



WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

AGENDA

Council Meeting 26 May 2020

NOTICE IS HEREBY GIVEN that a Meeting of Whanganui District Council will be convened on:

Date: Tuesday, 26 May 2020

Time: 1.00pm

Location: Zoom Virtual Meeting

**Kym Fell
Chief Executive**

Whanganui District Council

Mayor Hamish McDouall (Chair), Deputy Mayor Cr Jenny Duncan,
Crs Charlie Anderson, Philippa Baker-Hogan, James Barron,
Josh Chandulal-Mackay, Brent Crossan, Helen Craig, Kate Joblin,
Hadleigh Reid, Alan Taylor, Rob Vinsen and Graeme Young.
Attending on behalf of the Whanganui Rural Community Board – Grant Skilton

Role of Council

- To carry out the leadership functions including advocacy and facilitation on behalf of the community
- To exercise all non-delegated functions and powers of the Council
- Formulating the council's strategic direction and relative priorities through the Long Term Plan (LTP)
- To consider any matters referred to it from any of its Committees
- Manage/lead the Council's relationship with Iwi partners
- Approval of loan guarantees
- Over expenditure of budget, unbudgeted expenditure and variations to estimates.
- Appointment and remuneration of representatives on outside bodies (including Council owned companies), except where these bodies have granted appointment rights to the Mayor or Chief Executive
- Any proposal to promote legislation in the name of Whanganui District Council
- Any decision (excluding decisions made under the Resource Management Act 1991) which is inconsistent with any policy or strategy which has been or may be adopted by the Council.
- Any changes to the political structure of Council including committee delegations and structure, and any questions of representation
- Policies relating to the remuneration of elected members
- Decisions relating to Whanganui District Council's council-controlled organisations

Items of business not on the agenda which cannot be delayed

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson. The meeting must resolve to deal with the item and the Chairperson must explain at the meeting when it is open to the public the reason why the item is on the agenda and the reason why the discussion of the item cannot be delayed until a subsequent meeting. Refer to Standing Order 9.11.

Note: nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA with regard to consultation and decision-making.

Discussion of minor matters not on the agenda

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion. Refer to Standing Order 9.12.

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1 OPENING PRAYER / KARAKIA**2 APOLOGIES****3 LEAVE OF ABSENCE****4 DECLARATIONS OF INTEREST**

Elected Members will be provided with the opportunity to declare any disclosable pecuniary or other non-pecuniary interest in any matter to be considered at this meeting, or declare any new conflicts that have arisen since last completing the Elected Members' Interests Register.

5 CORRESPONDENCE / LATE ITEMS / ADDITIONAL INFORMATION**Recommendation**

THAT the additional information tabled is taken with the relevant items.

6 PUBLIC ENGAGEMENT FORUM

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 16 APRIL 2020

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

References: 1. Council Meeting Minutes - 16 April 2020  

Significance of decision – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

Recommendation

That the Minutes of the Council Meeting held on 16 April 2020 are confirmed as a true and correct record.



**WHANGANUI
DISTRICT COUNCIL**
Te Kaunihera a Rohe o Whanganui

MINUTES

**Council Meeting
16 April 2020**

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**MINUTES OF MEETING OF THE WHANGANUI DISTRICT COUNCIL
HELD VIA ZOOM VIRTUAL MEETING
ON 16 APRIL 2020 AT 1.00PM**

PRESENT: Mayor Hamish McDouall, Deputy Mayor Jenny Duncan, Cr Charlie Anderson, Cr Josh Chandulal-Mackay, Cr Helen Craig, Cr Kate Joblin, Cr Hadleigh Reid, Cr Alan Taylor, Cr Philippa Baker-Hogan, Cr Rob Vinsen, Cr Graeme Young (from 1.28pm), Cr Brent Crossan, Cr James Barron

APOLOGIES: Nil

IN ATTENDANCE: Grant Skilton (WRCB Member), Charlotte Almond (General Manager Strategy), Leighton Toy (General Manager Property), Mike Fermor (General Manager Finance), Kym Fell (Chief Executive), Bryan Nicholson (Chief Operating Officer), Rob Goldsbury (Legal Counsel), Kate Barnes (Senior Democracy Advisor), Anna Palamountain (Democracy Advisor), Marianne Cavanaugh (Customer Solutions Manager), Hamish Lampp (Planning Manager)

1 OPENING PRAYER / KARAKIA

Cr Chandulal-Mackay read the Council Prayer.

2 APOLOGIES

Nil

3 LEAVE OF ABSENCE

Nil

4 DECLARATIONS OF INTEREST

Cr Brent Crossan noted an interest in Item 14.1 – Animal Pound Project.

Mayor Hamish McDouall noted he would step away from the table for an item in the Public Excluded section of the meeting.

5 CORRESPONDENCE / LATE ITEMS / ADDITIONAL INFORMATION

Additional Information

Discussion

Mark Ward, Chief Executive of Whanganui & Partners spoke to members regarding his organisation's activities, without particular focus on recent developments in light of COVID-19. His staff have been extremely busy engaging with and supporting local businesses since February, having identified early on that there would be a significant impact on the local economy. Mr Ward

noted that the situation, while difficult, will longer term provide opportunities for Whanganui to reset, innovate, and pursue growth.

When asked about economic and business data regarding the impact of the virus, Mr Ward noted that data takes time to source but they are pushing for a faster turnaround. He acknowledged not all businesses will survive the fallout of the virus. He did not believe that blanket rates relief would be an effective response to the virus and felt that targeted relief would be better. He encouraged Council strike a balance between helping today's ratepayers while avoiding a significant burden on future ratepayers.

Mr Ward noted the response from central government, which he believed bodes well for positioning New Zealand as an attractive, low risk investment and destination post COVID-19. Digital ways of doing business are expected to be in demand, and Whanganui may be well positioned to attract businesses away from larger metro areas.

In response to questions regarding agriculture, Mr Ward said that agriculture was highlighted within Central Government's Capital Investment Fund for Shovel Ready Projects and that food and logistics would be a focus for the agriculture sector. He added that the Food and Logistics Strategy developed by Whanganui & Partners prior to Covid-19 would be elevated in response.

Mr Ward highlighted that the rural community were experiencing connectivity issues in regard to broadband.

The welfare of local businesses was a concern for members. Mr Ward said that from the conversations his team had had with local business owners, keeping staff employed was a priority and the wage subsidy was assisting in doing this. He highlighted that it was predicted that a large portion of small / medium businesses would experience a 40 to 50 percent cut to income. Some business had reduced staff work hours as a strategy to get through.

In response to questions regarding the future market for international students, Mr Ward noted that many international students had remained in the city, and he still believed there was strong future for Whanganui as a destination for international education.

Resolution 2020/25

Moved: Mayor Hamish McDouall

Seconded: Cr Brent Crossan

THAT the additional information is tabled with the relevant items:

- Whanganui & Partners Quarterly Update
- Annual Economic Dashboard
- Proposed 2020/21 Annual Plan Consultation Document
- Supporting information to the proposed 2020/21 Annual Plan Consultation Document

CARRIED

6 PUBLIC ENGAGEMENT FORUM

- No registrations for Public Engagement Forum were received.

7 CONFIRMATION OF MINUTES**7.1 MINUTES OF THE COUNCIL MEETING HELD ON 11 FEBRUARY 2020**

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

Significance of decision – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

Resolution 2020/26

Moved: Mayor Hamish McDouall

Seconded: Deputy Mayor Jenny Duncan

That the Minutes of the Council Meeting held on 11 February 2020 are confirmed as a true and correct record.

CARRIED

7.2 MINUTES OF THE COUNCIL MEETING HELD ON 25 FEBRUARY 2020

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

Significance of decision – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

Resolution 2020/27

Moved: Mayor Hamish McDouall

Seconded: Cr Helen Craig

That the Minutes of the Council Meeting held on 25 February 2020 are confirmed as a true and correct record.

CARRIED

8 REPORTS TO COUNCIL**8.1 PLAN CHANGE 53 - SPRINGVALE STRUCTURE PLAN**

Author: Hamish Lampp - Planning Manager

Authoriser: Charlotte Almond - General Manager Strategy

Significance of decision – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

Discussion

The Planning Manager summarised his report and recommendation. He felt the plan going ahead would have a significant positive economic impact on Whanganui.

Cr Taylor asked whether there may be any appeals lodged by hapu and other stakeholders. The Planning Manger felt that nothing in their discussions had indicated any issues, so he did not anticipate any appeal unless an individual property owner had a specific concern.

Resolution 2020/28

Moved: Cr Alan Taylor

Seconded: Cr Helen Craig

That the Council adopts

- (a) the recommended decisions on submissions received to Plan Change 53 (Springvale Structure Plan).
- (b) the reasons for those decisions recommended to Council by the Independent Panel acting under delegated authority as the Statutory Management Committee.

CARRIED

8.2 ADOPTION OF THE ANNUAL PLAN 2020/21 CONSULTATION DOCUMENT

Author: Marianne Cavanagh - Customer Solutions Manager

Authoriser: Bryan Nicholson - Chief Operating Officer

Significance of decision – In terms of the Significance and Engagement Policy 2018, the decision is not significant.

Discussion

COVID-19 will impact on the methods for consultation but all residents will have an opportunity to make a submission either through online forms or over the phone. Some members raised concerns about these limitations, but as it is Year 3 of the Long Term Plan, there will be few major changes proposed, and staff felt there were still sufficient avenues for engagement. Staff are working to develop options for rates relief for those impacted by COVID-19 but it will take some time to analyse data and it was hoped that options could be presented to Council in May.

Cr Vinsen believed that Council should make cuts in solidarity with the community and the proposed plan was in need of a rethink.

Cr Duncan noted that hard decisions were needed and Council needed to be conscious of limiting future pain to ratepayers.

Resolution 2020/29

Moved: Mayor Hamish McDouall

Seconded: Cr Charlie Anderson

That the Council

- (a) approves the Supporting Information to the Annual Plan 2020/21 Consultation Document for public consultation subject to any necessary minor amendments.

- (b) approves the Annual Plan 2020/21 Consultation Document for public consultation subject to any necessary minor amendments.
- (c) holds consultation on the Annual Plan 2020/21 from 30 March until 28 April 2020

CARRIED

Crs Craig and Vinsen voted against.

8.3 MAYORAL UPDATE - APRIL 2020

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

Discussion

The Mayor provided a verbal update to members regarding his activities over the last month. He has attended regular meetings of FLOW, which is an umbrella group of organisations working in social and community services in Whanganui. He is also meeting regular with his counterparts at the councils of the Horizons region. He said that local government leaders are already looking ahead to the economic recovery. Key community partners, including iwi, will be a big part of this.

Resolution 2020/30

Moved: Mayor Hamish McDouall

Seconded: Deputy Mayor Jenny Duncan

That the Council receive the report – Mayoral Update - April 2020.

CARRIED

9 MINUTES FOR RECEIPT

9.1 WHANGANUI RURAL COMMUNITY BOARD MEETING MINUTES - 19 FEBRUARY 2020

Author: Louise Davies - Governance Services Officer

Authoriser: Kate Barnes - Senior Democracy Advisor

Resolution 2020/31

Moved: Cr Brent Crossan

Seconded: Cr Charlie Anderson

That the Council receive the minutes of the Whanganui Rural Community Board Meeting held on 19 February 2020.

CARRIED

9.2 PROPERTY AND COMMUNITY SERVICES COMMITTEE MEETING MINUTES - 18 FEBRUARY 2020

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

Resolution 2020/32

Moved: Cr Helen Craig

Seconded: Cr James Barron

That the Council receive the minutes of the Property and Community Services Committee Meeting held on 18 February 2020.

CARRIED

Resolution 2020/33

Moved: Cr Helen Craig

Seconded: Cr James Barron

That Council

- (a) forms a working group of the Chief Executive of Council, Chief Executive of Whanganui & Partners, the Mayor, the three Committee Chairs, and Cr Baker-Hogan; and
- (b) that the working group formulate 'terms of reference' and appoint a suitably experienced independent expert to provide a review of the Velodrome project; and
- (c) that the report and recommendations are provided to the Council no later than 23 June 2020.

CARRIED

Resolution 2020/34

Moved: Cr Helen Craig

Seconded: Cr James Barron

That the Mosquito Point Swing be fully decommissioned and not replaced.

CARRIED

Crs Crossan, Anderson, Duncan, Chandulal-Mackay voted against the motion.

9.3 STRATEGY AND FINANCE COMMITTEE MEETING COMMITTEE MINUTES - 25 FEBRUARY 2020

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

Resolution 2020/35

Moved: Cr Kate Joblin

Seconded: Cr Josh Chandulal-Mackay

That the Council receive the minutes of the Strategy and Finance Committee Meeting held on 25 February 2020.

CARRIED

9.4 INFRASTRUCTURE, CLIMATE CHANGE, AND EMERGENCY MANAGEMENT COMMITTEE MINUTES - 27 FEBRUARY 2020

Author: Anna Palamountain - Democracy Advisor

Authoriser: Kate Barnes - Senior Democracy Advisor

Recommendation

That Whanganui District Council receive the minutes of the Infrastructure, Climate Change, and Emergency Management Committee Meeting held on 27 February 2020.

That Whanganui District Council:

- (a) funds, up to \$96,000, the 2019/20 shortfall to recycle fibre at the Whanganui Resource Recovery Centre from Council's Waste Levy Fund.
- (b) consider funding fibre recycling shortfalls in 2020/21 through its Annual Planning Process.
- (c) continues to look at alternative recycling/repurposing uses for collected fibre.

That Whanganui District Council adopt the changes to the parking controls if no written objections are received by Council within 14 days of Council publicly notifying the proposed changes to the Parking Controls.

10 MOTION TO EXCLUDE THE PUBLIC**RESOLUTION TO EXCLUDE THE PUBLIC**

Section 48, Local Government Official Information and Meetings Act 1987.

Recommendation

That the public be excluded from the following parts of the proceedings of this meeting, namely items listed overleaf.

Reason for passing this resolution: good reason to withhold exists under section 7. Specific grounds under section 48(1) for the passing of this resolution: Section 48(1)(a)

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (d) Shall be available to any member of the public who is present; and
- (e) Shall form part of the minutes of the local authority.”

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

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ITEM NO.	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	SECTION	SUBCLAUSE AND REASON UNDER THE ACT	PLAIN ENGLISH REASON	WHEN REPORTS CAN BE RELEASED
12.1	Confidential Minutes of the Council Meeting held on 11 February 2020				
13.1	Property and Community Services Committee Meeting Minutes - 18 February 2020	s7(2)(h)	Commercial Activities	Possible property purchase	
13.2	Strategy and Finance Committee Meeting - 25 February 2020	s7(2)(h)	Commercial Activities	Arranging loans	
14.1	Whanganui District Council Holdings Limited Verbal Update - March 2020	s7(2)(b)(ii), s7(2)(h)	Commercial Position, Commercial Activities		
14.2	Animal Pound Project - March 2020	s7(2)(h), s7(2)(i)	Commercial Activities, Negotiations	The contract has been negotiated with preferred supplier and the price needs to remain confidential until a contract is awarded at which point price will no longer be held in confidence.	25 March 2020 Contract Award
14.3	Shovel Ready Infrastructure Projects	s7(2)(b)(ii)	Commercial Position	Information confidentially provided by an external organisation	
14.4	Chief Executive's Report - March 2020	s7(2)(a), s7(2)(b)(ii), s7(2)(i)	Privacy, Commercial Position, Negotiations	To protect individuals and commercial and private information	

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Resolution 2020/36

Moved: Mayor Hamish McDouall

Seconded: Cr Hadleigh Reid

That Annette Main, Matt Doyle, and David Rae be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of Whanganui District Council Holdings Limited. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of their roles as board members of Whanganui District Council Holdings Limited.

That Grant Skilton, Whanganui Rural Community Board Chair, be permitted to remain at this meeting, after the public has been excluded, because of his knowledge of the rural community. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to that matters because Grant Skilton is a member of the Whanganui Rural Community Board.

