decided at its June meeting to ask the AGM to prioritise remits, to make it clearer where most resource should be directed. This will be a two-step process:

1. At the AGM, delegates will vote on remits as usual. Then, in a separate vote, they will rank successful remits in order of priority. This vote will be carried out electronically and result in a prioritised list of remits.
2. National Council will look at this prioritised list and allocate resource accordingly.
 - This will include determining where on the list the cutoff lies between a 'maximalist' and 'minimalist' approach. Depending on the nature of the remit, a 'maximalist' approach could include commissioning advice or research, or in-depth policy or advocacy work. A 'minimalist' approach could involve less resource, such as writing a letter to the relevant minister or agency.
 - Any support that proposing councils offer to deliver the remit will be considered in this decision making.

National Council will share its decision with councils, along with proposed actions.

Progress made against remits will continue to be reported in the four-monthly update to members.



Proposed Remit		Page
1.	Representation reviews	4
2.	Community Services Card	5
3.	Local government constituencies & wards should not be subject to referendum.	7
4.	Entrenchment of Māori wards seats for local government	20
5.	Graduated driver licensing system	22
6.	Proactive lever to mitigate the deterioration of unoccupied buildings	26
7.	Appropriate funding models for central government initiatives	46
8.	Goods and services tax (GST) revenue sharing with local government	48

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// 01

Representation reviews

Remit: *That LGNZ advocate for changes that support the provision of timely and accurate regional and sub-regional population data to councils for use in council representation reviews.*

Proposed by: Waikato Regional Council

Supported by: Zone 2

Why is this remit important?

Because local democracy relies on accurate and up to date electoral population data to ensure fair and effective representation.

Background and Context

Census and local electoral cycles are not aligned which means that census data used to inform representation reviews can be up to six years old.

This remit is flexible enough to enable advocacy that takes into account a possible move to a four-year term and possible future shifts in the way the census may be conducted in the future, including a possible replacement by the use of administrative data.

How does this remit relate to LGNZ's current work programme?

This is a critical issue for local government as it goes to the very foundation of localism. Seeks advocacy in relation to a significant issue impacting local government.

This is not currently part of the current work programme but could be linked to the Electoral Reform Working Group's look at how to best implement a four-year term.

How will the proposing council help LGNZ to make progress on this remit?

Drafting submissions and attending meetings with Statistics New Zealand amongst other things.



// 02

Community Services Card

Remit: *That LGNZ advocate to Central Government to amend the Health Entitlement Cards Regulations 1993 so that the cardholder can use the Community Services Card as evidence for the purposes of accessing Council services which would otherwise rely on a form of means testing.*

Proposed by: Palmerston North City Council

Supported by: Zone 3

Why is this remit important?

Councils are restricted from requesting a community services card as evidence of eligibility to access services. Instead Council must instead request a series of other documents from an individual to test eligibility. This creates obstacles for applicants and privacy and consistency concerns for councils.

Background and Context

The authorised uses of Community Services Cards are set out in the Health Entitlement Cards Regulations 1993 regulation 12 and restrict the purposes for which it can be used. The Regulations state that no person, other than an employee of the department or the Ministry of Health or a pharmacist or any person (other than the cardholder) mentioned in regulation 12(b) or (ba) shall demand or request a Community Services Card as a form of identification of the cardholder or as evidence that the cardholder is eligible for that Community Services Card.

People in receipt of a main benefit (e.g. Jobseeker Support, Sole Parent Support, Supported Living Payment) or receiving a Student Allowance automatically qualify for a Community Services Card. Otherwise people can apply for a Community Services Card and must meet qualifying criteria including:

- They are over 18 years of age (or over 16 years of age if enrolled in full-time tertiary study)
- They are living legally in New Zealand (or are applying for refugee status)
- They meet an income test.

Palmerston North City Council in seeking to determine a means of establishing eligibility for some council services, including social housing, found that the Community Services Card, based on its eligibility criteria, would appropriately identify eligible people. However, current regulations do not allow councils to ask if a person is a Community Services Card holder in order to establish eligibility for council services.

Cabinet has previously amended the Health Entitlement Cards Regulation 1993 and the Social Security Regulations 2018 to add public transport authorities to those able to request or demand to see a Community Services Card, and the combination SuperGold and Community Services Card, as evidence that the cardholder is eligible for public transport concessions.

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How does this remit relate to LGNZ's current work programme?

This remit could increase accessibility to local government services. It also comfortably sits within the principles of the Local Government Act 2002 in that it would give local government a tool to provide services more efficiently.

How will the proposing council help LGNZ to make progress on this remit?

We can provide further legal background knowledge and research to date; and accompany LGNZ in any advocacy meetings with the Ministry or legislators.



// 03

Local government constituencies & wards should not be subject to referendum

Remit: *That LGNZ lobbies central government to ensure that Māori wards and constituencies are treated the same as all other wards in that they should not be subject to a referendum. We oppose the idea that Māori wards should be singled out and forced to suffer a public referendum.*

Proposed by: Palmerston North City Council

Supported by: Zone 3, Te Pae Tawhiti (Horizons Region, Māori ward and constituency councillors)

Why is this remit important?

It is evident that the introduction of Māori wards and constituencies empowered more Māori to nominate, stand, vote, and participate in local government.

Legislative changes will only apply to Māori wards and constituencies but not all wards and constituencies. This shows a prejudice to Māori, a complete lack of fairness and will result in further disengagement of Māori in local government. It will see the demise of Māori representation and engagement in local government.

Background and Context

Māori wards and constituencies councillors serve on district, city and regional Councils in New Zealand and represent local ratepayers and constituents registered on the Māori parliamentary electoral roll. The purpose of Māori wards and constituencies is to ensure Māori are represented in local government decision making.

In February 2021, the Government made legislative changes which would uphold local council decisions to establish Māori wards and abolish the existing law which allowed local referendums to veto decisions by councils to establish Māori wards and Constituencies. The Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021, eliminated mechanisms for holding referendums on the establishment of Māori wards and constituencies on local bodies.

Many councils took the opportunity to make decisions about establishing Māori wards and Constituencies after the law change and as a result, the 2022 local elections saw six of the eleven regional councils (54.5%) have Māori constituencies and 29 of the 67 territorial authorities (43.3%) have Māori ward/s. Horizons Regional Council, and all seven District Councils of this region, have Māori wards.

Following the changes in legislation, there was a significant increase in Māori representation. The 2022 Local Government election saw the highest number of Māori elected members in local government, growing from 5% to 22%.

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How does this remit relate to LGNZ's current work programme?

The proposed remit fits within LGNZ's stance that they too believe that Māori wards and constituencies should be treated the same as other wards in that they should not be subject to a referendum or if so, all wards should be subjected to the referendum.

Councils should be empowered to make decisions about the make-up of their representation through the Representation Review process.

How will the proposing council help LGNZ to make progress on this remit?

Palmerston North City Council and Te Pae Tawhiti already made oral and written submissions to the Justice Select Committee in June.

We also encouraged LGNZ to lead out the letter from the mayors to key ministers in May.

We are keen to support ongoing messaging, noting this remit is submitted prior to the Parliamentary decision on the proposed legislation.

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New Zealand

Committee Secretariat
Justice Committee
Parliament Buildings
Wellington

justice.submissions@parliament.govt.nz

29 May 2024

Members of the Justice Select Committee,
Re: Local Electoral Amendment Act 2024

E ngā mana e ngā reo e ngā karangatanga maha, tēnā koutou katoa.

E te tēpū whakatau o ngā whakakaupapa hou mō 'Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill' Nei rā he mihi nui ki a koutou i āta whakaaro i āta whiriwhiri i ēnei kaupapa whakahirahira e pā ana ki ngā kaunihera o te motu. Ko mātou tēnei o Te Kaunihera o Papanui e mihi atu nei ki a koutou me te kaupapa e kawea nei e koutou. Kia kaha, kia māia kia manawanui. Anei o mātou ake whakaaro e pā ana. Nō reira tēnā koutou, tēnā koutou, tēnā tātou katoa.

Thank you for the opportunity to submit to the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill. We challenge the Select Committee to genuinely consider the feedback provided through this process. Councils do not want or need this change to occur. Our communities, and certainly Rangitāne o Manawatū our Treaty partner, are not asking for this.

Palmerston North is home to:

- near on 100,000 people of over 150 ethnicities
- one of the youngest populations with the highest number of PhDs per capita in the country

We proudly display:

- our city crest in our Council Chamber- one of we understand only four in the country which depict both Māori and Pākehā in the heraldry. Three being councils and the Crown you represent being the fourth.
- a statue of Te Peeti Te Awe Awe in the heart of our city- Te Marae o Hine The Square. Erected in 1906 jointly by city and Rangitāne leaders.

Our representation arrangements, most recently reviewed in 2021, are 1 mayor + 15 members: 2 Māori ward seats and 13 General ward seats, at-large across the city.

PNCC is committed to the principles of local government. Namely, as set out in the Local Government Act 2002 sections 4 and 81, which state we must

"... 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 Māori to contribute to local

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government decision-making processes... to facilitate participation by Māori in local authority decision-making processes.”

and

“establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and

consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority.”

There are also other statutory obligations, most notably the Resource Management Act 1991, to account for the culture and traditions of Māori as it relates to the natural environment. Not to mention obligations under the Treaty of Waitangi and the Human Rights Act. These obligations alone do not adequately emphasise the foundational importance of councils’ partnership with Māori and the critical value that relationships with tangata whenua bring to local governance.

Councils have many strategic commitments that support the development of Māori capacity to participate more fully and effectively in the Council’s decision-making processes. We engage directly with tangata whenua as a part of our statutory responsibilities and as a means of giving expression to the Council’s commitment to bicultural development and responsiveness. A Māori ward is another expression of this.

PNCC is committed to its kawenata relationship with tangata whenua Rangitāne o Manawatū, who support a Māori ward for wider Māori voice at Council. In 2021 Rangitāne o Manawatū gifted names for the city-wide wards:

- Te Hirawanui General Ward: reflects the long history of partnership between the Council and Rangitāne in the founding of Palmerston North, most particularly recognising one of our Rangatira chief Te Hirawanui who coordinated and inter alia signed the deed for sale for Te Ahu a Turanga land block, of which Palmerston North became a part.
- Te Pūao Māori Ward: the heralding a new dawn, and the mouth of a river as it leads to the ocean, reminiscent of the words spoken by Rangitāne rangatira Tiweta and Mahuri to the Ngāti Upokoiri people when they invited them to take refuge in the Manawatū-- in other words signalling the opportunities to come from the Māori ward and the relationship between Māori and Local Government in the Manawatū and beyond.

On 1 May 2024, Council resolved to formally endorse this current representative structure.

PNCC wants to increase engagement with parts of the city’s community that have historically been representationally marginalised. A Māori ward ensures Māori voices will be represented at local decision-making tables. It is one tool to support democracy, which a council can use to best represent the communities it serves. Māori can stand in general wards, but the data tells us they haven’t been doing so, even in Palmerston North where STV voting and district-wide wards which should encourage diverse candidacy. Māori wards are one way to remove a structural obstacle to the choices of Māori voters. In our view, having Māori ward seats at councils to represent those on the Māori elector role is the equivalent of Māori seats in Parliament for Parliamentary elections. Participation literature repeatedly points to people being able ‘to see themselves’ in diverse candidates as a motivator for voting. Many councils chose to establish Māori wards for the 2022 elections. We then saw the highest number of Māori elected members in local government, growing from 5% to 22%, much more closely aligned to the population. It is evident the introduction of Māori wards and constituencies enabled through the 2021 legislative change empowered more Māori to nominate, stand, vote, and participate in local government.

2

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In its report to the Māori Affairs Committee in February 2021 on the Local Electoral (Māori Wards and Māori Constituencies) Amendment Bill of the time, National Party members made their own statement, separate to the Committee report. The members noted (emphasis in bold below) that:

Rushed legislation is not good legislation.

We agree.

The [prior] law requires that when a council proposes general wards it must publicly notify its proposals and call and hear submissions. These provisions do not apply to the creation of a Māori ward under this [previous] bill. If the Government genuinely wished to align the process it would require the same legal process for creating Māori wards as for general wards.

We agree.

If Government wishes to treat Māori wards in the same way as general wards, it should seek to include Māori wards within the representation review process subject to community submissions and Local Government Commission review NOT reinstate a different process.

Representation issues are complex. They cannot be reduced to simple binary questions of yes or no. Palmerston North knows first-hand what division looks like when lobby groups from outside our community lead a poll demand.

If the Government's true intentions were to improve the representation arrangements for councils, rather than revert this legislation, they would be looking to improve it. For example, could the rules around population ratios be removed so that councils can be more responsive to the needs of their communities of interest and not limited by percentages and population ratios?

"Our 78 local councils with their 1,600 elected members, are already obliged under legislation to have improving relationships with Māori and ensure proper engagement and involvement with Māori in decision-making. Local government and iwi/hapū take those responsibilities very seriously and in good faith. How they best meet their Treaty obligations should be up to them to decide. Local government and Māori are quite capable of doing that and achieving the outcome, without the central government deciding the means."

We agree.

Local democracy is one of the two purposes of local government set out in section 10 of the Local Government Act,

"The purpose of local government is—to enable democratic local decision-making and action by, and on behalf of, communities."

Aotearoa New Zealand is a representative democracy. We elect leaders to lead. We understand well that as councillors we are democratically elected to make decisions on behalf of all of our communities, not just the majority. Local councils are well placed to make those decisions, because we consult our people and weigh up various viewpoints on an issue.

PNCC voted to establish a Māori ward for the City, in 2017 and again in 2021. Since then, every council in our Horizons region (8 councils) has established Māori wards or constituencies.

Why is the Government telling us we are not capable of making a decision we have already made twice, and must now be bound to the result of a referendum? New Zealand is a representative democracy. Referenda are usually used for consultative purposes on controversial issues. The 1993 electoral system referendum is the rare case of a binding referendum. None of the 5 citizen-initiated referenda held since 1994 have been actioned by Parliament. Why then impose a binding referendum

3

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that allows people not directly affected by the result (ie. those not on the Māori electoral roll) to determine an outcome?

“Not the most important local government issue at this time when Local government is struggling on several fronts. The sector is overwhelmed and facing the most significant period of change in 30 years, and there are more pressing issues to address at this time like infrastructure, housing, transport, water, resource management, consenting processes, climate change impacts, and poor customer experiences.”

We agree. The costs of polls are another unfunded mandate on councils. We have more than enough to do without distractions of fixing something that is not broken; that is in fact working well. Having a Māori ward works extremely well for Palmerston North. Why is the central government now telling us to spend more ratepayer money and time on a referendum?

We ask that the Local Electoral Act provisions with regard to the establishment of Māori wards and constituencies not be changed.

Ngā mihi nui



Grant Smith JP
MAYOR
Palmerston North City Council

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29 May 2024

Submission of Te Pae Tāwhiti Rōpū

To: Justice Committee regarding the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill

Te Pae Tāwhiti Rōpū is a rōpū (group) made up of Māori Ward Councillors from the Horizons Region.

The Horizons Region is the Manawatū-Whanganui area of the lower North Island. The region is made up of eight Councils:

- Horizons Regional Council
- Palmerston North City Council
- Manawatu District Council
- Ruapehu District Council
- Rangitikei District Council
- Horowhenua District Council
- Tararua District Council
- Whanganui District Council.

All of the Councils of the Horizons Region, except Whanganui District Council, established at least one Māori ward/constituency in 2021, in time for the 2022 local elections. In October 2023, Whanganui District Council voted to establish a Māori ward for the 2025 and 2028 elections.

This submission in opposition to the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill (Bill) is based on the views of Māori Ward Councillors who belong to Te Pae Tāwhiti Rōpū.

Although we are current Councillors, we make this submission not to advocate for our personal positions on Council but for the future preservation of Māori wards and constituencies, to ensure that Māori who choose to be on the Māori electoral role, continue to have the choice of Māori representation in local government.

Introduction

We are Local Government elected members, elected to represent the best interests of Māori within our ward/constituency, and in addition we serve all constituents across the wider Districts and Region we represent. We provide a connection into Council and advocate for residents and ratepayers.

We believe that Māori have been under-represented in Local Government for far too long, and the establishment of Māori wards/constituencies at our Councils in 2021 have helped bridge this gap.

1

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Since we were elected in 2022, we have striven to provide a voice, true representation and a Te Ao Māori view on our respective councils. We wish to emphasise that the decisions by our respective Councils to establish Māori wards/constituencies in 2021 each followed an extensive public consultation process, whereby all members of the community had an equal chance to be heard, and Councils openly debated and decided the issues.

Poll provisions, by contrast, are a “tool of the majority” and never favour minority groups such as Iwi Māori. This has been proven to be the case since 2001 under the previous Māori wards regime – with only two Councils being able to establish Māori wards prior to the 2021 Amendment Act (Waikato Regional Council in 2013 and Wairoa District Council in 2016). All 15 other initiatives to establish Māori wards were voted down by binding poll.

Bringing back the poll provisions will recreate a higher procedural standard for Māori wards than that of general or wards for “communities of interest” such as rural wards, for which Council decisions are democratically made in a representation review and cannot be subject to a binding poll. This is completely unfair and seeks to silence the voice of Māori. We believe that Māori wards and constituencies should be treated the same as all other wards and not be subject to poll provisions. Instead Local Government should be empowered to make its own decisions – not have the ability to do so taken away.

In this respect, we fully support the letter dated 20 May 2024 to the Government from the 52 Mayors and Chairs, LGNZ and Te Maruata, and agree that this legislation is a complete overreach on the Coalition Government’s part, on local decision-making.

Ultimately, given the track record of binding polls in the past, we believe the Bill will result in many Māori wards and constituencies across the country being disestablished. Not having a Māori ward or constituency will remove the option for Māori voters to choose whether to be represented by general or Māori ward councillor and we believe that any alternative mechanisms for Māori participation in Local Government would not be the same as having a dedicated seat at the decision-making table.

