



TE KAUNIHERA-Ā-ROHE O TARATAHI
CARTERTON
DISTRICT COUNCIL

AGENDA

Ordinary Council Meeting

Date: Wednesday, 27 January 2021

Time: 1:00pm

**Location: Carterton Events Centre
50 Holloway Street
Carterton**

Mayor G Lang

Deputy Mayor R Vergunst

Cr S Bertram

Cr R Cherry-Campbell

Cr S Cretney

Cr B Deller

Cr J Greathead

Cr R Keys

Cr R Stockley

Iwi Representative M Namana

Iwi Representative R Namana

Notice is hereby given that an Ordinary Meeting of Council of the Carterton District Council will be held in the Carterton Events Centre, 50 Holloway Street, Carterton on:

Wednesday, 27 January 2021 at 1:00pm

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1 KARAKIA TIMATANGA

Mai i te pae maunga, raro ki te tai

Mai i te awa tonga, raro ki te awa raki

Tēnei te hapori awhi ai e Taratahi.

Whano whano, haramai te toki

Haumi ē, hui ē, tāiki ē!

2 APOLOGIES

3 CONFLICTS OF INTERESTS DECLARATION

4 PUBLIC FORUM

5 YOUTH COUNCIL VIEWS ON AGENDA ITEMS

6 CONFIRMATION OF THE MINUTES



6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 9 DECEMBER 2020

1. RECOMMENDATION

1. That the Minutes of the Ordinary Council Meeting held on 9 December 2020 are true and correct.

File Number: 124528

Author: Casey Spencer, Democratic Services Coordinator

Attachments: 1. Minutes of the Ordinary Council Meeting held on 9 December 2020

**MINUTES OF CARTERTON DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE CARTERTON EVENTS CENTRE, 50 HOLLOWAY STREET, CARTERTON
ON WEDNESDAY, 9 DECEMBER 2020 AT 1.00PM**

PRESENT: Mayor Greg Lang, Deputy Mayor Rebecca Vergunst, Cr Steffen Bertram, Cr Robyn Cherry-Campbell, Cr Steve Cretney, Cr Brian Deller, Cr Jill Greathead, Cr Russell Keys, Cr Rob Stockley, Iwi Representative Rutu Namana, Iwi Representative Mihi Namana

IN ATTENDANCE: Carrie Mckenzie (Community Services Manager), Dave Gittings (Infrastructure, Services and Regulatory Manager), Gerry Brooking (People and Wellbeing Manager), Geoff Palmer (Accountant), Elisa Brown (Communications and Engagement Coordinator), John Whittal (Audit NZ), Cherie McNamara (Youth Council), Sheree Dewberry (Executive Assistant)

1 KARAKIA TIMATANGA

Mihi Namana called for a minute silence in honour of Whakaari White Island.

Rutu Namana followed with a Whaikorero.

2 APOLOGIES

There were no apologies received for this meeting.

3 CONFLICTS OF INTERESTS DECLARATION

Cr R Cherry-Campbell, item 8.2.

4 PUBLIC FORUM

Ra Smith gave a progress report of the Memorandum of Partnership between Hurunui o Rangi Marae and Carterton District Council. He also acknowledged and congratulated the Council on the recent Parks and Reserves Management document.

5 YOUTH COUNCIL VIEWS ON AGENDA ITEMS

The Wairarapa Youth Council support the action to upgrade Carrington Park.

Wairarapa Youth Council would like to express the need to ensure that youth aged 12-24yrs old are consistently involved throughout the whole process and are given fair opportunities to engage in the planned workshops. When establishing a working group, Wairarapa Youth Council ask that the developers consider having a youth representative participate to ensure a youth voice is advocated for. The youth representative should be a young person who lives in the district and is well connected. They will also need to have leadership and advocacy skills or can be mentored and supported to develop this within the position.

6 CONFIRMATION OF THE MINUTES

6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 OCTOBER 2020

MOVED

That the Minutes of the Ordinary Council Meeting held on 28 October 2020 are true and correct.

Cr Robyn Cherry-Campbell / Cr Brian Deller

CARRIED

7 REPORTS

7.1 MINUTES OF THE HEARING COMMITTEE MEETING HELD ON 21 OCTOBER 2020

MOVED

That the Minutes of the Hearing Committee Meeting held on 21 October 2020 are true and correct.

Cr Robyn Cherry-Campbell / Cr Brian Deller

CARRIED

7.2 ADOPTION OF DRAFT CARTERTON RESERVE MANAGEMENT PLAN FOR CONSULTATION

PURPOSE

For the Council to adopt the Draft Carterton Reserve Management Plan for public consultation purposes.

MOVED

That the Council:

Receives the report.

Notes the requirement to prepare a Reserves Management Plan and the approach taken to meet the Reserves Management Act requirements, set out in this report.

Adopts the Draft Carterton Reserve Management Plan for public consultation.

Authorises the Policy and Strategy Committee to hear submissions and amend the Draft Reserves Management Plan.

Notes the Policy and Strategy Committee will recommend to the Council for adoption a final draft Reserves Management Plan following the consultation process.

Cr Steve Cretney / Cr Robyn Cherry-Campbell

CARRIED

7.3 ADOPTION OF THE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2020

PURPOSE

This report seeks Council adoption of the annual report for the year ended 30 June 2020.

MOVED

That the Council:

Receives the report.

Adopts the Carterton District Council annual report for the year ended 30 June 2020.

Delegates to the Mayor and Chief Executive the authority to approve any final editorial changes.

Notes that the annual report and a summary of the annual report must be published within one month of adoption.

Cr Rob Stockley / Cr Robyn Cherry-Campbell

CARRIED

7.4 ADOPTION OF DRAFT REVENUE AND FINANCING POLICY AND RELATED POLICIES FOR INCLUSION IN THE 2021-2031 LONG TERM PLAN

PURPOSE

For the Council to adopt the Draft Revenue and Financing Policy, Draft Rates Postponement Policy, Draft Rates Remission Policy and Draft Maori Freehold Land Remission and Postponement Policy for inclusion in the Draft 2021-31 Ten Year Plan.

MOVED

That the Council:

Receives the report

Cr Robyn Cherry-Campbell / Cr Jill Greathead

CARRIED

Notes that a further report will be presented to the Council in early 2021 in response to a request by the Ashmore Park Body Corporate for special provisions to be included in the financial policies relating to its infrastructure services arrangements, which may result in a further change to the policies

Cr Robyn Cherry-Campbell / Cr Steffen Bertram

CARRIED

Adopts the Draft Revenue and Financing Policy, in Attachment 1, for inclusion in the Draft 2021-31 Ten Year Plan

Cr Jill Greathead / Cr Steffen Bertram

CARRIED

Deputy Mayor Rebecca Vergunst voted against this recommendation.

Adopts the Draft Rates Postponement Policy, in Attachment 2, for inclusion in the Draft 2021-31 Ten Year Plan

Cr Steffen Bertram / Deputy Mayor Rebecca Vergunst

CARRIED

Adopts the Draft Rates Remission Policy, in Attachment 3, for inclusion in the Draft 2021-31 Ten Year Plan

Cr Robyn Cherry-Campbell / Cr Brian Deller

CARRIED

Adopts the Draft Maori Freehold Land Remission and Postponement Policy, in Attachment 4, for inclusion in the Draft 2021-31 Ten Year Plan.

Cr Brian Deller / Cr Jill Greathead

CARRIED

7.5 FINANCIAL REPORT FOR THE THREE MONTHS TO 30 SEPTEMBER 2020

PURPOSE

To present the financial results for the financial year to 30 September 2020.

MOVED

That the Council:

Receives the report.

Agrees to expenditure intended with funding received from Government for the 3 Waters Stimulus Package and to support recreational activity involving freedom camping.

Cr Steve Cretney / Cr Jill Greathead

CARRIED

7.6 CAPITAL CARRY FORWARD 2020-21

PURPOSE

To present the proposed carry forward of capital expenditure to 2020/21 for capital projects approved in 2019/20 and prior years that are yet to be completed.

MOVED

That the Council:

Receives the report.

Approves the carry-forward of capital spend authority amounting to \$4,412,000 for inclusion with the 2020/21 capital expenditure budget approved in the 2019/20 Annual Plan.

Cr Robyn Cherry-Campbell / Cr Steve Cretney

CARRIED

7.7 KA PAI CARTERTONS PROPOSAL TO UPGRADE CARRINGTON PARK

PURPOSE

For the Council to consider Ka Pai Carterton's proposal to upgrade Carrington Park.

MOVED

That the Council:

Receives the report.

Agrees in principal to allocate additional space at Carrington Park to be utilized for the development of the new playground, subject to the conditions of:

- a) That it does not compromise the usage of other current park users
- b) Does not interfere with the infrastructure of the park
- c) Subject to receipt of a concept plan that is satisfactory to the Council
- d) Does not interfere with council operations in the park

Agrees in principal for council to enter into a joint venture with Ka Pai Carterton.

Deputy Mayor Rebecca Vergunst / Cr Steve Cretney

CARRIED

7.8 DELEGATIONS MANUAL AMENDMENT

PURPOSE

To approve changes to the Council's Delegations Manual.

MOVED

That the Council:

Receives the report

Approves the changes to the Delegations Manual, set out in **Attachment 1**.

Cr Brian Deller / Cr Robyn Cherry-Campbell

CARRIED

7.9 MEETING SCHEDULE FOR JANUARY TO DECEMBER 2020

PURPOSE

For the council to approve the schedule of Council and Committee meetings for the period January 2021 to December 2021.

MOVED

That the Council:

Receives the report.

Agrees to four consecutive meeting free weeks in July 2021.

Adopts the schedule of meetings for January to December 2021 in **Attachment 1**.

Notes the schedule will be advertised in the Midweek in the month of December and be available on the Carterton District Council website once approved by Council.

Notes that meeting dates and/or times may be changed by agreement with the Chair and the Chief Executive and will be advertised as required by the Act.

Cr Steve Cretney / Cr Jill Greathead

CARRIED

7.10 LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT REQUESTS

PURPOSE

To inform the Council of the number of requests under the Local Government Official Information and Meetings Act (LGOIMA) 1987 received between 20 October 2020 and 30 November 2020.

MOVED

That the Council:

Receives the report.

Cr Robyn Cherry-Campbell / Cr Steve Cretney

CARRIED

7.11 ELECTED REPRESENTATIVE ACCOUNTABILITY REPORT

PURPOSE

To provide a report on elected members' activities since the last Council meeting.

MOVED

That the Council:

Receives the report.

Notes the elected members' activities.

Deputy Mayor Rebecca Vergunst / Cr Jill Greathead

CARRIED

7.12 CHIEF EXECUTIVE'S REPORT

PURPOSE

To inform Council of officers' activities since the previous meeting.

MOVED

That the Council:

Receives the report.

Cr Steve Cretney / Cr Robyn Cherry-Campbell

CARRIED

8 EXCLUSION OF THE PUBLIC

RESOLUTION TO EXCLUDE THE PUBLIC

MOVED

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 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 for the passing of this resolution
8.1 - Public Excluded Minutes of the Ordinary Council Meeting held on 28 October 2020	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	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 6 or section 7
8.2 - Water Account W38500	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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 6 or section 7
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Cr Brian Deller / Cr Robyn Cherry-Campbell

CARRIED

MOVED

That Council moves out of Closed Council into Open Council.

Cr Steve Cretney / Cr Jill Greathead

CARRIED

9 Karakia Whakamutunga

The meeting was closed with a Karakia lead by Rutu Namana.

The Meeting closed at 2:45pm.

Minutes confirmed:

Date:

7 REPORTS



7.1 ASHMORE PARK RATES POLICY CHANGE REQUEST

1. PURPOSE

For the council to consider a request by the Ashmore Park Body Corporate for a change to the rates applying to the residents of the park for services provided by the Body Corporate.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy. Should the Council agree to amend the Revenue and Financing Policy to accommodate the request this will be consulted on as part of the Draft 2021-2031 Ten Year Plan process in early 2021.

3. BACKGROUND

The residents of Ashmore Park, through the Ashmore Park Body Corporate, have requested that the Council reviews its approach to rating properties within the complex. The Body Corporate believes the Council's approach to rating is inequitable.

There are 74 separate unit titled residential properties in Ashmore Park, each being treated for rating purposes as separate, full residential rating units. Council drinking and wastewater services and roading services are delivered to the boundary of the residential park, with waters reticulation and internal private roads (including lighting) provided by the Body Corporate within the complex. Each unit pays a contribution to the Body Corporate for the maintenance and renewal of those assets. The current contribution is \$3 per unit per week (\$156 per year).

The Body Corporate believes that they should not be paying the same level of rates for these services as other Carterton ratepayers who do not have their own reticulated water services and private roads to manage. This is on the basis that, according to the Body Corporate, Ashmore Park property owners "are paying in their rates for services that are not delivered by Carterton District Council".

The Body Corporate owns and manages the park's stormwater. Like most properties in Carterton township stormwater is disposed to ground within the property. The cost of managing stormwater has not been considered as part of the request, although it's likely to be included in the weekly contribution to the Body Corporate.

The Body Corporate has suggested three possible changes to the Council's rating approach that could address their issues:

1. Establish a sub-category as part of the Residential rating category and charge a reduced rate:
2. Change the Council's policy of not paying for the maintenance and renewal of privately-owned infrastructure services: or
3. Adopt a rates remission for body corporate units.

By way of background, the developer of Ashmore Park applied for a subdivision consent to create the complex in 2015. The applicant proposed the arrangements where water services and roading within the complex remained in the ownership and the responsibility of the Body Corporate. Conditions were attached to the consent confirming the arrangements, with Council retaining responsibility for the services up to the park boundary. Financial contributions were taken by the Council: \$5,000 per unit title plus for the manager's residence. This was to cover the cost of upgrading the town's infrastructure to accommodate the additional demands and a contribution to the assets already in place. This was the same level of contribution as other subdivisions. The applicant requested a lower contribution at the time of the application. This request was turned down by the Council. The development has residential property sizes that are smaller than the District Plan provides for freehold titles. The unit title arrangement was the reason why smaller sections (and therefore more units) were permitted.

The Council considered a report on the Ashmore Park rating situation at its meeting in January 2020. In that report officers advised that:

In principle, Ashmore Park is similar to a property where there are multiple households or SUIPs (separately used or inhabited parts), just on a larger scale.

In a single household (SUIP) property, Council services are provided to the front of the property (i.e. the boundary), and from there the property owner is responsible for the repairs and maintenance and upgrade of the sewerage and water connections. Property owners are also responsible for maintaining their own driveways.

In the case of Ashmore Park, the boundary point at which Council services stop is the front gate of the park. As such, property owners are responsible for the repairs and maintenance and upgrade of the sewerage and water connections, and for maintaining their own driveways (which includes lighting, footpaths and the road), from the front gate in.

The reason for this is that on construction, Ashmore Park developers elected to retain ownership of the infrastructural assets within the park, and manage these through a body corporate, rather than vesting the assets to Council to maintain. If the assets had vested into Council, Council would own the assets (being the road, footpath, lighting, and sewer and water pipes from the front gate up to the individual property boundaries), and thus would be responsible for maintenance and renewal of these. Instead, the body corporate performs this function.