CARRIED

Council Meeting Minutes

16 April 2020

The Meeting closed at 5.31pm.

The minutes of this meeting were confirmed at the Council Meeting held on 12 May 2020.

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CHAIRPERSON

8 REPORTS TO COUNCIL

8.1 REMITS TO LOCAL GOVERNMENT NEW ZEALAND

Author: Stephanie Macdonald-Rose - Policy & Governance Manager

Authoriser: Charlotte Almond - General Manager Strategy

- References:**
1. **Remit - Measuring and Reporting on Local Government's CO2 Emissions**  
 2. **Remit - Rates Rebates for Low Income Property Owners**  
 3. **Remit - Loans for Low Cost Housing**  
 4. **Remit - Four-Year Election Cycle**  

Significance of decision – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

Recommendation

That the Council confirms the following remits for submission, subject to any minor amendments and finalisation as necessary.

- Measuring and Reporting on Local Government's CO2 Emissions
- Rates Rebates for Low Income Property Owners
- Loans for Low Cost Housing
- Four-Year Election Cycle

That the Council decide whether it wishes to send the remits to all Zone Three member councils to obtain formal support or to seek this from five councils of its choice.

Executive summary

The purpose of this report is to seek endorsement of suitable remits. These will be forwarded for approval by at least five other councils before being submitted to the Local Government New Zealand (LGNZ) Annual General Meeting (AGM).

Background

At the Council meeting on 11 February 2020 elected members were asked to consider whether there were any items or issues that were suitable to progress as remits to the Zone Three meeting in April and, if supported, to the LGNZ AGM in July 2020.

It was decided that a workshop be held to discuss potential topics in more detail and this session was held on 19 February 2020.

At the workshop the following topics were agreed:

- Interest free loans for low cost housing.
- A four year election cycle for local and national elections.
- An increase in the rebate on rates.

- Implementation of a local authority carbon index.

However, since this time the national alert level in response to COVID-19 has meant that meetings have been cancelled, altered or postponed.

This included the Zone Three meeting in April, as well as opportunity throughout the lockdown period for elected members to consider and sign-off on the completed remits. The LGNZ AGM has also been postponed from July until 20 November this year.

Key issues

The topics recommended for submission cover a range of factors across housing, effective governance, environmental sustainability and financial hardship. These would all meet the requirements of the LGNZ Remit Policy in that they are major policy issues with relevance to the entire local government sector.

Remits must be accompanied by background information and research to show that the matter warrants consideration by delegates. This should show:

- The nature of the issue.
- The background to its being raised.
- The issue's relationship, if any, to the current work programme and its objectives.
- The level of work, if any, already undertaken on the issue by the proposer, and the outcomes to date.
- The outcomes of any zone or sector meetings which have discussed the issue.
- Suggested actions that could be taken by LGNZ should the remit be adopted.

The draft remits are attached.

However, it should be acknowledged that the national climate has changed dramatically since these were initially proposed and written. As a result, it may be that these need to be amended to reference the impact of COVID-19, particularly in the case of low income housing and rates rebates. While this can be accommodated, the original remits, as included in the Council agenda for March 2020, have been attached 'as is' for the reference of elected members.

The next Zone Three meeting will now be held in October. Given that the AGM has been rescheduled to 20 November the following options have been offered to ensure that remits can be formally approved in time:

- Proposed remits can be sent to the Zone Three Administrator to be distributed to all Zone Three member councils for formal support from at least five member councils. These must be received no later than 30 June 2020 to allow time for distribution, receipt of formal support, and preparation of remits by the proposing council for submission to LGNZ by its required date.

OR

- Councils requiring support for their proposed remits can request this support from five councils of their choice, prior to submission to LGNZ by its required date.

If an additional or alternative remit topic is proposed this would need to meet the LGNZ deadlines and be formalised at the 23 June 2020 Council meeting. These timeframes are tight and should be kept in mind.

Options

Option One: Approve all remits (Recommended option)

This option will see the remits approved and forwarded for support.

The remit topics have been workshopped with elected members and input into the development of these has been received from the submitter of each topic. Additional supporting detail can be provided, if required, prior to the LGNZ AGM. Minor amendment to reflect the impact of COVID-19 could also be incorporated.

Option Two: Do not approve all remits or individual remits

This option would mean that all remits, or selected remits, would not proceed to the zone approval stage. The recommended decision (Option One) provides scope for some minor amendment if required but timeframes do not allow for complete revision.

ALSO

Option A: Submit the remits to all Zone Three member councils

This option would see the remits submitted through the Zone Three Administrator to all member councils for formal approval. Support is required from at least five councils for the remits to be included in the LGNZ AGM.

Option B: Seek support from five councils independently

Alternatively, Council could independently seek support from five councils of its choice outside of the formal Zone Three channel. These could be councils from within the Zone or councils from further afield.

Next steps

With changes to meeting schedules as a result of the pandemic alert levels any remits proposed for the LGNZ AGM in November 2020 must now receive support from Zone Three member councils prior to the October meeting or from five other councils of this Council's choice.

Proposed draft remits are presented to the Council for general approval, subject to minor amendments and finalisation. This will enable any additional supporting detail to be provided within the timeframes.

SUMMARY OF CONSIDERATIONS

Fit with purpose of local government

Remits are required to clearly demonstrate a national policy focus – articulating a major interest or concern for local government at the national political level.

[Link: Section 10 of the Local Government Act 2002](#)

Fit with strategic framework

Select checkboxes to indicate whether the decision / report contributes, detracts or has no impact

	Contributes	Detracts	No impact
Leading Edge Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Long-Term Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Infrastructure Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Policies or Plans – Climate Change Strategy (to be developed) and Housing Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed remits span a number of nationally relevant policy issues while also reflecting Whanganui’s strategic concerns across housing, effective governance, environmental sustainability and issues of financial hardship.

[Link: Leading Edge Strategy](#)

Risks

The recommended decision has a very minor degree of risk.

The following risks have been considered and identified:

- Financial** risks related to the financial management of Council and the ability to fund Council activities and operations, now and into the future
- Service delivery** risks related to the meeting of levels of service to the community
- Reputation / image** risks that affect the way the Council and staff are perceived by the community - nationwide, internationally, by stakeholders, and the media
- Legal compliance (regulatory)** risks related to the ability of management to effectively manage the Council, comply with legal obligations and avoid being exposed to liability
- Environmental** risks related to the environmental impacts of activities undertaken by the Council. Includes potential or negative environmental and / or ecological impacts, regardless of whether these are reversible or irreversible
- Health, safety and wellbeing** risks related to the health, safety and wellbeing of Council staff, contractors and the general public when using Council’s facilities and services
- Information technology and management** risks related to the integrity of the Council’s IT network, including security, access and data management
- Infrastructure / assets** risks related to the inability of assets to provide the required level of service in the most cost effective manner

Project completion *risk of failure to complete on time, on budget and to plan*

There are no perceived risks in relation to the recommended decision.

[Link: Risk Management Policy](#)

Policy implications

If these remits are supported there may be policy implications as these are progressed and potentially implemented. Any impact for this Council will be assessed and reported on as necessary.

Financial considerations

Not applicable. Any financial considerations as a result of a successful remit will be assessed and reported on as necessary.

Nil

Approved in LTP / AP

Unbudgeted \$

Legislative considerations

There are no legislative considerations as a result of the recommended decision.

Significance

The recommended decision is considered not significant as per Council's Significance and Engagement Policy.

[Link: Significance and Engagement Policy](#)

[Link: Determining significance overview](#)

Engagement

No formal engagement has been undertaken. However, key staff have been involved in the development of these remits as necessary. This includes Legal Counsel, the Electoral Officer, Manager Safer Whanganui, and Finance officers.

[Link: Significance and Engagement Policy 2018](#)

Remit proposal: MEASURING AND REPORTING ON LOCAL GOVERNMENT’S CO2 EMISSIONS

Council proposing remit:	Whanganui District Council
Remit proposal:	<p>The proposal put forward is:</p> <p><i>“That government implement a scheme, based on the UK model operated by the Department of Business, Energy and Industrial Strategy, to measure and report on carbon emissions at a district level.”</i></p>
Nature of the issue:	
<p>The following issues with the current system have been identified:</p> <ul style="list-style-type: none"> (a) There is no national standard for reporting on carbon emissions at a district or regional level. (b) The system lacks incentives, structures and information sharing mechanisms that would enable and encourage local government authorities, regional economic development agencies and individual businesses to: <ul style="list-style-type: none"> i) identify best practice in similar regions; and ii) undertake targeted work that prioritises the reduction of their CO2 emissions. (c) The proposal that large energy users publish Corporate Energy Transition plans as outlined in MBIE’s Discussion Document: <i>Accelerating Renewable Energy and Energy Efficiency</i>, will only address these concerns to a limited degree. 	
Background:	
<p>New Zealand is committed to both domestic and international climate change progress. As a party to the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol, progress towards meeting our commitments is documented in New Zealand’s National Communication and Biennial Reports. These summarise New Zealand’s domestic greenhouse gas emissions profile, climate change policies and measures, our support for developing countries, and progress on implementing our obligations under the UNFCCC. At present, New Zealand is not meeting its international targets and further actions need to be taken.</p> <p>A feature of our national psyche is the pride New Zealanders place on performing above our weight in the sporting arena. There is significant, untapped potential for the nation’s competitive streak to be harnessed in pursuit of fulfilling our climate change mitigation ambitions. Developing and reporting on an externally administered measure of each district’s progress in reducing its climate impact in terms of CO2 outputs is one such way of doing this.</p>	
New or confirming existing policy:	

The remit may require minor amendment to the Local Government Act to ensure that information that is needed for calculations to be made is required to be produced at specified intervals.

Relationship to LGNZ work programme:

This remit directly aligns with LGNZ's 'Environment' policy priority. In particular, it supports the Climate Change Project and is related to Outcome 3: *"A local government view on emission reduction targets for New Zealand, and how to achieve these."*¹

It assists with the following project deliverable: *"Support councils to take action to mitigate the impacts of climate change, and encourage greater action by their communities on contributing to the reduction of greenhouse gas emissions."*²

Work or action undertaken on the issue:

No work has been undertaken specifically on this. However, the proposed model recommends use of the UK's approach, which is administered by the Department of Business, Energy and Industrial Strategy: <https://www.gov.uk/government/statistics/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics-2005-to-2017>

The UK Greenhouse Gas inventory (GHGI) is compiled annually and reported on an end-user basis using international best practice guidance, drawing on a variety of National Statistics and sector specific data sources.

This is a technically complex statistical analysis which individual local authorities would be unable to replicate, but provides consistent inventories and emissions projections of greenhouse gases and air quality pollutants. The credibility of the report allows the results to be reported each year to the UNFCCC and the European Monitoring Mechanism Regulation (MMR). It is also used to assess compliance with the UK's domestic and international emissions.

The model has been used since 2005 and provides: *"an important body of information [for] local authorities (LAs) and other relevant organisations to help identify high emitting sources of CO2 and energy intensive sectors, monitor changes in CO2 emissions over time and to help design carbon reduction strategies."* (Local and Regional Carbon Dioxide Emissions Estimates for 2005–2017 for the UK Technical Report:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/812146/Local_authority_CO2_technical_report_2017.pdf)

Over the period for which this model has been used, and where figures are currently available (2005-17), emissions have decreased in all regions of, and for all 391 local authorities, in the UK. A scan of local authorities suggests that performing well on these measures is a key ambition that drives decision-making for many of these bodies.

Relevant legislation, policy or practice:

¹ <https://www.lgnz.co.nz/climate-change-project/about-the-project/> Retrieved 16 March 2020.

² Ibid.

- Local Government Act 2002
- Climate Change Response Act 2002

Suggested course of action:

That a suitable government department be tasked with:

- (a) analysing and publishing each district's carbon emissions, in order to provide the most reliable and consistent possible breakdown of CO2 emissions across the country; and
- (b) publishing interactive local authority level emissions maps that allow users to zoom in to any district and see the emissions for the area, as well as identify the significant point sources. Such maps should be possible to filter by different sectors, to view how emissions have changed across the time series so that areas of best practice can be identified.

This system would provide incentives, structures and low cost information sharing mechanisms that would enable and encourage local government authorities, regional economic development agencies and individual businesses to identify best practice in similar regions or businesses. It would also encourage them to undertake targeted work to reduce their CO2 emissions.

Discussion and conclusion:

This proposal aligns with New Zealand's international commitments, our national direction and LGNZ's work programme in terms of the mitigation of climate change. It is a system that has been shown to have positive benefits in the UK and leverages existing characteristics of New Zealanders to achieve these collective goals.

Remit proposal: RATES REBATES FOR LOW INCOME PROPERTY OWNERS

Council proposing remit:	Whanganui District Council
Remit proposal:	<p>The proposal put forward is:</p> <p><i>“That the government lift the level of rates rebates available for low and fixed income property owners – with yearly increases taking into account the cost for inputs into local government services”</i></p>
<p>Nature of the issue:</p> <p>The following issues have been identified:</p> <ul style="list-style-type: none"> (a) The level of rates rebates for low and fixed income property owners as a proportion of rates has gradually reduced for those on low and fixed incomes. (b) This level of support has not kept pace with the cost of living and provides significant financial hardship for some members of the community. (c) This level of support has not kept pace with the benchmark for council costs and provides significant financial hardship for some members of the community. 	
<p>Background:</p> <p>The rates rebate scheme is a partial refund for people who pay rates to their council, providing financial relief for low income residents who own their own home. This is funded by central government through the Department of Internal Affairs. A person who directly pays local authority rates, and meets the household income criteria, is currently eligible for a rates rebate of up to \$640.</p> <p>In 2006 the rates rebate was significantly increased and over the last decade there have been incremental yearly adjustments, however, these have lagged behind CPI increases. A further small boost to the scheme was introduced in 2019 – lifting the rate from \$630 to \$640 and the income abatement threshold from \$25,180 to \$25,660.</p> <p>As local authority costs have increased above that of inflation, this has resulted in local authorities either needing to increase rates or reduce existing levels of service. The effect of this is that, over time, the level of rates rebates as a proportion of the total local authority rates has significantly decreased.</p> <p>This issue is of particular concern for low and fixed income property owners who may be experiencing housing stress, notwithstanding the fact that they may own their own family home mortgage-free (e.g. superannuitants).</p>	

As at 2 March 2020 the Department of Internal Affairs had approved payments for 103,367 applications – a total of \$60,201,285 (GST inclusive).¹

Table 1: Increase in rates rebate, CPI and local authority costs from 2010 to 2020

Year	Max Rebate	% Change	CPI (Stats NZ)	Difference between CPI and Max Rebate increases	Benchmark for local authority costs (Berl)	Difference between local authority costs and Max Rebate increases
2010/11	\$ 570	3.64%	5.35%	-1.72%	2.28%	1.36%
2011/12	\$ 580	1.75%	9.51%	-7.76%	3.05%	-1.30%
2012/13	\$ 590	1.72%	7.23%	-5.51%	1.94%	-0.21%
2013/14	\$ 595	0.85%	1.64%	-0.79%	1.68%	-0.83%
2014/15	\$ 605	1.68%	3.80%	-2.12%	2.09%	-0.41%
2015/16	\$ 610	0.83%	4.28%	-3.45%	1.29%	-0.47%
2016/17	\$ 610	0.00%	1.74%	-1.74%	1.49%	-1.49%
2017/18	\$ 620	1.64%	1.48%	0.16%	1.88%	-0.25%
2018/19	\$ 630	1.61%	1.67%	-0.05%	2.77%	-1.16%
2019/20	\$ 640	1.58%				

New or confirming existing policy:

This remit would build on existing policy and would require the level of rates rebate to increase, with yearly adjustments taking into account the cost increases for inputs into local government services.