We fully support the Waitangi Tribunal Report dated 17 May, which found that this Bill will breach the Treaty of Waitangi and its principles, and recommended the Bill be paused for further policy development and consultation. The Tribunal findings also show that the Department of Internal Affairs advised the Minister of Local Government against this move, providing good rationale and that it is likely to breach Te Tiriti o Waitangi.

We do not agree with the Government putting its commitment to its Coalition agreement above Te Tiriti o Waitangi, and with the extremely rushed way in which the Coalition Government is progressing this change of legislation process, including only allowing 4 working days for a submission to be made.

Māori Wards Contribution to Local Government

We are opposed to this Bill because it does not honour and respect the contribution of Māori Wards to Local Government.

As Councillors of a Māori ward or constituency, we are honoured and privileged to represent Māori in our respective Councils. The participation of Māori representatives is crucial for fostering a more inclusive, equitable, and culturally responsive Council. It’s about having faces at the table that reflect their community and bringing our values, and lived and real perspectives to discussions and collective decision making.

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Māori ward/constituency elected members bring valuable cultural knowledge and perspectives to Local Government, enhancing the cultural competence of Councils. This leads to:

- Better Decision-Making with diverse viewpoints contributing to robust and well-rounded policy decisions
- Cultural Responsiveness in policies and services that are more in line with to the needs and aspirations of Māori
- Social Cohesion which promotes mutual respect and understanding between Māori and non-Māori populations.

Inclusive governance that actively involves Māori can lead to improved outcomes across various sectors, such as:

- Environmental Stewardship with Māori often bringing a deeper understanding of and commitment to environmental sustainability, informed by traditional ecological knowledge
- Social Wellbeing where policies reflect Māori values and needs can contribute to healthier, more vibrant communities.

We wish to note that, while we have Councillor colleagues elected to general wards and constituencies who have whakapapa Māori, and they can also seek to bring their Māori-centric experiences to the Council table, those Councillors did not campaign to be (and may not want to be) a voice or representative for Māori on their Council. They are not and should not be expected to represent the voice of Māori in the way that we, as specifically-elected Māori Ward/Constituency Councillors, are.

Honouring Te Tiriti o Waitangi

We are opposed to this Bill because it does not honour Te Tiriti o Waitangi.

Te Tiriti o Waitangi establishes a foundational relationship between Māori and the Crown, emphasising partnership, participation, and protection. The changes enacted by the Crown in 2021 have helped ensure Māori representation in Local Government aligns with the principles of Te Tiriti by:

- Partnership - facilitating collaborative decision-making processes that involve Māori perspectives
- Participation - encouraging active Māori involvement in governance, ensuring these voices and concerns are heard
- Protection - safeguarding Māori rights and interests, particularly in areas impacting our whenua, resources, and cultural heritage.

The participation of Māori Councillors is crucial for fostering a more inclusive, equitable, and culturally responsive governance structure.

We fully support the Waitangi Tribunal Report dated 17 May. Although the Tribunal was forced to draft the Report under intense time pressure due to the imminent introduction of the Māori Wards legislation into Parliament, the report findings are comprehensive and compelling. The Tribunal found that this Bill will breach the Treaty of Waitangi and its principles, and recommended the Bill be paused for further policy development and consultation.

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Poll Provisions – not compatible with complex constitutional matters

We are opposed to this bill because binding polls are not fair in practice and not compatible with complex constitutional matters such as establishing Māori wards.

The Waitangi Tribunal findings show that the Crown’s own advisors on Local Government issues – the Department of Internal Affairs advised the Minister of Local Government against this move, providing good rationale and that it is likely to breach Te Tiriti o Waitangi.

Historically, providing poll provisions for Māori wards and constituencies did not deliver on the original policy intent which was to involve the community in decision making, and to support Māori communities by providing an avenue for them to demand that their Council holds a poll to establish Māori wards or constituencies.

The effects of poll provisions from 2002 to 2019 have proven to be an insurmountable barrier to establishing a Māori ward or constituency. From the 16 polls taken between 2002 and 2019 only one poll was successful (Wairoa District Council 2016). This was a Council initiated poll with 54% in favour and 46% against.

Instead of being a mechanism for community participation, they have deterred Councils and communities from proposing a Māori ward or constituency.

The Department of Internal Affairs, in advice to the Minister on this Bill, summed up the problems with poll provisions in that:

Reinstating the polls will be unpopular with many in the local government sector and Māori communities;

Since the 2021 law changes, 46 local authorities have resolved to establish Māori wards. Our understanding is that many councils previously did not seriously consider establishing Māori wards. This was because of the perception that the polls could harm community relationships, including relationships with mana whenua, and undermine social cohesion.

We anticipate most of these councils will be very concerned about the re-introduction of the polls. It is likely to discourage any other councils considering establishing Māori wards in the future. The change is also likely to be very unpopular with Māori communities, especially where wards have been established.

Before the 2021 amendments, Local Government New Zealand (LGNZ) and Taituarā – Local Government Professionals advocated strongly to remove the polls. In a 2018 letter, LGNZ noted “It is imperative that the Government act to address the unfairness created by the poll provisions and put in place a legislative framework that will enable mature and constructive conversations about options for Māori representation in local authorities”.

An LGNZ survey of elected members found that, after the 2022 local elections, about 21% of members identify as Māori or are of Māori descent. This is up from 14% in the 2019 survey.

We agree with this statement from the Department of Internal Affairs.

Advice to Minister Brown from Department of Internal Affairs 5 December 2023:

The polls proved to be an almost insurmountable barrier to establishing Māori wards. Only two councils were able to establish Māori wards using the Local Electoral Act process. When polls were held, community division and animosity was common. As a result many councils

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opted not to even put the option on the table because of the risk of community conflict. Similarly, mana whenua sometimes asked councils not to consider Māori wards because of the risk of a backlash against their community. The poll provisions gave no scope for councils to balance minority interests in the final decision because the poll outcome was binding, based on a straight majority. Since the poll provisions were removed, 46 councils have resolved to establish Māori wards

We agree with this statement from Department of Internal Affairs.

The Waitangi Tribunal has observed that “Alternative mechanisms for Māori participation in local government are not the same as having a dedicated seat at the council table”. A Māori ward or constituency is the only mechanism that guarantees Māori representation on the body that makes the final decisions (for example committees of council cannot adopt a District Plan or Long-Term Plan).

We agree with this statement from Department of Internal Affairs citing the Waitangi Tribunal.

The advice from the Department of Internal Affairs to Minister Brown was:

“Referendums and polls are an instrument of majority rule which can suppress minority interests. Normal lawmaking process have safeguards to make sure minority rights and interests are considered – human rights legislation, parliamentary debates and the select committee process. But referendums do not require that tabling and balancing of interests, and the outcome will depend on the majority’s perception of the minority interests.”

We completely agree with this advice and believe that the Department of Internal Affairs summed this up perfectly. The issue of representation for Māori is complex and should be decided upon locally by Councils in consultation with Iwi / Māori and its communities, not by a simple ‘yes’ or ‘no’ poll.

Further to this, the former LGNZ President Dave Cull summed up binding polls by saying:

“Of equal concern, the polls reduce a complex issue to a simple binary choice, which, by encouraging people to take sides, damages race relations in our districts. Matters of representation and relationships should be addressed in a deliberative manner that employs balanced and considered dialogue – not by poll. In fact, a poll is not necessary. Should a council resolve to establish Māori wards or constituencies, or any other ward, against the wishes of its community then the community has the option to hold that council to account at the next election – this is how representative democracy is intended to work

Again, we agree with this statement and also believe that binding polls and poll provisions in general are divisive and do nothing to enhance relationships within communities. In fact, it will do quite the opposite.

In summary, we are in opposition to the reinstatement of polls for Māori wards and constituencies and ask that this be relooked at and withdrawn.

If polls are to be implemented then we strongly urge the following to be implemented:

- That only those on the Māori roll vote in a poll. These are the only residents and ratepayers who will be affected by the outcome of the poll and therefore should have the most input into it.

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- We ask that there is an increase in the petition threshold from 5% to 10% of electors to initiate a poll. Five per cent is a low threshold given the costs and impacts of polls on communities. It is therefore not unreasonable to expect a larger demonstration of a desire for a poll before undertaking one. A move to 10 per cent would align with the threshold set out in the Citizens Initiated Referenda Act 1993.
- We also recommend making the polls non-binding but require councils to give them due consideration in their decision making process. This would give the poll weight in the decision making process, but still enable these decisions to be made within the wider legal context and with due consideration of a range of relevant factors.

Cost to Ratepayers

The significant cost to ratepayers is another reason we oppose this Bill.

This change in legislation could result in up to 45 councils being required to hold a poll on Māori wards and constituencies at the 2025 elections, with the outcome to take effect in 2028. This is dependent upon what is decided by August 2024 in terms of disestablish now or ride it out until a poll in 2025. Councils throughout the country have extremely tight budgets and will need to fund the extra cost for the poll, as well as an early representation review. Many Councils are in the process of reviewing their Long Term Plan with proposed rates increases the highest ever seen. This in the midst of a cost of living crisis that will constrain Council budgets further. The cost of a poll and representation review will be dependent on the size of the council and district/region with an estimate at around \$175,000 for a poll and potential costs of up to \$170,000 for a representation review. In addition, Council staff and resource will be required.

Timing of Poll Should it Proceed

Finally, we are concerned at the timing of the proposed poll on Māori wards and constituencies. All Māori ward candidates will need to campaign for their seat, engage with Māori and participate in electioneering, while simultaneously convincing the community of the value of a Māori ward or constituency. This will be a huge undertaking and put potential Māori ward/constituency councillors to an unfair burden. The responsibility of educating the community on Māori wards will naturally fall to iwi to lead and coordinate without guaranteed resources or support.

Summary and Recommendation

In summary, Māori should be fairly represented in local government. This Bill will likely result in the disestablishment of many Māori wards and constituencies across the country. Disestablishing Māori wards and constituencies, and making them subject to a higher procedural standard than that of general or rural ward is opposed by Te Pae Tāwhiti Rōpū.

We recommend that the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill not be progressed and that status quo remains.

Whilst we oppose the reintroduction of poll provisions for Māori wards and constituencies, should these be reintroduced, we recommend the following:

- Increase the petition threshold from five per cent to 10 per cent of electors to initiate a poll. Five per cent is too low a threshold given the costs and impacts of polls on communities.
- Only those registered on the Māori roll can vote on a Māori ward and constituency poll.
- Make the poll non-binding and require councils to give them due consideration.

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We would like the opportunity to speak in support of this submission.

Parties to the submission:

Roly Fitzgerald

Te Pūao Māori Ward Councillor, Palmerston North City Council

Korty Wilson

Ruapehu Māori Ward Councillor, Ruapehu District Council

Justin Tamihana

Horowhenua Māori Ward Councillor, Horowhenua District Council

Nina Hori Te Pa

Horowhenua Māori Ward Councillor, Horowhenua District Council

Coral Raukawa

Tiikeitia ki Tai (Coastal) Ward Councillor, Rangitikei District Council

Piki Te Ora Hiroa

Tiikeitia ki Uta (Inland) Ward Councillor, Rangitikei District Council

Bridget Bell

Ngā Tapuae o Matangi Māori Ward Councillor, Manawatū District Council

Fiona Kahukura Hadley-Chase

Ruapehu Māori Ward Councillor, Ruapehu District Council

Channey Iwikau

Ruapehu Māori Ward Councillor, Ruapehu District Council

Naioma Chase

Tāmaki-nui-a-Rua Māori Ward Councillor, Tararua District Council

Te Kenehi Teira

Tonga Māori Councillor, Horizons Regional Council

Turuhia (Jim) Edmonds

Raki Māori Councillor, Horizons Regional Council

And from Horizons Regional Council:

Wiremu Te Awe Awe

Councillor, Horizons Regional Council.

7



// 04

Entrenchment of Māori wards seats for local government

Remit: *That LGNZ proactively promote and lobby to entrench the Māori Wards and Constituencies for the 64 councils which currently have these, to require the support of a supermajority of parliament should either parliament or councils seek their removal.*

Proposed by: Northland Regional Council

Supported by: LGNZ Zone 1 (Northland Regional Council, Far North District Council, Whangarei District Council)

Why is this remit important?

Zone 1 opposes the changes proposed to Māori wards and constituencies provisions in the Local Electoral Act 2001 (LEA), the Local Government Electoral Legislation Act 2023, and the Local Electoral Regulations 2001.

Zone 1 views are summarised below:

- a) Māori wards and constituencies are an appropriate and necessary way to deliver on Te Tiriti o Waitangi obligations — they are not a race-based selection.
- b) Reversion to a poll system to establish / retain Māori constituencies in local government is inconsistent with the national electoral system of a Māori roll and Māori seats in Parliament. There is no rational reason for the different approach.

Background and Context

The current government has agreed to amend the legislation and regulation related to the establishment and continuation of Māori wards in Aotearoa New Zealand.

The proposed changes have a major impact for the representation of Māori communities and the unique opportunities and challenges they face. It also compromises the ability of local government across the country to deliver on its Treaty of Waitangi obligations.

Zone 1 members do not support the proposed changes and have submitted their views as individual councils and the broader local government sector through LGNZ.

As discussions have developed on the proposed amendments, the need to align Māori ward representation models with parliamentary Māori electorate representation model has become evident.

How does this remit relate to LGNZ's current work programme?

This proposal aligns with LGNZ's policy that states:

- Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;

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- Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action.

In accordance with LGNZ's strategy, this proposal would strengthen local government as a whole to support our communities to thrive - environmentally, culturally, economically and socially.

How will the proposing council help LGNZ to make progress on this remit?

Northland Regional Council, with the support of Far North District Council and Whangarei District Council, will advocate, lobby, and promote the cause and case for the entrenchment of Māori ward seats in local government governance structures.



// 05

Graduated driver licensing system

Remit: *That LGNZ advocate for changes to the fee structure for driver licensing, better preparing young people for driver license testing, and greater testing capacity in key locations throughout New Zealand, in order to relieve pressure on the driver licensing system and ensure testing can be conducted in a quick and efficient manner.*

Proposed by: Ashburton District Council

Supported by: Hurunui District Council, Kaikōura District Council, Selwyn District Council, Timaru District Council, Waimakariri District Council and Waitaki District Council

Why is this remit important?

Communities across New Zealand are being impacted by excessive wait times associated with the graduated driver licensing system (GDLS). There are three stages to the GDLS, and those aged 16 or older can enter the system and undergo both theoretical and practical testing to graduate from a learner's license (accompanied driving) to a full license (license without restrictions) over the space of 24 months. Currently, across the country, demand for testing significantly exceeds testing capacity leading to negative implications for our young people, and the wider community. Action is required to ensure young people in our community can undertake testing without delay, failing to remedy this situation could result in:

- Reduced ability to access testing
- Increases in testing failure rates
- Social and economic disadvantages for young people

Background and Context

Work undertaken by Waka Kotahi and other agencies identified the need to remove barriers for young people associated with obtaining a driving license in New Zealand. Through this work, re-sit fees were identified as a potential barrier. According to Waka Kotahi data, only 53% of people on a restricted license pass their practical driving test first time around, meaning many young people trying to graduate were being financially burdened by subsequent fees in completing a re-sit.

From October 1 2023, Waka Kotahi introduced a revised fee structure for a learner's, restricted, or full license, which removed re-sit fees for drivers who failed a first or subsequent attempt. While this change makes graduation through the system more financially obtainable, it has put increased pressure on testing services as those who fail the first time are rebooking immediately. This, in combination with the shortage of assessors, is causing significant wait times across the country. The increase in wait times has multiple implications which are summarized below using national and local examples.

- **Reduced ability to access testing:** In 2020, the national average wait time to sit a restricted driving test was 16 days, this has dramatically increased to 53 days in 2023/24. Drivers in the Ashburton district are facing a 94-day delay in booking a restricted license test, with only one agent (VTNZ) being able to facilitate testing.



- Increases in testing failure rates: excessive wait times in Ashburton may be causing young people to book testing in alternative locations. According to information obtained during an Ashburton District Road Safety Co-ordinating Committee meeting, some young people from Ashburton and Timaru are travelling to the West Coast (3-5 hours away) to undertake practical testing, there is concern that completing a practical test on unfamiliar roads may lead to an increase in failure rates. Reports have also been made that the decision to remove re-sit fees has led to young drivers completing the test before they are ready, leading to multiple failed attempts.
- Social and economic disadvantages for young people: there are social and employability benefits to holding a driver's license. According to MBIE, two-thirds of all jobs advertised in New Zealand have a minimum requirement of a restricted license. The reduced ability for young people to obtain a restricted or full license may see otherwise suitably skilled candidates miss out on employment opportunities while they wait to sit and obtain the required license. This also has impacts for the community, in particular local businesses, who will potentially struggle to source young candidates for entry level roles. This is further amplified in our community where public transport is non-existent, with the only quasi-public transport available being the Mid Canterbury Connector – a locally led, volunteer driven service operating on a booked return trip service between rural communities.

Relevant legislation, policy or practice

- Land Transport Act 1998 (part 4)
- Land Transport (Driver Licensing and Driver Testing Fees) Regulations 1999.
- NZTA driving licensing fees schedule

How does this remit relate to LGNZ's current work programme?

While this is not currently part of LGNZ's work programme, engaging with central government will be essential to making progress in this area. Ensuring that the local voice is heard and understood by central agencies is the only way in which this issue will be able to be addressed. Given the impact on our young people, and the subsequent effects this has on their ability to gain independence and contribute to our communities and local economies, we believe this is a worthy project for LGNZ to drive on behalf of the sector.

