



# **AGENDA**

## **Ordinary Council Meeting Wednesday, 9 November 2022**

**Date: Wednesday, 9 November 2022**

**Time: 10.30 am**

**Location: Ngā Hau e Whā, William Fraser Building,  
1 Dunorling Street, Alexandra**

(A link to the live stream will be available on the Central Otago District Council's website.)

**Sanchia Jacobs  
Chief Executive Officer**



Notice is hereby given that a Council Meeting will be held in Ngā Hau e Whā, William Fraser Building, 1 Dunorling Street, Alexandra and live streamed via Microsoft Teams on Wednesday, 9 November 2022 at 10.30 am. The link to the live stream will be available on the Central Otago District Council's website.

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**Members** His Worship the Mayor T Cadogan (Chairperson), Cr N Gillespie, Cr T Alley, Cr S Browne, Cr L Claridge, Cr I Cooney, Cr S Duncan, Cr S Feinerman, Cr C Laws, Cr N McKinlay, Cr M McPherson, Cr T Paterson

**In Attendance** S Jacobs (Chief Executive Officer), J Muir (Three Waters Director), Q Penniall (Infrastructure Manager), S Righarts (Group Manager - Business Support), L van der Voort (Executive Manager - Planning and Environment), M De Cort (Communications Coordinator), W McEnteer (Governance Manager)

**1 APOLOGIES**

**2 PUBLIC FORUM**

**3 CONFIRMATION OF MINUTES**

Ordinary Council Meeting - 26 October 2022



**MINUTES OF A COUNCIL MEETING OF THE CENTRAL OTAGO DISTRICT COUNCIL  
HELD AT NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET,  
ALEXANDRA  
AND LIVE STREAMED VIA MICROSOFT TEAMS ON WEDNESDAY, 26 OCTOBER 2022  
COMMENCING AT 2.00 PM**

**PRESENT:** His Worship the Mayor T Cadogan (Chairperson), Cr N Gillespie, Cr T Alley, Cr S Browne, Cr L Claridge, Cr I Cooney, Cr S Duncan, Cr S Feinerman, Cr C Laws, Cr N McKinlay, Cr M McPherson, Cr T Paterson

**IN ATTENDANCE:** S Jacobs (Chief Executive Officer), L Fleck (General Manager – People and Culture), D Rushbrook (General Manager, Tourism Central Otago), M Tohill (Communications Support) and W McEnteer (Governance Manager)

Note: The Chief Executive Officer assumed to Chair to begin the meeting.

## **1 APOLOGIES**

There were no apologies.

Note: Cr Browne joined the meeting at 2.03 pm.

The Chief Executive Officer welcomed councillors to the meeting.

## **5 REPORTS**

### **22.8.1 DECLARATION OF OFFICE**

The Chief Executive Officer spoke of the meaning of the mayoral office and then His Worship the Mayor made his declaration. Each member then made their declaration of office.

Following making his declaration, His Worship the Mayor assumed the Chair.

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### **22.8.2 STATUTORY ADVICE AND CODE OF CONDUCT**

To provide Council with advice concerning legislation relevant to the role of members and to adopt a Code of Conduct.

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## **RESOLUTION**

**Moved:** Feinerman  
**Seconded:** Browne

That the Council

- A. Receives the report and accepts the level of significance.
- B. Notes the advice given on relevant legislation.
- C. Adopts the Code of Conduct.

**CARRIED**

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**22.8.3 ADOPTION OF STANDING ORDERS**

For Council to adopt a revised version of Standing Orders.

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**RESOLUTION**

**Moved:** Alley  
**Seconded:** Paterson

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopts the revised Local Government New Zealand Standing Orders with the following amendments:
  - i. Enable provisions for meetings by audio visual link
  - ii. Enable a casting vote for the chairperson
  - iii. Endorse option C (informal) as the default for speaking and moving motions.

**CARRIED**

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**22.8.4 APPOINTMENT OF DEPUTY MAYOR**

To inform the Council of the Mayor's appointment of the Deputy Mayor.

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**RESOLUTION**

**Moved:** Duncan  
**Seconded:** McKinlay

That the Council:

- A. Receives the report.
- B. Notes the appointment of Neil Gillespie as the Deputy Mayor.

**CARRIED**

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**22.8.5 COUNCIL ORGANISATIONS AND POLICY ON APPOINTMENT OF DIRECTORS**

To advise of the effect of appointing councillors to serve on its behalf on outside organisations and to re-adopt the Policy on Appointment and Remuneration of Directors to Council Controlled Organisations and Council Organisations.

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**RESOLUTION**

**Moved:** Duncan  
**Seconded:** McPherson

That the Council

- A. Receives the report and accepts the level of significance.
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- 
- B. Re-adopts the Policy on Appointment and Remuneration of Directors to Council Controlled Organisations and Council Organisations.
- C. Makes appointments as recommended elsewhere in the agenda in light of the contents of this report.

**CARRIED**

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#### **22.8.6 ADOPTION OF INTERIM DELEGATIONS REGISTER**

For Council to adopt an interim Register of Delegations.

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##### **RESOLUTION**

**Moved:** Cadogan  
**Seconded:** Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopts the interim Delegations Register, to come into effect on 27 October 2022.

**CARRIED**

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#### **22.8.7 APPOINTMENT OF COUNCILLORS TO COMMUNITY BOARDS**

To advise Councillors that there is provision to appoint Councillors to be members of Community Boards and to make decisions about those appointments.

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##### **RESOLUTION**

**Moved:** Cadogan  
**Seconded:** Duncan

That the Council

- A. Receives the report and accepts the level of significance.
- B. Appoints Cr Duncan to the Maniototo Community Board.
- C. Appoints Cr Feinerman to the Teviot Valley Community Board.
- D. Appoints Crs Browne, Gillespie and Laws to the Cromwell Community Board.
- E. Appoints Crs Alley, McPherson and Paterson to the Vincent Community Board.

**CARRIED**

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#### **22.8.8 COUNCIL AND COMMITTEE APPOINTMENTS**

For the Mayor to establish committees of the territorial authority and appoint the chairperson of each committee established under Section 41A(3) of the Local Government Act 2002.

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**RESOLUTION**

**Moved:** Cadogan  
**Seconded:** Gillespie

- A. Receives the report and accepts the level of significance.
- B. Notes the reestablishment of the following committees and the Mayor's appointments to:
  - 1. The Audit and Risk Committee with the duties and powers as outlined in the interim Delegations Register. Appoints His Worship the Mayor and Crs Alley, Gillespie and Paterson to the Committee.
  - 2. The Executive Committee with the duties and powers as outlined in the interim Delegations Register. Appoints His Worship the Mayor and Crs Alley, Duncan, Feinerman and Gillespie to the Committee.
  - 3. The Assessment Committee with the duties and powers as outlined in the interim Delegations Register. Appoints Cr Alley as the Chair and Cr Browne as the Deputy Chair of the Committee.
  - 4. The Hearings Panel with the duties and powers as outlined in the interim Delegations Register. Appoints Crs Cooney, Gillespie and McPherson to the Panel.
- C. Approves the appointments to the following external committees:
  - 1. Otago Regional Transport Committee – Cr Duncan
  - 2. Central Otago Health Incorporated – Cr Paterson
  - 3. Clutha District Council's appointment as Council's representative on the Otago Museum Trust.
  - 4. Central Otago Wilding Conifer Control Group – Cr Alley
  - 5. Maniototo Curling International Inc – His Worship the Mayor

**CARRIED**

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**22.8.9 PROPOSED MEETING SCHEDULE FOR THE REMAINDER OF 2022 AND 2023**

To approve a schedule of meetings for the remainder of 2022 and 2023.

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**RESOLUTION**

**Moved:** Cadogan  
**Seconded:** Alley

That the Council

- A. Receives the report and accepts the level of significance.
- B. Adopts the proposed meeting schedule for the remainder of 2022 and 2023.

**CARRIED**

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**3 DATE OF NEXT MEETING**

The date of the next scheduled meeting is 9 November 2022.

The Meeting closed at 2.37 pm.

## **4 DECLARATION OF INTEREST**

### **22.9.1 DECLARATIONS OF INTEREST**

**Doc ID: 601908**

#### **1. Purpose**

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

#### **2. Attachments**

**Appendix 1 - Declarations of Interest** [↓](#)

<b>Name</b>	<b>Member's Declared Interests</b>	<b>Spouse/Partner's Declared Interests</b>	<b>Council Appointments</b>
Tamah Alley	Manuherikia Irrigation Co-operative (shareholder) Cromwell Youth Trust (Trustee) Oamaru Landing Service (OLS) (family connection) Cliff Care Ltd (family connection) Aviation Cherries Ltd (Director)	Manuherikia Irrigation Co-operative Society Ltd (shareholder) Emergency Management Otago Group Controller (employee) Aviation Cherries Ltd (Director)	Central Otago Wilding Conifer Control Group
Sarah Browne	Anderson Browne Construction and Development (Director and Shareholder) Infinite Energy Ltd (Shareholder) Central Otago Sports Turf Trust (Trustee) Central Football and Multisport Turf Trust (Trustee)	Anderson Browne Construction and Development (Director and Shareholder) Infinite Energy Ltd (Employee)	
Tim Cadogan	Business South Central Otago Advisory Group (member) Alexandra Squash Club (member)	Two Paddocks (employee)	Maniototo Curling International Inc
Lynley Claridge	Affinity Funerals (Director)	Affinity Funerals (Shareholder)	
Ian Cooney	Monteith's Brew Bar (Manager)		
Stuart Duncan	Penvose Farms - Wedderburn Cottages and Farm at Wedderburn (shareholder) Penvose Investments - Dairy Farm at Patearoa (shareholder) Fire and Emergency New Zealand (member) JD Pat Ltd (Shareholder and Director)	Penvose Farms - Wedderburn Cottages and Farm at Wedderburn (shareholder) Penvose Investments - Dairy Farm at Patearoa (shareholder)	Otago Regional Transport Committee

Sally Feinerman	Feinerman's Ltd, 109 Scotland Street (Owner / Director) New Zealand Motor Caravan Association (NZMCA) Member Roxburgh Pool Committee (Chair)	Breen Construction (employee / builder) NZMCA (member)	
Neil Gillespie	Contact Energy (Specialist - Community Relations and Environment) Clyde & Districts Emergency Rescue Trust (Secretary and Trustee) Cromwell Volunteer Fire Brigade (Chief Fire Officer) Cromwell Bowling Club (patron) Otago Local Advisory Committee - Fire Emergency New Zealand Returned Services Association (Member)		
Cheryl Laws	The Message (Director) Wishart Family Trust (Trustee) Wooring Tree (Assistant Manager - Cellar Door) Daffodil Day Cromwell Coordinator	Otago Regional Council (Deputy Chair) The Message (Director)	
Nigel McKinlay	Transition To Work Trust (Board member) Gate 22 Vineyard Ltd (Director) Everyday Gourmet (Director) Central Otago Wine Association (member) Long Gully Irrigation Scheme (member)		
Martin McPherson	Alexandra Blossom Festival	CODC (employee) CODC (employee) (Daughter)	

Tracy Paterson	Matakanui Station (Director and shareholder) Matakanui Development Co (Director and shareholder) A and T Paterson Family Trust (trustee) A Paterson Family Trust (trustee) Central Otago Health Inc (Chair) Bob Turnbull Trust (Trustee / Chair) John McGlashan Board of Trustees (member) New Zealand Wool Classers Association (board member) Central Otago A&P Association (member)	Matakanui Station (director and shareholder) Matakanui Development Co (director and shareholder) A Paterson Family Trust (trustee) A and T Paterson Family Trust (trustee) Federated Farmers (on the executive team) Omakau Irrigation Co (director) Matakanui Combined Rugby Football Club (President) Manuherikia Catchment Group (member) Omakau Domain Board Omakau Hub Committee (Chair)	Central Otago Health Inc
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## 5 REPORTS

### 22.9.2 PROPOSED PLAN CHANGE 20 - HERITAGE

Doc ID: 596129

#### 1. Purpose of Report

To consider the public notification of proposed Plan Change 19 in accordance with Clause 5 of the first Schedule to the Resource Management Act 1991.

To consider the release of the Heritage Design guidelines for public consultation.

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#### Recommendations

That the Council

- A. Receives the report and accepts the level of significance.
- B. Directs that Plan Change 20 be notified in accordance with Clause 5 of the first Schedule to the Resource Management Act 1991.
- C. Approves the release of the draft Heritage Guidelines for public consultation.

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#### 2. Background

Plan Change 20 is being proposed at the same time as proposed Plan Change 19, as there is a degree of overlap between the two plan changes. Specifically, PC19 seeks to make a complete and comprehensive suite of changes to the way the District's residential areas are zoned and managed. This includes the introduction of a new Medium Density Residential Zone which would allow for development at a higher density than is currently experienced within the District, and which will apply within parts of the existing Clyde Heritage Precinct. A copy of Plan Change 20 is attached in Appendix 1.

As noted earlier, PC19 proposes to amend the approach taken to what is currently the Residential Resource Area. While PC 19 does not alter the framework applying to built development within heritage precincts under Section 11, it does amend the framework for what is anticipated by the underlying residential zoning in any precincts with such an underlying zoning. In particular, the changes to the residential framework will allow for a higher density of development within the proposed medium density residential zone that encompasses part of the Clyde Heritage Precinct. Where other Heritage Precincts are currently zoned 'Residential Resource Area', PC19 proposes to change this to 'Low Density Residential'. The objective, policy and rule framework for all existing residential areas will also be altered through PC19. PC19 also includes provisions that refer to the Clyde Heritage Precinct and within the Medium Density Residential Zone in Clyde, a lower height limit is also proposed.

#### 3. Discussion

Plan Change 20 (PC20) relates to minor changes proposed to Section 11 (Heritage Precincts) of the Plan, to better align the matters of discretion and information requirements for resource consents required for built development in a heritage precinct. The change is

based upon additional information that the Council has received about the values and characteristics of these precincts in the form of draft Heritage Guidelines prepared for the Council and attached in Appendix 2.

The draft Heritage Guidelines were developed for Council by Dr Glen Hazelton following an extensive review of the history and character of each precinct. The purpose of the guidelines is to assist in protecting the unique character of each precinct and encouraging new development that is sympathetic to and enhances these characteristics.

The guidelines sit outside the District Plan and are to be read alongside the relevant objectives, policies, and precinct rules.

Section 86B (3) of the Resource Management Act 1991 provides for any rule in a proposed plan that protect historic heritage to have immediate legal effect from the date of public notification, accordingly the proposed changes to Plan Change 20 will have immediate legal effect.

Hearings on Plan Change 20 are anticipated to be heard within the same timeframe as Plan Change 19.

#### **4. Financial Considerations**

The development of and progress of Plan Change 20 is subject to statutory processes and is funded from the existing District Plan review budget.

#### **5. Options**

##### Option 1 – (Recommended)

Approve notification of Plan Change 20 in accordance with Clause 5 of the First Schedule to the Resource Management Act 1991 and approve the release of the Heritage Guidelines for public consultation.

Advantages:

- The proposed change reflects the feedback received from the community through the spatial plan and feedback received through the notification of Plan Change 19.
- The development heritage guidelines will help maintain the special character of heritage precincts.

Disadvantages:

- No obvious disadvantages

##### Option 2

Not approve notification of Plan Change 20 in accordance with Clause 5 of the First Schedule to the Resource Management Act 1991 or the Heritage Guidelines for public consultation.

Advantages:

- No obvious advantages

## Disadvantages:

- Risk of inappropriate development occurring in heritage precincts that has adverse effects on their special character.
- Community dissatisfaction when inappropriate development occurs in heritage precincts.

**6. Compliance**

<b>Local Government Act 2002 Purpose Provisions</b>	<p>This decision enables democratic local decision making and action by, and on behalf of communities by the Central Otago District Council.</p> <p>The Council has functions under the RMA to carry out these functions. The plan change process under the Resource Management Act is a democratic public process and requires an assessment of the social, economic, environmental, and cultural well-being.</p>
<b>Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy etc.</b>	<p>Yes – the Central Otago District Plan</p> <p>The proposed plan change makes amendments to the operative Central Otago District Plan</p>
<b>Considerations as to sustainability, the environment and climate change impacts</b>	<p>The plan change process does not impact on these matters and the merits of the plan change are considered against the RMA framework.</p>
<b>Risks Analysis</b>	<p>There are no risks associated with this request</p>
<b>Significance, Consultation and Engagement (internal and external)</b>	<p>The plan change will be publicly notified in accordance with the First Schedule to the RMA, which provides a right of submission and further submission.</p>

**7. Next Steps**

Finalise section 32 and publicly notify Plan change 20.

**8. Attachments**

**Appendix 1 - Plan Change 20.docx** [↓](#)

**Appendix 2 - Draft Heritage Guidelines.pdf** [↓](#)

Report author:



Ann Rodgers  
Principal Policy Planner  
26/10/2022

Reviewed and authorised by:



Louise van der Voort  
Executive Manager - Planning and Environment  
28/10/2022



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# Central Otago District Plan

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## Plan Change 20 – Heritage Precincts



## Changes

1. Amend Rule 11.4.1(a) 'Addition or Alteration of Structures' as follows:  
 ... Council shall restrict the exercise of its discretion to the following matters -
  1. The external design and appearance of the building or structure (including the materials and colour) used, and taking into account:
    - a) the avoidance of noticeable contemporary design features and materials;
    - b) the use of locally sourced materials or materials common to the respective settlement - new buildings are being constructed in, particularly on street-facing elevations
    - c) the compatibility of the scale, orientation, roof pitch and rooflines, window alignment, colour, materials and details of the building or structure in relation to the existing building and other buildings in the precinct.
  2. The scale of the addition or alteration in relation to existing development, and/or development which occurred when the dominant scale of development within the precinct was established, and
  3. The provision of yards, and how the above matters impact upon the heritage values of the precinct, and
  4. Where adaptive re-use of a building is proposed, the extent to which any changes respect and retain the building's heritage significance, while being functional for its new purpose, and
  5. The appropriateness of any signage or fencing proposed.
  
2. Amend Rule 11.4.1(b) 'Erection of New Structures' as follows:  
 ... Council shall restrict the exercise of its discretion to the following matters -
  1. The external design and appearance of the building or structure (including the material and external colour) used, and taking into account:
    - a) the avoidance of noticeable contemporary design features and materials;
    - b) the use of locally sourced materials or materials common to the respective settlement new buildings are being constructed in, particularly on street-facing elevations
    - c) the compatibility of the scale, orientation, roof pitch and rooflines, window alignment, colour, materials and details of the building or structure in relation to other buildings in the precinct.
    - d) The contribution to the maintaining the character of the heritage precinct.
  2. How the design of the building or structure maintains modesty in ~~The scale of the building~~ in relation to existing development, and/or development which occurred when the dominant scale of development within the precinct was established,
  3. The provision and location of yards, services, parking and access associated with the development, and
  4. Landscaping, including the extent to which new landscaping uses native plantings using species endemic to the area and the extent to which established vegetation will be maintained ~~required to mitigate visual effects of hard standing areas~~, and how the above matters impact upon the heritage values of the precinct, and
  5. The extent to which the design helps to reinforce connections and community, and
  6. The extent to which development supports mana whenua values, and

7. The appropriateness of any signage or fencing proposed.

3. Amend Rule 11.4.1A 'INFORMATION TO BE PROVIDED' as follows:

*In addition to any information required to be provided in terms of Clause 1.2.7 and Schedule 19.1, any application made for an activity in terms of Rule 11.4.1(a), (b) and (c) above shall be accompanied by plans drawn to scale and explanatory documentation to fully describe:*

- (i) The position of all proposed buildings, additions or alterations or any other structure, and of any existing building, fence or other structure.*
- (ii) The materials to be used for exterior cladding or recladding or for the finish of any building, addition or alteration, fence, sign or other structure.*
- (iii) The colours to be used to finish any building, addition or alteration, fence, sign or other structure, or for painting or repainting.*
- (iv) The elevation of any buildings and addition or alteration including facades visible from any road or public place.*
- (v) The location and species of any landscaping or plantings proposed on a site.*
- (vi) Any application made for an activity in terms of Rule 11.4.1(a) or (b) above shall also include reference to, and an assessment against, any relevant design guideline documents prepared by the Council. A Heritage Impact Assessment will also be required in instances where a proposal is significantly different from any relevant design guideline documents or is of a larger scale.*



# HERITAGE GUIDELINES

CENTRAL OTAGO DISTRICT COUNCIL

OCTOBER 2022



CONSULTATION DRAFT

PREPARED BY: Dr Glen Hazelton

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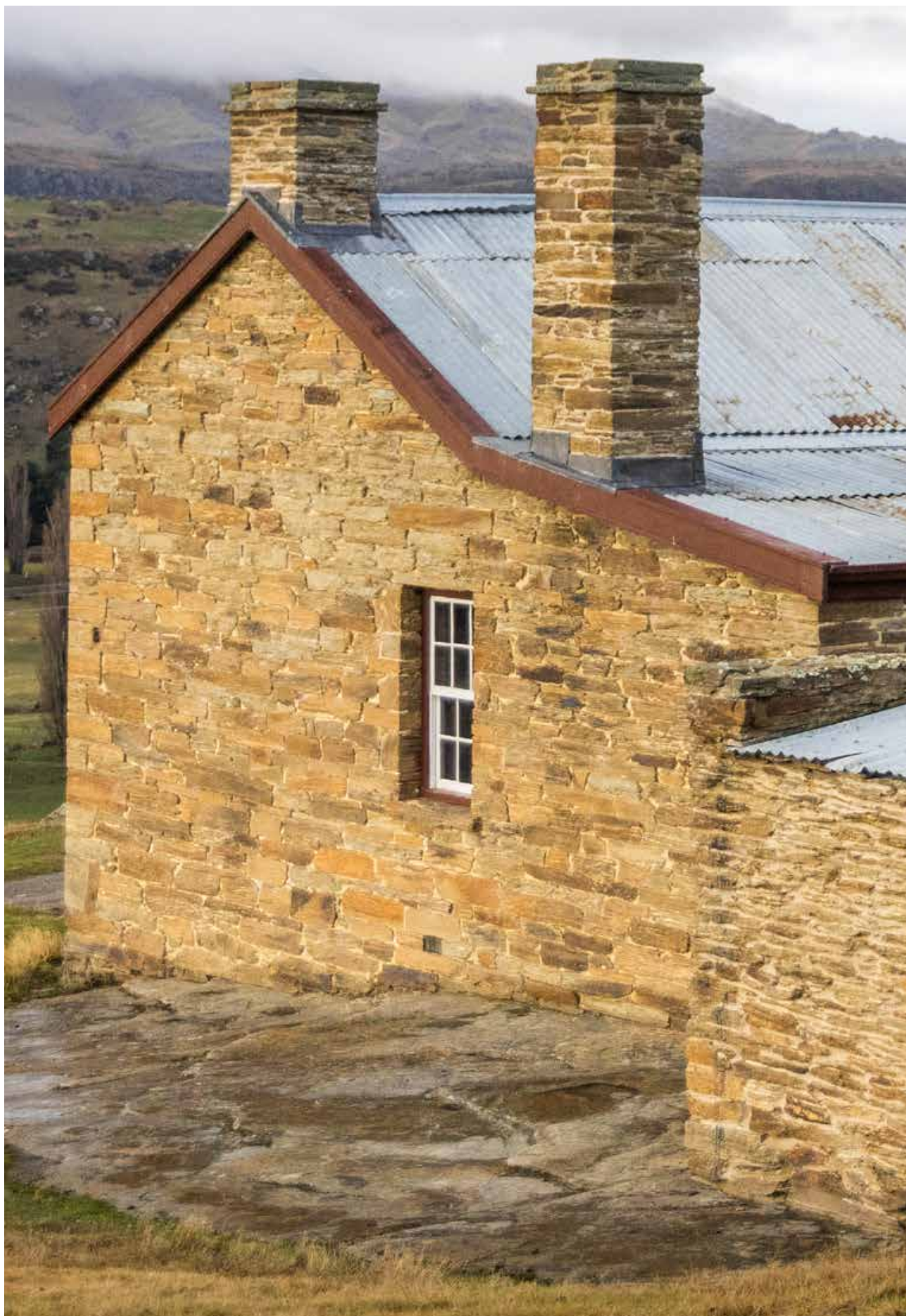
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3. How to use these guidelines
4. Information required for resource consent applications
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# PART A

## INTRODUCTION

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## PART A: INTRODUCTION

### 1. Purpose of the guide

Throughout Central Otago, the special character of many of the towns and settlements remains strongly shaped by their historic buildings, structures and settlement patterns. As the district continues to grow in popularity with visitors and new residents, there is a risk that new development could erode the very character that makes these places unique and attractive places to visit, work and live.

The purpose of these Guidelines is to assist in protecting this historic character by encouraging new development that is sympathetic to, and even enhances, the distinctive look and feel of each settlement. They provide positive direction for those building in these places, to assist them in making good decisions when designing new buildings or adding to existing ones. At the same time, they do not seek to lock the areas up as museums; the basis of the Guidelines is that new development will continue to occur in these settlements and well-designed buildings can make these places more vital and sustainable places.

The Guidelines seek to protect what is distinctive about each settlement and ensure that the elements that make these places special and attractive remain for future residents and visitors. Some of these elements relate to specific architectural features or characteristics of buildings and structures and factors like the way they are located on their sites. Replicating these, even in simpler, contemporary forms, assist in ensuring new developments sit more comfortably in these historic areas.

The Guidelines also acknowledge that what is special about each place is about more than just the buildings and structures. They recognise that the way places have evolved, the communities they house and the way people interact and enjoy spaces are also part of their character. While not all of these characteristics can be managed through design, specific guidance has also been included where particular choices could help to maintain the more intangible elements that contribute to making these places special.

Defining what is special about each place has been informed by site visits, the review of previous community engagement, and feedback from local heritage and community groups.

Throughout the Guidelines, an effort has been made to clearly articulate the characteristics that are defined as special and the design responses selected to protect or enhance them. This should help home owners to understand the outcomes being sought and why restrictions may exist. It also allows more creative designers to explore other ways to achieve the same outcome.

The Guidelines take a constructive and positive approach as much as practicable, focusing on what designers can do, rather than on what they should not do. They also try to use plain language, diagrams and images wherever possible to ensure they are easily understood by a wide audience.



 INTRODUCTION

## 2. How these guidelines interact with the District Plan

The guidelines sit outside the District Plan, meaning they do not have a formal statutory role. They should be read alongside the relevant objectives and policies and zone rules for the settlement development is taking place in, to provide more detail around the design outcomes being sought. However, the Guidelines can be considered in the assessment of any resource consent required under the District Plan.

The benefit of this approach is that the Guidelines are not subject to the same statutory timeframes and processes and can be adapted more easily if change is required, for example if unexpected consequences occur on the ground or if new challenges or opportunities arise. They are also useful for applicants and Council officers in providing guidance on matters that are likely to be considered in the resource consent process.



 INTRODUCTION

### 3. How to use these guidelines

The Guidelines are intended to provide direction to encourage the design of modern buildings, structures and additions that are more sympathetic to, and enhance the settlements they are located in.

They recognise that replication of heritage and character buildings, in part or as a whole, is difficult and seldom well-achieved. Instead, the Guidelines seek to encourage new development that does not dominate the existing environment, focusing on core design elements such as appropriate scale, materials, forms, rooflines, colours and site locations.

They are not intended to be prescriptive, read as a definitive checklist where every criterion should be met, or result in uniform design responses. The Guidelines look to encourage high-quality, contemporary, but understated architecture that fits comfortably amongst these established communities. They welcome innovative, creative and individual design responses, recognising that each locality and site has specific characteristics. The historic responses to this local context are exactly what has led to a unique architectural vernacular or style developing in each settlement over time.

Designers should use the Guidelines alongside site-specific information and observations of the broader neighbourhood to inform their design. By referencing these Guidelines and reinterpreting heritage and character features from other buildings and structures in the vicinity, there is the potential to create sympathetic, enduring, modern buildings whose design stands the test of time.



 INTRODUCTION

## 4. Information required for resource consent applications

In their resource consent application, applicants should reference the Guidelines. They should address the overarching key design principles and each of the criteria in their respective heritage area, noting whether their project does or does not align and any relevant detail or explanations. As noted previously, it is not expected that every criteria needs to be met to deliver a successful design outcome. In fact, simply designing to “tick all of the boxes” could also deliver negative design outcomes. Generally, however, sympathetic buildings will meet more of these criteria overall and embody the overall design aesthetic and character described in that Heritage Area. An introductory design statement detailing how the building interacts with the Heritage Area and responds to the Guidelines can also be valuable, particularly where the proposal takes an alternative approach to that outlined in this document.

For multi-unit developments, a landscaping plan should be also provided, detailing how the increased density and potential visual impacts on the Heritage Area are mitigated through planting and other site design choices.

Where there are significant differences between a development and the guidelines, staff may require a Heritage Impact Assessment (HIA), prepared by a suitably qualified professional. A Heritage Impact Assessment will be required for any multi-unit development.

Council officers are available to provide further assistance and advice alongside these guidelines. Pre-application meetings are also strongly recommended at an early stage of design, in order to ensure the best possible outcomes from the new development and the easiest route through the consent process.



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## 5. The Structure of the Guidelines

Following this introductory section, the document moves to the question of design detail and guidance.

Firstly, it details important overarching design principles common to all of the settlements. For each settlement, the following areas are then covered:

- History - a brief summary of the (European) history of the settlement to provide some context to how and why the place was founded and key events in its past that may have some bearing on the architectural style that has developed in that location. It is acknowledged at this time, the Māori history of these settlements is under-represented and it is recommended further work is undertaken in partnership with Mana Whenua to rectify this gap.
- Current Description of the Area - a brief description of the settlement today, noting factors such as current uses, conditions, development trends and community characteristics.
- Opportunities and threats - a summary of the main identified threats and opportunities, focused on those directly impacting the built heritage of the area, but also referencing others that may have an impact on the long-term wellbeing, resilience and character of the communities.
- Heritage listed buildings and sites - a list of the buildings and sites protected in the District Plan within the settlement or in close proximity to it. These buildings and sites may be able to provide inspiration or design cues for new developments.
- Design Guidelines - a list of the general characteristics desired to be protected and enhanced and specific design elements that should be incorporated into design in order to do so.



# PART B

## THE GUIDELINES

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## PART B: THE GUIDELINES

### 1. The “multi-cellular” approach

**While each of the settlements has its own specific architectural character, there are overarching design principles within these Guidelines that apply to all of the settlements. These approaches are discussed in further detail below.**

In all of the settlements covered by these design guidelines, scale is a very important consideration. Particularly in residential areas, the heritage buildings that give the settlements their unique character tend to be modest in scale and relatively understated in design. This reflects the time in which they were built, their purpose, the means of those that built them, and their rural and relatively isolated location.

In comparison, modern homes and buildings tend to be larger. Combined with contemporary design features and materials, the expanding number of large buildings is one of the biggest threats to character, especially as the number of new buildings expands with the growing popularity of the settlements for permanent residents and holiday-makers.

To address this risk, while recognising that most new buildings in the settlements will be larger than their heritage counterparts, the Guidelines focus on a “multi-cellular” design response. The multi-cellular approach involves reducing the perceived mass of larger buildings by dividing them up into multiple smaller cells of a cottage size, linked together to create buildings of the scale desired for modern-day needs.

The approach draws on historic design characteristics common in the region. Over time, smaller cottages were often added to, with lean-tos, larger bays or additional wings as families grew or wealth increased. Properties in the region also commonly contained multiple outbuildings, used for various purposes. Many of these still survive today and imbue the areas with their rustic character. The organic, incremental growth of buildings and “complexes” of collections of structures can provide inspiration for larger buildings today.

The diagrams below demonstrate how the multi-cellular approach can be employed to produce larger, character-contributing homes.

There are other benefits to the multi-cellular approach. It allows a staged approach to construction, where additional cells can easily be added over time as needs change, gradually expanding complexes in a way that is sensitive to the historical character of the area.

It also provides a heritage sensitive way to respond to the changing needs of intergenerational and whānau living, whether for holiday homes or permanent residences. Multiple units or cells can be linked together around communal outdoor spaces to create complexes that provide flexibility to accommodate larger family or multi-family groups and for changing occupancies over time as whānau and members’ needs and circumstances change. The different cells may also be adapted over time for different functions, whilst retaining a form that contributes positively to the surrounding heritage area.





## 2. A community-focused approach

The Guidelines also acknowledge the importance of community to residents and seek to maintain this into the future as the settlements grow and change. The design of new buildings and changes to existing buildings and structures have an important influence on the way people interact. Positive design choices can contribute to encouraging a greater sense of community.

For new development two particularly important elements contribute to this sense of community: a strong visual connection between houses and public spaces such as roads and reserves and features that encourage casual, "bump" interactions between people.

Many traditional design features common to the heritage buildings in these settlements already support these elements, which is why the Guidelines promote their continued inclusion in the design of new buildings. These include:

- Dwellings being oriented to the street
- Attractive, welcoming front facades
- Large windows and clearly defined entranceways facing the street
- Verandahs along street-facing facades
- Low fences or hedges (or no fences at all)
- Open and welcoming front lawns

Together these elements help to reinforce connections and community by enhancing the sense of security, allowing easy supervision of children playing outside and in streets or communal spaces, encouraging interactions between residents and passers-by, and for residents to recognise and keep an eye out for each other.

This is not to say that privacy is also an important consideration of modern living. The Guidelines acknowledge the desire for creating private outdoor areas and seek to find a balance between privacy and the benefits that more connection between homes and the street has for creating a safer and more welcoming community.

High fences are not prohibited altogether but are discouraged at the front of properties. Such fences and other barriers are more appropriate to the rear of houses, to create private outdoor areas, with fences on the street side needing to be lower to maintain more connection to the street and wider community.





### 3. The Importance of materials

Due to the isolation of the settlements and how they were established, there has been a historic emphasis on locally sourced materials in the construction of buildings and structures. Stone, mud-brick and rough sawn timber are most common, depending on the settlement. The use of galvanised corrugated iron is widespread, both as a roofing and a cladding material. There has also been a tendency to recycle and re-use materials, both from within the area and sometimes further afield. These materials reinforce the particular character of the settlements - modest, organic, earthy, imperfect, weathered, rustic - contributing strongly to the local vernacular.

Popular contemporary building materials tend to exhibit different characteristics, making buildings constructed of them stand out amongst older buildings. While some modern materials will naturally weather and settle over time, some like sheet claddings, brick veneers and those with highly engineered finishes will always look out of place, being more suited to suburban, commercial, coastal, or bush settings. Even modern variants of traditional materials can make new builds stand out unnecessarily, when the wrong colour, finish, reflectivity, scale, application, or alignment is used. In locations where the Design Guidelines encourage new buildings to be more recessive to reduce their visual impact, this can be problematic.

In order to address this issue, special attention should be paid to using materials common to the respective settlement new buildings are being constructed in, particularly on street-facing elevations. A localised approach should be taken, taking cues from nearby heritage or character buildings. Sourcing natural materials like stone locally helps to ensure they are consistent with those used in older buildings in the area, as well as having sustainability benefits. Where authentic, natural materials like stone or mud-brick cannot be sourced locally, it can be better to use alternative materials, rather than those imported from other regions, which will tend to have quite different visual characteristics.

The use of recycled or re-used materials is also encouraged wherever possible. While they will not always be suitable for structural uses or meet modern code requirements for weather-tightness or fire protection, creative designers and builders can re-use materials as veneers or for more decorative purposes. Where recycled or re-used materials are used successfully, they can immediately assist new buildings to settle into their surroundings.





## 4. A culturally-aware approach

The Design Guidelines acknowledge that while the built-form of the Heritage Precincts has a strongly European, settler character, that it is important to acknowledge mana whenua values and Te Ao Māori in designs. Particularly in public buildings and spaces it is expected that future design will take more of a bicultural, partnership approach.

There are also ways that both public and private developments and the Design Guidelines can support mana whenua values through heritage sensitive good design.

For example, an increased focus on native plantings in public spaces can not only provide ecological services such as stormwater retention and support the restoration of local biodiversity, but can allow for the incorporation of mara kai, raranga and rongoa planting and support Māori cultural practices. This can provide opportunities for whānau to connect to the land and nature and has benefits for whakatipuoranga (health and resilience).

The promotion of community-friendly design with a strong focus on visual connections between dwellings and the street, allowing whānau and neighbours to easily keep an eye on playing tamariki, for example, contributes to kotahitaka (togetherness). Clearly articulated, welcoming entranceways support manaakitaka (hospitality). The focus on locally-sourced, sustainable, and recycled materials reflect greater reference to te taiao/te takiwā (the environment).

The ability of the multi-cellular approach to provide designs that cater for intergenerational living, meeting the needs of all whānau members at different stages of their lives, and multiple whānau configurations accommodated in one kainga, supports the principle of whanaungatanga (family relationships) and ira tangata/mauri tangata (vitality and well-being).

A greater recognition of Te Ao Māori and Māori design principles in the Design Guidelines also means that in some areas adaptation and change should be encouraged, in order to deliver better cultural, social and environmental outcomes. In this respect, the Design Guidelines can have a regenerative element as well as a protective one. Where developments are taking an alternative approach on the basis of manifesting mana whenua values, this should be clearly articulated in the design statement and relevant engagement with iwi/hapū demonstrated (where appropriate).





## 5. A focus on adaptive re-use

The adaptive re-use of heritage and character-contributing buildings and structures is strongly encouraged in all of the Precincts. Adaptive re-use involves making sympathetic, but potentially significant, changes to a heritage building so that it can be used for a new purpose. The most successful adaptive re-use projects are those that take a lighter touch: they respect and retain the building's heritage significance while adding a contemporary layer that provides value for the future. Sensitivity and reversibility are key.

Sometimes adaptive re-use is the only way that the building's fabric will be properly cared for, while making better use of the building itself. Where a building can no longer function with its original use, adapting it to a new use may be the only way to preserve its heritage significance.

There are numerous other benefits to adaptive re-use. There are environmental and sustainability benefits relating to retaining the "embodied energy" of the existing structure and reducing construction and demolition waste. While meeting modern code requirements can be costly, there is a growing market for unique heritage spaces for commercial and residential uses and well-executed spaces can attract a premium. As the costs of construction and energy increase, too, recycling materials and re-using existing structures is likely to become more cost-effective. Taking a broader

economic perspective, retaining the very character that makes these places attractive places to visit, live and invest would also appear beneficial. From a social and cultural perspective, communities, governments, councils and developers are increasingly acknowledging that the quality and design of our the built environment in our towns and settlements is vital to our standard of living and contribute positively to identity and well-being. Re-using the older buildings that are valued by the community contributes positively to creating this familiar, interesting and attractive built environment.

In the rural settlements of Central Otago, in addition to the heritage and character-contributing commercial and residential buildings, there are a range of other utilitarian structures with potential for adaptive re-use. Barns, sheds, stables, garages, other auxiliary buildings and even ruins tell important stories and contribute important character to the settlements. Whether as the subject of creative adaptive re-use projects or integrated into new developments, these historic structures can add further value should be made to retain and reinvigorate them.



Ophir   
Naseby   
St Bathans   
Clyde   
Old Cromwell Town 

 PHIR



## 1. History

The settlement began as a gold-mining town. It became established very quickly when gold was discovered on the property of local runholder, Charles Black, in April 1863. Within three months, thousands of goldminers were living at what was then known as Blacks Diggings. The name was shortened to Blacks before being officially changed to Ophir in 1875, although the school, which has now been closed, and the hotel retained the name Blacks. The settlement was officially named after the goldmine described in the Bible as where the Queen of Sheba secured gold for King Solomon.

An estimated 34kgs of gold was extracted from the Ophir mines. The settlement became the district's commercial and social hub, with shops, two large hotels, a doctor and a hospital, school, post office, police station, bank, courthouse, and two churches.

But, as was the case with many booming goldmining settlements, the village became somewhat of a ghost town when the easily-extractable gold supply ran dry. Ophir was further depleted in 1904 when the newly developed Central Otago railway line bypassed the village, instead servicing the nearby farming settlement of Omakau, across the Manuherikia River.

However, it is believed the near abandonment of Ophir is the reason many of its historic buildings are in such good condition, and they are largely behind a renaissance of the village in recent years. Ophir is considered to rank alongside St Bathans and Clyde as among the country's most authentic gold-mining settlements. A number of the buildings have been carefully restored and the heritage values of the village attracts many visitors. Vintage shops have also been established, in keeping with the township's historic theme.



Photo credit: ??????????



## 2. Current description of the Precinct

The overall built character of the Ophir Heritage Precinct is mixed. Houses exist from various periods of the town's history and range from early cottages to a smaller number of more modern homes. While there is not one specific era or style of dwelling that dominates, there are a number of architectural characteristics that contribute to a unique look and feel within the Ophir Heritage Precinct.

These characteristics include the relatively small scale of houses. Cottages and small dwellings are most common. There are few character homes of a large scale and the construction of new homes with large footprints and substantial bulk has mostly been limited within the existing Precinct. Where earlier properties have grown, this has often been through additions and extensions, meaning they may exhibit a more "rambling" character and present as a collection of buildings rather than one large mass.

The design of buildings is also simple, with a reliance on basic shapes and rooflines. Materials are simple, with heritage and character buildings typically using stone, plastered brick or timber, with corrugated iron roofs. Decoration is restrained, reflecting the rural aesthetic, but some homes have used the detailing of verandahs or entrance ways to create some simple architectural interest in their street facing façades. Reinforcing this, homes have a clearly articulated front door facing the street making it clear that this is the front of the house.

While the setbacks and location of buildings on the site are varied, residential buildings do tend to present in a traditional manner, parallel to the street frontage. The overall site coverage is generally low. Dwellings tend to be surrounded by open lawns and gardens with hedges or low fences providing strong visual connections between houses and the street.

While the Precinct is predominantly residential in character, there is a small cluster of non-residential heritage buildings at the western end of the Precinct, which make up a small village centre. These include the Pitches Store, historic Post Office and the Peace Memorial Hall.

These former commercial and municipal buildings are all single storey and modest in scale. As is common in rural settlements, architectural detailing and limited decoration are focused on the front façade, with the sides being simpler and sometimes constructed in different materials. Non-residential buildings are commonly built of stone or brick and plaster with corrugated iron roofs. A smaller number of non-residential buildings are constructed from timber. They tend to be built either on or very close to the front boundary, reflecting their former public uses. Their front facades are aligned parallel to the street.

New development around this commercial core (whether residential or commercial) should pay the greatest attention to the detailing of the buildings, in order to ensure they fit sensitively into the precinct. Ill-conceived buildings in this area could have particularly negative impacts, given the compact scale and open nature of the precinct.

In recent years, a number of buildings in the Precinct have been adaptively re-used, primarily catering for the growing number of visitors to the region. Many residences are also used as short-term accommodation, diversifying income streams and expanding opportunities to restore heritage buildings.

The town centre's gold rush era development is discernible by its wide main street and somewhat haphazard development. Footpaths remain relatively informal and examples of early stormwater management and stone curbing remain. The modern trend to over-engineering and heavy-handed design in the streetscape has so far been avoided, retaining more of Ophir's quaint charm and historic authenticity than some other similar gold rush towns in Central Otago. Around the periphery of the town, archaeological remnants of its gold mining history remain, imparting additional significance on the place.

The Precinct has recently been expanded to the east, meaning it is now anchored by the rural art deco Blacks Hotel. While there are fewer heritage or character buildings in this part of the Precinct, there is significant room for new development, and this could easily overwhelm the settlement's overall character if it is not well-considered. Designed well, however, these new buildings will serve as a useful transitional zone into the core of the Precinct and counterbalance some of the less sensitive development that has taken place in more recent decades.



### 3. Threats and Opportunities

#### KEY THREATS TO CHARACTER

- The demolition of existing heritage or character-contributing buildings
- Insufficient maintenance of heritage buildings leading to demolition by neglect, in particular the derelict building at 42 Swindon Street
- The removal of original heritage features or infrastructure
- The use of materials that are inconsistent with those historically used in the area or the use of traditional materials in inappropriate ways
- Insensitive redevelopment on the site at 41 Swindon Street, given the location adjacent to Pitches Store in the core of the Precinct
- The construction of new buildings that do not respond to their context
- The development of large buildings that are out of character with the scale of the existing buildings in the Precinct
- The subdivision of larger sites and inappropriate infill
- The proliferation of signage
- The expansion of car parking areas on private land visible from the street front or other public spaces

#### KEY OPPORTUNITIES

- A strong existing character on which to build, based on the continued presence of numerous heritage buildings
- The construction of new buildings and replacement of non-character contributing buildings with more sympathetic buildings that enhance and strengthen the character of the Precinct
- Increased interest and economic activity in Ophir leading to the renewed use, restoration and adaptive re-use of under-utilised heritage buildings
- Encouraging uses and occupation of heritage buildings that strengthen Ophir as a sustainable, year-round community
- Protecting and enhancing Ophir's unique character as a visitor destination, alongside sensitive tourism opportunities such as cycle-touring which do not require large infrastructure developments





## 4. Design Guidelines – Ophir

In order to retain and enhance the heritage character of Ophir the following guidelines should be followed in the design of new buildings and additions to existing buildings.

Although there is not currently a specifically zoned business area, the differing characteristics of the existing commercial and residential buildings means separate guidelines for each are provided below. The appropriate guidelines should be followed depending on the type of activity the new development is proposed for, given non-residential buildings are already scattered throughout the Precinct.



### GENERAL GUIDELINES

Element	Guideline
<b>Streetscape design</b>	Existing heritage features such as stone curbing and physical and archaeological features related to the Gold Rush should be protected. New infrastructure and changes to the streetscape should reflect the rural heritage character, using natural, understated materials. They should avoid heritage pastiche and the introduction of false history.
<b>Utilities</b>	Above ground network utility infrastructure should be avoided wherever possible. Where they cannot be avoided they should be located sensitively and efforts should be made to reduce their visual impact, including by paying attention to design and materials, screening, or disguising the utility through the incorporation of art or design elements.
<b>Landscaping</b>	Established and historic trees and other vegetation in public spaces should be retained. Native plantings using species endemic to the area are encouraged, in order to support biodiversity, ecological services and cultural practices.



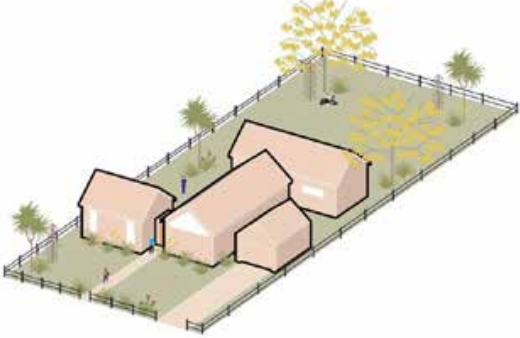


## COMMERCIAL GUIDELINES

Element	Guideline
<b>Scale/Mass</b>	Buildings should be one storey in height.
<b>Site placement and orientation</b>	Commercial buildings should be constructed within 400mm of the primary street frontage. Commercial buildings should be aligned with their front façade parallel to the street.
<b>Roof</b>	<p>Roofs should be gabled and/or hipped. Gables should present to the street. Rooflines may be concealed behind parapets or other architectural features. The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Buildings and structures should use materials that are common in the Precinct: timber weatherboards, roughcast plaster, cob, mudbrick, locally sourced stone and corrugated iron or visually consistent alternatives. The use of unplastered brick should be restricted.</p> <p>The use of a mix of materials is encouraged, in order to break up the mass and introduce visual interest to simple buildings.</p>
<b>Windows</b>	<p>Window layout on long façades should be symmetrical and/or rhythmical. Windows on long façades should be arranged in groups. Windows should be largely transparent.</p> 





## COMMERCIAL GUIDELINES

Element	Guideline
<b>Colour</b>	Base colours should be chosen from a palette of heritage or neutral colours, with a focus on muted earthy tones. Bright colours should be avoided, although colour can be used effectively for highlighting details
<b>Car parking, driveways, accessways</b>	Off street parking should be behind buildings if it is provided onsite, so it is not visible from the street front. Vehicle crossings should be kept to a minimum. It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates. Asphalt should be avoided
<b>Utilities</b>	Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.
<b>Signs</b>	Signs should be kept to a minimum. Signs on buildings should not dominate façades or conceal windows or architectural features. Where corporate colours differ from the neutral, earthy palate preferred for the area, they should be adapted to more subdued tones or used sparingly to ensure signs are sympathetic to the buildings they are placed on. Buildings should not be painted as signs.
<b>General Character</b>	New dwellings and structures must be sympathetic to their context and surrounding character-contributing buildings in the Precinct. New dwellings and structures should draw design cues from other character-contributing buildings in the Precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings. New dwellings and structures should reflect a rural character. While sensitive to their context, new dwellings and structures should be identifiable as contemporary. New dwellings and structures should avoid heritage pastiche or the introduction of false history
<b>Scale/Mass</b>	The scale of new dwellings should reflect that of the traditional cottages and Precinct. Scale is absolutely critical to successful new construction. Larger dwellings should take a multi-cellular approach, where additional cottage-sized cells are added to create the appearance of a cluster of buildings and reduce the overall perceived mass of the building. Dwellings should be one storey in height 









## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Site placement and orientation</b>	Dwellings should be aligned with a primary elevation parallel to the street. Dwellings should have a clearly articulated entrance facing the street
<b>Roof</b>	<p>Roofs should be pitched, with a preference towards steeper pitches on the primary building components</p> <p>Roofs should be gabled and/or hipped. Lean-tos and flat roofs may be used on secondary building components or to link different "cells".</p> <p>For large dwellings and structures, roofs should articulate different sections or "cells" of the building, in order to reinforce the multi-cellular approach or appearance of a cluster of buildings.</p> <p>Monopitch roofs are strongly discouraged, except where they are a secondary element of clusters of buildings.</p> <p>The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, green, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Dwellings and structures should use materials that are commonly represented in the area such as timber weatherboards, roughcast plaster, cob, mud brick, locally sourced stone and corrugated iron or visually consistent alternatives.</p> <p>The use of un-plastered brick should be restricted.</p> <p>The use of a mix of materials is encouraged, to break up the mass of the building and introduce visual interest to simple buildings.</p>
<b>Windows</b>	Windows should generally have a more vertical form.
<b>Colour</b>	<p>Base colours should be chosen from a palette of heritage or neutral colours, with a focus on muted earthy tones. Bright colours should be avoided, although colour can be used effectively for highlighting details.</p> 



## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Car parking, driveways, accessways</b>	<p>Parking, driveways and garages should not be prominent.</p> <p>Garages should be constructed in similar materials to the main dwelling.</p> <p>It is preferable that garages are separate stand-alone buildings. Where they are connected to the main dwelling, they should be articulated individually or separated with a linking cell in order to reduce the overall mass.</p> <p>It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates.</p> <p>Asphalt should be avoided.</p> 
<b>Fences/boundary treatments</b>	<p>Where fences or walls are installed on the front boundary, they should be low (1.5m or lower) with a high degree of permeability, in order to protect the visual connection to the street and the welcoming, community atmosphere.</p> <p>Once past the front façade of the dwelling, fence or wall heights may increase, but high fences are generally discouraged in order to retain the open, welcoming character of the area.</p> <p>Fences or walls should be simple and use similar materials to the dwellings they are associated with.</p> <p>Hedges are encouraged.</p>
<b>Trees and other vegetation</b>	<p>Established and historic trees and other vegetation should be retained wherever possible.</p>
<b>Utilities</b>	<p>Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.</p>
<b>Signs</b>	<p>Signs should be kept to a minimum.</p> <p>Signs on buildings should not dominate façades or conceal windows or architectural features.</p> <p>Where corporate colours differ from the neutral, earthy palate preferred for the area, they should be adapted to more subdued tones or used sparingly to ensure signs are sympathetic to the buildings they are placed on.</p> <p>Buildings should not be painted as signs.</p>

Ophir   
Naseby   
St Bathans   
Clyde   
Old Cromwell Town 

 NASEBY



## 1. History

When Māori first travelled through the Maniototo (translated from Māori as 'plains of blood') on their way to the West Coast in search of pounamu, flowing red tussocks covered the valleys and hillsides. The Maniototo was visited and stayed in on a regular basis so as to harvest the wild fowl and eels at the Taieri Lake and rivers. Later in the 1850s the first European settlers to the Naseby area were pastoralists seeking land to graze their sheep and cattle. The first settlement, known as 'Parkers' after the Parker party who discovered gold in the area in 1863, was soon re-located down the gully to a more suitable site; this new settlement, drawn up by the Otago Provincial Government in 1864, was titled "Naseby". Naseby became the earliest European settlement in the Maniototo and, over time, New Zealand's smallest independently-governed town. At the height of the gold rush and within a year of the Parker party's strike, several thousand miners were living in the town and immediate surrounding areas. Naseby's transformation into a bustling goldminers' town with hotels, churches, shops, stables, a courthouse, a hospital, and a newspaper, was part of the quickly changing Otago landscape as a swathe of goldfields opened up. Naseby continued to flourish into the 1880s as an administrative centre for the Maniototo area. A courthouse, warden's office, district hospital, several churches, a primary and Catholic school, and several large hotels, all operated in the town.

However, the construction of a railway line through nearby Ranfurly in 1898 meant that Naseby's prominence waned as Ranfurly gradually established itself as the local administrative and service centre. Naseby's decline as a service centre has been paralleled over time with its increase in popularity as a tranquil, recreational retreat. Naseby now has 120 permanent residents (2013 Census), yet during the summer and holiday periods, visitor numbers swell into the thousands. Estimates indicate that around two-thirds of Naseby's residential houses are holiday homes owned by 'cribbies'. These holiday-home owners are often from other parts of Otago and from Southland, and do not live permanently in Naseby. The town is now recognised as a peaceful holiday destination. The Naseby Forest's recreation area is a unique drawcard for residents and visitors alike, offering a strong point of difference. Recreational activities are often focused on what the forest recreation area can provide (mountain biking, swimming, walking opportunities) and on the ice sports that the town has become known for. The legacy of Naseby's proud history as a vibrant, thriving goldmining and administrative centre lives on today in the town's notable heritage buildings.





## 2. Current description of the Precinct

The Naseby Heritage Precinct comprises a town centre surrounded by residential dwellings. The character of the two areas is relatively distinct and described separately below.

### Commercial

The character of the commercial area of the Naseby Heritage Precinct is strongly defined by its gold rush and post gold rush era buildings of the 1860s and 1870s. These buildings make up the core of the commercial area and are recognised as significant heritage buildings in the CODC District Plan and through their registration on the Heritage New Zealand Pouhere Taonga List as Category I and II places.

Naseby's commercial and light industrial buildings are relatively well-preserved, due in part to the low growth and limited demands for redevelopment following the initial gold rush boom. Many retain a high degree of authenticity, with much of their original fabric intact and their character preserved. While they are in varying states of repair and occupancy, there is growing potential for renewed use and adaptive re-use, as Naseby grows in popularity as a holiday destination.

Consistent with their early construction and their rural, small town aesthetic, the buildings are predominantly simple in design. They are most commonly single storey, though there are a smaller number of two storey buildings. Decoration is restrained and restricted to the main street facing façade, with other elevations of the building simpler in design. Window or parapet detailing often provides much of the architectural interest in the façade. Where parapets are not present, buildings typically present a gable to the street and this becomes a key architectural feature of the building. Entrances are clearly articulated, facing the street, and often highlighted with architectural detailing. There is a strong reliance on timber for construction, with a smaller number using plaster or brick. Symmetry is less common than is typical for Victorian buildings, reflecting the more organic development and construction of the gold rush era buildings. However, in later and municipal buildings, more formal Victorian design principles are followed.

In the town centre buildings are generally built to the street front and occupy most of the width of their site, providing a clear differentiation between the residential and commercial parts of the Precinct. Sheds, garages, lean-tos and auxiliary buildings are visible and contribute to the overall character of the Precinct.

The town centre's gold rush era development is discernible by its wide streets and relatively haphazard development. Footpaths remain relatively informal and examples of early stormwater management and stone curbing remain. The modern trend to more formal civil engineering and streetscape design has thus far been avoided, retaining more of Naseby's quaint charm and historic authenticity than some other similar gold rush towns in Central Otago.

### Residential

The overall character of the residential area of the Precinct is mixed. Houses exist from various periods of the town's history. These include early cottages built following the gold rush, simple houses reflecting its role as a rural and forestry service centre, to more modern residences built and used predominantly as holiday cribs.

While there is not one specific era or style of dwelling that dominates, there are a number of architectural characteristics that contribute to a unique look and feel within the Heritage Precinct. These are also exhibited more broadly throughout the entire Naseby settlement.

These characteristics include the generally small scale of houses. The basic building blocks of dwellings are generally of a cottage-type scale. Where dwellings have grown over time, this has been in a more organic way, through the addition of further constituent parts such as lean-tos and annexes of a similar or lesser scale to the original building. The redevelopment of sites with new houses with large footprints and substantial bulk has been limited. Where properties have grown, they have tended to exhibit a more "rambling" character and may present as a collection of buildings rather than one large mass.

There is also a strongly do-it-yourself character to the area. Naseby's relative isolation has meant builders have needed to be resourceful. There has been a common use of local and recycled materials and the repurposing of building materials from elsewhere. Often, vernacular materials have been used in unusual ways. Decoration is relatively restricted with buildings presenting a simple, utilitarian, rural aesthetic.

The design of buildings is also simple, with a reliance on basic shapes and rooflines, though the collections of multiple forms can create complexity in the overall form of the dwelling.

There is little consistency in terms of setbacks and position on the site. However, buildings tend to present in a traditional manner parallel to the road with a clearly articulated front door. The overall site coverage is generally low. Dwellings tend to be surrounded by open lawns with low fences or hedges providing strong visual connections between houses and the street. This enhances and facilitates the family-friendly, community feeling of the settlement.

In recent years, there has been increased interest in Naseby for holiday homes and permanent residences as other towns around Otago have become more expensive. Attractions like the swimming dam, curling centre and walking and mountain-biking trails in the forest around Naseby have also contributed to its popularity, as a more traditionally kiwi holiday destination. This has led to the construction of a number of new dwellings within the Precinct, some more sympathetic to the character of the area than others. It has also resulted in the restoration and re-use of some long-vacant heritage buildings, ensuring a more positive future for these buildings. There remain a number of vacant sites and heritage buildings with the potential to be developed and re-used, presenting both opportunities and risks for the Precinct and its unique character.



### 3. Threats and Opportunities

#### KEY THREATS TO CHARACTER

- The demolition of existing heritage or character-contributing buildings
- The potential loss of the fire-damaged Ancient Briton Tavern
- Insufficient maintenance of heritage buildings leading to demolition by neglect
- The removal of original heritage features or infrastructure
- The construction of new buildings that do not respond to their context, including the transportation of relocatable or prefabricated houses that have a suburban style not tailored to the Precinct
- The development of large buildings that are out of character with the scale of the existing buildings in the Precinct
- The subdivision of larger sites and inappropriate infill
- The proliferation of signage
- The expansion of car parking areas on private land visible from the street front or other public spaces
- New development undermining the traditional kiwi holiday character of Naseby and its family-friendly, community feel

#### KEY OPPORTUNITIES

- The construction of new buildings and replacement of non-character contributing buildings with more sympathetic buildings that enhance and strengthen the character of the Precinct
- Increased interest and economic activity in Naseby leading to the renewed use, restoration and adaptive re-use of under-utilised heritage buildings
- Encouraging uses and occupation of heritage buildings that strengthen Naseby as a sustainable, year-round community
- Protecting and enhancing Naseby's authentic character as a visitor destination, alongside its unique tourism opportunities
- Improved access to the centrally-located Naseby Recreational Reserve







## 4. Design Guidelines – Naseby




In order to retain and enhance the heritage character of Naseby, the following characteristics should be followed in the design of new buildings and additions to existing buildings. Given the differing characteristics of the commercial and residential areas, the guidelines are separated below. The appropriate guidelines should be followed depending on the part of the precinct the development site is located in.

### GENERAL GUIDELINES

Element	Guideline
<b>Streetscape design</b>	<p>Existing heritage features such as stone curbing and physical and archaeological features related to the Gold Rush should be protected.</p> <p>New infrastructure and changes to the streetscape should be simple, use natural, understated materials and avoid heritage pastiche and the introduction of false history</p>
<b>Utilities</b>	<p>Above ground network utility infrastructure should be avoided wherever possible.</p> <p>Where they cannot be avoided they should be located sensitively and efforts should be made to reduce their visual impact, including by paying attention to design and materials, screening, or disguising the utility through the incorporation of art or design elements.</p>
<b>Landscaping</b>	<p>Established and historic trees and other vegetation in public spaces should be retained.</p> <p>Native plantings using species endemic to the area are encouraged, in order to support biodiversity, ecological services and cultural practices.</p> 
<b>General Character</b>	<p>New buildings and structures must be sympathetic to their context and surrounding character-contributing buildings in the Precinct.</p> <p>New buildings and structures should draw design cues from other character-contributing buildings in the Precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.</p> <p>New buildings and structures should reflect a rural commercial character.</p> <p>While sensitive to their context, new buildings and structures should be identifiable as contemporary.</p> <p>New buildings and structures should avoid heritage pastiche or the introduction of false history.</p> <p>Façades should have a solid appearance.</p> <p>Entrances should be made a feature of the front façade</p> 

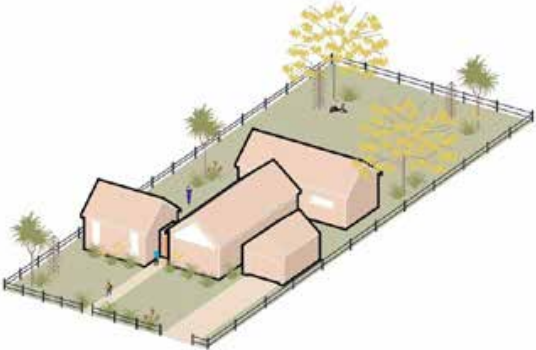


## GENERAL GUIDELINES

Element	Guideline
<b>Scale/Mass</b>	Buildings should occupy the full width of the site. Buildings should be one to two storeys in height.
<b>Site placement and orientation</b>	Commercial buildings should be constructed within 400mm of the road boundary. Commercial buildings should be aligned with their front façade parallel to the street.
<b>Roof</b>	<p>Roofs should be gabled and/or hipped. Gables should present to the street. Rooflines may be concealed behind parapets or other architectural features. The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, green, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Buildings and structures should use materials that are commonly represented in the area: timber weatherboards, roughcast plaster and corrugated iron or visually consistent alternatives. The use of unplastered modern brick and stone should be restricted. Recycled red brick may be used. The use of a mix of materials is encouraged, in order to break up the mass and introduce visual interest to simple buildings.</p> 
<b>Windows</b>	<p>Window layout on long façades should be symmetrical and/or rhythmical. Windows on long façades should be arranged in groups. Windows should be largely transparent.</p> 






## RESIDENTIAL GUIDELINES

Element	Guideline
<b>General Character</b>	<p>New dwellings and structures must be sympathetic to their context and surrounding character-contributing buildings in the Precinct.</p> <p>New dwellings and structures should draw important design cues from other character-contributing buildings in the Precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.</p> <p>While sensitive to their context, new dwellings and structures should be identifiable as contemporary.</p> <p>New dwellings and structures should avoid heritage pastiche or the introduction of false history.</p> 
<b>Colour</b>	<p>Base colours should be chosen from a palette of heritage or neutral colours, with a focus on muted earthy tones. Bright colours should be avoided, although colour can be used effectively for highlighting details.</p>
<b>Car parking, driveways, accessways</b>	<p>Off street parking should be behind buildings if it is provided onsite, so it is not visible from the street front.</p> <p>Vehicle crossings should be kept to a minimum.</p> <p>It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates. Asphalt should be avoided.</p>
<b>Utilities</b>	<p>Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.</p>
<b>Signs</b>	<p>Signs should be kept to a minimum.</p> <p>Signs on buildings should not dominate façades or conceal windows or architectural features.</p> <p>Where corporate colours differ from the neutral, earthy palate preferred for the area, they should be adapted to more subdued tones or used sparingly to ensure signs are sympathetic to the buildings they are placed on.</p> <p>Buildings should not be painted as signs.</p>









## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Site placement and orientation</b>	
<b>Roof</b>	<p>Roofs should be pitched, with a preference towards steeper pitches on the primary building components</p> <p>Roofs should be gabled and/or hipped. Lean-tos and flat roofs may be used on secondary building components or to link different "cells".</p> <p>For large dwellings, roofs should articulate different sections or "cells" of the building, in order to reinforce the multicellular approach or appearance of a cluster of buildings.</p> <p>Monopitch roofs are strongly discouraged, except where they are a secondary element of clusters of buildings.</p> <p>The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, green, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Dwellings should use materials that are commonly represented in the area: timber weatherboards, roughcast plaster and corrugated iron or visually consistent alternatives. The use of unplastered brick and stone should be restricted.</p> <p>The use of a mix of materials is encouraged, in order to break up the mass and introduce visual interest to simple buildings.</p> <p>The use of recycled or repurposed materials is encouraged, reflecting the existing DIY character of the area.</p>
<b>Windows</b>	Windows should generally have a more vertical form.
<b>Colour</b>	<p>Base colours should be chosen from a palette of heritage or neutral colours. Bright colours should be avoided, although colour can be used effectively for highlighting details.</p> 



## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Car parking, driveways, accessways</b>	<p>Parking, driveways and garages should not be prominent.</p> <p>It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates. Asphalt should be avoided.</p> <p>Garages should be constructed in similar materials to the main dwelling.</p> <p>It is preferable that garages are separate stand-alone buildings. Where they are connected to the main dwelling, they should be articulated individually or separated with a linking cell in order to reduce the overall mass of the building.</p> 
<b>Fences/boundary treatments</b>	<p>Where fences or walls are installed on the front boundary, they should be low (1.5m or lower) with a high degree of permeability, in order protect the visual connection to the street and the welcoming, community atmosphere.</p> <p>Once past the front façade of the dwelling, fence or wall heights may increase, but high fences are generally discouraged in order to retain the open, welcoming character of the area.</p> <p>Fences or walls should be simple and use similar materials to the dwellings they are associated with.</p> <p>Hedges are encouraged</p>
<b>Trees and other vegetation</b>	<p>Established and historic trees and other vegetation should be retained wherever possible.</p>
<b>Utilities</b>	<p>Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.</p>
<b>Signs</b>	<p>Signs should be discreet and kept to a minimum.</p> <p>Signs on dwellings should not dominate façades or conceal windows or architectural features. Hanging swing signs are preferable.</p>

Ophir   
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ST BATHANS



## 1. History

Geologically, the area is very old with a distinctive landform. St Bathans is located at the head of what, between 15 and 18 million years ago, was a freshwater wetland, known as Lake Manuherikia. Sketchy evidence of life in this Miocene period may still be found in the form of fossil deposits in the area.

Gold was discovered at Dunstan Creek in 1863 and quickly became the site of a robust town with hotels, grog-shops, bakeries, butchers and five stores. In 1865 the name of the town was formally changed to St Bathans, ostensibly the name of a Scottish estate belonging to a relative of Otago Chief Surveyor, John Turnbull.

Towards the end of the decade the area was booming, with two banks, a police station, four pubs (down from 15 at its peak), a cottage hospital, courthouse, two churches and two schools. Gold was still being won in the 1870's from Surface Hill, Vinegar Hill and the "Glory Hole", where miners sluiced away a 120 metre hill, leaving a 69 metre deep hole which filled with water and is today known as the Blue Lake.

Today St Bathans village is left with a handful of permanent residents and holiday cribs.





## 2. Current description of the Precinct

The dominant character of the St Bathans Heritage Precinct is provided by its remaining Gold Rush era buildings. These buildings stretch along the main road through the settlement as it winds along the lakeside.

The buildings are a mix of residential, commercial, and municipal buildings alongside utilitarian structures like barns, sheds, and outhouses associated with other buildings in the Precinct. So far, there has been limited new construction within the Precinct, meaning heritage buildings continue to make up the majority of buildings in St Bathans. However, there is substantial scope for this to change as the many vacant sections are built on, land surrounding the settlement is subdivided and the area's popularity increases.

The residential buildings in the Precinct are predominantly of a small scale. The basic building blocks of dwellings are generally of a cottage-type scale. Where dwellings have grown over time, this has been in a more organic way, through the addition of further constituent parts such as lean-tos and annexes of a similar or lesser scale to the original building.

The design of residential buildings is simple, with a reliance on basic shapes and rooflines. Cottages tend to present a symmetrical form to the street, typically with a central front door and windows located on either side. Roofs are hipped or gabled, commonly with the ridge facing the street, rather than the gables. Some include simple roofed verandahs along the front of the building to add further architectural interest to otherwise simple buildings. Other decoration is restrained, reflecting the rural aesthetic and modest means of those who originally built the houses.

Materials are similarly simple, with heritage and character buildings typically using stone (raw or plastered), cob, mud brick, timber weatherboards, and corrugated iron. Roofs are corrugated iron.

There is little consistency in terms of setbacks and location on the site. Some houses are located very close to the road, while others sit much further back on their sites. This is often guided by topography, given the steepness of many sites. Overall site coverage is generally low. Dwellings tend to be surrounded by open lawns with low fences or hedges providing strong visual connections between houses and the street. Gardens and grounds tend not to be highly manicured, meaning the area has a slightly unkempt, informal character.

Given the growing popularity of the area, there is already a small amount of additional land being subdivided for residential development, centred on St Bathans Downs Road. This growth of the settlement will have little visual impact on the historic core Precinct, given its location and topography, but it is positive that Precinct rules apply. Any future expansions should be similarly planned to provide some visual buffering from the historic core of the Precinct and include some controls over design.

While the Precinct is zoned residential, there are a number of non-residential buildings clustered between the St Bathans Downs and Loop Road intersection and the carpark on Loop Road. These former commercial and municipal buildings vary in style and exhibit less symmetry than their residential counterparts. They are mostly single storey, with the exception of the two-storeyed former Post Office.

As is common in rural, Gold Rush settlements, architectural detailing and limited decoration are focused on the front façade of these buildings, with the sides being simpler and sometimes constructed in different materials. Non-residential buildings are commonly constructed of timber, mud brick, or stone with corrugated iron roofs. They tend to be built either on or very close to the front boundary, reflecting their former public uses. Their front facades are aligned parallel to the street.

There is potential for more adaptive re-use in the Precinct to reinvigorate a number of the vacant non-residential heritage buildings. This could bring additional vitality to St Bathans as a year-round destination and a more sustainable settlement for permanent residents. The Department of Conservation will be a key partner in any such developments, as the owner and manager of many of the town's vacant heritage buildings and its reserve areas.

The town centre's Gold Rush era development remains discernible beyond its remaining heritage buildings, but also in its spatial layout, somewhat haphazard development, and the landscape features formed as a result of its history of mining. There remain limited footpaths and infrastructure. The modern kerb and channel and footpath outside the Vulcan Hotel is an exception that that should be avoided in future and more heritage sensitive options installed instead. Throughout the town, archaeological remnants of its gold mining history remain, imparting additional character and significance on the place and these should be protected wherever possible.



### 3. Threats and Opportunities

#### KEY THREATS TO CHARACTER

- The demolition of existing heritage or character-contributing buildings
- Insufficient maintenance of heritage buildings leading to demolition by neglect
- The construction of new buildings that do not respond to their context
- The development of large buildings that are out of character with the scale of the existing buildings in the Precinct
- The construction of new buildings that do not respond to their context, including the transportation of relocatable or prefabricated houses that have a suburban style not tailored to the Precinct
- The development of large, visually dominant, out of context buildings on sites directly adjoining and/or highly visible from within the Precinct
- The subdivision of larger sites and inappropriate infill
- The rezoning of large amounts of land for new development undermining the traditional village character of St Bathans
- The use of materials that are inconsistent with those traditionally used in the area or the use of traditional materials in inappropriate ways
- The removal of original heritage features or infrastructure
- The proliferation of signage

#### KEY OPPORTUNITIES

- The construction of new buildings that enhance and strengthen the character of the Precinct
- Increased interest and economic activity in St Bathans leading to the renewed use, restoration and adaptive re-use of vacant or under-utilised heritage buildings
- Encouraging uses and occupation of heritage buildings that strengthen St Bathans as a sustainable, year-round community
- Protecting and enhancing St Bathans authentic character as a visitor destination, alongside its unique tourism opportunities and unique ability to tell the history of mining in Central Otago






## 4. Design Guidelines – St Bathans

In order to retain and enhance the heritage character of St Bathans, the following characteristics should be interpreted in the design of new buildings and additions to existing buildings.




Although there is not currently a specifically zoned commercial area, the differing characteristics of the existing commercial and residential buildings means separate guidelines for each are provided below. The appropriate guidelines should be followed depending on the type of activity the new development is proposed for, given non-residential buildings are already scattered throughout the Precinct

### GENERAL GUIDELINES

Element	Guideline
<b>Streetscape design</b>	Existing heritage features such as stone curbing and physical and archaeological features related to the Gold Rush should be protected. New infrastructure and changes to the streetscape should reflect the rural heritage character, using natural, understated materials. They should avoid heritage pastiche and the introduction of false history.
<b>Utilities</b>	Above ground network utility infrastructure should be avoided wherever possible. Where they cannot be avoided they should be located sensitively and efforts should be made to reduce their visual impact, including by paying attention to design and materials, screening, or disguising the utility through the incorporation of art or design elements
<b>Landscaping</b>	Established and historic trees and other vegetation in public spaces should be retained. Native plantings using species endemic to the area are encouraged, in order to support biodiversity, ecological services and cultural practices.
<b>General Character</b>	<p>New buildings and structures must be sympathetic to their context and surrounding character-contributing buildings in the Precinct.</p> <p>New buildings and structures should draw design cues from other character-contributing buildings in the Precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.</p> <p>New buildings and structures should reflect a rural commercial character.</p> <p>While sensitive to their context, new buildings and structures should be identifiable as contemporary.</p> <p>New buildings and structures should avoid heritage pastiche or the introduction of false history.</p> <p>Façades should have a solid appearance.</p> <p>Entrances should be made a feature of the front façade.</p> 




## COMMERCIAL GUIDELINES

Element	Guideline
<b>Scale/Mass</b>	Buildings should occupy the full width of the site. Buildings should be one to two storeys in height
<b>Site placement and orientation</b>	Buildings should be constructed towards the front of the site, close to the road boundary. Buildings should be aligned with their front façade parallel to the street
<b>Roof</b>	<p>Roofs should be gabled and/or hipped. Rooflines may be concealed behind parapets or other architectural features. The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, green, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Buildings and structures should use materials that are commonly represented in the Precinct: timber weatherboards, stone, cob, mudbrick and corrugated iron or visually consistent alternatives. The use of modern, un-plastered brick should be avoided. The use of a mix of materials is encouraged, in order to break up the mass of the building and introduce visual interest to simple buildings.</p> 
<b>Windows</b>	<p>Window layout on long façades should be symmetrical and/or rhythmical. Windows on long façades should be arranged in groups. Windows should be largely transparent.</p> 





## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Colour</b>	Base colours should be chosen from a palette of heritage or neutral colours, with a focus on muted earthy tones. Bright colours should be avoided, although colour can be used effectively for highlighting details.
<b>Car parking, driveways, accessways</b>	Off street parking should be behind buildings if it is provided onsite, so it is not visible from the street front. Vehicle crossings should be kept to a minimum. It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates. Asphalt should be avoided.
<b>Utilities</b>	Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.
<b>Signs</b>	Signs should be kept to a minimum. Signs on buildings should not dominate façades or conceal windows or architectural features. Where corporate colours differ from the neutral palate preferred for the area, they should be adapted to more subdued tones or used sparingly to ensure signs are sympathetic to the buildings they are placed on. Buildings should not be painted as signs.
<b>General Character</b>	New dwellings and structures must be sympathetic to their context and surrounding character-contributing buildings in the Precinct. New dwellings should draw important design cues from other character-contributing buildings in the Precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings. While sensitive to their context, new dwellings and structures should be identifiable as contemporary. New dwellings and structures should avoid heritage pastiche or the introduction of false history
<b>Scale/Mass</b>	The scale of new dwellings should reflect that of the traditional cottages and cribs in the Precinct. Scale is absolutely critical to successful new construction. Larger dwellings should take a multi-cellular approach, where additional cottage-sized cells are added to create the appearance of a cluster of buildings and reduce the overall perceived mass of the building. Dwellings should be one to two storeys in height 









## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Site placement and orientation</b>	<p>Dwellings should be aligned with a primary elevation parallel to the street. Dwellings should have a clearly articulated entrance facing the street.</p> 
<b>Roof</b>	<p>Roofs should be pitched, with a preference towards steeper pitches on the primary building components</p> <p>Roofs should be gabled and/or hipped. Lean-tos and flat roofs may be used on secondary building components or to link different "cells".</p> <p>For large dwellings and structures, roofs should articulate different sections or "cells" of the building, in order to reinforce the multi-cellular approach or appearance of a cluster of buildings.</p> <p>Monopitch roofs are strongly discouraged, except where they are a secondary element of clusters of buildings.</p> <p>The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, green, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Dwellings should use materials that are commonly represented in the Precinct: locally-sourced stone, timber weatherboards, mudbrick, cob, and corrugated iron or visually consistent alternatives. The use of unplastered modern brick should be avoided.</p> <p>The use of a mix of materials is encouraged, in order to break up the mass and introduce visual interest to simple buildings.</p>
<b>Windows</b>	Windows should generally have a more vertical form.
<b>Colour</b>	Base colours should be chosen from a palette of heritage or neutral colours, with a focus on muted earthy tones. Bright colours should be avoided, although colour can be used effectively for highlighting details.



## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Fences/boundary treatments</b>	<p>Where fences are installed on the front boundary, they should be low (1.5m or lower) with a high degree of permeability, in order protect the visual connection to the street.</p> <p>Once past the front façade of the dwelling, fence heights may increase, but high fences are generally discouraged in order to retain the open character of the area. Fences should be simple and use similar materials to the houses on site. Hedges are encouraged.</p>
<b>Trees and other vegetation</b>	<p>Established and historic trees and other vegetation should be retained wherever possible</p>
<b>Utilities</b>	<p>Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.</p>
<b>Signs</b>	<p>Signs should be discreet and kept to a minimum.</p> <p>Signs on dwellings should not dominate façades or conceal windows or architectural features. Hanging swing signs are preferable.</p>
<b>Car parking, driveways, accessways</b>	<p>Parking, driveways and garages should not be prominent.</p> <p>It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates. Asphalt should be avoided.</p> <p>Garages should be constructed in similar materials to the main dwelling.</p> <p>It is preferable that garages are separate stand-alone buildings. Where they are connected to the main dwelling, they should be articulated individually or separated with a linking cell in order to reduce the overall mass of the building.</p> 

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## 1. History

Clyde was named after Lord Clyde, who was Commander of the British Forces during the Indian Mutiny. The town is renowned for its goldfields history and for being the former administrative centre of Central Otago. Vincent Pyke was a notable figure in the history of Clyde, first as secretary and organiser of the Otago Goldfields and, later, as Warden and Resident Magistrate. He was also Chairman of the county which bore his christian name and he was also MP for Dunstan. Clyde was the administrative centre for the Vincent County until the local government reorganisation in 1989 when the administrative centre for the district moved to Alexandra.

The town has magnificent pioneer architecture, much of it due to the skill of Shetland Islands masons, notably John Holloway, who built structures such as the Anglican and Catholic Churches and the stone wall surrounding the historic cemetery. Dunstan Hospital is sited at Clyde and dates back to 1863. Over the years the hospital has been dogged by concerns such as "inadequate finance" and natural disasters such as flooding of its original site. Recently the local community has rallied round, as it has done many times before, to secure the future of its hospital service and has resulted in the newly upgraded hospital being opened in November 2005. The main commercial area is part of the historic precinct in Clyde. Many of the businesses operate out of historic buildings such as Olivers Restaurant and Lodge. This was originally the home and business premises of Ben Naylor who was a

pioneer merchant who began in the town in 1863. Other examples include Clyde's historic post office which has been converted into the Post Office restaurant and bar. (The Cyclopedia of Otago and Southland Vol 1, Edited by Paul Sorrell, Published 1999).

The 1970's and 80's saw significant change in the area with the construction of the Clyde Dam. This saw many new people come into the area to live. With the filling of the lake in the early 1990's, the beauty of the Cromwell Gorge was lost but Lake Dunstan has become a tremendous recreation asset that much of Central Otago now enjoys. Since the days of building the dam, the population of Clyde has now settled at approximately 830. The town draws on a wider catchment, with people in the Earnscliffe Flats, Muttontown and Springvale areas considering Clyde to be their home town.

Central Otago has been subject to rapid economic development during the past two years. While the growth of new businesses is resulting in increased employment and rewards for many in Central Otago, the major effect in the Clyde area has been a significant increase in the price of houses and land, along with significant subdivisions and new houses being built. This reflects the real estate explosion rippling out from development in Queenstown and Wanaka. The growth of tourism to Otago and Central Lakes is also reflected in an increased number of visitors passing through the town.





## 2. Current description of the Precinct

### Commercial

The historic core of the commercial area centres on Sunderland St north of the Naylor St intersection. The commercial core is mostly made up of single storey heritage buildings of a small-medium scale, with the two double storey former hotels being the larger exceptions in this area. The other exception to the general scale and style is the Oliver's complex, made up of a collection of various commercial, residential and semi-industrial buildings.

Throughout the commercial area, the buildings are modest, with simple architectural detailing and limited decoration focused on the front façades. They are commonly built from locally-sourced schist stone, timber or brick with corrugated iron roofs. They tend to be built either on or very close to the front boundary, reflecting their former public uses. Front façades are aligned parallel to the street. While roofs are commonly concealed behind simple parapets, a small number of buildings present gables to the street. Glazing tends to be limited in proportion to the overall scale of the buildings, giving façades a solid appearance. The original sash windows also strongly define the character of the buildings. A small number of buildings have simple verandahs. Overall signage is minimal, with a focus on heritage-style signs.

Outside the core commercial area, a number of commercial operations have also established in historic houses. However, in doing so they have tended to make few changes to the exterior of buildings, meaning they retain a residential aesthetic and align to the characteristics of the residential area.

The character of the small section of commercial area immediately south of Naylor Street is less cohesive. One block is dominated by a service station and workshop. The buildings are not historic and have little architectural merit. The other houses a small, character former motor garage and a simple commercial building. A small area of commercial spot zoning also exists on the corner of Fraser and Blyth streets, centred on the former Post Office and Postmaster's buildings.

Running parallel to the traditional main street, a large area of new commercial activity has been established in Holloway Street. A number of new buildings have already been constructed in this area, with efforts made to reflect key elements of the old town centre in their design, without being slavish reproductions. These buildings tend to be of a larger scale than those on the historic main street and a number have been built to two storeys. This greater scale can be accommodated without overwhelming the traditional town centre due to the distance between the two areas and the buffer of transitional buildings in between. However, efforts should still be made to break larger buildings into modules to reduce their overall perceived mass.

The laneway area behind the main street is also an area of growing interest for commercial and residential development. Miners Lane is narrow historic laneway offering views of the rear of the buildings/sites and more utilitarian structures as well as gardens and yards. There is strong potential for the expanded activity in the area and it is important that similar consideration is given to the design of buildings along this lane, given both the impacts on the lane itself and the visibility of buildings built on it from Sunderland Street. Well-designed buildings will create a positive visual backdrop for the older parts of the Precinct.

### Residential

The residential component of the precinct is divided into two separate sections, located on either side of the commercial area. In neither of these sections is there a dominant architectural style or period represented. There are a mix of dwelling styles, from small cottages to bungalows and a scattering of more modern homes.

Historic and character house are located throughout the precinct. The southern section is also home to three historic churches and

their former ancillary buildings. There is an important cluster of buildings around the former Post Office, Postmaster's house and St Michael and all Angels Church complex (partly zoned as business).

The design of residential buildings is simple, with a reliance on basic shapes and rooflines. Most dwellings are single storeyed. Roofs are hipped or gabled, with at least one gable normally facing the street. Some include simple roofed verandahs along the front of the building to add further architectural interest to otherwise simple buildings. Other decoration is restrained, reflecting the modest means of those who originally built the houses.

Materials are similarly simple, with heritage and character buildings typically using stone (raw or plastered), brick, roughcast, timber weatherboards, and corrugated iron. Roofs are corrugated iron.

Setbacks and the location of buildings on their sites are mixed. Some houses are located close to the road, while others sit much further back. Overall site coverage is low. Dwellings tend to be surrounded by large lawns, gardens and well-established trees. Most have fences or hedges that allow strong visual connections between houses and the road, meaning the area retains an open, community feel. Many properties also retain historic stone walls on the front boundary, particularly in the southern part of the precinct.

While there is not a consistency in the style of houses in the residential section of the heritage precinct, there is a definite "old town" character. There are also a number of vacant sites and non-character buildings ripe for redevelopment. The design of new development in the area should be managed in order to maintain the historic feel of Clyde, generally, and the neighbouring town centre, in particular. There are also a number of heritage features in the area, such as stone walls, sheds, and other historic structures that should be retained and integrated into new developments wherever possible. The former undertakers building on Holloway Street is one such example. Restoring these types of historic structures and integrating their key design elements into new developments will assist in preserving and enhance the historic character of the Precinct. There is a strong likelihood of intensification in the residential area as enhanced infrastructure reduces the minimum site sizes required. While this can have positive benefits in contributing to vibrancy in the town and using limited land resources more efficiently, this intensification also presents potential risks to the character of the town if the new development is not designed sensitively.

While single additional dwellings on sites through subdivision and infill housing can be treated in much the same way as other new dwellings, particular attention should be paid to the design of multi-unit developments. Particularly where they comprise of one large, contiguous building form, new multi-unit developments will be out of context with the existing character, larger in scale and mass, and use architectural forms that are not represented within the town. There is a risk that in trying to maximise development potential, residential multi-unit developments end up looking like motels or what have been disparagingly coined "sausage flats".

Applying the multi-cellular approach to multi-unit developments will help to reduce the visual impact of the structures, but larger multi-unit developments can also be problematic in their levels of site coverage, the visibility of amenity areas, the loss of trees, gardens and lawns and increased hard surfacing for car parking. Such developments may require such measures as additional landscaping, retaining established trees and historic structures, and creative approaches to site placement to reduce these potential impacts on the character of the Precinct.



### 3. Threats and Opportunities

#### KEY THREATS TO CHARACTER

- The demolition of existing heritage or character-contributing buildings
- Insufficient maintenance of heritage buildings or character-contributing buildings leading to demolition by neglect, such as the former bank building on Matau Street and the undertaker's building on Holloway Street
- The removal of original heritage features or infrastructure
- The use of materials that are inconsistent with those historically used in the area or the use of traditional materials in inappropriate ways
- The construction of new buildings that do respond to their context
- The development of large buildings and multi-unit complexes that are out of character with the scale of the existing buildings in the Precinct
- The subdivision of larger sites and inappropriate infill
- The proliferation of signage
- The expansion of car parking areas on private land visible from the street front or other public spaces
- The overdevelopment of Clyde undermining its existing character

#### KEY OPPORTUNITIES

- A strong existing character on which to build, based on the continued presence of numerous heritage buildings
- The construction of new buildings and replacement of non-character contributing buildings with more sympathetic buildings that enhance and strengthen the character of the Precinct
- Increased interest and economic activity in Clyde leading to the renewed use, restoration and adaptive re-use of under-utilised heritage buildings
- The ability to expand economic activity within the new part of the town centre and incorporate new styles of retailing while protecting and enhancing the unique character of the main street
- Encouraging uses and occupation of heritage buildings that strengthen Clyde as a sustainable, year-round community
- Protecting and enhancing Clyde's unique character as a visitor destination, alongside sensitive tourism opportunities such as cycle-touring which do not require intrusive infrastructure developments






## 4. Design Guidelines – Clyde



In order to retain and enhance the heritage character of Clyde, the following characteristics should be interpreted in the design of new buildings and additions to existing buildings. Given the differing characteristics of the commercial and residential areas, the guidelines are separated below. The appropriate guidelines should be followed depending on the part of the precinct the development site is located in.

### GENERAL GUIDELINES

Element	Guideline
<b>Streetscape design</b>	Existing heritage features and physical and archaeological features related to the Gold Rush should be protected. New infrastructure and changes to the streetscape should be simple, use natural, understated materials and avoid heritage pastiche and the introduction of false history.
<b>Utilities</b>	Above ground network utility infrastructure should be avoided wherever possible. Where they cannot be avoided they should be located sensitively and efforts should be made to reduce their visual impact, including by paying attention to design and materials, screening, or disguising the utility through the incorporation of art or design elements.
<b>Landscaping</b>	Established and historic trees and other vegetation in public spaces should be retained. Native plantings using species endemic to the area are encouraged, in order to support biodiversity, ecological services and cultural practices.
<b>General Character</b>	<p>New buildings and structures must be sympathetic to their context and surrounding character-contributing buildings in the Precinct.</p> <p>New buildings and structures should draw important design cues from other character-contributing buildings in the Precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.</p> <p>New buildings should reflect a rural commercial character.</p> <p>While sensitive to their context, new buildings should be identifiable as contemporary.</p> <p>New buildings should avoid heritage pastiche or the introduction of false history.</p> <p>Entrances should be made a feature of the front façade.</p> <p>Façades should have a solid appearance.</p> <p>Verandahs are optional.</p> 



## COMMERCIAL GUIDELINES

Element	Guideline
<b>Scale/Mass</b>	Buildings should occupy the full width of the site. Buildings should be one to two storeys in height
<b>Site placement and orientation</b>	Buildings should be constructed towards the front of the site, close to the road boundary. Commercial buildings should be aligned with their front façade parallel to the street.
<b>Roof</b>	<p>Roofs should be gabled and/or hipped. Rooflines may be concealed behind parapets or other architectural features. The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, green, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Buildings and structures should use materials that are commonly represented in the Precinct: stone, brick and plaster, timber weatherboards, corrugated iron or visually consistent alternatives. The use of modern, unplastered brick should be avoided.</p> <p>The use of a mix of materials is encouraged, in order to break up the mass of the building and introduce visual interest to simple buildings.</p>
<b>Windows</b>	<p>Window layout on long façades should be symmetrical and/or rhythmical. Windows on long façades should be arranged in groups. Windows should be largely transparent.</p> 






## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Colour</b>	<p>Base colours should be chosen from a palette of heritage or neutral colours, with a focus on muted earthy tones. Bright colours should be avoided, although colour can be used effectively for highlighting details.</p> <p>New buildings in Miners Lane and Holloway Street can also use dark colours such as grey, black and green to make these buildings more recessive.</p>
<b>Car parking, driveways, accessways</b>	<p>Off street parking should be behind buildings if it is provided onsite, so it is not visible from the street front.</p> <p>Vehicle crossings should be kept to a minimum.</p> <p>It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates. Asphalt should be avoided.</p> <p>Publicly accessible laneways through larger sites are encouraged.</p>
<b>Utilities</b>	<p>Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.</p>
<b>Signs</b>	<p>Signs should be kept to a minimum.</p> <p>Signs on buildings should not dominate façades or conceal windows or architectural features.</p> <p>Where corporate colours differ from the neutral palate preferred for the area, they should be adapted to more subdued tones or used sparingly to ensure signs are sympathetic to the buildings they are placed on.</p> <p>Buildings should not be painted as signs.</p>
<b>General Character</b>	<p>New dwellings and structures must be sympathetic to their context and surrounding character-contributing buildings in the Precinct.</p> <p>New dwellings should draw important design cues from other character-contributing buildings in the Precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.</p> <p>While sensitive to their context, new dwellings and structures should be identifiable as contemporary.</p> <p>New dwellings and structures should avoid heritage pastiche or the introduction of false history.</p>
<b>Scale/Mass</b>	<p>The scale of new buildings should reflect that of the traditional cottages and cribs in the Precinct. Scale is absolutely critical to successful new construction.</p> <p>Larger dwellings should take a “multi-cellular” approach, where additional cottage-scale cells are added to create the appearance of a cluster of buildings and reduce the overall perceived mass of the building.</p> <p>Buildings should be one to two storeys in height.</p> <div data-bbox="587 1659 1066 1935"> <p>CLYDE - SCALE AND MULTICELLULAR APPROACH</p> </div>




## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Site placement and orientation</b>	<p>Dwellings should be aligned with a primary elevation parallel to the street. Dwellings should have a clearly articulated entrance facing the street.</p> 
<b>Roof</b>	<p>Roofs should be pitched, with a preference towards steeper pitches on the primary building components. Roofs should be gabled and/or hipped. Lean-tos and flat roofs may be used on secondary building components or to link different "cells". For large dwellings and structures, roofs should articulate different sections or "cells" of the building, in order to reinforce the multi-cellular approach or appearance of a cluster of buildings. Monopitch roofs are strongly discouraged, except where they are a secondary element of clusters of buildings. The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, green, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Dwellings should use materials that are commonly represented in the area: timber weatherboards, mudbrick, cob, locally-sourced stone and corrugated iron or visually consistent alternatives. The use of unplastered modern brick should be avoided. The use of a mix of materials is encouraged, in order to break up the mass of the building and introduce visual interest to simple buildings.</p>
<b>Windows</b>	<p>Windows should generally have a more vertical form.</p>
<b>Colour</b>	<p>Base colours should be chosen from a palette of heritage or neutral colours, with a focus on muted earthy tones. Bright colours should be avoided, although colour can be used effectively for highlighting details. New dwellings and structures in Miners Lane and Holloway Street can also use dark colours such as grey, black and green to make these buildings more recessive.</p> 



## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Car parking, driveways, accessways</b>	<p>Parking, driveways and garages should not be prominent.</p> <p>It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates. Asphalt should be avoided.</p> <p>Garages should be constructed in similar materials to the main dwelling.</p> <p>It is preferable that garages are separate stand-alone buildings. Where they are connected to the main dwelling, they should be articulated individually or separated with a linking cell in order to reduce the overall mass of the building.</p> 
<b>Fences/boundary treatments</b>	<p>Where fences are installed on the front boundary, they should be low (1.5m or lower) with a high degree of permeability, in order to protect the visual connection to the street.</p> <p>Once past the front façade of the dwelling, fence heights may increase, but high fences are generally discouraged in order to retain the open character of the area.</p> <p>Fences should be simple and use similar materials to the dwellings on site. The retention of stone walls is strongly encouraged.</p> <p>Hedges are encouraged.</p>
<b>Trees and other vegetation</b>	<p>Established and historic trees and other vegetation should be protected wherever possible.</p> <p>Multi-unit developments should pay particular attention to landscaping to reduce the visual impact of developments on the Precinct.</p>
<b>Utilities</b>	<p>Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.</p>
<b>Signs</b>	<p>Signs should be discreet and kept to a minimum.</p> <p>Signs on dwellings should not dominate façades or conceal windows or architectural features. Hanging swing signs are preferable.</p>

Ophir   
Naseby   
St Bathans   
Clyde   
Old Cromwell Town 

OLD CROMWELL TOWN

# OLD CROMWELL TOWN

## 1. History

Cromwell is at the junction of the Kawarau and Clutha rivers. Since 1993 it is on the shores of Lake Dunstan, created by the damming of the Clutha River at Clyde, 27 km downstream; the old town was flooded by the project. A gold rush town, mining by individuals gave way to dredging by companies at the end of the 19th century, but by 1910 dredging had also waned. Between the wars, sheep farming and fruit-growing, the latter made possible by irrigation, were the main activities in the district. In the 1980s a new town was laid out to the west and north of the future Lake Dunstan, a by-product of the Clyde Dam project.

Construction of the hydro dam at Clyde and the subsequent creation of Lake Dunstan involved the destruction of an integral piece of Central Otago history – the original main street of Cromwell. Early in 1985 a group of local residents decided to save some of these original buildings and preserve this heritage for future generations. After the incorporation of the Society in 1986, the project was officially launched in March 1987 by Mr J Sutton, MP, who handed over a cheque for \$30,000, the first instalment of a \$132,000 grant from the Community and Public Sector Grants Scheme.

Other major grants were received from the Clyde Dam Amenity Fund, Tourism and Publicity Department, Cromwell Borough Council, Cromwell Community Board and more recently Lotteries Heritage & Environment Fund, Community Trust of Otago and Central Lakes Trust, coupled with a number of smaller grants, gifts and subscriptions. These

financial contributions have complemented many hours of voluntary work by the Friends of Old Cromwell and employment scheme labour to transform the site from wasteland into an attractive visitor destination. Local service clubs and organisations have also contributed a significant amount of labour, expertise and equipment to assist the development. Initially, eight buildings from the old commercial area being demolished by the Ministry of Works & Development were chosen for reconstruction further up Melmore Terrace on a site above the new lake level – and so began 'Old Cromwell Town'.

The concept of Old Cromwell Town today is based on terms of 'believable' town planning. That is, the Board has reconstructed a commercial, residential and rural zone where land is divided into distinct sections. This has been done to retain the authenticity of 'street life', industries and activities taking place side by side, as opposed to an open plan 'theme' type layout. The heritage precinct is a combination of "museum-style" buildings which are open on a daily basis to the public to walk through and enjoy, while other buildings are tenanted by artisan style businesses. This type of operation will ensure the precinct is financially viable into the future and gives the Board funds for maintenance and further development. People can now enjoy this delightful asset, a visual reminder of 'how it used to be' during the gold era of 1860-1900.

<https://nzhistory.govt.nz>  
<http://www.cromwellheritageprecinct.co.nz/the-society/flooding-and-rebuild>





## 2. Current description of the Precinct

The Precinct is centred on the Old Cromwell Town area of Cromwell, adjacent to the edge of Lake Dunstan.

Outside the boundary of the Old Cromwell Town, the character of the area is mixed, with buildings from a range of eras and architectural styles. Buildings are mostly residential, with a small number of commercial and other buildings scattered throughout the area. Houses are generally of a modest scale and single-storeyed, using a range of materials. Setbacks are mixed, though houses are mostly located closer to and parallel with the street frontage.

While there is not a consistency in the style of houses in the heritage precinct, there is a definite "old town" character, particularly closer to the Old Cromwell Town. There are also a number of vacant sites and non-character buildings ripe for redevelopment.

The proposed Heritage Precinct boundary is designed to provide a visual, character buffer around the Old Cromwell Town, recognising that future changes to permitted density and development of the arts and culture precinct will likely increase new development pressures in this area. The proposed Heritage Precinct seeks to ensure this new development is in a style that does not detract from the Old Cromwell Town and strengthens the character of the areas adjacent to the Town as it occurs.

While single additional dwellings on sites through subdivision and infill housing can be treated in much the same way as other new dwellings, particular attention should be paid to the design of multi-unit developments. Particularly where they comprise of one large, contiguous building form, new multi-unit developments will be out of context with the existing character, larger in scale and mass, and use architectural forms that are not represented within the town. There is a risk that in trying to maximise development potential, residential multi-unit developments end up looking like motels or what have been disparagingly coined "sausage flats".

Applying the multi-cellular approach to multi-unit developments will help to reduce the visual impact of the structures, but larger multi-unit developments can also be problematic in their levels of site coverage, the visibility of amenity areas, the loss of trees, gardens and lawns and increased hard surfacing for car parking. Such developments may require such measures as additional landscaping, retaining established trees and historic structures, and creative approaches to site placement to reduce these potential impacts on the character of the Precinct.





### 3. Threats and Opportunities

#### KEY THREATS TO CHARACTER

- The demolition of existing heritage or character-contributing buildings
- Insufficient maintenance of heritage buildings leading to demolition by neglect
- The removal of original heritage features or infrastructure
- The use of materials that are inconsistent with those historically used in the area or the use of traditional materials in inappropriate ways
- Insensitive redevelopment on sites adjacent to the Historic Cromwell Town, given the potential visual impact on this area
- Demolition of the degrading structure at 68 Erris St and redevelopment of the site, given the proximity to the Old Cromwell Town entrance
- The construction of new buildings that do not respond to their context
- The development of large buildings that are out of character with the scale of the existing buildings in the Precinct
- The subdivision of larger sites and inappropriate infill, particularly the large site at 63 Melmore Street
- The proliferation of signage
- The expansion of car parking areas on private land visible from the street front or other public spaces

#### KEY OPPORTUNITIES

- A strong existing character on which to build, particularly influenced by the reconstructed and relocated heritage buildings in the Historic Cromwell Town
- The construction of new buildings and replacement of non-character contributing buildings with more sympathetic buildings that enhance and strengthen the character of the Precinct
- The proposed development of an arts and culture precinct in the area that could attract additional sensitive uses for heritage and character buildings as well more character-focused new buildings
- Protecting and enhancing Cromwell's unique character as a visitor destination, alongside sensitive tourism opportunities such as cycle-touring which do not require intrusive infrastructure developments




CROMWELL OLD TOWN 

## 4. Design Guidelines – Cromwell Old Town



In order to retain and enhance the heritage character of Cromwell, the following characteristics should be interpreted in the design of new buildings and additions to existing buildings. Given the differing characteristics of the commercial and residential areas, the guidelines are separated below. The appropriate guidelines should be followed depending on the part of the precinct the development site is located in.

### GENERAL GUIDELINES

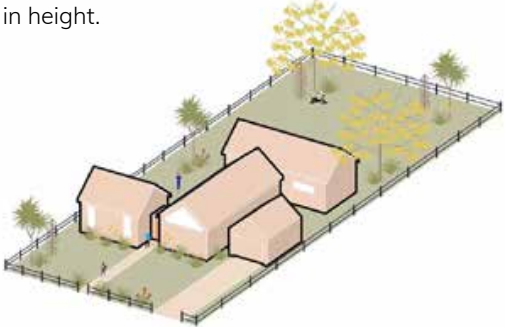
Element	Guideline
<b>Streetscape design</b>	Existing heritage features and physical and archaeological features related to the Gold Rush should be protected. New infrastructure and changes to the streetscape should be simple, use natural, understated materials and avoid heritage pastiche and the introduction of false history.
<b>Utilities</b>	Above ground network utility infrastructure should be avoided wherever possible. Where they cannot be avoided they should be located sensitively and efforts should be made to reduce their visual impact, including by paying attention to design and materials, screening, or disguising the utility through the incorporation of art or design elements.
<b>Landscaping</b>	Established and historic trees and other vegetation in public spaces should be retained. Native plantings using species endemic to the area are encouraged, in order to support biodiversity, ecological services and cultural practices.
<b>General Character</b>	<p>New buildings and structures must be sympathetic to their context and surrounding character-contributing buildings in the Precinct.</p> <p>New buildings and structures should draw important design cues from other character-contributing buildings in the Precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.</p> <p>New buildings should reflect a rural commercial character.</p> <p>While sensitive to their context, new buildings should be identifiable as contemporary.</p> <p>New buildings should avoid heritage pastiche or the introduction of false history.</p> <p>Entrances should be made a feature of the front façade.</p> <p>Façades should have a solid appearance.</p> <p>Verandahs are optional.</p> 

## CROMWELL OLD TOWN 🌸 🌸 🌸 🌸 🌸

## COMMERCIAL GUIDELINES




Element	Guideline
<b>Scale/Mass</b>	Buildings should occupy the full width of the site. Buildings should be one to two storeys in height
<b>Site placement and orientation</b>	Buildings should be constructed towards the front of the site, close to the road boundary. Commercial buildings should be aligned with their front façade parallel to the street.
<b>Roof</b>	<p>Roofs should be gabled and/or hipped. Rooflines may be concealed behind parapets or other architectural features. The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, green, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Buildings and structures should use materials that are commonly represented in the Precinct: stone, brick and plaster, timber weatherboards, corrugated iron or visually consistent alternatives. The use of modern, unplastered brick should be avoided.</p> <p>The use of a mix of materials is encouraged, in order to break up the mass of the building and introduce visual interest to simple buildings.</p>
<b>Windows</b>	<p>Window layout on long façades should be symmetrical and/or rhythmical. Windows on long façades should be arranged in groups. Windows should be largely transparent.</p> 

**RESIDENTIAL GUIDELINES**

Element	Guideline
<b>Colour</b>	<p>Base colours should be chosen from a palette of heritage or neutral colours, with a focus on muted earthy tones. Bright colours should be avoided, although colour can be used effectively for highlighting details.</p> <p>New buildings in Miners Lane and Holloway Street can also use dark colours such as grey, black and green to make these buildings more recessive.</p>
<b>Car parking, driveways, accessways</b>	<p>Off street parking should be behind buildings if it is provided onsite, so it is not visible from the street front.</p> <p>Vehicle crossings should be kept to a minimum.</p> <p>It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates. Asphalt should be avoided.</p> <p>Publicly accessible laneways through larger sites are encouraged.</p>
<b>Utilities</b>	<p>Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.</p>
<b>Signs</b>	<p>Signs should be kept to a minimum.</p> <p>Signs on buildings should not dominate façades or conceal windows or architectural features.</p> <p>Where corporate colours differ from the neutral palate preferred for the area, they should be adapted to more subdued tones or used sparingly to ensure signs are sympathetic to the buildings they are placed on.</p> <p>Buildings should not be painted as signs.</p>
<b>General Character</b>	<p>New dwellings and structures must be sympathetic to their context and surrounding character-contributing buildings in the Precinct.</p> <p>New dwellings should draw important design cues from other character-contributing buildings in the Precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.</p> <p>While sensitive to their context, new dwellings and structures should be identifiable as contemporary.</p> <p>New dwellings and structures should avoid heritage pastiche or the introduction of false history</p>
<b>Scale/Mass</b>	<p>The scale of new buildings should reflect that of the traditional cottages and cribs in the Precinct. Scale is absolutely critical to successful new construction.</p> <p>Larger dwellings should take a “multi-cellular” approach, where additional cottage-scale cells are added to create the appearance of a cluster of buildings and reduce the overall perceived mass of the building.</p> <p>Buildings should be one to two storeys in height.</p> 


CROMWELL OLD TOWN 

## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Site placement and orientation</b>	<p>Dwellings should be aligned with a primary elevation parallel to the street.</p> <p>Dwellings should have a clearly articulated entrance facing the street.</p> 
<b>Roof</b>	<p>Roofs should be pitched, with a preference towards steeper pitches on the primary building components</p> <p>Roofs should be gabled and/or hipped. Lean-tos and flat roofs may be used on secondary building components or to link different “cells”.</p> <p>For large dwellings and structures, roofs should articulate different sections or “cells” of the building, in order to reinforce the multi-cellular approach or appearance of a cluster of buildings.</p> <p>Monopitch roofs are strongly discouraged, except where they are a secondary element of clusters of buildings.</p> <p>The preferred roofing material is corrugated iron or visually consistent alternatives, using an unpainted galvanised finish, heritage red, green, grey or other recessive colours and a low level of reflectivity.</p> 
<b>Building materials</b>	<p>Dwellings should use materials that are commonly represented in the area: timber weatherboards, mudbrick, cob, locally-sourced stone and corrugated iron or visually consistent alternatives. The use of unplastered modern brick should be avoided.</p> <p>The use of a mix of materials is encouraged, in order to break up the mass of the building and introduce visual interest to simple buildings.</p> 
<b>Windows</b>	Windows should generally have a more vertical form.
<b>Colour</b>	<p>Base colours should be chosen from a palette of heritage or neutral colours, with a focus on muted earthy tones. Bright colours should be avoided, although colour can be used effectively for highlighting details.</p> <p>New dwellings and structures in Miners Lane and Holloway Street can also use dark colours such as grey, black and green to make these buildings more recessive.</p>

## CROMWELL OLD TOWN 🌿 🌿 🌿 🌿 🌿

## RESIDENTIAL GUIDELINES

Element	Guideline
<b>Car parking, driveways, accessways</b>	<p>Parking, driveways and garages should not be prominent.</p> <p>It is preferable that driveways remain unsealed, using stone chips, particularly in areas adjacent to the street. If required, seal should use earthy-coloured aggregates. Asphalt should be avoided.</p> <p>Garages should be constructed in similar materials to the main dwelling.</p> <p>It is preferable that garages are separate stand-alone buildings. Where they are connected to the main dwelling, they should be articulated individually or separated with a linking cell in order to reduce the overall mass of the building.</p> 
<b>Fences/boundary treatments</b>	<p>Where fences are installed on the front boundary, they should be low (1.5m or lower) with a high degree of permeability, in order protect the visual connection to the street.</p> <p>Once past the front façade of the dwelling, fence heights may increase, but high fences are generally discouraged in order to retain the open character of the area.</p> <p>Fences should be simple and use similar materials to the dwellings on site. The retention of stone walls is strongly encouraged.</p> <p>Hedges are encouraged.</p>
<b>Trees and other vegetation</b>	<p>Established and historic trees and other vegetation should be protected wherever possible.</p> <p>Multi-unit developments should pay particular attention to landscaping to reduce the visual impact of developments on the Precinct.</p>
<b>Utilities</b>	<p>Building utilities should be located away from the street facing façade. Where visible from the street they should be screened.</p>
<b>Signs</b>	<p>Signs should be discreet and kept to a minimum.</p> <p>Signs on dwellings should not dominate façades or conceal windows or architectural features. Hanging swing signs are preferable.</p>



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## 22.9.3 ROXBURGH GOLF CLUB LEASE - RENT REVIEW

Doc ID: 596840

### 1. Purpose of Report

To consider the Teviot Valley Community Board's recommendation to set the rent payable under the lease held by the Roxburgh Golf Club at a reduced rate due to exceptional circumstances.

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### Recommendations

That the Council

- A. Receives the report and accepts the level of significance.
  - B. Declines the Teviot Valley Community Board's recommendation to set the rent payable under the lease held by the Roxburgh Golf Club in accordance with the earlier version of the Council's Community Leasing and Licensing Policy 2019, at \$772 per annum plus GST.
  - C. Agrees to exercise the exceptional circumstances clause of the Council's Community Leasing and Licensing Policy 2021, and set the rent payable under the lease held by the Roxburgh Golf Club for the next five years commencing 1 July 2021 at \$772 per annum plus GST.
- 

### 2. Background

At their meeting on 16 June 2022, the Teviot Valley Community Board (the Board) considered a report regarding the leases held by the Roxburgh Golf Club (the Club).

The report recommended that the Club's rent be reviewed and the golf course lease be varied to include an additional land area.

A copy of the report dated 16 June 2002 is contained within **Appendix 1**.

At the public forum, prior to consideration of the report representatives of the Club addressed the Board on the matter. During their presentation, the representatives advised that they believe the Club should not be charged any rental as:

- the course is in a rural area,
- the costs associated with controlling noxious weeds and rabbits are high, and,
- they have a small volunteer base than other larger golf clubs.

The Board resolved to leave the report on the table pending the completion of the review of the Council's Community Leasing and Licensing Policy (the Policy).

At their meeting on 06 July 2022, the Council reviewed the Policy. At that time, the Policy had been operating for about one year.

The purpose of the review was to identify and address any issues or challenges arising during the first year of applying the Policy.

The review identified several areas of the Policy needing further consideration. These included:

1. The definition of income (for the purpose of determining rent).
2. Some wording changes (to clarify the definition of 'affiliation fees').
3. How rent is charged to groups with no memberships, and,
4. The simplification of the process for granting licences to adjacent landowners.

The report also noted that there had been historical instances of decision-making that did not align with some other Council policies, such as Reserve Management Plans.

The Council accepted the recommendations outlined in the report and resolved to update the Policy accordingly.

#### Updated Policy

The following is an extract from the revised Policy as it relates to determination of fees and the definition of income.