The Productivity Commission suggests that: *“the rates rebate scheme is poorly targeted and unfair”*.² It recommends that it be replaced with a national rates postponement programme, or that the scheme at least shift to being online. Local Government Minister Nanaia Mahuta has indicated that the government is carefully considering the recommendations.³

Relationship to LGNZ work programme:

‘Social’ is one of LGNZ’s five policy priorities. This focuses on disparity, housing issues and ageing communities:

“Social: Working alongside central government and iwi to address social issues and needs in our communities, including an aging population, disparity between social groups, housing (including social housing) supply and quality, and community safety.”⁴

¹ <https://www.stuff.co.nz/national/119883361/productivity-commission-recommends-scrapping-rates-rebate-scheme> Retrieved 12 March 2020.

² https://www.productivity.govt.nz/assets/Documents/0a989fef9b/One-page-summary_Local-government-funding-and-financing_final-report-v2.pdf Retrieved 12 March 2020.

³ <https://www.stuff.co.nz/national/119883361/productivity-commission-recommends-scrapping-rates-rebate-scheme> Retrieved 12 March 2020.

⁴ <https://www.lgnz.co.nz/assets/Uploads/07f13ec8f7/44316-LGNZ-Policy-Statement-2017-New.pdf> Retrieved 11 March 2020.

Work or action undertaken on the issue:

This remit was originally prepared in 2018 and submitted for consideration. The LGNZ Remits Committee reviewed this and referred it instead to officials to raise with the Productivity Commission as part of the review of local government funding.

The Productivity Commission has since recommended that the government remove the rates rebate system and replace it with a national scheme for postponing rates. The Commission considered that central government is in the best position to tackle pressures on low-income households facing high housing pressures and the current scheme is inequitable, as well as administratively 'cumbersome' and modest in its approach (amounting to little over \$12 a week).⁵

This has not found favour with many groups – particularly those who advocate for older New Zealanders. For example, the national president of Grey Power has stated that the organisation "*absolutely disagreed*"⁶ with abolishing the scheme. In addition, a local association (Tauranga and Western Bay of Plenty) submission to the Commission recommended a resetting of the maximum rebate to restore it to previous levels and to align this with cost of living increases. This suggested a maximum rebate of \$1,000 – indexed each year by the average rate increase across the country.⁷

Relevant legislation, policy or practice:Rates Rebate Act 1973

- Provides for a rates rebate on local council rates by a specified amount each year, dependant on income.
- Since 2008 the specified amount has been adjusted each year through Orders in Council.
- 2019/20 – Maximum rebate - \$640

Accommodation Supplement

- Available for very low incomes

Suggested course of action:

That LGNZ pursue an increase in the rates rebate for low income property owners and that this should match ongoing cost increases for local government.

Discussion and conclusion:

The affordability of rates is not just a question of the quantum of rates and charges but also the ratio of rates and charges relative to income. The rates rebate scheme was introduced in 1974 and was designed to provide assistance to low income residential ratepayers. Over the longer term the

⁵ <https://www.stuff.co.nz/national/119883361/productivity-commission-recommends-scrapping-rates-rebate-scheme>
Retrieved 12 March 2020.

⁶ <https://www.stuff.co.nz/national/119883361/productivity-commission-recommends-scrapping-rates-rebate-scheme>
Retrieved 12 March 2020.

⁷ <https://www.productivity.govt.nz/assets/Submission-Documents/local-government-funding-and-financing/e596ca967a/DR-206-Tauranga-and-WBOP-Grey-Power-Association.pdf> Retrieved 12 March 2020.

quantum of the rates rebate has generally matched CPI, however, this ignores the fact that local authority core inputs are rising well above those of core inflation. Furthermore, over time the Act has not kept pace with the changing nature of tenure or technology. It is requested that the government lift the level of rates rebates available for low and fixed income property owners.

Remit proposal: LOANS FOR LOW COST HOUSING

Council proposing remit:	Whanganui District Council
Remit proposal:	<p>The proposal put forward is:</p> <p><i>“That the government provide interest-free loans to support the delivery of new low cost housing by relevant agencies – including councils”</i></p>
<p>Nature of the issue:</p> <p>The following issues have been identified:</p> <ul style="list-style-type: none"> (a) New Zealand’s housing shortage is impacting communities nationwide, with rates of homelessness increasing and areas that were previously well provided for struggling to respond. (b) The provision of safe, warm, dry and affordable housing is critical to community wellbeing – with appropriate housing acting as an important foundation for people to live well and contribute positively, both within their families and wider social networks. (c) Councils are at the frontline and see the sobering effects of this problem – as well as its resultant issues. However, they are not financially equipped to respond, or to support the work of other community agencies in this space. (d) Existing government policy actively discriminates against councils meeting local housing needs – this has resulted in a gradual reduction in local government owned social housing stock. (e) Meeting housing demand in provincial communities is complicated by deprivation issues, fewer opportunities, small funding pools and a limited focus by government housing providers in these areas. 	
<p>Background:</p> <p>New Zealand is the midst of a housing shortage, with population growth increasingly outstripping supply. Although most of this impact is felt in Auckland and other main centres, provincial areas are also wrestling with this problem, often with even more constrained resources.</p> <p>Many councils have prepared housing strategies to respond to this gap in conjunction with community stakeholders and relevant housing agencies. With councils hamstrung by financial constraints and uncertainty about their role in this space (how much involvement should councils have? Is this a central government responsibility?) many of these actions are focused on advocacy rather than direct leadership and bricks and mortar commitments. In this vein, one of the most important advocacy positions that a council can take is requesting that central government provide additional financial levers to address this shortfall. Although there are efforts underway here (for example, KiwiBuild and an increase in Housing New Zealand homes) this is not enough.</p> <p>There are agencies, councils and other stakeholders with the right skills, know-how and community connections ready to tackle this problem in a grassroots way within our own cities and towns. The</p>	

provision of free (or low interest) loans to support the delivery of new low cost housing options by these groups is an essential component to this. Other suitable funding avenues simply do not exist.

This takes its lead from previous policy approaches – ones that have resulted in local government being New Zealand’s second largest provider of social housing. LGNZ notes that approximately 11,500 social housing units are offered by councils: *“most of which are the results of investments made during the period when the government provided low cost loans to enable councils to provide pensioner housing in order to free up the Housing Corporation to focus on families and people with special needs.”*¹ However, this climate has significantly shifted and now:

*“Despite this significant contribution, current policies, namely the inability for councils to be community housing providers, prevent local government from playing an ongoing role. Councils wishing to continue as social housing providers and address housing need in their communities are faced with the need to find a sustainable financial model. Councils can also play other roles, from advocate to broker, using their popular mandate to bring agencies together to create a more integrated approach to social housing provision and address gaps.”*²

The poor performance of New Zealand’s housing market compounds this issue. In Auckland, and other high growth centres, not enough houses are being built to meet the demand from strong population growth, investment preferences and other factors.

The houses that are built have steadily increased in size, despite decreasing household sizes, and are often not close to well-functioning public transport and amenities. The mismatch between supply and demand has been a long-running trend over recent decades, leading to the urban development failure New Zealand faces today.

In addition, much of New Zealand’s existing housing stock is old, cold and damp, particularly in the private rental market. This is important because poor quality housing has ongoing impacts on physical and mental health and wellbeing.

The under-supply of housing, driven by uncompetitive land markets, and high infrastructure, development and building costs, is contributing to high house prices relative to income. This has led to:

- Increasing rates of homelessness.
- Declining home ownership (particularly for Māori and Pasifika).
- Increasing rents and a shortage of rental properties.
- An increasing need for government housing assistance.

New or confirming existing policy:

¹ <https://www.lgnz.co.nz/assets/Uploads/07f13ec8f7/44316-LGNZ-Policy-Statement-2017-New.pdf> Retrieved 11 March 2020.

² Ibid.

The remit would require a policy shift by central government to provide funding for other agencies (including councils) to develop low cost housing.

Relationship to LGNZ work programme:

‘Social’ is one of LGNZ’s five policy priorities and this includes a focus on housing:

“Social: Working alongside central government and iwi to address social issues and needs in our communities, including an aging population, disparity between social groups, housing (including social housing) supply and quality, and community safety.”³

The ‘Infrastructure’ priority also relates to housing provision – particularly in light of growth demands. The work programme acknowledges that: *“addressing housing supply and affordability requires a joined-up response involving both spheres of government.”⁴*

In addition, the remit support’s LGNZ’s Housing 2030 policy and programme.

Work or action undertaken on the issue:

LGNZ includes housing responses as action points within its work programme, indicating that it wants a policy framework that recognises the role councils play in social housing – treating councils the same as community housing providers. Opportunities to work in partnership with central government to develop innovative and place-based approaches for dealing with social issues are also identified.

Other financial schemes have been developed to combat housing difficulties. Recently this has included Christchurch City Council implementing a subsidised equity scheme to offer interest-free mortgages in conjunction with the government.

Low interest loans for social housing have previously been provided by central government during the 1960s and 1980s.

A successful remit was put forward last year by Tauranga City Council, Napier City Council and Wellington City Council to address social housing provision. This remit supports that one’s focus on a broader range of funding and financing tools, however, it moves beyond its request for assistance for the operation, upgrade and growth of council housing portfolios – as well as access to Income Related Rents.

Whanganui District Council adopted its Housing Strategy in 2019 following an extensive conversation with a broad array of housing stakeholders, as well as the general public. Opportunities to develop low cost housing within our community exist but they are currently stymied by a lack of flexible funding mechanisms.

Relevant legislation, policy or practice:

³ Ibid.

⁴ Ibid.

The work of Kāinga Ora is relevant here. The Kāinga Ora – Homes and Communities Act 2019 focuses on the role of Kāinga Ora as a public housing landlord as well as a partner with, Māori, the development community, local and central government and others on urban development projects – both large and small.⁵

Suggested course of action:

This remit requests that central government provide interest-free loans to support the delivery of new low cost housing by relevant agencies – including councils. This would see a return to previous policy positions. It is also recommended that central government consider any additional mechanisms that would support councils and other relevant community agencies to respond to the housing crisis.

Discussion and conclusion:

Local authorities are a critical frontline post for channelling, addressing and triaging social issues – being in the best position to know their communities and the needs they possess. As a result, local residents expect their councils to be aware of and concerned about local matters – and they expect that their council will take action, whether this is by themselves, with central government, other social agencies or iwi. LGNZ acknowledges this and states in its Social priority section: “*addressing what are, in many areas, intractable issues will need innovative approaches and LGNZ will support councils that wish to promote more innovative ways of providing social services.*”⁶

A new approach for getting low cost housing initiatives up and running is one such innovative solution.

⁵ <https://www.hud.govt.nz/urban-development/kainga-ora-homes-and-communities/> Retrieved 16 March 2020.

⁶ Ibid.

Remit proposal: FOUR-YEAR ELECTION CYCLE

Council proposing remit:	Whanganui District Council
Remit proposal:	The proposal put forward is: <i>“That the government pursue the introduction of a four-year election cycle for both local and central government elections”</i>
Nature of the issue:	
<p>The following issues have been identified – the current three-year election cycle:</p> <ul style="list-style-type: none"> (a) Does not enable elected members to generate and sustain momentum – providing less time to focus on legislation and governance and minimising the benefit that can be delivered for the community. (b) Causes disruption (a stop-start approach), with work programmes and strategies halted as different policy priorities are introduced.¹ (c) Limits the amount of ‘active’ working time available to enact policy – the first year often being dedicated to ‘finding your feet’ and / or getting going again after a protracted break, the second to implementing policy and the third to gearing up for the next election. (d) Does not support long-term strategic decision-making – with more substantive reform parked in favour of quick-fix solutions. (e) Does not align with the political terms of many other countries, where four or five years is more common. (f) Is more costly – fewer elections would reduce the financial outlay required. This is the case for both rate / tax payers as well as the candidates themselves. (g) May lessen the level of community interest in democratic participation – with elections appearing to roll around too quickly. 	
Background:	
<p>New Zealand currently has a three-year election cycle for both central and local government elections. New Zealand is one of only a handful of countries to adopt such a short election turn-around period, with most opting for either four or five year terms. This means that New Zealand has one of the shortest parliamentary terms in the world: <i>“Of 190 countries with parliaments, 103 have five-year terms, 74 have four-year terms, and just nine governments are in power for three years before an election is held.”</i>²</p> <p>The issues itemised above have led Whanganui District Council to propose that a four-year cycle be introduced to ensure that governance is more effective, continuous and future-focused.</p>	

¹ For example, it can sometimes take two or three years to develop an effective strategy or fundraise for a larger project. A three-year election cycle disrupts this progress and generates additional work and costs.

² <https://www.rnz.co.nz/news/political/392952/new-report-calls-for-four-year-term-more-mps-in-parliament> Retrieved 10 March 2020.

Although the New Zealand parliamentary system initially began with a five-year term, by the 1870s it had been reduced to three years: *“largely on the grounds that the public needed a more effective curb on the powers of government.”*³ Two government-initiated referenda have pursued the issue of a four-year term (one in 1967 and one in 1990). While both of these were easily defeated, they were conducted some time ago and the topic has retained support from the major political parties as well as other lobbyists (e.g. members of the business community).⁴

It also became an area of focus for the Constitutional Advisory Panel⁵ with findings indicating: *“a reasonable proportion of the people who commented on this topic supported a longer term.”*⁶

Those advocating for a longer term often cited arguments in relation to:

- **Planning and implementing policy** - providing more time for the government to plan and implement policy; improving the quality of policy by making sure that it is fit for purpose; and allowing the public to see the results of policy decisions in action before being required to vote.
- **Certainty and stability** – reducing the frequency of changes to policy and legislation as well as associated compliance costs.

People who opposed a longer term were concerned about its ability to keep politicians accountable. However, it was noted that there may have been some flexibility in this position if this change could be: *“preceded by consideration of additional checks and balances to compensate for the reduction in voters’ power.”*⁷

The following benefits are highlighted for consideration:

- A longer-term legislative and policy agenda.
- Better strategic planning and management.
- More time to enact policy and see the results of this – providing greater opportunity for voters to be informed about, and judge the effectiveness of, the incumbent government.
- A reduction in election costs.
- Less disruption for voters and communities – including businesses.
- Potential for an increase in voter participation.

³ Democracy in New Zealand – Raymond Miller
https://books.google.co.nz/books?id=1T93CQAAQBAJ&pg=PT69&lpg=PT69&dq=countries+with+four+year+election+terms&source=bl&ots=85wBzYqXDQ&sig=ACfU3U2KUI12M8rExgsGi9Ul3d2CSh_kQ&hl=en&sa=X&ved=2ahUKEwiBp5XerozoAhXmyzgGHWaJAT0Q6AEwDHoECAwQAQ#v=onepage&q=countries%20with%20four%20year%20election%20terms&f=false Retrieved 9 March 2020.

⁴ Ibid.

⁵ This was formed in 2011 to support the consideration of New Zealand constitutional issues

⁶ Constitutional Advisory Panel full report <https://www.justice.govt.nz/assets/Documents/Publications/Constitutional-Advisory-Panel-Full-Report-2013.pdf> Retrieved 9 March 2020.

⁷ Ibid.

<p>New or confirming existing policy:</p> <p>The Local Electoral Act and Constitution Act set the three year cycles. The Constitution Act requires a 75% majority in Parliament to amend the cycle, or a 50% majority electoral vote. The Local Electoral Act can be amended by a simple majority in Parliament.</p>
<p>Relationship to LGNZ work programme:</p> <p>The LGNZ vision is: “local democracy powering community and national success”. Although there are no specific work programme actions to tag this remit to, it is considered that any enhancement to the effectiveness of governance is critical to the achievement of this vision.</p>
<p>Work or action undertaken on the issue:</p> <p>Two previous referenda have been held on this issue and a four-year term was considered by the Constitutional Advisory Panel. These findings are contained in: <i>A Report on a Conversation / He Kotuinga Korero mo Te Kaupapa Ture o Aotearoa</i>⁸.</p> <p>A 2019 report by Victoria University’s Institute for Governance and Policy Studies supported a four-year parliamentary term (<i>Foresight, insight and oversight: Enhancing long-term governance through better parliamentary scrutiny</i>).</p> <p><i>“As part of its work, the report’s authors interviewed 60 current and former politicians and high-ranking civil servants - including Sir Michael Cullen - many of who described the current system of scrutiny as “broken, poor”, weak, inadequate, cursory and patchy. Overall, parliamentary scrutiny was regarded as ad hoc, reactive and backward-looking. Ideally, it should be more systematic, proactive and forward-looking.”</i>⁹</p> <p>Parliamentary scrutiny was considered to be limited by “presentist bias in policy-making” – with long-term leadership providing more scope for good governance.</p>
<p>Relevant legislation, policy or practice:</p> <p>The primary pieces of legislation are the Local Electoral Act 2001 and Constitution Act 1986.</p>
<p>Suggested course of action:</p> <p>That the government be encouraged to pursue the introduction of a four-year election cycle for both central and local government elections. This opportunity has already been identified by governance specialists, politicians and civil servants as being a more effective means of achieving connected and strategic leadership.</p>

⁸ Ibid.

