



# **KAWERAU DISTRICT COUNCIL**

**Te Kaunihera ā rohe o Kawerau**

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**TAONGA O TE WHENUA - TREASURE OF THE LAND**

**The Ordinary Meeting of the  
Kawerau District Council will be held  
on Wednesday 26 March 2025  
in the Council Chambers  
commencing at 9.00am**

**A G E N D A**

### **GUIDELINES FOR PUBLIC FORUM AT MEETINGS**

1. A period of thirty minutes is set aside for a public forum at the start of each Ordinary Council or Standing Committee meeting, which is open to the public. This period may be extended on by a vote by members.
2. Speakers may address meetings on any subject. However, issues raised must not include those subject to legal consideration, or be issues, which are confidential, personal, or the subject of a formal hearing.
3. Each speaker during the public forum is permitted to speak for a maximum of three minutes. However, the Chairperson has the discretion to extend the speaking time.
4. Standing Orders are suspended for the duration of the public forum.
5. Council and Committees, at the conclusion of the public forum, may decide to take appropriate action on any of the issues raised.
6. With the permission of the Chairperson, members may ask questions of speakers during the period reserved for public forum. Questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

**The Ordinary Meeting of the Kawerau District Council  
will be held on Wednesday 26 March 2025  
in the Council Chambers commencing at 9.00am**

## **A G E N D A**

**1    Karakia Timatanga | Opening Prayer**

**2    Apologies**

**3    Leave of Absence**

**4    Declarations of Conflict of Interest**

Any member having a “conflict of interest” with an item on the Agenda should declare it, and when that item is being considered, abstain from any discussion or voting. The member may wish to remove themselves from the meeting while the item is being considered.

**5    Meeting Notices**

**6    Nga Mihi | Acknowledgements**

**7    Public Forum**

**8    CONFIRMATION OF COUNCIL MINUTES**

**8.1    Ordinary Council – 26 February 2025**

**Pgs. 1 - 9**

**Recommendation**

*That the Minutes of the Ordinary Council Meeting held on 26 February 2025 be confirmed as a true and accurate record.*

**9    RECEIPT OF COMMITTEE MINUTES**

**9.1    Regulatory and Services Committee Meeting – 12 March 2025**

**Pgs. 10 - 13**

**Recommendation**

*That the Minutes of the Regulatory and Services Committee meeting held on 12 March 2025 be confirmed as a true and accurate record.*

**10    Her Worship the Mayor’s Report (101400)**

**Pgs. 14 - 16**

**Recommendation**

*That Her Worship the Mayor’s report for the period Thursday 20 February 2025 to Wednesday 19 March 2025, be received.*

**11 Action Schedule (101120)**

**Pgs. 17 - 22**

**Recommendation**

*That the updated Action Schedule of resolutions/actions requested by Council be received.*

**12 Raising a \$4.0 million renewal loan (2025) from Local Government Funding Agency (Financial Accountant) (206700)**

**Pgs. 23 - 27**

Attached is a report from the Financial Accountant covering Raising a \$4.0 million renewal loan (2025) from Local Government Funding Agency.

**Recommendations**

1. *That the report "Raising a \$4.0 million renewal loan (2025) from Local Government Funding Agency" be received.*
2. *That Council approves the raising of \$4.0 million fixed term for a period to 20 April 2029.*
3. *That Council delegates the Chief Executive authority to execute all the necessary documents for the raising of this loan.*

**13 Overview of Elections and Order of Candidates' Names (Communications and Engagement Manager) (101287)**

**Pgs. 28 - 42**

Attached is a report from the Communications and Engagement Manager covering Overview of Elections and Order of Candidates' Names.

**Recommendations**

1. *That the report "Overview of Elections and Order of Candidates' Names" be received.*
2. *That Council resolves for the 2025 triennial election, to adopt either*
  - a. *The alphabetical order of candidates' names OR*
  - b. *The pseudo-random order of candidates' names OR*
  - c. *The random order of candidates' names*

*as permitted under regulation 31 of the Local Electoral Regulations 2001.*

**14 Adoption of Council's Fraud and Corruption Risk Assessment (Group Manager Finance and Corporate Services) (201300)**

**Pgs. 43 - 51**

Attached is a report from the Group Manager Finance and Corporate Services covering Adoption of Council's Fraud and Corruption Risk Assessment.

## **Recommendations**

1. *That the report “Adoption of Council’s Fraud and Corruption Risk Assessment” be received.*
2. *That Council adopt the “Fraud and Corruption Risk Assessment” as proposed in Appendix A.*

### **15 Receipt of Submissions, Deliberations and Adoption of the Easter Sunday Shop Trading Policy (Group Manager, Regulatory and Planning) (110800)**

**Pgs. 52 - 64**

Attached is a report from the Group Manager, Regulatory and Planning covering Receipt of Submissions, Deliberations and Adoption of the Easter Sunday Shop Trading Policy.

## **Recommendations**

1. *That the report “Receipt of Submissions, Deliberations and Adoption of the Easter Sunday Shop Trading Policy” be received.*
2. *That Council receive the submissions.*
3. *That Council deliberates on the Easter Sunday Shop Trading Policy; and*
4. *That Council resolves to adopt the Easter Sunday Shop Trading Policy 2025 effective from 31 March 2025; and*
5. *That Council authorises the Group Manager Regulatory and Planning to make any necessary minor edits or changes to reflect decisions made by Council at the meeting.*

### **16 Adoption of the Freedom Camping Bylaw and Amendments to the Reserve Management Plan (Group Manager, Regulatory and Planning) (320400)**

**Pgs. 65 - 114**

Attached is a report from the Group Manager, Regulatory and Planning covering Adoption of the Freedom Camping Bylaw and Amendments to the Reserve Management Plan.

## **Recommendations**

1. *That the report “Adoption of the Freedom Camping Bylaw and Amendments to the Reserve Management Plan” be received.*
2. *That Council confirms the proposed Freedom Camping Bylaw is the most appropriate way to manage freedom camping in Kawerau.*
3. *That Council confirms the proposed Freedom Camping Bylaw as attached*
  - i) *Is in the most appropriate form of the Bylaw; and*
  - ii) *Does not give rise to any implications under, and is not inconsistent with, the New Zealand Bill of Rights Act 1990.*
4. *That Council resolves to adopt the Freedom Camping Bylaw 2025 pursuant to section 11 of the Freedom Camping Act 2011.*

5. *That Council authorises the Group Manager Regulatory and Planning to make any necessary minor drafting or presentation amendments to the Freedom Camping Bylaw to correct errors or omissions, or to reflect decisions made by Council during the meeting to adopt the Freedom Camping Bylaw.*
6. *That Council approves the commencement for the Freedom Camping Bylaw to be 1 April 2025.*
7. *That Council resolves to adopt the proposed changes to the Reserves Management Plan for consistency with the Freedom Camping Bylaw.*
8. *That Council adopts the fees and charges as proposed, or as determined by Council, for prior consent applications.*

**17 Proposed Budget Overview and Rates for Long Term Plan 2025-2034 (Group Manager, Finance and Corporate Services) (201600)**

**Pgs. 115 - 123**

Attached is a report from the Group Manager, Finance and Corporate Services covering Proposed Budget Overview and Rates for Long Term Plan 2025-2034.

**Recommendations**

1. *That the report "Proposed Budget Overview and Rates for the Long Term Plan 2025-2034" be received.*
2. *That Council adopt the draft budget 2025/26 and the proposed rates for inclusion in the preparation of the Long Term Plan Consultation Document which will be adopted by Council on 9 April 2025.*

**18 Adoption of Draft Rate Remissions and Postponement Policies for Consultation (Group Manager, Finance and Corporate Services) (110551)**

**Pgs. 124 - 148**

Attached is a report from the Group Manager, Finance and Corporate Services covering Adoption of Draft Rate Remissions and Postponement Policies for Consultation.