*Community leases or licences are offered at a concessional rate, set significantly below potential market rent. Council is able to support community groups and achieve community outcomes through this Policy. The concessional rate is charged to assist in offsetting related property and other costs.*

*Annual rentals are calculated at 2.5% of the tenant's income less any affiliation fees.*

*For the purposes of this Policy, income is calculated from any income related to the use of the facility. This includes subscription or membership fees, casual entry, green fees, and other income derived from the use of the facility (such as room or venue hire). It does not include member derived income, other than subscriptions.*

*Income is calculated over the most recent 5 year period for which the group has filed financial accounts. Where a group does not have 5 years of financial accounts, the rental fee will be calculated as an average over the financial statements that are available. This rental fee shall apply for the first 5 years of the lease or licence or until a rent review is completed.*

*In exceptional circumstances where there are ongoing or direct costs involved with the property or lease, the tenants and Council may agree to an alternative method of determining rent if it is considered that the standard method will produce an unjust outcome.*

*Rent reviews occur every 5 years. The same assessment criteria is applied, based on the most recent 5 years of financial accounts. Rent reviews are authorised by the Chief Executive Officer.*

*Income: Any income derived by a community group or tenant through the use of a facility. This includes:*

- any subscription income (money paid by permanent or casual members of a group on a periodic basis to belong to the group),*
- casual memberships (including green fees, entry fees, charges by the group for use of parts of a facility)*
- and other types of income derived from the use of the facility. Groups without members may still derive an income from the use of the facility.*

On 1 July 2022, the Board considered the findings of the Council's review above and resolved under 22.5.3 to:

- A. Receives the report and accepts the level of significance.
- B. Agrees to recommend to Council:
  - 1. That for the five years commencing 01 July 2021, the rent payable under the lease held by the Roxburgh Golf Club shall be assessed in accordance with the (original version of) Council's 2019 Leasing and Licensing Policy, at \$772 per annum plus GST.
  - 2. To vary the lease by increasing the area by 0.3000 hectares to approximately 45.3000 hectares by including the land containing the car park.
- C. Notes that the Board encourages the Club to apply for a grant through the community grants process.

A copy of the report dated 1 July 2002 is attached as **Appendix 1**.

The increase of the leased area doesn't require Council's ratification, as the lease to the Club is considered under the 2014 Teviot Valley Reserve Management Plan.

However, the Board resolved to set the rent at an amount that is less than what is provided for under the revised police. Therefore, ratification is required by the Council.

### 3. Discussion

The Club's leases state the rent would be calculated annually at 2.5% of the gross revenue received, excluding gross revenue from the operations of the lessee's ancillary liquor licence. However, to date no rent has been charged.

Applying the previous policy results in a \$772 rental per annum for the Club.

Applying the revised policy results in a \$994 per annum rental for the Club.

The difference is the inclusion of entry fees from tournaments within this calculation as per the revised definition of income.

Applying the Policy to the Club is consistent with other golf clubs throughout the district. This has been occurring as their rent reviews or lease renewals are come due.

However, because the Board decided to leave the previous report recommending the \$772 rental per annum lie on the table while Council reviewed the Policy, this has led to an increase in rental for the Club.

The Board, therefore, resolved to recommend to Council that the following option within the revised policy applied and the lessor amount of \$772 per annum be implemented:

*In exceptional circumstances where there are ongoing or direct costs involved with the property or lease, the tenants and Council may agree to an alternative method of determining rent if it is considered that the standard method will produce an unjust outcome.*

As a matter of principle staff cannot recommend adopting a previous policy. However, staff can recommend exercising the right of the exception circumstances clause within the revised policy.

Therefore, the recommendation of this report will be to decline the Teviot Valley Community Board's recommendation together with the recommendation to exercise the right of exception circumstances clause within the revised policy.

#### 4. Financial Considerations

The rental will be paid to the Roxburgh Reserves account.

The Club is also responsible for all outgoings associated with the leasing of the land, including rates.

#### 5. Options

##### Option 1 – (Recommended)

Approve that due to exception circumstances the rent payable under the lease held by the Roxburgh Golf Club for the five-year period commencing 01 July 2021 shall be assessed at a reduced rental of \$772 per annum plus GST.

Advantages:

- Does not disadvantage the Club because the Board decided to wait for the Council's review of the Policy.

Disadvantages:

- None.

##### Option 2

To not approve the reduction in rent.

Therefore, the rental for the next five years commencing 01 July 2021, the rent payable under the lease held by the Roxburgh Golf Club shall be assessed at \$994 per annum plus GST. This is calculated by applying the Council's 2022 Leasing and Licensing Policy.

Advantages:

- Is consistent with the revised policy.

Disadvantages:

- Does not recognise the resulting increase in the rental amount for the Club because of the Board's decision to wait for the Council to revise the Policy.

#### 6. Compliance

<b>Local Government Act 2002 Purpose Provisions</b>	This decision enables democratic local decision making and action by, and on behalf of communities by determining the terms and conditions on which a sports club will occupy a part of the Roxburgh Recreation Reserve.
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<b>Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy etc.</b>	The recommendation is consistent with the Community Leasing and Licencing Policy and the 2014 Teviot Valley Ward Reserve Management Plan.
<b>Considerations as to sustainability, the environment and climate change impacts</b>	There is no sustainability, environmental, or climate impacts associated with the recommendation.
<b>Risks Analysis</b>	There are no risks to Council associated with the recommendation.
<b>Significance, Consultation and Engagement (internal and external)</b>	The Significance and Engagement Policy has been considered with none of the criteria being met or exceeded.

## 7. Next Steps

1. The Club is notified of the Council's decision.
2. Deed of Variation of Lease drafted, then executed.

## 8. Attachments

### Appendix 1 - Report to the Teviot Valley Community Board, 9 September 2022 [↓](#)

Report author:

Reviewed and authorised by:




Christina Martin  
Property and Facilities Officer (Vincent and Teviot Valley)  
18/10/2022

Louise van der Voort  
Executive Manager - Planning and Environment  
28/10/2022

9 September 2022



### 22.5.3 ROXBURGH GOLF CLUB LEASE - RENT REVIEW.

Doc ID: 590200

#### 1. Purpose of Report

To consider the Roxburgh Golf Club Lease rent review and a request for additional land to be incorporated into the Lease.

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#### Recommendations

That the Teviot Valley Community Board

- A. Receives the report and accepts the level of significance.
- B. Agrees to recommend to Council:
  1. That for the five years commencing 01 July 2021, the rent payable under the lease held by the Roxburgh Golf Club shall be assessed in accordance with the (original version of) Council's 2019 Leasing and Licensing Policy, at \$772 per annum plus GST.
  2. To vary the lease by increasing the area by 0.3000 hectares to approximately 45.3000 hectares by including the land containing the car park.

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#### 2. Background

At their meeting of 16 June 2022, the Teviot Valley Community Board (the Board), considered a report regarding the lease held by the Roxburgh Golf Club (the Club).

The report recommended that the Club's rent be reviewed, and the lease be varied to include an additional land area.

A copy of the report dated 16 June 2022 is attached as **Appendix 1**.

Representatives of the Club spoke to the report during the public session of the meeting. During their presentation, the representatives advised the Board that they believed the Club should not be charged any rental as:

- their course is in a rural area,
- the costs associated with controlling noxious weeds and rabbits are high, and,
- they have a smaller volunteer base than other larger golf clubs.

On consideration, the Board resolved to leave the report on the table pending the completion of the review of the Council's Community Leasing and Licensing Policy.

At their meeting of 06 July 2022, the Council considered the review of the Community Leasing and Licensing Policy (the Policy). At that time, the Policy had been operating for about one year.

The purpose of the review was to identify and address any issues or challenges arising during the first year of applying the Policy.

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The review identified several areas of the Policy as needing reconsideration. These included:

1. The definition of income (for the purpose of determining rent).
2. Some wording changes (to clarify the definition of 'affiliation fees').
3. How rent is charged to groups with no memberships, and,
4. The simplification of the process for granting licenses to adjacent landowners.

The report also noted that there had been historical instances of decision-making that did not align with some other Council policies, such as Reserve Management Plans.

The Council accepted the recommendations outlined in the report and resolved to update the Policy accordingly.

#### Updated Policy

The following is an extract from the revised policy as it relates to fee determination and the definition of income.

*Community leases or licences are offered at a concessional rate, set significantly below potential market rent. Council is able to support community groups and achieve community outcomes through this policy. The concessional rate is charged to assist in offsetting related property and other costs.*

*Annual rentals are calculated at 2.5% of the tenant's income less any affiliation fees.*

*For the purposes of this policy, income is calculated from any income related to the use of the facility. This includes subscription or membership fees, casual entry, green fees, and other income derived from the use of the facility (such as room or venue hire). It does not include member derived income, other than subscriptions.*

*Income is calculated over the most recent 5 year period for which the group has filed financial accounts. Where a group does not have 5 years of financial accounts, the rental fee will be calculated as an average over the financial statements that are available. This rental fee shall apply for the first 5 years of the lease or licence or until a rent review is completed.*

*In exceptional circumstances where there are ongoing or direct costs involved with the property or lease, the tenants and Council may agree to an alternative method of determining rent if it is considered that the standard method will produce an unjust outcome.*

*Rent reviews occur every 5 years. The same assessment criteria is applied, based on the most recent 5 years of financial accounts. Rent reviews are authorised by the Chief Executive Officer.*

*Income: Any income derived by a community group or tenant through the use of a facility. This includes:*

- *any subscription income (money paid by permanent or casual members of a group on a periodic basis to belong to the group),*
- *casual memberships (including green fees, entry fees, charges by the group for use of parts of a facility)*
- *and other types of income derived from the use of the facility. Groups without members may still derive an income from the use of the facility.*

Applying the previous policy results in a \$772 rental per annum for the Club. This equates to approximately \$15 per week.

Applying the revised policy results in a \$994 per annum rental for the Club. This equates to approximately \$20 per week. The difference being the inclusion of entry fees from tournaments within this calculation as per the revised definition of income.

Applying either amount to the Club is consistent with that which is occurring to golf clubs throughout the district as their lease comes due. The sizes of various clubs are already considered in the Policy as the fee determination is a percentage of the clubs' income.

However, as the Board decided to leave the previous report recommending the \$772 rental per annum lie on the table while Council reviewed the Policy, and this revision has led to an increase in rental per annum for the Club, then this would be a case in which the Board could recommend to Council to reduce the rental due to these exceptional circumstances.

#### Proposed Variation of Lease

As noted in the report attached as Appendix 1, the Club have applied to vary their lease.

The purpose of the variation is to allow the footprint of the lease area to be increased to include the area which contains the Club's car park. A plan of the additional area is outlined in blue below:



The area of the car park is approximately 0.3000 hectares. Varying the lease to include the car park will take the Club's overall area of occupation to approximately 45.3000 hectares.

### **3. Financial Considerations**

The rental will be paid to the Roxburgh Reserves account.

## Teviot Valley Community Board meeting Agenda

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The Club is also responsible for all outgoings associated with the leasing of the land, including rates.

**4. Options**Option 1 – (Recommended)

To agree:

1. Recommends to Council that for the five-year period commencing 01 July 2021, the rent payable under the lease held by the Roxburgh Golf Club shall be assessed at a reduced rental of \$772 per annum plus GST.
2. To vary the lease by increasing the area by 0.3000 hectares to approximately 45.3000 hectares, by including the land containing the car park.

Advantages:

- Does not disadvantage the Club because of the Board decision to wait for Council's review of the Policy.
- Legalises the Club's occupation of the car parking area.

Disadvantages:

- Will require Council approval.

Option 2

To agree:

1. That for the five years commencing 01 July 2021, the rent payable under the lease held by the Roxburgh Golf Club shall be assessed at \$994 per annum plus GST. This is calculated by applying the Council's 2022 Leasing and Licensing Policy.
2. To vary the lease by increasing the area by 0.3000 hectares to approximately 45.3000 hectares, by including the land containing the car park.

Advantages:

- Is consistent with the revised Policy.
- Legalises the Club's occupation of the car parking area.

Disadvantages:

- Does not recognise disadvantage to the Club as a result of waiting for Council to revise the Policy.

Option 3

That the Board agrees to review the rent and/or vary the lease on other terms or conditions and makes a recommendation to Council.

Advantages:

- The Board may consider a different rental or variation of the lease to be appropriate.

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Disadvantages:

- Will likely be inconsistent with Council's Leasing and Licencing Policy.
- Will likely require Council approval.
- The other terms and conditions may not be agreeable to the Club.

## 5. Compliance

<b>Local Government Act 2002 Purpose Provisions</b>	This decision enables democratic local decision-making and action by and on behalf of communities by determining the terms and conditions on which a sports club will occupy a part of the Roxburgh Recreation Reserve.
<b>Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy, etc.</b>	The recommendation is consistent with the Community Leasing and Licencing Policy and the 2014 Teviot Valley Ward Reserve Management Plan.
<b>Considerations as to sustainability, the environment, and climate change impacts</b>	There is no sustainability, environmental, or climate impacts associated with the recommendation.
<b>Risks Analysis</b>	There are no risks to Council associated with the recommendation.  If the Board decides to review the rent and/or vary the lease on other terms or conditions, it could undermine the provisions of Council's 2022 Lease and Licensing Policy.
<b>Significance, Consultation, and Engagement (internal and external)</b>	The Significance and Engagement Policy has been considered with none of the criteria being met or exceeded.

## 6. Next Steps

1. Club notified of the Board's resolution.
2. Report to the Council to ratify the Board's recommendation.
3. Deed of Variation of Lease drafted, then executed.

## 7. Attachments

**Appendix 1 - Copy of the Report to the Board dated 16 June 2022.** [↓](#)

Teviot Valley Community Board meeting Agenda

9 September 2022

Report author:

Reviewed and authorised by:



Christina Martin  
Property and Facilities Officer (Vincent and  
Teviot Valley)  
9/08/2022

Louise van der Voort  
Executive Manager - Planning and Environment  
1/09/2022



16 June 2022

**22.4.3 ROXBURGH GOLF CLUB LEASE - RENT REVIEW**

**Doc ID: 583455**

**1. Purpose of Report**

To consider the Roxburgh Golf Club Lease rent review and a request for additional land incorporated into the Lease.

**Recommendations**

That the Teviot Valley Community Board

- A. Receives the report and accepts the level of significance.
- B. Approves the 2021 rent review of the Roxburgh Golf Club lease which has been assessed in accordance with the Community Leasing and Licencing Policy 2021, being \$772 per annum (plus GST) with a rent review in 5 years.
- C. Approves an early rent review of the lease if adopting the revised Community Leasing and Licencing Policy leads to a more favourable rental to the Roxburgh Golf Club.
- D. Approves the request for the additional land as outlined in the report to be incorporated into the Roxburgh Golf Club's Lease.

**2. Background**

Rent Review

The Roxburgh Golf Club (the Golf Club) Incorporated holds two leases over Council land as follows.

Clubrooms	179 Block Two Teviot Survey District	Council freehold land
Golf course	181 Block Two Teviot Survey District	Recreational reserve

These leases commenced on 1 July 2009 and are for 33 years.

Both lease agreements state the following rent calculation clause.

1. THAT the Lessee shall pay unto the Lessor or other authority for the time being having charge of the said land the annual rent of 2.5% of the gross revenue received by the lessee, excluding gross revenue from the operations of the lessee's ancillary liquor licence, as shown by the balance sheet or accounts for the year immediately preceding the current year in which the rent becomes payable PROVIDED ALWAYS the lessor may agree to accept a lesser rent than that payable in terms of this clause free of exchange and all other deductions and shall also pay and discharge all rates, taxes, or other charges whatsoever now or hereafter to become payable for or in respect of the said land or any part or parts thereof.

After adopting the Community Leasing and Licencing Policy 2021, a review of all Council's community leases began. When the Golf Club's leases were reviewed, it was found that the Golf Club had received no rental charges since their leases commenced.

Teviot Valley Community Board meeting

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The Golf Club was approached for comment. In email correspondence the treasurer of the Club advised that the Golf Club has not been charged for ground rent due to a “historical” agreement with the Council whereby the lease payment was waived provided the club did additional spraying of gorse and broom. The amount in question was believed to be \$1,200.00 however no written agreement could be located. The treasurer located correspondence in 2016 that indicated that Council had waived the fee and from that date on they did not appear to have received any further accounts.

A search of Council files found the following resolution by the Teviot Valley Community Board in 2004.

04.6.11            ROXBURGH GOLF CLUB GRANT (20/7/24/2)

A REPORT FROM THE Elected Members Support Officer, considering a requirement from the Roxburgh Club Incorporated for the Board to refund its annual lease cost, has been circulated.

RESOLVED THAT:

- 1. The report be received.
- 2. The Roxburgh Golf Club's 2004/05 lease rental of \$1,570.23 (inc GST) be refunded to control pest plants on the Golf Course.
- 3. The Parks and Recreation Manager be requested to certify weed control measurers annual
- 4. Subject to the approval of the Parks and Recreation Manager, the Chief Executive Officer be authorized to annually refund an amount equal to the annual Lease payable by the Golf Club.

The current leases signed in 2009 hold no reference to the above rent reduction, and in addition to the rental, the leases noted that the Golf Club will be responsible for keeping vermin and noxious growths under control. See extract of the Lease below:

11. THAT the Lessee will at all times during the said term maintain and at the expiration thereof deliver up the said golf course and all buildings, fences, gates, drains, greens, bunkers and other works and improvements now or at any time hereafter to be erected or made upon the said Golf Course in good and clean order, condition and repair and that without requiring payment of any king for the same will during the currency of this lease at the proper time and season in each year cut and trim all live fences or hedges upon or around the said Golf Links and will keep the same clear and free from furze, gorse, broom, manuka and noxious growths and will also keep the same clear of rabbits and noxious vermin.

Two site meetings were held with Golf Club committee members to discuss the matter. The rental calculation under the current lease terms of 2.5% of gross revenue and under the Community Leasing and Licencing Policy 2021 was tabled.

Calculation via policy:	2020	2019	2018	2017	2016
Subscriptions	20,451	20,917	20,483	19,039	18,252
Green fees	15,102	11,436	10,797	18,084	14,949
less Affiliation (levies) fees	3,074	3,232	3,121	2,991	2,670
Balance	32,479	29,121	28,159	34,132	30,531

Average	30,884
2.5%	772

Calculation via lease clause:	2020	2019	2018	2017	2016
Gross revenue (excl. bar sales)	66,132	94,017	54,840	63,725	64,546
2.50%	1,653	2,350	1,371	1,593	1,614
Average rental	1,716				

These discussions concluded with the Golf Club's taking the position that they do not believe they should be liable for any rental charges because of the resolution passed in 2004. See **Appendix 1** for a copy of their formal response.

Additional land request

As part of their correspondence the Golf Club requested the incorporation of the Golf Club's car park into their lease.

The Golf Club's leased areas are outlined in black and black-yellow below.



The neighbouring Roxburgh Community Events Centre Lease area is outlined in yellow below:



The land requested to be a part of the Lease is below.



3. Discussion

Legal Opinion  
The Council's lawyer reviewed the Golf Club's lease agreement and the 2004 resolution above. They advised that the 2004 resolution is outdated and cannot be relied on. Their recommendation is that the matter be taken back to the Board for consideration.

Central Otago Golf Club's Leases

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The Community Leasing and Licencing Policy 2021 states the purpose of the Policy is *"to provide a consistent and equitable framework for community leases and licenses"*, and the *"the provision of this policy will be applied to existing agreements where they allow, at rent review or where aspects of the agreement are silent or ambiguous."*

To defer from the provisions of the Community Leasing and Licensing Policy will negate the objects of the Policy, which are as follows:

- *To ensure that the granting of occupancy is fair, accessible, and responsive to community needs.*
- *To establish consistent guidelines by which community groups may occupy council land and buildings for sporting, recreational, community services and educational purposes.*
- *To strengthen communities through offering land and buildings at concessional rentals (e.g. less than market rate).*

#### Review of the Community Leasing and Licensing Policy

Earlier this year, a review of the Policy was commenced. The review aims to consider any unintended consequences associated with implementing the Policy.

To date, the most significant challenge associated with implementing the Policy (for staff) has been determining what equates to income.

The review of the policy is to be finalised shortly. It is recommended that if the provisions of the revised Policy (once adopted) result in a more favourable rental for the Golf Club, then an earlier rent review is actioned.

#### Additional land request

All stakeholders involved support the addition of the land to the Golf Club's lease. The Parks and Recreation Manager also supports the inclusion of this land.

The matter of the land being used as an area for a New Zealand Motorhome Caravan park-over-property will be considered in a separate paper to the Board.

#### **4. Financial Considerations**

Rental income is not budgeted for the Golf Club Lease. While not significant, this additional income will increase the Teviot Valley ward's revenue.

#### **5. Options**

##### Rent Review

##### Option 1 – (Recommended)

To agree to the rent review as determined by the Community Leasing and Licencing Policy 2022, being \$772 per annum with the next rent review in 5 years.

Instructs staff that if the provisions of the revised Community Leasing and Licensing Policy (if adopted) result in a more favourable rental for the Golf Club then an earlier rent review is to be undertaken.

Advantages:

- The relevant Council's Policy supports this option.

Item 22.4.3 - Report author: Property and Facilities Officer (Vincent and Teviot Valley)

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- The rent is less than if it was calculated as per the lease rent review clause.
- This option considers the review of the Community Leasing and Licencing Policy.

## Disadvantages:

- The Golf Club does not support this option.
- The Golf Club has indicated that paying rent will pressure their financial ability to finance future capital projects.
- This option does not consider the 2004 resolution above.

Option 2

To agree to the rent review as determined by the rent review clause of the leases being \$1,716, with rent reviews every year.

## Advantages:

- The rent review is per the terms of the lease agreement.

## Disadvantages:

- The rent is more than if the Community Leasing and Licencing Policy 2021 is applied.
- The Golf Club does not support this option.
- The Golf Club has indicated that paying rent will pressure their financial ability to finance future capital projects.
- This option does not consider the terms of the 2004 resolution above.

Option 3

To agree to a rent review as determined by the Board.

## Advantages:

- The Golf Club prefers nil rental to remain, and this option allows the Board to consider this option.

## Disadvantages:

- The option is not supported by the Community Leasing and Licencing Policy 2021.
- This option may set a precedent for other local community groups to request reductions in rental below what is provided for within the Community Leasing and Licencing Policy 2021.
- The terms of the Lease do not support this option.
- This option considers the 2004 resolution above.

Additional LandOption 1 – (Recommended)

To agree to incorporate the additional land outlined above into the Golf Club's lease.

## Advantages:

- Supports the request from the Golf Club.

- Provides clarity for reserve users outlining who can operate on this land and who is responsible for the maintenance of the area.

Disadvantages:

- None.

Option 2

To decline the Golf Club's request for additional land, as outlined above, to be incorporated into their ground lease.

Advantages:

- None.

Disadvantages:

- The Golf Club does not support this option.
- Poor clarity on who uses and maintains this area of the recreational reserve.

6. Compliance

Local Government Act 2002 Purpose Provisions	This decision enables democratic local decision-making and action by and on behalf of communities by determining the rental charge and occupation on a Teviot Valley Recreational Reserve of a community group.
Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy etc.	Yes, the recommended options are consistent with the 2021 Community Leasing and Licencing Policy and the 2014 Teviot Valley Ward Reserve Management Plan.
Considerations as to sustainability, the environment and climate change impacts	This decision does not impact the sustainability and climate change of the district.
Risks Analysis	<p>If the Board decides not to go with an option supported by either the lease agreement or the Community Leasing and Licencing Policy 2021, then there is a risk that it will set a precedent for other community groups to seek a rental that is outside these parameters also.</p> <p>The Policy was created with the aim of resolving the historical issue of community groups being charged inconsistent rentals across the region.</p> <p>There is also a risk that if rental is charged to the Golf Club, it will put pressure on their finances and their ability to build funds for future capital projects. This could then put pressure on Council grant funding in the future.</p>



Significance, Consultation and Engagement (internal and external)	None of the thresholds/criteria in the Significance and Engagement Policy have been met or exceeded, so the proposal is not considered significant.
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7. Next Steps

- The Golf Club receives the notification of the Board's resolution.
- Deed of variation to the Lease for the rent review and the increase to the demised land area of the Lease is executed.

8. Attachments

Appendix 1 - Roxburgh Golf Club letter dated 27 Jan 2022 [↓](#)

Report author:	Reviewed and authorised by:
	
Christina Martin Property and Facilities Officer (Vincent and Teviot Valley) 25/05/2022	Louise van der Voort Executive Manager - Planning and Environment 1/06/2022

Teviot Valley Community Board meeting

9 September 2022

27/1/22

ROXBURGH GOLF CLUB INC.



To The Teviot Valley Community Board  
From The Roxburgh Golf Club

Matters to be addressed

1. Rent

2. No man’s land
1. We have been most gratified for the remission of lease rent in the past as it has enabled us to control the weeds and enhance the golf course, making this green area a real asset to the Teviot Valley.  
We pay \$1995 in rates plus water rates and it is not affordable to pay an extra rent of \$772 for the next 5 years, on top of what we already pay.  
Voluntary work amounts to approximately 738 hours. Christina made the comment that our yearly balance sheet showed a credit of \$7,000 and that we were in a strong financial position. If the voluntary work had to be paid for this would not be the case.

Voluntary Hours			
Rabbits – Night Shooting	7 people 3 hrs	21 hrs x 10 shoots	210 hrs
Poisoning	4 people 4 hrs	16 x 4	64 hrs
Gas	2 people 2 hrs	4 x 10	60 hrs
Fence Inspection		¾ x 12	9 hrs
Spray Broom etc.	1 person 600 ltr	5 ½ hrs x 4 tanks	22 hrs
Contract cost \$120 per hr vehicle mounted retract reel			
Spray rocks, surrounds, fairways, greens			80 hrs
Voluntary mowing			200 hrs
General work – bunkers, trees, water, r & m			120 hrs
			765 hrs

We are always having the rabbit problem (which was not there in the past), machinery repairs and replacement costs. We need to be financial to deal with these.  
There has to be incentive for this voluntary work to continue as with out it we would not survive. The membership of the club has declined to 65 as has the age of our older members.

We believe that we are not only maintaining the course for our members but also maintaining and beautifying this important green area for the benefit of the whole community. We provide two outside toilets at a cost to us; they are used by the general public, school children who walk through the course to sports practices and school events, which in some cases are held on the course. We also offer tuition for school children at no cost, to learn how to play golf.  
The course is used by the general public to walk and run dogs, and for individuals walking and running. Where else would you find a mown area for these activities?

**Rabbit Control**  
This was not a problem in past years as it was controlled by rabbit boards O.R.C. but now out of control.

## Teviot Valley Community Board meeting

9 September 2022

Teviot Valley Community Board meeting

9 September 2022

We have put up a rabbit netting fence and cattle stop on the river side from the bowling green to main road by Don Hamilton's house. There is a problem with the rough land behind the A & P Pavilion being a breeding ground for rabbits which then cause destruction burrowing on the playing areas.

Rabbit control methods being used each year are pindone, gassing, night shooting, fence inspection. Cats and dogs also play a part. This is mainly been done on a voluntary basis. You may have noticed no rabbits in the children's playground. A contract cost for this work would be \$9,000 - \$12,000. There is always going to be a rabbit problem as no control is happening around us. Gun laws and the local police don't help with control.

#### **Weeds**

The main problem is broom, also blackberry, old man's beard and gorse – this has been a yearly problem. If contracted, cost would be \$4,000 - \$5,000. Done voluntary cost is only chemical. You will have noticed how clear the southern entrance is now. Also, around the Returned Services Monument has had the broom sprayed around by the club.

It looks relaxing driving into Roxburgh from the southern end.

The problem with the weeds is they are in areas not used for golf.

The creek going through the golf course at the southern end has been an on going problem with flooding and bank erosion. Seems to be an on going cost every year.

#### **Grass and Tree Control**

This has high maintenance cost due to the rocky terrain which damages mowing machinery. Once again we are lucky with voluntary help in this area. Spraying around rocks has helped in this area.

Clearing branches under trees has helped take some rabbit environment away which is good for the area.

#### **2. No Man's Land**

The area of the golf club's car park has turned up as "No Man's Land". This area has been maintained by the golf club as long as I can remember. It is needed by the golf club for a car park. We ask that it be added to the golf club lease to remain the same as it has been – seems to have worked well.

#### **Conclusion**

The Roxburgh Golf Course is becoming a show case course with a weed and rabbit problem. It is becoming known N.Z. wide for it's appeal. It has had John Key and Russell Coutts as players in recent times.

We ask that it be viewed by the board as exceptional circumstances because of the reasons given, showing good faith in the voluntary work being done by members to make a strong community. If we had to pay wages for all the work done voluntarily we would not be able to maintain this community facility. We are a small club with a majority of elderly members who are unable to contribute to maintenance.

Member or members may wish to speak to this.

Attached is the Golf Report from the Roxburgh Area School Newsletter - 4<sup>th</sup> November Term 4 Week 3

Ritchie McNeish

On behalf of the Executive Committee RGC

On Tuesday we had a team of Year 9 &10 students playing in the annual Central Otago Touch tournament in Cromwell. This tournament involves students from throughout Central Otago including Wakatipu, Mount Aspiring, Cromwell and Dunstan. Many thanks to Mr Kairaoi for coaching the team.

The team had a great time and gained valuable game experience which saw their skills improve throughout the day.

Each Wednesday we have a senior team playing touch in Cromwell. Each week the team receives a coaching session from Touch Otago followed by a couple of rounds of games. Many thanks to Mr Kairaoi for taking and coaching this team.

**Golf**  
We currently have a large number of very keen golfers who play for the Roxburgh Golf Club.

On Tuesday 2 teams entered the annual Melbourne Cup Day Golf Tournament which was held at the Roxburgh Course. Congratulations to all the teams that competed and special congratulations to Jakhiya, Eru and Eru Senior on winning the tournament and to Ben, Tyler, Caleb K and Brayden who were second overall.



The Winners! Eru Senior, Eru and Jakhiya



Ben, Tyler, Brayden and Caleb

Many of the students are attending the free weekly golf coaching sessions being offered by Cromwell Golf Professional Willie Moore in Cromwell on a Wednesday afternoon which has received lots of positive feedback from students and parents.

The students are also playing regularly in the Roxburgh Golf Club Saturday competition and achieving some great results and improving their skill set. We would like to thank the Roxburgh Golf Club members for supporting, encouraging and coaching these students.

## **22.9.4 BANNOCKBURN DOMAIN RESERVE MANAGEMENT PLAN 2022**

**Doc ID: 595987**

### **1. Purpose of Report**

To adopt the Bannockburn Domain Reserve Management Plan 2022.

-----

### **Recommendations**

That the Council

- A. Receives the report and accepts the level of significance.
  - B. Recommends that the Bannockburn Domain Reserve Management Plan 2022 is adopted.
- 

### **2. Background**

The Central Otago District Council is the administering body for Bannockburn Domain in terms of Section 40 of the Reserves Act 1977 (the Act). The responsibility for administering and managing reserves including Bannockburn Domain has been delegated to the Cromwell Community Board, with Council having the power to adopt the final Reserve Management Plan under delegation from the Minister of Conservation.

Section 41 of the Act describes that all recreation reserves shall have a Reserve Management Plan prepared by its administering body. The administering body of any reserve shall keep its management plan under continuous review, so that the plan is adapted to changing circumstances or in accordance with increased knowledge.

A Reserve Management Plan was adopted in 2000. Since that time the reserve has been managed under a lease agreement between Council and the Bannockburn Recreation Reserve Management Committee Incorporated, (the Committee). The original lease expired in 2020 and has since been renewed.

When the lease was renewed, it was considered appropriate to prepare a new reserve management plan for the following reasons:

- The existing plan was no longer reflective of the current management situation.
- A new plan would provide for future development of the reserve and reflect any pressures, constraints, conflicts, and opportunities resulting from growth experienced in the Bannockburn community since 2000.
- The age of the existing plan.

Additionally, under Section 41 of the Act, every recreation reserve shall have an operative reserve management plan. The purpose of a reserve management plan is to ensure that the development and implementation of objectives and policies for a reserve enhances the long-term use of the reserve without compromising its existing use. A reserve management plan consists of both historical and current information about the reserve, and a list of management statements to guide consistent decision-making regarding the future development and management of the reserve.

The plan must be regularly reviewed as stated under Section 41 (4) of the Act "so that the plan is adapted to changing circumstances or in accordance with increased knowledge; and the Minister may from time to time require the administering body to review its management plan, whether or not the plan requires the approval of the Minister".

At its 7<sup>th</sup> September 2021 meeting the Cromwell Community Board (the Board) resolved the following:

***Receives the report and accepts the level of significance.***

***Agrees to notify its intention to prepare a Reserve Management Plan for the Bannockburn Recreation Reserve legally described as Section 164 Block 1 Cromwell Survey District, S O Plan 19606 – 3.5365 hectares.***

The draft plan was prepared during the first half of 2022 and public submissions were sought over a two-month period between May and July 2022. Additionally, all regular users of Bannockburn Domain were sent documentation to enable them to make a submission. Twenty-one submissions were received and considered by the Board at its 12<sup>th</sup> September 2022 meeting.

At its 12<sup>th</sup> September 2022 meeting the Board resolved the following.

*Receives the report and accepts the level of significance.*

*Resolves that submissions be received.*

*Recommends that the suggested amendments and changes to the draft plan are approved by the Board.*

*Recommends to Council adoption of the amended Bannockburn Domain Reserve Management Plan 2022.*

Bannockburn Domain comprises 3.5365 hectares and is legally described as Section 164 Block 1 Cromwell Survey District, Survey Office Plan 196060.

The purpose of the Bannockburn Domain Reserve Management Plan is to provide Central Otago District Council with an effective guide for managing the Bannockburn Domain.

The following table summarises Section 41 of the Reserves Act 1977 regarding management plans, and the process used to develop this management plan. The current step is highlighted in red.

Relevant Sections of the Reserves Act	Public Consultation	Description of Activity	Phase
Section 41 (5)	Optional	Council notifies the public that it is preparing a management plan and calls for submissions (one month)	Management Planning
Section 41 (5)c		↓ Public submissions are received and incorporated into a draft management plan	
Section 41 (6) a-c	Mandatory		

Relevant Sections of the Reserves Act	Public Consultation	Description of Activity	Phase
Section 41 (6) d		↓ A draft management plan is made available to the public for further comment (two months)	
Section 41 (6) d		↓ The draft management plan is edited to incorporate input from public submissions	
		↓ The final document is presented to Council for adoption	
Section 41		All policies come into effect and are enforceable by Council	
Section 41 (4)		↓ The management plan is continually monitored and reviewed	Implementation

### 3. Discussion

A drop-in session was held at the Bannockburn Bowling Club on 14 June 2022. The public were invited to come along to discuss the Draft Bannockburn Domain Reserve Management Plan and ask any questions of staff. Approximately 16 members of the public attended, and while much of the feedback could be used for the proposed domain development plan, there were some key themes that arose.

Overall, the attendees supported camping remaining on the domain, but would like to see the layout of the campground amended to ensure that the sports field area is not used for camping and available for year-round public use. Clearly delineating this space from the campground was also suggested.

While there was consensus that the open space is an important asset, some people do not feel welcome or comfortable with using the sports field area of the domain for public recreation, due to the proximity of the campground.

Feedback provided indicated there is a lack of signage within the domain to help deliver key messages, such as:

- dogs must be on a leash and are not permitted on the playground or sports field area.
- the area is smoke/vape free.
- the toilets, playground, tennis courts and sports field are available for public use.

Some submissions discussed the tennis courts, which people enjoy, but do not use very much for several reasons:

- the backboard was taken away and never replaced
- the courts need resurfacing
- some people feel uncomfortable using the courts during peak camping season

In addition to the drop-in session, twenty-one submissions were received from the public notification process. The main themes were:

- Domain development plan

A number of ideas have come through in submissions that would contribute to improved usage of the area (e.g., better signage, upgraded facilities, and changing the campground layout).

These submissions will be considered as part of the domain development plan. The development plan will be prepared after the reserve management plan is adopted.

- Camping Ground

Of the 21 submissions received, 15 mention the campground. In general, submitters support the campground being on the domain, but there are requests to ensure that the sports field area remain free from camping.

- The submissions reflect a general concern that the campground may have people living permanently on the domain, and additional space was required for storing caravans all year round.
- There are also some general questions around how the domain is managed. The Plan is clear that the campground must operate within the Camping-Grounds Regulations 1985. Staff will work with the Committee to ensure regulations are complied with.

The development plan will clearly identify the parameters of the camping ground area and sports field area. It is envisaged that the addition of wayfinding signage will be installed to assist with this.

- Dogs on the domain

Several submitters have raised concerns with dog control on the reserve – this was also discussed at the drop-in session.

**It is recommended that the Plan be amended to reflect the CODC Dog Policy 2020, and that dog control signage be erected on the domain.**

- Sports field area

Many of the submissions suggest other ways that the sports field area at the domain could be used and improved upon.

**It is recommended that these ideas be taken into consideration in the domain development plan.**

- Other

- In the Draft Plan, add to 5.1.2 Leases: Policy 5 - "If a lease is cancelled either by Council or the lessee, Council will work to secure another lessee in the first instance."
- In the Draft Plan - 5.9 Alcohol Licences: Amend - The Bannockburn Bowling Club licence permits the sale of alcohol to members **and guests of members.**

The Bannockburn Reserve Management Committee Inc (the Committee) have made a submission suggesting some amendments in the plan to clarify the following points:

- that the **Bannockburn Reserve Management Committee Inc lease the entire reserve, except the Bowling Club.** Currently the draft plan specifies that the lease is for the campground.
- Amend name of the Committee to include "**Management**"

- Add to 5.1.2 Leases:
  - Policy 1 add **“1.1 The placement of any container on the reserve is discouraged due to aesthetic appearance and clutter.”**
  - Delete Policy 2.1 –as sportsground area is currently leased by the committee. However, given the feedback from the community on the importance of this sports field area, **it is recommend negotiating with the committee to remove this area from the lease.**
- 5.2.1 Temporary Use & 5.2.2 Commercial Use to specify **that requests will go directly to the committee rather than Council for temporary use, and that Council will liaise with the Committee if any requests come in for commercial use.**
- 5.5 Fireworks displays: Policy 1 - Delete **“cricket wicket”**
- 5.15 Vehicle Parking and Access: Policy 3 - Recommend “Regular overnight, ~~residential~~ and long-term parking is not permitted **outside of the campground. Residential parking is not permitted anywhere on the domain.**”

All agreed changes have been highlighted in **Appendix 1** - Final Bannockburn Domain Reserve Management Plan 2022.

#### 4. Options

##### Option 1 – (Recommended)

To adopt the Bannockburn Domain Reserve Management Plan 2022.

Advantages:

- Meets statutory process as set out in the Reserves Act 1977.
- Considers the input from community, including corrections and suggestions to the draft plan and the management of the domain, provided by way of submissions.
- Provides clear policy direction for future decision making regarding the domain.
- Provides certainty for the community about the direction and operation of the domain.

Disadvantages:

- There are no foreseeable disadvantages.

##### Option 2

Council does not adopt the Bannockburn Domain Reserve Management Plan 2022.

Advantages:

- There are no foreseeable advantages with this option.

Disadvantages:

- If the Council do not adopt the plan, they may jeopardise their relationship with the community.

- Considerable time and resource have been spent on developing this reserve management plan.

## 5. Compliance

<b>Local Government Act 2002 Purpose Provisions</b>	This decision enables democratic local decision making and action by, and on behalf of communities. The preparation of this management plan is a public process that will contribute to improved community outcomes and enhanced community wellbeing through proactive planning for the future utilisation of the Bannockburn Recreation Reserve.
<b>Financial implications – Is this decision consistent with proposed activities and budgets in long term plan/annual plan?</b>	Cost for preparing this Reserve Management Plan will be accommodated within existing budgets. There is \$8000 allocated for preparation of the Development Plan which will be undertaken following the adoption of the Reserve Management Plan.
<b>Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy etc.</b>	This decision is consistent with Councils plans and policies. Central Otago District Council Long Term Plan 2021 – 31. Bannockburn Recreation Reserve Management Plan 2000.
<b>Considerations as to sustainability, the environment and climate change impacts</b>	A well-planned and functional recreational area will contribute to ongoing environmental sustainability.
<b>Risks Analysis</b>	Every recreation reserve shall have an operative management plan under section 41 of the Reserves Act 1977.
<b>Significance, Consultation and Engagement (internal and external)</b>	The plan is not significant in terms of Council's Significance and Engagement Plan; however, the Reserves Act 1977 has its own requirements for consultation which were followed in the preparation of this plan.

## 6. Next Steps

- Council adopts the Bannockburn Domain Reserve Management Plan 2022.
- The adopted Bannockburn Domain Reserve Management Plan 2022 is forwarded to all submitters with a formal response acknowledging their submission.

- The Bannockburn Domain Reserve Management Plan 2022 is uploaded to council's website.

## 7. Attachments

### Appendix 1 - Final Bannockburn Recreation Reserve Management Plan 2022. [↓](#)

Report author:



Nikki Aaron  
Parks Officer - Planning and Strategy  
17/10/2022

Reviewed and authorised by:



Louise van der Voort  
Executive Manager - Planning and Environment  
17/10/2022



CENTRAL OTAGO DISTRICT COUNCIL

# BANNOCKBURN DOMAIN

## Reserve Management Plan 2022



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Plan adopted 9 November 2022

## 1.0 Preface to draft reserve management plan

A reserve management plan provides the community with certainty about the function, future management, and development of a reserve. It is developed by listening to community preferences for the reserve and documenting the best way to provide for them. A reserve management plan is not a detailed operational plan, instead it provides a framework that guides management decisions.

Local authorities are required to develop reserve management plans for most reserves that are administered under the Reserves Act 1977 and the act sets out a formal public consultation process to

engage the community (refer to Appendix 1). Plans must also be reviewed regularly so they remain up to date.

The land managed as Bannockburn Domain is subject to the Reserves Act 1977. It is designated in the District Plan for 'Recreation Purposes'. The first reserve management plan for Bannockburn Domain was approved in 2000. During this time, the domain has been managed under a lease by the Bannockburn Recreation Reserve Management Committee Inc (the Committee) at arm's length from the Central Otago District Council, ('Council'). In 2021 a new lease was entered into between Council and the Committee. This new lease sets out clear roles and responsibilities for both the Council and the Committee. It was determined that the existing reserve management plan was outdated and required to be renewed to reflect both the lease requirements and the development and growth that has occurred in Bannockburn since 2000.

All land parcels that comprise Bannockburn Domain have been incorporated into the management plan. Bannockburn Domain is the only significant community open space in Bannockburn that provides sports and recreation opportunities for the local community, and a camping ground for visitors.

A draft plan was released for public comment, so the community had the opportunity to provide feedback on the draft plan. The Cromwell Community Board considered the submissions received and recommended a final plan be approved by Council. This plan will replace the Bannockburn Reserve Management Plan 2000 and will guide future management and development decisions for the domain.

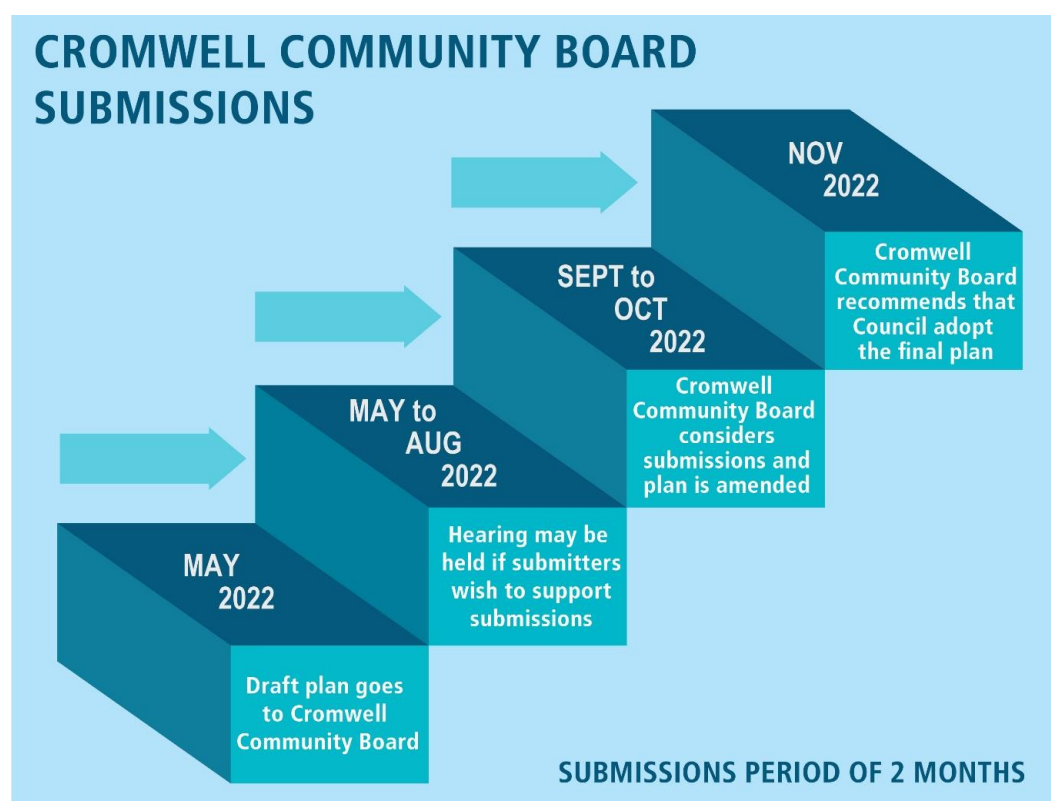


Figure 1: Process to renew the Bannockburn Domain Reserve Management Plan

## 2.0 Introduction

### 2.1 General

The Bannockburn Domain is the only Council owned public recreation reserve in Bannockburn. It is situated on Domain Road in Bannockburn and provides the Bannockburn community with a venue for various recreational activities, including camping. The Council is the administering authority for the reserve in terms of section 40 of the Reserves Act 1977. The reserve was vested in the Council (the former Vincent County Council) by notice in the New Zealand Gazette in 1987 (page 4912) and the

Council is authorised in terms of section 54 (1A) of the Reserves Act 1977 to issue leases in accordance with the proposed Management Plan without reference to the Minister of Conservation.

The Bannockburn Domain was formally called the Bannockburn Recreation Reserve. However, it is more locally known as the domain. While the use of the term parks/reserves/domain is often interchangeable dependent upon how an area of public open space has been named and is known to the public, "domain" will generally be used to refer to the reserve in this document.

## 2.2 Purpose of reserve management plan

The purpose of management plans is to *"provide for and ensure the use, enjoyment, maintenance, protection and preservation, as the case may require, and, to the extent that the administering body's resources permit, the development as appropriate, of the park for the purposes for which it is classified, and shall incorporate and ensure compliance with the principles set out in section 17 of this Act for a recreation reserve"* section 41 (3).

Under section 41 of the Reserves Act 1977 every recreation reserve shall have an operative management plan. The purpose of a management plan is to ensure that the development and implementation of objectives and policies for reserves enhances the long-term use of reserves without compromising their existing use. A management plan is a document that consists of some reserve history and current information with a list of management statements to guide consistent decision-making regarding the future development, and management of a reserve.

In addition, the plan shall be continuously reviewed *"so that the plan is adapted to changing circumstances or in accordance with increased knowledge"*.

The purpose of this management plan is to provide Central Otago District Council with an effective guide for managing the Bannockburn Domain.

The Central Otago District Council is the administering body for the Bannockburn Domain in terms of Section 40 of the Reserves Act 1977. The Bannockburn Domain is crown derived and is classified recreation reserve. It is vested in the Council pursuant to Section 26A of the act and pursuant to Gazette 1987 page 4912. The responsibility for administering and managing the Bannockburn Domain has been delegated to the Cromwell Community Board by Council.

## 3.0 Bannockburn Domain Description and Use

### 3.1 Location and Context

The Bannockburn Domain is located on Domain Road, Bannockburn. In his book “Heart of the Desert” J C Parcell, records that the land at Doctor’s Flat, which had been part of an old mining claim, was developed initially for a bowling green in 1919 as a combined community project and the tennis court was built soon after. He also notes that the community went on to convert “an unsightly patch of mining debris into a football and sports field as a memorial for their sons who so nobly answered the Empires’ call of yesterday (the 1914-18 War).

By the time the field was completed in 1952 Bannockburn struggled to produce a rugby team. So only a few games were only ever played on the newly formed grounds.

The original building and associated facilities it contained were in part constructed from materials recovered from the Nevis library and Hotel. Once completed these facilities attracted summer campers to use the domain.

Three basic huts and an additional kitchen were added in the late 1950s.

From 1977 a series of Gala days were organised on the Domain by the WDFF and were well supported by locals. Money raised by these events were used to establish the playground, upgrade the facilities including water supply and septic tank systems. It was not until the construction of the Clyde dam that longer term accommodation became available.

When the town wastewater system became operational in 1985 the opportunity arose to increase the use of the camp, with power points and cabins being installed.

In 1986, the Department of Lands and Survey, which at the time was responsible for the administration of Crown reserves, asked the Vincent County Council to consider accepting responsibility for the future control of the Bannockburn Domain when the Bannockburn Domain Board’s term expired in October 1986.

Following discussions with the domain Board, the Council agreed in December 1986 to accept responsibility for the administration of the reserve, and the reserve was subsequently vested in the Council in 1987.

### 3.2 Features

The Bannockburn Domain has been used primarily for three separate purposes:

1. Part of the domain has been leased by Council to the Bannockburn Bowling Club which has established a bowling green and club house on site. The Bowling Club facilities have been developed by the Bowling Club.
2. Part of the domain has been developed as a camping ground. Since 1987, the camping ground operation has increased in scope so that it now provides a range of camping options. The camp area is leased to the Bannockburn Recreation Reserve Management Committee Inc by Council.
3. Part of the domain is available for public recreation, including the tennis court, the playing field and children’s playground. These facilities are managed by Council.

#### 3.2.1 Camping Ground

The camping ground provides for 59 caravan points (most campers leave their caravans on site during the off season), four cabins and an ablution block constructed in 2008. There are additional unpowered sites available by the bowling club. In the summer season the sports field area is used occasionally for tents and unpowered sites. It is not intended to use the sports field area for permanent camping.

#### 3.2.2 War Memorial

The memorial gates at Bannockburn Domain, include plaques dedicated to men from the Bannockburn and Nevis district who died in the First and Second World Wars. This war memorial is maintained by Council.





**Plan 1: Bannockburn Domain.** Boundaries outlined in red (indicative only).



**Plan 2: Open space area, tennis court and playground.** Boundaries are indicative.

### 3.3 Land Status – District Plan Provision

Section 164 Block 1 Cromwell Survey District, Survey Office Plan 196060-part Gazette Notice 1984 page 3101 comprising 3.5365 hectares in area. Land held under the Reserves Act, (refer Plan 2 below and Appendix 2 for detail):

Plan key	Legal description	Land status and classification	CODC Designations, leases, other restrictions	Area (hectares)
<b>A</b>	Section 164 Block 1 Cromwell Survey District, Survey Office Plan 196060	Recreation Reserve, Crown derived	D51 'Recreation Purposes', leases Bannockburn Recreation Reserve Management Committee Inc and Bannockburn Bowling Club	3.5365
		<b>Total area of domain (approx.)</b>		<b>3.5365 hectares</b>

### 3.4 Leases and other occupations

#### 3.4.1 Leases

The following leases are currently in place for Bannockburn Domain, (refer Plan 1):

Plan key	Organisation	Purpose	Details	Expiry Date
<b>1</b>	Bannockburn Recreation Reserve Management Committee Inc	Camping ground	Deed of lease, renewed 2020	30 June 2040
<b>2</b>	Bannockburn Bowling Club	Sports club	Deed of lease, renewed 2020	30 June 2040



**Plan 3: Bannockburn Domain features – Camping Ground.** Refer Section 3.4 above.



**Plan 4: Bannockburn Domain features – Bowling Club.** Refer Section 3.4 above.

## 3.5 Access

### 3.5.1 Vehicular Access

The main entry to Bannockburn Domain is off Domain Road in Bannockburn. A driveway within the road reserve is located at the entrance to the camping ground and bowling club. Parking spaces are limited and future provisions for increased parking needs to be considered as part of an overall development plan for the domain.

### 3.5.2 Pedestrian and Cycle Access

Bannockburn Domain does not have any formal links for walkers or cyclists other than the main entrance.



## 3.6 Existing Facilities

Buildings and features located within the domain are briefly described below, (refer Plan 1 above for locations).

### 3.6.1 Camping ground

The camping ground provides for 59 caravan points. Two cabins and a kitchen which were originally relocated from Cromwell, and an ablution block constructed in 2008. In the summer season the sports field area is temporarily used for tents and unpowered sites.

### 3.6.2 Play Area

A children's playground with a variety of equipment is located near the entrance of the domain. This was upgraded in 2004.

### 3.6.3 Bowling Club Complex

The Bowling Club sits on the southeast side of the site, with a bowling green and clubrooms. The first pavilion was constructed in 1922 and a new one was built in 1951. An extension was done in 1982, and subsequently renovated in 2012. The Club membership is stable, and the Club is continuing to undertake general updating and renovations of the building and green as required.

### 3.6.4 Tennis Facility

The tennis court sits at the entrance on the southeast side of the domain and are available for public use. This was upgraded in 2004 and resurfaced in 2018. There are a few cracks in the surface which will need to be repaired.

### 3.6.5 Open Green Space

The middle of the domain is an area originally set aside as a sports ground. In recent years there has been very little demand for it from recreational groups. It is the only public open space in Bannockburn and should be retained for public use.

It is temporarily used for tents and unpowered camping sites in the busy months. It is not intended for this space to be a designated camping area.

## 3.7 Proposed Facilities

### 3.7.1 Camping

There is not a lot of space for increased camping sites. A survey of the domain will be carried out to investigate whether the current layout is maximising the use of the existing space available, or whether there are opportunities for more spaces to be included. Currently, during peak times, it is not possible to accommodate anymore campers. A development plan for the whole domain will be prepared, and if more sites for camping are identified, then these will be prioritised.

### 3.7.2 Building upgrades and improvements

Future provision should be made for upgrading the camps old pavilion block and installing a new laundry and office/managers unit. This should be considered in terms of available space.

The Bowling Club plans to separate out the existing kitchen and bar area by extending their building footprint slightly to the south, but within lease area.

### 3.7.3 Playground

The playground will need to be upgraded in the future. Any upgrades should consider making the playground intergenerational. Council intends to develop a Play Strategy to help guide these upgrades.

### 3.7.4 Parking

There is currently inadequate parking available during busy times or on bowling tournament days. Any future development proposals will need to include parking expansion options.

### 3.7.5 Other

A playground upgrade and possible other recreational activities offered on site will be explored as part of Council's proposed Play Strategy.

The sports field area is the only green space available in Bannockburn and it should be preserved in, not necessarily as a rugby or sport field but an open space that can be utilised for many activities as the need arises.

## 4.0 Vision and Outcomes

### 4.1 Vision

Bannockburn Domain is managed and developed to ensure the recreational use, enjoyment, and protection of the domain for the public of Bannockburn and the wider Central Otago community.

### 4.2 Outcomes

1. Bannockburn Domain is preserved in perpetuity for the welfare and enjoyment of the general public.
2. Development of the domain acknowledges its use as a recreation hub (including camping) while also providing for the needs of the local community and having due regard to the public's use and access to the publicly accessible areas of the domain.
3. Recognition that recreational activities (including play), sporting organisations, and the camping ground, through occupation agreements, provide a significant role in facilitating recreational and sporting uses of the domain.
4. The domain's development has regard for the views of present users as well as consideration of accommodating future trends and emerging activities.

## 5.0 Objectives and Policies

### 5.1 Occupation Agreements

#### 5.1.1 General

The term occupation agreement refers to any lease, licence, easement (including right-of-way and telecommunication agreement), exchange of letter, or other agreement reached between the Council and a person, organisation, or company that is occupying part of Bannockburn Domain (including below ground utilities). Further details of these different agreements and policies follow.

Council requires that leases are granted, both to satisfy statutory requirements and to clarify the responsibilities of Council and clubs, including for existing occupations. The Reserves Act 1977 details the requirements and processes for any occupation or agreement on reserve land.

Any structures associated with occupation agreements including signs will require approval from Council as the landowner and may require building consent or other approvals.

This policy is to be read in conjunction with Section 5.3: Domain Development.

#### Objectives

- 1 *To confirm the occupation of Bannockburn Domain for approved uses and facilities by the granting of occupation agreements.*
- 2 *To ensure adequate compensation to remedy or mitigate the adverse effects of all utility, stormwater discharge, drainage rights, and underground facilities on the domain.*
- 3 *To consider the use of Bannockburn Domain for network utilities where utilities do not detract from the purposes of the domain and no costs for these utilities are accrued to Council.*
- 4 *To require compensation for all temporary or permanent effects on Domain values caused by right of ways, easements, access ways, leases, licences, or network utilities.*
- 5 *To limit timeframes for easements and rights-of-way agreements (e.g., linked to the life of the building or activity). Applications will be assessed on an individual basis, with an intention that the domain values will be reinstated at the completion of the agreement period.*

POLICIES	
1	Applications for leases, licences and other occupations may be allowed if there are no adverse effects on domain values.
2	Applications for licences will need to be made in writing.
3	All legal costs and agreement costs, as well as the costs of any formation and maintenance to the Council's satisfaction shall be borne by the grantee.

#### 5.1.2 Leases

Management requirements for recreation reserves under the Reserves Act 1977 emphasise the retention of open space and accountability to the public of domain management. On recreation reserves, leases must be drawn up subject to the relevant provisions of the Reserves Act 1977.

Council uses the provisions contained in the Reserves Act 1977 as a guide when leasing land subject to the Reserves Act 1977 to ensure consistency among the various tenancies. Leases will be subject to Council's Leasing and Licensing Policy and standard lease conditions so that leases are consistent and easier to manage.

The leasing of public land restricts the type of activities that can be undertaken and usually limits use of the land by the general public.

POLICIES	
1	Any exclusive use of Bannockburn Domain, including buildings, will be subject to a lease.
2	<p><i>New Leases</i></p> <p>Land may be leased to groups and organisations for the following purposes:</p> <p>2.1 Sports facilities and associated buildings at the groups or organisation's expense.</p> <p>2.2 The construction of buildings and other structures that increase or improve the use of the domain for recreation or camping at the groups or organisation's expense.</p> <p><i>Provided that:</i></p> <p>2.3 The sportsground area is not leased so it can provide for the outdoor recreation needs of the general public, groups or organisations.</p> <p>2.4 The land is used for recreational activities that increase or improve the use of the Bannockburn Domain.</p> <p>2.5 The proposed activities cannot satisfactorily take place in existing facilities, or in the locality.</p>
3	<p><i>Existing Leases</i></p> <p>Any opportunities shall be taken to renegotiate existing leases in cases where they do not comply with the policies of the Management Plan or, in the case of land that is subject to the Reserves Act 1977, with the requirements of the act.</p> <p>3.1 The Council will discuss future usage options for the current sports ground area with the committee.</p>
4	Leases shall incorporate the appropriate provisions of the Reserves Act 1977, except where the Council's tenure of the land requires otherwise, and shall incorporate where necessary, the policies detailed in this management plan document and other Council documents.
5	<p>Any new or renegotiated lease shall include:</p> <p>5.1 A clause requiring that all details of financial income and expenditure be made available on request to the Council.</p> <p>5.2 A clause requiring that there will be no subletting of the leased land or of the building erected thereon without the prior approval of the Council.</p>
6	Vehicle parking requirements of a potential lessee should be considered. Policy 8.5 - Vehicle Parking and Access applies.

POLICIES	
7	The notification of proposed leases in this management plan shall serve as public notice for the purposes of the Reserves Act 1977.
8	All outgoing costs associated with leases and other agreements are the responsibility of the lessee or holder of the agreement.
9	Rents and rates as per Council policy will be payable on all leases, except where Council has resolved that no or reduced rental is required. Rents for approved users (e.g., voluntary recreation facilities, approved community users) will be set at an agreed level. Other rents (e.g., commercial use, residential tenancies) will be based on 'market' levels.
10	The placement of any container on the reserve is discouraged due to aesthetic appearance and clutter.

### 5.1.3 Licences

Licence to occupy grants the non-exclusive right to use a Domain for a specific purpose.

Tenancies over Domain land are subject to the provisions of the Reserves Act 1977. The Reserves Act 1977 permits the granting of licences for communication stations and any works connected with the station.

POLICIES	
1	Licences may be allowed over the sports field area provided that there are no adverse effects on the domain's values.
2	Applications for licences will need to be made in writing.
3	Licences will include provision for public access where this is appropriate and desirable.
4	A rental fee may be charged for all licences based on tenders received. Council may charge a rental other than a market rental for approved recreational or management purposes.
5	It shall be a condition of all licences negotiated that Council may, before expiry, cancel all or part of the tenancy at one month's notice, should the land be required for recreational use or if the licensee fails to meet the conditions of the licence.
6	It shall be a condition of every licence that Council will not compensate occupiers for improvements upon termination of the agreement.
7	Licences may be granted for communication stations and any works connected with the station, in accordance with the Reserves Act 1977 where adverse effects are mitigated.

### 5.1.4 Easements including for underground services

An easement lawfully grants the rights for one party to use another person's land for a specified purpose, in this case the use of Bannockburn Domain for access or utility facilities.

Easements granted will generally have limited timeframes (e.g., linked to the life of the building or an activity) and an annual fee for rental may be required. Conditions regarding reinstatement of the site at the completion of the agreement period should also be included with any permission granted. By not granting easements in perpetuity, and requiring reinstatement of the site, the values of the domain will be re-established.

Easements for private underground or overground facilities can affect future development and will only be considered by Council where no other options are available, and establishment costs and rental may be charged after a market valuation.

Where easements are approved, easement owners are responsible for maintaining utility facilities (stormwater/wastewater/sewerage/water and gas pipes/electrical/telecommunication cables) connecting between their property and the main network operator's facilities including reinstatement of domain land following work being carried out on facilities.

It is important for Council to know the location and ownership of private utility facilities crossing Bannockburn Domain so that their location can be taken into consideration when development enhancement or maintenance work is being planned or carried out on the reserve and for payment to be made for the use of this land. As-built plans will generally be a requirement of an easement agreement.

POLICIES	
1	Applications for pipes, cabling, discharge, or drainage rights including applications for Council infrastructure must be made in writing and contain the following information: <ul style="list-style-type: none"> <li>• A statement of alternative pipe location or discharge options and their costs;</li> <li>• Discussion on why these alternative options cannot be used;</li> <li>• Evidence that the pipes or discharge will not detract from the purpose of the domain; and</li> <li>• A diagram of the proposed works and a survey.</li> </ul>
2	An easement or formal agreement will be required for every pipe, cable, or discharge on Bannockburn Domain.
3	All legal costs and the costs of formation and maintenance to the Council's satisfaction shall be borne by the grantee.
4	Payment for the benefit of a pipe, cable or drainage easement shall generally be made at market valuation.
5	Council will require those holding easements for services crossing Bannockburn Domain to meet the costs of maintaining the pipes or cables.
6	When services and utilities are no longer required, the service / utility owner shall remove them from the site and reinstate the domain to Council's satisfaction. If this is not completed to Council's satisfaction, any costs will be recovered from the services/utility owner.
7	No private access easements will be granted across any land covered by this management plan.

## 5.2 Access and Use of the Domain

The domain is the only publicly accessible open space in Bannockburn, and it is important that it is accessible for the general public to use whenever possible, but it is also recognised that the priority users of the domain are the camping ground and Bowling Club.

### Objective

- 1 *To restrict public access on the domain where access would be detrimental to the camping ground, or where facilities might be at risk of damage.*

POLICIES	
1	The extent to which Bannockburn Domain may be used by the public for recreation shall be determined according to the following categories:
1.1	Public will not be allowed access to exclusive use areas covered by an occupation agreement, which includes the camping ground area and Bowling Club, unless the occupation agreement states otherwise.
1.2	Public will have access to all other areas which are not in use for camping, bowling, or other activities.

### 5.2.1 Temporary use

Use of Bannockburn Domain for an organised event or any other temporary use requires prior approval from the Committee. Any request for commercial use should go through the Council's reserves booking system via the Council website. Before any commercial booking is confirmed Council will liaise with the Bannockburn Recreation Reserve Management Committee Inc. Bookings are limited to the sports ground area.

While events can enhance the public use and enjoyment of Bannockburn Domain and contribute to the diversity and vibrancy of the community, large numbers of people and activities can adversely affect the domain and neighbours. Council retains full discretion over the number and nature of any organised event on domain land or in a Council owned or operated building or facility.

### Objective

- 1 *To manage the use of Bannockburn Domain for events and temporary use so that it is consistent with the values of the reserve.*

POLICIES	
1	Events, social activities, functions, and exhibitions may be allowed on parts of the Bannockburn Domain, where the adverse effects on other users or lessees, the domain and domain neighbours of such activities are minimised, and the proposal meets statutory and policy obligations.
2	Applications must be made in writing at least four weeks prior to the event.
3	Where temporary exclusive use is necessary for the holding of an event or activity, part or all of the domain will be closed to the public for the duration of that event.
4	Where part or all of Bannockburn Domain is to be closed to the public for event use, public notification of this will be made prior to the activity requiring the closure. Where

POLICIES	
	closure is required by a body other than Council, that body will be responsible for meeting the cost of public notification.
5	A charge and / or bond may be levied for all forms of exclusive use. The bond will be set as per Council's Fees and Charges Schedule.  Bonds may be waived at the discretion of Council.
6	Event organisers are to reinstate the domain to the same condition as before the event to the satisfaction of the Council.

### 5.2.2 Commercial Use

Council may, from time to time, receive applications for the use of Bannockburn Domain for temporary or permanent commercial activities. These activities include filming, markets, coffee carts and commercial recreation ventures, amongst other commercial activities.

Commercial activities may be a legitimate part of the range of activities within domains where they relate to the purposes of the domain. Some commercial activities such as filming regional or national sporting events may be assessed as appropriate. While not contributing to the public's enjoyment of the domain such activities can promote Bannockburn.

While commercial activities can be appropriate, they must not be allowed to detract from the primary purposes of the domain. Also, the activities should not adversely impact on the domain, its use or users and domain neighbours. Controls on activities should ensure that the effects of activities are minimised. All commercial activity is required to comply with Council bylaws and other relevant legislation.

#### Objective

- 1 *To ensure any permanent or temporary commercial use of Bannockburn Domain does not compromise the domain's values, adds to the public enjoyment of the domain and is in accordance with the Reserves Act 1977 and relevant bylaws.*

POLICIES	
2	All applications to operate commercial activities on Bannockburn Domain shall be made to Council in writing. Applications should include: <ul style="list-style-type: none"> <li><u>2.1</u> A description of the proposed activity;</li> <li><u>2.2</u> A description identifying the places where the proposed activity will be carried out;</li> <li><u>2.3</u> A description of the potential effects of the proposed activity, and any actions which the applicant proposes to minimise any adverse effects;</li> <li><u>2.4</u> A statement of the proposed duration of the activity and the reasons for the proposed duration;</li> <li><u>2.5</u> Relevant information relating to the applicant, including any information relevant to the applicant's ability to carry out the proposed activity.</li> </ul>
3	Temporary commercial activity applications need to be made at least ten working days prior to the event.
4	Conditions necessary for the protection of values will be imposed on any permission for the commercial use of Bannockburn Domain. Such conditions will also be sought on any resource consent application for the same activity.

POLICIES	
5	A charge may be levied for the commercial use of Bannockburn Domain.
6	A bond may be required for permanent and temporary commercial activities.
7	Compliance with the relevant conditions of the Resource Management, Building, Health and Safety at Work Acts and other relevant acts including the District Plan is the responsibility of the applicant.

### 5.2.3 Camping

The Bannockburn Domain is designated for "Recreation Purposes" (D51). Part of the domain has been developed and has operated as a public camping ground since 1987.

#### Objectives

- 1 *To continue to operate a camping ground at Bannockburn Domain in accordance with the Camping-Grounds Regulations 1985.*
- 2 *To allow the Bannockburn Recreation Reserve Management Committee Inc to maintain responsibility and oversight of the camping ground.*

POLICIES	
1	The Bannockburn Recreation Reserve Management Committee Inc holds a lease over the domain which permits camping.
2	Any changes to the operation of the camping ground will be made by Council.
3	Basic facilities to ensure the safe and hygienic use of the camping ground will be provided and maintained as demand dictates, in accordance with the Camping-Grounds Regulations 1985 and any lease agreements over the domain.
4	The camping ground shall be utilised by genuine holiday makers and not occupied by semi-permanent residents, as defined by the Camping-Grounds Regulation 1985.
5	The camping ground sits on a recreation reserve, and public access to the space needs to be balanced alongside camping ground users.

## 5.3 Multi-generational Play

Reserves provide important open space areas for people to play, whether that is through using natural features, or the provision of formal playgrounds, skate parks and bike parks.

### Objective

- 1 *To provide creative and diverse play opportunities for everyone by the extension and enhancement of the natural or artificial environment.*

POLICIES	
1	Emphasis shall be on the opportunities for physical adventure and exploration.
2	The existing play features will continue to be provided, and expanded where appropriate, in preference to duplicating play features in other parts of the domain.
3	All play equipment and associated safety surfaces shall be designed, constructed, and maintained to conform to New Zealand standards for playground equipment and surfaces (currently NZS5828:2004)

## 5.4 Markets, Festivals and Concert

The Central Otago District Council may receive requests from markets, circuses, concert promoters, side-shows, gypsy fairs and similar operators to use Bannockburn Domain.

### Objective

- 1 To allow occasional use of Bannockburn Domain for markets, circuses, concerts, side-shows, and similar uses provided that this is compatible with other domain activities.

POLICIES	
1	<p>Council may approve markets, circuses, concerts, side shows, gypsy fairs and like operations where there is evidence that the adverse effects can be minimised. All applications are to be in writing and forwarded to Council at least four weeks before the event. Applications will be considered on a case-by-case basis, and a bond will be required. The assessment of effects will include the following:</p> <ul style="list-style-type: none"><li>• Effects on others using the domain and neighbours</li><li>• Services</li><li>• Damage to the domain</li><li>• Health and safety provisions.</li></ul>

## 5.5 Fireworks displays

Groups occasionally wish to use the Bannockburn Domain for fireworks displays. These displays are controlled by legislation other than the Reserves Act 1977 and require the permission of Fire and Emergency New Zealand (FENZ) before proceeding. As long as the adverse effects of fireworks displays on Domain values are avoided, remedied, or mitigated, fireworks displays are a legitimate use of the domain.

### Objective

- 1 *To allow fireworks displays on Bannockburn Domain subject to all adverse effects on Domain values being avoided, remedied, or mitigated.*

POLICIES	
1	Fireworks displays are only permitted within the playing field arena, and only if damage to the grass fields can be avoided.
2	Written applications should be made at least ten working days before the proposed event. Conditional approval will be given upon written application to Council. Final approval will be given once the required external permissions have been obtained.
3	A condition of approval will include the requirement for sufficient public liability insurance.
4	The fireworks display co-ordinator must submit a list of proposed fireworks to be used for a display and this list, in part or in total, must be approved by Council.

## 5.6 Fire Control

During certain times of year, the risk of fire increases significantly. Measures need to be taken to minimise the risk of fires starting in or adjacent to the Bannockburn Domain, and to minimise damage to the domain should a fire start.

### Objectives

- 1 *Where appropriate and feasible, to provide adequate access to Bannockburn Domain to enable fire appliance access.*
- 2 *To take steps to minimise fire risk and damage resulting from any fire occurring.*
- 3 *To cooperate with appropriate organisations in the prevention and control of fires on the domain.*

POLICIES	
1	Council will support and liaise with FENZ to provide for the prevention, detection, control, and suppression of fire within the domain, in accordance with legislation or by-laws.
2	Council will assist and cooperate with FENZ on all fire control measures in accordance with legislation, regulations, or by-laws to reduce the risk of damage by fire to the domain.
3	Council will support FENZ in legal action, including the recovery of fire suppression costs that may be taken against a person or persons who light or cause to be lit any fire on the domain without permission.
4	During times of extreme fire danger parts of the domain may have to be closed to protect public safety.
5	The Council shall take all reasonable measures to ensure the domain is kept clear of all fire hazards endangering adjacent properties in respect of fire risks in accordance with legislation or bylaws.
6	Any action or event necessary for the purposes of saving or protecting life or health, or preventing serious damage to property, or avoiding an actual or likely adverse effect on the environment may be carried out without the prior permission of Council or prior public notice. This policy is subject to those involved taking every reasonable step to contact the Council or carry out public notification.
7	Such an action or event must be followed up by providing Council with a copy of the fire report immediately after the event or incident.

## 5.7 Dogs

Many people own dogs for a variety of reasons and wish to exercise them at different locations. Council must have regard to the exercise and recreational needs of dogs and their owners and the need to minimise danger, distress, and nuisance to the community in general. Central Otago District Council provides a variety of locations for off leash dog exercise, as well as bylaws to control dogs in other public places where they are required to be on a leash.

Dog and other animals fouling on the domain is not tolerated in any form. Owners must ensure that they have a suitable receptacle to collect and remove animal faeces immediately.

Dog control signage will be erected on the domain in accordance with the CODC Dog Control Bylaw 2020 and Dog Policy 2020.

### Objectives

- 1 To allow for the exercise and enjoyment of dogs at appropriate reserve locations.
- 2 To prevent farm animals from grazing or exercising on Bannockburn Domain.

POLICIES	
1	The CODC Dog Control Bylaw 2020 and Dog Policy 2020 take precedence for all dogs in parks or reserve areas.
2	Dogs are not permitted in prohibited areas at any time. Prohibited areas include, the children's playground, the designated playing areas of the sports ground.
3	Dogs are permitted in the domain camp area, but they must be on a leash at all times and are not permitted in the kitchen or ablution block areas of the camping ground.
4	Any person having charge of any dog shall at all times, carry a suitable receptacle to remove and dispose of dog droppings immediately after the dog has deposited them.
5	No horse or other farm animals are permitted on Bannockburn Domain unless written approval is granted by Council.

## 5.8 Facilities and Chattels Abandonment

Changes in levels of participation and trends in sport sometimes result in sports clubs and groups dissolving, amalgamating, or falling into recess. A consequence of this could lead to the abandonment of facilities such as the Bowling Club or camp facilities

### Objectives

- 1 *To ensure buildings or structures that are of benefit to Bannockburn Domain users are retained in a safe and operable condition.*
- 2 *To ensure the owner of a building or structure is responsible for the facility and its condition until disposal has occurred.*

POLICIES	
1	The owner of a building or structure will dispose of the facility under the terms of the lease agreement and in conjunction with this policy.
2	Council will have the right to decide what assets have a benefit to Domain users.
3	<p>Where a building or other structure is no longer required by an occupier or Council, the following steps will be taken in priority order:</p> <ol style="list-style-type: none"> <li>3.1 The occupier will be required to find a new approved occupier (as permitted by relevant acts, or policies) and subject to approval by Council, or remove the building or structure from the domain;</li> <li>3.2 If the occupier cannot either find a new suitable occupier or remove the building or structure, then council will make reasonable efforts to find a new suitable occupier or use for the building;</li> <li>3.3 If no suitable occupier or use can be found, Council will remove the building having considered all other options.</li> <li>3.4 Council will have the option to tender or sell the building (not the land) as an alternative to demolishing it, providing it can be removed from the site.</li> <li>3.5 Where the building or structure is not compatible with the primary function and values of the domain, it will be removed from the domain.</li> <li>3.6 Where Council does not own the building, feasible costs associated with removal or demolition of the building and or structure and reinstatement of the domain to Council's satisfaction shall be charged to the owner.</li> </ol>

## 5.9 Alcohol licences

The selling of alcohol is often viewed by sports clubs as a means of raising funds for club activities however is only indirectly linked to the use of the domain for sporting or recreational purposes.

The consumption of alcohol on the domain can have adverse effects on people using the domain and domain neighbours including noise and damage that may reduce the amenity of the domain.

Approval is needed from Council as landowner of the domain, and separately from Council for an alcohol licence. Other approvals, including resource consent, may also be required.

Currently the following liquor licences are in place:

- Bannockburn Bowling Club – club-licence permitting the sale and supply of alcohol to club members and guests of members– Bannockburn Bowling Club facility on Bannockburn Domain

### Objective

- 1 *To allow the granting of alcohol licences over premises on Bannockburn Domain where the values of the domain are not diminished and where the effects on other domain users and domain neighbours can be minimised.*

POLICIES	
1	Any alcohol licence application is subject to the Sale and Supply of Alcohol Act 2012, CODC Local Alcohol Policy and any subsequent legislation.
2	<p>Council will only support the granting of an alcohol licence for premises located on Bannockburn Domain where:</p> <ol style="list-style-type: none"> <li>1.1 The granting of a licence is consistent with the purposes of the domain;</li> <li>1.2 The effects on the domain, its use and users, and Domain neighbours can be avoided, remedied, or mitigated; and</li> <li>1.3 The values of the domain are not diminished.</li> </ol>
3	The environmental impact of increased traffic and parking demand and other factors, which may be associated with ancillary use of facilities, shall be carefully assessed in considering any application for a general ancillary liquor licence.
4	Applicants will be responsible for ensuring that all relevant statutory approvals are obtained and that the conditions of any approvals granted are met.
5	The use of clubrooms for social purposes shall be ancillary to the principal purpose of the domain i.e., camping and recreation.
6	The Bannockburn Recreation Reserve Management Committee Inc does not permit the consumption of alcohol in the kitchen or ablution block areas of the camping ground.

## 5.10 Hazardous Substances

Hazardous substances such as chemicals and biological agents, in some circumstances, may need to be used in the maintenance or operation of the Bannockburn Domain. It is important to assess the risks and if needed minimise the effects for Domain users and neighbours.

### Objective

- 1 *To ensure that where is it considered necessary to use or store hazardous substances, application is undertaken in a manner that minimises the potential risk to Domain users and neighbours.*

POLICIES	
1	Where hazardous chemicals are to be stored or used within the domain, it shall be in accordance with the Hazardous Substances and New Organisms Act 1996, the Agri-chemical User Code of Practice NZS 8409, and any other subsequent or new legislation.
2	Warning signs shall be erected on site where the domain has been sprayed or applied with hazardous substances.
3	Hazardous substances such as herbicides shall only be used where there is no practicable or financially feasible alternative control measure.

## 5.11 Smokefree and Vapefree Zones

Smokefree and Vapefree outdoor areas protect young people from the negative role-modeling effect of smoking.

The less young people see smoking around them, the less 'normal' smoking becomes and the less likely they are to take up smoking themselves.

Council has adopted a Smokefree and Vapefree policy where all council owned parks and reserves, tracks and walkways, sportsgrounds and playgrounds are designated Smokefree and Vapefree. A ten metre smokefree and vapefree perimeter is designated around these facilities on any council owned land.

### Objective

- 1 *That the Bannockburn Domain is a smokefree and vapefree zone as per the Central Otago District Council Smokefree and Vapefree Policy 2021.*

POLICIES	
1	All of Bannockburn Domain is designated as smokefree and vapefree zones.
2	Council will use a mix of education and signage to enforce the smokefree and vapefree zone.

## 5.12 Trading in Public Places

Council has rules in place regarding trading in public places, identifying allowed locations, hours of trade and licence requirements. These note that there may be specific conditions per site and that licence holders do not have exclusive use of any site. Refer to most updated version of the Central Otago District Council Trading in Public Places Policy on Council's website for exact locations and more information.

### Objective

- 1 *To permit trading activity on the Bannockburn Domain in accordance with the Central Otago District Council Trading in Public Places Policy.*

### POLICIES

- 1 Approval to trade at the domain shall be obtained at the discretion of the Council and subsequently through the Bannockburn Recreation Reserve Management Committee Inc.

## 5.13 Domain Development

### 5.13.1 General

In addition to providing space for sport and recreation activities, parks provide wider benefits including amenity to the surrounding area and pedestrian connectivity. Parks can provide important open space areas for all ages to play, whether that is through using natural features, or through the provision of formal playgrounds and informal play opportunities. Park values may be reduced where buildings and other enclosed structures including fences prevent access and dominate the park.

Community needs change over time, and sport and active recreation facilities need to be adaptable and flexible to meet the needs of a wider range of activities and users into the future. Domain development may include accommodating a few more camping spaces, but this should not impede on the open green space that currently exists, as this is the only green space available for public use in Bannockburn.

The recreational use of the Bannockburn Domain will be explored to consider expanding the playground or adding other formal and informal play experiences. As provisions for sports are currently limited, if demand did increase then development may need to consider requirements around this space and could include the addition of irrigation, goal posts, permanent fencing, and sports lights. Within the camp area additional power points, and lighting will be investigated.

The Bannockburn Domain is designated in the District Plan 'Recreation Purposes' (D51) which reduces Resource Management Act approval requirements for recreation activities.

### 5.13.2 Buildings and structures

All buildings and structures including signs, temporary structures, lighting, fences, and art will require approval from Council as the landowner. They may also require building consent and other approvals.

Any structures should be located where they allow for access within and through the domain and should be designed to be compatible with the amenity of the domain.

Council may provide amenity lighting for vehicle parks and paths where there is a clear public benefit. This will be limited to Council-owned facilities. Any development proposal will need to demonstrate Crime Prevention Through Environmental Design (CEPTD) principles as part of the proposal.

#### Objectives

- 1 *To ensure that buildings and other structures do not dominate Bannockburn Domain and are located, designed, and maintained so that they do not detract from the amenity of the domain and camping ground, and facilitate public recreational use and enjoyment.*
- 2 *To support the development or redevelopment of buildings and structures on the domain where the need for these has been fully assessed and it is demonstrated that recreation, camping, and community outcomes are better enabled.*
- 3 *To encourage sharing of existing facilities to prevent unnecessary duplication or expansion of facilities.*
- 4 *To ensure that buildings and structures have necessary approvals.*
- 5 *To encourage and allow for networks of paths for pedestrians and/or cyclists*

POLICIES	
1	Buildings on the domain shall be provided for the specific proven needs of the users where this provision does not detrimentally affect the appearance or utilisation of the domain.
2	A new building will only be erected where it is not suitable to use a modified existing building, or possible to share facilities with other users.

POLICIES	
3	<p>New buildings on the domain shall be located only where:</p> <p><u>3.1</u> Neither they, nor associated vehicle parking, unduly restrict the area useable for recreation or camping.</p> <p><u>3.2</u> They do not obstruct the entrances to the domain, either physically or visually.</p> <p><u>3.3</u> They do not detract from the open nature of the domain, especially as seen from surrounding roads.</p>
4	<p>The design of all buildings and structures proposed to be erected shall be referred to Council or its delegated representative for approval.</p>
5	<p>All new buildings and structures shall be of a size and design that:</p> <p><u>5.1</u> Is such that they provide no more than a service ancillary to the use of the area for sport.</p> <p><u>5.2</u> Is to acceptable architectural standards.</p> <p><u>5.3</u> Is in scale with, and suited to, the character of the domain.</p> <p><u>5.4</u> If possible, they shall be sited so that they can be extended to provide such further facilities as may be required at a later date.</p>
6	<p>Buildings shall be designed or modified for multi-purpose use where practicable and desirable.</p>

## 5.14 Multipurpose use of Facilities

Some existing facilities could sustain higher levels of use, and the sharing of such facilities would prevent unnecessary duplication and cost.

Sub-letting of facilities by clubs can generate revenue and spread the load of paying for overheads such as power.

### Objective

- 1 *To encourage the sharing of existing facilities to prevent unnecessary duplication or expansion of facilities.*

POLICIES	
1	The multiple use of buildings and other facilities by sports, cultural bodies and schools shall be actively encouraged.
2	The sub-letting and shared use of leased facilities to other clubs shall be actively encouraged.

## 5.15 Vehicle Parking and Access

Vehicle parks support recreational use by users who need to drive to the domain including those travelling longer distances. Vehicle parking areas reduce domain land available for recreation and encourage access by vehicles. While it is preferable to encourage walking and cycling before using a vehicle, the domain is not easily accessible by walking and cycling, and most visitors will use a vehicle to access the area.

The camping ground also attracts people with boats, caravans, and multiple vehicles. Consideration should be given around mitigation of cluttered parking. Parking is currently reaching a capacity, and struggles to meet requirements, particularly during peak periods or events. Should growth happen within the camping ground, more parking facilities may be required. However, the location and design of parking areas should not be at the expense of areas useable for camping and recreation, although parking areas may also be useful for other activities. Parking should not be designed to meet peak parking times.

### Objectives

- 1 *To provide and maintain vehicle parks, where appropriate, to a level that is adequate for servicing the usual activities carried out within the domain.*
- 2 *To provide where practicable additional vehicle access and parking areas at proven peak times but limiting this to preserve the natural qualities of the domain.*
- 3 *To recover the costs of vehicle parking facilities from groups obtaining exclusive use.*

POLICIES	
1	Vehicle parking on areas, other than recognised vehicle parks, or in any way that causes damages to the domain is prohibited.
2	Vehicle parks are for vehicles associated with recreation and other legitimate use of the domain.
3	Regular overnight, and long-term parking is not permitted outside of the campground. Residential parking is not permitted anywhere on the domain.
4	Vehicle parking shall be available to the public using the domain during the hours of operation defined by the Committee or Council.
5	Parking in areas other than recognised parking areas may be allowed by special permit from the Committee or Council to accommodate extra demand for vehicle parking/event services associated with an infrequent recreational use of the domain. This permission may be varied or withdrawn if it is anticipated that damage to grounds may be incurred.
6	Vehicle parking areas shall only be provided where there is a proven requirement directly related to the use of the domain, and it is both physically and financially feasible to provide a vehicle parking facility.
7	A detailed site plan set in the context of a plan for the whole domain shall be prepared for any proposed access way or vehicle parking area.
8	Exclusive use of vehicle parks may be allowed for special sporting and recreation events. Council may set a charge for this exclusive use.

POLICIES	
9	Where an application for exclusive use of a vehicle park is successful, Council will arrange for public notification of this use in the public notices section of the local newspaper/s. Applicants will need to meet the costs of public notification.
10	Groups that have permission to use vehicle parks exclusively may levy a charge on users during the time they have exclusive use. This charge is to be approved by Council and be used to recover costs only.
11	Vehicle parks for users with disabilities may be set aside where vehicle parks are marked or established near facilities.

## 5.16 Lighting of Amenity Areas

Amenity lighting is used to illuminate vehicle parks and footpaths to facilitate safe pedestrian access.

Council may provide amenity lighting where there is a clear public benefit. Furthermore, the provision is limited to Council-owned facilities.

Council recognises that the camping ground, may need to operate some form of lighting at night.

Any lighting required will be considered where it is in accordance with Crime Prevention Through Environmental Design (CPTED) principles.

### Objective

- 1 *To provide lighting to facilitate night-time use and access where appropriate.*

POLICIES	
1	Council may provide amenity lighting where there is a clear public benefit, and where it supports the principles of CPTED.
2	Installation of lighting by Domain occupiers is subject to the approval of Council.
3	Lighting of cycle and pedestrian paths may be provided where appropriate for the safety and convenience of the public.
4	Cables for light fixtures shall be underground wherever possible.
5	Hours of operation of lights shall be limited to those approved by the Committee or Council.
6	Lighting installations shall be designed to avoid excessive light spill and glare into surrounding residential areas.
7	All lighting is to have minimal light spill, give consideration to the night skies and meet District Plan requirements.

## 5.17 Signs

Signs can play an important role in wayfinding and reinforcing a domain's identity and status. Signs are also essential in aiding identification of hazards that visitors might be exposed to. Some areas have important or special stories to tell and can be enhanced by the use of interpretive signage.

The use of promotional or advertising signage is one way that organisations are able to raise income over and above levying their membership, however signs other than those inside club buildings that are not visible from public places are generally not appropriate.

Inward facing signs on fences may be visible from the surrounding domain area and will increase the fence being a visual barrier. Signs must comply with any district plan requirements.

Section 5.3.2: Buildings and structures will also apply to the location of free-standing signs.

### Objectives

- 1 *To provide sufficient signs of a design appropriate to the domain to facilitate public use and enjoyment of the domain.*
- 2 *To control the display of club and sponsorship signs on Bannockburn Domain.*

POLICIES	
1	Signs shall be provided to give clear and positive guidance to assist public enjoyment of the domain.
2	Generally, all signs and symbols on the domain shall be of standard design and appropriately placed in their surroundings.
3	The number and size of signs in the domain shall be kept to a minimum to avoid visual detracting from the amenity of the domain.
4	The Council may provide interpretive information for areas of interest at Bannockburn Domain.
5	Where possible signs will be located on existing buildings and structures.
6	Clubroom signs are permitted not more than a total of three-square metres relating to the use of the site (i.e. not advertising signs).
8	Unless specifically approved by Council, advertising signage will not be allowed at Bannockburn Domain.
9	Where advertising signage is approved by Council, it will still be subject to obtaining a resource consent or sited where resource consent is not required.
10	All signs must comply with the Parks and Recreation Signage Guide

## Appendix 1: Reserve Management Plan process from Reserves Act

The following table summarises section 41 of the Reserves Act 1977 – Management Plans, and the process used to develop and revise a management plan. When a plan is being revised the first 2 steps may not be repeated.

Relevant Sections of the Reserves Act	Public Consultation	Description of Activity	Phase
Section 41 (5)	Optional	Council notifies the public that it is preparing a management plan and calls for submissions (1 month)	Not undertaken for this review.
Section 41 (5)c	Mandatory	Public submissions are received and incorporated into a draft management plan	Management Planning
Section 41 (6) a-c		A draft management plan is made available to the public for further comment (2 months)	
Section 41 (6) d		The draft management plan is edited to incorporate input from public submissions	
Section 41 (6) d		The final document is presented to Council for adoption	
Section 41 (6) e		Council adopts management plan	Implementation
Section 41		All policies come into effect and are enforceable by Council	
Section 41 (4)		The management plan is continually monitored and reviewed	

## Appendix 2: Bannockburn Domain Land Status

### Documents the land is held in:

- GN 1984/3101 and 1987/4912 Section 164 Block 1 Cromwell Survey District, Survey Office Plan 196060 part comprising 3.5365 hectares in area classified as recreation reserve and vested to the Council.

### Chronological Order of Status Actions

- Gazette 1987 page 4912 - The Reserve is vested in the Council pursuant to Section 26A of the act.
- Gazette Notice 1984 page 3101 - Section 164 Block 1 Cromwell Survey District, Survey Office Plan 196060 part comprising 3.5365 hectares in area is classified recreation reserve and named Bannockburn Recreation Reserve. Land held under the Reserves Act 1977.

## 22.9.5 CENTRAL OTAGO DISTRICT COUNCIL TREE POLICY RENEWAL

Doc ID: 596458

### 1. Purpose of Report

To adopt the Central Otago District Council Tree Policy 2022.

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### Recommendations

That the Council

- A. Receives the report and accepts the level of significance.
  - B. Adopts the Central Otago District Council Tree Policy 2022.
- 

### 2. Background

The Central Otago District Council (Council) is responsible for approximately 6,500 trees in the district, made up of approximately 3,000 street trees and 3,500 park or amenity trees. Trees provide many benefits to a community, including aesthetic, environmental, economic, cultural and social. Trees reinforce the local identity and character of a place, which makes them an important tool in urban design, particularly with increasing urbanisation.

Tree issues often trigger an emotive response from the public for a range of reasons, from excessive leaf dropping to shading. Good policy in this area is required to ensure all tree requests are handled in an equitable manner.

The Central Otago District Council Tree Policy 2020 had a renewal date of February 2022. The policy has now been reviewed. The reviewed policy only contains minor amendments including the addition of the Wilding Conifer Control Policy and the proposed Open Spaces and Recreation Strategy. A 2025 date has been added for the next review of this policy.

### 3. Discussion

The Central Otago District Council District Tree Policy 2020 clearly sets out Council's position on planting, pruning, affected views, maintenance regimes and the relationship with the Council's District Plan heritage listed trees. It also contains a suggested list of tree species to plant that provide seasonal interest but do not pose problematic issues, including excessive root heave, shading or growth into overhead utilities.

The suggested planting guide is an indication only of trees that will generally perform well in Central Otago and includes both natives and exotics. Seasonal displays from trees particularly in spring and autumn sets Central Otago apart from other areas of New Zealand. Natives also play an important part in the planting fabric of the district, particularly for riparian and revegetation plantings.

The Policy also provides guidance to developers for the provision of trees within new subdivisions from guidance on minimum verge size, acceptable tree species and use of root guards.

The differences between what the Policy covers and how trees are protected under the District Plan is illustrated in the Policy to clearly show the different levels of protection trees are afforded under the two different documents

A review of the Policy has taken place with no major changes suggested. The Wilding Pines Control Policy has been added to the Relevant Documents section of the policy and the date has been amended to 2022-2025.

#### 4. Financial Considerations

There are no financial implications associated with adopting this policy.

#### 5. Options

##### Option 1 – (Recommended)

Adopt the Central Otago District Council Tree Policy 2022-2025.

Advantages:

- The policy will continue to provide adequate direction to meet the changing needs of the community regarding tree matters.

Disadvantages:

- No disadvantages have been identified.

##### Option 2

Do not adopt the Central Otago District Council Tree Policy 2022-2025.

Advantages:

- No advantages have been identified.

Disadvantages:

- The policy provides adequate direction to meet the changing needs of the community regarding tree matters.

#### 6. Compliance

<b>Local Government Act 2002 Purpose Provisions</b>	This decision promotes the social, cultural, and environmental wellbeing of communities, in the present and for the future, by having well-managed public trees that add to the environmental and cultural wellbeing of the district's communities.
<b>Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy etc.</b>	This is consistent with the previously adopted Central Otago District Council Tree Policy 2020-2022.

<b>Considerations as to sustainability, the environment and climate change impacts</b>	Trees absorb carbon dioxide from the environment and provide cooling and shade, contributing to mitigating the effects of climate change.
<b>Risks Analysis</b>	There is considerable risk for Council in not proactively managing, maintaining and inspecting its tree assets. This policy supports a proactive maintenance regime based on a regular maintenance and inspection cycle.
<b>Significance, Consultation and Engagement (internal and external)</b>	A previous version of this policy was consulted on under the Significance and Engagement Policy. As there are no major changes to this updated policy, it is not considered necessary to consult on its contents again at this stage.

## 7. Next Steps

Once endorsed by Council, the Central Otago District Council Tree Policy 2022 will become operative and reviewed in three years.

## 8. Attachments

### Appendix 1 - Tree Policy 2022-2025.docx [↓](#)

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# Central Otago District Council Tree Policy 2022



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Document ID:	
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Effective date:	
Next review:	





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## Purpose:

Central Otago District Council's District Tree Policy 2020 specifies those principles, policies, and objectives regarding Council's ongoing protection and management of Council-owned trees within the District.

The District Tree Policy:

- Outlines the Council's commitment to managing Council trees as a valued asset of the District.
- Outlines Council policy regarding tree requests made to Council.
- Defines the benefits of trees both to the environment and to people.
- Recognises the ecological benefits of regenerating native vegetation on Council-owned lands, as well as exotic plantings, to enhance and showcase the district's biodiversity.
- Makes a commitment to encouraging widespread planting which defines and enhances the District's unique landscape character.
- Ensures trees are a high priority in the new and changing landscapes of urban areas.
- Re-affirms the Council's commitment to the protection and management of trees on public land through tree protection provisions in the District Plan.
- Provides a mandate for the Council's involvement in the management of trees as an integral component of the urban and rural environments which comprise the District.
- Has a key focus on sustainability and self-sufficiency.
- Encourages communication across Council departments to ensure retention of amenity trees, and to maximise planting of trees wherever possible during upgrading of any utility or development projects.
- Recognises the limited life span of many tree species.
- Recognises that trees can pose a potential risk, and that best practice tree assessment programmes are required to identify and mitigate such risks. Some species of trees, such as old Lombardy Poplar trees, are known as high-risk tree species that require regular monitoring and assessment as they age.
- Recognises the use of trees in being an effective way of controlling traffic speed, especially between the rural and urban interface.
- Encourages the planting of fruit and nut trees across the district where practical.

## Background:

The Central Otago District Council Tree Policy 2020 addresses issues relating to the recognition, strategic planning, management, and long-term continuity of the tree resource within Central Otago. It has an important role in raising the awareness of the community in relation to the benefits of trees, their multiple functions and the ways in which they contribute to improving the condition of our environment.

The District Tree Policy applies to individual trees, groups of trees and areas of existing and regenerating bush on Council-administered reserves, civic open spaces, and other Council-



owned lands that fall within the jurisdiction of Council's Parks & Recreation or Property Departments.

The District Tree Policy complements Council's Reserve Management Plans.

## Definitions:

The following definitions are given for words and terms found within the texts and appendices of the District Tree Policy.

<b><i>Adventitious (adventive)</i></b>	Growth that arises from (normally) suppressed buds, or from those plants which invade or inhabit a site first.
<b><i>Amenity value</i></b>	Provides positive features and qualities in the landscape.
<b><i>Approved arborist</i></b>	A suitably qualified person who can demonstrate proven experience, competency and ability in the field of arboriculture.
<b><i>Arboriculture</i></b>	The planting and care of trees.
<b><i>Arterial route</i></b>	Route or road of regional or district strategic importance as identified on the District Plan Maps.
<b><i>Bollard</i></b>	Post or fixture that serves to protect trees from vehicle and environmental damage.
<b><i>Branch collar</i></b>	The raised rim of bark tissue at the connection point between a branch or stem.
<b><i>Cambium zone</i></b>	The area of dividing tissue within a tree found between the outer bark and the woody stem.
<b><i>Canopy</i></b>	The extent of the foliage cover of any tree or plant.
<b><i>Carriageway</i></b>	Area designated for vehicular movement.
<b><i>Circumferential</i></b>	The area within a circumference.
<b><i>Climax vegetation</i></b>	Vegetation which will ultimately form the canopy of the forest area or final stage of succession.
<b><i>CODIT</i></b>	An acronym for the term Compartmentalisation Of Decay In Trees, meaning a two-part descriptive model on the process of decay in trees.
<b><i>Co-dominant stems</i></b>	Stems of similar size originating from the same position on the main stem.



<b>Compaction</b>	Ground that has hardened/compressed as a result of constant wear by environmental or mechanical means.
<b>Containerised plants</b>	Plants that have been grown in pots or receptacles in a nursery environment.
<b>Covenant</b>	Legal mechanism that provides agreement to protect a feature.
<b>Crown lifting</b>	Removing the lower branches of a tree to provide clearance for buildings, vehicles, pedestrians, services and vistas. Lifting is carried out to no greater extent than 1/3 the overall height of the tree in proportion to the tree's canopy.
<b>Crown thinning</b>	Removal of dead, declining, and secondary growth to increase air movement and light through the crown. Thinning is carried out to no greater extent than 20% of the canopy in proportion to its size.
<b>Cultivar</b>	Variation of plant species specifically selected and produced by people.
<b>Directional pruning</b>	Removal of branches at the stem to encourage overall growth away from a feature or fixture.
<b>Drip Line</b>	The area directly located under the outer circumference of a tree's branches.
<b>Ecological</b>	Modes of life, habits and relationships of living organisms and their environment.
<b>Eco sourcing</b>	Replanting with only locally occurring natural genetic plants materials.
<b>Encroachment</b>	A situation where the public recreational use or appreciation of the reserve is reduced or obstructed by the private use of the reserve. Alternatively, when roots or branches of a tree grow over or into neighbouring property.
<b>Endemic</b>	Refers to a plant type found only in a particular area.
<b>Environment</b>	The physical and biological factors within a given site.
<b>Exotic</b>	Plant or animal introduced from another country.
<b>Formative pruning</b>	Pruning a tree to enhance the branch structure in relation to a tree's long term shape and structural strength.
<b>Gro-tube</b>	Tree shelter designed to protect plants from stock.
<b>Growth points</b>	The position from which growth occurs.



<b><i>Guardianship</i></b>	Providing for the fostering and care of a feature or entity.
<b><i>Hazardous tree</i></b>	A tree which has physical, structural and/or biological defects that has been identified or evaluated as representing danger to life or property.
<b><i>Indigenous</i></b>	Plant or animal that occurs naturally to an area.
<b><i>ISA</i></b>	International Society of Arboriculture. A world-wide organisation representing professional arborists.
<b><i>ISA Tree Hazard Evaluation Method</i></b>	Standard evaluation method that identifies the hazard rating of trees.
<b><i>Landscape values</i></b>	Those features of the land that make up the wider visual appreciation of an area when viewed as a whole, such as trees, vegetation, water, and/or landform.
<b><i>Local Character species</i></b>	Those species that define the local character of the district, through either being a dominant native species or significant cultural/historical species.
<b><i>Local pioneer species</i></b>	Plants that establish easily and provide the first tree cover, occurring naturally in the District.
<b><i>Long term value</i></b>	Providing positive and useful effects over a long period, usually over 50 years.
<b><i>Loss of enjoyment</i></b>	Term of the Property Law Act 2007 that refers to an adverse effect on property and enjoyment of it.
<b><i>Mitigate</i></b>	Moderate or neutralise the effects of an activity.
<b><i>Mulch</i></b>	The woody debris arising from the chipping of trees and plants that can be used to suppress weed growth and enhance nutrient and microorganism activity around desirable plantings.
<b><i>Non endemic native plants</i></b>	Native plants that are not found naturally in the Central Otago Ecological Region.
<b><i>Notable tree</i></b>	A tree or group of trees that are considered significant for their historical, botanical, landscape, amenity or cultural values and are identified as such in the Central Otago District Plan and includes a Heritage tree or Protected Tree listed in that Plan.
<b><i>Arboricultural Operations Manual</i></b>	The operational instruction manual that sets out the standard method for contractors to follow when commissioned to carry out arboricultural work.



<b><i>NTP</i></b>	An abbreviation for the term Natural Target Pruning – a model demonstrating the proper position and sequence of cuts to be made when pruning.
<b><i>NZAA</i></b>	New Zealand Arboricultural Association. A national organisation representing professional arborists.
<b><i>Photosynthate</i></b>	A substance (usually sugars and other carbohydrates) derived from photosynthesis – the complex process of conversion of light energy to chemical energy.
<b><i>Pioneer species</i></b>	One of the first naturally-arising plant species to appear on any landscape.
<b><i>Pollarding</i></b>	A pruning method of training branches, used on some large-growing trees, where the tree is pruned to the same growth points (annually or regularly), to maintain the crown to a particular size.
<b><i>Proactive</i></b>	Carrying out activity before it becomes a necessity.
<b><i>Protected trees</i></b>	A protected tree is a notable tree that is listed in the District Plan schedule.
<b><i>Reactive</i></b>	Carrying out activity in direct response to an enquiry or observation.
<b><i>Reduction pruning</i></b>	The shortening and/or removal of select branches within a tree to reduce the overall size of the tree canopy.
<b><i>Regenerative pruning</i></b>	The removal and/or pruning of branches or stems to encourage a plant's recovery from damage or stress.
<b><i>Remedial pruning</i></b>	Pruning to correct imbalances or deformities in tree shape and form, to reduce duplication in branch formations, to remove damaged tissue (includes deadwood).
<b><i>Remnant</i></b>	The natural vegetation remaining from an original tree stand or plant colony which has been modified.
<b><i>RNZIH evaluation method</i></b>	A national standard (compiled by the Royal New Zealand Institute of Horticulture) used to assess the contribution of a tree(s) within the landscape, using a points system to determine health, condition and monetary value.
<b><i>Root ball</i></b>	The mass of roots surrounding and from a tree or plant, usually 10-12x the trunk diameter (measured outwards from the trunk) and to a depth determined by root density.



<b>Root grafting</b>	The inter-connected growth of roots from two or more trees, that allows potential sharing of water and nutrients.
<b>Root zone</b>	The area covered by the full extent to which roots spread from a tree(s).
<b>Rural road</b>	Rural roads consist of local roads whose primary function is to provide access to adjacent properties and arterial routes.
<b>Rural Road Reserve</b>	The entire surveyed legal length and width of a road regardless of where existing fence boundaries are located, including formed carriageway and unformed road verges.
<b>Secondary growth branches</b>	All growth arising within a plant or tree that is secondary to the main branch/stem framework.
<b>Senescence</b>	Biological aging, i.e. the change in the biology of an organism as it ages after its maturity. Such changes range from those affecting its cells and their function to that of the whole organism.
<b>Short-term value</b>	The limited contribution, in terms of lifespan and/or beneficial attributes, of a tree or plant within any landscape. The time scale is usually less than 50 years' duration.
<b>Significant tree</b>	A tree identified as having long-term life expectancy and/or high amenity value.
<b>Soil conditioners</b>	Additives (synthetic or organic) that increase the capacity of soils to function as a healthy medium for plant growth.
<b>Soil pan</b>	A layer(s) within the soil which is impervious, inhibiting the movement of water and air.
<b>Solar access</b>	The availability or penetration of sunlight.
<b>Structural safety</b>	The inherent capacity of a tree or plant, observed by examination of its structure, shape and form, to withstand wind loading and/or other physical force in order to resist failure, breakage or collapse.
<b>Sucker growth</b>	Fleshy shoots and growth arising from below a graft union or from the base of a tree or plant.
<b>Suppressed growth/branches</b>	Branches or stems under severe stress due to competition for light or nutrient. Usually these branches or stems will die in the short term.
<b>Sustainability</b>	The capacity of a tree to survive and thrive within the environment it is planted in without intensive maintenance or management.



<b><i>Topping</i></b>	A lay person's term meaning the removal of the head or topmost section of a tree or plant. Topping is not an accepted professional arboriculture practice.
<b><i>Trade-off</i></b>	A negotiated outcome that provides benefit to all parties and may mean limited compromise.
<b><i>Tree</i></b>	A perennial woody plant at least 6 metres in height at maturity, having an erect stem/s or trunk/s and a well-developed crown or leaf canopy.
<b><i>Trees isolation systems</i></b>	Built structures or manufactured products that isolate a tree from potential damage (such as a protective cage or ground-level surround that prevent damage from stock or mechanical damage.
<b><i>Urban tree collection</i></b>	A formal planting of specialised botanical or feature interest. Usually designed, recorded and maintained as a long-term permanent asset.
<b><i>Vista</i></b>	A view, view shaft, or framed view point.



## Trees – A Valuable Asset:

### 1. Council's Guardianship Role

- 1.1. Central Otago District Council currently manages some 3000 urban street trees and around 3500 specimen trees in parks, reserves and other Council-owned lands.
- 1.2. The Council takes a proactive approach, by regularly planting new trees on public land - primarily to maintain and replenish the numbers of street trees and native or exotic trees in parks and reserves. Council covers the care and maintenance of trees in the public domain, including arboricultural works related to the clearance of trees near power lines and other structural features.
- 1.3. Council has a duty of care to ensure tree assessment programmes are developed and implemented to mitigate risks posed by trees to public safety, including risks to infrastructure. Council acknowledges that certain tree species such as Lombardy Poplar and Eucalyptus species can potentially pose more risk than other trees depending on their age, location and health. Such trees will require more regular assessment and monitoring.
- 1.4. Council also provides for the protection of trees on public and private land through tree protection rules and provisions within its District Plan. A tree(s) can be protected:
  - as a notable tree that is listed in the District Plan schedule
  - as assessed by the Royal New Zealand Institute of Horticulture (RNZIH) Standard Tree Evaluation Method (STEM)
- 1.5. Succession planting needs to be managed in a proactive way when possible. However, there will be times when trees have reached the end of their useful lives and will need to be replaced. All tree planting and removals will be carried out in accordance with this policy.

### 2. Trees in the Landscape

- 2.1. Trees are an essential and distinctive component within the landscape. The living nature of trees and the need for continuity makes the processes of replacement planting and ongoing planned renewal a critically important aspect of landscape management.
- 2.2. Tree planting and management in urban streets, parks, reserves, and Council-owned land throughout the District is vital to counterbalance the continuous development and growth we are experiencing. Without such a cycle of replacement and renewal the incremental loss of trees will create temporary gaps and/or serious long-term degradation of the landscape.
- 2.3. The District's existing private property tree resource should be seen as a partner to Council-organised tree planting on public lands. Public and private plantings together combine to create tangible and enduring environmental and amenity benefits for the District. This policy specifically encourages appropriate subdivision and greenfield development plantings that consider appropriate views, opens spaces, and shading; along with encouraging and providing advice on appropriate trees to plant in the vicinity of any road.
- 2.4. Council's focus will be on reducing its exposure to potential tree risks and maintenance liabilities within its tree asset.



### 3. The benefits derived from Trees

- 3.1. Trees provide multiple benefits. These comprise a range of different aspects such as aesthetic, environmental, ecological, economic and social factors. Trees can be used in our urban and rural landscapes to achieve substantial positive outcomes for the community and visitors alike.
- 3.2. The ability of trees to reinforce the local identity and character of a place makes them an important tool in urban design. In addition, the natural and cultural heritage values of significant old trees provide an important depth of meaning and history within the landscape.
- 3.3. Trees also assist in modifying and ameliorating some of the less desirable aspects of urban environments, such as air pollution, noise, degraded water quality, water run-off, convected or reflected heat, wind exposure, and erosion. Trees provide substantial benefits in relation to the ecological health and sustainability of our urban built environments. They provide habitat for our important indigenous flora and fauna. The air, water, and nutrient exchange processes undertaken by trees are fundamental to human existence and the continuity of the food web which supports all life on Earth. Urban trees improve the environment by absorbing, filtering, and purifying the basic elements of air and water.

### 4. The Difficulties with Trees in the Urban Environment

- 4.1. It is undeniable that trees in urban locations can create problems of a physical nature, most commonly seen in the limitation of development potential, interference with underground and overhead services, disruption to foundations, difficulty of access, leaf fall blocking drains and storm water channels, traffic safety issues related to reduced visibility, interfering with and creating safety and operational risks to powerlines, excessive shading, and obstruction of views. Additionally, problems of a more social nature, such as safety at night and disputes between neighbours, are also issues related to the effects of urban trees. In such circumstances it will be necessary to explore ways in which people and plants can co-exist.
- 4.2. Central Otago District Council's approach to street trees along roadsides has become one of rationalisation. Wherever street trees exist, or are proposed, the potential conflict with utilities and road assets is assessed prior to any decision to retain, maintain, or remove.
- 4.3. Strong community interest in environmental issues, preservation of historic character, and general support for the provision of green residential and urban amenity means that Council must strike the appropriate balance between the management and protection of valuable vegetation and the avoidance of real and perceived detrimental effects associated with trees. This includes a danger to life and property.

### 5. The Relationship between the District Plan and District Tree Policy

- 5.1. The **DISTRICT PLAN** provides the statutory mechanism for the protection of district trees, as directed by the Resource Management Act 1991. The provisions in the District Plan apply to public and private lands.
- 5.2. The **DISTRICT TREE POLICY** only applies to trees on public lands that are owned and/or administered by the Central Otago District Council. The District Tree Policy provides policies and guidelines for the management of trees on council land, but



these do not carry the weight of law. The policy cannot override the statutory responsibilities in the District Plan. Council has a number of Reserve Management Plans prepared under the Reserves Act 1977. As these plans are a statutory obligation, any specific clauses relating to trees within those plans will take precedence over this policy.

- 5.3. The **DISTRICT TREE POLICY** advocates for the protection of trees through education, advice, and promotional activities but does not cover trees that are protected under the District Plan.