⁹ https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12244133 Retrieved 10 March 2020.

It is acknowledged by many authors on this subject that it is unlikely that MPs will pursue this without guidance and direction through a referendum on the subject. As a result, it is suggested that this would be the most appropriate course of action.

Alternatively, and given the comparative ease of amending the Local Electoral Act, testing the concept at the local government level before applying it to the general election is another option.

Discussion and conclusion:

A three-year election cycle is too short, too disruptive and does not support effective governance. This is the case at both the national and local level.

Regardless of whether the turnover of a Council through an election period is large and marked by churn or negligible and seamless, the speed with which work can resume is undoubtedly impacted by the frequency of elections. This contracts the active working time that a Council can dedicate to its community into the smallest of timeframes¹⁰, while also encouraging thinking that aligns with this horizon. This is not the optimal environment for transformative, long-term and considered strategic thinking. As a result, it can mean more cautious 'avoidance' decision-making, seeing contentious issues held at bay during election years.

This is also the case within central government and the majority of calls for change have originated within this space.

New Zealand is an outlier with its three-year cycle and there is extensive evidence to support the increased effectiveness of a four-year approach. However, while it is acknowledged that there are arguments on both sides of this debate, and that this remit is limited in its ability to provide adequate coverage to all of these, it is clear that the impetus and need for review exists.

¹⁰ For example, councils can essentially break for around six months to work through the election process, leaving only two and a half years out of three available.

8.2 AMENDMENTS TO RATES POSTPONEMENT AND RATES REMISSIONS POLICIES

Author: Mike Fermor - General Manager Finance

Authoriser: Kym Fell - Chief Executive

References:

1. **Draft Rates Postponement Policy** ↓ 
2. **Draft Rates Remission Policy** ↓ 
3. **Consultation Document on Draft Rates Postponement Policy and Draft Rates Remission Policy** ↓ 

Significance of decision – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

Recommendation

That the Council:

- (a) Notes the requirement of section 102(4)(a) of the Local Government Act 2002 (LGA) for consultation on a draft Rates Postponement Policy and draft Rates Remission Policy in a manner that gives effect to the requirements of section 82 of the LGA before the policies are adopted;
- (b) Resolves to consult on its draft Rates Postponement Policy and draft Rates Remission Policy from 3 June 2020 to 24 June 2020 and that this approach meets the requirements of sections 82 and 82A of the Local Government Act 2002;
- (c) Adopts the Consultation Document for consultation on the draft Rates Postponement Policy, draft Rates Remission Policy;
- (d) Delegates authority to the General Manager - Finance to make minor editorial/formatting changes to the Consultation Document before it is released for consultation.

Executive summary

The purpose of this report is to approve the Consultation Document with the draft Rates Postponement and Rates Remission Policies for public consultation.

Background

The COVID-19 pandemic has had a significant social and economic impact on residents and businesses in Whanganui. While the full economic impact of the pandemic is still unknown, it is clear a number of businesses experienced a complete shut-down under Alert Level 4, and are expecting a substantial reduction in income at Alert Levels 3 & 2. Already around the country a number of high-profile businesses have announced they are not reopening. All regions in New Zealand are expecting a substantial increase in unemployment levels over the next 1-2 years.

With the above economic downturn Council recognises that ratepayers severely impacted by the pandemic may need some flexibility to make payments over a longer period of time as recovery allows cash flow to improve. It is also aware that the Government have put out a number of support

packages and Council anticipates that these will be utilised by ratepayers prior to seeking rates relief from Council.

The current Rates Postponement and Rates Remission Policies have been amended to take into consideration this impact of the COVID-19 pandemic. A high level summary of the changes are (details can be found in the attached draft Policies):

Postponement

- Ability to postpone rates to a date agreed to by Council providing specified criteria has been met and an agreed payment plan is in place.
- It is anticipated that the 2019/20 4th quarter instalment rates due 27th May will be able to be postponed to 27th November 2020. 2020/21 rates will be able to be postponed to 30 June 2021.
- A postponement fee will apply to postponement of the 2020/21 rates.

Remission

- Where a ratepayer has exhausted all other means of financial assistance and is still experiencing severe financial hardship as a result of COVID-19 then Council may remit a portion of the rates. Remission is usually up to 50% of the year's total rates.
- To remit rates the financial hardship has to be significantly more severe than that allowed under rates postponement.

The draft Policies will be required to undergo public consultation before final adoption by Council. The consultation will be from 3 June until 24 June 2020 with submissions being heard and the final Policies being adopted late June/early July.

The draft Policies have been reviewed by Simpson Grierson for compliance with relevant legislation.

Options**Option 1 – adopt Consultation Document with draft Rates Postponement and Rates Remission Policies for public consultation (preferred option).**

This option provides Council the ability to postpone or remit rates for the ratepayers who have experienced significant financial hardship as a result of the COVID-19 pandemic.

Option 2 – do not adopt Consultation Document with draft Rates Postponement and Rates Remission Policies for public consultation.

This option retains the existing Policies which do not provide sufficient flexibility to enable rates remission or postponement for ratepayers significantly affected by the COVID-19 pandemic.

SUMMARY OF CONSIDERATIONS

Fit with purpose of local government

The Local Government Act permits Council to have a Rates Remission Policy and a Rates Postponement Policy. In context of the COVID-19 pandemic, the existing Rates Remission and Postponement Policies are being amended to provide rates relief for those significantly affected financially by the pandemic.

[Link: Section 10 of the Local Government Act 2002](#)

Fit with strategic framework

Select checkboxes to indicate whether the decision / report contributes, detracts or has no impact

	Contributes	Detracts	No impact
Leading Edge Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Long-Term Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Infrastructure Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Policies or Plans -	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

As above existing Rates Remission and Postponement Policies are being amended to provide rates relief for those significantly affected financially by the pandemic.

[Link: Leading Edge Strategy](#)

Risks

The recommended decision has a minor degree of risk.

The following risks have been considered and identified:

- Financial** risks related to the financial management of Council and the ability to fund Council activities and operations, now and into the future
- Service delivery** risks related to the meeting of levels of service to the community
- Reputation / image** risks that affect the way the Council and staff are perceived by the community - nationwide, internationally, by stakeholders, and the media
- Legal compliance (regulatory)** risks related to the ability of management to effectively manage the Council, comply with legal obligations and avoid being exposed to liability
- Environmental** risks related to the environmental impacts of activities undertaken by the Council. Includes potential or negative environmental and / or ecological impacts, regardless of whether these are reversible or irreversible
- Health, safety and wellbeing** risks related to the health, safety and wellbeing of Council staff, contractors and the general public when using Council's facilities and services
- Information technology and management** risks related to the integrity of the Council's IT network, including security, access and data management
- Infrastructure / assets** risks related to the inability of assets to provide the required level of service in the most cost effective manner

- Project completion** *risk of failure to complete on time, on budget and to plan*

There are likely to be requests for both rates postponement and rates remission as a result of the financial impact of COVID-19 on businesses and families. This may result in Council under-collecting budgeted rates income.

[Link: Risk Management Policy](#)

Policy implications

Financial considerations

- Nil Approved in LTP / AP Unbudgeted \$

Legislative considerations

As above

Significance

The recommended decision is considered not significant as per Council's Significance and Engagement Policy.

[Link: Significance and Engagement Policy](#)

[Link: Determining significance overview](#)

Engagement

The draft Policies will undergo public consultation from 3rd to 24th June.

[Link: Significance and Engagement Policy 2018](#)

Rates Postponement Policy

This policy is prepared under sections 102 and 110 of the Local Government Act 2002. Postponement of rates is only available for financial hardship.

Definitions

Rates means a general rate, a targeted rate or a uniform annual general charge set in accordance with the Local Government (Rating) Act 2002 and includes a penalty added to a rate.

Postponement means a delay in the payment of rates.

Postponed Rates means rates for which the requirement to pay is delayed.

Delegated responsibility

The Council may delegate authority to approve applications for rates postponement under this policy to particular officers.

Financial hardship

Objective

The objective of this part of the policy is to assist personal ratepayers experiencing financial circumstances that affect their ability to pay rates.

Conditions and criteria

Only rating units used solely for residential purposes (as defined by Council) will be eligible for consideration for rates postponement for financial hardship.

Only the person entered as the ratepayer, or their authorised agent, may make an application for rates postponement for extreme financial circumstances. The ratepayer must be the current owner of the rating unit that is the subject of the application. The person entered on the Council's rating information database as the "ratepayer" must not own any other rating units or investment properties (whether in the district or in another district).

The ratepayer (or authorised agent) must make an application to Council on the prescribed form (copies can be obtained from the Council offices).

The Council will consider, on a case-by-case basis, all applications received that meet the criteria described in the first two paragraphs under this section, Conditions and criteria.

When considering whether financial hardship exists, all of the ratepayer's personal circumstances will be relevant including the following factors: age, physical or mental disability, injury, illness and family circumstances.

Rates Postponement Policy

Before approving an application, the Council must be satisfied that the ratepayer is unlikely to have sufficient funds left over, after the payment of rates, for normal health care, proper provision for maintenance of his/her home and chattels at an adequate standard as well as making provision for normal day-to-day living expenses.

Where the Council decides to postpone rates, the ratepayer must first make acceptable arrangements for payment of future rates, for example by setting up a system for regular payments.

Any postponed rates will be postponed until:

- the death of the ratepayer(s); or
- the ratepayer(s) ceases to be the owner or occupier of the rating unit; or
- the ratepayer(s) ceases to use the property as his/her residence; or
- a date specified by the Council.

The Council will charge an annual fee on postponed rates for the period between the due date and the date they are paid. This fee is designed to cover the Council's administrative and financial costs and may vary from year to year. The fee that will be charged is \$50 plus interest at the weighted average interest rate applied to Council debt in the Annual Plan adopted for each year that rates are postponed.

Even if rates are postponed, as a general rule the ratepayer will be required to pay 50% of the rate account.

The policy will apply from the beginning of the rating year in which the application is made although the Council may consider backdating past

the rating year in which the application is made, depending on the circumstances.

The postponed rates or any part thereof may be paid at any time. The applicant may elect to postpone the payment of a lesser sum than that which they would be entitled to have postponed pursuant to this policy.

Postponed rates will be registered as a statutory land charge on the rating unit title. This means that the Council will have first call on the proceeds of any revenue from the sale or lease of the rating unit.

Rates Postponement Policy

COVID-19

Objective

The objective of this part of the policy is to assist ratepayers experiencing financial difficulties affecting their ability to pay rates as a result of the COVID-19 pandemic.

Conditions and criteria

Any ratepayer may apply for rates postponement for COVID-19 provided they meet the following criteria:

- For businesses (including farming):
 - A significant (approximately 30% or more) reduction in revenue when compared to a similar time period (at least one month) in the 2019/20 financial year as result of the COVID-19 pandemic, and
 - That all necessary steps have been taken to claim central government benefits or allowances that the ratepayer is entitled to, including the government's interest free loan scheme, and
 - That an agreed direct debit payment plan is in place to ensure rates are fully paid by the date the rates have been postponed to.
- For personal ratepayers:
 - Unemployment as a result of the COVID-19 pandemic, or
 - Normal household income from all sources has significantly reduced (approximately 30% or more) when compared to a similar time period (at least one month) in the 2019/20 financial year as result of the COVID-19 pandemic, and

- That all necessary steps have been taken to claim central government benefits or allowances that the ratepayer is entitled to, and
- That an agreed direct debit payment plan is in place to ensure rates are fully paid by the date the rates have been postponed to.

The ratepayer will be required to provide evidence, to the satisfaction of the Council, that they meet the criteria described above. Examples include:

- Letter from accountant.
- Letter from employer, or in the case of unemployment termination/redundancy letter.
- Payslips.

Only the person entered on the Rating Information Database (RID) as the ratepayer, or their authorised agent, may make an application for rates remission for a property.

The ratepayer (or authorised agent) must make an application to Council on the prescribed form (copies can be obtained online at www.whanganui.govt.nz or from the Council offices).

The Council will consider, on a case-by-case basis, all applications received against the conditions and criteria described in this section.

Any postponed rates will be postponed until:

- a date specified by the Council; or
- the ratepayer(s) ceases to be the owner or occupier of the rating unit as stated on the Rating Information Database (RID).

Rates Postponement Policy

The Council may charge an annual fee on postponed rates for the period between the due date and the date they are paid. This fee is designed to cover the Council's administrative and financial costs.

The policy will apply from the beginning of the rating year in which the application is made although the Council may consider backdating past the rating year in which the application is made, depending on the circumstances.

The postponed rates or any part thereof may be paid at any time. The applicant may elect to postpone the payment of a lesser sum than that which they would be entitled to have postponed pursuant to this policy.

Rates Postponement Policy

Miscellaneous

Objective

The policy enables us to postpone property rates in circumstances that are not specifically covered by the other criteria set out in this policy, but where we consider it appropriate to do so.

Conditions and criteria

We may postpone rates on a rating unit where we consider it equitable to do so because:

- There are special circumstances in relation to the rating unit, or the amount of rates (or a particular rate) assessed for the rating unit
- The circumstances of the rating unit or the ratepayer are comparable to those where a postponement may be granted under the council's other property rates postponement policies, but are not actually covered by any of those policies
- There are exceptional circumstances where we believe it is equitable to postpone the property rates
- In the case of a significant event that causes financial hardship, for example in the case of a natural disaster, calamity or pandemic.

Applications must be made in writing and should include:

- Detailed information explaining how the property meets the conditions and criteria under this policy
- A daytime contact phone number so we can contact you if we need more information
- All relevant contractual arrangements and financial documents

Council has final discretion to decide whether to grant a property rates postponement under the policy.

Any postponed rates will be postponed until:

- a date specified by the Council; or
- the ratepayer(s) ceases to be the owner or occupier of the rating unit as stated on the Rating Information Database (RID).

The Council may charge an annual fee on postponed rates for the period between the due date and the date they are paid. This fee is designed to cover the Council's administrative and financial costs.

The policy will apply from the beginning of the rating year in which the application is made although the Council may consider backdating past the rating year in which the application is made, depending on the circumstances.

Rates Remission Policy

This policy is prepared under section 102 and 109 of the Local Government Act 2002.

Remissions for rates are available for the following:

- Financial hardship
- Properties affected by natural calamity
- Community, sporting and other organisations
- Penalties
- Uniform charges on non-contiguous rating units owned by the same owner
- Rates on properties protected for natural, historic or cultural conservation purposes

Definitions

Rates means a general rate, a targeted rate or a uniform annual general charge set in accordance with the Local Government (Rating) Act 2002 and includes a penalty added to a rate.

Remission means a reduction to the amount of rates to be paid.

Remitted Rates means rates for which the requirement to pay is reduced.

Delegated Responsibility

The Council may delegate authority to approve applications for rates remissions under this policy to particular officers.

Financial hardship

Objective

The objective of this part of the policy is to assist personal ratepayers experiencing financial circumstances that affect their ability to pay rates.

Conditions and criteria

Only rating units used solely for residential purposes (as defined by Council) will be eligible for consideration for rates remission for financial hardship.

