



AGENDA RĀRANGI TAKE COUNCIL



10AM, Wednesday 24
May 2023

Council Chambers, 37
Ayr Street, Ohakune





RUAPEHU DISTRICT COUNCIL Te Kaunihera-ā-Rohe o Ruapehu

NOTICE OF MEETING

A MEETING OF RUAPEHU DISTRICT COUNCIL WILL BE HELD IN THE
COUNCIL CHAMBERS, 37 AYR STREET, OHAKUNE
ON WEDNESDAY, 24 MAY 2023, AT 10AM

Members	
---------	--

Mayor	Weston Kirton
Deputy Mayor	Vivienne Hoeta
Councillors	Robyn Gram
	Janelle Hinch
	Channey Iwikau
	Fiona Kahukura Hadley-Chase
	Lyn Neeson
	Rabbit Nottage
	Brenda Ralph
	Korty Wilson

Clive Manley
CHIEF EXECUTIVE

Quorum (5)

**THE PUBLIC BUSINESS PART OF THE AGENDA IS LIVE STREAMED TO
COUNCIL'S FACEBOOK PAGE**

RUAPEHU DISTRICT COUNCIL

Te Kaunihera-ā-Rohe o Ruapehu

ORDER PAPER

A MEETING OF RUAPEHU DISTRICT COUNCIL WILL BE HELD IN THE
COUNCIL CHAMBERS, 37 AYR STREET, OHAKUNE
ON WEDNESDAY, 24 MAY 2023, AT 10AM

PUBLIC BUSINESS | KAUPAPA O WAHO

1 Opening Karakia | Karakia Timatanga

2 Apologies (includes leave of absence notification)

3 Declarations of Interest

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item.

4 Notification of Additional Items

Matters Requiring Urgent Attention as Determined by Resolution of Ruapehu District Council

Pursuant to Sections 46A(7) and 46A(7A) of the Local Government Official Information and Meetings Act 1987, to receive the Chairperson's explanation that specified item(s), which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded, will be discussed. The item(s) may be allowed onto the agenda by resolution of the Ruapehu District Council with an explanation as to why they cannot be delayed until a future meeting.

Minor Matters relating to the General Business of Ruapehu District Council

Any additions in accordance with Section 46A(7A) may be received and discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Ruapehu District Council for further discussion.

5 Confirmation of Order of Meeting

6 Public Forum

A period of up to 30 minutes is set aside for public participation at the commencement of any meeting of the Council. Public forums are designed to enable members of the public to bring matters of their choice, not necessarily on the meeting's agenda, to the attention of the Council. Council standing orders do not apply.

Page

5

*Please Note: The contents of the Reports attached to this Order Paper have yet to be considered by Council, and officer recommendations may be altered or changed by the Council in the process of making the formal Council decisions.
This Order Paper may be subject to amendment.*

7	Confirmation of Minutes of Council Meeting(s)	6
	The minutes of the Council Meeting held 26 April 2023 will be put to the Council for confirmation.	

REPORTS

8	Annual Plan 2023/24 Deliberation Report	20
9	LGNZ's Submission on the Ministerial Inquiry into Forestry Slash	71
10	Document Signed and Sealed: 936 Taringamoto Road, RD4, Taumarunui	107
11	Document Signed and Sealed: 15 Porou Street ,Taumarunui	113
12	Financial Monitoring Report for the Month Ending 30 April 2023	119
13	Relationship Agreement between Ruapehu District Council and Te Totarahoe o Paerangi (Ngāti Rangi)	131
	To be publicly signed before Council adjourns for lunch	
14	Mayor's Monthly Report	132
15	Chief Executive's Monthly Report	135
16	Mayor, Deputy Mayor, Chief Executive and Elected Members' Verbal Reports	144
	(to provide updates on upcoming events, and other matters of general interest)	
17	Resolution to Exclude the Public for Consideration of Council Business	145
	(to consider and adopt confidential items)	

PUBLIC EXCLUDED BUSINESS | KAUPAPA Ā ROTO

*Please Note: The contents of the Reports attached to this Order Paper have yet to be considered by Council, and officer recommendations may be altered or changed by the Council in the process of making the formal Council decisions.
This Order Paper may be subject to amendment.*

Report to: Council

Meeting Date: 24 May 2023

Subject: **Public Forum: Temporary Suspension and Reinstatement of Standing Orders**

Report for: **Decision**

Author(s): Tasha Paladin

GOVERNANCE MANAGER

Endorsed By: Clive Manley

CHIEF EXECUTIVE



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to enable the Council to temporarily suspend Standing Orders to allow Elected Members and the Public to address the Council.

Recommendation(s) | Ngā tūtohunga

That the Council:

- 1 Receives the Report **Public Forum: Temporary Suspension and Reinstatement of Standing Orders**; and
- 2 Pursuant to Section 27(4) Schedule 7 of the Local Government Act 2002, temporarily suspends the following Standing Orders to enable members of the Public to address Council, and members to engage in discussion in a free and frank manner:
 - (a) 21.2 Time limits on speakers | Te tepenga wā mā ngā kaikōrero
 - (b) 21.5 Members may speak only once | Kotahi noa iho te wā e āhei ai te mema ki te korero; and
 - (c) 21.6 Limits on number of speakers | Ngā tepenga mō te maha o ngā kaikōrero.

The Council received addresses as follows:

RESOLVED

That the Council:

- 1 Pursuant to Section 27(4) Schedule 7 of the Local Government Act 2002, reinstates Standing Orders in their entirety for consideration of the Agenda.

Public Forum Guidelines

- 2.1 Council has adopted the following Public Forum Guidelines:
 - (a) A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled Council meeting;
 - (b) Speakers can speak for up to **five minutes**. Where the number of speakers presenting exceeds six in total, the chairperson has discretion to restrict the speaking time permitted for all presenters;
 - (c) The Public Forum is designed for members of the public to speak about matters of interest to them to Council. It is not intended as a forum to question Council members. Council members may ask questions of speakers to clarify their statement;
 - (d) Members of the public wishing to speak must advise the Chief Executive (or delegate) at least one clear working day prior to the meeting;
 - (e) The Chairperson may refuse applications which are repetitious or offensive and may terminate a speaker in progress where the subject matter is disrespectful or offensive;
 - (f) There are not to be criticisms of individual Council members or individual staff members.

Report to: Council

Meeting Date: 24 May 2023

Subject: Confirmation of Minutes of Council Meeting

Report for: Decision

Author(s): Tasha Paladin

GOVERNANCE MANAGER

Endorsed By: Clive Manley

CHIEF EXECUTIVE



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to present the minutes of the Council Meeting held on 26 April 2023 for confirmation as a true and correct record.

Recommendation(s) | Ngā tūtohunga

That the Council:

- 1 Confirms the Public Business Minutes of the Ruapehu District Council meeting held Wednesday, 26 April 2023 as attached, as a true and correct record

Attachment(s) | Ngā āpitihanga

- 1 Ruapehu District Council Public Business Minutes

RUAPEHU DISTRICT COUNCIL

Te Kaunihera-ā-Rohe o Ruapehu

MINUTES

THE MEETING OF RUAPEHU DISTRICT COUNCIL HELD IN THE
COUNCIL CHAMBERS, 37 AYR STREET, OHAKUNE
ON WEDNESDAY, 26 APRIL 2023, AT 10:05AM

PUBLIC BUSINESS | KAUPAPA O WAHO

Present | Tuhianga

Mayor	Weston Kirton
Deputy Mayor	Vivienne Hoeta
Councillors	Robyn Gram
	Janelle Hinch
	Channey Iwikau
	Fiona Kahukura Hadley-Chase
	Lyn Neeson
	Rabbit Nottage
	Brenda Ralph
	Korty Wilson

In Attendance | I Tae Mai

Clive Manley	Chief Executive
Vini Dutra	Executive Manager Infrastructure
Pauline Welch	Executive Manager Community & Economic Development
Warrick Zander	Executive Manager Regulatory & Customer Services
Tasha Paladin	Governance Manager

By Zoom

Fiona Ferrar	Acting Manager, Finance, Strategy & Governance
Sonny Houppapa	Executive Manager Iwi Relationships
Paul Wheatcroft	Executive Manager Communications
Chris Hankey	Senior Management Accountant
Melissa Jackson	Manager Policy & Strategy
Vivita Matanimeke	Strategy & Policy Advisor
Candice McNaught	Manager Community Relationships & Wellbeing
Rina Hepi	Manager Community & Recreational Facilities

External Speakers

Ewen Skinner	Morrison Low	Item 12
Karen Lam	Morrison Low	12

1 Opening Karakia | Karakia Timatanga

Councillor Korty Wilson

2 Apologies

The Chairperson invited notice from members of apologies, including apologies for lateness and early departure from the meeting.

No apologies were received.

3 Declarations of Interest

Councillor Wilson and Councillor Hinch declared their interest in Item C3 Ngāti Rangi Proposal to Lease 11 Thames Street, Ohakune being considered in Public Excluded business.

4 Notification of Additional Items

There were no additional items not on the Agenda.

5 Confirmation of Order of Meeting

The order of the meeting was confirmed.

6 Public Forum: Temporary Suspension and Reinstatement of Standing Orders

There were no requests for public participation.

7 Confirmation of Minutes of Council Meeting**RESOLVED**

Moved: Cr Wilson

Seconded: Cr Iwikau

That the Council:

- 1 *Confirms the Public Business Minutes of the Ruapehu District Council meeting held Wednesday, 22 March 2023 as attached, a true and correct record*

8 Proposed Dog Registration Fees and Charges 2023/2024

The Meeting adjourned briefly at 10:16AM and reconvened at 10:18AM

Members received a report proposing the revised dog registration fees and charges for the 2023/24 financial year. Section 37 of the Dog Control Act 1996 required Council to publicly notify the dog registration fees at least one month before the start of the registration year, hence the need for a concurrent approval process with Council's other Fees and Charges. The report seeks the Council's approval of the fees to enable dog owners to use the early incentive discount.

No changes to the current registration categories were recommended during the last two dog registration financial years. In view of this and with a 'catch up, keep up' lens, Council is seeking a review of such fees and looking at linking the increases to the CPI index of 7.2 per cent. Council's Executive Manager Regulatory & Customer Services spoke to the report and answered Members' questions.

Members asked if consideration had been given to disabled owners of dogs. Officers advised that there was not a need to modify the fee structure as Section 39(3) of the Dog Control Act 1996 allows for officers to emit, reduce, or refund the dog control fee or part of the fee on a case-by-case scenario where it is satisfied that there are special grounds for doing so. Council's Executive Manager Regulatory & Customer Services asked that any requests for consideration be made to him.

Members expressed their concerns about the increase in fees and how it would impact on farmers with multiple working dogs. The "user pays" approach was considered unfair on working dogs as there was no tangible service delivered to this category. Members felt the time to increase fees was not now, and Council should be giving empathy back to dog owners. It was noted the risk associated with keeping the fees at the current rates would be an increase in rates requirements for the service delivery.

RESOLVED

Moved: Deputy Mayor Hoeta

Seconded: Cr Nottage

That the Council:

- 1 Receives the Report **Proposed Dog Registration Fees and Charges 2023/2024**.*

RESOLVED

Moved: Cr Hinch

Seconded: Cr Gram

That the Council:

- 2 Approves the proposed Dog Registration Fees and Charges for 2023/2024 as set out in the table below.*

Proposed Fees and Charges	2022/23	2023/24
Non-Working Dogs		
Entire dogs	\$145	\$160
Entire dogs (paid by 30 June)	\$97	\$106
Neutered dogs	\$100	\$110
Neutered dogs (paid by 30 June)	\$67	\$73

Responsible Dog Owner	\$38	\$42	
Working Dogs			
Working dog	\$33	\$37	
Working dog (paid by 30 June)	\$22	\$25	
Hunting Dog			
Hunting dog	\$37	\$41	
Hunting dog (paid by 30 June)	\$25	\$27	
Note: the hunting dog classification applies only to dogs that are used for pig and deer hunting in the conservation estate – not waterfowl hunting dogs.			
Dangerous Dog Classification			
Registration will be 150% of the level that would apply if the dog were not classified as a Dangerous Dog. For example: Non-working Dog / Entire \$160 x 150% = \$240			
Dog – Impounding		2022/23	2023/24
First impounding – all dogs		\$80	\$90
Second impounding – all dogs		\$170	\$180
Third impounding – all dogs		\$285	\$285
Daily sustenance and care		\$15	\$17
Registration investigation		\$30	\$33
Surrender Fee		\$45	\$50
Dog replacement tags		\$3.50	\$4
Licence Fee for more than two dogs (excluding Rural zoning)		\$42	\$45
Micro-chipping		\$25	\$25
Hire of dog trap	Per Week	\$21	\$25
	Plus Bond	\$100	\$110
Replacement of Trap		Current Cost of Replacement Value	

The Motion was CARRIED 6 votes to 3.

9 Adoption of the Easter Sunday Shop Trading Policy

Members received a report presenting the Council's Easter Sunday Shop Trading Policy that was first adopted in February 2018. The policy has undergone its first five-year review with only minor amendments being inserted:

- (a) Slight rewording of the policy objective area of the policy for ease of understanding.
- (b) The principles have been updated to reflect the Council's wellbeing goals.
- (c) The map of the Ruapehu district has been updated.

Council's Strategy & Policy Advisor spoke to the report and answered Members' questions.

Under the Shop Trading Hours Act 1990 the Council is required to have a local Easter Sunday shop trading policy; Council's Policy is due for review every five years. The Policy permits Easter Sunday trading in the whole of the Ruapehu District, and there is no requirement for businesses to register or apply to the Council to operate on Easter Sunday. Members requested the policy be advertised in advance of Easter 2024 to assist businesses and the public.

RESOLVED

Moved: Cr Hinch

Seconded: Cr Kahukura Hadley-Chase

That the Council:

- 1 *Receives the Report **Adoption Report: Easter Sunday Shop Trading Policy 2023**; and*
- 2 *Adopts the Easter Sunday Shop Trading Policy 2023 which permits shop trading on Easter Sunday at the individual business owners' choice in the whole of the Ruapehu District.*

10 Update on the Affordable Water Reform Programme

Members received a report for information outlining key details, as known at the time of preparing the report, of the changes announced by Government 13 April 2023, to the Water Services Reform Programme. Council's Chief Executive spoke to the report and answered Members' questions.

Council's Chief Executive sought Members' direction on exploring the option to join with another entity. He advised the new structure of 10 entities may not be beneficial to the District; the Ruapehu District is currently in the Manawatū/Whanganui Entity, however, if 75 per cent of the entity were in agreement to combine with a neighbouring entity such as Taranaki, Waikato, Bay of Plenty, Tairāwhiti - Gisborne, Hawkes Bay or Wellington, Wairarapa, and 75 per cent of the neighbouring entity were also in agreement, a larger entity could be formed, and potentially bring a greater economy of scale and harmonisation for the rate payers. Members advised their preference for the Chief Executive to keep abreast of the topic.

Mayor Kirton and the Chief Executive will be attending the Local Government New Zealand Zone Three meeting 27 and 28 April and will look to gauge the opinions of other territorial authorities on the revisions to the reform programme.

RESOLVED

Moved: Deputy Mayor Hoeta

Seconded: Cr Gram

That the Council:

- 1 *Receives the Report **Update on the Affordable Water Reform Programme** for information; and*

RESOLVED

Moved: Cr Hinch

Seconded: Cr Wilson

- 2 *Agrees in principle to investigate the feasibility of joining with a neighbouring water services entity under the new model presented within the Affordable Water Reform Programme.*

11 Councillor attendance at LGNZ Conference and Awards: 26 to 28 July 2023, Ōtautahi Christchurch
--

Members received a report outlining the Local Government New Zealand (LGNZ) Conference programme scheduled for Wednesday 26 to Friday 28 July 2023 in Ōtautahi Christchurch. The report sought endorsement from the Council for the Mayor and Chief Executive's attendance, and invited nominations for a Councillor to also attend. Council's Chief Executive spoke to the report and answered Members' questions.

RESOLVED

Moved: Cr Wilson

Seconded: Cr Neeson

That the Council:

- 1 *Receives the Report **Councillor attendance at the LGNZ Conference and Awards: 26-28 July 2023, Ōtautahi Christchurch**;*
- 2 *Approves that His Worship the Mayor, Mayor Kirton attends the LGNZ Annual General Meeting (AGM), conference, and Awards between 26 and 28 July 2023, in representation of Ruapehu District Council;*
- 3 *Approves that Ruapehu District Council Chief Executive, Clive Manley, attends the LGNZ AGM, conference, and Awards between 26 and 28 July 2023 in representation of Ruapehu District Council;*
- 4 *Approves that His Worship the Mayor is the presiding delegate at the LGNZ AGM. The Chief Executive is the alternate delegate at the LGNZ AGM;*
- 5 *Notes that the Council is entitled to two votes at the 36th LGNZ AGM. The voting entitlement of each member authority is determined by that authority's subscription level; and*
- 6 *Approves that Councillor Fiona Kahukura Hadley-Chase attends the pre-conference Te Maruata hui on 26 July 2023, and the conference and Awards between 27 and 28 July 2023 in representation of Ruapehu District Council.*

12 Section 17A Review Process: Economic Development, Regional Tourism Organisation and isites
--

Note: Deputy Mayor Hoeta left the meeting at 11:25AM and re-entered at 11:27AM

Members received a report outlining the process for the Section 17A review for the three activities of Economic Development, Regional Tourism and isites deliver. Council's Executive Manager Community & Economic Development spoke to the report and answered Members' questions. Ewen Skinner and Karen Lam of Morrison Low were in attendance to explain the process it proposed to take.

A Section 17A review, commonly abbreviated to s17A, is a requirement under the Local Government Act to undertake a review that considers options for the governance, funding and delivery of infrastructure, local public services and local regulation that include, but are not limited to:

- (a) in-house delivery
- (b) delivery by a Council Controlled Organisation (CCO), whether wholly owned by the local authority, or a CCO where the local authority is a part owner
- (c) another local authority
- (d) another person or agency (for example central government, a private sector organisation or a community group).

Officers sought Elected Members guidance on Iwi engagement, and Morrison Low expressed its openness to extending the timeframe and widening the pool of interviewees for feedback. All feedback would be used to inform the structure of the s17A review which would then feed into the Economic Development strategy.

RESOLVED

Moved: Cr Hinch

Seconded: Cr Kahukura Hadley-Chase

That the Council:

- 1 *Receives the Report **Section 17A Review Process – Economic Development, Regional Tourism Operator and isites**; and*
- 2 *Agrees that all Councillors and the Mayor will be interviewed by Morrison Low for the development of options going forward.*

13 Document Signed and Sealed: 12 New Road, Taumarunui

Members were presented with a report seeking Council's endorsement of the documents signed under Seal by the Mayor and Chief Executive.

RESOLVED

Moved: Cr Neeson

Seconded: Deputy Mayor Hoeta

That the Council:

- 1 *Receives the Report **Document Signed and Sealed: 12 New Road, Taumarunui**; and*
- 2 *Approves the actions by the Mayor and Chief Executive in executing the following documents:*

Relocatable Refundable Bond Agreement	Owner:	Tatiana Hopcroft
	Description:	12 New Road, Taumarunui

14 Financial Monitoring Report for the Month Ending 31 March 2023

*Note: Councillor Hinch left the meeting at 11:35AM and re-entered at 11:37AM
Councillor Iwikau left the meeting a 11:39AM and re-entered at 11:45AM*

Members received a report monitoring Council's financial performance against the Annual Plan 2022/23. Council's Senior Management Accountant spoke to the report and answered Members' questions.

Council's Executive Manager Infrastructure advised the bridge delays would likely have a financial impact and would be presenting a report to the May meeting of Council. Members were advised that operational funding was not rolled over to the new Financial Year. Any Capital Works to be carried over would be reported to Council, and projects would be reassessed as part of the Long Term Plan process.

At the time of the meeting Council had not received any updated guidance on the Affordable Water Reform programme in relation to the entity taking on Council's associated debt. Council's Chief Executive will be meeting with the Department of Internal Affairs (DIA) the following week which will present the first opportunity to discuss the topic.

RESOLVED

Moved: Cr Kahukura Hadley-Chase

Seconded: Deputy Mayor Hoeta

That the Council:

- 1 *Receives the Report **Financial Monitoring Report for the Month Ending 31 March 2023***

15 Mayor's Monthly Report

Members received a report advising Elected Members of appointments and meetings undertaken by the Mayor during March 2023. The report also outlines fee waiving applications approved (if any) by the Mayor during the same period. Mayor Kirton spoke to the report and answered Members' questions.

RESOLVED

Moved: Cr Neeson

Seconded: Mayor Kirton

That the Council:

- 1 *Receives and notes the Report **Mayor's Report** for information.*

RESOLVED

Moved: Cr Iwikau

Seconded: Cr Hinch

- 1 *That the meeting continues past the 2-hour mark.*

16 Chief Executive's Monthly Report

Note: Councillor Ralph left the meeting at 12:16PM and re-entered at 12:18PM

Members received an update of the organisation's activity over the February 2023 period. The report provides a snapshot of the wider legislative environment and focus from a regional perspective, an overview of the wellbeing of the District, and highlights key achievements and activity over the period, including significant projects from the Chief Executive's perspective since the last Council meeting. Council's Chief Executive spoke to the report and answered Members' questions.

Members expressed their concerns with the level of litter and poorly kept verges in the township of Waiouru. Officers undertook to liaise with BP Waiouru and encourage it to keep its site clean of litter. Officers also undertook to review the Recreational Services schedule, and in particular in relation to Waiouru, and provide an update to the May meeting.

Members asked how the funding for Mayor's taskforce for Jobs was assigned. Officers advised the contract was outsourced to REAP, and due for renewal; Officers undertook to bring back information to the May meeting of Council on the regarding the new contract effective 1 June 2023.

Members requested a summary of forward capital works: Pavement Rehabilitations be included within the Capital Works section.

Officers advised Te Ara Mangawhero cycle trail was closer to starting, however, Te Hangaruru was currently with Kiwirail, Horizons Regional Council and the Department of Conservation, who

required further detail on specific sites. Members were assured funding for the project was not at risk.

Members requested a summary report to the May meeting of Council on the learnings and key take-aways from the National Māori Housing Conference in Rotorua.

RESOLVED

Moved: Cr Kahukura Hadley-Chase

Seconded: Cr Iwikau

That the Council:

- 1 *Receives and notes the Report **Chief Executive's Report** for information.*

17 Receipt of Minutes of the Risk & Assurance Committee
--

Members received a copy of the minutes of the Risk & Assurance Committee meeting held Monday, 27 February 2023 for information.

RESOLVED

Moved: Deputy Mayor Hoeta

Seconded: Cr Wilson

That the Council:

- 1 *Receives the Public Business Minutes of the Risk and Assurance Committee meeting held Monday, 27 February 2023 as attached, for information.*

The Meeting adjourned for lunch at 12:30PM and reconvened at 1:09PM

18 Mayor, Deputy Mayor, Chief Executive and Elected Members' Reports (Verbal)
--

Members each gave verbal updates on recent and upcoming events, and other matters of general and topical interest to the District.

Key topics raised were:

- Mayor Kirton and Councillor Neeson will be attending the Local Government New Zealand (LGNZ) Zone Three meeting 28 April and have requested time to present on the topic of carbon farming with the goal of discussing and gaining support for the issues surrounding carbon farming, especially its implications and impacts on the Ruapehu District. The plan is to take a two-pronged approach; gaining support from LGNZ, and a more formal consultation with major players including agencies that buy the farms for the carbon farming system.
- The Need for cultural inductions in the tourism and isite space, especially in relation to the iwi of the towns the isites serve.
- Council is reviewing the veranda project and opportunities to look at a design that could help detract ram raiders, following the third ram raid in the Taumarunui High Street.
- Forthcoming events in the Ruapehu District include: T42 6 May, Carrot Carnival 3 June and Mardi Gras event 24 June.
- Concerns were raised over the increasing incidence of cattle beast being killed on local farms.
- Request to focus on the pronunciation of Ruapehu [roo-uh-pay-hoo] as it changes the meaning when it is mispronounced.

- With the New Zealand wide push for women's rugby, Members asked if Council could explore options to improve the Taumarunui grandstand facilities to make them more welcoming.
- There is increasing concerns for the future of Ruapehu Alpine Lifts, as an operator for the winter has not yet been confirmed. It is understood there are four bids being considered by the Ministry of Business, Innovation and Employment (MBIE) A season pass sale has also not occurred and there is an awareness the high end of market has already booked ski trips to the South Island.

19 Resolution to Exclude the Public for Consideration of Council Business

Section 48 of the Local Government Official Information and Meetings Act 1987 gives the Council the right by resolution to exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the grounds contained within that Section.

RESOLVED

Moved: Cr Kahukura Hadley-Chase

Seconded: Deputy Mayor Hoeta

That the Council:

- 1 *Receives the **Report Resolution to Exclude the Public for Consideration of Council Business**;*
- 2 *Excludes the public from the following part(s) of the proceedings of this meeting;*
- 3 *Notes the general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:*

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1 Confirmation of Public Excluded Minutes of the Council Meeting 22 March 2023	For the reasons set out in the Public Business Minutes of the Council Meeting 22 March 2023.	
C2 Receipt of Public Excluded Minutes of Risk & Assurance Committee	For the reasons set out in the Public Business Minutes of the Risk & Assurance Committee Meeting 27 February 2023.	
C3 Ngāti Rangi Proposal to Lease 11 Thames Street, Ohakune	s7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage. Release would prejudice the goodwill of the parties and the progress of the negotiations	s48(1)(a)(i) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7
C4 Applications for Financial Assistance: Sport NZ Rural Travel Fund 2022/23	s7(2)(a) To protect the privacy of natural persons, including that of deceased natural person	
C5 Applications for Ruapehu Community Grants Fund 2022/23: Community Halls		
C6 Confidential Briefing by the Chief Executive	s7(2)(c) To protect information which is subject to an obligation of confidence where the making available of the information would be likely to: prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or would be likely otherwise to damage the public interest	

- 4 *Approves that Officers of Ngāti Rangi are permitted to remain at this meeting after the public has been excluded because of their knowledge of Items C3.*

The Public Business part of the meeting concluded at 1:41PM.

The minutes of this meeting were confirmed at the Council Meeting held this 24th day of May 2023.

Weston Kirton, JP
MAYOR

ITEMS BROUGHT INTO THE PUBLIC BUSINESS MINUTES

C4 Applications for Financial Assistance: Sport NZ Rural Travel Fund 2022/23

Members received a report presenting applications received for financial assistance through the Sport New Zealand Rural Travel Fund and suggested funding amounts for approval. The Rural Travel Fund (RTF) was developed in response to the growing concerns relating to the lack of participation in sport by young people living in rural communities. This is mainly due to geographical isolation, urban drift, and lack of access to mainstream funding, which creates a barrier for sport participation. Sport NZ provides the assessment criteria for the RTF. Council's Manager Community Relationships & Wellbeing spoke to the report and answered Members' questions.

