



RANGITIKEI
DISTRICT COUNCIL
Making this place home.

ORDER PAPER

INAUGURAL RĀTANA COMMUNITY BOARD MEETING

Date: Tuesday, 13 December 2022

Time: 6.30 pm

Venue: Ture Tangata Office
Ihipera-Koria Street
Rātana Pa

Membership: Mr Charlie Mete
Ms Grace Taiaroa
Mr Charlie Mete
Mr Jaime Nepia
Mr Lequan Meihana
HWTM Andy Watson

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Notice is hereby given that a Rātana Community Board Meeting of the Rangitīkei District Council will be held in the Ture Tangata Office, Ihipera-Koria Street, Rātana Pa on Tuesday, 13 December 2022 at 6.30 pm.

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AGENDA

1 Welcome / Prayer

2 Apologies

3 Public Forum

4 Conflict of Interest Declarations

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

5 Confirmation of Order of Business

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

6 Reports for Decision

6.1 Declaration by Ratana Community Board members

Author: Kezia Spence, Governance Advisor

Authoriser: Carol Gordon, Group Manager - Democracy & Planning

1. Declaration

Te whakapuakanga mā ngā mema o ngā poari hapori

Ko ahau, ko _____, e oati ana ka whai ahau i te pono me te tōkeke, i runga hoki i te mutunga kē mai nei o āku pūkenga, o āku whakatau hoki kia whakatutuki, kia mahi anō hoki i te mana whakahaere, te mana whakatau me ngā momo mahi kua ūhia ki runga i a ahau kia whiwhi painga mō te takiwā o Rangitīkei hei mema o te Poari Hapori o Rātana Pā, e ai hoki ki te Ture Kāwanatanga-ā-Taiao 2002, ki te Ture Kāwanatanga-ā-Taiao Whakapae me te Hui 1987, me ētahi Ture anō rānei.

Board Member Declaration

I, _____, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Rangitīkei District, the powers, authorities, and duties vested or imposed upon me as a Member of the Rātana Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

6.2 Election of Chair - Ratana Community Board

Author: Kezia Spence, Governance Advisor

Authoriser: Carol Gordon, Group Manager - Democracy & Planning

1. Reason for Report

- 1.1 The Board needs to elect its Chair for the Ratana Community Board for the 2022 – 25 triennium.

2. Election of Chair

- 2.1 Members are asked to nominate and elect a Chair from the current membership.
- 2.2 Clause 25 of Schedule 7 of the Local Government Act 2002, which relates to voting systems for certain appointments (including the election or appointment of the deputy mayor, the election or appointment of the chairperson and deputy chairperson of a committee, and the election or appointment of a representative of the local authority), states that:
- (2) ... a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:—
- (a) the voting system in subclause (3) ("system A");
- (b) the voting system in subclause (4) ("system B").
- (3) **System A—**
- (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
- (b) has the following characteristics:—
- (i) there is a first round of voting for all candidates; and
- (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
- (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.
- (4) **System B—**
- (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
- (b) has the following characteristics:
- (i) there is only 1 round of voting; and

- (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.
- 2.3 Once the voting is complete the Mayor or Ward Councillor vacates the chair.

Recommendation 1

That the Ratana Community Board, for the purpose of electing or appointing persons under Clause 25, adopt either System A, or System B.

Recommendation 2

That _____ be appointed Chair of the Ratana Community Board.

6.3 Election of Deputy Chair - Ratana Community Board

Author: Kezia Spence, Governance Advisor

Authoriser: Carol Gordon, Group Manager - Democracy & Planning

1. Reason for Report

- 1.1 The Committee needs to elect its Deputy Chair for the Ratana Community Board for the 2022 – 25 triennium.

2. Election of Chair

- 2.1 Members are asked to nominate and an elect a Deputy Chair from the current membership, using the voting system adopted as part of the previous item (Election of Chair).

Recommendation 1

That _____ be appointed Deputy Chair of the Ratana Community Board.

6.4 First Meeting of the Ratana Community Board**Author:** Carol Gordon, Group Manager - Democracy & Planning**Authoriser:** Carol Gordon, Group Manager - Democracy & Planning**1. Reason for Report**

- 1.1 Schedule 7, section 21 of the Local Government Act 2002 requires the Board to fix the date and time of the first meeting of the Board.
- 1.2 It is proposed that the first meeting of the Ratana Community Board be Tuesday, 7 February 2023.
- 1.3 Previously the Board has met on the same Tuesday as the Te Roopuu Ahi Kaa Komiti meetings, this was every two months on, usually, the second Tuesday of the month. The Board are asked to give us direction on whether they want this to continue in 2023.
- 1.4 The meeting schedule will be updated following advice from the Board and sent out to members.

Recommendations:

That the first meeting of the Rātana Community Board be held on Tuesday, 7 February 2023 at 6.30pm [*or another date decided on by the Board*].

That the Board provide advice on the frequency and timings of meetings during 2023.

6.5 Ratana Community's Representative for Te Roopuu Ahi Kaa

Author: Kezia Spence, Governance Advisor

Authoriser: Carol Gordon, Group Manager - Democracy & Planning

1. Reason for Report

- 1.1 Te Roopuu Ahi Kaa is Council's standing Iwi advisory committee. Nominations will be sought from the meeting.

Recommendation

That.....be nominated as the Ratana Community Board's representative on Te Roopuu Ahi Kaa for the 2022-25 triennium

7 Follow-up Action Items from Previous Meetings

7.1 Follow-up Action Items from Ratana Community Board Meetings

Author: Kezia Spence, Governance Advisor

1. Reason for Report

- 1.1 On the list attached are items raised at previous Ratana Community Board meetings. Items indicate who is responsible for follow up, and a brief status comment.

2. Decision Making Process

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

Attachments:

1. **Follow-up Actions Register**

Recommendation

That the report 'Follow-up Action Items from Ratana Community Board Meetings' be received.