As a result of this, property owners pay rates to Carterton District Council in a manner consistent with other property owners, but also pay body corporate fees for this maintenance and renewal work.”

The report outlined two options:

“From the perspective of Carterton District Council’s Revenue and Financing Policy, the manner in which Ashmore Park residents are rated is consistent with others in the District and is consistent with the policy. As such, no changes to the current manner of rating are recommended.

Council officers have met with representatives from the body corporate and at this meeting they discussed two options that could be considered. The two options were:

- i. Council could consider amending the current rating policy (possibly through the rates remission policy) as it applies to developments like Ashmore Park, as part of the rating review which is taking place this year; or*
- ii. Council could consider allowing Ashmore Park to vest the assets into Council for ongoing maintenance (noting that the Ashmore Park body corporate would need to seek legal advice regarding the Unit Titles Act, and provided that the asset conditions were suitable).*

If either option was pursued, Council should note that this might affect other similar developments in the District.”

The representatives of the Body Corporate have discounted the second option because of the legal costs to unwind the unit title arrangements.

4. COUNCIL’S NETWORKS

4.1 Rooding Network

The Council’s rooding network include 467kms of roads, 46kms of footpaths and numerous bridges, culverts, lights, signs and other related assets. The Council funds the maintenance and renewal of rooding assets through a uniform annual general charge on all properties in the District and Government subsidies.

The current year’s budget for the rooding activity is \$4.2M.

4.2 Water supply network

The town water supply network consists of 75.8kms of pipe, two water treatment plants, bores, river intake structures, storage tanks and numerous other related assets. The provision of the water activity is funded through a targeted rate on properties connected (or able to be connected) – 90%, and general rates on all properties – 10%. The Council does not contribute to the cost of providing water within properties, just to property boundaries.

In the current financial year, the targeted water rate is \$713.42. The cost of providing the activity is \$2.2M.

4.3 Wastewater network

The town’s wastewater network consists of 66.1kms of pipe, a wastewater treatment plant and discharge infrastructure as well as other related assets.

The wastewater activity is funded through a targeted rate on properties connected (or able to be connected) – 90%, and general rates on all properties – 10%. The Council does not contribute to the cost of providing water beyond the boundary.

In the current financial year, the targeted wastewater rate is \$748.36. The cost of providing the activity is \$2.4M.

5. OPTIONS

5.1 Search of other Councils' unit title provisions

A search was undertaken to find examples of special rates policy provisions that other Councils have adopted to provide for unit titled properties to address the issues raised by Ashmore Park. No specific examples were found, although the following two policies might be relevant (highlights added):

From Queenstown Lakes Council Rates Remission policy document (relevant sections highlighted):

"Community, Sporting and other Organisations with property used exclusively or mainly for these purposes and is not operated for private financial profit. For example: St Johns Ambulance or the Bowling Club.

Land protected for Natural, Historic or Cultural Conservation purposes, which is protected on a voluntary basis, Land affected by Natural Calamity - or damaged by the effects of a natural disaster.

Uniform Annual Charges and Targeted Rates on Contiguous Rating Units in Separate Ownership, Used Jointly as a Single Entity - land owned by the same ratepayer/s and considered a single property.

Rate Penalties - incurred penalties may be remitted if the ratepayer can provide evidence that it is fair to do so.

Sundry Remissions - to remit rates that are the result of an error, are considered uneconomic or not able to be recovered.

Māori Freehold Land - when the land is unoccupied and no income is generated from the land.

Remission of Postponed Rates - allows council to remit rates in accordance with approved postponement policies.

Rates on Land that has made Lump Sum Contributions - allows council to remit annual loan rates for properties that have previously paid lump sum contributions.

Rating of Separately Used or Inhabited Parts of a Rating Unit - to limit the occurrence of multiple charges on properties with separate uses or inhabitants where it is fair to do so".

From Auckland City Council who includes in their Rates Remission Policy the following:

"Part 2 - Addressing anomalies, remission of rates for miscellaneous purposes, remission of uniform annual general charges and targeted rates levied as uniform annual charges on certain rating units.

Objectives: The objective of this scheme is to enable the council to remit rates in circumstances that are not specifically covered by other schemes in the rates remission and postponement policy, but where the council considers it appropriate to do so.

Conditions and criteria: The council may remit rates on a rating unit where it considers it just and equitable to do so because:

- 1. There are special circumstances in relation to the rating unit, or the incidence of the rates (or a particular rate) assessed for the rating unit, which mean that the unit's rates are disproportionate to those assessed for comparable rating units*
- 2. The circumstances of the rating unit or the ratepayer are comparable to those where a remission may be granted under the council's other rates remission policies, but are not actually covered by any of those policies*
- 3. There are exceptional circumstances that the council believes that it is equitable to remit the rates. The council has the final discretion to decide whether to grant a rates remission under this policy."*

The following discusses the three options proposed by the Body Corporate for addressing what they believe is an inequitable rating system.

5.2 Establish a sub-category as part of the Residential rating category and charge a reduced rate

It would be difficult to devise a subcategory for unit titled properties that would be equitable across all unit titled properties in the District.

The Queenstown Lakes provisions are probably the closest to this option. In that case rates are targeted at those situations where a single residential or other use by the same owner occurs over more than one property.

The assumption behind this type of provision is that the impacts on Council services are the same or similar had the property been in a single title. In the Ashmore Park case this type of provision won't address their concerns.

5.3 Change the Council's policy of not paying for the maintenance and renewal of privately-owned infrastructure services

Should the Council decide to start paying the cost of privately owned infrastructure this would set a precedent which could open the Council up to financial risks, especially in relation to roads. There are a number of private roads (and long driveways) in the District, the owners of which could quite legitimately claim the same funding arrangements.

In addition, the Council does not have control over the use of privately-owned infrastructure and if it took over the responsibility for maintenance and renewals it would open itself up to potentially having to address issues over which it has little or no ability to control or avoid. With infrastructure the Council owns bylaws are in place to ensure infrastructure is used properly and they give the Council the opportunity to control inappropriate use. For privately-owned infrastructure this is not the case. Therefore, committing to funding privately owned infrastructure would carry a risk for the Council.

This option is not supported due to the precedent and risk issues that will arise.

5.4 Adopt a rates remission for body corporate units

There is no evidence to support a special remissions provision for body corporate units, and no evidence of other Councils adopting such provisions. Given the absence of such provisions in the policies of Councils with multiple body corporates in the cities/districts (e.g. Wellington City) then this option does not appear to be one worth pursuing in the Carterton situation.

The Auckland rates remission example, providing for special circumstances, is a general remissions provision. This could be used as the basis for considering a rates

remission request in the Ashmore Park situation. If Councillors were of a mind to include such a provision in the policy, it would be useful to first consider if there would be circumstances that could arise which for the exception would apply. A discussion of the Ashmore Park “exception” is provided below.

The case for providing rates remission for Ashmore Park

The Council’s waters and roading rating policies provide for all users/beneficiaries (or potential users/beneficiaries) to contribute to the cost of maintaining the entire networks. The networks are not subdivided for rating purposes with groups of ratepayers contributing a proportional allocation of the costs. This means the water and roading rates Ashmore Park residents pay contribute to the Council’s costs of operating the whole networks, not individual parts of the networks. In the case of waters, this includes pipes, treatment plants, pumping stations and the like.

In the current year the targeted water supply rate per residential property is \$713.42. Of the \$713.42 water rate approximately 95%, or \$677, funds operations (getting safe drinking water to properties) and the balance funds asset maintenance and renewals (capex). Most of the operational costs relate to staff and the operation of the treatment plants.

Operating the wastewater system (getting sewerage from properties, treated and disposed) includes about 65% operating costs and 35% capex (including the major upgrade of the treatment and disposal system). This means approximately \$490 of the \$748 rate funds operations. Of the balance a significant amount of the funding relates to the treatment and disposal assets, not pipework.

While it is acknowledged that the Ashmore Park residents alone fund the small part of the pipe network that serves directly only the properties in the park, they still receive a benefit from the two waters activities commensurate with all other properties connected to the two waters networks. If a discount was provided to recognise that the Council does not fund the reticulation (pipework) in the park this discount would be both difficult to calculate and would be very small – probably around 1% of the costs of maintaining the town’s pipe networks.

The proportion of the private roading network that only the Ashmore Park residents receive benefits from and directly fund would be equally small. If a discount was even able to be calculated it would be very difficult to justify.

If the Ashmore Park residents were given a discount on waters and roading rates this would raise the issue of equity across other residential properties. The argument would be raised by those residents who have a long driveway or others with a private road, for example, who fund their own pipes and driveway maintenance and renewals that they too should be eligible for discounted rates. Effectively the Ashmore Park network is the equivalent of a shared driveway and private pipes.

For these reasons a discount in the form of rates remission is not recommended.

6. COUNCIL DECISION

The Council has two choices: it either agrees to the request or declines the request.

If the decision is to grant the request the Council will need to decide a mechanism for providing rates relief. The most straightforward option for this would be a change to the Rates Remission Policy, along the lines of Auckland Council's policy. To be fair to other ratepayers who may also be in a similar situation, or who could make a similar case for relief, the following is suggested:

"There are special circumstances in relation to the rating unit, or the incidence of the rates (or a particular rate) assessed for the rating unit, which mean that the unit's rates are disproportionate to those assessed for comparable rating units."

The Council would need to be prepared to consider all requests for remission under this policy. The policy would be included in the Revenue and Financing Policy in the Draft Ten Year Plan. The Council may wish to delegate the decision on remission applications to a Committee.

7. NEXT STEPS

If the Council declines the request a letter outlining the decision will be sent to the Body Corporate explaining the Council's decision.

If the decision is to accept the request, changes to the Revenue and Financing Policy will be included for adoption with the Draft 2021-2031 Ten Year Plan and will then be consulted on.

8. CONSIDERATIONS

8.1 Climate change

There are no climate change issues related to the Ashmore Park rates request.

8.2 Tāngata whenua

There are no issues relevant to Maori in relation to this funding and rating issue.

8.3 Financial impact

There could be a minor financial implication for ratepayers should a decision be taken to provide a remission for Ashmore Park residents. While the overall budget would not be impacted, the allocation of costs across beneficiaries of the services would change. This is an issue of fairness and equity.

8.4 Community Engagement requirements

If the Council decides to change the Revenue and Financing Policy to accommodate the request for rates relief this would be consulted on as part of the 2021-2031 Ten Year Plan.

8.5 Risks

Risks are outlined in the report.

9. RECOMMENDATION

That the Council:

1. **Receives** the report.

2. **Notes** the request by the Ashmore Park Body Corporate Committee for Council to consider rates issues arising from the privately owned roading and two waters infrastructure within the Ashmore Park complex.
3. **Declines** the request to change the rates applying to Ashmore Park in relation to roading, water supply and wastewater.

File Number: 124370

Author: Jane Davis, Chief Executive

Attachments: Nil



7.2 REVISED CARTERTON ECONOMIC DEVELOPMENT STRATEGY

1. PURPOSE

For the council to consider for adoption a revised Carterton Economic Development Strategy.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

The Council has an Economic Development Advisory Group (EDAG), the role of which is to support the Council and the local business community to develop and grow Carterton District's economy. One of its tasks is to prepare and review a Carterton Economic Development Strategy and recommend it to the Council for adoption.

The current plan has been in place since 2018.

4. REVISED CARTERTON ECONOMIC DEVELOPEMENT PLAN

At its meeting at the end of 2020 the EDAG reviewed the current economic development strategy and action plan and agreed a number of revisions. The revised Strategy is in **Attachment 1**. The current strategy, proposed to be replaced, is in **Attachment 2**.

The EDAG is focussing the revised strategy on its role as a coordinator and facilitator of economic development activities within the District. Specifically, this means working closely with Go Carterton, Destination Wairarapa, Ka Pai Carterton, WellingtonNZ and the Wairarapa Youth to Work Movement.

5. OPTIONS

In accordance with its Terms of Reference the EDAG is recommending the revised Strategy to the Council to adopt. If the Council either does not wish to adopt it, or would like further amendments made prior to adoption, it has the option of sending the strategy back to the EDAG for further consideration.

6. NEXT STEPS

Once adopted the EDAG will focus its work within the context of the new strategy.

7. CONSIDERATIONS

7.1 Climate change

The strategy does not specifically refer to climate change, although the work of the EDAG will be aligned to the Council's Climate Change Mitigation Plan.

7.2 Tāngata whenua

Hurunui o Rangi Marae is a member of the EDAG, representing the views of mana whenua Māori. It is likely that future initiatives that will involve activities led by mana whenua groups in the District.

7.3 Financial impact

There are no financial implications of the revised strategy.

7.4 Community Engagement requirements

No community engagement is required for the Council to adopt the strategy.

7.5 Risks

There are no identifiable risks in adopting the strategy.

8. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Notes** the work of the Economic Development Advisory Group to review the Carterton Economic Development Strategy, within its Terms of Reference.
3. **Adopts** the 2020 Carterton Economic Development Strategy, in **Attachment 1**.

File Number: 124546

Author: Jane Davis, Chief Executive

Attachments:

1. Carterton Economic Development Strategy December 2020 [↓](#)
2. Carterton Economic Development Strategy (Current) [↓](#)

Carterton Economic Development Advisory Group

Strategy / Terms of Reference Revised December 2020

Vision

Carterton District – The heart of the Wairarapa. A welcoming, vibrant, productive and connected community where we all enjoy living.

Purpose

Encouraging business set-up and growth in the Carterton District by:

- Developing the Council's strategy and goals/targets for supporting business growth and ensuring alignment with that strategy by Council and CDC linked organisations that support or impact business growth
- Coordination of strategy and initiatives
- Ensuring the efficient delivery of business support in Carterton District by co-ordinating the work of the Council and CDC linked organisations (ie Go Carterton, Ka Pai Carterton, Destination Wairarapa) and connecting effectively with WellingtonNZ (the Wellington Regional Economic Development Agency)
- Evaluating the effectiveness of business support in Carterton District and recommending changes where necessary

Introduction

In undertaking its work and providing advice to Council, the Group must consider the Carterton context and any existing goals and programmes.

Like many smaller provisional towns Carterton, needs to keep adapting and innovating to retain its vitality. Key to this is 'economic development' which provides the platform for community development.

For the purpose of this document, economic and social development means improving the economic well-being and quality of life of the Carterton District through achieving specific goals and objectives.

Carterton already has many strengths - its location being not only central in the Wairarapa but also with easy commuting distance to both Wellington and Palmerston North make it an attractive place to live – with a community that is welcoming and safe. The District, whilst growing in population, has a low population density. The town provides a good foundation of amenities and services and there is also a wealth of natural resources available in the surrounding countryside - hills, rivers, the coast and dark night skies.

The Mayoral Taskforce identified four key pillars for the Town Centre (the District's Lounge):

- i. Connectiveness – for all the people, East-West, more than North-South, including use of alleyways
- ii. Green Heart – reflecting climate change, green space, and resilience
- iii. Quirky/Eclectic – a destination, for business, a one-off place
- iv. For the People – for the community first, others will follow and discover.