Only the person entered as the ratepayer, or their authorised agent, may make an application for rates remission for extreme financial circumstances. The ratepayer must be the current owner of the rating unit that is the subject of the application. The person entered on the Council's rating information database as the "ratepayer" must not own any other rating units or investment properties (whether in the district or in another district).

The ratepayer (or authorised agent) must make an application to Council on the prescribed form (copies can be obtained from the Council offices).

The Council will consider, on a case-by-case basis, all applications received that meet the criteria described in the first two paragraphs under this section, Conditions and criteria. Where the Council is satisfied that the hardship is such that it would be better to write off a portion of the rate, rather than postpone payment, it can be done. For remission to be applied, the hardship will be more severe than would apply for postponement.

Rates Remission Policy

When considering whether financial hardship exists, all of the ratepayer's personal circumstances will be relevant including the following factors: age, physical or mental disability, injury, illness and family circumstances.

Before approving an application, the Council must be satisfied that the ratepayer will not have sufficient funds left over, after the payment of rates, for normal health care, proper provision for maintenance of his/her home and chattels at an adequate standard as well as making provision for normal day-to-day living expenses.

Where the Council decides to remit rates, the ratepayer must first make acceptable arrangements for payment of future rates, for example by setting up a system for regular payments.

Even if rates are remitted, as a general rule the ratepayer will be required to pay 50% of the rate account.

The policy will apply from the beginning of the rating year in which the application is made although the Council may consider backdating past the rating year in which the application is made, depending on the circumstances.

Remission for properties affected by natural calamity

Objective

To assist ratepayers who are suffering hardship due to the effects of a natural disaster or calamity.

Conditions and criteria

Only the person entered as the ratepayer, or their authorised agent, may make an application for rates remission for extreme financial circumstances. The ratepayer must be the current owner of the rating unit that is the subject of the application.

The property must have been detrimentally affected by erosion, subsidence, submersion or other natural calamity. The effect does not need to be directly to the property but may have some impact on the use or revenue earning potential of the property.

The Council will consider, on a case-by-case basis, applications for remission. Where the Council is satisfied that the hardship is such that it would be better to write off a portion of the rate, rather than postpone payment, it can be done. For remission to be applied, the hardship will be more severe than would apply for postponement. Council may choose to remit rates for properties, without application, where it is aware of the impacts of a natural calamity and determines it is reasonable in the circumstances to do so.

Rates Remission Policy

Remissions for community, sporting and other organisations

Objective

To facilitate the ongoing provision of non-commercial (business), community services and non-commercial (business) recreational opportunities for the residents of Whanganui district.

The purpose of granting rates remission to an organisation is to:

- assist the organisation's survival; and
- make membership of the organisation more accessible to the general public, particularly disadvantaged groups. These include children, youth, young families, aged people and economically disadvantaged people.

Conditions and criteria

This part of the policy will apply to land owned by the Council, or owned and occupied by a charitable organisation, which is used exclusively or principally for sporting, recreation or community purposes.

The policy does not apply to organisations operated for private pecuniary profit, or which charge fees of any kind.

The policy will also not apply to groups or organisations whose primary purpose is to address the needs of adult members (over 18 years) for entertainment or social interaction, or who engage in recreational, sporting or community services as a secondary purpose only.

Applications for remission must be made on the prescribed form (available from the Council offices).

Organisations making application should include the following documents in support of their application:

- statement of objectives; and
- financial accounts; and
- information on activities and programmes; and
- details of membership or clients.

The policy shall apply to such organisations as approved by the Council as meeting the relevant criteria.

No remission will be granted on targeted rates for water supply, sewage disposal or stormwater disposal.

Rates Remission Policy

Remission of penalties

Objective

The objective of this part of the remission policy is to enable the Council to act fairly and reasonably in its consideration of rates that have not been received by the Council by the penalty date, due to circumstances outside the ratepayer's control.

Conditions and criteria

Remission of one penalty will be considered in any one rating year where the ratepayer can provide evidence that that the payment has been late due to significant family disruption. Remission will be considered in the case of death, illness or accident of a family member. Each application will be considered on its merits.

Remission of penalty may also be considered where a council action or inaction would make it unfair to charge the full penalty. Each application will be considered on its merits.

Remission of uniform charges on non-contiguous rating units owned by the same owner

Objective

To provide for relief from uniform charges for rural land which is non-contiguous, farmed as a single entity and owned by the same ratepayer.

Conditions and criteria

Rating units that meet the criteria under this policy may qualify for a remission of uniform annual general charges and any targeted rate set on the basis of a fixed dollar charge per rating unit. The ratepayer will remain liable for at least one set of each type of charge.

The rating units on which remission is granted must be owned by the same ratepayer and must each be classified as "rural" for differential purposes.

Only one of the units may have any residential dwelling situated on the rating unit.

Ratepayers wishing to claim a remission should make an application on the required form (available from the Council offices).

Rates Remission Policy

Remission of rates on properties protected for natural, historic or cultural conservation purposes

Objective

To preserve and promote natural resources and heritage to encourage the protection of properties for natural, historic or cultural purposes.

This policy will support the provisions of the Whanganui District Plan.

Conditions and criteria

Ratepayers who own rating units which are identified at Appendix A (Heritage Items) of the Whanganui District Plan may qualify for remission of rates under this part of the policy.

Land that is non-rateable under section 8 of the Local Government (Rating) Act and is liable only for rates for water supply, sewage disposal or refuse collection will not qualify for remission under this part of the policy.

Applications must be made in writing. Applications should be supported by documentary evidence of the protected status of the rating unit. In considering any application for remission of rates under this part of the policy, the Council will consider the following criteria:

- the extent to which the preservation of natural, cultural or historic heritage will be promoted by granting remission of rates on the rating unit;
- the degree to which features of natural, cultural or historic heritage are present on the land;

- the degree to which features of natural, cultural or historic heritage inhibit the economic utilisation of the land;
- the extent to which the preservation of natural, cultural or historic heritage will be promoted by granting remission of rates on the rating unit.

Council will decide what amount of rates will be remitted on a case-by-case basis subject to a maximum amount of 33 per cent of rates owing per year.

In granting remissions under this part of the policy, the Council may specify certain conditions before remission will be granted. Applicants will be required to agree in writing to these conditions and to pay any remitted rates if the conditions are breached.

Rates Remission Policy

Miscellaneous

Objective

The policy enables us to remit (reduce) property rates in circumstances that are not specifically covered by the other criteria set out in this policy, but where we consider it appropriate to do so.

Conditions and criteria

We may remit rates on a rating unit where we consider it equitable to do so because:

- There are special circumstances in relation to the rating unit, or the amount of rates (or a particular rate) assessed for the rating unit
- The circumstances of the rating unit or the ratepayer are comparable to those where a remission may be granted under the council's other property rates remission policies, but are not actually covered by any of those policies
- There are exceptional circumstances where we believe it is equitable to remit the property rates
- The circumstances are deemed to be significantly more severe than would apply for postponement. The Council must be satisfied that the circumstance or hardship is such that it would be better to write off a portion of the rate, rather than postpone payment.

Applications must be made in writing and should include:

- Detailed information explaining how the property meets the conditions and criteria under this policy
- A daytime contact phone number so we can contact you if we need more information
- All relevant contractual arrangements and financial documents

The Council will consider, on a case-by-case basis, all applications received against the conditions and criteria described in the first paragraph under this section, Conditions and criteria.

Council has final discretion to decide whether to grant a property rates remission under the policy. Even if rates are remitted, as a general rule the ratepayer will be required to pay at least 50% of the rate account.

Only the person entered on the Rating Information Database (RID) as the ratepayer, or their authorised agent, may make an application for rates remission for a property.



**WHANGANUI
DISTRICT COUNCIL**
Te Kaunihera a Rohe o Whanganui

Consultation Document

Draft Rates Postponement Policy

Draft Rates Remission Policy

1. INTRODUCTION

Whanganui District Council ("the Council") is proposing some changes to its Rates Postponement Policy and Rates Remission Policy to provide additional support to ratepayers due to COVID-19. Council is seeking the community's views on the draft policies.

2. REASON FOR THE PROPOSAL

Council proposes to make changes to its existing Rates Postponement Policy and Rates Remission Policy in light of the financial impacts of COVID-19 on its ratepayers.

3. PROPOSED POLICIES AT A GLANCE

The policies are concerned with establishing criteria whereby property owners' may apply for rates postponement (a delay in the payment of rates) or rates remission (a reduction to the amount of rates to be paid).

Council has added a section relating to COVID-19 to the Rates Postponement Policy. It has also added miscellaneous sections to both the Rates Postponement Policy and Rates Remission Policy to allow some additional flexibility into the future.

The full draft policies are attached and are also available online at www.whanganui.govt.nz/haveyoursay

4. KEY PROPOSED CHANGES

The key changes proposed in the draft policies are:

Rates Postponement Policy

- The addition of a new section relating to COVID-19 to allow ratepayers to delay the payment of rates where they meet the criteria for financial hardship due to COVID-19.
- The addition of a miscellaneous section to allow additional flexibility for the future for Council to consider postponements that don't meet existing criteria.

Rates Remission Policy

- The addition of a miscellaneous section to allow additional flexibility for the future for Council to consider remissions that don't meet existing criteria.

5. OPTIONS

The Council has identified three options for addressing its objectives:

Option 1: No changes to the current policies

Council could retain its existing Rates Postponement Policy and Rates Remission Policy without amendment.

Advantages: Consistency. Council rates revenue cashflow is received as normal.

Disadvantages: Does not provide any flexibility to ratepayers with financial difficulties as a result of COVID-19. May increase financial hardship in the community.

Option 2: Adopt the draft policies (*preferred option*)

Council could adopt the draft policies. If Council adopts the draft policies following public consultation, support will be available for ratepayers who meet the postponement or remission criteria.

Advantages: Assists ratepayers facing financial hardship due to COVID-19.

Disadvantages: Some Council rates revenue cashflow will be delayed, slightly increasing interest costs. However in this low interest rate environment the cost is expected to be small.

Option 3: Adopt different policies

Council may adopt different policies to those consulted upon. The community may propose changes that have not been identified previously.

Advantages: Reflective of community feedback.

Disadvantages: If the proposed changes are significant Council may need to undertake further consultation to explore them.

6. CONSULTATION AND SUBMISSION

Consultation will give the Council a chance to hear the community's views before making a final decision.

The draft policies are available on the Council's website www.whanganui.govt.nz.

You can make a submission online at www.whanganui.govt.nz/haveyoursay or alternatively submission forms are available from the Whanganui District Council Customer Service counter at the main municipal building located at 101 Guyton Street, the Davis Central City Library and Gonville Library. Please indicate whether you would like to speak to your submission and include contact details. People who wish to be heard by Council will be given the opportunity to do so (details to be confirmed in this rapidly changing COVID-19 environment).

For any queries please contact Mike Fermor, General Manager - Finance, on (06) 349 0001.

The period for making submissions is from **9am Wednesday 3 June 2020 to 4.00pm on Wednesday 24 June 2020.**

7. PROPOSED CONSULTATION PLAN

TASK	DATE
Council adoption of the Statement of Proposal for public consultation	Tuesday 26 May 2020
Submissions open	9am Wednesday 3 June 2020
Submissions close	4pm Wednesday 24 June 2020
Hearing of submissions	Wednesday 8 July 2020
Deliberations	Wednesday 8 July 2020
Final adoption by Council	Tuesday 14 July 2020

8.3 REVIEW OF STREET INFRASTRUCTURE BYLAW 2015

Author: Justin Walters - Policy Analyst Legislative & Performance Management

Authoriser: Stephanie Macdonald-Rose - Policy & Governance Manager
Charlotte Almond - General Manager Strategy

References: 1. [Statement of Proposal - Review of Streets Infrastructure Bylaw 2015](#) ↓


Significance of decision – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

Recommendation

That Council:

- (a) adopts the Amended Streets Infrastructure Bylaw 2015 and the Statement of Proposal for consultation.
- (b) confirms that:
 - (i) a bylaw is the most appropriate way of addressing the issues relating to the management and protection of Council's street infrastructure network and public places;
 - (ii) the Amended Streets Infrastructure Bylaw 2015 is the most appropriate form of a bylaw; and
 - (iii) the Amended Streets Infrastructure Bylaw 2015 is not inconsistent with the New Zealand Bill of Rights Act 1990.

Executive summary

The Streets Infrastructure Bylaw 2015 was made on 12 October 2015. The Council is required to review a bylaw no later than five years after the date on which it was made following the s155 tests of the Local Government Act 2002 (LGA 2002) which are used for making a bylaw.

Officers have reviewed the Streets Infrastructure Bylaw and a bylaw continues to be the most efficient and effective method of managing and protecting Council's street infrastructure network and public places.

Overall the rules covering management and protection of Council's street infrastructure network are considered to be working well, however, the drafting of the existing bylaw could be improved by:

- redrafting the bylaw to follow the Parliamentary Counsel Office Drafting Manual;
- updating the purpose section to the bylaw;
- setting out the assessment criteria Council uses when considering approvals; and
- other minor amendments technical amendments.

Following the review of the bylaw Council must consult using the special consultative procedure and decide to either retain, amend or revoke the bylaw.

Background

The Streets Infrastructure Bylaw 2015 was made on 12 October 2015. Under s158 of the LGA 2002 Council must review a bylaw no later than five years after the date on which the bylaw was made.

In reviewing the bylaw Council must determine (s160(2) and s155) whether or not a bylaw is:

- the most appropriate method of addressing the perceived problem;
- the most appropriate form of a bylaw; and
- not inconsistent with the New Zealand Bill of Rights Act 1990.

Following the review of the bylaw Council must consult using the special consultative procedure and decide to either retain, amend, or revoke the bylaw.

Key issues

As discussed above Council is required to review a bylaw within five years of the making of the bylaw.

The Streets Infrastructure Bylaw is considered to contribute to a number of Council's key strategic documents including the Leading Edge Strategy, Long Term Plan, and Infrastructure Strategy as it contributes to managing Council's street infrastructure network and public places.

While the amendments to the bylaw are not considered to meet the threshold of being significant in terms of Council's significance and engagement policy under s156 of the LGA 2002, Council is still required to follow the special consultative procedure.

Options

Appropriateness

In determining whether or not a bylaw is the most appropriate method for addressing the perceived problem one needs to first define the issue/or problem. The purpose of this bylaw is to protect the public from nuisance and to promote and maintain public health and safety by:

- managing and protecting Council street infrastructure;
- managing construction in public places; and
- controlling overhanging trees, property numbering, the erection of barbed wire, razor wire and electric fences.

In the absence of some form of street infrastructure network bylaw the Council could manage its streets infrastructure through land owner powers as the road controlling authority and provisions under the Local Government Act 1974. While it is noted that this option may be partially effective, a bylaw allows for more certainty about the expectations and enables the existing system of bonds. A bylaw is therefore considered to continue to be the most efficient and effective method of managing Council's street infrastructure network and public places.

Form of the bylaw

The 'form of the bylaw' refers to the structure of the bylaw and the drafting of the individual clauses. As delegated legislation, Council has adopted the Parliamentary Counsel Office Drafting Manual as a best practice guide for drafting legislation.

Council has reviewed the Streets Infrastructure Bylaw 2015 and considers that while the rules applying to Council's street infrastructure network and public places are sound, the clarity of the drafting should be improved by:

- updating the purpose section to the bylaw; and
- setting out assessment criteria Council uses when considering approvals.

The amended Streets Infrastructure Bylaw 2015 is attached as Attachment 1.

Consistency with the New Zealand Bill of Rights Act 1990

The New Zealand Bill of Rights Act 1990 guarantees a number of rights and freedoms including freedom from unreasonable search and seizure and discrimination; and freedom of expression, association, peaceful assembly, and movement.

The existing bylaw is considered to be not inconsistent with the New Zealand Bill of Rights Act 1990. The amendments discussed above are also considered not to be inconsistent with the New Zealand Bill of Rights Act 1990.

Following the prescribed special consultative procedure set out in section 83 of the LGA 2002 the Council will consider the final draft of the proposed bylaw and its New Zealand Bill of Rights Act 1990 implications, if any.