DISTRICT PLAN	DISTRICT TREE POLICY
<b>PURPOSE</b>	<b>PURPOSE</b>
Regulatory and non-regulatory provisions for the protection and maintenance of trees on <u>private</u> and <u>public</u> lands, through:	Recognition, strategic planning, management and long-term continuity of the tree resource on public lands <u>owned</u> and/or administered by the Central Otago District Council.
<ul style="list-style-type: none"> <li>• Identification of Notable Trees in a schedule in the District Plan.</li> <li>• Applying standards in the District Plan to Notable Trees and Significant Natural Areas.</li> <li>• Placing conditions on resource consents, and</li> <li>• Education and advice to landowners.</li> </ul>	With emphasis on: <ul style="list-style-type: none"> <li>• Trees on council reserves and public open spaces.</li> <li>• Trees on urban and rural road reserves.</li> <li>• Identification of Amenity Trees within the CODC area.</li> <li>• Education and advice to landowners.</li> </ul>
<b>ADMINISTERED BY:</b>	<b>ADMINISTERED BY:</b>
Council Planning Department in conjunction with the Council Parks and Recreation Department.	Council Parks and Recreation Department

Figure 1. Relationship between the District Plan and District Tree Policy

**Notable Trees** are protected under the Resource Management Act 1991 due to their significance for historic, botanical, landscape, amenity, or cultural reasons. Notable trees can be on public or private property. Rules in the District Plan apply to the maintenance or removal of notable trees and activities within the drip line area.

## Policies and Procedures for the Management of Trees

### 1. Tree Planting

This section contains policies relating to tree planting principles and specific policies regarding Council tree planting on urban streets, bush remnants and revegetation plantings. It applies to all trees planted on all reserves held by Council under the Reserves Act 1977, civic open space, and other Council land including urban streets.

**Objective: Council tree planting will ensure the existing distinctive landscape characters of the District are reinforced, by primarily using**



**species considered appropriate for the area. Tree planting within the urban road corridor will only be undertaken by Council.**

- Policy: Existing district planting themes established for the various urban areas of the District shall be implemented. The long-term cost impacts associated with ongoing maintenance shall be considered. Trees with invasive roots, prone to branch drop or disease such as Plane trees *Platanus* species, (Anthraxnose) *Robinia*, *Gleditsia*, *Eucalyptus* species will be avoided, as will those with limited life expectancy such as Lombardy Poplar (*Populus nigra Italica*).
- The planting of Trees with the potential of invasive growth, or any plants designated as “pests” by the Otago Regional Council or with the propensity to become a wilding tree will be avoided.
- Policy: An emphasis shall be placed on ensuring a diversity of species suitable for the particular area, with consideration given to avoiding planting trees that may have a detrimental effect on people’s health.

**Explanation:** *Within the District there are distinctive landscape character areas that are reflected by the nature of their vegetation. District-wide planting themes have been established for the urban areas of the District. This can be reflected by the native species present in a particular location or by trees planted that reflect the area’s human history. Appropriate plant selection will build on these unique identities by using the most appropriate plant associations for the site.*

*Council does not allow private planting within the urban road reserve boundaries unless prior approval is granted.*

**Objective: The existing botanical diversity resulting from the mix of trees shall be preserved and enhanced for educational, local and visitor interest.**

- Policy: Botanical collections shall be continuously developed through planting to form the basis of a district wide arboretum.

**Explanation:** *Parks and reserves should be seen as an extension to broadening the vegetation gene pool and allowing a wider use of new species.*

**Objective: A long term tree framework shall be maintained throughout the District, including local eco-sourced native species where appropriate. There will be a focus on raising community awareness of the long term benefits derived from trees.**

- Policy: Council shall plant potentially large trees wherever space permits, except in floodplains and where there is a potential risk to safety including to infrastructure or adverse effects on open space.
- Policy: Council shall plant trees of longevity and heritage value incorporating, where possible, nursery stock material specially propagated from existing notable and/or character trees. For natives, eco-sourced plants will be obtained where practicable.

**Explanation:** *There is a trend towards smaller residential lots because of infill subdivision and cross leasing which has resulted in a reduction in the number of large trees in urban areas. Therefore, trees which grow to ultimately large proportions will be*



*planted on council-owned land wherever space permits, to ensure that the urban areas still contain substantial trees of long term value.*

**Objective: To provide distinctive landscapes of mature trees throughout urban areas (other than in areas specifically acknowledged as tree-less open space landscapes).**

- Policy: Urban tree collections or native re-vegetation shall be established on reserves that are difficult to maintain through traditional grazing or mowing methods.
- Policy: Council shall develop tree collections, with an emphasis on factors such as:
  - Longevity.
  - Heritage value (natural and built).
  - Local character (natural and built).
  - Low maintenance.
  - Fast establishing species.
  - Wildlife habitat to encourage native birdlife.
  - Sustainability.
  - Fruit and nut production.
  - Non-invasive species.

**Explanation:** *Currently, the Council has some reserve areas that are maintained by grazing or irregular mowing. Many are difficult to manage this way and those suited to planting will be scheduled for conversion to urban tree collections or native habitat creation. Opportunities exist to develop these sites by integrating a high value tree framework with open space to create the potential for passive recreational use in the future. Those open space areas deemed to be characterised as primarily tree-less landscapes will not be considered for tree planting.*

**Objective: To reduce the necessity for intensive maintenance of trees.**

- Policy: Council shall give preference to planting species that:
  - Are pest- and disease-resistant.
  - Provide maximum environmental/ecological and seasonal benefits.
  - Have a proven track record for establishment and sustainability within the local environment.
  - Require less maintenance.
  - Are not pest plants.
- Policy: The Council shall ensure that:
  - Quality plant stock is used.
  - Standardised specifications and techniques and practises are used to plant and maintain trees covered by this policy.
  - The correct species is chosen in relation to the limitations of the site.



- Eco-sourced plants will be used where practicable.

**Explanation:** *Choosing the most appropriate species for the conditions and aspects of the site can reduce long-term maintenance problems. By using quality plant stocks appropriate for the site many long-term maintenance liabilities can be avoided.*

**Objective: To increase the awareness and use of local native plants and locally-developed plant selections, both native and exotic.**

- Policy: Local eco-sourced native species and locally developed plant selections and cultivars shall be featured where there is opportunity to do this well. The preferred approach will be to integrate native and exotic plantings, as seasonal colour form and textures created by this mix is seen as an important feature in amenity plantings in communities across the district.

**Explanation:** *Opportunities exist to promote the use of local native species and developed plant selections and their cultivars to feature these during promotions and festivals.*

**Objective: To ensure that design, planning, safety, and cost impacts are considered prior to planting.**

- Policy: The designs for new tree planting shall be based on:
  - The relationship of trees with their surroundings in terms of character, form, amenity, and ecological value.
  - The foreseeable effects of trees in relation to shade, views, services and potential damage to built structures and their effect on the wider landscape.
  - The scale of trees in terms of built structures in relation to potential size and numbers of trees used in the design.
  - The outcome, where applicable, of any service request relating to street tree planting which is accepted by Council.
  - The cost of successfully establishing new planted areas and the ongoing costs associated with sustainable maintenance.
  - Potential impacts on road and pedestrian safety.
  - Potential adverse impacts on the operation and maintenance of infrastructure.

**Explanation:** *Trees are dynamic - they naturally change and develop over time. The design and planning of plantings create a range of opportunities to address the constantly changing characteristics of plantings and the needs of potential new planting sites.*

## 2. Street Tree Planting

**Objective: Council considers that urban streetscapes throughout the district will be enhanced by appropriate tree planting.**

- Policy: Future tree plantings shall be concentrated in urban streets where:



- There is enough space to accommodate root zone development (the minimum requirement is 1.2m wide).
- Street trees are unlikely to cause significant long term management problems (such as potential conflict with overhead wires, underground services, traffic visibility, or alternative road plans).
- All new subdivision works shall submit to Council as part of the consent approval process a street tree planting plan detailing species, size, location, irrigation plans and planned ongoing maintenance regimes.
- Where appropriate, street and park trees planted shall be provided with an appropriate irrigation system approved by Council. Typically, this system must have a design life of at least five years.
- Policy: The actual placement of individual street trees shall be based on the following matters:
  - The overall design of the street planting.
  - The proximity to and likely safety and operational effect on overhead wires.
  - The proximity to and likely effect on underground services.
  - The effect on vehicular and pedestrian access and visibility.
  - The possibility of alternative roading plans such as road widening and intersection improvements.
  - The consideration of enhancing shade opportunities.
  - The likelihood of and need for protection from vandalism.
- Policy: Street trees plantings shall be regularly reviewed, through standard contract management procedures and programmed inspections.
- Policy: Unauthorised planting of trees by residents on urban street or rural road berms is not permitted. Council reserves the right to have such plantings removed.
- Policy: The Planning and Roading teams shall consult with Council's Parks and Recreation Department at the project's scoping phase with regard to creation of tree planting opportunities and retention of existing trees during any subdivision or road project process.

Prior to removal of any existing trees, consideration will include provision for:

- Centre islands or median strips wide enough for tree planting.
- Wider grass berms.
- Variations in road alignment.
- The use of "setbacks", especially in commercial zones.
- Maintaining road safety and activity clearance.
- Consideration of New Zealand Standard SNZHB 44:2001 Subdivision for People and the Environment may also be required in some situations.
- Mitigating the effects of large car parking areas using trees to screen cars and provide shade.

**Explanation:** *It is essential to only carry out new plantings where there is sufficient local support and then to ensure that trees are chosen and placed where there is a high*



*chance of success with limited long-term management problems. The current trend of rationalising low value high maintenance trees and redirecting the funding to developing high value low maintenance plantings will be a priority. Council will also seek to enhance streetscapes through liaising with developers to create improved planting opportunities through alternative street designs.*

### 3. Maintenance of Trees

#### 3.1. Acceptable Pruning and Maintenance Standards

**Objective: To promote maintenance of trees in a safe, healthy and natural form.**

- Policy: Council intends to actively work with the appropriate lines companies to assess, where practicable, that overhead wires could be placed underground. The highest priority will be given to those areas where significant tree issues arise with the wires.  
There are circumstances where it shall be necessary to remove the top growth of trees, for example in the following circumstances:
  - Where trees are near power lines in preference to removing the trees altogether. However, if identified as low value and high maintenance, consideration may be given to removal.
  - Where trees are considered a safety hazard and removal of the upper crown is deemed acceptable to alleviate the hazard and retain the tree(s).
  - Where trees interfere with navigation, radio or telecommunications facilities.
  - Where trees are undermining a flood protection or erosion control structure.
  - Where a group of trees constitutes a shelterbelt or hedge.
  - Where undertaken to ensure clearance requirements around power lines/cables in accordance with the Electricity (Hazards from Trees) Regulations 2003, or to ensure the operation and maintenance of infrastructure is not compromised
- Policy: Acceptable pruning methods such as natural target pruning, crown lifting, and crown thinning shall be used to maintain trees in as natural a form as possible and to maintain and enhance their amenity values.
- Policy: Plant pest and disease control measures shall focus on known aggressive decay organisms which have the capacity to debilitate or kill trees.
- Policy: Poor tree health shall be minimised by the application of sound arboricultural practices and appropriate care strategies to prevent pest and disease establishment.
- Policy: Priority for work shall be based on:
  - Health and structural safety of the tree.
  - Essential service clearance.
  - Form pruning for desirable clearance and amenity effects.



- Public safety.
- Statutory requirements.

**Explanation:** *The Council will maintain trees in accordance with internationally-recognised standards. Appropriate tree care maintenance programmes and strategies will be applied wherever necessary and all pruning operations will be undertaken using principles defined as CODIT (Compartmentalisation of Decay in Trees), Natural Target Pruning and other recognised pruning methods. Council accepts that the topping of trees is internationally recognised as unsound arboricultural practice.*

### 3.2. Interference of Trees to Property and Services

**Objective:** To maintain council trees to avoid potential damage to property or services.

- Policy: When notified of potential damage caused by a public tree to property or services, practical steps shall be taken to confirm and mitigate those effects.
- Policy: Where council trees are overhanging private property, appropriate pruning shall be carried out by the council to remove the encroachment as far as practicably possible without destroying the form and integrity of the tree.
- Policy: Trees on arterial routes shall be pruned or removed to provide adequate visibility where they impede or obstruct access for pedestrian and vehicular traffic.
- Policy: All reasonable effort shall be taken to clear street lights and reserve lights and minimise any reduction in light penetration resulting from obstruction by trees.
- Policy: A programme shall be initiated to ensure that tree growth is maintained away from electrical wires and electrical assets, in accordance with the requirements of the Approved Code of Practice, Part 2: Maintenance of Trees around Power Lines (MPI).
- Policy: Pruning in the vicinity of overhead wires shall only be carried out by the infrastructure owner or contractors approved by the Council to undertake this work. The contractor shall consult with service line owners prior to undertaking work of this nature.
- Policy: Trees which compromise and/or conflict with navigation aids or radio and telecommunications operations shall be pruned and/or removed as deemed necessary to maintain safety and essential services.

**Explanation:** *These policies seek to avoid potential damage to property and services. Particularly within street environments there will always be ongoing commitments to ensure that trees do not conflict with services such as wiring, drainage systems, footpaths, kerbing, vehicle and pedestrian movement, and property security.*



## 4. Tree Removal

### 4.1. General Tree Removal

**Objective: To ensure that consistent criteria are applied when considering the removal or maintenance of Council trees.**

- Policy: The initial response by Council to a service request from a property owner concerning tree related problems is to attempt to resolve the problem prior to considering tree removal. Examples could include the careful placement of new trees, the ongoing maintenance/pruning of trees, or the removal of secondary trees.
- Policy: Where a tree or treescape that has been specifically planted by Council for amenity or other value exists prior to the transfer of ownership of an adjoining property, there is no requirement on the Council to either remove or prune the tree(s) for views or shade on request. The tree(s) is defined as a pre-existing condition before the most recent landowner's purchase of the property.
- Policy: In response to a customer's service request the Council shall only consider carrying out tree removal (or pruning work that exceeds regular maintenance requirements) where the applicant can clearly demonstrate that the adverse effects of the tree on the applicant's reasonable enjoyment of their land outweighs the benefits of the tree to other residents and to the wider community. This includes damage to infrastructure.

The following matters will be considered when assessing a request for tree removal (or pruning work that exceeds regular maintenance requirements):

- The desirability of conserving public reserves containing trees.
- The value of the tree as a public amenity or habitat.
- The historical, botanical, cultural, conservation or scientific value or significance (if any) of the tree.
- Whether the tree or treescape contributes to a landscape of regional or national significance and/or landscape designed with public consultation.
- The contribution of the tree(s) to the medium- to long-term vision of a reserve management plan or streetscape, and whether the requested works constitute good arboricultural practice.
- The Council's obligations under any applicable statute or management plan, including The Electricity (Hazards from Trees) Regulations 2003.
- The operation, maintenance and development requirements of the National Grid.
- The health and safety of the tree.
- Damage caused by trees to surrounding infrastructure.
- Whether the tree is a species of known risk to fail under certain circumstances e.g. Lombardy Poplar, Eucalyptus.
- Actual damage to services or infrastructure.

All costs relating to the applications and, if approved, subsequent tree, stump, or tree debris removal will be borne by the applicant. Council will cover the tree removal costs if the tree is confirmed as a health and safety risk. Council may



consider cost sharing options where damage to infrastructure has occurred by a Council tree where insurance cover cannot be claimed.

- Policy: Requests for trees to be significantly altered or removed to accommodate specialist activities such as building removal activities, will be assessed against the tree modification/removal criteria outlined in this policy. In general, tree modification or removal will not be approved where it may compromise the landscape character of the treescape.

Costs for any work carried out beyond normal maintenance to accommodate such activities shall be recovered from the applicant. This will include the cost of tree debris, stump removal, tree replacement and initial maintenance.

- Policy: Requests for tree works will only be considered after consultation, the level of which will be commensurate with the level of significance of the tree and landscape (see Section 5: Consultation). Requested tree removals involving tree plantings of a design previously consulted on will require a full public consultation process involving the wider community.
- Policy: "Trade-offs" that provide for long-term quality replacement trees at the expense of more short-term or lower-value trees are to be encouraged. Trade-offs may include replacement trees elsewhere on the site or on a different site, at the agreement of the authorised council officer.

**Explanation:** *In managing its tree assets on public lands, the Council takes a "good neighbour" approach. At the same time, Council has the additional responsibility of conducting its affairs to promote the well-being of all people in the district. To this end, the Council seeks a reasonable approach to tree management that effectively balances the interests of individual landowners with those of the wider community.*

*In general, if an individual makes a request to prune or remove a healthy tree that has been planted with previous consultation, Council staff will work with the applicant and the community to determine measures, within the provisions of the District Tree Policy, to alleviate the matter. If not satisfied with the decision on a tree matter, the applicant has recourse to pursue the matter through the appropriate Community Board.*

*Council is not inclined to act upon requests for tree removal to provide views where a treescape is already established at the time the property is purchased. That is because the treescape was a 'pre-existing condition' at the time of purchasing the property. In particular, Council will not be required to act upon request for modification to treescapes that have been developed with public consultation.*

*Council receives requests from time to time to remove trees due to perceived nuisance created by trees. These policies provide a set of criteria that will be applied when requests for tree removal are received or tree removal is considered. Leaf litter will always be a problem, inherent with any trees in the urban landscape, but is not a sufficient reason for the removal of a tree. However, as far as practicably possible, acceptable arboricultural pruning work may be carried out to mitigate the loss of views, shade, and leaf litter experienced by adjoining property owners, provided that the health and value of the tree is not compromised.*

*The cost of this is to be borne by the applicant. This will include stump and tree debris removal. Such works will only be undertaken under Council supervision using Council-nominated contractors.*



*The cost to remove trees deemed health and safety risks or proven to cause damage to infrastructure will be the responsibility of the Council.*

#### **4.2. Removal of Council trees growing on Council property deemed to be causing substantial shading or loss of views.**

**Objective: To ensure Council trees which result in shading or loss of views are only removed in circumstances where it is necessary.**

- Policy: Where Council trees are planted which, subsequently, unreasonably affect the views of a long-term resident or significantly shade their property the Council shall:
  - Endeavour to manage the planting to reduce its impact on views and solar access but without compromising the value or integrity of the planting.
  - Refer all costs associated with removal applications or subsequent removal to the applicant unless the tree is found to be in an unhealthy state.

The following trees are excluded from this Policy:

- Trees that fall into the category of Notable Trees in the District Plan.
- Habitat creation or conservation plantings.
- Mitigation plantings.
- Plantings undertaken by 3rd parties in agreement with Council.
- Grant-funded plantings.
- Trees identified in a Reserve Management Plan for retention, as they represent an integral part of the reserve.
- Trees with a value equivalent to Category I Notable Tree (public consultation required) but not listed as a notable tree under the District Plan.
- Trees protected by a condition of Resource Consent.
- Trees deemed to be wilding conifers. Dealt with through the Central Otago Wilding Conifer Group work programme which is supported by Council.
- Trees planted for plantation forestry.
- Policy: The Council shall only carry out pruning work beyond the growth that has occurred during the resident's occupation, or remove the tree if deemed appropriate, where the resident can clearly demonstrate "loss of enjoyment". In this circumstance, if the resident accordingly derives some added value to their property, the resident shall contribute to the cost of the agreed pruning or removal work.

**Explanation:** *As with leaf litter, reductions in views and shading may be outcomes associated with maturing tree plantings. Council's challenge is to manage these issues consistently and fairly, without compromising the District's tree resource, environmental values, or existing agreements. Approaches such as the careful plant placement of new trees, the ongoing maintenance pruning of trees, and the consideration of removal of*



*secondary trees may be carried out to attempt to resolve effects of shading and loss of views.*

## 5. Consultation

This section covers the Council's approach to consultation relating to tree management and maintenance. It outlines the mechanisms that Council shall use to address enquiries and the process for resolving appeals.

Trees that are protected through the District Plan are excluded from this section.

### **Objective: Where practicable, Council shall consult with affected parties regarding proposed tree planting.**

- Policy: Where practicable, consultation with residents, affected owners and occupiers, and infrastructure providers will be undertaken before any major street tree or reserve planting is undertaken.

### **Objective: Where practicable Council shall consult with affected parties regarding proposed tree removal.**

- Policy: Where practicable, consultation with residents and affected owners and occupiers will be undertaken before any major tree removal is undertaken.

### **Objective: Council shall ensure that consultation and observance of cultural protocols is undertaken where directed by tangata whenua on sites that contain wāhi tapu.**

- Policy: Wāhi tapu sites include those sites identified in the District Plan. Additional sites on land within the scope of this policy that are identified as wāhi tapu by the appropriate hapu or iwi are included in the policy.

### **Objective: Enquiries and appeals concerning trees will be dealt with through established processes that are consistently applied. See Appendices 1-5.**

- Policy: All external enquiries relating to trees under the Council's jurisdiction shall be directed to the Council's Customer Services Centre.
- Policy: Contractors undertaking works for Council are not authorised to directly represent the Council for public enquiries relating to trees, unless specifically delegated to do so by the Council.
- Policy: The process by which a resident can appeal a decision concerning the maintenance of trees under Council's jurisdiction is:

The resident should raise the matter, in writing, with the Council. Where tree maintenance issues involve significant local or community interest the Council will enter into a consultation process to ensure that the wider community interest is considered.

**Explanation:** *This policy provides a consistent approach to dealing with issues and allows for the provision of a high value tree resource. Consultation with individuals and/or groups in the community will be undertaken wherever it is required, to provide*



information, advice and an opportunity to comment or participate. Where tree planting or removal will have a major effect on a local area then residents will be contacted. Where the effect is major beyond the immediate surroundings, the appropriate public notices will be undertaken.

The observance of cultural protocols relating to trees on waahi tapu sites enable local tangata whenua to determine appropriate actions and responses by Council officers. Processes for dealing with tree issues are outlined, and in some instances applications for service delivery may be declined where they are inconsistent with approved policy.

## 6. Reserve Neighbours

**Objective: To minimise the adverse effects generated by trees in reserves on the amenity of adjacent properties.**

- Policy: Council shall take all reasonable steps to maintain a good relationship with adjacent landowners. However, where appropriate, the demands of neighbours shall not take precedence over the desires of the local community, reserve development, management plans and/or overall community landscape amenity.

**Explanation:** Neighbouring property owners often raise issues regarding adverse effects of trees in reserves. Council seeks to maintain good relationships with landowners by minimising adverse effects of trees in reserves on neighbours. However, a wider public consultation process will be undertaken if deemed necessary by Council.

## 7. Promotion and Education

**Objective: To foster public interest, awareness and guardianship of the value of trees in reserves and on private land.**

- Policy: Encourage the community to become involved in tree planting and maintenance of selected reserves, through consultation.
- Policy: Promote the benefits of trees and the added importance of "the right tree planted in the right place".
- Policy: Develop and maintain a tree asset register of Council-owned trees throughout the district.

**Explanation:** A healthy and well-maintained treescape reflects a caring community. It is also a natural asset which is easily lost through poor management and lack of appropriate policy. Many of the issues related to people's dissatisfaction with trees are attributable to a lack of awareness regarding the overall value of trees and their benefits. Policies that educate and inform the public about the positive attributes of trees are an important component of Council's policies.



## 8. Tree Evaluation and Assessment

**Objective: Consistent standards will be used to evaluate the health and condition of trees, or any potential risks or hazards.**

- Policy: The Royal New Zealand Institute of Horticulture (RNZIH) Tree Evaluation System (STEM) shall be used as the standard for assessing the health and condition of trees, unless superseded by a more appropriate method.

**Explanation:** *The RNZIH Tree Evaluation System (STEM) is currently the nationally-recognised assessment system used by Council. Where trees are considered unsafe and represent a potential hazard to people or property, a formal evaluation will be carried out by a suitably-qualified arborist.*

## 9. Subdivision Development and the District Plan

**Objective: Council provides for the management and protection of trees on public and private land through tree protection rules and provisions within its District Plan:**

- A tree can be protected:
  - Through the rules in the District Plan.
  - As a notable tree that is listed in the District Plan schedule.
  - As part of a project agreed to by Council.
- Policy: Council will enter into discussions with developers regarding the protection of significant trees on a development site during the resource consent process.
- Policy: Trees on reserves and roadways may be listed as Notable Trees in the Central Otago District Plan where they meet the Notable Tree criteria, and where they:
  - Are considered at risk due to potential threats from developments nearby.
  - Are deemed to be particularly significant.

**Explanation:** *There are several provisions for the protection of trees within the District Plan. The subdivision and consent process within the District Plan provides opportunity to assess vegetation on development sites and to attempt to retain or work around trees identified to be of significance. In many cases an assessment will identify vegetation of little significance that may be removed in exchange for retention of any significant trees on the site or mitigation by replacement trees.*

*Currently Council does not contribute towards work on Notable Trees on private land to promote health and safety of those trees, other than a waiver of resource consent fees to undertake maintenance work.*



## 10. Unauthorised Removal of Trees

**Objective: To respond in a consistent manner to the wilful damage of Council trees, to deter future offences of this nature, and to take appropriate action according to New Zealand law.**

- Policy: The Council will assess and, where appropriate, replace trees on Council lands that have been wilfully killed, removed or damaged.
- Policy: The Council will refer incidents of wilful tree damage, theft, or death to the police. The Council will request an investigation into the matter, and it will be Council's intention to prosecute if possible.

**Explanation:** *There have been several instances in recent years of members of the public stealing or wilfully damaging Council trees, including deliberately killing trees. This type of activity is an offence under several New Zealand statutes. It also represents a wasteful squandering of public resources. The Council will respond strongly to any incidence of wilful damage to Council trees.*

## 11. Commemorative Trees

Commemorative plantings are often undertaken in memory of someone who has recently passed away. Visiting dignitaries may plant a tree to provide a lasting memento of their visit. Trees have also been donated by groups and organisations as a contribution to the district. The Council regularly receives requests for new plantings. Commemorative trees and plantings hold a special significance to people and their management is particularly sensitive. In addition to managing the physical needs of the tree or planting, the history of the tree or planting also needs to be recorded and preserved.

Once planted, commemorative trees or planting areas will become a Council asset and are maintained to Council standards. As with all Council-managed trees, plantings need to be appropriate to the site and area, maintenance must be according to best arboricultural practice, and tree removals may be necessary on occasion.

**Objective: To identify, map, and maintain existing donated and commemorative trees or planting, recognising their special significance.**

- Policy: An up-to-date record of commemorative trees or planting in the District shall be maintained. The purpose of the planting and sponsoring individuals or groups will be included in the record.
- Policy: Commemorative trees or planting shall be maintained to Council standards.
- Policy: Relocation or removal of a commemorative tree or planting may be undertaken where necessary, based on an assessment of the value of the tree or planting, the ability to relocate or replace to another site, and the costs and benefits to community well-being of various tree management options.
- Policy: Where appropriate and feasible, the sponsors of a commemorative planting will be informed if a tree(s) or plantings needs to be removed or relocated.



**Objective: To strategically plan and manage the location and species of future commemorative plantings.**

- Policy: Council has a finite land inventory and the planting of trees purely for commemorative purposes on reserves often causes problems, such as overcrowding, inappropriate species, wrong location etc. Council's Plaques and Memorials Policy gives guidance for such applications. Should an application fall outside that policy's brief, the appropriate Community Board in which the tree or planting is sited will assess applications on a case-by-case basis.

**Explanation:** *Commemorative plantings are a special category in that they have a special meaning for some individuals and their history is important. Where possible, Council will provide suitable locations for future plantings e.g. commemorative tree parks, especially in cemeteries. It should be noted that species to be planted will be approved by Council and that criteria for acceptance of donated/commemorative trees is via Council's Plaques and Memorial Policy or by a Community Board decision.*

## 12. Succession Planting

**Objective: To ensure that as trees age and become a hazard there are replacement trees in place so that where appropriate there is a continuity of urban and rural landscapes.**

- Policy: Long-term planting plans shall be part of or appendices to Reserve Management Plans and plans for other open spaces controlled by Council.
- Policy: Where appropriate, street, river, and lakeside trees shall be replaced on a long-term rotation basis so that the iconic landscape features are always present.

**Explanation:** *Central Otago has many introduced trees which were planted by early settlers and now form an integral part of the landscape. In many cases it has been found that replacing trees with the same species is no longer appropriate due to many factors including increased urbanisation, increased traffic volumes, adjacent utility services, negative landscape and environmental impacts, and safety. Where appropriate, plantings of natives will be actively encouraged particularly for riparian and revegetation plantings.*

## Relevant Legislation:

Property Law Act 2007

Reserves Act 1977

Resource Management Act 1991

## Related Documents:

Central Otago District Plan

Central Otago District Council Reserve Management Plans



Central Otago District Council Memorials Policy

Central Otago District Council Wilding Conifer Control Policy

Central Otago District Council Sustainability Strategy

Toitū carbonreduce programme

New Zealand Arboricultural Association (NZAA) and/or International Society of Arboriculture (ISA) guidelines

Infrastructure Code of Practice

## Appendices:

Appendix 1: Request for Service: District Tree Policy – Trees other than Protected Trees

Appendix 2: Request for Service: District Plan – Protected Trees – All Enquiries

Appendix 3: Request for Service: District Plan – Protected Trees – New Listing

Appendix 4: Request for Service: District Tree Policy – Planting of Street Trees

Appendix 5: Suitable Species for Amenity Planting



## Appendix 1: Request for Service – Trees other than Protected Trees

### EXTERNAL REQUEST

### INTERNAL REQUEST

Email/Mail/Phone

Elected Members, Liaison Groups,  
Lessees, Other Council Departments

**Council Parks and Recreation  
Department**

Assess and evaluate in accordance with the  
District Tree Policy and Allocated Resources.  
**Refer to appropriate community group / assn.**

Request Approved

Request Declined

Applicant Notified and Advised of

Process of Appeal

Re-assessment

Work is Programmed and

Request Approved

Request Declined

Appeal - Report to local  
Community Board

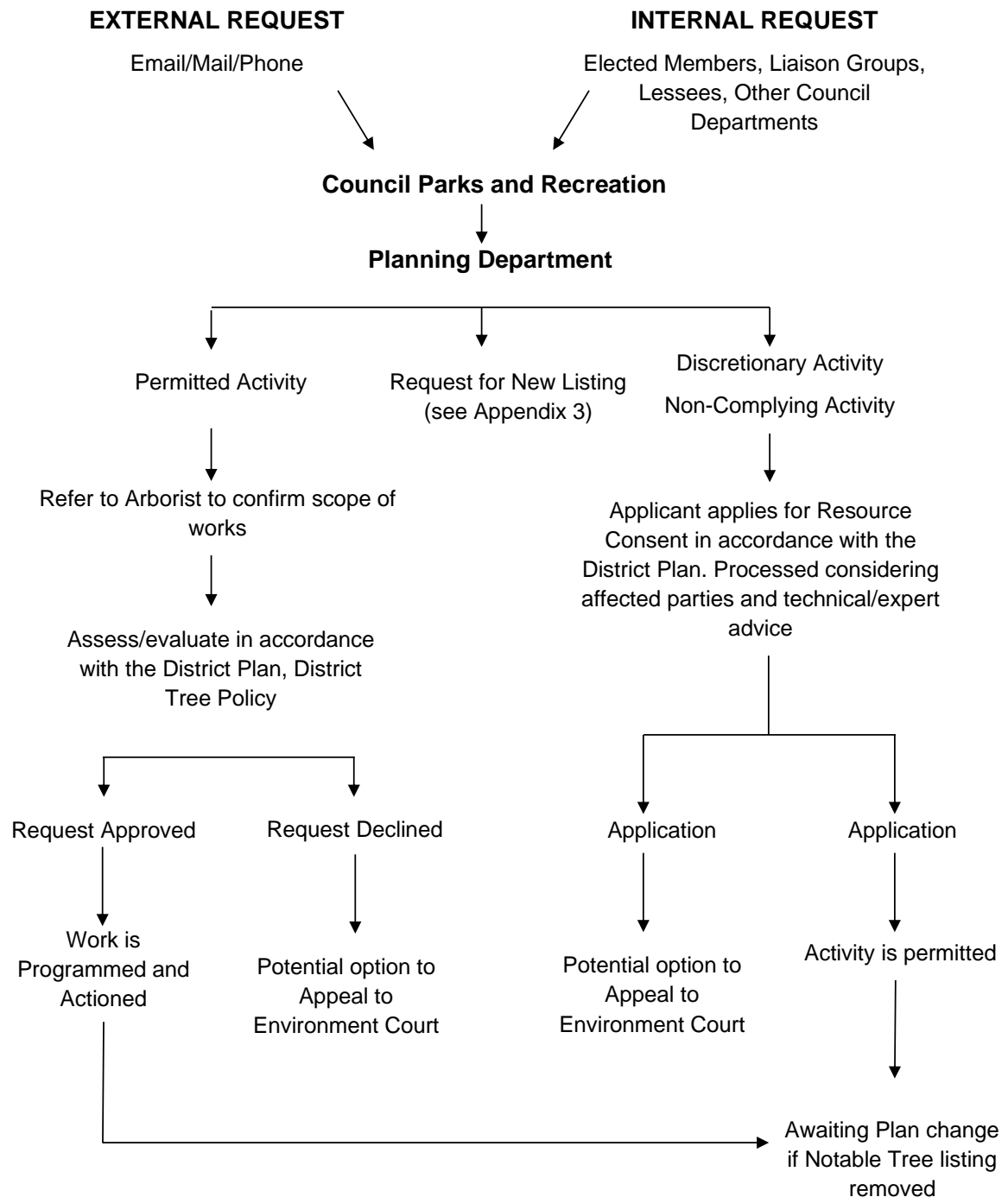
for consideration in accordance  
with the District Tree Policy and  
allocated resources

Request Approved

Request Declined



## Appendix 2: Request for Service – Protected Trees – All Enquiries





## Appendix 3: Request for Service – Protected Trees – New Listing

### EXTERNAL REQUEST

Email/Mail/Phone

### INTERNAL REQUEST

Elected Members, Liaison  
Groups, Lessees, Other Council  
Departments

### Council Parks and Recreation

### Planning Manager

Standard forms to be filled out  
by property owner and returned  
to CODC Planning Department

Evaluation and Assessment  
by Approved Arborist

Tree meets criteria

Awaiting Plan  
change

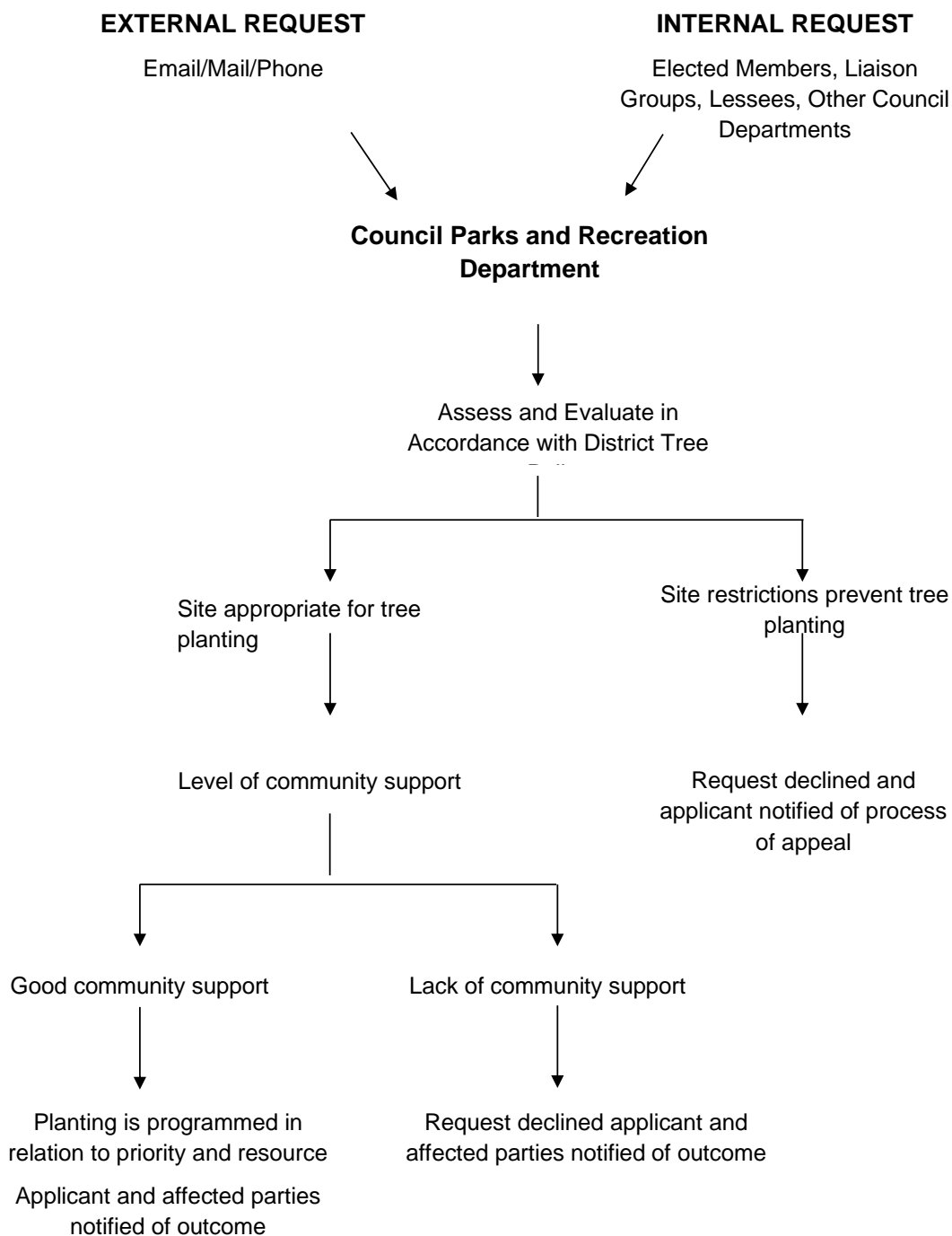
Tree listed

Tree does not meet criteria

Owner/applicant informed  
requested is declined



## Appendix 4: Request for Service – Planting of Street Trees





## Appendix 5: Suitable Species for Amenity Planting

The following list identifies trees recorded as showing tolerance to drought and frost, able to grow in Central Otago. This is a guide only and not an exhaustive or compulsory list of trees. Tree vigour, size and shape vary, and species will need to be matched to site characteristics.

### Key:

+ Moderately drought tolerant species

\* Suitable as a street tree in the right location

**Species** = Native species – Eco sourced where practicable

### Small trees/shrubs (7m tall or less)

*Acer palmatum, maximowiczii, monspessulanum* (Maples) +

*Amelanchier* spp (Serviceberry)

*Arbutus unedo* (Irish Strawberry- tree) + \*

*Azalea* spp & hybrids (azalea) –

*Camellia japonica*, spp & varieties +

***Carmichaelia* spp (NZ Broom)** – eg. *C. Petreii*, *C. Crassicaulis* sun, draught hardy

*Ceanothus thyrsiflorus* – drought & cold hardy, great for bees

*Cercis canadensis* (Redbud) + \* Judas Tree also, *C. siliquastrum*

*Chimonanthus praecox* (winter sweet) . v cold hardy

***Coprosma* spp & hybrids (Coprosma)**

*Cornus* spp (Flowering Dogwoods) + sheltered sites preferred. +

*Deutzia* spp (Deutzia)

*Forsythia* hybrids (Forsythia)

*Garrya elliptica* – (silk tassel) – shade & cold hardy

***Griselinia littoralis* (broadleaf) – sheltered sites only**

*Hamamelis japonica* (Witch hazel) – v. cold hardy, prefer acid, moist soil +

***Veronica* spp & hybrids ( syn Hebe)**

***Helichrysum Lanceolatum***

***Kunzea Serotina* – (Kanuka) – frost drained sites only**

*Leptospermum scoparium* (Manuka) sun, drought cold hardy

*Magnolia* spp (Magnolia) +

*Mahonia japonica* (Mahonia) – v cold hardy, suckers

*Malus* spp (Ornamental Crab Apples) +\*

***Olearia* spp & hybrids (Olearia)**



*Ozothamnus (Cassinia) vauvilliersii* (Mountain cottonwood) Sun drought cold hardy

*Photinia x frasier* (Photinia) +

*Photinia glabra* (Red Leaf Photinia) - +

*Phyllocladus alpinus* (Mountain celery)

*Pieris japonica* & varieties +

*Prunus subhirtella*, *P. mume*, *P. Yedoensis* (Flowering Cherry) – winter flowering +

*Pseudopanax colensoi* – sheltered sites

*Pseudopanax crassifolius*

*Pseudopanax ferox* (Lancewood)

*Rhododendron* spp & hybrids (Rhododendron) – need shelter, acid soils +

*Syringa vulgaris* & spp (Lilac) +

*Viburnum* spp (Viburnum) +

### **Medium size trees (8m to 15m tall)**

*Albizia julibrissin* (Silk tree). +

*Acer negundo* (Box Elder) \*

Other maples etc

*Arthrotaxis laxifolia* (Tasmanian cedar)

*Carpinus betulus* (Hornbeam) \*

*Castanea sativa* (Sweet chestnut) +

*Cordyline australis* (Cabbage tree) sun drought cold hardy

*Cornus* spp (Flowering Dogwoods) *C. alternifolia*, *C. controversa* +

*Cotinus obovatus* (Smoke tree) +

*Elaeagnus angustifolia* (Russian olive)

*Ginkgo biloba* (Ginkgo) +

*Hoheria angustifolia* & *H. Lyallii*

*Juniperus* spp (juniper)- conifers, note naturally have low skirts so plant away from paths.

*Juniperus virginiana* (Eastern red cedar),

*Malus* spp & varieties (crab apple) +

*Mespilus germanica* (Medlar) +

*Morus nigra* (Mulberry) +

*Pittosporum tenuifolium* (Kohuhu) & other spp

*Sophora microphylla* (South Island Kowhai) . +

*Plagianthus regius*



*Prunus* spp (Cherry plum, almond, peach, Japanese hybrids) +

*Pyrus calleryana* (Ornamental Pear) \* +

*Zelkovia serrata* (Japanese zelkovia) +

**Large trees (over 16m tall in the right conditions)**

*Abies* spp (Silver Fir) +

*Acer* spp (Maples), *A. griseum* – paper bark, *A. rubrum* – scarlet, *A. saccharum* – sugar maple  
+

*Aesculus* spp (Horse chestnut) +

*Araucaria araucana* (Monkey Puzzle tree)

*Cedrus deodara* (Deodar Cedar) - evergreen conifer.

*Cedrus atlantica* (Atlas Cedar) – evergreen conifer.

*Chamaecyparis lawsoniana* (Lawson cypress)

*Cupressocyparis leylandii* (Leyland cypress)

*Cupressus arizonica* (Arizona cypress)

*Fagus sylvatica* (European beech)

*Fraxinus angustifolia* 'Raywood' (Claret Ash) \*

*Fraxinus excelsior* (Common or European Ash)\*, var *pendula* (weeping ash)

*Fraxinus ornus* (Mana Ash)

*Liquidambar styraciflua* (Sweet Gum, Red Gum) \* +

*Liriodendron tulipifera* (Tulip tree)

*Juglans nigra* (Black Walnut) + *J. regia* (English walnut) +

*Metasequoia glyptostroboides* (Dawn redwood) +

***Lophozonia menziesii* (Silver Beech)**

*Picea abies* (Spruce) & other spp +

*Platanus orientalis* (Oriental Plane)

***Podocarpus laetus***

*Quercus cerris* (Turkey oak), *Q. coccinea* – scarlet oak, *Q. ilex* – Holm oak, *Q. palustris* – Pin oak, *Q. robur* – English oak, *Q. rubra* – red oak

*Quercus coccinea* (Scarlet Oak) \* +

*Quercus canariensis* (Algerian Oak)

*Quercus cerris* (Turkey Oak)

*Quercus petraea* (Durmast Oak) \*

*Quercus rubra* (Red Oak)



*Quercus robur* (English Oak)

*Salix* spp (Willow) – *S. babylonica* – weeping, *S. x chrysocoma* – golden weeping, *S. matsudana x alba* hybrids.

*Sequoia sempervirens* (Coast redwood) +

*Sequoiadendron giganteum* (Wellingtonia) +

*Thuja plicata* (Western red cedar) +

*Tilia x europeaea* (European lime) +

*Tsuga heterophylla* (Western hemlock) +

*Ulmus* spp (Elms) eg. *U. Parvifolia*

## 22.9.6 FUTURE FOR LOCAL GOVERNMENT DRAFT REPORT

Doc ID: 601421

### 1. Purpose

To consider an update on the Future for Local Government review

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### Recommendations

That the report be received.

---

### 2. Discussion

The draft document has recently been released as part of the Future for Local Government reform programme. Submissions are open now and will close on 28 February 2023. Staff will work with councillors to draft a submission. In addition, there is a roadshow scheduled in Dunedin in December for elected members to engage with the review panel.

Please see the draft report in appendix 1.

### 3. Attachments

**Appendix 1 - Future for Local Government Draft Report** [↓](#)

Report author:



Sanchia Jacobs  
Chief Executive Officer  
1/11/2022



Te Arotake i te Anamata  
mō Ngā Kaunihera  
Review into the Future for  
Local Government

**Draft report**  
October 2022

# He mata whāriki, he matawhānui



Draft Report

He mata whāriki is a term used to describe a harakeke bush that can be used for making special mats for people to sit on. This variety of harakeke is long and durable.

He matawhānui is a term for a broad vision that is inclusive of the diversity of views. Mata denotes the eyes, being watchful and prophetic, and whānui is an inclusive term for everyone, a broad view. It also relates to the star Vega, so has a celestial connotation of looking distantly.

Together, he mata whāriki, he matawhānui is a metaphor for a welcoming place for people to gather and set a broad vision.

This document may be cited as: Review into the Future for Local Government (2022) *He mata whāriki, he matawhānui: Draft report*, Wellington: New Zealand.

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ISBN: 978-1-99-118522-8

Review into the Future for Local Government

Draft Report

01

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Local government has a critical role to play in Aotearoa New Zealand's governance, building strong, healthy and prosperous communities, now and into the future.

Review into the Future for Local Government

## Foreword

Everyone the Panel spoke to as part of our review wants to live in, and be part of, a great community. They are passionate about, and hopeful for, their community, yet they are aware of the challenges facing us including climate change, social and economic inequity, and financial pressures.

Local government has a critical role to play in Aotearoa New Zealand's governance, building strong, healthy, and prosperous communities, now and into the future.

### Significant change is needed

Fundamentally different and new ways of thinking and working are imperative. This Review provides a significant 'once-in-a-generation' opportunity for us all to reimagine our future and think about how local government should evolve over the next 30 years and beyond.

We need strong leadership and partnerships that embrace the principles, rights and obligations embedded within Te Tiriti o Waitangi. We need to rebuild trust and confidence in local democracy where people can meaningfully contribute to decision-making. We need councils championing and activating wellbeing, drawing on their resources, influence, and proximity to communities. We need local and central government thinking and acting differently about opportunities and possibilities – they must be willing to innovate, value and trust others, and to use their collective resources and strengths for the benefit of communities. This is the wero (challenge) our draft report lays down.

This report traverses a broad and sometimes complex range of issues. It is not a 'draft' of our final report. Rather, it's a provocation that also asks questions and hopefully prompts further vigorous debate, that will help us shape our final report which is due to be completed in mid-2023.

I have been greatly impressed by the openness and commitment of people who have engaged with our review. Over the last eighteen months we've talked to more than a thousand people face-to-face or online from across Aotearoa New Zealand. We've also received over 5,000 online responses and submissions to our review so far. Thank you for all your contributions, and I am looking forward to discussions continuing.

[Feedback and submissions](#) on our draft report is open until 28 February 2023.

We'd love to hear from you.

Ngā mihi nui



Jim Palmer  
Chair, Future for Local Government Review Panel

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# Executive summary



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# Today's communities face a host of challenges – climate change, pandemics, biodiversity loss, and growing social and economic inequity.

We are at a time of change, a moment in history where we need to shift to new ways of working, to living our lives more sustainably, to transition to a greener economy, to utilise new technologies and to fully acknowledge our social and Te Tiriti responsibilities.

Through the Panel's research and engagement, it is clear that significant change is required to many aspects of the local government system to maximise the wellbeing and resilience of communities now and into the future and strengthen local democratic decision-making. Facing these challenges, combined with the pace of change, is causing many of our communities to lose trust in democratic institutions and to disengage. As the layer of government closest to community, local government holds the key to rebuilding trust and confidence in civil society. The challenge is that the current system does not support local government to take full advantage of the important role it holds.

## **Fit for the future local government**

**While the ‘unfunded mandate’ of additional responsibilities continues to grow, compounding funding pressures, the potential impact of proposed reforms is creating further uncertainty for the role of local government in communities.**

Engagement in local government is declining, with low levels of voter turnout. There is limited representation and an undervaluing of hapū/iwi and Māori as a critical partner, in the absence of a fit-for-purpose legislative framework inclusive of Te Tiriti o Waitangi in local governance.

The wellbeing challenges facing Aotearoa New Zealand are too big for central government to address alone – local government has an important role to play. We need to see shifts in mindsets and approaches with greater collaboration and innovation so that communities and local and central government have the tools, funding, and resilience to face the challenges ahead.

A future system of local governance will need agility and capacity to evolve and respond to an ever-changing environment, drawing on the capabilities of local authorities, central government, hapū/iwi and Māori, business, communities and citizens as needed, and adapting as new challenges and issues arise, from social cohesion to new patterns of work, migration, and travel.

Local government has a fundamental role in responding to these increasingly complex issues and raising the wellbeing of communities. Renewal and change are required to ensure that the sector is ready and able to play this critical role.

## **The pathway ahead**

The Panel, in its lead up to this draft report, has signalled five key shifts that are needed to make this change: strengthened local democracy; authentic relationships with hapū/iwi and Māori; a focus on wellbeing; genuine partnership between central and local government; and more equitable funding. In addition, system design and stewardship will also need reconsideration.

When thinking about these shifts, the Panel has had to grapple with many complex and challenging issues. Exploration of these issues has been aided greatly by the knowledge, expertise, and experience shared by the many contributors to our review so far. Because our thinking is still evolving, this report is not a 'draft' of our final report. Rather, it reflects our thinking to date, and acts as a provocation, posing questions that, with further input from others, will help the Panel shape our final report.

While some of the Panel's recommendations can be implemented without a major reform agenda, we do not think that one piece of the puzzle can be executed in isolation and expect it to achieve all the change we need to see. For example, when considering the roles and responsibilities of local government, the reform agenda will need to take account of many things, such as how central and local government intend to partner with each other, funding implications, organisation form and associated strengths and resources of partners, and importantly, the local and regional context.

Delivering on the recommendations contained in our final report will require a well-considered and well-supported reform and implementation plan that is resourced appropriately, so that action is taken in a logical, sustainable, and agreed manner.

# Revitalising citizen-led democracy

Local government is responsible for facilitating democracy – ensuring that it reflects our increasing diversity, embodies Tiriti-based partnerships, and seeks out innovative ways of ensuring the voices of the whole community are heard and reflected in local decisions. Internationally, citizens’ participation in local government decision-making has evolved considerably and practices should be improved and updated.

We see the opportunity for local government to utilise innovative participatory and deliberative practices to advance meaningful opportunities for community-led decision-making. While all of the mechanisms and initiatives are important, building capability and capacity is vital for councils to facilitate citizen-led democracy. Both central and local government need to invest in building the skills and experience to make this a ‘business as usual’ way of working.

Being well informed and connected to decisions that impact us, our whānau, and our whole community can help sustain and grow resilience and trust. However, the local government sector, the community, and Māori have expressed some frustration at the challenges that prevent everyone from having the ability to participate authentically in local decision-making. We believe councils need to be the ‘enablers’ of local democracy, not the ‘holders’ of it.

There are opportunities to review statutory provisions for enhancing the use of deliberative mechanisms, and to review, align, and improve the requirements for engaging with Māori across all local government legislation. In addition, we see the need for local government, in conjunction with hapū/iwi, to incorporate expressions of tikanga in council protocols.

There is a need to consider ways in which we might, through the amplification of digital tools and civics education, increase community understanding about the role of local government that leads to greater civic participation.

**Recommendations**

- 1 That local government adopts greater use of deliberative and participatory democracy in local decision-making.
- 2 That local government, supported by central government, reviews the legislative provisions relating to engagement, consultation, and decision-making to ensure they provide a comprehensive, meaningful, and flexible platform for revitalising community participation and engagement.
- 3 That central government leads a comprehensive review of requirements for engaging with Māori across local government-related legislation, considering opportunities to streamline or align those requirements.
- 4 That councils develop and invest in their internal systems for managing and promoting good quality engagement with Māori.
- 5 That central government provides a statutory obligation for councils to give due consideration to an agreed, local expression of tikanga whakahaere in their standing orders and engagement practices, and for chief executives to be required to promote the incorporation of tikanga in organisational systems.

**Question**

- ? What might we do more of to increase community understanding about the role of local government, and therefore lead to greater civic participation?

# Tiriti-based partnership between Māori and local government

In the Panel's Interim Report, *Ārewa ake te Kaupapa*, we asked ourselves and others the question 'How might a system of local governance embody an authentic partnership under Te Tiriti o Waitangi, creating conditions for shared prosperity and wellbeing?' We have explored this question broadly and deeply, meeting with hapū/iwi, Māori organisations, and rūpū to listen and to learn.

One of the first responses to this was 'how can there be a partnership where there is no authentic relationship to build on?' We have heard, and agree, that the current local government-Māori relationship falls short of expectations and importantly, its potential.

We have heard from both local government and Māori an acknowledgment of the need for change. Change to the way the system mandates, supports, drives, and ensures opportunities for the relationship to be successful. Change in the actions and behaviours of all those involved to be mana-enhancing and reflect a sharing of values and priorities of place and people.

This report considers the current state of the overall local government-Māori relationship, summarises what we heard about the issues and opportunities, and makes proposals for change. It proposes a framework as the basis for the future relationship and an architecture for change that is woven throughout this report that:

- ▶ creates a new legislative framework for Te Tiriti in local governance
- ▶ establishes a strategic role for Māori alongside local and central government in identifying and addressing the priority outcomes that will drive community wellbeing
- ▶ establishes and embeds specific mechanisms for partnership and co-governance
- ▶ improves Māori participation in local government processes
- ▶ improves Māori representation in council governance
- ▶ builds local government and Māori capability and capacity to strengthen and maintain a Tiriti-based relationship.

Together, we consider that the framework and architecture for change provides a path towards a stronger Tiriti-based partnership, one that results in mutually beneficial outcomes for each other and importantly, for local communities.

### Recommendations

- 6 That central government leads an inclusive process to develop a new legislative framework for Tiriti-related provisions in the Local Government Act that drives a genuine partnership in the exercise of kāwanatanga and rangatiratanga in a local context and explicitly recognises te ao Māori values and conceptions of wellbeing.
- 7 That councils develop with hapū/iwi and significant Māori organisations within a local authority area, a partnership framework that complements existing co-governance arrangements by ensuring all groups in a council area are involved in local governance in a meaningful way.
- 8 That central government introduces a statutory requirement for local government chief executives to develop and maintain the capacity and capability of council staff to grow understanding and knowledge of Te Tiriti, the whakapapa of local government, and te ao Māori values.
- 9 That central government explores a stronger statutory requirement on councils to foster Māori capacity to participate in local government.
- 10 That local government leads the development of coordinated organisational and workforce development plans to enhance the capability of local government to partner and engage with Māori.
- 11 That central government provides a transitional fund to subsidise the cost of building both Māori and council capability and capacity for a Tiriti-based partnership in local governance.

# Allocating roles and functions in a way that enhances wellbeing

Compared to other OECD countries, the scope of responsibilities for local government in Aotearoa New Zealand is relatively small, as is its proportion of government expenditure.

We know that many councils are struggling to effectively deliver their current roles, functions, and obligations due to limited capacity and capability, financial pressures, and conflicting responsibilities.

While some roles and functions have been added in recent times, major reforms underway will see the removal of some significant roles and functions through greater centralisation and regionalisation. As councils grapple with that uncertainty, there is also a lack of clarity about their roles in the more complex problems we face. Climate change is a key example. Local government has an essential role to play in supporting local mitigation and adaptation efforts and promoting environmental wellbeing and sustainability.

We consider there is a much deeper role for councils to expand beyond the current infrastructure focus to facilitate and deliver wellbeing.

Any discussion about roles and functions at a local level must also consider the role of hapū/iwi entities, building on the many examples of mana whenua entities adding significant value.

It is time to take a fresh look at how roles and functions are allocated and how the strengths of different actors can be realised. We don't think it's about binary allocation (local or central), but rather how the design, accountability, influence, and delivery could sit across many actors.

Recognising local government's role in wellbeing, we have proposed a framework that could be used when allocating roles and functions – one that is underpinned by the subsidiarity principle and te ao Māori values.

At the heart of the framework is the notion that local comes first, with local government showing leadership in shaping the conditions for communities to thrive, being an important connector, harnessing its role as anchor institution, and creating space for hapū/iwi to pursue self-determination.

The framework also reflects our acceptance that there are justifications for departing from the local-first approach, including effectiveness of scale, access to skills, risks and liability, consistency, and equality.

Using the framework, we consider that local and central government, in a Tiriti-consistent manner, should review the future allocations of roles and functions.

### Recommendations

- 12 That central and local government note that the allocation of the roles and functions is not a binary decision between being delivered centrally or locally.
- 13 That local and central government, in a Tiriti-consistent manner, review the future allocations of roles and functions by applying the proposed approach, which includes three core principles:
  - ▶ the concept of subsidiarity
  - ▶ local government's capacity to influence the conditions for wellbeing is recognised and supported
  - ▶ te ao Māori values underpin decision-making.

### Questions

- ? What process would need to be created to support and agree on the allocation of roles and functions across central government, local government, and communities?
- ? What conditions will need to be in place to ensure the flexibility of the approach proposed does not create confusion or unnecessary uncertainty?
- ? What additional principles, if any, need to be considered?

# Local government as champion and activator of wellbeing

Local government has a crucial role in championing and activating local wellbeing due to its assets, influence, and proximity to communities. Local government has a systems leadership role within the wider interconnected system that includes social networks, workplaces, community institutions, community spaces, and conditions that interact to affect and foster the local wellbeing of people, place, and the environment.

Hapū/iwi and Māori organisations are fundamental to the Kaupapa of wellbeing. Councils must develop sustainable partnerships with hapū/iwi and Māori organisations. This will require councils to take a more holistic, tikanga-based approach that considers intergenerational outcomes when solving complex problems.

The Panel has identified three ways councils can enhance and champion wellbeing: as an anchor institution, as a place-maker, and as a systems networker and convenor.

We have seen a number of examples where councils are already putting wellbeing at the core of their purpose and shifting the way they work in and with their communities. However, this is not consistent or implemented sustainably across all councils. It will require a significant shift in councils' mindset, investment, capability, and relationships with central government. Competing demands and budget constraints make it challenging to fully realise this enhanced role without the other changes in the report. Having said that, there are a range of ways councils can take action now.

**Recommendations**

- 14 That local government, in partnership with central government, explores funding and resources that enable and encourage councils to:
- lead, facilitate, and support innovation and experimentation in achieving greater social, economic, cultural, and environmental wellbeing outcomes
  - build relational, partnering, innovation, and co-design capability and capacity across their whole organisation
  - embed social/progressive procurement and supplier diversity as standard practice in local government with nationally supported organisational infrastructure and capability and capacity building
  - review their levers and assets from an equity and wellbeing perspective and identify opportunities for strategic and transformational initiatives
  - take on the anchor institution role, initially through demonstration initiatives with targeted resources and peer support
  - share the learning and emerging practice from innovation and experimentation of their enhanced wellbeing role.

**Questions**

- ? What feedback do you have on the roles councils can play to enhance intergenerational wellbeing?
- ? What changes would support councils to utilise their existing assets, enablers, and levers to generate more local wellbeing?

# A stronger relationship between central and local government

The Panel has heard clearly that the current relationship ranges from strained to broken, with a lack of trust in both directions being a common theme. Communities are not benefiting from a cohesive, mutually reinforcing relationship that harnesses the strengths of both local and central government.

Both central and local government need to reset the relationship. Tackling the wellbeing challenges of the 21st Century requires partnering at place with a strong focus on agreed outcomes and priorities.

While the people relationships will always trump systems and models, we are concerned that there is system fragility and reliance on individuals. We believe that the optimal combination is strong leadership and relational practice, backed up by a strong system that creates a more sustainable and predictable environment for everyone. This will require a mindset shift from both central and local government, acknowledging the value and strength that each brings.

A key element of any future model must be an approach and a process for identifying shared priority outcomes and commitment to co-invest for community outcomes. Within this process there is an explicit role for Māori alongside local and central government in identifying and addressing the priority outcomes that will drive community wellbeing. Understanding the nature and extent of funding and spending is critical to determine where there are opportunities to reprioritise and ensure resources are applied to best effect.

Our report outlines examples of collective/interdependent models that provide for co-investment, underpinned by a focus on building and maintaining productive relationships.

### Questions

As we work towards our final report, we want to consider the merits of the different examples. We are interested in your views as to how to rewire the system of central and local government relationships through developing an aligned and cohesive approach to co-investment in local outcomes.

- ① To create a collaborative relationship between central and local government that builds on current strengths and resources, what are:
  - a. the conditions for success and the barriers that are preventing strong relationships?
  - b. the factors in place now that support genuine partnership?
  - c. the elements needed to build and support a new system?
  - d. the best options to get there?
  - e. potential pathways to move in that direction and where to start?
  - f. the opportunities to trial and innovate now?
- ② How can central and local government explore options that empower and enable a role for hapū/iwi in local governance in partnership with local and central government? These options should recognise the contribution of hapū/iwi rangatiratanga, kaitiakitanga, and other roles.

# Replenishing and building on representative democracy

Local government needs to ensure that diverse voices are heard. The most effective way to do this is to make sure that every effort is made to reflect diversity around the council table.

Key to this is ensuring that diversity is reflected and that members of council have the necessary skills, experience, and support to lead with confidence, help develop solutions to complex intergenerational problems, and facilitate inclusive and effective participatory democracy.

However, there are still significant barriers to more diverse representation on councils. Participation in local government has continued to decline over the past three decades and a significant proportion of people, due to a number of factors, do not see the value of standing for a position or even voting in local body elections, which limits engagement and confidence in local government decision-making.

Māori wards and constituencies (whilst a positive way of providing representation for Māori as citizens) were not designed to provide for Tiriti-based representation of mana whenua or significant Kaupapa-based groups at the council table. People in councils need to build their capability and understanding of Te Tiriti o Waitangi and te ao Māori.

To promote innovative, strategic, and future-focused leadership, support and capacity building for elected members is recommended. With this in mind, the Panel is also exploring the merits of models for democracy that enable both capability-based and mana whenua appointments to supplement elected members. The Panel is interested in your feedback on this concept.

The Panel has received and considered a lot of ideas about how to strengthen representation and electoral processes. Accordingly, our draft report promotes a number of changes. This includes looking at more proactive support for representation reviews, centralised administration of local electoral processes, stronger direction on the choice of electoral system, the voting age, and the electoral term.

The Panel has considered conditions that could promote success, such as remuneration and workplace support for elected members, as well as mechanisms to promote a healthy relationship between council and staff, transparency and continuous improvement in democratic processes.

### Recommendations

- 15 That the Electoral Commission be responsible for overseeing the administration of local body elections.
- 16 That central government undertakes a review of the legislation to:
  - a. adopt Single Transferrable Vote as the voting method for council elections
  - b. lower the eligible voting age in local body elections to the age of 16
  - c. provide for a 4-year local electoral term
  - d. amend the employment provisions of chief executives to match those in the wider public sector, and include mechanisms to assist in managing the employment relationship.
- 17 That central and local government, in conjunction with the Remuneration Authority, review the criteria for setting elected member remuneration to recognise the increasing complexity of the role and enable a more diverse range of people to consider standing for election.
- 18 That local government develops a mandatory professional development and support programme for elected members; and local and central government develop a shared executive professional development and secondment programme to achieve greater integration across the two sectors.
- 19 That central and local government:
  - a. support and enable councils to undertake regular health checks of their democratic performance
  - b. develop guidance and mechanisms to support councils resolving complaints under their code of conduct and explore a specific option for local government to refer complaints to an independent investigation process, conducted and led by a national organisation
  - c. subject to the findings of current relevant ombudsman's investigations, assess whether the provisions of the Local Government Official Information and Meetings Act 1987, and how it is being applied, support high standards of openness and transparency.
- 20 That central government retain the Māori wards and constituencies mechanism (subject to amendment in current policy processes), but consider additional options that provide for a Tiriti-based partnership at the council table.

### Questions

- ? How can local government enhance its capability to undertake representation reviews and, in particular, should the Local Government Commission play a more proactive role in leading or advising councils about representation reviews?
- ? To support a differentiated liberal citizenship, what are the essential key steps, parameters, and considerations that would enable both Tiriti- and capability-based appointments to be made to supplement elected members?

# Equitable funding and finance

Local government has been under significant funding pressure for several years, with many suggesting to the Panel that the system is ‘broken’ and that we have reached ‘peak rates’.

Concerns about growing community expectations, unfunded mandates being passed down from central government, along with meeting the impacts of growth, tourism, and significant infrastructure failures have placed huge rate pressures on councils.

Successive funding reviews have highlighted the problems and proffered solutions; however, few have been enacted.

To move from the currently constrained funding system, there needs to be a meaningful change in the way local and central government address issues of sustainable funding, and that also enables councils to establish new funding mechanisms.

While the Panel considers that rates are still the best means of funding council activities, they need better support from central government. The continuing impact of unfunded mandates, the significant future challenges of climate change, environmental restoration, and matters of social and economic inequity are all going to be felt locally, but need central government funding support.

As mentioned earlier, the Panel believes central and local government must partner more effectively and co-invest in community outcomes and priorities. It will require central government to commit funding to those priorities and work with local government in the application of that funding.

The Panel also considers that central government needs to assess the impacts of proposed regulatory changes on local government and then provide funding for them. Only then will the issue of unfunded mandates be addressed. We also think central government needs to start paying rates and other charges on its property, as well as creating a significant intergenerational climate change fund.

Local government will also benefit from long-term planning and rate-setting processes being more flexible and from having greater ability to establish new funding tools, such as congestion charging and bed taxes.

**Recommendations**

- 21 That central government expands its regulatory impact statement assessments to include the impacts on local government; and that it undertakes an assessment of regulation currently in force that is likely to have significant future funding impacts for local government and makes funding provision to reflect the national public-good benefits that accrue from those regulations.
- 22 That central and local government agree on arrangements and mechanisms for them to co-invest to meet community wellbeing priorities, and that central government makes funding provisions accordingly.
- 23 That central government develops an intergenerational fund for climate change, with the application of the fund requiring appropriate regional and local decision-making input.
- 24 That central government reviews relevant legislation to:
  - a. enable councils to introduce new funding mechanisms
  - b. retain rating as the principal mechanism for funding local government, while redesigning long-term planning and rating provisions to allow a more simplified and streamlined process.
- 25 That central government agencies pay local government rates and charges on all properties.

**Question**

- ? What is the most appropriate basis and process for allocating central government funding to meet community priorities?

# System design

**The success and sustainability of local government requires a system design that can support the needs of our communities and foster wellbeing both now and in the future.**

The issues that councils face are increasingly challenging and complex, and the current structures and systems need to be strengthened and enhanced to ensure that they are fit for the future.

A successful future system and structure for local government will enable communities to have their voices heard and their needs met locally, while leveraging strong regional connections and resources.

The Panel has developed a set of design principles against which future structures should be evaluated. Our draft report contains examples of structures that could give effect to the principles. As we develop our final report we are very interested in your feedback on the principles and structural examples.

Following our review, local and central government will need to work together to determine the best structural options to give effect to the design principles and that also take account of the best way various roles and functions are delivered.

No matter what the future system design looks like, there needs to be greater collaboration across local government and increased use of shared services. The Panel considers that there are significant opportunities to deliver better value and ensure resources are applied to best effect, especially having shared information systems and support services in place. The Panel also believes there is great potential for central and local government to work more closely together to create a more joined-up public sector.

**Recommendations**

- 26 That central and local government explore and agree to a new Tiriti-consistent structural and system design that will give effect to the design principles.
- 27 That local government, supported by central government, invests in a programme that identifies and implements the opportunities for greater shared services collaboration.
- 28 That local government establishes a Local Government Digital Partnership to develop a digital transformation roadmap for local government.

**Questions**

- ? What other design principles, if any, need to be considered?
- ? What feedback have you got on the structural examples presented in the report?

# System stewardship and support

The sum of all the changes proposed in this draft report requires us to consider what is needed at a system stewardship level to embed, drive, and support the system of local government to successfully navigate and adapt to change over the next 30 years.

System stewardship can be defined as holding the responsibility for the long-term quality, sustainability, and outcomes of the wider system of local government. It's about guiding and supporting local government to be the very best it can be. It includes a focus on the relational (people) aspects of a system, as well as the processes and enabling conditions needed to ensure all actors are aligned towards the system outcomes.

Local government stewardship is currently provided by people and organisations in central and local government. At a central government level, this primarily includes the Minister of Local Government, the Department of Internal Affairs (along with the Secretary of Local Government), and the Local Government Commission. At a local government level, membership organisations Local Government New Zealand and Taituarā have important roles.

While there are strengths in the current approach, we consider there are gaps and limitations, and that significant change is needed to support the shifts proposed in this report. In particular, we consider that a specified stewardship function is required that can support the system holistically in the long term, including driving the capabilities, processes, actions, and legislation that will lift performance across local government and maximise its strengths and resources and collective impact.

As such, we recommend that central and local government consider which entities are best placed to play system stewardship roles in a revised system of local government that proactively promotes and cares for the health of the local government system, including:

- ▶ oversight and monitoring of relevant legislation administered by agencies
- ▶ care for the system's long-term capability and people
- ▶ maintenance and enhancement of institutional knowledge and information
- ▶ supporting partnerships, co-design, and innovation.

We also seek feedback on how we embed Te Tiriti in local government system stewardship.

### Recommendations

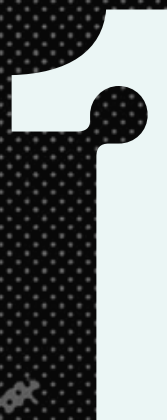
- 29 That central and local government considers the best model of stewardship and which entities are best placed to play system stewardship roles in a revised system of local government.

### Questions

- ? How can system stewardship be reimagined so that it is led across local government, hapū/iwi, and central government?
- ? How do we embed Te Tiriti in local government system stewardship?
- ? How should the roles and responsibilities of 'stewardship' organisations (including the Secretary of Local Government (Department of Internal Affairs), the Local Government Commission, LGNZ, and Taituarā) evolve and change?

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# Thriving local government is vital for Aotearoa New Zealand



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# We live our lives in place. People, whānau, and communities are rooted in – and shaped by – the places they call home.

As a Panel, we imagine a future where local government enables solutions to locally specific challenges, connects communities with the resources they need, and makes sure people and the environment can thrive in a rapidly changing world.

Today, many of our places are under threat. As we write this, numerous coastal communities are considering their options for how to adapt and build resilience in the face of increasingly damaging climate impacts. Westport, situated as it is on a floodplain at the mouth of the Buller River, is ground zero for these impacts. Last July, devastating flooding caused major damage to over a quarter of the local housing, and nearly half of Westport's population was evacuated – or rescued – during the worst of the floods. But even as the rain was falling, the community sprang into action. People came together to lay sandbags and dig out debris, while others offered hot meals, accommodation, and equipment to those who needed it. Resources and emergency services were directed to the area by central government, and on the ground, regional and district councils helped coordinate the response from a broad range of communities, agencies and other organisations.

Clearly, communities are strong, resourceful, and resilient. Still, Westport faced another major flood event only six months later, causing further damage, and a year on from the July floods over 400 homes were yet to be repaired. At a time when 'one in a hundred years' storms are happening every year and climate change means we will be facing more and more extreme weather events, we cannot rely only on emergency protocols and the resourcefulness of people under extreme pressure.

Communities need the support of a strong and adaptive system of local governance. This means having government systems that are well resourced to effectively allocate services, give effect to Te Tiriti o Waitangi, and set up to plan ahead, innovate, and coordinate with others to respond to a changing world. But at the moment, these systems, and the culture and mindsets needed to support them, are lacking.

Climate change is only one of the intersecting issues communities face, from the need to reduce inequity, challenging economic and business conditions, to adapting to changing demographics, technologies, and models of employment. Many of these challenges will likely get more pronounced, and others are still beyond the horizon. To support communities through these changes and enable local wellbeing and democracy, councils and communities cannot afford to be stuck in reactive mode. Instead, strength and capability need to be built now, enabling the transformation of local government to support communities now and for generations to come.

Ensuring community wellbeing at place is a job for everyone. Local government, as the level of government closest to communities, is a vital piece of the puzzle. Of course, local government cannot do this alone. Hapū/iwi also have a key role in local governance, along with business and communities and in collaboration with central government. But without major and immediate changes, our councils, and the local government system more broadly, will be ill-equipped to face the challenges ahead.

# Introducing place

To us, place is more than just the physical town, city, or region where you live. It is made up of:

## The natural world, te taiao, where we are grounded

Te taiao is our interconnected and interrelated natural world, home to our native biodiversity and the plants and animals that define our local area. It also includes the whenua and awa that provide resources for the people who live there. Maintaining ecological balance is essential to the health and wellbeing of communities and te taiao itself.

## People and community

Our relationship to place is also defined by the people who live near us. Aotearoa New Zealand's communities are diverse, varied, and vibrant, and many are in the process of demographic transition. People define the culture of a place, from the longstanding cultural practices of hapū/iwi that inform how land was shaped and what local stories are told, to the arts and cultural expression of our diverse communities.

## Infrastructure

The built environment, businesses and local services, and recreational spaces are an essential part of how we imagine a place. This hard and soft infrastructure all contributes to the smooth functioning of communities. From Tāmaki Makaurau Auckland's high-rise city centre to Oamaru's historical whitestone district, our local infrastructure – be those pipes, parks, or buildings – is foundational.

In this report, when we talk about communities and the challenges they face, we are talking about people's experiences 'at place'. Place is where we experience life, and where the impacts of large-scale changes and issues are felt. For instance, climate change is a global issue, but we experience it at place when we face multiple 'one in a hundred year' storms over a winter that cause damage to our homes and landslides that block our route into town. Place is 'where the rubber hits the road', where global issues hit home.

**Figure 1: Anatomy of place**



## 1.1 Decision-making at place is needed for people to thrive

Dealing with local challenges and enabling people to thrive at place requires good governance that takes into account the complexities of a place-based context and is in touch with the ways broader policies affect local communities.

Many people and organisations play a role in local decision-making and ensuring that people, culture, the environment, and the economy are supported, resourced, and enabled to flourish. In this report we talk about the roles of, and relationships between, a number of key players with important roles in decision-making at place:

- ▶ **Local government** is a central player in local governance. Councils' existing assets and levers, and their proximity to communities, mean they are well-placed to lead wellbeing and democracy at place. When we talk about local government, we mean the local authorities established by statute. In this report, we often just refer to 'councils', a term many people are more familiar with.
- ▶ **Hapū/iwi** have long governed at a local level in Aotearoa New Zealand and maintain a vital role in local governance and stewardship. Through Te Tiriti o Waitangi they maintain rangatiratanga and rights to manage their own affairs. More broadly, Māori also have the right to be actively involved as citizens and have a role in kāwanatanga.
- ▶ **Communities** have a vital role in making decisions at a local level. They do this by participating in local democratic processes, running local businesses, clubs and organisations that bring people together to increase wellbeing and contributing to local governance at place through civil society entities.
- ▶ **Central government** provides essential resources and services to people in place, and also sets the regulatory framework that guides how local communities and local government operates and is financed. Central government has a role as enabler and partner for local entities across a range of issues.

### Local government and local governance

Our terms of reference ask us to consider the future of local governance in Aotearoa New Zealand. Local government, in the context of this review, refers to the local authority structures established by statute. Local governance refers more broadly to the system by which communities are governed – in essence, who makes decisions, how they are made, and who the decision-makers are accountable to. In any place or community, local governance can involve many decision-makers including central government, local authorities, hapū/iwi and Māori organisations, business and community organisations, and others.

Of course, place does not exist in a vacuum. Each town, city, or region is deeply intertwined with others, linked via infrastructure, shared resources, interpersonal connections, and te taiao (the natural world). These connections create a network of interdependence, where wellbeing and resilience in one place is only possible through collaboration and co-investment with others. So, in looking at local governance we also need to look at connections between us and understand how collaboration across regions and between different levels of government can help tackle issues that affect everyone but converge and impact us at place.

## 1.2 Why local government, and why now?

Local government is the form of government most closely intertwined with people's day-to-day lives and is with them 'at the coalface' in good times and in bad. It has an important contribution to make, allowing different communities to make their own choices and relating and shaping government decisions for the needs of people at place (Lyons 2007). As such, local government is essential to supporting the future of communities and has the potential to help enable democracy and wellbeing.

At the moment, local government makes a tangible positive impact in communities, from the delivery of core services to the many examples around the country of councils taking innovative approaches that help their communities flourish. But as we noted in our Interim Report, *Ārewa ake te Kaupapa*, councils are currently under significant pressure. This pressure comes in a range of forms, from the 'unfunded mandate' of additional responsibilities being delegated from central government without additional resources, to not having a fit-for-purpose legislative framework for Te Tiriti o Waitangi in local governance. In addition, low levels of voter turnout and participation in council processes means there is a risk that decisions are only representative of part of the population.

As such, our current system of local government has great potential to deliver more value for its communities.

**“It’s not about the future of the Council but about the future of great communities.”**

– Elected member at Council Roadshow

**“We the youth of Aotearoa will inherit the next 30 years. It will be our mess to clean up or our place to thrive.”**

– Rangatahi at Spotswood College

It is up to all of us, now, to change that. The big challenges coming our way, from climate to a loss of social cohesion and challenging economic conditions, are not going to be solved through a centralised approach from Wellington alone. These complex and often global issues are felt locally by communities at place, and will also need to be solved at place, supported by broader policies and actions that take community needs and interests into account.

There are already many 'green shoots' – pockets of encouraging action, where local government is working in an innovative way and collaborates to realise better community outcomes. But we need to do more than celebrate the green shoots that manage to push through the cracks in the concrete. It is time for a broad-based transformation of local government, towards an adaptive, resilient system that enables a field full of green shoots to grow and flourish together.

The change we need now is not just for the communities of today, it is for future generations, who will be facing increasing complexity and large-scale changes. We need to make sure that the right foundations are in place for them to flourish, recognising that what works today might not be what works in 20 years' time.

We heard loud and clear from the many people we engaged with – from local government, hapū/iwi, and Māori, businesses, communities and central government – that renewal and change is required to ensure that councils are ready and able to fully support local democracy and wellbeing.

### **1.3 Increasing focus on wellbeing and local democracy**

The Local Government Act 2002 (LGA) sets out a two-fold purpose of local government:

- a. to enable democratic local decision-making and action by, and on behalf of, communities
- b. to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

As a Panel, we fully support this purpose for local government. While councils already deliver wellbeing outcomes and enable democratic decision-making, there is potential for them to use all the levers at their disposal to achieve much more. We envision a future where wellbeing is put at the centre of everything councils do, which will mean changing the way many things are done and working in innovative and collaborative ways. Ensuring that councils have what they need to reach this potential is at the heart of this report.

Through our research and engagement, it became clear that significant changes would be required to many aspects of the local government system to maximise the wellbeing and resilience of communities now and into the future and strengthen local democratic decision-making.

**What is local wellbeing?**

Wellbeing looks different for different whānau and communities, depending on their unique needs, values, preferences, endowments, and capabilities. Local wellbeing covers a wide spectrum of interconnected social, cultural, economic, and environmental outcomes. In our Interim Report, *Ārewa ake te Kaupapa*, we noted that wellbeing includes:

‘Everything that makes a good life, not only for individuals, but also for their whānau and families, their neighbourhoods and communities, and for future generations. This includes, among other things, living in a clean and healthy environment, having basic needs met, being physically safe and secure, experiencing connection with others and a sense of belonging, being able to participate and contribute, being able to express yourself and your identity, experiencing yourself as valued and valuable, and having opportunities to prosper and live to your full potential.’

We also noted that all elements of wellbeing are interconnected – influencing one will have impacts on others, and influencing the wellbeing of one person will have impacts on their relatives and those they are connected to.

**Māori and Pacific approaches to wellbeing**

There are rich and diverse understandings of wellbeing in Aotearoa New Zealand. In particular, we know that the way Māori view wellbeing is different from how other New Zealanders view wellbeing (TPK and Treasury 2019). Māori approaches to wellbeing are informed by te ao Māori (the Māori world view) and lived experiences. Treasury’s He Ara Waiora framework helps us to understand waiora, which is often translated as a Māori perspective on wellbeing and is grounded in wai (water) as the source of all life. He Ara Waiora draws on te ao Māori foundations for wellbeing grounded in kaitiakitanga (guardianship or stewardship of our resources), manaakitanga (care for others), ōhanga (prosperity) and whanaungatanga (the connections between us) (O’Connell et al 2018). Māori approaches to wellbeing tell us that the wellbeing of te taiao, our natural world and environment, is inextricably linked to intergenerational wellbeing.

There are also diverse approaches to and frameworks for understanding Pacific wellbeing, reflecting the diversity of Pacific peoples in Aotearoa New Zealand (see for example, *Ola Manuia: Pacific Health and Wellbeing Action Plan 2020–2025* and *Pacific Aotearoa Lalanga Fou*).

## 1.4 Five key shifts for the future of local government

We identified five key shifts that need to be made to the way that local governance operates. The shifts are interconnected, and are all needed in order to have a robust, adaptive and inclusive local governance system that supports local communities now and into the future.

These shifts are outlined below at a high level, and are reflected throughout the rest of the report. Making these shifts a reality will require coordinated activity and effort at strategic and structural levels as well as on the ground by people in local government, central government, sector organisations and communities. These shifts do not operate in isolation: they are deeply intertwined, and to take action in one area without addressing the others is unlikely to lead to the change we need to see.

**Figure 2: The five key shifts**

<b>1</b>	<b>Strengthened local democracy</b>	<p><b>From</b> low public trust and participation in local governance</p> <p><b>To</b> citizens participating in local decision-making; councils being trusted and reflecting community diversity</p>
<b>2</b>	<b>Authentic relationship with hapū/iwi and Māori</b>	<p><b>From</b> variable relationships between councils and hapū/iwi/Māori</p> <p><b>To</b> strong, authentic relationships between councils and hapū/iwi/Māori that enable self-determination and shared authority</p>
<b>3</b>	<b>Stronger focus on wellbeing</b>	<p><b>From</b> councils often narrowly focused on delivering services and infrastructure</p> <p><b>To</b> councils focusing on holistic strategies to improve the wellbeing of their communities</p>
<b>4</b>	<b>Genuine partnership between local and central government</b>	<p><b>From</b> low trust between local and central government</p> <p><b>To</b> genuine partnership to co-invest in and deliver wellbeing outcomes for communities</p>
<b>5</b>	<b>More equitable funding</b>	<p><b>From</b> an over-burdened and constrained funding system</p> <p><b>To</b> an equitably funded system that enables communities to thrive</p>

## 1.4.1

**What will the shifts require?**

**Strengthened local democracy** includes building trust and belief in local government by revitalising deliberative democracy processes to ensure everyone has the information, time, and access they need to participate in council decision-making processes. It also means improving representative democracy processes to ensure that councils have the requisite governance capabilities and support in place, reflect the diversity of communities, and Māori are enabled to participate fully as both elected members and partners in governance. It will also include exploring, adapting and trialling new forms of participatory and deliberative democracy and learning from other countries and organisations.

**Authentic relationship with hapū/iwi and Māori** means shifting towards a future where Māori are an integral part of local governance, and the relationship becomes a genuine, Tiriti-based partnership – enabling the meaningful exercise of rangatiratanga and a more culturally specific exercise of kāwanatanga by councils. This will likely require a new legislative framework for Te Tiriti in local governance, building specific arrangements for partnership and co-governance, and increasing local government and Māori capability and capacity to build and maintain a meaningful Tiriti-based relationship.

**Stronger focus on wellbeing** points towards a broad shift in mindset, from a local government system that has traditionally focused on delivering infrastructure and services in the most cost-effective way, to a holistic approach that centres community wellbeing. This approach will coordinate activity in ways that mobilise existing resources and support innovation, experimentation, and learning. As part of this shift, we see the need for local government to strengthen its role as an anchor institution, place-maker, and systems networker and convenor, and to coordinate with other councils and organisations to achieve value and outcomes that would not be possible individually.

**Genuine partnership between local and central government** requires a fundamental reset of the relationship where each party truly values the other and recognises the respective strengths and contributions they can make to community wellbeing. It will require a significant shift in ways of working together to improve outcomes on the ground. A key part of this shift is transitioning to an approach that enables central and local government to effectively co-invest for community outcomes. This likely includes developing a mechanism for aligning priorities, ensuring equitable funding, and a commitment to working together in new ways.

**More equitable funding** involves ensuring councils have a range of funding and financing tools at their disposal, in order to carry out their roles effectively and support wellbeing at place. This will likely mean a review of the current rating system, the development of new funding mechanisms, and the end of unfunded mandates being passed to local government. It will also involve co-investment with central government to respond more effectively to community priorities and needs.

## 1.5 How do we get there?

In this report you will find chapters focused on actions and approaches to specifically achieve particular shifts. However, these actions need to be supported by a strong local government system, and that will also mean looking at wider issues that stretch over a number of the shifts. This includes looking at how roles and functions are allocated, the future form of local government, boosting capability across the system, and ensuring the local government system as a whole is well supported.

In order to face challenges head on and ensure people, communities and the planet thrive, there will need to be a major shift in the culture of local government, and new mindsets and behaviours to go along with it. A new, refreshed system of local government will need to be innovative and open to experimentation, with a commitment to serving communities and building strong but adaptive systems. This will be a big change. As we carry out these shifts, we will also have to hold two things in mind at once: the need for flexibility and agility and the need for structure.

A future system of local governance will need to evolve and be agile, drawing on the capabilities of local authorities, central government, and others as needed. It will need to have the capacity to adapt and respond as new challenges and issues arise.

We will also need to create a system that is sufficiently dynamic to withstand the unknown pressures of the future and provides a clear platform for action and collaboration. This will involve ensuring the structure, legislation, and processes that underpin our system of local government are strong and fit-for-purpose. We should be looking to build a system and culture of 'adaptive resilience' that embraces complexity and enables everyone in the system to respond to expected and unexpected changes and challenges.

### 1.5.1

### A multifaceted framework for change

Many of the suggestions described in this report can be activated to some degree, without needing a mandate or legislative reform. But significant coordinated changes will also be needed across the system of local and central government, to different extents and across a range of timeframes. This will require a joined-up approach, with commitment across the system and sufficient resourcing and capacity made available.

Some of the changes needed will be systemic and structural, including updating some of the underlying legislation and frameworks that define local government. This might look like embedding Te Tiriti more explicitly within local government systems, considering changes to the roles and functions carried out by local councils, and the form of the local government system itself. Legislative change, including to the Local Government Act 2002, would be needed to enable some of these actions.

However, structural changes alone will not be sufficient. The heart of local government and local governance is people, and people are key to the shifts and transformation we need. We will need to work together to improve relationships across local and central government,

hapū/iwi, business and communities. There is a need to understand the entrenched mindsets that limit our ability to collaborate across and within organisations, providing people with new mechanisms and spaces for working together and aligning priorities, and being conscious of the existing dynamics (but not being constrained by them).

Throughout, we will need to make sure that people in local government and beyond are supported through this transition and are given the resources and support they need to get there. There will need to be concerted capacity and capability building, sufficient resourcing, and upskilling, including a national commitment to increasing capacity for hapū/iwi and communities to participate meaningfully.

We hope readers will be inspired to imagine what change is possible, and how local government could uplift and support communities through the challenging and exciting times ahead.

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# Revitalising citizen-led democracy



# 2

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# Citizen participation in local democracy is declining, and communities have lost connection and trust with the current democratic process.

## 2.1 Key findings

Local government needs to become more an 'enabler' of democratic decision-making, not the 'holder' of it.

The use of deliberative and participatory democracy practices can lead to greater citizen empowerment and enhanced participation in decision-making. This is critical, especially when tackling major challenges such as intergenerational equity, long-term planning, and social cohesion.

Nothing in the Local Government Act 2002 (LGA) prevents the use of deliberative or participatory mechanisms or the adoption of more empowering frameworks; decisions to take more participatory approaches built on community relationships sit with each council.

There are a range of actions that local government needs to take, including increasing its capability and its understanding and use of deliberative and participatory democracy practices.

## 2.2 Overview

We see citizens' participation in local government decision-making, not just as a tool that contributes towards growing local democracy, but also as a vital part of the very essence of democracy itself. Local government holds the key to strengthening civil society.

We discuss in this chapter that increasing community participation in local government leads to a greater sense of empowerment, higher trust between councils and communities, stronger connections within communities, and better designed and delivered services. It's important to all of us to feel connected to decisions that impact us, our whānau and our whole community in their everyday lives, and also future generations.

Earlier on in the report we described what we meant by local governance. This chapter focuses on how revitalising community participation in decision-making in local government contributes to a healthier, more innovative local democracy.

In particular, we ask the following questions:

- ▶ How can we reach trusted, local decisions where people in the community see that their perspectives have been considered and so agree the decision is generally fair?
- ▶ How do we ensure participation is not a competition to be the most vocal and extreme, but an exercise that asks all participants to consider the positions of others in an effort to inform councils what trade-offs they can live with?

When local democracy is bolstered by strong civic participation in this way, we envision a future where:

- ▶ communities have high trust in democratic processes, allowing a high trust relationship to be developed between community and council. This relationship enables long-term solutions to complex problems to be explored and addressed
- ▶ councils trust citizens in communities by asking for ideas and backing community-led solutions
- ▶ people are aware of and value the role of local government in their community. They feel able to confidently connect and interact with council through accessible and meaningful processes
- ▶ people engage with and influence democratic processes in a variety of ways. This ensures that participants are well informed to make effective decisions and support equitable access to members of the community
- ▶ a Tiriti-based framework for local governance ensures that Māori as citizens and mana whenua have a culturally distinct role identified in democratic processes
- ▶ democratic processes are fair and meaningful. The democratic system is able to adapt and evolve as the needs of communities and ways of communicating change
- ▶ local authorities are empowered to trial innovative democratic approaches.

The Panel sees an opportunity to promote participatory democracy in local government, but there is a need for it to be better understood and utilised by citizens and councils.

The Panel has been inspired by, and draws inspiration from, the pockets of innovation both locally and internationally, that demonstrate how local government can be a more robust, responsive and innovative partner with citizens and communities.

#### Key terms

**Democracy:** The definition of ‘democracy’ can be thought of as ‘power to the people’ and refers to a way of governing by public will. This means that the public are given power to rule the state, either directly or through elected representatives. Most commonly, we see this through elections, where the public vote for people to represent their interests. However, a fundamental and vital part of democracy is also the right to participate directly, not via an elected member. This is another, equally vital way power is given to the people.

**Participatory democracy:** refers to the direct involvement of citizens in political decision-making, beyond choosing representatives through elections.

**Representative Democracy:** includes people elected to represent citizens.

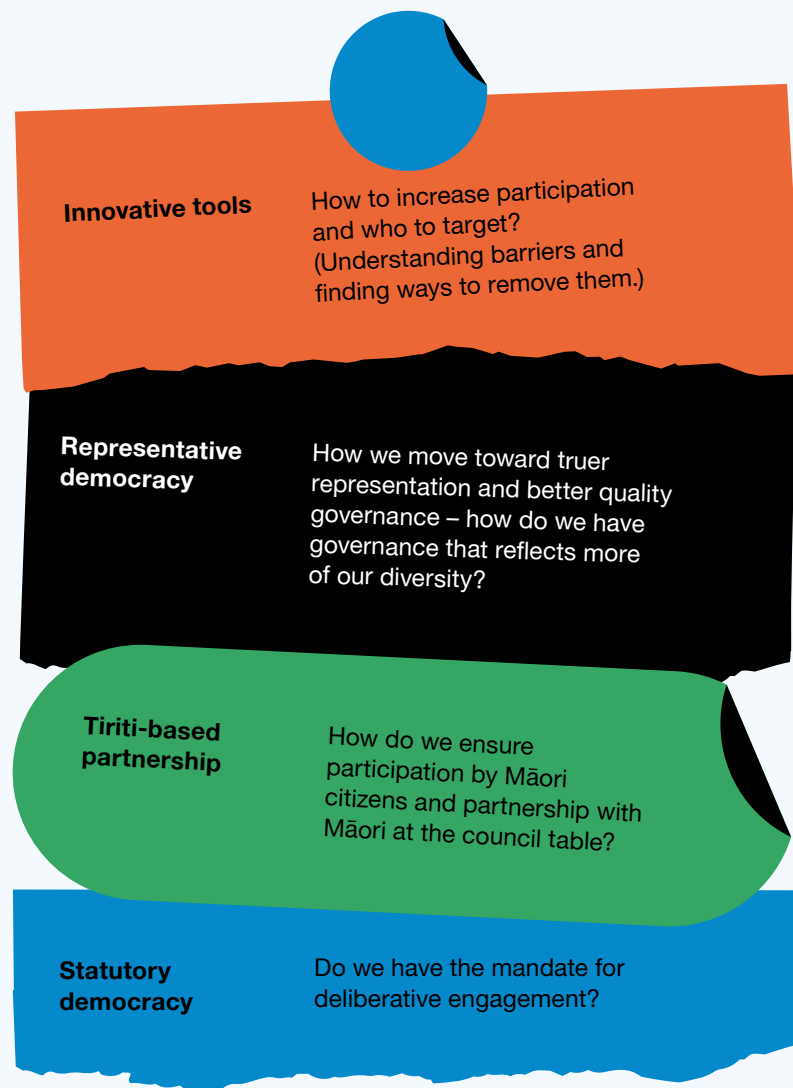
**Participatory democratic methods:** involve self-selected groups and are focused on public opinion orientated decision-making for example, participatory budgeting

**Deliberative democratic methods:** involve demographically representative groups selected by public lottery that weigh evidence, deliberate to find common ground, and develop an informed public judgement on a key issue which can then be directly adopted by council for example, citizens’ assemblies.

## 2.3 What elements are needed for a strong participatory local democracy?

Within the parameters of this review, we consider how participation practices and approaches can be applied within the local democracy sphere. The diagram of participatory democracy below identifies the many strands at play needed to support a functioning, thriving, evolving democracy. Each concept doesn’t sit in isolation but converges and interlinks, acknowledging that all four concepts together enable strong participatory local democracy.

**Figure 3: Building trust and citizen input – elements that enable a functioning, thriving democracy**



**Representative democracy** includes, but is not limited to, people elected to represent citizens. Ensuring that people of every socio-economic demographic and culture can participate equally in elections and in a way that makes them feel comfortable is a key part of a fully representative democracy. We discuss how strengthening local governance can help advance and diversify representation in local government in [Chapter 7](#).

Embedding of **Tiriti-based partnerships** are fundamental to recognising Māori voices, as citizens and as mana whenua, through engagement and participation with local government. This weaves closely with [Chapter 3](#).

**Democratic innovation** recognises that a strong democracy never reaches an end state. When society changes and new technologies appear, so do new challenges – and we need to develop ways that respond to them. We see this as a move towards utilising more deliberative methods like citizens' assemblies.

**Statutory democracy** refers to legislation that enables and mandates local government to engage with participants. This includes consideration of the LGA, which provides the mandate to promote deep community involvement in decision-making.

## 2.4 Where we are now

Internationally, Aotearoa New Zealand ranks well on measures of political participation, electoral processes, and civil liberties (EIU 2020). However, these rankings don't tell us how much trust and confidence citizens have in local government, or the degree to which councils engage with citizens. This section we will discuss how factors leading to low civic participation drive our current state, emphasising the significant change needed to achieve our vision of a thriving local democracy.

A Local Government New Zealand (LGNZ) survey found that respondents' ratings of overall performance, leadership, and communication and interaction sat at 28% (LGNZ 2017b). The survey also indicated that 77% of respondents recognised that the collective effort of local government is important for the prosperity and wellbeing of Aotearoa New Zealand. So while there is an understanding about the role of local government in communities, many citizens do not have trust or confidence in their local government. A change is needed in the system, especially to the processes and mechanisms that strengthen community participation, to address this gap and build trust between councils and communities.

We are mindful to ensure, in using new innovative practices, that socio-economic inequity is not a barrier to participation.

### 2.4.1

### What we heard

In our extensive engagement the Panel heard several themes emerge.

- ▶ At times, councils do not conduct engagement in a way, at a place, or in a format that works for diverse groups. People often feel intimidated by formal council proceedings, are not able to participate at a time that a council meeting is scheduled due to meeting times, or the cost and time associated with attending.
- ▶ Councils are often reaching the same people and have struggled to engage meaningfully with Māori, Pacific peoples, youth, and lower socio-economic whanau.<sup>1</sup>

<sup>1</sup> We can see this through Auckland Council's plan 2050, in which analysis from RNZ showed three quarters of submissions were from Pākehā or European descent, two thirds from high income areas and 70% were aged 35 or older. 7% of submissions were from Pacific peoples, while they represent 15% of the population. In this scenario the importance of place-based participation was jeopardised by over-representation of submissions from outside the area being discussed (Newton 2018).

- ▶ There seems to be an over-reliance on ‘top-down’ statutory processes where communities are ‘sold’ a preferred answer, and not enough ‘bottom-up’ engagements where open questions are posed much earlier in the decision-making process.
- ▶ Many people do not think their engagement will influence decision-making. Currently councils respond inconsistently to community feedback.

**“Stop listening to those voices who are the loudest (usually the most privileged) and work with all people in communities – this means thinking outside the box to engage with those we don’t usually hear from.”**

**– Survey respondent**

- ▶ When councils reach these communities, engagement is often not sufficiently well-designed to meet the real needs of local communities. There’s inconsistency in councils’ ability to process and weigh feedback appropriately.
- ▶ There needs to be a significant investment in capability and capacity throughout councils to improve participation and engagement.
- ▶ There is uncertainty among elected members about how to balance representative decision-making with citizens’ participation. Some councils and boards feel like participatory processes are replacing their role as decision-makers on behalf of their communities. Many elected members have not had the opportunity to experience and learn from truly participatory processes with citizens. This may mean that the current uncertainty simply derives from lack of knowledge, or tried and tested examples for elected members to learn from.

## **2.5 Why does citizen-led democracy matter?**

Deliberative democracy increases participation in decision-making, enabling more effective decision-making on tough topics and increasing levels of trust in local government.

We’re not alone in trying to tackle issues of low levels of participation and lack of confidence in our local government. Around the world, countries are grappling with the upsurge of disinformation that contributes towards the rise of populism, polarisation, and pessimism. The Organisation for Economic Co-operation and Development (OECD) report, *Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave* (2020), identifies five drivers that have contributed to our current disengaged, disenfranchised age:

1. **economic:** the rise of inequalities, especially wealth inequalities, has led to significant dissatisfaction
2. **social:** people feel left behind by rising inequalities
3. **political:** people see confidence in political systems declining, and want a stronger say in decision-making
4. **technological:** there's major digital transformation which authorities can't keep up with, and there is also widening digital inequality
5. **environmental:** living in the Anthropocene age, where human activity has major consequences to the natural order and people are looking towards a new approach.

There is a global movement to utilise tools to increase civic participation and drive informed, active participation in the democratic process. *Catching the Deliberative Wave* describes this movement, backed up by almost 300 examples collated over 30 years. With this work, the OECD aims to collate, share, and evaluate the practical tools being used to connect communities – an antidote to the lack of trust and confidence in political structures.

These mechanisms are being applied in many different countries across local, regional, and national levels. Evidence shows that such tools are helping authorities tackle complex, difficult issues, such as climate change, that many have struggled with or avoided addressing (Willis 2020).

The evidence also shows how countries are beginning to embed citizen-led democracy into the wider architecture of local democracy – complementing representative democratic processes. This brings greater legitimacy to the state of democracy, which we defined earlier as 'power to the people'.

The use of these tools has been shown to enhance participation and engagement with citizens through informed and empowered communities, reducing democratic apathy and increasing the trust between authorities and communities.

Deliberative and participatory practices are vital in getting communities on board with changes needed to tackle major challenges, such as climate change and its drivers. Even without the disinformation campaigns driving the trust deficit between local government and communities, making changes to address significant challenges is hard. Local government needs citizens to be engaged, and citizens need a process to feedback as their communities become the frontline in tackling climate emergencies, especially when the impact of climate change is inequitably distributed.

Tools which enable communities to participate in political decisions and policies that impact them have been successful because they:

- ▶ enable better policy outcomes, as they are considered public judgement, not opinion
- ▶ provide greater legitimacy to decision-making around challenging issues
- ▶ enhance public trust by giving citizens an effective role in decision-making
- ▶ signal that local government recognises and trusts citizens as politically informed and empowered to influence political issues
- ▶ make governance much more inclusive and representative of a whole community
- ▶ strengthen the integrity of decision-making and reduce corruption by making the process transparent
- ▶ grow community resilience to disinformation and break-down in social cohesion.

## 2.6 Deliberative and participatory practices

In this section, we explain how participatory and deliberative practices, when combined with representative democracy, can strengthen the health of our local democracy.

### 2.6.1

### Participatory practices

Participatory practices are commonly seen as the ‘essence’ of democracy because they enable participation from all citizens who wish to and are able to engage (Willis 2020). Citizens have the freedom to participate if they so wish to. Participatory tools are usually a self-selected process, which makes recruitment straightforward and open to all. Some of the barriers we discussed above (such as location and intimidation by formal processes), can be reduced by moving to a more community-focused space and changing the language and tone. However, participatory tools can still run the risk of profiling those who have the resources, time, education, and confidence to participate.

#### Examples of participatory democratic practices currently in use

**At a national level – referendums.** Referendums allow citizens to express a view. There are two types of referendums, those led by parliamentarians and those led by citizens.

**At a local level – town hall meetings and annual and long-term planning consultations.** This is a space in which councils and their community can come together to hear opinions on topics they are interested in. It’s an open environment, meaning anyone who is interested may attend.

On the other hand, deliberative democratic tools seek a representative sample of the population, usually to respond to a particular question. Participants are randomly selected, which removes the risk of selection bias or influence by interest groups. Compared with participatory democratic tools, fewer people are engaged in the process (it's impossible to involve a whole population or community in a long-term process) and it requires much more time and resources (as they 'deliberate').

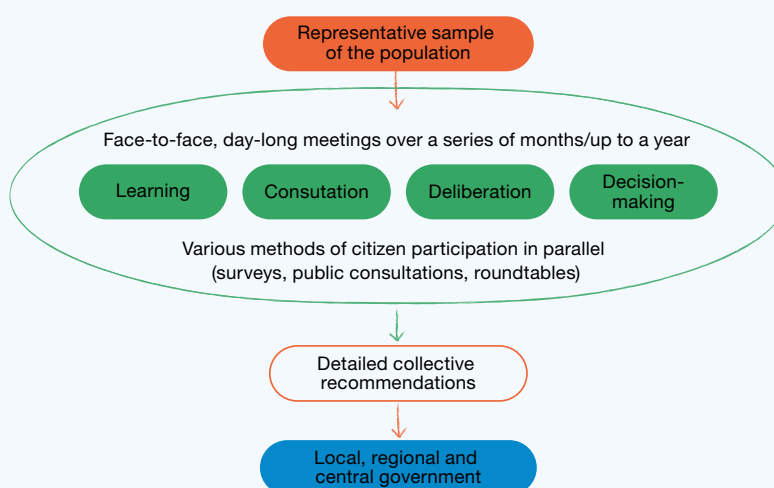
The way that deliberative models are organised, facilitated, and executed vary, and can depend on factors such as the institution that initiates, the mandate given, and the level of government. Deliberative processes can either be for one-off issues or established as a permanent aspect alongside elected representatives.

There is evidence to show that deliberative tools provide the place and space for a group to form a collective, informed consensus around complex subject matters. Bringing a diverse range of thoughts to the table, facilitating discussions, navigating beliefs and behaviours, and evaluating each other's decisions leads to better, more informed decisions. Furthermore, these processes enhance citizens' level of knowledge and increase levels of public trust – the public see everyday people engaging in complex issues (OECD 2020).

#### **An example of a deliberative democratic tool is a citizens' assembly.**

There are different models of citizens' assemblies, but in general, they comprise a random, demographically representative sampled group who are asked to 'deliberate' on particular issues. The aim is to engage members in serious, informed discussions and make collective/agreed recommendations on the particular issue. Citizens are selected via sortition (at random). Their recommendations are made publicly available and are presented to the governing authority. The authority is required to respond to these recommendations (OECD 2020).

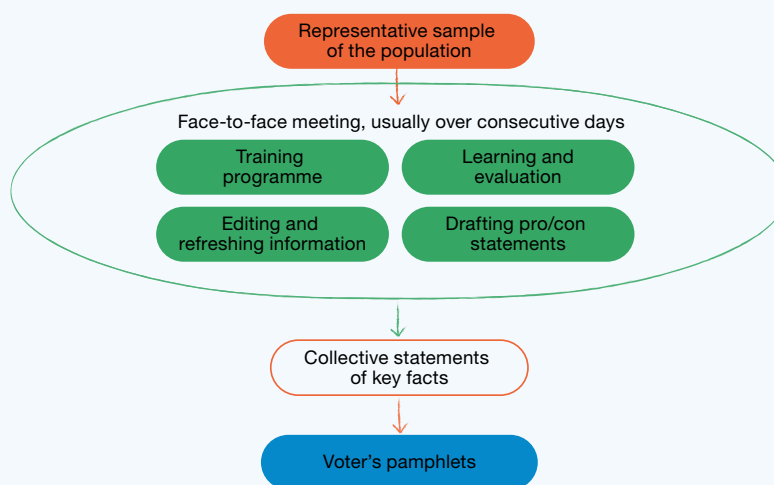
*Figure 4: Citizens' assembly model*



Adapted from OECD Database of Representative Deliberative Processes and Institutions (2020).

**Citizens' initiative review is another deliberative democratic model** that seeks a representative group of citizens to evaluate a proposed ballot measure, with the intent of helping fellow citizens make 'better informed choices'. This information would then be issued to all voters with their ballot papers. The aim of this model is to address misinformation and disinformation around referenda in particular. In turn, this helps build trust and confidence in the referenda process, where information about each side has been developed by everyday citizens, not campaign strategists.

*Figure 5: Citizens' Initiative Review model*



Adapted from OECD Database of Representative Deliberative Processes and Institutions (2020).

Many of the issues councils grapple with have technical aspects to them, such as resource management or financial expertise. This can appear to make it difficult to involve community in decision-making, particularly in matters involving complex engineering and infrastructure analysis.

However, research across the field has shown that a well-facilitated group of citizens can make better decisions than a group of experts, as they are coming to the topic with an open mind, and that inclusive processes that enable greater cognitive diversity lead to smarter, more legitimate decision-making (Hartz-Karp and Carson 2013). These approaches also build community trust in local government processes. Therefore, we suggest it is well worth taking the time to improve people's understanding of complex issues and facilitating community input and decision-making.

As we discuss through our report, the complex, intergenerational nature of the challenges we are facing today requires new solutions, and there is a lot we can learn from existing practices in our own communities. Across the motu, Māori and Pacific peoples communities have been utilising their own collective decision-making processes, such as embedding wānanga and talanoa as ways to reach consensus on decisions that have intergenerational impact.

## 2.6.2

## Developing and supporting innovation

We've heard that many councils are already finding innovative ways to increase citizen participation and engagement in local government. However, these pockets of innovation emphasise the absence of coordinated support, investment, and sharing of best practices.

We can learn from Australia's **newDemocracy Foundation** how partnership and collaboration can enable innovation. The newDemocracy Foundation is a research organisation focused on ensuring citizens trust government decision-making. While not a government-endorsed centre of excellence, we see the great value and contribution they have made in advancing participatory and deliberative practices through exploring and testing process design, methods of operational oversight and advice on best practice.

To advance best practice, we see an opportunity for a funding pool open to local government as a way to provide practical centres of innovation that other authorities can learn and share from. The **Innovation in Democracy Programme (iIDP)** in the UK provided funding to three local councils to engage their communities in key policy decisions through citizens' assemblies. A number of resources were published to support other local authorities to develop their own deliberative and participatory practices.

As discussed earlier, **the OECD** is leading the way in sharing best practices and exploring innovative ways that governments can effectively engage with citizens as part of their wider work on enhancing open government (OECD 2020). It has developed comprehensive materials under a Deliberative Democracy Toolbox that focuses on research across deliberative, collaborative, and participatory decision-making from across the world.

The Deliberative Democracy Toolbox includes a set of principles that can help councils develop their engagement and participation mechanisms. The principles are outlined in the graphic below.

**Figure 6: Good practice principles for deliberative processes for public decision-making**



Adapted from Bellantoni et al 2020, OECD Database of Representative Deliberative Processes and Institutions.

The principles continue to be refined as more deliberative practices occur, and are intentionally concise, acting as a starting point for public decision-makers. As a guideline, it opens up local government to tailor the principles to their local community. We have heard of organisations working with Māori to incorporate and embed te ao Māori values such as manaakitanga into the design and facilitation of participatory practices.

## 2.6.3

### Watercare: citizens' assembly project

As well as international examples, there are also initiatives in Aotearoa New Zealand that are enabling greater citizen participation in local decision-making. The citizens' assembly on the future of water in Auckland – a collaboration between Koi Tū: The Centre for Informed Futures, The University of Auckland (funded by an MBIE Smart Ideas Endeavour Grant) and Watercare, the council-controlled organisation of the Auckland Council – has been set up to provide citizen recommendations on additional sources of water for Tāmaki Makaurau Auckland to be developed over the next 20 years. The objective of this project is to test deliberative democratic processes developed overseas and adapt them to Aotearoa New Zealand to tackle long-term, complex issues that many authorities struggle to resolve.

The approach involves 'packaging big problems into local solutions', whereby large, intersectional challenges are discussed at place – you can't talk about the water supply without raising climate issues such as rainfall patterns and the inequities that come with it (Willis 2020). The core question of the project is how to create a process that upholds treaty obligations, tikanga and rights of the mana whenua while also reflecting the growing multiculturalism of our citizenry through the design, facilitation, and delivery of the workshops.

Watercare appointed 40 citizens to participate. They were reached through a stratified random sampling process which involved 12,000 invites.<sup>2</sup> The assembly was held across four weekends in August and September 2022 and two online evening meetings, and was tasked with discussing options and putting forward a set of recommendations (Watercare 2021). The assembly was supported by strong technical and cultural guidance to assist decision-making.

## 2.6.4

### Decision-making powers for citizens

For citizen-led decision-making to have weight, local government needs to be transparent from the beginning of the process about how the decisions will be handled. There is an accountability within that transparency (VSG 2017).

Evidence from the OECD shows that participatory and deliberative tools don't undermine the role of representative members but act as a reinforcement (OECD 2020). This 'bottom-up' participation supplements the roots of democracy and can enable voting to be a more genuine instrument in building a healthy democracy. Such tools are not a substitute for electoral politics, but can be utilised by elected members to test the public appetite for particular policies and action (Willis 2020).

<sup>2</sup> Watercare did not perform the random selection – although the invitations were sent using both NZ post database and Watercare database, Watercare did not know the identity of people who accepted invitations and did not select the final 40. Koi Tū undertook the sortition with the assistance of newDemocracy Foundation.

Elected members can use deliberative democracy practices to complement their position by improving the overall democratic process. It further reinforces the role of elected members to be facilitators of democratic decision-making, rather than solely representative decision-makers.

## 2.7 Enablers of deliberative and participatory tools

Local government has a role in facilitating citizen-led democracy, one that reflects our increasing diversity, embodies Tiriti-based partnerships, and seeks out innovative ways of ensuring the voices of the whole community are heard and reflected in decision-making. In order to do this, we need to consider what other means council can employ to utilise best practices.