RESOLVED

Moved: Cr Gram

Seconded: Cr Kahukura Hadley-Chase

That the Council:

- 1 *Receives the Confidential Report **Applications for Financial Assistance: Sport NZ Rural Travel Fund 2022/23**;*
- 2 *Allocates the following grants as follows:*

Applicant	Fair proportion \$	Suggested amount \$	Adopted amount \$
Taumarunui High School	3,506.40	5,025.00	5,025.00
Tokirima School	818.16	400.00	400.00
Ohura Valley Primary School	175.32.	400.00	400.00
Taumarunui Junior Rugby	3,798.60	2,000.00	2,000.00
Taumarunui Squash Club	876.60	500.00	500.00
Ruapehu College Board of Trustees	4,149.24	5,000.00	5,000.00

- 3 **Does** record this resolution in the Public Business Minutes of this meeting; and
- 4 **Does Not** release this report as publicly available information

C5 Applications for Ruapehu Community Grants Fund 2022/23: Community Halls

Members received a report presenting applications received for the contestable Ruapehu Community Grants Fund 2022/23 – Community Halls and suggested funding amounts for approval. Halls are only eligible to apply for funding if they have returned all accountability forms from any previous years with receipts. Council's Manager Community Relationships & Wellbeing spoke to the report and answered Members' questions.

RESOLVED

Moved: Cr Wilson

Seconded: Cr Ralph

That the Council:

- 1 *Receives the Confidential Report **Application for Ruapehu Community Grants Fund 2022/23: Community Halls**;*
- 2 *Approves the following grants totaling \$9,840.00 as follows:*

APPLICANT	AMOUNT REQUESTED \$	AMOUNT GRANTED \$
Horopito Residents and Ratepayers Society	8,352.00	8,352.00
Ngakonui Community Centre Inc	1,488.00	1,488.00
TOTAL	9,840.00	9,840.00

- 3 ***Does** record this resolution in the Public Business Minutes of this meeting; and*
- 4 ***Does Not** release this report as publicly available information*

Report to: Council

Meeting Date: 24 May 2023



Subject: Deliberation Report: Annual Plan 2023/24

Report for: Decision

Author(s): Melissa Jackson

MANAGER: POLICY & STRATEGY

Endorsed By: Fiona Ferrar

ACTING MANAGER: FINANCE, STRATEGY & GOVERNANCE

Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to present for deliberation the analysis of the submissions to the Annual Plan 2023/24.

Executive Summary | Whakarāpopototanga matua

- 2.1 Ruapehu District Council (Council) is required by legislation to prepare and adopt an Annual Plan for each financial year.
- 2.2 Before adopting an Annual Plan, Council must consult on any significant or material differences from the content of the Long Term Plan (LTP) that relate to the financial year to which the proposed Annual Plan relates.
- 2.3 Council must adopt the 2023/24 Annual Plan by 30 June 2023.
- 2.4 This year's Annual Plan needs to take a balanced approach to meeting the budget shortfall anticipated for the 2023/24 financial year.
- 2.5 Council faced significant challenges in the preparation of the 2023/24 Annual Plan. This is largely the result of the ongoing impacts of persistently high inflation and the rapid increase in interest rates.
- 2.6 Council consulted with the community regarding an eight per cent average general rating increase for current ratepayers, the breach of Council's self-imposed debt limit, and proposed changes to Council's fees and charges for the 2023/24 financial year.

Recommendation(s) | Ngā tūtohunga

That the Council:

- 1 Receives the Report **Deliberation Report: Annual Plan 2023/24**;
- 2 Receives the written submissions in relation to the Annual Plan 2023/24 community consultation, as contained in the **Submission Book** attached to this report;
- 3 Resolves to instruct Council Officers to proceed with the finalisation of the Annual Plan 2023/24 using a rating position of an increase in general rates of current ratepayers, of an average of eight per cent, to be adopted by the Council at the June 2023 meeting of the Council; and
- 4 Resolves to instruct Council Officers to finalise the 2023/24 fees and charges without change.

Well-Being Outcomes

In accordance with Section 10 of the Local Government Act 2002 (LGA): the purpose of Local Government is to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

Refer: [Pūwhenua ki Ruapehu Portal](#)

	Contributes	Detracts	No Impact
3.1 Social: Safe, healthy communities	☐	☐	☒

	Contributes	Detracts	No Impact
3.2 Economic: Thriving economy	☒	☐	☐

Making informed and fiscally responsible decisions is an essential function of the Council. The decisions made in relation to the Annual Plan 2023/24 will have a huge impact on the potential economic wellbeing of the Ruapehu District's communities.

	Contributes	Detracts	No Impact
3.3 Environmental: Sustaining beautiful environments	☐	☐	☒

	Contributes	Detracts	No Impact
3.4 Cultural: Vibrant and diverse living	☐	☐	☒

Significance and Engagement | Takenga mai

4.1 This report triggers Council's Significance and Engagement Policy.

Background | Tuhinga

- 5.1 The process to develop the Council's Annual Plan 2023/24 began in September 2022. A Project Working Group was established, and a project timeline developed. A progress report was tabled at the September 2022 meeting of Council's Audit and Risk Committee, providing the committee with a high-level update regarding the project and a copy of the draft project timeline.
- 5.2 Since the beginning of the new triennium, Council Officers have provided information to Elected Members (Councillors, the Mayor, and Community Board Members) in relation to the operating budget pressures, financial options and levers to mitigate the pressures, and a plan to address the ongoing financial risks the Council is operating under.
- 5.3 Several workshops were held with Elected Members to discuss the Annual Plan:
- (a) 9 November 2022: Financial Overview and Understanding - Long Term Planning, Annual Planning, Rating (an introductory workshop during the post-election induction period)
 - (b) 7 December 2022: Annual Plan 2023/24 (discussion of the timeline, challenges of this Annual Plan including the operating gap and a high-level analysis of the financial options available to mitigate issues)
 - (c) 1 February 2023: Annual Plan 2023/24 (discussion of items for consultation with the community including rating matters and fees and charges).
- 5.4 Council agreed that the proposed rating position of an increase in general rates to current ratepayers, of an average of eight per cent, and the breach of Council's self-imposed debt

limit (the projected proposed debt limit contained in the Long Term Plan is \$57.7Million, however the forecasted debt level is now \$60.5Million) were issues of significant and material difference and accordingly these issues were consulted on with the community, as well as the proposed increases to Council's fees and charges, from Monday 27 March 2023 to Wednesday 26 April 2023.

- 5.5 Further progress reports were tabled at the February 2023 and May 2023 meetings of Council's Risk and Assurance Committee, keeping the committee updated in relation to the progress and risks associated with the project.

Discussion | He Kōrerorero

6.1 CONSULTATION SUMMARY

- 6.2 Council consulted with the community on the draft 2023/24 Annual Plan and the proposed 2023/24 Fees and Charges.
- 6.3 The consultation was undertaken pursuant to section 82 of the Local Government Act 2002 and ran from Monday 27 March 2023 to Wednesday 26 April 2023. Council made the decision at the 22 March meeting that Hearings would not be held in relation to the consultation.
- 6.4 Three key proposals were set out in the Consultation Document. They were:
- (a) An increase in general rates of current ratepayers, of an average of eight per cent.
 - (b) The breach of Council's self-imposed debt limit.
 - (c) Increases to Council's fees and charges.
- 6.5 The Consultation Document also provided information on rates, and how they are used to fund the difference services Council provides. It noted the uncertain times we live in, and how we are currently operating in an environment that is seeing high levels of economic instability, which is having a direct impact on Council's finances.

7.1 THE DELIBERATION PROCESS

- 7.2 Deliberations are when the Council consider all the material submitted during the consultation period, so that all views are taken into account during decision-making. Council must consider each submission point and make a determination on each of the issues raised.
- 7.3 In addition to considering the written submission received, there are a number of other factors, including wider community views, that should be considered before reaching the decision. Elected Members should consider all relevant options, the advice they receive from Council Officers, the knowledge they hold about the district, it's people and the Council itself.
- 7.4 Following today's deliberations, the adoption of the 2023/24 Annual Plan will occur at the 21 June meeting of the Council. Each submitter will receive a letter or email response outlining the decisions made. The wider community will be made aware of the outcome of the consultation through Council's website, social media accounts and via the local newspapers.

8.1 CONSULTATION RESULTS

- 8.2 Council's website was the principle digital engagement tool, hosting the Consultation Document, supporting documents, and submission form. Hard copies of the Consultation Document were also available from all three of Council's offices and at each community meeting.
- 8.3 Eight community meetings were held throughout the district during the consultation period, including a hybrid meeting held in Taumarunui during a lunch hour where people could Zoom

into the meeting and directly ask Council Officers and Elected Members questions. It is noted that the community meetings were not well attended by members of the community. The community meetings were however live streamed to the public via Council's Facebook page and there was an average of 415 views per meeting.

- 8.4 Council's Facebook page and Instagram page were used to promote, educate, and encourage feedback from the community. Throughout the consultation period content was regularly shared, which the community engaged with by leaving comments. Although social media comments are not formal submissions, they provide some valuable intel regarding how the community feel about the proposals in relation to the Annual Plan. No relevant comments were left on Council's Instagram page in relation to the Annual Plan consultation. There were no comments on Council's Facebook page in relation to the breach of Council's self-imposed debt limit or the proposed increase to fees and charges.
- 8.5 Key themes from the Facebook feedback in relation to the proposed rating increase:
- (a) Opposition to the proposed rating increase.
 - (b) The majority of commenters want Council to reduce costs.
 - (c) There were several requests for increases to levels of service i.e., verge mowing.
 - (d) There were several suggestions of reducing Council Officer's salaries.
- 8.6 A total of 19 submissions were received. The number of submissions received was lower than anticipated.

9.1 ANALYSIS OF SUBMISSIONS

- 9.2 Three key proposals were highlighted by Council as part of the community consultation process. These were:

9.3 Proposal 1: Rates Increase

- 9.3.1 Due to significant economic challenges such as persistently high inflation and increasing interest rates, Council proposed a rating position of an increase in general rates of current ratepayers, of an average of eight per cent.

- 9.3.2 **The community was asked:** *"Do you have any comments on the proposed rates increase?"*

9.3.3 Response

Support increase	Oppose increase	Did not answer
4	14	1

9.3.4 Key themes

- (a) Ten submitters expressed that Council should not be raising rates, but instead cutting costs further.
- (b) There were several requests for increases to levels of service outside the main centres of Taumarunui and Ohakune.
- (c) There were several suggestions of reducing Council Officer's salaries.

9.3.5 Summary

- 9.3.6 The majority of submitters on this proposal indicated that they did not support the proposed rating increase. This response is what Council was expecting. Comments from the submitters highlight the reality of members of our community struggling with the current cost of living crisis. This is in line with the comments left on Council's Facebook page.

9.3.7 **Point for deliberation:** should Council increase general rates of current ratepayers, by an average of eight per cent?

9.3.8 **Council Officer Recommendation**

9.3.9 As expected, the sentiment from the community was against Council's proposed rate increase. This is on par with most councils across the country who are proposing similar increases. For context Taupō District Council is proposing an 8.6 per cent, Stratford District Council 8.91 per cent, Rangitikei District Council 9.01 per cent, Thames-Coromandel District Council 11.4 per cent, Wellington City Council 12.8 per cent, and South Waikato District Council 18.5 per cent.

9.3.10 Given the current economic climate, it is recommended that the rating position for the 2023/24 Annual Plan remains at 8 per cent. The alternative to the recommended rating position increase is a significant cut in levels of service. Council Officers recommend proceeding with the recommended rating increase, as this will provide the required funding to maintain levels of service and business continuity.

9.4 **Proposal 2: Council exceeding its self-imposed debt limit**

9.4.1 The community was asked: *"Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?"*

9.4.2 **Response**

Unconcerned about debt limit breach	Concerned about debt limit breach	Did not answer
2	6	11

9.4.3 **Key feedback:**

(a) Concern around the reliance on 3 Waters proceeding in relation to managing Council's debt levels.

9.4.4 **Point for deliberation:** should Council reconsider its self-imposed debt limit of 2x rates income?

9.4.5 **Council Officer recommendation**

9.4.6 The majority of submitters to this proposal indicated that they were concerned about Council's level of debt. Due to the uncertainty around the Affordable Waters reform, it is recommended that Council reconsider its self-imposed debt limit when preparing the next Long Term Plan.

9.5 **Proposal 3: Increases to fees and charges**

9.5.1 The community was asked: *"Do you have any comments on the proposed fees and charges?"*

9.5.2 **Response**

Support increases to fees and charges	Oppose increases to fees and charges	Did not answer
3	9	7

9.5.3 Key feedback:

- (a) The large increase to greenwaste charges were noted as being of concern.
- (b) Submitters questioned if Council is able to process greenwaste and sell it back to the public so disposal costs could be less.
- (c) The cost of disposal of concrete was questioned as possibly being too low.

9.5.4 Point for deliberation: should Council proceed with the proposed increase to fees and charges?**9.5.5 Council Officer recommendation**

9.5.6 A user pays system like fees and charges is a fair way to distribute these types of costs. The alternative to the fees and charges changes proposed is to retain existing fee levels and fund the additional costs from general rates. Council Officers recommend proceeding with the proposed increase to fees and charges, to reflect the level of cost recovery for the relevant activities.

10.1 OTHER FEEDBACK

10.1.1 Council received some feedback from submitters that did not directly relate to the proposals being consulted on. To summarise, the key other feedback received was:

- (a) A complaint regarding last year's consultation in relation to the Better Off Funding.
- (b) Council should consider promoting liability and connectivity in the district to increase the ratepayer base.
- (c) Innovative thinking may be necessary in terms of maintaining levels of service.
- (d) The operation of National Park Village Park & Ride should be reviewed.
- (e) The submission received from Ōwhango Residents and Ratepayers' Society Inc (ORRIS) formally raised a number of issues that were discussed at the Ōwhango public meeting during the consultation period. The issues raised do not relate directly to the proposals that were consulted on. The submission has been passed onto the relevant Council Officers for consideration.
- (f) The submission received from Federated Farmers of New Zealand spoke to each of the proposals consulted on. It is a lengthy submission and is included in the Submission Book for Elected Member's information. The submission gives feedback around alternative rating methods, requests clarification in the Annual Plan regarding what percentage of rates is made up of Uniform Annual General Changes (UAGCs), a suggestion for an alternative method of recovering costs in relation to Resource Consent applications, concerns around price harmonisation and how that will affect the district's rural population in terms of payment for water services if the Affordable Water reform does not proceed, and a request for work on improving rural roads.

Next Actions | Ngā mahinga e whai ake nei

11.1 The Annual Plan 2023/24 will be adopted at the 21 June 2023 meeting of the Council.

Attachment(s) | Ngā āpitihanga

1 Annual Plan Submission Book

**RUAPEHU
DISTRICT
COUNCIL**

ANNUAL PLAN SUBMISSION BOOK

2023

CONTENT

SUBMISSION RECEIVED- NUMERICAL ORDER

Submission Number	Submitter	Page
1	Robyn McLeman	pg.3
2	Tiffany Wilson	pg.5
3	Mel Pakai-Evans	pg.7
4	Barebakeha Trust	pg.9
5	Lesley Blackford	pg.11
6	Tai	pg.13
7	King Country Trust	pg.15
8	Abigail	pg.17
9	Paul Restall	pg.19
10	Zazeen Rika	pg.21
11	Peter Till	pg.23
12	Scott Gower	pg.25
13	Willie Aitken	pg.27
14	Valma Wallace	pg.29
15	Liz Booker	pg.31
16	Jake Hamilton Post	pg.33
17	Owhango Orris	pg.35
18	Peter Zimmer	pg.37
19	Federated Farmers	pg.40

SUBMISSION RECEIVED- ALPHABETIC ORDER

Submission Number	Submitter	Page
8	Abigail	pg.17
4	Barebakeha Trust	pg.9
19	Federated Farmers	pg.40
16	Jake Hamilton Post	pg.33
7	King Country Trust	pg.15
5	Lesley Blackford	pg.11
15	Liz Booker	pg.31
3	Mel Pakai-Evans	pg.7
17	Owhango Orris	pg.35
9	Paul Restall	pg.19
11	Peter Till	pg.23
18	Peter Zimmer	pg.37
1	Robyn McLeman	pg.3
12	Scott Gower	pg.25
6	Tai	pg.13
2	Tiffany Wilson	pg.5
14	Valma Wallace	pg.29
13	Willie Aitken	pg.27
10	Zazeen Rika	pg.21

SUBMISSION 01

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, March 30, 2023 8:42:22 PM
Last Modified: Thursday, March 30, 2023 8:47:24 PM
Time Spent: 00:05:02
IP Address: 206.83.103.2

Page 1: Feedback Questions

Q1

Name

Robyn McLeman

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

Increasing the rates puts my family further in a financial dilemma that's already struggling with expanding cost of living crisis. Basic food prices, housing inflation on repayments. Better of to sell up and move on. Making us homeless at this point.

Q7

Respondent skipped this question

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Q8

Respondent skipped this question

Do you have any comment on the proposed fees and charges?

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

If this is really as rumour has is about opening I-Site on weekend... to pay a wage, or have an extra librarian etc. Rather my rates go toward atleast chafing the damn light bulbs in Rangataua or maintaining some of our rural properties if I'm paying higher rates be nice to see our damn area reap some benefits atleast!

SUBMISSION 02

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, March 31, 2023 10:02:14 AM
Last Modified: Friday, March 31, 2023 10:07:17 AM
Time Spent: 00:05:03
IP Address: 121.99.44.159

Page 1: Feedback Questions

Q1

Name

Tiffany wilson

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

Wolliegurl13@hotmail.co.nz

Q6

Do you have any comments on the proposed rates increase?

Why should us rate payers have to have our rates increased why don't you council take a pay cut?? The money our rates should go on dosent even get done. You put our rates up so that we can all pay your debt?? YOU ARE SHOCKING !!

Q7

Respondent skipped this question

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Q8

Respondent skipped this question

Do you have any comment on the proposed fees and charges?

Q9

Respondent skipped this question

Do you have any other comments in relation to the 2023/24 Annual Plan?

SUBMISSION 03

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, March 31, 2023 9:49:32 PM
Last Modified: Friday, March 31, 2023 10:00:44 PM
Time Spent: 00:11:12
IP Address: 151.210.246.254

Page 1: Feedback Questions

Q1

Name

Mel Pakai-Evans

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

Q4

Best daytime contact number?

Q5

Email address

Q6

Do you have any comments on the proposed rates increase?

Yes, my whanau oppose the increase! We are not seeing any benefits to our town of Raetihi, our current rates are the same prices of our whānau living in the cities and they get more from their council. Our living costs are rising, our homelessness is rising with more whanau in emergency accomodation, the working middle class cannot afford to live! Our rural whanau dont have their rubbish & recycling etc collected from their kerbside, they have to drive into town to dispose of. Our kerbsides are not mowed, household members mow or pay someone to do this, our roads are full of pot holes.. the list goes on.

Q7

Respondent skipped this question

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Q8

Respondent skipped this question

Do you have any comment on the proposed fees and charges?

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

Listen to the people and act on what they are asking for! Our council are only seen as supporting Taumaramanui and Ohakune with improvements, Ruapehu district covers more than two towns!

SUBMISSION 04

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, March 31, 2023 10:04:09 PM
Last Modified: Friday, March 31, 2023 10:06:57 PM
Time Spent: 00:02:48
IP Address: 14.1.59.8

Page 1: Feedback Questions

Q1

Name

Barry Murphy

Q2

Organisation (if applicable)?

Barebakeha trust

Q3

Respondent skipped this question

Postal Address

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

More cost cutting required and stopping counting eggs before they hatched (three waters)

Q7

Respondent skipped this question

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Q8

Do you have any comment on the proposed fees and charges?

No High, tighten belts on projects like beautification , parks, etc u Tim tourism returns

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

Reduce costs in council

SUBMISSION 05

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, April 01, 2023 1:33:33 PM
Last Modified: Saturday, April 01, 2023 1:41:13 PM
Time Spent: 00:07:40
IP Address: 222.153.227.221

Page 1: Feedback Questions

Q1

Name

Lesley Blackford

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

It is so unfair in this economy with the cost of living being so high and you want to chuck in an 8% rate increase. So wrong on so many levels and if you can't see that you are hurting the people who put you into power you don't deserve to be there. To start with the CEO should take a pay cut. His salary is ridiculously high and I for one, can't see what he does to earn that sort of money.

Q7

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

You will do what you want to do anyway.

Q8

Do you have any comment on the proposed fees and charges?

I strongly object

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

None this council would listen to

SUBMISSION 06

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, April 02, 2023 7:22:18 AM
Last Modified: Sunday, April 02, 2023 7:33:36 AM
Time Spent: 00:11:17
IP Address: 125.237.0.145

Page 1: Feedback Questions

Q1

Name

Tai

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

No way - The 8% increase is extreme - with everyday living costs, food, fuel, insurances, interest rates already too high how are we suppose to afford an 8% increase in rates ? It's already more expensive living rural - We are a family of 2 adults & 5 children and with all the above increasing means the kids end up suffering & going without basic essentials just to have a roof over our heads... take pay cuts from the top !!

Q7

Respondent skipped this question

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Q8

Do you have any comment on the proposed fees and charges?

Definitely against it ! How about charge all the holiday home owners who don't live in the area extra rates and taking care of the locals who actually reside in the region

Q9

Respondent skipped this question

Do you have any other comments in relation to the 2023/24 Annual Plan?

SUBMISSION 07

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, April 02, 2023 7:41:27 AM
Last Modified: Sunday, April 02, 2023 7:52:16 AM
Time Spent: 00:10:48
IP Address: 122.61.97.216

Page 1: Feedback Questions

Q1

Name

Robert Carter

Q2

Organisation (if applicable)?

King Country Trust

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

It's a no from me. Its adding to our local inflationary pressures. I would like to see council carry out a review of the way council is managed, we see inefficiencies and waste occuring.

Q7

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

How has council incurred this debt level? \$4.8m in annual interest costs is considerable. Can you assure ratepayers that this Council is efficient and operated with best practice?

Q8

Do you have any comment on the proposed fees and charges?

We are tired of absorbing cost increases foisted on us by central and local government. We should be getting back to basics.

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

Trim the costs, stop the wastage, reset to what we can afford.

SUBMISSION 08

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, April 04, 2023 5:20:34 PM
Last Modified: Tuesday, April 04, 2023 5:26:20 PM
Time Spent: 00:05:46
IP Address: 115.189.81.4

Page 1: Feedback Questions

Q1

Name

Abigail

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Respondent skipped this question

Postal Address

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

People cannot afford this, we already have some of the highest rates in the country when you see what our properties are worth compared to other places. If we can't afford our district maybe we should disband and doing Wanganui, Waikato, and Rangitikei.

Q7

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Self imposed means nothing. People are struggling to pay the bills we have all had to stretch due to the current global financial crisis

Q8

Do you have any comment on the proposed fees and charges?

They are too high given the above mentioned

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

Nope

SUBMISSION 09

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, April 14, 2023 10:00:26 AM
Last Modified: Friday, April 14, 2023 10:18:34 AM
Time Spent: 00:18:08
IP Address: 125.237.6.150

Page 1: Feedback Questions

Q1

Name

Paul Restall

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

I understand the pressure council faces from increased costs for services, OCR , infrastructure etc, but council must understand the pressure fixed income ratepayers also face trying to stretch their very limited budgets.

I don't know what proportion of ratepayers are on benefits or National Super but I suspect that it is well above the national average.

Our household income is from National Super alone and an 8% rates rise would mean we would have to do without in another area as we can't just increase our wages accordingly.

As you are aware, the cost of living has risen considerably over the last couple of years and although we did get a 7% increase in National Super this year, it has already been swallowed up by the increased cost of food etc.

Council must not hit already hurting ratepayers just to keep the "positive impact Council spending has on our local community".

This has little effect on residents who live outside of the main towns, but will have a major effect on our future well being.

Increasing fees and charges at least targets people who have the money to spend on projects rather than the many of us who have no way of passing on the cost.

Council should trim their spending budget during these difficult times and shelve some of the unnecessary projects rather than putting many ratepayers under even more financial stress.

Q7

Respondent skipped this question

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Q8

Respondent skipped this question

Do you have any comment on the proposed fees and charges?

Q9

Respondent skipped this question

Do you have any other comments in relation to the 2023/24 Annual Plan?

SUBMISSION 10

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, April 19, 2023 5:27:04 PM
Last Modified: Wednesday, April 19, 2023 5:55:58 PM
Time Spent: 00:28:54
IP Address: 203.184.45.135

Page 1: Feedback Questions

Q1

Name

Zazeen Rika

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

I feel a 10% rate increase is more fitting considering needs of our community and having a fiscally functioning Council.
 With MATAURANGA, Manaakitanga you will do us all well.

Q7

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

No problem with this.

Q8

Do you have any comment on the proposed fees and charges?

10% is very reasonable.

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

I challenge you to think outside the square and step forward into a new pathway where we ALL thrive.

SUBMISSION 11

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, April 24, 2023 7:46:10 PM
Last Modified: Monday, April 24, 2023 7:57:10 PM
Time Spent: 00:10:59
IP Address: 103.240.184.250

Page 1: Feedback Questions

Q1

Name

Peter Till

Q2

Organisation (if applicable)?

NA

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

The increase is around the minimum prudent to keep the Council viable

Q7

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

This limit did not envisage the weird situation the government has created with its erratic funding of water's projects

Q8

Do you have any comment on the proposed fees and charges?

No

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

Relatively small and consistent rises should enable Council to provide the essential local infrastructure

SUBMISSION 12

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, April 25, 2023 6:28:43 AM
Last Modified: Tuesday, April 25, 2023 8:39:48 AM
Time Spent: 02:11:05
IP Address: 118.82.238.76

Page 1: Feedback Questions

Q1

Name

Scott Gower

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

Council need to live in the world we are all living in, not the world council would like to live in.

The world we are all living in, is one of high inflation, high interest rates and reduced incomes. The world council would like to live in, is to not only maintain their income but to increase it considerably by more than the cost of inflation. You are increasing rates on people who are living in a world where there is a cost of living crisis.

In the annual plan handout you talk about taking a line-by-line budget review to keep the rate rise to a minimum.

The budget should have been presented at meetings you ran to get feedback from rate payers. Because guaranteed, there will be cost in there we could take out.

Council need to go back to the budget, and line-by-line go through it again. But this time look at it through rate payers eyes, and cut cost until you come up with a balanced budget. Like they rest of us have to do to keep our business viable.

In the annual plan handout you talk about taking full advantage of any government funding opportunities.

It is not good business in the current economic environment to be taking advantage of central government funding, unless it's absolutely core to business. If it's not roading, get rid of it.

In the annual plan there is a break down for every \$100 spent in rates.

Farming businesses are council's largest rate payers.

As a farmer not living in town, I get \$22.27 value for every \$100 in rates I pay. There is \$7.97 in regulation I have to contribute to as well. The remaining \$69.76 of my \$100 spent is of no real value to me at all.

Q7

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Council not only need to be living within it's income but council need to be managing debt and keep debt to a minimum.

Q8

Do you have any comment on the proposed fees and charges?

No issue here. User pays.

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

In summery.

Council need to remember households and businesses are also under inflationary and interest rate pressures, as well as reducing incomes.

Council need to cut cost further. Now is not the time to be spending money on anything that is nice to have, or not core.

Central government imposed cost should also be delayed.

SUBMISSION 13

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, April 25, 2023 11:54:47 AM
Last Modified: Tuesday, April 25, 2023 12:12:02 PM
Time Spent: 00:17:14
IP Address: 115.189.134.180

Page 1: Feedback Questions

Q1

Name

Willie Aitken

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

I think the proposed rates rise is ridiculous and a slap in the face for the hard working people of the Ruapehu, there is a cost of living crisis and you are just adding to it with your proposed rates increase.

Money could definitely be saved by reducing the top heavy management structure how many "executive managers" are really required ?

Some of the "Executive Mangers" have their own agenda's which do not comply with policy and their poor decisions put the community at risk.