A key to maximising the benefits of business support is the promotion and coordination of business (Go Carterton & DW) and community (Ka Pai) groups involved with business development.

Council linked groups relevant to the work of the Group include:

- CDC led community and economic organisations (including Events Centre – economic, attracting National & International bookings)
- Go Carterton – the District's active business group, which has already instigated several projects and networking opportunities for local businesses
- Destination Wairarapa – the Region's tourism organisation
- Ka Pai Carterton – a Community-led Development project
- Youth to Work Movement Wairarapa – a Regional initiative based on the Mayors' Taskforce for Jobs scheme and the Government's Youth Guarantee scheme
- WellingtonNZ - the Wellington Regional Economic Development Agency

How we will measure success

- The Council is supported in developing a business support and wider economic development strategy
- There is effective coordination between CDC and the identified Council linked groups (groups participating feel there is effective coordination)
- The Council feels well informed of business development initiatives and economic development within the district
- The core linked groups utilise this advisory group when formalising their strategies and plans

Membership

- Up to 3 Elected Members of Carterton District Council
- Up to 3 representatives from Go Carterton
- Other community members and representatives of relevant groups/agencies, as determined by the Chair and reviewed annually.

An Elected Member will chair the Advisory Group.

Administrative support and advice

- Secretarial support will be provided by Go Carterton, under a funding agreement with the Council.
- Council Officers will provide advice to the Advisory Group, as required, subject to funding availability.

Meetings

Six-weekly, or as required.



Carterton Economic Development Strategy and Action Plan

Revised November 2018

Vision

Carterton District - where the heart is humming

A productive and connected community

Mission

Encouraging business set-up and growth in the Carterton District by:

- Providing promotion and information
- Ensuring effective mentoring and advice
- Reducing bureaucracy and other barriers
- Encouraging investment

Key Objectives

1. Ensuring local businesses resilience, success and growth through promotion and support
2. Creating more local jobs
3. Increasing average income
4. Attracting new businesses and business investment
5. Safeguarding a vibrant, resilient community with a strong sense of identity and pride
6. Safeguarding the District's natural resources for future generations
7. Promoting Carterton as a commuter hub

Introduction

Carterton District comprises a land area of 1,180 Km² and is home to 8,680 residents. Over the previous 20 years Carterton has transitioned from being an economy based predominantly on agricultural and land-based industry to a more diverse industry base including manufacturing and services.

The 2013 Census showed Carterton's population as being 8,235 people; one of the few provincial districts to have grown in size since the 2006 census. In 2016, the population had grown to 8,900 residents and growth has continued through 2017. Currently 44% of the Carterton workforce commutes to jobs outside of Carterton -11% to Wellington and the Hutt Valley. Carterton is seen by residents and business owners to be a vibrant community where people care.

Like many smaller provisional towns Carterton, needs to keep adapting and innovating to retain its vitality. Key to this is 'economic development' which provides the platform for community development.

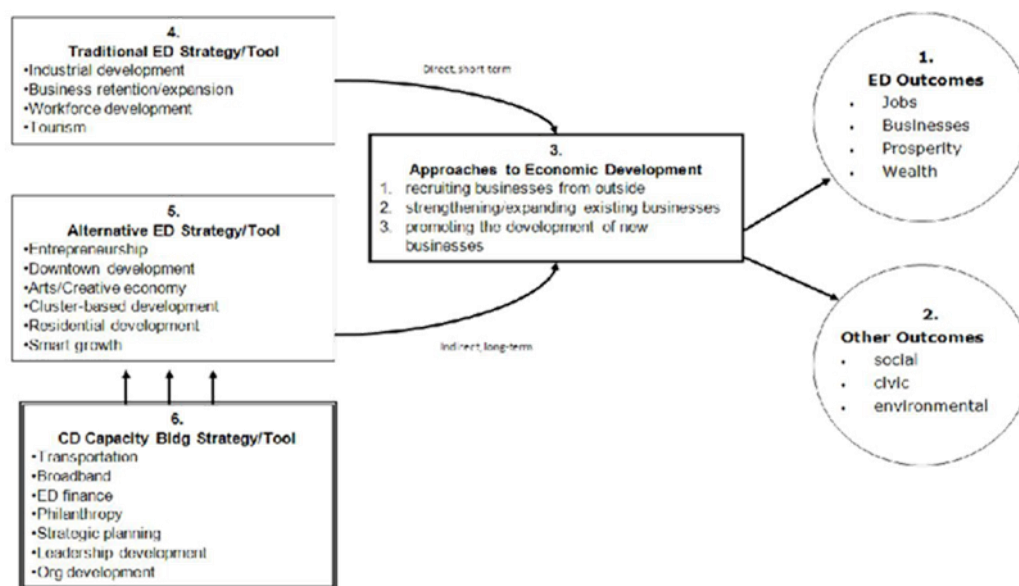
The town has an active business group, GoCarterton, which has already instigated a number of projects and networking opportunities for local businesses. In addition WaiArt and Heart of Arts are based in Carterton and comprise of a number of enthusiastic and talented people from the arts community who are keen to contribute to the success of the town. There is scope to build on this and work in collaboration with this group.

Figure 1, below, illustrates the relationship between economic and community development in small towns and the potential approaches available.

Carterton already has many strengths - its location being not only central in the Wairarapa but also with easy commuting distance to both Wellington and Palmerston North make it an attractive place to live. Housing is affordable and the community is welcoming and safe. The District, whilst growing in population, has a low population density. The town provides a good foundation of amenities and services and there is also a wealth of natural resources available in the surrounding countryside - hills, rivers, the coast and dark night skies.

There are a number of challenges and threats to Carterton moving forward as detailed in the SWOT analysis at the end of this report, but there are also many opportunities as well as strengths to build on and this is what this document will focus on.

Figure 1: Small Town Community Economic Development (CED)



(Small Towns, Big Ideas, 2006, UNC School of Government)

Process

A small working party was convened by the Council in mid-2014 and the outputs of this helped shape this strategy and action plan. This plan has been reviewed in 2016, 2017, and November 2018.

Actions and responsibility

Providing promotion and information			
	2016	2017	2018
Consider the Carterton 'brand' and articulate it - our values, points of difference - quirky, arty, friendly, welcoming,???	8/10	9/10	9/10
Identify the compelling stories and then shout about them! People who have relocated here and why, the successful businesses, the lifestyle opportunities. Make it real. Promote on-line as well in paper media, TV maybe.	2/10	7/10	7/10
Enhance the Cartertonnz.com and update CDC website so they align. Develop and implement a social media strategy- Facebook, Twitter, Google+, Pinterest etc for promoting Carterton	2/10	8/10	7/10
Seek out opportunities to promote Carterton both to potential new residents as well business investors (WREDA as a start)	3/10	3/10	3/10
<i>Carterton has made a lot of progress in these areas. The CartertonNZ.com website has been vastly improved this year. Go Carterton is in the process of planning a development symposium aimed at investors and business owners.</i>			
Ensuring effective mentoring and advice			
	2016	2017	2018
Explore ways of supporting new businesses - for example business mentoring, connecting to financial, HR, legal, IT, marketing support, providing training opportunities	5/10	4/10	4/10
Develop a New Business Pack		0	0
Look at ways to connect and cluster businesses to provide synergies, networks etc		0	2/10
Explore mentoring programmes for new businesses and funding mechanisms		0	1/10
<i>Go Carterton has had a good year with membership growth and hosting business socials for local businesses. 3mile is looking at business professional development and growth opportunities for the coming year.</i>			
Reducing bureaucracy and other barriers			
	2016	2017	2018
Identify current council processes and (where possible) remove or amend anything that gets in the way of people helping themselves	8/10	8/10	9/10
Lobby for ultra fast broadband and rural band initiatives	10/10	10/10	10/10
Lobby trains for better service after surveying to establish Needs	9/10	9/10	9.5/10
<i>The Council's website is undergoing streamlining improvements. Ultrafast broadband will be completed in 2019. The council and business groups have been lobbying GWRC and local MPs for an improved rail link to the city - we expect to hear progress on this soon.</i>			

Encouraging Investment			
	2016	2017	2018
Conduct a Council Asset Audit - the facilities, buildings, land etc that it has and how it is being used....are all assets being fully utilised, what opportunities are there?	5/10	5/10	5/10
Investigate grant funding options		5/10	7/10

Explore opportunities to create sites for small business hub			10/10
Investigate opportunities to promote Waingawa to potential businesses	2/10	10/10	10/10
Explore opportunities to hold a 'Live and Do Business' in Carterton Expo			9/10
Explore opportunities to work with entrepreneurs to develop tourism products - eg wine trail, cycle trail , eco-tourism, agri-tourism and connect/cluster		6/10	8/10
Business plan for conferences/meetings in Carterton - the venues, the businesses to support, the entertainment (eg Wellington business group come on train, have 2 day business meeting utilising Event Centre, local B&Bs for accommodation, local transport company, tour to Stone Henge, mushroom factory, local wineries, dinner at local pub/restaurant)	5/10	10/10	10/10
Work with event organisers to identify and promote additional events and/or enhance existing events	3/10	8/10	9/10
Identify potential wider educational opportunities for the District	3/10	10/10	7/10
<i>3mile has filled the gap for a small business hub. The CartertonNZ website has created a good Live and Do Business section in Carterton - the development symposium will leverage off this. Carterton Events Center is looking at delivering package to clients, and creating partnerships to fill gaps in catering and accommodation. We will continue to support the Five Towns Trails Trust in creating a cycling route for the region.</i>			

How we will measure success

In conjunction with the Wairarapa Taskforce it is planned to develop a number of success measures. These measures may include:

- life satisfaction/happiness index including business confidence
- population growth
- more in higher income brackets
- number of building and resource consent applications
- spend in Carterton
- healthy business growth, including number of business start-ups, size and industry businesses being sold as going concerns
- investment \$\$
- media mentions
- hits on website

This Strategy and Action Plan will be reviewed *every* 12 months.

SWOT Analysis of Carterton District

<p>STRENGTHS</p> <ul style="list-style-type: none"> • Proximity to large centres - Wellington, Palmerston North, Hawkes bay • our natural resources - water supply, rivers, flat valley floor, scenery, clear night skies, fresh air • array of events and outdoor activities • eclectic community who are welcoming and friendly • many Carterton based businesses are locally owned • innovative community, receptive and open-minded with a desire to improve, prepared to change • low crime, safe • high level of over 60-year-olds who bring skills and experience and have money • recent pop. growth - to bring up family and to retire • we have both town and country • sound town centre with good amenities and services • active local business group • range of local events and event management companies • good transport infrastructure-SH2, railway, freight • land and property is affordable and attractive • council very approachable, easy to get planning permission and building consents • solid service town with amenities • strong ties with neighbouring Councils • recent population growth and property price increases • Waingawa industrial park development • 	<p>WEAKNESSES</p> <ul style="list-style-type: none"> • Many medical services are being relocated to Wellington/Hutt by DHB • Access to ultra-fast broadband • Cell-phone coverage • Relatively expensive power • Power supply (particularly to rural locations) • Carterton is not well known outside of local area • No air transport currently • Train timetable, particularly weekends • Regional Council Consent process • Relatively small population and small rating base • Reduced rental property availability • Inconsistency between councils on application of policies/processes
<p>OPPORTUNITIES</p> <ul style="list-style-type: none"> • Utilising the existing Carterton creativity and talent locally • (eg, retired, those who currently commute, those who are 'underemployed') • Promotion of what Carterton can offer (climate, lifestyle, labour/skills, easy to deal with council etc) • wine industry growth - good terroir • Open up space for non-industrial businesses (eg call centres, office hubs, tech-based) • room for growth - residential and business • aging population and retirement villages, disposable dollar • tourism - destination marketing - wine trail, cycling, eco, agricultural, events etc • continuing interest from people wanting to move into area • Potential amalgamation dep on point of view • Possible funding from government or region (partic with new Government policy announcements) • utilise venues eg Events Centre, Clareville for non-local business conferences/team building to bring people in 	<p>THREATS</p> <ul style="list-style-type: none"> • Potential amalgamation depending on point of view • the irrigation project • Increased compliance requirements • Increased bureaucracy • Higher dollar impacting on exports • Fuel cost increases • Decrease in funding for roading from TNZA • World commodity price fluctuation (eg timber, dairy) • Climate change - drought, flood, wind • Earthquake Proof Building Act and commercial properties not complying • Irrigation project suspension??



7.3 LOW VOLUME URBAN ROADS

1. PURPOSE

To seek the Councillors approval to re-designate 85 urban streets from level one to a lesser classification of Low volume.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

All activities in the road corridor that affect the normal operating conditions of the road (irrespective of whether the activity is on the carriageway, shoulder, footpath or berm) must be carried out in accordance with the requirements of the Code of Practice for Temporary Traffic Management (COPTTM) and have an approved Traffic Management Plan (TMP).

There are 5 levels of temporary traffic management with 2 that are applicable to the Carterton network (including the State highway) all requiring Temporary Traffic Management measures as per COPTTM.

Low Volume roads carry less than 500 vehicles per day, Level 1 roads carry more than 500 vehicles per day but less than 10,000. Although there is an additional level, Level 2L, that would apply, Level 2L roads carry more than 10,000 vehicles per day which have a posted speed limit of 50 km/h, Waka Kotahi the NZ Transport Agency have declared the State Highway as Level 1 throughout the Wairarapa.

4. DISCUSSION

The urban Carterton Streets/Roads have previously been classed, by default classification, as level one roads. Any changes to the default classification of these streets/roads is to be made by the Road Controlling Authority (RCA). The RCA for the Carterton District is the Council.

Level One TTM requirements are currently considered to be quite onerous when undertaking normal operational maintenance tasks such as berm mowing. But the Low Volume classification for TTM satisfies the level of risk for normal operational maintenance tasks on the majority of the Carterton's urban roads.

Temporary Traffic Management requirements are tailored to individual sites when managing likely risks encountered while undertaking operational maintenance tasks, or other Council works. TTM resourcing will be increased to suit any situation

as they are done currently. The change of classification requested would allow for a lesser more task appropriate TTM to be applied for maintenance roles.

There are 101 urban Carterton streets/roads of which only 16 including the State Highway 2 is more than 500vpd

Officers advise that by lowering the designation of those Roads/Streets that meet the criteria (i.e. low Volume Roads) will avoid increased operational costs in those areas without sacrificing safety.

The 16 roads that do not fall into the Low Volume Road designation (i.e. level one roads) are shown highlighted in yellow in **Attachment 1**.

5. **CONSIDERATIONS**

5.1 **Climate change**

There are no climate change specific implications for designation changes.

5.2 **Tāngata whenua**

There are no Tāngata whenua specific issues in lowering a roading designation.

5.3 **Financial impact**

There are no financial consequences for lowering the designation.

5.4 **Community Engagement requirements**

Reducing the official roading designation will mean the current levels of service to those lower designated roads will remain unchanged and no community engagement is required.

5.5 **Risks**

Re-designation of the urban roads reduces the level of TMP required but this remains in-line with of the Code of Practice.