Options

Option 1 – Retain the Streets Infrastructure Bylaw 2015 (Status-quo)

Under this option Council would retain the existing Streets Infrastructure Bylaw 2015.

The Council should select this option if it considers that a bylaw is the most appropriate method to manage and protect Council's street infrastructure network and public places and that the existing bylaw is the most appropriate form of the bylaw.

Advantages	Disadvantages
<ul style="list-style-type: none"> • A regulatory approach to the management of Council's Streets Infrastructure and public places is the most efficient and effective method. 	<ul style="list-style-type: none"> • The existing bylaw does not follow best practice for the drafting of legislation. • The clarity of the drafting of the existing bylaw can be improved.

Option 2 – Amend the Streets Infrastructure Bylaw 2015 (Recommended)

Under this option Council would amend the Streets Infrastructure Bylaw 2015.

The committee should select this option if it considers that a bylaw is the most appropriate method to manage and protect Council's street infrastructure network and public places but that the existing form for the current bylaw is not the most appropriate form of the bylaw.

Advantages	Disadvantages
<ul style="list-style-type: none"> • A regulatory approach to the management of Council's Streets Infrastructure and public places is the most efficient and effective method. • The amendments to the drafting of the bylaw follow best practice and will increase the clarity of the usability of the bylaw. 	<ul style="list-style-type: none"> • None

Option 3 – Revoke the Streets Infrastructure Bylaw 2015

Under this option Council would revoke the Streets Infrastructure Bylaw 2015 and manage its streets infrastructure through landowner powers as the road controlling authority.

The committee should select this option if it considers that a bylaw is not the most appropriate way to manage and protect Council's streets infrastructure and public places.

Advantages	Disadvantages
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • A non-regulatory approach to the management of Council's street infrastructure network is likely to be less efficient and effective than utilising a bylaw.

Next steps

If the Council chooses to adopt the statement of proposal on the amended bylaw, formal consultation under s156 of the LGA 2002 will be undertaken from 8 June until 17 July 2020.

SUMMARY OF CONSIDERATIONS																							
<p><i>Fit with purpose of local government</i></p> <p>The review of the bylaw is legally compliant with s10 of the LGA 2002 in that it seeks to ensure that Council’s street infrastructure network and public places are operated in an efficient and effective manner. Consultation on the options for consideration will meet the principles of consultation outlined in s82 of the LGA 2002.</p>																							
<p><i>Fit with strategic framework</i></p> <p>Select checkboxes to indicate whether the decision / report contributes, detracts, or has no impact</p> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 16.6%;">Contributes</th> <th style="width: 16.6%;">Detracts</th> <th style="width: 16.6%;">No impact</th> </tr> </thead> <tbody> <tr> <td>Leading Edge Strategy</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Long-Term Plan</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Infrastructure Strategy</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Economic Development Strategy</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </tbody> </table> <p>The Streets Infrastructure Bylaw contributes to the management and protection of the Council’s street infrastructure network and public places.</p>					Contributes	Detracts	No impact	Leading Edge Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Long-Term Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Infrastructure Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<p><i>Risks</i></p> <p>The recommended decision has a very minor degree of risk.</p> <p>The following risks have been considered and identified:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Financial risks related to the financial management of Council and the ability to fund Council activities and operations, now and into the future <input checked="" type="checkbox"/> Service delivery risks related to the meeting of levels of service to the community <input type="checkbox"/> Reputation / image risks that affect the way the Council and staff are perceived by the community - nationwide, internationally, by stakeholders, and the media <input checked="" type="checkbox"/> Legal compliance (regulatory) risks related to the ability of management to effectively manage the Council, comply with legal obligations, and avoid being exposed to liability <input checked="" type="checkbox"/> Environmental risks related to the environmental impacts of activities undertaken by the Council. Includes potential or negative environmental and / or ecological impacts, regardless of whether these are reversible or irreversible <input checked="" type="checkbox"/> Health, safety, and wellbeing risks related to the health, safety and wellbeing of Council staff, contractors and the general public when using Council’s facilities and services <input type="checkbox"/> Information technology and management risks related to the integrity of the Council’s IT network, including security, access, and data management <input checked="" type="checkbox"/> Infrastructure / assets risks related to the inability of assets to provide the required level of service in the most cost-effective manner <input type="checkbox"/> Project completion risk of failure to complete on time, on budget and to plan 																							

<p>The recommended option is considered to have a very minor degree of risk as it allows for a framework to protect Council’s street infrastructure network and public places to maintain appropriate levels of service, health and safety and environmental controls while avoiding unnecessary cost to Council. Considerations regarding legal compliance are dealt with below.</p>														
<p>Policy implications</p> <p>As the recommended option is proposing to retain the existing rules governing the protection of the street infrastructure network and public places there are not considered to be any implications.</p>														
<p>Financial considerations</p> <p><input checked="" type="checkbox"/> Nil <input type="checkbox"/> Approved in LTP / AP <input type="checkbox"/> Unbudgeted \$</p>														
<p>Legislative considerations</p> <p>Under s158 of the Local Government Act 2002 (LGA 2002) Council must review a bylaw no later than five years after the date on which the bylaw was made. All legislative considerations have been understood and complied with.</p>														
<p>Significance</p> <p>The recommended decision is considered not significant as per Council’s Significance and Engagement Policy. While it is noted that the bylaw is managing and protecting the street infrastructure network which is defined as a significant activity, there are not substantive changes to the rules governing the protection of the network.</p>														
<p>Engagement</p> <p>Council’s transport team has been actively involved in the review of the Streets Infrastructure Bylaw 2015. Comments from the team indicate that overall, the rules relating to the street infrastructure network are working well.</p>														
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**WHANGANUI
DISTRICT COUNCIL**
Te Kaunihera a Rohe o Whanganui

Statement of Proposal

Review of Streets Infrastructure Bylaw 2015

Review of Streets Infrastructure Bylaw 2015

1. SUMMARY OF INFORMATION

Whanganui District Council (“the Council”) is seeking feedback on the review of the Streets Infrastructure Bylaw 2015. Council is proposing to retain the existing bylaw with changes to the drafting to improve the clarity and usability (“the amended bylaw”).

Council has considered the amended bylaw and determined that the proposed bylaw:

- is the most appropriate way to address the problems identified, and
- is the most appropriate form of bylaw, and
- does not give rise to implications under the New Zealand Bill of Rights Act 1990

2. INTRODUCTION

The Streets Infrastructure Bylaw 2015 was made on 12 October 2015. The Council is required to review a bylaw no later than five years after the date on which it was made following the s155 tests of the Local Government Act 2002 (LGA 2002) which are used for making a bylaw.

The Council has reviewed the Streets Infrastructure Bylaw and considers that the rules covering the street infrastructure network and public places are working well however the drafting of the existing bylaw could be improved by:

- redrafting the bylaw to follow the Parliamentary Counsel Office Drafting Manual;
- updating the purpose section to the bylaw; and
- setting out assessment criteria Council uses when considering approvals.

Review of Streets Infrastructure Bylaw 2015

3. REASONS FOR PROPOSAL**Background**

The Streets Infrastructure Bylaw 2015 was made on 12 October 2015. Under s158 of the LGA 2002 Council must review a bylaw no later than five years after the date on which the bylaw was made.

In reviewing the bylaw Council must determine (s160(2) and s155) whether a bylaw is:

- the most appropriate method of addressing the perceived problem;
- the most appropriate form of a bylaw; and
- not inconsistent with the New Zealand Bill of Rights Act 1990.

Following the review of the bylaw Council must consult using the special consultative procedure and decide to either retain, amend or revoke the bylaw.

Appropriateness

In determining whether a bylaw is the most appropriate method for addressing the perceived problem one needs to first define the issue/or problem. The purpose of this bylaw is to protect the public from nuisance and to promote and maintain public health and safety by:

- managing and protecting Council street infrastructure;
- managing construction in public places; and
- controlling overhanging trees, property numbering, the erection of barbed wire, razor wire and electric fences.

In the absence of some form of street infrastructure network bylaw the Council could manage its streets infrastructure through landowner powers as the road controlling authority and provisions under the Local Government Act 1974. While it is noted that this option may be partially effective, a bylaw allows for more certainty about the expectations and enables the existing system of bonds. A bylaw is therefore considered to continue to be the most efficient and effective method of managing Council's street infrastructure network and public places.

Review of Streets Infrastructure Bylaw 2015

Form of the bylaw

The ‘form of the bylaw’ refers to the structure of the bylaw and the drafting of the individual clauses. As delegated legislation, Council has adopted the Parliamentary Counsel Office Drafting Manual as a best practice guide for drafting legislation.

Council has reviewed the Streets Infrastructure Bylaw 2015 and considers that while the rules applying to Council’s street infrastructure network and public places are sound, the clarity of the drafting should be improved by:

- updating the purpose section to the bylaw; and
- setting out assessment criteria Council uses when considering approvals.

The amended Streets Infrastructure Bylaw 2015 is attached as Attachment 1.

Consistency with the New Zealand Bill of Rights Act 1990

The New Zealand Bill of Rights Act 1990 guarantees a number of rights and freedoms including freedom from unreasonable search and seizure and discrimination; and freedom of expression, association, peaceful assembly and movement.

The existing bylaw is considered to be not inconsistent with the New Zealand Bill of Rights Act 1990. The amendments discussed above are also considered not to be inconsistent with the New Zealand Bill of Rights Act 1990.

Following the prescribed special consultative procedure set out in section 83 of the LGA 2002 the Council will consider the final draft of the proposed bylaw and its New Zealand Bill of Rights Act 1990 implications, if any.

Options

Option 1 – Retain the Streets Infrastructure Bylaw 2015 (Status-quo)

Under this option Council would retain the existing Streets Infrastructure Bylaw 2015.

Advantages	Disadvantages
<ul style="list-style-type: none"> • A regulatory approach to the management of Council’s Streets Infrastructure and public places is the most efficient and effective method. 	<ul style="list-style-type: none"> • The existing bylaw does not follow best practice for the drafting of legislation. • The clarity of the drafting of the existing bylaw can be improved.

Review of Streets Infrastructure Bylaw 2015

Option 2 – Amend the Streets Infrastructure Bylaw 2015 (Recommended)

Under this option Council would amend the Streets Infrastructure Bylaw 2015.

Advantages	Disadvantages
<ul style="list-style-type: none"> • A regulatory approach to the management of Council’s Streets Infrastructure and public places is the most efficient and effective method. • The amendments to the drafting of the bylaw follow best practice and will increase the clarity and the usability of the bylaw. 	<ul style="list-style-type: none"> • None

Option 3 – Revoke the Streets Infrastructure Bylaw 2015

Under this option Council would revoke the Streets Infrastructure Bylaw 2015 and manage its streets infrastructure through landowner powers as the road controlling authority.

Advantages	Disadvantages
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • A non-regulatory approach to the management of Council’s street infrastructure network is likely to be less efficient and effective than utilising a bylaw.

Review of Streets Infrastructure Bylaw 2015

4. CONSULTATION AND SUBMISSION

In making, amending, or revoking a bylaw, Council must use the Special Consultative Procedure set out in section 83 of the LGA 2002. Council has prepared and adopted the proposed bylaw for public consultation. Any person can make a submission on the proposed bylaw.

A copy of the Statement of Proposal, including the proposed bylaw and information about making a submission can be obtained from the Council website www.whanganui.govt.nz

You can make a submission online at <http://www.whanganui.govt.nz/have-your-say> or alternatively submission forms are available from the Whanganui District Council Customer Service counter at the main municipal building located at 101 Guyton Street, the Davis Central City Library and Gonville Library. Please indicate whether you would like to speak to your submission and include contact details. People who wish to be heard by Council will be given the opportunity to do so. The time and venue for the hearing of submissions is yet to be confirmed.

For any queries please contact Justin Walters, Policy Analyst on (06) 349 0001.

The period for making submissions is from **8 June until 17 July 2020**.

5. ATTACHMENTS

Attachment 1 – Proposed Amended Streets Infrastructure Bylaw 2015

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Whanganui District Council Street Infrastructure Bylaw 2015



Whanganui District Council Street Infrastructure Bylaw 2015

As at ##/##/2020 (Resolution 20##/##)

Additions Double Underlined

Deletions ~~struck through~~

Last updated
###/###/2020 – v00_03 Draft

Whanganui District Council Street Infrastructure Bylaw 2015

Last updated
 ####2020 – v00_03 Draft

Whanganui District Council Street Infrastructure Bylaw 2015

- 1 **Title**
 (1) This **Bylaw** is the ~~Whanganui District Council~~ Street Infrastructure Bylaw 2015.
- 2 **Application**
 (1) This **Bylaw** applies to the Whanganui District.

Part 1

Preliminary provisions

- 3 **Purpose**
 (1) The purpose of this **Bylaw** is to protect the public from nuisance and to promote and maintain public health and safety by:
- (a) managing and protecting Council **Street Infrastructure**;
 - (b) managing construction in **Public Places**; and
 - (c) controlling overhanging trees, property numbering, the erection of barbed wire, razor wire and electric fences.

4 **Interpretation**

- (1) In this **Bylaw**, unless the context otherwise requires, -
Act means the Local Government Act 2002.

Approval means a licence, permit or other form of written approval granted under this **Bylaw**, and includes all conditions to which the approval is subject.

Approved Vehicle Crossing Installer means a person who has met the requirements of Council and who is listed as an approved installer.

Authorised Officer means any **Person** appointed by Council to act on its behalf and with its authority, and may include a police officer.

Bylaw means the ~~Whanganui District Council~~ Street Infrastructure Bylaw 2015.

~~**Consent** means a written authority from Council with or without prescribed conditions.~~

Council means the Whanganui District Council or any **Authorised Officer**.

~~“**Council**” means the Whanganui District Council or any Committee, Community Board or elected member of Council or Officer authorised to exercise the authority of Council.~~

District means the area within the territorial boundary of the Whanganui District Council.

Engineering Standards means the standards for design and construction of **Council** assets adopted by **Council** and published on **Council’s** website.

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Whanganui District Council Street Infrastructure Bylaw 2015

Motor Vehicle has the meaning given by s2 of Land Transport Act 1998:

“(a) means a vehicle drawn or propelled by mechanical power; and

(b) includes a trailer; but

(c) does not include—

(i) a vehicle running on rails; or

(ii) [Repealed]

(iii) a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or

(iv) a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or

(v) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or

(vi) a pedestrian-controlled machine; or

(vii) a vehicle that the Agency has declared under section 168A is not a motor vehicle; or

(viii) a mobility device”

Person includes a corporation sole, a body corporate, and an unincorporated body.

Premises means all land and buildings within a single rating unit.

Public Place means a place that, at any material time, is under the control of **Council** and is open to or being used by the public, whether free or on payment of a charge, and includes any **Road** whether or not it is under the control of **Council**.

Reserve means land vested in or administered by the **Council** under the provisions of the Reserves Act 1977; or any park, domain or recreational area under the control or ownership of the **Council**

Road has the meaning given by s2 of Land Transport Act 1998

“includes—

(a) a street; and

(b) a motorway; and

(c) a beach; and

(d) a place to which the public have access, whether as of right or not; and

(e) all bridges, culverts, ferries, and fords forming part of a road or street or

(f) motorway, or a place referred to in paragraph (d); and

(g) all sites at which vehicles may be weighed for the purposes of this Act or any other enactment”

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Whanganui District Council Street Infrastructure Bylaw 2015

Street Damage means damage to any **Street Infrastructure**, or other **Council** property sustained during building or land development operations and includes the undermining of any **Road** due to excavation on adjacent property and collapse of any adjacent property onto a **Road**.

Street Infrastructure means any **Road** carriageway, planted or sealed berm, cycle path, footpath, lighting standard, street furniture or reticulated infrastructure.

~~**Temporary Vehicle Crossing** means a temporary form of vehicle crossing designed to protect the road berm, footpath, and entrance to the road carriageway from damage associated with building or land development operations prior to the installation of a vehicle crossing.~~

Urban Area means any area of the **District** zoned residential, commercial or manufacturing in the Whanganui District Plan.