Current Follow-up Actions

Item	From Meeting Date	Details	Person Assigned	Status Comments	Status
1	9-Aug-22	Mr Mete advised that there is a resident in the Pā who does not have a driveway. He provided the address to Mr Pokiha, who undertook to look into this.	Reuben Pokiha	This request is currently being investigated. The section has two entrances and one only is permitted.	In progress
2	9-Aug-22	Cr Panapa also suggested that partitions be erected between the kaumatua flats, for both privacy and wind protection. Ms Bovey undertook to pass this onto the appropriate staff member.	Mel Bovey	The Property Team are looking at options around this and will liaise directly with the tenants with solutions.	Closed
3	9-Aug-22	Cr Panapa enquired about the water connection to the kaumatua flats, and whether the water supply is connected to the town supply. Ms Bovey undertook to look into this.	Mel Bovey	It has been confirmed that the kaumatua flats are to be connected to the town supply.	Closed
4	9-Aug-22	Cr Panapa requested that Council measure the speed of vehicles entering and exiting the Pā, to see to what degree the speed limits are being obeyed. Mr Mete agreed that this would be a good idea, as he believes that is potentially a safety hazard at the bus stop with children crossing the road. Mr Pokiha undertook to look into this request.	Reuben Pokiha	We met with Cr Panapa had gave him the relevant information pertaining to the speeds along Ratana road. The report indicates that speeds are overall basically compliant, also with in the 50kph of Ratana Road. The count station was 100 meters past the bus stop.	Closed
5	9-Aug-22	Cr Panapa requested that Council look into putting road markings outside Te Kura O Ratana to designate it as a drop-off area only (not for parking). Mr Pokiha undertook to look into this request.	Reuben Pokiha	This request is currently being investigated. Discussions also to include the School Principal.	In progress
6	9-Aug-22	Ms Renata suggested that Council consider installing rubbish bins and picnic tables at the new playground. Ms Bovey undertook to look into this request.	Mel Bovey	Murray Phillips from the Parks Team met with Charlie Mete on site and the replacement of the bins has been confirmed. The Parks Team will also investigate the option of a picnic table.	Closed
7	5-Oct-21	<p>With regards to the Ratana Cemetery Extension: Staff to consider providing better facilities for volunteers who dig new plots.</p> <p>Update 08 Feb 22: The Board clarified that the request was for water access, for both contractors and visitors. The Board advised that they would like a water source that is aesthetically pleasing (i.e., not just a tap in a post).</p> <p>Update 09 Aug 22: The Board asked that this be reconsidered, as the owner of the adjacent farm has given verbal approval for the existing water line on his property to be used (the water does not need to be drinkable). Ms Bovey undertook to follow-up on this request.</p>	Mel Bovey / Arno Benadie	This request is being investigated by the Parks Team who will look at potential options in conjunction with a similar request from Taihape residents for their cemetery.	In progress

6 Reports for Information

8.1 Laws Affecting Elected Members (Including Rātana Community Board Members)

Author: Carol Gordon, Group Manager - Democracy & Planning

Authoriser: Peter Beggs, Chief Executive

1 Reason for Report

Schedule 7 Clause 21 of the Local Government Act 2002 requires that, at the first meeting of the Community Board following the triennial general election, the Chief Executive provides a general explanation of certain laws affecting elected board members, including:

- the Local Government Official Information and Meetings Act 1987;
- the appropriate provisions of the Local Authorities (Members' Interests) Act 1968;
- sections 99, 105 and 105A of the Crimes Act 1961;
- the Secret Commissions Act 1910;
- the Financial Markets Conduct Act 2013.

This report provides this general explanation.

2 Local Government Official Information and Meetings Act 1987

2.1 General Principle

The main focus of LGOIMA is the retention and release of official information held by Council and the conduct of Council meetings; the latter being evidenced by Standing Orders.

The stated purposes of this Act are:

- (a) to increase progressively the availability to the public of official information held by local authorities, and to promote the open and public transaction of business at meetings of local authorities, in order—
 - (i) to enable more effective participation by the public in the actions and decisions of local authorities; and
 - (ii) to promote the accountability of local authority members and officials,—
 and thereby to enhance respect for the law and to promote good local government in New Zealand:
- (b) to provide for proper access by each person to official information relating to that person:
- (c) to protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

The heart of the Act is the 'principle of availability' set out in Section 5:

"The question whether any official information is to be made available, where that question arises under this Act, shall be determined, except where this Act otherwise expressly requires, in accordance with the purposes of this Act and the principle that the information shall be made available unless there is good reason for withholding it".

2.2 Requests

Anyone can make a request for official information – and not necessarily in writing.

If the Council does not hold the information sought, or a Council officer believes the request to be more closely connected with another organisation, then the officer must (within 10 working days of the request being received) transfer the request.

Section 13 provides that when the Council holds the information a decision on whether to release the information must be made within 20 working days of receiving the request. Charges may be made for supplying the information.

When the information sought is voluminous or consultations that are necessary for a proper response are needed, section 14 allows the 20 working day time limit to be extended for a 'reasonable period'. The requester must be told the period of extension, the reasons for the extension and the fact that the extension can be referred to the Ombudsman.

Every request must be dealt with on its merits and a decision whether to refuse is made on the circumstances of each case. There is no time specified for providing information but the Ombudsman is empowered to investigate cases of 'undue delay' on the basis that this constitutes refusal.

2.3 Refusals

The Act places the responsibility for deciding to accept or refuse a request with the Chief Executive or an officer he authorises. The Act does not prevent the authorised officer from consulting the Council or any other person. The Act sets out both 'conclusive reasons' (section 6) and 'other good reasons' (section 7) why the provision of official information can be refused. If the grounds for refusal do not fall within one of these specified reasons, the information **must** be released. This includes requests for access to Council documents containing policies, principles, rules or guidelines which affect Council's decision-making.