6. **RECOMMENDATION**

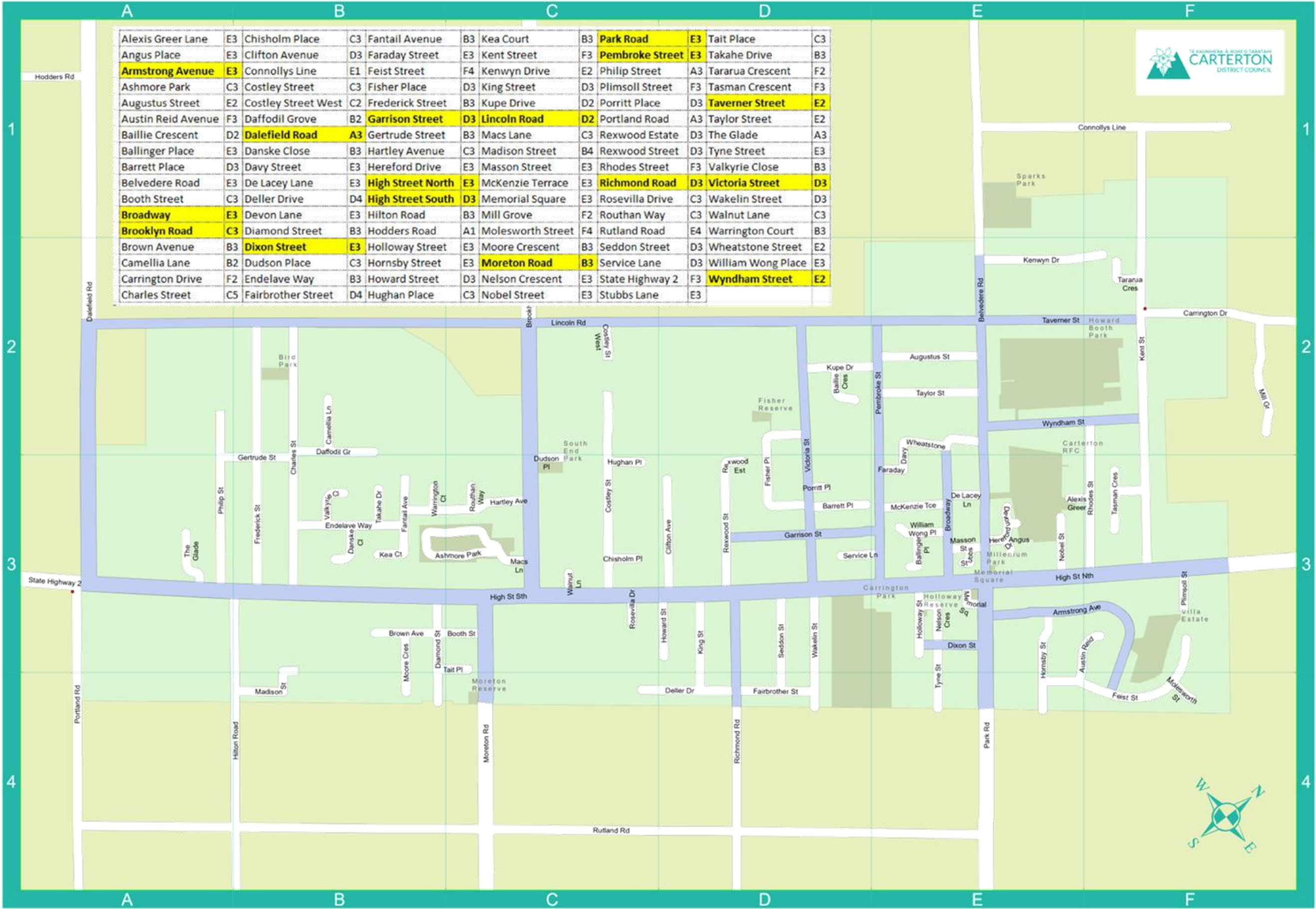
That the Council:

1. **Receives** the report.
2. **Agrees** to change of the designation of 85 urban streets/roads that have less than 500 vehicles per day from **Level One** to a lesser management classification of **Low Volume**, as shown as unhighlighted in Attachment 1.

File Number: 124532

Author: Tony Pritchard, Asset Engineer

Attachments: 1. Carterton Urban Road Map [↓](#)





7.4 ADOPTION OF THE PSYCHOACTIVE SUBSTANCES-LOCAL APPROVED PRODUCTS POLICY 2020

1. PURPOSE

The purpose of this report is to seek adoption and agreement by Council to continue with the current Psychoactive Substances Local Approved Products Policy (LAPP)

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

Psychoactive Substances Act 2013

The Psychoactive Substances Act 2013 introduced a new regime for regulating the availability of psychoactive substances (legal highs) in New Zealand. In 2016 the New Zealand Government started to process retail licences allowing approved psychoactive substances to be sold by retailers throughout New Zealand.

All psychoactive products must have approval from the Psychoactive Substances Regulatory Authority (the Authority) before they can be sold on the New Zealand market. The products must pose no more than a low risk of harm to users and go through a pre-market approval process similar to that required for medicines. There have been no approved psychoactive products to date, and it is illegal to sell psychoactive products that have not been approved.

Councils are not able to enforce a ban on psychoactive products – this is a call to be made by Central Government. Council's role is about imposing restrictions within its LAPP; the Authority has the monitoring and enforcement roles.

Psychoactive Substances Local Approved Products Policy

Carterton and Masterton District Councils adopted an initial Psychoactive Substances Local Approved Products Policy in 2015. The policy sets out restrictions on where retailers of approved psychoactive substances may be sold in the Masterton and Carterton districts.

Even though there are no approved psychoactive products in the New Zealand market, having a policy in place in the meantime to restrict areas where the products can be sold ensures that if there are any approved, Masterton and

Carterton District Councils will not have to be reactive in developing a policy to put in place.

Policy Review 2020

There are two key legislative requirements relating to a review of a LAPP, namely timeframes and the extent to which a policy is amended to trigger specific consultative procedures.

Councils are legislatively required under section 69(4) of the Psychoactive Substances Act 2013 (the Act) to review their respective LAPP within five years of the date on which it was made. It is not mandatory to have a LAPP, but once a Council adopts one it must be reviewed in intervals of no more than five years.

A LAPP may be amended or replaced only in accordance with the special consultative procedure as stated under section 69(2) of the Act and references the special consultative procedure requirements in section 83 of the Local Government Act 2002.

The Carterton and Masterton District Councils commenced a joint review of the Psychoactive Substances Local Approved Products Policy post the COVID-19 Level 4 lockdown period. The five-year timeframe to review the LAPP expired in July 2020, but a LAPP is still in place as the policy does not cease to have effect because it is due for review or is being reviewed.

The policy review process found that the LAPP is still fit for purpose. Any proposed amendments to the LAPP would involve amending wording for improved readability purposes only. Therefore, Council has been asked to adopt and agree to continue with the current LAPP.

4. OPTIONS

As part of the LAPP review process, the following options were considered:

1. Roll over the existing LAPP and undertake a full review and consultation process in 2024.

This is an adoption of the status quo, reflecting that the LAPP is still fit for purpose at this time. This also reflects that since the Act was passed, no psychoactive products have been approved for sale in New Zealand. Accordingly, no applications to sell such products have been made in the Wairarapa region.

Some other territorial authorities have adopted this approach too, with the knowledge that no change to their LAPP means that no consultation process is required. Reviewing in 2024 ensures a full review is completed before the five yearly legislative requirement, while also keeping the review out of the LTP development year.

This is the recommended option.

2. Undertake a full review and formal consultation of the existing LAPP.

A LAPP may be amended or replaced only in accordance with the special consultative procedure as stated under section 69(2) of the Act and references the Special Consultative Procedure (SCP) requirements in section 83 of the Local Government Act 2002.

Amendments to the LAPP would require the Councils to undertake formal consultation following the SCP. This would extend the completion of the review process, with Council not adopting a revised policy until at least mid-2021, resulting in a 1-year lapse of the legislative review timelines. The only amendments that have been identified at this stage are changes to improve the readability of the document. The intent of the policy is still considered to be appropriate. Adding a further delay to complete the review and the use of resources required to support formal consultation for minor wording changes is not considered by staff to be acting in an efficient manner.

This option is not recommended.

3. *Revoke the LAPP.*

Under this option, the Council would revoke the LAPP. The Council would then be relying on existing legislation to control the locations of the sale of psychoactive substances, were a product to be approved under the Act.

Revoking the LAPP would remove the outstanding requirement to have the LAPP revised within five-years, as per section 69(4) of the Act, but would still require the Councils to undertake formal consultation using the SCP.

As stated earlier in this report, even though there are no approved psychoactive products in the New Zealand market, having a policy in place in the meantime to restrict areas where the products can be sold ensures that if there are any approved, Masterton and Carterton District Councils will not have to be reactive in developing a policy to put in place.

This option is not recommended.

A summary of the options considered is included in the table below.

Option	Advantages	Disadvantages
1 Roll over the existing LAPP, and undertake a full review and consultation process in 2024.	Allows the Council to be compliant with legislation.	The Council misses an opportunity to improve the readability of the policy.
2 Undertake the full review and formal consultation .	The Council will be able to update the policy with clearer language and update minor references.	The Council will likely remain non-compliant with the legislation until at least May 2021. Resources will be required to complete the formal consultation which reduces the resource available for the Long Term Plan development and engagement phases.
4 Revoke the LAPP	None	Resources will be required to complete the formal consultation which reduces the resource available

			<p>for the Long Term Plan development and engagement phases.</p> <p>Without a LAPP the Council is unable to restrict the locations of the sale of approved products to reduce potential health and social impacts.</p> <p>There are currently no approved psychoactive products on the market, but having a policy ensures we are positioned to respond if anything changes in this space.</p>
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5. NEXT STEPS

If Council adopts and agrees to continue with the existing LAPP, subject to the same decision being made by Carterton District Council, the LAPP review will be complete. The LAPP itself will not be out of date in terms of the review timelines, with the next review scheduled for 2024.

6. CONSIDERATIONS

6.1 Climate change

There are no environmental/climate change implications resulting in the recommendation to Council to adopt and agree to continue with the existing LAPP.

6.2 Tāngata whenua

There are no implications for Māori resulting in the recommendation to Council to adopt and agree to continue with the existing LAPP.

6.3 Financial impact

There are no financial implications resulting in the recommendation to Council to adopt and agree to continue with the existing LAPP.

6.4 Community Engagement requirements

As part of the LAPP review process, the Masterton and Carterton District Councils have sought internal technical expertise (Environmental Health Services and District Planning) advice from the NZ Police. All agree that the minor technical amendments that have been identified are cosmetic and do not impact the operational activities under the policy, so are not essential at this time.

The NZ Police also advised that as the recent referendum on cannabis control returned a 'no' vote, there is nothing on the horizon to warrant any substantive changes to the policy being undertaken, and that the current policy provides adequate cover.

This policy also links with the Wairarapa Youth/Rangatahi Development Strategy 2016-2021 goal of supporting Rangatahi to reach their full potential and grow into vibrant, optimistic and connected adults. The current policy supports these

strategies by reducing harm in the community through regulation of psychoactive substance retail locations.

6.5 Risks

No risks have been identified, as discussed previously there is no legislative requirement to formally consult since no changes have been proposed.

7. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Notes** that a joint review of the Psychoactive Substances Local Approved Products Policy has been undertaken with Masterton District Council;
3. **Notes** that the review does not recommend any changes to the current Psychoactive Substances Local Approved Products Policy;
4. **Adopts** and agrees to continue with the current Psychoactive Substances Local Approved Products Policy (Attachment 1), subject to adoption by the Carterton District Council.

File Number: 124601

Author: Solitaire Robertson, Senior Planner

Attachments: I



Psychoactive Substances

Local Approved Products Policy

JULY 2015

Psychoactive Substances

Local Approved Products Policy

**was adopted by the Masterton District Council
at the Policy & Finance Committee
held on Wednesday 15th July 2015**

and

**the Carterton District Council at the
Council Meeting held on
Wednesday 29th July 2015**

CONTENTS

1. Introduction and Overview
2. Scope
3. Strategic Alignment
4. Definitions
5. Monitoring and Implementation
7. References
8. Schedules
 - Schedule 1 (Central Business Zone where Retail Premises might be located)
 - Schedule 2 (List of Sensitive Sites)
 - Schedule 3 (List of Psychoactive Substances Interim Retail Licences in Masterton and Carterton)
9. Attachment 1 Map of Masterton Central Business District Permitted Zone
10. Attachment 2 Map of Carterton Central Business District Permitted Zone

REVISION HISTORY

<i>Revision</i>	<i>Policy Sponsor</i>	<i>Approval date and date of next scheduled review</i>	<i>Council Committee Decision</i>	<i>Policy Reference</i>
1	Planning & Regulatory Services Manager, Masterton District Council and Planning & Regulatory Manager, Carterton District Council	April 2015 Review before April 2020	Council	LAPP/001

1. INTRODUCTION AND OVERVIEW

The purpose of the Psychoactive Substances Act 2013 (the 'Act') is to "regulate the availability of psychoactive substances in New Zealand to protect the health of, and minimise harm to, individuals who use psychoactive substances."

To advance this purpose, the Act provides that territorial authorities (such as the Masterton and Carterton district councils) may have a Local Approved Products Policy ('LAPP') relating to the sale of approved products within its district. In particular, a LAPP may include policies concerning the location of premises that sell approved products - by reference to broad areas in the district, proximity to other such premises and proximity to certain facilities (such as kindergartens, early childhood centres, schools, places of worship, or other community facilities).

The LAPP is intended to provide the Psychoactive Substances Regulatory Authority ('Authority') with a clear view from the Masterton and Carterton district councils and their communities about the location of premises.

2. POLICY OBJECTIVES AND SCOPE

The objectives of the LAPP are to:

- Minimise the harm to the community caused by psychoactive substances by providing a clear view to the Authority of where retail premises that sell psychoactive substances may be located in the Masterton and Carterton districts.

This LAPP does not apply to retail premises where internet sales only are made or to premises where the sale of approved products is by wholesale only.

The requirements of the Resource Management Act 1991 and any other applicable regulation (including all applicable Bylaws of the Masterton and Carterton district councils) must be met in respect of any premises holding a retail license.

3. STRATEGIC ALIGNMENT

This LAPP supports the Masterton and Carterton district councils' vision for each of their districts, and the Community Outcomes, or priority areas, identified by each Council to achieve these visions.

	Vision for the District	Key Outcomes that the LAPP contributes to:
Masterton District Council	That Masterton is a great place to live, visit and do business, providing the best of rural provincial living.	An active, involved and caring community A knowledgeable, learning community
Carterton District Council	A welcoming and vibrant community where people like to live.	A safe district A healthy district A district that encourages lifelong learning A district that enjoys creativity and recreation

4. DEFINITIONS

When interpreting this LAPP, unless the context requires otherwise, the definitions of words or terms used in the LAPP that are also used in the Psychoactive Substances Act 2013 are those defined in that Act. Otherwise, use the definitions set out below.

Central Business District (CBD)	Means those areas of Masterton and Carterton districts defined as the CBD by the Wairarapa Combined District Plan, as set out in Schedule 1.
Reasonable	For the purpose of this Local Approved Products Policy, reasonable is defined as a position that the average Wairarapa resident would perceive to be fair, sensible and balanced.