The CEO cant be bothered returning phone calls when people want to complain his staff, why is that ? Maybe the CEO and executive mangers could take pay cuts to help reduce operating costs, or even better maybe they could move to a performance based salary structure.

Q7

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

No

Q8

Do you have any comment on the proposed fees and charges?

They are unjustified, further work nees to be done by RDC to reduce their opertaing expenses so they can absorb these incrases.

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

The plan should not be adopted as it will criples many families in the reigon. The RDC need to take a hard look at themseleves, reduce their operating costs and executive managers.

SUBMISSION 14

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, April 25, 2023 5:16:45 PM
Last Modified: Tuesday, April 25, 2023 6:08:49 PM
Time Spent: 00:52:03
IP Address: 115.189.83.60

Page 1: Feedback Questions

Q1

Name

Valma Wallace

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

In 2022/23 av.rate rose was 4.1percent adopted without public consultation because of the projected debt of \$52.9m attributed to borrowing to maintain 3WatersProgramme. Nationwide Councils were objecting to this and continue to do so but no one listens. 2023/2024 again Council want to increase av.rate to 8.0percent and this time seek public opinion. Also a definition of "average" is provided (some ratepayers will pay more and some ratepayers less) yet no example given of who, what or where? Council express their concern of the cost of living issues confronting our community. But if the rate income drops significantly this will have a detrimental effect on spending on local services, our local businesses and communities resulting in recession and slow recovery. The town needs revitalisation brightening up but on listening to the Mayor radio intervention there is nothing in the Council equation for Taumarunui. Only Raetihi and Ohakune.

We at SH41 for many years receive NO SERVICES whatsoever from Council yet we are only situated 4k from Manunui Bridge. Apparently, because it is a state highway there is a SAFETY ISSUE for Rubbish Collection. So we have to physically take our rubbish and be charged.

We have our own water supply as well and it appears there will be interfering scrutiny by a selected body of govt officials (most likely paid megabucks) to assess our drinking water which for over a 100yrs has been the primary source plus rainwater tank. No one has ever been poisoned. So why charge when u don't provide. Same applies to stirmwater and waste management.

We are supporting urban bit you wld think Council could give us something when they give nothing as they have done all these years. If u are so concerned about living costs of the community then do another review to reduce your proposal bearing in mind you already increased in 2022/2023.

Q7

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Irrespective of what the Community wants or thinks Council will action what it believes is best for them that's politics. During campaign none of these issues arise nut many promises are spurted forth and then when successful forgotten in most cases. Who will be the new multi-regional water entities taking over water at what cost to our community. Would they care at all.

Q8

Do you have any comment on the proposed fees and charges?

\$3.08m in revitalisation projects exclude Taumarunui why? What is the 500k contestable fund yet to be allocated to be used for? Waimarino to receive \$540k housing upgrade but not Taumarunui? This increase in fees and charges for animals, dumping rubbish seems excessive. Council will implement anyway.

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

As we know this is a regular obligatory issue to look at the annual plan and the reasons put forward are the same. It would be nice if funding was allocated to the one way street making it more attractive or some paint sloshed on the buildings regardless who owns them to again make the town appealing. I would like to see steps built on the right side of the swimming pool at both ends. Easy to get out. Hopefully Commonsense will prevail

SUBMISSION 15

COMPLETE

Collector: Web Link 2 (Web Link)
Started: Wednesday, May 03, 2023 2:52:29 PM
Last Modified: Wednesday, May 03, 2023 2:56:55 PM
Time Spent: 00:04:26
IP Address: 111.69.49.246

Page 1: Feedback Questions

Q1

Name

Liz Brooker

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

[REDACTED]

Q4

Best daytime contact number?

[REDACTED]

Q5

Email address

[REDACTED]

Q6

Do you have any comments on the proposed rates increase?

Considering the latest announcements from the Crown in pushing out the 3-waters merger and cancelling the second tranche of funding I am surprised RDC are continuing with this consultation as is. All your financial decisions have been predicated on receiving the 3-waters transfer occurring in 2024 and additional \$12.35-million loan. How can we as ratepayers be asked to be in favour or otherwise when the goalposts have shifted to even greater debt limits for the coming couple of years even if the 3-waters does go ahead under a new government.

Q7

Respondent skipped this question

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

Q8

Respondent skipped this question

Do you have any comment on the proposed fees and charges?

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

In considering the massive feedback you received Re: the Betteroff funding and the abject lack of ability by RDC to meet the DIA requirements for robust iwi and community consultation, I'm shocked by your decision to revert back - bar a pittance \$500k contestable – to only funding in town Revitalisation plans from the LTP 2021. There is no way these can meet DIA requirements for consultation and leaves out all proposed projects for Raetihi, Waiouru, Rangataua, National Park, Ōwhango etc. I suggest you, as other Councils have done, go back to DIA and explain how your delay in last year's consultation has effected all our communities not just to the benefit of the two loudest.

SUBMISSION 16

COMPLETE

Collector: Web Link 2 (Web Link)
Started: Wednesday, May 03, 2023 2:57:00 PM
Last Modified: Wednesday, May 03, 2023 3:05:03 PM
Time Spent: 00:08:02
IP Address: 111.69.49.246

Page 1: Feedback Questions

Q1

Name

Jake Hamilton Post

Q2

Respondent skipped this question

Organisation (if applicable)?

Q3

Postal Address

Q4

Best daytime contact number?

Q5

Email address

Q6

Do you have any comments on the proposed rates increase?

The proposed increases are not really welcome as all. Cost of living and operating expenses are across the board and not exclusive to council.

Q7

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

This does seem irresponsible- we cannot accurately predict the future. I feel expenses such as consultants, council vehicles and extra officers could be cut back instead.

Q8

Do you have any comment on the proposed fees and charges?

The Greenwaste charges are phenomenal- Greenwaste could be chipped and resold as mulch/compost etc.

Q9

Do you have any other comments in relation to the 2023/24 Annual Plan?

The speed limit at Manunui straight has not yet been lowered. I feel this should be a priority.

SUBMISSION 17

From: Info
Sent: Wednesday, 26 April 2023 9:28 am
To: POLICY PLANNING
Subject: FW: ORRIS Submission for Annual Plan close off 26 April 2023

From: Owango ORRIS [REDACTED]
Sent: Tuesday, April 25, 2023 9:17 PM
To: Info <info@ruapehudc.govt.nz>
Subject: ORRIS Submission for Annual Plan close off 26 April 2023

Warning: This email is from an External Sender. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Submission for the Annual Plan 2023/2024
 Matters that have been raised, that we would like to be considered by Council please.

1. EXTEND THE 70KM FURTHER SOUTH OF THE OWHANGO VILLAGE

This was raised at the public meeting held to discuss the Annual Plan, 2023/2024.

The request to extend the 70km zone further south of the Owango Village so that the entrance into and out of Kawautahi Road would be within the slower zone. The size of large stock trucks these days, turning off the SH4 onto Kawautahi Road when needing to stop for the train at the railway crossing which is very near the entrance can leave the truck trailer not completely off the SH4 road.

Also with the two subdivisions i.e. of Hammond Place and Riley PI has naturally increased the traffic volume using this road entrance.

This is a safety issue that can be incorporated with our request that the 70km zone through the Owango Village on SH4 be reduced. 70km is too fast! We would appreciate Council urgently keep this to hand when the road speeds are reviewed.

2. SWALE DRAINS BE THOROUGHLY CHECKED AND ARE STILL FIT FOR PURPOSE

Swale drains in and around the village streets, and Domain flood badly when it rains. These need to be checked thoroughly to ensure that the water is getting away, to where it should be in clear culverts and drains. Presently, every time we get heavy rains, water lays around on the village streets, at the letter boxes, and in some areas it narrows the approach to intersections on both sides.

This is a safety / maintenance issue. Pipes within the Domain are broken and should be replaced. A new swale drain at the back of the Hockey field could be explored to rectify this field from being so wet.

3. WASTE WATER AND SEWAGE SYSTEM

To enable Owango to grow, a reticulated sewage system needs to be considered for the future of progress in the Owango village.

4. MAINTAIN THE RECYCLING/REFUSE STATION.

This is imperative this is kept for rubbish disposal and for local environmental reasons.

5. UPGRADE THE WATER SUPPLY/STORAGE FOR OWHANGO USERS

Good water is essential. Following heavy rain often results in "Boil Water notices".

BETTER NOTIFICATION TO THOSE ON THE OWHANGO WATER SUPPLY when this does occur has got to improve.

Remember a notice on Facebook is not good enough. It does not reach everyone in a timely manner. We have rural residents on this water supply and even a notice at the CMB post boxes does not reach the Rural residents, as they don't go there. Radio media or a group email to all ratepayers on the water supply could be a solution.

6. Council has to be commended for getting the rate rise to 8% down from 25%.

Thank you for this opportunity to submit.

We do not want to speak.

K Erni

Secretary

Owhango Residents and Ratepayers Society Inc CMB 8 Owhango 3990



Peter Zimmer [REDACTED]

24 April 2023

Mayor and Elected Councillors
Ruapehu District Council
Huia Street
Taumarunui
consultation@ruapehudc.govt.nz

Dear Mayor and Councillors

2023 Annual Plan Feedback

I wish to provide the following comments, feedback and suggestions for the elected council members to consider in the deliberations and process to adopt the 2023 annual plan.

- A main point of council and management effort ought to be around liveability and connectivity. The Ruapehu district is a desirable and beautiful place to live. RDC needs to make concerted efforts to attract more people to come, live and work in the district. Could be remote workers, digital commuters, businesses that require space and no need to be in big centres. More ratepayers, more income, more opportunities. What is being done to attract any of the above. Is land available? Can land be made available? What difference can RDC make? Maybe look at shifting or re-allocating priorities in the business and economic development portfolio that RDC currently has. Think Huntly Sleepyhead development.
- Maintaining current service levels. Being cognisant that many service levels are either basic or at the low end already. I understand it comes down to affordability. Maybe some new thinking is required to stretch our limited dollars. Especially around rural roads with mowing, grading and tar sealing. Often the "we do not have any money to tar seal" and hence we grade and tip metal on the road that gets crushed or washed away. What about new thinking? By starting with tar sealing some roads (bit by bit) and perhaps enjoy a reduced maintenance cost. Unless of course perfectly good roads get resealed that really do not resealing. That is a management issue related to possibly thinking that is not innovative.



- I think it is timely to have a conversation if it is still appropriate for rate payers to continue to subsidise the operational expenditure of the National Park Village park and ride (NPVP&R) facility and look at ways how this financial burden could be reduced. And other financial revenue opportunities created. I suggest this because I have observed many user are parked in the free car park and utilise their own facilities to stay the night in a beautiful location and surroundings.

Extract from 14/02/2023 report to the ONPCB (noting the figures are quoted and not based on my maths):

- Council staff stated the monthly operating cost is around \$ 5000 → \$ 60 K per annum.
- Council receives 80% of the income of facilities. That represents a 50% offset to operational expenses.
- In 2021 the total revenue was \$ 14,011.50 with 828 users.
- In 2022 the total revenue was \$ 15,499.00 with 1051 users (noting that figures for May - August period were missing).
- Kiwi camping facilities require payment for the use of powered sites, cooking, washing machine, warm showers. Toilets and rubbish are free.
- In summary: are we in a position to support this facility with rate payer money or should this facility look to become self-sustaining or even revenue generating?. Or shall we think about possibly seek contributions from users of the parking facility? For example a contribution \$ 10 per person per night could generate a not insignificant amount to help manage the facility and reduce the burden on the rate payer especially at these financially challenging times for many.

Below I will comment on the specific standard questions asked in the 2023 annual plan consultation process and documentation.

Do you have any comments on the proposed rates increase?

8% seems realistic in the current economic climate. However when considering low service levels and a lack of economic development it feels we are in a downward spiral and spinning closer to the bottom rather than threading water or even attempting to rise towards the top.

Do you have any comments on Council exceeding our self-imposed debt limit of 2x rates income?

That is like playing with fire. Especially relying on the fact that the Three Waters Government Initiative will take a big chunk off our books. RDC has been sailing close to the limit. This debt needs sorting as a priority because it will impact and possibly restrict other future council activities.

Do you have any comments on the proposed fees and charges?

Remove or lower the library fee on interloan books. It is discouraging the use of books.

Green waste seems expensive if charged per cubic metre. Should that not be charged by weight? Does RDC have the ability to compost green waste and sell back to the public?

Concrete waste at \$ 30 per tonne appears cheap? Does RDC crush this waste and recycle or sell? Consider bringing in a mobile crusher unit rather than just storing concrete.

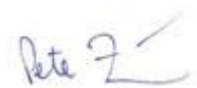
Do you have any other comments in relation to the 2023/24 Annual Plan?

These are tough times in a small rate base payer district during economic challenging times. New innovative thinking and leading by example can send a positive signal in difficult times.

I am unsure if there is a hearing process involved for the adoption of the 2023 annual plan. If there is, then I would like to speak to my submission and provide wider context.

Thank you for the opportunity for input. All the best with your deliberations and decision making.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Pete Z", with a stylized flourish at the end.

Peter Zimmer

Submission

TELEPHONE 0800 327 646 | WEBSITE WWW.FEDFARM.ORG.NZ



To: Raupehu District Council

Submission on: Annual Plan and Fees and Charges 2023-2024

Date: 26 April 2023

Contact: **RUAPEHU FEDERATED FARMERS**

LUKE PEPPER
PROVINCIAL PRESIDENT RUAPEHU
Federated Farmers of New Zealand



Address for Service: **EMILY MCDONALD**
REGIONAL POLICY ADVISOR
Federated Farmers of New Zealand



-
1. Ruapehu Federated Farmers (Federated Farmers) welcomes the chance to submit on the Ruapehu District Council (the Council) Annual Plan 2023/24.
 2. Rates are among the top ten operational expenses of a farming business. They are a source of considerable financial pressure for all farmers. Federated Farmers makes submissions on Annual Plans and Long-Term Plans to ensure councils exercise fiscal prudence, and consider affordability, fairness, and equity issues regarding rates. We support councils making use of the full suite funding tools available i.e., differentials, targeted rates, the UAGC and alternative funding sources. We acknowledge any submissions made by individual members of Federated Farmers.
 3. Federated Farmers would be keen to meet with Council to provide continual feedback on any likely issues of significance for the rural community, and particularly any changes proposed to the funding policy.
 4. We wish to be heard in support of our submission.

Submission

5. This submission provides overall comment from the perspective of our farming members on the proposals in the consultation document. Federated Farmers submission covers the four matters that Ruapehu District Council has requested feedback on. These matters are addressed in turn below.

Proposed 8% average rate increase.

6. The Annual Plan proposes a significant increase in the average rates by 8%, this is a 5% rise on what was proposed in the Long-Term Plan (an average rates increase of 3% was proposed under the LTP). Rates are among the top ten operational expenses of a farming business and are a source of considerable financial pressure for all farmers. We have had some discussions with our members who are concerned that their general rates could increase by over 9% which will have far reaching implications for them.
7. We are aware of uncertainty for many councils considering this year's Annual Plan due to external factors such as inflation and central government implications of Three Waters and other reforms. Nevertheless, a proposed 8% rate increase is not prudent or sustainable in the present economic climate.
8. In terms of the outlook for agriculture, Beef & Lamb NZ recently announced farm profit before tax for sheep and beef farmers is expected to fall by a third in the 2023 following reduction in exports¹. For dairy, Fonterra has recently announced a further fall in farmgate price/kg of milk solids, which have continued to decline over the last 12 months². These factors point to harder times ahead for the entire community in Ruapehu District.
9. Federated Farmers acknowledges that council is trying to elicit a community response regarding the rates increases and ensure communities are aware of the correlation between rates and council spending and services levels. We are however concerned that the information disclosed will leave many ratepayers believing they have little choice but to accept the projected 8% increase and that council will use this as a mandate to justify the higher increase. We believe this would be inappropriate given that the signalled rates increase will not be felt evenly over the community, with the burden more heavily borne by those properties with higher capital values, which are often farms.
10. Farmers are not an infinite source of revenue for Council rate increases. Incomes of rural ratepayers will in no way increase to the same extent as the proposed increases in rates, with the implication that the costs the Council is imposing on its ratepayers, will squeeze out other areas of expenditure. This is especially so for farming, where, despite farm properties having higher land values than residential properties, the ability of farmers to pay rates is tied to their ability to

¹ <https://www.rnz.co.nz/news/country/486059/farm-profit-expected-to-drop-by-third-beef-lamb-nz> accessed 16 March 2023

² <https://www.fonterra.com/nz/en/investors/farmgate-milk-price.html> accessed 4 April 2023

productively farm the land, rather than relative or absolute wealth in land. The reality is that for our members, rural ratepayers, the increase will have a real impact on their livelihoods.

11. Drops in the income of farms will be felt by the whole region with farmers having to reduce or defer costs where possible such as deferring repairs, maintenance, and general spending within the local economy. An inefficient or ineffective local government rate is one that takes money from ratepayers, thereby reducing the money available to those ratepayers to meet regulatory obligations or for business investment and innovation. These inefficiencies are magnified where a council economic development initiative spends ratepayer money or resources poorly, in impractical areas, and without accountability.
12. In the context of the gloomy economic outlook for farming, we would prefer that rates are capped at existing levels or in worst case scenarios no greater than the rate of inflation. We think the Council needs to sharpen its pencils with the aim of avoiding rates increases.
13. FFNZ considers that the uniform annual general charge (UAGC) is a fair way for Council to rate for services that provide an indistinguishable amount of benefit across ratepayer groups. When these mechanisms are utilised, every ratepayer pays the same amount for the public good services of council without one group subsidising another. There is no correlation between high value rateable farmland and the ability for farming businesses to pay the significantly higher costs for the exact same services.
14. The use of UAGC's can, in part, help to address that inequity by being a fairer way to rate for services that provide an equal or indistinguishable amount of benefit across ratepayer groups. Especially when compared to a general rate calculated by capital or land value which results in groups such as farmers paying more for an activity which they are unlikely to use more than any other group in a community.
15. The legislative cap on use of UAGC is 30% of rating revenue. In apportioning ratepayer burden for funding Council activities, we support the Council utilising the full maximum 30% Uniform Annual General Charge (UAGC) permissible under section 21 of the Local Government (Rating) Act 2002³.
16. Federated Farmers considers it important to have the percentage of UAGC clearly reported in the Consultation Document (the documentation provided by Council fails to do so). the Consultation Document and Supporting Documents do not reveal what percentage of the total rates revenue the UAGC makes up. For example, the Consultation Document outlines that general rates and UAGC currently makes up 30% of operating expenses, however, it fails to identify what percentage of that 30% is general rates and what percentage is UAGC. Clarification is requested from Council as to what percentage of the rates is made up of UAGC's. Transparency of rate funding sources and spending is extremely important to Federated Farmers. It is considered that further information should be provided in the Annual Plan which would assist ratepayers in understanding how their rates are used.

³

<https://www.legislation.govt.nz/act/public/2002/0006/latest/DLM132235.html>

17. Whilst we appreciate the information provided by the pie charts in the draft Annual Plan summary, perhaps the most useful information for ratepayers in terms of understanding 'who pays for what' is a table of the rates on benchmark properties or examples of itemised rates bills assessed on different categories of rateable land over a range of property values. This level of transparency is important as it provides ratepayers with a close view of how the rating system is working and the ability to assess the value of council activities. This would allow ratepayers to see how close to the legislative maximum the UAGC is, and how fair the rating system is consequently.

Proposed increases in Councils fees and charges

18. Federated Farmers understands that most fees and charges have been adjusted to recover Councils costs and to offset any resulting rates burden. We however note with concern the increase in resource consent deposits and some fees and charges are considered to be too high.
19. Ruapehu District Council has proposed increasing the cost of most activities for which farmers seek consent from \$1,500 to \$1,650. Annual fees for activities such as discharge permits are also proposed to increase. While we support a user-pays regime for services, this needs to be in the context of consumer choices about expenditure as farms often do not have a choice as many aspects of farming activity are becoming increasingly regulated, requiring resource consents. We prefer a regime whereby the Council recovers consent costs from its ability to levy additional charges for actual and reasonable costs on each consent application under section 36 of the Resource Management Act 1991⁴. This gives applicants an opportunity to scrutinise the costs and ensure that these represent efficient and fair fees for farming activities.

Council exceeding self-imposed debt limit of 2x rates revenue.

20. The Annual Plan is proposing an increase in Councils debt to \$60.5 million which breaches Ruapehu Councils self-imposed debt limit of \$57.7 million. By taking on the higher debt level now this has allowed the rates increase to stay at a lower level.
21. The Council's reasoning as to why such an increase in debt would be 'acceptable', is that approximately \$16 million of this debt will be transferred to Central Government and the Three Waters Regional Authority next year. However, we have some concerns regarding whether the Council should be entertaining this at all due to the level of uncertainty surrounding the Government's water services reforms, especially following recent government announcements including the 'Affordable Water Reform'⁵. If Three Waters does not go ahead, or even if these reforms do not go ahead in the manner originally proposed by the Government, this would mean that Council is most probably stuck with additional debt, which will likely have to be paid off

⁴ <https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233023.html> retrieved 17 April 2023

⁵ <https://www.stuff.co.nz/national/politics/131756757/three-waters-overhaul-government-to-create-10-public-water-entities-cogovernance-to-remain> retrieved 14 April 2023

through additional rate burdens in the future. We do not think that betting on the reforms going ahead is very wise.

22. We note that the Council is proposing to pay this debt off through price harmonization if Three Waters (or preceding water reforms) does not proceed. Price harmonization would mean that every ratepayer pays the same amount irrespective of where they live and what level of service they are provided with. This means that rural properties which may not be provided with any council services including water and waste disposal will have to pay the same amount of debt as urban properties which do receive the Council services that this debt. As rural landowners get no benefit from these Council activities, we expect rural landowners not to be charged any rates for these.
23. Our members have expressed concerns that rate payers within urban areas are likely to get a discount in their rates if a water reform is given effect to while rural zoned properties will continue to overpay rates for services they do not receive and are no longer having to be paid for by urban communities. Our members are concerned that they are being left to constantly pick up the bill for the whole region.
24. With regards to the increase debt Federated Farmers is guided by our principles of users pays and equitable funding policies. Within this framework we would struggle to accept any option which relied on general rate contributions or subsidy from those not connected to council water supplies at all.
25. Federated Farmers urges Council to use targeted rates for the funding of Three Waters expenditure. There are many good reasons for this approach, including the creation of a more equitable rating system. A targeted rate allows urban communities the ability to influence levels of expenditure as appropriate without creating issues of affordability for other ratepayers. A targeted rate reduces the cost impact of urban infrastructure on ratepayers such as farmers who receive no direct benefit.
26. Federated Farmers also recommends that RDC should review all its proposed capital projects to ensure they are appropriate, prioritised and timed to maximise their benefits and costs.

Anything else relating to the Annual Plan.

Roading

27. The quality of the rural roading network is a hugely important and often contentious area for farmers and councils. The roading network is a major cost to local government, particularly for councils with a large geography and relatively small populations. There are expectations from all sectors that roading will deliver a minimum level of service and a safe travel experience.
28. A good rural roading network is essential for transporting farm resources and produce, for allowing rural families to travel, and for other industries, particularly tourism. In turn the roading network overall is fundamental to the economic and social wellbeing of the wider community.

29. New Zealand roads are broadly divided into two categories: the state highway network, wholly funded by central government; and the network of local roads, funded by a share of local rates and financial assistance from the New Zealand Transport Agency (NZTA).
30. We note that page 6 of the Draft Annual Plan states that the roading team has been required to “change investment priorities and reduce funding available for minor improvements in rural roads in favour of more urban issues such as road safety and public transport initiatives”. Farmers pay a considerable amount to the roading rate, and we wish to see additional value brought from the rate to rural Ruapehu. While maintenance of unsealed roads is important, Federated Farmers encourages the Council to continue to improve and seal more of Ruapehu District’s unsealed rural road network. Sealing improves road safety, reduces road damage from vehicle use and weathering, and improves rural connectivity which helps support rural communities. Rural local roads need to continue to be maintained to a reasonable standard to keep these social and economic lifelines.

Federated Farmers thanks Ruapehu District Council for considering Federated Farmers submission on the Annual Plan and Fees and Charges Schedule 2023-2024.

ABOUT FEDERATED FARMERS

Federated Farmers is a not-for-profit primary sector policy and advocacy organisation that represents most farming businesses in New Zealand. Federated Farmers has a long and proud history of representing the interests of New Zealand’s farmers.

The Federation aims to add value to its members’ farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment.
- Our members’ families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices.

This submission is representative of member views and reflect the fact that local government rating and spending policies impact on our member’s daily lives as farmers and members of local communities.



Report to: Council

Meeting Date: 24 May 2023

Subject: LGNZ's Submission on the Ministerial Inquiry into Forestry Slash

Report for: Information

Author(s): Melissa Jackson

MANAGER: POLICY & STRATEGY

Endorsed By: Fiona Ferrar

ACTING MANAGER: FINANCE, STRATEGY & GOVERNANCE



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to present to the Council the Local Government New Zealand (LGNZ) and Joint Forestry Project submission to the Ministerial Inquiry into Forestry Slash.

Recommendation(s) | Ngā tūtohunga

That the Council:

- 1 Receives the Report **LGNZ's submission on the Ministerial Inquiry into Forestry Slash**.

Well-Being Outcomes

In accordance with Section 10 of the Local Government Act 2002 (LGA): the purpose of Local Government is to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

Refer: [Pūwhenua ki Ruapehu Portal](#)

	Contributes	Detracts	No Impact
2.1 Social: Safe, healthy communities	☒	☐	☐
2.2 Economic: Thriving economy	☒	☐	☐
2.3 Environmental: Sustaining beautiful environments	☒	☐	☐
2.4 Cultural: Vibrant and diverse living	☒	☐	☐

Significance and Engagement | Takenga mai

- 3.1 This report does not trigger the Significance and Engagement Policy.

Background | Tuhinga

- 4.1 The Government announced the ministerial inquiry into forestry slash (the Inquiry) in late February 2023 with a focus on storm damage and its causes, current practices, and regulatory and policy settings. Recommendations are due to be released soon.
- 4.2 LGNZ and 17 councils together submitted to the Inquiry under the Joint Forestry Project umbrella. Mayor Weston Kirton, Chief Executive Clive Manley and Manager Policy and Strategy Melissa Jackson were involved in this submission on behalf of Ruapehu District Council (Council).
- 4.3 While the inquiry is focused on Tairāwhiti and Wairoa, which have unique geographical circumstances that exacerbate the slash problem, the submission points out the potential for similar problems elsewhere. This is particularly relevant in the Ruapehu District (the District) due to the volume of forestry in the District.
- 4.4 The submission is an example of local government taking a collective leadership role by recommending the tools councils need to understand and regulate forestry practice, which will deliver better outcomes for both the forestry industry and communities.