'Conclusive reasons' are prejudicing the maintenance of the law (including the prevention, investigation, and detection of offences, and the right to a fair trial) or endangering the safety of any person

'Other good reasons' include:

- protecting the privacy of natural persons;
- maintaining the effective conduct of public affairs through free and frank expressions of opinions by or between elected members and officers;
- enabling a local authority to carry out, without prejudice or disadvantage, commercial activities;
- enabling a local authority to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);
- avoiding serious offences to tikanga Māori or avoiding disclosure of waahi tapu¹;
- avoiding prejudice to measures protecting the health or safety of members of the community; and

¹ Confined to applications made under the Resource Management Act for a resource consent, or water conservation order, or a requirement for a designation or heritage order.

- maintaining professional legal privilege.

All of these ‘other good reasons’ are subject to a ‘public interest’ test, i.e. even if the information sought falls within one of the refusal categories it must be released where the reason for the withholding of the information is outweighed by other considerations rendering it desirable in the public interest that the information be released.

The Act also contains a number of administrative grounds for refusing a request. These include instances where:

- the information is or will soon be publicly available;
- it would be illegal or in contempt of a court or Parliament to provide the information;
- the document alleged to contain the requested information does not exist or cannot be found despite reasonable efforts to locate it;
- the information requested cannot be made available without substantial collation and research; and
- the request is frivolous or vexatious or the information requested is trivial.

However, before making such a refusal, the Council is required to consider

- whether consulting with the person who made the request would assist that person to make the request in a form that would remove the reason for the refusal; and
- whether making a charge or extending the time limit would allow the substantial research work to be done to satisfy the request.

If a request is refused, section 18 requires the Council to give the requestor:

- the reason for its refusal;
- the grounds in support of that refusal;
- advice as to the right to apply to the Ombudsman to seek a review of the refusal.

2.4 Ombudsmen’s investigation

The Ombudsmen may investigate any refusal by the Council to provide information and can investigate the charges made by the Council.

If the matter cannot be resolved during the investigation, the Ombudsmen may make a recommendation to the Council. Section 32 imposes a public duty on the Council to observe that recommendation unless it resolves not to accept it within 21 working days of receiving the recommendation.

A decision not to accept an Ombudsmen’s recommendation must be notified to the applicant and the Ombudsmen and published in the New Zealand Gazette together with the Council’s reasons for the decision. The applicant may apply to the High Court for a review of the Council’s decision. Whatever the result of the High Court hearing, the applicant’s costs must be paid by the Council unless the Court is satisfied the application was not reasonably or properly brought.

2.5 Access to Meetings

Section 47 of the Act provides the public and media have a right of access to all meetings of the Council, committees, sub-committees (with power to act) and community boards unless the meeting resolves to exclude the public.

Section 48 specifies that the grounds for excluding the public and the media from a meeting may only be those provided in the Act and essentially are the same grounds as for withholding official information (although notably **not** including “free and frank expressions of opinions by or between elected members and officers”). A motion to exclude the public must state the subject matter of the ‘non-public’ matter and the specific reason provided in the Act.

Even where a meeting has resolved to exclude the public a person can request a copy of the minutes of the meeting. Such a request must be treated in the same way as a request for official information and is subject to review by an Ombudsman.

2.6 Order Papers

Order papers (i.e. agendas and reports) for meetings must be publicly available at least two working days before the meeting. Supplementary reports may not be dealt with unless agreed to by the meeting and unless the Chair explains why the report was not in the Order Papers and why the subject cannot wait until the next meeting.

Minutes of all meetings (except public excluded meetings) must be available for inspection by the public and media.

2.7 Qualified Privilege

Sections 52 and 53 of the Act provide that written or oral statements on any matter being considered at a meeting of the Council, committee, sub-committees or community board is privileged unless the statement is proved to be made with malice. This is known as qualified privilege.

Qualified privilege is a protection afforded by the law on certain occasions to a person acting in good faith and without any improper motive who makes a statement defamatory about another person.

It is established law that meetings of local authorities are privileged occasions (this includes community boards). The reason given by the Courts is that those who represent local government electors should be able to speak freely on any matter they believe affects the interests of their residents.

If malice can be established then the privilege is lost. With the question of malice, motive can be crucial. If it is established that the person making the statement had some other dominant and improper motive then malice will be established.

Generally speaking, for qualified privilege to apply, there should be a positive belief in the truth of what is said, and that there is no suggestion of personal spite or ill-will by the person making the statement.

3 Local Authorities (Members’ Interests) Act 1968

The Act is overseen by the Auditor-General. It is a small but significant part of the legal framework for local democracy by ensuring that elected members are not affected by personal financial motives when carrying out their role. This Act contains provisions relating

to contracts between elected members and the Council, and provisions relating to elected members voting on matters where they have a pecuniary interest.

The Auditor-General does not have the same statutory role for non-financial conflicts of interest – only the courts can determine whether the law has been breached in any particular instance and what the consequence should be.

3.1 Contract

The Act provides that no person may be an elected member if the total of all contract payments made or to be made by the Council in which that person is ‘concerned or interested’ exceeds \$25,000 in any financial year. Contracts include sub-contracts.

There are provisions regarding contracts between the Council and a company in which an elected member or spouse has an interest. Generally a person will be concerned or interested in a contract where that person or spouse holds 10% of the issued capital of the company or a controlling company, or the member or spouse is a shareholder and is either a managing director or general manager.

Certain exclusions are provided for, such as where the member and spouse are living apart, or the member did not know and had no reasonable opportunity of knowing the spouse was a shareholder and managing director/ general manager.

The limit of \$25,000 may be extended by the Office of the Auditor-General in special cases. Such approval can be given retrospectively. Provision is made for contracts entered into by the Council before an election, and for continuing contracts.