How will the proposing council help LGNZ to make progress on this remit?

While changing the fee structure will help incentivise people to pass their tests on their first attempt, other changes should be made to better prepare people, particularly young people, who are trying to obtain a driver licence, and ensure there is sufficient capacity in the system.

Ashburton District Council is willing to trial/pilot the practical applications of an improved graduated driver's licensing scheme.

Our Mayors Taskforce for Jobs programme has been highly successful, working with community groups and schools to identify people who are disadvantaged in the labour market. A significant proportion of this group are seeking drivers' licences in order to improve their chances of employment. There is an opportunity to align the Mayors Taskforce for Jobs programme with an enhancement of an Ashburton based training and accreditation centre, leveraging the MTFJ programme's experience in driver licensing schemes. The goal of this would be to better prepare

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young people for driver licence tests and reduce the pressure on the system imposed by people having to re-sit tests.

Ashburton District Council also proposes a pilot scheme to work with government to attract, train and supply increased numbers of examiners for the Ashburton district along with other centres throughout the country. Ashburton district would become a training region; prospective examiners would be based in the region while they train and qualify before returning to their respective regions to fill gaps and boost capability. Our region is well suited to examiner development, being close to Christchurch but more affordable and having a network of urban and rural roads.

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Hon Simeon Brown

Minister for Energy
Minister of Local Government
Minister of Transport
Minister for Auckland
Deputy Leader of the House

ITEM 10.5
ATTACHMENT 2

James Meager MP
Member of Parliament for Rangitata
Parliament Buildings
WELLINGTON

24 MAY 2024

Dear James

Thank you for your letter of 2 May 2024 regarding the driving licence processing delays in the Rangitata electorate. I share the frustration being experienced by people wanting to engage driver licence services only to be met with significant delays.

The Automobile Association (AA) and Vehicle Testing New Zealand (VTNZ) have been providing regulatory services on behalf of the NZ Transport Agency (NZTA) since 1999.

NZTA advises me that since the previous government's decision last year to remove the re-sit fee for theory and practical tests there has been a significant increase in demand for testing services, leading to unacceptable delays.

The inability to engage driver licence services in a timely manner is having an impact on the employability of learners and delaying their progression into the community.

NZTA and VTNZ are currently taking measures to accommodate the current high demand by re-prioritising driver testing officers to driver licencing agent sites with high booking numbers and increasing site opening hours. NZTA is aware of the urgency and my expectation that the issues be addressed promptly.

These delays across New Zealand, which follow the previous government's changes to re-sit fees, are unacceptable. I remain very concerned about these delays and am currently considering advice on options to address it, which may include reinstating a re-sit fee.

Regarding your request that NZTA remove the age limit for booking drivers licence tests, I have been advised that it is a legal requirement for applicants of driver licences to be 16 years or older.

Thank you again for writing.

Yours sincerely

Hon Simeon Brown
Minister of Transport

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand | +64 4 817 6804 | s.brown@ministers.govt.nz

Ashburton District Council Remit 2024



// 06

Proactive lever to mitigate the deterioration of unoccupied buildings

Remit: *That LGNZ advocate to Government:*

- *For legislative change enabling local authorities to compel building owners to remediate unoccupied derelict buildings and sites that have deteriorated to a state where they negatively impact the amenity of the surrounding area.*
- *To incentivise repurposing vacant buildings to meet region-specific needs, for example, accommodation conversion.*

Proposed by: Gisborne District Council

Supported by: Rotorua Lakes Council, South Wairarapa District Council, Wairoa District Council, New Plymouth District Council, Napier City Council, Rangitikei District Council, Whanganui District Council, Dunedin City Council

Why is this remit important?

There is no legislation enabling councils to take proactive action on the decaying condition of vacant buildings. Intervention is only possible when buildings become so dangerous that the Building Act 2004 (BA04) allows for dangerous building notices.

The absence of enabling regulations and enforcement tools can result in derelict sites negatively affecting both neighbourhoods and city centres. The public expects their local authorities to maintain community standards and they are frequently disappointed by our inability to intervene. Especially where keystone buildings deteriorate over decades.

The economic and social consequences of unoccupied derelict buildings negatively affect local businesses, city centre revitalisation, regional economic development, and tourism activity. Negative impacts suppress local investment and the prosperity of regional centres throughout New Zealand. Legislative change to enable the remediation of decaying building conditions and unlock their economic potential is in the national interest and significant to local government as a whole.

Background and Context

Existing building legislation is too late to mitigate decaying buildings

Once a Code Compliance Certificate has been issued, there is no regulatory avenue for proactive remediation of a vacant building's decaying condition. The BA04 is silent on maintenance responsibilities until the public is likely to be harmed by unsafe building conditions.

The BA04's approach to dangerous buildings is reactive as it seeks only to remediate dangerous conditions. The impact of a deteriorating building on its surrounding environment is not taken into consideration.

Waiting until a building becomes dangerous is too late to remediate the significant economic and social effects of vacant and deteriorating buildings.



In regional centres like Gisborne, a small number of deteriorating assets can have a significant impact on surrounding businesses and perceptions of the city centre. Long-term underinvestment means significant capital is required to restore these buildings before prospective owners and/or tenants can reoccupy the space. Investment is often cost-prohibitive, leaving vital buildings empty and further deteriorating.

In May 2024, Gisborne's Mayor wrote to Government detailing the national impact of this legislative gap (letter attached). The letter's appendix, *Ten years of the National Problem*, outlines how problematic buildings are challenging local authorities throughout New Zealand.

Local authorities have developed ad hoc, imperfect solutions to address the legislative gap

Upper Hutt City Council's Unoccupied Commercial Premises Bylaw and Clutha District Council's Regulatory Bylaw both aim to prevent building deterioration. However, bylaw solutions are unenforceable without costly prosecutions that risk uncertain outcomes.

In Rotorua, where houses are problematic, rather than commercial buildings, Rotorua District Council has spent \$60,000 on consultants' reports and legal advice for a single abandoned property because it lacks the authority to require its demolition.

The BA04 seeks to ensure safety and well-being, sustainable development, and building code compliance. However, because it does not provide local authorities with effective tools to encourage essential maintenance and building utilisation, we have no way to intervene when buildings are deteriorating until the problems are significant, sometimes beyond repair.

Wellington City Council recently signaled its intention to remove ten buildings from its heritage list as part of a district plan review. Among those buildings were the dangerous, unoccupied Gordon Wilson Flats, a contentious feature of the Wellington skyline intended for demolition by their owner, Victoria University, due to restoration cost.

List removal failed to secure ministerial approval. However, this situation illustrates the impossible predicament faced by local authorities when heritage buildings have not been adequately maintained, and the extraordinary measures they must take when buildings have deteriorated beyond repair. Local authorities' inability to prevent the deterioration of vital assets threatens a loss of national heritage and identity through demolition. The solution must be to enable proactive measures addressing deteriorating conditions before buildings are demolished by neglect.

Mitigating the social and economic consequences of underutilised buildings urgently requires:

- A new legislative lever that will enable earlier intervention and action to remediate deteriorating building assets and or
- Collaboration between local and central government and regional providers to develop region-specific incentives encouraging the use of unproductive assets, e.g., repurposing buildings for accommodation.

How does this remit relate to LGNZ's current work programme?

Addressing the gap in building legislation and its consequences for regional economic development does not currently feature in LGNZ's broader advocacy work programme. However, LGNZ has for some time been aware of the legislative gap and advocated on this issue as it aligns with their strategic priority of focusing advocacy on the big issues impacting local government.

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In 2014, LGNZ wrote to the Minister of Building and Construction suggesting the BA04 define derelict sites, which would allow for such properties to be included in their Dangerous and Insanitary Buildings Policies. LGNZ's 2015 submission to the Rules Reduction Taskforce highlighted that derelict building issues are a regular source of community distress, presenting risks to health, fire hazards, and sites for criminal behaviour. In 2022, LGNZ again proposed that the government define derelict buildings; however, attempts to meet the Minister of Building and Construction were unsuccessful.

While these efforts failed to find favour, advocacy to political leaders is urgently required because:

- Current BA04 considerations are inadequate in addressing building issues that need to be remediated before buildings become derelict.
- The Government's accelerated review of building code requirements extends to improving economic activity.
- The Government has signalled its intention to develop housing improvement strategies through a cross-government Ministerial Working Group on Housing.
- Legislative change and incentives to activate unproductive buildings and unlock regional economic improvement align with the Coalition's Decision-Making Principles A – E.

How will the proposing council help LGNZ to make progress on this remit?

Gisborne District Council will:

- Continue advocating directly to the Ministers for Building and Construction, Housing and Local Government.
- Collaborate with LGNZ, councils, Government and stakeholders to develop new legislative tools to tackle this issue, strengthening our national economic resilience.
- Share any appropriate research and development, and data analysis from our region.
- Undertake any pilot programme involving temporary rule changes or funding initiatives, such as incentivising the conversion of commercial buildings to housing.
- Identify and work with local providers and property owners on the implementation of any pilot.

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2 May 2024

Hon Chris Penk - Minister for Building and Construction
Hon Chris Bishop - Minister for Housing
Hon Tama Potaka - Associate Minister Social Housing
Hon Simeon Brown - Minister Local Government



GISBORNE
DISTRICT COUNCIL
Office of the Mayor

Email: christopher.penk@parliament.govt.nz, Chris.Bishop@parliament.govt.nz,
Tama.Potaka@parliament.govt.nz, Simeon.Brown@parliament.govt.nz

Cc: Dana.Kirkpatrick@parliament.govt.nz, cushla.tangaere-manuel@parliament.govt.nz

LEGISLATIVE CHANGE IS REQUIRED TO UNLOCK SUBSTANTIAL ECONOMIC AND HOUSING IMPROVEMENTS IN NEW ZEALAND'S REGIONAL CENTRE

Good morning Ministers,

I would like to bring to your attention a gap in current building legislation, which is affecting local businesses, city centre revitalisation, regional economic development and tourism activity in our region.

In short, there is no enabling legislation that allows regulatory agencies to take proactive action on the decaying condition of vacant buildings.

Intervention is only possible when buildings become so dangerous that the Building Act 2004 allows for dangerous building notices. The absence of enabling regulations and enforcement tools, results in keystone buildings remaining idle and unproductive, sometimes for decades.

The attachments to this letter provide more information on the challenges facing Gisborne District Council and many other local authorities across New Zealand.

Legislative change to unlock the economic potential of underutilised and decaying buildings is in the national interest because the negative economic and social impacts created by underutilised buildings are nationally significant.

Unproductive buildings negatively impact regional prosperity throughout the country. We believe:

- New legislative tools are needed to unlock the economic potential of underutilised buildings.
- Urgent collaboration between local and central government is needed to develop a solution that will enable earlier intervention and action on commercial building issues.

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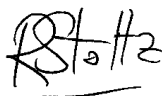
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- Activating unproductive buildings to support regional economic development is strongly aligned with the Government's Ongoing Decision-Making Principles A – E.

As this matter is significant for local government as a whole, Council will be putting forward a remit on this matter at the upcoming LGNZ Annual General Meeting.

We look forward to working with the Government to develop new legislative tools to enable us to tackle this issue and continue to strengthen our national economic resilience.

Warm regards,



Rehette Stoltz
Mayor Gisborne District Council

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Attachments:

Attachment 1 – Gisborne’s Deteriorating Buildings

Attachment 2 – Problem definition: Current legislation is too late to mitigate decaying buildings

Attachment 3 – Ten Years of the National Problem

Attachment 4 – Seized buildings in Gisborne

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Attachment 1 – Gisborne’s Deteriorating Buildings

Main Street retail space. Corner Gladstone Rd and Peel St



Former Westlake Hotel. Corner Gladstone Rd and Peel St



Premium retail space. Peel St



Deteriorating building. Lowe St



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Main Street retail space. Gladstone Rd



Deteriorating building. Childers Rd



Masonic Hotel decaying façade. Lowe St



Masonic Hotel frontage. Gladstone Rd



Abandoned detritus. Adjacent to Masonic Hotel



Main Street building decay. Gladstone Rd



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Attachment 2: Problem definition: Current legislation is too late to mitigate decaying buildings

During deliberations on the Gisborne Dangerous, Affected and Insanitary Buildings Policy 2024¹ under the Building Act 2004 (the BA04), Gisborne District Council (Council) identified inadequacies in the existing building legislation framework. Also identified were the negative impacts these deficiencies are having both regionally and nationally.

Once a code compliance certificate (CCC) has been issued, there is no enabling legislation that allows regulatory agencies to take proactive action on the decaying condition of vacant buildings. Mitigation of problematic buildings is only possible when they eventually deteriorate to a condition so dangerous that BA04 provisions allow for dangerous building notices. The absence of enabling regulations and enforcement tools, in between CCC and dangerous building notices, results in essential buildings remaining idle and unproductive, sometimes for decades.

The BA04's approach to dangerous buildings is reactive. It seeks only to remediate dangerous conditions and does not consider the impact a decaying building has on its surrounding environment. This means it is both too late to remediate problematic conditions and an inadequate tool to address the significant economic effects caused when buildings become locked in a deterioration spiral. In Gisborne's case, deteriorating conditions negatively impact surrounding businesses and perceptions of the city centre, affecting a decline in economic activity. As regional economies underpin national economic prosperity,² the negative impact of underutilised buildings has a ripple effect on the national economy.

As a building's condition declines, the required investment in its essential maintenance and works (e.g. earthquake strengthening and cosmetic upkeep) decreases. The deteriorating condition of commercial buildings is particularly problematic in regional city centres, as this inefficient use of key placemaking assets contributes to poor amenity.

In regional centres, where the *heart of the city* is comprised of only a handful of buildings, even a small number of deteriorating assets can have a significant impact. A prolonged lack of maintenance requires significant investment to get a building back up to scratch before prospective owners and/or tenants can once again operate out of it. The required work is often cost-prohibitive, and vital buildings can remain empty, which leads to further deterioration.

The BA04 seeks to ensure safety and well-being, sustainable development, and building code compliance. However, because the current BA04 legislation does not provide local authorities with effective tools to encourage essential maintenance and building utilisation, we have no way to intervene when buildings are deteriorating until the problem is significant. We can only intervene when buildings have decayed to such a condition that they are likely to harm the public.

The public expects their local authorities to prevent city centre building deterioration, and they are frequently disappointed by our inability to intervene. Regional communities such as Gisborne, where the problem is acutely felt, are unable to prevent the gradual decline of their city centres. Without a legislative tool enabling the remediation of inactive buildings, and no central Government solution either, Council cannot achieve its aspiration of maintaining a

¹ Gisborne Dangerous, Affected and Insanitary Buildings [Policy](#) 2024.

² Hon Steven Joyce (2016) *Regions lead recovery from Global Financial Crisis*. This Beehive [Release](#) emphasises the instrumental role regional economies, including Gisborne, played in leading New Zealand's economic recovery from the Global Financial Crisis.

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high-quality urban environment that capitalises on heritage, tourism, and lifestyle to attract economic investment and development.

The Problem in Gisborne

Gisborne's Central Business District (CBD) contains several **vacant** and **underutilised buildings** that have been **neglected for long periods**.³ Their deteriorating aesthetic condition **negatively affects the city's appearance, impacting tourism experiences** and **suppressing local utilisation, economic growth**, and community wellbeing.

Deterioration of Buildings: A lack of basic maintenance has led to the disrepair of unoccupied buildings in Gisborne. This includes premium ground-floor retail spaces on Gladstone Road, Gisborne's main street (see **Attachment1 – Gisborne's Deteriorating Buildings**).

Negative Community Impact: Reduced vibrancy in the CBD has suppressed community utilisation and local commerce,⁴ making it less attractive to new businesses and shoppers. This decline in activity fosters increased incidences of vandalism and the impression of an unsafe CBD.

Homelessness Consequences: The declining condition of city buildings leads to squatters occupying vacant buildings, resulting in litter, sanitation issues, and antisocial behaviour adversely affecting adjacent businesses, some of which are rate-paying owner-occupiers. Council increasingly incurs the financial burden of cleanup and the disassembly of homeless encampments in conjunction with the Police.

Economic Investment Deterrence: Visible city centre decline creates the perception of an economically depressed area and discourages economic investment from outside the region, weakening local economic resilience. Decreased revenue from idled assets reduces the likelihood that owners of earthquake-prone buildings will fund reinforcement works, threatening key buildings with demolition.

Suppressed Tourism and Economic Growth: Tourism, a vital part of Gisborne's economy, is growing slower than the national average,⁵ limiting regional employment opportunities. The declining state of Gisborne's CBD negatively impacts tourists' experiences in our region, which challenges the Government's recent commitment to support tourism.⁶ A vibrant and welcoming city centre is essential for creating positive visitor experiences, as it influences overall impressions of a place.⁷ However, buildings becoming locked into a spiral of declining

³ In June 2007, Gisborne witnessed a 1.3% decline in retail sales despite national economic growth accelerating to 2.6%. In the same period. The number of commercial permits issued in Gisborne also fell by 13%. In December 2008, Gisborne experienced the largest quarterly decline in retail sales at a time when national retail sales were trending upward. Commercial building consents dropped by 6.1% in the same quarter. Sources: The National Bank Regional Trends Economics reports, February 2007, February 2008. In the wake of the global financial crisis, Council's 2010/11 Annual [Report](#) identified Gisborne's retailers among those most affected by economic conditions at the time.

⁴ Over 55% of Gisborne employment is currently located outside of land zoned for business.

⁵ The tourism sector contributed \$56.3 million to Gisborne GDP in 2022, accounting for 2.3% of the region's economic output and 7.1% of total annual employment. In 2022, total tourism spending in Gisborne was down 0.1% year on year, while national tourism spending increased by 1.4% in the same period. In the 10-year period 2012-2022, Gisborne has experienced only 1.8% annual employment growth, lagging 2.1% national growth. Sources: Trust Tairāwhiti (2023) [Draft Destination Management Plan](#) utilising data retrieved from Infometrics.co.nz; Infometrics (2023) *Tairāwhiti at a Glance: 2022* retrieved from Infometrics.co.nz on 7 March 2023.