Sensitive site	Includes: schools, children's playgrounds/recreational facilities, health/social services and high deprivation areas.
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5. POLICY

The Policy of the Masterton and Carterton district councils is as follows:

5.1 Location of premises from which approved products may be sold

- (i) The location of retail premises from which approved products may be sold should be restricted to locations within the specified section of the main shopping area of each Central Business District, as identified in Schedule 1.

Section 68(a) of the Psychoactive Substances Act provides that the location of premises from which approved products may be sold may be indicated by reference to broad areas within a district.

5.2 Location of retail premises in relation to premises or facilities of a particular kind or kinds

- (i) Any retail premises from which approved products may be sold should not be permitted within 100 metres of a sensitive site existing at the time the license application is made.
- (ii) For the purposes of clause 5.1(i) the separation distances are measured from the legal boundary of any retail premises and any sensitive site.
- (iii) This LAPP identifies sensitive sites as schools, children's playgrounds/recreational facilities, health/social services and high deprivation areas.

Section 68(c) of the Act provides that the location of premises from which approved products may be sold may be indicated by reference to proximity to premises or facilities of a particular kind or kinds within the district.

5.3 Location of retail premises in relation to other retail premises from which approved products are sold

- (i) New retail premises from which approved products may be sold should not be permitted within 500 metres of another retail premises from which approved products may be sold.
- (ii) For the purposes of clause 5.3(i) the separation distances are measured from the legal boundary of the premises.

Section 68(b) of the Act provides that the location of premises from which approved products may be sold may be indicated by reference to proximity to other premises from which approved products are sold.

6. REVIEW

The Policy Advisor will monitor the effect of this LAPP. The LAPP will be reviewed every five years, or at the request of the councils, or in response to changed legislative and statutory requirements, or in response to any other issues that may arise.

7. REFERENCES

- Psychoactive Substances Act 2013

SCHEDULE 1: TOWN CENTRE ZONE WHERE RETAIL PREMISES MIGHT BE LOCATED

Retail premises must be located in the specified sections of the each Central Business District:

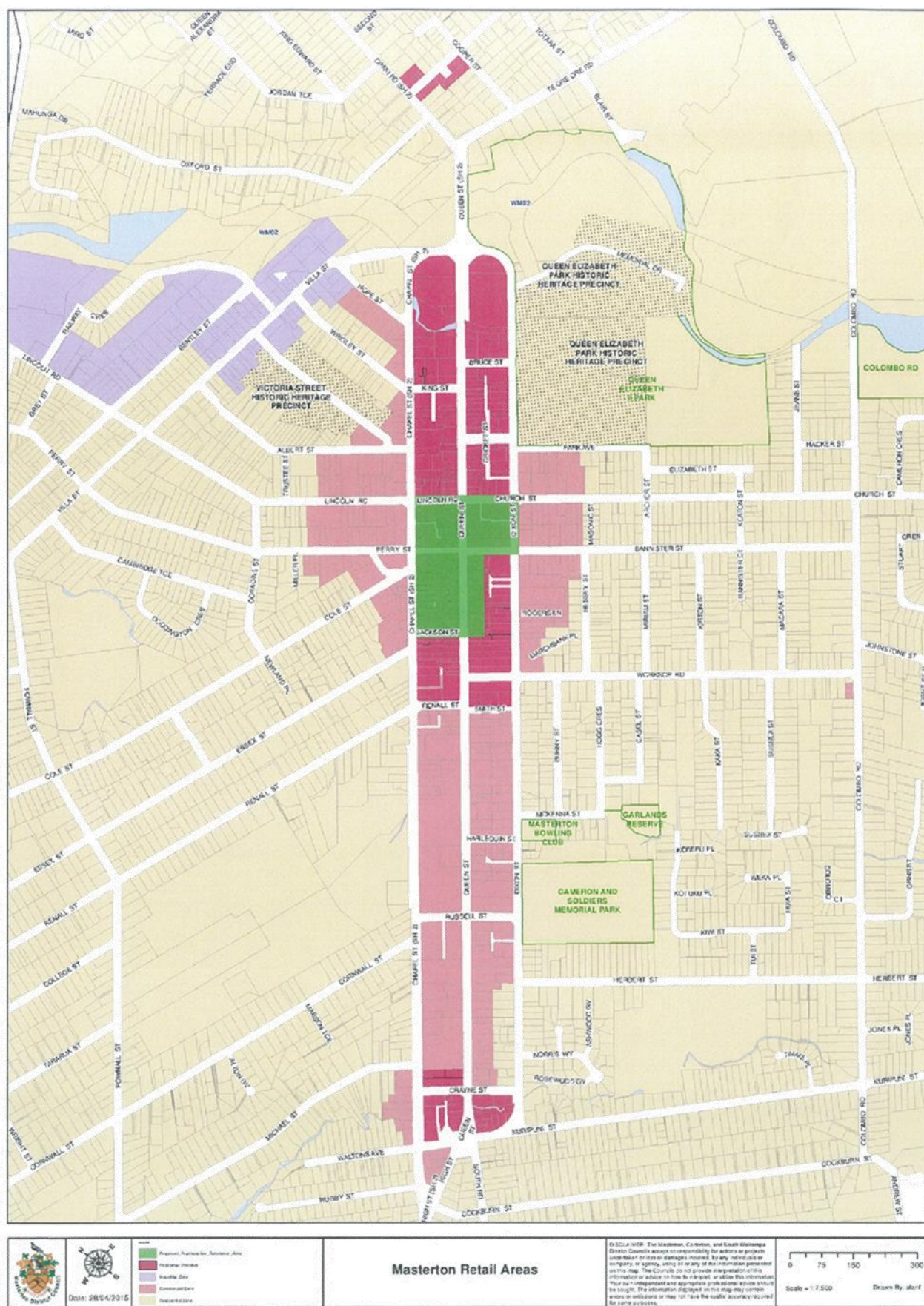
- In Masterton on the section of Queen Street between Jackson Street and Lincoln Road / Church Street; the eastern side of Chapel Street between Jackson Street and Lincoln Road; on Dixon Street between Perry Street and Church Street; on Jackson Street; and on sections of Perry, Church and Lincoln Road between Chapel and Dixon Streets; and only in premises where access is gained directly from the named streets. Please refer to the map of the Masterton Central Business District Zone – Attachment 1.
- In Carterton, on the section of High Street between Belvedere Road and Pembroke Street; and only in premises where access is gained directly from High Street. Please refer to the map. Please refer to the map of the Carterton Central Business District Zone – Attachment 1.

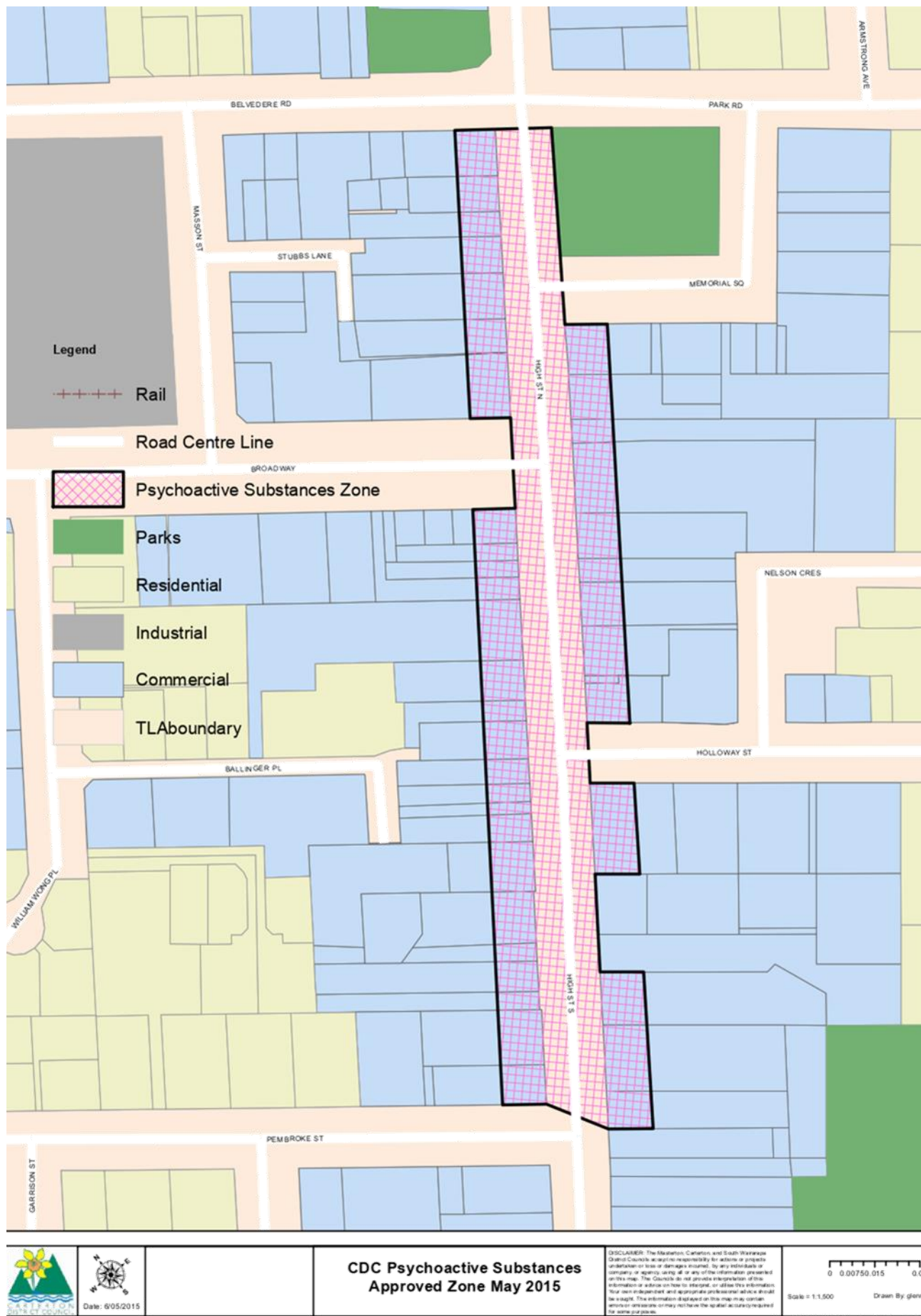
SCHEDULE 2: SENSITIVE SITES

Schools, children's playgrounds/recreational facilities, health/social services and high deprivation areas have been identified as sensitive sites and will be considered when assessing the effects of resource consent applications.

SCHEDULE 3: PSYCHOACTIVE SUBSTANCES INTERIM RETAIL LICENCES IN MASTERTON AND CARTERTON

There are currently no retail licenses for psychoactive substances in the Masterton or Carterton districts.







7.5 ESTABLISHMENT OF WELLINGTON REGIONAL JOINT COMMITTEE

1. PURPOSE

For the council to consider co-establishing and becoming a member of a new regional Joint Committee, the Wellington Regional Leadership Committee (WRLC).

Pursuant to Clause 30A, Schedule 7 of the Local Government Act 2002 (LGA), this new Joint Committee would include all of the Wellington region's local government authorities, designated iwi, the Horowhenua District Council, and central government ministerial representatives, as equal voting members.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

The Wellington Regional Growth Framework (WRGF) was endorsed for public consultation at the Council meeting on the 28th of October 2020. All other Councils have also adopted the Framework for consultation.

A brief outline of the framework is in **Attachment 1**.

Like New Zealand's other Regional Spatial Plans with Central and Local Government partners, and the expectations of the Government's Urban Growth Agenda, a Joint Committee has been identified as the best option to activate and support the decisions and programmes of the Wellington Regional Growth Framework.

Spatial planning underpins economic development and COVID-19 recovery. To ensure regional spatial planning, economic development and recovery opportunities are cohesively addressed, it is proposed the WRLC will have three spheres of responsibility.

The WRLC's three sphere of responsibilities, as programme areas are:

- the Wellington Regional Growth Framework
- regional economic development, and
- regional economic recovery (from COVID-19 and any other future disruptive events).

4. DISCUSSION

The details of the proposed Joint Committee are set out in a Joint Agreement. See **Attachment 2**. The agreement, to be signed by the participating councils, is necessary

for the Joint Committee to comply with Local Government Act requirements. The provisions are briefly outlined below.

4.1 Terms of Reference

Terms of Reference for the proposed Wellington Regional Leadership Committee are in Appendix 1 of **Attachment 2**. The proposed WRLC is designed to provide a formal governance forum so that the members can work together with central government on matters that are of regional importance, cross-boundary and inter-regional. It will address regional matters across three responsibility spheres, as programme areas. They are:

- o the Wellington Regional Growth Framework,
- o regional economic development, and
- o regional economic recovery.

Membership

Councils

The Membership of the WRLC, with voting rights, will include:

- The Mayor of Carterton District Council
- The Chair of Greater Wellington Regional Council
- The Mayor of Horowhenua District Council
- The Mayor of Hutt City Council
- The Mayor of Kāpiti Coast District Council
- The Mayor of Masterton District Council
- The Mayor of Porirua City Council
- The Mayor of South Wairarapa District Council
- The Mayor Upper Hutt City Council
- The Mayor of Wellington City Council

Mana whenua

Members of the WRLC, with voting rights, may also include:

- Ngāti Toa Rangatira represented by Te Rūnanga o Toa Rangatira Inc.
- Taranaki Whānui represented by Port Nicholson Block Settlement Trust
- Rangitāne O Wairarapa represented by Rangitāne O Wairarapa Inc
- Ngāti Kahungunu ki Wairarapa represented by Ngāti Kahungunu ki Wairarapa Trust
- Raukawa ki Te Tonga
- Ātiwawa ki Whakarongotai represented by Āti Awa ki Whakarongotai Charitable Trust
- Muaupoko Tribal Committee representing Muaupoko hapū

Central Government

Central Government representatives, with voting rights, include:

- Up to three Cabinet Ministers (specific Cabinet Ministers will be determined at a later date¹).

Independent Chairperson

A person will be nominated by the Joint Committee itself and appointed by the Administering Authority to be the Independent Chairperson of the Joint Committee, who will have voting rights (see further discussion below).

Rationale for non-local and central government membership

As shown above and given the significance of the proposed regional governance forum, membership includes designated mana whenua/iwi representatives. Iwi organisations across the Wellington Region, Te Upoko o Te Ika a Maui and Horowhenua District were engaged with on the Wellington Regional Growth Framework and will be engaged with further to become members of the WRLC.

Funding has been provided for in the proposed new regional rate to provide for iwi members' full participation in the Joint Committee (see discussion on funding below).

An Independent Chairperson is considered essential for the Joint Committee to operate effectively. This has been proven by New Zealand's other Joint Committees responsible for delivering growth frameworks, regional spatial planning and/or regional economic development.

The Chairperson will guide and moderate discussions, connect and communicate with key parties in advance of meetings, and support and work with the Joint Committee's Secretariat on work programmes, while providing communication on the decisions and outcomes of the Joint Committee's deliberations.

An Independent Chairperson will be appointed by the WRLC following a robust recruitment process.