If a person breaches the \$25,000 limit that person is disqualified from holding office and an extraordinary vacancy occurs. The disqualification remains until the next triennial election.

3.2 Pecuniary Interest

The Act provides that no elected member shall vote on or take part in the discussion of any matter in which that person has, directly or indirectly, any ‘pecuniary interest’ other than an interest in common with the public.

The prohibition applies where the member’s spouse has a pecuniary interest and where the member or spouse holds 10% or more of the shares in a company or a controlling company, which has a pecuniary interest, or either person is a shareholder and is managing director or general manager.

Members who are prohibited under the Act from voting on or discussing a matter are under a duty to declare to the meeting their pecuniary interest and their abstention from discussion or voting must be recorded in the minutes.

The prohibition against discussing or voting on a matter does not apply in certain situation, such as:

- Members’ remuneration where the maximum rate has already been fixed;
- Election or appointment of any member to a Council or community board office, notwithstanding that remuneration is payable;
- The preparation, approval, or review of a district scheme or district plan unless the matter relates to any variation or change or departure from a district scheme or district plan or to the conditional use of land, in which a member has a pecuniary interest.

The Office of the Auditor-General has the power to declare that the prohibition shall not apply in respect to any particular matter if the Office is satisfied the prohibition would impede the business of the Council or that it is in the interest of the electors that the prohibition not apply.

A member convicted of contravening the prohibition vacates office and an extraordinary vacancy is created.

4 Crimes Act 1961 – Sections 99, 105, 105A

- 4.1 Section 99 defines, for the purposes of the Crimes Act 1961, an “official” as any member or employee of any local authority. Member includes community board member.
- 4.2 Section 105 provides that it is an offence punishable by up to seven years imprisonment for an “official” to corruptly accept or obtain, or to attempt to obtain, any bribe or reward in respect of anything done or omitted to be done by the official in an official capacity.
- 4.3 Section 105A provides that every official is liable to up to seven years imprisonment who corruptly uses any information acquired in an official capacity, to obtain, directly or indirectly, an advantage or pecuniary gain for the official or any other person.

5 Secret Commissions Act 1910

- 5.1 The principle behind this Act is that a person holding a position of trust should not make a profit through their office.
- 5.2 The Act provides that elected members and officers are “agents” of the Council and that every agent commits an offence who corruptly accepts or obtains or solicits, for themselves or any other person, any gift or consideration as an inducement or reward for doing or not doing any act in relation to the Council’s affairs, or for having shown favour or disfavour to any person in relation to the Council’s affairs.
- 5.3 Any agent who diverts, obstructs, or interferes with the proper course of the Council’s business, or fails to use due diligence in the prosecution of such business with intent to obtain for themselves or any other person any gift or other consideration shall be deemed to have corruptly solicited a consideration.
- 5.4 Whilst “gift” is not defined, “consideration” is. It includes discounts, commissions, rebates, bonuses, deductions, percentages, employment, and money (including loans). Generally trade practices or customary gifts do not constitute a defence to a charge under the Act.
- 5.5 Section 5 of the Act provides that an agent who makes a contract on behalf of the Council must disclose to the Council any pecuniary interest in the contract (other than shareholding, where there are at least twenty members of the company). This provision is similar to that contained in the Local Authorities (Members’ Interests) Act 1968.
- 5.6 It is an offence to advise the Council with intent to induce it to enter into a contract with a third person, and receive any gift or consideration from the third person without disclosing to the Council the fact of payment. Upon conviction for any offence under

the Act an agent is liable to a maximum fine of \$2,000 or two years imprisonment and would vacate their office.

6 Financial Markets Conduct Act 2013

- 6.1 This Act has replaced the requirement in the repealed Securities Act 1978 on entities that solicit funds from the public to prepare, register and distribute a prospectus and an accompanying investment statement. Instead, a short product disclosure statement may be made. Where there is defective disclosure, an investor must be treated as suffering loss unless the decline in the value of the investment is shown to have been caused by a matter other than the defect.
- 6.2 Section 122 provides that if a local authority is the issuer (or otherwise named with its consent) in a disclosure document, that document (unless the Crown has otherwise give an express guarantee under the Public Finance Act 1989) must contain a statement that the financial products being offered under the disclosure document are not guaranteed by the Crown.

7 Summary

- 7.1 The intention of this brief overview is to bring to the attention of the board members the main features of key legislation that impacts on local governance. If, at any time, you are in doubt on any of these matters, or are unsure as to whether they may affect you in your capacity as an elected board member, please contact the Chief Executive so that appropriate guidance is provided to you.

Recommendation

That the Chief Executive's Report – Laws Affecting Elected Members (Including Ratana Community Board members), be received and the information noted.

8.2 Mayor's Report - 23 November 2022

Author: Andy Watson, His Worship the Mayor

Council has had its first meeting to induct Councillors and to outline committee structures. Today's Council meeting will formalise membership of those committees. There is a realisation for Councillors and staff that the workload this triennium will be far heavier than has been the case previously. The new responsibilities that Council have around Government legislation and the transition of Three Waters to separate entities, RMA reform etc is substantial and as of now lacks clarity and detail.

The workload means that it will be difficult for Councillors to be across all bodies of Council work and my suggestion is that Councillors may wish to enter committees suitable to their skills and interests.

This approach comes with a couple of caveats, if that is the correct term. As a Councillor you will have a responsibility to understand and if necessary question any work program or Council decision. However there is an element of trust involved and that is to trust the skill of those involved with committees that you are not on and to give reasonable levels of delegation formally where possible so that the relitigating of committee recommendations at full Councils is kept to matters of consequence.

As part of that trust process Council has decided that from now on workshops will be publicly notified and open to the general public, but not live-streamed. Standing committees and Council will also be open to the public and live-streamed.

All Councillors attended a two day offsite team building meeting recently which was hugely successful and I would like to thank Council staff and Local Government New Zealand for their help in facilitating this.