**Recommendations**

1. *That the report "Adoption of Draft Rate Remissions and Postponement Policies for Consultation" be received.*
2. *That Council adopts the following Draft Rate Remissions and Postponement policies for public consultation as part of the Long Term Plan Consultation process:*
  - *Rates relief for farm properties*
  - *Rates relief for developments*
  - *Rates remission and postponement policy for Māori freehold land*
  - *Rates penalty remission policy*
  - *Rates remission for Sport, Recreation and Community Organisations Leasing Council Land.*
  - *Rates remission for Boundary Reorganisation Properties*
3. *That Council confirm the removal of the remission policy for High Value Properties, which will no longer apply from 1 July 2025.*

## 19 **Exclusion of the Public**

### **Recommendation**

*That the public is excluded from the following part of the proceedings of this meeting, namely:*

- 1. Minutes for Confidential Meeting Held on 26 February 2025**
- 2. Zone 5 and 6 Renewal**

*The general subject of the matter to be considered while the public is excluded; the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Information & Meetings Act 1987 for the passing of this resolution is as follows:*

<b><i>General Subject of the matter to be considered</i></b>	<b><i>Reason for passing this resolution in relation to each matter</i></b>	<b><i>Ground(s) under section 48(1) for the passing of this resolution</i></b>
<i>1. Minutes for Confidential Meeting Held on 26 February 2025 2. Zone 5 and 6 Renewal</i>	<i>Maintain the effective conduct of public affairs through the free and frank expression of opinions.</i>	<i>That 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 exists. Section 48 (1) (a) (i)</i>

*This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.*

## 20 **Karakia Whakamutunga | Closing Prayer**

M Godfery

**Chief Executive Officer**

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**Minutes of the Ordinary Meeting of the Kawerau District Council  
held on Wednesday 26 February 2025  
in the Council Chamber commencing at 9.00am**

**Present:** Her Worship the Mayor F K N Tunui  
Deputy Mayor A Rangihika  
Councillor C J Ion  
Councillor R Andrews  
Councillor W Godfery  
Councillor B Julian  
Councillor S Kingi  
Councillor R G K Savage

**In Attendance:** Chief Executive Officer (M Godfery)  
Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Operations and Services (R Nel)  
Group Manager, Regulatory and Planning (M Glaspey)  
Communications & Engagement Manager (T Humberstone)  
Economic and Development Manager (L Barton)  
Administration Officer (L Kerei)

**1 Karakia Timatanga | Opening Prayer**

*Pastor Mark Kingi opened the meeting with a prayer.*

**2 Apologies**

*Apologies were received from Councillor Ross.*

**Deputy Mayor Rangihika / Councillor Ion  
CARREID**

**3 Leave of Absence**

*No Leave of Absence were received.*

**4 Declarations of Conflict of Interest**

*No Declarations of Conflict of Interest were received.*

**5 Meeting Notices**

*Chief Executive Officer gave the following meeting notices:*

- *Advised that the Local Water Done Well report in the Confidential Agenda is seeking a decision from Elected Members to go out to the Community for consultation.*

- *Department of Internal Affairs has directed Kawerau District Council that the attachment in the Eastern Bay of Plenty (EBOP) Regional Deals report be confidential. This is why the report is in the Confidential Agenda.*
- *For both, Local Water Done Well and EBOP Regional Deals, Kawerau District Council will release to the public Council's advice.*

## 6 **Nga Mihimihi | Acknowledgements**

*Her Worship the Mayor sends her aroha | love to all in the community that have lost loved ones and gives her well wishes to all on behalf of Council.*

## 7 **Public Forum**

**Brett Pacey** raised the following concerns and proposal:

- The condition of footpath along River Road from Tamarangi Drive to Freyberg Street is deteriorating and requires attention.
- Proposed having a dog park on Boycie Park and an area for freedom camping as it is a spacious reserve that currently receives no attention.
- The bank for Tarawera River is starting to encroach close to Boyce Park. There are also trees in the river that need to be attended to. Mr Pacey acknowledges that this issue needs to be raised with the Bay of Plenty Regional Council but has found it hard to contact them.

Elected Members thanked Brett for coming in and raising his concerns and giving his proposal of the dog park.

**Andre van Schalkwyk** raised the following concerns:

- The past 14 months Andre has had on-going problems with neighbouring dogs. The problems are dogs continuously barking and the number of dogs that reside on the property. He has made numerous complaints to Council's dog control team regarding the barking but there has been no resolution. This is starting to affect his business as guests complain also.
- The disproportionate rates increase of property, 2-4 Parimahana Drive. The level of increase is not reflective of market conditions and must be reviewed and decreased for market-related fairness.

Elected Members acknowledged Andre for bringing these concerns to the Council Meeting and they hear his frustration, also gave appreciation of his use of Te Reo Māori.

Chief Executive Officer proposed to meet with Andre on Monday 3 March to discuss his on-going dog related problems.

**Vernette Sheffield** raised the following concerns:

- Requested a small walkway in the freedom camping area at Firmin Lodge to get from the car park to the toilet block. There is currently wooden railing that people must step over to go to the other side.

- There are no lights in the toilets at Firmin Field at night for freedom campers. Also, there are continuous issues with the toilet seats.

Her Worship the Mayor expressed her gratitude to Vernetta for her time, concerns and proposed solutions. A follow up from Council staff will be done.

**Hugh Ellis** raised the following concerns:

- When a dog complaint is made there is no follow up with the complainant.
- Having portable dwellings on the front of the properties.

Chief Executive Officer gave an explanation on the legislation and process on dog complaints. He would like to meet with Hugh to discuss the particulars.

**Wayne Andrews** raised the following concerns:

- There are contractors on the corner of Onslow and Fenton Street that have exceeded the time that the work was expected to finish. Wayne's query was, are the ratepayers liable for double paying the contractors when they go over the expected timeframe.

Group Manager, Operations and Services advised that in the contract there are clauses that cover anomalies. The job is quality inspected by Council and can request the contract to redo it. There are contingencies that cover over run that is in the contract, but some expenses fall back on the contractor.

## **8 CONFIRMATION OF COUNCIL MINUTES**

### **8.1 Extraordinary Council – 4 December 2024**

9.54am **Councillor Godfery** departed from the meeting.

**Resolved**

*That the minutes of the Extraordinary Council Meeting held on 4 December 2024 is confirmed as a true and accurate record.*

**Councillors Julian / Savage  
CARRIED**

### **8.2 Ordinary Council – 18 December 2024**

**Resolved**

*That the minutes of the Ordinary Council Meeting held on 18 December 2024 is confirmed as a true and accurate record.*

**Deputy Mayor Rangihika / Councillor Kingi  
CARRIED**

9.56am **Councillor Godfery** returned to the meeting.

### **8.3 Extraordinary Council – 12 February 2025**

To be noted in the minutes that this meeting was an audio recording only due to technical issues.

#### **Resolved**

*That the minutes of the Extraordinary Council Meeting held on 12 February 2025 is confirmed as a true and accurate record.*

**Councillors Kingi / Savage  
CARRIED**

## **9 CONFIRMATION OF COMMITTEE MINUTES**

### **9.1 Audit and Risk Committee Meeting – 9 December 2024**

#### **Resolved**

*That the minutes of the Audit and Risk Committee Meeting held on 9 December 2024 is confirmed as a true and accurate record.*

**Councillors Ion / Julian  
CARRIED**

### **9.2 Regulatory and Services Committee Meeting – 11 December 2024**

Amendment to item 6, second action item. Remove 'and including apologise around system issues'.

#### **Resolved**

*That the minutes of the Regulatory and Services Committee Meeting held on 11 December 2024 is confirmed as a true and accurate record.*

**Councillors Ion / Kingi  
CARRIED**

### **9.3 Audit and Risk Committee Meeting – 10 February 2025**

To be noted in the minutes that this meeting was an audio recording only due to technical issues.