Voting Rights and Consensus-Based Decision Making

While each member is accorded one vote, the WRLC will utilise a consensus-based decision model. This is to ensure decisions are robustly supported and made in the best interest of members, their shared communities and futures.

Observers

Central government representatives from relevant government departments, alongside other commercial and private sector membership or representative organisations, will be part of the committee structure but will be considered observers to the WRLC, with speaking, but no voting rights. Observers will be approved by the Independent Chair.

Observer attendance is designed to be flexible, depending on the specified meeting's subject matter, agenda and decision-making requirements. Observers will be invited to share and present information and insights.

Central Government observers would include:

¹ Ministerial appointments will be confirmed after Cabinet have reviewed and endorsed the Wellington Regional Leadership Committee, Joint Committee Agreement. See the section on 'Next Steps,' for an indicative timeframe.

- The Ministry of Business, Innovation and Employment
- Ministry of Housing and Urban Development (HUD) and/or Kāinga Ora
- Waka Kotahi
- The Department of Internal Affairs.

Interaction of Wellington Regional Leadership Committee's Responsibility Spheres, as Programme Areas.

The following sets out how the membership, including observers, relates to the Committee's areas of responsibility.



Figure 1: The WRLC's Three Spheres of Responsibility / Programme Areas

4.2 Administering Authority

An administering Authority is required for the WRLC's operations. This includes utilisation of a council's standing orders, and the provision of administrative and human resources functions for the chair and secretariat. A process to select and confirm the administering Authority will be determined by March 2021.

4.3 Secretariat

To provide support, information and analysis a team of up to four positions will be appointed by the Administering Authority, in consultation with the WRLC and Independent Chair.

These positions are (nominally and subject to approval) an Iwi Liaison Advisor, Project Director, Senior Strategic Advisor, and a Coordinator.

The Secretariat will work closely with the Independent Chairperson, and connect with members and other observers, contributors and subject matter experts, as required. They will focus on supporting delivery of the work programme and supporting and reporting against the decisions and strategies set by the Joint Committee, in pursuit of

realising the Wellington Region Growth Strategy, regional economic development and regional economic recovery.

A process for finalising the roles and responsibilities for the Joint Secretariat will be determined and implemented at a later date.

4.4 Agenda Management

The Joint Committee, supported by the Independent Chair and Secretariat, will meet to address the three spheres of responsibility. Effective agenda management will ensure that the appropriate members are present and prepared for the topics and decisions within each area of responsibility.

It is anticipated that when meeting, decisions and discussion against the Wellington Regional Growth Framework would be addressed first, so that the remaining members can then address the complementary economic development and economic recovery topics.

5. MEMORANDUM OF UNDERSTANDING

To reinforce and demonstrate commitment to regional cooperation, shared opportunities and meaningful dialogue between iwi, local government and central government, a draft Memorandum of Understanding has been developed. The draft Memorandum of Understanding outlines how the Committee will operate and shapes and promotes the trusted, cooperative and partnership-based principles to guide the WRLC for the successful development and implementation of agreed decisions and strategies.

The draft Memorandum of Understanding includes a section on reflecting the principles of Te Tiriti o Waitangi / The Treaty of Waitangi within the intended behaviours and approaches of the WRLC.

The draft Memorandum of Understanding is in Attachment 3.

The Joint Committee itself will finalise the Memorandum of Understanding when it first meets.

6. FINANCIAL CONSIDERATIONS AND FUNDING

The secretariat will be funded through a general rate set by Greater Wellington Regional Council. The existing “Wellington Regional Strategy” targeted rate, will not continue to be struck. A new targeted rate (possibly at a lower value) will replace this for the regional economic development activities currently funded through WellingtonNZ.

Projects identified in the Wellington Regional Growth Framework are proposed to be co-funded by Central and Local Government. Funding indications have been provided to Local Government’s Chief Executives. However, final funding requirements for Wellington Regional Growth Framework projects cannot be determined until the Joint Committee meets and agrees the 1 year and 3-year work programme(s).

7. OPTIONS

There were a series of discussions on a range of possible regional governance models at Wellington Regional Mayoral and Chief Executive Forums. The final proposal for

Joint Committee was shaped over a series of shared discussions and workshops, with the acknowledgement that a formal decision-making structure is required for implementation of the Wellington Regional Growth Framework.

The three structural options considered were:

1. Utilising the existing Wellington Mayoral Forum
2. A Council Sub-committee
3. A new Joint Committee

Each option's disadvantages and benefits are explained below.

Option 3, a new Joint Committee under the Local Government Act, was agreed as the most effective cross-regional governance model.

Option 1: Utilise the Mayoral Forum

The advantage of this model is that a pre-established structure and process is already in place for nine of the ten councils, which could be adapted to include others and a wider mandate.

Disadvantages include the forum's lack of formalised decision-making powers, and it is unlikely that this option would be supported by iwi and Central Government partners.

Option 2: A Council Subcommittee

The advantage of this model is that it is a known and regionally utilised governance model.

A disadvantage is how decisions from a subcommittee may be perceived as biased towards the parent council.

Due to this perception, it is unlikely that this model would be supported by iwi and Central Government partners.

Option 3: Establishment of a new Joint Committee under clause 30A, Schedule 7 of the Local Government Act.

There are several shared and sustainable benefits to this model, including:

- A governance forum set up under this model, can utilise the powers and other capabilities of a Joint Committee, under the Local Government Act.
- A Joint Committee model is consistent with other spatial plan and/or economic development governance structures across the country, and it aligns with central government partnership and dialogue expectations.
- This model is likely to be seen as an equitable form of regional governance, with the advantage of including iwi and Cabinet Ministers as members, with key observers from Central Government and other regional commercial and private sector organisations.

For these reasons, a Joint Committee under the Local Government Act is considered the most effective and sustainable model to activate and cooperatively address the Wellington Regional Growth Framework, regional economic development and regional economic recovery.

8. NEXT STEPS

The creation and establishment of the Joint Committee will be done over the next few months. The process is outlined in the following table. Given the timing of Council meetings Carterton District Council will be the first Council to consider the establishment of the Joint Committee.

January – March	January	February-March	April-May	June-July
Wellington-Horowhenua region's local government authorities, iwi, Central Government officials and Cabinet review and proceed to endorse the Agreement and Terms of Reference and become members of the Wellington Regional Leadership Committee.	<p>Communication Released: a media release will accompany the first adoption and subsequent announcements as councils and others sign up to the WRLC.</p> <p>Robust Independent Chair recruitment process commences – partners contribute names for consideration.</p>	<p>Administrating Authority confirmed</p> <p>Joint Secretariat roles and responsibilities confirmed</p> <p>Recruitment process for Secretariat initiated – continues through March/April</p> <p>Greater Wellington Regional Council consults on the Joint Committee as an option for its 2021-2031 Long Term Plan. This includes the funding implications from the proposed and new Regional Rate.</p>	<p>Tentative first meeting of the new Joint Committee – the Wellington Regional Leadership Committee.</p> <p>Independent Chair recruitment process concludes, with Chair appointed by the WRLC.</p> <p>Expected Dissolution of the Wellington Regional Strategy Committee.</p> <p>Recruitment commences for the Secretariat positions.</p> <p>WRLC confirms Memorandum of Understanding.</p>	<p>Joint Committee considers and reviews proposed year 1 and 3 work programme.</p> <p>Work and planning commences against the three spheres of responsibility as programme areas.</p>

9. CONSIDERATIONS

9.1 Climate change

Climate change has been a key factor in the development of the Wellington Regional Growth Framework, both adapting to the impacts of climate change (e.g. sea level rise) and the need for sustainable transport to minimise the use of greenhouse gas emissions. The Committee will support the implementation of the framework activities.

9.2 Tāngata whenua

Mana whenua Iwi have been partners in the development of the Framework and are being invited to participate in the Joint Committee. In addition, mana whenua Iwi and hapu are expected to be significant partners in the implementation of the Framework.

9.3 Financial impact

Funding the Joint Committee and the supporting Secretariat will be through a regional rate struck by Greater Wellington Regional Council. Funding arrangements for the various initiatives and projects to be undertaken under the umbrella of the Committee is yet to be confirmed, but it is expected that initiatives and projects funded by Councils will be provided for in the relevant 10 Year and Annual Plans over the life of the Framework as well as funded by central government.

9.4 Community Engagement requirements

No community engagement is proposed to establish the Joint Committee. There will be some engagement on the Framework, although the nature of that engagement has not yet been confirmed.

9.5 Risks

There are no risks for the Council being part of the Joint Committee.

10. RECOMMENDATION

That the Council:

1. **Receives** the report
2. **Approves** the Wellington Regional Leadership Committee Joint Committee Agreement in Attachment 3 and the Council's membership of the committee.
3. **Authorises** the Mayor to sign, on behalf of the Council, the Joint Committee Agreement.
4. **Notes** that the Joint Committee will adopt a memorandum of understanding which will set out the principles that guide the Joint Committee's work and the approach that the Joint Committee will take.
5. **Appoints** and establishes the Wellington Regional Leadership Committee as a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 on the terms set out in the Joint Committee Agreement and with effect from the date that the Joint Committee Agreement is signed by all local authority parties.
6. **Appoints** the Mayor to the Joint Committee, with effect from the date that the Joint Committee is established.
7. **Appoints** Councillor Cherry-Campbell as an alternate to be a member of the Joint Committee and attend meetings in exceptional circumstances where the Mayor is unable to attend.
8. **Notes** that the Joint Committee is a Joint Committee of all of the local authorities that are parties to the Wellington Regional Leadership Committee Joint Committee Agreement and includes members representing iwi and the Crown.
9. **Delegates** to the Joint Committee:
 - a. approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:

- i. Wellington Regional Growth Framework and the Wellington Regional Growth Framework Implementation Plan
 - ii. Regional Economic Development Plan
 - iii. Regional Economic Recovery Implementation Plan
 - b. approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee.
10. **Notes** the existing Wellington Regional Strategy Committee is likely to be disestablished in the future, with the disestablishment process to be confirmed.

File Number: 124516

Author: Jane Davis, Chief Executive

Attachments:

- 1. Background on the Wellington Regional Growth Framework [↓](#)
- 2. Wellington Regional Leadership Committee Agreement [↓](#)

Background on the Wellington Regional Growth Framework

- Endorsed by all local government authorities in the Wellington-Horowhenua region, the Wellington Regional Growth Framework is a 30-year spatial plan.
- Describing a long-term vision for how the region will grow, change and response to key urban development challenges and opportunities, the Framework seeks to achieve the best outcomes with maximum regional benefits.
- It does this by providing a series of spatial maps, with a set of key initiatives and projects.
- The Framework identifies and recommends locations for housing, public transport and roads, three waters infrastructure (storm water, wastewater and drinking water), businesses and employment opportunities.
- Location identification is made in the context of issues like housing affordability, climate change, resilience and natural hazards.
- The Framework also seeks to reflect and uphold the housing and urban development aspirations of regional mana whenua and iwi.
- The Wellington Regional Growth Framework is one of a number of spatial plans that have been/are being developed around the country under the Urban Growth Agenda (UGA).
- Noting that the UGA is an ambitious programme that aims to remove barriers to the supply of land and infrastructure and make room for cities to grow up and out.
- The UGA has mandated a role for central government to partner with local government and iwi as a means of facilitating pace and scale in urban development and ensuring government investment in infrastructure is aligned to help deliver connected, thriving and sustainable communities.
- This has led to the creation of Urban Growth Partnerships, a process of formalising and maintaining a long-term and enduring relationship between the Crown, local government, iwi and local communities to deliver the UGA objectives
- Other Joint Committees which include spatial planning are for the Hamilton-Auckland corridor (known as FutureProof | Te Tau Titoki), the Western Bay of Plenty (known as SmartGrowth), and the wider Christchurch region (known as the Greater Christchurch Partnership).

All of these Joint Committees include representatives from local government authorities, central government, iwi and other key organisations such as district health boards. Each Joint Committee has a dedicated and qualified team, as a Secretariat to deliver on the agreed programmes and objectives.

Wellington Regional Leadership Committee

Joint Committee Agreement

Wellington Regional Leadership Committee

Joint Committee Agreement

Purpose

This Agreement is made pursuant to Clause 30A, Schedule 7 of the Local Government Act 2002 (LGA 2002). The purpose is for a Joint Committee of Carterton District Council, Greater Wellington Regional Council, Hutt City Council, Kapiti Coast District Council, Masterton District Council, Porirua City Council, South Wairarapa District Council, Upper Hutt City Council, Wellington City Council, Horowhenua District Council and mana whenua to take responsibility for key matters of regional importance where a collective voice and collective regional planning and action is required.

The parties are wanting to work together with central government on matters that are of regional importance and are cross boundary and inter-regional in nature. The role of the Committee is to set direction and monitor activities from those plans related to the direction on all matters, with particular focus on:

- Regional economic development
- Regional recovery
- Wellington regional growth framework (joint spatial plan under the [Urban Growth Partnerships](#) and [Urban Growth Agenda](#))

The Committee does not undertake delivery activity – this is undertaken elsewhere by entities such as local authorities and Council-Controlled Organisations.

The Joint Committee allows for observers from entities such as Waka Kotahi, Ministry of Housing and Urban Development and/or Kāinga Ora, Department of Internal Affairs and Ministry of Business, Innovation and Employment. It also allows for observers from private sector organisations and groups. These observers will be entitled to speak at meetings but will not be members of the Joint Committee.

Some of the parties to the Joint Committee are not intended to have any input or responsibility in respect of particular Joint Committee programmes. On this basis, it is expected that those members of the Joint Committee who represent those parties will not exercise their voting rights in certain circumstances. This is set out in further detail below and in the Terms of Reference attached to this Agreement as **Appendix 1**.

This Agreement focuses on the Joint Committee, including its membership and delegations.

The Committee is a formal Joint Committee pursuant to the LGA 2002 (Clauses 30 and 30A, Schedule 7). The Committee will be deemed to not be discharged at or following each triennial local government election (in line with Clause 30 (7) of Schedule 7, LGA 2002).

There are some parties to this agreement (ie Crown and iwi) who do not appoint members to the Joint Committee directly.

Membership

The membership of the Joint Committee is comprised of:

- the Mayor of Carterton District Council
- the Mayor of Horowhenua District Council
- the Mayor of Hutt City Council
- the Mayor of Kāpiti Coast District Council
- the Mayor of Masterton District Council
- the Mayor of Porirua City Council
- the Mayor of South Wairarapa District Council
- the Mayor of Upper Hutt City Council
- the Mayor of Wellington City Council
- the Chair of Wellington Regional Council
- a person nominated by the Joint Committee itself and appointed by the Administering Authority to be the independent chairperson of the Joint Committee

The member of the Joint Committee may also include:

- a person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- a person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- a person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa) and appointed by the Administering Authority
- a person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa) and appointed by the Administering Authority
- a person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- a person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai) and appointed by the Administering Authority
- a person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- up to three persons nominated by the Crown (Cabinet) and appointed by the Administering Authority

In respect of those members who are persons nominated by a particular entity or body (and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the joint committee in respect of that entity or body. The membership of the Joint Committee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

The territorial authorities that are parties to this agreement must appoint the relevant Mayor to be a member of the joint committee. This is so that those Mayors are counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 of the Local Government Act 2002.