I took to Council at it's 3 November 2022 meeting the LGNZ Zone 3 representation selection to National Council. At that stage we had two candidates and illustrated a preference for one. The situation since that meeting has changed with a new candidate coming into play, Craig Little Mayor of Wairoa. I have subsequently canvassed Councillors and their preference has been for our vote for National Council representation to support Craig who is already co-Chair of Zone 3. In moving my Mayoral Report I am acknowledging the change from the previous recommendation supporting Mayor Neil Holdom.

Government is pushing ahead at pace with reforms and it has been a real challenge to meet submission deadlines to give Government our local stance. This week for example, with little notice we are submitting on the proposed emissions levies put on our farming practices and carbon credit forestry. These are incredibly important submissions as the reforms will affect the profitability of many farms who will be threatened with a reduction of around 20% of farm income in the sheep and beef industry. From a business perspective it is difficult to criticise farm owners selling their land for carbon credit forestry but from a social perspective the results are disastrous with less employment available which means long term schools and rural communities will be severely impacted.

The funding for roading both locally and nationally is challenging. All of us notice the potholes and decreased maintenance of our networks. This funding is principally set by Waka Kotahi grants and Government budgets. As I understand it those budgets will not be increased or reviewed until 2024, while the inflationary costs of roading per year arguably are approaching 30% per annum. There will be roads in NZ that are not reinstated after climatic events and the deterioration of local roads is sadly inevitable under this funding regime. Locally we also know that the impact of forestry harvesting is on us now as the “wall of wood” becomes a reality. We started looking at introducing a differential on roading rates for identified forestry properties in the Long Term Plan. We put that decision on hold to consult further with the sector, something that we are currently undertaking. We will add this consultation occurring now to be part of the Annual Plan consultation to give options that have been worked through with the industry.

Last Saturday we saw Marton Market day delivered by Council for the first time. We got lucky with the weather and had a successful day with thousands of visitors to Marton. By all accounts our retail stores also had a very good day. I would like to take a moment to thank those who volunteered to help the event be such a success from council staff to community members giving up their time led by Jen Britton. Special thanks has to go to Lions and Marton Rotary for their members volunteering their time event on event to help make sure the manpower is there for these sorts of events to happen, and to Booths Transport (and Bruce Gordon Contracting) for stepping in at the last minute and lending us a truck for the day to act as the main stage. It is community spirit like this that makes our district such a great place to call home.

Over the last few days Arohanui Hospice held a fundraising event called Hearts & Homes where homesteads and gardens throughout the Rangitikei became part of an organised tour. Huge numbers of people took up the opportunity to support the Hospice and to look at our outstanding properties. This, like Market Day, also provided an opportunity for our local retailers to benefit. I called into Ward Furniture for example and for the last week they have been incredibly busy dealing with people from out of town who were associated with the Hospice event. We have an events funding arm of Council and this another classic case of where our community gets repaid for our investment in the events area.

Earlier in the month we held our first citizenship ceremony for quite some time. These processes have been held up through covid times and it was fantastic to be able to start to put them back in place. We welcomed citizens from Western Samoa, Russia, United Kingdom, South Africa, Canada and the USA and for the first time we were recognising King Charles III in our ceremony.

On 8 November I was asked to attend a Mayoral Taskforce for Jobs Parliamentary Breakfast in Wellington with James Towers and Marton’s Ngaire-Ann Takimoana where Government was wanting to recognise the success of the Mayoral Taskforce for Jobs. Our Council, being one of the four founding Councils, was asked to provide a success story and Ngaire-Ann was the classic story - placed through Mayor’s Taskforce to work for a prominent farming/horticulture organisation just outside Bulls she has quickly graduated to being a foreman with a significant number of staff under her. She spoke at Parliament around the trust she has been given and the skills she’s been able to pick up and her future looks incredibly bright. It is challenging for a young person to speak in front of the Government Ministers at Parliament and I thought Ngaire-Ann handled herself incredibly well, congratulations.

Over the last couple of years attending school prizegiving functions has been a challenge with covid restrictions and as the community have been released from the covid prison it has been pleasing to be able to attend a number of end of year school functions recently. As part of that we have awarded Council scholarships to rangatahi at Taihape Area School and Rangitikei College for tertiary

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education. I am keen for Council to also look at recognising and providing for apprenticeship funding across the district and there will be more to come on this matter.

Last Saturday was an incredibly busy day for me, attending five different functions throughout our district. The highlight to me was the Investiture of Judge Rachael Parata Mullins where she was admitted to the judicial bench as a judge. This is a classic case of a local girl excelling. Rachael attended Taihape Area School and went on to study law, graduate and now be admitted as a judge. She had requested that investiture be held at the school and she was supported by approximately 400 people who had travelled from all over to attend the ceremony. One of her local teachers spoke in glowing terms of Rachael around what she has achieved and her community involvement. Quite an amazing powhiri and celebration to be part of.

Late Saturday afternoon I attended the Koitiata Volunteer Fire Brigade Honours Evening and took the opportunity while in Koitiata to arrive early and spend some time being shown the drainage issues from farming land through forestry and Council-administered reserve to the lagoon and sea. This is an issue that has sat on our table for years. It is complex but essentially arose from land use change permitted by Horizons. It is a pity that Horizons missed a community meeting recently looking to resolve this issue but I am hopeful that we can navigate a way forward.

I have received a number of emails over the last week or so around the establishment of Maori Wards and reference statements around Local Government's direction. I have been asked to take the community's concerns to Council and doing so I am supplying a tabled letter as appendix to that.