#### **Resolved**

*That the minutes of the Audit and Risk Committee Meeting held on 10 February 2025 is confirmed as a true and accurate record.*

**Councillors Julian / Ion  
CARRIED**

#### **9.4 Regulatory and Services Committee Meeting – 12 February 2024**

To be noted in the minutes that this meeting was an audio recording only due to technical issues.

##### **Resolved**

*That the minutes of the Regulatory and Services Committee Meeting held on 12 February 2024 is confirmed as a true and accurate record.*

**Councillor Ion / Deputy Mayor Rangihika  
CARRIED**

### **10 CONFIRMATION OF COMMITTEE MINUTES**

#### **10.1 BOP Mayoral Forum – 12 December 2024**

##### **Resolved**

*That the minutes of the BOP Mayoral Forum meeting held on 12 December 2024 be received.*

**Her Worship the Mayor / Councillors Godfery  
CARRIED**

#### **10.2 BOP Civil Defence Emergency Management – 13 December 2024**

##### **Resolved**

*That the minutes of the BOP Civil Defence Emergency Management Committee meeting held on 13 December 2024 be received.*

**Councillors Julian / Savage  
CARRIED**

#### **10.3 BOP Regional Transport Committee – 13 December 2024**

##### **Resolved**

*That the minutes of the BOP Regional Transport Committee meeting held on 13 December 2024 be received.*

**Deputy Mayor Rangihika / Councillors Andrews  
CARRIED**

**11 Her Worship the Mayor's Report**

**Resolved**

*That Her Worship the Mayor's report for the period Thursday 19 December 2024 to Wednesday 19 February 2025 is received.*

**Her Worship the Mayor / Councillor Kingi  
CARRIED**

**12 Action Schedule (Chief Executive) (101120)**

**Chief Executive Officer update:**

- Comms did go out to the public in regards to how permits for Tarawera Falls work and who makes it accessible.
- There is no estimated date for when a report will be added to the Council meeting for the progression on the basketball courts and skatepark project.
- A verbal confirmation was given in the December 2024 Council Meeting to Elected Members about the Porritt Glade AGM's being for Porritt Glade residents only.
- Chief Executive Officer will add comments into the Action Schedule for the next Council meeting with an update on social media posts on a 'How to do a Request for Service to Council'.

**Resolved**

*That the updated Action Schedule of resolutions/actions as updated and amended requested by Council is received.*

**Councillors Kingi / Ion  
CARRIED**

**13 Annual Plan Performance for the six months ended 31 December 2024 (Group Manager, Finance and Corporate Services) (110400)**

Council discussed the report on the Annual Plan Performance for the six months ended 31 December 2024.

**Resolved**

*That the report "Annual Plan Performance for the six months ended 31 December 2024" be received.*

**Councillors Julian / Godfery  
CARRIED**

**14 Gambling Policy Review – Social Impact Statement and Policy Review Options (Group Manager, Regulatory and Planning) (110800)**

Council discussed the report on the Gambling Policy Review – Social Impact Statement and Policy Review Options.

**Action items:**

- Clarification on the organisation 'Tent Board', as it is listed in the New Zealand Community Trust grants to Kawerau District.
- Invitation to New Zealand Community Trust, Lion Foundation and Four Winds Foundation to meet with Gambling Policy committee to discuss harm reduction and what the investment to ensure that there is delegated resources.

10.51am **Councillor Andrews** departed from the meeting.

10.53am **Councillor Andrews** returned to the meeting.

**Resolved**

1. *That the report "Gambling Policy Review – Social Impact Statement and Policy Review Options" be received.*

**Councillors Godfery / Savage  
CARRIED**

2. *That Council approved Option 3 – To merge the policies and make any amendments to maintain the focus on reducing gambling harm per the reduction in machine numbers.*

**Councillors Godfery / Kingi  
CARRIED**

11.08am **Deputy Mayor Rangihika** departed from the meeting.

11.10am **Deputy Mayor Rangihika** returned to the meeting.

**15 Receipt of Submissions, Hearing and Deliberations of the Draft Freedom Camping Bylaw (Group Manager, Regulatory and Planning) (320400)**

Council discussed the report on the Receipt of Submissions, Hearing and Deliberations of the Draft Freedom Camping Bylaw.

Elected Members have requested when consultation goes out to the public/community to include in the submission the following:

- Submitting on behalf of a group or as an individual.
- Is the submitter a Kawerau Resident/Ratepayer.

**Correction:**

- Page 204 – Have the spelling corrected for Stoneham Walk.

11.22am **Councillor Godfery** departed from the meeting.

11.25am **Councillor Godfery** returned to the meeting.

**Resolved**

1. That the report "Receipt of Submissions, Hearing and Deliberations of the Draft Freedom Camping Bylaw" be received.
2. That Council receive the written submissions.
3. That Council deliberations on the Proposed Freedom Camping Bylaw following the hearing submissions; and
4. That Council provide recommendations related to any amendments requested as a result of the submissions received.

**Councillor Kingi / Deputy Mayor Rangihika  
CARRIED**

**16 Exclusion of the Public – 12.26pm****Resolved**

*That the public is excluded from the following part of the proceedings of this meeting, namely:*

1. **Minutes for Confidential Extraordinary Council Meeting Held on 4 December 2024**
2. **Minutes for Confidential Meeting Held on 18 December 2024**
3. **Local Water Done Well**
4. **Raw Pit Renewals**
5. **2024/2025 Reseals Tender**
6. **EBOP Regional Deals Proposal**

**Councillors Ion / Savage  
CARRIED**

*The general subject of the matter to be considered while the public is excluded; the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Information & Meetings Act 1987 for the passing of this resolution is as follows:*

<b>General Subject of the matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<ol style="list-style-type: none"> <li>1. Minutes for Confidential Extraordinary Council Meeting held on 4 December 2024.</li> <li>2. Minutes for Confidential Meeting held on 18 December 2024.</li> </ol>	Maintain the effective conduct of public affairs through the free and frank expression of opinions.	That 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 exists. Section 48 (1) (a) (i)



3. <i>Local Water Done Well.</i> 4. <i>Raw Pit Renewal.</i> 5. <i>2024/2025 Reseals Tender.</i> 6. <i>EBOP Regional Deals Proposal.</i>		
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*This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.*

### **Karakia Whakamutunga**

**Pastor Mark Kingi closed the meeting with a Karakia at 2.22pm**

F K N Tunui

**Mayor**

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**Minutes of the Regulatory & Services Committee  
held on Wednesday 12 March 2025  
commencing at 9.00am**

**Present:** Councillor C J Ion (Chairperson)  
Her Worship the Mayor F K N Tunui  
Deputy Mayor A Rangihika  
Councillor B Julian  
Councillor S Kingi – via Zoom  
Councillor J Ross  
Councillor R G K Savage

**In Attendance:** Chief Executive Officer (M Godfery)  
Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Regulatory and Planning (M Glaspey)  
Group Manager, Operations and Services (R Nel)  
Economic and Community Development Manager (L Barton)  
Administration Officer (L Kerei)

**1 Karakia Timatanga | Opening Prayer**

*Pastor Mark Kingi opened the meeting with a prayer.*

**2 Apologies**

*Apologies from Councillors Godfery and Andrews were received.*

**Councillors Ross / Julian  
CARRIED**

**3 Leave of Absence**

*No Leave of Absence were received.*

**4 Declarations of Conflict of Interest**

*No Declarations of Conflict of Interest were received.*

**5 Public Forum**

**Elaine McGlinchey** raised the following concern:

- Those that do not have a mobility card are parked in the mobility parks often in Kawerau. This is an on-going issue that she has reported to Council. On the 9 December 2024 she spoke with a Council worker and gave full details of the problem and was advised that they will contact their team leader about the issue. There was no follow up after this discussion.
- Elaine would like to know who is responsible for the mobility parks and what monitoring is or will be put in place.

Councillor Savage asked if the number plates of the vehicles she's seen was supplied which Elaine advised, yes, they were.