Discussion | He Kōrerorero

- 5.1 Cyclone Gabrielle recently caused extensive damaged to at-risk rural and urban environments. The damage caused by wood debris and sediment, particularly in the Tairāwhiti and Wairoa districts, is a stark example of the consequences of land use in areas that are unstable and prone to erosion.
- 5.2 Soils are highly erodible throughout the country, and there have been many instances of forestry slash discharging into waterways and damaging infrastructure and property across the country. While the Inquiry understandably focuses on what occurred in Tairāwhiti and Wairoa, the submission highlights that it should also be considered whether there is a place for broader recommendations on this topic.
- 5.3 In summary, the submission's recommendations are:
 - (a) Amend the National Environmental Standards for Plantation Forestry (NES-PF) to extend its scope, shift its focus and improve underlying data.
 - (b) Better integrate industry best practice, codes of practice and guidelines with regulation.
 - (c) Provide more direction for local authorities, as well as increased flexibility for local authorities to regulate forestry activities beyond the limitations created by the NES-PF.
 - (d) Develop an integrated set of national policy and environmental standards focussed on ensuring the cumulative risk of land instability and natural hazards is properly managed.
 - (e) Require that a forest management plan is developed for all forest operations. This plan must be compliant with an amended NES-PF.
 - (f) Fund increased monitoring and enforcement and use the levy for mitigation.
 - (g) Incentivise forestry owners to retire erodible land, and plant with natives for land stability.
 - (h) Encourage/incentivise industry to move to a continuous-canopy-cover model or use penterwald harvesting (select trees only) to maintain canopy cover at all times.
- 5.4 It is important to note that while Council supports the scope of the Inquiry, Council also recognises that the forestry industry plays an important role in the District. Council supports forestry activities and an enduring role for forestry in the District, but it collectively needs to be discussed how these activities should be undertaken, managed, and regulated – and where forestry should be located within our environment.

Next Actions Ngā mahinga e whai ake nei
--

- | | |
|-----|--|
| 6.1 | LGNZ will report to the Joint Forestry Project members in due course regarding the outcome of the inquiry. |
|-----|--|

Attachment(s) Ngā āpitihanga

- | | |
|---|--|
| 1 | LGNZ's submission to the Ministerial Inquiry into Forestry Slash |
|---|--|

// **SUBMISSION**

MINISTERIAL INQUIRY INTO FORESTRY SLASH

// Submission on behalf of LGNZ and the Joint Forestry Project

// APRIL 2023



// **SUBMISSION**

Ko Tātou LGNZ.

Local Government New Zealand (LGNZ) provides the vision and voice for local democracy in Aotearoa, in pursuit of the most active and inclusive local democracy in the world. We support and advocate for our member councils across New Zealand, ensuring the needs and priorities of their communities are heard at the highest levels of central government. We also promote the good governance of councils and communities, as well as providing business support, advice, and training to our members.

This submission is made on behalf of LGNZ and the member councils below: together we make up the Joint Forestry Project:





Introduction

1. Thank you for the opportunity to submit on the Ministerial Inquiry into land uses associated with the mobilisation of woody debris (including forestry slash) and sediment in Tairāwhiti/Gisborne and Wairoa Districts.
2. In order to inform the Panel's work, this submission focuses on items 12.3.4, 12.3.5, 12.3.6 and 12.3.7 of the terms of reference. It draws on legal input, on-the-ground involvement with forestry activities and the recent weather events, and local knowledge within Tairāwhiti and Wairoa, as well as experience across the country. It has been informed by feedback from members of the Joint Forestry Project, and LGNZ's wider membership.
3. This submission is in five parts:

Part A - key contributors to woody debris and sediment.

Part B - current land management practices for forestry, and extent of regulatory oversight.

Part C - review of relevant regulation prepared under the RMA.

Part D - other local and central government work programmes aimed at addressing relevant land use matters.

Part E - recommendations.



Executive Summary

1. LGNZ and the Joint Forestry Project support this Inquiry. We want to see recommendations and regulatory policy settings that support better land use management. This includes changes to both land use management and regulatory policy settings so that these adverse events don't keep happening. At the very least, the current NES-PF should be recommended for review, and new national policy direction should also be considered.
2. Recent severe weather events extensively damaged at-risk rural and urban environments. The extensive damage caused by woody debris and sediment following the recent Cyclone Gabrielle, particularly in the Tairāwhiti and Wairoa districts, is compelling. The photographs and footage of flooding, slips and the resulting destruction of land, horticulture, property and communities provide a stark reminder of the fragility of our environment, and consequences of land use in areas that are unstable and prone to erosion.
3. It is clear that a key contributing factor for the damage and destruction is the characteristics of the land and environment on which certain activities are undertaken. Tairāwhiti comprises 79% steep hill country, with 26% of that land is susceptible to severe erosion.¹ This can be compared with 8% susceptibility for the rest of New Zealand.
4. While these unique geological and topographical characteristics suggest that similar events may occur again in Tairāwhiti and Wairoa, other areas are not immune. There is a real risk of similar events occurring elsewhere in New Zealand, either at the same intensity or to a lesser degree. As a result, formulating new policy settings that only address the issues affecting Tairāwhiti and Wairoa is not the best way forward. While any policy settings developed for those particularly high risk areas must be driven by an understanding of the underlying land characteristics, we support strengthening national policy settings, as long as there is local policy development.
5. It is important to acknowledge that this issue is not limited to Tairāwhiti and Wairoa, nor to the East Coast. It is a nationwide issue. On the whole, New Zealand's soils are highly erodible, and there have been many instances of forestry slash discharging into waterways and damaging infrastructure and property across the country. These include in Northland and Nelson, the latter most recently during Cyclone Gita in 2018, and the August 2022 weather event). While the focus of the Panel's inquiry is understandably on Tairāwhiti and Wairoa, and discussions with those communities, the Panel should consider whether there is a place for broader recommendations on this topic.

¹ Ministry for Primary Industries "Erosion Control Funding Programme for the Gisborne District." [Erosion Control Funding Programme \(ECFP\) for the Gisborne district | NZ Government \(mpi.govt.nz\)](https://www.mpi.govt.nz/erodion-control-funding-programme-ecfp-for-the-gisborne-district/).



-
6. While supporting the scope of the Inquiry, we also recognise that the forestry industry plays an important role in New Zealand. We support forestry activities and an enduring role for forestry, but we collectively need to discuss how these activities should be undertaken, managed and regulated – and where forestry should be located within our environment.
 7. Our recommendations include:
 - Amend the NES-PF to extend its scope, shift its focus and improve underlying data;
 - Better integrate industry best practice, codes of practice and guidelines with regulation;
 - Provide more direction for local authorities, as well as increased flexibility for local authorities to regulate forestry activities beyond the limitations created by the NES-PF;
 - Develop an integrated set of national policy and environmental standards focussed on ensuring the cumulative risk of land instability and natural hazards is properly managed;
 - Require that a forest management plan is developed for all forest operations. This plan must be compliant with an amended NES-PF;
 - Fund increased monitoring and enforcement, and use the levy for mitigation;
 - Incentivise forestry owners to retire erodible land, and plant with natives for land stability;
 - Encourage/incentivise industry to move to a continuous-canopy-cover model, or use penterwald harvesting (select trees only) to maintain canopy cover at all times.
 8. Developing new policy settings will be complex – and must include localised inputs. LGNZ and Joint Forestry Project members would like to work with the Panel to develop a set of recommendations that can achieve meaningful regulatory change.



Part A: Key contributors to woody debris and sediment

9. While natural processes contribute to woody debris and sediment run-off, it is clear that land use has, and continues to, generate such effects. This is demonstrated by the damage caused by the recent run of weather events to have affected the East Coast since 2018, as well as Cyclone Bola in 1988.
10. While forestry slash debris is an issue throughout New Zealand (and may increase as more plantation forests are planted) Gisborne's unique geology puts it at greater risk of harm from woody debris and sedimentation compared to other areas of New Zealand. In real terms, it is land instability that is the key contributor to woody debris and sediment, and it is that matter that requires a greater degree of policy direction to avoid future effects.
11. In the earlier 20th century, clearing vegetation for farming was commonplace in New Zealand. The by-product of this was a significant increase in land erosion. To remedy this issue, while still maintaining productive land, plantation forestry was encouraged at both a central and local government level.²
12. Radiata Pine is the most common choice for the forestry industry, as it is fast growing and does not demand extensive care or management compared to other species. The increase of forestry was prevalent through the 20th century, as demand for meat and wool exports led to the clearing of land for pasture. This included land that is now classified as Land Use Classification Classes 7 and 8.
13. Following Cyclone Bola in 1988, and due to the earlier deforestation of these hillsides for pasture, widespread hillside slipping occurred in Tairāwhiti/Gisborne and the northern parts of Hawke's Bay. In response, the New Zealand Forest Service actively promoted widespread planting of eroded properties with radiata pine, due to the ease of establishment / maintenance, its ability to withstand droughts and pests, and value at harvest.
14. In the years following, the trees have maintained canopy cover and prevented further erosion, compared to pastoral farming on erosion prone hill country. However, the harvesting of trees –

² Ministry for Primary Industries "National Direction for plantation and exotic carbon afforestation: discussion paper", October 2022, at 9; M Bayfield, A Meister "East Coast Forestry Project Review" 2005, report to Ministry of Agriculture and Forestry, at 27.



which occurs at approximately 30 year intervals – if not undertaken properly, can be a significant contributor to forestry slash and erosion, leading to sediment discharge.

15. Allowing forestry slash to remain in situ can be beneficial for soils, as it can replenish nutrients and even protect the top soil itself.³ However, on the east coast's steep hillsides, with highly erodible soil, the practice of leaving forestry slash in situ (without proper management) can contribute to woody debris and sediment. The reason for this is that severe weather events, such as heavy rainfall, saturate the soil, and on steep slopes this mobilises the soil unless it is held together by actively growing tree roots. When soils mobilise, it can cause in-situ slash to move, gathering and shifting soil in its wake as well. These problems can persist for a long time after harvesting, as timber is slow to break down.⁴
16. It is these aspects of plantation forestry that have been brought into sharp focus recently, in the wake of the recent severe weather events affecting Tairāwhiti and Wairoa in particular. Cyclone Hale and Cyclone Gabrielle had such high rainfall intensity that post-harvest slash, whole trees and stumps were mobilised downstream and into rivers. Being the lightest the slash was the easiest to mobilise and effectively dammed structures causing catastrophic bridge, culvert and stop bank failures. Large volumes of silt were also transported. During Cyclone Gabrielle more bridges were destroyed in debris force collapses than in any other flood event in New Zealand's history. While silt and debris are both very damaging to the environment, debris poses a great risk to the lifelines, the built environment, and river protection works.
17. Gisborne District Council has responded to damage associated with the 2018 storms by bringing prosecutions against several forestry companies operating within the Gisborne district. These proceedings have resulted in over \$1.2 million in fines, and sentences for breaches of the RMA.
18. Because the relevant decisions discuss the causes of damage, and the applicable regulatory framework, a brief outline of the proceedings has been provided below.

³ J Nzila, B Jean-Pierre, J-P Laclau "The effects of slash management on nutrient cycling and tree growth in eucalyptus plantations in the Congo" (2002) *Forest Ecology and Management* 171(1).

⁴ M Swift "The ecology of wood decomposition" (1977) *Sci. Prog. Oxf.* 64 at 175.



<i>R v Ernslaw One Ltd [2022] NZDC 24588</i>	
Breach	Section 15(1)(b) of the RMA
Reason	Discharge of earth, sediment, slash, logging debris and other material from four sources at Ūawa Forest, which occurred as a result of the severe weather events in June 2018. These materials were discharged into streams and ephemeral water courses in the forest which drain into the Mangaheia and Ūawa Rivers and ultimately Tolaga Bay.
Key findings	Incident was substantial and the environmental effects of the discharges seriously adverse. Six breaches of resource consent, and departures from four of the forestry industry's Code of Practice. There were 10 skid site failures which directly resulted in land slips.

<i>Gisborne District Council v Aratu Forests Limited [2020] NZDC 2808</i>	
Breach	Section 15(1)(b) of the RMA, guilty pleas entered
Reason	The June 2018 weather events caused forestry debris from Wakaroa Forest to close Uttings Bridge. Forestry debris from Te Marunga Forest was deposited into Tolaga Bay and the Uawa catchment. The debris damaged farms and houses and blocked bridges and roads. One family had to be rescued from the roof of their house.
Key findings	The Defendant was a very substantial forestry operator who was operating in breach of its consent conditions, and had failed to comply with the Forest Owners Association Environmental Code of Practice. The Defendant was found to have adopted poor forestry management practices generally, and there were previous, and widespread, compliance issues.

// **SUBMISSION**

<i>Gisborne City Council v Juken New Zealand Limited [2019] NZDC 24075</i>	
Breach	Section 15(1)(b) of the RMA, guilty plea
Reason	The June 2018 weather events caused major landslides in the Waituna forests, along with a number of discharges of logging debris/slash, waste logging material and sediment onto neighbouring properties, and into water bodies including the Mungapoike River.
Key findings	Juken was a significant corporate entity, there was a need for deterrence, and the penalty should be in line with Juken's financial capacity to pay. The adverse effects of the discharges of sediment and debris were substantial and widespread. This case involved seriously adverse impacts on a vulnerable environment, which the Forest Owners Association Environmental Guide and Code of Practice recognise as requiring a high degree of management. There were seven breaches of consent conditions and failures to comply with the Forest Owners Association Environmental Code of Practice. There were 11 skid site failures, which greatly exceeded the number of failures in any other comparative case.

<i>Gisborne District Council v DNS Forest Products 2009 Limited [2020] NZDC 11112</i>	
Breach	Section 15(1)(b) of the RMA, guilty plea
Reason	The contractors employed by DNZ to complete their post-harvest work, including removal of forestry slash, exited the site and there were five months during which no post-harvest works were undertaken. The June 2018 weather events resulted in large volumes of trees and forestry waste from Makiri Forest to be discharged onto neighbouring

// **SUBMISSION**

	properties, water bodies and into coastal areas. Three landings collapsed causing debris slides of waste and sediment.
Key findings	90% of Makiri Forest falls within an area which is well known for its vulnerability to significant weather events. DNS was a commercial forest entity undertaking its core business which must be expected to comply with best practice, but in this case there had been five breaches of consent conditions. The 5 month period during which no post-harvest works were completed left the skid sites and water-diversion systems in an unsatisfactory state.

<i>Gisborne District Council v PF Olsen Limited [2020] NZDC 19089</i>	
Breach	Section 15(1)(b) of the RMA, guilty plea
Reason	The June 2018 weather events caused flooding and a significant amount of forestry debris from Paroa Forest to be deposited on Tolaga Bay beach. The flow from the forest damaged a farm downstream – Paroa Station.
Key findings	Substantial breaches of consent conditions, as well as the Forest Owners Association Environmental Guide and Code of Practice. The Council failed to meet its obligation under <u>s 35(2)(d)</u> of the RMA, but this did not absolve PF Olsen's liability.



-
19. Unsurprisingly, the common feature from the above prosecutions is that they arose from breaches of the RMA, due to a failure to comply with resource consent conditions. The central reason for this was that the 2018 weather events pre-dated the NES-PF. It is also notable that a common theme was a failure to comply with Forestry sector guidelines and codes of practice, albeit that these are not (other than where they are incorporated into consent conditions) enforceable under the RMA.
 20. The RMA breaches were all under section 15(1)(b), which concerns the discharge of contaminants – relevantly sediment and forestry debris – onto land which results in the contaminant entering water. The Courts held that the defendants had all committed such a breach, due in part to their failure to comply with best practice or consent conditions.
 21. In *Ernslaw One*, the Court noted that Tairāwhiti / Gisborne has a history of storm-induced discharge (forestry slash) events, and that it is entirely foreseeable that forests being harvested in the region might be subject to highly intensive rain events from time to time and that those events are likely to trigger landslides and other debris.⁵
 22. Outside of the forestry sector, there are other land uses that contribute to woody debris and sediment. This includes flood protection works, works along the margins of water bodies, the repair, maintenance or construction of infrastructure, hillside farming⁶ and other rural activities. It is challenging to identify how much, as a proportion, of the recently experienced debris can be attributed to those other activities, but important to acknowledge that this is not only a single-sector issue.

⁵ *R v Ernslaw One Ltd* [2022] NZDC 24588 at [15].

⁶ W. Brown "Landslide control on North Island, New Zealand" (1991), *Geographical Review* 81(4) at 457.



Part B: Current practice, lack of legislative oversight outside of the RMA

23. The plantation forestry life-cycle is, in practice, regulated under the RMA only. This includes regulations and secondary legislation prepared under the RMA, particularly the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (**NES-PF**), and regional and district plans. This submission discusses the RMA regulatory regime in Part C.

Industry guidance / codes of practice

24. Outside of the RMA, there are various guidelines and codes of practice, which have been developed for the forestry industry. These do not have any statutory weight, however (and as identified above) the courts have referred to them, and commented on failures to comply.
25. The New Zealand Environmental Code of Practice for Plantation Forestry (**Code of Practice**), which is developed by the New Zealand Forest Owners Association, is intended as a key reference tool for parties involved in the management of forests. It provides information and guidance on environmental values, how such values should be assimilated into operational planning, and references and sets out industry best environmental practices.
26. The Code of Practice was first developed in 1992, with the current version being adopted in 2007. In effect, the Code of Practice complements other material available to the industry – such as best practice guides produced by the Forest Industry Training and Education Council, forest certification standards, and environmental legislation.
27. While there are provisions in the Code of Practice which are expressed as being “compulsory”, this document does not have the effect of legislative regulation (and is not therefore enforceable). Instead, the New Zealand Forest Owners Association recommends that all members adhere to its principles and practice. We have not been able to discern any real consequences for failing to comply with the Code of Practice.
28. In relation to harvesting specifically, including post-harvest decommissioning, the Code of Practice expects that this aspect of forestry is planned in a manner that identifies environmental values, involves consultation with directly affected parties, and ensures that all personnel are aware of their environmental obligations. The Code of Practice seeks to avoid damage to



restricted areas, and addresses slash, water and sediment controls to prevent runoff into waterways, including ongoing monitoring of the stability of slash piles and guidance that slash should not be left where it could divert or block a waterway.

29. The New Zealand Farm Forestry Association has also published various Forest Practice Guides (**Guides**) to assist forest owners, managers and contractors to meet the legislative requirements of the RMA and NES-PF. These Guides are not intended to override or replace any statutory requirements, but may take on that status if they are referenced in any management plans or conditions prepared under the NES-PF or RMA.⁷
30. Neither the RMA nor the NES-PF refer to the Code of Practice or guides produced by these industry organisations, and so the guidelines do not have any formal statutory basis. Despite this, and as demonstrated by the Courts' reference to these documents, they do provide industry-specific guidance that should be adhered to. Given that these documents contain a high level of detail on relevant matters, including land instability, harvesting, site preparation works, erosion and sediment control measures, managed slash on high-risk slopes, etc, there may be good reason for the Panel to consider how to better integrate these documents with regulation under the RMA.

⁷ The Guides generally include a disclaimer that: "The guides are not statutory documents however, care must be taken to references to a guide. If a Management Plan states that a certain guide or part of a guide is going to be followed then those provisions of that guide will form part of compliance with the NES-PF regulations. In other words, the provisions will form part of your regulatory obligation under the RMA."



Part C: Regulation under the RMA

31. Land use activities are regulated under the RMA by either national regulation, regional and district plans, or resource consents (where required). In relation to plantation forestry specifically, this takes the form of the NES-PF, regional and district rules and standards, and resource consents.
32. Other than when the NES-PF or plan rules specifically address forestry, the RMA does not expressly refer to plantation forestry. This is largely because the RMA establishes an effects-based and generally permissive regime that seeks to achieve certain outcomes,⁸ and regulates breaches of the RMA, but otherwise empowers local authorities to develop appropriate policy settings that regulate land use.
33. This part considers the various forms of regulation under the RMA, and informs the recommendations that follow in Part E. Given the focus of the Inquiry on the Tairāwhiti and Wairoa areas, this section has considered the regional and district planning documents that apply in those general areas. This is not to say that there are no regulatory gaps or issues elsewhere in New Zealand.

The NES-PF

34. The NES-PF provides a set of national standards that address plantation forestry matters specifically. It is a form of national regulation made under Subpart 1 of Part 5 of the RMA and was made operative in 2018.
35. The approach taken by the NES-PF is generally to permit plantation forestry activities, subject to compliance with certain standards. In effect, the NES-PF comprises a set of rules and standards, but does not set out any policies. This is an issue, as where a controlled or restricted discretionary activity is triggered under the NES-PF, the relevant consent authority is only able to refer to the relevant regional or district planning instruments to determine how to exercise discretion or control. Without any direct relationship between the NES-PF rules and standards and these other policy frameworks, there is a policy disconnect. Recommendations have been made on this issue below.

⁸ RMA, sections 5, 6 and 7 in particular.



36. In relation to the matter of erosion and land instability, the NES-PF categorises land into four different categories based on the Erosion Susceptibility Classification (**ESC**): green, yellow, orange and red (red being the highest risk). The NES-PF also refers to the “Land Use Capability” categories, including “Class 8e” land, which is subject to severe to extreme erosion limitations or hazards that make it unsuitable for commercial forestry use.
37. In terms of its scope, the NES-PF includes standards that regulate wilding pines, earthworks, setback distances and slash management around waterways (that are prone to flooding), with the framework adopting stricter standards for more erodible or at-risk land. As discussed further below, in our view the NES-PF does not sufficiently recognise and manage the slope mobility risk of sodden soils, which – if forestry is not properly maintained or harvested – can lead to debris and sediment discharges and resulting damage. We highlight certain aspects of the NES-PF below.

Afforestation and replanting

38. Afforestation is a permitted activity under the NES-PF subject to conditions that address:⁹
- Wilding tree control;¹⁰
 - Planting within significant natural areas or outstanding natural features or landscapes;¹¹
 - Setbacks from riparian zones, adjoining property.¹²
39. Afforestation is permitted in any land susceptibility zone, except red zoned land, with a restricted discretionary activity status triggered if the total area planted is over 2 hectares in any calendar year.
40. The prescribed matters of discretion are set out in regulation 17, and vary depending on whether the consent authority is a regional or territorial authority. Of most relevance, the matters include the consideration of information and monitoring requirements, effects on adjacent landowners, effects on values of significant natural areas, and, for regional councils, effects on erosion and sedimentation effects, and measures to address erosion.
41. Replanting is a permitted activity where standards are complied with (including in relation to wilding tree risk and control, and setbacks). The exception to this is where the replanting will comprise more than 2 hectares in a red zone, which triggers a controlled activity consent. The consent authority’s extent of control is reserved to timing, location and species only, with no

⁹ NES-PF, regulation 9.

¹⁰ NES-PF, regulation 11.

¹¹ NES-PF, regulation 12.

¹² NES-PF, regulation 14(1) and (2).



ability to consider erosion and sedimentation effects. As a result, when processing a controlled activity consent (which must be granted), a regional council has no ability to refuse replanting on red zone land, where there is a risk of significant erosion.

Pruning and thinning

42. While a more minor contributor (depending on scale), pruning and thinning can lead to the discharge of forestry slash. These activities are a permitted activity outright under the NES-PF in relation to territorial authorities, and permitted subject to conditions for regional councils.
43. The key condition is aimed at preventing slash from being deposited into water bodies. If this requirement is not satisfied, it will still be a permitted activity to undertake any pruning or thinning if slash is removed from a water body or land that is subject to flood risk, so that the risk of blocking / damming, erosion and damage to infrastructure is avoided.¹³
44. If the permitted conditions cannot be met, the activity will require a controlled activity consent from the regional council. In that case, control is reserved over a number of issues relating to the conditions outlined in regulation 20. The regional council's control does not include the timing of any pruning or thinning,¹⁴ which means that regional councils will not be able to impose conditions that require the sequencing or staging of pruning within particular catchments.
45. Unlike harvesting, there is no requirement to provide notice of any pruning or thinning to the relevant council. This creates a degree of risk, particularly if forestry companies decide to prune or thin at the same time, resulting in increased levels of slash that could inadvertently be discharged into waterways either in breach of the permitted conditions, or in breach of any controlled activity consent.

Harvesting

46. In respect of territorial authorities, harvesting is a permitted activity in all green, yellow and orange zones, subject to the provision of notice advising when harvesting will start and end.

¹³ Regulation 20.

¹⁴ Under Regulation 21 the regional council's control is reserved over:

- (a) the effects on hydrological flow:
- (b) methods used to minimise erosion and deposit of slash:
- (c) the effects on ecosystems, fresh water, and the coastal environment:
- (d) the effects on downstream infrastructure and property:
- (e) the information and monitoring requirements.



-
47. For regional councils, harvesting will be permitted (subject to compliance with standards), or if the land to be harvested is in a red zone and not LUC Class 8e, permitted on the basis that it will involve no more than 2ha of harvesting in a 3 month period. Outside of those restrictions, a controlled activity consent will be required for any harvesting in green, yellow or orange zones, and a restricted discretionary consent for any harvesting in red / LUC Class 8e land.
 48. There are a range of standards in play for these rules, which address sediment discharges, requirements to prepare a forest harvest plan, ground disturbance and slash and debris requirements.
 49. If controlled activity consent is required from the regional council, control is possible over the type and method of harvesting, measures to minimise soil erosion during and after harvesting, and measures to contain and remove slash. The matters over which discretion is restricted for harvesting in red / LUC Class 8e land are the same.¹⁵
 50. As outlined above, for the vast majority of plantation forestry land, consent authorities have no ability to refuse consent for afforestation or harvesting. Even if there are known soil erosion risks, councils are placed in a difficult position of having to permit forestry activities, with only their own monitoring powers available to ensure compliance.

There is a limited ability to adopt more stringent rules than the NES-PF

51. Councils can include plan rules that are more stringent than the NES-PF if they give effect to an objective in the National Policy Statement for Freshwater Management (**NPSFM**), or specific policies in the New Zealand Coastal Policy Statement 2011 (**NZCPS**), or protects significant natural areas or features.¹⁶
52. The only other basis for introducing a plan rule that is more stringent than the NES-PF, is if the soil has specific geology that is identified in the regional policy statement, regional plan, or district plan. This provision does not, however, apply to red zoned land.
53. As a result, councils have a limited ability to impose stricter rules than those in the NES-PF. For East Coast councils in particular, the only practical way to achieve the protection of erosion prone land is by linking it to soil characteristics and amending the relevant planning instruments, or finding a way to link the outcome to the NPSFM or NZCPS. For many councils (particularly smaller councils with less financial and other resources), attempting to promulgate more stringent rules that are linked to the relevant national direction (in a way that is not directly connected to forestry), is challenging. The central reason for this is a lack of resource capability, and significant interest and opposition from the forestry sector (including potential appeals).

¹⁵ Regulation 71.

¹⁶ Regulation 6.



Regional and district planning documents

Hawkes Bay Regional Policy Statement and Regional Plan

54. The Hawke's Bay Regional Policy Statement forms part of the Hawke's Bay Regional Resource Management Plan (**RRMP**). Of direct relevance to this Inquiry are Objectives 11-14, concerning loss and degradation of soil, as and Objective 31 relating to Natural Hazards.
55. The RRMP expressly acknowledges the potential for forestry practices to lead to soil erosion.¹⁷ In response to that risk, Objective 11 seeks "An ongoing reduction in the extent and severity of hill country erosion".
56. Sitting under this objective is Policy 3, which discourages the removal of vegetation on highly erodible land, particularly Class 7e and 8 land, except where:
 - ...
 - (iii) The removal of vegetation is for the purpose of harvesting vegetation that was planted for commercial purposes.
57. The RRMP permits vegetation clearance (Rule 7), subject to compliance with standards that address:
 - 57.1. The potential to be transported into water bodies;
 - 57.2. Potential to impact on water quality and clarity
 - 57.3. The location of vegetation clearance relative to rivers;
 - 57.4. Potential to increase soil loss, in which case revegetation requirements are triggered to achieve better land stabilisation
58. Rule 7 does not apply to plantation forestry activities, instead the NES-PF is triggered for those activities.
59. Objective 31 seeks "avoidance or mitigation of the adverse effects of natural hazards on people's safety, property, and economic livelihood". Relevantly, the RRMP recognises the risk of flooding, but does not link it to plantation forestry in a policy sense.