In this section we discuss how the kinds of deliberative and participatory tools described above can be framed by the legislative mandate, supported by digital tools, enhanced by civics education, and assisted by capable councils.

In particular (and as described in [Chapter 3](#)), there is a need to shift towards more practices and processes that draw from the strength of tikanga and indigenous deliberative processes. If implemented appropriately, we see these tools as enabling the facilitation of a revitalised participatory democracy. As discussed more broadly later in this section, it is important that tikanga is reflected in local government processes.

### 2.7.1

### The general legislative mandate

As per Figure 3 above, one question we have asked ourselves is whether the Local Government Act provides a sufficient statutory mandate for empowering community participation to enable deliberative and participatory practices to occur. Legislative requirements are only one part of the puzzle, however, insufficient legislative direction can mean the system is not set up for success. Beyond the general purpose and principles in part two of the Act, the statutory mandate for community participation and engagement is largely provided in Part 6 of the Local Government Act (planning, decision-making, and accountability). Key areas of this mandate are described below.

- ▶ **The significance and engagement policy** – councils must adopt a policy setting out their general approach to determining the significance of different proposals and decisions (including in relation to strategic assets), and how and when communities can expect to be engaged on those decisions. In many ways, the significance and engagement policy is meant to represent the ‘nexus’ between representative and participatory democracy.
- ▶ **The decision-making requirements** – these provisions effectively try to embed best practice features of decision-making such as the identification of options, evaluation and cost-benefit analysis, and consideration of community preferences. They apply in proportion to the significance of the decision or proposal, and in a way that takes into account resource constraints and the circumstances of particular

decisions. These sections also include the requirement for councils to provide opportunities for Māori to contribute to decision-making processes.

- ▶ **General consultation provisions** – these provisions set out principles and information requirements for consultation, including the ideas of providing persons affected by decisions with an opportunity to present their views in a manner and format appropriate to their needs, and that the local authority should receive such views with an open mind.
- ▶ **The special consultative procedure** – this procedure effectively aims to provide a deeper, more prescribed consultative process that must be used for a number of the most significant local authority decision-making processes.

### **Fitness for purpose of these provisions**

The community participation provisions in the LGA are built around councils consulting or engaging on proposals that have already been developed, rather than pointed towards processes of deeper engagement and collaboration with communities based on strong reciprocal relationships. While nothing in the LGA prevents the use of deliberative or participatory mechanisms or the adoption of more empowering frameworks, decisions to take more participatory approaches built on community relationships sit with each council rather than being a requirement.

Concepts of public participation have evolved significantly since the enactment of the LGA in 2002. Many councils' significance and engagement policies incorporate more recent thinking. For instance, many explicitly reference the International Association for Public Participation (IAP2) Spectrum of Public Participation – the widely accepted framework for thinking about the spectrum of engagement from 'informing' through to 'empowering' – and aim to apply it in a local context.

However, there is a question as to whether the very idea of a 'policy' on significance and engagement generates a sense of pre-determined and transactional engagement that can undermine the community's sense of how relevant they are to council business. The process itself drives local government to prepare proposals without any prior meaningful engagement, leading to communities feeling like the output has already been determined. The LGA provisions make no specific reference to the need for council to invest in underlying relationships prior to the point at which they require input from citizens. We have heard that the policy can act as a tool for limiting exposure, rather than prompting open-minded decisions about where and when deeper, bespoke, or more tailored engagement would make a critical difference to community empowerment and building trust in council.

Most importantly, we wonder whether the focus on consultation and the absence of any provision for deliberative mechanisms in the LGA mean that they may not provide the best possible platform for revitalising community participation in local governance. In particular, we wonder if the special consultative procedure (as a tool for facilitating engagement on some of the most important decision-making processes) is still fit for purpose given the emergence of more

innovative, deliberative mechanisms. We are also conscious that these provisions make no reference to tikanga, or the tailoring of engagement practice for Māori – these issues are discussed below.

### **International comparison: the Victorian Local Government Act 2020**

One of the most recent comparable examples of a legislative platform for better community participation in local government sits in the Victorian Local Government Act 2020. In many ways, this statute was catching up to the more generally empowered model of local governance (such as that outlined in Aotearoa New Zealand's LGA) from a more prescriptive 1989 statute. As such, core aspects are very similar to the LGA – including the requirement for a community engagement policy that is proportional to the complexity and significance of decision.

One key difference is that the community engagement policy required under this statute must:

1. give effect to a set of specified community engagement principles
2. include deliberative engagement practices (definable by regulation), which must be capable of being applied to four of the key decision-making processes in the Victorian system. Those areas are community vision, community plan, financial plan, and asset plan.

We understand that legislators purposely chose not to prescribe specific deliberative mechanisms in these requirements so that councils could implement them in a way that was responsive to particular communities and situations. While it is too early to assess the long-term impact of such requirements on outcomes, initial reviews by some commentators suggest it may also have been helpful for the legislation to provide principles or non-negotiable features of deliberative practices<sup>3</sup> or to refer explicitly to OECD guidelines on these issues (Carson 2022).

<sup>3</sup> These refer to sortition, deliberation/learning and empowered remit – these are all integral to the deliberative process which we will discuss shortly.

As noted above, legislative change alone cannot revitalise community participation, and we have heard of examples in which councils go beyond the baseline of consultation to meaningfully engage with their citizens, even without a legislative requirement. This chapter goes on to discuss other tools and initiatives for this purpose, not least of which is the promotion of a step change in the capability and capacity of councils to engage with their community. However, legislation is a key part of the puzzle, and can help create the underlying conditions for increased participation. On balance, we think there is a case for reviewing current provisions with an eye to addressing some of the disincentives and questions we raise above.

The Panel recommends a review of the legislative provisions relating to engagement, consultation and decision-making to ensure they provide a comprehensive, meaningful, and flexible platform for revitalising community participation and engagement. This would include:

- ▶ providing a more comprehensive and contemporary set of 'community engagement principles' to inform council approaches to community participation, including a general direction to include the use of more deliberative decision-making and participatory mechanisms
- ▶ requiring a comprehensive review of requirements for engaging with Māori across local government-related legislation, considering opportunities to streamline or align those requirements.

### 2.7.2

## Greater use of digital interfaces for engagement

We have heard that many people struggle to get a simple, current overview of what's going on in council. We think there is opportunity for councils to grow their online presence and invest in digital tools and technology to not just enable greater engagement but revitalise our participatory practices.

In 2017, the Department of Internal Affairs undertook research into how digital technology can support participation in government (DIA 2018). They found a significant percentage of respondents (41%) would like government to explore using new and improved digital channels to engage with communities.

Digital technology is widely recognised as an enabler of participation that has the potential to support and enhance public participation in government (DIA 2022). Technology can help overcome barriers to people participating in local government proposals such as time, distance, and accessibility of complex information. Many New Zealanders do not have the time to read long, complex documents and respond to them (DIA 2018). We see the potential for participative tools, such as testing the community's appetite for policies.

However, it is important to note online platforms are not accessible to everyone. New Zealanders most at risk of digital exclusion include disabled people, Māori, Pacific people, people in social housing, seniors, unemployed people, and remote communities (DIA 2022). These communities are already deeply underrepresented in democratic participation. We would like to see digital interfaces complemented by non-digital ways for people to engage and online content which is accessible for people with disabilities.

We recognise that a lot of thinking is required for digital tools to shift from an information sharing role to a participatory function. Online polling, referenda, and submission portals have the potential to revolutionise public input on policy proposals by making community voices feel heard and valued, as well as making policy information more accessible and easier to understand (DIA 2022).

Councils can use online platforms that are popular with rangatahi, such as social media and online polling, to engage with young people more effectively. Using rangatahi-friendly spaces online can help raise awareness among New Zealand youth of what their local councils do, why local democracy is important and why their vote is important to shape the futures they want to inherit (Tokona te Raki 2022).

Many councils already use digital platforms to keep people up to date on what is happening in their community. The functionality of these platforms varies, ranging from social media and email to online submissions portals and polling. They go across the informed, engaged, and participatory spectrum – but with inconsistent levels of quality, and they are often costly.

An approach to enable citizen-led digital democracy is demonstrated in the example below.

#### **Digital democracy in Taiwan**

Audrey Tang, Digital Minister for Taiwan, has been leading revolutionary approaches to civic participation through online platforms. Their position is that the internet is neither good nor bad for democracy – merely an equivalent of local town halls, which can be managed well or badly. Taiwan's government recognises this too, seeing the internet as public infrastructure to be utilised. Tang's work within their role as Digital Minister has involved developing a Digital Nation Plan. The Plan includes implementing a 'digital government' which enables citizens to interact with government bureaucracies through a single website, designed to be as easy and as accessible as possible. Additionally, another website has been developed that encourages citizens to inquire and discuss legislation and policy issues as they are drafted and implemented. We can learn from Taiwan's approach to digital democracy as we look to the future of local government and the role digital interfaces will take in the next 30 years.

There is potential for councils to collaborate across regions to share technical expertise and standardise digital communication and engagement processes across local government, including information and communications technology systems.

#### **2.7.3**

### **Improving Māori participation in local government processes**

The Panel acknowledges that most councils already have memoranda with mana whenua, and most also have complementary engagement arrangements with Māori in place via committees and consultation protocols. However, we have often heard there can be a lack of coordination within a council as to the engagement undertaken with hapū/iwi across different departments, resulting in a 'five different phone calls in one day' phenomenon.

We have also heard that hapū/iwi are experiencing consultation burnout from a range of statutory consultation processes that place significant obligations, duties, and responsibilities to be consulted or participate in decision-making processes.

The panel considers that there is potential to streamline, align, or improve statutory provisions, and recommend that central and local government leads a comprehensive review of such provisions to ensure their fitness for purpose as part of any subsequent legislative change programme. We also think there is value in investing in internal systems including digital tools for managing and promoting good quality engagement with Māori, particularly in light of future participatory and deliberative democracy processes.

### **Reflecting tikanga in local government processes**

In our review, people have repeatedly asserted the potential for tikanga to strengthen the relationship between Māori and local government and facilitate better local outcomes. This aligns strongly with advice we received about the potential for differentiated liberal citizenship and the importance of Māori being able to make culturally distinct contributions to local government. We also think it aligns with a growing awareness and acceptance of the importance of tikanga in public governance and society in general.

We agree that greater use of tikanga in council meetings, interactions between local authority staff, and in local government engagement with Māori would have a profound impact on the overall relationship. We are not expecting all staff and participants in council processes to become experts in tikanga Māori, or to suddenly transform their individual capabilities, and we are aware that tikanga varies across the motu and across hapū/iwi within local areas. However, we think a way can be found to achieve a significant incorporation of tikanga over time.

As a starting point, we recommend a statutory obligation for councils to give due consideration (via an appropriate weighting) to an agreed expression of tikanga for that particular area in their standing orders and engagement practices, and for chief executives to be required to promote the incorporation of tikanga in organisational systems. This expression of tikanga would need to be agreed and provided to the local authority by mana whenua in the area, and provision made for it to be reviewed and revised as needed.

Tikanga becomes a meaningful influence on everyday interactions within and involving local authorities, but that does not mean it becomes the only way decisions are made in meetings, or that it displaces other valid cultural means of relating to each other. We recognise that practices will evolve and depend on the state of relationships in each circumstance. It may be the case that core aspects of council meetings (such as quora and final decision-making processes) are specifically preserved, but we think a meaningful reflection of tikanga would facilitate a step-change in Māori participation.

The Panel recommends that local government, in conjunction with hapū/iwi, incorporates appropriate expressions of tikanga in council protocols and engagement practices.

## 2.7.4

**Civics education**

We heard in our engagement that young New Zealanders are passionate about a range of complex issues, but they do not always see or know the value of local government in addressing those issues or understand how it works. We suggest that enhanced civics education could help bridge this gap and enable young people to engage more effectively with local democratic processes.

**“[We need] a solid curriculum in secondary schools about civics. If people enter adulthood understanding our governance system as a whole (alongside critical thinking and problem solving) we should gain greater voter engagement, younger people entering governance roles, young people “seeing me” in their representatives... and generally a better understanding of living in society.”**

**– Survey respondent**

There are varied levels of understanding across Aotearoa New Zealand youth (and adults) of what local government is, why it is important and how it works. Many rangatahi do not see themselves represented in the local government system, and because they do not fully understand the system, they cannot determine whether it is relevant to them (Tokona te Raki 2022). A 2019 survey run by Seed Waikato found two in five respondents aged between 15 and 34 did not know how to cast a vote in the 2019 local body elections, and 8 out of 10 felt disconnected from their council (Akoorie 2021).

It is vital to engage New Zealanders in local democracy from a young age. Teaching school students about local government could help grow a generation of future leaders who see the value of, and feel connected to, their local councils (Bohny 2019). The value of ensuring rangatahi are represented and engaged in our local democracy is discussed further in the voting age section of [Chapter 7](#).

Civic education programmes teach citizens about democratic institutions, values, voting and procedures (UNU-WIDER 2014). While the international evidence that civics education leads to higher voter turnout is limited (Siegel-Stechler 2019), we do know that civics education programmes can empower people to be active, well-informed citizens who are aware of and have an interest in local politics (Wong 2018; Illinois Civics Hub; Andolina et al 2003). This can prompt civic participation by encouraging young people to translate knowledge about local government into action – from volunteering and voting in elections to lobbying or running for local council.

In 2020, the Ministry of Education published a *Civics and Citizenship Education Teaching and Learning Guide* (MOE 2020) as part of their School Leavers' Toolkit. This guide is optional for secondary schools to teach, and we see the potential for civics education to be embedded more deeply within curriculum.

Going beyond just curriculum change, we think more direct interface between councils and schools (in which councils engage and collaborate directly with schools) is needed to create opportunities for young people to have a say on key issues in their local area. For example, a council upgrading a community library could hold a youth citizens assembly with local students to hear their ideas on how the upgraded library could best benefit the community.

For students, having the opportunity to participate in collective decision-making and see local democracy in action could help grow their understanding of both how local government works, and the value of their local council. This transitions the role of local government not just as an educator, but towards the anchor/facilitator role (discussed in [Chapter 5](#)), recognising the value and input of young people's voices in the policies and political decisions that impact them and their future.

However, education doesn't stop with schooling – there are opportunities to educate, engage and enable active citizens across the whole age demographic. We think there is a need to consider ways in which both local government and central government can uplift civic education through a variety of processes.

The panel invites submissions on what we might do more of to increase community understanding about the role of local government, and therefore lead to greater civic participation.

#### 2.7.5

### Capability and Capacity

While all of the mechanisms and initiatives above are important, it's also important to transform the capacity of councils to undertake meaningful, innovative engagement with citizens and communities or conduct more deliberative and participatory practices. While we know there are many talented engagement managers and staff in local authorities, we are of the view that this capability is:

- ▶ spread too thin across the system
- ▶ unsustainably focused in 'engagement' teams, instead of being 'mainstreamed' across all council staff with an external focus
- ▶ often not supported by the budgets necessary to conduct a broad and deep programme of meaningful participatory processes.

In addition, we think much of the current constraint on the use of more deliberative practices is simply a lack of know-how around how to implement them or confidence to adapt them for particular contexts. We think a comprehensive set of guidance and tools tailored for the Aotearoa New Zealand context would be a significant help in this sense.

The know-how and confidence to implement and adapt deliberative practices are just one type of capability and capacity that we think needs significant investment in a new system.

**Recommendations**

- 1 That local government adopts greater use of deliberative and participatory democracy in local decision-making.
- 2 That local government, supported by central government, reviews the legislative provisions relating to engagement, consultation, and decision-making to ensure they provide a comprehensive, meaningful, and flexible platform for revitalising community participation and engagement.
- 3 That central government leads a comprehensive review of requirements for engaging with Māori across local government-related legislation, considering opportunities to streamline or align those requirements.
- 4 That councils develop and invest in their internal systems for managing and promoting good quality engagement with Māori.
- 5 That central government provides a statutory obligation for councils to give due consideration to an agreed, local expression of tikanga whakahaere in their standing orders and engagement practices, and for chief executives to be required to promote the incorporation of tikanga in organisational systems.

**Question**

- ? What might we do more of to increase community understanding about the role of local government, and therefore lead to greater civic participation?

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# A Tiriti-based partnership between Māori and local government



# 3

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Whilst there is much goodwill and many positive examples of change within the sector, the local government–Māori relationship is inconsistent across Aotearoa New Zealand and often falls short of a Tiriti-based partnership.

### 3.1 Key findings

The system needs to ensure a more meaningful expression of rangatiratanga and a more culturally specific exercise of kāwanatanga by councils – with te ao Māori values reflected at all levels of the system.

In some instances, this means Māori having a lead role in decision-making, or the design or delivery of local government functions or services. In others, such decisions will still need to be exercised collaboratively, or by local government via good quality engagement with Māori, but in all instances Māori citizens should be able to make culturally specific contributions to local governance.

There needs to be a greater level of direction and accountability within local government–Māori relationships, while leaving enough flexibility to respond to local context and acknowledge that specific relationships are at different stages in their journey.

To respond to these challenges, this chapter and associated parts of the report propose fundamental change to the Te Tiriti o Waitangi provisions of the Local Government Act 2002 (LGA); a strategic role for Māori in identifying and addressing priority outcomes that will lift community wellbeing; and strengthened specific mechanisms for partnership and engagement (including the incorporation of tikanga Māori).

It also proposes improvements to Māori representation at the council table, and a concerted investment in the capability and capacity of both local government and Māori to build and maintain a Tiriti-based partnership in local governance.

### 3.2 The Panel's journey

As we have embarked on the journey over the past 18 months, the panel has realised that notwithstanding our collective experience, we have had opportunities to listen to, learn (and unlearn), and understand more deeply Te Tiriti o Waitangi and the whakapapa of local government–Māori relationships.

We have gained much during our kōrero and conversations that have identified substantial opportunities for the local government–Māori relationship to flourish. We believe that in order to realise these opportunities, we need step-change that is relational at its heart and is properly resourced and embedded at a systems level. We see the benefits of this not only for the governors and leaders, but critically for the wellbeing of the communities, people, and places they serve.

The knowledge, experiences, leadership, and commitment to meaningful change that has been expressed in the kōrero we have had with hapū/iwi, Māori rūpu, organisations, statutory bodies, special interest groups, academics, and thought leaders has had a significant impact on the Panel. We believe indigenous Māori values, knowledge, and ways of doing things can benefit the local government and wider local governance system in positive ways that are inclusive of Māori, enabling of Māori, and enhance our sense of connection and belonging.

The enduring positivity we heard from Māori for the future, where being a good ancestor means necessary, intergenerational decisions are made by leaders and communities. A future that values and protects Papatūānuku and celebrates our diversity and cultures, where we are all proud of and feel safe in places and spaces where we live and work. A future where decisions instil hope of our tamariki and mokopuna, our most vulnerable, and for the rangatahi who will one day be leaders.

We want to acknowledge the tensions that exist between hapū/iwi, local and central government. This has existed, as you would expect, since the colonisation of Aotearoa New Zealand began pre-1840. This is reflected in the historical and ongoing challenges of sharing of authority at place, the resulting social and economic inequity of the present, and uncertainty about how it will evolve into the future.

We have considered how a future system can embody Te Tiriti o Waitangi. We acknowledge that whilst much of the debate and legal precedence flows from the creation and signing of Te Tiriti, hapū/iwi governed their own affairs for hundreds of years and many relationships between the Crown and hapū/iwi existed before Te Tiriti. These early relationships and experiences continue to hold significance for individual hapū/iwi across the motu. Examples of this include the first interaction between Captain Cook and Ngāti Oneone on the shores of Tūranganui a Kiwa, and the signing of He Whakaputanga for the Northern tribes of Te Tai Tokerau.

We also want and need to acknowledge that there are some really hopeful ways in which local government–Māori relationships are evolving. They are growing in their shared understanding of Te Tiriti, and shared value that is seen and experienced in working more effectively together. This change has been hard fought, and there was a nervousness in our conversations that any change proposed by the Panel seeks to improve that which has been fought for, not backtrack.

Throughout this chapter, and connecting through others, we have tried to reflect and consider the many complex ways in which the local government–Māori relationship currently functions, the drivers that underpin this, the diversity of how these are enacted at place, and explore the conditions in which a relational approach can thrive.

The Panel acknowledges that building and maintaining relationships with Māori requires courageous conversations and acknowledging our shared history. We believe that building trust and working together will place local government in a strong position to face future challenges.

We have observed sophisticated, bespoke, and complex arrangements across the motu. At the same time, we also acknowledge there are some gaps and rudimentary practices. We have outlined our thinking in a package of changes to the system that embraces te ao Māori values and tikanga and the complexity of social and institutional arrangements and supports place-based conversations on roles in local governance.

We hope for a future where Te Tiriti is understood and valued as unique to Aotearoa New Zealand. A future where embracing te ao Māori, te reo, and tikanga is appreciated for the value it brings to people and to place in something that is truly uniquely Aotearoa New Zealand.

## Te Tiriti o Waitangi The Treaty of Waitangi

In this report, we use the term ‘Te Tiriti’ to refer to Te Tiriti o Waitangi / The Treaty of Waitangi. We use ‘Te Tiriti’ to refer to the **combined effect** of the English and Māori texts, and how we think that impacts on the relationship between Māori and local government. We discussed the Articles of Te Tiriti and the Treaty principles in our Interim Report, *Ārewa ake te Kaupapa*, and in most cases have not repeated this information here. We suggest interested readers refer to that report for further information; it can be downloaded from the [Local Government Review website](#).

### 3.3 Overview

As we consider what the future of local government, democracy, and governance look like in Aotearoa, we must acknowledge the journey of the local government–Māori relationship that has taken us to this point in time. Equally, we must consider the broader social shift we are seeing across government to operate in a way that is consistent with Te Tiriti. This is important in both upholding Te Tiriti, but critically, in working towards more equitable outcomes for Māori.

Of all the questions we have explored during this review, none is as interwoven throughout our findings as the relationship between local government and Māori. In order to have thriving communities in Aotearoa New Zealand, we consider it vital that Māori are an integral part of local governance, and the relationship becomes a genuine, Tiriti-based partnership – enabling the meaningful exercise of rangatiratanga and a more culturally specific exercise of kāwanatanga by councils.

This will only occur when there is a greater focus on equity, a greater sharing of decision-making authority, when Māori are more involved in the design and delivery of local services, and when local governance embraces and incorporates te ao Māori perspectives.

Across the country there are a variety of relationships between Māori and local government, both at a council level and at an overarching system level. The differences in these relationships reflect different levels of acknowledgment and understanding of Te Tiriti, and capability and capacity of both Māori and local government to engage in a meaningful way. Like any relationship, the potential to achieve mutually beneficial outcomes is significant if it is driven and supported by leaders.

However, the current legislative framework underpinning the relationship does not provide a platform for Tiriti-based partnership. The legislative provisions do not contemplate a genuine sharing of authority with Māori, and specific agreements designed to enhance

relationships have been developed on an ad hoc basis, often covering a limited range of local government functions, geographical areas, and hapū/iwi. We also think it is time to get serious about addressing the perennial questions around capability and capacity.

This chapter outlines the current state of the local government–Māori relationship at a high level, summarises what we heard about the challenges and opportunities in relationships at place, and makes proposals for change. This includes a framework we think can guide work towards a Tiriti-based partnership, and an architecture for change that outlines six interconnected areas where we think work is needed:

- ▶ creating a new legislative framework for Te Tiriti in local governance
- ▶ establishing a strategic role for Māori in local governance
- ▶ mainstreaming and consolidating specific mechanisms for partnership and co-governance
- ▶ improving Māori participation in local government processes
- ▶ improving Māori representation in council governance
- ▶ building local government and Māori capability and capacity to strengthen and maintain a Tiriti-based relationship.

Together, we consider that the framework and architecture for change provide a path towards a state of Tiriti-based partnership, one that results in mutually beneficial outcomes for each other and importantly, for local communities.

**Māori, hapū/iwi, taura here, mātā waka**

In the course of our review we have given much thought to the role in local governance for:

1. **hapū/iwi** groups exercising mana whenua
2. **other Māori organisations**, such as pan-tribal entities, urban Māori authorities or Marae, Māori service providers, and other Kaupapa-based groups
3. **Māori as citizens and whānau**, including communities such as taura here and mātāwaka.

We respect the fact that the collective, political authority component of rangatiratanga is predominantly held and exercised by hapū/iwi. Rangatiratanga is derived from the whenua, through hereditary interests, often whakapapa based and/or through recognised active leadership. For this reason, we expect hapū/iwi to play a lead role in the strategic co-governance or decision-making processes we discuss in these sections.

At the same time, we expect there will be instances where other Māori organisations can add essential value to the local governance process, particularly in the design and delivery of local services.

In addition, we think cultural identity for the purpose of local governance is a very personal, self-determinative concept. Where someone identifies as Māori but lives outside their rohe or chooses not to affiliate with a hapū/iwi, we think they are still entitled to make culturally distinctive contributions to local governance, and for the system to specifically consider their interests.

Given these points, our use of terms throughout the report aims to reflect the particular context. For the above reasons, we have most often used the term 'Māori', and we think general obligations in local government legislation should continue to be framed in those terms. However, where we discuss specific partnership or co-governance mechanisms, we certainly envisage those mechanisms including specific representatives of hapū/iwi, mātāwaka, or other Māori organisations. Rather than prescribe what this would look like, we think decisions about how that 'representation' occurs should be made by Māori in an inclusive, tikanga-based process that reflects the local context. We think the design of such processes would be an important question for a specific reform programme.

## 3.4 Section 1: Te Tiriti and local governance

### 3.4.1

### Existing drivers and arrangements that facilitate the relationship

The relationship between councils and Māori in the exercise of local governance is expressed in a number of different ways and is not consistent across Aotearoa New Zealand. There is a diverse range of practices, agreements, and other arrangements in place across the system to facilitate the relationship, underpinned by a range of legislative requirements across a number of statutes.

Currently, there is not a clear framework for Te Tiriti in local governance. Specific arrangements between local government and hapū/iwi have been developed in a patchwork fashion across the country, with the aim of achieving a measure of co-governance or enabling input to decision-making. These arrangements have been developed voluntarily where there was a high level of local political will or strong relationships at place, or through specific Treaty settlement processes.

This section outlines the legislative drivers of the Māori-local government relationship and the kinds of arrangements that have been developed as a result.

#### The current legislative drivers

While legislation cannot define or provide for a relationship, it can set (or fail to set) a framework to ensure the relationship strives for partnership. The legislative baseline for the Māori-local government relationship is spread across a number of statutes, including, but not limited to:

- ▶ **core requirements in the Local Government Act 2002 (LGA)** for councils to maintain and improve opportunities for Māori to contribute to decision-making processes, and to consider ways it may foster the development of Māori capacity to contribute to decision-making processes (see section 4, referring to provisions in Parts 2 and 6 of the Act)
- ▶ **a range of more specific obligations under local government-related statutes** that aim to provide for a Māori perspective or role in decision-making processes. For example:
  - ▶ **the Resource Management Act 1991 (RMA)** requires all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (section 8) and all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance, including but not limited to: the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; and the protection of protected customary rights (section 6)

- ▶ **the RMA** also includes mechanisms for the transfer of powers from councils to public authorities including iwi authorities (section 33), and the development of joint management agreements (section 36B), Mana Whakahono ā Rohe agreements (section 58L). The RMA provides that Iwi Management Plans (developed by iwi) must be taken into account in regional policy statements and regional and district plans (sections 61, 66 and 74)
- ▶ **the Reserves Act 1977** (in conjunction with section 4 of the Conservation Act 1987) requires councils to give effect to the principles of Te Tiriti when acting as an administering body for reserve land
- ▶ **the Heritage New Zealand Pouhere Taonga Act 2014** requires councils to have regard to recommendations from the Māori Heritage Council about wāhi tapu.
- ▶ **Local Electoral (Rating) Act 2002** in relation to rating of Māori land
- ▶ **Marine and Coastal Area (Takutai Moana) Act 2011** in relation to customary rights.
- ▶ **Treaty settlement legislation** includes a number of specific co-governance models which are primarily orientated towards resource management functions
- ▶ **the Local Electoral Act 2001** enables councils to create Māori wards/constituencies, thereby allowing for Māori representation at the level of the 'full council'.<sup>4</sup>

#### What arrangements have these requirements led to on the ground?

There is a diverse range of practices, agreements, and other arrangements in place across the local government system to facilitate the relationship between councils and Māori. Broadly speaking, they can be thought of in two categories: organisational practices and informal agreements developed by councils (sometimes together with hapū/iwi) to outline ways of working together or support a shared understanding; and more formal institutional agreements which provide for Māori participation in decision-making.

In terms of organisational practices and informal agreements:

- ▶ many councils have some kind of engagement or relationship agreement with hapū/iwi that sets out high level principles or processes for how council and hapū/iwi will interact, and which outlines shared priorities

<sup>4</sup> We note that the question of Māori 'electoral representation' or 'membership' on councils (governing bodies) is often conflated with or discussed interchangeably with mechanisms for Māori participation in the wider decision-making processes or activities of local authorities, particularly where mechanisms for this involve members on particular structures (such as council committees) being appointed to 'represent' an iwi, hapū or wider Māori perspective. We acknowledge that both are relevant to the overall relationship, and that their impact on outcomes for Māori can overlap, but for the purposes of our report we have talked about them separately, because they often present different issues and challenges, as we will discuss later in this report.

- ▶ most councils have some tools and practices aimed at improving their capacity or capability to engage with Māori and ensure a te ao Māori perspective is heard in the development and/or delivery of their work. These tools and practices include internal training for staff and elected members, or the appointment of specialist iwi/Māori liaison officers and advisors
- ▶ many councils have developed specific initiatives to support iwi/Māori capacity and capability to participate in local government decision-making and processes. These include funding for iwi/Māori to participate in key functions such as planning or specific projects or having secondment arrangements with local hapū/iwi.

A large portion of councils (over 50% in 2017) (LGNZ 2017a) also have more formal or institutional arrangements. These arrangements, often referred to as 'co-governance' or 'co-management', provide a deeper level of Māori participation in local governance functions and take a variety of forms. At a high level they can be broken into three categories.

- A. Voluntary arrangements that allow for iwi/Māori membership on committees of council or a specific advisory role in the local authority structure.** These can include the appointment of iwi/Māori to existing committees of council (often with voting rights and remuneration),<sup>5</sup> the establishment of specific 'standing' Māori advisory or functional committees,<sup>6</sup> and hapū/iwi attendance at full council meetings.
- B. Formal agreements for sharing or involving hapū/iwi and Māori in specific statutory functions.** These are mostly developed under the specific legislative mechanisms outlined earlier or through Treaty settlements. They include joint management agreements between councils and hapū/iwi about how they will share decision-making on RMA plan changes and/or consents in particular areas,<sup>7</sup> Mana Whakahono ā Rohe agreements under the RMA that take a similar approach,<sup>8</sup> the Independent Māori Statutory Board, arrangements for co-governing land administered under the Reserves Act,<sup>9</sup> and the transfer of a council function to an iwi authority (under section 33 of the RMA).<sup>10</sup>
- C. Wider co-governance models established via settlement legislation.** The majority of these models tend to either:
  - ▶ include representatives of the relevant post-settlement governance entity(s) with an interest in a particular resource/tupuna (such as a river or lake) on a joint

5 See external appointees to Hamilton City Council committees.

6 See Te Upoko Taiao, a committee comprising an equal membership of elected and mana whenua representatives that oversaw the preparation of the regional policy statement and regional plan for the Greater Wellington Region or the Māori Standing Committee of the South Wairarapa District Council.

7 See the agreement between Ngāti Porou and Gisborne District Council over the Waipū River Catchment.

8 See the recent agreement between Ngāti Tūrangitukua and Taupo District Council, which also voluntarily discusses arrangements for sharing decision-making in relation to Reserves and wider LGA related processes.

9 See the joint administration of Mauao Historic Reserve in Tauranga or the co-governance of Te Motu o Poutoa by Rangitāne o Manawatu and Palmerston North City Council.

10 One example of this exists between Waikato Regional Council and the Tuwharetoa Māori Trust Board.

committee of council. This entity develops a strategy or objectives for the resource that is 'weighted' into RMA plans and decision-making (and sometimes decision-making under other regulatory frameworks like the LGA or Conservation legislation)<sup>11</sup>

- ▶ include representatives of hapū/iwi in a specific geographical area on a committee of council that drafts RMA plans for approval by council<sup>12</sup>
- ▶ use settlement legislation to create or enshrine more bespoke versions of some of the mechanisms discussed in A and B above.<sup>13</sup>

A small number of more bespoke settlements for very significant resources have formalised co-governance across a wider range of jurisdictions in order to promote more integrated management of competing interests and give more specific recognition to iwi values.<sup>14</sup>

In addition to the types of arrangements outlined above, 35 councils have established at least one Māori ward for the 2022 local government elections and others are considering establishing them for future elections. Recent amendments have removed provisions for council decisions to establish Māori wards to be overturned by an elector-demanded poll. This change will lead to an increase in the number of councillors elected from Māori wards from nine in the 2019 elections to 67 in 2022.

11 See the Rangitaiki River Forum.

12 See the Hawkes Bay Regional Planning Committee.

13 See the Tūpuna Maunga Authority in Tāmaki Makaurau and the enshrining of Iwi representatives on Committees of Council under sections 97-101 of the Taranaki Iwi Claims Settlement Act.

14 See the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017.

*Case study***Te Pā Auroa nā Te Awa Tupua – The framework for the Whanganui River**

Settlement legislation for the Whanganui River contains multiple components that provide not just a role for iwi in decision-making, but wider recognition of the awa itself and the unique values that represent it. The framework includes:

- ▶ recognition of Te Awa Tupua as a legal person, and recognition of ‘Tupua te Kawa’ – the fundamental values for the River – which must be ‘recognised and provided for’ or ‘had regard to’ under a range of statutory frameworks
- ▶ Te Pou Tupua, a statutory body with members appointed equally by the iwi and the Crown to speak for the River and exercise its rights, powers, and duties
- ▶ Te Kopuka – a collaborative strategy body that includes members from the iwi, local authorities, and representatives of conservation, energy, environmental, tourism, recreational, and primary industry interests
- ▶ the development of Te Heke Ngahuru ki Te Awa Tupua, a strategy for the health and well-being of the River, which must also be had regard to under a range of statutory frameworks and specific instruments such as RMA plans
- ▶ the vesting of previously Crown-owned parts of the riverbed and other lands in Te Awa Tupua
- ▶ Te Korotete o Te Awa Tupua: a fund to support the health and wellbeing of the River.

In our discussions with Whanganui District Council, they spoke to how they have embraced the values framework and are looking for new opportunities to work with and leverage off their evolving partnership.

**3.4.2****The current state of the relationship**

Understanding the legislative framework and current arrangements for co-governance that have been developed around it is only part of the story. During our engagement for this review, we spoke to a broad range of people about the current state of the relationship between Māori and local government, and importantly, what it would take to shift that relationship to a state of genuine partnership. We were fortunate to speak with representatives from 55 iwi and 20 hapū, pan-iwi and hapū groupings. We also spoke to people from Māori organisations, advisory groups, and central and local government. Further information about our engagement for this review can be found in the engagement summary [on our website](#).

We want to acknowledge that during these conversations, council staff and elected members often referenced a genuine and increasing desire to understand te ao Māori perspectives in local governance and to

partner with hapū/iwi, and Māori organisations. It is clear that there is much goodwill in some of the individual arrangements that have been established, and that progress is being made towards a more mature and mutually beneficial relationship.

Those who we spoke to from hapū/iwi were frank with us about the profound gap they see between the current state and a Tiriti-based partnership with councils. They shared their views on the historical context of each rohe and takiwā shaping and influencing relationships with local government. In Te Tai Tokerau, Ngāpuhi confirmed the importance of He Whakaputanga (Declaration of Independence 1835). On the East Coast, Rongowhakaata signalled the importance of the first interactions with Captain Cook and Tupaia. Ngāti Whātua o Ōrākei emphasised the significance of the 'tuku whenua' to Governor Hobson, that led to the establishment of the Auckland settlement. Ngāi Tahu referred us to their pioneering Treaty Settlement in 1998.

A number of clear themes came through in these discussions. In particular, participants thought that a more consistent and meaningful expression of rangatiratanga is needed in local governance, and that there is room for Māori perspectives to be more meaningfully incorporated into the local exercise of kāwanatanga. We have outlined these further below, along with a discussion of the underlying drivers of these current challenges.

#### **A more consistent and meaningful expression of rangatiratanga is needed**

Almost all participants expressed the view that the current system simply does not allow for a meaningful expression of rangatiratanga in local governance. We repeatedly heard concerns that existing arrangements for involving Māori in decision-making:

- ▶ **are patchy**, having been created for some hapū/iwi or areas but not others
- ▶ **do not involve Māori in the full range of local government functions of relevance to them.** For example, ensuring Māori influencing the design of community services like parks, reserves, or libraries, or in decisions about the relative mix and volume of local services overall is just as relevant to the exercise of rangatiratanga as natural resource management
- ▶ **often do not provide a meaningful role in actual decision-making.** For example, processes or parameters for decisions can feel pre-determined to Māori, or the information and analysis that informs decisions has not been shared early enough or in a way that allows Māori participants to form or express a view.

More fundamentally, we heard that if the system is to provide for a meaningful expression of rangatiratanga, **it is important that relationships move beyond the paradigm of Māori 'contributing' to decision-making processes, and actively consider opportunities for Māori to design and/or deliver some local functions or services themselves.**

**The exercise of kāwanatanga by local government needs to embrace te ao Māori perspectives**

During our engagement, we were also struck by how often participants made the point that the change needed is also about a more **explicit or active consideration of te ao Māori values in the exercise of local 'kāwanatanga'**. Sometimes, this was a frustration that the common ground between Māori values (like manaakitanga and whanaungatanga) and western ideas of good governance was simply not recognised. At other times, it was about the potential for a wider set of values to lead to very different decisions (including, for example, 'putting Papatūānuku at the heart of everything we do').

In addition, participants felt that Māori interacting with councils were too often expected to work solely within 'western' work practices, with little acknowledgement of tikanga beyond the use of karakia in meetings. They felt interactions need to become much more grounded in a permanent, evolving relationship, rather than being stand-alone transactions when council wishes to engage.

**Key drivers underlying the current state**

When asked what drove the problems or 'symptoms' in the current state of the local government-Māori relationship, participants made two key points. First, that the current legislative framework is not sufficient to support a Tiriti-based partnership, and second, that capacity and capability remains a profound constraint on the relationship.

*Substance and clarity of the legislative framework*

Many participants expressed the view that ultimately, some parts of the local government sector still feel their obligations to Māori are inherently limited by councils' status as 'creatures of statute' (rather than executive bodies of the Crown). In this context, they felt that the legislative framework does not do enough to ensure local governance is 'Tiriti-consistent', and could:

- i. apply Treaty principles more directly to local government
- ii. place much stronger, specific obligations on councils that allow for the expression of rangatiratanga in local governance.

Participants made it clear that for Māori, limits to the relationship based solely on councils' status as creatures of statute holds little validity when councils exercise a significant portion of the kāwanatanga the Crown claims under Te Tiriti, and should therefore be subject to the Article 2 guarantee of rangatiratanga.

We agree that these issues are fundamental to achieving partnership and delivering better local outcomes for Māori, and we discuss them further below.

*Capacity and capability*

Almost all Māori and local government people we spoke with felt the relationship was still fundamentally constrained by the capacity and capability of both parties to understand each other's perspective and engage constructively in local governance. While the economic base of hapū/iwi has improved with the course of historical settlements, many groups are still consolidating assets and building tribal infrastructure,

and the historical settlement model was not designed to fund participation in contemporary public governance. The reality is that many hapū/iwi groups cannot meet the range of advisory/engagement requests received from local government, and/or find it hard to retain people with the capability to represent them in complex policy or regulatory issues.

At the same time, participants observed that councils themselves seemed constrained in their capacity to truly partner with Māori, and that initiatives to lift cultural and Te Tiriti capability were often not broad or sustained enough to 'mainstream' change in councils. This was a similar theme that came across in our engagement with councils. Many people we spoke to felt unsure about exactly how they should go about meeting the expectations of Māori, and how they could develop or acquire the capability to do so in the context of councils' resources.

### **Representation/membership on council**

In addition to the broad challenges discussed above, we have been very aware of ongoing debate within councils and also in the public sphere about the Tiriti consistency of mechanisms for Māori representation on council. While the face of local government has become steadily more diverse (LGNZ 2020a) and the uptake of Māori wards has surged for the 2022 elections, the number of council seats that can be derived from Māori wards under the Local Electoral Act is ultimately limited by:

- ▶ the size of the Māori electoral population as a proportion of the total electoral population in a council area
- ▶ the total number of seats on council. Although many councils could increase the number of seats from the status quo, it is ultimately capped under the Act at 14 members for regional councils and 30 for territorial local authorities. Many councils are well below the maximum number.

These parameters reflect western constitutional principles of equal representation and proportional democracy, but in some areas, they (and the relative size of the Māori population) make it very unlikely that even a single Māori ward could be established.<sup>15</sup>

We also acknowledge the argument that even where councils have Māori wards, they do not necessarily provide for a Tiriti-based approach to Māori representation on Council – they do not provide a mechanism for direct representation of mana whenua.

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<sup>15</sup> Numbers vary with population and electoral enrolment choices, but in February 2021, when considering amendments to the Act, the Māori Affairs Committee was advised that, at current council size, 12 councils would not qualify for a Māori ward councillor position. In some cases, the increase to the size of council needed to allow for a single Māori ward were significant.

In particular, we note the view expressed during the debate on the Local Electoral (Māori Wards and Constituencies) Amendment Act 2021 that:

**“It is absolutely archaic to believe that Te Tiriti is proportionate....This amendment is a good first step today towards embodying Te Tiriti o Waitangi at a local level and returning the balance of power to mana whenua. However, it does not guarantee Māori representation or necessarily restore any mana whenua rights. So, it must be seen as a first step only in returning power to tangata whenua to their rohe or crossing that bridge. It should be mandatory on councils – or, at least, mandatory to have mana whenua reps.”**

**– Debbie Ngarewa Packer, MP,  
in New Zealand Parliament**

### 3.4.3

#### **Other initiatives underway that will have an impact**

There are a range of operational and regulatory initiatives underway that may significantly change or impact the role of Māori in local governance and the local government–Māori relationship. At the time of writing, many of these changes – especially those relating to legislative reform – are still under consideration. We outline them here to illustrate the wider context and highlight the impact they may have on some of the challenges above.

Local government bodies like Local Government New Zealand (LGNZ) and Taituarā – Local Government Professionals Aotearoa have significantly lifted their efforts to provide leadership about the local government–Māori relationship in recent years.

Te Maruata is a sub-committee of LGNZ's National Council. Its role is to promote increased representation of Māori as elected members of local government, enhance Māori participation in local government processes, provide support for councils in building strong relationships with hapū/iwi and Māori groups, and provide Māori input on development of future policies or legislation relating to local government. Te Maruata has grown significantly since it was established and is a strongly positive influence on the system.

In July 2022, LGNZ announced a new programme called Te Āhuru Mōwai (A Safe Haven) as part of a sector wide Māori strategy LGNZ is currently developing. Te Āhuru Mōwai is a tuakana-teina programme to support a culturally safe and confident space for elected members to support and learn from each other through whanaungatanga and wānanga.

### Three Waters and resource management reforms

The Government has initiated resource management and Three Waters reforms, which if enacted as currently scoped will include mechanisms for Māori participation. At a high level:

- ▶ **the Three Waters reforms**, as currently scoped, would provide a significant governance role for mana whenua in the strategic oversight of water service entities, recognition of Te Mana o te Wai in decision-making, and opportunities for mana whenua to engage with the entities
- ▶ **the resource management reforms**, as currently scoped, would:
  - a. incorporate 'Te Oranga o Te Taiao' into the core purpose of the Natural and Built Environments Act (NBA) and the Spatial Planning Act (SPA). The NBA and SPA will each have an identical Treaty clause that will require all persons exercising powers and undertaking functions and duties to give effect to the principles of Te Tiriti o Waitangi and require all persons exercising powers and functions under this Act to give effect to the principles of the Treaty of Waitangi
  - b. provide for the mana and mauri of the key elements of the environment and the recognition and provision of the relationships of hapū/iwi with the exercise of their kawa, tikanga, and mātauranga in relation to their ancestral lands, water, sites, wāhi tapu, wāhi tupuna, and other taonga, and indigenous biodiversity, to be environmental outcomes that must be provided for
  - c. require all persons to recognise and provide for the authority and responsibility of each hapū/iwi to protect and sustain the health and wellbeing of te taiao in accordance with the kawa, tikanga (including kaitiakitanga), and mātauranga of each hapū/iwi in their area of interest
  - d. provide for Māori appointed members or members appointed by Māori on regional planning committees and provide a central government contribution for Māori participation for national functions and only in the transition period.

### Local electoral reform and associated local initiatives

In addition, the Minister of Local Government is advancing a second phase of changes to the Māori wards system via the Local Government Electoral Legislation Bill introduced to Parliament on 26 July 2022.

These changes are designed to better integrate decisions about Māori representation with the wider representation review process under the Local Electoral Act. As introduced, they require councils to consider whether Māori wards should be constituted as a first step in the review

process (occurring every six years), to engage with Māori on this question, and to have regard to their views.

The Minister of Justice's Māori Electoral Option Bill will also make it easier for eligible voters to exercise different preferences for the Māori and general electoral rolls at national and local levels, with potentially positive impacts on the number of Māori wards over time.

Both these bills are important, and we support their purpose, but it is important to note they are not addressing the concerns raised about the limits of proportionality and the lack of a mechanism for direct mana whenua representation.

Nevertheless, two local initiatives have recently explored alternatives to Māori 'representation' as currently provided for in the Local Electoral Act. The Rotorua District Council (Representation Arrangements) Bill seeks to change the application of the Act in that district to allow the appointment of three members from a Māori ward, three from a general ward, and four from the district as a whole.

However, this Bill has been paused following the Attorney General's report under the New Zealand Bill of Rights Act 1990. This report found the proposals would breach section 19 of the Act (freedom from discrimination) and were not demonstrably justifiable because the number of council members for the Māori ward would be disproportionately higher than the number of members for the general ward in comparison to their respective populations.

In comparison, the Canterbury Regional Council (Ngāi Tahu Representation) Act now provides authority for that Council to include two appointed members (in addition to the 14 elected under the Local Electoral Act), with those appointments made by Te Rūnanga o Ngāi Tahu. This proposal was not found to be in breach of the Bill of Rights Act, and was enacted by Parliament in August. We discuss this Bill and these issues further in [Chapter 7](#).

#### 3.4.4

### Towards a Tiriti-based partnership

Given what we heard about the challenges in the current relationship, the following sections explore what kind of framework would describe a desired future state (a Tiriti-based partnership) and how we might get there. In particular, we have been aware of the ongoing debate about the place of Te Tiriti in the constitution of Aotearoa New Zealand, the comparative nature of and relationship between 'sovereignty' and tino rangatiratanga, and the appropriate scope and parameters of co-governance in the context of Aotearoa's commitment to the United Nations Declaration on the Rights of Indigenous Peoples.

Our report does not attempt to resolve these issues, which should be addressed through an ongoing conversation at a national level. Instead, we discuss some of these concepts in order to explain how they have influenced our thinking, and because achieving a consensus about the role of Te Tiriti in local governance requires that we talk about them in an open and constructive way.

### ‘Spheres of influence’

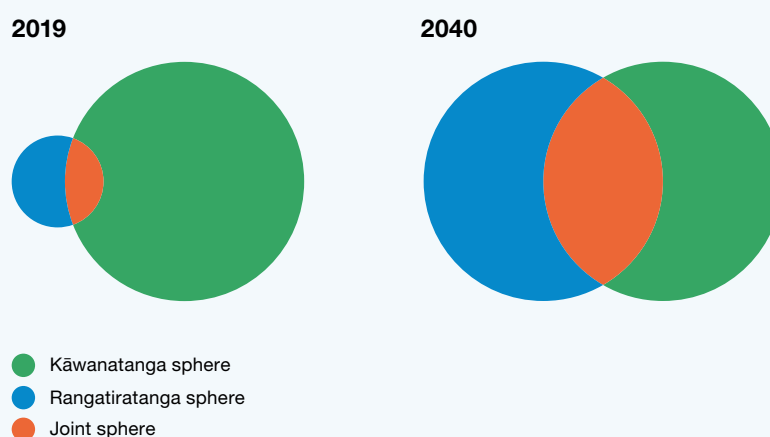
We have benefited greatly from ideas articulated in Stage One of the Waitangi Tribunal’s Paparahi o Te Raki (Northland) Inquiry and developed further in *He Whakaaro Here Whakaumu Mō Aotearoa* – the report of Matike Mai Aotearoa (IWGCT 2016). A key starting point of these reports is that, prior to 1840, hapū/iwi were vibrant and functional constitutional entities, with clear institutions of self-governance and the capacity and authority to make binding decisions for the well-being of their people (IWGCT 2016). In other words, hapū/iwi were the ‘local authorities’ for their communities, and we think this should be borne in mind when thinking about the role of Māori in local governance today.

Most importantly, however, these reports have developed the idea that the combined effect of Articles One and Two of Te Tiriti leads to:

- a. two distinct ‘spheres of influence’ (**kāwanatanga and rangatiratanga spheres**)
- b. **a relational sphere** where Māori and the Crown share governance on issues of mutual concern.

While we make no comment on the status of these spheres in relation to sovereignty, we think it helps to focus on the more practical idea that they are simply two different and overlapping forms of public authority – the rangatiratanga sphere representing Māori governance over people and places, and the kāwanatanga sphere representing Crown governance, as in the figure below. The space where these two spheres overlap is the joint or ‘relational’ sphere. By showing the model in both current and future states, the figure reflects the idea that, to date, assumptions by the Crown have meant that the kāwanatanga sphere is considerably larger than either the joint/relational or rangatiratanga spheres.

**Figure 7: The spheres of kāwanatanga and rangatiratanga**



Source: He Puapua – Report of the Working Group on a plan to realise the UN Declaration on the Rights of Indigenous Peoples in Aotearoa New Zealand.

The benefit of this model is that it allows us to consider where different functions of public authority sit in relation to the spheres, taking into account the nature and strength of both the Māori and the wider public interest in those functions. Where those interests overlap, it challenges us to think about how and the extent to which authority needs to be shared (discussed in more detail below). To our mind, this model is not trying to re-define or limit the concept of rangatiratanga itself – that can only be defined and evolved within Māori communities – it simply acknowledges that the practical exercise of both kāwanatanga and rangatiratanga may in many situations constrain and inform each other.

### **What do we mean by rangatiratanga and kāwanatanga?**

Conceptions of **rangatiratanga** are far from uniform, reflecting the varied histories and customs of different hapū/iwi, but at a high level, we have understood rangatiratanga as a concept of political, social, and cultural authority – closely linked to self-determination – through which Māori exercise control or influence over their own institutions, communities, property, and overall wellbeing (including the public goods and services they receive for their benefit).

We understand it to function at both a collective level (in terms of hapū/iwi), and at a whānau/individual level – as in the relationship between a parent and a child or in the choice individuals exercise about how they lead their lives. In this sense, rangatiratanga is fundamentally contextual in meaning – it evolves over time in Māori communities and its application or exercise takes different forms in different situations.

Most importantly, as with any concept related to self-determination, we understand the exercise of rangatiratanga to be critical to achieving better and equitable outcomes for Māori, and to maximising overall wellbeing for communities.

**Kāwanatanga**, the ethic of governorship, is historically derived from the term ‘Kawana’ or Governor, who in 1840 was the Crown representative in Aotearoa New Zealand that signed Te Tiriti o Waitangi. In contemporary times, Kāwanatanga refers to the Governor and authority delegated to and vested in Parliament, the judiciary, and the executive of government. Local government is often referred to by Māori as an agent of Kāwanatanga as it carries out roles and functions enshrined in legislation that give practical exercise of Te Tiriti o Waitangi at place.

Some people may still ask how this is relevant to local government when it is not part of 'the Crown'. With respect, we think this confuses the issue in question. We think local government's autonomy as a creature of statute is an important feature of the system, but we do not think that status means it cannot and should not be expected to act in a way that is Tiriti-consistent. In other words, nothing about local government's current constitutional or legal status prevents us from imagining (and providing for) a more substantive relationship that ensures local government is doing its part to fulfil the promise of te Tiriti. As noted by the Waitangi Tribunal in the Wai 262 report:

**"It is now well settled that the Crown does not absolve itself of Treaty obligations by using its powers to subdivide kāwanatanga functions between central and local government. ...Thus, while local authorities are not the Crown, as its statutory delegates they must be given clear Treaty duties and be made accountable for the performance of them."**

**– Wai 262**

Or as has been noted in a separate analysis:

**"te Tiriti is not about labels but is primarily about roles and obligations. The functions of kāwanatanga were, and are, important. If any Pākehā body which is exercising kāwanatanga affects Māori, then Tiriti obligations operate. It should not matter whether the body is central government, local government, or private...Local government does not need to be artificially conceptualised as the Crown in order to possess Tiriti responsibilities."**

**– Potaka (1999)**

Whilst we do not think local government has the same Tiriti obligations as the Crown, we think it is very clearly exercising functions of kāwanatanga, and its mandate must therefore provide for a much

more meaningful exercise of rangatiratanga than it currently does. Even were this not the case, our engagement in this inquiry tells us there are already some significant, place-based relationships between councils and hapū/iwi, marae, and other Māori organisations. In other words, we think the Treaty is already an influence on the sharing of local authority.

For all of these reasons, we think the relational sphere model is just as relevant to the desired future state of the relationship between Māori and local government as it is for the relationship between Māori and the Crown.

#### **Article Three and ‘differentiated liberal citizenship’**

We think it is now well established that Article Three of Te Tiriti obliges the Crown to strive for equitable outcomes for Māori. At the same time, we have benefited greatly from expert advice about the concept of differentiated liberal citizenship (O’Sullivan 2022). This concept emphasises that culture influences how people set political priorities and form views on what local government should do, and that Māori citizens are therefore entitled to make culturally distinctive contributions to council decisions or activities.

The idea of differentiated liberal citizenship relies on the concept of participatory parity, which envisages that resources to support democratic processes must be distributed in a way that ensures participants’ independence and ‘voice’, and that “institutionalised patterns of cultural value express equal respect for all participants and ensure equal opportunity for achieving social parity” (Fraser and Honneth 2003). In other words:

**“Participatory parity’s test is whether, after being on the losing side in a democratic contest, one can still say that the decision-making process was fair – that one was not on the losing side because the process was culturally foreign and, therefore, inconsistent with opportunities for the fair and reasonable expression of one’s ideas, that neither culture nor indigeneity were democratic disabilities and that colonialism was not a factor.”**

**– O’Sullivan (2022)**

We think this is closely related to the idea put to us during the iwi kōrero about the need for te ao Māori perspectives to meaningfully influence ‘local kāwanatanga’. As we see it, this right of differentiated (but equal) citizenship is confirmed in Article Three and is a key part of the future state for local governance. It complements the idea of

a more meaningful expression of rangatiratanga, because it helps us think about how Māori political authority should exist inside of, as well as outside of or in conjunction with local government. Indeed, the greater the provision for culturally differentiated participation in the kāwanatanga sphere, the less need there may be for separate or shared decision-making mechanisms in the relational and rangatiratanga spheres, or vice versa.

We discuss this idea further below, but for now, we simply note that implementing the concept of differentiated liberal citizenship means we see te ao Māori values, tikanga, and mātauranga Māori as essential components of a future system of local governance.

### International models

In the course of our review we have also considered a range of international models for the recognition of indigenous rights or the sharing of public authority with indigenous peoples. In particular, we have noted that:

- a. models for recognising indigenous rights vary greatly with the constitutional and political institutions in different places, historical interactions between indigenous and general populations, and the extent to which indigenous populations can and choose to live 'separately' within a state
- b. successful recognition of indigenous authority seems to depend as much on embedding indigenous **values** in decision-making as it does on changing decision-making processes/re-allocating decision rights
- c. some such values are about different conceptions of wellbeing or relationships to the environment, but many are about **how** decisions are made (for example a preference for consensus decision-making over 'hard' democratic mechanisms like voting).

In addition, the experience of these jurisdictions suggests that the challenges destabilising many countries and governments – racism, geographic and intergenerational poverty, social and economic inequity – will only become more acute in Aotearoa New Zealand if we fail to realise a Tiriti-based partnership in local governance. Most importantly, they suggest to us that formal models and structures will only take us so far, and that the evolution of culture and societal behaviour will have a profound influence on whether partnership is achieved.

#### 3.4.5

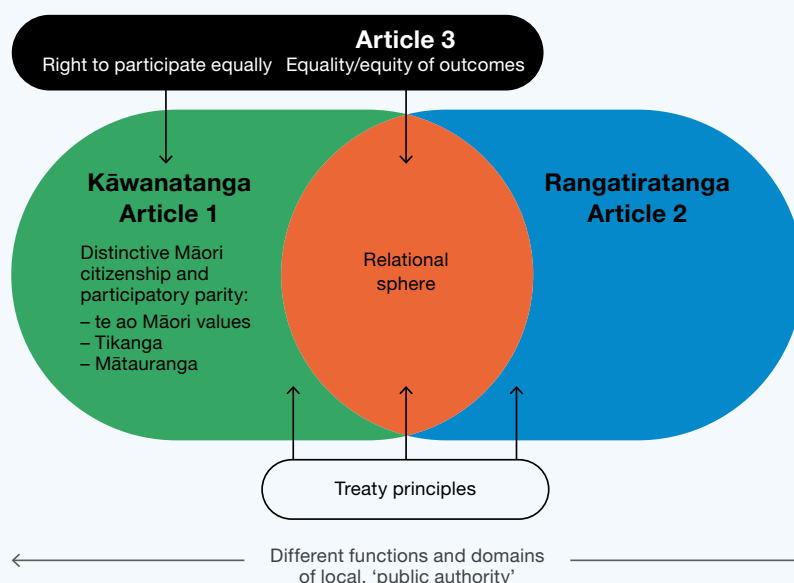
### Conceptual framework for the future state

Taking the ideas outlined above, and what we heard through our engagement, we have developed a framework for what we think a Tiriti-based partnership between local government and Māori could look like. We think this framework represents a Tiriti-consistent exercise of 'local authority'. Further in this chapter, we use this framework as a basis for an architecture for change that sets out areas of action needed to realise this partnership.

The framework, which draws on both the Articles and principles of Te Tiriti, contemplates:

- ▶ the meaningful expression of rangatiratanga in local areas, for example by enabling roles and functions to be exercised by, or shared with, hapū/iwi
- ▶ equitable participation by Māori in decision-making and engagement processes
- ▶ te ao Māori values, mātauranga and tikanga to be embedded in the work of councils and their interactions with Māori.

**Figure 8: A Tiriti-based partnership between Māori and local government**



As noted, this framework considers different functions of local authority along a continuum, where at one end they may be carried out solely or predominantly by councils, and on the other by hapū/iwi. Most importantly, however, it imagines that a lot more functions in between these points would be thought of as part of a larger 'relational sphere', and be exercised with higher levels of collaboration, co-design, or co-governance. The extent to which (and how) decision-making should be shared depends on the nature and strength of the interests involved. Tiriti principles are incorporated as a flexible framework for guiding the allocation, and local capacity and capability are important considerations.

Under this framework, in situations where Māori have a strong interest in a local function, and there is no fundamental reason why it must be exercised by council on behalf of the whole community, they may take

a lead role in the design or delivery of that function. A good example of this may be environmental monitoring, where community interests can be established in core service requirements, and the exercise of such a function is fundamental to kaitiakitanga. Similarly, where the active protection of Māori interests or more equitable outcomes may be achieved by the use of Kaupapa Māori-based service models (say, in community libraries), there may be a role for Māori in the design and delivery of those services.

Conversely, where functions have little cultural specificity (such as roading) they may stay predominantly or wholly in the kāwanatanga sphere. In these cases, all decisions and local services would still be informed by te ao Māori values, tikanga, and mātauranga Māori, and the culturally unique perspective of Māori as citizens.

An example of a function that could sit in the 'relational sphere' includes the making of decisions in the Long-Term Plan about the overall mix and volume of local services. This is a function that the whole community will always have a strong interest in, and which is likely to require substantive collaboration between council and Māori.

#### What is co-governance?

At its heart, we think co-governance in a local government context is about decision-making partnerships between local government and Māori, built on trust and confidence, used to develop a vision and objectives for a Kaupapa to work together. It is about sharing information at the outset and bringing together different perspectives and knowledge systems in a conversation based on mutual recognition.

It does not mean that final decisions can or should always be made 'jointly' – certainty and efficiency may still mean that final decisions fall one way or another, but it does mean that a high degree of dialogue may be required before a decision can be made, or that decision-makers must strive for a consensual approach before resorting to 'hard' democratic mechanisms like voting.

We do not think co-governance undermines the fundamentals of democratic decision-making – we think it augments and enriches the local governance system with an indigenous way of deliberating.

#### 3.4.6

### An architecture for change

In order to think about the changes we need to make to achieve a Tiriti-based partnership between Māori and local government, we compared the future-state framework with what we heard about the status quo during our research and engagement.

We have identified six interconnected areas where we think change is needed.

- ▶ **A new legislative framework for Te Tiriti in local governance:** Revising the Treaty provisions of the LGA could clarify the role of Te Tiriti in local governance and enable a Tiriti-based partnership. There are a number of design considerations for such a

framework, which could explicitly recognise te ao Māori values and conceptions of wellbeing, provide principles for involving Māori in the exercise of decision-making authority and service design, and make specific provision for equity in local outcomes, cultural specificity of local services, and the incorporation of mātauranga Māori.

- ▶ **Establishing a strategic role for Māori in local governance:**  
We think it essential that Māori have a role in identifying the priority outcomes that would maximise community wellbeing, and in any co-investment processes that occur between 'central and local' to help determine how such outcomes will be achieved.
- ▶ **Mainstreaming and consolidating specific mechanisms for partnership and co-governance:** Along with a new legislative framework, there is also the opportunity to mainstream and consolidate specific mechanisms for local co-governance of particular functions or decision-making processes, taking into account existing models and the proposals in other current reforms.
- ▶ **Improving Māori participation in local government processes:** We discuss how Māori participation in day-to-day council processes may be improved, including through incorporation of tikanga and better alignment of council engagement.
- ▶ **Improving 'Māori representation' in council governance:**  
We suggest that the existing mechanisms for providing Māori representation at council level are not sufficient, and propose the potential to provide more direct representation for mana whenua and significant Kaupapa-based groups.
- ▶ **Building local government and Māori capability and capacity to build and maintain a Tiriti-based relationship:**  
No relationship can flourish if the parties do not actively nurture it. We consider how to achieve a step-change in the capacity and capability of councils and Māori to develop and maintain a Tiriti-based partnership.

The areas for action fall into three themes – setting the system conditions; fostering the relationship at a number of levels; and supporting the change happening in practice. Together, these form an architecture for change – a set of actions for systemic, specific change. The six areas and how they fit together are summarised in the diagram below.

**Figure 9: A new legislative framework for Te Tiriti in local governance****Setting the system conditions**

A new legislative framework for the Treaty in local governance.



Establishing a strategic role for Māori in multi-lateral local governance.



Building local government and Māori capability and capacity to build and maintain a Tiriti-based relationship.

**Fostering the relationship at a number of levels**

Specific arrangements for partnership and co-governance.



Improving Māori participation in local government processes.



Improving Māori representation in council governance.

A new legislative framework, specific arrangements for partnership and co-governance, and capability and capacity are discussed in the last part of this chapter. The remaining aspects of this architecture are discussed in other chapters that provide relevant context for the changes proposed. In particular:

- ▶ a strategic role for Māori in local governance is discussed in [Chapter 6](#)
- ▶ improving Māori participation in local government processes is discussed in [Chapter 2](#)
- ▶ improving Māori representation in council governance is discussed in [Chapter 7](#).

In addition to these sections, we note that the discussion of system stewardship in [Chapter 10](#) also asks how we might embed Te Tiriti in the stewardship functions for the local government system.

## 3.5 Section 2: A new legislative framework for Te Tiriti in local governance

### 3.5.1

#### Context

As noted in [Section 1](#) above, legislative provision for Te Tiriti or Māori rights and interests in local governance is spread across core requirements in the LGA and a range of more specific obligations under local government-related statutes. We discuss the latter in [Chapter 2](#), but for now, we focus on the core ‘Tiriti provisions’ of the LGA. These flow from section four of the Act, which states:

“In order to recognise and respect the Crown’s responsibility to take appropriate account of the principles of Te Tiriti of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, Parts 2 & 6 provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes.”

#### – Local Government Act

The ‘principles and requirements’ referred to include requirements for local authorities to:

- ▶ provide, establish, and maintain processes to provide opportunities for Māori to contribute to decision-making processes
- ▶ consider ways to foster the development of Māori capacity to contribute to the decision-making processes of the local authority
- ▶ provide relevant information to Māori for the above purposes and ensure it has in place processes for consulting with Māori
- ▶ (where a significant local authority decision relates to land or a body of water), take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.

### 3.5.2

#### Descriptive (specific) and ‘general operative’ Tiriti clauses

Section 4 of the LGA was one of the earliest examples of a ‘descriptive/specific’ Tiriti clause in legislation. This kind of clause references the Crown’s Tiriti responsibilities in a generalised way, with specific provisions setting out how those responsibilities are given effect to by

the specific decision-makers and actors under a statute. They attempt to show what Parliament determined is required to comply with Te Tiriti in the particular context. Recent guidance from Te Arawhiti assesses that:

“The descriptive approach (and the analysis that goes into designing specific mechanisms to address Tiriti obligations) provides greater certainty for decision-makers than an operative clause, but it can be less flexible in application. It may struggle to anticipate all situations where more specific provision is needed to ensure a meaningful expression of te Tiriti.”  
– Te Arawhiti (2022)

In contrast, general operative clauses require decision-makers under the relevant Act to consider, place a particular weight on, or act in accordance with Treaty principles. While they can be applied to certain decisions or decision-makers, they have often been applied to the exercise of all functions or powers under the Act. In this respect, the Te Arawhiti guidance notes that:

“By their nature, **operative Tiriti clauses pass responsibility for determining what te Tiriti means to statutory decision-makers and ultimately the courts.** This may be appropriate, especially if the legislative regime delegates significant discretion to decision-makers and lists other relevant considerations. But such clauses should reflect a very deliberate and clear policy outcome...and they must fit within the design of the legislative framework. There should be a **clear understanding of what their practical effect will be** and how those charged with implementing the Act will implement it.”  
(emphasis ours)  
– Te Arawhiti (2022)

The Te Arawhiti guidance also makes the point that there is no prescribed formula or model for recognising Te Tiriti in legislation, and that such decisions should be a matter for discussion and analysis in the particular context.

We are aware that the exposure draft of the Natural and Built Environments Bill includes a general operative clause,<sup>16</sup> but we note the Bill also includes several specific mechanisms to provide for Māori appointed members on regional planning committees. We are also aware that in developing the Pae Ora (Healthy Futures) Act 2022 as a framework for the new health system, Cabinet decided not to rely on a general clause, but to combine strong specific mechanisms (such as the Māori Health Authority), with a set of system principles that they felt reflected the general obligations necessary to give effect to Tiriti principles in a health context (DPMC 2021).

### 3.5.3

## A new framework for Te Tiriti in local governance

Fundamentally, we accept the view that the core requirements in the LGA fall well short of a Tiriti-based partnership. At the same time, we think there is a real willingness in local government to deepen the relationship and deliver better outcomes for Māori if only the framework provided greater clarity. As such, a key recommendation of this review is that the Tiriti-related provisions of the LGA be thoroughly revised to provide a framework for the Treaty in local governance that drives genuine partnership and better local outcomes for Māori.

The core requirements in the current LGA provide little guidance as to the impact of Treaty principles on the role of Māori in local governance, failing to reflect the breadth or depth of obligations we think are needed to provide for a meaningful expression of rangatiratanga. Nor do they reflect the guarantee of equity and differentiated liberal citizenship that we think flows from Article Three. Finally, they are deficient in acknowledging te ao Māori values, conceptions of wellbeing, or principles of governance, or the incorporation of mātauranga Māori in local service design. This lack of direction and clarity is a key reason for the current patchwork and ad hoc approach to co-governance arrangements discussed above.

In short, we think these provisions have become an anachronism, and fail to provide clarity about the role of Te Tiriti in local governance.

We think it should be left to a legislative reform programme to devise a specific version of revised Tiriti-related provisions, and that this should be the subject of detailed discussion between Māori, local government, and central government agencies. Nevertheless, below we make a number of observations and suggestions about the significant choices of structure and content inherent in a revised framework.

### 3.5.4

## General approach and structure

We support the use of specific provisions to provide the clarity all parties seek about the nature of a Tiriti-based partnership. Generally speaking, we think the lack of substance in the current provisions is

<sup>16</sup> This clause would require that all persons exercising powers or performing functions and duties under the Act must give effect to the principles of Te Tiriti o Waitangi.

more of a problem than the form of the Treaty clause itself. And yet, we can see an argument that the significant discretion provided by the LGA means a more general clause should be considered. We also do not object to the idea of councils being subject to greater judicial scrutiny about how they have provided for Treaty principles – we think such scrutiny could be a valuable addition to the accountability framework for local government.

However, the breadth of functions performed by councils and their role as a facilitator of democratic decision-making present some unique challenges for a general clause. First, we think it would take the courts a long time to establish a set of decisions that provide some certainty to the sector about how it achieves consistency with Treaty principles in different situations. In other words, it would be very difficult to meet the ‘practical effect’ criterion referred to in the Te Arawhiti guidance. In addition, that process would mean funding an increased number of litigation processes, generating significant cost for ratepayers in the short to medium term.

More specifically, we are concerned that a general clause with a **legal weighting of ‘give effect to’** may not be the most appropriate way to actually give effect to Treaty principles in local governance. Such weightings can create a platform for individuals to challenge particular decisions on their merits (as opposed to on a procedural basis) – meaning the court may effectively substitute its own decision for that of the statutory decision-maker. This scenario may be appropriate in contexts like resource management, where choices are made about specific rights to natural resources, and where there is already a comprehensive judicial fabric that contemplates such choices.

In a broader local governance context, by contrast, democratically made decisions about the mix, entitlement to, and design of local services are constantly weighing complex fiscal and social value trade-offs in the interests of the collective good. In this situation, we think the court is unlikely to be the most appropriate institution for making such decisions, and merits-based challenges on the basis of specific litigants’ interests may only undermine the certainty and integrity of the system.

We understand that general clauses have been valued by Māori as a way to advance their relationship with a Crown that has not always been responsive to Treaty principles. But with respect, we think it may be more important to base reform on a positive vision of the future than a current trust deficit. If our future system sees local government and Māori making tough choices about local service provision **in partnership**, as proposed in this report, then we think a general clause with such a weighting is unlikely to be helpful or necessary.

### 3.5.5

## A possible way forward

Ultimately, the solution may lie in a more contemporary hybrid of these approaches. It may be that a combination of a general clause (with a strong weighting less than ‘give effect to’) and more specific obligations about how to involve Māori in decision-making are sufficient. Still, we remain concerned about the ability of very specific obligations to provide for Tiriti consistency in all situations and the ability of a general clause to provide certainty.

On balance, in lieu of a general clause, we think it may be more useful to enact an integrated set of local governance principles that describe more specifically (but still flexibly) what is required of councils to give effect to Treaty principles in the context of local governance.<sup>17</sup> We discuss the potential content of such principles below.

Like under a general clause, councils could be judicially reviewed as to how well they have turned their mind to and provided for such principles – though we would not propose a legal weighting that creates a platform for merits-based challenges. These principles would be just one part of the package of specific mechanisms discussed elsewhere in this report (such as the strategic role for Māori in identifying wellbeing priorities in [Chapter 6](#), and the specific mechanisms for partnership discussed below) which would form the overall framework for Te Tiriti in local governance. We think it important that this choice of approach is tackled early and informed by detailed engagement with Māori and councils.

## 3.5.6

### Potential content for Tiriti-based local governance principles

#### Explicit recognition of te ao Māori values and conceptions of wellbeing

As noted earlier, we think the absence of explicit recognition for te ao Māori values and concepts of wellbeing is a significant deficiency in the LGA, and a constraint on the idea of differentiated liberal citizenship for Māori. A revised legislative framework for Te Tiriti could explore principles-based obligations that ensure councils consider or provide for such values when making decisions, or designing and delivering local services.

These obligations may reflect broad elements in the Māori conception of wellbeing (see Treasury 2021) or high-level values that bear more on the nature of governance – such as Kotahitanga, Whanaungatanga, Manaakitanga, and Tiakitanga. We make no specific recommendations about what should be incorporated. Rather, we recommend these be determined via a comprehensive engagement process with Māori.

#### Principles for involving Māori in decision-making and service design

Fundamental to a more meaningful expression of rangatiratanga in local governance is pushing past what has been described to us as the ‘contribution paradigm’ in the iwi kōrero. The current principle of providing opportunities for Māori to contribute to decision-making processes does not, we think, set an aspirational standard that equates to partnership.

Rather, we think the Act could include a key principle (or principles) that ensure local government provides opportunities for Māori to:

- ▶ **engage** in decision-making processes **and exercise decision-making authority**
- ▶ be meaningfully involved in the design and/or delivery of local services.

<sup>17</sup> As above, we note that a similar approach was taken recently in the Pae Ora (Healthy Futures) Act 2022.

As noted, this does not mean that all decisions in which Māori have an interest must be made jointly, or that Māori should deliver all services in which they have an interest. Rather, this would aim to facilitate a step change in the relationship by providing a strong (but still flexible) expectation that, in many instances, the need to involve Māori will go well beyond consultation. This involvement may include more substantive engagement, collaboration, shared decision-making, or in some cases, design and delivery of a function by Māori. As discussed in [part 3.4.5](#) above, the question of where a decision-making process or function sits on this spectrum would depend on the strength and nature of both the Māori and the wider public interest and the specific decision or service. These factors could be explored in the principles or left deliberately flexible.

As noted above, councils would be open to judicial scrutiny about how they have weighed the considerations above and come to a view about the way to involve Māori in a particular decision-making process. We think this concept is already reflected in contemporary approaches to Te Tiriti and in Te Arawhiti's engagement framework with Māori (Te Arawhiti 2018), and we note that there is a recent precedent for this idea in legislation.<sup>18</sup>

Where such consideration leads to delivery of a function by Māori, it would be important that the hapū/iwi or Māori entity receives the funding collected for it and is clearly accountable to the community (through the council) for its performance. We would welcome any general or specific feedback on this idea, and how such accountability might work.

#### **Equity, cultural specificity, and mātauranga Māori**

Including principles explicitly referencing te ao Māori values and the need to involve Māori in decision-making and service design is likely to significantly improve the cultural specificity of local services, and therefore improve equity in local outcomes through greater provision for a 'Māori voice', but these ideas could also be separately referenced in the new set of principles for local governance.

By cultural specificity, we mean that services are designed or provided in a way or in a format that is accessible or effective for Māori in the context of their cultural values, as for Te Paataka Koorero o Takaanini (the Takaanini Community Hub), where an existing building was re-developed into a multi-purpose community hub and library that reflects the rich history of local mana whenua.

In addition, we see significant value in this framework acknowledging the importance of mātauranga Māori in decision-making and service design.

### **3.6 Section 3: Mainstreaming and consolidating specific arrangements for partnership and co-governance**

[Section 2](#) above discussed the principles-based considerations that might be included in a revised framework for Te Tiriti in local governance. We think strong, general obligations like those will drive

<sup>18</sup> See section 7(1)(c) of the Pae Ora (Healthy Futures) Act 2022.

significant change in the local government–Māori relationship. But it is also an option to require councils to enter into specific relationship mechanisms or co-governance/partnership arrangements for particular functions. This section considers the potential for improving or consolidating these arrangements, taking into account the existing landscape and other proposals in this report.

## 3.6.1

### The impact of existing and proposed arrangements

As discussed in [Section 1](#) of this chapter, the lack of a clear framework for Te Tiriti in local governance has meant that specific arrangements aimed at achieving a measure of co-governance or substantive input to decision-making have been developed in a patch-work fashion. These arrangements have been developed voluntarily where there was a high level of local political will, or in specific Treaty settlements. They are discussed in more depth in [Section 1](#), but at a high level they include:

- a. voluntary arrangements that allow for iwi/Māori membership on committees of council or a specific advisory role in the local authority structure
- b. formal agreements for sharing or involving hapū/iwi in specific statutory functions (mostly developed under specific legislative mechanisms)
- c. wider co-governance models established via settlement legislation.

We firmly support the idea that existing arrangements negotiated with Māori and enshrined in legislation should be respected and maintained. However, it is important to note that these arrangements are ad hoc and non-comprehensive in the sense that:

- ▶ most are heavily orientated towards resource management decision-making, and do not cover the wider role and suite of functions of local government
- ▶ they have been developed for some hapū/iwi groups and not others (or for some resources or geographical areas of resource management and not others)
- ▶ most of the arrangements appointing Māori to council committees remain in place at the 'grace and favour' of the council of the day, and some do not necessarily provide full voting rights or remuneration for Māori participants
- ▶ different arrangements often represent different levels of political commitment (in terms of the willingness of local or central government to share authority with Māori).

At the same time, a number of proposed reforms and other drivers are adding to the variety or likely uptake of such arrangements. These include but are by no means limited to:

- ▶ Regional Planning Committees and Spatial Planning Committees proposed under RMA reform, intended to provide input for Māori into the planning documents of a region under the NBA and SPA and more strategic decision-making across the planning and infrastructure nexus

- ▶ the retention of the Mana Whakahono ā Rohe provisions are being retained and enhanced, which will preserve and enhance the ability of any iwi authority or group representing hapū to seek a more structured arrangement for sharing particular resource management functions in their rohe
- ▶ Three Waters reform, which will provide hapū/iwi with significant input to the oversight of water service entities
- ▶ recent court decisions and policy reviews related to conservation,<sup>19</sup> which set a powerful platform for co-governance between local government and Māori in that context.

Nevertheless, the above outline of existing and proposed arrangements remains incomplete in terms of the specific relationships between many hapū/iwi, Māori organisations, and councils. We think there is a need to consider how we can 'raise all boats', making sure all groups are included in the way they want to be, and ensuring we are sharing local authority at the right times and places. However, we are very reluctant to address this by recommending further prescribed mechanisms for co-governance in the context of a combined reform agenda that is already making huge demands on both council and Māori capacity. We also think the question of 'what else is needed' here will really depend on local conditions, circumstances, and pre-existing arrangements.

### 3.6.2

## Integrated partnership frameworks

Given the breadth of local conditions and circumstances, we think it may be more useful to require comprehensive, integrated 'partnership frameworks' that act as a platform for 'rounding out' or filling gaps in existing arrangements between councils and Māori in particular areas. We see these as formal but flexible agreements that could set out or acknowledge/take into account:

- a. the collective and individual relationships between council, hapū/iwi, and significant Māori organisations (*it would need to be clear that the mana of individual hapū/iwi relationships are not subsumed within the framework*)
- b. common and/or separate values and principles on which relationships will be based
- c. Māori appointments to council committees
- d. existing, formal mechanisms for co-governance of particular resources or functions
- e. other mechanisms for involving Māori in key decision-making processes for policy, planning, and service design or specific arrangements for operational involvement in particular functions or services
- f. specific agreements about how the parties will address capability constraints over time.

There are a small number of emerging agreements we see as pointing the way towards this kind of holistic framework for enhancing wellbeing

<sup>19</sup> See *Ngai Tai ki Tamaki Tribal Trust v Minister of Conservation* [2018] NZSC 122.

through relationship, governance, and participation mechanisms. These include the Greater Wellington Regional Council memorandum of partnership with tangata whenua (GWRC 2013), the Manatu Whakaaetanga between Te Arawa and the Rotorua Lakes Council (RLC 2015), and the way the Mana Whakahono ā Rohe agreement between Ngāti Tūrangitukua and the Taupō District Council (Ngāti Tūrangitukua and Taupō District Council, nd) makes LGA-related commitments in long-term and annual planning processes. In almost all cases, Māori and local government would not be ‘starting from scratch’ – much material from existing agreements could likely be incorporated.

Fundamentally, we see these framework agreements as a fresh opportunity for the parties to think comprehensively about the council–Māori relationships in their areas and consider:

- ▶ where particular hapū/iwi or Māori organisations may have been left behind (or can now participate more actively because they have lifted their capability and capacity)
- ▶ where a deepening may be needed in the involvement of Māori in specific functions (particularly in light of the new Tiriti framework proposed in [Section 2](#) of this chapter.

We think they could help clarify that councils often don’t need to be in active interactions with all hapū/iwi at all times, but that all such groups who desire it have a basis for their relationship with council. They would provide a single source of information for staff trying to understand when and how their work is affected by council’s obligations to Māori and help realise efficiencies in areas where multiple iwi have interests in a function or service.

### 3.6.3

## Some specific features

Generally speaking, we recommend that the requirement for partnership frameworks is left relatively flexible, to allow councils and Māori to arrive at the most suitable set of arrangements for local circumstances and the specific aspirations or priorities of local hapū/iwi. However, once agreed, we think the framework should bind future councils, except to the extent that all parties agree to vary it in future. In addition, we think it important to make sure that some specific features of a partnership approach are provided for.

Specifically, where Māori seek appointment to council committees, we think there should be an obligation on council to facilitate a conversation with all hapū/iwi and significant Māori organisations in the area about how this can best be achieved. Where the number of groups in the area is much greater than the number of seats that can be efficiently provided on a committee without it becoming unwieldy, we think it would be reasonable to expect Māori to provide tikanga- or whakapapa-based solutions as to how all groups’ interests can be represented by appointees. Once agreed by Māori, those arrangements should be put in place with full voting rights and remuneration where desired.

Lastly, and subject to committee arrangements, we think provision should be made in the framework requirements for councils to explore more collaborative approaches with Māori to the long-term planning process. As the planning process that drives most of the choices

about the mix and volume of local services, we think it essential that Māori are involved early in this process and receive information that allows them to form and express a view on key choices before the plan is referred to the full council. We have not proposed a particular arrangement for this, as it may also be provided for by appointments to council committees.

## 3.7 Section 4: Capability and capacity

### 3.7.1

### A fundamental driver of partnership

As discussed earlier in this chapter, while many councils are investing in capability and capacity building, we have repeatedly heard that the relationship is fundamentally constrained by a lack of capacity and capability on both sides. We feel strongly that legislative change and formal models for co-governance can only provide the framing for partnership – no relationship can flourish if the parties do not have the time or the ability to nurture it, and to fulfil their obligations to each other in the fullest sense. This is not a new issue, but we cannot emphasise enough how important we think it is.

We believe in the long term, an empowered, stable system of local government and iwi/Māori partners may be able to invest in and maintain their own capability and capacity for this purpose. However, we think this point lies some time into the future, and it is time to acknowledge that:

- ▶ treaty settlements were never intended to put Māori in a position to fully exercise their role as a contemporary Treaty partner in local governance
- ▶ small councils with low rating bases are not able to fund an immediate increase in their own capability or support for Māori, or are trapped in a 'negative investment cycle' – they cannot convince communities to invest in it without demonstrating the outcomes it will have, but they cannot achieve those outcomes without capability
- ▶ without a clear signal of future investment, supply of such capability will remain weak.

While some capability will be 'built by doing' in a new system, if we cannot increase both capability and capacity in the next 5 to 10 years, we think many proposals in this report will fail or be at risk of change in political direction. We will simply not be setting the parties up for success and will not secure confidence in a new system.

We acknowledge that the resource management reforms are considering the capacity and capability of Māori and local government to support a Tiriti-based partnership in the resource management context.

Nevertheless, we think the above points and the broader nature of the relationship across all local government-related functions suggest the need for a package of initiatives that combines local government leadership and accountability for long-term capability with further transitional support from central government. These ideas are discussed further below.

## 3.7.2

**More specific legislative direction for councils**

We think the LGA is now significantly out of date in not including any specific requirements for the cultural or Treaty-related capability of local authorities. Examples of statutes that include such requirements for governing bodies are becoming increasingly common,<sup>20</sup> and we think there should be a clear obligation on local authority chief executives to:

- a. develop and maintain the capacity and capability of council staff to understand Te Tiriti and te ao Māori
- b. embed such perspectives in corporate policies and organisational systems.

We have also considered the sufficiency of council efforts to foster the development of Māori capacity and are aware of a small but increasing number of innovative and substantial initiatives aimed at this.

- ▶ *Funding agreements reached between Greater Wellington Regional Council and mana whenua* – these agreements allow the iwi to choose how they wish to allocate funds to build their capacity, based on a work programme agreed and aligned with Council.
- ▶ *The independent iwi environment unit set up by Taranaki Regional Council and mana whenua* – this unit is paid for by Council but staffed by iwi appointees capable of providing a Māori perspective on resource management planning and other environmental issues.

At other times, we are aware that funding for Māori participation has been set aside for specific projects or decision-making processes (such as the develop of the long-term plan).

Generally speaking, the current obligation on councils to ‘consider’ ways to foster the development of Māori capacity is not strong, and we do not think it has led to substantive action across the sector. At the same time, specific, fixed legislative requirements are often not the best way to promote this kind of investment – the nature of the investment needs to be tailored to the context, and we expect the need for direct financial capacity support to diminish over time as hapū/iwi consolidate their economic base.

Nevertheless, we see significant value in central government exploring stronger procedural requirements for councils in relation to fostering Māori capacity. It may be that these changes require something like ‘best endeavours’, or that the requirement to consider this is tagged specifically to the annual planning process to ensure a robust conversation about options at the right time.

## 3.7.3

**Sector-led workforce development and support**

Although we suggest exploring stronger requirements for councils, we are conscious that legislative requirements are a blunt incentive, and there are already pockets of significant cultural capability in councils and many good relationships with Māori in specific situations.

<sup>20</sup> See s 14(2) of the Public Service Act or 16(1)(d)(iii) of the Pae Ora Healthy Futures Act

For these reasons, we think there is much to be gained from a new, comprehensive, and sector-led organisational and workforce development programme.

We think Te Arawhiti's Māori Crown Relations Capability Framework (Te Arawhiti nd) for the public service provides an excellent steer as to the individual competencies and organisational features that lift overall capability in public agencies, and we think these are largely transferrable to a local government context. We would expect organisational initiatives to focus on:

- ▶ refreshed approaches to recruitment and procurement processes (to remove/mitigate unconscious bias and increase the likelihood of Māori becoming council staff or tendering for council contracts)
- ▶ how to make workplace environments comfortable and supportive for Māori staff and demonstrate a commitment to te ao Māori through an agency's physical environment
- ▶ specific initiatives aimed at increasing the awareness senior leaders have of te ao Māori, obligations to Māori, and their personal relationships with Māori organisations
- ▶ targeted investments in building the organisation's understanding of Māori outcomes in the local authority area, and exemplar models of culturally specific service design.

We would expect workforce initiatives to include:

- ▶ increased access to resources and courses; training and development for Te Reo Māori and tikanga Māori; Te Tiriti education; and understanding of equity, unconscious bias, and institutional racism
- ▶ building recognition of the above skills into performance management systems
- ▶ sector-wide talent mapping and peer-to-peer support initiatives that connect leading practitioners across councils
- ▶ a suite of tools/guidance incorporating the latest in best practice engagement with Māori.

We would expect this programme to be led and supported by sector agencies, and for support to be prioritised towards councils coming off a 'low base'.

We see value in councils proactively seeking opportunities to have shared experiences with hapū/iwi, to build relationships, grow shared understandings of the local histories, whakapapa and taonga.

### 3.7.4

## A transitional fund to support a new system

As we argued at the start of this chapter, we cannot ignore the fact that there is a significant short- to medium-term affordability problem for many councils in funding both the type of initiatives discussed above, and the capacity of iwi/Māori to participate. We acknowledge that investment has been tagged to the resource management reforms, and this will contribute to closing this gap, however the capability we are talking about is broader than the resource management context.

We think a more concerted effort is needed by central government to ensure its Treaty obligations to Māori in relation to local governance are met.

On balance, we recommend central government provide a transitional fund to subsidise the cost of building this capability and capacity at the local level. We recommend that:

- ▶ grants be subject to clear evidence of co-investment by those councils
- ▶ requirements imposed to ensure that a share of each funding grant is allocated specifically for Māori capacity.

### Recommendations

- 6 That central government leads an inclusive process to develop a new legislative framework for Tiriti-related provisions in the Local Government Act that drives a genuine partnership in the exercise of kāwanatanga and rangatiratanga in a local context and explicitly recognises te ao Māori values and conceptions of wellbeing.
- 7 That councils develop with hapū/iwi and significant Māori organisations within a local authority area, a partnership framework that complements existing co-governance arrangements by ensuring all groups in a council area are involved in local governance in a meaningful way.
- 8 That central government introduces a statutory requirement for local government chief executives to develop and maintain the capacity and capability of council staff to grow understanding and knowledge of Te Tiriti, the whakapapa of local government, and te ao Māori values.
- 9 That central government explores a stronger statutory requirement on councils to foster Māori capacity to participate in local government.
- 10 That local government leads the development of coordinated organisational and workforce development plans to enhance the capability of local government to partner and engage with Māori.
- 11 That central government provides a transitional fund to subsidise the cost of building both Māori and council capability and capacity for a Tiriti-based partnership in local governance.

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# Allocating roles and functions in a way that enhances local wellbeing



# 4

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Changing context and expectations, reform pressures, and the need to adapt now and position well for the future means it is timely to review who is best placed deliver roles and functions.

#### 4.1 Key findings

The nature and mix of roles and functions should be allocated in a way that delivers maximum value to communities and benefits the country as a whole.

It is not about a binary allocation – local or central – but rather how the design, accountability, influence and delivery could sit across many actors, with subsidiarity being a key principle.

## 4.2 Overview

The roles and functions that councils undertake – what councils ‘do’ – is in a state of flux, being pushed and pulled in a number of directions. The major reform programmes, including the Three Waters and resource management reforms currently underway, stand to remove and change some traditional local government roles and functions. The role of councils in tackling major challenges such as climate change is becoming increasingly unclear. Councils are also delegated responsibilities by central government, often when the benefits at a local level are unclear and in many cases with limited consideration as to how councils will fund the activity.

While this flux can cause unease and uncertainty for councils, we believe there is an exciting opportunity for local government to be renewed and strengthened to face the challenges of the future. This renewal includes taking a fresh, comprehensive look at what councils do. However, this allocation of roles and functions is not simple and is made more complex by the state of flux we are in and the interdependencies with other aspects of the local government system discussed in this report. There is also the ongoing tension around centralisation and decentralisation that needs to be discussed and resolved.

Fundamentally, we consider at the core of a future for local government is a stronger focus on wellbeing. In [Chapter 5](#) we discuss how councils can transform their contribution to wellbeing by utilising their existing relationships, assets, and levers to unlock wellbeing in communities. To support that, we propose a new approach to the allocation of roles and functions: one that puts ‘local’ first.

In this chapter, we propose an approach we think could help guide the allocation of roles and functions between different actors, including central and local government, hapū/iwi entities, and community organisations. The approach is centred on recognising local government as a key enabler of community wellbeing, starting with a local-first approach (the subsidiarity principle) and being guided by te ao Māori values.

We do not have all the answers about how roles and functions should be allocated. Rather than providing details about where specific roles and functions may need to shift or change, we want to present a new approach to how the allocation can be considered and potential opportunities that can be further explored. However, we do see a much deeper role for local actors in the design, commissioning, and alignment of a range services and activities, including embedding local knowledge of populations and place into the targeting, design, or delivery of central services in response to wellbeing challenges.

We believe that local government and central government, in a Tiriti-consistent manner, need to review the future allocations of roles and functions by applying the proposed approach. We want your feedback on the processes that would need to be created to support and agree the allocation of roles and functions across central government, local government, hapū/iwi, and community.

## 4.3 The current state of role and function allocation

### 4.3.1

### Local government carries out a range of roles and functions

Local, unitary, and regional councils carry out a wide range of roles and functions. Some of these are statutory obligations set out in a range of regulatory instruments, while others are discretionary, and carried out with the aim to realise the purpose of the Local Government Act 2002. Statutory roles and functions include transport management, building consenting, and animal control. Discretionary roles and functions are broad and vary between councils but can include things like economic development and commercial activities. Overall, there is a strong focus across local government, and particularly by territorial authorities, on infrastructure provision.

#### What we mean by roles and functions

A function is a broad area of responsibility, and this could include things like roading provision, system stewardship, or environmental management. Roles are the different actions or jobs that contribute to a broader function. For example, in the function of roading provision, councils have the role of building and maintaining local roads, and Waka Kotahi does the same for state highways.

The scope of, and available funding for, local government responsibilities in Aotearoa New Zealand is smaller compared to other OECD countries. Internationally, education, social protection, general public service provision and health are the primary areas of subnational spending (OECD/UCLG 2019). The relatively small scale of responsibility is also reflected in our local government expenditure as a percentage of GDP, which was just 4% in 2022 (Stats NZ). Aotearoa New Zealand is one of just six OECD countries with subnational government expenditure accounting for less than 5% of GDP (OECD/UCLG 2019).

### 4.3.2

### The current landscape of roles and functions across local government

While there is the opportunity for local actors to further facilitate and deliver wellbeing in their communities, many local authorities are struggling to effectively deliver their current roles and functions. This is for a range of reasons, including limited capacity and capability in some areas, financial pressures, increasing obligations, and conflicting responsibilities.

Over the last decade, the number of roles and responsibilities placed on local government by central government has increased, in many cases with limited consideration as to how councils will fund the activity. For example, the National Policy Statement for Urban Development, issued by the Minister for the Environment, requires councils to complete Housing and Business Development Capacity







Assessments and develop Future Development Strategies. Often, when new responsibilities are added, Ministers and central government agencies make the assumption that councils can recover the costs of these types of requirements from rates. However limited consideration is usually given about the ability and/or willingness of communities to pay for these activities. This is particularly an issue where local government bears the costs to achieve national objectives.

While some roles and functions have been added to councils, there are examples where they have moved, or are in the process of being moved, to a more centralised delivery model, including some which directly impact local wellbeing. The major reform programmes across government, including Three Waters and resource management reforms currently underway, are pushing and pulling the roles and functions that local government undertakes, with a tendency towards the centralisation/regionalisation of functions away from the local level.

In some cases, there is a lack of clarity about councils' roles in some of the more complex problems we face. A key example is climate change. While Aotearoa New Zealand's national response to climate change is led by central government, local government has a critical role in undertaking and supporting local mitigation and adaptation efforts at place and in promoting local environmental wellbeing, including by supporting communities to live more sustainably. Councils are currently required to consider the effects of a changing climate on communities and incorporate climate change into existing frameworks, plans, projects, and standard decision-making procedures. Climate mitigation and adaptation efforts will need to be an ongoing part of a number of councils' functions such as flood management, building regulations and transport.

The diagram below outlines a similar complexity in the waste management area – demonstrating how the roles cut across all layers of government.

**Figure 10: Complexity in household and business waste management**

	← Local		→ Central
<b>Composting</b> 	Green waste composting at home, kerbside collections or local solutions. Council to educate and support local initiatives (eg, community gardens).	Potentially regional processing facilities if no local solutions available.	Possible national scale processing options such as a biofuel plant, primarily for forestry waste or green waste that cannot be composted locally.
<b>Construction waste</b> 	Demolition and construction waste collections and drop-off facilities for sorting and diversion from landfill, local initiatives to create employment opportunities.	Regional facilities to support recycling at scale and related manufacturing/ economic opportunities.	National standard to drive better opportunities to reuse demolition/ deconstructed materials, supported by social procurement.
<b>Recycling</b> 	Local recycling collections, introduction of local depots for container return scheme (CRS), local council initiatives to support collections education and advocacy.	Regional processing and recycling facilities to drive scale.	National standards for recycling, introduction and governance of product stewardship schemes such as CRS, national coordination.
<b>Organic waste</b> 	Council supports food waste composting at home or via compost collective initiatives. In urban areas, council kerbside food waste collections. Council to educate - promote no food waste, food rescue, and the processing of food scraps.	Regional processing facilities for technologies new to NZ such as anaerobic digestion require scale.	National support via legislation and funding for alternative technology options such as anaerobic digestion.
<b>Inorganic waste</b> 	Local inorganic collections, reuse, repair, and upcycling of products via Resource Recovery Network.	Regional specialised facilities to recycle products (eg, e-waste); circular economy opportunities.	Product stewardship funding via waste levy; national networks.
<b>Paper</b> 	Paper and cardboard collections.	Regional processing and recycling facilities.	National funding and market support via waste levy, on-shore large-scale recycling facility (eg, paper mill); national markets to be created.

The discussion about who has responsibility for carrying out roles and functions at a local level has also often centred on local government entities like councils. Aotearoa New Zealand is yet to really consider the potential for hapū/iwi entities to deliver or play a significant role in the exercise of functions, either for themselves, or in some cases for the wider community. We discussed this point more fully in [Chapter 3](#), so here we simply note that there are already examples of mana whenua entities adding significant value to functions that to date have been undertaken predominantly by central or local government, such as vaccination drives and environmental monitoring.

#### 4.4 A new approach for allocating roles and functions

In order to maximise local wellbeing, we think it is time to take a fresh look at how roles and functions that affect local communities and their wellbeing are allocated. This means looking at the roles different actors (like central government, local government, Māori, and communities) have in the design and delivery of, and overall responsibility for, a range of functions. As a Panel, we do not think that the allocation of roles and functions needs to be 'binary' between being delivered either centrally or locally. Rather, the design, accountability, and influence of these roles and functions could sit across a number of actors as appropriate.

In this chapter, we introduce a proposed approach we think could be used when allocating roles and functions. First, we introduce three principles that are core to this framework.

- A.** The allocation of roles and functions should recognise that local government has significant ability to influence and create conditions for wellbeing in their communities.
- B.** The starting point for allocating roles and functions should be at the level of government closest to the affected communities – reflecting the principle called subsidiarity.
- C.** The process for allocating of roles and functions should be underpinned by te ao Māori values.

##### **A. How can the allocation of roles and functions recognise local government's ability to influence and create conditions for local wellbeing?**

As further discussed in [Chapter 5](#), the Panel considers local government is well placed to maximise wellbeing in its communities. There are a range of ways that local actors can be involved in the discharge of roles and functions. This can include having full responsibility for the planning and delivery of a role or function, through to being involved in the design and decision-making process and influencing in other ways. In order to maximise local wellbeing, it is vital that the allocation of roles and functions enables:

- ▶ a much better sense of the specific outcomes that will maximise wellbeing for a given community over a period of time
- ▶ shared accountability for these outcomes across local actors and central government
- ▶ fundamentally more collaborative conversations and negotiations about the exercise of particular roles and functions across local

and central government, including local actors having a direct influence for community outcomes on central government expenditure, and local strengths, challenges, and opportunities are recognised.

### **B. Putting local first: how can the concept of subsidiarity be applied to Aotearoa?**

We consider the allocation of roles and functions needs to acknowledge the unique role of councils in their ability to influence and champion wellbeing due to their proximity to communities and people; their connection to history, people, and whenua; their role in the infrastructure of place; and their partnerships with central government.

To reflect this, we think that the concept of subsidiarity is a useful way to frame and guide decisions about the allocation of local government functions and roles in Aotearoa New Zealand. Put simply, subsidiarity means that problems should be solved at the lowest possible level.

In an Aotearoa New Zealand context, we think applying the subsidiarity principle would mean that roles and functions should be led and managed at the most appropriate local level so that communities are empowered to shape their outcomes and take a leadership role in doing so.

While local would be a starting point, in some cases it might be appropriate for the ownership to sit more centrally to realise economies of scale, enable equity of outcomes, or mitigate risks that cannot be appropriately managed at a local level. Even when a role or function is delivered more regionally or centrally, consideration should be given to other ways local actors can influence its design, accountability, or delivery to ensure local needs are appropriately met.

### **Subsidiarity has some limits when viewed in isolation from other concepts**

We recognise that the concept of subsidiary comes with many connotations and varying definitions. For example, it is often thought about through the polarising lens of generalised and politicised concepts like centralism and localism and the idea that services can or should be delivered either only locally or centrally. Both central and local actors are often guilty of using these narrow concepts to justify their positions of how roles and functions should be allocated. Through this report, we want to directly challenge this idea that there is a binary choice to be made.

### **C. How can te ao Māori values underpin decision-making?**

In [Chapter 3](#) we outlined the need to provide for a Tiriti-based partnership at all levels of the system. This includes the potential for Māori to play a more significant role in the design or delivery of local roles and functions. This could be either for themselves, or in some cases for the wider community.

In addition, we think the choice of whether something is locally or centrally allocated should not rest solely on westernised concepts of public policy, or western interpretations of concepts like equity and efficiency. For this reason, the framework below aims to incorporate some of the high-level values and concepts from te ao Māori that we think may be most relevant to these choices.

#### 4.5 Framework for the future of roles and functions

The diagram below outlines our proposed framework to guide the allocation of roles and functions, building on the three key principles outlined above. The framework includes key actions for making decisions, as well as concepts to guide the process of making decisions.

**Figure 11: Framework to guide the allocation of roles and functions**



## 4.5.1

### Starting local

At the heart of the approach is the notion that local comes first. When allocating a role or function, consideration should always be given to what local actors can add to a role and/or function. More specifically, how can local government facilitate local wellbeing, including through:

- ▶ having a lead role in shaping the conditions for wellbeing of communities to thrive
- ▶ being a critical connector between iwi/Māori, community, and central government
- ▶ creating space for hapū/iwi to pursue self-determination.

Departing from the local-first approach is then only justified if there are other factors present, such as the need for specialist skills that cannot be obtained locally.

## 4.5.2

### Departing from local-first approach

In some cases, it may not be feasible or ideal for local councils to lead work on a particular role or function. The approach outlines five justifications for departure, when roles and functions:

- ▶ can be done at scale in the interests of community
- ▶ require access to ongoing skills that cannot be provided for locally
- ▶ have large risks and liabilities that cannot be effectively managed or insured at the local level
- ▶ have national-level agreement on outcomes and/or a lack of appetite for local variation
- ▶ have a need for equality and consistency of service delivery.

In some areas, while it will make sense for ownership of some roles or functions to sit centrally, in some situations there will still be aspects where local actors can support and influence delivery and outcomes.

## 4.5.3

### Process guided by te ao Māori values

Underpinning the whole approach are a set of te ao Māori concepts that incorporate key values and the practice of tikanga.

- ▶ Manaakitanga – care, respect, and generosity.
- ▶ Whanaungatanga – forming and maintaining relationships and strengthening connections between communities.
- ▶ Kotahitanga – togetherness and identifying as one. It can mean alignment, connectedness, and coordination.
- ▶ Tiakitanga – guardianship, stewardship, and protection.
- ▶ Tikanga – decisions in accordance with the right values and processes, including in partnership with the Treaty partner.

These values reflect the He Ara Waiora framework (Treasury 2021) that is built on te ao Māori knowledge and perspectives of wellbeing. They should be considered in any allocation decisions alongside the other two aspects of the approach.

For example, a western perspective might suggest that a particular role should be undertaken at a regional level, given scale or efficiency considerations. However, when considering te ao Māori values such as manaakitanga and whanaungatanga, there may be a strong case for the function (or parts of the function) to be held locally.

## 4.6 What could it look like if this approach is applied in practice?

We do not propose to have all the answers at this point in time, including where specific roles and functions may need to shift or change. Given the wider change proposed in this report, like the potential for a fundamentally different central and local government relationship and changes the way local priorities are agreed and invested in, we cannot jump right into allocation decisions.

That said, we do consider that local government and central government, in a Tiriti-consistent manner, should review the future allocations of roles and functions using the proposed approach. In this section we outline what this framework might mean in practice and some initial opportunities for further exploration.

### 4.6.1

#### **Overall, the change we expect is more nuanced than just transferring roles from one actor to another**

As discussed above, the approach allows for nuance in how roles and functions are allocated across local, regional, and central sectors, in order to build on their relative strengths. For example, while scale factors (such as efficiency, equity, capability) will often mean primary ownership of a function should stay with central government, there is a lot of scope for local actors to be more involved in the design, commissioning or targeting of services or a regulatory function. We have not heard from local government that they suddenly want to be funding and delivering social services; however, this more nuanced sense of subsidiarity tells us there is still a unique local value-add throughout the delivery of wider roles and functions that needs to be harnessed.

### 4.6.2

#### **There are some areas where we think direct change is needed in the allocation of roles and functions**

We consider that there are opportunities to explore some specific changes to the allocation of roles and functions that affect local wellbeing, including in housing and urban development, public health, economic development, waste management, and building consenting. We outline some of these opportunities below.

There are some areas where we think aspects of local government or local actors can, and should, play a greater role in the exercise of particular functions, some of which currently sit centrally.

- ▶ Local government and hapū/iwi's role across the housing continuum and within urban development. This includes continuing to use current levers to effectively support and enable

urban development and growth and using local knowledge and relationships with communities to support the delivery of housing across the continuum – including public housing. We also consider that local government's role in the delivery of council housing should be further explored, along with the opportunities for hapū/iwi to deliver housing outcomes.

- ▶ Local government's potential to better drive economic development. This includes how local government and their economic development agencies can play a greater role in working with and supporting local and regional businesses to maintain and grow an inclusive local economy. In a similar vein, they can also play a larger role working with and supporting people who are not in employment, education, or training. While initiatives such as the Majors' Taskforce for Jobs have for many years helped local people into jobs, more can be done.

It is also clear that some functions could benefit from being coordinated, commissioned or delivered at scale, even if still fundamentally local in character. There may be some areas where the greater use of shared services could be embedded due to economies of scale benefits. Libraries are an example where there are economies of scale benefits in greater centralisation, such as improving access to resources, stock and systems. Many libraries already collaborate in this manner and are an excellent example of how economies of scale support retention of important community services, especially in smaller towns and settlements. Shared services are discussed further in [Chapter 9](#).

We also see opportunities for the regional layer to play a greater role in some areas. As we are seeing with the resource management and Three Waters reform programmes, there are potential scale and efficiency arguments to be made for other aspects of roles and functions that relate to climate change mitigation and adaptation, transport, waste management, and building consenting. However, as with the nature of the framework, this is not a binary decision, and does not mean that local councils would no longer play a role (such as continued local delivery of components of the service), rather these are areas for potential greater collaboration that harnesses the strengths of both local agility and scale efficiencies.

Finally, and on the other side, there also some functions which we think should be specifically reviewed to assess the balance of central and local responsibility. Currently, local government is responsible for a wide range of roles and functions that when assessed against the framework allocation criteria opens questions about whether they are best done at a local level, or if there are efficiency gains in them being delivered more centrally. Many of these are regulatory responsibilities imposed on local government by central government across a range of pieces of legislation such as animal control, sale of alcohol, and building regulations. These roles and functions can be resource-intensive, with little need for variation across the country. Again, this is not to say local government should not have a role, rather there is a need to better understand how local government can input into a range of local regulations, and only take on the service delivery functions when considered against the allocation framework.

## 4.7 What would an allocation process look like?

While we have some ideas about opportunities to investigate further, as outlined above, we are not proposing answers about how these roles and functions should be allocated across local and central actors, and the process that would need to be undertaken in order for decisions to be made.

Rather, between now and the final report we are seeking feedback on what type of process would need to be created to support and agree the allocation of roles and functions across central government, local government, Māori, and potentially community organisations. Part of this will be considering how te ao Māori values can help guide such a process.

### Recommendations

- 12 That central and local government note that the allocation of the roles and functions is not a binary decision between being delivered centrally or locally.
- 13 That local and central government, in a Tiriti-consistent manner, review the future allocations of roles and functions by applying the proposed approach, which includes three core principles:
  - ▶ the concept of subsidiarity
  - ▶ local government's capacity to influence the conditions for wellbeing is recognised and supported
  - ▶ te ao Māori values underpin decision-making.

### Questions

- ? What process would need to be created to support and agree on the allocation of roles and functions across central government, local government, and communities?
- ? What conditions will need to be in place to ensure the flexibility of the approach proposed does not create confusion or unnecessary uncertainty?
- ? What additional principles, if any, need to be considered?

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# Local government as champion and activator of wellbeing



# 5

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Local government has significant capacity to champion and activate wellbeing due to its proximity to community and its local assets and influence.

### 5.1 Key findings

Putting wellbeing at the core of council's purpose and all its roles and functions using existing relationships, infrastructure, assets, and levers will unlock greater wellbeing outcomes for communities.

Councils have an opportunity to strengthen and expand their role as an anchor institution, systems networker and convenor, and place-maker, to enable more social, economic, environmental, and cultural wellbeing.

Councils are already taking on a greater wellbeing role. However, this is inconsistent across local government. A significant shift in councils' mindsets, investment capability and relationships with central government, hapū/iwi, business, and communities will unleash community value and local wellbeing.

## 5.2 Overview

Local government has a key role to help create and foster the conditions for communities to thrive. Communities already have many of the strengths, skills, and capabilities they need to advance and contribute to their own wellbeing (Hagen et al 2021). We heard clearly in our engagement that is vital to draw on these strengths and enable community-driven approaches to wellbeing.

**“We need to tip the system upside down and place the people on top.”**

– Survey respondent

**“Empower and support local communities to be masters of their own destiny.”**

– Survey respondent

Local government has significant capacity, and the legislative mandate, to support these community aspirations and champion and activate local wellbeing. For example, it has assets, influence in place, and proximity to communities. To fully realise the opportunities, we consider councils can enhance and expand their roles as:

- ▶ an anchor institution
- ▶ a systems networker and convenor
- ▶ a place-maker.

In this chapter, we describe these three roles and highlight a number of examples where councils are already taking on a greater wellbeing role and shifting the way they are working in and with their communities. Implementing these roles sustainably across local government will require a significant shift in councils' mindset, investment, capability, and relationships with central government. However, there are also a range of ways that councils can take action now.

While it is clear that councils can play a much stronger role to unlock wellbeing, they have competing demands and limited resources. While some of the actions and approaches needed to realise these roles will be possible within current budgets and operating models, they will not be able to be fully realised without the other changes in this report.

The frameworks and concepts in this chapter are informed by work we commissioned from The Southern Initiative. This work drew together learning and insights from local and international experiences about the potential of local government in activating a wellbeing ecology at place.