Mayors Engagement

November 2022

1	Attended Regional Transport Matters/Regional Chiefs fortnightly Zoom meeting Attended Citizenship Ceremony
2	Attended Taihape Area School RDC Scholarship Interview Attended Rangitikei College Prizegiving Attended Meeting with Deputy Mayor
3	Attended DIA Planning Technical Working Group Co-Chair Hui Attended weekly meeting with Chief Executive Attended Council Meeting Attended DIA Zoom – 3W Establishment Chief Executive Entity B interview pre-meet
4	Attended Akona – Elected Members Induction Day Attended Finances 101 and Internal Audit Advice Zoom
6	Attended Gathering for new Elected Members/Executive Leadership Team Makoura Lodge
7	Attended Gathering for new Elected Members/Executive Leadership Team Makoura Lodge
8	Attended Mayoral Taskforce for Jobs Parliamentary Breakfast Wellington Attended meeting with staff re Code of Conduct/Standing Orders Attended weekly meeting with Chief Executive Attended weekly meeting with Deputy Mayor
9	Attended DIA 3W Entity B Interviews for Chief Executive
10	Attended meeting re Koitiata flooding issue with stakeholders Attending meeting with ratepayer Attended LGNZ Leaders Zoom Attended BA5 in Taihape Attended Agriculture Emission Pricing presentation by Andrew Hoggard
11	Attended Mayoral Taskforce for Jobs meeting with Iwi and Chief Executive Attended Armistice Day Service at Marton Cenotaph Attended Waka Kotahi quarterly meeting
12	Attended Marton Market Day Attended Bulls Rose & Flower Show Attended Investiture Ceremony for Judge Rachael Parata Mullins in Taihape Attended Koitiata Volunteer Fire Brigade Honours Evening
13	Attended Hearts & Homes Thank you Function Attended Remembrance Sunday Service at Greatford
16	Attended weekly meeting with Chief Executive Attended inaugural Audit & Risk Meeting

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	Attended Council Workshop – Finances 101
17	Attended Rural & Provincial Sector Meeting Wellington
18	Attended Fortnightly Discussion on Economic Development Attended Meet & Greet with Regional Manager Downer Manawatu Attended Fish & Game Event at Tutaenui Reservoir – Ohakea Personnel
19	Attended Fish & Game Event at Tutaenui Reservoir – Public Open Day Attended Ratana Playground & Whanau Space Opening
21	Attended breakfast meeting with Mayor Helen Worboys Attended Hunterville Rural Water Supply Sub-Committee Meeting Attended Differential on Roding Rate for Forestry meeting at Mokai Patea Services
22	Attended weekly meeting with Chief Executive Attended JBS Dudding Trust Annual Meeting Attended weekly meeting with Deputy Mayor
23	To attend inaugural Finance/Performance Committee Meeting To attend Council Meeting
24	To attend LGNZ Zone 3 Meeting in Whanganui To attend LGNZ Leaders Zoom
25	To attend LGNZ Zone 3 Meeting in Whanganui To attend LGNZ Workshop – How can we revitalise local democracy?
26	To attend Queen’s Memorial Tree Planting at Marton Park
27	To attend Christmas Bonanza in Marton
29	To attend Regional Transport Matters/Regional Chiefs Fortnightly Zoom Meeting To attend Erewhon Rural Water Supply Sub-Committee Meeting To attend Bulls Community Committee Meeting
30	To attend LGNZ Workshop – How should local government be structured?

Recommendation 1

That the Mayor’s Report – 23 November 2022 be received.

8.3 Community Board Members - Pecuniary Interests

Author: Carol Gordon, Group Manager - Democracy & Planning

Authoriser: Carol Gordon, Group Manager - Democracy & Planning

1. Reason for Report

1.1 The purpose of this report is to provide guidance to community board members on the Local Government (Pecuniary Interests Register) Amendment Act 2022 (LGA) which came into force on 20 November 2022.

2. Context

2.1 The Local Government (Pecuniary Interests Register) Amendment Act 2022 (the Act) inserts a new set of requirements and obligations to the Local Government Act 2002 – Subpart 3 – Register of members’ pecuniary interests, all of which relate to elected members’ (including community board members) pecuniary interests.

2.2 The purpose of the new provisions is to increase transparency, trust and confidence in local government by keeping and making publicly available, information about members’ pecuniary interests. It is similar to the regime that Members of Parliament adhere to but has been tailored to reflect particular aspects of local government.

2.3 Moving forward, every council will be required to keep a register of its members’ pecuniary interests, and to make a summary of it publicly available. Each council must appoint a Registrar to maintain the register and provide advice and guidance to members. Carol Gordon was appointed to the role of Registrar by the Council.

3. Requirements

3.1 Members are obliged to provide annual returns, which are to be included on the registers, and to subsequently advise of any errors or omissions in those returns. Any failure to comply with the new obligations amounts to an offence, and so it is important that members understand and comply with these new provisions, and that they are provided with necessary guidance (including from council staff). A Return Form will be provided to members to fill out annually, this will be provided to members in January 2023. A sample form is attached (Attachment 1).

3.2 Rangitikei District Council currently maintains a Register of Members’ Interests, with yearly updates sought from members, community board members need to be part of this. This register has been administered and maintained by the Group Manager – Democracy and Planning. The register includes both pecuniary, and non-pecuniary interests.

3.3 Below is a table comparing new provisions with practice currently undertaken:

Requirements from 20 November 2022	Current process
Council to appoint a Registrar to maintain a register of members’ pecuniary interest, and make a summary of this publicly available.	Group Manager – Democracy and Planning maintains Members’ Interests Register in Sharepoint.

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Requirements from 20 November 2022	Current process
Members must provide annual returns to be included on the register and subsequently advise any errors or omissions in those returns. Failing to comply will be an offence	Completing and returning the Members' Interests form is voluntary – members' cannot be compelled to complete and return.
Guidance to be provided to members on complying with the new provisions.	Guidance provided to members on complying with provisions of Local Authorities (Members' Interests) Act 1968 (LAMIA)
Due date for completed returns: 120 days after member comes into office following the 2022 election. This will be 13 February 2023 .	
Continued need for disclosure of non-pecuniary interests under the Local Authority Members Interest Act (LAMIA).	