The local authorities that are parties to this agreement may, in addition to the appointment of the relevant Mayor or Chair, appoint an alternate who, in exceptional circumstances where the Mayor or Chair is not able to attend a Joint Committee meetings, is entitled to attend that Joint Committee meetings as a member of the Joint Committee (and appointed by the relevant local authority). The appointment of alternates does not affect the normal calculation of a quorum.

A Deputy Chairperson is to be appointed by the Committee from the existing membership. In accordance with standing orders, the Deputy Chairperson may preside at meetings in the absence of the Chairperson (including before the Joint Committee nominates an independent chairperson and that person is appointed by the Administering Authority).

General

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the Independent Chairperson). In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. In accordance with clause 30A(6)(c)(iii) of Schedule 7 of the Local Government Act 2002, for a quorum to be established there must be present at least 5 members appointed by local authorities.

The standing orders of the Administering Authority apply to the Joint Committee. The Joint Committee will adopt a memorandum of understanding setting out the principles that guide the Joint Committee's work and the approach that the Joint Committee will take.

Expectations around member voting based on Committee programme and agenda

When the Joint Committee is addressing matters that are not within the Wellington Regional Growth Framework programme, it is expected that the following members of the Joint Committee will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings):

- the Mayor of Horowhenua District Council
- the person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)
- the person nominated by Raukawa ki te Tonga
- the persons nominated by the Crown (Cabinet)

This is illustrated in the below table (where the absence of a tick indicates that the relevant member is not expected to exercise voting rights in respect of the relevant programme):

Relevant members	Relevant programme		
	Wellington Regional Growth Framework	Regional Economic Development	Regional Economic Recovery
Independent chairperson	√	√	√
Chair of Wellington Regional Council	√	√	√

Relevant members	Relevant programme		
	Wellington Regional Growth Framework	Regional Economic Development	Regional Economic Recovery
Mayor of Wellington City Council	√	√	√
Mayor of Porirua City Council	√	√	√
Mayor of Kapiti Coast District Council	√	√	√
Mayor of Hutt City Council	√	√	√
Mayor of Upper Hutt City Council	√	√	√
Mayor of South Wairarapa District Council	√	√	√
Mayor of Masterton District Council	√	√	√
Mayor of Carterton District Council	√	√	√
Person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira)	√	√	√
Person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui)	√	√	√
Person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa)	√	√	√
Person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa)	√	√	√
Person nominated by Raukawa ki te Tonga	√	√	√
Person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai)	√	√	√
Person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)	√		
Persons nominated by the Crown (Cabinet)	√		
Mayor of Horowhenua District Council	√		

Observers

Regional economic development programme

In respect of the Regional Economic Development programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One or more representative(s) from the Ministry of Business, Innovation and Employment
- Any other persons as the Joint Committee may consider necessary

Regional economic recovery programme

In respect of the Regional Recovery programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One or more representative(s) from key government entities.
- One or more representative(s) from key private sector organisations on a required basis.
- Any other persons as the Joint Committee may consider necessary

Wellington Regional Growth Framework programme

In respect of the Wellington Regional Growth Framework programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One representative of Waka Kotahi
- One representative from Ministry of Housing and Urban Development (HUD) and/or Kāinga Ora
- Any other persons as the Joint Committee may consider necessary

At each meeting, the Chairperson shall recognise those observers attending in accordance with these provisions and the persons recognised by the Chairperson shall have speaking rights at the meeting.

The attendance at any public excluded session by observers shall only be permitted with the prior approval of the Chairperson.

Meeting Frequency

Meetings will be held once every two months, or as necessary and determined by the Chairperson.

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the Administering Authority.

Specific Responsibilities

The Wellington Regional Leadership Committee has the following specific responsibilities in support of its overall purpose:

Wellington Regional Growth Framework

1. Oversee the development and implementation of the Wellington Regional Growth Framework.
2. Recommend to the Wellington Regional Growth Framework partners how funding and resources should be applied to support implementation of the Framework.
3. Monitor the implementation of the Wellington Regional Growth Framework and associated workstreams.
4. Review and keep up to date the Wellington Regional Growth Framework as circumstances change.
5. Recommend to the Wellington Regional Growth Framework partners actions to achieve alignment with council, central government and iwi plans, strategies and policies.

6. Facilitate engagement and consultation with stakeholders and the community on the Wellington Regional Growth Framework.
7. Develop submissions and advocate to external organisations on matters relating to the Wellington Regional Growth Framework.
8. Engage with neighbouring regions on cross-boundary matters relating to the Wellington Regional Growth Framework.

Regional Economic Development

1. Provide leadership in regional, sustainable economic development, including establishing partnerships with key agencies involved in economic development. Acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a regional economic development plan to guide the collective work of the region, in line with the desired future outlined in the Wellington Regional Growth Framework.
3. Monitor and report on the status of the regional economy, emerging risks and opportunities and progress towards the implementation of the regional economic development plan and transition to a low carbon economy.
4. Develop submissions and advocate to external organisations on matters relating to regional economic development.
5. Recommend to Greater Wellington Regional Council (as a joint shareholder of Wellington NZ) the allocation of the regional targeted rate for economic development to initiatives and activities based on the regional economic development plan.

Regional Economic Recovery

1. Provide leadership in regional economic recovery, including establishing partnerships with key agencies involved in recovery, acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a programme of regional economic recovery initiatives, which incorporate alignment with the region's climate change goals.
3. Coordinate the implementation of a programme of regional economic recovery initiatives through local authorities, council controlled organisations and other partners.
4. Monitor and report on the impacts of regional economic recovery on the region, emerging risks and opportunities and progress towards implementation of the programme of regional economic recovery initiatives.
5. Develop submissions and advocate to external organisations on matters relating to regional economic recovery including developing regional proposals for partnerships and funding assistance.

Delegations

Each local authority delegates to the Joint Committee, in accordance with the terms of reference, the following responsibilities:

1. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:
 - Wellington Regional Growth Framework and the Wellington Regional Growth Framework Implementation Plan
 - Regional Economic Development Plan
 - Regional Economic Recovery Implementation Plan
2. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee.

Responsibilities

The table below identifies key parties related to this agreement and the Wellington Regional Leadership Committee and their responsibilities.

Party	Responsibilities
Wellington Regional Leadership Committee	Decision making related to the Specific Responsibilities in this Agreement and TOR; Joint regional voice and advocacy; Select and nominate the Independent Chairperson (for appointment to the joint committee by the Administering Authority); Agree 3 year rolling work programme consistent with WRGF, Economic Plan and other relevant directional documents.
Independent Chairperson	Chair the meetings; Approve attendance as required in public excluded sessions; Approve speaking rights as required at meetings; Liaise with members of the Committee as required Approve (in consultation with the Senior Managers Group) content of meeting agendas.
Chief Executives Group	Provide support and advice to the Joint Committee; Agree funding amounts and splits (rolling 3-year programme).
Senior Managers Group (2 nd Tier Managers)	Recommend work programme to the Joint Committee; Recommend funding arrangements and allocations; Manage reports to the Committee; Review work being undertaken and recommend changes if required; Align work programmes within home organisations.
Joint Secretariat	Coordinate the work of the Joint Committee (in consultation with the Chairperson); Provide administrative support to the Joint Committee on all aspects of its business; Lead work streams as required; Manage joint communications and consultation;

Party	Responsibilities
	Support the work of the Joint Committee, including monitoring, research and independent advice as required.
Delivery agencies e.g. Councils, Council Controlled Organisations	Provide information and research; Draft papers for the Joint Committee; Attend meetings as required; Deliver aspects of the work programme (e.g. economic development activities).
Administering Authority	Administer standing orders; Employing joint secretariat staff; Payment of the meeting fees and Chairpersons honorarium; Appointing members to the Joint Committee (who are to be appointed by the Administering Authority).

Administration Funding

Funding will be provided by local authorities for the administration of the Joint Committee, a new joint secretariat, and iwi participation in the Joint Committee through a regional targeted rate set by Greater Wellington Regional Council (subject to confirmation as part of the 2021 Long Term Plan).

The funding will support the administration of the Committee and the joint secretariat that supports the Joint Committee which will undertake the following:

1. Providing administrative support to the Joint Committee and the Senior Managers Group
2. Managing the work programme of the Joint Committee, including policy advice function and monitoring and research as required
3. Provision of independent advice to support the work programme as required

Funding will be provided by central government as a contribution to the administration of the Committee and the joint secretariat at an amount to be agreed.

Variation of this Agreement

This Agreement may be varied by the parties from time to time but only with the endorsement of the Wellington Regional Leadership Committee.

EXECUTION

SIGNED for and on behalf of
CARTERTON DISTRICT COUNCIL:

Signature

Name of person signing

SIGNED for and on behalf of
HOROWHENUA DISTRICT COUNCIL:

Signature

Name of person signing

SIGNED for and on behalf of **HUTT CITY
COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of **KĀPITI
COAST DISTRICT COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of
MASTERTON DISTRICT COUNCIL:

Signature

Name of person signing

SIGNED for and on behalf of **PORIRUA
CITY COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of **SOUTH
WAIRARAPA DISTRICT COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of **UPPER
HUTT CITY COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of
WELLINGTON CITY COUNCIL:

Signature

Name of person signing

SIGNED for and on behalf of
WELLINGTON REGIONAL COUNCIL:

Signature

Name of person signing

SIGNED for and on behalf of **NGĀTI TOA
RANGATIRA:**

Signature

Name of person signing

SIGNED for and on behalf of **TARANAKI
WHĀNUI:**

Signature

Name of person signing

SIGNED for and on behalf of **RANGITĀNE
O WAIRARAPA:**

Signature

Name of person signing

SIGNED for and on behalf of **NGĀTI
KAHUNGUNU KI WAIRARAPA:**

Signature

Name of person signing

SIGNED for and on behalf of **RAUKAWA
KI TE TONGA:**

Signature

Name of person signing

SIGNED for and on behalf of **ĀTIAWA KI WHAKARONGOTAI:**

Signature

Name of person signing

SIGNED for and on behalf of **MUAŪPOKO HAPŪ:**

Signature

Name of person signing

SIGNED for and on behalf of **CENTRAL GOVERNMENT:**

Signature

Name of person signing

Appendix 1: Wellington Regional Leadership Committee Terms of Reference

Purpose

The purpose of the Wellington Regional Leadership Committee is to take responsibility for key matters of regional importance – Wellington Regional Growth Framework, Regional Economic Development, and Regional Recovery - where a collective voice and collective planning and action is required.

The Wellington Regional Leadership Committee (Joint Committee) is a joint committee, established in accordance with clauses 30 and 30A of Schedule 7 to the Local Government Act 2002.

The Joint Committee has members from all the nine councils wholly within the Wellington Region and the Horowhenua District Council, mana whenua and members from central Government.

Specific Responsibilities

The Wellington Regional Leadership Committee specific responsibilities include:

Wellington Regional Growth Framework

1. Oversee the development and implementation of the Wellington Regional Growth Framework.
2. Recommend to the Wellington Regional Growth Framework partners how funding and resources should be applied to support implementation of the Framework.
3. Monitor the implementation of the Wellington Regional Growth Framework and associated workstreams.
4. Review and keep up to date the Wellington Regional Growth Framework as circumstances change.
5. Recommend to the Wellington Regional Growth Framework partners actions to achieve alignment with council, central government and iwi plans, strategies and policies.
6. Facilitate engagement and consultation with stakeholders and the community on the Wellington Regional Growth Framework.
7. Develop submissions and advocate to external organisations on matters relating to the Wellington Regional Growth Framework.
8. Engage with neighbouring regions on cross-boundary matters relating to the Wellington Regional Growth Framework.

Regional Economic Development

1. Provide leadership in regional economic development, including establishing partnerships with key agencies involved in economic development. Acknowledging that constituent local authorities also have leadership roles within their cities and districts.

2. Develop and keep up to date a regional economic development plan to guide the collective work of the region, in line with the desired future outlined in the Wellington Regional Growth Framework.
3. Monitor and report on the status of the regional economy, emerging risks and opportunities and progress towards the implementation of the regional economic development plan and transition to a low carbon economy.
4. Develop submissions and advocate to external organisations on matters relating to regional economic development.
5. Recommend to Greater Wellington Regional Council (as a joint shareholder of Wellington NZ) the allocation of the regional targeted rate for economic development to initiatives and activities based on the regional economic development plan.

Regional Economic Recovery

1. Provide leadership in regional economic recovery, including establishing partnerships with key agencies involved in recovery, acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a programme of regional economic recovery initiatives, which incorporate alignment with the region's climate change goals.
3. Coordinate the implementation of a programme of regional economic recovery initiatives through local authorities, council controlled organisations and other partners.
4. Monitor and report on the impacts of regional economic recovery on the region, emerging risks and opportunities and progress towards implementation of the programme of regional economic recovery initiatives.
5. Develop submissions and advocate to external organisations on matters relating to regional economic recovery including developing regional proposals for partnerships and funding assistance.

Membership

The membership of the Joint Committee is comprised of:

- the Mayor of Carterton District Council
- the Mayor of Horowhenua District Council
- the Mayor of Hutt City Council
- the Mayor of Kāpiti Coast District Council
- the Mayor of Masterton District Council
- the Mayor of Porirua City Council
- the Mayor of South Wairarapa District Council
- the Mayor of Upper Hutt City Council
- the Mayor of Wellington City Council
- the Chair of Wellington Regional Council
- a person nominated by the Joint Committee itself and appointed by the Administering Authority to be the independent chairperson of the Joint Committee

The member of the Joint Committee may also include:

- a person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- a person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- a person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa) and appointed by the Administering Authority
- a person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa) and appointed by the Administering Authority
- a person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- a person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai) and appointed by the Administering Authority
- a person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- up to three persons nominated by the Crown (Cabinet) and appointed by the Administering Authority

In respect of those members who are persons nominated by a particular entity or body (and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the joint committee in respect of that entity or body. The membership of the Joint Committee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

The territorial authorities that are parties to this agreement must appoint the relevant Mayor to be a member of the joint committee. This is so that those Mayors are counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 of the Local Government Act 2002.

The local authorities that are parties to this agreement may, in addition to the appointment of the relevant Mayor or Chair, appoint an alternate who, in exceptional circumstances where the Mayor or Chair is not able to attend a Joint Committee meetings, is entitled to attend that Joint Committee meetings as a member of the Joint Committee (and appointed by the relevant local authority). The appointment of alternates does not affect the normal calculation of a quorum.

A Deputy Chairperson is to be appointed by the Committee from the existing membership. In accordance with standing orders, the Deputy Chairperson may preside at meetings in the absence of the Chairperson (including before the Joint Committee nominates an independent chairperson and that person is appointed by the Administering Authority).

General

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the Independent Chairperson).