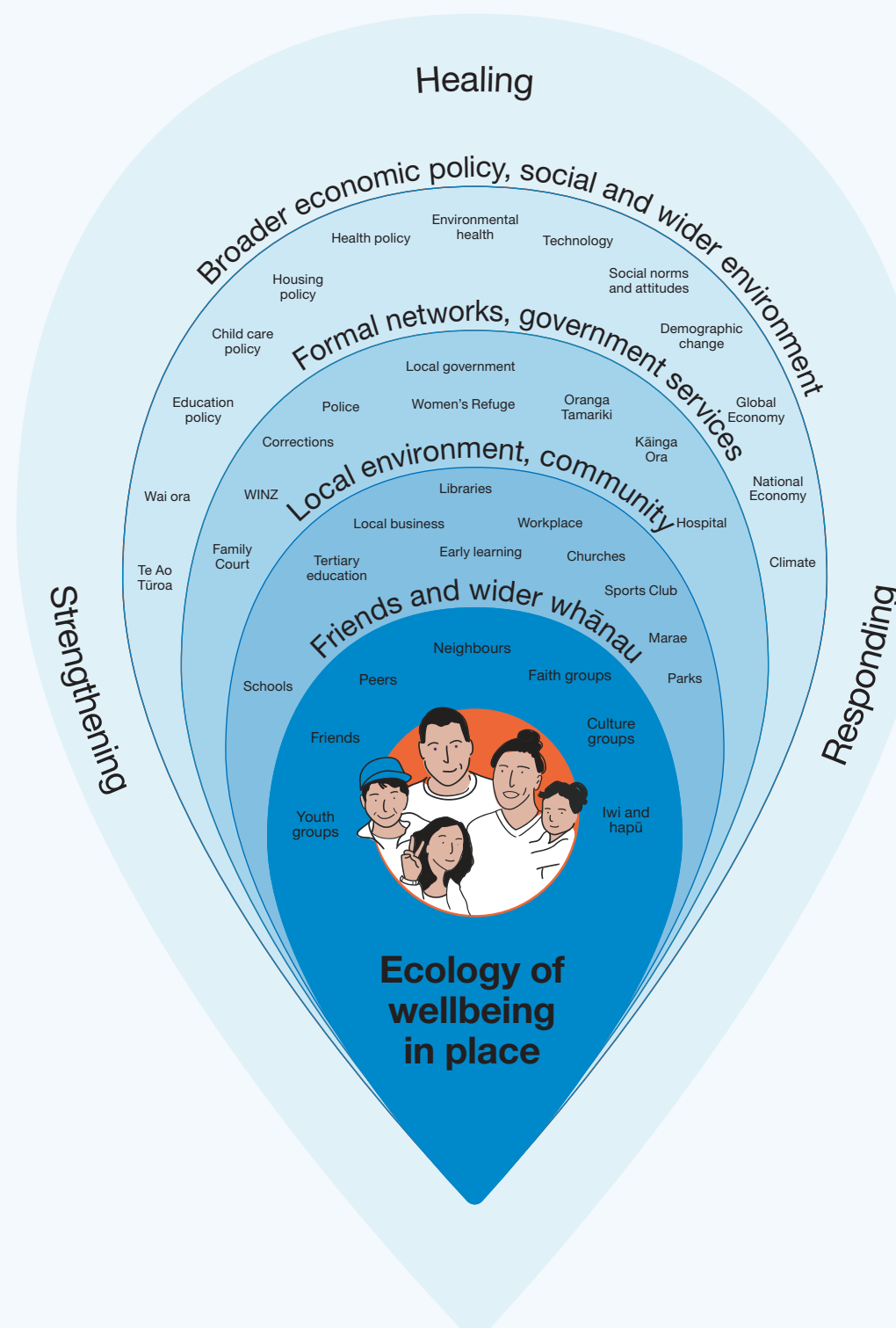
## 5.3 Local government as a champion of wellbeing

Local government has significant capacity to champion and activate local wellbeing, due to its legislative mandate, assets, influence in place, and proximity to communities. Councils have a range of existing levers, assets, and enablers available to them. These range from economic levers like investment, infrastructure, urban planning, and procurement, to tangible enablers like services, community spaces, and facilities, and intangible enablers like relationships and capability building. Throughout this chapter we discuss how councils can use these levers and enablers more intentionally to enhance local wellbeing.

### 5.3.1

### An ecology of wellbeing

The 'ecology of wellbeing' model presents an effective systems view. Figure 12 below shows the various stakeholders and layers of influence across whānau, community, government, and wider society within the ecology of wellbeing.

**Figure 12: Ecology of wellbeing**

Source: The Southern Initiative, 2022.

This ecological, or systems, view helps us move beyond traditional services and programmes to understand wellbeing as part of an interconnected system that includes social networks, workplaces, community institutions, and community spaces. It also includes the conditions that interact to affect and foster the local wellbeing of people, place, and the environment.

The ecology approach recognises the powerful role of communities, neighbours, whānau, and hapū/iwi, who already have many of the skills, strengths, relationships, and capabilities they need to flourish and drive their own wellbeing.

Councils can help create and foster the conditions for communities and neighbourhoods to thrive by connecting the strengths and aspirations of community and business leaders, hapū/iwi, and citizens with the resources they need, and creating opportunities for innovation and locally grounded solutions to emerge. However, the systems resources, capability, leadership, and commitment need to be in place for this approach to become the norm.

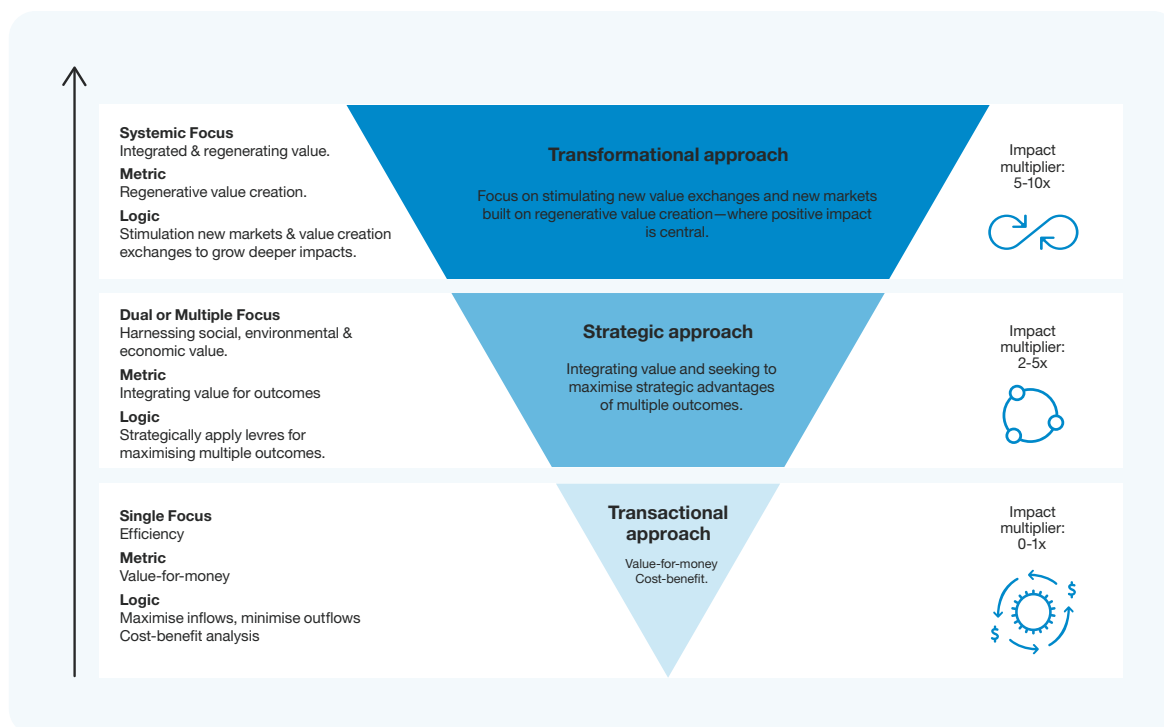
Hapū/iwi and Māori organisations are fundamental to the Kaupapa of wellbeing. Throughout our engagement with hapū/iwi and Māori, we have heard a fundamental desire to see Māori involved in the design and delivery of community wellbeing initiatives. The Covid-19 response highlighted the essential role of hapū/iwi in the delivery of services to their communities and the need for 'by Māori for Māori' approaches. Councils can develop sustainable partnerships with hapū/iwi and Māori organisations and work together to develop local solutions that recognise the needs, challenges, strengths, and aspirations of people at place. This will require councils to take a more holistic, tikanga-based approach that considers intergenerational outcomes when solving complex problems. Councils need to be willing to learn by doing and unlearn existing business as usual practices and behaviours that exacerbate inequities for Māori (TSI 2022).

### 5.3.2

## Taking a transformational approach

At the moment, the delivery of council services has a tendency to be transactional, with a focus on traditional infrastructure services with siloed priorities and cost savings pressures. While projects are often initiated for a particular result, the coincidental benefits are not always measured or reported on and therefore not valued.

To maximise the potential to enhance wellbeing, there is a huge opportunity to move to a transformational approach which looks beyond individual outcomes and efficiency measures to seek multiple wellbeing outcomes that mutually reinforce each other and multiply impact.

**Figure 13: The transformational approach**

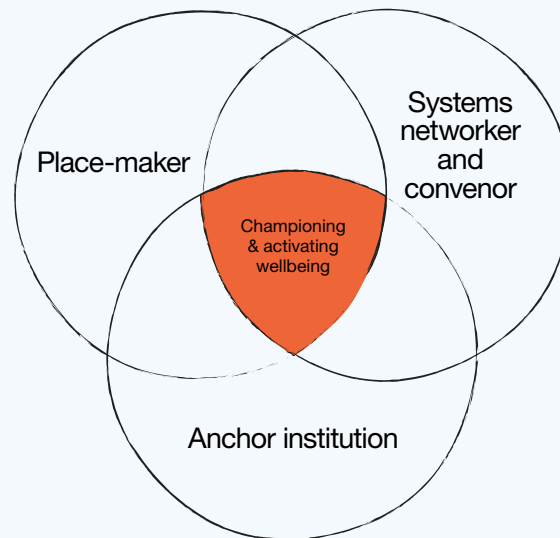
Source: The Southern Initiative.

There are many ways a transformational approach can be applied. For example, councils can take a transformational approach in the design and management of community facilities like a library. A transactional approach sees libraries as operational spaces that lend books. A transformative approach sees libraries as anchor institutions and multi-use community hubs that can strengthen community identity and create opportunities for civic and economic participation.

This approach will need councils to work differently and embrace new roles to champion and activate wellbeing.

## 5.4 Three key ways councils can champion wellbeing in their communities

Drawing on the learnings and practice from The Southern Initiative, the Panel has identified three key ways that councils can champion wellbeing. The three roles discussed in this chapter overlap and are mutually reinforcing. These roles are shown in Figure 14 below.

**Figure 14: Council roles for wellbeing**

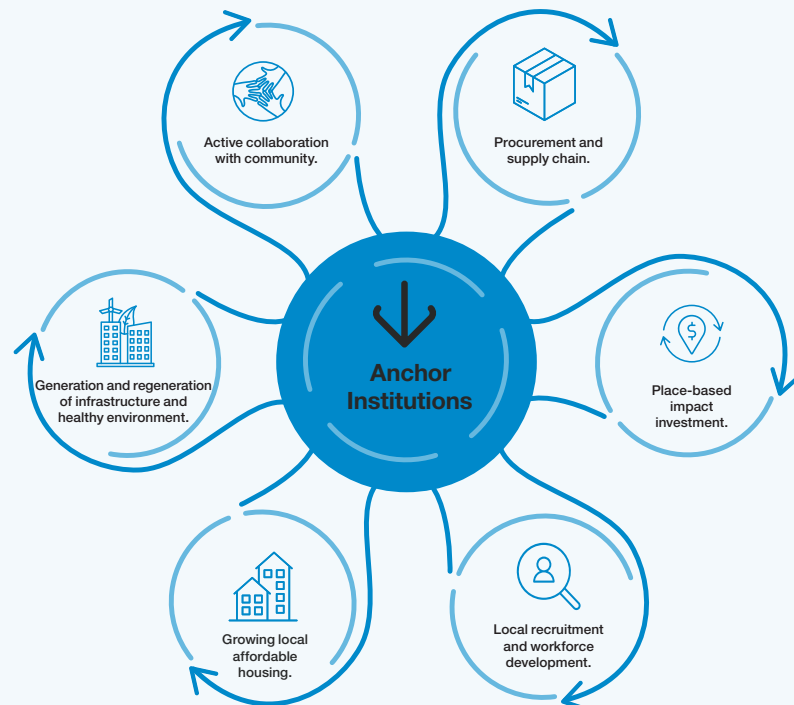
Adapted from the Southern Initiative, 2022.

#### 5.4.1

### Councils as anchor institutions

Anchor institutions are entities like councils, hospitals, universities, faith groups, or other organisations based in a town, city, or defined region, with a long-term and enduring commitment and connection to the place. Anchor institutions play a vital role in local communities and economies. Anchor institutions can work together to improve local wellbeing by changing how they deliver their core business, partnering with one another for collective impact (Boorman et al 2022), and planning long-term initiatives that survive beyond short-term political cycles or narrow funding horizons.

Councils are in a unique position as anchor institutions responsible for public value creation at place. Figure 15 below outlines the range of anchor activities that councils can undertake.

**Figure 15: Anchor activities**

Source: The Southern Initiative.

Local government has an immediate opportunity to take a more active and intentional role as an anchor institution and deliver its core business activities, from procurement and hiring to investment and infrastructure, in ways that are informed by equity and Te Tiriti, and leverage local strengths to address local challenges.

‘Social procurement’ is one example of how councils can take an active anchor institution role. Social procurement is when organisations use their purchasing power to generate social or public value beyond the value of a good or service being procured. It is typically achieved by including social, economic, or environmental outcomes in the assessment or contracting stages of the procurement process, or by deliberately choosing to purchase from organisations that are likely to deliver those outcomes through the way they conduct their business. Social procurement is one way that councils can contribute to community wealth-building (Fensham 2020) by developing local supply chains of diverse businesses that are “likely to support local employment and retain wealth locally” (CLES).

*Case study***Amotai – Supplier Diversity Aotearoa**

Amotai is an intermediary organisation nested in Auckland Council that works with central and local government, corporate, and iwi organisations to unlock procurement opportunities for Māori and Pasifika businesses. Eighteen councils have already registered with Amotai as buyers. Amotai has a national database of 1,200 Māori- and Pasifika-owned businesses and supports supplier diversity by connecting buyers like councils with these businesses. They also provide buyers with advice and online training in supplier diversity.

Local businesses can also pursue anchor strategies to improve local wellbeing and build wealth in communities (Taylor et al 2022). Creating opportunities for work experience and skills development by actively involving community members in the maintenance, management, and development of local parks and reserves is another way councils can support local workforce development.

In addition to initiatives based around council-held infrastructure, we think there is an important role for local government in supporting or investing in community-owned infrastructure and facilities. For example, Auckland Council's Cultural Initiatives Fund provides grants for marae development.

**Te Aka Mauri – Rotorua Library and Children's Health Hub**

A current example of innovative management community infrastructure is Te Aka Mauri – Rotorua Library and Children's Health Hub. Rotorua Lakes Council collaborated with the Lakes District Health Board (DHB) to upgrade the under-utilised local library. The library hosts the Children's Health Hub and provides a range of DHB services such as 'B4 school' checks for children, mental health services, and maternal support. Te Aka Mauri is not just a library or health hub, it is a collaborative approach to the community's holistic health and wellbeing. Since opening in 2018, the library has become a popular community space and the DHB's previously low attendance rates have risen dramatically.

**5.4.2****Councils as place-makers**

Councils can influence cultural, environmental, social, and economic wellbeing outcomes through place-making. Place-making is widely understood as "the process of strengthening the connection between people and the places they share," in order to maximise shared value and strengthen community identity (Dyet 2021). According to Placemaking Aotearoa, place-making includes uplifting the mana, strength, and mauri (spirit) of communities. It puts Papatūānuku,

people, and place at the centre of 'business as usual' local government functions like the design of new community spaces, the maintenance of parks and reserves, and local arts and cultural events.

Part of place-making is ensuring community spaces reflect the community's cultural diversity so all whānau have a sense of belonging. It also includes fostering a thriving arts and culture scene that makes the community an exciting place to live, and ensuring the local environment is cared for and protected.

As place-makers, councils can support more connected communities through culturally informed urban design of community spaces. Place-making "provides mana whenua, mataawaka, tauiwi, and manuhiri the opportunity to connect and deepen their 'sense of place'" (TSI 2022). For example, councils can ensure indigenous knowledge is valued and the stories of local mana whenua are told through the design of community spaces and neighbourhoods. Community spaces can also be designed to reflect ethnic diversity and provide space for local migrants and refugee families to participate in and connect with their community.

Place-making can have significant environmental benefits. By encouraging people to take ownership of and care for their local parks, rivers, and beaches, place-making activities can help encourage environmentalism and climate action in the community (Kent 2011). This creates a sense of kaitiakitanga (guardianship and protection of the environment) that can be passed down to rangatahi and future generations.

Thriving local arts and culture is vital for making communities vibrant, exciting places to live. Creative place-making (Kyrre 2020) can include filling empty spaces with arts and culture through urban design and fostering local creative entrepreneurship through the innovative use of community and council-held infrastructure. For example, an underutilised community hall could become a space where small local businesses can set up pop-up craft stalls and musicians can perform.

#### **Gap Filler Christchurch**

Gap Filler is a creative placemaking and urban regeneration social enterprise in Christchurch that works with the public and private sectors on government-funded and commercial projects. They design and deliver experimental civic installations, temporary projects, events, and amenities in the city. For example, they created a DIY 'Dance-O-Mat' installation using an old laundromat washing machine with music speakers and a dance floor. Their 'Super Street Arcade' installation is a free outdoor arcade game system programmed by local developers and high school students.

## 5.4.3

**Council as systems networker and convenor**

Local government has a crucial role to play as a systems networker and convenor, connecting and bringing people together from across organisations, sectors, and cultures (Oppenheimer 2021). As a convenor, councils play a place-based leadership role and facilitate innovative solutions that respond to local needs and support intergenerational wellbeing at place.

At its heart, the systems networker and convenor role is about building or stimulating an ecology of wellbeing, enabling learning across boundaries and silos, and weaving together “activities, spaces, relationships, capabilities and opportunities in ways that are more responsive to people’s needs and aspirations than traditional service models” (Boorman et al 2022).

Councils are well placed to cultivate and invest in social and cultural infrastructure (Treasury 2018) to help grow civic innovation within communities and enable people to lead their own responses to complex and emerging issues.

Working with central government is a key part of this role. Councils can utilise their local knowledge and data to identify local challenges with a systems lens rather than a siloed agency view. As a systems change and learning partner, councils can work with central government policy and operational teams to support both bottom-up and top-down policy development processes. This includes co-designing interventions that are led by whānau and communities and are informed by their lived experiences and on-the-ground testing.

The systems networker and convenor role also includes supporting innovation and momentum that is already emerging in communities. This can involve connecting or convening like-minded community leaders, hapū/iwi, and local businesses, sharing resources and expertise, or providing small grants to help get community innovation off the ground.

Sometimes being a convenor is simply about providing space, such as under-utilised council-owned land or facilities, for community members and groups to use for activities that will drive wellbeing. For example, old bowling clubs and unused netball courts can be invaluable recourses for community groups to operate out of and provide initiatives such as community gardens and food hubs, sports programmes, or after-school homework clubs.

### **Porirua's WELLfed**

Porirua's WELLfed is an adult education programme for healthy food that was co-designed with the local community in 2016. In 2018, the programme began operating out of a previously unused bowling club owned by Porirua City Council. Community members can attend free weekly interactive cooking classes and learn how to plan, shop, safely prepare, and cook low-cost healthy meals. Since 2016, over 780 people have learnt new cooking skills and over 6,800 free meals have been made. WELLfed has partnered with a local community garden and uses the harvest in their classes.

### **Kaipara Moana Remediation Programme**

Another example is the \$300 million Kaipara Moana Remediation Programme. The programme is a collaboration with the Ministry for the Environment and is co-governed by Northland Regional Council, Auckland Council, and local iwi Te Runanga o Ngāti Whātua, Ngā Maunga Whakahii o Kaipara and Te Uri o Hau. A formal agreement was signed between the Ministry, councils and moana iwi in 2020 and a co-governance committee was set up with iwi and council representatives. The Kaipara Moana is facing significant environmental degradation. The 'Foundation Planting' campaign is scaling up planting near waterways using local volunteers. Their Landowner Grants Scheme supports landowners to undertake sediment reduction projects in the Kaipara Moana catchment that improve water quality and reduce sediment running into the waterways and the Moana.

## **5.5 How councils can give effect to these roles**

### **5.5.1**

### **Councils innovating and learning by doing**

A significant change in approach and mindset will be needed, and councils will need to take on a culture of and appetite for innovation and learning by doing to truly champion wellbeing.

The transition from traditional ways of doing things towards a more innovative approach cannot be underestimated. It will require a shift in how local government works more than what local government does. This shift is about focusing on what serves communities and citizens, not bureaucratic processes. We envision a more entrepreneurial local government that experiments, takes calculated risks, and learns fast.

Working more innovatively means councils will experiment more and learn by doing, rather than a traditional arms-length planning approach to implementation. This will require a shift in mindset towards a 'journey' approach, a culture of learning, a willingness to innovate and challenge the status quo, and partnering with communities in the spirit of participatory democracy.

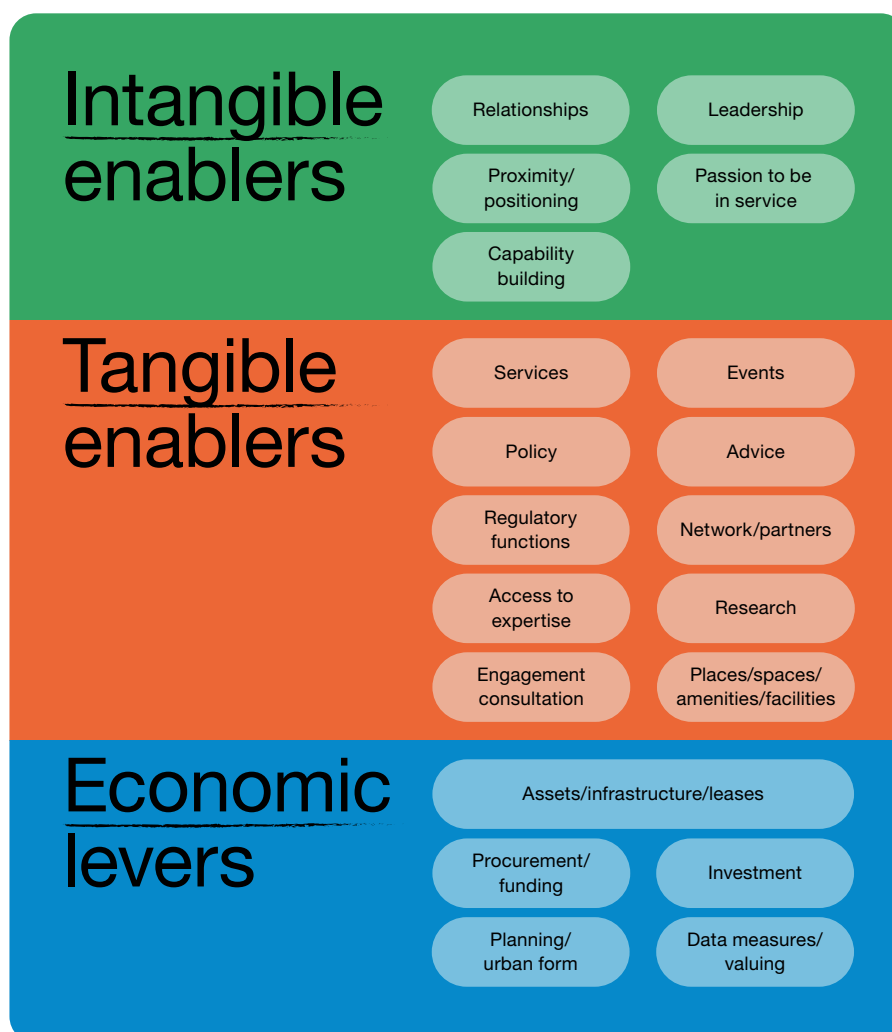
It is difficult to quantify, measure and evaluate long-term, intergenerational community outcomes. This will require a shift from traditional outcomes-based evaluation to culturally grounded evaluation, planning, and strategy processes that value mātauranga Māori, embrace complex issues, and allow for innovation.

#### 5.5.2

### **Leveraging councils' levers and enablers to unlock wellbeing**

Local government has a range of levers, mechanisms, and enablers available to it. These levers are used to drive change, influence, and mobilise activity. They range from economic levers like investment and infrastructure, to tangible enablers like services and policy and intangible enablers like relationships and capability building.

A selection of councils' existing levers and enablers are shown in Figure 16 below, in order to illustrate the potential already within local government.

**Figure 16: Local government's levers and enablers**

Adapted from the Southern Initiative, 2022.

As noted by The Southern Initiative, “there is opportunity for local government to unlock the untapped resources and assets already in the system and in communities by using these levers more intentionally towards equity and wellbeing” (TSI 2022).

As discussed earlier, this requires a shift in understanding and accounting for value away from a perspective that prioritises short-term, transactional and efficiency savings, towards a transformational approach that values long-term benefits and wellbeing outcomes, and uses levers more effectively to influence multiple positive outcomes.

For example, the Puhinui Stream Regeneration Project facilitated by Auckland Council's development agency Eke Panuku shows what is possible when councils take a transformational approach to initiatives that maximise multiple long-term wellbeing outcomes.

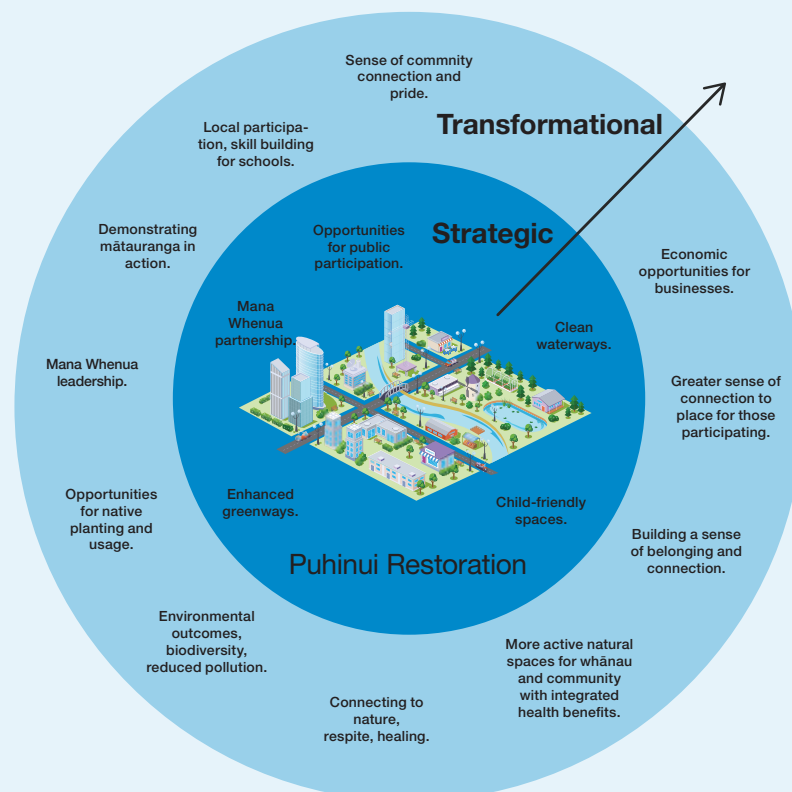
### Puhinui Stream Regeneration

Auckland Council's Eke Panuku Development is taking an innovative approach to restore the mauri of Te Puhinui, an urban stream in Manukau, South Auckland. The regeneration project is a collaboration with local mana whenua, the Department of Conservation, and local businesses and community organisations. Te Puhinui stream is currently polluted and disconnected from the local community. By focusing on more than just restoring the stream, the regeneration also aims to revitalise the community and bring numerous long-term benefits including:

- ▶ attracting economic investment and creating job opportunities for rangatahi
- ▶ providing green spaces for whānau to play
- ▶ growing recreation and health outcomes
- ▶ restoring Manukau's cultural and ecological heritage.

Puhinui Stream Regeneration is also an example of place-making in action. A key goal of the project is to reconnect the local community with nature, instil a sense of kaitiakitanga, and involve mana whenua and the community in the waterway's regeneration and design.

Figure 17: Puhinui Regeneration Project



Source: The Southern Initiative.

## 5.5.3

**Councils taking a more relational approach**

The three roles outlined in this chapter require all parts of councils to take a fundamentally more relational approach to engage with communities in a more empowering way. Many councils are already practising a relational approach and shifting the way they work in and with their communities. However, there is opportunity for this to be further maximised and implemented across all parts of local government with a fundamental shift in mindset, practice, and behaviour.

There is no one way of how councils should do this. The relational approach is much more a practice than a set of functions or pre-programmed activities. Learning by doing is a key part of this role. Common features of a relational approach (Hancock 2018) are:

- ▶ brokering relationships with citizens, stakeholders and ‘unusual suspects’ from across the public and private sectors to find common ground and create shared ownership of new solutions
- ▶ building relationships based on trust and transparency, generating whakawhanaungatanga (a sense of belonging) and reciprocity
- ▶ valuing learning together and exploring and iterating new ideas and initiatives
- ▶ leading change by challenging the status quo, removing roadblocks, and mobilising resources and legitimacy to make change happen
- ▶ sharing resources, knowledge, expertise, and relationships to empower community-led aspirations
- ▶ creating a strategic network of relationships with community-builders, connectors, change-makers, and innovators such as social enterprises, entrepreneurs, and key actors across the wider council and central government
- ▶ having a ‘heart for community’ and believing in the power of communities
- ▶ providing small levels of funding as an essential catalyst for connecting people at an event, building transitional capability, or proving the concept of new initiatives/innovations.

## 5.5.4

**Mission-oriented innovation**

For large-scale challenges that cross multiple domains, the systems networker and convenor role starts to overlap with as the emerging field of ‘mission-oriented innovation’ (IIPP 2022). This approach involves councils:

- ▶ engaging deeply with a community to build motivation for change and obtain a sense of different parties’ needs, aspirations, and concerns about a complex issue
- ▶ developing a ‘mission roadmap’ that includes specific ‘mission projects’ – detailing the actions, changes, innovations, or investments that will be needed to achieve a distant target. This idea is critical to establishing a basis for collaboration between

discrete actors and to provide stability for the mission across political cycles or narrow investment horizons

- ▶ mainstreaming and distributing ownership for key aspects of the mission – this phase tends to be about a genuine sharing of authority and responsibility for specific aspects of the roadmap and creating shared accountability
- ▶ tasking specific projects and holding relevant parties to account.

#### **Greater Manchester carbon neutral mission**

The Greater Manchester Combined Authority in the United Kingdom is taking a mission-oriented innovation approach to achieve their mission of becoming carbon neutral by 2038. They have undertaken public engagement with citizens and local businesses, and are using a distributed governance model to ensure distributed ownership of the mission and enable other stakeholders to drive the mission forward. Key stakeholders from the public sector, local authorities, private sector, and academia are represented on 'challenge groups' which are responsible for different priority areas and mobilising local action.

## **5.6 What is needed to support this transition**

The three roles outlined in this chapter will require councils to use their existing levers and enablers more intentionally, innovate and learn by doing. We think there is a clear need and opportunity for local and central government to explore funding and resources that enable and encourage councils to innovate, experiment, and share learnings. This could include learning platforms, funding, targeted knowledge resources and practice guidance, and mentoring from experienced local government sector practitioners.

Taking a relational approach to engage with communities in a more empowering way is time- and resource-intensive up front. While many councils are already practising a relational approach in place, we think more support is needed to build councils' capability and capacity across their whole organisation.

Social procurement is one area where councils will need targeted resourcing and support to build their technical know-how and capability as anchor institutions. Further support is also needed to foster the social procurement marketplace, for example through the verification of enterprises that meet social procurement objectives, joining up suppliers to buyers, addressing gaps in the availability of suppliers in some areas, and building capability to operationalise this approach. Currently, Amotai and the Ākina Foundation are doing work in this area, but are not funded at a level that can generate the pace and scale of change that is needed. We recommend that local government, in partnership with central government, explore opportunities to embed social/progressive procurement and supplier diversity as standard practice in local government, with nationally supported organisational infrastructure and capability and capacity building.

As a systems networker and convenor, councils are well placed to provide local intelligence about what is happening in their communities. We see opportunity for more collaboration and co-investment between local and central government to support community- and whānau-led development.

### Recommendations

- 14 That local government, in partnership with central government, explores funding and resources that enable and encourage councils to:
- lead, facilitate, and support innovation and experimentation in achieving greater social, economic, cultural, and environmental wellbeing outcomes
  - build relational, partnering, innovation, and co-design capability and capacity across their whole organisation
  - embed social/progressive procurement and supplier diversity as standard practice in local government with nationally supported organisational infrastructure and capability and capacity building
  - review their levers and assets from an equity and wellbeing perspective and identify opportunities for strategic and transformational initiatives
  - take on the anchor institution role, initially through demonstration initiatives with targeted resources and peer support
  - share the learning and emerging practice from innovation and experimentation of their enhanced wellbeing role.

### Questions

- ? What feedback do you have on the roles councils can play to enhance intergenerational wellbeing?
- ? What changes would support councils to utilise their existing assets, enablers, and levers to generate more local wellbeing?

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# A stronger relationship between central and local government



# 6

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# The central–local government relationship is strained with a lack of trust and confidence in both directions.

## 6.1 Key findings

Communities need and deserve collaborative and cohesive effort from both central and local government that utilises their collective strengths and resources.

A reset is required to create a relationship between central and local government that enables a unified approach to tackling deep-seated, complex intergenerational issues. It will require a mindset shift from both central and local government.

There is no consistent approach to collaboration, with systems being fragile and reliant on individuals. Stronger, more systemic collaboration mechanisms are required for better alignment, partnering, and co-investment for the benefit of communities.

## 6.2 Overview

Central and government entities and actors have distinct yet intertwined roles and responsibilities in regard to lifting wellbeing outcomes for communities. In order to support community wellbeing now and into the future, effective collaboration between local and central government is essential. The Panel acknowledges that complex national issues that are felt most acutely at place will require a more structured and sophisticated approach than issues that are more obviously local in nature and should be governed and managed at a local level.

All the challenges of wellbeing come together in communities – ‘at place’ is where the impact of system-level interventions and decisions become visible. So, while central government will always be an influential actor for most public goods and services or regulatory functions across all levels for reasons of scale, equity, capability, and consistency, local government has an equally vital role in shifting the dial on wellbeing challenges. An approach that enables central and local government to co-invest for community outcomes and address issues locally has the potential to prevent harmful effects of social and economic challenges and improve local wellbeing.

However, the relationship between central and local government needs work. Currently, the relationship is strained in a number of ways, with many longstanding areas of tension and discomfort. There are a variety of reasons for these tensions, both structural and interpersonal. But the result is that local and central government can struggle to overcome silos and move beyond deep-seated assumptions to work together effectively.

In this chapter, we propose a shift towards genuine partnership between central and local government to deliver wellbeing outcomes in communities. We see that there is a strategic opportunity to adopt a unified and mutually reinforcing approach between local government and central government to tackle deep-seated, complex intergenerational issues.

We propose a number of ways of moving towards a stronger relationship. This includes mindset shifts to help reframe the relationship, attributes for effective collaboration, and a series of principles that can guide better ways of building interdependence and co-investment in a multi-faceted way.

We also look at a number of local and international examples to help us imagine what a more effective approach to collaboration and co-investment at place could look like. This includes emergent thinking on a local model for collective investment.

As indicated in [Chapter 3](#), our kōrero with hapū/iwi and Māori organisations also made clear there is an opportunity for Māori to play a more strategic role in local governance, being involved at the outset in determining the priority outcomes that drive wellbeing and what should be done to achieve these. While this chapter focuses on the specific nature of the relationship between central and local

government, any interventions to collaboratively achieve community outcomes must be designed with, and provide for decision-making by, iwi/Māori.

#### 6.2.1

### The relationship between central and local government

When we talk about a relationship between central and local government, we are talking about the interactions between people in councils, government agencies and the Government, in order to improve outcomes at a national and local level. The relationship is situated within a wider system that includes legislative provisions that affect how people in agencies and councils can work together, financial systems, and organisational structures.

There are a range of circumstances where central and local government officials work together, from emergency management to public health prevention and preparedness.

The relationship itself is 'many to many' – that is, 20-plus government agencies and 78 councils all have a role in activities that affect outcomes in local communities, and officials and elected members from both local and central government work together in various arrangements and make decisions in a range of circumstances.

## 6.3 Current state of the central and local government relationship

It is vital that central and local government can work together effectively in order to achieve community outcomes and help address a range of challenges, now and into the future.

A key theme in our Interim Report, *Ārewa ake te Kaupapa*, and further highlighted in subsequent engagement, is that the relationship between central and local government needs work. The Panel considers there must be a shift in the relationship from one which is limited by relational and structural challenges to one where people have trust and confidence in each other to be reliable partners who can deliver equitable local wellbeing outcomes.

Like any relationship, the relationship between central and local government plays out at an **interpersonal level** – between people. People from different levels of government, different agencies, or different organisations come together to achieve specific outcomes and get things done. These interpersonal relationships are affected by power dynamics, behaviours, mindsets, and individual connections and alliances.

While the relationship manifests on an interpersonal level, it is affected and shaped at a **structural level** – that is, the systems within which people work. Things like policies, legislation, organisational culture, and resource flows provide the grounding for the relationship to play out. These structural elements can be a barrier to working together effectively, or they can help foster a positive and effective relationship.

## 6.3.1

**The outcomes of a strengthened relationship**

We think a relationship between central and local government that maximises community, and by extension national, wellbeing is one where:

- ▶ there is mutual trust, respect, and confidence between central and local government actors
- ▶ a joint approach is taken to tackling problems that are too big for either party alone, making use of the relative strengths of local and central government (including their relationships, resources, skills, and tools)
- ▶ central government recognises, values and enables the roles and local knowledge of local government and iwi/Māori, and enables innovation to generate local solutions to local challenges
- ▶ there is clear alignment of outcomes and accountability requirements between central and local government and a mature process of engagement and resolution of issues
- ▶ the executive and administrative arms of central government are aligned and committed to enabling community outcomes with local government.

Currently, the relationship between central and local government is strained in a number of ways, leading to dysfunction across the system and making it difficult to align efforts and collaborate for the benefit of communities. Below, we set out a summary of the current state of the relationship, the structural issues underlying the current state, and how people in local and central government experience the relationship in their current roles.

## 6.3.2

**Current state of the relationship: interpersonal layer**

Within the relationship between central and local government, there are hundreds of individual relationships: between groups of agencies and councils who work together for a particular reason, or between individuals in local and central government who communicate on an ongoing basis around a certain issue. The dynamics and mindsets that shape these individual relationships can be deeply entrenched, and people on both sides of the central government–local government divide can feel frustrated, challenged, or underappreciated.

To hear first-hand about the current tensions and explore the impacts on people throughout the sector, we commissioned Thinkplace to explore how people working in local and/or central government perceive the current state of the relationship, with a focus on the interpersonal experience. Of the people interviewed, more of them were in local government roles, but about half also had extensive experience in central government. The perspectives gathered and summarised in this work were provided in submissions and engagement with the Panel (Thinkplace 2021).

When participants were asked to describe the interactions between local and central government, a clear picture begins to emerge. Negative interactions were described using terms like ‘tension,’

‘frustrated,’ ‘agendas,’ ‘patronising,’ ‘hierarchical,’ ‘contradictory,’ and ‘adversarial.’ Positive interactions were described with terms like ‘collaborative,’ ‘certainty,’ ‘respect,’ ‘cross-party support,’ ‘motivated,’ ‘consistent,’ and ‘passionate.’

Some of the key themes that emerged from discussions about tensions from a local government perspective when it comes to the relationship include:

- ▶ frustration that only local government is being asked to reform, when they perceive that the whole system (including central government) needs to change. “We need a future of our communities, not the future of local government,” said one participant
- ▶ that people in local government roles feel they are viewed as ‘second tier’ to their central government counterparts, even when they have decades of experience and very senior positions
- ▶ that local government has unrealistic expectations placed on it, and is required to execute a huge range of things “on the smell of an oily rag” where central government agencies get to specialise
- ▶ the sense of a disconnect between local government’s perspective from working on the ground with communities, and what is perceived as central government’s more removed, theoretical approach. “Local government thinks, ‘What’s good for our city?’ whereas central government thinks, ‘What’s good for NZ as a whole?’” said one participant
- ▶ that central government and local government see themselves as having different ‘masters’ – with local government working for the community ratepayers and central government working for the Minister – leading to challenges finding shared drivers
- ▶ frustration that central government has the power to stop a local initiative in its tracks even if it is the product of careful planning and relationship building, and is likely to have positive social, environmental, or economic outcomes.

However, there are bright spots and some positives along with the tensions. Some participants felt that the relationship has been improving, with one person noting that central government is getting better at listening and not having all the answers. Another described improvement overall but said, “the highs are getting higher, and the lows are getting lower.” People clearly felt that better alignment and collaboration could help improve both the relationship and outcomes – one participant described the relationship at its best when central government teams come into the region and work side by side with them to tackle problems, “standing in the middle of the field with us.”

Some of the key themes that emerged from discussions about tensions from a central government perspective when it comes to the relationship include:

- ▶ in many cases, local government does not influence central government from a position of strength, and the political environment in local government is less predictable than that of central government

- ▶ people in central government agencies respect local government officials, but are not confident in their political authorising environment and worry about a lack of depth and fragmentation in local government
- ▶ ministerial boundaries in central government can narrow the focus and drive towards exerting pressure within the scope of a single portfolio
- ▶ the public management and political system also encourages agencies to stick to what they're familiar with. As a result, the perception of central government is that the trade-offs are not worth the transaction costs and risks.

There are some common issues to both local and central government. There are also challenges in the lack of knowledge and mutual understanding between central and local government. Central government can be seen as overly policy-focused but with no understanding of delivery, resulting in views of 'all talk, no action and out of touch with local priorities'. Equally, local government can be seen as overly focused on local and missing the need to consider national priorities, or lacking the capability to deliver large or complex projects that could make significant changes in local as well as national wellbeing.

As noted in [Chapter 3 \(Section 2\)](#), the lack of clarity about the role of Te Tiriti in local governance has been a fundamental constraint on the relationship between both these parties and Māori at the local level.

### 6.3.3

## Current state of the relationship: structural layer

As noted above, the relationship between central and local government is also shaped by the structural conditions – including legislation, policy, funding streams, and organisations. These structural elements can never define a relationship on their own, but getting the right structures and legislation in place is necessary in order to facilitate a better relationship that can deliver positive outcomes for communities.

Two core tensions currently affect the central and local government relationship:

- ▶ the different legislative and financial incentives between central and local government
- ▶ organisational structures for local and central government that impede the ability to collaborate and direct resources to achieve joint outcomes.

**For local government**, the existing legislative framework means that:

- ▶ the costs of environmental, economic, and social development (including urban growth) fall on councils with limited or no additional revenue
- ▶ the prescribed decision-making process and legislative framework tend to only allow councils to consider local average costs and benefits. This comes at the expense of potential cross-boundary benefits.

**For central government,** the existing legislative framework means that:

- ▶ the benefits of economic and social investment flow to central government through increased tax take or reduced welfare liability
- ▶ decisions are made on average national costs and benefits, generally ignoring distributional differences and concentrated local effects.

Both central and local government operate different authorising and decision-making environments. Decisions at central government are made via the cabinet process under collective responsibility prior to decisions being made public. By contrast, decisions are made at local government level as part of a public accountability process with recommendations made public in advance of decision-making. These differences in the authorising environment inhibit transparent, joined-up decision-making and the ability to partner and agree on how to deliver community-based outcomes.

These core differences limit the ability of central and local government to be reliable partners, have integrity in the relationship, act with a duty of care in providing for the interests of each other and mutually deliver the outcomes sought by the community, whether national or local.

#### 6.3.4

### **The current structure results in a relationship that is ad hoc, misaligned, and low trust**

The current system of governance is premised on strict jurisdictional lines that dictate the confines of our levels of government. Each level of government is supported by its own revenue-generating mechanisms and processes, in theory designed to support only the functions and responsibilities of their respective level of government. This system of independent, disjointed systems and processes can lead to conflict and competition between levels of government.

In addition, the current system of governance sometimes creates scenarios where gains in one level of government are the result of expenditures in another, and these expenditures and benefits are not seen as fairly distributed. For example, when local government invests in addressing local unemployment, costs are incurred locally while the benefits accrue to central government for the national welfare system. Similarly, early work conducted by the Department of Internal Affairs' Future Systems team to understand Aotearoa New Zealand's infrastructure funding and financing constraints highlights the extent to which economic growth and development generate uneven outcomes. Often, dividends accrue to central government, as growth equates to higher revenue-generation potential, while creating challenges for local government, because it drives a need to accelerate infrastructure investment to support growth, which some local authorities struggle to support. In such a system, it can be difficult to identify areas of common value, which disincentivises levels of government from working together to achieve common goals.

## 6.3.5

**Some changes are happening already**

While the current structures supporting the local–central government relationship are a limiting factor for working together for community outcomes, there have been some recent changes which in some circumstances are reducing barriers. These changes are not across the whole system, however, so many of the challenges outlined above will persist.

Recent amendments to the Public Finance Act 1989 (Public Finance Amendment Act 2020) allow for joint ventures (for example Tāmaki Redevelopment) and the use of sectoral clusters (eg, Budget 2020 Justice cluster across NZ Police, Corrections, Ministry of Justice) seeking to promote broader, multi-domain focus on complex outcomes, but these do not provide for or ensure local government involvement across the board.

There is emergent thinking on improvement to public sector management through the provision of new, collective funding models for initiatives that target complex problems, including ‘social entrepreneurialism’ at the local level. This could include having a separate investment track for collective initiatives (Warren 2022).

The Public Service Commission has established the Regional Public Service Leadership programme which has appointed public service leads and is developing regional profiles and priorities to bring a more collective approach to system issues. This is a start, but as currently scoped this is about central government reaching out to local government with central government’s view of regional outcomes rather than a two-way dialogue. This approach also does not incorporate the community voice at the territorial level.

In addition, there are existing or emerging structures for collaboration in specific domains/locations – in particular, transport, housing and social services – that could point to principles that build interdependence and add value to all parties.

**Regional Public Sector Commissioners**

As part of reforms to the public sector in 2020, the need for a more collective approach to system issues was identified. As a result, provision was made for the establishment of interdepartmental ventures and joint operational agreements that support joined-up, agile service delivery and joint resource management, including assets and staff, and interdepartmental executive boards that support joined-up planning, budgeting and/or policy alignment on complex, cross-cutting issues.

Included within these changes were provisions to enable agencies to work differently in the regions. Supporting this reform (but established in 2019) are regional leaders to provide system stewardship. Regional public sector commissioners (RPSCs) have a mandate for convening cross-agency decision-making fora. Included in this work is communicating public service focus areas through regional profiles and priorities for the whole public service. There is an intention to engage more with leaders within local government, iwi, business, and community groups.

In the next section, we look beyond the current state of the local–central government relationship. We sketch out some key components of a strengthened relationship and describe aspects we think are needed – including a shared investment approach and a commitment to collaboration at place – to achieve improved outcomes for communities.

## **6.4 Establishing a shared investment approach to achieving local outcomes**

### **6.4.1**

### **Co-investment for community outcomes**

The Panel believes that a key element of a reset relationship between central and local government must be a commitment to co-invest for community outcomes. By co-investment, we mean an approach where central and local government align efforts to plan, fund, and execute initiatives and projects to maximise wellbeing outcomes at place. Successful co-investment is informed by place-based expertise and knowledge, and creates avenues for funding and strategy from central government to be deployed more effectively through input and leadership from local government and impacted communities.

Our research and engagement with communities confirmed that the mix of outcomes and supporting initiatives that will maximise community wellbeing will vary from place to place, and depend on the values, preferences, and endowments of different communities. Therefore, any approach to co-investment by central and local government needs to support and accommodate local needs and aspirations.

As noted above, while local and central government are key actors in a co-investment approach, mana whenua also have a central role to play in local governance and therefore must also be included in these approaches, starting with the design phase.

## 6.4.2

### There are already examples of co-investment, but this is not the norm

There are already examples of where local and central government co-invest in community outcomes. The table below outlines some examples and the outcomes they are seeking to achieve.

**Figure 18: Examples of co-investment activities**

Type of shift	Example Outcome	Specific initiative
Better alignment between local and central interventions	Addressing housing shortages and homelessness	<p><b>Hastings place-based housing partnership</b></p> <p>Central government agencies partnered with Hastings District Council, iwi, and providers in a place-based initiative to provide a mix of public housing, affordable housing, papakāinga, and additional transitional housing.</p> <p><b>Porirua housing regeneration</b></p> <p>A strategic and integrated regeneration programme between central government, local government, and iwi to deliver affordable housing, improved community infrastructure, and resilience.</p>
Centrally funded initiatives that are locally led, where central government has partnered with local government.	Addressing income inequality and supporting wealth building	<p><b>UPTEMPO Whole-of-family approach to workforce progression for Pasifika peoples</b></p> <p>The Southern Initiative (Auckland Council) and central government agencies collaborated and utilised private sector, trade unions, and Pasifika organisations and relationships to create an initiative that thinks beyond individualised employment support services and aims to understand and address wider family barriers to quality employment and wider economic opportunities 'in context' where current labour market policies and interventions are not generating enough impact.</p>

## 6.4.3

**A new approach to co-investment is needed**

In order to support a reset relationship between central and local government actors that allow them to better align, partner, and co-invest for the benefit of communities, there need to be processes and collaboration mechanisms in place to support and incentivise this way of working.

As a starting point, it is important that central and local government actors have a better understanding of what outcomes will drive wellbeing gains for a particular community and make more deliberate, responsive choices about the mix of interventions needed to reach these outcomes.

In this context, we consider community wellbeing can be maximised with a clear and effective way for central and local actors to:

- ▶ agree in conjunction with community the specific outcomes and priorities that would lift aggregate/distributional wellbeing in a specific place
- ▶ constructively challenge each other about how to change or align investment in public goods and services, the exercise of regulatory functions, or other public interventions in order to achieve these goals.

In order for this to be successful, there also must be:

1. the ability for these discussions to meaningfully influence central and local government investment (the co-investment conversation)
2. agreed measurement of progress to inform direction of activity and provide accountability to the community and create transparency about all parties actions.

We note that including not only central and local government, but also Māori and the community in the design and implementation of any collaboration process will be vital to achieve community outcomes.

We consider that a process for collaboration as outlined above will facilitate a significant shift from a system focused too rigidly on a binary view of local or central government, to a truly collaborative system of local governance that can adapt to future challenges and enable communities to thrive.

We also see this as critical to ensuring the relevance of, and confidence in, local government. We think it provides Ministers and local government leaders with an important tool for connecting, and for addressing tensions between centralisation and localism. We are also conscious that some communities simply cannot afford the same level of publicly funded interventions as others, so we see this process as critical to our consideration of more equitable funding.

## 6.4.4

**Attributes of effective collaboration**

The shift towards effective collaboration for co-investment will require work at an interpersonal level as well as a structural level. The interpersonal aspects of an improved relationship will involve mindset shifts and developing new processes for working together.

In considering the range of arrangements for interaction between central and local government we have also examined attributes for collaboration (adapted from Beca 2021). Key attributes include:

- ▶ a shared, agreed strategy between collaborating partners
- ▶ a governance approach with shared accountability
- ▶ collaborative people working together, supported by effective leadership
- ▶ investment in capability and culture to create a shared culture that reflects the partner organisation cultures
- ▶ business processes that support collaboration and interdependence
- ▶ decision-making that is transparent and works for all partners.

#### 6.4.5

### Steps toward a mindset shift

We identified earlier the outcomes of a strengthened relationship. We believe there needs to be a deliberate and active approach from both central and local government officials and politicians to reset and strengthen the relationship. The challenges facing communities are deep-seated, complex, and intergenerational and can only be tackled with a cohesive approach. Central government needs to understand the value that local government can bring to help solve some of its challenges and local government needs to be focused and organised to be able to maximise the value of a more effective partnership.

Another significant step in improving the interpersonal level of the central–local government relationship in order to effectively collaborate is recognising and addressing the need to build a productive culture, set of behaviours, mindsets and attitudes for both central and local government to reinforce the wider system changes this report recommends. This will require everyone to take a different approach to the working relationship between central and local government; the role of iwi in a new operating model; and the emphasis on roles and responsibilities within a mature relationship. Without this shift, opportunities will continue to be missed and the ability to tackle big changes is diminished. Steps in making this change include:

- ▶ actively doing things together that can build trust through identifying and initiating joint projects or activities
- ▶ changes to organisational policies and practices to enable working across levels
- ▶ moving from just enabling to proactively seeking the sharing of resources, which might be joint projects, secondments or transfer of resources and delegations to the people (including community groups) with close connection to the outcomes being sought
- ▶ developing a unified investment in leadership and skill development across central and local government.

The above is not an exhaustive list, and change will take time and sustained effort. We have already seen good examples of positive and productive relationships, but they are not widespread, are largely reliant on individuals, and not reinforced by system conditions and settings. We seek both strong leadership and a system that rewards and reinforces collective approaches and effort. Communities both need and deserve central and local government working in harmony for the benefit of the people they serve.

## **6.5 Developing a new approach for co-investment**

In considering how we move from the current ad hoc and misaligned model of central and local government relationships to one where all levels of government are encouraged to share gains and co-invest to address challenges, we are thinking about strategies to move towards more interdependent governance.

An interdependent governance system is one in which gains in one level of government are at least directly proportional to gains in another. This proportionality should also mean that losses or risks in one level of government are at least directly proportional to losses and risks in another. An interdependent system is likely to encourage all levels of government to become invested in the wellbeing and success of the others, and provide incentives for information-sharing and support to invest in areas of common interest.

Work by the Panel to investigate interdependence in the context of potential reforms to the local government system is still at a conceptual stage. However, thought has been given to how the principle of interdependence could be incorporated into a number of areas, including a wellbeing framework for local and central government, changes to policy development, relationships, behaviours, and revenue-generation systems. We consider that incorporating interdependence principles could improve social, cultural, economic, and environment wellbeing.

## 6.5.1

**Principles for an interdependent system**

We have developed a set of principles that we think can guide work towards a system of interdependence that facilitates effective co-investment for community wellbeing. These are outlined in the table below.

These principles have been developed from a range of inputs, including learnings from previous co-investment activities.

Principles	Explanation
Balance structure and direction with flexibility for local conditions and existing landscape	<p>While a statutory structure is needed to bring the parties together, this needs to be flexible and responsive to local conditions, wrapping around existing collaborative models for specific outcomes/locations – for example Spatial Planning fora / Te Hiku Forum – by minimising ‘prescribed’ governance.</p> <p>The system also needs to encourage the parties to ‘follow the opportunities’ (which will depend on local preferences and capability).</p>
Balance efficiency with granularity in priority-setting	<p>There would be little clarity and limited capability if we had 78 local authorities and 20-plus central government conversations at different times and places. A regional format is essential, but this must retain space in the conversation for territorial level priorities and investment shifts and be willing to have pan-regional conversations.</p>
Government-enabled but community-owned	<p>Central and local leaders must be visibly committed to and facilitate these conversations, but citizens must drive the priority-setting – a deliberative or much more participatory approach will be essential.</p>
Māori embedded at the governance level	<p>Hapū/iwi and significant Māori organisations would need to be represented at the heart of an interdependent system with equal status to central and local government representatives, and be supported to participate. A Māori-led, tikanga-based process for appointments will be necessary to achieve an efficient number of representatives at a regional scale.</p>
Clear expectations about the relevance of national objectives and decision-making processes	<p>Parties must strive for consensus but accept they won’t always agree – local actors cannot expect central government to support investments that are fundamentally inconsistent with national objectives or equity, but central government must come prepared to consider real change in service design. Where there are differences, local actors can still pursue separate initiatives aimed at those priorities.</p>

Principles	Explanation
Investment in capability and culture building	There must be initial and ongoing investment by all parties in the capability and culture needed to support the model and make the most of contributions by all parties. The system needs people with relational skills and who are able to act as innovative policy entrepreneurs, to both bridge the gaps across and within organisations and also derive new public value from better use of central and local government investment.
Investment shifts must be immediately actionable within an interdependence model, relevant agencies, or given a 'fair go' in central government budget processes.	<p>Investment shifts must generate visible change in local communities. While changes in the exercise of regulatory functions will need to sit with 'owning' authorities, – we think any interdependence model in the new system should have commissioning rights and a dedicated budget to implement service-related shifts that can be safely/ equitably actioned immediately.</p> <p>Where change cannot be addressed within such a budget, or where central government representatives think there are opportunity costs / risks for national objectives, such proposals should be given meaningful consideration through a separate track in the central government budget. Shifts that involve both central and local government levers can incorporate a funding-matching conversation with local actors.</p>
Shared and intelligent accountability	In addition to traditional accountability mechanisms that 'publicise' the agreed priorities and investments, consideration should be given to more innovative in-cycle evaluations and an independent locus of accountability (see the Well-being Commissioner in the Welsh model below). Fundamentally, central and local actors must stick up for each other in tough public conversations about trade-offs or the pace of change.

## 6.6 What might this look like in practice?

We have looked to both local and international examples to help us imagine what an interdependence approach could look like.

Broadly, these can be thought of in two categories:

1. place-based initiatives that are developed for a specific geographic area
2. broader approaches that set requirements at a national level while enabling local specificity.

We also outline emergent thinking on collaborative/interdependent models.

### 6.6.1

### Place-based initiatives (PBI)

Place based initiatives are projects that concentrate investments and activities in a specific location to achieve measurable community results and are generally structured as projects or programmes including between central and local government.

Place-based initiatives can be an effective approach for the provision of some services and can also help achieve economies of scale in service delivery and address externalities associated with service provision. For this reason, we think that looking at a range of PBI examples can help us to imagine possibilities for a reset relationship. However, PBIs do not provide an ongoing structure or foundation for the coordination of service delivery. Voluntary cooperation can work to some extent in situations where objectives are shared by policymakers in local and central government. However, this approach will not work well when objectives differ between parties or there are wider structural incentives for key participants to minimise or remove themselves from involvement, such as different accountability reporting lines. Implementation of PBIs requires an action plan and adequate resources that might need a more formal arena for collaboration (Slack 2007).

### Social Sector Trials

In 2011, the Social Sector Trials (the Trials) were set up to test a new approach to improving service delivery by reorganising funding and decision-making processes across the social sector and shifting control to local levels. The trials were a partnership between the Ministries of Social Development, Justice, and Education, and the New Zealand Police and were governed by a Joint Venture Board. The Trials were initially established as a two-year programme in six communities, but these were subsequently extended to 30 June 2014.

The initial Trials in six communities focused on a specific set of outcomes for 12- to 18-year-olds. The outcomes were to: reduce truancy; reduce offending by young people; reduce alcohol and drug abuse by young people; and increase participation of young people in education, training, or employment.

Evaluation of the trials found that initiatives did harness community knowledge and led to collaboration on particular outcomes, cohorts, and locations. However, the focus on a narrow set of outcomes limits a holistic approach and does not give space for communities to lead the prioritisation of outcomes across the wellbeing domains.

In addition, not all the initiatives included local government and the short-term nature of the pilots (1–2 political cycles) was not sufficient to comprehensively prove the concept/build critical mass of support.

### **The Southern Initiative**

A part of Auckland Council, The Southern Initiative and Western Initiative (TSI) is a place-based innovation unit that works across local and central government to drive social and economic innovation and transformation. It is based in south and west Auckland. Supported by Auckland Council, the team's work also attracts philanthropic and central government funding around specific initiatives and Kaupapa.

In addition to partnering with existing government agencies and providers, TSI is focused on finding and demonstrating radical solutions to pressing social and economic challenges with a particular focus on Māori and Pacific innovation and leadership. It operates like an integrated economic and social development agency, and aims to catalyse change by demonstrating and incubating different approaches to achieve equity and wellbeing.

### **South Auckland Social Wellbeing Board**

The South Auckland Social Wellbeing Board (the Wellbeing Board) is a government agency-led PBI with 13 government agency members, one local government member and an independent non-government chair. It is focused on identifying learnings that can improve the system and getting services to families and whānau who have not engaged previously.

The Wellbeing Board uses a 'test and learn' approach to innovate and disrupt the system. This is done through running prototypes of potential approaches for positively impacting the South Auckland community. Prototyping enables the Wellbeing Board to be fluid and responsive to the needs of their communities and partners. The Wellbeing Board has an in-house evidence and insights team that captures learnings and enables them to make a case for change for collective action and to inform local and national decision-making.

### **Urban Growth Partnerships**

Urban Growth Partnerships are partnerships between the Crown, local government, and iwi to advance the government's Urban Growth Agenda (UGA).

Under the UGA, central government partners with councils and iwi to ensure that government investment in infrastructure is aligned to help deliver connected, thriving, and sustainable urban communities. Urban growth partnerships formalise these relationships between the Crown, local government, iwi, and local communities to deliver the UGA objectives.

Current partnerships are focused on regions that are experiencing significant growth pressures and where councils want to work with the central government to help address the challenges and opportunities from that growth. Urban Growth Partnerships include spatial planning and take a long-term and integrated approach to land use and infrastructure planning. A number of partnerships are underway including the Auckland Housing and Urban Growth Joint Programme,

Greater Christchurch, Future Proof – the Hamilton to Auckland Corridor, Queenstown Lakes Spatial Plan, SmartGrowth in Tauranga-Western Bay of Plenty, and the Wellington Regional Leadership Committee for the Wellington-Horowhenua Region.

In August 2020, Cabinet endorsed the strategic priorities for joint spatial plans for the Hamilton-Waikato and Tauranga-Western Bay of Plenty metropolitan areas and the Queenstown Lakes area (MHUD nd).

### **International example: City Deals**

City deals are bespoke packages of funding and decision-making powers negotiated between central government and local authorities and other local bodies. City deals are designed to bring about long-term strategic approaches to improving local and regional economies, aiming to harness additional investment, create new jobs, and accelerate inclusive economic growth. Deals to date have been tailored to locations reflecting different strengths and weaknesses and consist of a programme of interventions to support change.

City deals have been specifically implemented in the United Kingdom and Australia. The Metro Vancouver Regional Growth Strategy can be considered a Canadian equivalent of a city deal. Relatively well-known examples of city deals are Greater Manchester City Deal and Edinburgh City Deal.

#### **6.6.2**

### **National frameworks that allow for local specificity**

#### **Welsh well-being model**

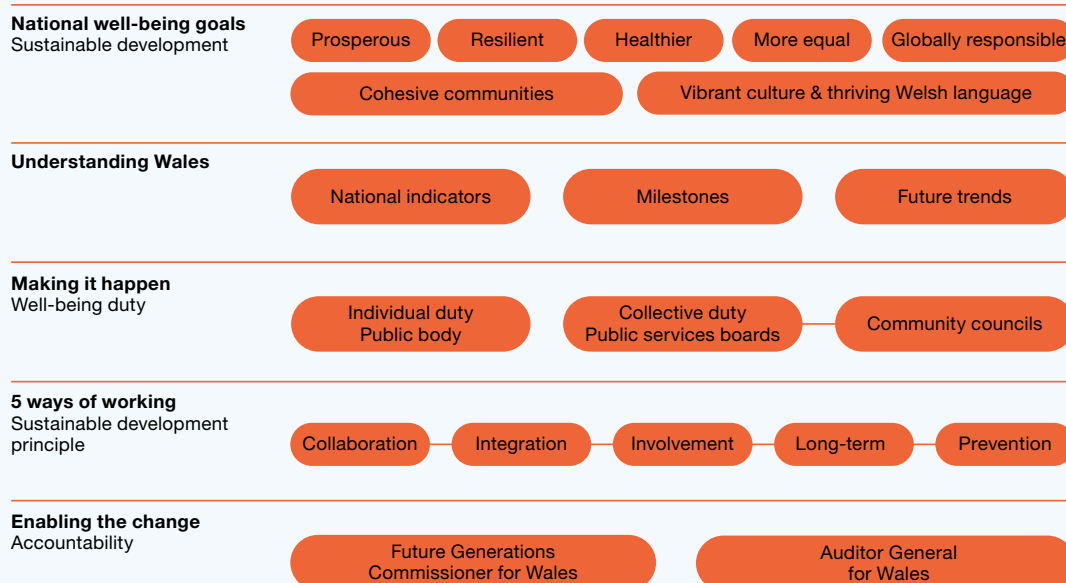
The 2015 Well-being of Future Generations (Wales) Act established a legally binding common purpose for national government, local government, local health boards, and other specified public bodies. The Act sets out actions that public bodies must:

- ▶ set and publish objectives ('well-being objectives') that are designed to maximise its contribution to achieving each of the well-being goals
- ▶ take all reasonable steps (in exercising its functions) to meet those objectives. This means that each public body listed in the Act must work to improve the economic, social, environmental, and cultural well-being of Wales.

These objectives will show how each public body will work to achieve the vision for Wales set out in the well-being goals. Public bodies must then take action to make sure they meet the objectives they set. The Act 'formalises' the shared outcomes and investment process that establishes 19 regional Public Service Boards (PSBs) which are clusters of key public bodies in a local context, with central and local government in a core layer, and wider community players in a second tier. The Act requires PSBs to identify a comprehensive set of well-being objectives (local outcome priorities) and develop local well-being plans which include the steps and actions for alignment and investment in services or wider public intervention that they will take to achieve these priorities.

The Act also establishes an independent Well-being Commissioner to audit performance, advocate for improvements to meet the objectives, increase public understanding and accountability, and facilitate innovation and knowledge transfer across public bodies.

**Figure 19: Well-being of Future Generations Act Architecture**



Adapted from Llywodraeth Cymru Welsh Government: Well-being of future generations (Wales) Act 2015 Essentials Guide

### Early indications from the Welsh Model

A Welsh Parliamentary review in March 2021 (WPPAC 2021) found tangible progress and much good will, but:

- ▶ there was not enough investment by participating organisations in the capability and culture change needed to support the model and make the most of contributions by the community sector
- ▶ the lack of dedicated (additional) funding for the administration of PSBs has limited effectiveness
- ▶ separate and misaligned organisational funding cycles/ approaches and lack of dedicated resources for actions has constrained well-being plans
- ▶ the Commissioner role was not sufficiently resourced to facilitate the model
- ▶ the Public Service Boards need to be aligned and consolidated with other collective impact bodies in the system.

Overall there was a strong sense in the review that the model is worth pursuing, but there are some pointed lessons about the need

to fully fund and support the model, that there is a clear authorising environment for investment shifts, and a need for patience and commitment in realising the returns.

### 6.6.3

## Emergent – collective/interdependent model

Recent Public Finance Act amendments (Public Finance Amendment Act 2020) allow for joint ventures (for example the Tāmaki Redevelopment) and the use of sectoral clusters (eg, Budget 2020 Justice cluster across the New Zealand Police, Department of Corrections, and the Ministry of Justice). These seek to promote broader, multi-domain focus on complex outcomes, but these do not provide for or ensure local government involvement across the board.

There is emergent thinking on improvement to public sector management through the provision of new, collective funding models for initiatives that target complex problems, including ‘social entrepreneurialism’ at the local level. This could include having a separate investment track for collective initiatives (Warren 2022).

Building on the emergent thinking from Warren (2022) and research from Beca on collaborative models (Beca 2021), outlined below is an example of how a collective investment model could provide a connective layer between central and local government.

Elements with this model would be three connected phases of:

- i. the setting of wellbeing priorities
- ii. a co-investment conversation
- iii. accountability and evolution.

Like existing operating models, these phases would not be linear, but would involve each phase feeding into, responding to or intertwined with others. For example, the phase of co-investment may identify opportunities to deliver a different range or more wellbeing priorities than originally considered.

This collective investment model builds on the evolution of previous operating models that were based on a transactional and ‘complete contracts’ theory that formed the basis of the 1980s central and local government reforms, to include new thinking and evidence on co-investment, public sector management, and partnerships which is partly informed by work on incomplete contracts models as outlined by Oliver Hart (Hart 2016) and vested (relational) contracts by Kate Vitasek (Vitasek et al 2020).

### Phase 1 – Statutory Authority and public statement of community wellbeing priorities

The collective investment model enabled by a collective/interdependent authority would:

- ▶ be supported by dedicated staff and an administrative budget (drawn from central government and local government participants)
- ▶ hold a dedicated investment fund apportioned equitably on the basis of population, deprivation, and performance
- ▶ have commissioning rights for actioning some investment shifts.

The authority would encompass facilitation every three years of:

- ▶ wellbeing assessment and measurement
- ▶ community owned processes for setting regional and territorial wellbeing priorities using deliberative and participatory democracy processes.

This facilitation work would result in a public statement of community wellbeing priorities (target outcomes) by the authority in conjunction with all the parties involved.

Within this system there needs to be a built-in 'innovation laboratory' providing a dedicated space to look at, evaluate, and incubate alternatives to existing public service innovations.

### **Phase 2 – Annual co-investment statement**

The collective model includes an annual co-investment conversation for participants to discuss and decide:

- ▶ changes to make to service volumes or design, regulatory functions, or the alignment of central/local action to lift the target outcome
- ▶ when/how to shift away from traditional service models and utilize social sector and community innovations
- ▶ how to reconcile national and local priorities or objectives within choices
- ▶ who is best placed to do what
- ▶ how fast to move in the coming year.

This conversation would produce a public statement of investment shifts and actions between central and local government and hapū/iwi to deliver on the public statement of community wellbeing priorities.

To be meaningful and result in genuine changes and delivery on the wellbeing target outcomes, the co-investment conversation will need to include and action:

- ▶ fiscally neutral 'alignment' or regulatory shifts that can be actioned by relevant organisations
- ▶ service shifts and innovations that are funded and commissioned directly through the collective/interdependent authority
- ▶ the identification and prioritisation of shifts that have significant opportunity, costs, or risks for national objectives to feed into a formal track for local wellbeing priorities in the central and/or local government budget process.

### **Phase 3 – Accountability and evolution**

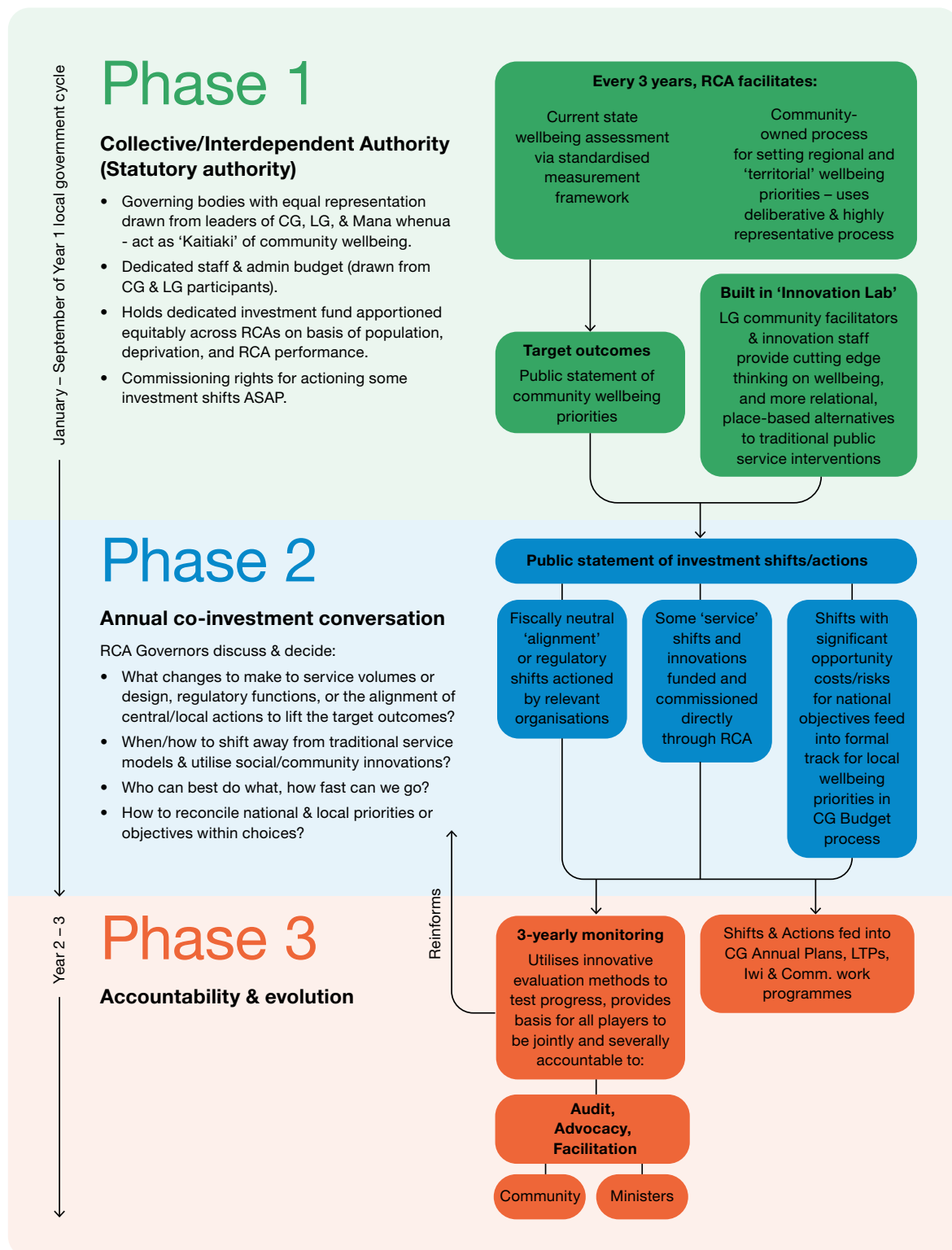
Within this system there continues to be a need for a trusted relationship between central government, local government, and citizens. This is about all actors within the system demonstrating competence, reliability, and honesty in a way that allows citizens to judge the trustworthiness of the actors in using public money and resources or exercising regulatory functions. To ensure there is integrity in the exercise of power in a way that is true to the values, purposes,

and duties for which that power is entrusted, the following actions will be required:

- ▶ agreed shifts and actions will feed into central and local government annual plans, local government long-term plans and where relevant iwi, and community work programmes
- ▶ a 3-yearly monitoring cycle will be established which informs the co-investment conversation. This monitoring will utilise a range of innovative evaluation methods, including learning ethos/practice-based considerations to test progress, provide a basis for all actors to be jointly and severally accountable, to the community and Ministers. Audit, advocacy, and facilitation functions will assist in maintaining the system, enabling the system to evolve, and support fairness within the system.

An outline of this model and how the components connect, interact with, and reinforce each other is shown in Figure 20 below.

Figure 20: A collective/interdependent model



## 6.7 Towards a model for Aotearoa New Zealand

Whilst we have outlined a range of examples above we feel that there is a need for a new approach to central and local government working together that provides for co-investment, underpinned by a focus on building and maintaining productive relationships. The examples above provide us with vital insights about what works well in co-investment approaches. However, each of the models provided have aspects that mean that they might not work as a systemic approach.

In our final report, we want to present models that provide effective ways for co-investment and how this could work in our particular context. To help inform this, we are interested in views on how to rewire the system of central and local government relationships and develop a shared vision and co-investment in local outcomes. Below we outline some key aspects we think need to be present in a new approach. We then have provided a set of questions we would like your feedback on.

### 6.7.1

#### Some things we think need to be present in a new model

As a Panel, we have been thinking about how an interdependence model could work using the principles and attributes as a guide. We are considering several key aspects.

- ▶ **Any new approach needs to be an enabling model, not a prescriptive one.** While we know a co-investment approach will need to enable parties to agree outcomes and financial approaches, it will need to provide sufficient flex to change and adapt to local circumstances and events that will happen across time.
- ▶ **The need for a stronger statutory process that enables co-investment towards agreed regional outcomes.** While structural responses are only part of the solution, and there are changes needed to capability and mindsets, we think a model, enabled by statute, is an important aspect to provide stability and mandate. We also think that convening at a regional level will enable local perspectives and circumstances to be considered while enabling decisions across both local and central government.
- ▶ **Any new approach should support place-based decision-making and innovation.** Bottom-up, local approaches will need to be incorporated in order to achieve desired outcomes and design locally appropriate solutions, even when infrastructure is regional.
- ▶ **Governance of the co-investment approach should be an equal partnership between local government, central government, and Māori.** We note there would need to be a Māori-led, tikanga-based process for determining Māori representatives. In general, we would expect hapū/iwi to have a lead role in these entities, but there may also be regions where urban Māori authorities or Kaupapa-based groups play a significant role in the Māori community and consideration should be given to their views being represented.

- ▶ **There needs to be proper investment in the approach.** We have learned from PBIs and the Welsh model that a 'half in' approach will not work, and appropriate funding needs to be provided both to initiatives and also to support different actors working together.
- ▶ **It will be important to balance the need for structural change with the need for acting quickly and innovation** to address challenges and opportunities in communities now while building an embedded sustainable approach for the future.

Any interdependent model needs to be seen as part of a package of bigger shifts that this report is recommending – a stronger local government that must be valued as a key player in working with central government to help tackle the wellbeing challenges that communities face.

For the final report, we want to consider different options with a series of workshops with people from across both central and local government together with iwi representation to test the proposed models.

The Panel wants to consider the merits of the different options to create an interdependent relationship between central and local government, that will ensure their strengths and resources are best applied to the challenges of present and future communities.

Whether it is planning for sustainable growth, housing and social and economic sector pressures or environmental challenges, communities need and deserve collaborative and cohesive effort especially from both central and local government.

### Questions

As we work towards our final report, we want to consider the merits of the different examples. We are interested in your views as to how to rewire the system of central and local government relationships through developing an aligned and cohesive approach to co-investment in local outcomes.

- ① To create a collaborative relationship between central and local government that builds on current strengths and resources, what are:
  - a. the conditions for success and the barriers that are preventing strong relationships?
  - b. the factors in place now that support genuine partnership?
  - c. the elements needed to build and support a new system?
  - d. the best options to get there?
  - e. potential pathways to move in that direction and where to start?
  - f. the opportunities to trial and innovate now?
- ② How can central and local government explore options that empower and enable a role for hapū/iwi in local governance in partnership with local and central government? These options should recognise the contribution of hapū/iwi rangatiratanga, kaitiakitanga, and other roles.

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# Replenishing and building on representative democracy



# Local voter turnout has declined over the past three decades and a significant proportion of people are not engaged in local body elections.

## 7.1 Key findings

Councils remain predominantly made up of older European/Pākehā elected members. There needs to be more diverse representation and increased governance capability at the council table.

While Māori wards and constituencies are a positive feature, they were not designed to provide for Tiriti-based representation of mana whenua or significant Kaupapa-based groups.

Councils need to increase their capability in, and understanding of, Te Tiriti o Waitangi and te ao Māori.

Elected members' conditions, remuneration, training and support need to improve to attract a wider pool of potential candidates and increase the quality of governance.

Aspects of the current electoral and representation review provisions and processes need revision.

## 7.2 Overview

To respond more effectively to the challenges facing Aotearoa New Zealand and maximise wellbeing for communities as a whole, we need to ensure that local leadership allows diverse voices to be heard. We also need to ensure that members of councils have the necessary skills, expertise and experience to help facilitate solutions to these complex, intergenerational problems. We need trustworthy leadership that is brave enough to lead new and innovative forms of democracy. And as per our discussion in [Chapter 3](#), we think a Tiriti-based partnership needs to function at all levels of the system.

When local democracy and election processes are working well, we imagine a future where:

- ▶ representation and electoral processes are robust; fair and meaningful; and able to evolve with community needs and preferences
- ▶ everyone understands and can access local electoral processes
- ▶ council governance (the membership of councils) is more representative, with a diverse and talented range of elected members who represent a breadth of cultures, demographics, expertise, and community knowledge
- ▶ council governance is trusted, supported, and valued, with a full range of the capabilities needed to make quality, intergenerationally minded decisions
- ▶ council decisions reflect a strategic perspective, thinking beyond short-term political cycles
- ▶ Māori representation at the council table is not limited to Māori as citizens, but extends to direct representation for mana whenua or significant Kaupapa-based groups
- ▶ representative democracy is supported by a positive, constructive relationship between council governance, management, and staff.

At the moment, although we see many individual examples of these ideas or initiatives, we think there are a number of barriers in the existing mechanisms, conditions, and parameters for democratic representation that stop us from achieving this overall vision.

In particular, we have made recommendations aimed at improving the quality and consistency of local electoral processes and electoral systems. We have also recommended a reduction in the voting age and a more strategic electoral term. We have also considered how well the level of remuneration and support for elected members promotes a capable, representative council membership.

We acknowledge limitations in the Māori wards mechanism, and the potential for new models of council governance to ensure Tiriti-based representation at the council table and a more comprehensive set of governance capabilities.

Finally, we explore options for ensuring a team approach across council governance, executive team, and staff and for ensuring transparency, capability, and continuous improvement in local democratic processes.

## 7.3 Where are we now?

This section provides a more detailed discussion of the challenges with the current state of representative democracy, as context for what we recommend in the rest of this chapter.

### 7.3.1

#### Low voter turnout

While voter turnout should not be seen as a comprehensive indicator of the relationship between councils and communities, in relative or directional terms it can be a useful indicator of the health of democratic processes. Actual percentages of eligible voters have declined from a national average of 57% in 1989 to 42% in 2019. Although results over the three most recent elections have stabilised, the turnout numbers still indicate a significant proportion of citizens are not engaged in local body elections. Comparatively, central government election voter turnout was 82.5% in 2020. Poor turnout at local elections has been variously attributed to:

- ▶ a lack of awareness around elections, candidates, and policies
- ▶ disengagement from politics and council
- ▶ a general apathy towards voting (Asquith et al 2021).

Differences in voter turnout are strongly pronounced when broken down across ethnicity, age, and socio-economic status. It has also been highlighted that these demographics and characteristics compound each other – for example, young Māori living in lower socio-economic neighbourhoods were less likely to vote (Asquith et al 2021). We also note that relationships between councils and their communities decline with larger populations, as the distance between people and their representatives increases. In essence, smaller communities who have a closer connection to their candidates are more likely to vote (LGNZ 2019a).

The Panel also observed that the current process of postal voting is contributing to low voter turnout. As technology evolves, the opportunity for electronic voting needs exploration.

▼ 15% eligible voter turnout since 1989

### 7.3.2

#### Limited diversity of membership

Having a body of diverse elected representatives is likely to improve the quality of council decision-making for the whole community, by ensuring decisions take into account the needs and preferences

of people with different genders, ethnicities, socio-economic and cultural backgrounds, physical abilities and ages. This diversity also strengthens the legitimacy of local government, by ensuring people can see themselves reflected in the governing body.

While the ethnic diversity of elected members is increasing (particularly with the upcoming elections seeing 35 councils adopting Māori wards for the first time), the table below highlights that the current diversity of candidates is not yet reflective of our community (LGNZ 2020b).

**Figure 21: Ethnicity of local body election candidates and the New Zealand population**

**Candidate percentage**

**New Zealand population percentage**

**Asian**

1.9%  
15.1%

**NZ European**

77%  
70%

**Pacific Islander**

1.2%  
8.1%

**Other**

0%  
2.7%

**Māori**

11.6%  
16.5%

Source: LGNZ's survey of candidates standing for the 2019 local authority elections.

Note: Respondents could select multiple ethnicity options.

Councils remain predominantly made up of older European/Pākehā members (LGNZ 2020a). Of all council members elected in 2019, 13.5% identify as Māori, while Pasifika, Asian and other ethnic minorities are significantly underrepresented. While the 2019 election saw the highest proportion of women ever elected to local government

in Aotearoa New Zealand (40.5%), less than 30% of mayors are women. The average age of elected members is 56–60, and only 13.9% of members are under 40.

As demonstrated by the quotes below, the need to increase diversity in council membership was reflected in our engagement with communities:

**“We need a system of election that is more engaging so that elected members are truly representative.”**

– Survey respondent

**“There are a lot of people who are not represented around the council table. Those who do not own their own homes, those who are low income, people with disabilities, people from ethnic minorities, Māori. Those under 18.”**

– Survey respondent

**“Youth need better representation and more of a voice in local government.”**

– Survey respondent

### 7.3.3

### **Constraints on good quality decision-making and capability**

We also heard that:

- ▶ the 3-year local electoral term does not allow for progress on complex issues and encourages short-term political cycles that cancel each other out
- ▶ elections do not always deliver a council with the full range of governance capabilities needed to respond to complex, intergenerational issues
- ▶ there is significant variation in how the employment relationship between the council and the chief executive is managed, and in the quality of relationships between elected members and staff.

## 7.3.4

**The need for a Tiriti-based partnership at the council table**

As highlighted in [Chapter 3](#), we think the point is now well made that Māori wards and constituencies were not designed to provide for Tiriti-based representation of mana whenua or significant Kaupapa-based groups at the council table. We were repeatedly told that people in council governance need to build their capability and understanding of Te Tiriti o Waitangi and te ao Māori.

**“Governance needs to be upskilled in language and te ao Māori, [and] better understand the Māori communities it serves.”**

– Survey respondent

## 7.3.5

**Towards a more robust representative democracy**

To achieve more diverse representation, a range of actions and interventions will be needed. The following sections provide more detailed analysis and recommendations in the following areas:

- ▶ better representation and electoral processes
- ▶ better remuneration and support for elected members
- ▶ a more strategic local electoral term
- ▶ new models for council governance – ensuring capability and Tiriti partnership
- ▶ ensuring a team approach
- ▶ transparency, capability and continuous improvement.

**7.4 Better representation and electoral processes**

We think general drivers of low voter turnout (such as apathy and disengagement) and the lack of diversity in representation will be addressed to an extent by the wider set of changes proposed across this report. However, we think there are some specific features of representation and electoral processes that should be reconsidered. This includes looking at current provisions for representation reviews, the future of Māori wards and constituencies, the administration of local electoral processes, local discretion as to the choice of electoral system, and the voting age.

## 7.4.1

**Representation reviews**

Under the Local Electoral Act 2001 (LEA), local authorities are required to review their representation arrangements at least once every six years in order to achieve fair and effective representation. As part of these reviews, councils are required to consider things like the total number of councillors, how they are elected (whether from wards

or at large or a mix of both) the boundaries of wards, and whether community boards are needed.

Any person interested in proposals made as a result of such a review can lodge a submission with the local authority, and if still dissatisfied with proposals after they have been heard, can lodge an appeal. The Local Government Commission has a direct role in appeals and objections against final representation review proposals, and in cases where proposals do not comply with statutory fair representation requirements.

We consider that the Local Government Commission's deliberations on appeals from representation reviews for 2022 suggest some variation in the quality or legal compliance of reviews conducted by councils. Not all councils have invested to ensure sufficient capability and capacity to undertake reviews to the requisite standard, and there is little incentive to do so.

Yet we are not convinced there is a systemic problem with the process for setting representation arrangements. We think such arrangements should still be locally driven, and that other proposals in this report aimed at promoting more representative councils may mitigate the risks above. For this reason, we make no specific recommendation related to representation reviews for now, but seek feedback from all parties on whether further support for councils in carrying out such reviews is required. In particular, we seek feedback as to whether the Local Government Commission should play a more proactive role in leading or advising councils about representation reviews, so that fewer discussions reach the point of requiring an appeal and determination process.

#### 7.4.2

### The future for Māori wards and constituencies

As noted above, we acknowledge that Māori wards and constituencies are not sufficient to provide for a Tiriti-based partnership at the council table, and below discuss how we think they should be complemented by mechanisms that promote new models for council governance.

However, within the framework we set out in [Chapter 3](#), we think Māori wards should remain a key feature of the system, as they ensure Māori citizens in the vast majority of local authority areas have an opportunity for culturally specific, proportionate representation. On balance, we do not support the idea raised in the past around some form of 'compulsory' Māori ward mechanism, or suggestions to base the electoral formula on the total Māori population instead of the Māori electoral population – we think Māori elected representation should remain a fundamentally local and self-determinative choice within the wider representation review process.

Beyond these points, however, we have not focused on the more technical aspects of the Māori wards system (such as its integration with wider representation choices) in this draft. Many of these issues will be discussed during the passage of the Local Government Electoral Legislation Bill, and we would like to consider the views of submitters before making any comment on these issues.

Where relative populations mean that at least one Māori ward is not possible and raising the number of elected members is not practical,

we think partnership can still be achieved through the mechanisms we have recommended in [part 7.7](#) below, and in other parts of the architecture for change we discuss in [Chapter 3](#).

#### 7.4.3

### Centralised administration of local electoral processes

At the moment, local authorities are responsible for administering local elections. Councils must appoint an electoral officer and undertake elections in accordance with the LEA. While a few councils undertake this function themselves, most engage an independent contractor to be the electoral officer and run the election process. For the 2019 local elections, the Electoral Commission provided a supporting role by:

- ▶ encouraging people to update their enrolment details
- ▶ promoting community engagement
- ▶ providing electoral roll data to electoral officers
- ▶ checking special vote declarations to confirm voting eligibility.

In terms of encouraging voter turnout, the Local Government Act 2002 (LGA) makes local authority chief executives responsible for ‘facilitating and fostering representative and substantial elector participation’. Chief executives must discharge specific responsibilities relating to the elections, such as preparing a pre-election report as outlined in the LEA.

While localised delivery can mean electoral processes are better tailored to local circumstances, it can lead to inconsistency in the interpretation and application of electoral law across the country. It can also lead to different standards of voter support and promotion activities due to differing council budgets. Because elections are held only every three years, and require a specialised skillset, we are concerned that it is often not possible for councils to acquire the ‘surge’ capability needed to engage with these issues, resulting in lower quality elections. A recent inquiry into the 2019 local elections by the Justice Select Committee considered that ‘one of the main reasons for voter turnout decreasing since 1989 is the poor coordination and resourcing of local election campaigns’ (House of Representatives 2021).

We are also concerned that the obligations on council chief executives create an inherent conflict of interest in terms of their relationship with incumbent members, and that there is often little incentive for incumbent members to support efforts to increase voter turnout and participation.

The Justice Committee’s inquiry process sought submissions on the potential to ‘centralise’ the running of local elections through the Electoral Commission. Most submitters supported the idea as a way to improve consistency in the interpretation and application of local electoral law. We also note that in Australia, local body elections are largely administered by state electoral commissions.

Overall, we recommend that the administration of local elections should be conducted by the Electoral Commission, including design and oversight, standard setting, promotional activity, specific initiatives to promote diversity of candidates, determination of the election method, and the conduct of the election process. Although we are

mindful of concerns previously expressed about the ability of a central entity like the Electoral Commission to attract and maintain relevant staff in the regions, we think this problem would be overcome with a clear mandate.

## 7.4.4

### Online voting

The issue of online voting was raised frequently with the Panel as a way to address the declining voter turnout and as a possible method of encouraging younger voters to engage. Postal voting is seen as increasingly outdated and in some areas access to post boxes is challenging as they are being systematically removed.

Online voting is seen by many as a more convenient and accessible way to cast a ballot. A poll by Auckland Council following the 2016 elections asked people for their preferred method of voting. 74% said online with stronger support from 18- to 24-year-olds, non-voters and non-ratepayers (Todd 2017). In 2016 and again in 2019 a group of councils proposed trialling online voting for the local body elections. These trials did not proceed as the government cited concerns around access, security, and lack of ability to guarantee electoral integrity as reasons not to continue.

The Panel acknowledges these challenges will need to be resolved before online voting can confidently be rolled out, but it supports the ongoing work to resolve the barriers to effective online voting.



**74%** of poll participants prefer online as method of voting

## 7.4.5

### Stronger direction on the choice of electoral system

As with other features of local elections, the choice of electoral system currently sits with councils. The most commonly used method is 'First Past the Post' (FPP). This 'winner takes all' system is poorly equipped to represent a population's diversity. The generally preferred alternative system of 'Single Transferrable Vote' (STV) can improve representativeness by transferring votes and avoiding 'wasted ballots', although this improvement often depends on having a greater number of candidates to choose from, and the presence of multi-member wards. Overall, we believe that STV promotes greater diversity, with early research demonstrating that STV leads to improvements in the representation of women (Vowles and Hayward 2021).

However, in 2022, just 15 of 78 local authorities used STV. Although this is an increase from 11 in 2019, only one council had polled their voters on the potential use of STV in the 2022 elections (STV). We are also conscious that local discretion on this matter can lead to a conflict of interest where elected members perceive they have an increased chance to win under a particular system.

As with electoral processes more generally, we think the infrequency of elections and the specialised knowledge required may be limiting councils' ability to consider the merits of different voting systems. In addition to the recommendation above for the Electoral Commission to administer local elections, we recommend legislative change to make STV the nation-wide voting method in local body elections.

## 7.4.6

### Voting age

A significant point raised with us in our engagement relates to voting age. The voting age for both local and central elections is 18. Overseas, the voting age has been lowered from 18 to 16 for local body elections in Austria (2007), Scotland (2015), and Wales (2021). Scotland also lowered the age to 16 for the 2014 Scottish Independence Referendum. These international examples have shown that lowering voting age can instil voting habits and make youth feel empowered to affect change through the democratic process (Huebner 2021; Zeglovitz and Zandonella 2011). There is now a growing movement to lower the age to 16 in Aotearoa New Zealand, including through the 'Make it 16' campaign. We understand that the question of voting age for Parliamentary elections is within the scope of the Independent Electoral Law Review recently commissioned by central government.

The Panel strongly supports lowering the eligible voting age for local body elections to 16 and encourages the Independent Electoral Law Review to consider this change for Parliamentary elections.

While we understand there are different views on this issue, we see fundamental value in ensuring our youth are represented in local democracy. Rangatahi are our future leaders and will inherit the decisions made by councils. They are passionate about complex issues like climate change, poverty, housing, and education, and bring to the table intergenerational perspectives that go beyond the 3-year election cycle. For example, the Schools 4 Climate Change protests highlight that rangatahi want to be a part of change. They want to have their views recognised and have a say on the big issues that will impact their future (Tokona te Raki 2022). The majority of participants (55%) from the 'Get vocal in your local' survey we commissioned think the voting age should be lowered to 16 years of age.



of survey respondents  
think voting age  
should be lowered

Arguments against lowering the voting age include the potential for parental coercion, and that 16- and 17-year-olds can already participate in our democracy through other mechanisms such as protesting, lobbying, petitioning, and presenting to Parliamentary select committees.

However, we consider that lowering the voting age for local body elections to 16 could empower young New Zealanders to take ownership of their future, advocate for their communities and have a say in who makes decisions on the issues that matter to them. In particular, we have heard how important it is to ensure rangatahi Māori are involved and engaged in local democracy. This would be strengthened by civics education discussed in [Chapter 2](#), and along with an increased digital presence of local government, also discussed in [Chapter 2](#), could help attract more young people to vote and work in local government.

If New Zealanders are learning about local government in schools from a young age and can vote in local elections from the age of 16, the Panel thinks this will help grow a generation of future leaders who feel connected to and represented by their local council.

## 7.5 Better remuneration and support for elected members

As with any complex and challenging role, the way we remunerate and support elected members is critical to ensuring a representative and capable council. This section discusses the sufficiency of current remuneration and the potential for more investment in training and development for councillors and mayors.

### 7.5.1

### Remuneration

Local government remuneration is determined by the Remuneration Authority in accordance with the requirements of the Remuneration Authority Act 1977 and the LGA. This framework requires the Authority to have regard to the need to achieve and maintain fair relativity with remuneration received elsewhere, to be fair to individuals, groups, taxpayers, and ratepayers, and to recruit and retain competent persons. It also requires them to take into account things like the requirements of a position, the conditions of the service enjoyed by comparable people or groups, and any prevailing adverse economic conditions.

These considerations shape the policies of the Remuneration Authority, which in turn drives the remuneration for elected members. While a total pool approach is taken for each council, remuneration for councillors, mayors and chairs is essentially driven by three factors:

- a. the size of the governance role of each council, which includes measures relating to the size of the council. This includes consideration of 'people issues', including population size, where an area sits on the socio-economic deprivation index, the number passengers taking public transport; total assets and total operating expenditure of the council; and geographical characteristics
- b. the average time required by an elected member on a council of a particular size
- c. a general comparison with parliamentary salaries.<sup>21</sup>

<sup>21</sup> We note that Auckland Council and the Chatham Islands are treated as outliers and determined through a separate process.

The table below gives an indicative sense of how base salary and superannuation compares between MPs and local councillors.

**Figure 22: Comparison of salaries between local authority councillors and Members of Parliament**

#### Local government councillor

##### Base salary varies from

**\$19,580 to  
\$100,278**

Figures refer to Kaikōura District Council  
and Christchurch City Council respectively

##### Superannuation

**0%**

#### Member of Parliament

##### Base salary

**\$163,691**

without additional duties

##### Superannuation

**15.4%**

of salary as employer contribution (\$25k  
per annum)

Source: Allowances payable under section 8 of Members of Parliament (Remuneration and Services) Act 2013 for periods specified in clause 6(1); and Remuneration from 2022 election of members, Part 1: Remuneration of members of regional councils.

While we acknowledge the importance of relativity and the effort made by the Authority to achieve fairness in a system with highly varied roles, we are convinced that the absolute level of local remuneration is simply not attracting a representative and sufficiently capable set of elected members in many communities. We think there is a 'fixed cost' (in terms of time and effort) to being an effective elected member, which, below a certain point, does not decrease with population. We also think facilitating community consensus on issues such as climate change or inequality is just as complex and time consuming at a local level as it is at central level. We also think that the relativity with Parliamentary remuneration fails to recognise less tangible aspects of the local elected member role (which often plays out in less formal contexts or overlaps directly with daily life in the community).

At current levels of remuneration, in many cases (particularly for younger people, parents, or those in lower socio-economic conditions), people simply cannot 'afford' to stand for council. This is reflected in the profile of elected members, which despite some improvement is still skewed towards older, potentially more financially independent people.

While other actions proposed in this report will help to improve 'representativeness' and the capability of members, we do not think we will achieve community confidence in elected members without a fundamental reconsideration of the absolute level of remuneration, and we recommend this occur as soon as possible.

## 7.5.2

**Wider support and development for elected members**

At the same time, we acknowledge that obtaining a more representative and capable range of elected members does not just rely on core remuneration. We have heard and observed that many elected members feel unsupported in their roles, which not only limits their ability and confidence to do their job well, but makes it less attractive to new candidates.

In the survey informing LGNZ's elected member profile for 2019–2022, members strongly identified a desire for more training and skill development opportunities, particularly in relation to the ability to engage with communities, local organisations, and iwi/Māori (LGNZ 2020a). We agree there is a case for significant change in the way that elected members are offered training and development, in order to increase their capability (and therefore confidence) in making effective decisions, and to strengthen councils' role as a facilitator for communities.

We acknowledge that LGNZ has put in place a new system to support Māori members elected in 2022, and we recognise that many councils run training or information days for potential members. LGNZ also offers induction programmes for elected members. However, we think a more comprehensive programme for all members should be a priority (see, for example, Vic Councils' *Becoming a councillor*). We propose a formal professional development programme that requires members to undertake a specified level of accredited development during each 3-year term. It could include a range of relevant modules, including:

- ▶ civic education, engagement, role of democracy and representation – including localised information
- ▶ understanding and empowering diversity and a range of cultural frames
- ▶ governance training – how to lead, collaborate and steward effectively with others
- ▶ subject specific education and training (for example financial literacy, wellbeing frameworks, or the specific regulatory roles of local government)
- ▶ Te Tiriti – history, frameworks, and applications.

In addition to training and development, we have received feedback that in some places, progressive employment practices such as providing EAP counselling services and support for childcare or family-friendly practices are not comprehensively available. Lack of available childcare is often a barrier to younger candidates putting themselves forward for election. We have also heard that the increasingly stressful nature of being an elected public figure brings with it threats of violence, threats to family and cyber bullying. Often elected members are told that 'it goes with the territory' and do not have access to support systems that council staff or those elsewhere in the workforce do. This is an increasingly cited reason for people not standing again.

## 7.6 A more strategic local electoral term

At present, councils are elected to represent their communities for a 3-year term. There is ongoing international debate on what constitutes the optimal term length for politicians and governments (Gersbach et al 2021), and we have looked to comparable jurisdictions overseas to guide us on this issue. While terms vary from as little as one (some Hamlets in Canada) or two years (Western Australia), to as many as five years (Wales), the most common term length for local members by far is four years (Scotland, England, most of Canada and other Australian states). In Aotearoa New Zealand, a number of councils have supported extending the electoral term for local elected members (Neal 2020). In 2020, LGNZ member councils Annual General Meeting voted in support of a 4-year term.

We heard that the current term limits members' ability to look beyond the three-year election cycle and advocate for long-term solutions to complex, systemic challenges, such as climate change and intergenerational poverty:

**“Currently the 1st year is doing previous council stuff, slowly get an understanding. 2nd year is planning for things you'd like to achieve, 3rd year starting to implement and 99% of the time you don't get to see those finalised and then you're up for re-election.”**  
**– Elected member during Council Roadshow**

As with voter age, we understand that term length (for central government) is being considered by the Independent Electoral Law Review.

We think that a longer term could:

- ▶ promote more innovative, strategic or intergenerationally minded decision-making, dissuading elected members from focusing on politically led or short-term solutions
- ▶ improve capability and the quality of governance by giving new members more time to learn about their role and responsibilities
- ▶ lengthen horizons for decisions on infrastructure or large capital investments, which often require political consistency and multiple years of development
- ▶ encourage the use of richer, sustained, or more deliberative mechanisms for participatory democracy, such as citizens' assemblies
- ▶ generate cost and time savings (from less frequent elections) that could be reprioritised to substantive governance issues
- ▶ mitigate 'voter fatigue' or apathy, thus improving turnout in local elections.

On the other hand, it can be argued that short terms help to hold local governors accountable and give the public regular opportunities to vote out incompetent politicians (Gersbach et al 2021). Another potential disadvantage of a longer term is that it might deter potential candidates who are unwilling to commit to office for longer. Conversely, it may increase appeal to other candidates who hold longer-term aspirations.

On balance, with the complex, intergenerational issues now pressing on council agendas, we consider there is a strong case for a longer term, and we recommend it be extended to four years.

## **7.7 New models for council governance – ensuring capability and Tiriti partnership**

Many of the proposals above are aimed at ensuring more representative and better-quality council governance through changes to electoral processes and parameters or the support provided to elected members. While we think those proposals will make a significant difference, we also think it is time to acknowledge that local elections do not always provide councils with the comprehensive mix of governance capabilities needed to respond to the increasingly complex and intergenerational issues they are dealing with. And as noted earlier, we acknowledge that Māori wards were not designed to provide for a Tiriti-based partnership around the council table.

As such, we have considered the potential for new models of council governance that respond to these two imperatives in the sections below.

### **7.7.1**

#### **A Tiriti-based partnership at the council table**

We accept that, in a situation where Māori are a minority, representative mechanisms based solely on the Western ideal of proportional democracy cannot provide a level of influence consistent with a Tiriti-based partnership. We also acknowledge that the collective, political authority aspect of rangatiratanga is predominantly held and exercised by hapū/iwi, and that Māori wards were not designed to ensure representation of mana whenua or Kaupapa-based groups.

And yet, we also think that a Tiriti-based partnership is about much more than final decisions made at the council table. In a future state for local government that reflects a genuine sharing of authority, there are vast opportunities to collaborate, co-design, and (we would argue), ‘co-govern’ outside of those points at which the full council signs off on something. In many ‘co-governance’ initiatives, what is being shared is the responsibility to prepare or influence draft instruments or proposals that are still subject to final approval by council. These models are successful not because they focus on who has the ‘final say’, but because of the ripple effect across partner organisations that happen through the exchange of information, different perspectives and ideas, the building of capability, and the forming of relationships.

For this reason, we have asked ourselves, ‘how important is it to provide for a more direct hapū/iwi voice on council if the wider range of changes recommended in this report are adopted?’. We think those other changes would go a long way towards ensuring partnership. The revised legislative framework for Te Tiriti and integrated partnership

frameworks discussed in [Chapter 3](#) would put hapū/iwi at 'decision-making tables' in many instances. We also think greater incorporation of tikanga in council processes would mitigate the negative impact of majority politics by encouraging councils to strive for consensus. In other words, we think the question of a more direct voice at the council table is only one part of the puzzle.

However, on balance, we think it is time to question the strict application of Western representative principles and explore hybrid governance models that provide for a Tiriti-based partnership. We are led to this conclusion by the fact that decisions by councils often have a very direct and immediate impact on the lives of hapū/iwi, and whānau, and that, ultimately, the setting of rates by a council is a fundamental aspect of local, public authority. More simply, we think the Tiriti-based partnership will be significantly enhanced if hapū/iwi are represented at the council table.

Yet in the very broad context of local governance, we do not think a Tiriti-consistent partnership requires a 50:50 split of Māori appointees and elected representatives. The idea of constant joint decision-making is not likely to be practical or necessary all the time, and we think a richer sense of partnership will be achieved less by counting votes and more by the exchange of ideas and perspectives, and genuine relationships between appointed and elected members.

### **Building on recent innovation**

We think the approach and balance of the changes set out in the Canterbury Regional Council (Ngāi Tahu Representation) Act 2022 are instructive in terms of thinking about mana whenua representation in council governance. At the same time, we do not think the way forward is as simple as rolling out an existing, context-specific model. Changes of this nature need to be tailored to local circumstances, including relative populations, the presence of Māori wards, and the practical size of particular councils. The solution in each instance is not likely to be the product of a mathematical formula, but of collaboration and a reasoned, culturally aware judgment. Such change may also need to be phased in over time, taking into account any changes to local government structures as described in [Chapter 9](#).

In addition, we do not think the Crown will fulfil its Tiriti obligations to Māori if it leaves such change to local Bill processes that often turn on popular or majority support. Rather, we consider some standing mechanism would need to be available in legislation for hapū/iwi and councils to advance such arrangements, subject to some form of independent advice as to the balance to be struck between electoral representation and Tiriti partnership.

Finally, while we have referred to hapū/iwi in this analysis, and we think they have the primary interest in this proposal, we acknowledge there may be communities where wider Māori entities, such as urban Māori authorities or Kaupapa-based rūpū have an important role in the Māori community and would need to be included in the conversation about Māori appointees. As with our discussion in [Chapter 2](#), we think those appointees would need to be determined via an inclusive, Māori-led, and tikanga-based process.

### Maximising the capability of councils

In addition to the above rationale for exploring hybrid governance models from a Tiriti perspective, we are conscious of arguments about the potential to augment elected membership with appointees who bring particular governance capabilities that would strengthen the overall council.

There is a role for ministerial intervention and the placement of commissioners where there is a significant problem impairing good local government or public health and safety. However, we do not think a sense of improvement in situations where such a point has been reached is evidence of a compelling alternative model for council governance. Councils are not boards of directors, and this report is underpinned by a fundamental belief in the wisdom of communities, their ability to govern their own lives and determine their futures.

Nevertheless, we do agree that many of the issues councils are dealing with have become increasingly complex (for example, inequality), or subject to a challenging balance of local and national interests (for example, freshwater management or climate change), and we accept that local elections do not always provide a comprehensive mix of the capabilities needed to respond to such issues. We also think changes proposed in this report will place greater emphasis on the need for some specific governance capabilities, like the ability to facilitate more deliberative and participatory engagement.

While it is the role of the council executive and staff to provide impartial advice and help elected members understand complex issues, we think some level of skill around the table in particular domains of governance can often make the difference between good decisions and bad. We also acknowledge that local government is often competing for a scarce pool of quality potential governors. In short, we think there is a wider, capability-based argument for allowing appointed members on council with full voting rights.

### Options, parameters, and considerations for hybrid governance models

We think there are three broad options to address Tiriti-partnership and capability issues in council governance.

- A. No significant change to the status quo** (which would still allow appointments to council committees with voting rights, and appointments to council without voting rights).
- B. Develop a specific mechanism to provide for hapū/iwi (or significant Māori organisational) appointees to council.**
- C. Develop a comprehensive mechanism allowing for a number of appointments on both a Tiriti and a capability basis.**

For Options B and C, a key step in adding appointed members would be for appointment proposals to be referred to, and subject to the approval of, an independent statutory body. This entity would assess proposals against statutory criteria or principles that would aim to balance Tiriti and capability needs with local electoral representation. It would take into account local circumstances and populations, the presence of Māori wards, and current council size, although it would not have a role in reviewing the specific appointees put forward by hapū/iwi or Māori organisations within the proposal.

This independent body could also recommend complementary or alternative initiatives where it sees fit (such as appointments to committees) and have a role in resolving disputes between the parties where proposals cannot be agreed. In the case of Option C, we have envisaged the following key parameters or considerations.

- ▶ The total number of appointed members should be capped at an additional, fixed percentage (50%) of elected members, so appointed members would make up no more than one-third of total members. For example, a council with 10 elected members could have a maximum of 15 members, up to five of which could be appointed.
- ▶ Proposals would need to occur and be resolved as soon as possible following local elections in order to allow for a capability assessment, provide certainty for the community, and allow the council to get on with business.
- ▶ Hapū/iwi or Māori organisational appointments should be considered as a first step in this process, with an expression of interest from Māori, meaning councils have to co-design a proposal with them for submission to the independent body.
- ▶ We would expect Māori organisations to pursue consensus about how they will collectively or separately make appointments to such seats.
- ▶ Appointees would be subject to the same core eligibility criteria as elected members, and receive the same remuneration available to other members, with appointments not reducing the remuneration available to each member under Remuneration Authority policy.
- ▶ The statutory criteria and role of the independent body would need to ensure that capability-based appointments are based on genuine skill gaps in elected membership, and are not:
  - ▶ being put forward to advance political interests (by strengthening membership around a particular viewpoint)
  - ▶ creeping into demographically driven appointments. While we thoroughly support diversity at the council table, we do not think this is the most effective way to achieve it.
- ▶ Appointments would be made for a specified term, although councils could remove appointees (following due process) where circumstances/needs change. An exception would be for Māori organisational appointees, where joint agreement would be needed for removal.

### **Where to from here?**

On balance, we have an in-principle preference for Option C. While appointments on a capability basis may become less important over time as the system matures, we think the ability to add appointed members will provide councils with an important tool in a more dynamic, Tiriti-consistent, and wellbeing-focused system. We also think a comprehensive assessment of both Tiriti and capability needs under Option C provides maximum flexibility and is likely to produce a better-quality governance arrangement by ensuring the parties take

into account the capabilities brought to the table by Māori appointees. However, we seek specific feedback on how such an approach might be implemented.

## 7.8 Ensuring a team approach

Successful councils require elected members that work well together and are in tune with their communities. The role of mayor or chair is vital in a well-functioning council. The mayor or chair and elected members must also work constructively with their chief executive, executive team, and council staff. The quality of the leadership and the way elected members and staff work together for the benefit of their community is a prerequisite for a high-performing council. Below, we consider the roles of mayors and chairs, the potential for more constructive employment relationships between councils and the chief executive, and issues around the codes of conduct for elected members.

### 7.8.1

#### Critical role of the mayor or chair

The mayor plays a crucial role in the leadership of their community and council. In times of crisis and natural disaster it is the mayor that the community, the media, and at times the nation look to for support, direction, and advocacy. The mayor is often also the advocate to central government for the council's position on issues affecting their community. The Panel is aware of many great examples where this has been demonstrated in recent decades, especially at times of adversity. Those with sound understanding of the strategic context, and who can communicate with clarity and empathy appear most successful. In contrast, chairs of regional councils are often less visible and not well known in their communities. We would welcome any specific feedback about how a stronger regional voice may be enabled or promoted within the system.

The leadership role mayors or chairs play **within** a council is also crucial. The LGA gives certain powers and functions to a mayor, such as appointing a deputy and committee chairs and leading the planning and budget process, although such decisions still need council approval. From feedback the Panel has received (and its experience), the mayor's ability to appoint the deputy mayor (and chairs of committees), lead the district, and at times have councillors who disagree with them, should be seen as a healthy part of our democracy. Mayors navigate uncertainty and complexity and lead without the benefit of party politics. Those who develop inclusive leadership styles are often able to implement policy and deliver on their vision through collaboration and cooperation with their elected members and with their chief executive. It is critical to grow and support the development of these team-building and leadership capabilities in our mayors.

## 7.8.2

**Ensuring constructive employment relationships with the chief executive**

As reflected in LGNZ CouncilMARK™ reviews, high-performing councils have an excellent relationship with their chief executive, with trust and confidence fundamental to that relationship. Yet Taituarā has advised the Panel that 38 current council chief executives have held their role for two years or less. This has continued a trend in the last decade of high turnover rates. While some turnover is healthy, the collective loss of knowledge to the sector, and the disruption and uncertainty created through constant change does not help position the sector for success. The reasons for such high turnover rates appear to include:

- ▶ the demanding and challenging nature of the role
- ▶ a breakdown in the employment relationship between councils and their chief executive or appointees not meeting the expectations of councils
- ▶ unexpected changes following the advertising of an incumbent's role.