Chief Executive Officer will contact Elaine to meet with her to discuss this issue and her December complaint.

## **PART A – REGULATORY**

### **6 Monthly Report - Regulatory and Planning Services (Group Manager, Regulatory and Planning) (340000)**

The Committee discussed a report from the Group Manager, Regulatory and Planning covering activities for the month of February 2025.

#### **Group Manager, Regulatory and Planning Update:**

A notice will be going out to the public around parking and where you can and cannot park, a new monitoring system and the new fines.

#### **Action items:**

- Page 3, Item 3 – Group Manager, Regulatory and Planning to check when alcohol license applications are made that there are adverts in the paper.
- That the in the March report it be captured that Iwi Liaison and Cultural Advisor, Te Haukakawa Te Rire will be welcoming groups from outside Kawerau into this community at Firmin Lodge for the Bay 8 Training on Sunday 16 March 2025.

#### **Correction:**

Page 8 – Paragraph 3 – The date for the Project Governance Group meeting for the Spatial Plan to be corrected to '27 March 2025' from '26 March 2025'.

#### **Resolved**

*That the report from the Group Manager, Finance and Corporate Services for the month of February 2025 is received.*

**Councillors Savage / Kingi  
CARRIED**

### **7 Monthly Report – Finance and Corporate Services (Group Manager, Finance and Corporate Services) (211000)**

The Committee discussed a report from the Group Manager, Finance and Corporate Services covering activities for the month of February 2025.

Elected Members gave acknowledgement to the Library and Museum staff

#### **Resolved**

*That the report from the Group Manager, Finance and Corporate Services for the month of February 2025 is received.*

**Her Worship the Mayor / Councillor Savage  
CARRIED**

**8 Monthly Report - Operations and Services (Group Manager, Operations and Services) (440000)**

The Committee discussed a report from the Group Manager, Operations and Services covering activities for the month of February 2025.

Elected Members acknowledged the great work that is being completed on the roads and footpaths in the community.

**Resolved**

*That the report from the Group Manager, Operations and Services for the month of February 2025 is received.*

**Deputy Mayor Rangihika / Her Worship the Mayor  
CARRIED**

**9 Monthly Report - Economic and Community Development (Economic and Community Development Manager) (309005)**

The Committee discussed a report from the Economic and Community Development Manager covering activities for the month of February 2025.

**Economic and Community Development Manager Update:**

- There was a late application for the Kawerau Youth Council which takes the total number of applications received to 14.

**Action items:**

- Economic and Community Development Manager to follow up with previous senior youth councillors as to why they have not reapplied to take part in this year's Youth Council.
- A summary to be sent to Elected Members of the Kawerau Youth Council training weekend that is happening on 28 to 30 April.

**Resolved**

*That the report from the Economic and Community Development Manager for the month of February 2025 is received.*

**Councillors Ross / Savage  
CARRIED**

**10 Monthly Report – Communications and Engagement (Communications and Engagement Manager) (340100)**

The Committee discussed a report from the Communications and Engagement Manager covering activities for the month of February 2025.

**Resolved**

*That the report from the Communications and Engagement Manager for the month of February 2025 is received.*

**Chair Ion / Councillor Savage  
CARRIED**

**11 Karakia Whakamutunga | Closing Prayer**

*Pastor Mark Kingi closed the meeting with a prayer at 10.15am*

C J Ion

**Chairperson**

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**Meeting** Council

**Meeting Date:** 26 March 2025

**Subject:** Her Worship the Mayor's Report

**File No.** 101400

## 1 **Purpose**

The purpose of this report is to outline meetings, functions and events that I have hosted, attended and/or participated in for the period Thursday, 20 February to Wednesday 19 March 2025.

### **February**

- Thur 20
  - Regional Public Service Commission Kawerau Local Leadership Group Hui re: Council, Iwi and Central Government agencies working together for Kawerau, held at Ngāti Tūwharetoa (BOP) Settlement Trust Office
- Fri 21
  - Meeting with Foresta (NZ) Limited and Putauaki Trust re: Foresta Kawerau Stage 1 project proposal, held at Putauaki Trust Office
- Wed 26
  - Council Meeting, held in Council Chamber
    - Her Worship the Mayor's Report
    - Action Schedule
    - Annual Plan Performance for the six months ended 31 December 2024
    - Gambling Policy Review – Social Impact Statement and Policy Review Options
    - Receipt of Submissions, Hearing and Deliberations of the Draft Freedom Camping Bylaw
  - Public Excluded Section
    - Local Water Done Well
    - Raw Pit Renewal
    - 2024/2025 Reseals Tender
    - EBOP Regional Deals Proposal
  - Unveiling of Mayoral Portrait, officiated by Iwi Liaison and Cultural Advisor, Te Haukākawa (Boycie) Te Rire.
  - Citizenship Ceremony with new citizens Morne De Lange, Arlene De Lange, Shelby De Lange, Cassidy De Lange and Jordan Lynn. Joined by East Coast National MP Dana Kirkpatrick.
- Thur 27
  - Oral submission in objection to the Treaty Principles Bill to the Justice Select Committee, via Zoom

### **March**

- Mon 3
  - Meeting with Eastern BOP Mayors and Eastern Bridge Director re: Jiangxi Relationship, held at Whakatane District Council
- Wed 5
  - Council Briefing, held in Council Chamber
    - Activity Review for the Aquatic Centre Service
    - Rates Review Options LTP 2025-2034
- Thur 6
  - Meeting with Eastern BOP Mayors, Chair and CE's re: an Eastern BOP Regional Deal, held at Rotorua Lakes Council
  - Bay of Plenty Mayoral Forum, held at Rotorua Lakes Council
    - Regional Climate Change Update
    - Cross-Regional Waste Strategy

- Public Excluded Section
  - Local Water Done Well Update[Agenda of Bay of Plenty Mayoral Forum - Thursday, 6 March 2025](#)
  
- Fri 7 • Meeting with Health NZ | Te Whatu Ora Deputy Chief Executive, Te Manawa Taki, Cath Cronin re: changes to Whakatane Hospital Obstetrics & Gynaecology Services and upcoming Kawerau Public meeting, via Teams
  
- Mon 10 • Meeting with NZ Police, Senior Sergeant Al Fenwick re: Kawerau Community Safety, held in Mayor's Office.
  
- Tues 11 • Attended Health NZ | Te Whatu Ora Public Meeting re: changes to Whakatane Hospital Obstetrics & Gynaecology Services, held at the Little Theatre, Whakatane
  
- Wed 12 • Regulatory & Services Committee Meeting, held in Council Chamber
  - Monthly Report - Regulatory and Planning Services
  - Monthly Report - Finance and Corporate Services
  - Monthly Report - Operations and Services
  - Monthly Report - Economic and Community Development
  - Monthly Report – Communication and Engagement[Regulatory & Services Agenda 25.03.12.pdf](#)
- Attended Essity Geothermal Steam Upgrade Ceremony and 70 Year Celebration, held at Essity Kawerau
- Health NZ | Whatu Ora Public meeting re: changes to Whakatane Hospital Obstetrics & Gynaecology Services, held in Kawerau Town Hall
  
- Thur 13 • Opotiki and Kawerau meeting with Health NZ | Te Whatu Ora Deputy Chief Executive Te Manawa Taki, Cath Cronin re: changes to Whakatane Hospital Obstetrics & Gynaecology Services and upcoming Opotiki Public meeting, held at Opotiki District Council
- Meeting with Opotiki Mayor and Deputy Mayor re: Eastern Bay of Plenty Spatial Plan
- Attended Health NZ | Te Whatu Ora Public Meeting re: changes to Whakatane Hospital Obstetrics & Gynaecology Services changes, held at the Pavilion, Opotiki
  
- Fri 14 • CDEMG Joint Committee Agenda Planning meeting, held via Microsoft Teams
- Swearing In Ceremony for Kawerau Youth Council
  