⁶ Acknowledging tourism is the second biggest contributor to New Zealand's recent economy, the Tourism Minister, Hon. Matt Doocey, recently affirmed government commitment to supporting the growth of tourism and hospitality operators. Source: Hon Matt Doocey (2024) *Tourism data shows determination of sector*. Beehive [Release](#).

⁷ The Ministry of Business, Innovation and Employment [Destination Management Guidance](#) emphasises that supporting infrastructure and amenities are essential to cultivating compelling visitor experiences.

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investment and physical deterioration presents a significant barrier to regional aspirations for a vibrant, thriving city that is a destination for business, employment, and tourism.

Figure 1 - the old Masonic Hotel greets cruise-ship tourists walking from Gisborne's port to the city centre.



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The Problem nationwide

Gisborne is not the only region with declining, under-utilised buildings. Provincial areas are experiencing a downward spiral in the status of city centre vitality when compared to major urban areas.⁸ Unoccupied buildings are contributing to this decline. They pose safety risks and affect community well-being, property values, and public perception of city centres around the country.

Attachment 3 – Ten Years of the National Problem outlines how issues with idle, unproductive buildings have become a nationwide concern in the last decade. Neglected heritage buildings face significant challenges as councils struggle to intervene where *demolition by neglect*⁹ becomes irreversible. The lack of clear criteria for identifying and addressing derelict properties hinders councils' ability to take proactive measures to remediate these buildings as they deteriorate.

Legislative Inadequacies Prevent a Proactive Approach

1. Building Maintenance Responsibility

- After local authorities have issued code compliance certificates and no further building work is required, building maintenance is the responsibility of property owners.
- Local authorities have no means to enforce minimum maintenance standards for dormant or underutilised buildings, even in cases where buildings are left to decay.
- The absence of any tool to encourage proactive maintenance means local authorities can be left with unsightly buildings, often in prominent locations. This creates a cycle of declining investment that negatively impacts regional prosperity.
- Gisborne has five large, central buildings locked in an ongoing legal dispute between the Police and silent offshore owners. This contested ownership status prevents building remediation, even under dangerous building notices, as no party assumes responsibility for remediating the unsafe conditions.

2. The Building Act 2004 Does Not Adequately Consider Remediation

- The BA04 enables local authorities to compel remediation via dangerous or insanitary building notices only when building issues become so dangerous, they may harm occupants or the public.
- These notices are a last resort. They cannot address situations where buildings essential to a city's social, cultural and economic fabric decay due to neglect. This is because the BA04 does not consider the negative consequences experienced during a building's decline when its conditions are deteriorating but not yet dangerous.
- Councils can intervene when there is evidence of infestation or fire risk; however, the threshold for action is high.¹⁰

⁸ Aigwi, I., et al. (2019). *A performance-based framework to prioritise underutilised historical buildings for adaptive reuse interventions in New Zealand*. *Sustainable Cities and Society*, [48](#), 101547-101547.

⁹ Dunedin City Council defines *demolition by neglect* as a building being allowed to deteriorate to the point that demolition becomes necessary, or restoration becomes economically unreasonable. In some cases, building owners may allow this to happen to bypass heritage protections and the substantial financial investment to enable ongoing use. Source: Dunedin City Council's 15 May 2023 [Agenda](#).

¹⁰ [Newshub](#). (2022). Call for law change as councils say there is an increasing problem of derelict, unoccupied houses.

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- Neglected heritage buildings are particularly vulnerable to becoming dangerous and, in instances of continued neglect, demolition.¹¹ Heritage New Zealand Pouhere Taonga recently requested Council policy¹² encourage heritage building owners to undertake preventative maintenance and upgrades to conserve their essential heritage character. However, BA04 considerations do not provide any mechanism for local authorities to encourage such action. Therefore, any suggestion or encouragement of proactive maintenance via a dangerous building policy would be unenforceable under the current BA04 considerations.
- In cases where heritage buildings have been neglected, the costs associated with restoration or repurposing can be prohibitive for building owners. Lotteries funding is not always readily available¹³ and heritage funding prioritises category-one buildings. Not all vital buildings are so categorised, and few buildings in Gisborne meet eligibility requirements.

Solution needed: Legislative Change

Activating unproductive buildings to unlock regional economic improvements aligns with the Coalition's Decision-Making Principles A – E:

- **Principled** decisions based on sound policy principles and economic efficiency;
- **Focused** on improving productivity and economic growth to increase prosperity, and enhance housing affordability, efficiency and effectiveness.
- Stopping interventions that aren't delivering **Results**.
- **People-focused** public services will be designed around the needs of public and tourist users. The Government will be **accountable** for clear public service targets and regular progress reporting on these objectives.

Proactive remediation measures do not sit comfortably within the BA04 framework because it was not designed to address the problem of inactive buildings and the associated economic consequences. Fixing the problem requires:

- a lever compelling proactive remediation of deteriorating city centre assets and or
- incentivising the utilisation of unproductive assets.

Examples of proactive legislative tools for unlocking the potential of unproductive buildings can be found in both the United Kingdom and the Republic of Ireland.

United Kingdom's Town and Country Planning Act 1990

The UK mitigates unproductive buildings via Section 215,¹⁴ which enables Local Planning Authorities to:

- take proactive steps towards sustainable regeneration of local areas, including conditions that adversely affect the amenity of the surrounding area
- consider local circumstances, such as site conditions and impact on the surroundings
- require a broad scope of works, including painting, external repairs, demolition and re-building

¹¹ The Ministry of Culture and Heritage identified late requests to 'save' buildings are commonly requested at the last possible moment due to communities not seeking remediation until a building is under threat of demolition. Source: Ministry for Culture and Heritage. (2018). *Strengthening protections for heritage buildings: [Report](#) identifying issues within New Zealand's heritage protection system.*

¹² HNZPT (2023) [submission](#) (Page 51) on the Gisborne District Council Dangerous Buildings Policy 2024.

¹³ Lottery Environment and Heritage Committee year on year funding [declined](#) by 46% in the 2023/24 financial year.

¹⁴ Town and Country Planning Act 1990 Section 215 [Best Practice Guidance](#) and [Act](#).

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- use Section 215 notices in conjunction with other powers, such as repair notices for heritage-listed or dangerous buildings.

'Amenity' is a broad concept not formally defined in the legislation. This means assessment is a matter of degree. A clear and well-presented case that stresses the adverse impact of the site on the local street scene has proven more effective than a technical definition of 'loss of amenity'.

The Republic of Ireland Derelict Sites Act 1990

Ireland mitigates unproductive buildings with the Derelict Sites Act,¹⁵ which defines *derelict sites* and makes local authorities responsible for dealing with them. Derelict sites are defined as detracting from the amenity, character or appearance of the neighbourhood with:

- structures in a ruinous, derelict or dangerous condition
- land or structure condition that is neglected, unsightly or objectionable
- deposits or collections of litter, rubbish, debris, or waste.

Under the legislation, local authorities can mitigate problems by:

- prosecuting owners who do not comply with notices
- making compulsory land purchases
- carrying out necessary work and recovering cost.

Proactive Measures to Mitigate Inactivity would not conflict with the New Zealand Bill of Rights 1990 (BORA)

BORA protects human rights and fundamental freedoms; however, it does not provide for a general right to privacy or property enjoyment. BORA protections are subject to reasonable limitations where they are demonstrably justifiable in a free and democratic society.¹⁶ Indeed, the Justice Minister, Hon Paul Goldsmith, has indicated the government wishes to strike an appropriate balance between individual rights and the public interest.¹⁷

Therefore, it is reasonable to expect that the public interest should be safeguarded from neglected buildings and the significant negative impacts they have on our communities' life, livelihood, and economic output.

The [New Zealand Bill of Rights \(Right to Lawfully Acquired Property\) Amendment Bill](#) (introduced into Parliament on 27 July 2023) proposes reasonable compensation for property owners when deprived of the right to own and use lawfully acquired property. Enabling local authorities to encourage and or incentivise remediation or utilisation of vacant buildings would not conflict with this amendment, should it become law.

Alignment with improving housing availability

The Minister of Housing, Hon Chris Bishop, seeks to fix the housing crisis by increasing supply through the removal of barriers to construction. The Minister's recent Cabinet Briefing Paper *Fixing the housing crisis*¹⁸ outlines a programme to lift productivity, wages and ultimately national income by unleashing urban growth. The briefing paper identifies that:

- New Zealand's houses are among the world's least affordable due to persistent undersupply
- unaffordable housing has far-reaching social and economic consequences.

¹⁵ Republic of Ireland Derelict Sites [Act](#) 1990.

¹⁶ New Zealand Bill of Rights Act 1990, [Section 5: Justified limitations](#)

¹⁷ [RNZ](#) (2024) Bill of Rights won't stop gang patch ban - Justice Minister

¹⁸ [Hon Chris Bishop \(2024\) Fixing the Housing Crisis Cabinet Paper](#).

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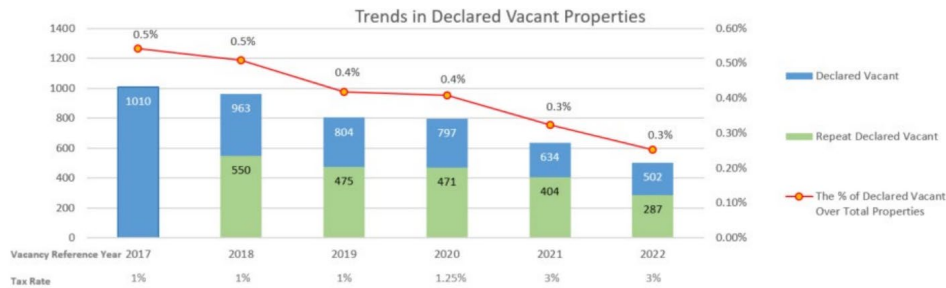
- increasing housing supply and lowering housing costs will improve the living standards of all New Zealanders and lift productivity and wages by allowing more workers to live and work in cities.

Council agrees with the Minister’s assessment that fixing the housing crisis will involve collaborative actions across Government and by different Ministers.

Gisborne is currently experiencing a critical housing shortage while city centre buildings deteriorate due to a lack of investment. There is an opportunity for the Government to address the housing shortage by incentivising building owners to repurpose buildings for accommodation before they decay beyond repair.

As an example, in 2017, the city of Vancouver introduced an [empty homes tax](#). Which currently charges owners three per cent of a property's value if it remains unoccupied for more than six months. Since inception, the number of vacant properties in Vancouver has decreased by 54% and CAD\$142 million has been raised for the city's housing initiatives.¹⁹

Figure 2 - Trends in Vancouver's Declared Vacant Properties 2017 – 2022. Source: City of Vancouver



¹⁹ Housing Vancouver. (2023). Empty Homes Tax Annual [Report](#) 2023. City of Vancouver.

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Attachment 3 – Ten Years of the National Problem

27 February 2013: Upper Hutt City Council adopted an Unoccupied Commercial Premises [Bylaw](#) that aims to prevent unoccupied commercial premises from falling into disrepair by setting standards for the maintenance of unoccupied commercial premises. By requiring commercial premises be maintained to an immediately tenantable standard, the bylaw attempts to address issues such as rubbish, boarded windows, vermin and overgrown foliage. However, at best, this is a half-measure because it does not address utilisation and investment issues, which are the underlying cause of cosmetic conditions.

A fundamental problem with use of bylaws is unless new regulation enables fines, enforcement requires a prosecution. This would be cost-prohibitive with no guarantee of success or remediation of problematic conditions. This would waste a lot of time and resources that ratepayers expect to be well-utilised elsewhere.

2014: Following discussion with a number of councils, including discussion at an LGNZ Rural and Provincial Sector meeting, LGNZ wrote to the Minister of Building and Construction asking that the Government provide councils with powers to deal with problems created by derelict buildings to combat demolition by neglect. Specifically: "That a definition for derelict sites and homes be developed and included in the Building Act. This would enable Territorial Authorities to include such properties in their Dangerous and Insanitary Buildings Policy and update their procedures to respond in a timely and cost-effective manner to the needs of their community." However, as [reported](#) in Dunedin City Council's 15 May 2023 Agenda, the MBIE response was this was not a priority at the time.

22 April 2014: South Wairarapa District Council identified derelict commercial [buildings](#) as a problem that did not qualify as dangerous or unsanitary. The inability to take proactive remediation action has resulted in a perception of Featherston's town centre as unattractive and run-down.

4 May 2015: LGNZ's [submission](#) to the Rules Reduction Taskforce highlights that councils regularly face derelict building issues with requests for action coming from many sources, including neighbours and health officials. Buildings in serious disrepair cause neighbours distress, are a risk to health, a potential fire hazard, and are sites for criminal activity. However, councils have limited powers to remediate derelict properties. Over a period of five years, Rotorua District Council has spent more than \$60,000 on consultants' reports and legal advice for a single abandoned property because they lack the authority to require its demolition.

1 August 2016: The Christchurch City Development Forum, made up of city councillors and the business community, [urged](#) Christchurch City Council to develop an incentivisation policy to encourage owners to develop their derelict sites. Frustrating city revitalisation efforts are buildings that remain in limbo due to unresolved intentions or insurance disputes. High-profile heritage buildings are also part of the concern. However, despite derelict buildings being dangerous, unsanitary and an eyesore the city council had limited powers to deal with them.

21 October 2016: Stuff.co.nz reporting [highlights](#) that shuttered, deteriorating buildings are frustrating towns around the country, with Councils in these towns having found there is virtually nothing they can do legally about it. South Wairarapa District Council found that despite complaints that problematic buildings were holding the town back, there was no effective legal remedy. While the council can take the owners of these buildings to court under the Resource Management Act for loss of amenity, it is a subjective rather than objective issue, making it challenging to win in court. Additionally, even if they did win, taking someone to the Environment Court is expensive, with potential costs ranging from \$60,000 to \$100,000. Enforcement remains difficult even after winning a case. In Rotorua, the problem is with houses

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rather than commercial buildings, but the issue remains the same. Derelict sites have potential fire risks, and the impact of these structures negatively impacts the value of surrounding properties. These abandoned buildings are eyesores; however, what is considered offensive is debatable under the law.

19 May 2017: Christchurch City Council outlines their [plan](#) for tracking derelict CBD sites they consider a barrier to the regeneration of the city centre. The plan of action seeks to address concerns about the sites, to improve investor confidence and to create a more positive impression of the central city. The third and final phase of their plan (to be used only as a last resort) involves joint action by agencies with enforcement and land acquisition powers. **This plan illustrates the problem: without legislative change, local authorities cannot prevent buildings from deteriorating to such a condition that outside agencies are required to facilitate collaborative solutions.*

16 June 2021: In the wake of a derelict house fire that destroyed a neighbouring house and damaged two others in Wellington, experts [question](#) why only a limited number of buildings meet strict criteria for dangerous or insanitary criteria. Otago University housing expert researcher Dr Lucy Telfar-Barnard said the bar was set too high for a dangerous or insanitary building. Regarding derelict houses, Victoria University Professor of Building Science Robyn Phipps says: "It's a ticking time bomb."

23 April 2022: Local authorities called for a change in the law to address the problem of derelict and unoccupied houses. In Whanganui, absentee owners are responsible for 10% of the derelict CBD buildings, committing to *demolition by neglect*. Litigating problem buildings is cost-prohibitive, and the bar is extremely high. Councils are completely powerless if a building simply looks terrible. As a result, LGNZ has [proposed](#) that the government define derelict buildings so that action can be taken. Stuart Crosby, LGNZ president, has highlighted that this problem is growing and needs to be addressed.

12 May 2022: Clutha District Council [identified](#) that its staff do not currently have the necessary tools to deal with abandoned buildings that become a target for vandals or unsightly in a town's main shopping street or issues of excessive waste and vegetation growth on private property.

May 2022: Dunedin City Council reports* that In May 2022, another attempt by LGNZ to meet the Minister of Building and Construction regarding derelict sites was unsuccessful. *Recounted in Dunedin City Council's 15 May 2023 [Agenda](#).

February 2023: As part of its submission to the Environment Select Committee on the Natural and Built Environment Bill and Spatial Planning Bill, DCC requested* the inclusion of "provisions in the NBEA to explicitly enable the management of neglected heritage buildings where a lack of maintenance is having an adverse effect on the structural stability, weather tightness, or long-term retention of a scheduled heritage building (aka demolition by neglect). This is urgently necessary for DCC (and other territorial authorities) to take actions to save heritage buildings where neglect has not yet progressed to a point of no return". *Reported in Dunedin City Council's 15 May 2023 [Agenda](#).

15 May 2023: Dunedin City Council (DCC) [identifies](#) that demolition by neglect is an issue in cities across New Zealand, yet is not regulated nor specifically referred to in either the Resource Management Act 1991, the Building Act 2004 or the Local Government Act 2002. DCC reports demolition by neglect is an issue for historic buildings that require significant investment to enable ongoing use. DCC asserts that, in the absence of legislative change, incentivisation is required to help motivate building owners to maintain buildings.

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9 August 2023: The Press [reports](#) that the absence of legislation dealing with derelict properties has resulted in a derelict Christchurch property that, despite significant decay, does not meet the threshold for action.

6 September 2023: Considering lower rates for businesses and higher rates for vacant land, Wellington City Councillors express [frustration](#) with the inability of local authorities to target underutilised land due to it being too difficult to define: "It's deeply frustrating ... we can't make people do more with their land."

8 February 2024: Homeless persons squatting in a derelict building near Point Chevalier's town centre raise well-being and safety [concerns](#). Local businesses report daily harassment from intoxicated individuals and an increase in shoplifting, which they attribute to the squatters.