Under the LGA, the council employs the chief executive with the role advertised as a fixed-term contract with a maximum term of five years. While a two-year extension is permitted, the role must be readvertised at the end of the initial term with the incumbent eligible to apply. The requirement to readvertise is unique within the public sector and, we think, unhelpful. Failing to be reappointed when the incumbent has publicly signalled an intention to reapply has seen careers end abruptly or in harsh circumstances. We are informed that 'surprises' arise because of poor process, a lack of transparency and honesty (especially in the lead up to the advertising process), and/or tensions created through the subsequent recruitment process. We consider the requirement to advertise the role at the end of each fixed term should be dispensed with, and that employment provisions should reflect those of other public sector chief executives.

While appointing the chief executive is one of the most important decisions a council makes, we observe that many councils do not invest sufficiently in managing the relationship thereafter, and many chief executives are left to their own devices, with not a lot of structured sector guidance and support in managing their employment. Councils have an obligation to act as a good employer and need mechanisms in place to ensure there is integrity in the relationship, performance is fairly assessed, and there is a safe and healthy environment. We are aware of widely varying efforts in this respect and that many approaches do not meet best, or even good, practice.

Given the inherent power imbalance in the relationship, the Panel believes there needs to be specific obligations on councils to support the employment relationship. One feature evident in many strong and successful relationships is where an independent facilitator is involved in:

- ▶ developing a fair performance framework, assessing performance objectively and helping to work through any issues that may arise
- ▶ assessing remuneration fairly
- ▶ ensuring professional development plans are in place.

## 7.8.3

**Relationship between elected members and staff**

Part of building trust and confidence is the way elected members, executive teams and staff work together, with all parties needing to understand and respect each others' different roles. Where relationships are strong, information is shared freely, there is respect for staff (especially in public forums), a 'no surprises' approach is taken and there is a willingness to experiment and instil a learning culture. When the relationship is failing, we hear staff asserting that elected members are over-reaching or getting too involved in operational details, and elected members feeling like they are locked out of the organisation or unable to access staff or information. A healthy governance-management relationship requires constant evaluation with any issues addressed promptly, openly, and constructively.

It is our expectation that councils regularly and constructively assess the health of the relationship between elected members, the executive and staff and increase their investment in learning and professional development.

## 7.8.4

**Code of conduct**

Local government codes of conduct are a governance tool aimed at encouraging good conduct and behaviour by elected members. Currently, local authorities are responsible for creating and enforcing their own code of conduct that sets out how elected members are expected to behave towards the public, each other and staff. However, the Local Government Commission's 2021 report to the Minister of Local Government on this issue (LGC 2021) notes that the visibility of elected member conduct issues within local government, and the difficulties in dealing with them had increased.

While noting that codes are part of a wider context and suite of governance tools that need to be considered holistically, the Commission expressed concern about:

- ▶ the need to bolster wider understanding of what constitutes good governance behaviour and the governance skills that allow mayors and chairs to build and lead effective teams
- ▶ wide variation in how councils approach the more complex areas of codes like materiality, complaints processes, penalties, staff interactions, and social media
- ▶ wide variation in practices for informing newly elected members of the code and re-adopting codes each triennium.

The Commission's recommendations included proposals for:

- ▶ a sector-specific education framework for members and council staff, starting at pre-candidacy and continuing through ongoing professional development
- ▶ a standardised code, referenced in legislation in such a way that provides more guidance on complex issues but retains scope for councils to agree on their own shared values and principles

- ▶ requirements for codes to form part of the statutory briefing at the inaugural council meeting, and for councils to re-adopt codes near the beginning of a triennium, with an assurance assessment of individual codes provided by the Commission
- ▶ standardised processes for making, triaging, and investigating code of conduct complaints.

We support the Commission's recommendations and think that these should be explored further. We see particular links with our recommendations above in relation to a comprehensive professional development framework for elected members.

Although the Commission's report contemplates the potential for the use of independent parties in investigating complaints, we would go a step further. We have repeatedly heard that peer-based judgment of individual members (even if removed to a regionalised pool) is divisive, time-consuming, and highly draining for other members. While we are not suggesting it will always be the best approach, and we think councils should have a choice, there should be a specific option for local government to refer complaints to an independent investigation process that is conducted and led by a national organisation, such as the Commission.

## 7.9 Transparency, capability, and continuous improvement

The following sections raise questions about the balance of provisions and practice under the Local Government Official Information and Meetings Act 1987 (LGOIMA), the potential for greater central and local government collaboration in building the capability of wellbeing-focused councils, and the potential for a regular health check of local democratic processes.

### 7.9.1

#### Ensuring LGOIMA is fit for purpose

The LGOIMA is an important safety net when addressing the trust deficit between councils and communities. LGOIMA creates a public right of access to information held by local government and sets standards of openness for council meetings. Given the imbalance of power between themselves and communities, and as the information holder, local authorities have both a legal and a moral responsibility to act with openness and transparency.

However, we have heard of varied experiences and opinions about how well balanced the provisions of LGOIMA are in instances where good governance requires a period of time for councils to deliberate on decisions or maintain information in confidence. One particular example raised with us is the use of 'workshops' and informal meetings, and we acknowledge that the Ombudsman has launched an investigation into this practice. We are also aware of concerns expressed about trends in the volume and nature of LGOIMA requests over time and the financial and resourcing effects this may be having on local authorities (LGNZ 2019b).

Subject to the findings of the Ombudsman's investigation, we recommend that central government consider whether the provisions of LGOIMA and the way it is being applied achieves its purpose.

## 7.9.2

**Capability investment in wellbeing-focused councils**

The breadth, complexity and changing nature of local governance already means councils require ongoing investment in the capability and professional development of executive teams and staff. Gaining and sustaining the required competencies to lead complex organisations requires constant effort, and wellbeing-focused councils will require different competencies and skills. However, due to financial pressures, high workloads, and the frequent lack of a learning culture, there is often under-investment in capability-building. For councils to remain relevant, be seen as good places to work, and to maximise their impact on community wellbeing, we believe a step change is required in learning and professional development.

Actions needed will include providing clarity around the council's purpose, values, and acceptable behaviours; building an inclusive culture that supports learning and experimentation, reflecting national and international practice; maintaining strong relational collaborative teams; and instilling a public service and customer-centric ethos. Investment in te ao Māori, mātauranga Māori and tikanga will also be essential.

The Panel observes that within central government, there is a range of coordinated and supported professional development programmes for staff. While Taituarā supports the local government sector with professional development and training, the Panel sees great potential for sharing and extending central government's professional development programmes and expertise with the local government sector. In a similar vein, former central government executives who have taken positions within the local government sector have commented that if they had more exposure to, and understanding of, the local government sector earlier in their career, they would have been better-rounded central government executives. To this end, and with the desire of seeing a more joined-up public sector, the Panel believes there is considerable scope in developing both a cross-sector executive secondment programme and a shared professional development offering.

**7.10 A health check and continuous improvement mechanism for local democracy**

As discussed previously in [Chapter 2](#) and this one, there's a need for profound improvement in the mechanisms and processes that enable participatory and representative democracy – to give communities confidence that their opinions are meaningful to council, and that council is relevant to their daily lives. These changes do not just need to happen, they need to be demonstrably seen as happening, and the sector must strive for continuous improvement to meet the evolving needs and preferences of communities for participation or representation.

One idea we have heard put forward in various forms is a regular and independent 'health check' for the democratic performance of local authorities. Such a mechanism could take a variety of forms and use a variety of methodologies, from an audit-based approach to one largely based on self-assessment by councils.

There are various precedents and existing initiatives to consider, either as models or in order to avoid duplication of scope (such as LGNZ's CouncilMARK, and the Performance Improvement Framework previously employed by central government). But on balance, we think such exercises could provide a deeper assessment of:

- ▶ current community trust and confidence
- ▶ the effectiveness of a council's representation arrangements in delivering diversity
- ▶ the level of transparency in local government decision-making
- ▶ how effectively councils are making use of participative and deliberative methods and in combination with other decision-making tools
- ▶ the functionality of elected members, including behaviour and performance management, the level of support provided to elected members, and the effectiveness of the training and professional development programme.

We think it important that the methodology used allows for an honest but constructive and collaborative dialogue with individual councils (including a component of self-assessment and improvement) rather than a strict audit-based approach. Care would be needed to ensure we avoid a pass/fail mentality, and that the process generates reflection and action for improvement.

### Recommendations

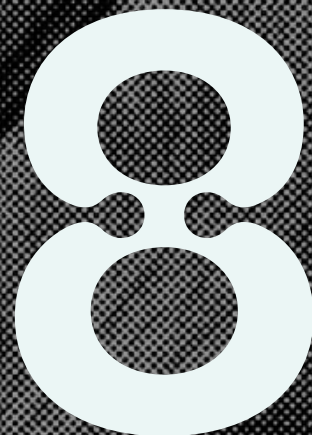
- 15 That the Electoral Commission be responsible for overseeing the administration of local body elections.
- 16 That central government undertakes a review of the legislation to:
  - a. adopt Single Transferrable Vote as the voting method for council elections
  - b. lower the eligible voting age in local body elections to the age of 16
  - c. provide for a 4-year local electoral term
  - d. amend the employment provisions of chief executives to match those in the wider public sector, and include mechanisms to assist in managing the employment relationship.
- 17 That central and local government, in conjunction with the Remuneration Authority, review the criteria for setting elected member remuneration to recognise the increasing complexity of the role and enable a more diverse range of people to consider standing for election.
- 18 That local government develops a mandatory professional development and support programme for elected members; and local and central government develop a shared executive professional development and secondment programme to achieve greater integration across the two sectors.
- 19 That central and local government:
  - a. support and enable councils to undertake regular health checks of their democratic performance
  - b. develop guidance and mechanisms to support councils resolving complaints under their code of conduct and explore a specific option for local government to refer complaints to an independent investigation process, conducted and led by a national organisation
  - c. subject to the findings of current relevant ombudsman's investigations, assess whether the provisions of the Local Government Official Information and Meetings Act 1987, and how it is being applied, support high standards of openness and transparency.
- 20 That central government retain the Māori wards and constituencies mechanism (subject to amendment in current policy processes), but consider additional options that provide for a Tiriti-based partnership at the council table.

### Questions

- ? How can local government enhance its capability to undertake representation reviews and, in particular, should the Local Government Commission play a more proactive role in leading or advising councils about representation reviews?
- ? To support a differentiated liberal citizenship, what are the essential key steps, parameters, and considerations that would enable both Tiriti- and capability-based appointments to be made to supplement elected members?

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# Building an equitable, sustainable funding and financing system



# The current funding arrangements for local government are unsustainable.

## 8.1 Key findings

The absence of a sustainable and equitable co-investment model is undermining the potential for central and local government and iwi to partner for better community outcomes.

Decisions on regulatory interventions are being made without sufficient regard for the impacts on local government, resulting in significant unfunded mandates.

Rating as the primary funding mechanism is appropriate, but the rates setting and planning processes need to be simplified.

Councils are unreasonably constrained in their ability to introduce appropriate funding mechanisms.

Councils will have a significant and growing role in driving mitigation and adaptation responses to climate change, but an intergenerational national funding mechanism is needed.

## 8.2 Overview

Despite numerous reviews into local government funding, very few of the resulting recommendations have been implemented. Local government is sceptical about central government's willingness to address the systemic issues that exist. If any real change is to occur, then there must be a genuine commitment to explore and resolve the issues raised.

Enabling strong, sustainable communities is the responsibility of multiple actors. Local government, central government and other parties like hapū/iwi, businesses, and not-for-profit organisations all have a vital role. The Panel sees a successful future funding system as one where community outcomes and priorities are equitably funded by central government, local government and other parties, reflecting respective national and local outcomes, objectives and priorities.

The future funding system will need to ensure that all local authorities have the capacity and capability to sustainably deliver the roles and functions needed by their communities. The system should also create an environment that supports and encourages innovation and effective collaboration among all contributors to maximise the value from joined-up co-investment.

The Panel has identified several opportunities to strengthen the future funding system.

- ▶ **There should be co-investment in public goods:** A new commissioning model should be established where central government and local government, in partnership with iwi, commit to sustainably and equitably co-funding an agreed set of outcomes and objectives.
- ▶ **The passing of unfunded mandates to local government should end:** The current regulatory impact assessment process should include a local government impact assessment. Where regulatory interventions are likely to have significant future funding impacts for local government, central government should make funding provision to reflect the national public-good benefits that accrue from those regulations.
- ▶ **New funding mechanisms should be established:** Local authorities should have authority to establish new funding mechanisms (following due process) to broaden the revenue generating mechanisms available.
- ▶ **Rating should be retained and simplified:** Rating should be retained as the primary funding mechanism for local government funding to maintain and reinforce the autonomy and independence of local government, but the processes for setting rates need simplification, as do the processes for developing, consulting, and auditing long-term and annual plans.
- ▶ **There needs to be an intergenerational fund to tackle climate change:** A new climate change adaptation and mitigation funding mechanism should be established by central government. Decision-making about the application of those funds should be joined-up and take local and placed-based priorities into account.

These changes in funding, along with additional changes to the way that financing (borrowing) happens are necessary to achieve the key shift of local government as an enabler and co-ordinator of community wellbeing. This chapter provides background information on the contributors to community wellbeing and the particular role of local government as a facilitator and funder of wellbeing. It then describes the pressures on the current funding system and outlines a new funding system with principles for new funding tools, mechanisms for co-investment with central government, and changes to ensure meaningful accountability.

### **8.3 The current state of local government funding and financing**

Central and local government are the key sources of funding for initiatives that foster local wellbeing outcomes through mechanisms like taxes and rating. Funding also comes from philanthropy, churches, volunteer groups, local businesses, iwi, community trusts, and gaming trusts.

Central government is a major funder of community wellbeing through grants, subsidies, and contractual services as well as through direct provision of core services in health, education, infrastructure, policing, justice, community services, and social services.

Local government has a particular interest and direct role in providing a wide range of services to the community that support wellbeing. These range from regulatory services like enforcement of the Building Act 2004, through to the provision of local roads, water, and community facilities. Local government is also a funder of community groups through the provision of operational funding grants and contestable funds that enhance communities. This includes funding for groups like surf lifesaving clubs, historical societies, women's refuges, and environmental restoration groups. It also includes funding for community events, arts and culture, and economic development.

Despite the range of support and goodwill from all parties towards building community wellbeing, the current system of funding community outcomes is disjointed. In order to advance wellbeing in their communities, local authorities must deal with many government agencies, each with their own structures and objectives. Little effort is made to ensure the resources and funding at the disposal of central and local government are applied to local priorities to best effect.

The Panel considers there is considerable scope to enhance the delivery of community outcomes through more connected and effective relationships between the community, local government, and central government. At the heart of this more connected, coordinated, effective and efficient system is a revised planning and co-investment model for funding community outcomes.

### Funding, financing, and revenue

Funding is a broad term which refers to the ways that local authorities ensure they collect sufficient money to be able to pay for ongoing costs of delivering services to the community. Financing refers to the means by which local authorities are able to access capital (usually by borrowing money) to enable them to manage their cashflows and build large capital projects.

#### 8.3.1

### Funding mechanisms available for local government

The main funding streams available for local government activities include:

- ▶ **rates (property taxes)** charged to property owners, including general rates and targeted rates for specific services which can include water metering charges
- ▶ **central government grants**, particularly grants from Waka Kotahi to contribute towards the cost of developing, maintaining and upgrading transport assets
- ▶ **fees and charges** for services like building and resource consents, liquor and other licensing, dog registrations, and use of community facilities
- ▶ **development and financial contributions**, which are paid to a council by developers to help pay for new growth-related infrastructure like water and wastewater supplies
- ▶ **returns on investment income.**

Other than returns on investment income, the requirements for collecting these revenue streams are set out in legislation.

Of the revenue streams available to councils, rates make up about 60% of the total local government income (Stats NZ). Not all countries rely on rates so heavily to pay for local government activities. Of the local government systems across OECD countries, Aotearoa New Zealand is one of the most reliant on property taxes (rates) as the primary tax revenue source. The Productivity Commission has found that the types of local taxes used varies across high-income countries (Crawford and Shafiee 2019). A variety of other taxes are levied by local governments across the OECD, including personal income, corporate and sales taxes. However, in countries where these additional local taxes are collected, councils tend to deliver a wider range of services like education, police, and social services that in Aotearoa New Zealand are typically funded from, and delivered by, central government.

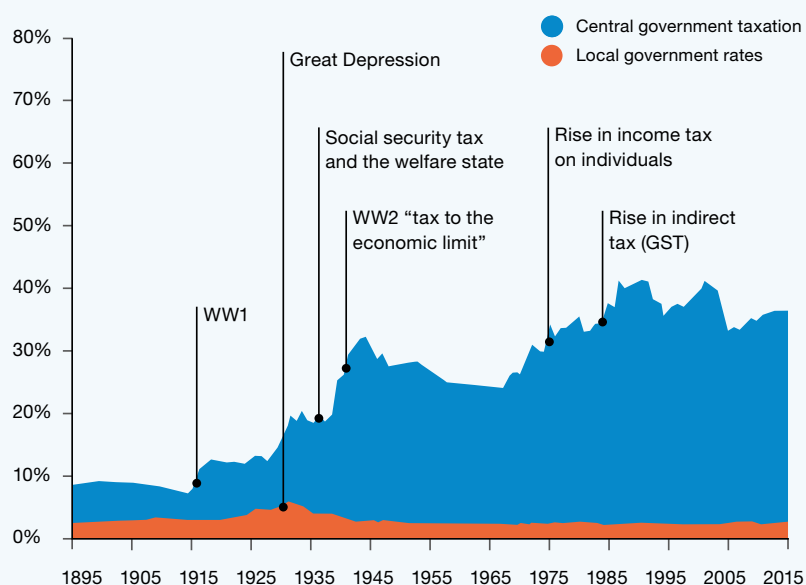
The current funding approach for local government in Aotearoa New Zealand means there is little scope to easily accommodate ever-increasing and changing community expectations. These expectations include not only the preferences and priorities of local communities, but also the expectations of society as a whole, which get reflected through legislation passed by Parliament or other regulatory tools.

Over the past two decades in particular, local government has been under increasing pressure to fund these additional expectations. The expectations, especially those set through legislation and regulation, such as addressing growth and improving water and infrastructure quality, are often accompanied by very high funding demands that burden councils' finances. The capital costs for addressing growth and improving water and infrastructure quality by local government to the expected levels is likely to exceed NZ\$50 billion, spanning multiple generations (Sense Partners 2021).

Making local government responsible for the implementation of such legislation and regulation without any accompanying national funding is referred to as 'the unfunded mandate'. It is this unfunded mandate that has placed great pressure on councils, requiring them to increase rates at levels consistently higher than the Consumer Price Index. This pressure is at the nub of the funding dilemma for local government and engagement on the review has sparked comments that the current model is 'broken' and unsustainable, and that councils have reached 'peak rates'.

Over the past 70 years, local government's share of overall tax revenue has stayed at around 2% of GDP, despite it having a growing number of roles and responsibilities. In contrast, as reflected in Figure 23 below, the central government share of GDP has increased to reflect the changing expectations from the public about which services and support are provided.

**Figure 23: Taxation as a percentage of GDP**



Adapted from New Zealand Productivity Commission, Local government insights (2020).

## 8.3.2

**The current funding system is not sufficient for the future**

Current and future conditions have put pressure on the funding system. The Productivity Commission's 2019 report on local government funding and financing identified a range of drivers that will have an impact on the local government funding system (NZPC 2019) including:

- ▶ population growth and decline in particular areas, for example due to people moving for employment and decreasing rural population
- ▶ central government delegating additional responsibilities to local government without also allocating financial resources to cover their costs – the unfunded mandate
- ▶ some local authorities, like the Queenstown Lakes District Council, that experience much higher tourism levels than others, putting pressure on their local infrastructure network
- ▶ effects of climate change and other environmental issues on the natural environment, property, and infrastructure
- ▶ impacts of growth which generates revenue for the Crown through GST, business, or income taxes, but comes as a cost for local government for new infrastructure and services
- ▶ local authorities experiencing fluctuating income streams from assets such as ports and airports
- ▶ specific challenges, especially for small councils, arising from natural disasters such as flooding and severe earthquakes.

The Productivity Commission also notes that increasing operating and capital costs intensify the funding pressures caused by the drivers above. Operating expenditure grew at a compound annual rate of 1.2% per person from 2007 to 2017 and (pre-Covid) projections to 2028 estimate the need for an average of 5% growth in rates revenue across all councils as a result of projected increases in operating expenditure (NZPC 2019). These increases do not account for the extent of the impacts of recent inflationary pressures.

## 8.3.3

**Public concerns with the rating system challenge the legitimacy of the current funding model**

While the current rating system is generally favoured by economists, it is often criticised by the ratepaying public, and increasingly, local councils. Concerns from the public are broad and strongly felt and have the potential to challenge the legitimacy of the current funding model. The public have a range of concerns, including the significant year-on-year percentage rate increases; the large percentage of disposable income that rates consume, especially for those on fixed incomes (notwithstanding the rate instalment plans offered); and the fact that rate liability does not take into account the ability to pay rates, potentially leaving property owners cash-poor. Further, many argue that council policy decisions about how rates should be allocated to ratepayers (in accordance with the prevailing beneficiary principle model) lack rigour, especially about who benefits from activities undertaken, with some classes of ratepayers paying more than their

fair share. An example is large farms that have high capital values paying a high rate, or businesses paying high 'business' differentials which do not reflect the services actually received.

While the beneficiary principle – the idea that people who benefit from a local government's activities should pay for it – sounds attractive to many people, there are practical challenges that limit how effective this approach can be. There are two key reasons for this.

1. **People and groups have differing ideas about public versus private benefit.** There are potential disputes about when the benefit of local government investment lies in the domain of public good rather than private benefit. For example, when recovering the costs of operating swimming pools, councils need to make decisions about the portion of costs that should be recovered from entry fees versus those covered by rates.
2. **Councils are required to measure and identify who the beneficiaries of public goods are over specified time horizons.** For example, they must consider which group or groups will benefit directly from an action, and those who will experience indirect or flow-on benefits. This is complicated and can be hard to be precise about.

As well as practical challenges of implementing the beneficiary principle, there are also affordability issues with this approach. Some communities and their councils cannot afford to pay for particular investments they require. This is especially the case if a community or council is geographically isolated, has a small rating base, or the area faces deprivation. If the beneficiary principle is applied strictly, the rate increases are both unaffordable for individual ratepayers and politically unpalatable. Within the current funding system, areas with significant deprivation or that lack large ratepayer bases need a larger ratepayer-base to support them, and in a number of cases specific central government funding support is required.

## 8.4 Towards a new equitable funding system

A more equitable funding system that supports communities to thrive will require an approach that retains existing rating tools, provides new tools for local government funding, stops the use of unfunded mandates, and enables coordination and co-investment with central government.

Overall, the local government funding system needs to be able to scale strategically, change with demand, be cost effective to collect, and provide public trust in the methodology for assessment.

### 8.4.1

### What does it mean to have an equitable funding system?

Concepts of equitable funding include:

- ▶ vertical equity (is there the right balance between national and local funding to support community outcomes)
- ▶ horizontal equity (to achieve similar outcomes across the country, some regions or areas require more support than others).

Vertical equity has been raised as an issue by nearly all councils in that the current dependence on rates to fund community outcomes is too great, and that central government needs to make a greater contribution to the funding of community outcomes. As shown in Figure 23 above, the proportion of central government taxation as a percentage of GDP has dramatically changed over the past century, whilst local government's share has remained largely static.

In terms of horizontal equity, processes and criteria for allocating national funding to regions or areas need to recognise regional variations. While allocations are often based on the population of each region or area, funding criteria should also recognise that additional funding may be needed in some areas depending on geographic and demographic factors and deprivation levels. This would ensure there is greater funding applied to regions that struggle to otherwise pay their fair share. Transport funding adopts a Financial Assistance Rate (FAR) that takes such regional variations into account and is a model that is generally considered one of the better means of doing this.

## 8.4.2

### Local government funding system principles

To ensure there is transparency and robust consideration of any new revenue sources or approaches, the Panel proposes five principles to guide the development of revenue system design.

These principles are particularly important when considering new funding tools, and particularly those like visitor levies, where the authority for setting them has been the sole preserve of central government in Aotearoa New Zealand (though they are commonly used for local government internationally) (Olivershaw 2022).

The principles are that the local government revenue system should be:

- ▶ **workable:** any funding stream should be feasible to implement, easy for the public to understand, and raise revenue while incurring reasonable compliance and administrative costs. Whether a proposal meets this requirement may be different according to the operational requirements of the tax and the context in which it is to be implemented, which will often vary from area to area
- ▶ **fair:** recognising how the population, or segments of it, will view the proposal
- ▶ **sustainable:** funded activities can be undertaken with certainty, and the system is not constantly changing
- ▶ **incentivised:** the system does not provide incentives for people to act in a way contrary to community welfare. Taxes produce incentives for people to act one way or another. They may incentivise behaviours in the public good like minimising pollution, or behaviours that have potential harm, like shifting business activities to avoid paying a local tax
- ▶ **nationally consistent:** revenue tools should not encroach on the central government tax base or impact a wider national policy goal such as income redistribution. Any approach should maintain consistency with national taxation policies and principles and overall government policy.

## 8.4.3

**Areas where change is needed**

Below, we outline five key areas of change to the way revenue is determined and collected that we think are needed to enable an equitable, sustainable local government funding system:

- ▶ ceasing unfunded mandates
- ▶ introducing ongoing central and local government co-investment in local outcomes
- ▶ introducing new funding streams for local government
- ▶ retaining and simplifying rates as a key funding stream, supported by streamlined planning processes
- ▶ establishing an intergenerational climate change fund.

## 8.4.4

**Ending unfunded mandates**

As noted earlier in this chapter, a significant pressure on councils' funding systems is the impact of unfunded mandates.

While the funding impacts of many of the national regulations have been, or are starting to be, felt by local government with costs being passed onto ratepayers, in some cases the funding effects will take many years to be fully felt. The Panel believes there should be an assessment of the regulations that are likely to have significant ongoing funding impacts for local government, and that provision be made for funding the national public-good benefits that accrue from those regulations.

The Panel noted in its Interim Report, *Ārewa ake te Kaupapa*, that central government regularly imposes costs or obligations on communities without adequate consideration of the impacts. One of the Report's early recommendations, that we reinforce here, is that central government agencies should expand the current regulatory impact statement to include a local government impact statement as part of the process. As we have previously noted, these statements could:

- ▶ increase transparency about the impacts of new regulatory requirements, and about cumulative impacts
- ▶ build trust and mutual understanding between central and local decision-makers
- ▶ create the potential for dialogue about how local government might contribute to solutions and about innovative approaches that could achieve desired outcomes without imposing unfunded cost burdens on local government.

## 8.4.5

**Co-investing with central government**

The Panel believes that where partnering produces enhanced outcomes, and where central government, local government and iwi can advance the wellbeing of communities, there should be an agreed set of outcomes and objectives that all parties are committed to sustainably co-fund with appropriate accountability in place.

There are opportunities for the enhancement of community wellbeing if central government funding contributed to the achievement of community

outcomes, particularly those that extend beyond traditional areas of local government activity. While there is already significant funding available for local outcomes across the system, it is fragmented, there is little transparency of central government spend locally, and access to central government funds is difficult with duplicative processes. The Panel considers that to improve the outcomes sought at place there needs to be an interdependent partnership model. For it to be effective there needs to be access to a significant pool of money from central government where the decisions about how it is spent are made locally.

There have been examples in the past where central government has sought to make funding available to advance community outcomes, including health (wastewater and water) subsidies in the 1960s and 1970s, housing support in the 1980s, and water infrastructure funding in the mid-2000s.

In recent years the main mechanism for making central government funding available for community outcomes was the Provincial Growth Fund (PGF). As this aimed to provide an economic boost to the provinces, major cities were ineligible for this funding. It was a contestable fund to invest \$1 billion per annum over three years in projects that were intended to raise the productivity potential of regional Aotearoa New Zealand.

The PGF was in place for a defined period and therefore is not a sustainable source of funding for communities. Organisations that received funding believed it has made a significant difference to their communities. An often-cited example of the success of this approach was the PGF investment in the development of the Ōpōtiki Harbour. It was seen as a catalyst for a number of other economic investments in the district, which has had multiple benefits providing for ongoing workforce development, increased home ownership, reduced overcrowding, reduction in criminal offending, the revitalisation of iwi, population growth, and an increased rating base.

The use of contestable funding as the mechanism for increasing vertical equity in community outcomes is not always appreciated by funding applicants. There is significant cost associated with developing business cases, there are often short timeframes for making applications, and applicants have no certainty of whether they will receive funding. In some cases, these factors increase scepticism from potential applicants and therefore affects their commitment to the process. The Panel considers it would be best if each region or area had certainty about the funding to be allocated for their area and for it then to determine how best to apply the funds based on the regional needs and priorities.

During our engagement, we heard consistently that it would be a very encouraging signal if the amount of funding made available by the PGF was available to all regions (including cities) on an ongoing basis. The Panel notes that councils have raised the apparent inconsistency of charging GST on rates in that it is seen as 'a tax on a tax'. GST collected on rates is in the order of NZ\$1 billion (per annum) (Stats NZ) and this could, in a similar way to the PGF, form the basis of an initial fund.

## 8.4.6

**Establishing fiscal equalisation**

Moving towards an interdependence model means we need to consider a fiscal model that achieves a more even distribution of both the costs and benefits. This is referred to as fiscal equalisation. In this context, local efforts to incentivise sustainable economic growth would yield revenue for a different level of government on the basis that this revenue for central government. Fiscal equalisation would see this revenue at least partially being redistributed locally.

Developing a fiscal equalisation model would require first establishing a national approach where all levels of government engage and agree on the minimum standards of living and service delivery quality that will apply across the nation. Parties (including local and central government, and hapū/iwi) would collectively determine the wellbeing indicators that will apply locally and, by extension, nationally. These indicators will then be pursued through the array of services provided locally.

A model would be established in which the highest level of government redistributes funds under its direct control through equalisation payments, to support the agreed-upon standards, service delivery bottom lines, and issues of equity. The funding model needs to recognise local context and conditions, including demographics, geography and deprivation, and the model could be similar to the Funding Assistance Rates policy applied by Waka Kotahi for investments from the National Land Transport Fund.

The Panel appreciates that ongoing, sustainable co-investment arrangements are going to take some time to evolve, but that developing a central and local governance partnering arrangement with a meaningful central government investment would be seen as a very positive and encouraging signal.

For the co-investment approach to be successful, a number of features need to present, including:

- ▶ a surety of funding and a long-term commitment to the funding approach
- ▶ matters relating to horizontal equity need to be taken into account when allocating the funding
- ▶ decisions about how to apply the funding should be made by representatives of central government, local government, and iwi at a regional level
- ▶ appropriate accountability surrounding the use of funds.

## 8.4.7

**Central government paying rates and charges**

Central government agencies pay limited or no rates and charges on their properties. Successive reviews have recommended this change, but central government has not implemented these recommendations. The Panel strongly recommends as a signal of good faith that the central-local government relationship is changing, rates and charges should be paid on central government properties.

## 8.5 Introduce new funding tools for local government

Increasing the diversity of local government revenue sources is key to providing the flexibility and resilience local authorities need to deliver for their communities.

The Local Government Act 2002 (LGA) has a number of features that the Panel supports being retained, including the ability to set fees and charges for services provided and the use of development contributions to contribute towards the cost of infrastructure needed to support growth.

### 8.5.1

### Potential revenue streams

The Panel considered potential revenue streams councils could use to support equitable, sustainable wellbeing outcomes for communities. An outline of the options and a brief analysis can be found [on our website](#).

The Panel considers that legislative and policy changes should be made to make additional funding tools broadly available to local government, including:

- ▶ road congestion (or similar) charges. Congestion charges are a corrective charge that internalises the external costs of congestion to individual road users. The charge is set to account for external costs of travel, such as congestion and crashes, and to achieve a more socially efficient level of demand (Nunns et al 2019). Where a road is near capacity, these charges provide incentives for road users to consider the extra cost they impose on others because each extra vehicle slightly worsens congestion for everyone. This also provides signals for investment to improve transport networks. In time, in order to meet emission reductions targets, the Panel envisages the potential to use a range of mechanisms to encourage modal shift and dis-incentivise the use of private vehicles
- ▶ bed taxes and visitor levies that are charged to visitors to fund infrastructure which has to be built to specifications beyond the needs of locals in order to accommodate peak demand (driven by tourism numbers)
- ▶ value capture using targeted rates, which would allow local authorities to capture some of the increase in property values resulting from infrastructure investments. The Panel is aware that crafting value capture provisions that are fair and equitable is challenging
- ▶ revenue bonds, which are a class of local government bonds issued to fund public projects which then repay investors from the income created by that project
- ▶ volumetric charging, which provides for recovery of costs and management of water demand by businesses and households.

The proposed funding tools suggested above are consistent with Productivity Commission recommendations, according to our initial assessments.

While the Panel does not oppose local government investigating the feasibility of local sales taxes, we note that there will be challenges in developing a workable approach to implementing this revenue stream. It would be advisable for local government to inform and coordinate with central government in any development of this option.

The Panel does not recommend local income taxes. There are significant administrative issues of workability and encroachment on the central government revenue base and national policy goals associated with this potential revenue stream.

## **8.6 Retain and simplify rates as a key funding stream, supported by streamlined planning requirements**

Local government rating provides a high level of revenue autonomy for local government. While there is stress on the funding system for local government and changes are needed, rating still has a significant place in the local government revenue tool kit and should be retained as the primary funding mechanism for local government. However, the processes for implementation need simplification, as do the processes for developing, consulting on, and auditing long-term plans, annual plans and other supporting policies and documents.

Setting of rates is a very prescriptive approach. Currently, it requires a great deal of specific rating knowledge to be able to set and recover rates in accordance with the legal provisions. Presently, many councils undertake a detailed legislative review to ensure the process complies with all the various legislative requirements. Further, if procedural errors are inadvertently made during the rate-setting process, it sometimes requires validating legislation to be passed through Parliament to correct the errors. Having mechanisms that make the process easier to apply with the ability for councils to correct any procedural matters without recourse to validating legislation would be advantageous.

### **8.6.1**

## **The protection and development of Māori land**

Māori land is administered and developed under the Te Ture Whenua Māori Act 1993 and Treaty settlement rights and interests are recognised in bespoke legislation.

The design of the rating system does not always respond effectively to issues and circumstances associated with Māori land. These circumstances include: the historical context of land takings by the Crown; where land has been locked up in planning restrictions or has cultural, built, or heritage encumbrances; and property that was abandoned that has been transferred in Treaty settlements and other mechanisms. There are also issues of land that potentially has large numbers of beneficial owners, is held in perpetual trust, is landlocked where the property is inaccessible via public thoroughfare road access, has limited alternative uses, is wāhi tapu, or is impacted by Treaty settlements.

The rating system needs to provide tools for council to adjust for issues relating to Māori land. As these matters often have unique circumstances associated with them, councils, landowners, land trusts, and post-settlement governance entities need to work together

to determine and agree what is fair and reasonable in setting and collecting rates. These changes will require revision of the Local Government (Rating) Act 2002.

#### 8.6.2

### Redesigned long-term planning processes

In addition to a complex rates-setting process, councils have extensive and prescriptive legislative compliance requirements associated with developing and adopting long-term plans (LTPs). In order to ensure that council resources are used most effectively, compliance costs are minimised, and meaningless consultation avoided, the Panel considers it important that this process is redesigned. Current LTP requirements can be exhausting and virtually all councils have told us that the process and content requirements, along with the need for an audit, has added huge cost without adding commensurate value. The Productivity Commission also identified the need for long-term planning and performance reporting to be streamlined and readable to a wider range of people.

The Panel believes there is potential to involve the community a great deal more in the developmental stages of the LTP. For example, councils could carry out early engagement on community outcomes and priorities and be open to communities' and citizens' ideas and innovations in council planning processes. There is also an opportunity to use methods such as participatory budgeting processes to more genuinely involve a wider cross-section of the community in the process, rather than just relying on the Special Consultative Procedure that is currently specified in the LGA.

The performance framework embedded in the Local Government Act which is reflected in the requirements contained within the LTP should also be reviewed, as currently the accountability framework has tended to focus evaluation on outputs rather than outcomes. Along with the need for non-financial performance to be audited, it has tended to focus the performance evaluation on what can be measured, rather than what is important. While the Panel is supportive of the audit of Annual Reports, including in non-financial performance information, councils should be encouraged to explore best-practice models and be empowered to determine what they consider is the best way of demonstrating their contribution towards progressing community outcomes.

Further, with a change in the emphasis of the LTP the Panel considers that the scope of an audit could be significantly reduced, or potentially dispensed with. Any such review should also consider how other performance frameworks complement the council framework. The Panel also suggests that relevant accountability information is easily accessible to citizens and meaningfully transparent and readable to the public beyond technical experts.

The current provisions that enable a simplified annual planning and budgeting process to be applied by councils is supported by the Panel, although judgment needs to be applied when considering how to engage the community on any major changes in direction.

## 8.7 Climate change funding

The climate change challenge facing Aotearoa New Zealand and the rest of the world is huge, and councils have a significant role in mitigating and adapting to climate impacts in their areas. The future climate challenge for local government is likely to be greater than the challenge it has faced over the past 30 years to address the infrastructure deficit. To ensure we are well placed to meet the challenge there needs to be a joined-up and sustained approach. Local government has a key part to play along with many others.

Investment is required in climate change mitigation, including implementing emission reduction strategies, as well as for adaptation, especially in flood-prone regions.

Without a comprehensive and sizeable fund to enable the country to respond to these challenges, we will be constantly caught responding to the next crisis.

Current funding streams to manage the impacts of climate events are already being challenged, and the insurance industry is signalling that property owners in at-risk areas may not be able to secure insurance cover in the medium to long term. This places many communities at risk and requires a long-term approach to addressing these issues.

While some modelling has been done, the reality is that the sums involved to mitigate and respond to climate effects are likely to be significant. We consider that there is a need for a large national fund that is available to fund the actions that need to be taken. This fund, in combination with the resources of local government and private property owners, will need to bear the brunt of the climate adaptation and mitigation cost that will be faced. The Productivity Commission has also recommended that a fund is needed and this is consistent with others' calls for change. While the Panel sees merit in such an approach, the exploration of the best model is beyond the scope of this Review.

However, the Panel strongly believes that there must be enduring political support for whatever model is finally agreed upon. We believe this is one of the biggest and most important funding decisions and needs to be advanced as a priority.

Once a fund is established, there needs to be a joined-up consideration of how best to apply it. As part of a robust national framework for the application of the fund, there need to be mechanisms that ensure matters that have regional and local impacts are decided in conjunction with the affected communities and local government authorities. Councils and local communities have first-hand detailed information about the risks and issues, and they are also able to help shape responses that meet the needs and concerns of affected communities.

For decisions that need to be made in the best long-term interests of communities, there needs to be a mature and balanced consideration of the issues and interests, and for those actions not to be unduly swayed by a heightened risk of litigation. The Panel therefore considers that councils and other bodies that have been charged with property valuation responsibilities or are required to include risk-related information on Land Information Memorandums, are protected from claims that may follow those actions or decisions, provided they have acted in good faith.

## 8.8 Financing local government

In addition to the revenue streams listed above, councils rely on financing (usually through borrowing) to pay for large investments like infrastructure. An increasing number of councils have signalled that they are reaching their prudent borrowing limits. Typically, this has been caused by the need to borrow heavily to meet new infrastructure and growth challenges, the impacts of meeting increased standards for water, stormwater, and wastewater, as well as growing community expectations for improved community facilities.

Some councils risk their credit ratings being downgraded if they borrow additional money. Should that occur, it not only raises questions about their financial prudence by the public and financiers, it will see them paying higher interest rates. A lower credit rating may also limit a council's ability to finance their share of the costs needed to recover from major natural disasters, as well as respond to emerging climate change challenges.

Currently, finance (capital) is relatively freely available across the globe. However, given many of the geopolitical challenges, that may not always be the case. The Local Government Funding Agency (LGFA), which most councils rely on to secure part, or all, of their financing, is a vehicle which helps ensure capital is available to councils on very competitive terms and conditions. Having vehicles like the LGFA in place to help secure capital is a very positive feature of the current local government system. Not only does this provide the sector with a strong source of finance, it has also saved councils a great deal of money by being able to secure loans on very good terms and conditions.

In order to deliver on community wellbeing outcomes, local government needs to work with other people to support place-based investment and should always be exploring ways to deliver and fund services for its citizens, or on their behalf. Examples of approaches to enable financing (lending) for local community outcomes include:

- ▶ **a ratepayer financing scheme**, which has been conceived by LGNZ in consultation with a financial advisor. This type of scheme enables homeowners to take out low-cost loans to pay for improvements to their homes, like insulation and efficient home heating, which also positively impact occupants' wellbeing. These schemes are one example where the local government sector can leverage its resources and financial strength to help citizens, especially those who may not otherwise have access to affordable financing arrangements
- ▶ community and philanthropic organisations are exploring means of **co-investing in public goods and community priorities**. The philanthropic sector has reportedly substantial funding available (approximately NZ\$5 billion a year), making a significant contribution to our society and local communities. While donors are usually over-subscribed, they are increasingly looking for strategic and impactful giving opportunities. Place-based giving is on the rise and generous philanthropy, although concentrated, is transformational in its nature. Additionally, responsible investment, and as a subset of that, impact investment, is rapidly increasing in Aotearoa New Zealand, as it is in many other

countries. Impact investment delivers intentional and measured financial returns alongside intentional and measured social and/or environmental returns. While mechanisms like these are used to some degree, we see the potential for this to form a greater part of how local government partners with others to facilitate and support community outcomes

- ▶ **revenue bonds** are used, particularly in the United States of America, to raise debt for a specific project. These are often development projects, and with appropriate security, the debt and servicing costs are repaid by the beneficiaries of the project. Revenue bonds could unlock funding for new projects that have the ability to pay their own way, rather than wait on prioritisation against other activities.

Having these types of financing options available to the sector is beneficial and should continue to be explored further.

## 8.9 Productivity Commission report

The Panel has made an initial assessment of the recommendations from the 2019 Productivity Commission report on Local Government Funding and Financing. The Panel recommendations set out in this chapter are broadly consistent with the Productivity Commission recommendations. There are two areas where some of the Commission's recommendations have been surpassed, arising from reforms to the Resource Management Act and Three Waters. An assessment is provided [on our website](#).

**Recommendations**

- 21 That central government expands its regulatory impact statement assessments to include the impacts on local government; and that it undertakes an assessment of regulation currently in force that is likely to have significant future funding impacts for local government and makes funding provision to reflect the national public-good benefits that accrue from those regulations.
- 22 That central and local government agree on arrangements and mechanisms for them to co-invest to meet community wellbeing priorities, and that central government makes funding provisions accordingly.
- 23 That central government develops an intergenerational fund for climate change, with the application of the fund requiring appropriate regional and local decision-making input.
- 24 That central government reviews relevant legislation to:
  - a. enable councils to introduce new funding mechanisms
  - b. retain rating as the principal mechanism for funding local government, while redesigning long-term planning and rating provisions to allow a more simplified and streamlined process.
- 25 That central government agencies pay local government rates and charges on all properties.

**Question**

- ? What is the most appropriate basis and process for allocating central government funding to meet community priorities?

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# Designing the local government system to enable the change we need



# The current structure of local government won't be sufficient to meet future challenges.

## 9.1 Key findings

There is a need to keep the 'local' in local government, enabling communities to have their voices heard and their needs met locally.

To ensure better value spend, minimise duplication, and get the best use of people and resources, more effective collaboration, innovation, and shared services are required. This should also extend to how central and local government can work together to have a more joined-up public sector.

## 9.2 Overview

The success and sustainability of local government in Aotearoa New Zealand requires a system design that can support the needs of communities and foster wellbeing both now and in the future. The Panel sees a successful future system and structure for local government as one that enables communities to have their voices heard and their needs met locally, while leveraging strong regional connections and resources.

To make this vision a reality, change is needed to the structure of local government to meet future challenges. We need a system where local government entities are:

- ▶ sustainable, capable, anchor institutions
- ▶ agile, innovative, and able to help communities to thrive and prosper
- ▶ resilient and have enough capacity to make meaningful contributions to future challenges like climate change, and be able to respond to major natural hazards
- ▶ responsive to increasing expectations from citizens to have a greater say in decisions that directly impact them and future generations
- ▶ able to retain the 'local' and ensure flexibility and agility
- ▶ aligned and work as one across the local government sector, enabling effective application of resources and generation of value for communities.

We have heard loud and clear that we need to keep the 'local' in local government, while realising the benefits of sharing resources and working differently. In this chapter, we do not have a firm view on what the specific future structure should look like. However, we outline five design principles that we think should guide the future structure for local government to support the wider changes outlined in this report. We recommend that these are used as the basis for the future structure of local government. These principles are important, so we are seeking your feedback.

Based on these design principles, we have also outlined three examples of what a future structure for local government could look like. These are not intended as recommendations – instead, they provide an explanation of what a new structure might look like and consider the benefits and trade-offs inherent in each.

Structural changes and new design principles are necessary to not only ensure local government is flexible, sustainable, and allows communities to thrive, but also to provide a strong foundation from which the other changes laid out in this report can be made.

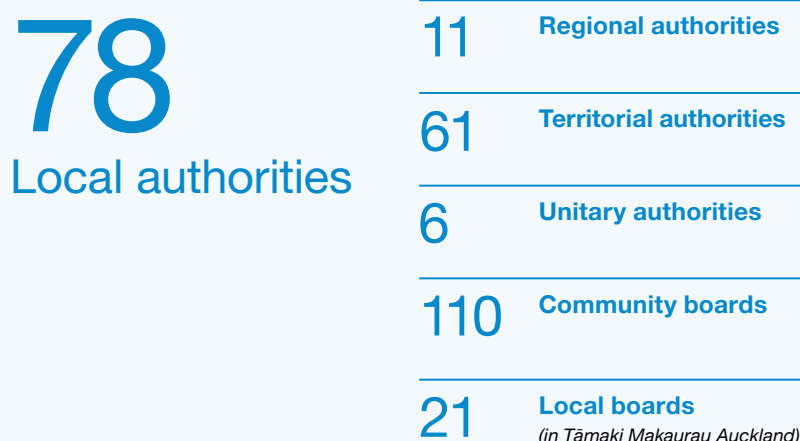
We also consider that no matter what the future system design looks like in terms of form, there fundamentally needs to be greater collaboration across local government and increased use of shared services.

### 9.3 The current form and shape of local government

There are 78 local authorities which are responsible for democratic local decision-making and community wellbeing. There are three main types of councils:

- ▶ **11 regional authorities** (regional councils) that are primarily focused on the physical and natural environments within their boundaries
- ▶ **61 territorial local authorities** (including district and city councils) that have broad functions relating to local wellbeing, infrastructure, and service provision
- ▶ **6 unitary authorities** (unitary councils) that are responsible for both regional council and territorial authority functions.

There are also 110 community boards which represent the interests of particular communities and advocate on their behalf. Community boards have been established for a range of reasons, and vary in size, functions, delegations, and geographical coverage. In Tāmaki Makaurau Auckland, there are also 21 local boards, several of which serve populations that exceed 100,000.



#### 9.3.1

#### How does Aotearoa New Zealand compare internationally?

Structures of local government can be considered both in terms of the tiers of government (for example, central, regional, and territorial) and population coverage (for example, the size of the population a local council serves).

Within the OECD, there is substantial variation in how countries structure the tiers of local government. Three common ways of distributing local government across tiers internationally are:

- ▶ three tiers which can include metro/regional councils, local councils, and a form of hyper-local entities

- ▶ two tiers which can have local councils, usually accountable to regional councils
- ▶ one tier with a single unitary council.

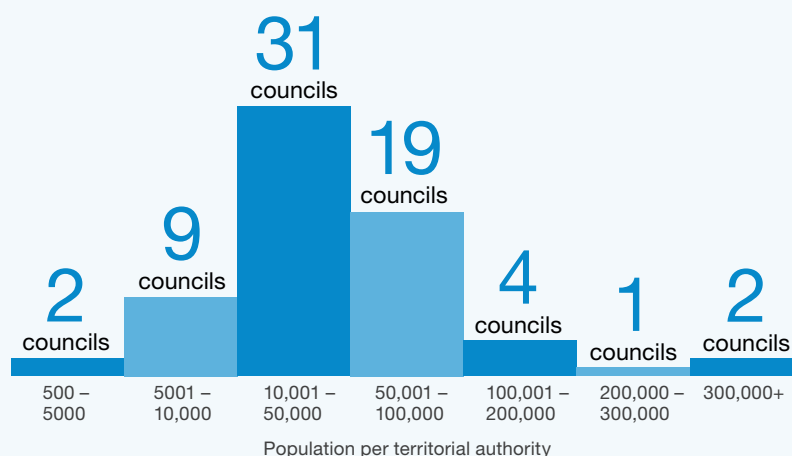
Across OECD member countries, 23% of countries have a three-tiered system, 46% of countries have a two-tiered system and 31% have one tier of local government (OECD/UCLG 2019).

While we have regional and local councils, and a combination in unitary councils, it is not a typical two-tiered system because regional and local councils have different functional responsibilities at regional and local levels, and one is not subordinate to the other, as is common in two-tier structures (OECD/UCLG 2016). As such, it has often been described as a single-tier system with two complementary roles.

There is also significant variation in the populations that local governments serve. Some OECD countries have a large number of small local governments, where on average one local council serves 2,000 people. Others have over 200,000 people per municipal body. The OECD average was one local government entity per 39,000 people (NZIC 2022).

On average, unitary and territorial authorities serve a population of 75,000 people. However, the most common population per council is smaller, sitting between 10,000 and 50,000 people (48% of councils). Only 13% of councils are very small, with fewer than 10,000 people; and only 10% of councils are large, with populations over 100,000 people (NZIC 2022).

**Figure 24: Territorial authorities and population size in New Zealand**



## 9.4 Our current structure is not sufficient for the future

To support the future of local decision-making and enable the changes proposed in this report, we need councils that are:

- ▶ sustainable, capable, and agile institutions that are innovative and help enable communities to thrive and prosper
- ▶ aligned and work as one across the whole system, enabling effective application of resources and generation of value for communities.

At the moment, the structure of local government will not support the changes we need. There are current capacity and capability challenges which will be exacerbated as the current Resource Management and Three Waters reforms continue. The increased complexity of the business carried out by councils compared to 1989 (when the last significant structural reform occurred), and the size and scale of the challenges facing the country require different ways of working to be able to meet those challenges effectively. We want to retain and improve local decision-making, but also make the most of innovations, amplify efforts and enable resource sharing.

### What we mean by local government structure

When we talk about structure in this report, we are talking about the governance and organisational arrangements that make up local government. For example, we are talking about what type of councils and other local government entities like local boards or council-controlled organisations there are, what responsibilities they have (including what roles and functions they carry out) and how members are elected or appointed.

#### 9.4.1

### Challenges with the current structure

We noted in our Interim Report, *Ārewa ake te Kaupapa*, that in the face of rising community expectations and increased regulatory requirements, local government has been under constant pressure. We have continued to hear through our engagement with stakeholders that local government is facing a range of issues, including:

- ▶ capability and capacity constraints, in particular for smaller councils, which struggle to secure the needed resources to deliver on the ever-increasing complex needs of communities now and into the future
- ▶ limited ability to respond to adverse events, such as earthquakes and floods
- ▶ funding constraints within communities, meaning needed strategic investments are deferred or not undertaken
- ▶ limited collaboration between councils resulting in high operating costs, with relatively high fixed and overhead costs
- ▶ pressures from cost increases, paired with the need for major investment to adapt and respond to climate change and respond

to increasing environmental standards as well as complex social issues is resulting in financing challenges and large forecast rates increases

- ▶ local government leadership that is undervalued in building collaborative partnerships to solve complex issues.

These issues stem from a range of causes, including a complex operating environment, a disconnect in the relationship between local and central government, wide and varying practices across councils, and a lack of scale to deliver some services. In addition, central government has added significant additional responsibilities and expectations on local government over the last two decades without providing clear direction on how to carry out these functions or funding support. This has increased the complex web of legislative and regulatory requirements and complicated the operating environment. The additional responsibilities that have been added range from meeting new national freshwater management standards, which will cost billions of dollars, to achieving more sustainable, liveable cities that require massive investments to cater for growth and reshaping the current urban form.

While councils are currently struggling to meet and fund their legislative requirements and community expectations, there are also major reforms looking to change the formation of aspects of the local government system to address some of these issues. The Three Waters and Resource Management reforms will likely impact a significant proportion of what local authorities do and how they do it.

This report proposes many changes to address challenges facing, and grasp opportunities available to, local government. The proposed changes are significant. To ensure they are successful, they will need to be supported by a strong, adaptable local government system that can support the changes and embed them for the long term. We think this will require a new approach to how local government entities are structured. The current make-up of local entities will not be sufficient to support the change needed to tackle future challenges.

## 9.5 Principles to support future system design

The future system design of local government will need to strike a balance between centralism and localism, and:

- ▶ harness local government's proximity to communities that gives it a unique ability to understand and act on opportunities and challenges in place
- ▶ have the ability to deal with complex, long-running challenges and to better withstand external shocks
- ▶ harness the benefits of combining resources and expertise to add more value and deliver better quality services to communities.

As a Panel, we are interested in hearing feedback during the engagement process on our draft report about the features that need to be present in a new system. We will consider the feedback we receive before deciding whether we will propose a

new structure for local government or leave that to some future reform process to determine. However, we are clear that any new structure will need to have a number of features in order to support the wider changes outlined in the rest of this report.

We have developed five principles that we think should guide the design of a new local government structure – that is the entities, governance arrangements, and delegation of roles and functions. These principles set out at a high level what a new structure should enable. If local government cannot enable these outcomes, we do not consider that it will appropriately support local wellbeing and decision-making now and into the future. These five principles are interconnected and are all needed to enable communities to thrive – they will not work if adopted in isolation.

## 9.5.1

**Core design principles for a new system**

- |          |  |   |
|----------|--|---|
| <b>1</b> | <b>Local</b><br>There is local place-based decision-making and leadership, and local influence on decisions made about the area at a regional and national level   | The local knowledge of communities, hapū/iwi is valued and reflected in governance decisions made at a local level. This knowledge also influences and informs decisions made at a regional and national level that affect local outcomes, like strategic directions and investment approaches.   |
| <b>2</b> | <b>Subsidiarity</b><br>Local government entities support and enable roles and functions to be allocated adopting the principle of subsidiarity   | The system ensures local government entities have access to the financial resources and range of skill sets they need to effectively and sustainably carry out the roles they are allocated in line with the principle of subsidiarity. Subsidiarity means that as a starting point, local government roles and functions should be allocated to the lowest level of government possible. This idea is outlined in more detail in <a href="#">Chapter 4</a> . |
| <b>3</b> | <b>Resourced</b><br>Local government entities have the people, skillsets and can generate the funding and have the resources needed to effectively deliver services  | Local government entities have access to the skillsets they need to carry out their functions and address challenges. This includes challenges already on the radar like adapting to and mitigating climate impacts in their area and those that are yet to emerge. Entities will also need financial resources and resilience to manage risk, invest in and achieve community outcomes.  |
| <b>4</b> | <b>Partnership</b><br>Local government entities have flexibility to partner with each other and with other parties to share decision-making and delivery of services, in order to advance community outcomes effectively and efficiently | Local government entities will have flexibility in the way they use resources to deliver and influence local services. They will be able to easily work together and with others where appropriate. Different types of shared governance that reflect local contexts will be available such as co-governance, subsidiaries, and collaborative partnerships.   |
| <b>5</b> | <b>Economies of scope</b><br>Local government entities make use of economies of scope and combine resources and expertise where appropriate to ensure services and functions are delivered to a high standard                            | The system enables local government entities to work together and with other organisations to be more productive. This will enable them to carry out their roles and functions in a way that delivers best value while being supported by competent and capable people, processes, and systems.   |

## 9.5.2

**Any future system design needs to be Tiriti-consistent**

In addition to these principles, Tiriti consistency is a fundamental parameter for any future system design. As discussed in [Chapter 3](#), Tiriti-based framework means that any structure of local government needs to ensure the local authorities can provide opportunities for Māori to:

- ▶ engage in decision-making processes
- ▶ exercise decision-making authority
- ▶ be meaningfully involved in the design and/or delivery of local services.

**9.6 Example approaches that put the design principles into practice**

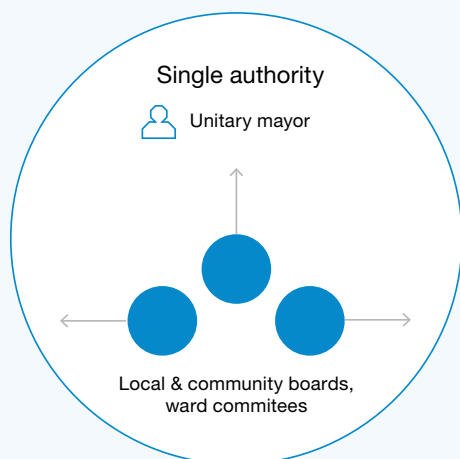
The principles outlined above provide a road map for how to design a future local government system that ensures flexibility and agility, prioritises sustainability and gives effect to the wider changes proposed in this report.

In order to demonstrate how the design principles could be given effect to, and what they might look like when put into practice, we have developed three examples of potential new structures. Each of these examples has some form of local and regional function, but the roles they play and governance structures vary significantly for each.

At this stage, these are not recommendations for a new structure. Instead, they aim to highlight how these principles could be applied in practice.

*Example one***One council for the region supported by local or community boards**

In this example, there is one single council for the region that is responsible for delivering all the local government functions.



This unitary council is accompanied by localised subsidiary entities like local boards, community boards, and ward committees, to which some roles and functions can be delegated. This model significantly simplifies the local government system with a 'one-stop-shop' approach that eliminates complexity and confusion across levels of government.

Of the three examples, this one would be most structurally similar to the unitary model adopted by six councils, including Auckland Council.

**Functions**

The unitary council would carry out or administer all roles and functions for the region, delegating specific aspects to localised entities as appropriate. This would include all current regional council and territorial authority roles and functions.

Local or community boards or ward committees would still serve a vital function under this model. They would have roles and functions delegated to them, be able to collaborate with each other, and have the unitary authority advocate for local views.

**Governance**

Communities would elect councillors from wards and a mayor at large who would represent the entire region. The single authority could include both Māori representatives elected under the Māori wards mechanism and any Tiriti- or capability-based appointees as discussed under the hybrid governance model discussed in [Chapter 7](#).

Local communities would also elect members of localised entities like local boards, community boards, and/or possibly some ward committee members.

**Considerations and trade-offs**

The simplified structure of this example reduces complexity and confusion across levels of government and enables resources to be applied effectively for the benefit of communities. It creates a strong, unified local government for an area. There is also a loss of visible localised leadership, and this model has the potential to 'blanket' diverse communities if there is not substantive recognition of the role that subsidiary bodies should play, particularly in rural and provincial areas. Under this example, the Tiriti-based Māori appointees would be expected to represent a greater number of hapū/iwi groups. Additionally, the model will likely only be viable in regions with a minimum population between 70,000 and 100,000 people and would typically require aggregating around that critical mass.

There will be some regions where it may make sense to have a unitary council based on communities of interest and boundaries, however they may struggle due to low population size and a limited resource base. For these regions, the unitary council would need to collaborate extensively with others to ensure it has sufficient capability and capacity to operate effectively.

*Example two***Local and regional councils with separate governance**

In this example, there are local and regional councils that each have separate governance.



Local councils provide local functions and services like community facilities and place-making. They also partner with local hapū/iwi, agencies, and community groups to facilitate and advocate for community wellbeing outcomes. Regional councils carry out roles that are mandated to be delivered regionally, albeit councils can transfer functions between regional and local tiers. Local communities elect councillors and a mayor to their local and the regional council. In some circumstances it may be appropriate to also have local or community boards.

**Roles and functions**

Local councils would be responsible for the provision of local functions. They would also partner with local hapū/iwi, agencies, and community groups to facilitate and advocate for community wellbeing outcomes.

Regional councils would carry out specifically mandated functions that are best considered to be delivered regionally. As with example one, the regional council would be responsible for current regional council functions, potentially along with greater roles in transport services, civil defence, building and consenting, and regional economic development. While independent, the regional council could also be responsible for providing 'backbone' support to the local authorities, as agreed.

**Governance**

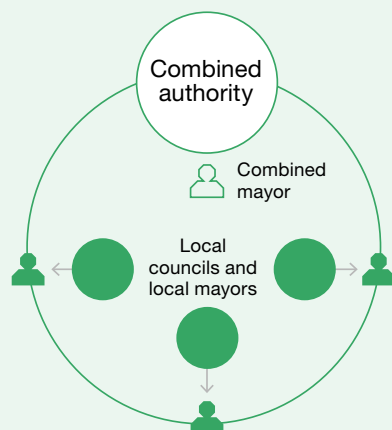
Communities would elect councillors from wards and a mayor at large for both the local and regional councils. As with example one, the local and regional authorities would include both Māori representatives elected under the Māori wards mechanism and any Tiriti- or capability-based appointees, as discussed under the hybrid governance model discussed in [Chapter 7](#).

**Considerations and trade-offs**

This example ensures that place-making can be retained in small towns and communities, while ensuring there are resources to carry out roles through their delivery at a regional level. The clear separation means it is more of a two-tier system with the regional councils potentially being seen as a more dominant form of government. The separation of governance between councils enables more direct accountability to communities; however, there may be some disconnect and tension between the two.

*Example three***Local councils and a combined council with shared representation**

In this example, there are local and combined councils that share some representation at the governance level.



Local councils provide place-based leadership for their local area and carry out functions that lift the wellbeing of their communities. A combined council carries out functions that affect the whole region or require specialist capability, and provides appropriate economies of scale. It also provides 'backbone' support for the local councils by providing shared services. Communities elect councillors and a mayor to their local council. The combined council is formed by representatives from each local council and a combined mayor, elected at the same time as local mayors and councillors. In some circumstances it may be appropriate to also have local or community boards.

**Roles and functions**

Local councils would focus on activities that achieve wellbeing outcomes for their communities, provide leadership on local issues, and facilitate collaboration and innovation to address opportunities and challenges in their area. This could include place-making, provision of community facilities and services, and leading place-based roles like transitioning from education to employment and social cohesion initiatives.

The combined council could carry out a range of roles and functions. Some would be legislatively specified, including the current regional council functions, potentially along with greater roles in transport services, civil defence, building and consenting and regional economic development. The local councils would be strongly encouraged to delegate other roles and responsibilities to the combined council when they agree it makes sense for these to be coordinated regionally. These functions could include providing shared support services, such as information and communication technology (ICT) and corporate services and would be funded from a levy on local councils. The combined council would work with central government and hapū/iwi, business, and community to determine regional outcomes and priorities and make co-investment decisions, with input from the local councils.

**Governance**

Local communities would elect councillors and a mayor to their local council. As with the two previous examples, Māori representatives can be elected under the Māori wards mechanism, as well as any Tiriti- and capability-based appointees as proposed under the hybrid governance model discussed in [Chapter 7](#).

A representative from each local council (potentially the mayor) would be on the combined council, along with a combined mayor. The mayor would be the only member elected to the combined council as part of the local election process. This model is similar to the Greater Manchester Combined Authority.

While the detailed provisions would need to be carefully considered and developed, we anticipate under this example that:

- ▶ public accountability (for example, through voting) would be via the local councils
- ▶ the combined council would prepare its own strategic and annual plans, accompanied by an audited annual report
- ▶ major regional decisions, such as the adoption of strategic and annual plans and levy decisions, require super majority support
- ▶ levies would be charged to local councils (based on population and other factors, such as deprivation) to recover the combined council's cost of operating (after deducting grants and other income streams).

**Considerations and trade-offs**

This model aims to retain the best of 'local' and 'regional', enabling decision-making close to local communities while facilitating region-wide delivery of some services that benefit from the combining of resources. It brings the local and regional tiers of local governance closer together by having shared representatives and more aligned decision-making. However, the model does present challenges with ensuring that combined councils are accountable to local communities, as their members (other than the mayor) will not be directly elected by the region.

## Local and community boards

# 110

### Community boards

Community boards were created by the local government boards in 1989. Some 110 community boards now operate in both urban and rural areas within local authorities throughout Aotearoa New Zealand. They carry out functions and exercise those powers delegated to them by their councils (LGNZ nd).

# 21

### Local boards

Local boards provide governance at the local level within Auckland Council. They enable democratic decision-making by and on behalf of community within the local board area.

There are 21 local boards with between five and nine members elected to each board (149 local board members in total).

Local boards are charged with decision-making on local issues activities and services, and provide input into regional strategies, policies, plans and decisions (Auckland Council nd).

## 9.7 Enabling flexibility and agility

A future system for local government needs to be able to support the full spectrum of communities. There are wide variations in the size and composition of communities from our largest city, Auckland, with a population of over 1.7 million, to the Chatham Islands, which has a council that represents about 600 people. The three example models will impact communities in different ways, and these impacts will need to be considered in decisions about future structure. Each of these examples will require consideration of communities of interests and different boundaries, including the rohe boundaries of hapū/iwi.

As we stated in our Interim Report, *Ārewa ake te Kaupapa*, any new local government system should be flexible and agile enough to meet the needs of diverse communities and circumstances. A one-size-fits-all approach to roles, functions, and governance arrangements is unlikely to meet the needs of all communities. We have continued to hear about the importance of flexibility and agility from stakeholders over the last few months and have considered the best way this can be embedded into a future system. While enabling flexibility can potentially be done in many ways, different approaches come with different trade-offs. For example, some approaches may enable significant flexibility but may add significant complexity.

We consider that flexibility could be embedded in governance or delivery arrangements (or a mix of both). This could be done in a number of ways. For example, flexibility in delivery could mean different entities and communities have the ability to undertake different roles and functions than their counterparts. Flexibility in governance could mean different entities have different structures and governance arrangements depending on local circumstances, with different models implemented in different areas. These issues will need consideration as part of any future reform programme.

We welcome any feedback on the best way to enable flexibility in a future structure, and whether it is feasible or desirable to accommodate more than one organisational form within Aotearoa New Zealand's system of local government.

## 9.8 Increasing collaboration and shared services

No matter what the future system design looks like in terms of form, we consider that there fundamentally needs to be greater collaboration across local government and increased use of shared services.

### 9.8.1

### **There are a range of arrangements already in place across local government**

The local government sector has expressed a desire to collaborate rather than compete, with a spectrum of current arrangements and mechanisms already in place, some of which are effective and some of which are not. Many councils already come together for different reasons, usually through holding fora to discuss cross-cutting priorities or sharing services across councils.

#### **Cross-cutting regional priorities**

Arrangements such as mayoral fora allow councils to discuss regional priorities, overlapping regional issues and ways to share best practice in these areas. These fora are made up of local mayors and the regional council chair, and aim to improve joint planning, economic development, and local government efficiency generally. Through the fora, mayors and chairs usually agree on priority workstreams. For example, the Wellington Mayoral Forum is currently focusing on reviewing the funding of Wellington's regional amenities.

For specific issues like urban growth and development, some councils have also established programmes like Urban Growth Partnerships with iwi and central government to coordinate and prioritise growth in an area. Currently there are six urban growth partnerships.

#### **Sharing of services**

In some areas, councils also look to share services like procurement, information management, or call centre support when it makes sense to do so. In some areas this is done through a Local Authority Shared Services (LASS) entity which provides mechanisms to develop and procure services across an area. For example, as part of a LASS in the Waikato there is the Waikato Building Consent Group, a collaborative cluster of eight councils which aims to foster cooperation and consistency in building control functions, processes, and documentation.

In other areas, shared service delivery entities are used to provide specific services to their shareholding councils. For example, Transwaste Canterbury provides waste services to the local councils and private sector. There are also a number of regional economic development and tourism agencies that provide services on behalf of councils to their local communities.

The Local Government Funding Agency is an institution that councils can join to secure finance (borrowing) at very competitive rates. Civic Financial Services is another entity that provides collective mutual

insurance to member councils for natural disasters and professional indemnity, as well as offering KiwiSaver services to council employees.

#### 9.8.2

### However, there are challenges in embedding the sharing of services

Even though there are a number of arrangements in place for councils to share services and learnings (as described above), this is not the case across the board or embedded at a system level. This results in missed opportunities to innovate, change behaviour, and create scale to invest in new systems and capability. This can mean it is difficult for the community to see and realise the benefits of new ideas and approaches that have been actively explored and tested and are ready for adoption.

For example, even with the collaborative efforts mentioned above, there has been minimal attention on investing in common systems and capability across the sector, including digital and data architectures and resulting services and systems. While central government agencies face similar issues, local government does not have either the executive or the political centre to provide a strong authorising environment for systemic change.

However, these are symptoms of a wider context and drivers in which local government operates, impacting the ability of the sector to effectively collaborate and deliver best value for their communities. For example, due to current operating environments, public accountability, and perception, councils face a number of challenges.

- ▶ Councils can find it challenging to prioritise projects that enhance organisation systems and capability over more public-facing investments. This leads to them lacking the capability to maintain existing levels of service and an inability to scale up activity efficiently for new services.
- ▶ Efforts are largely driven by a 'coalition of the willing' with limited incentives to advance opportunities that do not align. While a coalition of the willing is useful, this can result in missing the advantages of network (scaling) effects due to the absence of key participants.
- ▶ There are concerns that proposals that see functions or services being transferred elsewhere can result in a loss, or perceived loss, of local service delivery or autonomy.
- ▶ Councils do not have the mandate or resources to invest in initiatives for the greater good, therefore initiatives can flounder for lack of financial support.
- ▶ There is a perception that a move to common systems will require a whole new investment, and for those councils that have made recent ICT improvements, that could mean that they do not achieve the expected return.
- ▶ Councils also have different investment cycles which are difficult to align for significant investments such as technology and communication changes. This can create inefficiencies and duplication of resources.

## 9.8.3

**There are opportunities that can be harnessed now**

The Panel has identified an opportunity for common systems and greater standardisation across local government, in both back office corporate functions and business customer facing systems, including:

- ▶ digital, data, and information services
- ▶ communication and engagement processes, systems, and expertise
- ▶ finance and corporate services support
- ▶ human resource practices including policy development, recruitment, and training
- ▶ customer support functions, including after-hours support facilities and property management
- ▶ emergency management.

As mentioned above we acknowledge that there is currently no sector-wide systems architecture, channel strategy or customer strategy to align investment. While these investments take time, we do see opportunities for immediate change, with overlaps and synergies with the approach central government is taking, especially regarding digital, collaboration, and co-investment.<sup>22</sup>

**Joined-up investment in ICT is a particularly significant opportunity**

One of the biggest opportunities to address is joining up ICT investment, with benefits including:

- ▶ reduced cost of information and data (including its collection, storage, and use)
- ▶ more effective and efficient customer service offerings
- ▶ more secure systems that are less vulnerable to breaches
- ▶ improved monitoring of environmental impacts based on integrated data systems.

There are currently 78 bespoke ICT arrangements across local government – no two councils have the same business process or systems. Lack of shared vision, challenges bringing councils together to create scale that makes investment more affordable, and the capital required for improving systems all prevent closer collaboration across councils in ICT.

Some councils use shared applications such as Regional Software Holdings Limited. Many councils are also part of group purchasing or consortium arrangements in providing library services: 43 councils are part of the Kōtuiti Consortium for library service products and 55 councils provide library Internet services to their communities using a common platform and hardware solution, Aotearoa Peoples' Network Kaharoa. Both rely on the Department of Internal Affairs (DIA) acting

<sup>22</sup> Central government uses a model called 'functional leads' which makes a senior public servant responsible for setting direction and guiding progress in key, cross-cutting areas. One such functional lead is the Government Chief Digital Officer, who is responsible for setting digital policy and standards, improving investments, system assurance and other critical stewarding of the digital public sector.

through the National Library to coordinate procurement and support. Some councils use the same systems for resource consenting applications, such as GIS-enabled ePlans. However, there is no consistency across the country. For example, only a handful of local authorities in Aotearoa New Zealand offer fully dynamic web-based resource consent application forms.

In our Interim Report, *Ārewa ake te Kaupapa*, the Panel highlighted the potential for work to start thinking about a stocktake of existing systems and preparation of a roadmap for transition with an appropriate business case. The case for investing in ICT at scale (club funding) is strong for local government. We have since commissioned CoDigital, digital consultancy firm, to advance the thinking further. The Panel shared an approach for ICT co-investment with Taituarā, Digital Government Leadership Group, the Resource Management Reforms Group at the Ministry for the Environment, and the Three Waters Team at DIA. There is potential to meet multiple ICT objectives for local government by working together across these parties. However, time is of the essence, and this work would need a champion or champions in order to progress meaningfully. We note that this work started in 2018 with the launch of the Digital Local Government Partnership (Curran 2018).

Joining up services across councils is one consideration as part of the wider digital transformation journey for local government. Other aspects will include understanding the 'why' of becoming a digital council, the possibilities, barriers, and required mindset shifts.

The CoDigital report provides a problem definition and some potential options for addressing these challenges, such as creating centres of excellence. We see this as a good starting point for the sector. Below is an extract of CoDigital's findings. The full report can be found on the [Future for Local Government Review's website](#).

# Key findings from the CoDigital review

## The timing is great

People/citizens are more ready now than ever before for digital channels of engagement with local government. The experience of the Covid-19 pandemic has brought a sea change for people transacting and connecting in a digital way, including influencing the ways people prefer to work.

There are overlaps and synergies with the approach central government agencies are taking to deliver more joined-up, digital services. Collaboration and co-investment between central and local government should be encouraged. For the average citizen, there is no distinction between central and local government.

## Build on what local government already does well

Libraries are a stellar example of how councils have used their collaborative power to build foundational community resources. Libraries have been leading the way not only in common business systems, but also in enabling access, inclusion, and community capability in digital systems – they are a key resource that local government provides and can leverage for wider impact.

## Shared systems are needed to drive lasting change

A major obstacle to digital transformation across councils is the lack of scale within each individual council. For example, very few councils process more than 1,000 resource consents a year. As a single council, the business justification to invest in more integrated and efficient infrastructure is not present. In order to incentivise modernisation to improve citizens' experiences in transacting with councils, shared systems are needed by councils.

## What direction should action take?

### Creating a more supportive leadership culture

Appoint digitally-aware leaders with a vision to change and the energy to actively support those in their councils who can lead change.

### Digital capability and know-how

Increase digital service delivery capabilities and consider public-private partnerships to enhance staff skillsets.

### Data and digital investment and integration

Identify clear alignment opportunities and start there, potentially through a centre for digital excellence for councils.

## Key alignments and opportunities

### Leverage current needs

Use the digital changes from Resource Management reforms to build joined-up systems in some areas across central and local government.

### Cultural inclusion is a must

Digital technology can help revitalise cultural identity and wellbeing by improving accessibility and the protection of mātauranga for those who want it.

### Data collection and use

Integrated, co-designed systems will enhance the use of shared data, such as that needed for the Resource Management reforms.

### Share and build on the Digital Strategy for Aotearoa

Focus on the pillars of Mahi Tika (Trust), Mahi Tahī (Inclusion), and Mahi Ake (Growth).

## 9.8.4

**There needs to be support for this change**

For the local government sector to make the changes proposed, it needs the space, resources, expertise, and mindsets to start the process, with a clear programme and roadmap that recognises the steps and processes that needed to be taken.

We think that local government sector leaders (both elected members and executives) need to be strong advocates for change, and the sector needs to invest in this. However, it also needs strong support from central government. The Panel considers that in the current environment, local government, supported by central government, needs to invest in a programme that identifies and implements the opportunities for greater shared services collaboration.

There are also risks of not moving fast enough, including security risks in aging assurance infrastructure; information loss through non-transferrable data formats; and growing expectation gap between citizen expectations and local government delivery.

However, we are conscious that one of the biggest challenges for the sector to commence a major change programme is the size of the investment and the willingness of the sector to participate. As mentioned above, that is often why collaboration efforts are led by those who are passionate, with the gains often being incremental and small compared to the overall sector potential.

It is going to take some years and a lot of sustained energy to deliver the level of change required. While the Panel acknowledges that some changes will be dependent on the shape of wider sector reform signalled in this report, work considering how a joined-up digital partnership for local government can be advanced should start now.

## 9.8.5

**Fundamental shift towards a unified public service**

As well as the sharing of services, there is also a need to shift the way in which skills and learnings can be shared – not only across local government, but between local and central government. Fundamentally, there needs to be a more deliberate shift towards a joined-up public service across central and local government. This builds on the system stewardship discussion in [Chapter 10](#).

This means an integrated system where staff exchanges, training and development, recruitment, sharing and providing tikanga and cultural advice is common practice. For example, there are opportunities to broker mobility through secondments, potentially through the Leadership Development Centre.

**Recommendations**

- 26 That central and local government explore and agree to a new Tiriti-consistent structural and system design that will give effect to the design principles.
- 27 That local government, supported by central government, invests in a programme that identifies and implements the opportunities for greater shared services collaboration.
- 28 That local government establishes a Local Government Digital Partnership to develop a digital transformation roadmap for local government.

**Questions**

- ? What other design principles, if any, need to be considered?
- ? What feedback have you got on the structural examples presented in the report?

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# System stewardship and support



# 10

Effective system stewardship is needed to embed, drive, and support the system of local government to be successful and to navigate and adapt to change over the next 30 years.

### 10.1 Key findings

Currently system stewardship is delivered through a range of ways across central and local government including the Minister of Local Government, the Secretary for Local Government, and entities such as the Local Government Commission, LGNZ and Taituarā. The investment made in the system is small relative to the overall size of local government.

There needs to be an approach to identifying opportunities and facilitating action for system-wide improvement. The architecture, relationships and enabling conditions need review, so that all actors are aligned towards the system outcomes that maximise its strengths, resources, and collective effort.

## 10.2 Overview

The shifts across the local government system being proposed in this report are significant. To ensure the local government sector can make the changes necessary and support communities over the long term to address challenges and achieve wellbeing outcomes, there needs to be strong stewardship of the local government system.

Local government stewardship – that is, the responsibility for the long-term quality, sustainability, and outcomes of the system – is currently provided by people and organisations in central and local government. At a central government level, this primarily includes the Minister of Local Government (the Minister), the Department of Internal Affairs (DIA) (along with the Secretary of Local Government) and the Local Government Commission (LGC). At a local government level, membership organisations Local Government New Zealand (LGNZ) and Taituarā have important roles. We consider both local and central actors need to be involved in stewardship in the long term.

While there are strengths to the current approach, we consider there are gaps and limitations, and that significant change is needed to support the shifts proposed in this report. In particular, we consider that a specified stewardship function is required that can support the system holistically in the long term.

This chapter sets out the current state of local government stewardship, the limitations of this approach, what a stewardship function would include, and questions for consideration. We want to hear from you about who is well placed to carry out the roles within this function and what is needed for it to succeed. Between the draft and final reports, there is an opportunity to develop potential options for strengthening the stewardship and support system for local government.

## 10.3 What do we mean by system stewardship?

When we talk about system stewardship for local government, we are talking about guiding and supporting councils and the wider local government system to be the very best they can be. Effective stewardship focuses on the relational (people) aspects of a system, processes, and enabling conditions needed to ensure all actors are aligned towards the system outcomes.

Effective local government stewardship allows the system to continually develop and adjust to an ever-changing world. It is about acting upon the understanding that leadership is a temporary role which is outlasted by the lifespan of an organisation. Leaders are performing the act of stewardship whenever they are actively preparing for the system and councils' future vitality.

A local government system stewardship function actively promotes and cares for local government, including:

- ▶ oversight and monitoring of relevant legislation administered by agencies
- ▶ care for the system's long-term capability and people

- ▶ maintenance and enhancement of institutional knowledge and information
- ▶ supporting partnerships, co-design, and innovation.

Both local and central government actors have roles in the stewardship of the local government system. For local government, there is need for stewardship at all levels:

- ▶ at a council governance level, leaders need to ensure their organisations and people have the capability to work effectively for current and future generations and that councils receive free, frank, expert advice
- ▶ at a general council level, all actors work towards the broader goals, which can mean putting aside individual interests for the greater good, or perhaps taking on accountabilities outside the normal scope of their role
- ▶ at system level, there needs to be effort put into driving the capabilities, processes, and actions that will lift performance across local government and maximise its strengths, resources, and collective impact.

Central government entities also have a role to ensure that there is appropriate legislation and regulatory powers, along with sufficient checks and balances, in place. These roles are undertaken by Parliament, the Minister, and other independent agencies, such as the LGC, the Auditor-General and the Ombudsman.

System stewardship for local government should also include taking a view across the whole sector – working with central government agencies to deliver; identifying where things need to change; and what needs to happen to achieve a step change in the quality of local government services and the outcomes local government seeks to achieve for citizens and communities.

## 10.4 The current system of stewardship for local government

There are layers of stewardship with distinct roles that enable and support the current system of local government. Central government actors and organisations with stewardship roles include the Minister, the DIA, and LGC. Local government organisations with stewardship responsibilities include bodies like LGNZ and Taituarā. As mentioned above, system stewardship is not, and cannot be, just the responsibility of central government.

### 10.4.1

### Central government's role

Within central government, the Minister has key stewardship roles, which includes having oversight or responsibility for:

- ▶ setting and maintaining the constitutional and statutory framework for local government
- ▶ promoting a constructive, meaningful relationship between local and central government
- ▶ monitoring and reviewing the system
- ▶ considering or exercising intervention powers where necessary.

The Minister is supported by DIA, whose chief executive also holds the role of Secretary for Local Government and is the regulatory steward of the local government system. As an agency, DIA therefore has the closest central government relationship with local government and is responsible for administering the Local Government Act 2002 (LGA) and providing policy advice to the Minister.

In addition, there are many other agencies which have roles that intersect with, and have influence on local government through:

- ▶ being directly responsible for the administration of legislation that impacts the roles and functions undertaken by local government (such as the Ministry for the Environment, which is responsible for the legislation that provides for planning roles and functions under the Resource Management Act 1991)
- ▶ having oversight of systems that rely on councils to be well-functioning (such as the Ministry of Housing and Urban Development, which is focused on the enablement of urban development).

The LGC is an independent statutory body empowered by the LGA that also plays a stewardship role at the central level. The LGC currently comprises three members – appointed by the Minister and supporting staff. Its purpose is to promote good local government in Aotearoa New Zealand. To do this, it has functions, such as leading:

- ▶ appeals and objections against final local authority representation review proposals
- ▶ initiatives and requests for an investigation relating to reorganisations
- ▶ responses to requests for district councils to become city councils.

In part, the LGC carries out its role by providing information about local government and promoting good practice relating to a local authority or to local government generally. There are also other specific functions and activities the LGC may undertake at its own discretion or as directed by the Minister on matters relating to a local authority or local government.

#### 10.4.2

### Local government's role

#### Local Government New Zealand and Taituarā

In addition to councils themselves, there are two main local government centralised entities that have a role in system stewardship at the system level: LGNZ and Taituarā – both funded primarily through membership fees.

LGNZ is an organisation that provides support and advocacy for councils and is primarily focused on elected members. LGNZ's services include:

- ▶ mechanisms to maintain a relationship with central government on behalf of local government, such as through the Central Government Local Government Forum
- ▶ fora for different local government sectors (regional, metros, rural, provincial councils, and zones) to come together to discuss matters of common interest and advance issues on their behalf

- ▶ national advocacy for councils and coordinating insights and influence on government policy
- ▶ training and development for elected members, including conferences.

Taituarā is an organisation for local government professionals (staff) with the purpose of promoting and supporting professional management in local government. Their services include:

- ▶ training and development for staff, as well as conferences and fora to explore and discuss new ideas
- ▶ best practice guidance on the conduct of local government business, such as long-term planning, funding and financing, rating, and local elections
- ▶ advice and coordination relating to workplace practices, including recruitment and retention.

LGNZ and Taituarā also play a strong sector leadership role in facilitating processes to support a 'sector voice' that responds to central government policies and any changes that impact local government. Taituarā tends to focus on practical implementation issues associated with policy; LGNZ focuses on the policy merits of proposals.

LGNZ in particular also has a number of subcommittees which have specific roles in advocating for and representing different voices of the sector. These include:

- ▶ Te Maruatā which among other roles, provides for Māori input on development of future policies or legislation relating to local government
- ▶ the Young Elected Members Committee that provides advice to the LGNZ National Council on any relevant matters
- ▶ the Community Boards Executive Committee which represents all the community boards in Aotearoa New Zealand as an advisory committee.

The support LGNZ and Taituarā provide continues to evolve as the challenges and operating environment of local government changes. For example, LGNZ has recently announced that it is putting in place a support system for Māori elected members, particularly those who will be elected to new Māori Wards in the 2022 local body elections.

## 10.5 Challenges of current stewardship arrangements

### 10.5.1

### **Current central government stewardship arrangements do not bring coherence to the system**

As outlined above and in [Chapter 6](#), there are many central government agencies who have a direct impact on local government but who are not coordinated effectively. Fundamentally, the nature and organisation of central government means there is a complex and overlapping web of responsibilities and interests in local government, with multiple agencies and ministers placing demands on local government, often without an awareness of the collective impact or supported by resource

to reflect increased responsibilities. While DIA has a role in steering greater coordination across agencies, there are limitations in both mandate and resource.

This complexity presents challenges for local government. When actions are not aligned across central government agencies, the friction and impact of this affects local government most adversely. This can have negative consequences for local government coordination, expectations, and the associated funding implications.

The current statutory LGA intervention model does not provide a spectrum of options for the Minister to address an issue with council performance. The system would benefit from intervention options short of appointing commissioners that can address any performance issues while preserving the intent of local democracy.

#### 10.5.2

### Local government entities face some stewardship challenges

Local government entities such as LGNZ and Taituarā have facilitated and supported many of the significant improvements to practice over the last two decades. They have also been a critical repository of knowledge and a 'bridge' into the system for central government. However, they face inherent challenges as system leaders (being a membership-based organisation) in retaining membership and funding.

Entities like these are an essential part of a successful system. The Panel considers that there is significant need for strong sector leadership through any subsequent change programme, with LGNZ and Taituarā well placed to play a greater role. However, consideration needs to be given to whether their current structure and institutional arrangements are sufficient for the future given the changes signalled in this report.

## 10.6 Achieving effective system stewardship

The Panel has considered what is needed to ensure there is effective long-term stewardship of the local government sector, taking the current challenges into consideration.

#### 10.6.1

### A nationally coordinated stewardship function is needed

At the system level, we consider there needs to be a nationally coordinated stewardship function that builds on current roles undertaken across central and local government. Part of a steward's role needs to focus on coordination and policy coherence across the central government agencies that have relationships with local government, as well as between the tiers of local government. Another part of this function will be supporting the visibility of central government activity that impacts local government, including changes to legislation and key developments in public service provision. This includes allowing for understanding all the ways in which central government activity is impacting the system of local government, prioritising strategic issues across the landscape, and ensuring timely advice is provided to effect change.

To carry out these roles, stewards must have the status and authority to convene multiple central government agencies to resolve strategic policy or cross-cutting issues in the relationship between central and local government. This includes significant questions about securing the role of local government in the design or commissioning of centrally held or funded services at place.

There is also a role for central government working in collaboration with the local government sector to proactively monitor and review the system to ensure it is fit for purpose. The steward should have the ability to act on or ensure solutions to identified problems and opportunities in the system design. This is also about all parties working together to ensure that the system has accurate information.

Stewardship should drive greater knowledge and practice of local governance, and cultural build (better attitudes and behaviour towards local government) within central government agencies.

A key part of the stewardship function is about setting standards for integrity and conduct, the service values for local government, and oversight of their application. These standards apply to all local government elected and appointed representatives and staff, including controlled organisations. Stewards set (and sometimes vary) these standards in light of the legal, commercial, or operational context.

#### 10.6.2

### Roles within the stewardship function

To achieve this, there needs to be a strong system stewardship function that cares for the health of the system and undertakes the areas of action described above.

Within their current resources and mandates, we do not consider the existing sector roles and organisations (such as the Secretary of Local Government and DIA, the LGC, Taituarā and LGNZ) can maintain the status, authority, or capability to achieve the above functions. In particular, while there is currently regulatory stewardship, we are concerned about the lack of system stewardship in relation to local government across central government, and the limited inclusion of local government and hapū/iwi in this function.

We consider that central government, with local government and hapū/iwi need to determine the best way to develop local government models of system stewardship to ensure all actors are working towards the same outcomes for communities. This includes considering which actor/s are best placed to play local government system steward roles. These roles proactively promote and care for the health of the local government system.

As above, we do not consider this function can be completely led by central government, and consideration needs to be given to the role of local government and hapū/iwi, as well as consideration of whether greater independence is needed from central government in this role (such as through further removed central government entities such as the LGC). We also note that consideration needs to be given to how the local government system is considered at the policy and funding level within central government, as well as the role of a more independent and non-political steward.

## 10.6.3

### Embedding Te Tiriti in local government system stewardship

In [Chapter 3](#) we outlined the need to truly provide for a Tiriti-based partnership at all levels of the system. This includes considering and providing for the role and influence of Māori at the system stewardship level.

While central and local government actors are already taking steps to strengthen local government's relationships with hapū/iwi and Māori (for example Te Maruata as mentioned above) we do see a greater opportunity for Māori at the system level and consider that this could potentially be formalised through an independent advisory role. We see this opportunity being critical to:

- ▶ ensuring there is a Māori perspective represented in system stewardship
- ▶ providing advice and support during the system wide uplift of capability, capacity and system changes recommended in this report across the sector
- ▶ supporting Te Maruata members and Māori wards to navigate the change
- ▶ tracking the change and effectiveness of change proposed across the sector. This would better inform a national picture, enable more efficient sharing of learnings, and promote progress more generally.

We seek your feedback on how to embed Te Tiriti in local government system stewardship.

#### Recommendations

- 29 That central and local government considers the best model of stewardship and which entities are best placed to play system stewardship roles in a revised system of local government.

#### Questions

- ① How can system stewardship be reimagined so that it is led across local government, hapū/iwi, and central government?
- ① How do we embed Te Tiriti in local government system stewardship?
- ① How should the roles and responsibilities of 'stewardship' organisations (including the Secretary of Local Government (Department of Internal Affairs), the Local Government Commission, LGNZ, and Taituarā) evolve and change?

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# The pathway forward



# 11

This chapter briefly discusses a pathway forward for the changes proposed in this report, including the process for reform and providing clarity on the purpose of local government. At the end of this chapter, we also outline some of the areas that while important, have not been discussed as part of this report and will be covered in the final report.

### **Cultural shifts across the system**

The changes proposed in this report will not be successful unless there is a significant shift in culture across all actors, including during any transition to an improved future state of local government. We consider that there are a number of mindsets, behaviours, and practices that enable local government to activate the new roles described. These include:

- ▶ developing leadership, cultures, and behaviours that put Papatūānuku, people and community at the heart of councils' work
- ▶ central government valuing and seeking local government as a wellbeing partner
- ▶ building and investing in the capability of leaders who are comfortable working in relationship-based ways to engage and deliver that span central and local government, hapū/iwi, and the broader community
- ▶ giving effect to the importance of embedding te ao Māori and the place of Te Tiriti in building an authentic partnership and ensuring this is enacted in daily practice
- ▶ acknowledging the power of people in place and valuing civic participation, civic innovation, and wellbeing
- ▶ developing an equity and wellbeing mindset, taking a system-wide approach that recognises both the complexity of issues and the unique local context
- ▶ ensuring that a culture of learning, innovation and entrepreneurial practice is actively shared and communicated between both the central and local government sectors
- ▶ identifying and executing new ways to create community/public value by re-framing, maximising, and connecting assets, resources, relationships, and opportunities.

Without these behavioural and cultural shifts, in the future and in the transition towards the future, the changes proposed in this report are not likely to reach their full potential.

### **Changing system design**

The proposals in this report, if accepted, will need to be complemented by a strong process for change and system reform. As part of this, consideration will need to be given to who would lead such a change programme. This process will not just be a legislative programme, rather it will be a significant system change.

The Panel's view is that any structural change should align with the Resource Management and Three Waters reforms (if they proceed as signalled). Structural change alone, excluding the other changes proposed across this report, would be a major reform programme.

The Panel would be interested in feedback on what factors need to be considered for a wider reform programme to be successful, but also specifically what factors need to be considered to implement structural change.

## **Embedding local government's purpose**

We acknowledge that local government cannot embed a wellbeing approach as outlined through the report if the purpose as set out in the Local Government Act 2002 (LGA) is subject to regular change and inconsistently given effect. The constant flux of amendments has accumulated in uncertainty that persists for many councils about how to deliver on this purpose – in particular, local government's role in wellbeing.

We have heard from stakeholders that there needs to be greater certainty and stability around the purpose of local government, either through cross party support or constitutional change. Many people have suggested the need to clarify local government's constitutional role to provide it with more protection, such as by:

- ▶ entrenching the constitutional status as part of the LGA
- ▶ referring to local government in a written constitution or in an amendment to the Constitution Act 1986
- ▶ establishing a Parliamentary Commissioner of Local Government – a non-political office to give effect to Parliament's interest in New Zealand having an effective system of local government
- ▶ establishing cross-party support for the purpose of local government.

These changes are often suggested in response to the unstable operating environment created by frequent legislative change (including to the purpose); accountability gaps between those who set the policy (central government) and those who bear the effects and costs (local government); and overlapping responsibilities between central and local government.

However, we think it is important to consider whether the issue is the strength of the legislation, or rather the relationships (both formal and informal) between central and local government and lack of mutual respect and understanding.

**“A more productive interaction and mutual understanding [between central and local government] cannot be mandated. Rather, it is the product of a collection of experiences built up over time by leaders within both spheres of government. These positive experiences filter through organisations, influencing the behaviour of staff and changing organisational cultures.”**  
– New Zealand Productivity Commission (2013)

Further, as a package of recommendations, the changes proposed in this report already present significant constitutional change. Specifically, they change the relationships between central and local government and local government and citizens.

Therefore, we need to consider that the broader changes proposed in this report, particularly in [Chapter 6](#), will go some way to address many of these concerns.

### **Other areas of consideration**

Given the broad scope of the review, the Panel encountered many topics during the draft report process, both through research and stakeholder engagement. Not all of these were able to be discussed in this report, such as wellbeing outcome measurements across central and local government and cost implications of reform programmes. That said, we are open to receiving your feedback on any issues that we have not covered, such as future disrupters and trends.

# Our engagement journey

During the Review, the Panel has engaged with and heard from local and central government; hapū/iwi and Māori organisations and rūpū; young people; diverse communities; the business sector; and others.

The Panel has met people face-to-face and online and received feedback through surveys, our online tools, social media, email, and submissions. This diagram is a snapshot of some of that work. A more detailed description of our engagement is available [on our website](#).

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## Reference groups

The Review's terms of reference provide for the establishment of reference groups. Two of these were established during the Review's engagement phase: a Business Reference Group and Māori Thought Leaders Rōpū.

These groups have made a great contribution to our thinking and will continue to provide the Review with advice until the release of the final report.

### Business Reference Group

The Business Reference Group is made up of business leaders from across Aotearoa New Zealand, representing different industry sectors and perspectives. They are: Susan Huria, Dr Emma Saunders, David Kennedy, Leeann Watson and Kirk Hope.

### Māori Thought Leaders Rōpū

The Māori Thought Leaders Rōpū has been established to offer the Review a range of perspectives on how te ao Māori and Te Tiriti o Waitangi might shape the future of local governance. They are: Sharon Shea, Glenn Wilcox, Carol Berghan and Elisapeta Heta.

# Glossary

We recognise that Te Reo Māori is a taonga that requires protection and nurturing. We acknowledge that terms expressed in this report are highly contextual. The terminology defined in this glossary is relative to the content of this report and are included to support understanding, not be exhaustive in their definition. These translations are subject to constant and necessary debate, and not one that the panel has the authority or intent to remediate within this report.

Term	Description
<b>Allocation (of roles and functions)</b>	Who does what in the system of local government. In other words, what local government should deliver and be responsible for.
<b>Anchor institutions</b>	Entities like councils, hospitals, universities, faith groups or other organisations based in a town, city, or defined region with a long-term and enduring commitment and connection to the place. Anchor institutions play a vital role in local communities and economies.
<b>Co-governance</b>	<p>In a local government context, co-governance is about decision-making partnerships between local government and Māori, built on trust and confidence, used to develop a vision and objectives for a Kaupapa to work together. It is about sharing information at the outset and bringing together different perspectives and knowledge systems in a conversation based on mutual recognition.</p> <p>It does not mean that final decisions can or should always be made 'jointly' – certainty and efficiency may still mean that final decisions fall one way or another, but it does mean that a high degree of dialogue may be required before a decision can be made, or that decision-makers must strive for a consensual approach before resorting to 'hard' democratic mechanisms like voting.</p>
<b>Co-investment</b>	An approach where central and local government align efforts to plan, fund, and execute initiatives.
<b>Cross-boundary benefits</b>	Benefits that accrue in one jurisdiction from activities funded and carried out in a neighbouring jurisdiction.

Term	Description
<b>Deliberative democratic methods</b>	These involve demographically representative groups selected by public lottery that weigh evidence, deliberate to find common ground, and develop an informed public judgement on a key issue which can then be directly adopted by council.
<b>Democracy</b>	This can be thought of as 'power to the people' and refers to a way of governing by public will. This means that the public are given power to rule the state, either directly or through elected representatives. Most commonly, we see this through elections, where the public vote for people to represent their interests. However, a fundamental and vital part of democracy is also the right to participate directly, not via an elected member. This is another, equally vital way power is given to the people.
<b>Digital interfaces</b>	Broadly understood as any computer software (including a website or applications) accessed by users.
<b>Differentiated liberal citizenship</b>	This concept emphasises that culture influences how people set political priorities and form views on what local government should do, and that Māori citizens are therefore entitled to make culturally distinctive contributions to council decisions or activities.
<b>Economies of scale</b>	When services are delivered in larger quantities, resulting in lower overhead costs (as costs are shared more widely).
<b>Economies of scope</b>	These can occur when services that draw on specialist skills and resources can also be used for other services, reducing cost and sharing expertise.
<b>Electoral systems</b>	The way in which communities are able to elect their representative. New Zealand uses two systems in local elections (see single transferrable vote and first past the post).
<b>First past the post</b>	Citizens have one vote, and the candidate who receives the most votes is the winner.

Term	Description
<b>Fiscal equalisation</b>	Both a mechanism and an objective. The mechanism is the process through which revenues collected by central government are distributed to local government to provide a level of fiscal autonomy for the local government. The objective is that of simultaneously allowing for different bundles of public goods and services to be selected according to local preferences whilst enabling comparable levels of public goods and services to be delivered across local government. The Waka Kotahi funding assistance rate (FAR) policy is an example of fiscal equalisation. Petrol taxes and Road User Charges are collected into the National Land Transport Fund (NLTF) and then part of the NLTF via the FAR methodology is allocated on a percentage basis to local authorities to deliver transport services and activity. The FAR system enables central and local government to achieve optimal national land transport outcomes within their combined financial resources; an integrated and appropriately consistent land transport system throughout the country; and appropriate sharing of costs and recognition of both national and local benefits from investment in the land transport system.
<b>Function</b>	A broad area of responsibility. This could include things like roading provisions, system stewardship, or environmental monitoring.
<b>He Whakaputanga</b>	He Whakaputanga o te Rangatiratanga o Nu Tirenī is the Declaration of the Independence of New Zealand, signed in 1835.
<b>Horizontal equity</b>	The ability to achieve similar outcomes across the country, noting some regions or areas require more support than others. The equal (like) treatment of equals.
<b>Kaitiakitanga</b>	The exercise of Tiakitanga by the tangata whenua of an area in accordance with tikanga Māori. Commonly this is related to natural and physical resources and includes the ethic of stewardship.
<b>Kāwanatanga</b>	The ethic of governorship, historically derived from the term 'Kawana' or Governor, who in 1840 was the Crown representative in Aotearoa New Zealand who signed Te Tiriti o Waitangi. In contemporary times, Kāwanatanga refers to the Governor and authority delegated to and vested in Parliament, the judiciary, and the executive of government. Local government is often referred to by Māori as an agent of Kāwanatanga as it carries out roles and functions enshrined in legislation that give practical exercise of Te Tiriti o Waitangi at place.
<b>Local governance</b>	The system by which communities are governed – in essence, who makes decisions, how they are made, and who the decision-makers are accountable to. In any place or community, local governance can involve many decision-makers including central government, local authorities, hapū/iwi and Māori organisations, business and community organisations, and others.
<b>Local government</b>	The local authority structures established by statute.

Term	Description
<b>Local government system stewardship</b>	<p>A function that promotes and cares for local government. This includes:</p> <ul style="list-style-type: none"> <li>▶ oversight and monitoring of relevant legislation administered by agencies</li> <li>▶ care for the systems' long-term capability and people</li> <li>▶ maintenance and enhancement of institutional knowledge and information</li> <li>▶ support for partnerships, co-design, and innovation.</li> </ul>
<b>Local wellbeing</b>	<p>This covers a wide spectrum of interconnected social, cultural, economic, and environmental outcomes. It includes everything that makes a good life, not only for individuals, but also for their whānau and families, their neighbourhoods and communities, and for future generations. This includes living in a clean and healthy environment, having basic needs met, being physically safe and secure, experiencing connection with others and a sense of belonging, being able to participate and contribute, being able to express yourself and your identity, experiencing yourself as valued and valuable, and having opportunities to prosper and live to your full potential. Local wellbeing includes diverse Māori and Pacific approaches to wellbeing.</p>
<b>Long-Term Plan (LTP)</b>	<p>A 10-year plan which sets out the activities a council does and how these activities fit together. They cover what activities will be completed over the LTP's 10-year period, why the council chose those activities, and the costs of those activities to the community.</p>
<b>Mātauranga Māori</b>	<p>This refers to the Māori way of being and engaging to examine, analyse, critique and understand the world. Mātauranga uses kawa, tikanga, values, concepts, philosophies and whakapapa, traversing contemporary and customary systems of knowledge to build understanding.</p>
<b>Mātāwaka</b>	<p>In the context of local government, this refers to Māori living in a particular rohe who are inclusive of all waka and iwi but are not mana whenua or affiliated to mana whenua.</p>
<b>Papatūānuku</b>	<p>In the creation story, Papatūānuku is the earth mother which all living things originate from.</p>
<b>Participatory democratic methods</b>	<p>These involve self-selected groups and are focused on public opinion-oriented decision-making.</p>
<b>Participatory democracy</b>	<p>The way citizens participate directly or indirectly in policies and political decisions that impact them.</p>
<b>Place-making</b>	<p>Widely understood as the process of strengthening the connection between people and the places they share, in order to maximise shared value and strengthen community identity.</p>

Term	Description
<b>Pre-Election Report</b>	A report released by chief executives before each local body election. It outlines information to promote public discussion about the issues facing the relevant local authority.
<b>Quora</b>	The minimum number of people required to hold a meeting or make a decision in meetings. Normally, this is the majority of people in that group.
<b>Rangatiratanga</b>	A concept of political, social, and cultural authority – closely linked to self-determination – through which Māori exercise control or influence over their own institutions, communities, property, and overall wellbeing (including the public goods and services they receive for their benefit). Rangatiratanga is derived from the whenua, through hereditary interests, often whakapapa-based and/or through recognised active leadership. In terms of political authority, rangatiratanga is predominantly held and exercised by iwi and hapū.
<b>Rates</b>	A form of tax on property. Rate means a general rate, a targeted rate, or a uniform annual general charge that is set under the Local Government (Rating) Act 2002.
<b>Regulatory impact assessment/statement</b>	When there's a proposal to create or change a policy, legislation or regulation, the government agency responsible often has to provide Cabinet with a Regulatory Impact Assessment/statement (RIA). RIAs summarise the problem that needs to be addressed; options for addressing the problem; the costs and benefits of each option; who has been consulted and their views; and proposals for implementation and review.
<b>Remuneration</b>	The total compensation received by a person. This includes salary, fees, superannuation, reimbursements, allowances, and benefits.
<b>Representative democracy</b>	This includes people elected to represent citizens.
<b>Rohe</b>	Can refer to an iwi boundary, traditional or customary district, geographical area, or region.
<b>Role</b>	The different actions or jobs that contribute to a broader function.
<b>Single transferable vote</b>	Citizens rank candidates in their order of preference, which transfers votes and avoids wasted ballots.
<b>Social procurement</b>	Happens when organisations use their purchasing power to generate social or public value beyond the value of a good or service being procured.
<b>Sortition</b>	A sampling technique that selects a group of people that is demographically representative of the wider population or group. It is also known as civic lottery.

Term	Description
<b>Subsidiarity</b>	A principle which means that roles and functions should be led and managed at the most appropriate local level, so that communities are empowered to shape their outcomes and take a leadership role in doing so.
<b>System design and structure</b>	The governance and organisational arrangements that make up local government. This includes the types of councils and other local government entities like local boards or council-controlled organisations, what responsibilities they have (including what roles and functions they carry out) and how members are elected or appointed.
<b>Systems networkers and convenors</b>	These connect and bring people together from across organisations, sectors and cultures, enable learning across boundaries and silos, and facilitate innovative solutions that respond to local needs.
<b>Takiwā</b>	Can mean a locality, district, area, region, or territory. Sometimes there are several takiwā within a rohe.
<b>Tiakitanga</b>	Tiakitanga is the value of guardianship, stewardship and protection.
<b>Taura here</b>	Meaning 'ropes that bind', this refers to Māori individuals or groups who join together to fulfil a common purpose to retain their identity and links back to their tribal homelands, and live outside their iwi territories.
<b>Te Tiriti o Waitangi</b>	In this report, we use the term 'Te Tiriti' to refer to Te Tiriti o Waitangi / The Treaty of Waitangi. We use 'Te Tiriti' to refer to the combined effect of the English and Māori texts, and how we think that impacts on the relationship between Māori and local government.
<b>Tikanga</b>	Refers to the Māori ways of doing things, including protocols, practices, and behaviours that make up the system of values which have been developed and embedded over time. In the context of local government decisions in accordance with the right values and processes, including in partnership with the Treaty partner.
<b>Tikanga whakahaere</b>	The specific exercise of rituals and practices such as karakia, whakawatea, whakatau, etc.
<b>Tuakana-Teina</b>	This refers to the relationship between an older (tuakana) and younger (teina) siblings and is commonly used to identify reciprocal learning between two people. The roles can switch depending on the context or situation, but refers to a learner and a teacher/mentor.
<b>Unfunded mandate</b>	These occur when a function or role is delegated from central to local government without associated funding.
<b>Vertical equity</b>	The balance between national and local funding to support community outcomes. This can be through treating groups or individuals differently based on having different needs.

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Term	Description
<b>Voter turnout</b>	The proportion of all enrolled electors (both residents and ratepayers) who cast a vote.
<b>Wāhi tapu / waahi tapu</b>	Wāhi refers to a location or place, and tapu is commonly understood as sacred, holy or forbidden. Tapu can isolate or restrict the activities of individuals, practices and natural resources. Wāhi tapu can refer to a specific place or area that holds sacred significance.

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# How to have your say

## Submissions

This report is the culmination of more than a year of engagement, research and thinking about how to build a local government system to serve communities now and into the future. With your feedback, we will be able to robustly test our thinking and improve our proposals.


You can share your thoughts on our recommendations and the future for local government by [participating in our consultation](#).

### **Submissions close 28 February 2023.**


To hear more about the draft report, please check the [Review into the Future for Local Government website](#) for details of upcoming engagement opportunities and [sign up for our newsletter](#).

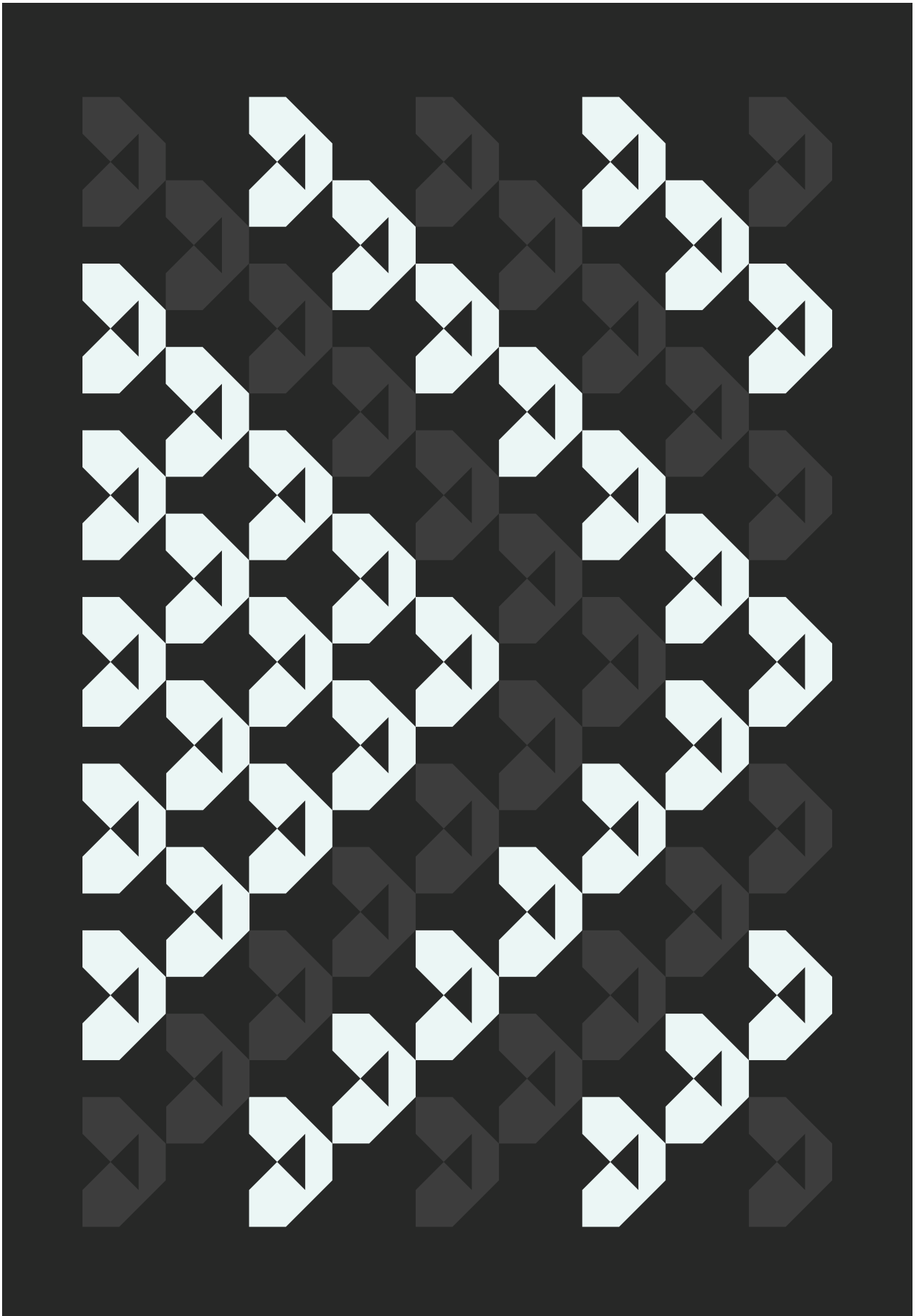
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## 22.9.7 REGISTER OF DELEGATIONS

Doc ID: 601041

### 1. Purpose of Report

To adopt the updated Register of Delegations, to come into effect on 21 November 2022.