- Sun 16 • Mihi Whakatau for Bay 8 (1. Emergency BOP, 2. Kawerau, 3. Opotiki, 4. Rotorua, 5. Tauranga City Council 6. Western Bay, 7. Whakatane 8. Regional Council), Civil Defence training with Iwi Liaison and Cultural Advisor, Te Haukakawa Te Rire, held at Firmin Lodge
  
- Tues 18 • Meeting with NZTA | Waka Kotahi Director of Regional Relationships, Andrew Corkill, re: meet and greet and Whakatane Hospital O&G 2025 situation, held in Mayor's Office
  
- Wed 19 • Elected Member Briefing, held in Council Chamber
  - Review of Council's Current Rate Remissions and Postponement Policies
  - Review of Revenue and Financing Policy
  - Adoption of the Draft Financial Contributions Policy for Consultation
  - Rates Review 2025-2026
- Meeting with Eastern BOP Mayors and Labour List MP, Hon Jo Luxton, held at Whakatane District Council



## 2 Mayoral Correspondence

- Mon 24/2 Invitation from Justice Select Committee to present an oral submission re: the Treaty Principles Bill on Thursday 27 February via Zoom.
- Wed 26/2 A message of comfort to the Community of Kawerau following the unexplained death in Kawerau.
- Fri 28/2 Email from Eastern BOP Mayors and CEs to East Coast National MP Dana Kirkpatrick and Minister for Regional Development, Shane Jones re: the Eastern Bay of Plenty Regional Deal Proposal.
- Tues 11/3 Invitation from East Coast National MP Dana Kirkpatrick to Eastern BOP Mayors, to join her and newly appointed Minister for Local Government, Hon Simon Watts on Friday, 30 May in Whakatane.
- Fri 14/3 Request for Support letter for Foresta re: Foresta Kawerau Stage 1 project.  
Invitation to attend the TRENZ 2025 (NZ's largest international tourism business event bringing together hundreds of international travel buyers to meet with New Zealanders leading tourism operators and sellers) on Wednesday, 7 May at the Rotorua Energy Events Centre
- Mon 17/3 Invitation from East Coast National MP Dana Kirkpatrick to join her and Minister for Building and Construction, Hon Chris Penk on Friday, 28 March at the Comm, Whakatane.

## 3 RECOMMENDATION

That Her Worship the Mayor's report for the period Thursday, 20 February to Wednesday 19 March 2025, be received.



Faylene Tunui  
**Kahika | Mayor**



## Action Schedule

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Date
OC 26.06.24	<b>Activity Review for Economic Development</b> Staff to return the report with additional information including the return on investment that Council makes to external partners and agencies.	ECDM	In Progress	Activity Review will be returned back to Council as part of Long Term Plan (LTP) process, with additional information as requested.  Currently working through final stages and and dates of EBOP Economic Development Strategy with neighbour TA's. Aim is to have final draft tabled with EBOP Em's during April - May	April/May 2025
OC 26.06.24	<b>Activity Review for Pensioner Housing</b> Staff to return the report with additional information including history of the partnership between Council and Kawerau Social Services Trust (that operates Mountain View) and further detail on the implications of any future expansion plans.  <u>R&amp;S 16.10.24</u> Staff to provide a timeline for all Housing Developments.	C&EM	Timetable for upcoming workshop  In Progress	Activity Review will be returned back to Council as part of Long Term Plan (LTP) process, with additional information as requested by Elected Members. Suitable timeframe for the activity review to be returned tbc.  Timeline for the history of the housing development leading to Porritt Glade, will be provided as part of the S17A Activity Review for Pensioner Housing.  An additional report will be provided with the history of other Council-led housing developments comprising Central Cove, Bell Street and Hine Te Ariki and Stoneham Park.	LTP process commences October 2024 April/May 2025  April/May 2025  April/May 2025

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Date
OC 27.11.24	<p><b>Adoption of Porritt Glade Lifestyle Village Performance Report for year ended 30 June 2024</b></p> <p>Page 31 – Depreciation – Paragraph 5 – Elected Members have requested the correct spelling for “derecognised” in the Performance Report.</p> <p>Elected Members to be refreshed on Porritt Glade Lifestyle Village reporting and accounting principles through a meeting with Audit New Zealand.</p>	<p>C&amp;EM</p> <p>MFCS</p>	<p>Completed</p> <p>In Progress</p>	<p>Correct spelling has been added to the report.</p> <p>Working with Auditors on when they are likely to be at KDC on site.</p>	<p>June 2025</p>
R&S 11.12.24	<p><b>Monthly Report - Economic and Community Development</b></p> <p>Item 2 – Staff to provide clear communication to the community about how the permits for the Tarawera Falls work and that it is Māori Investments Limited that have made it available for access not Kawerau District Council.</p> <p>Staff to keep Elected Members updated on the outside basketball courts and skatepark progress.</p>	<p>ECDM</p>	<p>Completed</p> <p>In Progress</p>	<p>Comms went out to the public on how permits for Tarawera Falls work and who makes it accessible.</p> <p>Staff coordinating with Tarawera High dates for tech software workshops for young people to produce concept designs</p>	<p>April</p>
R&S 11.12.24	<p><b>Monthly Report – Communications and Engagement</b></p> <p>Staff to confirm whether the Porritt Glade AGM is open to the public.</p> <p>Staff to post a ‘How to do a Request for Service to Council’ on Council’s social media as a refresher for the community.</p>	<p>C&amp;EM</p>	<p>Completed</p> <p>In Progress</p>	<p>This process has been communicated via social media and in the Council Newsletter.</p> <p>The process for the community to request for service has been added to the six-monthly rotation of messaging.</p>	<p>Ongoing</p>

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Date
OC 18.12.24	<b>Animal Shelter and Rehoming Facility Concepts</b> Staff to seek advice from Council's Iwi Liaison & Cultural Advisor, Te Haukākawa (Boycie) Te Rire about having an animal crematorium at the Animal Shelter and Rehoming Facility.	GM O&S	In Progress	GM Ops will reach out to Council's Iwi Liaison & Cultural Advisor, Te Haukākawa (Boycie) Te Rire about having an animal crematorium at the Animal Shelter and Rehoming Facility.  The item has been placed on the Iwi Liaison Committee agenda for the March meeting.	March 2025
A&R 10.02.25	<b>Audit and Risk Review Timetable from February 2025 to December 2025</b> Staff to remove the "Performance report 31 December 2024" from the Audit & Risk Committee Meetings and Review Schedule.  Staff to include a progress report on Audit Management with recommendation points to be added to the Schedule.	GM F&CS	In progress	For the April Audit and Risk meeting staff will report on the progress with the Audit Management recommendations and will not report on the Performance reporting, which was reported to Council on 26 February 2025.	April 2025
OC 26.02.25	<b>Gambling Policy Review – Social Impact Statement and Policy Review Options</b> Staff to provide clarification on the organisation 'Tent Board', as it is listed in the New Zealand Community Trust grants to Kawerau District.	GM R&P	Completed	Tent Board (The E Network Trust) is a charitable organisation based in Whakatane and provides bespoke support services to the Eastern Bay of Plenty. Areas of support include advice, operations, planning admin, marketing and funding support to help with the sustainability of community organisations. <a href="https://tent.org.nz/">https://tent.org.nz/</a>	

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Date
OC 26.02.25	<b>Gambling Policy Review – Social Impact Statement and Policy Review Options continued.</b> Staff to invite New Zealand Community Trust, Lion Foundation and Four Winds Foundation to discuss harm reduction and what is the investment to ensure that there is delegated resources.	GM R&P	In Progress	New Zealand Community Trust, Lion Foundation and Four Winds Foundation are yet to be invited.	
R&S 12.03.25	<b>Monthly Report - Economic and Community Development</b> Staff to follow up with previous senior youth councillors as to why they have not reapplied to take part in this year's Youth Council. Staff to send a summary to Elected Members of the Kawerau Youth Council training weekend that is happening on 28 to 30 March.	ECDM	In progress	Eight previous members did not reapply, two have spoken with staff as to why they did not reapply, one stated he encouraged his younger sister to apply, and she was sworn in. Another member stated his time was done and wished to do new things, he encouraged two new members to apply, and they were sworn in.  Elected Members received the draft programme from staff, and final changes are being made to the programme.	March/April