8 April 2024: Wellington City Council aims to remove ten buildings from the heritage list as part of its district plan review, utilising a 2012 amendment to the Resource Management Act (RMA) amendment aimed at ensuring more housing intensification in the country's largest cities. Among the ten buildings are the dangerous, unoccupied Gordon Wilson Flats. Considered unsafe due to potential earthquake and wind damage and empty since 2012, the flats have become a contentious feature of the Wellington skyline.

This move by Wellington City Council illustrates the extraordinary measures local authorities must take when buildings have deteriorated beyond repair resulting in a loss of national heritage and identity. The solution must be to enable proactive measures that address deteriorating conditions before buildings reach this level of decay.

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Attachment 4 - Seized buildings in Gisborne

For almost a decade, five prominent Gisborne buildings have been the subject of an ongoing legal dispute between the Police and silent offshore owners. One of these buildings is Gisborne's finest, the heritage-listed [Masonic Hotel](#), and another features prominently in the Gisborne skyline (Figures 13 and 14, overleaf).

In 2016, Singaporean national Thomas Cheng was arrested in Gisborne for the importation and supply of methamphetamine. The Police subsequently obtained restraining orders over six commercial properties in Gisborne as part of a wider investigation into alleged tax evasion and money laundering by Cheng's father, William Cheng, and stepmother Nyioh Chew Hong, who live in Singapore.

An investigation into the "complex" ownership structure of the buildings saw restraining orders placed on associated bank accounts along with nine other buildings across Whanganui, Te Puke, Pahiatua, Timaru, and Gisborne. In 2020, the Police applied for the forfeiture of these buildings and associated bank accounts. The courts have recently declared the buildings to be beyond the reach of the drug investigation. However, legal proceedings continue to restrain the buildings.

In 2023, the Wellington High Court [ruled](#) that Cheng Jnr does not hold an interest in or have effective control of Cheng Snr's property. Therefore, the properties are not subject to forfeiture relating to Cheng Jnr's drug crimes. However, as the Police have appealed the ruling, the buildings remain in limbo, further complicated by possible [tax-evasion and money laundering](#) by Cheng Snr and Ms Hong.

Council has found it impossible to address building issues via Cheng Snr's New Zealand representatives. Cheng Snr is likely reluctant to undertake works without knowing what percentage of the buildings he will retain. The Police will not do anything as they are temporary custodians ill-equipped to deal with building remediation and unsure what percentage of the buildings they will retain.

This contested ownership status prevents building remediation, even under dangerous building notices, as no party assumes responsibility for remediating the unsafe conditions. Council has issued one seized building with a dangerous building notice; however, as ownership is contested, mitigation of dangerous conditions is not easily progressed. The restrained buildings, including the Masonic Hotel, continue to decline but are a long way from becoming Dangerous. Continued attempts by Council to engage building owners have met with little success.

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Seized building: Gisborne's Masonic Hotel (now closed) prior to its decline. 46 Gladstone Rd



Seized building (left). 200 Gladstone Road.



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Appropriate funding models for central government initiatives

Remit: *That LGNZ proactively promote and lobby for the development of a more equitable and appropriate funding model for central government initiatives.*

Proposed by: Northland Regional Council

Supported by: Zone 1 (Northland Regional Council, Far North District Council, Whangarei District Council).

Why is this remit important?

The constant reprioritisation of funding has a major impact on the ability of local government to provide quality infrastructure and services to the communities they are legally obliged to serve.

The development of a more equitable and appropriate funding model for central government initiatives would mitigate the risks and challenges the current funding model creates.

Background and Context

The reprioritisation of spending from community needs and services, to the implementation of central government policy and regulation, continues to be a major challenge for many councils.

Experience to date has shown that the current funding model needs to be reviewed and improved, to better reflect the community and operational realities of local government.

Zone 1 members firmly believe that central government should fully fund initiatives they wish to implement, or provide funding to local government in situations where they are required to implement a central government initiative.

How does this remit relate to LGNZ's current work programme?

This proposal aligns with LGNZ's policy that states:

- Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;
- Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action.

In accordance with LGNZ's strategy, this proposal would strengthen local government as a whole to support our communities to thrive – environmentally, culturally, economically and socially.

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How will the proposing council help LGNZ to make progress on this remit?

Northland Regional Council, with the support of Far North District Council and Whangarei District Council, will advocate the case for the development of an improved equitable funding model for central government initiatives.



// 08

Goods and services tax (GST) revenue sharing with local government

Remit: *That LGNZ be proactive in lobbying central government on sharing GST revenue with local government, derived from local government rates and service fees related to flood protection mitigation, roading, and three waters, for investment in these areas.*

Proposed by: Northland Regional Council

Supported by: LGNZ Zone 1 (Northland Regional Council, Far North District Council, Whangarei District Council).

Why is this remit important?

Local government faces funding and resourcing challenges due to current funding models. The sharing of GST revenue derived from local government rates and service fees related to flood protection, roading, and three waters, would allow for increased spending and investment in these areas.

Background and Context

S&P Global Ratings note that local government rates have not increased, as a percentage of the economy, in the past 100 years – compared with central government taxation which has gone up 200% in the same period.

This funding gap presents many challenges for local government and its ability to provide infrastructure and services to its communities.

Member councils of Zone 1 have not lobbied central government individually to date. However, there was full support for the position of LGNZ given on the matter on 27 February 2024.

This proposal seeks to elevate the matter and make it a high priority for LGNZ to lobby, with a view to achieve, the diversion of GST revenue for localised investment in flood protection mitigation, roading, three waters, and the related capital expenditure and debt servicing.

How does this remit relate to LGNZ's current work programme?

This proposal aligns with LGNZ's policy that states:

- Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;
- Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action.

In accordance with LGNZ's strategy, this proposal would strengthen local government as a whole to support our communities to thrive – environmentally, culturally, economically and socially.

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How will the proposing council help LGNZ to make progress on this remit?

Northland Regional Council, with the support of Far North District Council and Whangarei District Council, will advocate, lobby, and promote the case for the sharing of GST revenue with local government from the areas noted in this proposal.

10.6 Project Management Office Report – June 2024

Author: Carol Gordon, Group Manager - Democracy & Planning

Authoriser: Kevin Ross, Chief Executive

1. Reason for Report

- 1.1 This is a monthly report on progress on significant projects (based on budget) currently being delivered by Council's Project Management Office (PMO).

2. Notes for the Report

- 2.1 The colours in the attachment (Attachment 1) follow a traffic light system of **red, orange** and **green** to indicate health of the *overall project* as well as health in the categories: *H&S, Programme, Cost, Quality* and *Top 5 Risks*.

2.1.1 **Green – no / low concerns**

2.1.2 **Orange – some concerns**

2.1.3 **Red – significant concerns**

- 2.2 The top 5 risks are included in the report; further risks and their mitigations can be found in the work plan for each project. The risks are identified and are all actively managed by the PMO office, and the Project Manager assigned to the project. The risks get updated and new ones added when they have been identified. Any new risks that raise concerns will be brought back to Council as an update in the PMO report.

3. Key Highlights from Current Projects

Wastewater Projects

3.1 Marton to Bulls Wastewater Centralisation (Project Manager - Pieter Haasbroek)

3.1.1 A dedicated project group, in close collaboration with RDC, iwi, planners, and specialists, has been diligently working to formulate a comprehensive solution for the current situation. This collective effort is crucial in lodging consent with Horizon Regional Council.

3.1.2 The workshop held on 29 May 2024 went well and all parties provided input into options to solve the problem. Currently the team is busy formulating a longlist of options that will be shortened at the next workshop being held in August 2024.

3.1.3 Consent has been lodged with Horizons Regional Council regarding the two remaining stream crossings.

3.2 Rātana Wastewater Discharge to Land (Project Manager - Pieter Haasbroek)

3.2.1 No updates on Councils discharge and irrigation consent applications have been received from Horizons Regional Council, including the decision whether these applications will be fully notified or not. In May staff received confirmation that the Whanganui based manufacturer of the components needed for the treated wastewater transfer pipe, will honour their price estimate, provided Council commits to ordering this financial year. The Ministry for the Environment have provided an updated draft letter of agreement that will provide sufficient capital to pay for these pipeline materials. The sale and purchase agreement for the additional 4ha needed, due to wetland offset area and storage pond, is close to

final agreement. Comparison of the “depth to groundwater from ground level” for the ground water borehole measurements between June 2023 and June 2024 shows how extreme 2023 was for wet weather:

	23 June 2023	14 June 2024
Bore hole 1	2765mm	4150mm
Bore hole 2	1320mm	2720mm
Bore hole 3	370mm	1880mm
Bore hole 4	770mm	2040mm
Bore hole 5	1990mm	3175mm

3.3 Taihape Papakai Wastewater Pump Station (Project Manager - Pieter Haasbroek)

3.3.1 Final site cleanup and installation of security fencing are complete. Project completion documentation will be finalised by the end of June.

3.4 Taihape Wastewater Treatment Plant Membrane Upgrade (Project Manager - Pieter Haasbroek)

3.4.1 The new membranes have been successful in reducing the e-Coli count from over 24,000 in the pond, down to under 10 at the clarifier outlet. Our contractor Guaranteed Flow Systems Limited (GFS) has been monitoring the upgraded treatment plant and control systems since the membranes were commissioned and have identified a small number of renewals to valves and controls required. These are being carried out given they are critical to ensuring compliance with our discharge consents. There was a recent unauthorised discharge in May where one of these control systems had failed, and this was notified to Horizons Regional Council on a proactive no-surprises approach. One of the final steps to finalising the work by GFS is adding a new inlet screen at the pond, to help preserve the life of the new membranes. A hui has been planned for July to update hapu and iwi leaders.

Water Projects

3.5 Marton Water Strategy (Project Manager - Eswar Ganapathi)

3.5.1 The trial plant was delivered to site on 11 June 2024 and has since been commissioned. This plant should provide a clear picture of the expected outcomes from the new system, in terms of treatment efficacy and the volume and make-up of the waste stream. Staff are yet to get a response from PowerCo on their application for additional power. A technical consultant is required to design how the two bores will work together, including all piping design from the bores to the treatment plant. This appointment is yet to be confirmed. A demolition contractor is expected to be appointed soon. Staff are about 95% ready with the information required for the water take consent application. Staff are waiting for a meeting confirmation with iwi to reassure they are in favour of this consent application.

Community Facilities**3.6 Marton Offices and Library (Project Manager - Eswar Ganapathi)**

The project work plan was approved by Council in May, without amendment. Land contamination investigations are expected to begin by end of June 2024. Archaeological survey works have commenced. Staff are working on a detailed timeline which shows the steps and timeframes of this project, including compiling a list of requirements. This timeline will be shared with elected members, staff and key stakeholders once it has been completed.

3.7 Taihape Grandstand (Project Manager - Eswar Ganapathi)

Council approved staff to proceed with further investigations. Staff engaged a peer review consultant to advise on the proposed seismic strengthening approach. As it turns out, the proposed approach is deemed experimental in nature with not much literature available around it. Not to mention the lack of available project references. Staff deem this approach to be high risk. As such, staff would like to engage the peer review consultant to work out a more reasonable approach. However, whatever approach we take, it will mean some design work to be carried out first. Staff would like to proceed with high level concept design/calculations in order to ascertain the extent of work and in turn the anticipated cost. When the decision to undertake work on the Grandstand comes before Council, all offers that have previously been presented to Council will be included in the report.

3.8 Taihape Town Hall and Library Redevelopment (Project Manager - Eswar Ganapathi)

A work plan is attached (Attachment 1).

4. Miscellaneous**4.1 Scotts Ferry (Project Manager - Pieter Haasbroek)**

4.1.1 Council completed a range of storm water upgrades at Scotts Ferry since 2019. The final project is the automation of the flood pump just upstream of the Scotts Ferry township. The original allowance in the current LTP was for the automation of a diesel engine to switch on and power the existing pump during flood events. In the April 2023 Council meeting, an alternative design was presented to Council for consideration. The alternative design proposed the use of an electric motor to turn the existing storm water pump at Scotts Ferry with an updated cost estimate. Council approved the alternative solution and increased budget.

4.1.2 After detailed investigations with the owner of the pump (a local farmer), it became clear that this will not be achievable due to the unique requirements of the pump that is designed to be used in farming applications and powered by a tractor or similar equipment. The most cost-effective way to resolve this is to revert back to making use of a tractor or similar to power the pump.

4.1.3 The original automation of the existing pump was to resolve two issues of concern with the existing procedures during flood events:

- The operation of the pump is dependent on the local farmer using his own tractor and fuel to power the pump during flood events. There is a risk that either the farmer or his tractor might not be available during flood events.

- Access to the pump is dependent on the water level during any flood event. If the water is too deep the tractor cannot be connected to the pump. There is a risk that the water levels rise during the night and that the farmer is too late to be able to get to the pump.

4.1.4 We propose to purchase a tractor that will be dedicated to the operation of the pump. This has been discussed with the local Scotts Ferry fire fighting group and they support this initiative. A number of the firefighting team members will be trained to operate the tractor and the pump and will be responsible to connect the tractor to the pump during flood events.

4.1.5 We will add an early warning system to alert the firefighting team with enough time to connect the tractor to the pump.

4.1.6 All proposed equipment and training can be completed with existing approved budgets.

4.2 Taihape Hautapu Bridges (Project Manager – Pio Rowe)

4.2.1 Work undertaken during June to the beginning of July included preparation of the site for construction, which includes:

- Site tidy up around the foundations.
- Measuring of ropes for the bridges.
- Building steps and ramps
- Construction team is working with Engineers to test and compact loose soil around Bridge 1 (Old Powerhouse Swing Bridge).
- Construction of bridges will resume mid-July with assistance from the NZ Army.

Attachments:

1. **Taihape Town Hall Library Redevelopment Project Work Plan** [↓](#)
2. **Project Management Office Update - June 2024** [↓](#)

Recommendation 1

That the report 'Project Management Office Report - June 2024' be received.



Making this place home

**Rangitikei District Council
Project · Work · Plan**

Project Work Plan

**Taihape Town Hall and Library
Redevelopment**

Endorsement by Elected Members is sought for:

The Project Work Plan and its method; and that the project team proceeds to implementing the plan.

Project Work Plan Decision: ENDORSED by Council in DECEMBER 2023

Project Sponsor: Gaylene Prince

Project Manager: Eswar Ganapathi

Taihape Town Hall and Library Redevelopment

I. Version control

This document is a living document which will be reviewed regularly as part of the standard project management practice.

The table below outlines the versions and what areas were updated.

Version	Date	Extend of Review	Prepared by	Reviewed by
A	30/11/2023	Original draft	Eswar Ganapathi	Adina Foley
B	07/12/2023	Final draft for Council	Adina Foley	Adina Foley
C	28/05/2024	Procurement process updates	Eswar Ganapathi	Carol Gordon

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Taihape Town Hall and Library Redevelopment

III. Detailed Project Scope Statement – What will the project do and not do?

PROJECT PURPOSE STATEMENT

To redevelop, renovate, optimise and earthquake strengthen the Taihape Town Hall and community facilities, maintaining the iconic historic look of the façade and the location.

PROJECT OBJECTIVES (in order of importance)

- 1) Earthquake strengthen and upgrade the town hall facilities
- 2) Improve the building to meet current structural, fire safety & accessibility code compliance
- 3) Enhance the overall public & staff user experience
- 4) Modify spaces to provide an inviting and flexible experience for a wide variety of facility uses
- 5) Provide meeting/conference facilities to make Taihape a business hub in the region
- 6) Reopen the civic heart of the town
- 7) To actively engage and work with Elected members, Iwi and Hapu, Stakeholders and the wider community to achieve the best outcome for the project within its defined limitations
- 8) To construct and implement the identified and necessary works in an efficient, cost-effective, reliable, and timely manner

PROJECT SCOPE – informed by public feedback workshop

Space	Scope item description	Recommendation by PMO
Investigation & Engagement	Investigate and document the condition of the existing town hall structure	In Scope
	Work with seismic strengthening specialist consultants/contractors to define the improvements required to bring the building to comply with a min. 67-80% NBS	In Scope
	Work closely with elected members and wider community confirming requirements for future proofing the facilities	In Scope
	Conduct separate workshops with community and staff to collect feedback on expected improvements	In Scope
	Identify and form a User Group which will act as the community representative during the design development stages	In Scope
	Ensure regular communication over the duration of the project with all stakeholders including staff, elected members, iwi, interested parties and the community	In Scope
Procurement & Construction	Identify, shortlist and procure design consultants and contractor/s	In Scope
	Ensure seamless handover to property and facilities team	In Scope

Taihape Town Hall and Library Redevelopment

	Manage the construction contract to ensure the project is effectively managed within agreed time, cost and quality parameters	In Scope
<u>General Building Requirements</u>	Building Code Compliance, especially for accessibility and fire safety	In Scope
	Strengthen the building to a minimum of 80%NBS	In Scope
	Power Upgrade if required	In Scope
	Efficient use of spaces with a desire to reduce costs where possible	In Scope
	Remove first floor to reduce complexity of redevelopment and saving costs (retain existing floor space by extending ground floor behind library)	In scope to be an option during design process
	Demolish and rebuild façade to look like it does now, to reduce complexity of redevelopment and saving costs	In scope to be an option during design process
	Efficient heating/ cooling for the whole facility	In Scope
	Flexible area access control	In Scope
	Alarm systems	In Scope
	CCTV system	In Scope
	Accessible parking	In Scope
	Adequate storage facilities in all areas	In Scope
	Good free Wi-Fi connection	In Scope
	Easy access to bathrooms from all areas	In Scope
<u>Auditorium/Main Hall</u>	separate entrance to hall for events outside of open hours	In Scope
	Display screens for presentations	In Scope
	Sound system	In Scope
	Good acoustics	In Scope
	Ability to divide the space into smaller spaces	In Scope
	Improved lighting	In Scope
	Tables and chairs for meetings, events	In Scope
	USB ports?	In Scope
	Pin boards?	In Scope
	Direct access to kitchen	In Scope
	Access to second room (e.g. supper room)	In Scope
<u>Sports in the main hall</u>	basketball/badminton/netball/fitness classes	In Scope
	high ceiling	In Scope
<u>Stage</u>	changing rooms with mirrors, showers and bathrooms and direct access to stage	As they are at the moment, could be relocated if it suits the design
	Fly Tower for quick scene changes	To be checked with user group
	Curtains	In Scope
<u>Learning Hub/ Library / staff area</u>	Weather protection for entrance area	In Scope
	Printing facilities	In Scope
	Flexible shelving – book, cd, DVD, newspaper, games display	In Scope
	Space for activities	In Scope

Taihape Town Hall and Library Redevelopment

	Front desk library / information centre	In Scope
	Exterior books drop off outside of open hours	In Scope
	Open plan layout to oversee the whole library with minimal staff	In Scope
	More natural light	In Scope
	Staff office for 6 people	In Scope
	Separate small staff meeting room for confidential conversations	In Scope
	Separate staff bathroom	In Scope
	Separate staff small kitchenette / lunchroom	In Scope
	Spaces for 5 public computers	In Scope
Meeting rooms incl. chambers and business hub	Various sizes of meeting rooms (minimum 1x for 30 people, a few smaller ones)	In Scope
	Video conferencing facility	In Scope
	Projector & Screens	In Scope
	Water access	In Scope
	Whiteboards	In Scope
Other	Tables and chairs	In Scope
	dedicated youth space	In Scope
	outdoor deck/garden	optional

OUT-OF-SCOPE

- Streetscape around the facility
- Heritage improvements
- Complete demolition and rebuilt
- Landscaping
- Change of location
- climbing wall
- non-slip/sprung flooring
- score board
- Bar
- better use of shed area (more detail is required)

IV. Project Background

On 3 December 2021 Council received a series of Detailed Seismic Assessments for some of Council’s buildings. The Taihape Town Hall received a rating of 10% NBS, which is a Grade E and equates to a very high risk to life-safety more than 25 times the risk relative to a new building. The decision was made to close the building for move staff out of the facility with immediate effect.