Vehicle has the meaning given by s 2(1) of the Land Transport Act 1998

“vehicle—

- (a) means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and
- (b) includes a hovercraft, a skateboard, in-line skates, and roller skates; but
- (c) does not include—
 - (i) a perambulator or pushchair:
 - (ii) a shopping or sporting trundler not propelled by mechanical power:
 - (iii) a wheelbarrow or hand-trolley:
 - (iv) [Repealed]
 - (v) a pedestrian-controlled lawnmower:
 - (vi) a pedestrian-controlled agricultural machine not propelled by mechanical power:
 - (vii) an article of furniture:
 - (viii) a wheelchair not propelled by mechanical power:
 - (ix) any other contrivance specified by the rules not to be a vehicle for the purposes of this definition:
 - (x) any rail vehicle “

Vehicle Crossing means a vehicular entrance providing access between any **Premises** and the carriageway of the **Road** fronting those **Premises**, constructed over a footpath, kerb, berm, water channel or drain.

Vehicle Crossing Construction Standard means the standard for **Vehicle Crossings** adopted by **Council** and published on **Council's** website.

Last updated

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Whanganui District Council Street Infrastructure Bylaw 2015

- (2) Any undefined words, phrases or expressions used in this **Bylaw** have the same meaning as in the Act unless the context plainly requires a different meaning.
- (3) Explanatory notes and additional information attached at the end of this **Bylaw** are for information purposes only, do not form part of this **Bylaw**, and may be made, amended, revoked or replaced by the **Council** at any time.
- (4) The Interpretation Act 1999 applies to this **Bylaw** as if it were an enactment.

Part 1

Vehicle Crossings

5 **Vehicle Crossing**

- (1) No **Person** shall:
 - (a) drive or propel any **Motor Vehicle** along or across any kerb, footpath, grass plot, flower bed, access way, walkway or cycle track except over a **Vehicle Crossing** constructed in accordance with this **Bylaw** or a **Vehicle Crossing** installed prior to this **Bylaw**.
 - (b) damage or interfere with a **Vehicle Crossing** without the **Approval** of **Council**.
- (2) No **Person** shall, except with the **Approval** of **Council**, construct, repair, remove or widen any **Vehicle Crossing**.
- (3) **Council** may require a **Person** who undertakes building or development work on **Premises** to install a **Vehicle Crossing**.
- (4) If, in the opinion of **Council**, a **Vehicle Crossing** is unsafe, or in a state of disrepair, or fails to meet **Council's Vehicle Crossing Construction Standard**, **Council** may require the owner or occupier of the **Premises** to which the **Vehicle Crossing** provides access:
 - (a) to repair the **Vehicle Crossing**; or
 - (b) to remove and reconstruct the **Vehicle Crossing**.
 - ~~(c) to pay to **Council** such sum of money as shall be necessary to repair or remove and reconstruct the vehicle crossing.~~
- (5) All works associated with the construction, repair, removal or widening of any **Vehicle Crossing** shall be undertaken by an **Approved Vehicle Crossing Installer**.
- ~~(6) If, in the opinion of **Council**, vehicles are being driven or are likely to be driven from the formed road across the road reserve to adjoining land in a manner that causes or is likely to cause damage to the road reserve, **Council** may either require the owner of the adjoining land to pay to the **Council** within 30 days of receipt of the notice the cost of construction of a vehicle crossing or have installed a vehicle crossing by an approved vehicle crossing installer.~~

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Whanganui District Council Street Infrastructure Bylaw 2015

- 6 **Infrastructure Bond**
- (1) Except with the **Approval of Council**, no **Person** shall undertake any building or development work which will or is likely to cause **Street Damage** without having first paid to the **Council**:
 - (a) an Infrastructure Bond; and
 - (b) a pre-work Infrastructure Inspection Fee; and
 - (c) a post-work Infrastructure Inspection Fee.
 - (2) Following the completion of works under clause 6(1) that **Person**:
 - (a) must repair any **Street Damage** or damage to **Council** property resulting from or ancillary to the works and reinstate the asset in accordance with the **Council's Engineering Standards**;
 - (b) may then apply for the return of outstanding bond monies.
 - (3) **Council** may repair any **Street Damage** or damage to **Council** property arising from any building or development work and may deduct from the Infrastructure Bond unpaid inspection fees and costs incurred by **Council**, including any reasonable administrative costs.
 - (4) For the purposes of determining any damage resulting from works under clause 6(2), **Council's** Street Infrastructure is deemed to meet **Council's Engineering Standards** unless the **Person** referred to under clause 6(1) has provided evidence to the contrary prior to the commencement of building or development work.

Part 2

Street Numbering

- 7 **Street Numbering**
- (1) **Council** may allocate a street number to any area of land or building or part of a building within the **District** and may change the street number allocated to any such area of land or building for electoral, postal, and other purposes.
 - (2) The owner or occupier of every property which has been allocated a number under clause 7(1) shall display that street number so that it is clearly visible from the carriageway of the **Road** fronting those **Premises**. ~~providing emergency services with easy location of the property in an emergency.~~

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Whanganui District Council Street Infrastructure Bylaw 2015

Part 3

Public Places

8 Overhanging Tree

- (1) No owner or occupier of any land shall allow trees, shrubs or vegetation growing thereon to overhang or encroach by their roots or branches onto any public area where it is likely to impede, obstruct, or endanger pedestrians or traffic; or cause **Street Damage** or impair views from a **Public Place**.
- (2) **Council** may partly or fully remove or trim back to the property boundary all trees or shrubs overhanging or encroaching. ~~at the discretion of the **Authorised Officer**.~~

9 Barbed / Razor wire / Electric Fence Projections

- (1) Within an **Urban Area**, no **Person** shall erect or maintain any fence:
 - (a) composed wholly or partly of barbed or razor wire or any similar wire where the fence fronts or abuts any **Road**, footpath, right-of-way, accessway, whether public or private, unless the barbed or razor wire is attached greater than two (2) metres above ground level.
 - (b) containing any electrified component as a boundary fence unless the electrified component is attached greater than 2 metres above ground level and the electrified component is at least 600mm inside the boundary fence.
- (2) No **Person** shall attach to any building or property any object or material which could cause injury to persons in a **Public Place**.

10 Construction in a Public Place

- (1) No **Person** shall, without the **Approval** of **Council**:
 - (a) place or leave, or cause or permit to be placed or left in, on or under a **Public Place** any building material, rubbish, debris, soil or other thing associated with or arising from any building activity;
 - (b) make or dig, or cause or permit to be made or dug, in a **Public Place** any hole or excavation; or
 - (c) blast any rock, stone, earth, timber, or other such material in, on, or near a **Public Place**.

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Whanganui District Council Street Infrastructure Bylaw 2015

Part 4

1 Administration and Enforcement

11 Approvals

- (1) The **Council** may grant, (with or without conditions) or refuse any application for **Approval**, at its discretion.
- (2) In deciding to grant or decline an application for **Approval** the **Council** will consider the following general matters for all applications:
 - (a) compliance with the relevant standards;
 - (b) reasonableness or practicality of compliance with the general and specific conditions;
 - (c) the location of the activity and whether it is likely to cause a nuisance, obstruction or a hazard;
 - (d) impacts on stormwater;
 - (e) traffic safety and the efficient operation of the traffic network;
 - (f) appropriate traffic management plans;
 - (g) ongoing maintenance costs to utility network providers;
 - (h) site reinstatement;
 - (i) whether the **Person** to undertake the works is an **Approved Vehicle Crossing Installer**;
 - (j) payment of prescribed fees, charges or bonds;
 - (k) public liability insurance;
 - (l) whether the activity is consistent with **Council** policies and plans; and
 - (m) any other matters **Council** considers necessary.

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Whanganui District Council Street Infrastructure Bylaw 2015

- (3) In deciding to grant or decline an application to waive the requirement for the payment of an Infrastructure Bond for **Street Damage Council** will consider the following additional matters:
- (a) whether or not the building work, site work or excavation work proposed is likely to cause damage to the **Road** reserve.
 - (b) the suitability of a **Person** to hold an **Approval** taking into account any known past operational issues and the applicant's experience and track record.
- (4) Any **Person** who has an application declined or revoked by the **Council** may apply in writing for a review of the decision and the **Council** may review it accordingly.
- 12 **Approved installers**
- (1) The **Council** may grant, (with or without conditions) or refuse any application for approval for a **Person** to become an approved installer and will consider the following matters:
- (a) ability to continuously demonstrate the following competencies:
 - (i) producing and implementing TMP's, including the availability of TC and STMS qualified individuals;
 - (ii) the ability to apply for and comply with Corridor Access Requests by electronic submission;
 - (iii) sustainable ongoing workload;
 - (iv) physical works skill for the required activities;
 - (v) management of the crossing site and construction related activities;
 - (vi) knowledge of and compliance with relevant standards and specifications;
 - (vii) the ability to work collaboratively with other contractors, utility network operators and **Council** officers;
 - (viii) the ability to comply with relevant health and safety requirements; and
 - (ix) required insurance cover.
 - (b) the suitability of a **Person** to hold an **Approval** taking into account any known past operational issues and the applicant's experience and track record.
 - (c) any other matters **Council** considers necessary.
- (2) **Council** shall maintain a list of **Approved Vehicle Crossing Installers** and may, at its discretion, review and remove installers.

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Whanganui District Council Street Infrastructure Bylaw 2015

- 13 **Non-compliance with this Bylaw**
- (1) The **Council** may use its powers under the **Act** to enforce this **Bylaw**.
 - (2) A **Person** who fails to comply with any control, restriction, limitation or prohibitions made pursuant to this **Bylaw** commits an offence under the **Act** and is liable to the penalties set out in that **Act**.
 - (3) Every **Person** commits an offence under this **Bylaw** who:
 - (a) Obstructs or hinders an Authorised **Council** Officer in the performance of any duty or power conferred by this **Bylaw**; or
 - (b) Fails to comply with a written instruction issued by an Authorised **Council** Officer in the performance of any duty or power conferred by this **Bylaw**; or
 - (c) Damages, destroys or defaces (or has in his or her possession, without authority from the **Council**) any property, article or thing belonging to **Council** or under **Council**'s control.
 - (4) ~~Where it is suspected that any Person has committed a breach of this **Bylaw** that Person must, on the direction of an Authorised **Council** Officer provide the Authorised Council Officer their full name, address and date of birth.~~
 - (5) ~~Any person who fails to carry out any action required to be carried out by an Authorised Council Officer, in respect of non-compliance, commits an offence and on summary conviction is liable to a fine up to \$20,000 under section 242(4) of the Act.~~
 - (6) ~~The penalties outlined in clauses 20.1 and 20.3 above are in addition to, and not in substitution of, any action Council might take pursuant to any other legislation to address breaches of this **Bylaw**.~~
- 14 **Removal of works**
- (1) The **Council** may:
 - (a) remove or alter any work or thing that is, or has been, constructed in breach of this **Bylaw**;
 - (b) may seize and impound property if it is materially involved in the commission of an offence; and
 - (c) recover on demand the full costs of removal or alteration from the **Person** who committed the breach.
- 15 **Recovery in the event of damage or other loss**
- (1) Where any breach of this **Bylaw** destroys, damages, stops, obstructs, or otherwise interferes with any works or property owned, constructed, acquired, or used by **Council**, the **Council** may recover the cost of repairing the damage and/or the full extent of its loss from the **Person** responsible for the breach.

Last updated
###/###/2020 – v00_03 Draft

Whanganui District Council Street Infrastructure Bylaw 2015

16 **Exceptions**

- (1) A Person is not in breach of this Bylaw if that Person proves that the act or omission took place in compliance with the directions of an Authorised Officer.

17 **Savings**

- (1) Any Approvals or controls in force at the commencement of this Bylaw remains in force until revoked or replaced by an equivalent resolution, Approval or decision made by the Council under this Bylaw.

~~18 **Notices**~~

- ~~(1) Any notice issued pursuant to this Bylaw must be in writing and may be served by:~~

- ~~(a) Delivering it personally to the person to whom it is addressed to; or
(b) Sending it by post in a letter addressed to the intended recipient, or leaving it at his or her usual or last known place of residence.~~

- ~~(2) If a notice is sent to the intended recipient by way of post then for the purposes of clause 18(1) the notice shall be deemed for the purposes of this Bylaw to have been received by the intended recipient at the time at which the letter would have been delivered in the ordinary course of postal delivery.~~

- ~~(3) Every notice to which clause 18(1) applies shall:~~

~~(a) Specify:~~

- ~~(i) The purpose of the notice;
(ii) Actions which Authorised Council Officers require the recipient to undertake in order to abate the nuisance;
(iii) The rights of appeal (if any) to the matters referred to in the notice; and
(iv) The name and address of the Officer to whom enquiries in respect of the notice may be made; and
(v) If entry on land or Premises is intended, the statutory authority for the entry; and
(vi) In the case of notice that an Animal has been seized, a statement that the Animal may be sold, humanely destroyed or otherwise disposed of unless the Animal is claimed and all fees paid within 7 days after receipt of the notice.~~

Last updated
###/###/2020 – v00_03 Draft

Whanganui District Council Street Infrastructure Bylaw 2015

19 — **Appeal Process**

- (1) — Any person who is dissatisfied with a decision made by an Authorised Council Officer may appeal in writing against that decision or conditions to Council within fourteen (14) days of receiving written notice of the decision or conditions.
- (2) — On hearing the appeal brought under this **Bylaw**, Council or its delegated Committee of Council may confirm, reverse, or modify the decision or conditions made by the Authorised Council Officer and the decision of Council or its delegated Committee of Council shall be final.
- (3) — The right of appeal is in addition to any other statutory right made available to the owner or occupier.

20 — **Fees**

- (4) — The Council may prescribe fees or charges payable for a certificate, authority, approval, permit, or consent from, or inspection by, the Council in respect of a matter provided for in this bylaw or under any other enactment, if the relevant provision does not authorise the Council to charge a fee or provide that the certificate, authority, approval, permit, consent, or inspection is to be given or made free of charge.
- (5) — Such fees and charges prescribed by the Council shall be no more than the reasonable costs incurred by Council in respect of the matter for which the fees and charges are prescribed.
- (6) — The Council must publicly notify the fees and charges so prescribed not less than 28 days prior to the fees and charges becoming effective.
- (7) — The public notification shall specify how the fees and charges are assessed, to what matter they apply, the date when the fees and charges will come into force, and the duration of their application.
- (8) — An authorised officer may provide for the refund, remission, or waiver of a fee or a charge in specified situations or in situations determined by the Council.
- (9) — The fees or charges will either be prescribed by this Bylaw or following consultation in a manner that gives effect to the requirements of section 82 of the Act.

8.4 LAND ACQUISITION FOR STORMWATER ATTENUATION - 85 MOSSTON RD, WHANGANUI

Author: Kritzo Venter - Snr Stormwater Engineer
Authoriser: Mark Hughes - General Manager Infrastructure
References: Nil

Significance of decision – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

Recommendation

That the acquisition of No 85 Mosston Rd, Whanganui be approved for a purchase price of: \$230,435-00.

Executive summary

The Westbourne Industrial Zone (Mill Rd) has seen increased demand from developers for the creation of new manufacturing and commercial property. Council has made investments in recent years to provide sufficient bulk storm water service to this area.

As part of Council's infrastructure service provision to this zone, a communal attenuation area is required for mitigating the impact of high run-off from impervious surfaces during large rain events, as well as providing pre-treatment of industrial run-off before entering the receiving environment.

The property at 85 Mosston Rd provides the most ideal and cost-effective location for providing the service, and negotiations for its acquisition have now been completed under the Public Works Act.

Council is being asked to approve the final purchase for execution at a purchase price of \$230,435-00.

Background

In recent years, Whanganui has experienced expansion of manufacturing and commercial activity, which saw an increase in demand for serviced land. The Westbourne Industrial Area (at Mill Rd) is an area of approximately 120Ha of "Greenfield" that is zoned for manufacturing.