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OC: Ordinary Council      EC: Extraordinary Council      A&R: Audit & Risk Committee      R&S: Regulatory & Services Committee  
 GMF&CS: GM, Finance & Corporate Services      GMR&P: GM, Regulatory & Planning  
 C&EM: Communication & Engagement Manager      ECDM: Economic & Community Development Manager

## Completed Items

EC 22.11.23	<p><b>2025 Triennial Elections</b></p> <p>Council resolved to establish one or more Māori wards for the Kawerau District in the 2025 and 2028 triennial elections.</p>	<p>Consultation with Tangata Whenua, Iwi and the community took place for the initial proposal resolved on 17/7/24. 104 submissions were received which were heard and resolved on 11/9/24. Final Proposal was resolved for public notification on 11/9/24 from 20 September to 4 November for appeals.</p> <p>One objection received through the Final Proposal appeal process. In November 24, the Local Government Commission confirmed this was an invalid appeal and advised the submitter on 28/11/24. LGC advised there was no need for the Hearing schedule in Kawerau for Thursday, 30 January 2025.</p> <p>Council has completed the final processes of the electoral review with support from Election Services and LGC. The Local Government Commission are now finalising maps following the confirmation of the Representation Review, to comprise the new boundaries (including the land that has come into the Kawerau District via the boundary reorganisation process). These maps will officially show the district-wide boundaries for the Māori and General electoral wards.</p>
R&S 11.12.24	<p><b>Monthly Report - Finance and Corporate Services</b></p> <p>Page 7 – Item 1.2 – Museum – Staff to check if local schools have been contacted about the ‘School’s Out for Summer’ exhibition and if there is any additional information they can provide.</p>	<p>The ‘School’s Back’ Exhibition was erected in the Jellicoe Court windows in January, which displayed objects such as honour boards and trophies from the school closures in 2011/12. The Museum Team had all the information they required</p>
R&S 11.12.24	<p><b>Monthly Report - Operations and Services</b></p> <p>Staff to provide further information to Council regarding the two unchlorinated taps in Kawerau – New World carpark and Pumphouse Spring on River Road.</p>	<p>A report was presented to Council</p>
OC 18.12.24	<p><b>Review of Council’s Procurement Policy</b></p> <p>Staff to include in the policy about not giving options to the tenders on what is needed and being clear on what is needed.</p>	<p>The Procurement Policy has been updated accordingly</p>

OC 18.12.24	<p><b>Dog Control Act s10A – Policy and Practices Report 2023/2024</b></p> <p>Staff to provide additional information on why the Dog Control Bylaw and Policy 2019 is still current.</p> <p>Staff to provide a map of the public reserves, showing dog exercise areas in the district as stated on pages 71 and 72</p>	<p>A verbal update was provided at the meeting and amendments made to the report.</p> <p>Maps were not readily available when the report was due, but will be included in future reports where reserve information is included.</p>
A&R 10.02.25	<p><b>Long Term Plan 2025 – 2034 Update</b></p> <p>Staff to include in the Prospective Statement of Accounting Policies borrowing notes as a financial asset.</p>	<p>The Borrowers note has been included in the Prospective Accounting Policies which are part of the Long Term Plan. The updated accounting policies have been sent to audit for review.</p>
R&S 12.02.25	<p><b>Monthly Report - Regulatory and Planning Services</b></p> <p>Page 5 – Item 7 – Paragraph two – Staff to inform Elected Members how many of the 35 staff on the Emergency Operations Centre (EOC) roster are Kawerau locals.</p> <p>Page 6 – Item 8.4 – Staff to pass on apologies from Elected Members for the Spatial Plan meeting held on Wednesday 26 February which is a Council Meeting.</p>	<p>Of the 35 staff on the CDEM Roster we have 19 live in the Kawerau District</p>
R&S 12.02.25	<p><b>Monthly Report - Operations and Services</b></p> <p>Page 21 - Staff to send the Drinking Water Pipe Replacement map to the community as a reminder.</p>	
R&S 12.03.25	<p><b>Monthly Report - Regulatory and Planning Services</b></p> <p>Page 3, Item 3 – staff to check that when alcohol license applications are made, that there are adverts in the paper.</p> <p>Staff to capture in the March report that the Iwi Liaison and Cultural Advisor, Te Haukākawa Te Rire will be welcoming groups from outside Kawerau to the Bay 8 Civil Defence Training held at Firmin Lodge on Sunday 16 March 2025.</p>	<p>All Alcohol Licence Applicants are required to advertise in the local paper that they have applied for a licence. Evidence must be provided and this is checked by staff.</p> <p>This has been included in the minutes for the report and will be captured in the following R&amp;S report.</p>



**Meeting:** Council

**Meeting Date:** 26 March 2025

**Subject:** **Raising a \$4.0 million renewal loan (2025) from Local Government Funding Agency**

**File No:** 206700

## 1 **Purpose**

The purpose of this report is to obtain Council approval to raise a \$4.0 million renewal loan which to repay two maturing short term loans from the Local Government Funding Agency (LGFA).

## 2 **Background**

Prior to 2022, Council had not raised any loans since the 1990s apart from finance leases for the purchase of the copier/printers and the telephone system. The reason Council had not needed to raise loans prior was because it has been funding the depreciation on its assets and being a relatively young town, much of the infrastructure has not needed renewing until recently.

Council has undertaken more renewals in recent years as well as the residential developments and other capital projects. It was projected that Council would initially need to borrow money early in 2021. However, due to additional funds being received for the 3 waters reforms and delays to some renewal projects, Council did not need to borrow funds until 2022.

Council became a member of LGFA in 2020 after consulting the community in the 2020/21 Annual Plan. Council also consulted the community on renewing all the AC water pipes and borrowing \$2.0 million annually in the 2021 – 2031 Long Term Plan. Most submissions received supported the replacement of these pipes and the project has been underway since the beginning of 2021/22.

Council took out a loan of \$2.0 million on 15 December 2022, with an interest rate of 5.75% and repayment date of 15 April 2025. Council raised a second loan for \$2.0 million on 25 October 2023 with an interest rate of 6.48%. Both of these loans will mature on 15<sup>th</sup> April 2025, whereupon Council will need to raise a renewal loan for \$4.0 million to repay these loans. The reason for the relatively short loan periods was because of the uncertainty surrounding the 3 water reforms and the likelihood of interest rates falling.

Council has raised a third loan for \$2.0 million on 9 October 2024 maturing on 20 April 2029 with an interest rate of 4.91%.

The LGFA was established approximately 10 years ago to assist local government throughout the country to borrow funds and to obtain lower interest rates for its members. LGFA is owned by NZ Government (20%) and 30 shareholder councils (80%). The majority of councils throughout the country are members.

Council's intention with regards to these two loans maturing on 15 April 2025, has been to renew the loans, by the repayment of the existing loans that are due and raising a new loan for the total \$4m. Therefore, it is recommended that Council borrow \$4.0 million as planned to renew the existing loan.

### **3 Funds held to date**

As at 28 February 2025, Council had the following funds:

BNZ (Cheque Account & On-call)	\$4,762,345
Rabobank & ANZ (On-call)	\$23,657
<b>Total</b>	<b>\$4,786,002</b>

### **4 Depreciation Reserves**

For the last 25 years Council has been funding depreciation (from rates) for its significant assets and setting aside these funds in reserves.

The balance of the depreciation reserves at 28 February 2025 is \$5,057,076 and from these funds Council has used \$1,476,620 for internal loans to fund other capital projects where there was not sufficient reserves set aside.