Attachments:

1. **Sample - Pecuniary Interests Return Form** [↓](#)

Recommendation

That the report Members Pecuniary Interests be received.



Pecuniary Interests Return Form

Information for members:

Sections 54A to 54I of the Local Government Act 2002 (**LGA**) requires members to provide annual returns of certain pecuniary interests. You can use this form to provide your return.

You are responsible for complying with your obligations under the LGA relating to this return.

You can, however, seek advice and guidance from the Registrar of the members' pecuniary interests register on how to complete your return.

How to file this return:

You can file your completed return form with the Registrar by *[insert details of possible means for filing that are available, eg give email address, online portal information, postal, or information about how to file in person]*.

The due date for the return is *[insert date]*.

Privacy statement:

Your personal information is being collected so that the Council and the Registrar can comply with their obligations under the LGA, particularly those in sections 54A and 54G.

You are required to provide this information under sections 54C to 54H of the LGA. Failure to do so will constitute an offence under section 235 of the LGA.

Your personal information will be used and disclosed in accordance with the purpose of the register set out in section 54B of the LGA, which is to record members' interests so as to provide transparency and to strengthen public trust and confidence in local government processes and decision-making. The information will be retained for 7 years from the date on which you provide it, and will then be removed from the register.

A summary of your personal information will be made publicly available by the Council, in accordance with section 54A of the LGA. In addition, your personal information will constitute official information, and so is subject to the Local Government Official Information and Meetings Act 1987.

You have the right to access and seek correction of your personal information under the Privacy Act 2020. This can be done by contacting *[insert contact details]*.

Return:

This return is made under section 54C of the Local Government Act 2002, providing information required under sections 54E and 54F of that Act.

Member's name:

12 month period covered by this return:

- | | | |
|---|--------------------------|--------------------------|
| | Yes | No |
| 1. Are you the director of a company?
<i>(section 54E(1)(a))</i> | <input type="checkbox"/> | <input type="checkbox"/> |

If yes, please provide the name of the company (or companies) and a description of their main business activities:

- | | | |
|--|--------------------------|--------------------------|
| | Yes | No |
| 2. Do you hold or control more than 10% of the voting rights in a company?
<i>(section 54E(1)(a))</i> | <input type="checkbox"/> | <input type="checkbox"/> |

If yes, please provide the name of the company (or companies) and a description of their main business activities:

- | | | |
|--|--------------------------|--------------------------|
| | Yes | No |
| 3. Do you have a pecuniary interest in any other company or business entity
(except as an investor in a managed investment scheme)? | <input type="checkbox"/> | <input type="checkbox"/> |

(section 54E(1)(b))

If yes, please provide the name of the company (or companies) or business entity (or entities) and a description of their main business activities:

Five horizontal lines for providing details of company or business entity.

4. Are you employed?
(section 54E(1)(c))

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

If yes, please provide the name of your employer(s) and a description of their main business activities:

Five horizontal lines for providing details of employer(s).

5. Do you have a beneficial interest in a trust?
(section 54E(1)(d))

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

If yes, please provide the name of the trust(s):

Five horizontal lines for providing details of trust(s).

6. Are you a member of an organisation, a member of the governing body of the organisation, or a trustee of the trust **and** that organisation or trust receives, or has applied to receive, funding from the Council, local board or community board to which you are elected?
(section 54E(1)(e))

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

If yes, please provide the name of the organisation(s) or trust(s) and a description of their main business activities:

7. Are you appointed to any organisation by virtue of being an elected member?
(section 54E(1)(f))
- | Yes | No |
|-----|----|
| | |

If yes, please provide the title for your appointed role(s), the name of the organisation(s), and a description of them:

8. Do you have a legal interest, other than as a trustee, in any real property?
(section 54E(1)(g))
- | Yes | No |
|-----|----|
| | |

If yes, please provide the location of the real property (eg suburb and city, or town) and a description of the nature of property (eg. family residence, rental property, or commercial property):

9. Are you the beneficiary of a trust that holds real property (but excluding a trust that is a unit trust you have already disclosed under question 5 or a trust that is a retirement scheme whose membership is open to the public)?
(section 54E(1)(h))
- | Yes | No |
|-----|----|
| | |

If yes, please provide the location of the real property (eg suburb and city, or town) and a description of the nature of property (eg. family residence, rental property, or commercial property):

10. Have you travelled to any country (other than New Zealand) where your travel and accommodation costs were not paid in full by you and/or a member of your family?
(section 54F(1)(a))

Yes	No

(In this question, "family" means the member's spouse, partner, parent, grandparent, child, stepchild, foster child, grandchild, or sibling.)

If yes, please provide the name of the country, the purpose of travelling to the country, the name of each person who contributed (in whole or in part) to the costs of travel to or from the country to or any accommodation costs incurred by the member while in the country (if more than one country was travelled to, provide all of this information for each country):

11. Have you received any gift (other than a gift from a family member, unless you consider that gift should be disclosed taking into account the purpose of the members' pecuniary interests register) that:

Yes	No

- has an estimated market value in New Zealand of over \$500; or
- when combined with all other gifts from the same donor, have a total estimated market value in New Zealand of over \$500?

(section 54F(1)(b))

(In this question:

“gift” includes hospitality and donations in cash or kind, but excludes electoral expenses, and
“family” means the member’s spouse, partner, parent, grandparent, child, stepchild, foster child, grandchild, or sibling.)

If yes, please provide a description of the gift(s) and the name of the donor of the gift(s) (if known or reasonably ascertainable by you):

12. Have you received any payment for an activity in which you are involved, excluding:

Yes	No

- any salary or allowance paid to you under the Remuneration Authority Act 1977 or the Local Government Act 2002
- any payment received from an interest that has already been disclosed in this return; or
- any payment made in respect of an activity that you ceased to be involved in before becoming a member?