¹⁷

Refer section 3.3.



Wairoa District Plan

60. Although the resource management issues of flooding and land instability are expressly acknowledged as hazards affecting the Wairoa District,¹⁸ the Wairoa District Plan only contains policies that address degradation and soil erosion in a general sense. There are few provisions that address plantation forestry, or related activities, specifically.
61. The definitions section clarifies that clearance or disturbance of vegetation includes plantation forestry activities (harvesting). This activity is permitted¹⁹ where the vegetation is outside of a significant indigenous vegetation area, so long as certain standards are satisfied.
62. Other than this rule (and standards), harvesting / forestry activities are not regulated.

Gisborne District Plan (Tairāwhiti Resource Management Plan)

63. The Tairāwhiti Resource Management Plan (**TRMP**) includes provisions aimed at reducing the adverse effects of forestry. For example, B6.2.6 states that the Council will work with industry organisations to promote land use practices which reduce adverse effects on water quality, including forestry management practices that reduce soil erosion and the deposition of forestry slash in waterbodies.
64. The TRMP recognises that not all land in the Gisborne region is suitable for afforestation. B8.1.2 states that the Council's policy is to encourage responsibly managed afforestation, while recognising that it is not always possible to practically or economically treat erosion on LUC class 8 land, with land retirement the appropriate response.
65. In the TRMP, the region is separated into four categories: Land Overlay 1, Land Overlay 2, Land Overlay 3 and Land Overlay 3A. These categories broadly reflect the land resource's varying susceptibility to erosion. These overlays are based on the Land Use Capability ratings, with – generally – Land Overlay 1 equating to classes 1-6 (with some exceptions), Land Overlay 2 comprising the rest of class 6, and Land Overlay 3 capturing classes 7 and 8.
66. As discussed above, the NES-PF allows rules that are more stringent in certain cases, particularly in order to give effect to the NPSFM, NZCPS or where those rules are based on soil characteristics. The TRMP does include a number of rules that prevail over the NES-PF – however these rules remain proposed only.

¹⁸ 8.7.1 of Wairoa District Plan.

¹⁹ Rule 23.1.1.



-
67. Until such time as those rules are made operative, the NES-PF provides the relevant regulatory rules. As an example, several of these proposed more stringent rules are:
- Rule C6.2.3, which requires that point source discharges from forestry roads and earthworks do not exacerbate flooding, do not contain any wastes from industrial or trade process, and do not cause erosion or change in the clarity of the water.
 - Rule 6.4.5(14), which provides that clearance of plantation forestry vegetation is a controlled activity. Control is reserved in respect of the timing and duration of activity, areas and location, any non-plantation forest to be retained, the potential effect on biodiversity/amenity, the effects on wildlife corridors, methods necessary to avoid, remedy or mitigation stream bank erosion, effects on water quality and aquatic habitat.
 - Rules 6.4.5(16) to (18), which provide that vegetation clearance is restricted discretionary where the vegetation clearance is not provided for under another rule.
 - Rule 6.4.5(22), which addresses the planting of second rotation plantation forest species within a Riparian Management Area, and classifies that activity as restricted discretionary.
68. The Chapter 7 rules concerning land management within the land overlays are operative, and include:
- In Land Overlay 1: plantation forest clearance is restricted discretionary if it exceeds 2000m² in any 12 month period, and adjoins a contiguous length of Riparian Management Area overlay that is more than 100m, has an average slope greater than 35° and has less than 75mm topsoil over at least 25% of the area under Rule 7.1.6(8).
 - Similarly, the same activity is restricted discretionary if instead of the slope and topsoil conditions, the soil erosion is deeper than 1m at any point within 20m of a formed public road or network utility structure.
 - The TRMP also creates General Standards for land disturbance or vegetation clearance, which include all land overlays, and require that slash must not be deposited into a permanently flowing waterbody, or be of a size that could cause diversion, damming, erosion or result in movement of debris downstream. If vegetation clearance cannot meet the General Standards, the activity is restricted discretionary.
 - In Land Overlay 2, similar conditions apply for vegetation clearance as in land overlay 1 and the activity is restricted discretionary.
 - In Land Overlay 3, thinning is permitted under rule 7.1.6(26), but clearance of plantation forestry that is greater than 10% of the closed canopy in a five year period (and affects more than 2 hectares of land) is controlled.
 - In Land Overlay 3, if the area to be cleared is greater than 500m² in any 12 month period, and has a slope greater than 35 degrees, or has less than 50mm of topsoil, it is restricted discretionary.
 - In Land Overlay 3A, the activity must comply with the more restrictive rules in Land Overlay 3, and comply with a Sustainable Hill Country Project Works Plan before it is permitted. If it cannot comply with a Sustainable Hill Country Project Works Plan it requires a discretionary consent.
69. As can be seen when comparing the TRMP to the other regional and district planning instruments outlined above, Gisborne District Council is the only local authority that has included provisions
-

// **SUBMISSION**

that provide a more bespoke approach to regulating plantation forestry. In particular, there is a more granular regime in place for vegetation clearance (harvesting), which responds to the land instability risks present in this region.



Part D: Other local / central government work programmes

70. There are several central and local government work programmes currently underway that are attempting to address the issue of forestry slash in particular. These are discussed below:

- 70.1. Te Uru Rākau – New Zealand Forest Service, an agency of the Ministry for Primary Industries, has developed the Forestry and Wood Processing Industry Transformation Plan (ITP) and the Woody Biomass Research Programme (to create investment certainty for woody biomass supply).²⁰
- 70.2. The aim of the ITP is to diversify 20% of radiata pine forests to tree species that are more suited to steeper topography, where slash mobilisation is an issue or concern. A second goal is to achieve continuous forestry cover to ensure that specific trees stay on-site to assist with erosion and slash prevention, which still contributing to wood supply.²¹
- 70.3. Forest Growers Research is undertaking a project on harvest automation and robotics. This programme is co-funded by the forestry industry with the aim of enhancing sustainability of harvesting through automation. One aspect of this project is to provide a market analysis for buyers to take smaller logs, which would otherwise be left as slash.²²
- 70.4. Precision Silviculture is another programme involving Forest Growers Research. This programme is also co-funded by industry, and is focused on designing tree planting locations to minimise slash at the time of harvest.²³
- 70.5. Te Uru Rākau is also partnering with Oji Fibre Solutions to support improved processing and use of woody biomass, along with the Energy Efficiency and Conservation Authority, Air New Zealand and New Zealand Trade and Enterprise.²⁴
- 70.6. Hastings District Council and Hawke's Bay Regional Council have jointly funded a Forestry Compliance Officer to monitor forestry operations, and educate forestry companies on better managing forestry slash. This is another example of a non-statutory programme, but with the clear intention of improving practice and better understanding current operations.²⁵

²⁰ Cabinet Paper to Minister of Forestry from Te Uru Rākau "Programmes and Initiatives to manage forestry slash" 27 February 2023, at 4.

²¹ "Programmes and Initiatives to manage forestry slash" at 5.

²² "Programmes and Initiatives to manage forestry slash" at 4.

²³ "Programmes and Initiatives to manage forestry slash" at 4.

²⁴ "Programmes and Initiatives to manage forestry slash" at 5.

²⁵ Hastings District Council, "Monitoring aims to better manage forestry slash damage" 29 September 2020.



-
- 70.7. The Hill Country Erosion Fund (HCEF) is another recent initiative, involving partnership between Tasman District Council, iwi landowners and HCEF to replant 114 hectares of uneconomic steep slopes post-harvest with indigenous species, such as mānuka for honey production.²⁶
- 70.8. Donald Creek Paired Catchment Study 2020-2027: establishment and operation of a long-term monitoring programme within comparative catchments in the One-Forty-One forest estate to study the performance of sediment control practices used in forest harvesting. One-Forty-One developed an Environmental Management System in 2018 with control practices to reduce sediment into streams from disturbed ground, and applying use of harvest slash to disperse sediment erosion entering water bodies. One-Forty-One has also developed a Granite Management Plan which is used widely by other companies.
71. Outside of these programmes, the proposed RMA reforms potentially provides an opportunity for significant review of the NES-PF, and better integration with other national level policy and regulation. One weakness of the RMA, and its national direction regime, is that it involves the separate development of national environmental standards and national policy, rather than the development of an integrated national policy framework. This is proposed to be addressed through the Natural and Built Environments Act, which will require the development of a National Planning Framework (**NPF**).
72. The NPF presents an opportunity for the Government of the day to develop an integrated set of national policies, standards, targets and limits that, together, regulate land use in a cohesive way. If this proposal is enacted, we may see a NPF that addresses plantation forestry alongside freshwater management, highly productive land, land instability, natural hazards and infrastructure (ie. roading and bridges) together. While this could end up a complex web of national direction, it would at least provide direction on all of the aspects that contribute to, and are affected by, woody debris and sediment, and better guide the development of local policy settings.
-



Part E: Recommendations

73. This section of our submission provides recommendations, both statutory and non-statutory, on the following matters:

- Amending the NES-PF, to extend its scope, place more focus on certain matters and improve the underlying data;
- Better integration of industry best practice, codes of practice and guidelines with regulation;
- More direction should be provided to local authorities, and there should be increased flexibility for local authorities to regulate forestry activities, beyond the limitations created by the NES-PF;
- There would be benefit in an integrated set of national policy and environmental standards, that are focussed on ensuring that the cumulative risk of land instability and natural hazards are properly managed;²⁷
- Require that a forest management plan is developed for all forest operations, which is compliant with an amended NES-PF;
- Funding for increased monitoring and enforcement, and use of the levy for mitigation;
- Incentivising forestry owners to retire erodible land, and plant with natives for land stability;
- Encourage/incentivise industry to move to a continuous canopy cover model, or with penterwald harvesting (select trees only) to maintain canopy cover at all times.

Amendments to the NES-PF

74. LGNZ and the Joint Forestry Project agree that there is a place for forestry-specific regulation. As has been demonstrated on several occasions, forestry related activities can destabilise land, and when severe weather strikes, this can cause devastating amounts of slash and sediment to be discharged. The reality is that these discharges are likely to continue when future harvesting occurs, and for decades to come.

75. The challenge is how to respond to that reality, through meaningful regulation and ideally ongoing change in land use management. Any change in land use management will be incremental, but there are opportunities to achieve more timely improvements, through setback planting with natives, willows and poplars for new and existing forests, which can provide significant assistance in managing effects. The NES-PF is a good starting point, but in our view needs further development to provide a meaningful set of provisions that are firstly, well understood by those charged with applying them, and second, capable of enforcement. One way

²⁷ NPS natural hazards and climate change.



to achieve this is to provide a clear and specific set of thresholds and standards, against which compliance can be measured.²⁸

76. With these comments in mind, LGNZ and the Joint Forestry Project consider that the current NES-PF settings require tightening in order to better regulate the land uses that are contributing to and causing woody debris and sediment discharge. The next paragraphs set out several possible amendments.

More accuracy required in relation to the Erosion Susceptibility Classification and LUC mapping

77. As noted above, the ESC is a map-based tool used to inform the NES-PF. In addition, LCU mapping is relied on, again at a 1:50,000 scale. Both are imprecise tools that need a higher degree of accuracy before they can be considered reliable in terms of managing land use activities.²⁹
78. The member councils involved in the Joint Forestry Project have observed many locations which have been planted, or harvested, with forestry that are highly susceptible to erosion, despite the associated mapping not identifying this level of risk. While these tools are available now, and should be relied on in the interim, better, more fine-grained data should be prepared to inform the regulation of relevant land use activities, so that highly erodible lands are properly identified.

The approach to certain types of forestry activity

79. If the NES-PF is to remain the primary form of regulation of forestry activities, and for post-harvest activities involving woody debris, three different types of forests should be captured. The following paragraphs capture our key recommendations on these forests, and potential amendments to the NES-PF:

New Forests

80. Amend the scope of the NES-PF so that it captures both production and carbon only forestry. This is a matter that the Joint Forestry Project has raised in previous submissions on the NES-PF.

²⁸ For example, wording like “reasonable mixing” and “conspicuous” in the NES-PF create difficulties for regulators when attempting to enforce compliance.

²⁹ See for example, the FARM LUC tool developed for Auckland Council rural land: <https://www.knowledgeauckland.org.nz/publications/farm-scale-land-use-capability-classification-for-auckland/>



81. Either amend the NES so that it becomes a national policy statement that provides direction on forestry issues in conjunction with LUC / ESC classification, or direct Regional Councils (via the NES) to develop regional policy direction addressing forestry within a certain timeframe.
82. This process would involve regional conversations focussed on identifying high-risk areas, considering the strategic benefits of forestry as an activity on a region-by-region basis, provide scope to properly integrate other national policies regarding freshwater, highly productive land and biodiversity management, and allow District Councils to provide input on matters of significance to communities (ie. lifeline infrastructure, including roads, bridges and telecommunications). These conversations would support the development of policy that delivers on the “right tree, right place, right management” concept, particularly for new forests.
83. For so long as the RMA remains in force, regional and territorial authorities should remain consenting authorities for any new forests, but with a wider degree of discretion – as set out below – relative to certain LUC categories:

LUC category	Recommendations
<i>LUC 1-3</i>	- Permitted activity status for forestry that cumulatively occupies less than 5% of the effective area of any title or group of titles operating as one farming business.³⁰ A forestry management plan should be prepared in all cases to achieve permitted activity status. - The forestry management plan should define waterway setback distances, roading pathways, debris storage and harvesting sites, permanent non-production plantings next to waterways and up gullies. This will assist in holding vulnerable land and catching debris. Such planting could include poplar, willow, redwoods and native plantings. - Restricted discretionary status for areas greater than 5% of the effective area of any title or group of titles operating as one farming business. The consent authority discretion should be focussed on soil quality, soil stability, roading infrastructure and cumulative social impacts, as well as the approach to mitigating off-site effects. A forestry management plan should be prepared, and councils should have discretion to impose more restrictive measures in these plans (relative to the matters for which discretion is reserved).
<i>LUC 4 and 5</i>	- Permitted activity status for forestry that cumulatively occupies less than 100ha or 10% of the effective area of any title or group of titles operating as one farming business (whichever is the lesser). - Restricted discretionary status for areas greater than 100ha or 10% of the effective area on a title or group of titles operated as one farming business. This includes whole farm conversions. In addition to the matters outlined for

³⁰ Note, for properties that contain more than one LUC category, the thresholds should apply to the relevant LUC category land only, rather than the entire site.



	LUC 1-3 land, consent authority discretion should capture potential effects on off-site roading infrastructure and cumulative social impacts. • A forestry management plan should be prepared in all cases – and councils should have the ability to impose more restrictive measures in the forestry management plan for the restricted discretionary status activity.
<i>LUC 6 and 7</i>	• Adopt an approach that permits activities up to a certain area threshold (for example up to 30% of the effective area of any title or group of titles operating as one farming business), on the basis that a forest management plan is prepared and provided to Council. Permitted activity status should only be engaged where the activity is not likely to result in the mobilisation of silt or forestry slash. • Beyond that threshold, a controlled activity status may be appropriate up to another threshold, which will provide for control over forest management, harvest plans, and mitigation of off-site effects. • Outside of those thresholds, a discretionary activity status will be triggered (for example, for areas greater than 50% of the effective area of any title or group of titles operating as one farming business). The above rule framework should include proposals for whole farm conversions.
<i>LUC 8</i>	• Discretionary activity status should apply, rather than the current restricted discretionary status. • A forestry management plan will be required with Council able to impose additional restrictive measures. Regular review of the forestry management plan should be carried out to ensure currency. • Councils should be allowed to consider any clear-felling that has occurred within these areas over a certain time period, and the amount of land that will be left bare post-harvesting, with conditions and requirements developed around those aspects (e.g. staged, sequential approaches to harvesting and replanting).

Existing forests

LUC category	Recommendations
<i>LUC 1-5</i>	• Harvesting to remain a Permitted Activity. • Improvements to NES standards to capture potential off-site effects, and mitigation measures in respect of those effects.
<i>LUC 6</i>	• Controlled activity status subject to compliance with standards and conditions, including requirement to provide a forestry management plan to the relevant consent authorities, with review timeframes associated with the same. • Restricted discretionary activity status for any harvesting activities over a particular threshold, in which case the matters of discretion will need to be broad enough to capture: preparation and content of a forestry



	management plan, type and method of harvesting, timing (including sequencing / staging of harvesting), location and duration of harvesting, effects on water quality, etc, and measures to minimise soil erosion during and after harvesting, including sediment and debris related effects off-site. • Management of roads and infrastructure off-site can be a difficult issue, but scope should be provided for consideration of these potential effects to drive a management response, and the RMA/NES should also provide scope for financial contributions from persons who cause damage to roads, rather than this cost having to be met by communities.
<i>LUC 7 and 8</i>	• Discretionary consent to be obtained from the relevant consent authorities with detailed forest harvest plan that includes: road design, waterway management, skid site and slash storage or removal, silt management and a post-harvest replanting plan, including permanent non-production plantings next to waterways and up gullies. The forestry management plan may include a staged harvest or avoiding harvest in the most vulnerable areas. • Councils should be allowed to consider any clear-felling that has occurred within these areas over a certain time period, and the amount of land that will be left bare post-harvesting, with conditions and requirements developed around those aspects (e.g. staged, sequential approaches to harvesting and replanting).

Existing Forests on Highly Erodible Land

84. This class of forest is the most challenging, and will typically contain LUC Class 8 land that should never have been planted with radiata pine due to the risk profile. Some forests would be best retired through a managed transition back to native species. This could include selective harvesting, poisoning and retirement.
85. The NES-PF, even with amendments, is not considered the appropriate vehicle to manage or achieve this. The significant financial value of such forests, particularly given the growth of the carbon-only forest market, will inevitably result in compensation discussions.
86. It is considered that a separate mechanism will be required for the ongoing management of such forests. The harvesting and reestablishment of these forests may pose a significant environmental risk. If the total environmental risk and clean-up costs were to be borne by forest owners, it is likely that many of these blocks would not be economic to harvest. While this may stop the harvest (and resulting effects), it will not negate the risk to the environment as the trees come to the end of their life and start falling.
87. As much of this land was initially planted with support, and incentives, from the Crown and Councils, a managed return to indigenous coverage is likely to be the most desirable long-term solution. If this transition is not supported by the Crown, then there is a risk that some owners will walk away from their land leaving a long-term environmental risk.



Better integration of industry best practice, codes of practice and guidelines with the regulatory regime

88. That the forestry industry has developed sector-specific Codes of Practice and Guides is considered a good initiative. However, there is a disconnect at present between how those documents are developed and applied, and what Councils understand those documents to mean. Put another way, councils have a limited understanding of best practice, yet are expected to regulate forestry as against the NES-PF and their own planning instruments.
89. There would be clear benefit in greater alignment between these two types of regulation, and a good argument that Councils' regulatory role should work in tandem with the forestry sector's own guidance.
90. One clear issue is that many local authorities have a lack of capacity to monitor and enforce compliance, but they also lack the necessary expertise to develop meaningful regulation outside of the NES-PF. It is considered sensible for the sector, central and local government to work together to develop the NES-PF further, so that the knowledge and capacity of the regulators is improved, alongside a more developed (and informed) set of regulation.
91. While incorporating industry best practice into regional or district plans may be unnecessary, there would be sense in bringing that detail into forest management plans or even resource consent conditions (as applicable).
92. Alternatively, if incorporating best practice into formal legislative regulation was the model used, then there would need to be a mechanism to allow the regulation to evolve with changes to industry best practice, so that the regulations remain current.

More direction to consent authorities, while also providing increased flexibility for locally informed regulation

93. As discussed in Part C, the NES-PF comprises a set of rules and standards, but does not contain or prescribe any objectives or policies. Developing and adopting policy on plantation forestry, and related issues and effects, is instead for local authorities to determine.
94. The lack of national policy direction that supports the NES-PF presents a practical issue for local authorities, particularly as the NES-PF classifies certain activities as controlled or restricted discretionary activities. Those activity statuses provide for the consideration of matters of control or discretion, which are intended to be assessed against policies that guide how the reserved control or discretion should be applied by the consent authority. Where there is an



absence of policy direction, there is disconnect between the outcomes sought by rules and standards, and the decision-making required under the NES-PF.

95. There are two options for resolving this issue: develop national level policy that works in tandem with the NES-PF, or provide more scope for local authorities to be able to develop locally driven policy that addresses forestry activities, and related effects.
96. The benefit of national level policy is that it will give greater, uniform meaning to the NES-PF, and the outcomes sought by those regulations. This would also improve consistency of decision-making across the country, when implementing the NES-PF. If this direction were expressed in a high level way, with a requirement that local authorities either adopt or implement such direction (for example, as with the NPS-Highly Productive Land), then it would drive policy development at a lower level. The limitation with national level policy is that it may not be able to respond in a fine-grained way to district or region specific risks or issues. This could result in policy that does not meaningfully assist with the regulation of forestry, or implementation of the controlled or restricted discretionary activity rules in the NES-PF.
97. The alternative is to provide direction, either through the NES-PF or another legislative mechanism, which allows local authorities to develop regional and/or district level policy on forestry. If this were done well, it would provide local authorities with the ability to apply that direction in a regional / district context, and draw on their unique characteristics to adopt policy that gives greater local meaning to the standards and rules of the NES-PF.
98. On this point, we note that the NES-PF limits the potential for local authorities to include more stringent rules in their own planning documents. This could be relaxed, so that local authorities can consider forestry and its effects on its broader merits (without being limited to NZCPS, NES-FW considerations), and make policy decisions on whether to provide or discourage forestry in certain locations or areas, without having to rely on one of the exemptions in the NES-PF.
99. What the NES-PF does well, at least in terms of erosion and land instability, is rely on land classification categories to trigger different levels of regulation. This is an effective management approach, but only when the categories are reliable. In this case, the LUC mapping that underpins the NES-PF categories is based on 1:50,000 scale mapping. This results in data and mapping that is limited, and it is recommended that the government invests further in these tools, so that the mapping is improved to a 1:10,000 scale. This would provide a more reliable basis on which to develop policy, and regulate land use in a more meaningful way that takes a lead from local inputs. It would also provide benefit to land uses outside of forestry, as the NPS-HPL relies on the same mapping and councils use this tool to develop plans.
100. From a practical perspective, if any Council attempts to introduce more stringent rules than in the NES-PF, they are typically appealed to the Environment Court. The NES-PF, or RMA, could provide assistance on this point, by providing policy direction that can assist to limit the potential for appeal. We note on this point that central government guidance and policy typically provides a faster remedy than plan change modifications led by local government, and it is the only way to provide sector-wide guidance, through rules and regulations.



Integrated national policy and environmental standards

101. Building on the above recommendations, and in light of the RMA reform proposals, there may be an opportunity in short order for a new integrated set of national policy and standards, in the form of the National Planning Framework under the NBEA.
102. This new framework could provide clear benefits, as it would constitute one cohesive set of objectives, policies, targets and limits that act to guide land use relative to a number of relevant issues. For example, it would be expected to address highly productive land, freshwater, biodiversity, landscape protection, land instability, natural hazards and potentially sector-specific activities. In this way, the framework would provide integrated direction that could drive the “right place” for various land use activities, including forestry.
103. The benefit of this approach is that it would provide, we expect, higher level direction on certain outcomes that can be drawn on to develop the first generation of Regional Spatial Strategies and Natural and Built Environment Plans. While the RMA reform proposals have come under criticism for their complexity, there has been support for this new national framework, and we consider that integrated policy will delivery real benefits.

Require that a forest management plan is developed for all forest operations, which is compliant with an amended NES-PF and sector best practice

104. As discussed above in relation to the NES-PF, it would be of benefit to all operators and local authorities, for a forest management plan to be developed for all forest operations, but particularly those involving harvesting, thinning and pruning that could create woody debris discharges.
105. Currently, the NES-PF requires that a harvest plan is provided on request for all ESC zones, and an earthworks plan for red and orange zones. On receipt of these plans, a local authority is not able to request any changes to the harvest plan, which could create risk for certain sites / areas. In recommending that the NES-PF requires a forest management plan for all land types and forestry activities, greater oversight of all forestry activities will be achieved.
106. Even if the Panel were reluctant to recommend a wider review of the NES-PF, this would seem a sensible first step, particularly as most existing operators will have management plans as expected by industry-specific guidance.
107. In terms of content, forest management plans should incorporate sector best practice, so that regional and territorial authorities are better able to understand the approach to land use, and



use that to inform their approach to imposing consent conditions and enforcement. Inspections (and the frequency of those) by councils should also be provided for under forest management plans, particularly where skid sites are involved.

108. For smaller councils, where a lack of capability creates risk, a greater role for Te Uru Rākau – New Zealand Forest Service could be available, to develop guidelines for councils that assist them to understand and evaluate forest plans.

Funding for increased monitoring and enforcement, and use of the levy for mitigation

109. The Government previously provided funding to plant much of the affected areas in exotic forestry, and it is now encouraging further similar land use transition through the emissions trading scheme. Due to the increasing price of carbon credits, productive farmland is being sold to purchasers for the purpose of planting trees.
110. In the event that the new plantations are harvested at 30 year intervals, there runs a risk of continuing damage to rivers and communities if these activities are not satisfactorily regulated.
111. Regulation is challenging when left solely to regional and territorial authorities, who are operating in an increasingly tight financial environment. It is simply not plausible to expect councils to continue to fund this activity, if forestry (both plantation and carbon) will continue to grow in scale. We note also that the NES-PF expects substantially the same degree of monitoring for small and large scale forestry blocks, which adds to the inefficiencies and challenges that are experienced by the local government sector.
112. The Panel should recommend to central Government that it supports the monitoring and enforcement of forestry related activities, through funding to regional and territorial authorities so that they can thoroughly review compliance by forestry operators.
113. It is not only taxpayers that should bear responsibility for this additional cost however, as the forestry sector should provide a significant contribution. At present, under the Commodity Levies (Harvested Wood Material) Order 2019, a levy is imposed on all harvested wood from plantation forests. The purpose of this levy is set out in clause 17, and includes:

17 Purposes for which levy money may be spent

- (1) FGLT may spend levy money for all or any of the following purposes relating to harvested wood material or forest growers:
 - (a) research and development:
 - (b) forest biosecurity:
 - (c) the National Forest Health Surveillance Scheme:
 - (d) training and careers:

// **SUBMISSION**

- (e) forestry workforce health and safety, including development and support for industry standards and codes:
- (f) the Forest Strategy and Roadmap:
- (g) programme development and implementation costs: cl 14 Commodity Levies (Harvested Wood Material) Order 2019 2019/232 6
- (h) industry and product promotion:
- (i) representing the interests of forest owners and the industry:
- (j) administration costs.
- (2) FGLT must not spend levy money on commercial or trading activities.
- (3) Subclause (2) overrides subclause (1).

114. There is scope for amending this order, to ensure that funding (from the levy) can be allocated and used for mitigation and repair of any off-site damage caused by discharge from forestry activities. The Panel should recommend that the Minister for Primary Industries review this order and the basis for use of the levy, so that the forestry sector becomes financially accountable through the levy for addressing any impacts generated by their own revenue generating activities.

Report to: Council

Meeting Date: 24 May 2023

Subject: Document Signed and Sealed: 936 Taringamotu Road, RD4, Taumarunui

Report for: Information

Author(s): Warrick Zander

EXECUTIVE MANAGER: REGULATORY & CUSTOMER SERVICES

Endorsed By: Clive Manley

CHIEF EXECUTIVE



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to present to Council for endorsement copies of documents signed under Seal by the Mayor and Chief Executive.