-----

### Recommendations

That the Council

- A. Receives the report and accepts the level of significance.
  - B. Notes the decisions made in the interim Register of Delegations.
  - C. Adopts the updated Register of Delegations, to come into effect on 21 November 2022.
- 

### 2. Background

At the 26 October Council meeting, an interim Register of Delegations was adopted. At the meeting, it was discussed that the interim register would confirm delegations for the community boards and the establishment of council portfolios. However, work continued on the delegations to the Chief Executive Officer.

### 3. Discussion

On the 21 November 2022 a new executive leadership team structure will come into effect. The new structure changes the reporting lines of various functions within the organisation, includes the establishment of one new executive role, and new job titles across the Executive Leadership Team. Two staff will start ingroup manager positions (Experience and Vision respectively), and the current Executive Manager Planning and Environment position will change to Group Manager Planning and Infrastructure. Two other executive positions have already come into effect – Group Manager Business Support and General manager People and Culture. A new fixed term position of Three Waters Director was also created in July.

The Chief Executive Officer has made temporary written delegations to ensure business continuity during the transition of senior roles (as per her authority in the current Registrar of Delegations). These delegations were noted at the last Audit and Risk meeting on 27 September 2022.

Changes have been made to the attached delegations register to reflect these changes (see track changes in the attached document). The internal staff delegations manual has been updated to reflect this new structure. This document has been reviewed by the Chief Executive Officer.

In addition, at their inaugural meeting the Maniototo Community Board appointed Cr Duncan to be a liaison for the Maniototo Ice Rink. It was noted that His Worship was also appointed as a liaison to the same group for the Council. It was suggested that Cr Duncan could do both together and that the Register of Delegations be changed to reflect this. His Worship is supportive of this proposal.

#### 4. Financial Considerations

There are no financial considerations to be made as a result of this decision, beyond the monetary level of delegation approved.

#### 5. Options

##### Option 1 – (Recommended)

Adopt the updated Register of Delegations to come into effect on 21 November 2022.

Advantages:

- Ensures the delegations to the Chief Executive Officer and associated delegations she can make are consistent with the organisational structure.
- Provides clarity to staff on their levels of delegation.

Disadvantages:

- None identified.

##### Option 2

Not adopt the updated Register of Delegations.

Advantages:

- None identified.

Disadvantages:

- Lack of clarity on delegations to staff.
- Risk of staff authorising financial transactions without authority.

#### 6. Compliance

<b>Local Government Act 2002 Purpose Provisions</b>	This decision enables democratic local decision making and action by clearly articulating where the delegations for decision lie.
<b>Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy etc.</b>	This is a procedural decision and therefore has no impact on other plans and policies and is not inconsistent with them.
<b>Considerations as to sustainability, the environment and climate change impacts</b>	There are no implications from this decision.
<b>Risks Analysis</b>	

	There are no inherent risks with the recommended option.
<b>Significance, Consultation and Engagement (internal and external)</b>	This is a procedural matter and, therefore, no external consultation or engagement is required.

## 7. Next Steps

Once adopted, the Register of Delegations will come into effect on 21 November 2022 and will be published on the Central Otago District Council's website. Until then the interim register will be in force.

## 8. Attachments

### Appendix 1 - Updated Register of Delegations [↓](#)

Report author:



Saskia Righarts  
Group Manager - Business Support  
28/10/2022

Reviewed and authorised by:



Sanchia Jacobs  
Chief Executive Officer  
28/10/2022



# **Register of Delegations to Community Boards, Portfolios, Committees and the Chief Executive Officer**

As at **21 November 2022** ~~11 August 2021~~

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**A WORLD OF DIFFERENCE**





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## PART I - INTRODUCTION

### Philosophy

1. The statutory function of Council is to lead and guide the good management of the District by determining primary goals and objectives, by setting strategies and policies for their achievement and encouraging this through the considered use of committees and the appointment of skilled staff.
2. Elected members as individuals have no statutory authority. Their role is therefore closely linked to meetings of the Council and its Committees allowing issues to be raised, debated and resolved.
3. The task of putting Council's policies to work is the responsibility of the Chief Executive Officer acting through Council staff. The Council, committees and community boards then monitor progress towards any objective. They do this not by putting each staff action under the microscope, but rather by seeing that key milestones are met.
4. These are best translated into action when the Council is planning and reviewing its plans and policies. When it comes to day to day matters, the Council's Chief Executive Officer and staff are in the best position to immediately resolve any individual problems. When necessary, a problem may be referred to the Council, a community board or a committee for consideration, along with all the options and implications of any policy changes.
5. The Council has therefore adopted a philosophy of delegation to the lowest competent level. This achieves the best use of the skills of Councillors and officers, minimises costs, develops effective managers and minimises bureaucratic interference in the lives of the residents of the Central Otago district.

### General Principles of Delegation

6. The Council's powers, functions and duties are all prescribed either expressly or implicitly by various Acts of Parliament or Regulations. These set a framework within which the Council must operate.
7. Where Council is empowered by legislation to carry out a decision-making function, the decision to act must be by way of resolution of the full Council, unless otherwise provided in the legislation, or where the decision to act has lawfully been delegated to a committee, subcommittee, community board or officer.
8. Without delegation, the operation of the Council and its administration would not be effective, efficient or timely in delivering services. Delegation to officers generally implements the basic principle that elected members make policy and officers implement that policy.

### The Legal Situation

9. Council's principal authority to delegate derives from Schedule 7, clause 32(2) of the Local Government Act 2002, which states:  
  
“(2) *Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise of the local authority (after consultation with the committee or body or person) of any power or duty specified in sub clause (1).*”

Sub clause 32(1) states:

*“Unless expressly provided otherwise in this Act or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority’s business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties or powers except ....”* The exceptions are set out in paragraph 44.

#### **Operative Date**

10. This Policy will come into effect on- 21 November 2022 and will continue in force until revoked by the Council.

All earlier policies that conflict with or duplicate any provision in this Policy are revoked as from 21 November 2022.

## PART II - GENERAL MATTERS OF DELEGATION

### The Meaning of Delegation

11. Delegation means the assignment of a power, function or duty of action to another, together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.
12. Decisions made by any community board or committee pursuant to this delegation may be acted on without further reference to the Council.

### Delegation by Exception

13. The Council has adopted the principle of delegation by exception. This means that all the powers of the Council are delegated to community boards, committees or the Chief Executive Officer unless a specific exception applies.

The exceptions are set out in Part III of this register.

14. Subject to the exceptions, the Central Otago District Council delegates to community boards, committees and standing committees all the powers, functions and duties relating to the scope and activity allocated to them, including the power to convene extraordinary meetings in terms of clause 22, Schedule 7 of the Local Government Act 2002.

### Delegations to Community Boards

15. A community board may, at any time, refer any matter to Council for direction and/or determination.
16. Council cannot override a community board decision made pursuant to a delegation and consistent with Council policy. If the Council wishes to reduce the role of the community board it must *effectively* consult with that board first.
17. Each community board will select its own chair and deputy at the first meeting of its electoral term.

### Delegations to Committees

18. Any standing or special committee may, at any time, refer any matter to Council for direction and/or determination.
19. The Mayor has the right to determine the structure of committees and appoint the Chair but this can be changed by resolution of Council (s41A(4)(b) LGA).

### Delegations to Special Committees and Subcommittees

20. Special committees and subcommittees will have only the powers, functions and duties specifically given to them by the Council or a standing committee.

**Sub-delegations to be in Writing and Recorded**

21. Every sub-delegation will be in writing and will clearly define the nature, purpose and limitation of the power, function or duty delegated.
22. Every sub-delegation will be recorded in a manual kept for that purpose by the Chief Executive Officer.

**Term of Delegation**

23. Unless any delegation is stated to be for a defined term, it will continue until revoked by the delegator or the Council or withdrawn by operation of law.

**Delegation to Office**

24. Unless stated otherwise, every delegation is to a committee or office and will be unaffected by changes in the membership of a committee or the holder of an office.

**Reporting Decisions**

25. Every committee will report decisions taken under delegated authority in minutes submitted to the next available meeting of the Council, unless the committee is made up of the full Council.
26. Decisions taken by officers under delegated authority will be reported:
  - a) when:
    - i) a regular report is a condition of the delegation; or
    - ii) where any legislation requires reporting in a particular way; or
    - iii) where the decision is one of a class which the Council has directed should be reported; or
    - iv) where the Council, for any reason, should be aware of the decision;
  - b) as a regular comparison of performance against budget and approved plans:
    - i) a quarterly report on financial out-turn;
    - ii) each year an Annual Report in accordance with section 98 and Schedule 10 of the Local Government Act 2002.

**Sub-delegation**

27. Powers, functions and duties granted by the Council to a committee may be sub-delegated, by resolution of that committee, to a Council officer and that sub-delegation will be in writing.
28. Delegations to officers will be made to the Chief Executive Officer, who may delegate a power, function or duty to another officer or subcommittee of officers. As well as the discretionary delegations made under this register, there are provisions in various Acts applying to the Council which provide for powers, duties and functions to be exercised directly by specified staff.
29. Officers (other than the Chief Executive Officer) may not delegate powers and functions given to them. They may appoint working parties or other officers to advise them.

**Call-Up Procedure**

30. Nothing in this Register will limit the power of a delegator to exercise a duty, power or function concurrently with, or in substitution for, a [delegated delegate](#).
31. Except in exceptional circumstances, a delegator should not:
  - a) if the Council, act without the advice of a Standing Committee, appropriate Community Board Chairperson or the Chief Executive Officer;
  - b) if a Community Board, act without consultation with the appropriate portfolio lead or the Chief Executive Officer;
  - c) if the Chief Executive Officer, act without the advice of the appropriate officer.
32. The Mayor may, on behalf of the Council, 'call up' to the Council any matter which has been delegated by the Council, other than one delegated to a Community Board and acted on in accordance with Council Policy. The delegate will then take no further action on that matter until the Council has either:
  - a) decided that the matter should be referred back to the delegate (with directions if any); or
  - b) determined the matter.
33. In calling up any matter to the Council the Mayor should consult with the chairperson of the relevant Committee or Community Board involved, and the Chief Executive Officer.
34. A delegate may, rather than make a decision, refer a matter back to the delegator with a suitable recommendation. The delegator will then decide the matter.
35. Community Boards and Committees of Council cannot act contrary to policies of the Council and in particular the Council's Long Term Plan (LTP).

**Appeals**

36. Every person affected by the decision of a delegate may appeal that decision:
  - a) in the case of a decision by an officer, to the Chief Executive Officer; or
  - b) in the case of a decision by the Chief Executive Officer or Committee, to the Council.
37. The Chief Executive Officer and the Council will not generally overrule a decision of delegate unless:
  - a) it breaches some policy set by the Council; or,
  - b) some material fact was overlooked or misinterpreted; or,
  - c) it contains serious implications for the Council of which the delegate was unaware; or,
  - d) it is manifestly wrong.

**Policy and Fact**

38. In making a decision every delegate will consider:
  - a) any policy established by the Council;
  - b) the facts relevant to a matter.

39. If the facts relevant to any matter do not support a decision consistent with a Council policy, the delegate should submit the matter to the Council with a suitable explanation and recommendation.

#### **Estimates and Expenditure**

40. The Chief Executive Officer may vary any sum or sums making up cost centre detail where:
- a) the net expenditure/surplus in that activity cost centre is not altered; and
  - b) the change is to allow for the more effective management of that activity in accordance with the long-term plan or annual plan or revised annual plan.

#### **Use of Council Seal and Authority to Sign**

41. The Chief Executive Officer will be responsible for custody of the Council's seal and maintain records as to its use.
42. The seal may be attached to all documents that must be executed in this way by the Council. It will be attached, however, only when:
- a) the Council or a Committee has authorised the transaction involved; or
  - b) the transaction involved has been authorised by an officer under delegated authority.
43. The seal will be affixed in the presence of one person from each of the following groups:
- a) the Mayor or any elected member of the Council;
  - b) the Chief Executive Officer (or any other officer authorised by the Chief Executive Officer).

### PART III - COUNCIL

44. The following matters CANNOT be delegated by Council (Schedule 7, clause 32(1) of the Local Government Act 2002):

The power to:

- make a rate;
- make a bylaw;
- borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan (LTP);
- adopt a LTP, Annual Plan or Annual Report;
- appoint a Chief Executive Officer;
- adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the LTP or developed for the purposes of the Local Governance Statement;
- adopt a remuneration and employment policy

45. Additionally:

- Recommendations made to Council by the Ombudsman under section 32 of the Local Government Official Information and Meetings Act 1987 may not be delegated.
- Under section 12 of the Fencing of Swimming Pools Act 1987, the Council's powers and functions may only be delegated to a Committee comprising only members of the Council.

46. Council reserves the following powers and functions to itself:

- dismissal of the Chief Executive Officer;
- any proposal to promote legislation;
- overall budgetary control of the total operations of Council;
- stopping of roads (section 319(h) of the Local Government Act 1974);
- acquisition or holding of shares or interests in a body corporate, partnership, joint venture or other association of persons;
- the co-ordination of advice from Committees and Community Boards in respect of the Annual Plan and LTP process, and the determination of the funding and priorities derived from that for rates setting and other funding purposes;
- the right to appeal decisions of external bodies;
- proposals for the remuneration of elected members;
- proposals for a change to the political structure of Council, delegations to officers, the size of Council, the nature of wards and communities, and representation for wards and communities;
- activity on airport reserves.

## PART IV - DELEGATIONS TO COMMUNITY BOARDS

### Introduction

47. Community Boards are established under section 49 of the Local Government Act 2002 ("the Act") and exercise such powers as are delegated to them by the Council (section 53 of the Act).
48. Boards are NOT Committees of Council. They are separate legal entities. Section 51 of the Act states:
- "A community board -*
- (a) is an unincorporated body; and*
- (b) is not a local authority; and*
- (c) is not a Committee of the relevant territorial authority"*
49. Community Boards, under section 53(3) of the Act cannot:
- acquire, hold or dispose of property;
  - appoint, suspend or remove staff.

## COMMUNITY BOARDS

**REPORTING TO:** Council

**CONSTITUTION:**

Vincent Community Board	Four directly elected representatives and three appointees
Cromwell Community Board	Four directly elected representatives and three appointees
Teviot Valley Community Board	Four directly elected representatives and one appointee
Maniototo Community Board	Four directly elected representatives and one appointee

**MEETING FREQUENCY:** Every six weeks or as required

**OBJECTIVES:**

*(Local Government Act, 2002 - section 52)*

1. To represent, and act as an advocate for, the interests of its community.
2. To consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the Community Board.
3. To maintain an overview of services provided by the territorial authority within the community.
4. To prepare an annual submission to the territorial authority for expenditure within the community.
5. To communicate with community organisations and special interest groups within the community.
6. To undertake any other responsibilities that are delegated to it by the territorial authority.

**POWER TO ACT:**

The Council delegates to the community boards the following functions, duties, powers and discretions, as they apply to their respective ward(s), subject to any delegation made by the Council on a "district-wide" basis:

1. In relation to bridging, financially assisted and unassisted roading programmes, the authority to make recommendations to the Council on priorities for works within the community board Ward(s).
2. In relation to non-financially assisted roading works, the power to determine appropriate works programmes, provided that the works are funded from the community board's own resources.
3. The general provision (including maintenance and upgrading as required) of parks, reserves, public recreational facilities, cemeteries, community centres and public halls.
4. The provision and maintenance of such other works, facilities, and amenities in the community boards' ward(s) as the board sees fit in line with Council policy and the purpose statement of local government.
5. Monitor and take such action as necessary to ensure the adequacy of traffic activity (including temporary road closures, naming of streets and so on) in line with Council policy.

6. Provide input to the Council's Revenue and Financing Policy, Annual Plan and Long Term Plan.
7. Monitor the Community Board's budget and make such alterations as are necessary during the annual or long-term budget planning process.
8. Make grants and donations.
9. Negotiate the acquisition and disposal of Council property within the community board's jurisdiction, subject to any property transactions being formally approved by the Council.
10. Recommendation to Council of fees and charges relating to ward services.

#### **Limitations on Authority**

11. The community board's "power to act", pursuant to this delegation, is limited to matters which relate *solely* to the Ward.
12. The community board has a responsibility to ensure that its policies, actions and decisions are always within the overall strategic plans, policy guidelines and priority programmes adopted by the Council. Whenever this is either not possible or in the circumstances of the case not felt to be desirable, the community board's decision will be by way of a recommendation to the Council.
13. Before making any decision pursuant to these delegated functions, duties and powers, the community board will satisfy itself (where appropriate) that adequate provision has been made in the approved estimates for the proposed works.

#### **Power to Advise**

14. Community boards will be asked to advise Council in relation to the provision of library services within their ward(s).

## **COMMITTEES AND SUB-COMMITTEES OF COMMUNITY BOARDS**

### **VINCENT COMMUNITY BOARD**

- Manorburn Recreation Reserve Committee
- Omakau Recreation Reserve Committee

### **MANIOTOTO COMMUNITY BOARD**

- Patearoa Recreation Reserve Committee
- Taieri Lake Recreation Reserve Committee

### **TEVIOT VALLEY COMMUNITY BOARD**

- Teviot Valley Walkways Committee

## **COMMUNITY BOARD APPOINTEES TO EXTERNAL COMMITTEES**

Community Boards (on behalf of Council) may appoint one or more members or other persons to Committees outside of Council to act as representatives of that Community Board. Community Board representative(s) are appointed to each of the following Committees:

### **VINCENT COMMUNITY BOARD**

- Alexandra Community House Trust – 1 liaison
- Alexandra Council of Social Services – 1 liaison
- Alexandra District Museum Inc (Central Stories) – 1 liaison
- Alexandra Blossom Festival Committee – 2 liaison
- Alexandra and Districts Youth Trust – 1 liaison
- Clyde Historical Museum Committee – 1 liaison
- Keep Alexandra-Clyde Beautiful Society – 1 liaison
- Ophir Welfare Association Committee (as required)
- Promote Alexandra Inc – 1 liaison
- St Bathans Area Community Association Inc – (as required)
- Vallance Cottage Working Group – 1 liaison

### **CROMWELL COMMUNITY BOARD**

- Bannockburn Community Centre Management Committee Inc – 1 liaison
- Bannockburn Recreation Reserve Management Committee Inc – 1 liaison
- Cromwell and Districts Community Trust – 2 liaison
- Cromwell District Museum – 1 liaison
- Cromwell Resource Centre Trust (known as Cromwell Community House) – The appointment of 5 representatives as per the Trust Deed
- Cromwell Youth Trust – 1 liaison
- Central Otago Sports Turf Trust – The appointment of 2 representatives as per the Trust Deed
- Old Cromwell Incorporated – 1 liaison as per the Trust Deed
- Lowburn Hall Committee – 1 liaison
- Pisa District Community Group – 1 liaison
- Ripponvale Hall Committee - 1 liaison
- Tarras Community Plan Group – 1 liaison
- Tarras Hall Committee – 1 liaison
- Cromwell and Districts Promotions Group – 1 liaison
- The Community Board Chair can appoint two members to the Cromwell College Charitable Trust in the case of retirement or replacement of a member as per the Trust Deed

### **TEVIOT VALLEY COMMUNITY BOARD**

- I and H McPhail Charitable Trust – 2 representatives
- Ida MacDonald Charitable Trust – 2 representatives
- Roxburgh and District Medical Services Trust – 1 representative
- Roxburgh Cemetery Trustee Committee – 1 representative
- Roxburgh Entertainment Centre and Improvement Committee – 1 liaison
- Teviot Museum Committee – 1 liaison
- Teviot Prospects – 1 liaison
- Tuapeka County Bursary Fund Committee – 1 representative
- Roxburgh Swimming Pool Redevelopment Committee – 1 liaison
- Teviot Valley Rest Home – 1 liaison
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**MANIOTOTO COMMUNITY BOARD**

- Maniototo Community Arts Council – 1 liaison
- Maniototo Ice Rink Committee – 1 liaison

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**GENERAL**

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- A liaison appointment will require an elected member to keep in contact with the organisation.
- A representative will be required to attend the meetings of the organisation.
- If an elected member is given voting rights at the organisation's meeting, the minutes of that group should then be put on a future agenda of the Community Board's agenda.
- An elected member who has voting rights on external committees will need to exercise caution so that no conflicts of interest arise. This can be managed by declaring an interest and not voting on particular items, either at the external committee or at the Board or Council meeting.

## **PART V - DELEGATIONS TO COMMITTEES OF COUNCIL**

### **STANDING COMMITTEES**

#### **AUDIT AND RISK COMMITTEE**

<b>REPORTING TO:</b>	Council
<b>CONSTITUTION:</b>	Mayor, three Councillors plus an independent representative as the Chair
<b>QUORUM:</b>	No less than three members of the Committee, including the independent Chair
<b>MEETING FREQUENCY:</b>	Four times per year and then as and when required

#### **OBJECTIVE:**

To provide governance and oversight in the areas of audit and risk to ensure systems and practices are of a standard to provide assurance that there is sufficient risk identification and mitigation in place.

#### **SCOPE OF ACTIVITY:**

The Committee will review, evaluate and feed back to Council on a broad range of matters including:

- Internal and external audits and monitoring the progress of the auditor's recommendations
- External financial reporting
- Oversight of the preparation of the Long Term Plan, Annual Plan and Annual Report
- Financial and non-financial risk management
- Internal systems and controls
- Strategic management and operational performance
- Policy review, for policies within the scope of the Committee
- Legislative compliance
- Litigation overview
- Oversight of unbudgeted legal claims or other proceedings other than those which relate to employment matters.
- For the elected members on this committee, to monitor the reporting of organisational finances before each council meeting.

The Mayor and three councillor members of the Committee, will select and appoint the external committee member / Chair each triennium following the year of the election, or as required.

#### **POWER TO ACT:**

The Committee can report to and make recommendations to Council on matters and proposals relevant to risk management and internal control practices.

**SPECIAL COMMITTEES****EXECUTIVE COMMITTEE**

<b>REPORTING TO:</b>	Council
<b>CONSTITUTION:</b>	Mayor (Chairperson) Deputy Mayor Councillor from each Board (three members) except the ward represented by the Deputy Mayor
<b>MEETING FREQUENCY:</b>	As required
<b>SUBSTITUTIONS:</b>	The Chief Executive Officer to arrange appropriate substitutes as and when required
<b>QUORUM:</b>	No less than three members of the Committee

**OBJECTIVE:**

To deal with Council, Committee and Community Board issues that require immediate response.

**SCOPE OF ACTIVITY:**

Any matters relating to Council, Committee and Community functions.

**POWER TO ACT:**

1. Any of the Council's powers, functions and duties when an immediate response is required.
2. Providing guidance, when sought from time to time by the Chief Executive Officer, on specific or general matters.
3. Accepting tenders other than the lowest tender, where the work is estimated at more than \$100,000, or where the lowest acceptable tender is higher than the budget for the work (above \$100,000).
4. Undertake Chief Executive Officer performance planning and associated review with Chief Executive.
5. The selection of elected members of Council (and Community Boards if appropriate) to form working parties to undertake research and make submissions, as is deemed appropriate from time to time by the Council.

**ASSESSMENT COMMITTEE**

<b>REPORTING TO:</b>	Council
<b>CONSTITUTION:</b>	Two councillors plus the following community representatives:
<b>For Creative Communities Funding:</b>	One representative from each Community Arts Council within the district One representative from the Roxburgh community One representative from Tangata Whenua
<b>For Sport New Zealand Funding:</b>	One representative from Sport Central One representative from Teviot Valley (Sports Coordinator from Roxburgh Area School) One representative from Maniototo Area School (Sports Coordinator/Deputy Principal) One independent Community Representative One representative from Tangata Whenua
<b>MEETING FREQUENCY:</b>	March and September each year for Creative Communities and November each year for Sport New Zealand.
<b>SUBSTITUTIONS:</b>	The Chief Executive Officer to arrange appropriate substitutes as and when required

**OBJECTIVE:**

To manage and distribute funds allocated to the Central Otago District Council by national funding organisations for the purpose of supporting worthy projects within the Central Otago district, in accordance with national funding criteria and in a manner that best meets the needs of Central Otago's local communities.

**SCOPE OF ACTIVITY:**

1. Allocate *Creative Communities New Zealand* and *Sport New Zealand* funds to worthy applicants, in accordance with Creative New Zealand and Sport New Zealand funding criteria and in a manner that best meets the needs of the local communities within the Central Otago district;

Note: Non-elected members are included in the Assessment Committee to provide representation and input from the respective 'communities of interest' throughout the district. Nominations for these positions are forwarded to Council for appointment.

2. Consider applications for funds from the Central Otago District Council.

**POWER TO ACT:**

Disbursement of funds from Creative Communities and Sport New Zealand.

**POWER TO RECOMMEND:**

Allocation of grants from District Funds.

**HEARINGS PANEL**

<b>Reporting to:</b>	Council
<b>Meeting Frequency:</b>	Monthly or as required
<b>Quorum:</b>	No less than two members of the Panel

**OBJECTIVE:**

To consider and execute decisions relating to designations, reviews, objections, and applications for resource consent.

**SCOPE OF ACTIVITY:**

Any matters relating to resource consent applications or approvals pertaining to those functions of the Resource Management Act 1991 that have not been delegated to the Chief Executive Officer.

**POWER TO ACT:**

The Council delegates to the Hearings Panel all regulatory powers, functions and duties (with the exception of issues within the specific responsibility of another standing, special or joint committee of the Council) as follows:

1. Unless specifically excluded by legislation, all of its powers, duties and discretions under the Resource Management Act 1991 but only where those matters have not been delegated to the Chief Executive Officer.
2. Notwithstanding clause 1 above, the Hearings Panel may refer any matter to the Council for its direction on the matter or for its determination of the matter.
3. Notwithstanding clause 1 above, the Chief Executive Officer may refer any matter to the Hearings Panel for its direction on the matter or for its determination of the matter.

**Designations**

*(Section references are taken from the Resource Management Act 1991):*

4. The power to consider a requirement and submission made in response to it and to make a recommendation to the requiring authority in terms of section 171.
5. To consider a requirement to alter a designation in terms of section 181.
6. Amend the District Plan to remove a designation and to advise the Otago Regional Council accordingly in terms of section 182.
7. The fixing of a longer period for the expiry of a designation in terms of section 184.

**Heritage Orders**

8. The consideration of a requirement by a heritage protection authority and all submissions lodged with respect to such requirement and the making of a recommendation to the heritage protection authority in terms of section 191.
9. The alteration of a heritage order from the requirement of a heritage protection authority in terms of section 192.
10. The removal of a heritage order from the District Plan and providing advice to the Otago Regional Council of this removal in terms of section 196.

**Resource Consents:**

*(Section references are taken from the Resource Management Act 1991):*

11. To jointly hear, with one or more other consent authorities, applications for resource consents (section 102).
12. To decide on reasonable grounds whether or not it is appropriate for a joint decision on jointly heard applications (section 102).
13. To determine whether two or more applications for the same proposal are sufficiently unrelated so that it is unnecessary to hear and decide the applications together (section 103).
14. To arrange the commencement date, time and venue of a resource consent application hearing and any submissions to such application (section 101).
15. When considering an application for a resource consent, the Hearings Panel shall have regard for the terms of section 104 (this includes land use and subdivision applications).
16. To decide whether to grant or not grant a resource consent. Upon granting consent, the decision must take into account any conditions or terms in sections 104 and 105.
17. To determine the proceedings for any hearing, in keeping with sections 39-42.

**Lapsing of Consents**

*(This section applies only to those consents granted by the Hearings Panel)*

18. The holder of a Resource Consent may apply to the Hearings Panel for the change or cancellation of any condition in the consent (other than conditions relating its duration) subject to the conditions outlined in section 127.
19. The Hearings Panel may change any condition in the consent (other than conditions relating its duration), subject to the conditions outlined in section 132.

**Objections to Decisions**

20. To consider objections lodged in terms of section 357 to decisions issued by the Chief Executive Officer.

**Plan Changes**

21. Hearing of submissions to variations to the District Plan and Plan changes, pursuant to Section 34 of the Act.

**Dog Control**

22. To consider objections in terms of Section 31(3) and 33B of the Dog Control Act 1996.

**Health Registration of Premises**

23. To consider and make decisions on the revocation of registration of registered premises under the Health (Registration of Premises) Regulations 1966.

**Reserves Act 1977**

24. To consider and make decisions on objections and submissions in terms of leases, licences, easements and reserve classifications under sections 16(4), 24(2)(b), 24A(2)(c), 48(2), 54(2), 56(2), 58A(2), 73(4) and 74(3) of the Reserves Act 1977.

**In addition to the above matters, the Chair of the Hearings Panel has the authority to delegate the following to the Manager of Planning and Regulatory Services:**

25. To decide on applications for all non-complying activities of a minor and technical nature where:
- a. The application is non-notified; and
  - b. Where necessary, has the consent of the affected parties; and
  - c. The applicant has not requested to be heard; **or**
  - d. Where the application is notified; and
  - e. There are no submissions; and
  - f. The applicant has not requested to be heard.
26. To consider a requirement to alter a designation in terms of section 181.
27. Amend the District Plan to remove a designation and to advise the Otago Regional Council accordingly in terms of section 182.

### DISTRICT LICENSING COMMITTEE

The District Licensing Committee has all the powers conferred on it by or under the Sale and Supply of Alcohol Act 2012 or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.

The District Licensing Committee's functions are:

- (a) to consider and determine applications for licences and manager's certificates; and
- (b) to consider and determine applications for renewal of licences and manager's certificates; and
- (c) to consider and determine applications for temporary authority (d) to consider and determine applications for the variation, suspension, or cancellation of special licences; and
- (e) to consider and determine applications for the variation of licences (other than special licences) unless the application is brought under [section 280](#) of the Sale and Supply of Alcohol Act 2012; and
- (f) with the leave of the chairperson for the licensing authority, to refer applications to the licensing authority; and
- (g) to conduct inquiries and to make reports as may be required of it by the licensing authority under [section 175](#) of the Sale and Supply of Alcohol Act 2012; and
- (h) any other functions conferred on licensing committees by or under the Act or any other enactment.

## JOINT COMMITTEES

### Otago Civil Defence Emergency Management Group Terms of Reference

#### Constitution

Pursuant to section 12 of the Civil Defence Emergency Management Act 2002, the Otago Civil Defence Emergency Management Group is constituted as a joint standing committee under section 114S of the Local Government Act 1974 (a joint committee under section 30 of Schedule 7 of the Local Government Act 2002) by resolutions adopted by:

- Central Otago District Council
- Clutha District Council
- Dunedin City Council
- Otago Regional Council
- Queenstown Lakes District Council
- Waitaki District Council

#### Membership

Each local authority listed above is a member of the Otago Civil Defence Emergency Management Group. Each member is represented on the joint committee by the Mayor/Chairperson, or by an elected person from that authority who has delegated authority to act for the member.

#### Chairperson

The Otago Civil Defence Emergency Management Group shall appoint one of the representatives of its members as chairperson, and one of its members as deputy chairperson. Each will hold office for such period as agreed by the Group, but only so long as those persons remain a representative of a member of the Group.

#### Purpose

The Otago Civil Defence Emergency Management Group has the purpose and all of the functions, powers and obligations of a civil defence emergency management group as defined by the Civil Defence Emergency Management Act 2002 and subsequent amendments. Section 17 of the Civil Defence Emergency Management Act 2002 defines the function of a group and each of its members that, in summary, require it to:

- Identify, assess and manage relevant hazards and risks;
- Ensure provision of trained and competent personnel, an appropriate organisational structure and the necessary services and resources for effective civil defence emergency management in its area;
- Respond to and manage the adverse effects of emergencies;
- Carry out recovery activities;
- Assist other civil defence emergency management groups when requested;
- Promote public awareness of and compliance with the Civil Defence Emergency Management Act and legislative provisions relevant to the purpose of the Act;
- Develop, approve, implement, monitor and review a civil defence emergency management group plan;
- Participate in the development of the national civil defence emergency management strategy and the national civil defence emergency management plan.
- Promote civil defence emergency management in its area that is consistent with the purpose of the Civil Defence Emergency Management Act 2002.

**Meetings**

The Otago Civil Defence Emergency Management Group shall meet quarterly and as required with the location for meetings rotating among member authorities.

**Quorum**

The quorum of the Otago Civil Defence Emergency Management Group shall be three members.

**Delegations**

The Otago Civil Defence Emergency Management Group shall have all the delegated authorities that may be given by each member Council, including authority to fulfil the powers, obligations and functions of the Group as specified in the Civil Defence Emergency Management Act 2002, authority to appoint subcommittees, and authority to sub-delegate any authority able by law to be delegated.

**Subcommittee**

A subcommittee of all members of the Otago Civil Defence Emergency Management Group may be formed and given full delegated authority to carry out the functions, obligations and powers of the Group under the Civil Defence Emergency Management Act 2002 pursuant to section 114P(2) of the Local Government Act 1974 and section 30(2) schedule 7 of the Local Government Act 2002. Any meeting will transact routine business and not commit members to any major financial expenditure.

**Standing Orders**

The current Standing Orders of the Otago Regional Council shall govern the conduct of the meetings, except that order papers and agenda papers shall be sent to every member no less than five working days before the meeting.

Notwithstanding anything in the Civil Defence Emergency Management Act or Standing Orders, adequate notice shall be given of all matters to be discussed at a meeting of the Group. Where a matter of significance is to be considered, where practicable, prior written notice of the background to that matter must be given in sufficient time to allow for consultation with each member.

**Administering Authority**

The Otago Regional Council as the administering authority shall provide administrative and leadership of the Group.

**Reporting**

The Group will report to each member.

**Continuance of Joint Standing Committee**

The Otago Civil Defence Emergency Management Group shall not be discharged by a triennial election, but appointments of representatives of members shall be confirmed or new appointments made by each council following each election.

## PART VI – PORTFOLIOS

### Introduction

Council has decided to complement its governance structure through the establishment of portfolio areas and the appointment of portfolio leads. Portfolios do not have specific decision-making delegations; however, portfolio leads are responsible for leading specific policy areas and will act as the issue-specific spokespersons for those areas.

The role of portfolio leads is detailed below:

- Ensure progress is made towards the Council's strategic priorities and projects within their portfolio responsibilities.
- Play a strategic and policy leadership role in their area of responsibility assisting the council to meet its strategic objectives.
- Enhance relationships with key stakeholders.
- Act as the Council's spokesperson and point of contact for those activities within their portfolio responsibility.
- Collaborate with other portfolio leads where objectives are shared.
- Work effectively with council officers.
- Attend any advisory groups or external appointments made and ensure an alternative is available if they cannot attend projects and activities.
- As far as possible, attend council launches of new activities and projects in their area of responsibility.
- Meet regularly with the Mayor, Deputy Mayor, Chief Executive and senior staff.
- Keep the Mayor informed of emerging issues.
- Maintain a no-surprises approach for elected members and staff.
- Raise issues of Council performance with assigned executive leadership staff member in the first instance, following up with the Mayor and Chief Executive if necessary.
- Facilitate informal policy discussion between elected members, public and officials on matters within their responsibility.

The following portfolios have been established:

- Three Waters and Waste
- Community Vision and Experience
- Roading
- Planning and Regulatory

Details of these are provided on the following pages. Topics not listed in the portfolios will defer to Council.

## THREE WATERS AND WASTE PORTFOLIO

**Portfolio Lead:** Cr Nigel McKinlay  
**Deputy:** Cr Cheryl Laws

### Objectives:

To provide leadership and advice for policy decision making, oversight and governance for water, wastewater and stormwater and waste disposal and funding of programmes for these activities.

### Scope of Activity

Any matters that relate to the areas of Council's service delivery operations generally described as water, wastewater and stormwater and waste disposal.

### Providing leadership and advice in relation to:

- Asset Management Plans Forward Programmes in respect to water, waste water and stormwater and waste disposal.
- Levels of service for water, wastewater and stormwater and waste disposal and recommend funding of that service.
- Improvement programmes and recommend funding for that work.
- Three Water strategies.
- Three Water policies.
- Three Water Bylaws for adoption by Council.
- Three Waters issues where these are not covered by adopted strategies and policies.
- Leading submissions to changes in legislation, Government strategies, and policies related to Three Waters. (*Note: where timing constraints apply, submissions can be approved by majority consensus via email, for formal ratification at the next meeting of Council.*)
- Liaison with Ministry of Health regarding Three Water issues that affect Central Otago.
- Compliance with requirements for Ministry of Health funding of Three Water activities.
- Policy issues, on water, wastewater and stormwater and waste disposal.
- Dealings with other councils regarding solid waste disposal.

**COMMUNITY VISION AND EXPERIENCE PORTFOLIO**

**Portfolio Lead:** Cr Tamah Alley  
**Deputy:** Cr Sally Feinerman

**Objectives:**

To provide leadership and advice for policy decision making, oversight and governance to enable the sustainable development of the Central Otago economy and to contribute to regional economic development strategies.

To provide leadership and advice for policy decision-making as to the standard of parks and recreational facilities including swimming pools, libraries, museums and visitor centres.

**Scope of Activity:**

Generally, any matters that concern Council interests in facilitation of the economy, and operation of community facilities.

**Providing leadership and advice in relation to:**

- All of Council's powers, functions and duties relating to the facilitation of business, economic strategies for the Central Otago community (except in relation to those areas of operations falling within the specific purview of Community Boards).
- Ensuring that there is appropriate economic development content and direction in the Council's Long Term Plan
- Identifying projects and initiatives that will support the economic development strategy.
- Providing information on trends in the economy that enable Council to anticipate demands and adjust investment programmes and policy frameworks to suit.
- Liaison and cooperation with other economic development agencies.
- Asset management plans, levels of service, and forward programmes in respect to public utilities, including parks and recreational facilities, swimming pools, libraries, visitor centres, public toilets, property, community facilities and aerodromes and recommend funding for these activities.
- Strategy and policy issues on public utilities, including parks and recreational facilities, swimming pools, libraries, visitor centres, public toilets, property, community facilities and aerodromes.
- Any matters that relate to the area of the Council's service delivery operation generally described as parks and recreation, libraries and visitor centres.
- The governance of all aspect of the joint library service.
- Leading submissions to changes in legislation, Government strategies, and policies related to Economic or Community Development. (*Note: where timing constraints apply, submissions can be approved by majority consensus via email, for formal ratification at the next meeting of Council.*)
- Issues to do with tourism in Central Otago.
- District wide grants

**PLANNING AND REGULATORY PORTFOLIO**

**Portfolio Lead:** Cr Neil Gillespie  
**Deputy:** Cr Ian Cooney

**Objective:**

To provide leadership and advice to support the maintenance and development of all specified facilities and services detailed in accordance with goals and objectives set by the Council.

**Scope of Activity:**

Any matters relating to the Resource Management Act 1992 1991, the Building Act 2004, Amusement Devices Regulations 1978, the Hazardous Substances and New Organisms Act 1996, the Sale of Alcohol Act 2012, the Psychoactive Substances Act 2013, the Smoke-free Environments Act 1990, Food Act 2014, Gambling Act 2003, the Racing Act 2003, the Dog Control Act 1996. Regulatory By-Laws and associated matters relating to that legislation.

This includes but is not limited to matters relating to public health inspection, building inspection, heritage orders, dangerous goods/hazardous substance inspections, plumbing and drainage inspection, animal and dog control, liquor licensing, gambling, psychoactive substances and any other areas or issues of an inspectorial and/or regulatory nature applying throughout the Central Otago District.

Initiation or variations to the District Plan and Plan changes.

**Providing leadership and advice on:**

- All those matters associated or derived from the scope of the portfolio above.
- The initiation or variations to the District Plan and resulting Plan changes.
- Unless specifically excluded by legislation, all Council's powers, duties and discretions under the Resource Management Act 1991, but only where those matters have not been delegated to the Chief Executive Officer or the Hearings Panel.
- Leading submissions on government legislation, national policy statements, regional policy statements, regional plans and adjoining territorial local authorities' district plans. (*Note: where timing constraints apply, submissions can be approved by majority consensus via email, for formal ratification at the next meeting of Council.*)

**ROADING PORTFOLIO**

**Portfolio Lead:** Cr Stu Duncan  
**Deputy:** Cr Tracy Paterson

**Objective:**

To provide advice and leadership for policy decision making for roading, transport and associated funding programmes.

**Scope of Activity:**

Any matters that relate to those areas of the Council's service delivery operations generally described as roading and transportation.

**Providing leadership and advice on:**

- Approval of roading and transportation activity management plans
- Levels of service for roading, and recommend funding for that service
- Improvement programmes and recommend funding for that work
- Roding Hierarchy Policy and exceptions to this policy
- Road strategies
- Roding policies
- Roding Bylaws for adoption by Council
- Roding regulatory issues where these are not covered by adopted strategies and policies
- Leading submissions to changes in legislation, Government strategies, and policies related to transportation. (*Note: where timing constraints apply, submissions can be approved by majority consensus via email, for formal ratification at the next meeting of Council.*)
- Input into the Regional Land Transport Strategy
- Liaison with New Zealand Transport Agency (NZTA) Highway Network Operations Group regarding state highway matters which affect Central Otago
- Compliance with requirements for NZTA funding of roading and transportation activities
- The Portfolio Lead shall also be Council representative to the Regional Land Transport Committee

## **PART VII - COUNCIL REPRESENTATION ON EXTERNAL COMMITTEES**

Council may appoint one or more members from time to time to committees outside of Council. These appointees act as representatives of the Council.

Elected member(s) of the Central Otago District Council is/are nominated at the beginning of each triennial term to serve as Council representatives on each of the following Committees:

- a) Otago Regional Transport Committee – one representative
- b) Central Otago Health Incorporated – one representative
- c) Otago Museum Trust - a Clutha District Council nominee
- d) Central Otago Wilding Conifer Control Group – one liaison
- e) Maniototo Curling International – one liaison

An elected member who has voting rights on external committees will need to exercise caution so that no conflicts of interest arise. This can be managed by declaring an interest and not voting on particular items, either at the external committee or at the Board or Council meeting.

## PART VIII – DELEGATIONS TO STAFF

### THE CHIEF EXECUTIVE OFFICER

#### Functions

50. Section 42 of the Local Government Act 2002 states:

- “(1) *A local authority must, in accordance with clauses 33 and 34 of Schedule 7, appoint a Chief Executive Officer.*
- (2) *A Chief Executive Officer appointed under subsection (1) is responsible to his or her local authority for -*
- (a) implementing the decisions of the local authority; and*
  - (b) providing advice to members of the local authority and to its community boards, if any; and*
  - (c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and*
  - (d) ensuring the effective and efficient management of the activities of the local authority; and*
  - (e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and*
  - (f) providing leadership for the staff of the local authority; and*
  - (g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and*
  - (h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).*
- (3) *A Chief Executive Officer appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority -*
- (a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and*
  - (b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.*
- (4) *For the purposes of any other Act, a Chief Executive Officer appointed under this section is the principal administrative officer of the local authority. ”*

51. Clause 33, Schedule 7 of the Act states:

*“Appointment of Chief Executive Officer*

*The local authority must, in making an appointment under section 42, have regard to the need to appoint a person who will -*

- (a) discharge the specific responsibilities placed on the appointee; and*
- (b) imbue the employees of the local authority with a spirit of service to the community; and*
- (c) promote efficiency in the local authority; and*
- (d) be a responsible manager; and*
- (e) maintain appropriate standards of integrity and conduct among the employees of the local authority; and*
- (f) ensure that the local authority is a good employer; and*
- (g) promote equal employment opportunities. ”*

### Delegations to Chief Executive Officer

52. The Chief Executive Officer is delegated all the powers, functions and duties necessary for the management of the Council's activities and the implementation of Council policy in order to fulfil his or her responsibilities, except:
- a) those reserved to the Council under Part III; and
  - b) any other power, function or duty reserved to the Council or a committee under this Register.
53. The authority delegated to the Chief Executive Officer may be delegated to any other officer of the Council. Every delegation by the Chief Executive Officer will be in writing and suitably recorded. Every delegation by the Chief Executive Officer may be withdrawn or amended or made subject to conditions in this manner.
54. In ~~entering the case of power to enter~~ into financial commitments the Chief Executive Officer may ~~typically~~ delegate authority:
- a) Up to a value of \$500,000 to members of the ~~eExecutive leadership team and the Three Waters Director~~ for any individual transaction;
  - b) ~~to other staff positions up to a value of \$50,000 for any individual transaction~~

¶

### Variation to budget

55. The Chief Executive may vary the constituent sums which make up a budget where:
- a) The relevant ~~eExecutive leadership team member-Manager or Three Waters Director~~ and the Chief Executive Officer confirm that the variation will be entirely funded from savings made on other sums within the same budget; and
  - b) The variation will allow the area concerned to better achieve the purpose or purposes for which the budget was adopted.

Budget means the sum represented by any item contained in a significant activity of the budgets adopted by Council for the financial year contained in the Long-term Plan or Annual Plan.

### Employment of Staff

56. Under Section 42(g) and (h) of the Local Government Act 2002 the Chief Executive Officer is responsible to the Council for employing the staff of the Council and negotiating their terms of employment. This includes delegated responsibility to arrange staff structure to achieve plans and performance measures of Council within financial constraints of planned budget result.

### Contracts, Tenders, Purchasing, Sale of Assets and Services

57. The Chief Executive Officer may, subject to any policy established by the Council and within the approved Annual Plan and Long-term Plan, accept, negotiate or decline contracts, tenders, purchasing agreements or any other arrangements for:
- a) the sale, purchase, leasing or exchange of real property;
  - b) the employment of staff, consultants or advisers;
  - c) the supply of goods, services, plant, capital items or other assets (excluding real property) to the Council;

- d) the provision of services by the Council and the sale, leasing or disposal of goods, plant, capital items (excluding real property) or other assets owned by the Council;
- e) the settlement of claims for compensation;
- f) easements, right of way, caveats, registrable interests and similar minor dealings with property.

In exercising this delegated authority, the Chief Executive Officer may delegate ~~to the following people the above items a-f to members of the executive leadership team and the Three Waters Director~~ providing the sum of the life of the contract does not exceed their ~~Executive Managers~~ financial delegation:

- ~~• Executive Manager – Corporate Services¶~~
- ~~• Executive Manager – People and Culture¶~~
- ~~• Executive Manager – Infrastructure Services¶~~
- ~~• Executive Manager – Planning and Environment¶~~

58. In exercising this delegated authority, the Chief Executive Officer must comply with:
- a) any policy adopted by the Council affecting the matters dealt with in clause 56;
  - b) budget requirements;
  - c) the obligation to report decisions in accordance with clause 26.
59. The Chief Executive Officer has authority to execute all documents required to be executed by the Council, other than those required to be executed under seal. In the Chief Executive Officer's absence, the Acting Chief Executive Officer has delegated authority to execute these documents.
60. All administrative and operational functions, powers and duties under the Resource Management Act, other than those excluded in section 34A of that Act, and other than those delegated to a Standing or Special Committee, unless that Committee so delegates, are delegated to the Chief Executive Officer.
61. The Chief Executive Officer may, in relation to the District Plan, grant the following consents:
- All controlled discretionary and discretionary (restricted) activities where:
- a) the application is non-notified; and
  - b) where necessary, has the consent of the affected parties; and
  - c) the applicant has not requested to be heard; or
  - d) where the application is notified; and
  - e) there are no submissions; and
  - f) the applicant has not requested to be heard.
62. A ~~r~~Resource ~~c~~Consent lapses after five years from its date of commencement or after the expiry of such shorter or longer period as was expressly provided for in the consent. If the consent was granted by the Hearings Panel, the Chief Executive Officer may permit a longer period with an expiry of a resource consent, in terms of sections 125 and 126.
63. When a consent granted by the Hearings Panel is not continuously exercised over a two-year period, the Chief Executive Officer may cancel that consent by written notice, subject to conditions listed in section 126.¶

#### ¶ Legalisation of Road Reserves¶

64. ~~Legalisation of Road Reserves~~¶  
Ability to accept road reserves legalising current formed roads through the tenure review process.

65. Appointment of commissioners to consider and execute decisions relating to designations, reviews, objections and applications for and changes to resource consent.
66. To provide the consent of the requiring authority pursuant to Section 176 of the Resource Management Act 1991, to undertake any activity on land that is designated.
67. The Chief Executive may change any condition in a resource consent (other than conditions relating to its duration) subject to conditions outlined in Section 132.
68. The Chief Executive may nominate ~~Local~~ ~~c~~Controllers and refer such nominations to the Otago Civil Defence Emergency Management Group.

#### **Oaths and Declarations**

69. The Chief Executive Officer may make and take any declaration or oath as requested in relation to the Council.
70. Any Council officer may certify as to any state of affairs within their jurisdiction and knowledge.

#### **Minor Property Dealings**

71. The Chief Executive Officer may grant or decline consent to minor dealings with the Council's property, subject to any reasonable terms and conditions. This includes consent to the registration, variation and discharge of mortgages, easements, leases and subleases, caveats and other documents and similar dealings.

#### **Operating Hours/Conditions of Use**

72. The Chief Executive Officer may determine the operating hours of any facility, being at all times mindful of the public interest and any Council policy or resolution.

#### **Reserves**

73. The Property and Facilities Manager or Parks and Recreation Manager may temporarily prohibit the use of any reserve or other property under their responsibility and exercise any power granted to Council under Part II, III and V of the Reserves Act 1977 in regard to such reserves.

#### **Roads**

74. The Council's Roading staff may exercise any power granted to the Council in regard to the construction, repair, alteration, layout, occupation and use of roads, footpaths, verges and vehicle crossings, including but not limited to those under the Local Government Act 1974, the Transit New Zealand Act 1989, the Public Works Act 1989, the Heavy Motor Vehicle Regulations 1974, the Resource Management Act; and Regulations made there under, except where any power is reserved to the Council or a Committee of Council, or where more specific delegations of this manual apply.

#### **Bylaws**

75. Any member of the ~~e~~Executive ~~leadership t~~Team, ~~Three Waters Director~~, or warranted or authorised officer, may administer and exercise all powers granted under bylaws regarding the activities within the District in relation to their specific area of responsibility, and may authorise prosecutions and actions under any bylaw (after advising the Chief Executive Officer of the intention to commence such actions and prosecutions).

### Other Legal Actions

76. The Chief Executive Officer may approve all unbudgeted legal claims or other proceedings, such as the authorisation to undertake settling actions and prosecutions taken against Council, where it is in the CEO's opinion that such settlement best protects Council's interest, up to a value of \$500,000. Where claims or other legal proceedings are likely to exceed \$500,000, the CEO is required to communicate with relevant elected members prior to entering into mediation.
- The Chief Executive Officer may delegate to council officers the authority to represent Central Otago District Council in legal claims or other proceedings.
  - Confidential settlements, other than those which relate to employment matters, shall be presented in a separate report to the Audit and Risk Committee or any other council body as appropriate.

### Authorised Officer Delegations and Warrants

77. Staff are delegated as follows and will be provided with warrants as or if required (the Council may appoint other members of staff, contractors or other appropriate people to warranted positions from time to time):
- A "Ranger" for the purpose of the Reserves Act 1977: Parks and Recreation Manager, Property and Facilities Manager, Property and Facilities Officer (PFO) and Executive Manager, Planning and Environment.
  - All Planning and Environment inspectorial staff holding the qualification of "Environmental Health Officer" or "Food Act Auditor" are enabled to administer the duties related to that designation as set out in the Health Act 1956 and the Food Act 2014.
  - All Planning and Environment staff for enforcement under the Resource Management Act 1991. An "Inspector" for the purpose of the Sale and Supply of Alcohol Act 2012.
  - An "Authorised Officer" for the purpose of the General Bylaws 2008.
  - A "Dog Control Officer" for the purpose of the Dog Control Act 1996.
  - A "Dog Control Ranger" for the purpose of the Dog Control Act 1996.

### Litter Act 1968

78. The powers granted to officers under the Litter Act 1968 may be exercised by the warranted officers from time to time.

### Health Act

79. The ~~Group Manager Planning and Infrastructure Executive Manager, Planning and Environment~~ may exercise any powers granted to the Council and authorise prosecutions where appropriate in regard to public health, including, but not limited to, those under the Local Government Act 2002; the Health Act 1956; the Food Act 1981; the Burial and Cremations Act 1964; the Resource Management Act 1991; and regulations made there under.

### Dangerous Goods Act

80. Inspectors qualified to be ~~d~~Dangerous ~~g~~Goods ~~i~~nspectors and warranted may exercise any power granted under the Dangerous Goods Act and regulations made there under.

### Resource Management Act 1991

81. Council has approved the Resource Management Act (RMA) delegations, as outlined in the Statutory, Regulatory and Other Delegations to Officers section of the Staff Delegations Manual.

**Temporary Road Closures**

85. The ~~Group Manager Planning and Infrastructure, Infrastructure Manager Executive Manager, Infrastructure Services~~ or the Roading Manager, with the assistance of any ~~property and facilities officer~~ PFO, may exercise any power to impose temporary restrictions in regard to traffic and restrict vehicular access of any kind on roads within the district granted under and in accordance with the Local Government Act 2002 and the Transport Act 1962 and all regulations made there under.

**Civil Defence and Emergency Management**

86. During the period of a civil defence emergency the appropriate delegations made under the Civil Defence Emergency Management Act 2002 and the Central Otago District Council Civil Defence Plan shall be adhered to.

**Sale and Supply of Alcohol (Fees) Regulations 2013**

87. The Chief Executive assign a fees category to premises that is 1 level lower than the fees category in Section 6 of the Regulation
88. The Chief Executive Officer has the power pursuant to Regulation 16(4) of the Sale and Supply of Alcohol (fees) Regulations 2013 in the period 18 December 2013 and 1 July 2014, to waive annual fees payable for an on-licence, off-licence, or club licence issued under the Sale of Liquor Act 1989 if the annual fee is payable before 1 July 2014.
89. The ~~Group Manager Planning and Infrastructure Executive Manager, Planning and Environment~~ determines that a fee be charged for a special licence in terms of Section 10 of the Regulations that is 1 class below the class of the licence that is issued, but not less than the fee payable for a class 3 special licence.
90. The ~~Group Manager Planning and Infrastructure Executive Manager, Planning and Environment~~ is authorised to sign correspondence, licences, certificates and decisions; including any licences subject to the criteria in Section 105 of the Sale and Supply of Alcohol Act 2012; "for and on behalf of" the Secretary as defined by Section 102 of the Act, but is not to assume the position of Secretary.

**Abandoned Vehicles**

91. The ~~Group Manager Planning and Infrastructure and the Infrastructure Manager Executive Manager, Infrastructure Services, the Executive Manager, Planning and Environment~~, may exercise any power granted to Council relating to the impounding of any abandoned motor vehicle on roads which come under the Council's authority.

**Paper Roads**

92. The ~~Executive Manager, Infrastructure Services~~ ~~Group Manager Planning and Infrastructure~~ may provide consent to form a paper road when all affected and interested parties are in agreement.

**Building Consent Authority**

93. Building Control functions are carried out by Building Control staff in accordance with Council's Quality Assurance Manual, staff job descriptions and warrants of appointment.

**SUB-DELEGATIONS FROM THE CHIEF EXECUTIVE OFFICER**

The authority delegated to the Chief Executive, may be delegated to any other officer of the Council or a subcommittee of officers. Every delegation will be in writing and suitably recorded. Every delegation may be withdrawn or amended or made subject to conditions in the same manner. A staff delegation manual will be maintained by the Chief Executive Officer ~~for this purpose~~ that records delegations made to staff within the authority outlined in Part VIII of this register:-

## 22.9.8 DEVELOPMENT OF THE 2024-34 LONG-TERM PLAN

Doc ID: 600935

### 1. Purpose of Report

To consider the draft timeline for the development of the 2024-34 Long-term Plan.

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### Recommendations

That the Council

- A. Receives the report and accepts the level of significance.
  - B. Approves the draft timeline.
- 

### 2. Background

Under the Local Government Act 2002, every council in New Zealand must develop and adopt a long-term plan every three years. The long-term plan is the key strategic planning document for council as it sets the 10-year direction and articulates what will be delivered to the community and why, and how this will be funded. The next long-term plan must be adopted by 30 June 2024.

### 3. Discussion

The development of a long-term plan is a significant piece of work that requires involvement from the community and elected members. Elected members will set the strategy for the next ten years and well as consider how best to deliver to this strategy. This will involve consideration of economic, cultural, social and environmental factors (the four well-beings) to best deliver to the communities in Central Otago.

As the plan evolves, projects and activity to deliver to the aspiration of elected members (on behalf of the community) will be articulated and costed. Two significant strategies will also be developed (infrastructure and financial strategies) that describe how Council will plan ahead and be prudent with the finances to ensure ratepayers are getting value for money. This involves striking a fine balance between aspirations of the community and ensuring also that rates are set at a reasonable level.

Attached is the draft timeline with the key milestones to achieve the development of the 2024-34 Long-term Plan. Currently the Plan has been developed to be completed by May 2024, which enables some flexibility on the final due date in particular with the audit processes which are largely outside of Council's control. Audit New Zealand are having significant resourcing challenges (currently impacting on the audit timeframes for the 2021/22 Annual Report) so it is likely that the attached draft timeline will change as the scheduling of the audit becomes clearer.

Also, dependant on the direction from elected members next year it may also be that additional workshops and/or papers need to be scheduled to explore projects and options.

More detail will be provided as the Plan progresses, but to note the Plan development will commence at Council's next meeting in December 2022 where elected members will

consider the development of a district vision and accompanying community outcomes. The next significant step will be at the January 2023 meeting, where elected members will discuss their aspiration and what they wish to achieve for the community in this long-term plan.

#### 4. Financial Considerations

There are no direct financial implications as a consequence of this decision.

#### 5. Options

##### Option 1 – (Recommended)

Approve the draft timeline for the development of the 2024-34 Long-term Plan.

Advantages:

- Provides visibility on the milestones needed to be achieved as the Plan develops
- Facilitates planning and scheduling of papers and workshops in advance with elected members
- Provides a mechanism for accountability and adherence to deadlines as the Plan evolves.

Disadvantages:

- None identified.

##### Option 2

Do not approve the draft timeline for the development of the 2024-34 Long-term Plan.

Advantages:

- None identified.

Disadvantages:

- There will be no clear and visible pathway for the development of the Plan for elected members and the community.
- There will be a risk that deadlines will slip and aspects of the Plan may be rushed or not have adequate elected member and/or community involvement.

#### 6. Compliance

<b>Local Government Act 2002 Purpose Provisions</b>	This decision enables democratic local decision making and action by, and on behalf of communities by having a clear visible plan to develop the 2024-34 Long-term Plan.
<b>Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy etc.</b>	All policies will be considered as the Plan is developed and a number of policies will be updated as part of the work (eg rating policy, financial strategy, infrastructure strategy).

<b>Considerations as to sustainability, the environment and climate change impacts</b>	There are no direct impacts to sustainability in adopting the draft timeline.
<b>Risks Analysis</b>	There are no risks in adopting the draft timeline.
<b>Significance, Consultation and Engagement (internal and external)</b>	As the Plan is developed, conversations will occur with the community and there will be a period of formal consultation in early 2024.

## 7. Next Steps

Staff will prepare material for a discussion at the next meeting in December 2022 on the development of a district vision and the accompanying community outcomes. A paper will be developed for the Audit and Risk Committee meeting in December 2022 that will seek agreement on the role of the Committee in the development of the 2024-34 Long-term Plan.

## 8. Attachments

### Appendix 1 - 2024-34 Long-term Plan Timeline [↓](#)

Report author:



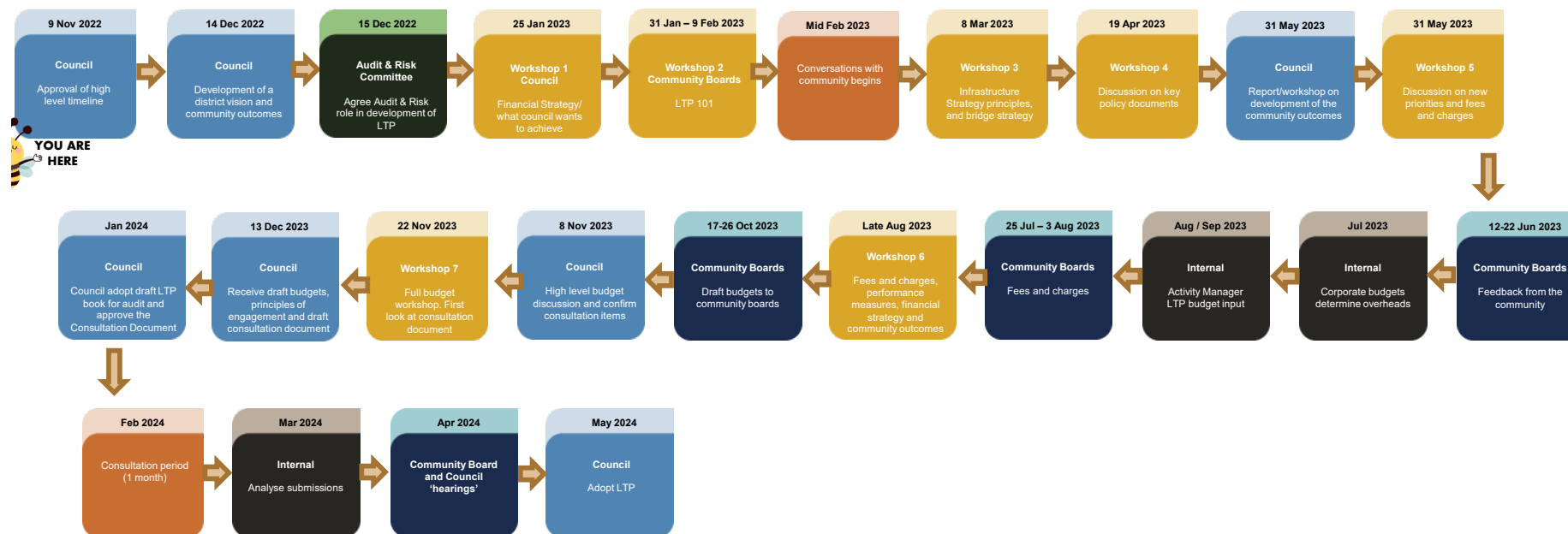
Saskia Righarts  
Group Manager - Business Support  
27/10/2022

Reviewed and authorised by:



Sanchia Jacobs  
Chief Executive Officer  
28/10/2022

## Long-term Plan 2024-34 Project Timeline



### Key

	Council
	Workshop
	Audit & Risk Committee
	Consultation
	Community Boards
	Internal

Long-term Plan 2021-31 Project Timeline



Long-term Plan 2024-34 Project Timeline



## 22.9.9 ELECTED MEMBERS' REMUNERATION 2022-23

Doc ID: 599664

### 1. Purpose of Report

To consider the allocation of elected member remuneration for the 2022-23 year.

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### Recommendations

That the Council

- A. Receives the report and accepts the level of significance.
  - B. Approves the annual elected member remuneration as set out in the report.
- 

### 2. Background

The Local Government Act 2002 (LGA) gives the Remuneration Authority (the Authority) the responsibility for setting remuneration for local government elected members. Each council is allocated a pool for their remuneration and a base rate for councillors is also set.

### 3. Discussion

The Local Government Members (2022/23) Determination 2022 has allocated the following sums:

- The total pool allocated to Central Otago District Council is \$362,213.
- The minimum allowable remuneration for a councillor is set at \$27,182.

The Council's recommendation to the Authority must include a remuneration rate for the base councillor position and rates for all positions that hold additional responsibilities.

The proposed remuneration is detailed in the tables below and key considerations in determining the proposed rates.

The role of the Deputy Mayor has significant additional responsibilities and it is recommended that this role be remunerated at a rate of 1.2 times the base councillor remuneration.

Four portfolio leads have been confirmed at the inaugural meeting. It is recommended that each of those four leads be remunerated at a rate of 1.1 times the base councillor remuneration.

It is proposed that the additional responsibilities faced by councillors sitting on community boards is also acknowledged. The Authority has determined that the members of the Cromwell and Vincent Community Boards are remunerated at approximately twice the rate of the Maniototo and Teviot Valley boards. Accordingly, it is recommended that councillors who also sit on the Cromwell and Vincent community boards are remunerated at a rate of

1.18 times the base councillor remuneration and councillors who sit on the Teviot Valley and Maniototo boards, are remunerated at a rate of 1.09 times the base. In addition, it is recommended that the extra responsibilities as Chair of the Vincent Community Board be remunerated at a rate of 1.14 times the base councillor remuneration.

In addition, it is recommended that elected members of the Audit and Risk Committee are remunerated at a rate of 1.1 times the base councillor remuneration. Previously, members who sat on the Audit and Risk Committee received no additional compensation for that commitment.

The minimum base rate for a councillor, set by the Remuneration Authority is \$27,182. This proposal suggests a base rate for councillors with no other responsibilities of \$27,234. This proposal fully allocates the pool as required by the determination.

Position	Number	Ratio to base remuneration
<b>Deputy Mayor</b>	1	1.2
<b>Portfolio Lead</b>	4	1.10
<b>Audit and Risk</b>	3	1.10
<b>Community Board Chair (VCB)</b>	1	1.14
<b>Community Board Member CCB / VCB</b>	5	1.18
<b>Community Board Member TVCB / MCB</b>	2	1.09
<b>Base Councillor</b>	2	1

Name	Positions held	Proposed ratio to base	Base rem	Additional rem	Annual rem
<b>Cr N Gillespie</b>	<ul style="list-style-type: none"> <li>Deputy Mayor (0.2)</li> <li>CCB member (0.18)</li> <li>Portfolio lead (0.10)</li> <li>Audit and Risk (0.10)</li> </ul>	1.58	27,234	15,796	43,030
<b>Cr T Alley</b>	<ul style="list-style-type: none"> <li>VCB member (0.18)</li> <li>VCB Chair (0.14)</li> <li>Portfolio lead (0.10)</li> <li>Audit and Risk (0.10)</li> </ul>	1.52	27,234	14,162	41,396
<b>Cr T Paterson</b>	<ul style="list-style-type: none"> <li>VCB member (0.18)</li> <li>Audit and Risk (0.10)</li> </ul>	1.28	27,234	7,626	34,860
<b>Cr S Duncan</b>	<ul style="list-style-type: none"> <li>Portfolio Lead (0.10)</li> <li>MCB member (0.09)</li> </ul>	1.19	27,234	5,174	32,409
<b>Crs S Browne, C Laws and M McPherson</b>	<ul style="list-style-type: none"> <li>CCB/VCB members (0.18)</li> </ul>	1.18	27,234	4,902	32,136
<b>Cr N McKinlay</b>	<ul style="list-style-type: none"> <li>Portfolio lead (0.10)</li> </ul>	1.10	27,234	2,723	29,957
<b>S Feinerman</b>	<ul style="list-style-type: none"> <li>TVCB member (0.09)</li> </ul>	1.09	27,234	2,451	29,685
<b>Crs I Cooney and L Claridge</b>	<ul style="list-style-type: none"> <li>Councillor</li> </ul>	1.00	27,234	0	27,234

#### 4. Financial Considerations

The allocation of money given to Central Otago District Council is set by the Remuneration Authority. It is unable to be contested and must be allocated in its entirety.

#### 5. Options

##### Option 1 – (Recommended)

The Council has no option but to allocate the full pool of \$362,213 and the proposal in the report does that. Council is free to consider alternative options for allocating the pool, but any alternative must ensure full allocation and be able to be justified to the Authority.

#### 6. Compliance

<b>Local Government Act 2002 Purpose Provisions</b>	This decision enables democratic local decision making and action by, and on behalf of communities by setting elected member remuneration that is unable to be contested.
<b>Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy etc.</b>	It is required by law to be accepted, so whether it adheres to council policies is not applicable
<b>Considerations as to sustainability, the environment and climate change impacts</b>	There are no considerations to be made regarding this decision.
<b>Risks Analysis</b>	There are no risks associated with this decision.
<b>Significance, Consultation and Engagement (internal and external)</b>	This decision does not trigger any provisions in the Significance and Engagement Policy.

#### 7. Next Steps

A spreadsheet reflecting these amounts will be submitted to the Remuneration Authority for their consideration. Following acceptance, the new figures will be gazetted and released early in 2023. Any extra money that needs to be back paid to members will be done at that time.

#### 8. Attachments

Nil

Report author:



Wayne McEnteer  
Governance Manager  
27/10/2022

Reviewed and authorised by:



Saskia Righarts  
Group Manager - Business Support  
27/10/2022

## 22.9.10 PECUNIARY INTERESTS REGISTER

Doc ID: 591919

### 1. Purpose of Report

To consider a new process for declaring pecuniary interests in response to the Local Government (Pecuniary Interests Register) Amendment Act 2022.

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### Recommendations

That the Council

- A. Receives the report and accepts the level of significance.
  - B. Notes the requirement for elected members to complete and make publicly available their pecuniary interests in accordance with the Local Government (Pecuniary Interests Register) Amendment Act 2022.
  - C. Notes the Governance Manager is the registrar of the pecuniary interests register.
  - D. Notes the process for the collection of information for the register.
- 

### 2. Background

The Local Government (Pecuniary Interests Register) Amendment Act 2022 passed on 20 May 2022 and will come into force on 20 November 2022. It inserts a new set of requirements and obligations into the Local Government Act 2002 which relate to members' pecuniary interests.

Every council will now be required to keep a register of pecuniary interests for its elected members. A summary of this register will be publicly available on the council website.

### 3. Discussion

The Local Government (Pecuniary Interests Register) Amendment Act 2022 sets out a number of obligations for elected members to disclose their interests in companies, trusts (trustee and beneficiary) as well as their real assets. This will then be kept on a register which will be summarised and be made publicly available on the website.

#### Appointment of a Registrar

Each council must appoint a registrar to collect and collate the information and to liaise with elected members to answer questions that may arise. Legislation requires that a registrar be appointed to oversee the register. While any member of staff could be appointed to this role, the Governance Manager is in regular communication with elected members and is in good position to maintain the register.

#### Obligations for Elected Members

Elected members have obligations each year to correctly complete their pecuniary interests for the preceding year. Any interest that existed at any time during the preceding 12 months must be disclosed.

In each triennium, the due dates for return are:

- (a) Year 1: the day that is 120 days after the date on which the member comes into office under section 115 of the Local Electoral Act 2001;
- (b) Year 2: the last day of February in the second year of the triennium; and
- (c) Year 3: the last day of February in the third year of the triennium.

Note that it will be an offence for an elected member to fail to file a return by the due date, file a false return or fail to advise the registrar of an error or omission. Members are liable for a fine of up to \$5000 per offence. It should also be noted that the staff are not responsible for ensuring that elected members comply with the law, it is their individual responsibility.

Please note that the due date for the 2023 return will be Sunday 12 February 2023 (however, to enable the forms to be efficiently collated and published on the website it is requested members return their forms by midday Friday 10 February 2023).

#### Limits

The law extends to all elected members on both council and community board. However, it does not include members that have been appointed, for instance the independent chair of the Audit and Risk Committee.

#### Proposed Process

The proposed process is as follows:

- The form will be sent out to members to complete at least 1 month prior to its due date
- Members will send back their forms
- The Registrar will update the interest register on the website

Although it is the members' responsibility to make sure this paperwork is returned, the registrar will remind members of impending deadlines.

## **4. Financial Considerations**

There are no financial considerations as a result of this decision.

## **5. Options**

### Option 1 – (Recommended)

Adopt the Pecuniary Interests (Elected Members) Policy.

Advantages:

- Adherence to the law.
- Will ensure a greater level of public confidence and transparency in decision making.

Disadvantages:

- None identified.

There are no other viable options as this requirement has been mandated in law.

**6. Compliance**

<b>Local Government Act 2002 Purpose Provisions</b>	This decision promotes the wellbeing of communities, in the present and for the future by allowing greater transparency of members' interests during decision making.
<b>Decision consistent with other Council plans and policies? Such as the District Plan, Economic Development Strategy etc.</b>	Yes
<b>Considerations as to sustainability, the environment and climate change impacts</b>	There are no considerations in regards to environmental impacts except to note the collation of information will be an electronic process.
<b>Risks Analysis</b>	There are no risks to adopting this policy as it will represent adherence to the law.
<b>Significance, Consultation and Engagement (internal and external)</b>	This does not trigger consultation under the Significance and Engagement Policy

**7. Next Steps**

- A registrar will be appointed.
- A formal mechanism to collate and display the captured data will be developed.
- A workshop will be provided to elected members, so that they are aware of their obligations under the law.
- A template for members to provide the required information will be developed and presented in the workshops.

**8. Attachments**

**Nil**

Report author:



Wayne McEnteer  
Governance Manager  
26/10/2022

Reviewed and authorised by:



Saskia Righarts  
General Manager – Business Support  
26/10/2022

## 22.9.11 RESIDENTS' SURVEY 2022 - SUMMARY OF RESULTS

Doc ID: 600508

### 1. Purpose

To consider the summary report of the Central Otago District Council 2022 Residents' Survey.

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### Recommendations

That the report be received.

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### 2. Discussion

The Residents' Survey is carried out annually to measure how the community view Council performance with respect to the services it provides during the year. The survey also goes some way to identifying current issues and priorities for the upcoming year.

This is the seventh year Council has conducted its survey online, and the first using new consultation software, Let's Talk Central Otago.

A summary report has been prepared to provide feedback to Council on residents' satisfaction with services and amenities provided during the twelve months between 1 July 2021 through to 30 June 2022.

One-hundred and eighty-three people took the survey and fully completed all the mandatory questions. This response rate is lower than previous years. Over the four years from 2018 to 2021, the average response rate is 590, with a gradual decline since 2019.

The low response rate in 2022 could be due to the following reasons:

- This was the seventh survey conducted by Council within a six-month period and may have caused survey fatigue within the community.
- Project outcomes have not consistently reflected community voice from survey responses and this, combined with controversial programmes such as the Three Waters debate, may have caused response apathy in the community.
- The new online consultation platform required respondents to register (setting up a username and password and providing demographic information) before completing the survey. This may have deterred people from engaging.

Despite the lower response rate, the levels of satisfaction by percentage have not changed markedly from previous years across most questions in the survey.

### 3. Attachments

**Appendix 1 - Residents Survey report.pdf** [↓](#)

Report author:



Genevieve Heal  
Communications Officer  
21/10/2022

Reviewed and authorised by:



Sanchia Jacobs  
Chief Executive Officer  
28/10/2022

# HOW DO WE MEASURE UP?



## Introduction

This report summarises the results of the 2022 Central Otago District Council Residents' Survey. The survey was carried out between 16 June and 31 July 2022.

Council carries out an annual survey to:

- measure its performance with respect to the services it provides during the year
- identify issues for the coming year
- identify priorities for the coming year.

This was the seventh year Council has conducted the survey online and the first year using a new consultation software.

The survey was promoted the following ways:

- Email signature on all Council email addresses for the duration of the survey being open.
- Onelan screens in all Council service centres, libraries and pools.
- Print adverts in the Teviot Bulletin, Cromwell Bulletin and Positively Maniototo.
- Inclusion in the CODC Noticeboard in The News throughout the survey period.
- Main banner advertisement on The Central App.
- Banner on the Central Otago District Council page on The Central App.
- Boosted promotional posts on Facebook.
- Facebook banner image.
- Post on Instagram (Council cadets page).
- A week's advertising on Radio Central.
- Mentions on Mayor Tim's weekly Facebook Live sessions and his radio interviews.
- Inclusion in the Community Development e-update.
- Posters around towns including outside Council offices.
- Council website homepage spotlight.
- Media release.

We received a total of 183 responses to the survey, 10 of which were hard copies that were inputted into the online system. This is a lower response rate than previous years.

## How representative is this survey?

### Gender

The table below shows that the sample is slightly skewed towards women when compared to the 2018 Census counts. However, there was an increase in the percentage of men completing the survey in 2022, making it more representative based on the 2018 Census. A new option was added to this question this year allowing respondents to choose not to disclose their gender.

	2022 sample %	2021 sample %	2020 sample %	2019 sample %	2018 Census counts %
Male	42	33	30	35	50.9
Female	55	66	70	65	49.1
Gender diverse	0	0.4	-	-	-
Prefer not to say	3	-	-	-	-

### Age

The number of respondents in all age brackets has remained very consistent with the 2020 data. The under 40 age bracket continues to be under-represented when compared to the 2018 census data, though this is not unexpected. The 60 and over age bracket is over-represented, and this has been the trend since 2019.

	2022 sample %	2021 sample %	2020 sample %	2019 sample %	2018 Census counts %
Under 40	15	21	23	16	42
40-49	17	19	17	14	12
50-59	17	20	19	23	15
60 and over	51	40	41	47	31

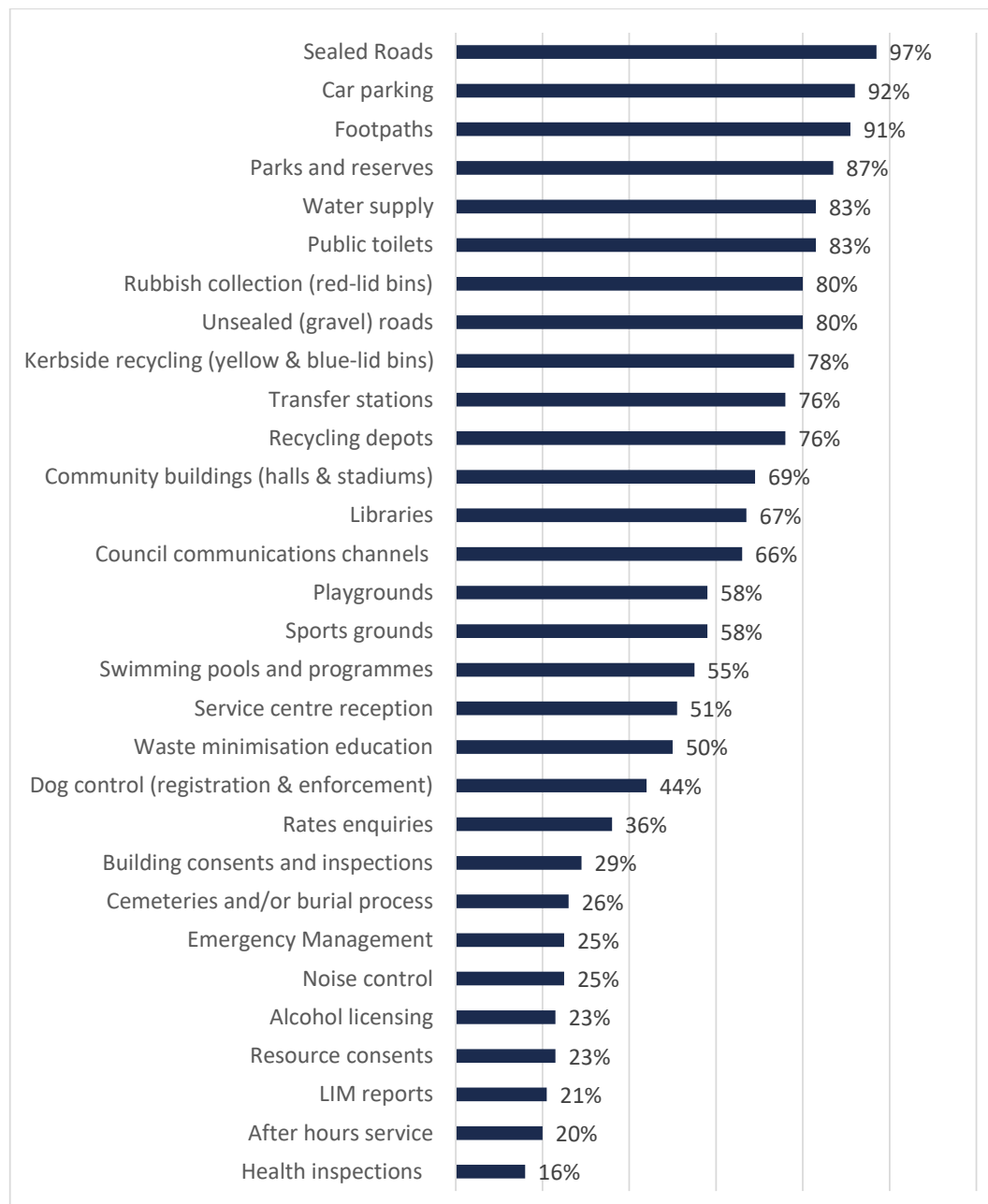
### Ward

The 2022 survey sample is not entirely representative of the district with Vincent and Mānīatoto being over-represented and Cromwell and Teviot Valley being slightly under-represented when compared to the 2016 electoral roll percentages.

	2022 sample %	2021 sample %	% of district population by ward based on electoral roll
Vincent	60	46	47
Cromwell	22	30	37
Mānīatoto	13	15	8
Teviot Valley	5	9	8

## Services and amenities used or experienced in the past 12 months

Respondents were asked to select which of Council's services and amenities they had used or experienced in the last 12 months and to indicate whether or not they were satisfied with them. The graph below shows the percentage of respondents who have used or experienced each service or amenity.

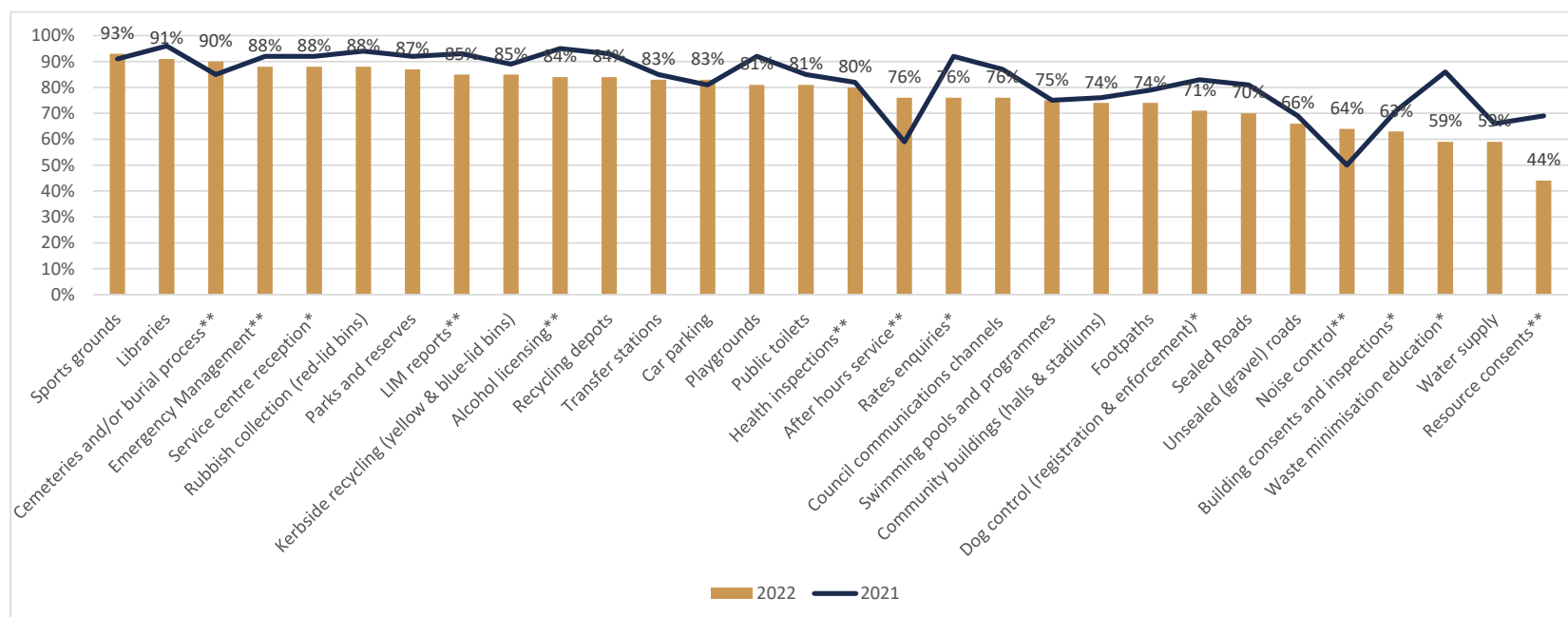


Central Otago District Council – Residents' survey results 2022

## Satisfaction with services and amenities

The graph below shows the 2022 results compared to the results from 2021. Overall, there is a slight decrease in satisfaction with Council services and amenities across the board. Of note, satisfaction with after-hours services increased from 59% to 79%, satisfaction with noise control also increased as did cemeteries and the burial process.

Waste minimisation education had a decrease in satisfaction from 86% to 59% and resource consents also had a decrease in satisfaction from 69% to 44%. For these services it is worth noting the small sample sizes.



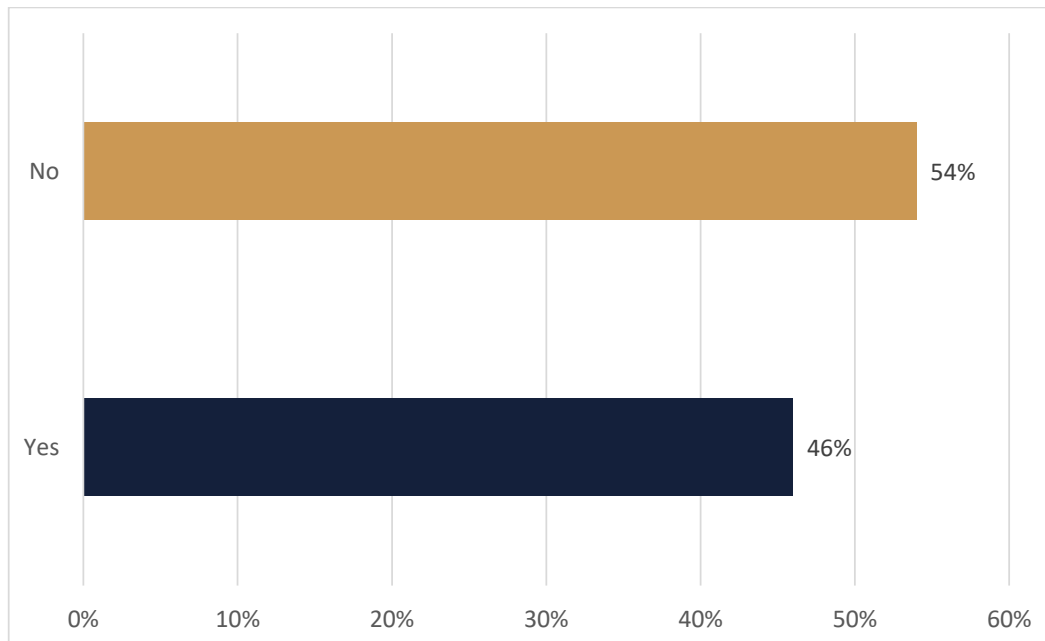
\*Low sample size between 50 – 100 respondents

\*\*Very low sample size 49 or fewer respondents

Central Otago District Council – Residents' survey results 2022

### Issues/problems with services and amenities

Respondents were asked *'In the past 12 months have you personally experienced any issues or problems with any of Council services or amenities?'* Forty-six percent of people said yes, which is an increase compared with 2021 (38%).



## Problems faced

There were 84 comments provided by respondents. The main problems experienced by residents fell into the following categories. The information below describes the commonly mentioned themes in each category:

**Parks and recreation** *including swimming pools* (22 comments) - inadequate maintenance of parks and verges i.e. lack of mowing, tree trimming and weeding. Issues with pool temperature; dated facilities that need to be updated/renovated. Sports ground facilities needing improvement.

**Planning** *including building consents, building inspections and resource consents* (17 comments) - waiting times for building and resource consent outcomes; cost of consents; issues with decisions being made based on inaccurate information.

**Water services** (16 comments) - dissatisfaction with the quality of the water supply – lime scale was referred to most, as well as issues with the taste of the water; dissatisfaction with perceived short-term fixes for water issues. Dissatisfaction with 3-waters.

**Roading** (15 comments) - safety issues with uneven footpaths (tree root damage, hanging trees over footpaths); dissatisfaction with gravel roads not being maintained to a decent standard i.e. grading; roads in poor condition due to pot holes.

**Communications** (8 comments) – lack of transparency in the consultation process; receiving unclear responses to issues raised; dissatisfaction with surveys being the most common form of community engagement; a lack of updates to the community.

**Regulatory** (6 comments) - most comments related to unsatisfactory outcomes to noise control complaints; lack of dog control enforcement, wandering dogs and dog poo not being picked up.

**Waste** (6 comments) - rubbish bins being full and not emptied often enough; issues with bins being missed during rubbish collection; concerns with processes and safety at Cromwell transfer station.

## How could Council improve services?

Respondents were asked, “*In your opinion, how could Council improve services?*” The information below outlines the areas in which respondents felt Council could improve services as well as the most commonly mentioned themes in each area.

**Communications and engagement** (23 comments) – Council website isn’t very intuitive and people find it difficult to find what they are looking for; frustrations with consultation and feedback processes, suggestions to engage with the community in different ways other than just surveys to reach a wider demographic; more regular updates on council projects and governance decisions; frustrations that community feedback is not genuinely listened to; better, more simplified communication.

**Parks & Recreation (including Pools)** (20 comments) – better maintenance of parks and greenways to make sure they look tidy; upgrade sports grounds and facilities (e.g. changing facilities); suggestions to upgrade playgrounds to cater for different age groups (e.g. ‘destination playground’, skate park). Reduce cost to swim at pools and ensure temperature isn’t too cold.

**Planning** – *including building consents, building inspections and resource consents* (14 comments) – faster building and resource consent processes (e.g. more staff); complete a district plan review to allow for more growth; reduce waiting times for building inspections.

**General** (14 comments) – these were general comments about Council services e.g. ‘keep providing core services and do it well’, ‘keep up prompt response and personal friendly service’, ‘can’t think of anything’.

**Roading** (13 comments) – footpaths to be kept in good condition through regular inspection and repairs, with street lighting on the same side of the road as footpaths; repair sealed roads to a higher standard i.e. potholes, no tar melts; allocate a higher budget to maintain unsealed (gravel) roads.

**Water Services** (12 comments) – these comments were about dissatisfaction with the quality of the water and removing lime from the water supply (some respondents acknowledged that work is being done to improve this); 3-Waters was mentioned twice.

## Priorities

Respondents were asked to tick up to four priority issues that they considered Council should give high priority in the next one to three years.

2022 Ranking	Answer Choices	Responses (%)	Actual Count	2021 ranking
1	Water supply	40%	76	1
2	Community development	19%	35	2
3	Footpaths	17%	32	3
4	Sealed roads	17%	32	8
5	Walking/cycling tracks	15%	29	10
6	Unsealed (gravel) roads	14%	27	4
7	Community halls and stadiums	14%	26	5
8	Economic development	14%	26	6
9	Sewerage system	12%	23	7
10 =	Litter bins	11%	21	9
10 =	Stormwater	11%	21	20
10 =	Parks and reserves	11%	21	21
10 =	Council communications	11%	21	16

The top three priorities remain the same in 2022 as they were in 2021 with water being the top priority, followed by community development and footpaths. In this year's survey the term 'community planning' was changed to 'community development' to ensure there was no confusion with 'planning'. The change had no bearing on results. Sealed roads (ranked 4) and walking/cycling tracks (ranked 5) have moved up the priority list for the community from ranking 8 and 10 respectively in 2021.

Stormwater, parks and reserves and Council communications have all moved up to the top 10 from ranking 20, 21 and 16 respectively.

### Top priorities over the past three years

The table below shows the priorities identified in 2022 compared with the previous three years.

Ranking	2022 Priorities	2021 Priorities	2020 Priorities	2019 Priorities
1	Water supply	Water supply	Water supply	Water supply
2	Community development	Community planning	Footpaths	Footpaths
3	Footpaths	Footpaths	Economic development	Community planning
4	Sealed roads	Unsealed (gravel) roads	Community planning	Walking / cycling tracks
5	Walking / cycling tracks	Community halls and stadiums	Walking / cycling tracks	Economic development
6	Unsealed (gravel) roads	Economic development	Sewerage System	Sewerage System

Central Otago District Council – Residents' survey results 2022

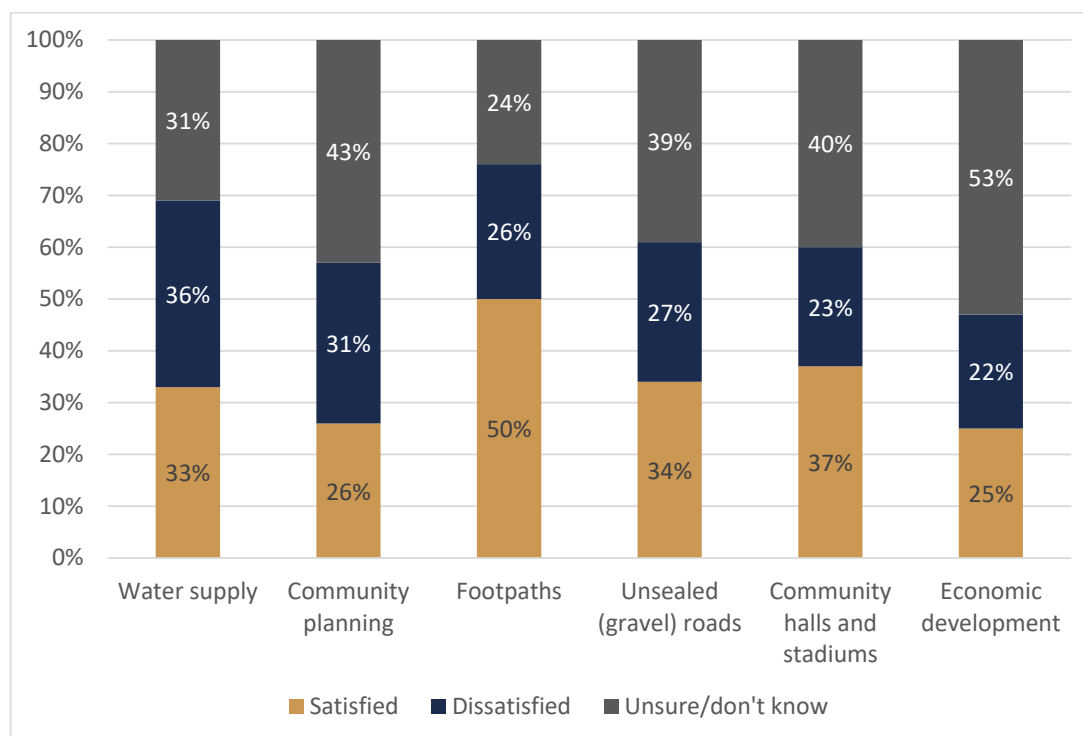
**Top priorities by ward**

The table below has the top priority services in each ward. They are listed in priority order for that ward.

Ward	2022
Vincent	<ol style="list-style-type: none"><li>1. water supply</li><li>2. economic development</li><li>3. community development</li></ol>
Cromwell	<ol style="list-style-type: none"><li>1. water supply</li><li>2. community halls and stadiums</li><li>3. community development</li></ol>
Mānīatoto	<ol style="list-style-type: none"><li>1. unsealed (gravel) roads</li><li>2. footpaths</li><li>3. water supply</li></ol>
Teviot Valley	<ol style="list-style-type: none"><li>1. litter bins</li><li>2. car parks</li><li>3. footpaths</li></ol>

## Satisfaction with Council's efforts on priority issues during the last year

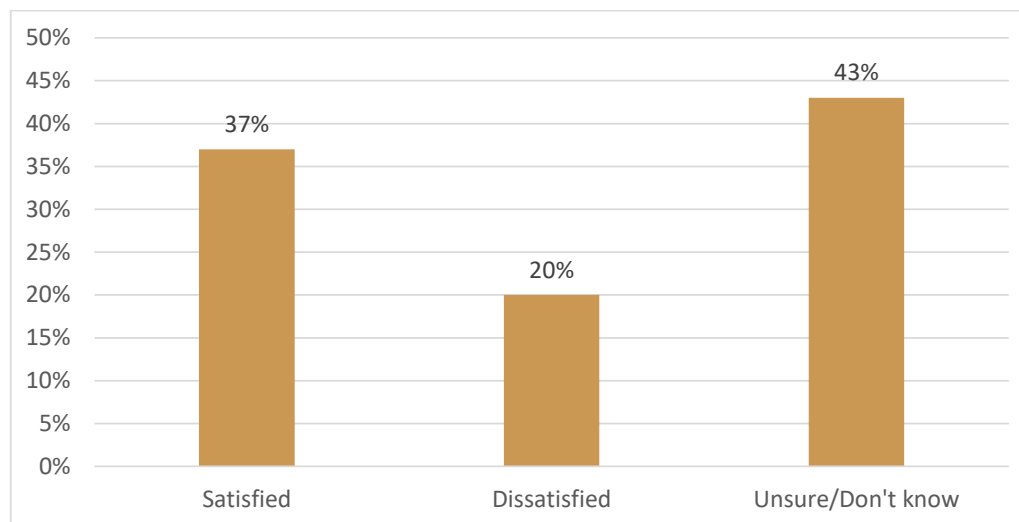
Respondents were asked 'Please indicate how satisfied you are with the Council's efforts on these issues during the last year'. There were three options to choose from: satisfied, dissatisfied, unsure/don't know.



### Satisfaction with Council's economic development activity

This was a new question in the 2022 residents' survey. The following statement was presented to respondents, '*Economic development activities over the past 12 months have focussed on workforce, business resilience during COVID and improved sustainability*'.

Respondents were asked '*How satisfied are you that these are the right types of economic development activity for council to be involved in?*'

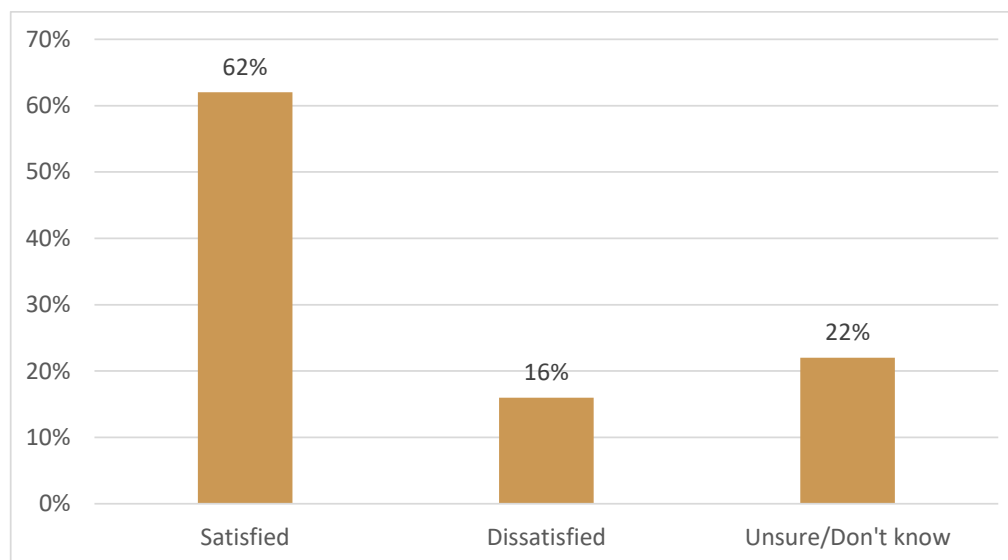


Thirty-seven percent of respondents were satisfied that Council's economic development activity focused on workforce, business resilience and improved sustainability.

## Satisfaction with Council's tourism activity

This was also a new question in this year's survey. The following statement was presented to respondents, *'In the last 12 months Tourism Central Otago has continued to focus on a value over volume approach to marketing our district, and encouraged visitors to slow down and explore the entire district. The development of a Destination Management Plan has focussed on the ways that visitors and tourism businesses can support the future aspirations of our communities.'*

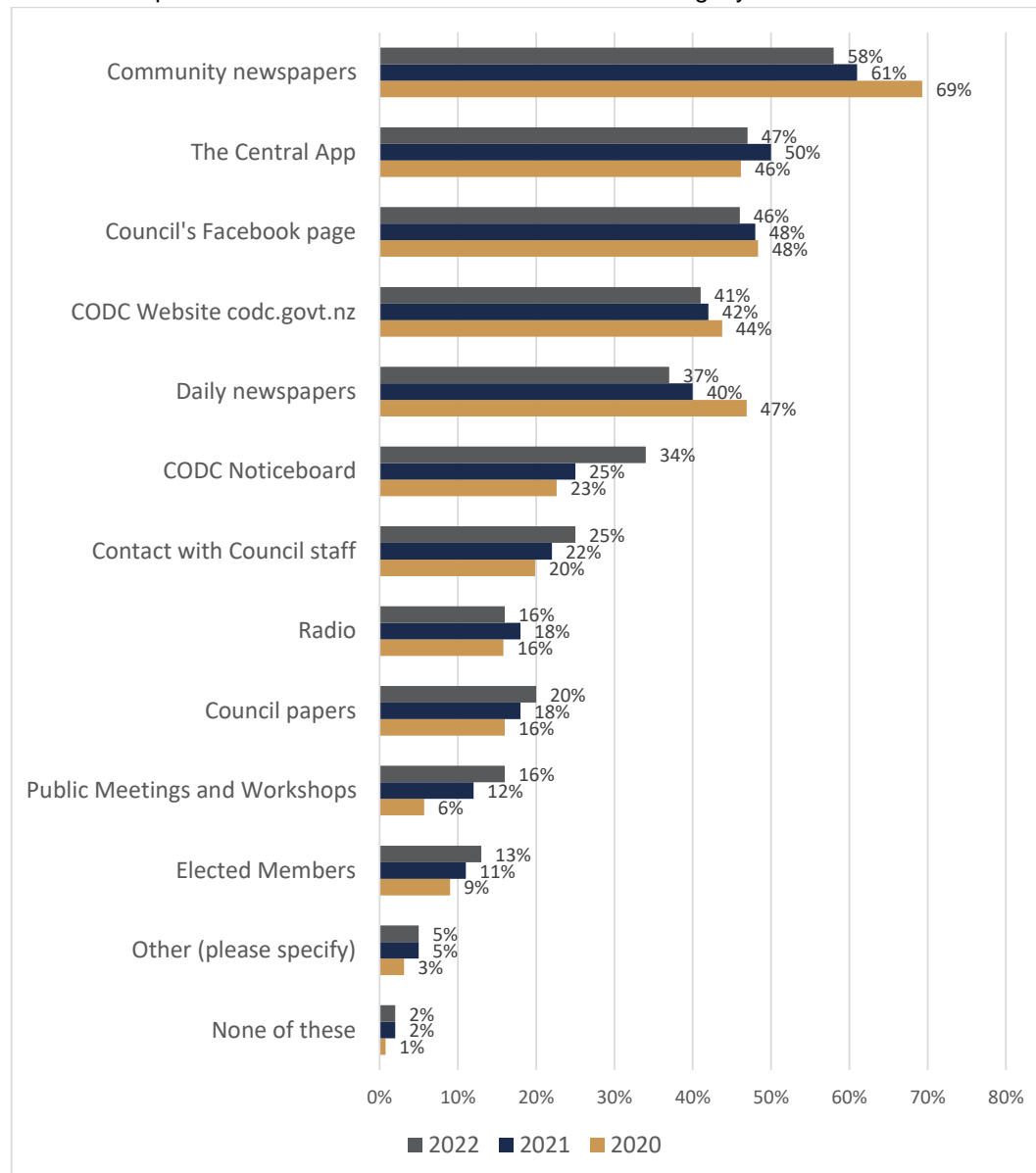
Respondents were asked *'How satisfied are you that visitors to the district enrich the quality of life for residents?'*



Sixty-two percent of respondents were satisfied that visitors to the district enrich the quality of life for residents in Central Otago.

## Where do you obtain Council information?

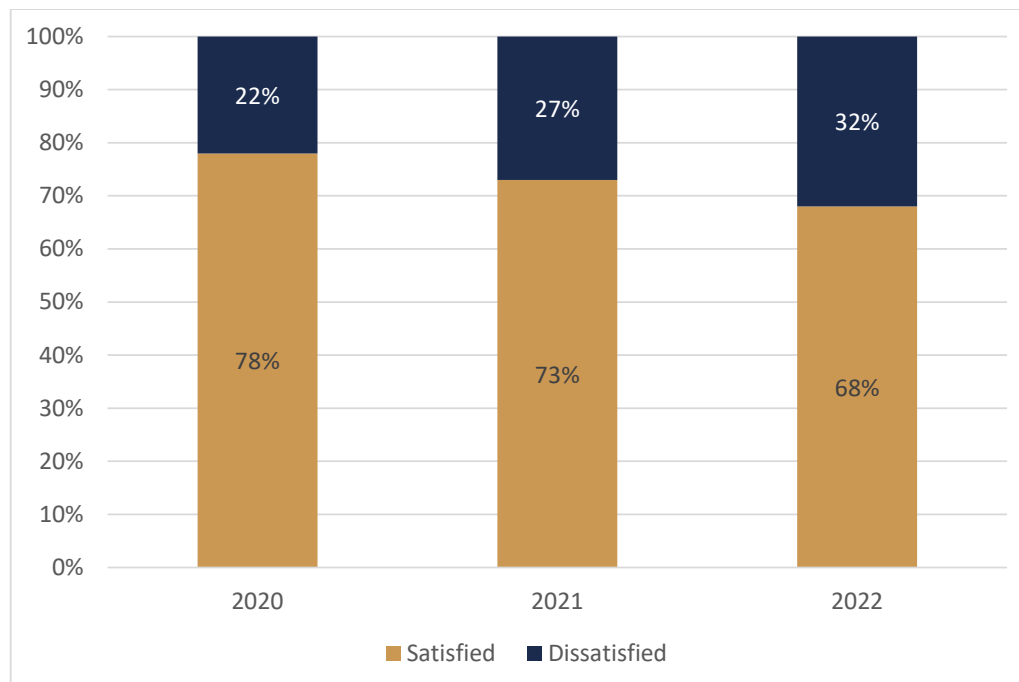
The graph below compares the results from 2022 with the previous two years. Community newspapers (58%) continues to be the most common source of Council information for respondents, though it has decreased again slightly in 2022 when compared to the previous two years. CODC Noticeboard (in The News) has increased in popularity as a Council information source from 25% in 2021 to 34% in 2022, and council papers, public meetings and elected members have also increased slightly.



Central Otago District Council – Residents' survey results 2022

### Satisfaction with level of information from Council

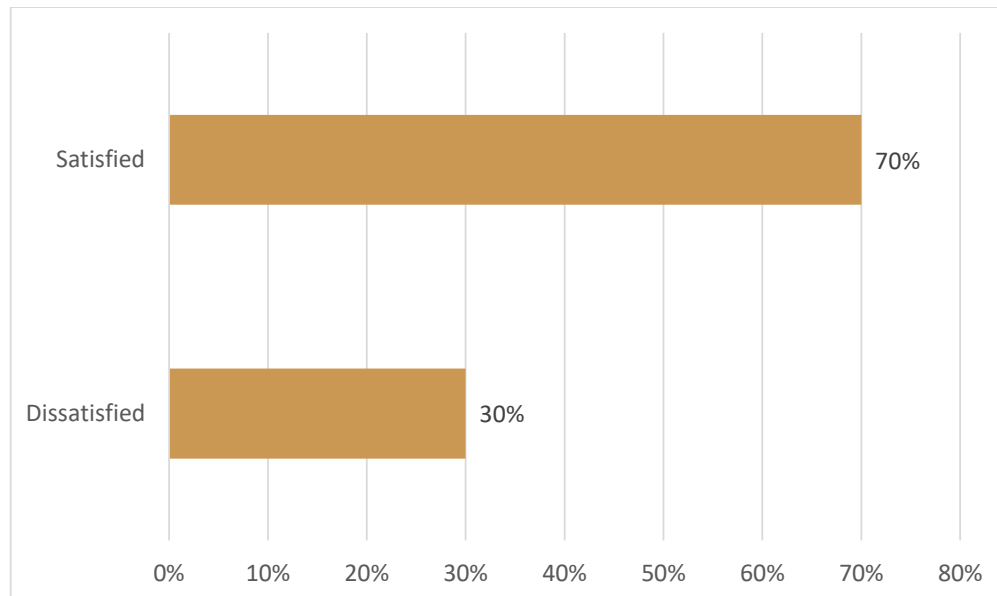
There has been a slight decrease in residents' satisfaction with how well they have been kept informed by Council, from 73% in 2021 to 68% in 2022. There has been a gradual decline in satisfaction from 2020 to 2022.



Central Otago District Council – Residents' survey results 2022

### Opportunities to have a say in Council activities

This was a new question in the 2022 residents' survey. Respondents were asked whether or not they were satisfied that they are given adequate opportunities to have a say in Council activities.

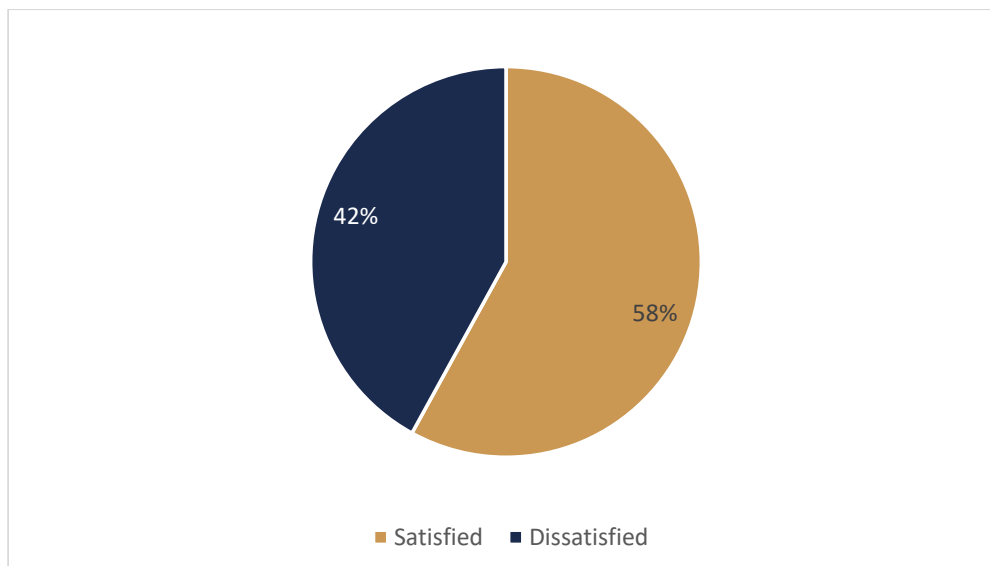


## Elected Member Performance

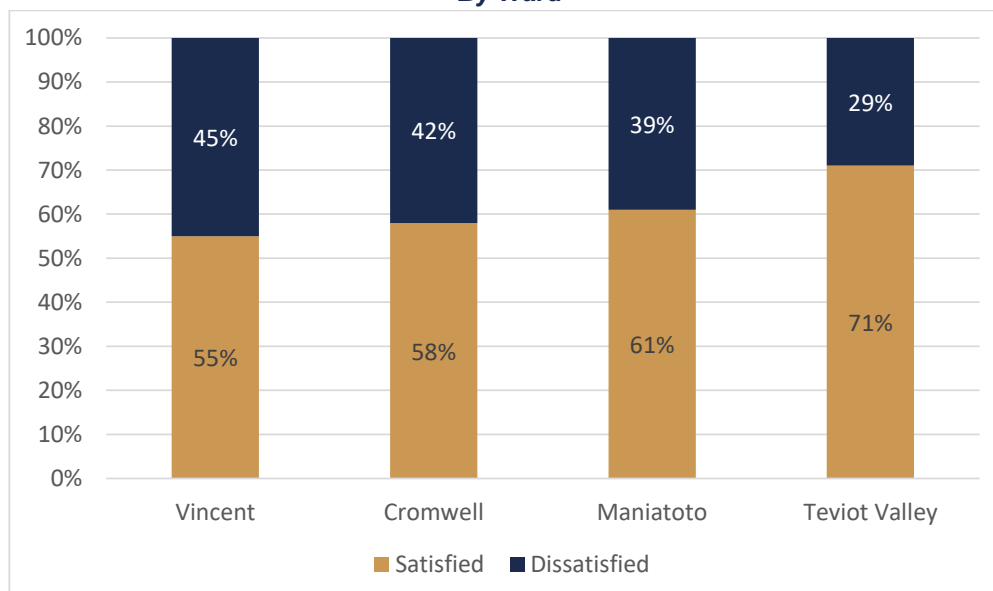
### Performance of Councillors

Respondents were asked, 'Please indicate how you feel about the performance of your elected Councillors in the past 12 months?'