There are currently 5 internal loans which are:

• Firmin Lodge	\$740,640	repaid 30 June 2041
• Pool Changing Rooms	\$350,830	repaid 30 June 2041
• Museum Building	\$389,350	repaid 30 June 2042
• Transfer Station	\$22,020	repaid 30 June 2025
• Pool Upgrade	\$34,530	repaid 30 June 2028

The current interest rate charged for these internal loans is 2.5%, which is the rate included in the 2024-25 Annual Plan for investments and internal borrowing.

### **5 Current interest rates for borrowing**

The following are the current fixed interest rates for Council to borrow funds:

• LGFA (up to 1 year) -	4.15%pa
• LGFA (up to 3 years) -	4.65%pa
• LGFA (up to 5 years) -	4.97%pa
• LGFA (up to 12 years max) -	5.84%pa

It is difficult to predict what the interest rates are likely to do in the future and whether a short term loan or a longer term is going to be better for Council. Essentially, this risk is built into the interest rates quoted.

Currently, the interest rates are slightly higher than when Council borrowed money six months ago.

Council will also need to set aside funds for the repayment – usually spread over a 50 year period.

## **6 Financial Considerations**

There are three options available to Council:

- Borrow funds from LGFA for the short term (1 - 2 years) as interest rates could possibly drop further during this period.
- Borrow funds from LGFA for a longer term (2 - 12 years). It would appear that the market believes interest may not drop further in the short to medium term however, if Council commits to a longer term fixed loan, future lower interest rates won't be available.

Council will need to borrow funds to repay these two maturing loans, but there are some unknowns, which makes it a little difficult to recommend the length of the renewal loan. There is a table in the appendix which shows the interest rates (both for fixed and floating) for each respective loan period. NB Council is an unrated non-guarantor borrower.

A conservative approach for Council may be to borrow \$4.0 million at fixed interest rate for a medium term (say up to 4 years – 4.79%), which will ensure that Council is protected against possible interest rate rises for this period. This would mean the three loans currently raised by Council would all mature on 20 April 2029.

## **7 Policy and Plan Consideration / Consultation**

Council stated in the 2021 – 2031 Long Term Plan that it would be borrowing up to \$2.0 million annually for 6 years to fund the AC and steel water pipe replacements (which was consulted with the community). The 2024-25 Annual Plan included a budget for loans of \$6.0 million to be raised, which included the loan renewal of the \$4.0 million.

Also, Council is a member of Local Government Funding Agency (LGFA), which was established to provide councils with greater access to loans at cheaper rates.

The proposal to borrow funds is consistent with Council's Financial Strategy and complies with Council's Liability Management Policy.

## **8 Appendix**

Included in the appendix are the latest interest rates on loans as provided by the Local Government Funding Agency (LGFA).

## **9 RECOMMENDATIONS**

1. That the report "Raising a \$4.0 million renewal loan (2025) from Local Government Funding Agency" be received.

2. That Council approves the raising of a \$4.0 million fixed term renewal loan for a period to 20 April 2029.
3. That Council delegates the Chief Executive authority to execute all the necessary documents for the raising of this loan.



Peter Christophers, BBS, ACA  
**Financial Accountant**

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## APPENDIX

### LGFA Council Borrowing Update

17 March 2025

#### Short term borrowing

Short term yields moved lower last week, with one-month rates falling 6bp and three month rates falling 4bp over the week. Domestic data was once again light. This week the market will be focussed on this week's fourth quarter GDP release. The market is currently pricing in 26bps of easing for the next RBNZ meeting on 9 April, the market is now pricing 62bps of easing by February 2026.

Rates				Margins		
Short Term loans	BKBM Base rate	Borrowing yield Rated councils	Borrowing yield Unrated councils	Short term margins	30 to 181 days	182 to 364 days
1 month	3.810%	3.960%	4.010%	Rated councils	15 bps over BKBM	20 bps over BKBM
2 month	3.725%	3.875%	3.925%	Unrated councils	20 bps over BKBM	25 bps over BKBM
3 month	3.660%	3.810%	3.860%			
4 month	3.617%	3.767%	3.817%			
5 month	3.573%	3.723%	3.773%			
6 month	3.530%	3.730%	3.780%			
1 year	3.418%	3.618%	3.668%			

#### Long term borrowing

LGFA bond yields traded sideways over the week. The LGFA April 2027 yield has increased 1 bps relative to a week ago and the LGFA 2037 yield has decreased by 2bps. LGFA borrowing spreads have reduced relative to a week ago, reflecting LGFAs successful offshore issuance completed in Swiss Francs and US Dollars, the market also took comfort in last week's strong domestic bond tender. The focus this week will be fourth quarter GDP and the ongoing global volatility resulting from tariff threats and the growing concerns over a potential US recession.

Fixed rate long term	Base yield	Borrowing yield AA+/AA rated councils	Borrowing yield AA- rated councils	Borrowing yield A+ rated councils	Borrowing yield Unrated guarantors	Borrowing yield Non-guarantors
15/04/2025	3.87%	4.12%	4.17%	4.22%	4.32%	4.42%
15/04/2026	3.60%	3.85%	3.90%	3.95%	4.05%	4.15%
15/04/2027	3.83%	4.08%	4.13%	4.18%	4.28%	4.38%
15/05/2028	4.10%	4.35%	4.40%	4.45%	4.55%	4.65%
20/04/2029	4.24%	4.49%	4.54%	4.59%	4.69%	4.79%
15/05/2030	4.42%	4.67%	4.72%	4.77%	4.87%	4.97%
15/05/2031	4.60%	4.85%	4.90%	4.95%	5.05%	5.15%
14/05/2032	4.74%	4.99%	5.04%	5.09%	5.19%	5.29%
14/04/2033	4.88%	5.13%	5.18%	5.23%	5.33%	5.43%
15/05/2035	5.10%	5.35%	5.40%	5.45%	5.55%	5.65%
15/04/2037	5.29%	5.54%	5.59%	5.64%	5.74%	5.84%

Floating rate long term	Base margin	Borrowing margin AA+/AA rated councils	Borrowing margin AA- rated councils	Borrowing margin A+ rated councils	Borrowing margin Unrated guarantors	Borrowing margin Non-guarantors
15/04/2025	3 bps	28 bps	33 bps	38 bps	48 bps	58 bps
15/04/2026	16 bps	41 bps	46 bps	51 bps	61 bps	71 bps
15/04/2027	30 bps	55 bps	60 bps	65 bps	75 bps	85 bps
15/05/2028	46 bps	71 bps	76 bps	81 bps	91 bps	101 bps
20/04/2029	52 bps	77 bps	82 bps	87 bps	97 bps	107 bps
15/05/2030	61 bps	86 bps	91 bps	96 bps	106 bps	116 bps
15/05/2031	69 bps	94 bps	99 bps	104 bps	114 bps	124 bps
14/05/2032	74 bps	99 bps	104 bps	109 bps	119 bps	129 bps
14/04/2033	82 bps	107 bps	112 bps	117 bps	127 bps	137 bps
15/05/2035	88 bps	113 bps	118 bps	123 bps	133 bps	143 bps
15/04/2037	96 bps	121 bps	126 bps	131 bps	141 bps	151 bps

Note: All the above borrowing yields and spreads are fully inclusive of the applicable base lending and credit margins outlined below

#### Margins

Long term base lending margin	Standard - Terms beyond 1 year 25 bps		GSS Loans - terms beyond 1 year 5 bps discount		CAL Loans - terms beyond 3 years 2 bps discount	
Long term credit margin (+ Base lending margin)	AA+ and AA 0 bps	AA- 5 bps	A+ and A 10 bps	Unrated guarantor 20 bps	Non-guarantor 30 bps	

Disclaimer: This is intended for information purposes only and contains commercially sensitive information, therefore please do not distribute. Borrowing margins and rates are indicative only and subject to change. For further information contact Andrew Michl, Sumitha Kaluarachi, Jane Phelan or Mark Butcher

#### Upcoming bond tender dates

10 April 2025  
7 May 2025  
4 June 2025  
2 July 2025  
6 August 2025  
3 September 2025  
1 October 2025



**Meeting:** Council

**Meeting Date:** 26 March 2025

**Subject:** **Overview of Elections and Order of Candidates' Names**

**File No.:** 101287

## **1 Background**

The 2025 triennial local government elections will occur on Saturday 11 October 2025. This report aims to update Council on the preliminary matters relating to the election, including consideration of the order of candidate names to appear on the voting documents.