Recommendation(s) | Ngā tūtohunga

That the Council:

- 1 Receives the Report **Document Signed and Sealed: 936 Taringamotu Road, RD4, Taumarunui**; and
- 2 Approves the actions by the Mayor and Chief Executive in executing the following documents:

Relocatable Refundable Bond Agreement	Owner:	Jacki Sinclair
	Description:	936 Taringamotu Road RD4 Taumarunui

Significance and Engagement | Takenga mai

2.1 Significance

This report does not trigger the Significance and Engagement Policy.

Background | Tuhinga

- 3.1 The Ruapehu District Plan states that the Relocatable Refundable Bond Agreement is a Deed of Agreement between the Council and the client and must, therefore, be endorsed by Council, as noted in the Relocation Rules RB3.3.5 under Appendix 13.

Attachment(s) | Ngā āpitihanga

- 1 Document Signed and Sealed, 936 Taringamotu Road, RD4, Taumarunui



RUAPEHU DISTRICT COUNCIL

Private Bag 1001, Taumarunui 3946, New Zealand
 Telephone 07 895 8188 • Fax 07 895 3256
 Email info@ruapehudc.govt.nz
 Website www.ruapehudc.govt.nz

RELOCATED BUILDINGS BOND TEMPLATE

THIS DEED is dated the 13th day of April 2023
 BETWEEN Jacki Lianne Sinclair ("the owner")
 AND RUAPEHU DISTRICT COUNCIL ("the Council")

BACKGROUND

- A The Owner(s) is/are the registered proprietor of land onto which it is intended to place a Relocated Building.
- B Rule RB3.2.1 of the Ruapehu District Plan classifies Relocated Buildings as a Permitted Activity provided they comply with the General Conditions outlined in section RB3.3
- C The General Conditions require that the Owner provide a Relocated Buildings Bond in favour of the Council to secure the performance of the Reinstatement Works required to the exterior of the Relocated Building in accordance with the Building Pre-Inspection Report.
- D The Owner and the Council have agreed that the performance by the Owner of the Owner's obligations under this Relocated Buildings Bond is to be secured by the provision of a Cash Deposit on the terms and conditions set out herein.

NOW THIS DEED WITNESSES:

1 INTERPRETATION

1.1 Defined Terms

In this Deed unless the context otherwise requires:

"Act" means the Resource Management Act 1991 as amended from time to time, and includes any legislation enacted in substitution for that legislation;

"Bond" or "Relocated Buildings Bond" means the Bond created by this Deed;

"Building Pre-Inspection Report" means a report prepared by an appropriately qualified person in accordance with Rule RB3.3.1 of the District Plan identifying the Reinstatement Works;

"Cash Deposit" means any sum or sums of money deposited in cleared funds with the Council from time to time by the Owner, any financial institution at the request of the Owner or other party at the request of the Owner, which have a value totalling the Quantum;

"Completion of the Reinstatement Works" means the date on which the Council confirms in writing to the Owner that the Reinstatement Works have been completed;

Commencement Date means the date on which the Relocated Building is placed on the site, whether on temporary supports or otherwise;

"Council" means the Ruapehu District Council and its successors and assigns;

"General Conditions" mean the General Conditions in Rule RB3.3 of the Ruapehu District Plan;

"Monitoring Sum" means the Council's actual and reasonable costs for carrying out monitoring and administration in relation to the Reinstatement Works;

"Owner" means [*Jacki Lianne Sinclair and David Ross Caddy*] together with successors and permitted assigns;

"Plan" or "District Plan" means the operative Ruapehu District Plan;

"Quantum" means the sum as determined from time to time in accordance with clause 3.1;

"Reinstatement Works" means the extent of the work required to the exterior of the Relocated Building as specified in the Building Pre-Inspection Report for the purposes of the District Plan. The exterior reinstatement works will not include matters regulated by the building legislation such as re-joining of the roof; re-joining of the building (if shifted in more than one section) or connection to foundations; but may include matters required by the District Plan for work to be undertaken and completed to the exterior of the building to a workmanlike standard and to achieve a tidy appearance, including, without limitation:

- (a) Repair of broken windows and window frames;
- (b) Repair of rotten weatherboards or other damaged wall cladding;
- (c) Necessary replacement or repair of roof materials;
- (d) Cleaning and/or painting of the exterior where necessary e.g. roof, walls, window frames etc; and/or
- (e) Replacement and painting of baseboards or other foundation cladding.

"Relocated Building" shall have the same meaning as the definition of "Relocated Building" in section DE1 of the District Plan;

"Security" means the Cash Deposit;

"Site" means the whole of the land onto which the Relocated Building is to be placed;

"Term" means the period from the Commencement Date to Completion of the Reinstatement Works.

1.2 Joint and Several

- 1.2.1 References in this Deed to the "Owner" are references to the parties (if more than one) named in this Deed as the Owner jointly and severally, and the representations, covenants and undertakings of the Owner in this Deed shall be deemed to be given jointly and by each of them severally.

2 THE BOND

2.1 Undertaking to Comply

The Owner undertakes to the Council to:

- (a) complete, at the expense of the Owner, the Reinstatement Works as set out in the Building Pre-Inspection Report within the timeframe specified by Rule RB3.3.6 of the District Plan or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing; and
- (b) promptly remedy any breach by the Owner of its obligations under this Deed within seven (7) days of a request in writing by the Council to do so, or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing.

2.2 Council Right to Access

The Council may from time to time, under Section 171 of the Local Government Act 2002, enter onto the Site to ascertain whether the Reinstatement Works have been completed to the satisfaction of the Council.

2.3 Council Right to Rectify

If the Owner fails to comply with the Owner's obligations, or any of them, referred to in clause 2.1 within seven (7) days of receipt of the notice in writing from the Council referred to in clause 2.1(b), or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing, which notice shall refer to the failure and request the failure to be rectified, then:

Owner:

Relocated Building Bond
Template Page Page 2 of 5

- (a) the Council may (but shall not be under any obligation to) undertake, or procure that its contractors undertake, all or part of those obligations referred to in the notice;
- (b) for that purpose, the Council (including its contractors and assigns) may, at all reasonable times, enter the Site, including any Relocated Building on the Site; and
- (c) the Owner will pay to the Council upon demand the amount of all costs, expenses, liabilities and other amounts incurred by the Council under or in connection with the exercise by the Council of its rights under clause 2.3(a) and (b), less the amounts paid to the Council and which the Council is entitled to retain on its own behalf from the Security under clause 4.1 or otherwise.

2.4 Provision of Security

To better secure to the Council the completion by the Owner of its obligations under this Deed and the District Plan, the Owner undertakes on or before the date the Council issues a building consent to relocate the building to the Site, to deposit into a bank account in the name of the Council, with a bank nominated by the Council in cleared funds, the Cash Deposit totalling the Quantum.

2.5 Application of Security

- 2.5.1 The Council may, from time to time, apply all or part of the Cash Deposit for payment of the Monitoring Sum which sum shall be deducted from the Cash Deposit before or on repayment of the balance of the Cash Deposit upon Completion of the Reinstatement Works in accordance with clause 3.2.¹
- 2.5.2 If the Owner fails to comply with any of its obligations referred to in clause 2.1 within seven (7) days of receipt of a notice in writing from the Council, which refers to the failure and requests the failure to be rectified, or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing, then the Council may, from time to time apply all or part of the Cash Deposit for the payment of any sum payable by the Owner to the Council under this Deed and/or the Act, including any sum incurred by the Council under clause 2.3 of this Deed, or retain all or part of those proceeds to cover amounts as reasonably estimated by the Council to be incurred or which may (in the reasonable estimation of the Council) be incurred by the Council or its contractors under clause 2.3 or in respect of those matters.

3 QUANTUM PROVISION AND RELEASE OF THE SECURITY

3.1 Quantum and Provision of the Security

- 3.1.1 The Quantum of the Bond as at the Commencement Date shall be fifty (50) percent of the estimated cost of the Reinstatement Works as established by the Pre-Inspection Report.
- 3.1.2 For the avoidance of doubt, the Quantum of the Relocated Buildings Bond does not include any bond required by the Council for the purposes of its Land Transport Bylaw.

3.2 Release of Owner of Security

- 3.2.1 Upon Completion of the Reinstatement Works, the Council shall release the Owner from the obligations under clause 2 of this Deed, and repay the balance of the Cash Deposit remaining after application under clause 2.5 or clause 4.1, if any, to the party which provided the Cash Deposit.

4 PAYMENT OF QUANTUM AND CALLS ON THE SECURITY

4.1 If the Owner:

- 4.1.1 Fails to comply with the Owner's obligations, referred to in clause 2;
 - 4.1.2 Abandons the Site without taking adequate and proper measures to rehabilitate the Site to the reasonable satisfaction of the Council; and/or
 - 4.1.3 Fails to comply with any of the obligations of the Owner under this Deed,
- the Council may, without notice and without limitation of its rights under clause 2, forfeit (take) such of the Quantum as it estimates will be the cost of carrying out remedial work (including the Reinstatement Works) or measures to rehabilitate the Site to a standard similar to surrounding properties (which costs may include any Monitoring Sum) and may call, apply or enforce, without further notice, on or exercise its rights in respect of the Security in that sum. The Council may at any reasonable time and from time to time enter the Site and take such steps and carry out such works as may be necessary to rehabilitate the Site;

Owner:

Relocated Building Bond
Template Page Page 3 of 5

- 4.1.4 Transfers ownership of the Site without the Council having received a bond from the Transferee containing the same terms and conditions as are set out in this Bond, then the Quantum shall be forfeited to the Council and the Council may, without notice, call on or exercise its rights in respect of the Security in that sum.

5 RESOURCE MANAGEMENT ACT 1991

The powers and remedies given to the Council in the Bond are in addition to all other powers and remedies conferred on it by the Resource Management Act 1991 and the exercise by the Council of any power or remedy under the Bond shall not prejudice its authority to exercise any other such power or remedy.

6 VARIATION AND RENEWAL

The Bond may be varied or renewed at any time by agreement in writing between the Owner and the Council.

7 ARBITRATION

In the event of any dispute or difference between the parties arising out of the Deed or the construction of interpretation thereof then the dispute or difference shall be referred to a sole arbitrator to be agreed upon between the parties or failing agreement, appointed in accordance with the provisions of the Arbitration Act 1996 and its amendments or any Act passed in substitution therefore.

8 NOTICES

All notices required or permitted to be given under or in connection with this Deed shall be in writing and be served on a person or on a body (whether incorporated or not) in accordance with the method of service of documents in section 352 of the Act or any section enacted in substitution thereof.

- 8.1 **The Owner:** If to the Owner to: *Jacki Sinclair RD 4*
936 Taringamotu Rd, Taumarunui, 3994

- 8.2 **The Council:** If to the Council to:

The Chief Executive
 Ruapehu District Council
 59 – 63 Huia Street
 Private Bag 1001
 TAUMARUNUI 3946
 Fax: 07 895 3256

9 COSTS

- 9.1 Without prejudice to any other right of recovery or reimbursement of costs or expenses by the Council at law or otherwise, the Owner agrees to pay to the Council, promptly upon receiving a request in writing and an appropriate tax invoice, the Council's reasonable legal costs and disbursements incurred in connection with the preparation and engrossment of this Deed.

10 MISCELLANEOUS

- 10.1 All payments under this Deed will be made in cleared funds without deduction, withholding, set-off or counterclaim.
- 10.2 The entry into and performance of obligations under this Bond shall not merge with or release any rights or obligations under the District Plan, nor shall the provision of the Security merge with or release the Owner's covenants under this Deed.
- 10.3 The Owner undertakes that it shall not exercise its rights under a Building Consent to relocate a building unless and until the Owner has signed this Deed and has caused the Cash Deposit to be deposited in cleared funds with the Council having a value not less than the Quantum.

Owner:

Relocated Building Bond
 Template Page 4 of 5

- 10.4 The Owner acknowledges and agrees that all references to the approval, determination or satisfaction of the Council in this Deed shall be deemed to mean the approval, determination or satisfaction of the Council at its reasonable discretion.

In witness of which this Deed has been executed.

SIGNED BY

) *Sinclair*
)
) *Jacki Lianne Sinclair*
)

Director

Director

THE COMMON SEAL of the
 RUAPEHU DISTRICT COUNCIL
 Was affixed in the presence of:



) *Neil Kitchin*
)
)
)

Mayor

Chief Executive

Blair A. Manley

Monitoring and Administration Fees are subject to change. These are set annually by the Council as part of the Annual Plan process and are advertised in the Council's Schedule of Fees and Charges. The following fees are proposed for 2014/15 (inclusive of GST): Monitoring Fee @ \$125 per site visit ; Administration Fee @ \$65p/h (Administrator), \$80 p/h (Graduate Planner), \$120 p/h (Planner)

Owner:

Relocated Building Bond
 Template Page Page 5 of 5

Report to: Council

Meeting Date: 24 May 2023

Subject: Document Signed and Sealed: 15 Porou Street, Taumarunui

Report for: Information

Author(s): Warrick Zander

EXECUTIVE MANAGER: REGULATORY & CUSTOMER SERVICES

Endorsed By: Clive Manley

CHIEF EXECUTIVE



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to present to Council for endorsement copies of documents signed under Seal by the Mayor and Chief Executive.

Recommendation(s) | Ngā tūhunga

That the Council:

- 1 Receives the Report **Document Signed and Sealed: FS Property Investments Limited, 15 Porou Street, Taumarunui**; and
- 2 Approves the actions by the Mayor and Chief Executive in executing the following documents:

Relocatable Refundable Bond Agreement	Owner:	FS Property Investments Limited
	Description:	15 Porou Street Taumarunui

Significance and Engagement | Takenga mai

2.1 Significance

This report does not trigger the Significance and Engagement Policy.

Background | Tuhinga

- 3.1 The Ruapehu District Plan states that the Relocatable Refundable Bond Agreement is a Deed of Agreement between the Council and the client and must, therefore, be endorsed by Council, as noted in the Relocation Rules RB3.3.5 under Appendix 13.

Attachment(s) | Ngā āpitihanga

- 1 Document Signed and Sealed: FS Property, 15 Porou Street, Taumarunui



RUAPEHU DISTRICT COUNCIL

Private Bag 1001, Taumarunui 3946, New Zealand
 Telephone 07 895 8188 • Fax 07 895 3256
 Email info@ruapehudc.govt.nz
 Website www.ruapehudc.govt.nz

RELOCATED BUILDINGS BOND TEMPLATE

THIS DEED is dated the 17 day of April 20 23

BETWEEN FS PROPERTY INVESTMENTS LIMITED ("the owner")

AND RUAPEHU DISTRICT COUNCIL ("the Council")

BACKGROUND

- A The Owner(s) is/are the registered proprietor of land onto which it is intended to place a Relocated Building.
- B Rule RB3.2.1 of the Ruapehu District Plan classifies Relocated Buildings as a Permitted Activity provided they comply with the General Conditions outlined in section RB3.3
- C The General Conditions require that the Owner provide a Relocated Buildings Bond in favour of the Council to secure the performance of the Reinstatement Works required to the exterior of the Relocated Building in accordance with the Building Pre-Inspection Report.
- D The Owner and the Council have agreed that the performance by the Owner of the Owner's obligations under this Relocated Buildings Bond is to be secured by the provision of a Cash Deposit on the terms and conditions set out herein.

NOW THIS DEED WITNESSES:

1 INTERPRETATION

1.1 Defined Terms

In this Deed unless the context otherwise requires:

"Act" means the Resource Management Act 1991 as amended from time to time, and includes any legislation enacted in substitution for that legislation;

"Bond" or "Relocated Buildings Bond" means the Bond created by this Deed;

"Building Pre-Inspection Report" means a report prepared by an appropriately qualified person in accordance with Rule RB3.3.1 of the District Plan identifying the Reinstatement Works;

"Cash Deposit" means any sum or sums of money deposited in cleared funds with the Council from time to time by the Owner, any financial institution at the request of the Owner or other party at the request of the Owner, which have a value totalling the Quantum;

"Completion of the Reinstatement Works" means the date on which the Council confirms in writing to the Owner that the Reinstatement Works have been completed;

Commencement Date means the date on which the Relocated Building is placed on the site, whether on temporary supports or otherwise;

"Council" means the Ruapehu District Council and its successors and assigns;

"General Conditions" mean the General Conditions in Rule RB3.3 of the Ruapehu District Plan;

“Monitoring Sum” means the Council’s actual and reasonable costs for carrying out monitoring and administration in relation to the Reinstatement Works;

“Owner” means [*name of registered proprietor(s) of the land onto which the Relocated Building is to be placed and who is/are to be bound by this Bond*] together with successors and permitted assigns;

“Plan” or “District Plan” means the operative Ruapehu District Plan;

“Quantum” means the sum as determined from time to time in accordance with clause 3.1;

“Reinstatement Works” means the extent of the work required to the exterior of the Relocated Building as specified in the Building Pre-Inspection Report for the purposes of the District Plan. The exterior reinstatement works will not include matters regulated by the building legislation such as re-joining of the roof; re-joining of the building (if shifted in more than one section) or connection to foundations; but may include matters required by the District Plan for work to be undertaken and completed to the exterior of the building to a workmanlike standard and to achieve a tidy appearance, including, without limitation:

- (a) Repair of broken windows and window frames;
- (b) Repair of rotten weatherboards or other damaged wall cladding;
- (c) Necessary replacement or repair of roof materials;
- (d) Cleaning and/or painting of the exterior where necessary e.g. roof, walls, window frames etc; and/or
- (e) Replacement and painting of baseboards or other foundation cladding.

“Relocated Building” shall have the same meaning as the definition of “Relocated Building” in section DE1 of the District Plan;

“Security” means the Cash Deposit;

“Site” means the whole of the land onto which the Relocated Building is to be placed;

“Term” means the period from the Commencement Date to Completion of the Reinstatement Works.

1.2 Joint and Several

- 1.2.1 References in this Deed to the “Owner” are references to the parties (if more than one) named in this Deed as the Owner jointly and severally, and the representations, covenants and undertakings of the Owner in this Deed shall be deemed to be given jointly and by each of them severally.

2 THE BOND

2.1 Undertaking to Comply

The Owner undertakes to the Council to:

- (a) complete, at the expense of the Owner, the Reinstatement Works as set out in the Building Pre-Inspection Report within the timeframe specified by Rule RB3.3.6 of the District Plan or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing; and
- (b) promptly remedy any breach by the Owner of its obligations under this Deed within seven (7) days of a request in writing by the Council to do so, or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing.

2.2 Council Right to Access

The Council may from time to time, under Section 171 of the Local Government Act 2002, enter onto the Site to ascertain whether the Reinstatement Works have been completed to the satisfaction of the Council.

2.3 Council Right to Rectify

If the Owner fails to comply with the Owner’s obligations, or any of them, referred to in clause 2.1 within seven (7) days of receipt of the notice in writing from the Council referred to in clause 2.1(b), or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing, which notice shall refer to the failure and request the failure to be rectified, then:

- (a) the Council may (but shall not be under any obligation to) undertake, or procure that its contractors undertake, all or part of those obligations referred to in the notice;
- (b) for that purpose, the Council (including its contractors and assigns) may, at all reasonable times, enter the Site, including any Relocated Building on the Site; and
- (c) the Owner will pay to the Council upon demand the amount of all costs, expenses, liabilities and other amounts incurred by the Council under or in connection with the exercise by the Council of its rights under clause 2.3(a) and (b), less the amounts paid to the Council and which the Council is entitled to retain on its own behalf from the Security under clause 4.1 or otherwise.

2.4 Provision of Security

To better secure to the Council the completion by the Owner of its obligations under this Deed and the District Plan, the Owner undertakes on or before the date the Council issues a building consent to relocate the building to the Site, to deposit into a bank account in the name of the Council, with a bank nominated by the Council in cleared funds, the Cash Deposit totalling the Quantum.

2.5 Application of Security

- 2.5.1 The Council may, from time to time, apply all or part of the Cash Deposit for payment of the Monitoring Sum which sum shall be deducted from the Cash Deposit before or on repayment of the balance of the Cash Deposit upon Completion of the Reinstatement Works in accordance with clause 3.2.
- 2.5.2 If the Owner fails to comply with any of its obligations referred to in clause 2.1 within seven (7) days of receipt of a notice in writing from the Council, which refers to the failure and requests the failure to be rectified, or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing, then the Council may, from time to time apply all or part of the Cash Deposit for the payment of any sum payable by the Owner to the Council under this Deed and/or the Act, including any sum incurred by the Council under clause 2.3 of this Deed, or retain all or part of those proceeds to cover amounts as reasonably estimated by the Council to be incurred or which may (in the reasonable estimation of the Council) be incurred by the Council or its contractors under clause 2.3 or in respect of those matters.

3 QUANTUM PROVISION AND RELEASE OF THE SECURITY

3.1 Quantum and Provision of the Security

- 3.1.1 The Quantum of the Bond as at the Commencement Date shall be fifty (50) percent of the estimated cost of the Reinstatement Works as established by the Pre-Inspection Report.
- 3.1.2 For the avoidance of doubt, the Quantum of the Relocated Buildings Bond does not include any bond required by the Council for the purposes of its Land Transport Bylaw.

3.2 Release of Owner of Security

- 3.2.1 Upon Completion of the Reinstatement Works, the Council shall release the Owner from the obligations under clause 2 of this Deed, and repay the balance of the Cash Deposit remaining after application under clause 2.5 or clause 4.1, if any, to the party which provided the Cash Deposit.

4 PAYMENT OF QUANTUM AND CALLS ON THE SECURITY

4.1 If the Owner:

- 4.1.1 Fails to comply with the Owner's obligations, referred to in clause 2;
 - 4.1.2 Abandons the Site without taking adequate and proper measures to rehabilitate the Site to the reasonable satisfaction of the Council; and/or
 - 4.1.3 Fails to comply with any of the obligations of the Owner under this Deed,
- the Council may, without notice and without limitation of its rights under clause 2, forfeit (take) such of the Quantum as it estimates will be the cost of carrying out remedial work (including the Reinstatement Works) or measures to rehabilitate the Site to a standard similar to surrounding properties (which costs may include any Monitoring Sum) and may call, apply or enforce, without further notice, on or exercise its rights in respect of the Security in that sum. The Council may at any reasonable time and from time to time enter the Site and take such steps and carry out such works as may be necessary to rehabilitate the Site;

- 4.1.4 Transfers ownership of the Site without the Council having received a bond from the Transferee containing the same terms and conditions as are set out in this Bond, then the Quantum shall be forfeited to the Council and the Council may, without notice, call on or exercise its rights in respect of the Security in that sum.

5 RESOURCE MANAGEMENT ACT 1991

The powers and remedies given to the Council in the Bond are in addition to all other powers and remedies conferred on it by the Resource Management Act 1991 and the exercise by the Council of any power or remedy under the Bond shall not prejudice its authority to exercise any other such power or remedy.

6 VARIATION AND RENEWAL

The Bond may be varied or renewed at any time by agreement in writing between the Owner and the Council.

7 ARBITRATION

In the event of any dispute or difference between the parties arising out of the Deed or the construction of interpretation thereof then the dispute or difference shall be referred to a sole arbitrator to be agreed upon between the parties or failing agreement, appointed in accordance with the provisions of the Arbitration Act 1996 and its amendments or any Act passed in substitution therefore.

8 NOTICES

All notices required or permitted to be given under or in connection with this Deed shall be in writing and be served on a person or on a body (whether incorporated or not) in accordance with the method of service of documents in section 352 of the Act or any section enacted in substitution thereof.

8.1 The Owner: If to the Owner to:

The Directors, FS Property Investments Limited
8/21 Gardner Ave, New Lynn, Auckland 0600

8.2 The Council: If to the Council to:

The Chief Executive
Ruapehu District Council
59 – 63 Huia Street
Private Bag 1001
TAUMARUNUI 3946
Fax: 07 895 3256

9 COSTS

- 9.1 Without prejudice to any other right of recovery or reimbursement of costs or expenses by the Council at law or otherwise, the Owner agrees to pay to the Council, promptly upon receiving a request in writing and an appropriate tax invoice, the Council's reasonable legal costs and disbursements incurred in connection with the preparation and engrossment of this Deed.

10 MISCELLANEOUS

- 10.1 All payments under this Deed will be made in cleared funds without deduction, withholding, set-off or counterclaim.
- 10.2 The entry into and performance of obligations under this Bond shall not merge with or release any rights or obligations under the District Plan, nor shall the provision of the Security merge with or release the Owner's covenants under this Deed.
- 10.3 The Owner undertakes that it shall not exercise its rights under a Building Consent to relocate a building unless and until the Owner has signed this Deed and has caused the Cash Deposit to be deposited in cleared funds with the Council having a value not less than the Quantum.

- 10.4 The Owner acknowledges and agrees that all references to the approval, determination or satisfaction of the Council in this Deed shall be deemed to mean the approval, determination or satisfaction of the Council at its reasonable discretion.

In witness of which this Deed has been executed.

SIGNED BY

(insert full name of owner)

) FS Property Investments Limited

)

)

) **Mohammad Patel** Digitally signed by Mohammad Patel
Date: 2023.03.13 13:44:37 +13'00'

Director

Director

ahmed

Digitally signed by ahmed
Date: 2023.04.17 11:42:43 +12'00'

**THE COMMON SEAL of the
RUAPEHU DISTRICT COUNCIL**
Was affixed in the presence of:

)

)

)

)



Handwritten signature in blue ink.

Mayor

Chief Executive

Handwritten signature in blue ink.

Monitoring and Administration Fees are subject to change. These are set annually by the Council as part of the Annual Plan process and are advertised in the Council's Schedule of Fees and Charges. The following fees are proposed for 2014/15 (inclusive of GST): Monitoring Fee @ \$125 per site visit ; Administration Fee @ \$65p/h (Administrator), \$80 p/h (Graduate Planner), \$120 p/h (Planner)

Report to: Council

Meeting Date: 24 May 2023

Subject: Financial Monitoring Report for the Month Ending 30 April 2023

Report for: Information

Author(s): Mana Robinson
Chris Hankey

FINANCIAL ACCOUNTANT
SENIOR MANAGEMENT ACCOUNTANT

Endorsed By: Fiona Ferrar

**ACTING EXECUTIVE MANAGER: FINANCE,
STRATEGY & GOVERNANCE**



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to monitor Council's financial performance against the current revised budget (Forecast) and to show the impact of any budget changes made to date on Council's expected year end position.
- 1.2 All budget changes are transparent to readers of this report through the comparison of Council's 2022/23 Annual Plan to Council's Forecast, with variances (budget changes) listed in the notes section.

Recommendation(s) | Ngā tūtohunga

That the Council:

- 1 Receives the Report **Financial Monitoring Report for the Month Ending 30 April 2023**.

Significance and Engagement | Takenga mai

- 2.1 **Significance**
This report does not trigger the Significance and Engagement Policy.

Background | Tuhiinga

- 3.1 Every three years, Council develops a long-term plan (LTP) in consultation with its community. This sets Council's vision, direction, budgets and work plans for each of the next 10 years. An Annual Plan is produced in the two years between each LTP being developed and shows any changes to the LTP proposals for that year. Annual Plans and the first year of the LTP set out the annual budget that Council use as a benchmark to report its actual financial results to.
- 3.2 After the Annual Plan is adopted, Council makes decisions that further impact the financial expectations and outcomes for the year. These have been taken into account in this report and changes made in Council's budget are reported through Council's Forecast. This allows Council to see the impact of these decisions on the expected year-end financial performance and position.
- 3.3 Financial performance to date is tracked by comparing year-to-date (YTD) actuals, against Council's Forecast, as this is the most up to date budgeting information available. This approach is real time budgeting, instead of backwards looking.