#### District-wide

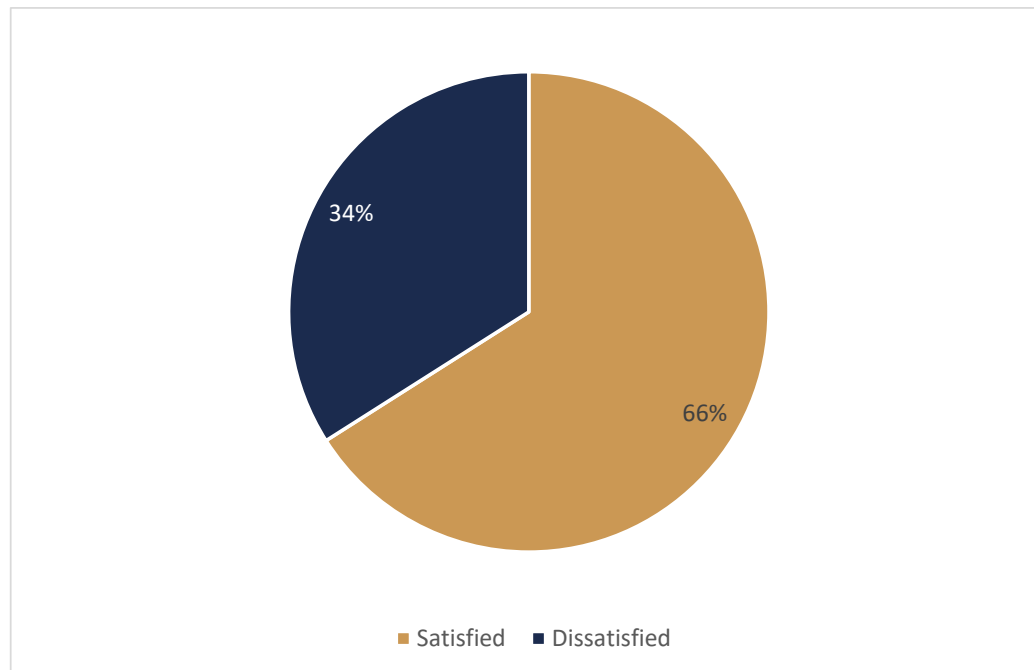
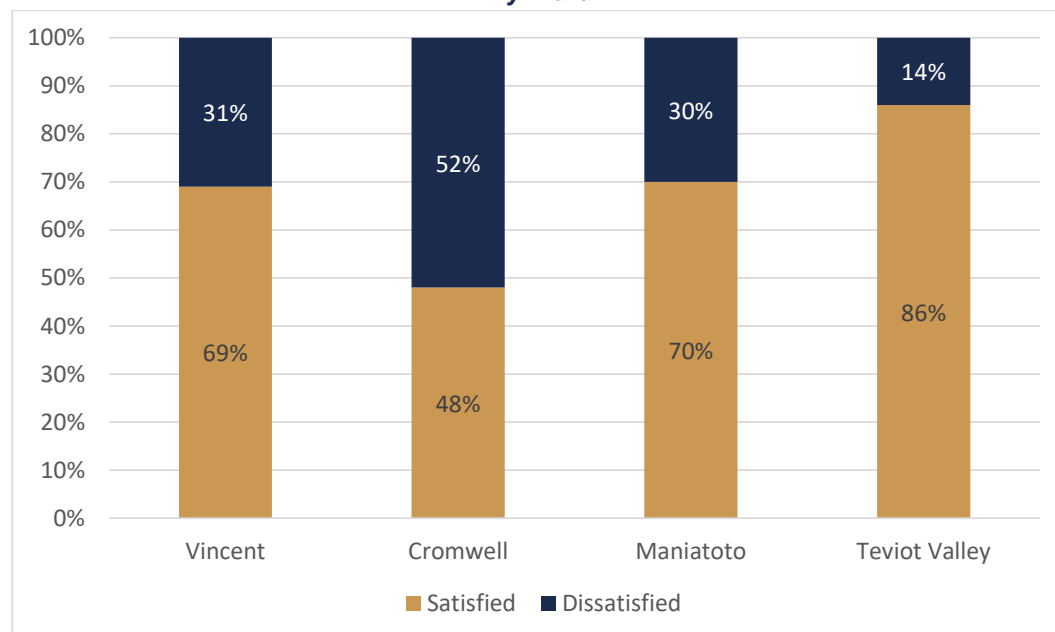


#### By Ward



**Performance of Community Board Members**

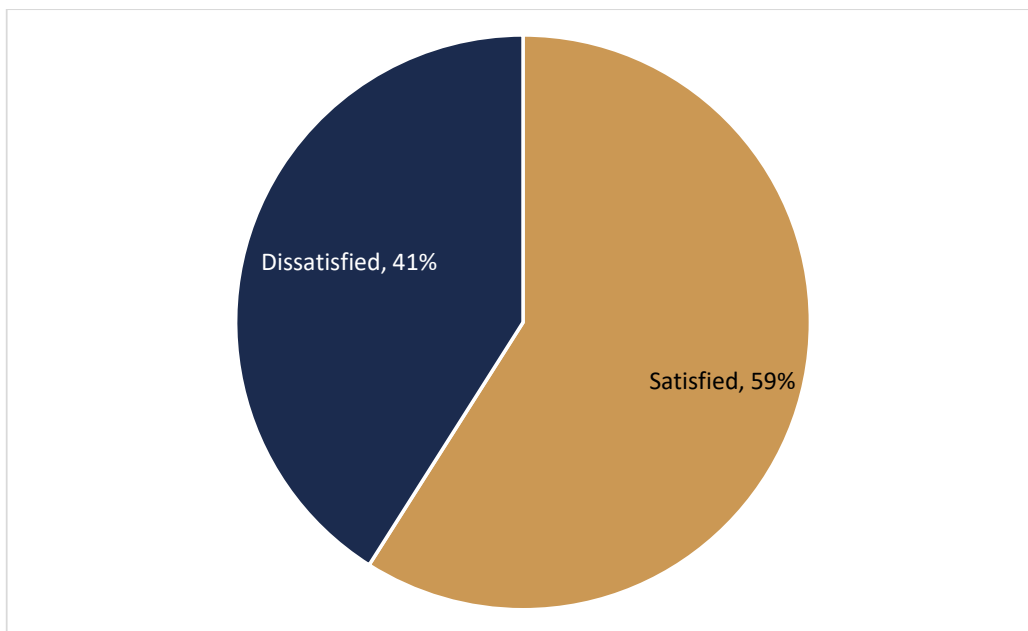
Respondents were asked, 'Please indicate how you feel about the performance of your local community board in the past 12 months?'

**District-wide****By Ward**

Central Otago District Council – Residents' survey results 2022

***Elected members making a positive difference***

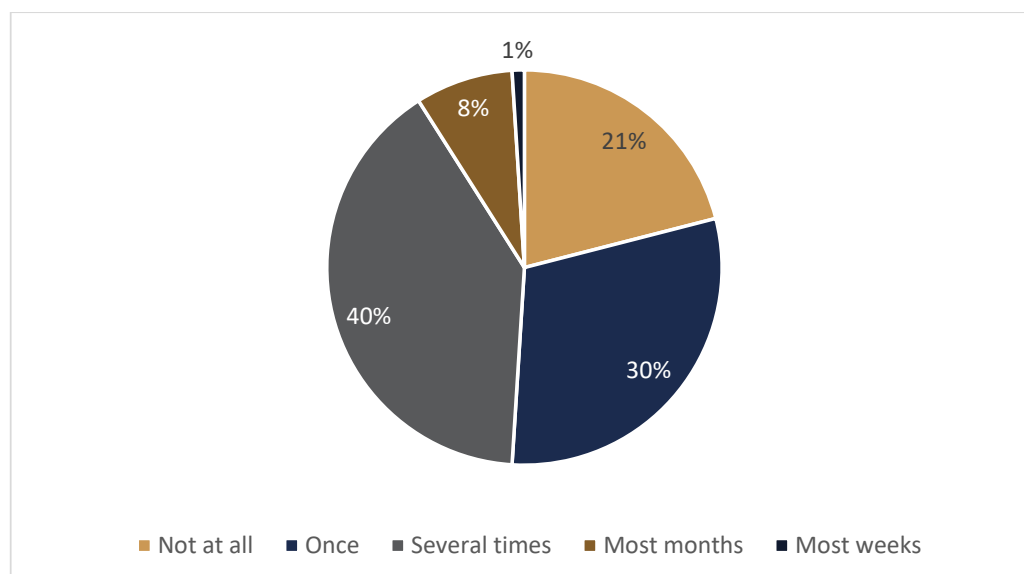
This was a new question in the residents' survey in 2022. Respondents were asked to indicate how they feel about whether elected members (Councillors and Community Board members) have made a positive difference through leadership, representation, and decision-making over the past 12 months.



## Contact with Council

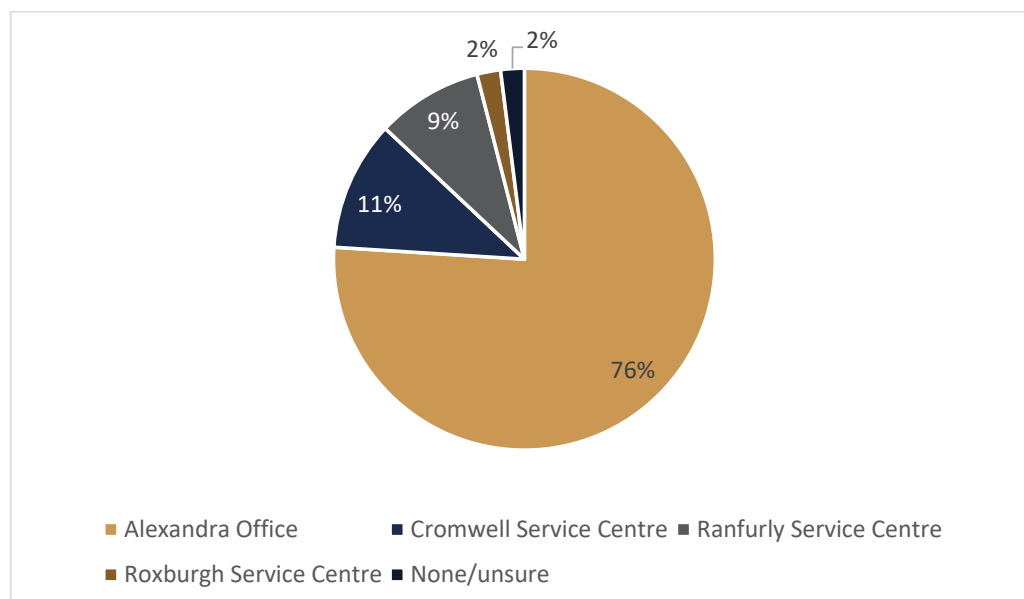
### *How often have you contacted council in the last 12 months?*

79% of respondents had contacted Council at least once in the last 12 months, with nearly half of the sample (49%) having been in contact multiple times. 21% of respondents had not contacted Council at all in the last 12 months.

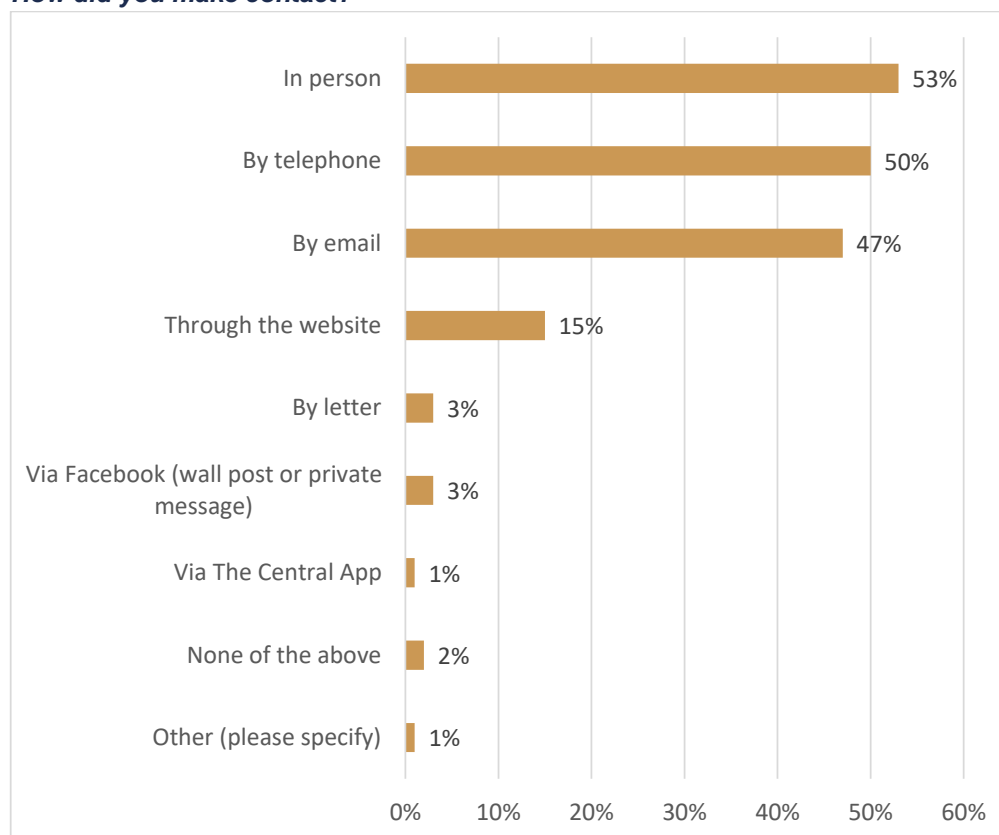


### *Which CODC office did you have most contact with in the last 12 months?*

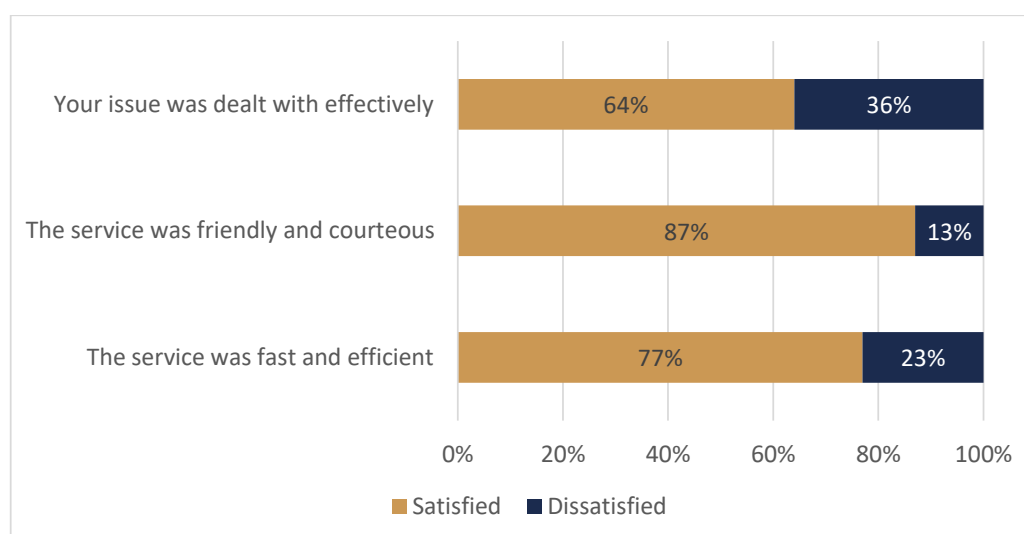
The majority of respondents had had most of their contact with Council through the Alexandra office (76%) and the Cromwell Service Centre (11%) and the Ranfurly Service Centre (9%).



Central Otago District Council – Residents' survey results 2022

***How did you make contact?******Thinking of the initial contact or response you received, how satisfied were you with the following...***

In the majority of cases respondents felt that their contact with Council was a positive experience, even though for 36% of respondents the issue was not or could not be dealt with effectively.



**Central Otago District Council – Residents' survey results 2022**

## **22.9.12 FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2022**

**Doc ID: 599769**

### **1. Purpose**

To consider the financial performance for the period ending 30 September 2022.

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### **Recommendations**

That the report be received.

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### **2. Discussion**

The presentation of the financials includes two variance analysis reports against both the financial statement and against the activities. This ensures Council can sight the variances against the ledger, and against the activities at a surplus/(deficit) value. The reason for the second variance analysis is to demonstrate the overall relationship between the income and expenditure at an activity level.

The third report details the expenditure of the capital works programme across activities. This helps track key capital projects across the year and ensures the progress of these projects remains transparent to Council.

The fourth and fifth reports detail the internal and external loans balances. The internal loans report forecasts the balance as at 30 June 2023, whereas the external loans show the year-to-date current balances due to payments throughout the year.

This report uses the below key to identify the favourable or unfavourable variances.

#### **Abbreviation key for report**

F = Favourable

U = Unfavourable

**I. Statement of Financial Performance for the period ending 30 September 2022**

2022/23		3 MONTHS ENDING 30 SEPTEMBER 2022				2022/23
Annual Plan		YTD	YTD	YTD		Revised Budget
\$000		Actual	Revised Budget	Variance		\$000
		\$000	\$000	\$000		
	<b>Income</b>					
36,238	Rates	9,081	8,988	93	●	36,238
6,062	Govt Grants & Subsidies	1,211	1,645	(434)	●	6,552
8,161	User Fees & Other	1,274	1,928	(654)	●	8,729
14,930	Land Sales	-	-	-	●	14,930
2,233	Regulatory Fees	812	558	254	●	2,233
2,192	Development Contributions	2,252	548	1,704	●	2,192
500	Interest & Dividends	42	125	(83)	●	500
-	Reserves Contributions	291	-	291	●	-
-	Profit on Sale of Assets	23	-	23	●	-
40	Other Capital Contributions	83	8	75	●	41
<b>70,356</b>	<b>Total Income</b>	<b>15,069</b>	<b>13,800</b>	<b>1,269</b>	●	<b>71,415</b>
	<b>Expenditure</b>					
13,876	Staff	3,193	3,506	313	●	14,207
603	Members Remuneration	114	151	37	●	603
8,918	Contracts	2,657	2,266	(391)	●	9,185
2,735	Professional Fees	739	795	56	●	3,304
10,857	Depreciation	2,714	2,714	-	●	10,857
11,232	Costs of Sales	4	1,004	1,000	●	11,232
4,182	Refuse & Recycling Costs	865	1,045	180	●	4,182
-	Cost Allocations	(4)	-	4	●	-
1,799	Repairs & Maintenance	518	480	(38)	●	1,911
1,433	Electricity & Fuel	214	353	139	●	1,421
636	Grants	884	359	(525)	●	763
1,118	Technology Costs	319	294	(25)	●	1,095
378	Projects	124	329	205	●	1,289
658	Rates Expense	468	164	(304)	●	658
474	Insurance	157	118	(39)	●	474
526	Interest Expense	51	69	18	●	526
2,133	Other Costs	439	551	112	●	2,243
<b>61,558</b>	<b>Total Expenses</b>	<b>13,456</b>	<b>14,198</b>	<b>742</b>	●	<b>63,950</b>
<b>8,798</b>	<b>Operating Surplus / (Deficit)</b>	<b>1,613</b>	<b>(398)</b>	<b>2,011</b>		<b>7,465</b>

This table has rounding (+/- 1)

The financials for September 2022 show an overall favourable variance of \$2.011M. Development and reserve contributions are higher than budget. This is predominately due to the timing subdivisions in Cromwell and when the invoicing of contributions occurs. Grants and subsidies are (\$434k) behind budget. This is due to the timing of Waka Kotahi subsidies (\$796k), which is offset by \$489k of Strategic Tourism Assets Protection Programme (STAPP) funding that has been carried over from the prior financial year. User fees and charges are (\$654k) behind budget. This is due to the timing of metered water sales (\$431k) and (\$125k) relates to the contributions for the Otago/Southland Three Waters Director position.

**Income of \$15.069M against the year-to-date budget of \$13.800M**

Overall, income has a favourable variance against the revised budget by \$1.2M. This is being driven by the timing of development contributions with a variance of \$1.7M (F), offset by the timing of Waka Kotahi subsidies (U) and metered waters sales (U).

**The main variances are:**

- **Government grants and subsidies (\$434k) U** - This is mainly due to the timing of the Waka Kotahi New Zealand Transport Agency (Waka Kotahi) roading subsidy contributing an unfavourable variance of (\$796k). Subsidies are claimed for both the operational and capital roading work programmes and fluctuate based on the work programme. Tourism Central Otago has brought forward from the prior year \$489k of Strategic Tourism Assets Protection Programme (STAPP) funding from Ministry of Business, Innovation and Employment (MBIE) funding.
- **User fees and other (\$654k) U** – Metered water sales has a variance of (\$431k). The first meter readings of the financial year will be carried out over October, November and December 2022.
- **Land sales no variance** – these are programmed for later in the financial year and are recognised in tandem with costs of sales.
- **Regulatory fees \$254k F** – Majority of the dog registration revenue has been received in July 2022 creating a favourable variance of \$165k. This is due to the budget being spread over 12-months rather than the dog registration period. Building permit fees are also higher than budget by \$77k.
- **Development Contributions \$1.7M F** - This variance relates to the timing of development contributions which are dependent on the resource consent process and developer timeframes. Cromwell development contributions in wastewater, water and roading are higher than budgeted.
- **Interest and dividends revenue (\$83k) U** - Large project costs are being managed within current cashflows rather than uplifting additional loan funding (this includes subdivision development costs which are held on the balance sheet). This results in less cash available to be invested. At the time of writing this report there is \$4M in term deposits earning interest.
- **Reserves contributions \$291k F** - These are difficult to gauge when setting budgets and are dependent on developers' timeframes. As with development contributions above, these are mainly for the Cromwell area.

**Expenditure of \$13.456M against the year-to-date budget of \$14.198M**

Expenditure has a favourable variance of \$742k. The main drivers behind this are cost of sales, staff, and projects. Offsetting this favourable variance is contracts, grants, and rates expenses.

**The main variances are:**

- **Staff costs \$313k F** - This is due in part to the lag between staff movements and the replacement of new staff, plus the relevant recruitment costs.
- **Contracts (\$391k) U** - Contract expenditure is determined by workflow and the time of the contract. The outcome of this is that the phased budgets will not necessarily align with actual expenditure, meaning some work appears favourable, and some contracts spend year-to-date appear unfavourable. Physical works contracts (\$393k), roading contracts (\$203k), contracts (\$25k) and planned maintenance \$231k are the key timing variances year-to-date. The physical works contracts variance relates to water supply operations (\$248k) and wastewater operations (\$189k). The wastewater operations variance is due to the July 2022

flooding event where the Omakau treatment pond was flooded. \$165k of the repair cost is being funded through the emergency works fund. The water supply operations have seen an increase in service requests and re-active repairs.

- **Costs of sales \$1.00M F** - Costs of sales is linked to the land sales mentioned earlier and reflect the development costs for subdivisions. The subdivision development costs are held on the balance sheet in 'property intended for sale' until each stage is complete and land sales are received. There have been no land sales in the first quarter to allocate out development costs to costs of sales.
- **Refuse and recycling costs \$180k F** – The waste management activity can fluctuate depending on the amount of waste being managed.
- **Electricity & Fuel \$139k F** - This is due to a lag in receiving electricity invoices, September invoicing was not available at the time of preparing this report.
- **Grants (\$525k) U** – This is predominately due to the Roxburgh Pool grant of \$500k. This grant was recognised in the 2021/22 Annual Plan. The remaining variance is due to the timing of Central Stories Museum grant funding.
- **Projects \$205k F** - This is due to the phasing schedule of Tourism Central Otago projects and the costs incurred for the Southland Otago Three Waters Director position. The Southland Otago Three Waters Director position is a cost share arrangement with other councils in the area to assist with the Three Waters reform.
- **Rates Expense (\$304k) U** – Central Otago rates expenses for 2022/23 on council owned property has been recognised in full in July 2022, while the budget has been recognised over 12-months.
- **Other costs \$112k F** - A detailed breakdown for other costs is tabled below.

#### Other costs breakdown

2022/23 Annual Plan \$000	Other Costs breakdown	YTD Actual \$000	YTD Revised Budget \$000	YTD Variance \$000		2022/23 Revised Budget \$000
625	Administrative Costs	141	167	26	●	678
673	Office Expenses	141	172	31	●	662
229	Operating Expenses	71	54	(17)	●	229
352	Advertising	11	91	80	●	415
178	Valuation Services	61	45	(16)	●	178
76	Retail	14	22	8	●	81
<b>2,133</b>	<b>Total Other Costs</b>	<b>439</b>	<b>551</b>	<b>112</b>		<b>2,243</b>

*This table has rounding (+/- 1)*

- Other costs include only need based costs which will fluctuate against budget from time-to-time. There are no significant variances of note to report on at present.

## II. Profit and Loss by Activity for the period ending 30 September 2022

ACTIVITY	INCOME			EXPENDITURE			SURPLUS/(DEFICIT)			
	Actuals \$000	Revised \$000	Variance \$000	Actuals \$000	Revised \$000	Variance \$000	Actuals \$000	Revised \$000	Variance \$000	
Infrastructure	2,276	697	1,579	53	139	86	2,223	558	1,665	●
Roading	2,071	2,855	(784)	2,508	2,318	(190)	(437)	537	(974)	●
Waste Management	1,383	1,490	(107)	1,407	1,502	95	(24)	(12)	(12)	●
Parks Reserves Recreation	1,873	1,921	(48)	2,182	1,890	(292)	(309)	31	(340)	●
Corporate Services	53	52	1	85	49	(36)	(32)	3	(35)	●
People and Culture	398	397	1	419	458	39	(21)	(61)	40	●
CEO	243	247	(4)	43	301	258	200	(54)	254	●
Property	1,288	1,185	103	1,194	2,219	1,025	94	(1,034)	1,128	●
Governance and Community Engagement	1,698	1,275	423	1,370	1,431	61	328	(156)	484	●
Planning (Regulatory)	1,620	1,426	194	1,383	1,584	201	237	(158)	395	●
Three Waters	2,032	2,412	(380)	3,078	2,588	(490)	(1,046)	(176)	(870)	●
<b>Total*</b>	<b>15,069</b>	<b>13,800</b>	<b>1,269</b>	<b>13,456</b>	<b>14,198</b>	<b>742</b>	<b>1,613</b>	<b>(388)</b>	<b>2,011</b>	●

This table has rounding (+/- 1)

\* The funding activity has been removed as this is not an operational activity.

- **Infrastructure \$1.66M F** – income has a favourable variance of \$1.57M. This is due to the timing of development contribution revenue. Cromwell development contributions in wastewater, water and roading are higher than budgeted. Expenditure has a favourable variance of \$86k. This department is fully on-charged as an overhead. This variance is due to the Southland Otago Three Waters Director position. This is a cost share arrangement with other councils in the area to assist with the Three Waters reform.
- **Roading (\$974k) U** – income has an unfavourable variance of (\$784k). This is predominately due to the Waka Kotahi subsidy. This subsidy moves in conjunction with the subsidised roading operating and capital work programmes. Operating expenditure has an unfavourable variance of (\$190k). This is mainly due to contracts (\$198k) and professional fees (\$77k). The capital work programme has a year-to-date favourable variance of \$2.12M.
- **Waste Management (\$12k) U** - income has an unfavourable variance of (\$107k). User fees and charges are behind budget, these fluctuate based on transfer station users. Expenditure has a favourable variance of \$95k. This is due to the waste and recycling costs, which fluctuate based on the volume of waste being processed.
- **Parks and Recreation (\$340k) U** – income has an unfavourable variance of (\$48k). This is mainly due to user fees being (\$49k) lower than revised. This is made up of camp fees (\$43k), admissions (\$17k) and rentals and hires (\$16k). This is offset by higher-than-expected swim school income of \$16k. Expenditure has an unfavourable variance of (\$292k). The Roxburgh Pool grant of \$500k was recognised in the 2021/22 Annual Plan and is creating the unfavourable variance. The remaining favourable variance of \$196k is due to the timing of workplans with underspends in planned maintenance \$165k and physical works contracts \$27k.
- **Corporate Services (\$35k) U** – income has a small favourable variance of \$1k. Expenditure has an unfavourable variance of (\$36k). This is mainly due to computer maintenance and support (\$28k) and equipment hire (\$16k).

- **People and Culture \$40k F** – income has a small favourable variance. Expenditure has a favourable variance of \$39k. Driving these variances are underspends in libraries \$28k and service centres \$40k. This is offset by overspends in human resources (\$10k) and administration (\$23k).
- **CEO \$254k F** – income has an unfavourable variance of (\$4k). Expenditure has a favourable variance of \$258k. This is mainly due to the timing and need for professional fees \$53k, staff costs \$161k and strategic planning \$21k.
- **Property \$1.12M F** – income has a favourable variance of \$103k. User fees and other is higher than budget by \$79k due to annual lease payments. The Transpower capital grant of \$29k has also been carried forward from the prior year for the Clyde Hall kitchen and bathroom project. Expenditure has a favourable variance of \$1.02M. The timing of the cost of sales budgets for subdivisions is creating a favourable variance of \$1.0M. Excluding the cost of sales variance there is a small favourable variance of \$6k. Community buildings \$29k, Council offices \$13k and public toilets \$20k are offset by commercial and other property (\$61k). The commercial and other property variance is due to the Central Otago properties rates expense for 2022/23. The rates expense is recognised in full in July each year.
- **Governance and Community Engagement \$484k F** – income has a favourable variance of \$423k. This due to the budget phasing of the STAPP funding carried over from the previous financial year. Expenditure has a favourable variance of \$61k. This is due to underspends in community development \$45k and regional identity \$44k. This is offset by promotions and tourism variance of (\$33k). This relates to the phasing schedule for the Tourism Central Otago projects.
- **Planning (Regulatory) \$395k F** – has a favourable income variance of \$194k. This is mainly due to dog registration fees of \$159k and an increase in building permits revenue of \$77k. These are offset by lower than budgeted professional fee recoveries (\$63k). Expenditure has a favourable variance of \$201k. This is due to the timing and need of planning consultants \$84k, staff costs \$113k and contracts \$43k.
- **Three Waters (\$870k) U** – income has an unfavourable variance of (\$380k). This is mainly due the timing of metered water sales (\$431k), water meters will be read over October, November and December 2022. Expenditure has an unfavourable variance of (\$490k). Driving this unfavourable variance are the water supply operations (\$248k) and wastewater operations (\$189k) physical works contracts. As mentioned above, wastewater operations variance is due to flooding expenses from the Omakau event in July 2022 and the water supply operations has seen an increase in service requests and reactive repairs in the first quarter.

### III. Capital Expenditure

Year-to-date, 12% of the total capital spend against the full year's revised capital budget, has been expensed.

CAPITAL EXPENDITURE	YTD Actual \$000	YTD Revised Budget \$000	YTD Variance \$000		2022/23 Revised Budget \$000	Progress to date against revised budget
Council Property and Facilities	563	5,023	4,460	●	24,516	2%
Waste Management	12	226	214	●	905	1%
Customer Services and Administration	6	24	18	●	95	6%
Vehicle Fleet	-	73	73	●	597	0%
Planning	1	102	101	●	407	0%
Information Services	88	272	184	●	1,493	6%
Libraries	10	120	110	●	492	2%
Parks and Recreation	163	581	418	●	2,551	6%
Roading	539	2,484	1,945	●	9,937	5%
Three Waters	7,972	8,583	611	●	34,334	23%
<b>Grand Total</b>	<b>9,354</b>	<b>17,488</b>	<b>8,134</b>		<b>75,327</b>	<b>12%</b>

*This table has rounding (+/- 1)*

**Council Property and Facilities \$4.46M F** - This is mainly due to the timing of the Cromwell Town Centre Projects which is currently underspent by \$3.994M. This includes the Memorial Hall project, Cromwell Administration Buildings projects and grounds, paths and fences around the Town Centre. Other areas behind budget include airports \$323k, public toilets \$125k and elderly person housing \$35k.

**Waste Management \$214k F** - The transfer station reconfiguration projects are contributing to \$183k of the underspend. The Greenwaste processing project has not yet started.

**Vehicle Fleet \$73k F** - Vehicle renewals and purchases are under budget. The vehicle renewals programme has started, however there are expected delays due to supply global constraints.

**Planning \$101k F** - This relates to the timing of the dog pounds and dog registration software projects. These were carried forward from the 2022/23 financial year and have not started yet.

**Information Services \$184k F** - Information Services projects are behind budget. Projects include enhanced customer experience projects \$17k, financial performance improvement \$59k, and geographic information systems \$81k.

**Libraries \$110k F** - This is due to the timing of the Alexandra Library building upgrade. Currently this project is in the design phase.

**Parks and Recreation \$418k F** - This is driven by a mixture of the timing of project budgets, work programmes and contractor's availability to perform the work. Parks and reserves are favourable by \$214, with major projects including: Alexandra River Park \$66k, Omakau Tennis Courts surface upgrade \$47k, Anderson Park \$16k, Maniototo reserves \$14k, other Alexandra

reserves \$15k and Pioneer Park \$12k. Swimming pools has a favourable variance of \$133k, including Cromwell Pool \$108k and Alexandra Pool \$25k.

**Roading \$1.94M F** - This is due to the timing of the budget and work programme. Roothing projects include footpath renewals \$116k, carpark renewals \$14k, seal extensions \$100k, structures renewals \$109k, minor improvements \$862k, sealed road renewals \$386k, gravel road renewals \$390 and drainage renewals (\$50k).

**Three Waters \$611k F** - This is due to the timing of construction projects. These can be ahead of budget or behind because of the project work programme. The main drivers include the Lake Dunstan water supply (\$1.9M), Cromwell water treatment plant and capacity upgrades \$1.73M, Clyde wastewater improvements (\$614k), water supply renewals \$735k and wastewater renewals \$141k.

#### IV. Internal Loans

Forecast closing balance for 30 June 2023 is \$4.14M.

OWED BY	Original Loan	1 July 2022 Opening Balance	30 June 2023 Forecast Closing Balance
Public Toilets	670,000	468,048	443,899
Tarbert St Bldg	25,868	11,574	10,019
Alex Town Centre	94,420	44,545	39,117
Alex Town Centre	186,398	79,921	68,342
Alex Town Centre	290,600	139,137	122,048
Centennial Milkbar	47,821	18,192	14,973
Vincent Grants	95,000	9,500	0
Pioneer Store Naseby	21,589	9,609	8,213
Water	867,000	691,212	663,496
ANZ Bank Seismic Strengthening	180,000	143,504	137,750
Molyneux Pool	650,000	563,650	531,150
Maniototo Hospital	1,873,000	1,723,630	1,670,314
Alexandra Airport	218,000	197,216	189,584
Roxburgh Community Pool Upgrade*	250,000	-	241,384
<b>Total</b>	<b>5,469,695</b>	<b>4,099,738</b>	<b>4,140,288</b>

*This table has rounding (+/- 1)*

*\*The Roxburgh Pool loan has no opening balance as it has been uplifted in the 2022/23 financial year.*

## V. External Loans

The total amount of external loans at the beginning of the financial year 2022-23 was \$134k. As at 30 September 2022, the outstanding balance was \$119k. Council has received \$14.2k in principal payments and \$1.8k in interest payments.

Owed By	Original Loan	1 July 2022 Actual Opening Balance	Principal	Interest	30 September 2022 Actual Closing Balance
Cromwell College	400,000	95,351	9,181	1,347	86,169
Maniototo Curling	160,000	21,910	3,546	259	18,364
Oturehua Water	46,471	16,844	1,508	210	15,354
	<b>606,471</b>	<b>134,105</b>	<b>14,235</b>	<b>1,816</b>	<b>119,887</b>

*This table has rounding (+/- 1)*

### Reserve Funds table

- As at 30 June 2022 the Council had an unaudited closing reserve funds balance of \$281k. This reflects the whole district's reserves and factors in the district-wide reserves which are in deficit at (\$27.814M). Refer to Appendix 1.
- Taking the 2021-22 unaudited Annual Report closing balance and adding 2022-23 income and expenditure, carry forwards and resolutions, the whole district is projected to end the 2022-23 financial year with a closing deficit of (\$32.026M). This is dependent of all capital funding being expensed, and based on year-to-date and current comments, this is not a realistic expectation, meaning the reserves should finish with a more favourable result than currently forecast.

## 3. Attachments

### Appendix 1 - CODC Reserve Funds 2022-23 [↓](#)

Report author:



Ann McDowall  
Finance Manager  
19/10/2022

Reviewed and authorised by:



Saskia Righarts  
Group Manager - Business Support  
22/06/2022

## CODC RESERVE FUNDS

UNAUDITED - 2021/22 Annual Report

2022/23 AP Transfers

Adjusted  
2022/23 AP  
ClosingForecast 1 including Carry-  
Forwards FY2022/23

RESERVES BY RATE TYPE	Opening Balance	Transfers In	Transfers Out	Closing Balance	Transfers In	Transfers Out	Closing Balance	In/Out	Closing Balance
	A	B	C	D = (A + B - C)					
General Reserves	811,442	3,230,263	(2,503,847)	1,537,696	6,334,778	(6,926,038)	946,436	(5,327,159)	(4,380,723)
Uniform Annual General Charge Reserves	173,261	40,594	(61,592)	152,263	8,421	(52,464)	108,220	44,068	152,288
	<b>984,703</b>	<b>3,270,856</b>	<b>(2,565,439)</b>	<b>1,689,959</b>	<b>6,343,199</b>	<b>(6,978,502)</b>	<b>1,054,656</b>	<b>(5,283,091)</b>	<b>(4,228,435)</b>
<b>TARGETED RESERVES</b>									
Planning and Environment Rate	2,373,966	358,171	(5,789)	2,726,348	135,459	-	2,861,807	(315,725)	2,546,082
Economic Development Rate	-	-	-	-	-	-	-	(14,000)	(14,000)
Tracks and Waterways Charge	476,845	79,860	-	556,705	46,070	(9,000)	593,775	(62,540)	531,235
Tourism Rate	250,771	213,166	(4,600)	459,336	41,019	-	500,355	(16,688)	483,667
Waste Management and Collection Charge	(2,203,067)	13,794	(818,155)	(3,007,428)	60,377	(438,595)	(3,385,646)	(508,377)	(3,894,023)
District Library Charge	65,694	60,138	(21,169)	104,663	14,416	(32,950)	86,129	(722,327)	(636,198)
Molyneux Park Charge	(78,746)	-	(4,113)	(82,859)	593	(105,395)	(187,661)	(179,177)	(366,838)
District Works and Public Toilets Rate	4,426,561	103,011	(281,829)	4,248,909	1,069,077	(452,308)	4,865,678	(1,023,315)	3,842,362
District Water Supply	(11,561,863)	2,365,947	(7,405,561)	(16,601,476)	1,283,423	(304,807)	(15,622,860)	(8,916,018)	(24,538,878)
District Wastewater	(11,768,288)	1,354,744	(7,763,179)	(18,176,723)	1,031,797	(9,209,449)	(26,354,375)	(1,497,278)	(27,851,654)
	<b>(18,018,126)</b>	<b>4,548,830</b>	<b>(16,304,395)</b>	<b>(29,772,526)</b>	<b>3,682,231</b>	<b>(10,552,504)</b>	<b>(36,642,799)</b>	<b>(13,255,446)</b>	<b>(49,898,244)</b>
Specific Reserves	320,386	2,951	-	323,337	13,635	-	336,972	-	336,972
Other Reserves	23,270	5,208	(83,349)	(54,872)	72,271	(772,902)	(755,503)	(1,693,535)	(2,449,038)
	<b>343,655</b>	<b>8,159</b>	<b>(83,349)</b>	<b>268,465</b>	<b>85,906</b>	<b>(772,902)</b>	<b>(418,531)</b>	<b>(1,693,535)</b>	<b>(2,112,066)</b>
<b>WARD TARGETED RATES</b>									
<b>Vincent Community Board Reserves</b>									
Vincent Promotion Rate	-	-	-	-	-	-	-	(34,946)	(34,946)
Vincent Recreation and Culture Charge	(1,386,080)	761,685	(235,563)	(1,247,958)	183,582	(175,138)	(1,239,514)	(650,075)	(1,889,589)
Vincent Ward Services Rate	2,503,538	3,187,332	(622,300)	5,456,571	114,248	(61,858)	5,508,961	(224,615)	5,284,346
Vincent Ward Services Charge	(10,251)	63,981	-	53,731	3,108	(31,668)	25,171	(75,530)	(50,359)
Vincent Ward Specific Reserves	1,186,888	34,560	(11,798)	1,209,650	51,113	(1,805)	1,258,958	-	1,258,958
Vincent Ward Development Fund	508,064	157,360	-	665,424	15,124	-	680,548	-	680,548
Alex Town Centre Upgrade 1991	(109,815)	178	(47,493)	(157,130)	1,581	-	(155,549)	-	(155,549)
	<b>2,692,345</b>	<b>4,205,096</b>	<b>(917,154)</b>	<b>5,980,287</b>	<b>368,756</b>	<b>(270,469)</b>	<b>6,078,574</b>	<b>(985,166)</b>	<b>5,093,408</b>
<b>Cromwell Community Board Reserves</b>									
Cromwell Promotion Rate	-	-	-	-	-	-	-	-	-
Cromwell Recreation and Culture Charge	(681,953)	279,207	(925,656)	(1,328,402)	76,248	(669,443)	(1,921,597)	(2,682,300)	(4,603,898)
Cromwell Ward Services Rate	18,142,215	1,444,441	(294,756)	19,291,900	4,505,763	(1,609,608)	22,188,055	(1,978,217)	20,209,838
Cromwell Ward Services Charge	1,525	14,029	-	15,554	9,102	-	24,656	(7,482)	17,174
Cromwell Ward Specific Reserves	(329,494)	19,498	(7,348)	(317,344)	18,954	-	(298,390)	-	(298,390)
Cromwell Ward Development Fund	1,770,695	171,819	(44,171)	1,898,343	65,112	-	1,963,455	-	1,963,455
	<b>18,902,988</b>	<b>1,928,993</b>	<b>(1,271,931)</b>	<b>19,560,050</b>	<b>4,675,179</b>	<b>(2,279,051)</b>	<b>21,956,178</b>	<b>(4,667,999)</b>	<b>17,288,179</b>
<b>Maniototo Community Board Reserves</b>									
Maniototo Promotion Rate	-	-	-	-	-	-	-	-	-
Maniototo Recreation and Culture Charge	839,154	45,347	(177,293)	707,208	94,292	(95,540)	705,960	(316,287)	389,673
Maniototo Ward Services Rate	(273,793)	660,201	(384,410)	1,998	65,198	(6,808)	60,388	(24,156)	36,232
Maniototo Ward Services Charge	11,363	102,164	(8,732)	104,796	2,199	-	106,995	(9,856)	97,139
Maniototo Ward Specific Reserves	236,063	22,699	(6,049)	252,713	8,818	-	261,531	-	261,531
Maniototo Ward Development Fund	-	-	-	-	-	-	-	-	-
	<b>812,788</b>	<b>830,411</b>	<b>(576,484)</b>	<b>1,066,716</b>	<b>170,507</b>	<b>(102,348)</b>	<b>1,134,875</b>	<b>(350,299)</b>	<b>784,576</b>
<b>Teviot Valley Community Board Reserves</b>									
Teviot Valley Promotion	14,897	137	(468)	14,566	447	-	15,013	-	15,013
Teviot Valley Recreation and Culture	303,639	70,042	(15,876)	357,987	27,180	(55,364)	323,803	(130,723)	193,080
Teviot Ward Services Rate	908,610	124,310	(7,985)	1,020,819	(11,478)	(14,257)	995,084	(264,440)	730,644
Teviot Ward Services Charge	-	-	-	-	-	-	-	-	-
Teviot Ward Specific Reserves	(165)	-	(2)	(166)	3,010	-	2,844	-	2,844
Teviot Ward Development Fund	89,726	13,467	(1,626)	101,567	3,015	-	104,582	-	104,582
	<b>1,316,706</b>	<b>207,956</b>	<b>(25,956)</b>	<b>1,488,773</b>	<b>22,174</b>	<b>(69,621)</b>	<b>1,441,326</b>	<b>(395,163)</b>	<b>1,046,163</b>
<b>Grand Total Surplus/(Deficit)</b>	<b>7,035,058</b>	<b>15,000,301</b>	<b>(21,744,708)</b>	<b>281,723</b>	<b>15,347,952</b>	<b>(21,025,397)</b>	<b>(5,395,722)</b>	<b>(26,630,699)</b>	<b>(32,026,421)</b>

\* The Annual Plan closing balance has been adjusted to reflect the closing balance of the Annual Report and the Annual Plan movement. This is to enable a running estimate of the total Council Reserves balance.

## 6 MAYOR'S REPORT

### 22.9.13 MAYOR'S REPORT

Doc ID: 601457

#### 1. Purpose

To consider an update from His Worship the Mayor.

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#### Recommendations

That the Council receives the report.

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And so begins a new triennium, the third in which I have held the honour of leading the council and being one of the leaders of this community.

This poses a good opportunity for reflection and to look ahead over the next three years and beyond.

Looking back to the first full meeting of the CODC council that I chaired around this time in 2016, firstly I reflect on the fact that in the six years since, we have maintained a good degree of consistency with our elected members while welcoming dynamic new councillors into the fold. Having talked to other Mayors at our inaugural meeting last month, I recognise how fortunate I have been to lead such a steady team and how fortunate the community is to have such a great bunch of people at the helm for the next three years. I look forward to working with you all.

Back in 2016, the population we served numbered approximately 20,000 people. Stats New Zealand last month gave the latest official estimate as being 25,500, a 25% growth rate in six years. I think I have mentioned this before but a couple of different ways of looking at this is that 1 in 5 people living in Central now weren't living here in 2016, and there have been more people move here since 2016 than lived in Alexandra back then.

That sort of population growth puts pressure on a community in many ways, from infrastructure through to housing through to socially welcoming these new people. Council's response through the Cromwell Masterplan and Vincent Spatial Plan leading to Plan Change 19 is aimed at assisting in the housing space by making more land available for housing and encouraging densification. To some, densification is a dirty word, but the reality is that people want to come and share our place with us and if we want to have any hope of getting land and house prices more achievable for more people, we need to make space available. We can either do that by sprawling out over our magical place, ploughing up great land once for a house, or we can accept denser living within or near to our current town footprints. We currently have the Teviot Spatial Plan currently underway to address growth in that Valley and we have joined the Welcoming Communities programme to find ways to ensure our new Central Otago folk feel this place is their home as quickly as possible.

We are also providing the infrastructure to meet growth and other needs with the infrastructure build that has been undertaken over the last six years and still to come constituting the largest amount of capital works ever undertaken in this District by the council, an amount of mahi probably only rivalled by the Clyde Dam build overall.

In the last six years, I have had the honour of dedicating the Cromwell Wastewater Treatment plant upgrade which cost eight million dollars and I am looking forward to turning the tap on the Lake

Dunstan Water Supply that will bring lower lime water to Alexandra and fully compliant water to both Clyde and Alexandra next year as well as commissioning the first stage of the Clyde Wastewater scheme around the same time at a combined cost of tens of millions of dollars. Add to that projects completed such as the Lodge Lane and Miners Lane upgrades in Clyde and projects well advanced such as Riverside Park in Alexandra, the Cromwell Town Hall rebuild and the Omakau Community Hub alongside projects in the pipeline such as the Cromwell drinking water and Omakau drinking water and wastewater upgrades and the Cromwell Mall redevelopment, as well as projects council has supported through rates funding like the Maniototo Hospital build and the Roxburgh Swimming Pool build.

Then throw into the mix the small matter of a pandemic response and dealing with the after-effects of that in the community, including inflation levels not seen in decades and you can see what a busy and challenging six years it has been.

At a national level CODC has never had such penetration, with our CEO Sanchia Jacobs holding the role of President of Taituarā (the Local Government Professionals Aotearoa national body) while I have sat on two Ministerial Working Groups (remaining on one), Chaired the Otago Mayoral Forum and have just been appointed to represent the lower South Island on the LGNZ National Council. These positions allow the viewpoint of the 0.5% of New Zealand's population that we serve to be heard far more clearly in Wellington than other population bases could hope for. So that's the looking back bit done. If the pandemic has taught me anything it is that crystal ball gazing is a fraught game at the best of times, but what are the challenges I see ahead over the next three years for us as a Council to face?

Firstly, there are the three big reform programmes, each one of them offering significant threats and opportunities.

The reform of the Resource Management Act is well underway and has quietly moved its way along under the public view, or perhaps more accurately within the view of a disinterested public. This reform, amongst many other things, will see a reduced ability for territorial authorities to have control over their growth plans, with the proposed Spatial Planning Act (SPA) requiring the development of long-term Regional Spatial Strategies (RSSs), effectively creating regional plans for growth. It is crucial that this council continues to be heard in this space as this reform progresses while preparing for the changes to come.

The Three Waters reforms have dominated the public's interest with plainly a lot of opposition to the proposal both locally and nationally. A lot of that opposition fails to recognise the need for radical change in this space and the complexities involved in meeting the challenge of a combined storm of under-investment in infrastructure, increased or enforced regulation, changes in community expectations on environmental impacts and the effects of climate change. The status quo simply cannot remain and no political party is saying it can. The first of the Bills that will make the reforms happen is about to come out of the Select Committee process with the other two due for First Readings soon. I do not see the Government changing course at this late stage so we must plan for losing our Three Waters as of July 1, 2024. However, we must at the same time be cognisant of the National and ACT views that the reforms in their current form will not proceed and that the tea-leaves suggesting strongly a change of government next year. Add to that my personal belief that there is no way in the world a new government will just revert to the status quo, and a lack of clarity as to what they intend to replace the reforms with, and we have a massive amount of uncertainty over the third of our business that the Three Waters constitute. As with the RMA reforms, we need to remain closely involved in all the discussions in this space and make the best plans and undertake the smartest options we can amongst nothing but uncertainty.

Then finally we have the Future for Local Government reform; potentially the biggest of them all. I fully support the need for a look at the way we do things. I do not believe that the adage "if it ain't broke, don't fix it" applies here. We had significantly less than 50% of our population vote in the last election and the Cromwell Community Board, I would say the most powerful community board in the country, is needing a by-election to fill a vacancy caused by a lack of candidates. To me, these are symptoms of a broken system, and there are plenty more I could cite.

The report of the Future for Local Government Panel released late last month, which the Panel has brilliantly described as a “provocation”, is an exciting, challenging read. I am really looking forward to the debates that will come from this document over the next few months and strongly encourage all councillors as well as everyone in the community to read the report and get involved in those discussions.

Secondly looking forward, and speaking of uncertainty, we have two proposals outside of our control that could transform our district if either or both go ahead. I refer of course to the Lake Onslow Battery proposal and the Central Otago International Airport proposal at Tarras. These proposals, if either come to fruition, will change things here in ways that we cannot imagine. We as the council that leads the community need to be involved in both these projects as much as possible as they progress.

Thirdly, we have matters well within our lane that we need to focus on. Our bridge strategy and the flow-on mahi and cost from that is going to have a big impact on our workstream and our costs over the next few years, and especially into our next Long-Term Plan. The community needs to prepare itself for the impact of the work that needs to be done, and the changes that may come to our roading network as a result of the work done on this strategy. The Mayor legislatively leads the Long-Term Plan and getting our bridges sorted is of high priority to me.

We need to finalise the Museum Strategy as a priority too. I am troubled by the current situation where we have a number of museums planned or in pre-planning in the district (Cromwell, Clyde and Teviot) and while these do not have Council money directly involved, two have significant amounts of Board money earmarked with the third, I am sure, about to put its hand out. The question needs to be asked if the piecemeal approach we have always used in this space is the best way forward.

And clarity is still needed on what council’s role in affordable housing is.

Another important matter to consider is that we have our six yearly representation review this triennium. In the last review, we obviated the boundary between the then Alexandra and Earnscliffe/Manuhirikia Wards of the Vincent Ward and raised the number of councillors in Cromwell by one. I believe this time around councillors need to have a brave discussion with themselves and the community as to whether we would be better served by a smaller council. In addition, the Local Government Electoral Legislation Bill (currently at Select Committee stage), if passed in its current form, will make compulsory consideration of specific Māori representation on council and boards a part of that review. I have no doubt this discussion to come will be challenging for many in the community, but it is one I personally am looking forward to and one I hope will be calm and respectfully undertaken by all concerned.

As I have said, the Local Government Act states that it is the role of a mayor to lead the development of the territorial authority’s plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority. As Mayor, my leadership this term, especially in relation to the Long-Term Plan is to be one of consolidation on the work that has been done and needs to be done to put the next council in the best position to lead the community from 2025 onwards, whatever the size, shape and roles that council may be after the reforms are complete. While as always I will be open to the wishes and ideas of the community, I can say now I will be seeing these through a lens dictated by the realities that surround us. The line between community wants and community needs is going to have to be sharply defined over the three years of this term.

In conclusion, the next three years are going to be incredibly challenging but also full of opportunities for this council to make one of the greatest places on earth even better into the future. I look forward to taking the journey alongside you all.

**2. Attachments**

**Nil**

Report author:



Tim Cadogan  
Mayor  
3/11/2022

## 7 STATUS REPORTS

### 22.9.14 NOVEMBER 2022 GOVERNANCE REPORT

Doc ID: 600993

#### 1. Purpose

To report on items of general interest, receive minutes and updates from key organisations, consider Council's forward work programme, business plan and status report updates.

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#### Recommendations

That the Council receives the report.

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#### 2. Discussion

##### Forward Work Programme

Council's forward work programme has been included for information (see appendix 1).

##### Status Reports

The status reports have been updated with any actions since the previous meeting (see appendix 2).

#### 3. Attachments

**Appendix 1 - Council Forward Work Programme** [↗](#)

**Appendix 2 - Council Status Updates** [↗](#)

Report author:

Reviewed and authorised by:



Wayne McEnteer  
Governance Manager  
28/10/2022



Saskia Righarts  
Group Manager - Business Support  
28/10/2022

Updated 28 June 2022

**Council**  
**Forward Work Programme 2022**

Area of work and Lead Department	Reason for work	Council role (decision and/or direction)	Expected timeframes Highlight the month(s) this is expected to come to Council in 2022												
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Annual Plan and Annual Report 2022/23															
Annual Plan Executive Manager Corporate Services	Legislative requirement under the Local Government Act 2002.	Decisions required: Budget direction and decisions required on the Consultation Document (if required)/letters and key supporting documentation.	W						D			D	D		W
Cromwell Masterplan															
Cromwell Masterplan (Town Centre) Executive Manager: Planning & Environment	Cromwell Community Board and Council priority.	Decision required: Workshops and decisions required as the work progresses (Schedule to be confirmed).													
Three waters reform															
Water reform Water Services Manager/Executive Manager Infrastructure	Key central government legislative priority.	Decision required: Workshops and decisions required as the reform progresses (Schedule to be confirmed).								U					
Council's role in housing															
Housing Chief Advisor	Key Council priority.	Decision required: Agree council's role in the housing.			D	D				D					
District Plan review															
District Plan Review Planning Manager/Executive Manager Planning & Environment	Legislative requirement under the Resource Management Act 1991.	Decision required: Workshops and decisions required as this work progresses.	W & D		W	W			D		W	W & D		D	W
Future for Local Government Review															
Local government review Chief Advisor	Key central government priority	Decision required: Workshops and input into the review	W		W									U	

Updated 28 June 2022

Area of work and Lead Department	Reason for work	Council role (decision and/or direction)	Expected timeframes Highlight the month(s) this is expected to come to Council in 2022											
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Sustainability Strategy Action Plan														
Sustainability Strategy Environmental Services Manager/Executive Manager Infrastructure	Key Council priority	Decision required: Updates and decisions required as this action plan is implemented.									U			

Key – W = workshop, D = decision, U = update

Status Updates					
		Committee: Council			
Meeting	Report Title	Resolution No	Resolution	Officer	Status
18/12/2019	Business Case for Central Stories Building		<p>That the Council:</p> <p>A. <b>Receives</b> the report and accepts the level of significance.</p> <p>B. <b>Agrees</b> that once Council has made decisions on the i-SITE review and draft Museum Strategy, the business case to then go to Vincent Community Board for comment and report back to Council.</p>	Community and Engagement Manager	<p>January-July 2020 – Action memo sent to Community and Engagement Manager. Awaiting outcomes of the i-SITE review and museum strategy adoption before proceeding.</p> <p>September-October 2020 – Council/Vincent Community Board discussions are underway through the LTP workshop programme.</p> <p>November 2020-June 2021 – Allowing for the district museum strategy development process to occur before proceeding. The Central Stories project will not be included in the 2021 Long-term Plan consultation document.</p> <p>July-October 2021 – In the next few months Council staff will be undertaking work on Council investment in the museum sector. This information will feed into future decision-making for the Central Stories building.</p> <p>November 2021-September 2022 – The community-led museum strategy is now completed and staff are undertaking an investment strategy for the museum sector. Outcomes from this work will influence how the business case for Central Stories will be progressed.</p>
25/10/2017	Council Owned Land, Pines Plantation Area North of Molyneux Park Netball Courts, Alexandra – Consider Sale/Developme	17.9.9	<p><b>Recommendations</b></p> <p>A. <u>RESOLVED</u> that the report be received and the level of significance accepted.</p> <p>B. <u>AGREED</u> to the sale of part of Lot 25 DP 3194 and part of Lot 6 DP 300663, located south of the Transpower corridor at the north end of Alexandra</p>	Property and Facilities Manager	<p>November 2017 – Action Memo sent to the Property Officer.</p> <p>November 2017 – Council solicitor has provided first draft of RFI document for staff review.</p> <p>December 2017 – Request for Proposals was advertised in major New Zealand</p>

	nt by Joint Venture of Residential Land (PRO 61-2079-00)		<p>and adjacent to the Central Otago Rail trail.</p> <p>C. <u>APPROVED</u> the Vincent Community Board's recommendation for sale of the land by way of a joint venture development and sale of Lots, the minimum terms and conditions including:</p> <ul style="list-style-type: none"> <li>• The joint venture partner funding development with no security registered over the land.</li> <li>• Council receiving block value.</li> <li>• Council receiving 50% of the net profit, with a minimum guaranteed of \$500,000.</li> <li>• Priority order of call on sales income:</li> </ul> <p><b>First:</b> Payment of GST on the relevant sale.</p> <p><b>Second:</b> Payment of any commission and selling costs on the relevant sale.</p> <p><b>Third:</b> Payment to the Developer of a fixed portion of the estimated Project Development Costs per lot as specified in the Initial Budget Estimate and as updated by the Development Costs Estimate breakdown.</p> <p><b>Fourth:</b> Payment of all of the balance settlement monies to Council until it has received a sum equivalent to the agreed block value.</p> <p><b>Fifth:</b> Payment of all of the balance settlement monies to Council until it has received an amount equivalent to the agreed minimum profit share to Council.</p> <p><b>Sixth:</b> Payment of all of the balance to the Developer for actual Project Costs incurred in accordance with this Agreement.</p> <p><b>Seventh:</b> Payment of all of the balance amounts</p>	<p>newspapers at the end of November 2017 with proposals due by 22 December. Three complying proposals received.</p> <p>February 2018 – Requests received. Council staff have been finalising the preferred terms of agreement to get the best outcome prior to selecting a party, including understanding tax implications.</p> <p>March – April 2018 – Staff finalising the preferred terms of agreement.</p> <p>June 2018 – Preferred developer approved. All interested parties being advised week of 11 June. Agreement still being finalised to enable negotiation to proceed.</p> <p>August 2018 – Risk and Procurement Manager finalising development agreement to allow development to proceed.</p> <p>September 2018 – The development agreement is under final review.</p> <p>October 2018 – The development agreement is with the developer's accountant for information. Execution imminent.</p> <p>January 2019 – Development agreement was signed by AC &amp; JV Holdings before Christmas. Subdivision plan now being developed for resource consent application and removal of trees expected to start mid to late January.</p> <p>March 2019 – Concept plan is in final draft. Next step is for the surveyor to convert to a scheme plan and apply for resource consent. The fencer is booked in for March.</p> <p>April 2019 – Security fencing has been completed. Felling of trees expected to</p>
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			<p>(being the Profit Share) to be divided 50 / 50 (after allowance for payment of the Minimum Profit to Council.</p> <p>D. <u>AGREED</u> to delegate to the Chief Executive the authority to select the preferred joint venture offer and negotiate "without prejudice" a joint venture agreement.</p> <p>E. <u>AGREED</u> that the Chief Executive be authorised to do all necessary to achieve a joint venture agreement.</p>		<p>commence in the next month. Concept plan is in final draft. Next step is for the surveyor to apply for resource consent.</p> <p>May 2019 - Tree felling commenced 20 May and is expected to take up to 6 weeks to complete. Subdivision scheme plan close to being finalised before resource consent application., June 2019 – Tree felling complete. Subdivision consent expected to be lodged in July or August.</p> <p>July 2019 – Subdivision consent expected to be lodged in August.</p> <p>September – October 2019 - The affected party consultation process with NZTA, Transpower and DOC for the application to connect Dunstan Road to the State Highway is almost complete. The developer is also close to finalising the subdivision plan to allow for the resource consent to be lodged.</p> <p>November 2019 – Subdivision consent was lodged on 22 November 2019.</p> <p>January 2020 – Subdivision consent granted 18 December 2019.</p> <p>February 2020 – The developer is working on engineering design for subdivision to be approved by Council. Work expected to start on site for subdivision in approximately 6 weeks.</p> <p>May – August 2020 – Due to Covid 19, engineering design and construction start date delayed. As of May, engineering design mostly complete and work on site expected to start soon with a staged approach. Also awaiting outcome of Shovel Ready Projects application which may affect how this development progresses.</p>
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					<p>September 2020 – Work expected to start on site in October for Stage 1 and some sections will be marketed. Stage 1 completion scheduled for April 2021.</p> <p>November 2020 – Due to one of the shareholders passing away in late June the developer AC/JV Holdings has been working on a succession plan which should be finalised in early November. The need to agree succession has meant recent delays to the development but Staff are in regular contact with the contractor to ensure that works begin as soon as possible. , Once succession arrangements are confirmed it will enable construction to progress and sections to be put on market as soon as possible. To further ensure this outcome a variation to the development agreement will be prepared which will confirm stages and tighten progress requirements.</p> <p>December 2020 – Lawyer is drafting variation to agreement for discussion with developer.</p> <p>January 2021 – Construction has commenced. Work programme to be fully finalised in coming weeks.</p> <p>February 2021 – 3910 contract executed. Detailed update was emailed to the board separate to this Status Report.</p> <p>March–July 2021 – Work progressing according to contract.</p> <p>September 2021 – Construction work progressing, although slightly behind due to COVID-19 alert level restrictions.</p> <p>October 2021 – Development work programme generally on track. Stage 1 is approximately 2 weeks behind schedule due</p>
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					<p>to COVID-19, although Stage 2 is ahead and Stage 3 is on schedule. As of September 2021, sales figures were Stage 1 – 16 sold; Stage 2 – 13 sold, 3 unsold; Stage 3 – 10 sold, 9 unsold or under offer.</p> <p>November 2021- November: 224c has been issued for stage 1. Awaiting LINZ to issue Title. Stage 2 roading will be sealed week of 22nd November.</p> <p>January 2022- Titles have now issued for the 16 sections in Stage 1 with settlement for all sections on 20 January. Stage 2 224C Application has been applied for and titles are expected late January 2022. Stage 3 progress is on track. Current sales are as follows:  Stage 1 - 16/16 lots under contract (settlement 20 January)  Stage 2 - 15/16 lots under contract  Stage 3 - 11/19 lots under contract</p> <p>February 2022 - All 16 sections sold and settled in January 2022 in Stage 1, 15 out of 16 sections sold in Stage 2 and 12 sections sold, three under offer and four unsold in Stage 3.</p> <p>March 2022 – Stage two 223c and 224c applications submitted. Awaiting approval.</p> <p>April 2022 – No update. Awaiting approval.</p> <p>May 2022 - Stage 2 Titles received and settled. Work is on track for Stage 3.</p> <p><b>23 Jun 2022</b>  No further update available.</p> <p><b>12 Aug 2022</b>  Stage 3 Title are due March next year and Stage 4 are due for title June next year.</p> <p><b>15 Sep 2022</b>  No Change.</p>
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25/09/2019	Consideration of New Zealand Standard (NZS) 4404:2020 (Doc ID 422658)	19.8.10	<p><b>Recommendations</b></p> <p>A. <u>RESOLVED</u> that the report be received, and the level of significance accepted.</p> <p>B. <u>AGREED</u> to adopt NZS 4404:2010 as Council's subdivision standard subject to the development of an updated addendum for local conditions.</p>	Infrastructure Manager	<p>October 2019 – Action memo sent to the Environmental Engineering Manager.</p> <p>November 2019 – Drafting of an updated addendum is underway and expected to be included in report to Council in early 2020.</p> <p>December 2019 – Workshops continuing for updating engineering standards. The Environmental Engineering team will be working with planning to ensure the design standards from the Cromwell masterplan are developed alongside the updated engineering standards.</p> <p>January 2020 - November 2020 – No change.</p> <p>December 2020 – The status of this work will be reviewed in February 2021 and a further update provided then.</p> <p>January 2021 – February 2022 – No change.</p> <p>March 2022 – Due to work programme commitments this item has been deferred. Looking to potentially add to the 2023 work schedule.</p> <p>April 2022 – No change.</p> <p><b>19 May 2022</b> No change.</p> <p><b>23 Jun 2022</b> No change.</p> <p><b>08 Aug 2022</b> No change.</p> <p><b>19 Sep 2022</b> No change.</p> <p><b>28 Oct 2022</b> No change.</p>
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15/07/2020	Lease of Kyeburn Reserve - Ratification	20.5.4	<p><b>Recommendations</b></p> <p>That the Council:</p> <p>A. <b>Receives</b> the report and accepts the level of significance.</p> <p>B. <b>Agrees</b> to grant the Kyeburn Committee a lease pursuant to Section 61(2A) of the Reserves Act 1977, on the following terms:</p> <ol style="list-style-type: none"> <li>1. Permitted use: Community Hall</li> <li>2. Term: 33 years</li> <li>3. Rights of Renewal: None</li> <li>4. Land Description Sec 20 Blk V11 Maniototo SD</li> <li>5. Area: 0.4837 hectares</li> <li>6. Rent: \$1.00 per annum if requested</li> </ol> <p>Subject to the Kyeburn Hall Committee</p> <ol style="list-style-type: none"> <li>1. Becoming an Incorporated Society</li> <li>2. Being responsible for all outgoings, including utilities, electricity, telephone, rubbish collection, rates, insurance and ground maintenance</li> </ol>	<p>Asset Management Team Leader - Property</p>	<p>July – Action memo sent to Property and Facilities Officer – Maniototo.</p> <p>August 2020 – Advised Kyeburn Hall Committee of Council's resolution and waiting for confirmation of their status as an Incorporated Society before issuing the lease.</p> <p>September – December 2020 – Kyeburn Hall Committee to follow up progress on getting their status as an Incorporated Society, in response to email sent to them September 2020.</p> <p>January 2021 – Waiting for confirmation of their status as an Incorporated Society before issuing the lease.</p> <p>February – April 2021 – Property and Facilities Officer - Ranfurly to meet Committee in May 2021 and discuss next steps.</p> <p>June 2021 – May meeting was postponed until July 2021, July 2021 – Meeting request to the Committee for July 2021 was declined by the Committee citing workloads and health issues of committee members. The Committee will make contact when their schedule allows.</p> <p>August 2021 – ON HOLD until meeting able to take place</p> <p><b>18 May 2022</b> No change to the status of this item. Still on hold.</p> <p><b>09 Aug 2022</b> No change on hold</p> <p><b>14 Sep 2022</b> No Change. ON HOLD</p>
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24/03/2021	District Plan Review Programme	21.2.10	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Approve the District Plan review programme as outlined in Appendix 1</p>	Principal Policy Planner	<p><b>30 Mar 2021</b> Action memo sent to report writer.</p> <p><b>21 Apr 2021</b> Review of Industrial Chapter underway; RFP for Residential section review being drafted; GIS mapping project progressing; e-Plan contract approved</p> <p><b>16 Jun 2021</b> Expert noise and transportation reports to support the Industrial Chapter review have been commissioned. RFP for the Residential section of the Plan closes 18 June.</p> <p><b>28 Jul 2021</b> RFP for Residential Chapter Review released and contract awarded - initial workshop with stakeholders completed and review underway; GIS mapping plan change notified; ePlan contract awarded and operative District Plan in ePlan and being tested by planners; Industrial zone plan change for Cromwell (reflecting Cromwell Spatial Plan) being finalised; Industrial Chapter Review underway</p> <p><b>08 Sep 2021</b> Issues and Options for review of Residential Chapter drafted; submissions on GIS mapping plan change closed - 3 in support so no hearing required; ePlan testing complete with mapping being updated and incorporated; engagement with affected landowners is upcoming as part of Industrial Chapter Review.</p> <p><b>18 Oct 2021</b> Residential chapter being drafted; ePlan mapping underway; Industrial Zone changes to be notified.</p> <p><b>15 Nov 2021</b> Cromwell Industrial zone plan changes publicly notified ; Residential chapter and new map zoning progressed and to be workshopped with Council in December; decision on Plan Change 17 (GIS Mapping)</p>
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				<p>made by Council and to be advertised; ePlan mapping being worked on with Isovist who have completed the text.</p> <p><b>11 Jan 2022</b>  Submissions on plan change closed on 18th December. Nine submissions were received. Residential chapter review and draft chapter workshop with Counsellors at December Council workshop. Community engagement commenced on Naseby Dark Sky plan change.</p> <p><b>24 Feb 2022</b>  Summary of submissions on Industrial Plan Change notified. Residential chapter review and mapping continuing. Work on Dark Sky plan change ongoing.</p> <p><b>06 Apr 2022</b>  Notification of Summary of Submissions on Industrial Plan Change has closed and work will begin on evaluating submissions in preparation for drafting of Section 42A report; work on the new residential chapter (including medium density and heritage design guidelines) is being finalised for release to Schedule 1 parties; dark sky provisions being finalised; necessary changes to the Heritage Precinct chapter of the District Plan to bring in the heritage guidelines is being drafted; project plan for Teviot Valley Spatial Plan is currently being drafted; ePlan currently being tested with a view to release as the official version of the operative District Plan</p> <p><b>20 May 2022</b>  Work is progressing.</p> <p><b>20 Jun 2022</b>  Residential Chapter Review was approved by Council for notification. This will be notified on 9th July 2022.</p> <p><b>15 Aug 2022</b>  Draft residential chapter was publicly notified for its first round of submissions on 9th July 2022 and the public have been</p>
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					<p>invited to lodge submissions. This round of submissions closes 2nd September 2022.</p> <p><b>16 Sep 2022</b> Submissions have closed on Plan Change 19 and are in the process of being summarised (170 submissions received), A traffic report on Plan Change 18 (Industrial) has been commissioned to address Waka Kotahi's submission., Plan Change 20 (Heritage Precincts update in light of PC19) is being drafted and heritage guidelines.</p> <p><b>28 Oct 2022</b> Plan Change 18 traffic report received and forwarded to Waka Kotahi – meeting to discuss; Plan Change 19 summary of submissions being finalised for notification; Plan Change 20 heritage precincts to bring in Heritage Guidelines going to Council November; ePlan being finalised for release.</p>
1/06/2021	Submissions on the 2021-31 Long-term Plan Consultation Document	21.4.3	K. Agrees to the recommendation from the Vincent Community Board on the draft 2021-31 Long-term Plan that staff provide a report regarding a request Ice Inline for future consideration.	Parks and Recreation Manager	<p><b>11 Jun 2021</b> Action memo sent to Parks and Recreation Manager. Memo sent to Executive Manager Corporate Services and Chief Advisor for information. For action following final adoption of the Long-term Plan on 30 June 2021.</p> <p><b>28 Jul 2021</b> Background data for report being collated.</p> <p><b>08 Sep 2021</b> No further progress.</p> <p><b>18 Oct 2021</b> No further progress on requested report considering IceInLine's Long-Term Plan (LTP) submission.</p> <p><b>11 Nov 2021</b> No further update at this stage.</p> <p><b>11 Jan 2022</b> No Further update</p> <p><b>09 Feb 2022</b> No further update</p> <p><b>05 Apr 2022</b> No information has been received from Ice</p>

					<p>in Line to provide and update on.</p> <p><b>20 Jun 2022</b> The Vincent Community Board have agreed to consult on this request during the next Annual Plan.</p> <p><b>10 Aug 2022</b> No further update available</p> <p><b>15 Sep 2022</b> No further update available.</p> <p><b>27 Oct 2022</b> No further updates - waiting until Annual Plan process begins. ON HOLD</p>
1/06/2021	Submissions on the 2021-31 Long-term Plan Consultation Document	21.4.3	<p>L. Agrees to the recommendation from the Vincent Community Board on the draft 2021-31 Long-term Plan that staff convene a meeting of Central Otago District Council, Central Otago Hockey Association, Central Lakes Trust and Molyneux Turf Incorporated to discuss a way forward on the proposed multi-use turf and facilities at Molyneux Park.</p>	Parks and Recreation Manager	<p><b>11 Jun 2021</b> Action memo sent to Parks and Recreation Manager. Memo sent to Executive Manager Corporate Services and Chief Advisor for information. For action following final adoption of the Long-term Plan on 30 June 2021.</p> <p><b>28 Jul 2021</b> Meeting convened on 5 July 2021. Molyneux Turf Incorporated (MTI) preparing additional information.</p> <p><b>08 Sep 2021</b> Additional information not yet received from MTI.</p> <p><b>18 Oct 2021</b> Additional information not yet received from MTI, and unable to progress until then. ON HOLD.</p> <p><b>11 Nov 2021</b> No further update at this stage.</p> <p><b>11 Jan 2022</b> No Further update.</p> <p><b>09 Feb 2022</b> No further update available.</p> <p><b>05 Apr 2022</b> No information has been received from the Hockey Assn to provide and update on.</p> <p><b>19 May 2022</b> No further update at this time as no changes to this item.</p>

					<p><b>21 Jun 2022</b> Molyneux Turf Incorporated (MTI) have successfully employed an independent consultant Chris Wright, who has extensive experience in sports turf development including the \$4 million dual-fields at Logan Park (Dunedin), Kings High School turf (Dunedin, and further projects in Christchurch, Wellington, Hawkes Bay and Nelson. , The consultant completed the first stage of the feasibility report in November 2021, and MTI has extended the study to explore another location additional to Molyneux Park as a further option for consideration.</p> <p><b>10 Aug 2022</b> No further update available</p> <p><b>15 Sep 2022</b> No further update available</p> <p><b>27 Oct 2022</b> No further updates have been provided by the Turf trust.</p>
1/06/2021	Submissions on the 2021-31 Long-term Plan Consultation Document	21.4.3	E. Agrees to the recommendation from the Cromwell Community Board on the draft 2021-31 Long-term Plan that staff are requested to investigate the request for a toilet from the Cromwell Bike park further and provide a report for consideration in a future annual or long-term plan.	Property and Facilities Officer (Cromwell)	<p><b>11 Jun 2021</b> Action memo sent to Property and Facilities Officer Cromwell. Memo sent to Executive Manager Corporate Services and Chief Advisor for information. For action following final adoption of the Long-term Plan on 30 June 2021.</p> <p><b>06 Jul 2021</b> Email sent to Cromwell Bike Park committee to request an extensive survey of usage be carried out to determine what toilet facility may be required in the future.</p> <p><b>08 Sep 2021</b> Cromwell Bike Park committee to undertake a usage study of the toilet facilities at the site in summer to reflect peak usage.</p> <p><b>11 Nov 2021</b> Committee are doing a survey of usage over the summer months to enable Council to determine type of toilet required., A reminder has been sent 11/11/2021 to</p>

					<p>ensure this is carried out and reported back to Council.</p> <p><b>07 Jan 2022</b> The Bike Park committee are currently carrying out a survey (through survey monkey) to determine usage of the bike park - to end of Feb 22.</p> <p><b>09 Feb 2022</b> Property Office awaiting survey results to determine toilet requirements. Results due end of February 2022.</p> <p><b>21 Feb 2022</b> Survey received by P &amp; FO Cromwell - information being assessed to enable report to be prepared to CCB</p> <p><b>05 Apr 2022</b> The survey from the Club has been completed. Staff are preparing a report for Council for the September 2022 meeting requesting funding in the 2023/24 AP</p> <p><b>17 May 2022</b> A report is being prepared for Council to consider funding the project from the AP 23/24. The report will be presented on 28/9/2022</p> <p><b>08 Jun 2022</b> Report to Council being prepared for next financial year</p> <p><b>14 Jul 2022</b> Report being prepared and scheduled for Council meeting November 2022</p> <p><b>12 Aug 2022</b> Report being prepared and scheduled for Council meeting November 2022</p> <p><b>14 Sep 2022</b> P &amp; FO Cromwell has put together details for Better Off Funding being considered. A report will also be prepared and scheduled for Council if funding is still required.</p> <p><b>28 Oct 2022</b> No Change</p>
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1/06/2021	Submissions on the 2021-31 Long-term Plan Consultation Document	21.4.3	J. Agrees to the recommendation from the Vincent Community Board on the draft 2021-31 Long-term Plan that staff are requested to investigate a request for an extension of the junior playground at Pioneer Park and provide a report for consideration in a future annual or long-term plan.	Parks and Recreation Manager	<p><b>11 Jun 2021</b> Action memo sent to Parks and Recreation Manager. Memo sent to Executive Manager Corporate Services and Chief Advisor for information. For action following final adoption of the Long-term Plan on 30 June 2021.</p> <p><b>28 Jul 2021</b> Preparatory work that will support further investigation and underpin a report for consideration is being undertaken. Funding to be considered for 2022-2023 Annual Plan.</p> <p><b>08 Sep 2021</b> No further progress.</p> <p><b>18 Oct 2021</b> Investigation of request for extension of junior playground at Pioneer Park and report for consideration on hold until closer to a future annual or long-term plan. ON HOLD.</p> <p><b>11 Nov 2021</b> No further update at this stage.</p> <p><b>11 Jan 2022</b> No further update.</p> <p><b>09 Feb 2022</b> No further update.</p> <p><b>05 Apr 2022</b> No update to report at this time.</p> <p><b>19 May 2022</b> No further update as no changes at this time.</p> <p><b>20 Jun 2022</b> No further update available.</p> <p><b>12 Aug 2022</b> No further update available.</p> <p><b>15 Sep 2022</b> This will be considered as part of Councils playground policy development.</p> <p><b>27 Oct 2022</b> No further updates until playground policy is prepared which is expected in 2023. ON HOLD</p>
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1/06/2021	Submissions on the 2021-31 Long-term Plan Consultation Document	21.4.3	R. Agrees to the recommendation from the Maniototo Community Board on the draft 2021-31 Long-term Plan that Council request staff to consider the suggestion of filling in the ice rink with water, add planting and creating walkways and report back to the Board.	Parks and Recreation Manager	<p><b>11 Jun 2021</b> Action memo sent to Parks and Recreation Manager. Memo sent to Executive Manager Corporate Services and Chief Advisor for information. For action following final adoption of the Long-term Plan on 30 June 2021.</p> <p><b>28 Jul 2021</b> Request under consideration.</p> <p><b>08 Sep 2021</b> No further progress.</p> <p><b>18 Oct 2021</b> No further progress on requested report considering filling the ice rink in the Maniototo with water and adding planting and walkways nearby.</p> <p><b>11 Nov 2021</b> No further update at this stage.</p> <p><b>11 Jan 2022</b> No further update.</p> <p><b>09 Feb 2022</b> There is no LTP budget allocation for this. No further update available.</p> <p><b>05 Apr 2022</b> No further update to report at this time.</p> <p><b>19 May 2022</b> A report is being prepared for the Vincent Community Board consideration on potential funding request.</p> <p><b>20 Jun 2022</b> Background work involving the water department has been completed to understand water supply issues. Site visits with Parks and Reserves Capital Projects officer is arranged for July to look at options to be included in the report to the Maniototo Community Board.</p> <p><b>09 Aug 2022</b> Staff site visit postponed - rescheduled for 6 September 2022.</p> <p><b>14 Sep 2022</b> On 6 September 2022 – Staff at Ranfurly</p>
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					met with Parks Staff to review issue and provide some options and costs to be presented to MCB in due course. <b>27 Oct 2022</b> It is anticipated that a report on this issue is to be presented to the MCB in November 2022.
1/06/2021	Submissions on the 2021-31 Long-term Plan Consultation Document	21.4.3	N. Agrees to the recommendation from the Vincent Community Board on the draft 2021-31 Long-term Plan to proceed with the preferred option in the consultation document for the Omakau Hub.	Community and Engagement Manager	<b>11 Jun 2021</b> Action memo sent to Communication and Engagement Manager. Memo sent to Executive Manager Corporate Services and Chief Advisor for information. For action following final adoption of the Long-term Plan on 30 June 2021. <b>29 Jul 2021</b> A community collective is progressing the hub project. Financial input from Council is programmed for year three of the 2021-24 of the Long-term Plan. <b>09 Sep 2021</b> No further update until July 2023, when funds are due to be released. ON HOLD
30/06/2021	Cromwell Menz Shed - New Lease	21.5.12	That the Council A. Receives the report and accepts the level of significance. B. Agrees to lease the proposed area to the Cromwell Menz Shed C. Agrees to a lease over 1000m <sup>2</sup> (more or less) of land (shown in Figure 1) located on the Cromwell Transfer Station/Closed Landfill site, being part of Lot 3 DP526140. D. Authorise the Chief Executive to do all that is necessary to give effect to this resolution.	Property and Facilities Officer (Cromwell)	<b>05 Jul 2021</b> Action memo sent to Property and Facilities Officer - Cromwell. <b>06 Jul 2021</b> Cromwell Menz Shed updated on resolution., Meeting arranged between property and infrastructure for 9 July to discuss actions required. <b>26 Jul 2021</b> Meeting scheduled with Menz Shed for 30 July to review and discuss Draft Lease. <b>17 Aug 2021</b> Working alongside the Menz Shed to prepare an appropriate lease <b>08 Sep 2021</b> Lease document being finalised. <b>18 Oct 2021</b> Lease document still being finalised. <b>11 Nov 2021</b> 11/11/2021 Lease document still a work in

					<p>progress, as needed to identify the final lease area and water metering charges.</p> <p><b>07 Jan 2022</b> Lease document provided to Menz Shed in Dec 21. Reviewing currently</p> <p><b>09 Feb 2022</b> Final lease is available for Menz Shed to sign.</p> <p><b>06 Apr 2022</b> Staff are preparing another report to Cromwell Community Board for further clarification on the lease.</p> <p><b>18 May 2022</b> Property Statutory Officer is preparing a report for Cromwell Community Board for clarity on the lease</p> <p><b>20 Jun 2022</b> Property Statutory Officer presenting a report to CCB on Clarification of the terms of the Cromwell Menz Shed Lease at meeting of 21 June 22</p> <p><b>15 Aug 2022</b> The lease paperwork is currently with the Menz Shed.</p> <p><b>15 Sep 2022</b> The lease paperwork is currently with the Menz Shed</p>
11/08/2021	Cromwell Aerodrome - Refueling Facility	21.6.6	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Agrees in principle to approve the issuing of a licence to occupy to RD Petroleum for refuelling facility at Cromwell Aerodrome comprising two 10,000 litre tanks for avgas and Jet A1 fuel.</p> <p>C. Authorises the CEO to confirm approval of final location and design of refuelling facility to include safe and secure access for all potential users.</p> <p>D. Authorises the CEO to approve acceptable terms and conditions for the Licence to Occupy similar to the Licence for the refuelling facility at Alexandra Airport and do all that is necessary to give effect to</p>	Property Officer	<p><b>16 Aug 2021</b> Action Memo sent to report writer.</p> <p><b>08 Sep 2021</b> Applicant informed of decision. Site meeting upcoming to finalise fuel tank position. Licence to Occupy (LTO) being drafted.</p> <p><b>18 Oct 2021</b> Site meeting was held with applicant to discuss fuel tank location. Applicant will provide full proposal to inform drafting of LTO.</p> <p><b>11 Nov 2021</b> 11/11/2021 Council Property staff met representative from RD Petroleum on site at Cromwell Aerodrome at end of September</p>

			the resolutions.		<p>to discuss position of fuel facility. RD Petroleum confirmed they would create two separate access ways for truck to use for filling and maintenance and for other users vehicles. They will now proceed with further design and provide plans to Council in the New Year.</p> <p><b>10 Jan 2022</b> No change to status.</p> <p><b>22 Feb 2022</b> Staff reviewing proposed layout of the fuel facility provided by RD Petroleum.</p> <p><b>05 Apr 2022</b> No change at this time.</p> <p><b>19 May 2022</b> Layout reviewed and accepted. Lease document requested from RD Petroleum and information regarding power connection for Council.</p> <p><b>21 Jun 2022</b> No further update available.</p> <p><b>12 Aug 2022</b> RD Petroleum investigating power options after some issues. Updated location plan currently being reviewed.</p> <p><b>15 Sep 2022</b> Location plan approved.</p> <p><b>28 Oct 2022</b> Drafting licence to occupy.</p>
22/09/2021	Plan Change 18 Cromwell Industrial Resource Area Extension	21.7.12	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Recommends that Plan Change 18 be notified and processed in accordance with the First Schedule to the Resource Management Act 1991.</p>	Principal Policy Planner	<p><b>27 Sep 2021</b> Action memo sent to the Principal Policy Planner</p> <p><b>18 Oct 2021</b> Plan Change prepared.</p> <p><b>15 Nov 2021</b> Plan Change notified 28 October, submissions close December 9.</p> <p><b>11 Jan 2022</b> Plan change notified October and submissions closed in December 2021.</p> <p><b>24 Feb 2022</b> Summary of submissions notified</p>

					<p><b>06 Apr 2022</b> Summary of submissions has closed and work will begin on evaluating the submissions and preparing the section 42A planners report</p> <p><b>20 May 2022</b> Have commissioned technical reports and are awaiting their outcome.</p> <p><b>20 Jun 2022</b> Meeting with traffic engineers and Waka Kotahi regarding intersection upgrades to occur.</p> <p><b>15 Aug 2022</b> No further update at this time.</p> <p><b>16 Sep 2022</b> Awaiting second Technical Report from Abley.</p> <p><b>28 Oct 2022</b> Traffic report received and forwarded to Waka Kotahi for discussion.</p>
3/11/2021	Proposal to Revoke Part of the Greenway Reserve off Waenga Drive, Cromwell	21.8.5	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Agrees with the Hearings Panel recommendation to the revocation of the Local Purpose (Amenity) Reserve classification from the specified 619m2 (subject to survey) area from Lot 201 DP 359519.</p> <p>C. Agrees to notify the Minister of Conservation in writing of the resolution and request the revocation be approved and notified by <i>Gazette</i> notice.</p>	Parks and Recreation Manager	<p><b>09 Nov 2021</b> Action memo sent to report writer.</p> <p><b>11 Nov 2021</b> Applicant has asked to hold off writing to the Minister of Conservation until they have secured a Resource Consent for the proposal.</p> <p><b>11 Jan 2022</b> Application reviewed seeking Resource Consent.</p> <p><b>15 Feb 2022</b> Application being processed by council's Planning team.</p> <p><b>05 Apr 2022</b> The revocation process is being prepared by Council property team.</p> <p><b>09 Jun 2022</b> Awaiting advice from Department of Conservation.</p> <p><b>20 Jul 2022</b> Consultation with Iwi about to begin.</p> <p><b>15 Aug 2022</b></p>

					Consultation with Iwi underway. <b>27 Oct 2022</b> No further updates at this time.
3/11/2021	Plan Change 17 - GIS Mapping	21.8.6	That the Council A. Receives the report and accepts the level of significance. B. Approves Plan Change 17 without modification in accordance with Clause 10 (1) of the First Schedule to the Resource Management Act 1991. C. Directs that the decision to approve Plan Change 17 be publicly notified, and the Central Otago District Plan be amended.	Principal Policy Planner	<b>09 Nov 2021</b> Action memo sent to report writer. <b>15 Nov 2021</b> No further update at this stage. <b>11 Jan 2022</b> No further update. <b>24 Feb 2022</b> No further update. <b>06 Apr 2022</b> Awaiting ePlan map testing - currently underway <b>20 May 2022</b> Work on this is still in progress. <b>20 Jun 2022</b> Awaiting finalisation of e-plan. In progress. <b>15 Aug 2022</b> Awaiting finalisation of e-plan. In progress <b>16 Sep 2022</b> No change to status <b>28 Oct 2022</b> No change to status.
8/12/2021	Eden Hore Central Otago Steering Group and Charitable Trust	21.9.3	That the Council A. Receives the report and accepts the level of significance. B. Authorises the continuation of the Eden Hore Central Otago Steering Group for a second term, through to the end of 2023. C. Approves the establishment of the Eden Hore Central Otago Charitable Trust for the purpose of holding and utilising community-raised funds towards projects and activities that benefit the collection and related experiences.	Community and Engagement Manager	<b>14 Dec 2021</b> Action memo sent to the Community and Engagement Manager and to Finance <b>14 Dec 2021</b> Steering group terms of reference has been forwarded to members for signing., Trustees to be appointed to the Eden Hore Central Otago Charitable Trust <b>10 Jan 2022</b> Awaiting final signatures for steering group terms of reference document. , Staff are still approaching potential trustees for the Eden Hore Central Otago Charitable Trust <b>14 Feb 2022</b> Next meeting for the steering group is scheduled for March 2022 <b>31 Mar 2022</b>

					<p>The steering group continues to support the Eden Hore Central Otago programme. Appointment of EHCO trustees continues.</p> <p><b>19 May 2022</b> No further update available.</p> <p><b>21 Jun 2022</b> No further update available.</p> <p><b>12 Aug 2022</b> Signing and registration of the trust deed is underway.</p> <p><b>16 Sep 2022</b> An application for incorporation as a charitable trust board is with the NZ Companies Office.</p> <p><b>28 Oct 2022</b> The Trust has its Certificate of Incorporation, and an application for charitable status is pending.</p>
26/01/2022	Alexandra Airport Masterplan	22.1.3	<p>That the Council</p> <p>B. Adopts the proposed Alexandra Airport Masterplan.</p> <p>C. That a business and financial strategy be developed to support the implementation of the Airport Masterplan.</p>	Property Officer	<p><b>03 Feb 2022</b> Action memo sent to report writer.</p> <p><b>22 Feb 2022</b> Copy of adopted Masterplan will be uploaded to Council's website. Business and financial strategy planning has begun for the new hangar precinct budgeted in Year 2 of the LTP 2021-31.</p> <p><b>05 Apr 2022</b> The Masterplan has been added to the CODC website.</p> <p><b>19 May 2022</b> Masterplan included in Vincent Spatial Plan press release to inform public it has been adopted and is available on CODC website. Work progresses on planning for next stage of development and business plan.</p> <p><b>20 Jun 2022</b> Business plan and concept plans for new hangar precinct are in progress</p> <p><b>12 Aug 2022</b> No change</p> <p><b>15 Sep 2022</b> Business plan and concept plans for new</p>

					hangar precinct are in progress <b>28 Oct 2022</b> No change. Plans still in progress.
26/01/2022	CouncilMARK programme	22.1.9	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Notes the Mayor's report containing the feedback received from a selection of mayors on their involvement in the programme.</p> <p>C. Notes the November 2021 advice from staff remains unchanged regarding timing of participation in CouncilMARK insofar as it relates to the demand the wider reform programme is placing on the organisation.</p> <p>D. Directs the Chief Executive Officer to have a discussion on participation in this programme with the 2022-25 Council at the first meeting of 2023.</p> <p>ith Crs Alley, Calvert, Claridge and Paterson voting against</p>	Group Manager - Business Support	<p><b>03 Feb 2022</b> Action memo sent to report writer.</p> <p><b>23 Feb 2022</b> The CEO will engage with the 2022/2025 Council early in their term as per the agreed resolution. On hold until January 2023.</p> <p><b>28 Oct 2022</b> No change to date.</p>
9/03/2022	William Fraser Office Renovation Project (Stage Six)	22.2.9	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Approves additional funding of \$177,000 towards the William Fraser Office Renovation Project (stage six) to upgrade the main bathroom facilities. This additional funding is to be drawn from District Reserves.</p>	Property and Facilities Officer (Vincent and Teviot Valley)	<p><b>15 Mar 2022</b> Action memo sent to report writer and to Finance.</p> <p><b>06 Apr 2022</b> Designer progressing plans to building consent/tender stage.</p> <p><b>19 May 2022</b> Designer working with structural engineer to finalise plans.</p> <p><b>20 Jun 2022</b> The designer has completed their work. Awaiting structural engineers final plans.</p> <p><b>11 Aug 2022</b> Structural engineers final plans received. Tender to be loaded onto the Government Electronic Tender Service web site on 19 November.</p>

					<p><b>15 Sep 2022</b> Tender underway, closes 10 October.</p> <p><b>28 Oct 2022</b> The contract is awarded to Breen Construction. Start date of works to be confirmed.</p>
27/04/2022	Central Otago District Council's Relationship with Aukaha	22.3.11	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Agrees to formalise its relationship with mana whenua through a partnership protocol agreement with Aukaha Ltd.</p> <p>C. Endorses the draft partnership protocol, as attached as appendix two to the report.</p> <p>D. Agrees to allocate \$70,000 towards the agreement in the 2022-23 financial year, with \$35,000 coming from existing budgets and \$35,000 included as new expenditure.</p> <p>ith Councillors Duncan, Laws and McKinlay recording their vote against</p>	Community Development Advisor	<p><b>05 May 2022</b> Action memo sent to the Community Development Advisor, the Chief Executive Officer and to Finance.</p> <p><b>18 May 2022</b> A preliminary conversation has taken place with Aukaha to formalise the agreement and agree on the workplan for the 2022/23 financial year.</p> <p><b>09 Aug 2022</b> The inaugural hui was held between the executive management teams of both organisations on 12 July 2022. The partnership agreement was signed and conversations began on the workplan for the year. The next hui is planned for later in the year in Dunedin.</p> <p><b>14 Sep 2022</b> A second hui between the Aukaha and CODC management teams will take place on 23 September 2022. It is anticipated that further discussion on the annual workplan will take place at that meeting.</p> <p><b>28 Oct 2022</b> A prioritised work programme for the year has been agreed to by the partners.</p>
1/06/2022	Earthquake Prone Buildings	22.4.3	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Approves the thoroughfares identified to have priority buildings that are potentially earthquake prone and directs staff to contact individual owners.</p> <p>C. Accepts there are no strategic routes within Central Otago District.</p>	Regulatory Services Manager	<p><b>20 Jun 2022</b> Letter drafted and expected to be sent to building owners by 24th June 2022.</p> <p><b>12 Aug 2022</b> On 28 June 2022 letters were drafted and sent to owners identified as High Risk Category A, and given a year to comply with the required actions given in accordance with the regulations.</p> <p><b>14 Sep 2022</b></p>

					No further update at this stage.
1/06/2022	Plan Change 19 - Residential Chapter Review and Re-Zoning	22.4.4	That the Council A. Receives the report and accepts the level of significance.  B. Directs that Plan Change 19 be notified in accordance with Clause 5 of the first Schedule to the Resource Management Act 1991.  C. Approves the release of the draft Medium Density Residential Guidelines for public consultation.	Principal Policy Planner	<b>08 Jun 2022</b> Action memo sent to the Principal Policy Planner. <b>28 Jun 2022</b> Scheduled to be notified on 9 July 2022. <b>15 Aug 2022</b> Plan Change 19 was publicly notified for its first round of submissions on 9th July 2022 and the public have been invited to lodge submissions. This round of submissions closes 2nd September 2022. <b>16 Sep 2022</b> Submission closed and summary being prepared (170 submission received) <b>28 Oct 2022</b> Summary of submissions being finalised for notification
6/07/2022	Museum Investment Strategy	22.5.11	That the Council A. Receives the report and accepts the level of significance.  B. Notes discussions held to date on the Museum Investment Strategy.  C. Agrees to progress the work on investigating a model for the districtisation of museum funding.  D. Approves financial modelling be carried out on the operational and capital funding impacts of a district funding model.	Senior Strategy Advisor	<b>08 Jul 2022</b> Action memo sent to the Senior Strategy Advisor. <b>12 Aug 2022</b> Consultants have been engaged for this work. Data collation has begun. <b>13 Sep 2022</b> Financial data has been provided to the consultant, Rationale, and modelling is underway. <b>27 Oct 2022</b> Staff are continuing to work with Rationale on financial modelling.
6/07/2022	Speed Limit changes	22.5.5	That the Council A. Receives the report and accepts the level of significance.  B. Directs a transfer from the bylaw process to the National Land Speed Register process as the legal mechanism for making speed limit changes as of 1 August 2022.  C. Repeals the Speed Limit Bylaw 2007 as of 1 August	Senior Strategy Advisor	<b>08 Jul 2022</b> Action memo sent to the Senior Strategy Advisor. <b>08 Jul 2022</b> Documentation - including Let's Talk Platform - updated to reflect changes made during meeting. Work underway for speed limit changes to go into effect on 1 August. <b>12 Aug 2022</b>

			<p>2022.</p> <p>D. Notes the level of engagement and thanks all submitters for their contribution.</p> <p>E. Approves speed limit changes to be made as consulted on in the Speed Limit Bylaw Statement of Proposal in full, with the following changes:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Conroys Road, Alexandra to have a single 80km speed limit for the entire street with a new curve advisory sign to be installed</li> <li><input type="checkbox"/> Crawford Hills Road and Galloway Road, Galloway to remain at 100km.</li> <li><input type="checkbox"/> Updates to speed limits on Roxburgh East Road to 60km from the highway to the Roxburgh Dam, 40km over the Roxburgh Dam and 100km on the approaches as outlined in Map 6.</li> <li><input type="checkbox"/> Radford Road, Lowburn to reduce to 80km.</li> <li><input type="checkbox"/> Cornish Point Road to have a speed limit of 60km for its entirety.</li> <li><input type="checkbox"/> Hall Road, Bannockburn (in the portion outlined in Map 13) and Pipeclay Gully Road (entire road) in Bannockburn to reduce to 50km</li> <li><input type="checkbox"/> Richards Beach Road to have a speed limit of 50km for its entirety.</li> <li><input type="checkbox"/> A 50km speed zone to be retained for the Naseby Urban Area.</li> <li><input type="checkbox"/> Swimming Dam Road in Naseby to have a speed limit of 30km from the campground to the dam, as outlined on Map 17.</li> <li><input type="checkbox"/> The approaches to Naseby to retain present speed limits as outlined on Map 17.</li> <li><input type="checkbox"/> Goff Road, Naseby to remain at the present speed limit.</li> <li><input type="checkbox"/> Pearson Road and Sandflat Road, Cromwell to remain at 100km, with further consultation</li> </ul>		<p>Speed limit changes are currently being entered into the new national database. New speed limit signs are being set up now but will be covered until the end of August.</p> <p><b>13 Sep 2022</b> Council's maintenance contractor has installed all new speed limit signage. Signage is covered awaiting sign off on the interim speed management plan from Waka Kotahi., As of writing, verbal approval has been received. The signage will be uncovered when it is confirmed - this is expected prior to the September meeting.</p> <p><b>27 Oct 2022</b> Speed limits are now in place and fully operational. MATTER CLOSED.</p>
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			<p>planned</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Earnsclough Road, Clyde 50km zone extended to Hawksburn Road as outlined on Map 5.</li> <li><input type="checkbox"/> Little Valley Road speed limit reduced to 80km as outlined on Map 3.</li> </ul> <p>F. Recommends the following roads be subject to further consultation on their speed limits:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Gilligan's Gully, Alexandra, subject to further data from traffic counting.</li> <li><input type="checkbox"/> Letts Gully Road, Alexandra.</li> <li><input type="checkbox"/> Fruitgrowers Road, Clyde.</li> <li><input type="checkbox"/> Lauder Road, Lauder.</li> <li><input type="checkbox"/> Bannockburn Road from Bannockburn Bridge to the Cromwell Urban Zone.</li> <li><input type="checkbox"/> Pearson Road, Cromwell.</li> <li><input type="checkbox"/> Sandflat Road, Cromwell.</li> <li><input type="checkbox"/> Cambrians Road, Cambrians, with specific request for an indication of preferred speed between 50km, 40km, and 30km.</li> <li><input type="checkbox"/> St Bathans Urban Area, with specific request for an indication of preferred speed between 50 km, 40km, and 30km.</li> <li><input type="checkbox"/> Clark Road, Pisa Moorings, for consideration at 80km along its entirety.</li> </ul>		
6/07/2022	Alexandra Library Renovation Project	22.5.9	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Approves the Alexandra Library Renovation Project concept plan.</p> <p>C. Approves the Chief Executive Officer to progress the concept plan through the detailed design, construction partner, and construction quotes project phases while awaiting the outcome of the</p>	Property and Facilities Officer (Vincent and Teviot Valley)	<p><b>08 Jul 2022</b> Action memo sent to the Property and Facilities Officer - Vincent and Teviot Valley and to Finance.</p> <p><b>11 Aug 2022</b> The architect has been given the go ahead with detailed design. Application to the Better Off Funding is being progressed. Procurement plan for construction partner in draft.</p>

			<p>Three Waters Better Off Support Package application.</p> <p>D. Agrees that if this project is not approved by Council as being included the Three Waters Better Off Support Package, the Chief Executive Officer is to progress with a cosmetic upgrade budgeted for.</p>		<p><b>15 Sep 2022</b> Architect progressing well on detailed design. Project is approved to be included in Tranche 1 of the Better off Funding application. Tender for construction partner underway, closes 29 September.</p> <p><b>28 Oct 2022</b> The detailed design is under review. The tender for the construction partner is awarded to Stewart Construction.</p>
24/08/2022	Housing Policy: Encouraging use of different housing typologies in developments on Council land.	22.6.8	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Approves the policy that council led developments should consider including provision for different housing typologies using the urban design innovation model, subject to market conditions.</p> <p>C. Directs the Chief Executive Officer to hold off any further work on the outstanding action to 'work with sector partners in the region to build a full picture of the housing model for Central Otago and look for opportunities to collaborate to achieve better housing outcomes for the district'.</p> <p>D. Directs the Chief Executive Officer provide the Council with advice on preferential purchasing options for smaller foot-print properties as described in the Provision for Different Housing Typologies in Development on Council Owned Land policy.</p>	Group Manager - Business Support	<p><b>29 Aug 2022</b> Action memo sent to Officer.</p> <p><b>16 Sep 2022</b> Work will start on this project when staff resourcing is confirmed. ON HOLD</p> <p><b>28 Oct 2022</b> No change to date.</p>
28/09/2022	Delegations during the Interim Election Period	22.7.10	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Recommended that Council delegates to the Chief Executive Officer all of its responsibilities, duties and powers except those set out in paragraphs (a) to (h) of clause 32(1), Schedule 7 of the Local Government Act 2002, for the limited time period between the declaration of the election result and</p>	Governance Manager	<p><b>13 Oct 2022</b> Action memo sent to report writer.</p> <p><b>27 Oct 2022</b> The new Council has been sworn in, so the interregnum period is over. MATTER CLOSED</p>

			<p>the first meeting of the new Council. This is subject to the requirement that the Chief Executive Officer:</p> <ol style="list-style-type: none"><li>1. may only act after consultation with the person elected to the position of Mayor</li><li>2. may only attend to those matters that cannot reasonably wait until the first meeting of the new Council</li><li>3. report back any such actions to the first meeting of the new Council.</li></ol>																		
28/09/2022	Carry-forwards from 2021/22 and Forecast Changes for the 2022/23 Financial Year	22.7.11	<p>That the council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Authorises carry-forwards to complete 2021/22 capital projects of \$23.8m, as per appendix 1 in the report.</p>	Management Accountant	<p><b>27 Oct 2022</b> Carry-forwards to be included in all future finance reports - MATTER CLOSED</p>																
28/09/2022	Proposal to grant lease over Part of Alexandra Aerodrome Reserve	22.7.2	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Approves a new lease to the Clyde Pony Club over approximately 37 hectares of the Alexandra Aerodrome Reserve land, on the following terms and conditions:</p> <table><tr><td>Commencement Date</td><td>01 October 2022</td></tr><tr><td>Term</td><td>Three (3)</td></tr><tr><td>Years</td><td></td></tr><tr><td>Rights of Renewal</td><td>Two (2) rights of</td></tr><tr><td>renewal of Three (3) years each</td><td></td></tr><tr><td>Final Expiry Date</td><td>30</td></tr><tr><td>September 2031</td><td></td></tr><tr><td>Rental</td><td>2.5% of tenant's subscription income less affiliation fees in accordance with the Councils Leasing and</td></tr></table>	Commencement Date	01 October 2022	Term	Three (3)	Years		Rights of Renewal	Two (2) rights of	renewal of Three (3) years each		Final Expiry Date	30	September 2031		Rental	2.5% of tenant's subscription income less affiliation fees in accordance with the Councils Leasing and	Statutory Property Officer	<p><b>13 Oct 2022</b> Action memo sent to report writer.</p> <p><b>28 Oct 2022</b> Lease has been drafted and with the Pony Club.</p>
Commencement Date	01 October 2022																				
Term	Three (3)																				
Years																					
Rights of Renewal	Two (2) rights of																				
renewal of Three (3) years each																					
Final Expiry Date	30																				
September 2031																					
Rental	2.5% of tenant's subscription income less affiliation fees in accordance with the Councils Leasing and																				

			<p>Cancellation Clause</p> <p>Licensing Policy 6 month cancellation clause to be included in the Lease in accordance with the Airport Securities Act 1966</p> <p>C. Authorises the Chief Executive to do all that is necessary to give effect to the resolution.</p>		
28/09/2022	<p>Ratification of Resolution 22.6.4 (Proposed Road Stopping - Part Omeo Gully Road).</p>	22.7.3	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Agrees to ratify Resolution 22.6.4 of the Vincent Community Board, to:</p> <ul style="list-style-type: none"> <li>- Stop an unformed portion of Omeo Gully Road, being approximately 9,113 square metres, subject to:</li> <li>- The applicants paying all costs, including the purchase of the land at valuation.</li> <li>- The land being amalgamated with Record of Title 813963.</li> <li>- An easement (in gross) in favour of (and as approved by) Earnsclough Irrigation Company Limited being registered on the new Record of Title.</li> <li>- The final survey plan being approved by the Chief Executive Officer.</li> </ul> <p>C. Authorises the Chief Executive to do all that is necessary to give effect to the resolution.</p>	<p>Statutory Property Officer</p>	<p><b>13 Oct 2022</b> Action memo sent to report writer.</p> <p><b>28 Oct 2022</b> Surveyor has prepared the plan.</p>
28/09/2022	<p>Ratification of Resolution 22.5.4 (Proposed Road</p>	22.7.4	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p>	<p>Team Leader - Statutory Property</p>	<p><b>13 Oct 2022</b> Action memo sent to report writer.</p> <p><b>28 Oct 2022</b></p>

	Stopping - Part Melmore Terrace).		<p>B. Agrees to ratify Resolution 22.5.4 of the Cromwell Community Board, to:</p> <ul style="list-style-type: none"> <li>- enable an unformed portion of Melmore Terrace, being approximately 1,640 square metres as shown in figure 1, to be stopped.</li> </ul> <p>Subject to:</p> <ul style="list-style-type: none"> <li>- All costs being paid from the Cromwell Memorial Hall/Events Centre Project budgets.</li> <li>- The land (stopped road) being amalgamated with Record of Title OT11A/234.</li> <li>- An easement (in gross) in favour of (and as approved by) Aurora Energy Limited being registered on the new Record of Title.</li> <li>- The final survey plan being approved by the Chief Executive Officer.</li> </ul> <p>C. Authorises the Chief Executive to do all that is necessary to give effect to the resolution.</p>		Matter will be managed by contractors in association with construction of the new hall. MATTER CLOSED
28/09/2022	Proposed Changes to the Charges of Tyre Disposal at Council's Transfer Stations	22.7.5	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Approves the proposed changes to the charges for the disposal of tyres at Council's transfer stations.</p>	Solid Waste Team Leader	<p><b>13 Oct 2022</b> Action memo sent to report writer and to finance.</p> <p><b>28 Oct 2022</b> Prices have been changed on transfer station signage and on fees and charges schedule on CODC website. MATTER CLOSED</p>
28/09/2022	Update to fees and charges terminology for waste services	22.7.6	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Approves the change in the terminology on the Council's fees and charges from "degassing" to "disposal".</p>	Solid Waste Team Leader	<p><b>13 Oct 2022</b> Action memo sent to report writer and to Finance.</p> <p><b>28 Oct 2022</b> Terminology changed on transfer station signage and CODC website. MATTER CLOSED</p>

28/09/2022	Policy renewal	22.7.8	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Adopts the updated Protected Disclosures (Whistle-blowers) Policy for a period of three years, with an annual review process with a change to the wording for point five of reporting on p110 of the agenda to delete <i>"the protections under the policy may not be available"</i>.</p> <p>C. Adopts the updated Risk Management Policy for a period of three years.</p>	Senior Strategy Advisor	<p><b>13 Oct 2022</b> Action memo sent to report writer.</p> <p><b>27 Oct 2022</b> Both policies updated and operational. MATTER CLOSED.</p>
28/09/2022	2022/23 District Wide Grant Applications	22.7.9	<p>That the Council</p> <p>A. Receives the report and accepts the level of significance.</p> <p>B. Allocates \$3,000 to the Life Education Trust delivery costs from the 2022/23 district community grants budget.</p> <p>C. Allocates up to \$3,500 to Central Otago Budgeting Services towards costs associated with supporting the <i>Stepping Up Digital Pathways</i> programme, <b>subject to</b> a clear outline of the delivery programme and costs being supplied to staff, from the 2022/23 district community grants budget.</p> <p>D. Allocates \$7,556 to Central Otago Health Inc towards administrative costs from the 2022/23 district community grants budget.</p> <p>E. Allocates \$4,115.50 to the Dunstan Kahui Ako towards the costs of transport and kai for children outside of Alexandra to attend the Ka Mua Ka Muri exhibition from the 2022/23 district community grants budget.</p> <p>F. Allocates \$42,555.50 to Sport Otago towards operating costs for Sport Central from the 2022/23 district community grants budget.</p>	Community Development Advisor	<p><b>13 Oct 2022</b> Action memo sent to report writers and Finance.</p> <p><b>28 Oct 2022</b> To date, grant payments have been made to Central Otago Health Inc., Life Education Trust and Sport Otago.</p>

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**8            DATE OF THE NEXT MEETING**

The date of the next scheduled meeting is 14 December 2022.

## 9 RESOLUTION TO EXCLUDE THE PUBLIC

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### Recommendations

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
<b>22.9.15 - November 2022 Confidential Governance Report</b>	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)	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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