The area has had insufficient bulk stormwater services supplied, and this was recognised in the 2015/2025 LTP, as well as the 2018/2028 LTP.

Bulk supply infrastructure has been provided through ne stormwater infrastructure having been installed for the length of Mosston Rd and Mill Rd.

These projects represents the Primary Drainage system which drains normally expected rain events efficiently, delivering it to the receiving environment at Wharf St.

For the area to be serviced to an acceptable standard, a secondary system that caters for larger rain events is also a requirement. In addition, there is a requirement for treatment of the discharge over industrial premises in order to protect the receiving environment downstream.

A stormwater attenuation area is being proposed at the location of 85 Mosston Rd, which will provide sufficient capacity to achieve all the requirements for standardised service to this location.

Key issues

The acquisition of land in general in this area, as well as the requirement for stormwater service provision has been consulted on during the LTP process.

Funding for land acquisition has been included in the LTP and Annual Plan to enable a purchase of this nature.

The purchase will enable large scale service provision to an area that is strategically important, and allowing Whanganui to achieve the vision as outlined in its Leading Edge Strategy.

On a national level, the establishment of natural stormwater management devices is in line with the provisions for fresh water as signalled by the Ministry for the Environment.

The proposed structure on this land will also enhance the cultural significance or the Mauri (life essence) of water, which through the natural treatment device is cleansed and “day-lighted” prior to being allowed to re-enter the receiving environment again.

Options

In total, three options were considered for addressing the need for stormwater attenuation and treatment:

1. Localised privately owned storage and treatment devices
2. A centralised storage/treatment device further westward on an adjacent property
3. A centralised storage/treatment device at the proposed location 85 Mosston Rd

Option 1 - was evaluated by considering providing privately owned and operated devices of this nature. These normally comes with a higher regime of regulatory monitoring. Inevitably the maintenance of these can often be compromised through lack of care or financial constraints – and the certainty of its availability during large events was found to be low. Therefore this option was disqualified as being inferior when compared to the preferred option. The cost of such an option would primarily be on private landowners, but the Risk to Council as a result of non-compliance and resultant damage to the environment and downstream flooding in the case of the failure of private systems was estimated to be in excess of \$2million.

Option 2 - was initially considered to be feasible, however during geotechnical investigations of the area, acidic soils were found which posed a risk of groundwater contamination if disturbed by the formation of the centralised storage/treatment device. The cost of establishing the device at this location was also much higher due to an increased scope for bulk earthworks (estimated \$1.65million). This option was disqualified as being inferior when compared to the preferred option.

Option 3 – The evaluation of this options showed the location to have naturally low contours, with minimal bulk-earthworks activity being a requirement to achieve the design-objectives. Opportunities for enhancing natural features and providing sufficient treatment of run-off is also easily achievable at this location. The land, due to its contours and nature of use, was also reasonably affordable and obtainable for this purpose. The cost of this option (including land purchase) was estimated to be \$780,000.

As a result, officers engaged with the landowner and negotiated a fair-market related settlement under the Public Works Act – for an amount of \$230,435-00

SUMMARY OF CONSIDERATIONS

Fit with purpose of local government

Cultural wellbeing is enhanced through ensuring that the Mauri (life essence) of water is restored and recognised before being released back to the receiving environment.

This project promotes economic well-being through providing service to appr 120Ha of land that can be developed for increased local productivity.

Social well-being is promoted through ensuring that stormwater run-off from large rain events is appropriately managed, to minimise the disruptions to transport links, business and residences in the downstream catchment.

Environmental value is being added by establishing a fit-for-purpose treatment area at this location which will use natural processes to enhance ecological habitat and water quality so that water of an acceptable standard can be reintroduced back to the receiving environment.

[Link: Section 10 of the Local Government Act 2002](#)

Fit with strategic framework

Select checkboxes to indicate whether the decision / report contributes, detracts or has no impact

	Contributes	Detracts	No impact
Leading Edge Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Long-Term Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Infrastructure Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Policies or Plans -	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Directly supports Councils strategic direction on water quality management for positive environmental outcomes, Storm-water levels of service as consulted with the community and economic growth for the district.

[Link: Leading Edge Strategy](#)

Risks

The recommended decision has a very minor degree of risk.

The following risks have been considered and identified:

- Financial** risks related to the financial management of Council and the ability to fund Council activities and operations, now and into the future
- Service delivery** risks related to the meeting of levels of service to the community
- Reputation / image** risks that affect the way the Council and staff are perceived by the community - nationwide, internationally, by stakeholders, and the media
- Legal compliance (regulatory)** risks related to the ability of management to effectively manage the Council, comply with legal obligations and avoid being exposed to liability
- Environmental** risks related to the environmental impacts of activities undertaken by the Council. Includes potential or negative environmental and / or ecological impacts, regardless of whether these are reversible or irreversible
- Health, safety and wellbeing** risks related to the health, safety and wellbeing of Council staff, contractors and the general public when using Council's facilities and services

8.5 APPOINTMENTS TO THE YOUTH COMMITTEE - MAY 2020

Author: Nicole Grey - Youth Committee Project Support Officer

Authoriser: Kate Barnes - Senior Democracy Advisor
Stephanie Macdonald-Rose - Policy & Governance Manager

References: Nil

Significance of decision – In terms of the Significance and Engagement Policy 2018, the recommended decision is not significant.

Recommendation

That Council appoints the following people to the Youth Committee:

- (a) Catrina Thomson
- (b) Chez-Ashli Peters
- (c) Jacob Brown
- (d) Louis Devine
- (e) Miriama Joseph
- (f) Myles Simpson
- (g) Siobhan Sarkar
- (h) Raneë Nikora-Rehu

Executive summary

The Whanganui District Council Youth Committee has carried out a comprehensive recruitment process to fill its current vacancies. The recruitment panel recommends appointees for Council approval.

Background

The Youth Committee is a committee of the Council. Its purpose is “to empower Whanganui young people to be the best they can be by providing the resources and opportunities that they need to succeed.”

The role of the Youth Committee is to:

- Represent the community’s young people
- Promote opportunities for youth participation
- Develop and monitor policy on youth issues
- Provide opportunities for youth to contribute to the decision-making of Council
- Advise the Council on matters of interest for youth in the Whanganui District

Due to the significant amount of change in the second half of 2019, previous youth committee members gradually resigned over the last 8 months – as is also to be expected with a new calendar year.

The recruitment process followed the procedures set out in the Youth Committee's terms of reference. The recruiting drive has been lengthy to ensure enough applications and interviews were held with the large number of vacancies to fill as well as the applications needed to hold in reserve. Applicants were encouraged through advertisements, media releases, social media, training providers, and community networks. A total of 34 applications were received and the diversity and high quality of applicants made the decisions very challenging

Shortlisted applicants were invited to group interviews and asked to engage in scenarios to test their understanding of youth issues as well as problem solving and collaborative skills. The panel considered a number of factors including encouraging diversity, and fair representation across the city and education institutions.

The panel will also keep hold of up to five applicants who just missed out on the appointment and will keep those applications to use for vacancies that may arise to ensure the process is fair for all youth in Whanganui. A future paper to Council will recommend an appointee for the remaining vacancy and the reserves list.

Key issues

The recruitment panel has taken the following things into consideration throughout the process.

1. Diversity of applicants
 - (a) Age – currently the Committee is comprised of only under 18s
 - (b) School/Work/Study status
 - (c) Current lifestyle and interests
 - (d) Demographics
 - (e) Background and past experiences
 - (f) Suburb and location around Whanganui
2. Future Direction of Youth Committee

Better alignment with the key tasks of consultation, networking, and promotion rather than running events.
Removing formal barriers where possible and shifting the focus towards representing Whanganui young people accurately (rather than potential political opportunity)
3. Building a team that will work together, not focusing on outstanding individuals or paper qualifications.

The panel recommends the following people for appointment. Candidates have provided brief biographies.

Louis Devine

21 years old | Plumber (Apprentice)

My main interests are greatly centred around environment, and with marine environment being at the top, as well, I am very interested in the construction industry, and general well-being. I would

like to become a part of the youth committee for I believe I can have a very positive affect and I will strive to help others with regards to their goals.

Ranee Nikora-Rehu

20 years old | Resource Recovery Centre | Parent | Te Wananga o Aotearoa

Kia ora, I work as a recycling operator as well as studying part time business. My life is pretty full on with a one year old little boy who has just figured out how to run around the house, we live in the Kaiwhaiki village just out of Whanganui and absolutely adore the outdoor space we get to explore every day.

Chez-Ashli Peter

18 years old | Whanganui City College | Supermarket

I was born and raised in Kwa-Zulu Natal, South Africa. I have been living in Whanganui for a year and a few months with my brother, mom and dad. I'm a year 13 student (for the second time) at Whanganui City College. Yes, the second time! I've come back this year to do an early childhood education course that hopefully starts in the third term. I work at a supermarket in the online shopping department and I love it!

Miriama Joseph

17 years old | Whanganui High School | Supermarket | Te Ora Hou

I am a part of the whakapakari team at Te Ora Hou, as well as volunteer as a youth worker with our Te Pihi girls doing work experience. In future I was planning to study with Praxis but my plans have changed, I am now planning to go to university and study teaching for intermediate/primary, as well as study Praxis later on in future. I love working with people especially our rangatahi.

Jacob Brown

17 years old | Whanganui High School

In all honesty, I like to think of myself as a free spirit, someone who can hopefully brighten up someone else's day with my kind, confident and friendly nature. I am also a person who tends to work at their best when under pressure, in some cases I find that really good to have as a trait, but in other cases for example because of this trait I have I do tend to leave and start my school assessments for the night they are due, keeping that in mind I do finish them and hand them in on time.

Myles Simpson

15 years old | Whanganui High School

I am in Year 11 at Whanganui High School. I have lived in Whanganui for 2 years having previously lived in Wellington. My interests outside of school are Karate and Air Force Cadets. I have a strong passion for public speaking and diversity.

Catrina Thomson

14 years old | Whanganui City College

I'm Cat; a Kiwi who does their best to get a perfect school record, a Kiwi who loves helping out those around them, a Kiwi who's been through so many things in their short life. I like to study, I like working, I like caring for others that need help but are afraid to ask such as those suffering from depression. That's probably my strongest point, helping people with their mentality: So I simply want the best for everyone and want to be able to help out as much as I can.

Siobhan Sarkar

13 years old | Whanganui High School

I'm a determined young student who loves meeting/working with new people and trying new things. I've got a long list of hobbies and extracurricular activities that I get myself into and I like to think I help out the community as much as I can while staying flamboyant and lively. I hope to make people happy and brighten their days.

Options

Councillors are asked to appoint eight people to the Youth Committee. These people have been recommended by the recruitment panel following the interview process.

If Council is not happy to proceed with appointment, the panel would need to reconvene and consider further applications and candidates.

SUMMARY OF CONSIDERATIONS

Fit with purpose of local government

Promotes wellbeing for the youth in the Whanganui community.

[Link: Section 10 of the Local Government Act 2002](#)

Fit with strategic framework

Select checkboxes to indicate whether the decision / report contributes, detracts or has no impact

	Contributes	Detracts	No impact
Leading Edge Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Long-Term Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Infrastructure Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Policies or Plans -	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

[Link: Leading Edge Strategy](#)

Risks

The recommended decision has a very minor degree of risk.

The following risks have been considered and identified:

- Financial risks** related to the financial management of Council and the ability to fund Council activities and operations, now and into the future
- Service delivery risks** related to the meeting of levels of service to the community
- Reputation / image risks** that affect the way the Council and staff are perceived by the community - nationwide, internationally, by stakeholders, and the media
- Legal compliance (regulatory) risks** related to the ability of management to effectively manage the Council, comply with legal obligations and avoid being exposed to liability
- Environmental risks** related to the environmental impacts of activities undertaken by the Council. Includes potential or negative environmental and / or ecological impacts, regardless of whether these are reversible or irreversible
- Health, safety and wellbeing risks** related to the health, safety and wellbeing of Council staff, contractors and the general public when using Council's facilities and services
- Information technology and management risks** related to the integrity of the Council's IT network, including security, access and data management
- Infrastructure / assets risks** related to the inability of assets to provide the required level of service in the most cost effective manner
- Project completion risk** of failure to complete on time, on budget and to plan

[Link: Risk Management Policy](#)

Policy implications

Complies with Youth Committee's terms of reference.

Financial considerations

Youth Committee members receive remuneration for meeting attendance.

Nil

Approved in LTP / AP

Unbudgeted \$

Legislative considerations

None identified.

Significance

The recommended decision is considered not significant as per Council's Significance and Engagement Policy.

[Link: Significance and Engagement Policy](#)

[Link: Determining significance overview](#)

Engagement

The Youth Committee Project Support Officer has engaged through various means key agencies and people working with youth in Whanganui to identify and encourage possible candidates.

[Link: Significance and Engagement Policy 2018](#)

8.6 WHANGANUI & PARTNERS UPDATE - MAY 2020**Author:** Anna Palamountain - Democracy Advisor**Authoriser:** Kate Barnes - Senior Democracy Advisor**References:** Nil**Recommendation**

That the Council receive the report – Whanganui & Partners Update - May 2020.

Executive Summary

Mark Ward, Chief Executive, Whanganui & Partners, will provide a report on Whanganui & Partners' activity. The report will be circulated to Elected Members separately.

8.7 REPRESENTATIVE UPDATE - MAY 2020**Author:** Anna Palamountain - Democracy Advisor**Authoriser:** Kate Barnes - Senior Democracy Advisor**References:** Nil**Recommendation**

That the Council receive the report – Representative Update - May 2020.

Executive Summary

Elected Members may provide a brief verbal update on conference/forums attended, or the activities of those organisations/groups for which they are a Council representative.

9 MINUTES FOR RECEIPT

Nil

10 MOTION TO EXCLUDE THE PUBLIC**RESOLUTION TO EXCLUDE THE PUBLIC**

Section 48, Local Government Official Information and Meetings Act 1987.

Recommendation

That the public be excluded from the following parts of the proceedings of this meeting, namely items listed overleaf.

Reason for passing this resolution: good reason to withhold exists under section 7. Specific grounds under section 48(1) for the passing of this resolution: Section 48(1)(a)

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

(a) Shall be available to any member of the public who is present; and

(b) Shall form part of the minutes of the local authority.”

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

ITEM NO.	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	SECTION	SUBCLAUSE AND REASON UNDER THE ACT	PLAIN ENGLISH REASON	WHEN REPORTS CAN BE RELEASED
12.1	Confidential Minutes of the Council Meeting held on 16 April 2020				
14.1	Section 17A Review	s7(2)(a)	Privacy	May contain information affecting employees.	
14.2	Whanganui to Auckland Air Travel Services	s7(2)(h)	Commercial Activities	Keeping confidential commercially sensitive information.	
14.3	Masters Games - Whanganui - February 2021 - Update	s7(2)(b)(ii), s7(2)(i)	Commercial Position, Negotiations	The Trust are progressing several commercially sensitive discussions pertaining to sponsorship revenue, details of which are recorded within the item.	The information to be released will be dependent upon the feedback received from Council, and will relate to whether the Trust are to proceed or not with the organising of the Masters Games event in February 2021.
14.4	Whanganui District Council Holdings Limited Update - May 2020	s7(2)(b)(ii), s7(2)(h)	Commercial Position, Commercial Activities		
14.5	Chief Executive's Report - May 2020	s7(2)(a), s7(2)(b)(ii), s7(2)(i)	Privacy, Commercial Position, Negotiations	To protect individuals and commercial and private information	

That Annette Main, Chair, and Matthew Doyle, Deputy Chair, Whanganui District Council Holdings Limited be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of **14.4 Whanganui District Council Holdings Limited Update – May 2020**. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of their position as Chair and Deputy Chair of Whanganui District Council Holdings Limited.

That Grant Skilton be permitted to remain at this meeting, after the public has been excluded, because of his knowledge of the rural community. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because Grant Skilton is a member of the Whanganui Rural Community Board.