Expectations around member voting based on Committee programme and agenda

When the Joint Committee is addressing matters that are not within the Wellington Regional Growth Framework programme, it is expected that the following members of the Joint Committee will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings):

- the Mayor of Horowhenua District Council
- the person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)
- the person nominated by Raukawa ki te Tonga
- the persons nominated by the Crown (Cabinet)

This is illustrated in the below table (where the absence of a tick indicates that the relevant member is not expected to exercise voting rights in respect of the relevant programme):

Relevant members	Relevant programme		
	Wellington Regional Growth Framework	Regional Economic Development	Regional Economic Recovery
Independent chairperson	√	√	√
Chair of Wellington Regional Council	√	√	√
Mayor of Wellington City Council	√	√	√
Mayor of Porirua City Council	√	√	√
Mayor of Kapiti Coast District Council	√	√	√
Mayor of Hutt City Council	√	√	√
Mayor of Upper Hutt City Council	√	√	√
Mayor of South Wairarapa District Council	√	√	√
Mayor of Masterton District Council	√	√	√
Mayor of Carterton District Council	√	√	√
Person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira)	√	√	√
Person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui)	√	√	√
Person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa)	√	√	√
Person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa)	√	√	√
Person nominated by Raukawa ki te Tonga	√	√	√

Person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai)	√	√	√
Person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)	√		
Persons nominated by the Crown (Cabinet)	√		
Mayor of Horowhenua District Council	√		

Observers*Regional economic development programme*

In respect of the Regional Economic Development programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One or more representative(s) from the Ministry of Business, Innovation and Employment
- Any other persons as the Joint Committee may consider necessary

Regional economic recovery programme

In respect of the Regional Economic Recovery programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One or more representative(s) from key government entities.
- One or more representative(s) from key private sector organisations on a required basis.
- Any other persons as the Joint Committee may consider necessary

Wellington Regional Growth Framework programme

In respect of the Wellington Regional Growth Framework programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One representative of Waka Kotahi
- One representative from Ministry of Housing and Urban Development (HUD) and/or Kāinga Ora
- Any other persons as the Joint Committee may consider necessary

At each meeting, the Chairperson shall recognise those observers attending in accordance with these provisions and the persons recognised by the Chairperson shall have speaking rights at the meeting.

The attendance at any public excluded session by observers shall only be permitted with the prior approval of the Chairperson.

Voting

Each member has one vote. In the case of an equality of votes the Chairperson has a casting vote.

Meetings

The Joint Committee will arrange its meetings in separate parts, relating to the specific focus areas of: Wellington Regional Growth Framework; Regional Economic Development; and Regional Recovery.

Meetings will be held once every two months, or as necessary and determined by the Chairperson.

Quorum

In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. In accordance with clause 30A(6)(c)(iii) of Schedule

7 of the Local Government Act 2002, for a quorum to be established there must be present at least 5 members appointed by local authorities.

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the administering local authority.

Delegations

Each local authority delegates to the Joint Committee, and in accordance with the terms of reference, the following responsibilities:

1. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:
 - a. Wellington Regional Growth Framework and Wellington Regional Leadership Committee Implementation Plan
 - b. Regional Economic Development Plan
 - c. Regional Economic Recovery Implementation Plan
2. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee.

Remuneration and expenses

Each party shall be responsible for remunerating its representative(s) on the Joint Committee.

Members who represent organisations or entities other than local authorities (for instance iwi members) shall be eligible for compensation for Joint Committee activity including travel, meeting time, and preparation for meetings paid by the administering local authority. This amount is to be agreed in advance.

Standing Orders

The Joint Committee shall apply the standing orders of the Administering Authority.

Duration of the Joint Committee

In accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002, the Wellington Regional Leadership Committee is not deemed to be discharged following each triennial local government election.

Servicing

The Joint Committee is serviced by a joint secretariat. The administering local authority shall be responsible for the administration of the Committee.

Council decisions on the Committee's recommendations

Where a Council makes specific decisions on the Joint Committee's recommendations, these will be reported to the Joint Committee. Where the decision is materially different from the Committee's recommendation the report will set out the reasons for that decision.

Variation of this Terms of Reference

These terms of reference may be varied from time to time. It is envisaged that changes may be made to add or remove specific responsibilities as the circumstances require. Changes will be approved by the members on the recommendation of the Joint Committee.



7.6 CHANGE TO CHAIR OF ARTS, CULTURE AND HERITAGE ADVISORY GROUP

1. PURPOSE

For the council to make a change to the chair of the Arts, Culture and Heritage Advisory Group.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

The Arts, Culture and Heritage Advisory Group has the role of assisting the Council to promote arts, culture and heritage activities in the District. Membership of the Committee includes representatives of the various arts, culture and heritage interests across the District, alongside three elected members. Current members include Councillor Bertram (chair), Councillor Cretney (deputy chair) and Councillor Cherry-Campbell.

4. DISCUSSION

Councillor Bertram has indicated he is currently not available to sit on the advisory group. I therefore propose that Councillor Cretney replace him as Chair, and that Councillor Cherry-Campbell moves into the deputy chair role. I will also attend meetings in my ex-officio role.

5. CONSIDERATIONS

5.1 Climate change

N/A

5.2 Tāngata whenua

N/A

5.3 Financial impact

N/A

5.4 Community Engagement requirements

N/A

5.5 Risks

N/A

6. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Agrees** to appoint Councillor Cretney as Chair of the Arts, Culture and Heritage Advisory Group and Councillor Cherry-Campbell as Deputy Chair, and **notes** that Councillor Bertram will stand down from the Advisory Group.

File Number: 124565

Author: Greg Lang, Mayor

Attachments: Nil



7.7 LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT REQUESTS

1. PURPOSE

To inform the Council of the number of requests under the Local Government Official Information and Meetings Act (LGOIMA) 1987 received between 1 December 2020 and 18 January 2021.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

The Local Government Information and Meetings Act (LGOIMA) allows people to request official information held by local government agencies. It contains rules of how such requests should be handled and provides a right to complain to the Ombudsman in certain situations. The LGOIMA also has provisions governing the conduct of meetings.

The purpose of the Act is to increase the availability of official information held by agencies and promote the open and public transaction of business at meetings.

The purpose of LGOIMA are specified in Section 4:

4 Purposes

The purposes of this Act are, consistently with the principle of the Executive Government's responsibility to Parliament, -

(a) *to increase progressively the availability of official information to the people of New Zealand in order -*

(i) *to enable their more effective participation in the making and administration of law and policies; and*

(ii) *to promote the accountability of Ministers of the Crown and officials, -*

And thereby to enhance respect for the law and to promote the good government of New Zealand:

(b) *to provide for proper access by each person to official information relating to that person:*

(c) *to protect official information to the extent consistent with the public interest and the preservation of personal privacy.*

The information is not limited to documentary material, and includes material held in any format such as:

- written documents, reports, memoranda, letter, notes, emails and draft documents
- non-written documentary information, such as material stored on or generated by computers, including databases, video or tape recordings
- information, which is known to an agency, but which has not yet been recorded in writing or otherwise (including knowledge of a particular matter held by an officer, employee or member of an agency in their official capacity)
- documents and manuals which set out the policies, principles, rules or guidelines for decision making by an agency
- the reasons for any decisions that have been made about a person.

It doesn't matter where the information originated or is currently located, if it is held by the council it must be provided if requested.

Councils must respond to a requester 'as soon as reasonably practicable' and no later than 20 working days after the day on which the request was received. At Carterton District Council we acknowledge receipt of the request within the first working day. We respond promptly to requests and generally well ahead of the 20 working days.

Where a person requesting the information indicates urgency, we normally prioritise our response ahead of other work. This mainly relates to requests from the Media. Note: not all media requests for information are treated as LGOIMA requests.

All requests are recorded in a register and saved in Magiq Documents.

4. REPORTING LGOIMA REQUESTS TO COUNCIL

Attachment 1 contains the requests received from 1 December 2020 to 18 January 2021.

Included is the subject of the request, the response time and the number of requests over the period.

5. CONSIDERATIONS

5.1 Climate change

n/a

5.2 Tāngata whenua

n/a

5.3 Financial impact

There is no financial impact.

5.4 Community Engagement requirements

There are no community engagement requirements.

5.5 Risks

Nil.

6. RECOMMENDATION

That the Council:

1. **Receives** the report.

File Number: 124578

Author: Jane Davis, Chief Executive

Attachments: 1. LGOIMA Requests for he period covering 1 December 2020 to 18 January 2021 [↓](#)

LGOIMA - 1 December 2020 to 18 January 2021

Requests Received	Responses to requests	Requests resulting in a complaint to ombudsman	Average number of working days to respond	
7	7	0	11.29	

Date Received	Organisation	Subject	Working Days to respond	Total per month
2-Dec-20		<p>I am writing to request information under the Local Government Official Information Act.</p> <p>Bridge inspection regimes I request information on the following:</p> <ol style="list-style-type: none"> 1. The frequency (in years) of general bridge inspections within your jurisdiction 2. The level of liaison between the inspectors and the contractors who carry out the recommended remedial work? <ol style="list-style-type: none"> a. what does this consist of e.g. written, verbal, joint site inspection 3. The frequency of principal bridge inspections (in years) 4. What is the trigger for principal bridge inspection? 5. Is the principal inspection completed by the same engineers who undertake the general bridge inspection? 6. What document storage facilities are used to track actions arising from the bridge inspection and engineer's recommendations 7. Do the inspections follow the guidelines published by NZTA? 	14	
7-Dec-20	NZ Taxpayers Union	<p>This is a LGOIMA request regarding funds applied by any and all discretionary funds attributable to the Mayor, Chairs, CEOs or elected officials. We note previous scrutiny and controversy regarding these funds (for example: https://www.stuff.co.nz/national/105930747/michael-feyens-use-of-discretionary-fund-under-scrutiny). We wish to understand the extent of their use, and oversight.</p> <p>We therefore request the following information for your Council:</p> <ol style="list-style-type: none"> 1. A list of all discretionary funds – i.e. pools of grant funding without a specific policy purpose under the control of Mayor, Chairs, CEOs or a single elected official. 2. The amount of each fund. 3. A full description of the guidelines, controls and oversight of each fund. Please include copies of any written policies. 4. A list of all calendar year 2020 transactions from each fund. 5. A list of all transactions where the guidelines or policies were not adhered to, and the reason for each breach. 6. A declaration of interests in relation to grant decisions. <p>We understand that it is unlikely we will receive this information before the end of the year. Please therefore include all transactions for 2020, (or consider this request to be made on 1 January 2021).</p>	1	
7-Dec-20	NZ Taxpayers Union	<p>This is a request for information under the LGOIMA in relation to contracts not tendered in the 2020 calendar year.</p> <p>We refer to the NZ Herald's coverage of Waikato Regional Council awards almost \$1m in contracts without going to tender - see https://www.nzherald.co.nz/nz/waikato-regional-council-awards-almost-1m-in-contracts-without-going-to-tender/SYCNAJUOEKAY6AK66KAVB7VU2E/</p> <p>We want to understand the extent of this problem; whether councils are using COVID as a purported excuse to avoid procurement policies and best practise.</p> <p>Request A: We therefore request the following information for your Council group (ie. including CCOs):</p> <ol style="list-style-type: none"> 1. The nominal amount (exclusive GST) contained in your Council's procurement policy at which point a competitive and open tender is required by default. 2. The reasons listed in your procurement policy for exceptions and any process it lays out. 3. The number of contracts awarded in the 2020 calendar year over that amount but were not tendered (i.e. the number of exceptions). 4. For each of those exceptions: <ol style="list-style-type: none"> a. a description of the contract (services / products) b. the vendor c. the total value and timeframe of the contract d. any conflicts of interest disclosed and recorded as part of the decision making process e. the reasons the contract was not tendered f. the decision maker 		

	continued	<p>g. all advice provided to the decision maker in relation to the contract as it relates to the decision not to tender</p> <p>h. whether elected officials were made aware of the exception. If so, precisely how and when? Please provide us with the relevant communication (such as the relevant email or council report).</p> <p>Request B: We also request a copy (PDF or URL) of the Council's procurement policy.</p> <p>Notes:</p> <p>We understand that this request may take some time to collate, however given the significant public interest in the adherence to procurement policies we believe that no charges should apply in collating this information. Assuming your council has adequate record keeping and document management, the information requested should be easily available. We ask that you please provide the information before 1 February, so as we can publish comparable information. If you are unlikely to be able to provide the information before COB 1 February, please let us know within the 20 day legislative timeframe.</p>	22	
7-Dec-20	Times Age	<p>Please provide:</p> <ol style="list-style-type: none"> 1) The total number of full and extraordinary council meetings for the past three calendar years, broken down by each year. For example, 2018, 2019 and 2020. 2) The number of full and extraordinary council meetings where a public excluded session applied. Please list break down by full and extraordinary meetings. 3) The total number of committee meetings held by the council for each of the three years, broken down by each year. 4) The number of committee meetings where a public excluded session applied. 5) The total number of council workshops held for each of the three years, broken down by year. 6) Please state if any of the workshops did NOT entirely exclude the public and if so how many? 7) Please state whether your mayor/chairman is involved in a district/region-wide mayoral or chairman forum and if so, the regularity of the forum and whether that forum is open to the public. 8) Please state whether the council is part of a region-wide meeting of councils and if so the regularity of that meeting and whether it is open to the public. 9) Please provide the attendance rate of each current council member including the mayor/chairman from October 1, 2019 to date. For example, how many council and committee meetings was the member expected to attend during that time, and how many did they attend? Please break down by month from October 2019 to December 2020. 10) How many confidential settlements has the council made to external organisations/companies/businesses since October 2019 and what was the amount for each? 	18	
8-Dec-20	NZ Taxpayers Union	<p>This is a request for official information under the LGOMOA Act. We hereby request the following information from your Council:</p> <ul style="list-style-type: none"> • How many staff were employed at your Council as of 28 February 2020 and as of 31 November 2020 (please provide both the FTE figure and the number employed). • What is the total number of staff that have been laid off due to Covid-19? 	7	
15-Dec-20	Te Arawhiti	<p>I am an historian currently preparing a research scoping report for Te Arawhiti (Office of Treaty Settlements) in relation to Marine and Coastal Area issues and history in the Wairarapa-Tararua coastal area.</p> <p>I would appreciate being able to communicate with an archivist or other relevant policy staff member in relation to any records/archives that Council might hold concerning use and occupation of the coastal area (1840 to the present), including coastal resource consents over time.</p> <p>In addition, I am tracking down data re land and structures in or adjacent to the marine/coastal area that are owned or controlled by Council, including reserves/esplanade strips, ports, jetties, wharves or boat ramps, marinas or consented moorings, camping grounds, and designated public access roads/tracks to beaches. (I note I am making similar inquiries at the relevant regional councils – Wellington and Horizons.)</p>	16	6
14-Jan-21	Wairarapa Times Age	<p>I am following up on a LGOIMA request made by the NZ Herald to CDC on October 12 last year regarding code of conduct requests. Are you able to share that response with us, please? Please let me know if you need any further information.</p>	1	1
		Requests not closed yet.	0	

8 EXCLUSION OF THE PUBLIC

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATION

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 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 for the passing of this resolution
8.1 - Public Excluded Minutes of the Ordinary Council Meeting held on 9 December 2020	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>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 6 or section 7</p>

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