As an interim measure, the library was relocated to the BNZ building at the intersection of Hautapu Street and Tui Street in Dec 2021. The library and the staff have been operating under less than ideal conditions for the past two years. There have been numerous cries from the public and staff to kickstart the redevelopment works and to move back into a space that they have built an emotional connection with over a very long time.

Taihape Town Hall and Library Redevelopment

Council included costs for the refurbishment of the Taihape Town hall within the 2021-31 LTP. Council approved the new budget of up to \$14million, broadly outlined as Option 1 in the key choices section of the annual plan 2023-24 consultation document. Council will receive \$1,883,000 from better off funding towards the project as offset to this budget. There are just two milestones specified for the BOF component of this project:

- Investigation and design with forecast completion by 31 December 2024 (for which \$250,000 of BOF has been allocated)
- Project commencement of potential refurbishment/new build with forecast completion by 31 December 2025 (for which \$1,633,000 has been allocated)
- The end date (specified in the Variation Agreement signed 7 July 2023) is 30 June 2027. This provides scope to extend the completion date noted above

V. Project Approach

A public feedback workshop was conducted by The Integral Group Limited (TIGL) on 3rd October 2023 in Taihape to gather valuable input with regards to the future requirements of the Town Hall and what the priorities are. A sizeable amount of the community turned up for the event and made it a worthwhile exercise. We have since reviewed and collated all feedback from the community into a report. It is to be noted that a section of the community was in favour of a complete new-build (with re-erecting the same iconic façade) if it can be achieved with lesser cost and far greater certainty than trying to repair and retain the existing façade.

We have also had a separate feedback session with the staff in Taihape. Feedback gathered from these two sessions have largely been used to gauge the expectations from the staff and community and further helped in formulating the scope document for the project which are outlined below.

The key functions required in the upgraded facility have been identified and broad requirements for each of these spaces have been defined.

There are two main areas to be considered:

- **Auditorium/Main Hall** – the requirements are formed keeping in mind that this space shall be used for a wide variety of uses broadly classified under Community Events, Family Events, Exhibitions, Community Hub, Council Events, various Clubs and Sports
- **Learning Hub / library / offices** – this space is used for a large variety of activities, including but not limited to library users, youth, computer access, Wi-Fi connection, information services, business users, group meetings, play groups, hobby groups etc.

A community user group has been formed by Council staff as a representation of the community groups that use the facility. The Council had to consider a mix of individuals including current and possible future users of the Hall and determine an appropriate size for the user group. The purpose of the user group will be to act as the voice of the community and facility users providing feedback during the design development phase around usability of the design. We expect their involvement to end when the design is completed. During the construction phase, progress updates at frequent intervals will be shared. Ultimately, the decision on design will rest with the Council.

VI. Procurement approach

A procurement strategy workshop was conducted in November 2023, to brainstorm and identify the best possible approach to selecting and engaging the required technical consultants and contractors for the project.

Taihape Town Hall and Library Redevelopment

The core parts of the procurement include:

- earthquake strengthening and structural construction
- design and professional services
- general construction and trades for the facility

Compared to a new-build on a greenspace, this project has a higher level of complexity such as unknown site/ground conditions, unknown structural conditions once work starts, reuse of existing layout, condition of electrical wiring, water, and wastewater pipe conditions, etc.

These challenges need to be carefully considered in our procurement approach. The RDC procurement policy's intent is to give a fair chance to companies in the market, to make sure council received best value for money, to allow for innovation and futureproofing in our design and to spend public money wisely.

The procurement policy allows staff to investigate innovative ways to approach the procurement of specialists and experts where there is a very limited options in the market and where the open tender process may not be the best approach to get good responses which are value for money.

The following are important considerations for a most efficient and practical engagement of the most suitable experts for the best possible project outcome:

- Specialist knowledge is required for the strengthening component of the scope
- There are no local commercial grade larger construction firms located in Taihape
- There are limited sub-contractors located in Taihape (e.g. plumbing, electrical, hydraulics etc.)
- The current market is still stretched, and a lot of construction and consultant companies are quite booked up which can result in poor tender responses
- A collaborative approach between design and construction results in more efficient construction and easier buildability, further can increase flexibility around changes when the work has started (e.g. when conditions of the current structure or the site are less optimal than expected)
- Early contractor involvement would also help to reduce risks for all parties involved and more accurate construction cost estimates

All the above considerations are crucial to reduce costs and shorten construction timeframes where possible.

A. Required Suppliers

- Professional Services:
 - o Seismic Strengthening Specialist
 - o Geo Tech Engineer
 - o Structural Engineer
 - o Mechanical Engineer
 - o Hydrological Engineer
 - o Lighting / Sound Engineer
 - o Independent QS
 - o Architect
 - o Fire Engineer
- Structural strengthening Expert
- Construction Contractor:
 - o Main Contractors
 - o Sub Trades:
 - Roofer
 - Carpenter
 - Plumber



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- Electrician
- Painters
- Ventilation & Heating

B. Early Contractor Involvement (ECI)

NZ Government Procurement shares the following guidelines around ECI:

<https://www.procurement.govt.nz/assets/procurement-property/documents/early-contractor-involvement-construction-procurement.pdf>

Early contractor involvement (ECI) is an approach to contracting that can complement either a traditional or novated design and build delivery model.

ECI can be used to gain early advice and involvement from a contractor into the buildability and optimisation of designs. It's suited to large, complex or high-risk projects because it affords an integrated team time to gain an early understanding of requirements, enabling robust risk management, innovation and public value.

ECI usually takes the form of a two-stage approach to tendering.

- First stage tender

The first stage tender documents should contain sufficient project information to enable tenderers to submit a tender response which will typically include:

- construction methodology, programme, and approach to the project including sub-contractor management and health and safety
- a response on how realistic the client's budget ceiling is and initial thoughts on achieving this
- identification of initial risks and opportunities for design and construction
- proposals for working with the design team to provide buildability, value engineering and supply chain input to the development of the design to achieve the budget ceiling specified for the project
- details of the proposed project team, both for the second stage tender process and during construction
- fixed preliminaries (site running costs) and fixed margin (covering off site overheads and profit)
- schedule of rates for common building elements (where there is sufficient information to develop this)
- pre-construction services fee for providing input to the design and tender services during the second stage tender process (unless specified by the client).

The first stage tender documents should provide early design information (e.g., concept or preliminary) and an indication of the client's budget limit. The documents should also include a pre-construction services agreement (PSA) detailing the services required to be provided by the contractor during the second stage tender, e.g., buildability, value engineering and supply chain advice, and input to the design and tendering services.

The PSA will usually state that contract award will be conditional upon:

- satisfactory performance of the contractor during the second stage tender
- the contractor providing full cost transparency to the client through an open book approach
- agreement of a contract sum that is acceptable to the client (in public value terms), is below the specified cost ceiling, and without qualification.

Where the specified conditions are not met, the PSA will typically provide the client with the right to

Taihape Town Hall and Library Redevelopment

go back out to the market for tender. This ensures that competitive tension is maintained throughout the tender process. Where the contractor is not awarded the contract, it will be paid for its services in accordance with the PSA, to avoid any potential disputes over intellectual property.

Following the evaluation of the first stage tender proposals, a preferred contractor is appointed through execution of the PSA to go forward to the second stage tender process.

- Second stage tender

The second stage tender will involve the contractor working with the design team to provide input to the design and develop its tender price on an open-book basis in line with the PSA. The second stage tender will conclude upon award of contract, or when the client notifies the contractor that it will not be awarding a contract due to certain conditions of the PSA not being met.

For a traditional delivery model, the client and contractor will jointly agree how the project is to be split into work packages. Once the design is complete for each package, the client and contractor will jointly tender each package to the market on an open-book basis. Once the client is satisfied that the packages represent public value and are within budget, the contractor is awarded the contract to proceed to build, typically based on a lump sum fixed price.

For novated design and build delivery models, the contract sum is essentially arrived at through a process of negotiation since the design will not be complete at the time of contract award. To ensure competitive tension, the process of negotiation is made on an open-book basis where the contractor's cost build-up for the project is fully transparent to the client's cost consultant. These costs can be subject to market testing to ensure that the total cost of the project represents public value. The contract may be awarded based on a lump sum fixed price where the client wants little or no involvement in the design process and is willing to accept the risk premium that comes with design and build. Clients that want to be involved in a more collaborative arrangement with the contractor and its design team during the design phase to share any savings made through innovation in design, may choose to adopt a guaranteed maximum price arrangement.

C. Design and Build Delivery Model

<https://www.procurement.govt.nz/assets/procurement-property/documents/design-and-build-delivery-model-construction-procurement.pdf>

In the design and build delivery model, the main contractor takes on the responsibility for both the design and construction.

The client develops the functional and technical performance requirements for a facility and this information is used in the tender process, to invite contractors to submit proposals for design and construction. Except for relatively simple, straightforward projects, design and build projects typically require a comprehensive set of requirements documents to ensure that the completed facility meets the client's expectations.

Benefits of integrated design and construction processes Design and build can provide certainty in cost, and cost benefits. Integration of the design and construction processes means value-for-money decisions can be optimised, since aspects of buildability will be key factors in design decisions. The design team can work with the contractor to consider the costs of constructing the range of proposed design solutions.

The contractor will also be able to bring their expertise, and that of the supply chain, to work with the design team in developing innovative design solutions that maximise project benefits. They may, for example, specify alternative products that meet the same performance requirements that the design team are looking to achieve, or source alternative products that have shorter lead times for delivery to speed up the programme.

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Speed of delivery

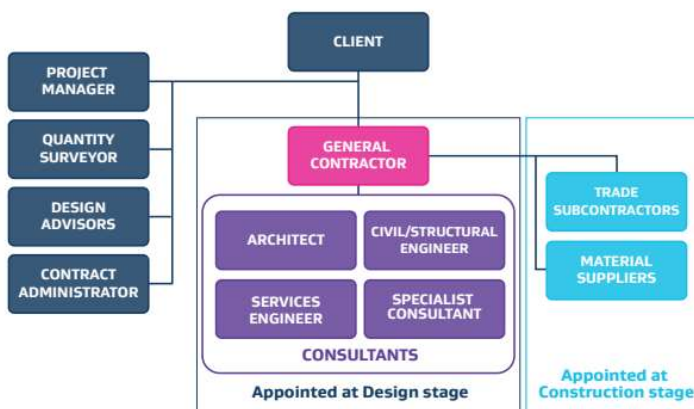
Design and build can enable an earlier on-site start date and an earlier completion date when compared to a traditional delivery model, through overlapping design and construction activities. However, compared to a traditional delivery model, extra time will be needed at tender stage. This includes sufficient time allowances for tenderers to prepare proposals for the design, and sufficient time allowances for the tender evaluation team to review and evaluate proposals, and to seek clarifications from tenderers.

Level of design information provided at time of tender

The level of design information provided to the contractor at the time of tender will influence the contractor’s

Design and build delivery model contractual relationships

This diagram shows a typical contractual arrangement for the design and build model.



ability to realise the benefits a design and build delivery model is intended to bring. Tendering near-completed designs is not good practice. It limits opportunities for innovation and is likely to result in significant risk pricing as the contractor seeks to cover its risks for taking on responsibility for a design developed by others. Clients that use the design and build delivery model in this way are primarily using it as a way of transferring most of the project risk to the contractor, while limiting the contractor’s scope to manage this.

D. Critical touch points with Council & Taihape user group

- Staff have prepared a tender evaluation report for Council consideration, which identifies a preferred vendor along with a reserve vendor.
- Staff shall proceed to enter into a contract with the vendor chosen by the Council, initially for the design development phase.
- Staff shall organize a design workshop with user group where the chosen vendor shall take feedback, which in addition to the agreed scope shall form part of the design concept development.
- Staff shall provide regular updates to Council & user group during the concept design stages.
- **Staff shall present the Concept design along with preliminary cost estimates, for Council endorse**
- If the contractor is unable to produce a design solution within budget, staff may choose to end

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- the process and enter into an agreement with the reserve vendor.
- Once the concept design is endorsed, staff shall then allow the contractor to proceed with detail design development.
- Staff shall continue to provide regular updates to Council and user group during this phase
- **The detail design once completed shall then be presented to the Council for endorsement along with detail cost estimates. In the event, the budget constraints aren't met, Council reserve the right to either re-evaluate scope, increase budget or shelve the project.**
- If endorsed, staff then proceed to enter into a construction contract with the contractor.
- Staff shall continue to provide periodic updates to Council.

VII. Project Constraints and Priority

The Theory of Constraints (TOC) was originally developed by Israeli businessman, Eliyahu M. Goldratt. The central idea is that there will always be at least one component in any system that will constrain or slow down processes. It is along the lines of the saying, "A chain is only as strong as its weakest link."

The three most common constraints are scope, time, and cost. Together, these three constraints are known as the Triple Constraint. One of these constraints cannot be changed without impacting the other two. So there needs to be a way to balance and prioritise these three.



Scope: The scope should be well documented and clearly communicate what will and won't be included in the final product to reduce scope creep.

Time: The timelines need to be realistic. To create a realistic schedule, it is essential to look at the resources available, team member skills, and the amount of time it took to do similar tasks in a past project.

Cost: Every project has a budget. It is an estimate what the project will cost by analysing previous projects. If resources and time are limited, the budget needs to be adjusted to avoid overages.

For every project, it must be defined whether scope, time, or cost is most important. Then the other two constraints need to be aligned. For example, if the deadline is the highest priority and can't be moved, then cost and scope need to be adjusted to reflect what can be accomplished within the time constraint.

For this work plan the focus is on the main three constraints, **scope, time & cost**. These must be prioritised and labelled with either of the following (each one can only be used once):

- Must Meet
- Within acceptable limits
- Optimise

Constraint	Priority	Description	Metrics
Cost	Must Meet (suggestion by PMO)	Council approved up to \$14million in the annual plan 2023-24 consultation. Council will receive \$1,883,000 from better off funding towards the project as offset to this budget.	Total project spend to be less than \$14,000,000, ideally significantly less

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Time	Within acceptable limits (suggestion by PMO)	Timelines mentioned in the Better-Off Funding to be met.	Design Completion by 31 Dec 2024 Project Completion by 30 June 2027
Scope	Optimise (suggestion by PMO)	Identified via feedback workshops	

Other constraints that can be considered:

Quality: The quality constraint is closely related to the Triple Constraint. Any change to scope, time, or cost might impact product quality. A change in quality expectations affects the project’s scope, time, and cost.

Risks: Every project comes with risks. To manage risks as a constraint, a range of responses to potential risks that customers and stakeholders will tolerate needs to be defined.

Benefits: The projected benefits help to justify costs, resources, scope, and time needed to complete the project.