- 3.4 This monthly report presents the financial performance of Council, focussing on the key financial metrics, compared with Council's forecast and significant changes to the budget, since the previous months report to Council.
- 3.5 This report does not consider the impact of decisions beyond the current year (2022/23).

Discussion | He Kōrerorero

4 OVERALL FINANCIAL PERFORMANCE

- 4.1 Overall financial results to date show a YTD deficit of \$2.4million which continues the trend of the past months and is \$14.4million unfavourable against the revised YTD budget.
- 4.2 Continuing the unfavourable variance that was identified in the February 2023 and following reports, the year-to-date outcome is due primarily to the unfavourable subsidies and grants revenue of \$9.5million.
- 4.3 Depreciation is over budget by \$4.3million due to the increase in asset values.
- 4.4 It is unlikely that Council will be able to catch-up on the full revenue year plan by 30 June 2023, and the depreciation costs will continue through the rest of this year.
- 4.5 The major changes between March and April are that:
- (a) External Debt has increased by \$3million during the month
 - (b) The value of Capital Expenditure has increase by \$2.3million since the last report
 - (c) The last Rates instalment of the year has been invoiced and results in:
 - (i) Revenue in advance increasing by \$4million as Council spreads the rates instalments over the three months that the instalment is set to fund
 - (ii) Accounts Receivables increasing by the \$6million of the instalment due.

5 DETAILED COMMENTARY

5.1 Operating Financial Performance

- 5.1.1 Key metrics are disclosed in the Operating Performance Dashboard. Year to Date (YTD) financial performance is based on Council's forecast.
- 5.1.2 The Statement of Comprehensive Revenue and Expenses (**attached**) shows the operating performance of all of Council, with significant variances to forecast identified. This statement does not include capital expenditure, as this is included in the Statement of Financial Position but does includes capital revenue.
- 5.1.3 Changes to Council's approved budget are reported and described for transparency purposes.

5.2 Forecast Operating Performance

- 5.2.1 The dashboard line graphs for Whole of Council Revenue and Expenditure includes a grey forecast line.
- 5.2.2 The forecast is prepared based on an extrapolation of the YTD variances recognising one off items and ongoing items that are not part of the extrapolation.

6 GROUPS OF ACTIVITIES FINANCIAL PERFORMANCE

- 6.1 The Groups of Activities Performance Dashboard shows the financial performance compared to the phased Group of Activity Funding Impact Statements in the Annual Plan.
- 6.2 The Dashboard shows YTD actuals compared with the phased Annual Plan budget for:
- (a) Operating revenue (including rates but not capital revenue)
 - (b) Operating expenditure (including overheads)
 - (c) Capital expenditure (against the Annual Plan excluding subsequent resolutions of Council)
 - (d) Commentary on the main variances is included in this and the attached dashboard report.

7 SUNDRY AND RATES DEBTORS

- 7.1 Aged Sundry Debtors are \$900,000; of which \$274,000 is greater than 90 days.
- 7.2 Rates Arrears are \$6million, of which 83 per cent is from the current year, including the last instalment of rates that is due for this year. Debt from prior years totals \$1.01million. Overall rates debtors are slightly higher compared to this time last year.

8 TREASURY MANAGEMENT

- 8.1 Current Council Debt is \$45.9million. The Annual Plan forecasted this to increase to \$52.9million at year end.
- 8.2 \$3million has been drawn in April (\$4.5million YTD) and is the result of the uplift in capital spending that has been seen in March and April.
- 8.3 The full plan included an expectation that \$11.5million would be needed this financial year. No budget changes have been made to date that have an impact on Debt.
- 8.4 Council is reviewing the cashflow needs for the balance of this financial year as it may impact on the needs for additional debt drawdowns over the balance of this year.
- 8.5 **Treasury Performance Measures Are Met**

Policy Compliance for the Month	Yes/No
Are all treasury transactions in compliance with policy?	Yes
Are all the fixed rate hedging percentages within policy control limits?	Yes
Is liquidity maintained within policy control limits?	Yes
Are all counterparty exposures within policy control limits?	Yes
Are all borrowing covenants / limits being complied with?	Yes

9 CAPITAL FINANCIAL PERFORMANCE

- 9.1 Overall the capital programme is behind the original planning assumptions. In the roading area it is unlikely that the full programme of works will be achieved this year.
- 9.2 A separate report is being supplied to Council reviewing the impact of movement in specific projects.

- 9.3 Subsidy revenue, reported in the operating revenue and expenditure report, is currently down \$9.3million against the year-to-date budget. This is:
- (a) \$5Million subsidy from Waka Kotahi for Land Transport operations,
 - (b) \$4.5Million from the Ministry of Business, Innovation and Employment (MBIE) for the Ohakune Water Treatment Plant (OWTP).
- 9.4 The revised agreement with MBIE for the OWTP subsidy has \$1.8million in funding for the project, due as the project meets set milestones. Of this, \$350,000 was invoiced in March and the next milestone is set in the funding agreement to be achieved in April and is being reviewed to confirm that Council has met the requirements.

10 Capital Completion Against Approved Budgets

Year to Date March 2023		
Activity	Actual Spend \$	Annual Budget \$
Community Facilities	1,597,412	5,994,589
Community Support	74,428	198,786
Land Transport (Roading)	6,902,393	19,182,486
Stormwater	199,403	1,335,200
Support	314,092	1,587,880
Waste Management and Minimisation	155,914	355,205
Wastewater (Sewerage)	1,964,548	3,949,826
Water Supply	6,779,061	13,160,506
Grand Total	17,987,249	45,764,478

11 Capital Budget Transfers

- 11.1 Since the last finance report, no budget movements have been proposed that require Council's review or approval.

12 EMERGING ISSUES

- 12.1 There are currently no new emerging issues.

13 REPORTING DEVELOPMENT

- 13.1 The financial statements attached are presented in the same format and terms as required by Generally Accepted Accounting Practice and Local Government Legislation / Regulation.

14 READING THE DASHBOARD AND FINANCIAL STATEMENTS

- 14.1 Favourable and Unfavourable assessments are applied on the following basis:
- (a) Revenue under budget is Unfavourable
 - (b) Expenditure under budget is Favourable
 - (c) Capital Expenditure under budget is Unfavourable
- 14.2 While this can be a simplistic approach, each item needs to be considered on the merits of what is actually happening. For example, traditionally Council struggles to complete its capital programme and therefore being under budget is considered to be an Unfavourable variance against budget, however a cost overrun on a project would appear in the reports as Favourable. This should be reflected in the attached commentary.

- 14.3 Numbers in brackets e.g. (222) are always Unfavourable. This means the math is different for revenue and expenditure.

Attachment(s) Ngā āpitihanga

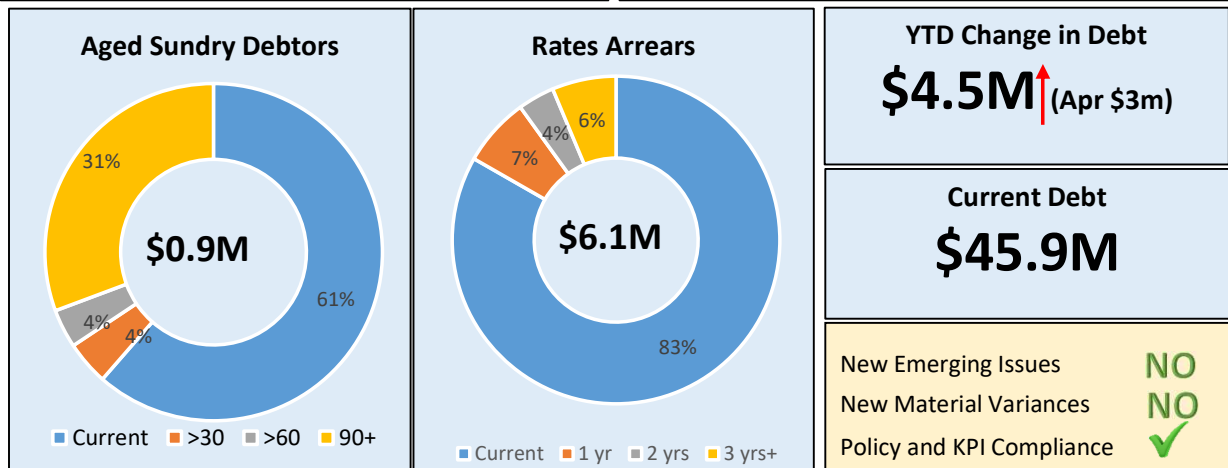
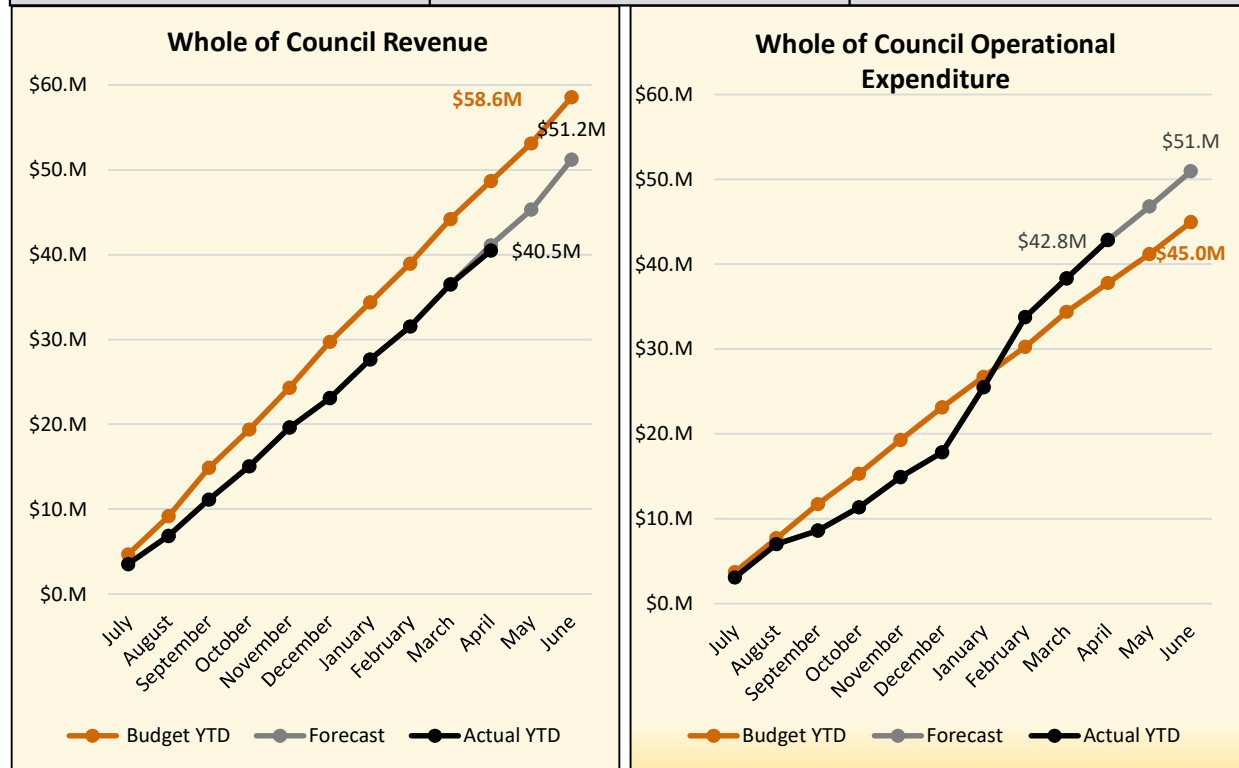
- [1](#) Ruapehu Finance Report April 2023

Ruapehu Financial Dashboard - April 2023

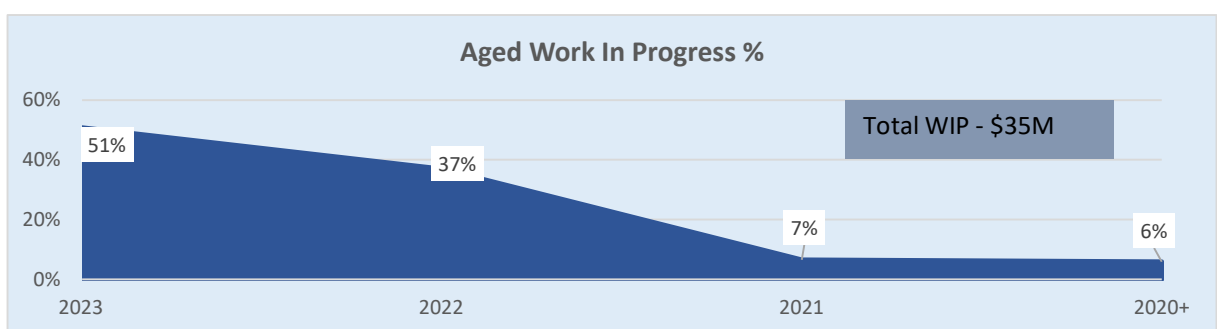
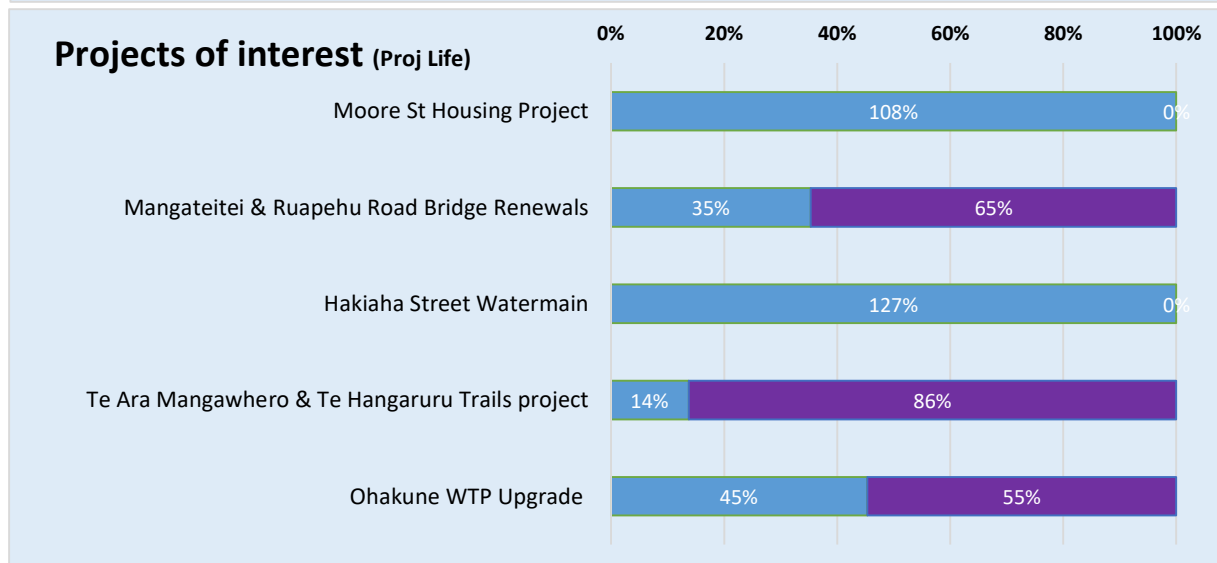
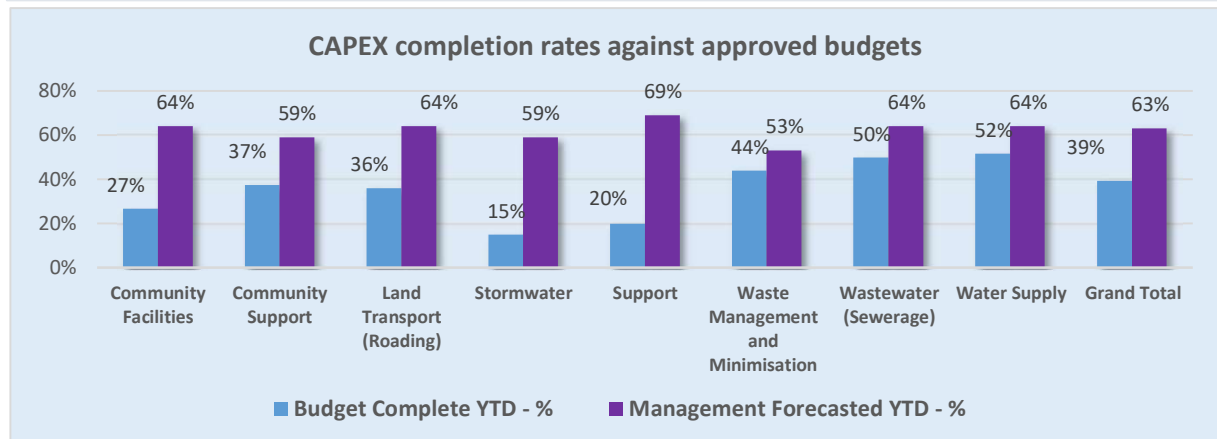
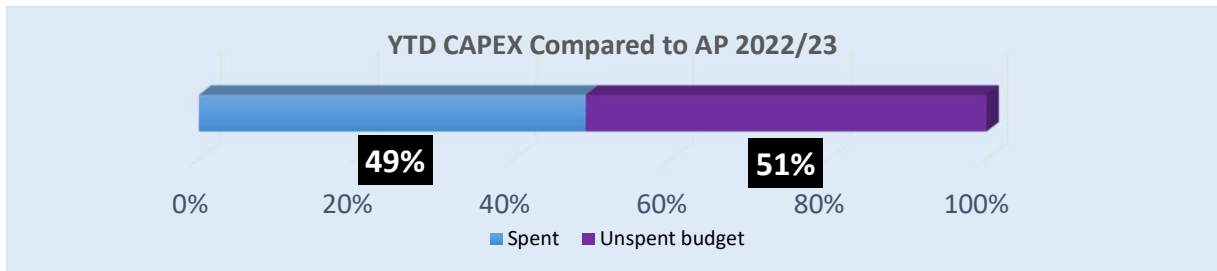
Operating and Debt Performance

YTD Actual to Forecast		
YTD Revenue \$40.5M \$9.0M Unfavourable	YTD Operational Expenditure \$42.8M \$5.4M Unfavourable (\$4.3M Depn)	YTD Surplus / (Deficit) (\$2.4M) \$14.4M Unfavourable

Forecast YE		
Revenue \$51.2M \$7.3M Unfavourable	Operational Expenditure \$51.0M \$6.0M Unfavourable (\$5.2m Depn)	Revenue \$0.3M \$13.4M Unfavourable



Capital Performance Year to April 2023



Statement of Comprehensive Revenue and Expense

For the period ending 30 April 2023

	Actual YTD (\$000)	Rev Bud YTD (\$000)	Variance YTD (\$000)	Notes	FY Rev Budget (\$000)	Annual Plan (\$000)
Revenue						
Rates	22,534	22,146	388	1	26,578	26,578
Subsidies and Grants	14,271	23,806	(9,535)	2	27,826	27,826
Interest Revenue	182	21	-		26	26
Fees and Charges	2,653	2,550	-		2,974	2,974
Development and Financial Contributions	202	120	82	3	120	120
Other Revenue	642	849	(207)		1,047	1,047
Gains	-	-	-		-	-
Total Operating Revenue	40,484	49,492	(9,007)		58,571	58,570
Expense						
Personnel Costs	5,285	6,022	(737)	4	7,226	7,226
Finance Costs	1,275	1,075	200	5	1,290	1,290
Depreciation and Amortisation Expense	13,007	8,670	4,337	6	10,404	10,404
Other Expenses	23,272	21,695	1,577	7	26,034	26,034
Losses	-	-	-		-	-
Total Operating Expenditure	42,838	37,461	5,377	-	44,954	44,954
Share of Associate's Surplus / (Deficit)						
Share of Associate's Surplus / (Deficit)	-	-	-	-	-	-
Total Share of Associate's Surplus / (Deficit)	-	-	-	-	-	-
Operating Surplus / (Deficit)	(2,354)	12,031	(14,384)		13,617	13,616
Other Comprehensive Revenue and Expense						
Gain / (Loss) on Property, Plant & Equipment Revaluations	-	-	-	-	-	-
Financial Assets at Fair Value Through Comprehensive Revenue and Expense	-	-	-	-	-	-
Movement in Landfill Provision	-	-	-	-	-	-
Total Other Comprehensive Revenue and Expenses	-	-	-	-	-	-
Total Comprehensive Revenue and Expense / (Deficit) for the Year Attributable to Council	(2,354)	12,031	(14,384)		13,617	13,616

Notes to the Statement of Comprehensive Revenue and Expense

Note	Comment - Actual to Revised Budget
1	Rates: \$388.3K Favourable Rates are favourable due to current year rates being higher than budgeted \$312K (additional growth), plus penalties received of \$400K. This has been offset by (\$444K) for remission and (\$181K) of payment discounts.
2	Subsidies and Grants: \$9.5M Unfavourable Subsidies and Grants unfavourable. This is \$5m from Land Transport operations and \$4.5m from MBIE for the Ohakune Water Treatment Plant (OWTP). The Land Transport funding is directly related to the work that is undertaken in agreement with Waka Kotahi, and with the upcoming likelihood of completing the planned programme of works falling, we will likely not recover all or most of the current shortfall. The revised agreement with MBIE for the OWTP subsidy has \$1.8m of the \$4.5m shortfall now receivable as the project meets its milestones.
3	Development and Financial Contributions: \$82.0K Favourable Development and financial contributions are favourable due to unbudgeted revenue coming in from Ohakune and other developments across the district.
4	Personnel Costs: \$736.9K Favourable Personnel Costs are favourable mainly due to vacant positions, which has been offset by the cost of temporary services and contractors.
5	Finance Costs: \$200.3K Unfavourable Finance Costs are now showing the impact of the increasing interest rates on borrowing as loans reach the change over on renewal. Our weighted average cost of capital is higher than we budgeted. This continues to be monitored for the overall impact to the Council.
6	Depreciation: \$4.3M Unfavourable Depreciation is unfavourable due to an unplanned asset revaluation, undertaken effective 30 June 2022. The additional depreciation is non-funded for this year and will result in an unfavourable outturn for the full year.
7	Other Expenses: \$1.6M Unfavourable Other expenses were unfavourable mainly due to Maintenance and Land Transport maintenance works being undetraken and payment of the Visit Ruapehu Contract having been made, but the budget spread across the year, due to budget phasing.

Statement of Financial Position

For the Period Ending 30 April 2023

	Actual YTD (\$000)	Notes	Rev Bud Var Prev Period (\$000)	Full Year Revised Budget (\$000)	Annual Plan 2023 (\$000)	Notes
Current Assets						
Cash and Cash Equivalents	2,658		-	2,197	2,197	
Receivables	7,597		-	2,482	2,482	
Prepayments and Accrued Income	2,399		-	500	500	
Inventory	364		-	382	382	
Other Financial Assets	-		-	-	-	
Total Current Assets	13,019		-	5,561	5,561	
Non-Current Assets						
Investment in CCOs and Other Similar Entities	67		-	48	48	
Other Financial Assets	1,422		-	869	869	
Property, Plant & Equipment	708,315	3	10,559	534,245	523,686	4
Intangible Assets	159		-	805	805	
Investment Property	6,569		-	5,022	5,022	
Total Non-Current Assets	716,532		10,559	540,989	530,430	
Total Assets	729,551		10,559	546,550	535,991	
Current Liabilities						
Creditors and Other Payables	4,942			3,746	3,746	
Borrowings	8,000	1		8,000	8,000	
Employee Entitlements	295			403	403	
Income in Advance	5,298	2		1,300	1,300	
Total Current Liabilities	18,534			13,449	13,449	
Non-Current Liabilities						
Borrowings	37,900	1		44,918	44,918	
Provisions	217			205	205	
Derivative Financial Instruments	-			-	-	
Total Non-Current Liabilities	38,117			45,123	45,123	
Total Liabilities	56,651			58,572	58,572	
Net Assets	672,901		10,559	487,978	477,419	
Accumulated Funds	294,497		10,559	487,978	293,588	
Other Reserves	378,404			183,831	183,831	
Total Equity	672,901		10,559	487,978	477,419	

Notes to the Statement of Financial Position

Note	Comment - Actual to Revised Budget
1	Regular treasury reviews are completed ensuring management are within Council policy limits. Total debt currently sits at \$45.9M, an increase of \$4.5M for this financial year and was planned to increase to of \$52.9M in the Annual Plan. Any increase in debt over the rest of this year is dependant on the level of capital work to be achieved over the rest of this year.
2	Income in advance is higher than Annual Plan due to timing of those people who have paid their Rates Instalments in full in advance, and the spread of the last rates instalment over the upcoming twop months and current external funding received in advance from DIA.
3	Property, Plant, & Equipment is higher than Annual Plan due to out-of-cycle Land Transport revaluation as at 30 June 2022 increasing asset values.

Funding Impact Statement - Whole of Council

For the Period Ending 30 April 2023

	Actual YTD (\$000)	Full Year Revised Budget (\$000)	Annual Plan (\$000)
Sources of Operating Funding			
General Rates, Uniform Annual General Charges, Rates Penalties	13,150	14,014	14,014
Targeted Rates	9,384	12,563	12,563
Subsidies and Grants for Operating Purposes	7,421	7,580	7,580
Fees and Charges and Other Revenue	2,653	3,845	3,845
Interest and Dividends from Investments	182	26	26
Local Authorities Fuel Tax, Fines, Infringement Fees, and Other Receipts	642	176	176
Total Operating Funding (A)	33,433	38,204	38,204
Applications of Operating Funding			
Payments to Staff and Suppliers	28,556	32,179	33,273
Finance Costs	1,275	1,290	1,290
Other Operating Funding Applications	-	-	-
Total Applications of Operating Funding (B)	29,832	33,469	34,563
Surplus/(Deficit) of Operating Funding (A - B)	3,601	4,735	3,641
Sources of Capital Funding			
Subsidies and Grants for Capital Expenditure	6,850	20,992	20,246
Development and Financial Contributions	202	120	120
Increase (Decrease) in Debt	4,500	4,534	4,534
Gross Proceeds from Sale of Assets	-	-	-
Lump Sum Contributions	-	-	-
Other Dedicated Capital Funding	-	-	-
Total Sources of Capital Funding (C)	11,552	25,646	24,900
Application of Capital Funding			
Capital Expenditure	17,987	34,994	33,731
Increase (Decrease) in Reserves	(2,834)	(4,613)	(5,190)
Increase (Decrease) of Investments	-	-	-
Total Applications of Capital Funding (D)	15,153	30,381	28,541
Surplus/(Deficit) of Capital Funding (C - D)	(3,601)	(4,735)	(3,641)
Funding Balance ((A - B) + (C - D))	-	-	-

Report to: Council

Meeting Date: 24 May 2023

Subject: Relationship Agreement between Ruapehu District Council and Te Tōtarahoe o Paerangi (Ngāti Rangi)

Report for: Information

Author(s): Sonny Houppapa

EXECUTIVE MANAGER: IWI RELATIONSHIPS

Endorsed By: Clive Manley

CHIEF EXECUTIVE



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to enable the Relationship Agreement between Ruapehu District Council and Te Tōtarahoe o Paerangi (Ngāti Rangi) to be signed by both parties during the public business of Council.
- 1.2 The detail of the Relationship Agreement is confidential to both parties and will be tabled in the public excluded business of Council for adoption.