(section 54F(1)(c))

If yes, please provide a description of the payment(s) received by you:

8.4 Funding Schemes Update - November 2022

Author: Kezia Spence, Governance Advisor

1. Overview

- 1.1 Council currently administers five funding schemes for the Rangitikei District:
 - a. Community Initiatives Fund
 - b. Events Sponsorship Scheme
 - c. Parks Upgrades Partnership Fund
 - d. Creative Communities Scheme
 - e. Sport NZ Rural Travel Fund

2. Community Initiatives Fund

- 2.1 This is a Council fund intended to support community-based projects in the Rangitikei District that develop community cohesion and community resilience.
- 2.2 Council allocates \$30,000 to this fund annually, to be distributed across two separate funding rounds.
- 2.3 Council approved the total spend of \$11,500 on the 29th of September 2022 (Round 1, 2022/23) at the Finance and Performance meeting.
- 2.4 The current funding round (Round 2 2022/23) is now open for applications and closes 2 April 2023.

3. Events Sponsorship Scheme

- 3.1 This is a Council fund intended to support events in the district that help to develop community cohesion and reinforce economic growth.
- 3.2 Council allocates \$50,000 to this fund annually, to be distributed across two separate funding rounds.
- 3.3 Council approved the total spend of \$18,222 on the 29th of September 2022 (Round 1, 2022/23) at the finance and performance meeting.
- 3.4 The current funding round (Round 2 2022/23) is now open for applications and closes 5 March 2023

4. Parks Upgrades Partnership Fund

- 4.1 This is a Council fund and is the only one available for capital purchases. The Council provides up to 33% in cash of the value – in cash or in kind - of the contribution from the community for small-scale, community-led, capital projects.
- 4.2 Applications may be submitted at any time and will be considered at the next available Assets/Infrastructure Committee meeting.

5. Creative Communities Scheme

- 5.1 This fund is supplied by Creative NZ and administered by Council. Applications are encouraged from community groups and individuals whose projects:

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- Demonstrate growth over time
- Develop and support local artistic communities
- Encourage a transfer of artistic skills
- Support diversity and inclusion
- Projects with a youth focus are also encouraged

5.2 Creative NZ typically allocates \$24,090 (+ GST) to the Rangitikei District Council on an annual basis, and this is distributed across two separate funding rounds.

5.3 Creative NZ committee met on the 14 November and allocated \$12,397.50 to applicants.

5.4 The current funding round (Round 2 2022/23) is now open for applications and closes 7 May 2023

6. Sport NZ Rural Travel Fund

6.1 This fund is supplied by Sport NZ and administered by Council. The fund is targeted at young people aged between 5 and 19 years, and is open to rural sport club teams and rural school club teams with eligible members who require subsidies to assist with transport expenses to local sporting competitions.

6.2 Sport NZ typically allocates \$9,500 (+ GST) to the Rangitikei District Council on an annual basis. There is one funding round per year.

6.3 The funding round opened for applications 17 May 2022 and will close 13 April 2023. The Sport NZ Rural Travel Fund Committee will meet to consider applications on 27 April 2023.

7. Further Information

7.1 More details about these funding opportunities can be found on the Council website (link below) and this is also where applications can be submitted:

<https://www.rangitikei.govt.nz/district/community/grants-funding>

Recommendation

That the Funding Schemes Update – November 2022 be received.

8.5 Cemetery Update - December 2022**Author: Kezia Spence, Governance Advisor****1. Reason for Report**

1.1 This is a standing report that will update the Board on new burials within the Rātana Cemetery. This particular update covers the period 21 Sep – 7 Dec 22.

2. New Burials

2.1 There is one new burial:

20 November 2022, Plot 17, Row 15A: Maraku Lawrence

Recommendation

That the report 'Cemetery Update – December 2022' be received.

8.6 RDC Engagement and Consultations**Author: Kezia Spence, Governance Advisor****1. Reason for Report**

- 1.1 Attached is the most recently updated schedule for RDC Engagement and Consultations. This schedule is updated on a monthly basis, prior to going to full Council for receipt.

2. RDC Website

- 2.1 Council's website lists all open and recently closed consultations (see the below weblink). This is also where individuals can make submissions.

<https://www.rangitikei.govt.nz/council/consultation/current-consultations>

Attachments:

1. RDC Engagement and Consultations Schedule - Updated November 2022 [↓](#)

Recommendation

That the report 'RDC Engagement and Consultations' be received.

Engagement / Consultations - 2022/23

RANGITĪKEI DISTRICT COUNCIL

TOPIC	Staff (Lead)	Elected Member (Lead)	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Marston Buildings	Adina	Cr Wilson											Public Consultation		
Pae Tawhiti Rangitikei Beyond - Spatial Plan	Katrina	Cr Gordon									Public Consultation				
Future of Local Government	Peter		Stakeholder Engagement	Public Consultation											FINAL REPORT DUE
Three Waters	Arno							NEXT STEPS TO BE CONFIRMED							
RMA Reforms	Katrina						Public Consultation								
Annual Plan 2023/24	Carol												Public Consultation		
Forestry Differential	Dave							Public Consultation							
Traffic and Parking Bylaw	Georgia												Public Consultation		
Local Body Elections	Carol	N/A	Local, Regional and National Campaign												
Comm/ Res Management Committee Nominations	Carol							Public Consultation							
Business Baseline Survey	Jo		Public Engagement												
Primary Producers' Needs Assessment	Jo			Public Engagement											
Welcoming Communities Rangitikei	Rhianna		Public Engagement				Stakeholder Engagement								

Key

- Stakeholder Engagement (by other orgs)
- Public Consultation
- Public Consultation (by Central Government)
- Stakeholder Engagement (RDC)
- Public Engagement
- Local and national campaign - Enrolments, Standing for Council, Voting



Election Day

7 Open Meeting