VIII. Council Resolutions

The following Council resolutions have been made in relation to this project:

Resolved minute number 22/RDC/037	That considering the closure of the Taihape Town Hall due to an unfavourable seismic assessment, Council approves starting the Better Business Case analysis on the Taihape Town Hall Development in the 2021/22 financial year instead of waiting for year 4 as currently scheduled in the 2021-31 Long Term Plan. Cr C Raukawa/Cr G Duncan. Carried
Resolved minute number 22/RDC/069	That Council confirms that all three Northern Ward Councillors be appointed to assist the development of the Taihape Town Hall Development Business Case, using the Better Business Case model. HWTM/Cr G Duncan. Carried
Resolved minute number 23/RDC/076	That Council agree to reject the unsolicited offers to earthquake strengthen the Taihape Town Hall/Civic Centre and the Taihape Memorial Park Grandstand at this time. Cr D Wilson/Cr J Calkin. Carried
Resolved minute number 23/RDC/172	That Council approves the new budget for the Taihape town hall/civic centre, broadly outlined as option 1 in the key choices section of the consultation document, of up to \$14 million noting that Council is likely to receive \$1,883,000 for better off funding towards the project included in this budget. HWTM/Cr J F Wong. Carried
Resolved minute number 23/RDC/173	That Council directs staff to focus on the completion of this project ahead of the Marton civic centre and starts the design process as from 1st July 23 which is earlier than planned in the long term plan 2021-2031 HWTM/Cr S Loudon. Carried
Resolved minute number 23/RDC/173	That Council directs staff to focus on the completion of this project ahead of the Marton civic centre and starts the design process as from 1st July 23 which is earlier than planned in the long-term plan 2021-2031 HWTM/Cr S Loudon. Carried
Resolved minute number 23/RDC/174	That prior to preparing tender documents the council engages with key users of the Taihape Town Hall and civic centre to clarify community needs regarding the design. Cr G Duncan/Cr J F Wong. Carried

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Resolved minute number 23/RDC/175	<p>That the design process calls for tenders to provide for the following elements</p> <ul style="list-style-type: none"> I) Earthquake strengthening of the town hall civic centre II) To meet compliance issues for the strengthened building III) To provide for efficient heating IV) To meet current fire standards V) To provide for power upgrade VI) To consider users expectations re design <p>Tenders will be considered for all or individual elements of the design. HWTM/Cr G Duncan. Carried</p>
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IX. Stakeholders, Roles & Responsibilities

A. Stakeholder Register

Stakeholder	Influence (high / low)	Interest (high / low)	Requirements	Concerns	Strategies for Gaining Support
Elected Members RDC	H	H	<ul style="list-style-type: none"> ✓ Approve Budget and procurement ✓ Endorse Project Work Plan ✓ Receive updates on progress ✓ Decision making power 	<ul style="list-style-type: none"> ✓ Financial ✓ Regulatory Compliance ✓ Cultural ✓ Environmental ✓ Reputation 	<p>Regular updates on progress and next steps</p> <p>Seek advice and expert knowledge to overcome issues which might arise throughout the project.</p>
Rangitikei District Council	H	H	<ul style="list-style-type: none"> ✓ Compliance ✓ Consenting Authority 	<ul style="list-style-type: none"> ✓ Regulatory Responsibilities ✓ Building Code Compliance 	<p>Regular Updates</p> <p>Seek feedback on approach or planning</p>
RDC Property Team	H	H	<ul style="list-style-type: none"> ✓ Operation of Town Hall and Library 	<ul style="list-style-type: none"> ✓ Ease of operation ✓ Low maintenance ✓ Ability to manage the building with minimal staff 	<p>Seek input from operations for best outcome</p>
Community	H	H	<ul style="list-style-type: none"> ✓ Efficient outcome ✓ End user requirements 	<ul style="list-style-type: none"> ✓ Emotional connection ✓ Financial ✓ User friendly 	<p>Feedback discussion during design development and periodic updates during execution</p>
Media	L	L	<ul style="list-style-type: none"> ✓ Sensitivity around wastewater 	<ul style="list-style-type: none"> ✓ Cultural ✓ Environmental 	<p>Regular Updates</p>

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Town Hall User Group	H	H	✓ Seeking feedback on requirements from various groups ✓ Ongoing feedback to and from	✓ Useability of the spaces	Regular meetings Regular updates on progress
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B. Project Team

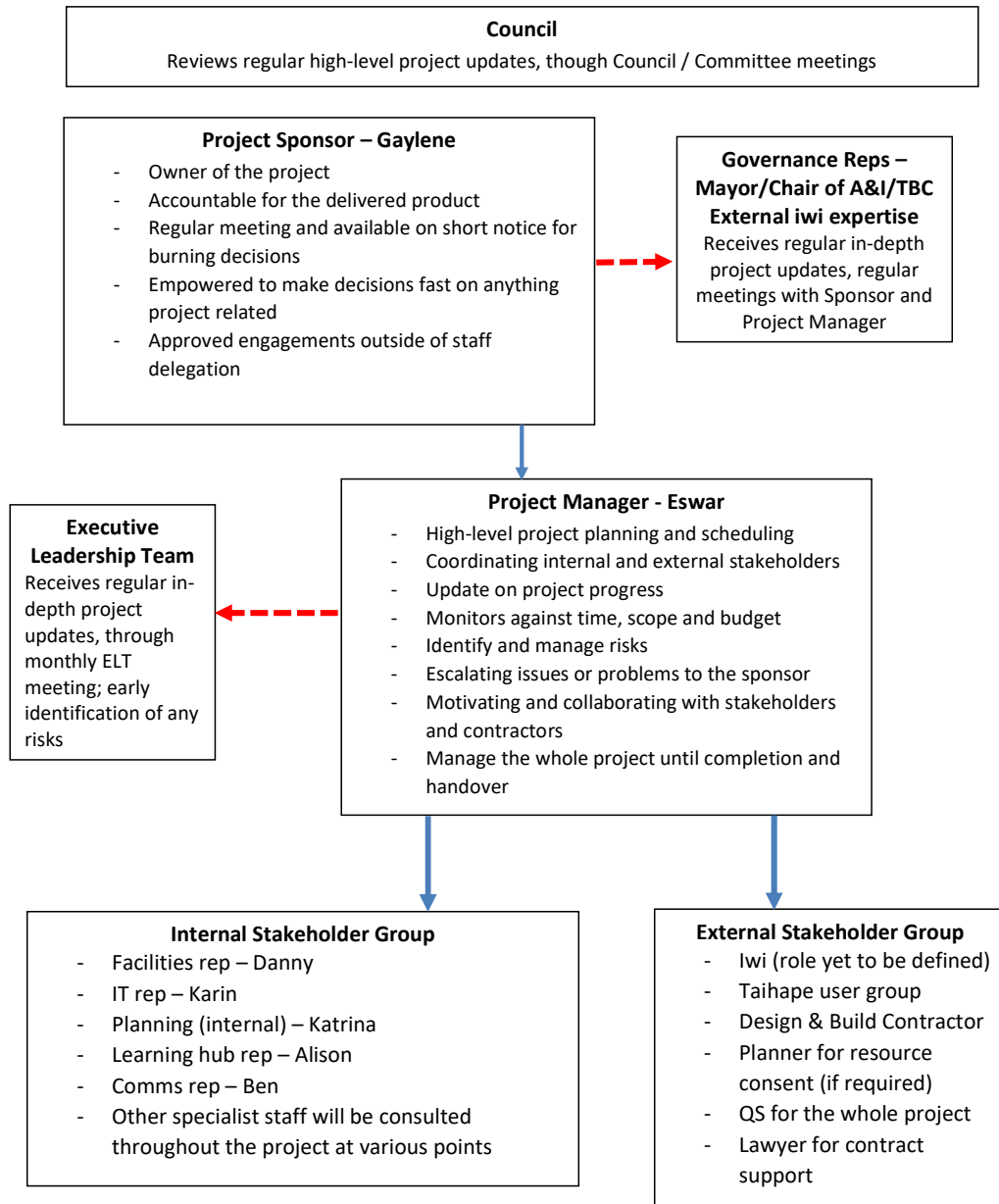
Name	Project Role (e.g. Sponsor, Project Manager, Designer etc.)	BAU Role
Gaylene Prince	Project Sponsor/ Internal client	Group Manager Community
Adina Foley	Project Director	Group Manager Capital Projects
Eswar Ganapathi	Project Manager	Senior Project Manager
Dianne Ritter	Project Assistance	Project Coordinator
Rhonda Morris	Communications	Communications Manager
TBC	Fire Engineering Expert	
TBC	Design Expert	
TBC	Construction Contractor(s)	
RDC operations Team	Final operational delivery	RDC operations Team (through shared Service)

C. Project Team Charter – How will the people working on the project work together? What are the protocols for decision-making, conflict resolution and meetings?

Who is client / customer for the project?
Council as an entity, Iwi, Community and other stakeholders with interest in the redevelopment of the Taihape Town Hall and Library.
Project Team Meeting Protocols
<ul style="list-style-type: none"> ✓ Weekly Project Team Meetings ✓ Monthly Project Control Group Meetings ✓ Monthly updates to council via PMO report ✓ Bi-monthly updates to the Assets and Infrastructure Committee via PMO report ✓ Project Manager to take actions and complete actions. ✓ Other meetings as required to enable the successful delivery of the project works.

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X. Project Structure



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XI. Budget

Item	Value	% Confidence in estimate
Funding		
Rangitikei District council	\$12,117,000	100%
Better Off Funding	\$1,883,000	100%
Total Funding	\$14,000,000	100%
Costs Estimates (will be more defined throughout the project)		
Professional Fees & Project Management	\$2,140,000	25%
Fit Out (FFE / IT /AV)	\$850,000	25%
Consenting	\$110,000	25%
Construction (incl. external, site services, contingency)	\$7,672,000	25%
Miscellaneous	\$250,000	25%
Contingency and Cost escalation	\$2,978,000	25%
TOTAL	\$14,000,000	25%

XII. Timeline

The overall program for the project is for all works to be completed and operational before December 2026.

Project Activities	Timing
Complete Project Work Plan	November 2023
Council endorsement	November 2023
Identify procurement strategy	January 2024 – February 2024
Tender Process	March 2024 – May 2024
Recommendation report to Council	June 2024
Design & Build Contractor Award	Jul 2024
Design Development (Includes engaging with user group)	Jul 2024 – May 2025
Building Consent	May 2025 – Jul 2025
Construction	Jul 2025 – Mar 2027
Handover to Property Team	Mar 2027 – May 2027

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XIII. Risks

Probability / Impact / Ranking rated as: **Low** | **Medium** | **High**

Risk Response: Accept | Transfer | Mitigate | Avoid

Risk	Probability	Impact	Ranking	Risk Response	Actions
Structural uncertainties of the façade due to unknown details of existing fabrication	High	High	High	Avoid	Demolish and re-build façade in light weigh material
Structural uncertainties of whole building	High	High	High	Mitigate	Early appointment of seismic strengthening & structural specialists
Cost overrun	Medium	High	High	Mitigate	Early structural investigations by specialists and adoption of solutions and methods which reduce complexity, focus on scope
Unrealistic expectations and suggested requirements	Medium	Medium	Medium	Mitigate	Manage user expectations through clear messaging and regular updates, avoid scope creep
First Floor area adding complexity and cost to earthquake strengthening, fire proofing and accessibility	High	High	High	Avoid	Remove first floor and extend ground floor behind library instead
Divide within user group with competing requirements	Low	Low	Low	Transfer	Focus largely on their individual area of expertise while providing feedback
Lack of local large scale construction expertise in Taihape	High	High	High	Mitigate	Early contractor involvement (ECI) model of procurement

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XIV. Communication Plan

Stakeholders	Updates on any developments
Key Messages (To Tell & Listen For)	<p>RDC acknowledge the work and feedback from the community for this project.</p> <p>RDC values the feedback from the community and will regularly engage with the user group that was put together by staff.</p> <p>RDC will redevelop the existing building, in the location where it is now, as efficiently as possible.</p> <p>Staff will be actively working on methods to reduce costs throughout the project.</p> <p>The building’s iconic look will be maintained by either restoring the façade or rebuilding the façade with the same look it has now.</p> <p>RDC acknowledges that currently having this significant building closed is challenging for the community and staff will work on the completion of the redevelopment, expediting it where possible.</p> <p>This project is a priority for RDC and has dedicated project support and a significant budget.</p>
Tone & Manner	<p>Professional</p> <p>Open to advice and collaboration with stakeholders</p>
Communication Method	Email, Phone, council reports, face to face, regular meetings
Actions	Completed with urgency
Responsible	Project Team

XV. Issue Log

Date	Issue	Action

Project Name	Project Summary	Project Lead	Est Start Date	Est Finish Date	Health/ Safety	Programme	Cost	Quality	Top 5 Risks	Project Budget	Actual Spend to date	Iwi Consultation	Key Tasks Completed	Next Steps (June Update)
Wastewater														
Marton to Bulls Wastewater Centralisation	The purpose of the project is to improve the current Marton and Bulls wastewater network to become efficient, effective, and reliable wastewater collection, treatment and disposal services in a culturally sensitive and environmentally responsible manner that meets evolving regulatory requirements and ongoing sustainable compliance. The Marton to Bulls wastewater centralisation scope includes the construction of a wastewater pipeline from Marton Wastewater Treatment Plant to Bulls Wastewater Treatment Plant, development of best practical option for the discharge, consenting, upgrades of the treatment plants at Marton and Bulls if required.	Pieter Haasbroek	Oct-20	Jun-28	No concerns to date	There is urgency around the delivery of the project. This project will span over numerous years due to its complexity.	The budget is \$25m, however it is not possible yet to put confident costs against all the components of the project. There is a general expectation that the project will cost more than the current budget. Further budget is included in the current Long Term Plan preparations.	No concerns to date.	1. Infringement notices, fines or Court Order by Horizons until project is completed due to slow progress 2. Unrealistic Expectations of what can be delivered 3. Budget not sufficient for scope 4. Land not available (if land discharge) 5. Long consenting periods & unrealistic consent conditions	\$25,000,000.00	\$12,008,101.66	Ongoing meetings set up with iwi. Iwi is a partner in this project.	Pipeline construction is mostly completed, except for three crossing which need to be designed, consented and implemented. Project Management delivered by PMO. Planner has been engaged. Consenting pathway and timeline endorsed by RDC and Horizons.	The project group, which is a collaboration between RDC, IWI, planner and specialists, is meeting regularly. Work is being continued on design for remaining three stream crossing for the pipeline. Foundations to be confirmed following major delays from the Geotech investigation and build cost to be determined in the next 3-4 months. Further specialists for the consenting pathway have been engaged. A workshop looking at the long list of options will be held in May which is an essential next steps for the consenting process.
Rātana Wastewater discharge to land	This project is a collaborative effort involving local iwi, RDC, HRC and the community of Rātana, and is partly funded (13.4%) by Ministry for the Environment (MfE). The project is to remove treated effluent from Lake Waipu and to dispose of it to land. The project started on 1 July 2018 with an agreement with the Ministry for the Environment (MfE) and has an estimated duration of 5 years. Construction will need to be completed by December 2024. The scope of this project includes purchase of land for disposing of treated wastewater (instead of discharge to Lake Waipu), the installation of irrigation equipment and an upgrade of the existing Rātana Pā wastewater treatment plant.	Blair King	Jul-18	Dec-24	No concerns to date	Construction will need to be completed by December 2024 which is not likely to be achievable since the consent is now awaiting Horizon's assessment.	The budget has been increased in September 2023. However the longer the consent approval takes the more likely are cost increases due to inflation.	No concerns to date.	1. Tight timeframe to complete project by December 2024. 2. Unknow if consent will be public or limited notification. 3. Unforeseen requirements/ consent conditions for RDC. 4. The approved budgets might not be sufficient to cover the full cost. 5. Funding by MfE is linked to milestones, if the project is delayed there is a chance of funding loss.	\$6,532,000.00	\$1,249,658.23	Regular meetings and updates via email / through hui. Iwi is on board with the project and its approach and supports the irrigation to land option.	Land has been found and purchased (an extra 4ha is in the process of being purchased). Resource consent has been lodged.	No updates on Councils Discharge and Irrigation consent applications have been received from Horizon Regional Council, including the decision whether these applications will be fully notified or not. Staff have received confirmation in May 2024 that the Whanganui based manufacturer of the components needed for the treated wastewater transfer pipe, will honour their price estimate provided if Council commits ordering this financial year. Ministry for the Environment have provided an updated draft letter of agreement that will provide sufficient capital to pay for these pipeline materials. The sale and purchase agreement for the additional 4 ha needed due to wetland offset area and storage pond is close to final agreement. Comparison of the "depth to groundwater from ground level" for the ground water borehole measurements between June 2023 and June 2024 shows how extreme 2023 was for wet weather.
Taihape/ Papakai wastewater pump station	Design and construction of a new wastewater pump station and rising main. Includes upgrade to power supply.	MDC	Jan-23	May-24	No concerns to date.	No concerns to date.	No concerns to date. Well within approved budget and a lot of the contingency is not spent or committed to date.	No concerns to date.	1. Delays due to bad weather or supply chain challenges. 2. Poor communication to residents affected by road closures.	\$6,358,184.18	\$4,642,690.95	Updates via email and irregular meetings.	Entire system is now operational with RDC operators in control. Commissioning on 16th April went well and there have been no unforeseen issues.	Final site tidy up and security fencing is in progress. Project completion documentation.
Taihape Wastewater Treatment Plant Membrane Replacement	The resource consent for the Taihape Wastewater Treatment Plant is still valid until 2027, but due to significant non-compliance on volume and quality, staff have started a small project to replace the existing membranes. There is a separate project ongoing determining the best consenting pathway.	Blair King / Pieter Haasbroek	Dec-23	May-24	No concerns to date.	No concerns to date.	No concerns to date.	No concerns to date.	No concerns to date. The work is mostly completed.	\$1,139,337.00	\$988,456.49	Irregular meetings and email updates with iwi.	Most of the work required for the Membrane replacement has been completed.	The new membranes have been successful in reducing the e-Coli count from over 24000 in the pond, down to under 10 at the clarifier outlet. Our contractor Guaranteed Flow Systems (GFS) Limited has been monitoring the upgraded treatment plant and control systems since the membranes were commissioned, and have identified a small number of renewals to valves and controls required. These are being carried out given they are critical to ensuring compliance with our discharge consents. There was a recent unauthorised discharge in May where one of these control systems had failed, and this was notified to Horizons as a proactive no-surprises. One of the final steps to finalising the work by GFS is adding a new inlet screen at the pond, to help preserve the life of the new membranes. A Hui has been planned for July to update Hapu and Iwi leaders. (Arno – do you want to provide an update on the I&I or Large Dam classification given these will likely come up as part of the Hui in July)