Recommendation(s) | Ngā tūhunga

That the Council:

- 1 Receives the Report **Relationship Agreement between Ruapehu District Council and Te Tōtarahoe o Paerangi (Ngāti Rangi)** for information; and
- 2 Notes the details of the Relationship Agreement between Ruapehu District Council and Te Tōtarahoe o Paerangi (Ngāti Rangi) is confidential to both parties and will be tabled in the public excluded business of Council for adoption.

Significance and Engagement | Takenga mai

2.1 Significance

This report does not trigger the Significance and Engagement Policy.

Background | Tuhinga

- 3.1 The purpose of the Relationship Agreement is to form a high-level agreement between the Parties to:
 - (a) Provide a basis for the relationship between the Parties to be developed which better enables the Purpose and Principles of the Local Government Act to be promoted and implemented; and
 - (b) Provide parameters around participation by Ngāti Rangi and Te Tōtarahoe o Paerangi in Council's decision-making processes; and
 - (c) Strengthen the relationship between Council and Ngāti Rangi and Te Tōtarahoe o Paerangi.

Next Actions | Ngā mahinga e whai ake nei

- 4.1 Representatives of Ruapehu District Council and Te Tōtarahoe o Paerangi (Ngāti Rangi) sign the Relationship Agreement.

Report to: Council

Meeting Date: 24 May 2023

Subject: Mayor's Report: April 2023

Report for: Information

Author(s): Weston Kirton **MAYOR**

Endorsed By: Clive Manley **CHIEF EXECUTIVE**



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to inform Councillors of appointments and meetings other than Council, Committee and Community Board meetings undertaken by the Mayor during April 2023.
- 1.2 The report also outlines fee waiving applications approved (if any) by the Mayor during the same period.

Recommendation(s) | Ngā tūtohunga

That the Council:

- 1 Receives and notes the Report **Mayor's Report** for information.

Significance and Engagement | Takenga mai

- 2.1 **Significance**
This report does not trigger the Significance and Engagement Policy.

Discussion | He Kōrerorero

3.1 APPOINTMENTS UNDERTAKEN BY THE MAYOR DURING APRIL 2023.

- 3.1.2 Please note that where the Mayor is unavailable, he will deputise to the Deputy Mayor or a Councillor.

APRIL 2023

- | | |
|---------|---|
| 1 April | <ul style="list-style-type: none"> • Attended Ohakune Carrot Park Rocket Launch and Evening Event |
| 3 April | <ul style="list-style-type: none"> • Attended Meeting with Ngā Tāngata Tiaki o Whanganui Trust, Te Kōpuka nā Te Awa Tupua in Whanganui with the Chief Executive |
| 4 April | <ul style="list-style-type: none"> • Trunk FM Radio interview • Attended Regional Transport Matters Regional Chiefs' Matters (fortnightly catch-up) by Teams • Attended Constituent Meeting • Attended meeting with the Chief Executive regarding proposed Solar Development • Attended meeting with Manager and President of Returned and Services' Association (RSA) regarding ANZAC services. |

APRIL 2023

- Attended meeting with the Chief Executive by Teams with Local Government NZ (LGNZ) to discuss draft submission on forestry slash inquiry.
- Attended Annual Plan Community Meeting in Ohakune with Chief Executive
- 5 April • Attended Communities for Local Democracy (C4LD) Plenary Group Meeting by Zoom
- 6 April • Attended Taumarunui-Ōhura Community Board Meeting including Community Meeting Annual Plan 2023/24 with the Chief Executive
- 11 April • Peak FM Radio Interview
- Trunk FM Radio Interview
- Attended Ōngarue Monument Committee meeting
- Attended Mayor's Relief Fund Steering Committee Group meeting in National Park with Jo Kennedy of Visit Ruapehu, Kim Treen Manager isites, and Councillor Janelle Hinch
- Attended Community Meeting Annual Plan in National Park with the Chief Executive
- 12 April • Visit from Hon Peeni Henare at Raetihi Marae
- 13 April • Attended meeting with Hon Kieran McNulty regarding Water Reforms by Zoom with the Chief Executive
- Attended LGNZ Leaders Zoom
- Attended Annual Plan Community Meeting in Ōhura with the Chief Executive
- 14 April • Attended Hybrid Annual Plan 2023/24 Community Hui in Taumarunui with the Chief Executive
- 15 April • Attended Te Ara o Tūrongo Ceremony: The formal return of the main trunkline within the Maniapoto rohe to Ngāti Maniapoto and simultaneous handover to the Crown in Mangatoatoa, Kihikihi
- 17 April • Peak FM Radio Interview
- Trunk FM Radio Interview
- 18 April • Attended meeting with Kim Treen regarding Mayoral Relief Fund
- 20 April • Attended AGM Enterprising Taumarunui
- 21 April • Attended Communities for Local Democracy (C4LD) Plenary Group Meeting by Zoom
- 22 April • Attended Raetihi Gutbuster Prizegiving
- 24 April • Peak FM Radio Interview
- Attended constituent meeting regarding Ruapehu Alpine Lifts (RAL)
- 25 April • Attended ANZAC Dawn Service
- Attended ANZAC Civic Services Taumarunui as guest speaker
- Deputy Mayor Viv Hoeta attended ANZAC service in Raetihi
- Councillor Rabbit Nottage attended ANZAC service in Ohakune
- Waimarino-Waiouru Community Board Elected Member Colin Pakai attended ANZAC Service in Waiouru
- 26 April • Attended meeting with Constituent regarding Council contracts in Ohakune
- 27 and 28 April • Attended Warrick Street's Farming Discussion Group meeting as guest speaker

APRIL 2023

- Attended LGNZ Zone 3 Meeting in New Plymouth with the Chief Executive and Councillor Lyn Neeson
- Attended Response to Government Reforms white paper discussion in New Plymouth with the Chief Executive
- Attended Manager Work & Income Taumarunui Farewell

4.1 WAIVING OF FEES

- 4.1.1 Hall hire fees were waived for the Taumarunui War Memorial Hall for the ANZAC Day Civic Service.

Attachment(s) | Ngā āpitihanga

NIL

Report to: Council

Meeting Date: 24 May 2023

Subject: Chief Executive's Report: April 2023

Report for: Information

Author(s): Clive Manley

CHIEF EXECUTIVE



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is to present an update of the organisation's activity over the April 2023 period for Elected Members' information. It provides a snapshot of the wider legislative environment and focus from a regional perspective, an overview of the wellbeing of our district, and highlights key achievements and activity over the period, including significant projects from the Chief Executive's perspective since the last Council meeting.

Recommendation(s) | Ngā tūtohunga

That the Council:

- 1 Receives and notes the Report **Chief Executive's Report** for information.

Chief Executive Summary

- 2.1 During April, the Government announced the anticipated renaming of the Three Waters Service Delivery Bill to the Affordable Water Reforms.
- 2.2 The proposed four entities under the original bill are now increased to 10 entities which will allow each Council a seat at the table alongside Iwi.
- 2.3 Clarification will be required in terms of Council's water debt owing to the extension of the original timeframe of the transfer of debt to the new multi-regional entity from 1 July 2024 to the new timeframe ranging from early 2025 to 1 July 2026, noting that Council will be carrying this debt for a longer period than originally anticipated.
- 2.4 There will also be implications for consideration during the planning for the next Long Term Plan for 2024/2034 which will now need to include three waters.
- 2.5 The Minister of Tourism, Hon Peeni Henare attended a hui at Raetihi Marae during April and demonstrated support for Ruapehu's Destination Management Plan / Tahia Ko Puanga and was impressed with the efforts of Ruapehu's operators and the community for focusing on a values-based tourism plan which included the voices of around 800 local participants.
- 2.6 The Minister was encouraged to learn of the regional support in the region, particularly from youth with emphasis on growing our own expertise and experience and thus allowing young people to be able to view tourism occupations as career pathways rather than as merely seasonal jobs.
- 2.7 Such support for the region is welcomed with the uncertainty following the closure of the iconic Chateau earlier this year and the financial issues of Ruapehu Alpine Lifts (RAL).

Legislative Briefing

3.1 CENTRAL GOVERNMENT CONSULTATION UPDATES

3.2 The following Government initiatives (related to the local government sector) are currently open for public submissions:

- (a) Strengthening the 'tree regulations' to improve the resilience of the electricity supply. No proposed action.
- (b) Charging our Future Strategy (EV Charging Strategy). No proposed action.
- (c) Fire Insurance Transitional Levy Increase. No proposed action.
- (d) Consenting Improvements for Renewable Energy Generation and Transmission. No proposed action.
- (e) Second Emissions Reduction Plan. No proposed action.

4.1 BILLS ON THE HORIZON

- (a) Civil Defence and Emergency Management Amendment Bill.
- (b) Building Amendment Bill.
- (c) Climate Adaptation Bill.

Governance Meetings and Workshops Overview

5.1 ELECTED MEMBERS' WORKSHOPS: APRIL

- (a) 29 March 2023, Community and Recreational Facilities workshop focussed on delivery of the open space management contract with Council's contractor, Recreational Services.
- (b) 5 April 2023, Risk. Health & Safety workshop provided an overview of the legislative framework for the management of health and safety within Council.
- (c) 19 April 2023, Solid Waste workshop provided an understanding of the Solid Waste activity delivered through the Waste Management and Minimisation Plan and focussed on the delivery of the Solid Waste contracts with Envirowaste for Collections and Disposal of Materials.

5.2 Members in attendance: the numbers in brackets refer to the workshops attended, compared to the number of workshops available.

Mayor Kirton	(15/15)
Deputy Mayor Hoeta	(12/15)
Councillor Gram	(14/15)
Councillor Hinch	(14/15)
Councillor Iwikau	(7/15)
Councillor Kahukura Hadley-Chase	(15/15)
Councillor Neeson	(14/15)
Councillor Nottage	(10/15)
Councillor Ralph	(10/15)
Councillor Wilson	(9/15)

Social Well-Being Overview: Safe, healthy communities**6 EMPLOYMENT AND EDUCATION**

- 6.1 Employment data for March is not available as yet. March Quarterly data for Ruapehu's Median Household Income was \$65,742 (ranking it 57th highest out of 68), compared to the national average of \$93,724.

7 COMMUNITY SAFETY

- 7.1 For the past twelve months to March 2023, Ruapehu had a crime rate of 37 incidents per 10,000 people, from 36 in the twelve months to February 2023.

8 CIVIL DEFENCE EMERGENCY MANAGEMENT UPDATES**8.1 Training Provided**

- (a) Additional training has been provided for new staff and refresher training for existing staff.
- (b) Facilitated a Leadership / Pathways to Employment course under the Mayors' Taskforce for Jobs (MTFJ) programme for REAP.
- (c) Facilitated a CIMS4 course for the Staff at Tongariro Hilary Outdoors.
- (d) Attended SAR exercise in Whanganui with NZ Police, FENZ, other CD groups.
- (e) Started training with Taumarunui High School CD program (20 Students) that will go through Term 3

8.2 Emergencies in the Last Period

- (a) No emergencies during this period.

8.3 Local and Regional Civil Defence Update

- (a) Met with Ngāti Hinemihi to discuss marae preparedness out at Ngapuke.
- (b) Horizons EMO meeting in Feilding, to discuss lessons learnt through Cyclone Gabrielle as well as preparing to organise the Manawatu – Whanganui takatū training plan for the group.
- (c) Planning underway to develop a CD plan and strategy going forward that will encompass, consolidating what we are currently doing, review local plans that are already in place as well those being developed, develop a strategy then a plan to deliver the strategy.
- (d) Locally the Civil Defence base in Taumarunui continues to gain momentum where fibre is now installed with just now internal IT installation outstanding.
- (e) The National Park facility is progressing well and an agreement with Ruapehu Emergency Services Charitable Trust (RESCT) and Council was finalised where Council will cover monthly running costs. This facility will be ideal to base emergency services responses from in the National Park area.

9 COMMUNITY FACILITIES OPERATIONAL UPDATES**9.1 Housing**

- (a) We have recently been updating some of our social housing facilities with new woollen carpet and vinyl. This outcome was due to the most recent tenancy inspections and some flats needing to be upgraded.
- (b) Welfare checks are taking place in May at Waimarino Rest Home. We will be working with each individual tenant to address any needs.

9.2 Parks and Facilities

9.2.1 Update

- (a) Priority was ANZAC preparations ensuring Memorials, Cenotaph, Cemeteries were tidied and ready for services.
- (b) Tree works completed at Cemetery, graves tidied, repairs instructed.
- (c) Rec Services carried out an intense day of maintenance at the Owango Domain clearing up the tennis courts and pump track areas.
- (d) Focus for this month was keeping the streets clear of leaves.

9.2.2 Priorities

- (a) Priorities for May – weather dependent track maintenance
 - (i) Repair and improvements to the Ngahuinga Victory Bridge walkway – this is to reinstate the existing path which has suffered with the poor weather
 - (ii) Construction of a ramp down the stopbank at the end of Turaki Street, linking this to the new wider path from Victory Bridge to Turaki Street.
 - (iii) Taumarunui and Ohakune main street gardens; winter preparation and some plantings

10 LICENSING AND COMPLIANCE ACTIVITY

10.1 Alcohol Licensing

10.1.1 April was a quieter month for renewing managers compared to the same time last year. However, we received more new managers' certificate applications which has kept the team busy and just a couple of special licences were issued for the same period.

10.1.2 The District Licensing Committee (DLC) had a quiet month issuing applications, but looking at the statistics from April 2022, there seems to be a trend for this time of year.

10.2 Compliance

10.2.1 The new After Hours contractor for noise and animal control commenced on 1 April.

10.2.2 Multiple complaints around allegations of excessive noise for two problem addresses have proved challenging for both Compliance team and the After Hours contractors when onsite inspections deem the noise as not excessive. The teams will continue work in this area to try to find a solution acceptable to all parties.

10.2.3 Reports of abandoned vehicles are increasing with many having been set on fire prior to reports being received.

Economic Well-Being Overview: Thriving economy

11 ECONOMIC SPEND

11.1 Economic spend is still trending down, with spending in April 2023 compared with April 2022, the average number of transactions fell 25.4 per cent, the total value fell 37.5 per cent.

12 OUT OF DISTRICT SPEND TRENDS

- 12.1 Out of town spending made up 53 per cent of spending in April 2023, rising from 45 per cent in March 2023. Since the start of the year, out of town spending initially decreased rapidly, but has risen again and levelled out. These movements in spending are in line with the same period last year. Visitors and travellers from Auckland contributed the most to the out of town spending in Ruapehu; 29 per cent of total out of town spending. Wellington (8 per cent), Hamilton (7 per cent), and Tauranga (5 per cent) were also strong contributors to out of town spending over this time period.
- 12.2 International visitor spend is slowly coming back to pre- COVID numbers, with February 2023 spend at \$2.4Million (from a low of under \$100,000 in 2021), and a high in February 2018 of \$2.7Million.

13 EVENTS

- 13.1 There were two events held in the district in April. The Carrot Rocket Launch in Ohakune and The Raetihi Gutbuster in Raetihi. Both were well received and attended with lots of community plus outside visitors.

14 AVERAGE HOUSE PRICES

- 14.1 In March 2023, the median property value in Ruapehu was \$406,000, ranking it 63rd out of 68 districts nationwide. Ohakune medium house price is down 5 per cent at \$561,000 and Taumarunui North at \$390,000 down 4 per cent.

Environmental Well-Being Overview: Sustaining beautiful environments

15 RESOURCE CONSENT ACTIVITY FOR APRIL 2023

- 15.1 Seven subdivisions and one land use consent were all processed within the legislative timeframes of 20 working days.

16 BUILDING CONSENT ACTIVITY FOR APRIL 2023

- 16.1 32 Building consents were issued during April compared to 27 during April last year.
- 16.2 21 Code Compliance Certificates were issued during April compared to 19 during April last year.
- 16.3 110 inspections were undertaken during April compared with 235 during April last year.
- 16.4 All consents were issued within the 20-day statutory period required, with the average number of processing days to issue a Building Consent being 6.6 days.

17 DEVELOPMENT CONTRIBUTIONS ACTIVITY FOR APRIL 2023

- 17.1 There were nine Development Contribution (DC) assessments carried out during April 2023. There were five building consents and four subdivisions, of which four had DC fees payable.
- 17.2 The total assessed value was \$27,876. The number of assessments relates directly to the number of building consent applications for dwellings and the number of subdivision consent applications.

- 17.3 Three building consents were invoiced DC charges during April 2023. The total invoiced was \$6,120.

18 REFUSE, RECYCLING AND REUSE STATISTICS FOR FEBRUARY 2023

- (a) The quarterly statistics provided to Ministry of Environment (MFE) are broken down into a series of categories the Council uses to provide data. The provision of data by category is not compulsory. MFE are indicating that the categories will potentially increase and will become mandatory to report against all of these in the future. There is room to improve our methodology of reporting and breaking down the categories further to align with legislation changes.
- (b) This quarter's trend shows high diversion rates for the small sites of Ohura, Ongarue and Owhango transfer stations at 67 per cent, 67 per cent and 82 per cent respectively.
- (c) National Park normal diversion rate was 48 per cent but was reported at 90 per cent as the data was skewed by the year's worth of green waste being counted into this quarter.
- (d) The Waimarino quarter diversion was 46 per cent.
- (e) The Taumarunui quarter diversion was 39 per cent.

19 TRANSFER STATION AND RESOURCE RECOVERY

19.1 Taumarunui

- (a) The Resource Recovery shop diverted 7,488 kg or 3,902 items from the landfill back into the community.
- (b) 52.25 Volunteer hours were dominated processing the items through the shop. A group from Thailand visited the Centre to understand how New Zealand operated recovery centres. Two households were gifted tiger worms to start home composting in Taumarunui.

19.2 Waimarino

- (a) The Resource Recovery shop diverted 9,000 kg from landfill back into the community.
- (b) 45 hours of volunteer time was donated to daily store operations.

19.3 Community support

- (a) 29 bags of clothes and 4 bags of children's books were donated to the Taihape Free Shed, which targets known groups needing some help in the community.
- (b) A free firewood waste stream has been started in Waimarino.

Cultural Well-Being Overview: Vibrant and diverse living

20 VISITOR USAGE STATISTICS (RUAPEHU)

- (a) Air BnB listings show occupancy for March 2023 of 46 per cent, up from 32 per cent in March 2022 representing an increase of 136 per cent in nights booked.
- (b) Commercial Accommodation Data shows 47,200 guest nights in March 2023, an increase of 160 per cent year on year for March.

Executive Manager Summaries

21 EXECUTIVE MANAGER, PEOPLE, SAFETY AND CAPABILITY

- (a) Informal Contractor Health & Safety audits have commenced to provide Council with visibility and assurance of existing safety planning and processes that exist for workers. This is in its infancy and will gain further momentum as we work to identify areas for improvement and ongoing review.
- (b) Planning has commenced to develop a formal Wellbeing programme for all staff offering tools, resources, and support. I anticipate the plan will be finalised as part of the business planning process for 2023/2024.
- (c) Recruitment has been busy over the last two months with several appointments made within Infrastructure, Finance Strategy & Governance and Community & Economic Development teams. We continue to attract a good level of interest both locally and from outside the rohe.

22 EXECUTIVE MANAGER, REGULATORY AND CUSTOMER SERVICES

- 22.1 All regulatory activities continue to deliver well within statutory timeframes and KPI targets.
- 22.2 After Hours noise and compliance contractor:
 - (a) First Security (FSGS) have completed a full month of the contracted services and have met all attendance KPI requirements.
 - (b) Five staff are now employed locally (with plans for more) as FSGS expand their business in the Ruapehu district. FSGS also provide alarm and security services.
 - (c) An isolated incident relating to the service of their call centre was raised and resolved promptly.
 - (d) A monthly review meeting was held where we discussed the working relationship and areas for improvement; it was generally agreed it is working well.
 - (e) The BAU management of the contract has been handed over to Phoebe Harrison, Manager Licensing and Compliance.
- 22.3 Dog registration fees have been set by Council for 2023/24 with the registration process gaining momentum as we lead into the next financial year.

23 EXECUTIVE MANAGER, COMMUNITY AND ECONOMIC DEVELOPMENT

- 23.1 The highlight of the month was the launch of the Visit Ruapehu Destination Management Plan and the visit of Minister of Tourism, Hon Peeni Henare.
- 23.2 Town Revitalisation projects are in progress in Ohakune and Taumarunui, with National Park waiting on a report to the Community Board for future direction. Strategies and reviews are continuing to progress.

24 EXECUTIVE MANAGER, IWI RELATIONSHIPS

- 24.1 Work continues in progressing the Relationship Agreement with Te Tōtarahoe o Paerangi. This is now at a stage where the agreement can be formalised and signed.
- 24.2 Work continues with Te Arawhiti in regard to the Ngāti Hāua Iwi Trust properties that they have identified within their Agreement in Principle AIP - 'Te Whiringa Muka'.
- 24.3 12 April - Assisted the team in organising and attended the hui at Raetihi Marae with Minister Peeni Henare.

25 ACTING MANAGER FINANCE, STRATEGY AND GOVERNANCE

- 25.1 The 2021/22 Annual Report is due to be adopted by Council at this meeting after being considered by the Risk and Assurance Committee meeting on 19 May.
- 25.2 The 2023/24 Annual Plan is due to be adopted by Council in June.
- 25.3 Workshops have been held and more are planned as preparation for the Long Term Plan. These are aimed at providing educational and background information for Council.
- 25.4 Several long-term vacancies have been filled within the team which will alleviate some of the high workloads that existing staff have been trying to manage.

26 EXECUTIVE MANAGER, INFRASTRUCTURE

- 26.1 Early in the month, gardens across the district were prepared for Anzac services with additional planting carried out were required as well as a general tidy up for the sites. Open spaces maintenance continued with Ohakune Carrot Park clean up and gardening and playground planting. This was also done in Taumarunui by the access walkway ramp.
- 26.2 Kerb and channel spraying was completed throughout the district. A schedule will be put in place for this activity to be undertaken which will improve with time.
- 26.3 Further investigations continued in Ohakune to address the high water usage. A high baseline continues demanding treated water and night time alternatives are being considered. A large water leak was repaired at Goldfinch Street with an estimated 8m³/hr saved by the rectification works.
- 26.4 The commissioning of the Hikumutu WWTP started during the month. This included all projects with snag items being addressed.

27 EXECUTIVE MANAGER, COMMUNICATIONS

- 27.1 Supporting the Annual Plan 2023/24 consultation which ran from Monday 27 March until Wednesday 26 April. This included promotion of the supporting hui. Other consultation work included on-going preparation work on the Long Term Plan 2024/34 and Speed Management Plan. The Antenno implementation is on-going. 26 issues were covered on social media. On-going work on our website to ensure web information is accurate and up-to-date. Website work includes maintaining homepage and working through site to ensure a consistent look and feel. Support was also provided to the development of a Consultation Calendar to better understand resourcing requirements including impacts on staff and elected members. This has identified 18 separate pieces of engagement until the end of the year.
- 27.2 Council and Community hui streamed over April and their reaction/reach included:
 - Taumarunui-Ōhura Community Board Meeting 2022-2025 and Annual Plan Community Hui, 6 April - 1 reaction, reach 498.
 - National Park Community Meeting Annual Plan 2023/24, 11 April - 7 reactions, 2 shares, reach 843.
 - Ohura Community Meeting Annual Plan 2023/24, April 13 - 3 reactions, 4 comments, 1 share, reach 1,414.
 - Annual Plan 2023/2024 Community Hui in person and on Zoom, 14 April - 3 reactions, 2 comments, 7 shares, reach 945.
 - Ōwhango-National Park Community Board Meeting 2022-2025, 18 April - 5 reactions, 7 comments, reach 912.

Owhango Community Meeting Annual Plan 2023/24, 24 April - 2 reactions, 5 comments, reach 723.

Ohakune Council meeting, 26 April - 5 reactions, 29 comments (same person commenting on Maori issues), reach 612.

Key Infrastructure Capital Project Updates

28 This section of the report provides a brief update on key Capital Projects:

28.1 Pavement Rehabilitation

28.2 Contractors continued with the pavement construction on Ongarue/Waimiha Road 5.98 to 8.5km and sealed the first 300m early in the month of April.

28.3 Contractors also completed Ruatiti Road 10.5 to 11.9km site. Earthworks continued through Ruatiti Road, pavement construction and culverts on the Ruatiti Road 8.5 to 10.5 km. Sealing was completed on the 700m section at the end of the 8.5 to 10.5km site. A further 600m on Ruatiti Road was prepared for sealing early in April.

28.4 Ohakune Water Treatment Plant

Work continues progressing well with large items being received and on site installation. Milestone 3 was reached with the building structure being completed with subsequent funding recovery from MBIE being unlocked.

28.5 Te Ara Mangawhero cycle trail

Pending Resource Consents continue to cause delays to the start of this construction, however, off site bridge works and designs are underway. A preliminary meeting was held with the construction team to establish the next steps for this project. It is expected that works will take place during the winter of 2023 as much as possible.

28.6 Te Hangaruru cycle trail

Resource Consent approval from was received for the start of this construction from the Horopito section. This will enable works to start during the 2023 winter as health and safety and environmental aspects allow. Sediment control will be put in place as wet weather is likely.

Attachment(s) | Ngā āpitihanga

NIL

Report to: Council

Meeting Date: 24 May 2023

Subject: Mayor, Deputy Mayor, Chief Executive and Elected Members' Verbal Reports

Report for: Information

Author(s): Tasha Paladin

GOVERNANCE MANAGER

Endorsed By: Clive Manley

CHIEF EXECUTIVE



Purpose of Report | Te take mō te pūrongo

- 1.1 The purpose of this report is for the Mayor, Deputy Mayor, Chief Executive and Elected Members to provide verbal updates on upcoming events and other matters of general and topical interest to the District.

Report to: Council

Meeting Date: 24 May 2023



Subject: Resolution to Exclude the Public for Consideration of Council Business

Report for: Decision

Author(s): Tasha Paladin

GOVERNANCE MANAGER

Endorsed By: Clive Manley

CHIEF EXECUTIVE

Purpose of Report | Te take mō te pūrongo

- 1.1 In accordance with section 48(1) 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 (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be) the Council has the right by resolution to exclude the public from the whole or any part of the proceedings of any meeting on one or more of the grounds contained within that Section.

Recommendation(s) | Ngā tūtohunga

That the Council:

- 1 Receives the Report **Resolution to Exclude the Public for Consideration of Council Business**;
- 2 Excludes the public from the following part(s) of the proceedings of this meeting;
- 3 Notes the general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1 Confirmation of Public Excluded Minutes of the Council Meeting 26 April 2023	For the reasons set out in the Public Business Minutes of the Council Meeting 26 April 2023.	
C2 Relationship Agreement between Ruapehu District Council and Te Tōtarahoe o Paerangi (Ngāti Rangi)	s7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage. Release would prejudice the goodwill of the parties and the progress of the negotiations	s48(1)(a)(i) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7
C3 Ruapehu District Council Integrated Organics Facility: Feasibility Study	s7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	
C4 Structural Maintenance and Renewals Contract Award		
C5 Progress Report on Three Bridge Projects		

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C6 Confidential Briefing by the Chief Executive	s7(2)(c) To protect information which is subject to an obligation of confidence where the making available of the information would be likely to: prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or would be likely otherwise to damage the public interest	s48(1)(a)(i) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7

- 4 Approves that Officers of GHD are permitted to remain at this meeting after the public has been excluded because of their knowledge of Items C4 and C5.