Project Name	Project Summary	Project Lead	Est Start Date	Est Finish Date	Health/ Safety	Programme	Cost	Quality	Top 5 Risks	Project Budget	Actual Spend to date	Iwi Consultation	Key Tasks Completed	Next Steps (June Update)
Wastewater														
Water (Drinking)														
Marton Water Strategy	The Marton Water Strategy has been developed with a new bore as its foundation to replace the current source for potable water for Marton. It includes: - Construction of new raw water bore - Design of treatment plant refurbishment and consenting - Upgrades to existing treatment plant Once all the project is completed, Marton will be provided with pleasant tasting and smelling potable water that meets the NZ Drinking Water Standards. Staff will look at options for the use of the dams once Marton is drawing water from a bore. This will include looking at restoring flow to the Tutaenui Stream. All work is expected to be completed by the end of 2024.	Eswar Ganapathi	Jun-22	Dec-24	No concerns to date.	Completion is expected in late 2024 - mid 2025. Further scope components need to be specified before a final total project budget can be confirmed.	No concerns to date.	No concerns to date.	1. Long consenting periods & unrealistic consent conditions 2. Challenges in the engineering consulting market making it difficult to secure contract for design in a timely manner 3. Cost overrun due to market escalations 4. Water take restrictions imposed by consent 5. Complexities of the treatment process pushing out budget	\$11,000,000.00	\$2,098,634.26	Initial discussion held with iwi, who are supportive of this alternative water source. Waiting for	BORE only - Physical works complete, practical completion issued, and Assessment of Environmental Effects report received.	For the Bore component of the project MDC will issue a close out report by June 2024. Decision on bore casing storage/sale to be made. Stantec report is now finalised. Staff are working with a lawyer to prepare the contract agreement which is in the draft stages. A request for additional power has been lodged with PowerCo - awaiting a response. Electrical contractor has been engaged and the main switchboard has been ordered. Trial plant is now delivered and commissioned. Water samples will be tested regularly for system effectiveness. In addition, waste stream will also be tested to identify its make-up. Staff are in the process of engaging a design consultant to design how the two bores interact with each other along with the pump design for the new bore. Demolition contractor to be engaged on priority. Staff had their first meeting with Iwi on 16 May 2024. Staff are waiting for Iwi to confirm a meeting request sent to them. The consent application for water intake is expected to be launched by end of June 2024.
Storm Water														
Scotts Ferry Pump	Automation of existing stormwater pump at Amon drain, Scotts Ferry.	MDC / Pieter Haasbroek	Nov-20	unknow	No concerns to date	Slow progress, completion expected by May 2024.	No concerns to date	No concerns to date	1. Costs have been approved, there is always a risk of cost overruns. 2. Delays to the timeframes due to bad weather. 3. Ownership of pump and land	\$298,424.11	\$105,665.59	No interest	Alf Downs constructed the Generator building, and Generator installed. Construction is currently "on hold" for RDC concerns and automation issues	Project ON HOLD. RDC will speak with Scotts Ferry Volunteer Fire Department to operate the pump station if needed and will use a Tractor instead of automation.
Community Facilities														
Taihape Grandstand Restoration	The scope of this project is the detailed design of the endorsed strengthening concept design for the Taihape Grandstand. Design has been completed for the strengthening of the Grandstand. \$1m was allowed for the Grandstand in the 2021 LTP. Current projections of project costs are estimated to be well above committed budget. Therefore, additional funding will have to be secured or alternative options for strengthening will need to be considered.	Eswar Ganapathi	Oct-20	unknown	No concerns to date	Project scope has not yet been confirmed	\$1m budget for the Grandstand with costs estimates over \$2m.	Project scope has not yet been confirmed	Project scope has not yet been confirmed	\$1,000,000.00	\$250,870.18	Important to engage with Ngāti Tamakopiri.	Report to Council in September outlining project costings and strengthening design. Grandstand has been listed as heritage building.	Council directed staff during the Nov 2023 Council meeting to undertake further investigations to re-confirm some of the structural assumptions made with respect to the seismic strengthening aspects. After much deliberation, the structural consultants have proposed further steps that take about 4-8mths to complete. Staff arranged for a peer review of this proposal. Staff have since requested the peer review consultant to prepare a more tested solution (without budget being a constraint) so that they can advise the community how much funding they may need to raise (if required). Offer of service received from peer review consultant. Staff will have to undertake a concept design to determine the best possible approach.
Marton New Offices and Library	The current Council civic buildings in Marton are earthquake prone and are required to be strengthened to meet government legislation. In December 2023, Council has made the decision to start the design process to build a new structure at 46 High Street for the RDC main offices and Marton library. This also will include a new Civil Defence Shed next door to the offices. Key requirement for this structure is to be fitting into the existing budget.	Eswar Ganapathi	TBC	TBC						\$19,000,000.00	\$526,622.56	Staff have and will continue to engage with iwi.	Decision to move forward with a new Marton Office and Library at 46 High Street was made by Council in December 2023.	Peer review on the cost estimate provided by architect is now complete. Staff have completed the procurement process for a QS for the project. Project work approved by council without any amendment. Planner has been engaged. Land surveyor, archaeologist and land contamination expert have been engaged. Independent urban review and traffic impact assessment to follow soon. Archaeological sruvet underway. Testing for soil contamination scheduled for 20 June 2024.
Taihape Town Hall and Library Redevelopment	Council included costs for the refurbishment of the Taihape Town Hall within the 2021-31 LTP. Since the LTP was adopted, the Town Hall and Library has been closed due to the earthquake risk posed to staff and the public. Council approved the new budget for the Taihape town hall/civic centre, broadly outlined as option 1 in the key choices section of the annual plan 2023/24 consultation document, of up to \$14 million. Council will receive \$1,883,000 from better off funding towards the project as an offset to this budget.	Eswar Ganapathi	2024	Dec-27	No concerns to date.	No concerns to date.	No concerns to date.	No concerns to date.	1. Long design process 2. Cost overruns 3. Challenging construction as typical with renovations 4. Finding a suitable main contractor 5. Managing stakeholder expectations	\$14,000,000.00	\$283,596.36	Iwi were an active part of workshop panel. Staff will continue to engage.	Public feedback workshop was held in Taihape in October 2023. The user group has been formed by RDC staff and will be updated throughout the process. The ROI received good interest with 12 submissions.	The evaluation team interviewed all 4 parties to go through their RFP submissions on 10 Apr 2024. Staff met with the User Group on 6 Mar 2024 to update them on the progress. The high level concept sketches from the architect are now complete.
Other & Community-Led Developments														
	<ul style="list-style-type: none"> The Marton Rail Hub (MRH) is an RDC sponsored initiative to establish a rail hub in partnership with private investor(s). Scope includes a rail siding and log yard. RDC financial contribution is limited to \$9.85M (\$9.1M from central Government + \$0.75M from RDC). Additional private investment is required to fully fund the MRH. The MRH forms part of the Marton Industrial Development Area (MIDA) of 65Ha parallel to Makiriri Road, adjacent to SH1. In late 2020, the 65Ha underwent a District Plan change rezoning the land from rural to industrial. However this was challenged in the Environment Court. In late April 2023, the Environment Court found in favour of RDC, but with provisions (conditions) that RDC believed did not reflect the Court proceedings and, as written, represent a significant barrier to any developer investing in the MRH. In September 2023, the High Court agreed with RDC's position 	Mark Barnes	Oct-20	Feb 2027 to align with the latest forecast from the developer	No concerns to date.	<ul style="list-style-type: none"> Original target completion has been delayed due to the protracted and ongoing Environment Court process and the need to secure additional private investment. The MRH programme aligns with the developer's programme. The developer has advised a +3 month delay to completing their due diligence 	<ul style="list-style-type: none"> To date \$1.887M has been drawn down from the central Government funding allocation of \$9.1M. Spend to date is \$3.181M. Hence RDC remains financially exposed to \$1.294M of spend. RDC's position is that this will be recovered from the central Government funding allocation. Conversations are ongoing, but this 	No concerns to date.	<ul style="list-style-type: none"> 1. Risk: The change in Government may adversely impact the continuation of central Government funding. Impact: RDC has a current cost exposure of \$1.29M (see Costs). Mitigation: Opportunity to be sought to lobby Government to continue support. 2. Risk: The potential developer's due diligence exercise concludes that the project is not viable. Impact: Additional private funding is not forthcoming. The project cannot be progressed. Mitigation: Alternative developers with a different vision to be sought. 	\$9,850,000.00	\$3,462,677.26	Discussions have been held with Ngāi Wairiki Ngāti Apa who are supportive of the project.	<ul style="list-style-type: none"> Private developer's due diligence process progressing with RDC support. The developer has declared a + 3 month delay to August 2024. Draft RDC/developer funding agreement issued to the developer for review. Draft Ecological and Landscape Development Plan issued to developer for review. 	<ul style="list-style-type: none"> Stage 1 Development tasks as defined in the Environment Court Provisions progressed. Finalise RDC/developer due diligence funding agreement
Remediation of Historic Landfill on Putorino Road	The Rangitikei river is eroding a historic landfill, creating a risk of further contaminated materials and fill entering the river. The landfill material must be excavated and removed.	Mark Barnes	17/09/2021	May-23						\$2,524,818.06	\$2,497,186.55			Remediation largely complete. CE, Mayor, Iwi met with Horizons on site to look at final sign-off - 3 minor items were identified for removal.

10.7 External Submissions Update

Author: Janna Harris, Corporate Planner

Authoriser: Katrina Gray, Manager Strategy and Development

1. Reason for Report

1.1 To update Te Roopuu Ahi Kaa on the opportunities Council has to submit to consultations run by external organisations.

2. Current and upcoming consultations

2.1 The updated list of current and future opportunities to submit on consultations run by external agencies as reported on in the 25 July 2024 Council meeting is attached.

Consultations submitted on

2.1.1 In July, Council submitted on the Rating Valuations Rules lead by LINZ. Officers made a submission that supported the Taituarā submission along with making additional points.

2.1.2 Council also submitted on the Harmony Energy Solar Farm application.

2.1.3 These submissions, along with other submissions Council has made to external agencies, can be found on the website: [Submissions made to other Organisations: Rangitikei District Council](#)

Consultations proposed for submission

2.1.4 The Ministry of Business, Innovation and Employment (MBIE) and the Ministry for the Environment (MfE) are currently seeking feedback on options to make it easier to build small, self-contained and detached houses, commonly known as 'granny flats' on properties with an existing home on them. MBIE and MfE have prepared a [discussion document](#) outlining the options they have identified and explored. The Discussion Document includes their preferred/proposed options.

2.1.5 Officers are preparing a submission with the submission approved by Elected Members at the 25 July 2024 Council Meeting. The submission will be submitted before the deadline on 12 August 2024.

Consultations not proposed for submission

2.1.6 Officers have been made aware that Tararua District Council is consulting on a number of proposed bylaws. Officers do not plan to make a submission on any of these bylaws.

2.1.7 There continues to be a number of consultations coming out of Central Government and other agencies. Officers will continue to prioritising the submissions they have capacity to respond to, and that are important for Council to submit on.

Upcoming consultations

2.1.8 The Resource Management Amendment Bill #2 was previously flagged to be released between July and September 2024. It is now expected in September 2024.

2.1.9 Officers have become aware of a proposal from MBIE that would make virtual building inspections the 'default' option. Further information is expected late 2024.

3. Financial Implications

3.1 There are no financial implications associated with this report, external submissions are submitted on within existing budgets.

4. Impact on Strategic Risks

4.1 Changes to government legislation are transformable.

4.1.1 There is a risk that legislative changes result in significant changes for Council. Council mitigates this risk by keeping track of all potential legislative changes, and takes up opportunities to submit on the consultations that will affect Council.

5. Strategic Alignment

5.1 Topics of consultations from external agencies have the potential to have an impact the services Council delivers, which could have an impact on Council's ability to deliver on Council's strategic priorities.

6. Mana Whenua Implications

6.1 The Komiti is asked to advise of any mana whenua implications associated with this report.

7. Climate Change Impacts and Consideration

7.1 There are no climate change impacts associated with this report.

8. Statutory Implications

8.1 There are no statutory implications associated with this report.

9. Decision Making Process

9.1 There are no decision making processes associated with this report, this report is for information purposes only.

Attachments:

- 1. Current and Upcoming Consultations** [↓](#)

Recommendation

That the report 'External Submissions Update' be received.

Current and Upcoming Consultations

Name of Initiative	Agency Engaging	Due Date	Description	RDC Action
Currently Open for Submissions				
Climate Change Response (Emissions Trading Scheme Agricultural Obligations) Amendment Bill (bills.parliament.nz)	Parliament's Primary Production Committee	28-Jul	This bill amends the Climate Change Response Act 2002 to remove agriculture activities from the New Zealand Emissions Trading Scheme	None
Marton Harmony Energy Solar Farm EPA	EPA	30-Jul	Ability to comment on the Addendum documents. Minute-4-of-the-Marton-Solar-Farm-panel-08.07.2024217232.3.pdf (epa.govt.nz)	None
A draft minerals strategy for New Zealand to 2040 (mbie.govt.nz)	MBIE	31-Jul	The Minerals Strategy Discussion Document seeks feedback on the context and design of the strategy. It discusses key strategic issues, challenges and opportunities facing the minerals sector in New Zealand, and how we could address them. The strategy is built on three key pillars, Enhancing prosperity for New Zealanders, Demonstrating the sector's value, and Delivering minerals for a clean energy transition, and identifies specific actions the Government could take to position the minerals sector to deliver value in an environmentally responsible manner. <i>Includes sand and aggregate.</i>	None
Draft Alcohol Bylaw Tararua District Council (tararuadc.govt.nz)	Tararua District Council	31-Jul	Main changes include: Using the term 'alcohol' instead of liquor, placing the exclusion (for unopened bottles or containers) into an explanatory note, as it is explicitly provided for in section 147 of the Local Government Act 2002, Using the term 'Alcohol Ban Area' instead of 'Designated Public Place', to make the meaning and purpose of such areas more easily understood.	None
Draft Cemeteries Bylaw Tararua District Council (tararuadc.govt.nz)	Tararua District Council	31-Jul	Main changes include: Additional terms are added into the interpretation section, noting that these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future. Adding the ability for Council to set aside specific areas within cemeteries for specific uses. Adding the ability to set aside areas within cemeteries for specific burial types, such as natural burials (noting that the response from consultation may determine if this provision is desired or warranted).	None

Name of Initiative	Agency Engaging	Due Date	Description	RDC Action
Draft Keeping of Animals Bylaw Tararua District Council (tararuadc.govt.nz)	Tararua District Council	31-Jul	Main changes include additional requirements for the keeping of cats and bees because of increased complaints regarding these, introducing regulations on the control of feral animals and banning certain male animals from being kept in urban areas.	None
Draft Public Places Bylaw Tararua District Council (tararuadc.govt.nz)	Tararua District Council	31-Jul	The main changes proposed by the Council include: additional terms are added into the interpretation section, noting that many of these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future. adding the term 'micromobility device' to be a catch-all phrase for bicycles, skateboards, scooters and any other small, lightweight vehicles (and removing single definitions for bicycles and skateboards) amalgamating all prohibited activities into one clause (clause 6) for ease of reference; and amalgamating all activities which require approval into one clause (clause 7) for ease of reference.	None
Proposed regulatory regime for Carbon Capture, Utilisation, and Storage (CCUS) Ministry of Business, Innovation & Employment (mbie.govt.nz)	MBIE	6-Aug	The proposals paper seeks feedback on the Government's proposed approach to enabling CCUS. The paper seeks feedback on how CCUS activities should be treated under the Emissions Trading Scheme; what type of monitoring regime should be imposed for CCUS; how liability for CO2 storage sites should be managed; how the consenting and permitting regimes should work for CCUS; and whether there are any barriers to enabling the utilisation of carbon captured.	None
Making it easier to build granny flats (2024) Ministry of Business, Innovation & Employment (mbie.govt.nz)	MBIE & MfE	12-Aug	The Government is focussed on increasing the supply of affordable homes for New Zealanders. As part of this, the Government is proposing to make it easier to build small, self-contained and detached houses, commonly known as 'granny flats' on property with an existing home on it. The Government is seeking feedback on proposals to enable granny flats up to 60 square metres in size to be built without needing a building or resource consent.	Submit
Seeking your feedback on the work health and safety regulatory system Ministry of Business, Innovation & Employment (mbie.govt.nz)	MBIE	31-Oct	Seeking advice on your experiences with New Zealand's work health and safety regulatory system – how you think it's working now, what you think works well, and what you think should change. Feedback will inform MBIE's advice to Ministers on improvements we could make to the work health and safety system.	TBC
Upcoming Consultations				
Resource Management Act Amendment Bill #2	MfE	September	This amendment Bill will likely: <ul style="list-style-type: none"> enable housing growth, including making the Medium Density Residential Standards 	Likely to Submit

ITEM 10.7 ATTACHMENT 1

Name of Initiative	Agency Engaging	Due Date	Description	RDC Action
			<p>optional for councils and secondary units – ie granny flats</p> <ul style="list-style-type: none"> • speed up consenting timeframes for renewable energy and wood processing • support the government’s “Infrastructure for the Future” plan • speed up the process for making national direction under the RMA • amend national direction on highly productive land to allow more productive activities including housing - exclude LUC-3 • introduce emergency response regulations to enable effective responses to emergencies and contribute to long-term recovery. 	
Remote Building Inspections	MBIE	Late 2024	Proposal to make virtual building inspections the ‘default’ option.	TBC

11 Meeting Closed.