The 2025 triennial elections for local authorities are required to be undertaken according to the Local Electoral Act 2001, the Local Electoral Regulations 2001 and, to a limited extent, the Local Government Act 2002. Certain pre-election information and tasks are outlined in this report for Council's information and attention.

A timetable is attached outlining the timeline for all matters surrounding the triennial elections.

This report seeks a decision from the Council with regard to the order of candidates' names. Local Electoral Regulations 2001 provides for Council to resolve the order of candidate names to appear on the voting documents (alphabetical, pseudo-random or random order). If no decision is made, the order of names defaults to alphabetical

## **2 Options Considered**

Further information and research regarding these options is contained in the attached report from Election Services, who comprise Kawerau District Council's official Electoral Officer (Dale Ofoske).

Council has three options in relation to the order of candidates' names who stand for the 2025 triennial elections to represent Kawerau.

- a. The alphabetical order of candidates' names OR
- b. The pseudo-random order of candidates' names OR
- c. The random order of candidates' names
- d. If no decision is made with regard to the order, the order will revert to alphabetical.

## **3 Policy and Plan Considerations**

The triennial elections and decisions will be conducted within all relevant policy and plan considerations required of Council.

### 3.1 Basis for Election

Having completed the three-stage representation review in 2024, with the Local Government Commission approving the final proposal in December, Kawerau District Council triennial elections will be conducted on the following basis:

Elections will be required for the following positions:

- The Mayor elected ‘at large’
- 8 councillors, being:
  - Kawerau Māori Ward (3)
  - Kawerau General Ward (3)
  - Elected ‘at large’ (2)

### 3.2 Where a local authority has established Māori wards or Māori constituencies since 2020 without undertaking a poll, legislation now requires a poll to be undertaken in conjunction with the 2025 local elections (Local Government (Electoral Legislation Māori Wards and Māori Constituencies) Amendment Act 2024).

A separate poll will therefore be required for the Kawerau District Council.

The question will be simple and easy to understand:

‘I vote to keep the Māori ward’ or  
‘I vote to remove the Māori ward’.

The outcome of the poll will be binding for two triennial elections (2028 and 2031).

### 3.3 Further reports in 2025 will identify any other required policy reviews, including the draft Election Signs policy and the Public Communications policy. Both these policies were reviewed prior to the 2022 triennial elections and as such, will be reviewed prior to the 2025 triennial elections.

## 4 **Risks**

There are no known risks with regard to the decision-making required.

## 5 **Financial Considerations**

There are existing budget estimates for the triennial elections’ implementation and this decision will not incur any additional costs to Council.

## 6 **Legal Considerations**

The decision is consistent with relevant legislation as referenced.



## 7 **Significance and Engagement**

Adopting the order of candidates' names is not assessed as being significant for the purposes of Council's Significance and Engagement Policy. There is no need for Council to conduct a community engagement process.

## 8 **RECOMMENDATIONS**

1. That the report "Overview of Elections and Order of Candidates' Names" be received.
2. That Council resolves for the 2025 triennial election, to adopt *either*
  - a. The alphabetical order of candidates' names OR
  - b. The pseudo-random order of candidates' names OR
  - c. The random order of candidates' names

as permitted under regulation 31 of the Local Electoral Regulations 2001.



Tania Humberstone

**Manager Communications and Engagement**

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Report to the  
Kawerau District Council  
regarding the

## 2025 Triennial Election

From the  
Electoral Officer

19 February 2025



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## Outline

The 2025 triennial local government elections will occur on Saturday 11 October 2025. An update on preliminary matters relating to the election is provided to Council, including consideration of the order of candidate names to appear on the voting documents.

## Background

The 2025 triennial elections for local authorities are due to occur on Saturday 11 October 2025 and are required to be undertaken according to the Local Electoral Act 2001, the Local Electoral Regulations 2001 and, to a limited extent, the Local Government Act 2002.

Certain pre-election information and tasks are outlined in this report for Council's information and attention.

The Local Electoral Regulations 2001 provides for Council to resolve the order of candidate names to appear on the voting documents (alphabetical, pseudo-random or random order). If no decision is made, the order of names defaults to alphabetical.

## Narrative

### Representation Review

Council resolved on 22 November 2023 to establish one or more Māori wards for the 2025 and 2028 triennial elections and accordingly was required to undertake a representation arrangements review in 2024 following the Local Electoral Act 2001.

Under the legislative formula, should eight councillors be retained, there would be four Māori ward councillors and four general ward councillors.

Preliminary public consultation was undertaken in April-May 2024, including holding several hui and a public online survey (receiving 71 responses). Following subsequent Council briefings, several representation options were considered and an Initial Proposal was resolved on 17 July 2024.

The Initial Proposal recommended a change from the current arrangements (mayor elected 'at large', eight councillors elected 'at large' and no community boards) to a model of mayor elected 'at large', three councillors elected from a district-wide Māori ward, three councillors elected from a district-wide general ward, two councillors elected 'at large' and no community boards.

104 submissions were subsequently received (including three who wished to be heard) to the Initial Proposal.

After consideration of the submissions, Council resolved on 11 September 2024 to adopt the Initial Proposal as its Final Proposal.

The Final Proposal was publicly notified and as no valid appeals were received, the Final Proposal became the Basis of Election.

## Māori Wards Poll

Where a local authority has established Māori wards or Māori constituencies since 2020 without undertaking a poll, legislation now requires a poll to be undertaken in conjunction with the 2025 local elections (Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024).

A separate poll will therefore be required for the Council.

The question will be simple and easy to understand:

‘I vote to keep the Māori ward’ or

‘I vote to remove the Māori ward’.

The outcome of the poll will be binding for two triennial elections (2028 and 2031).

Bay of Plenty Regional Council introduced Māori Constituencies in 2004 and are not affected by the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 and are therefore not required to hold a separate poll.

## 2025 Elections

Elections will be required for the following positions:

- the mayor elected ‘at large’
- 8 councillors, being:
  - Kawerau Māori Ward (3)
  - Kawerau General Ward (3)
  - elected ‘at large’ (2)

## Electoral System

Council confirmed the FPP (First Past the Post) electoral system on 6 September 2023 for the 2025 local elections.

The Bay of Plenty Regional Council also confirmed the FPP (First Past the Post) electoral system for their 2025 local elections.

## Legislative Changes

The Local Electoral Regulations 2001 were amended on 30 July 2024 to allow a greater period for the delivery of voting mailers (from six days to 14 days) and a longer voting period (from 22.5 days to 32.5 days).

Although election day remains the second Saturday in October every three years (11 October 2025), the commencement of the electoral process now starts earlier with nominations opening on Friday 4 July 2025.

## 2025 Election Timetable

With an election date of **Saturday 11 October 2025**, the following key functions and dates will apply:

### Nominations open/roll open

Friday 4 July 2025

**Nominations close/roll closes**

Noon, Friday 1 August 2025

**Delivery of voting mailers**

Tuesday 9 to Monday 22 September 2025

**Close of voting**

Noon, Saturday 11 October 2025

A more detailed timetable is attached ([Appendix 1](#)).

**2025 Election Fact Sheet**

A 2025 Election Fact Sheet summarising the key functions of the election ([Appendix 2](#)) is also attached.

**Compilation of non-resident Ratepayer Roll**

The compilation of the 2025 non-resident Ratepayer Roll is required to commence in early-mid 2025. This will include:

- an insert detailing the qualifications and procedures for enrolment as a non-resident ratepayer elector to be included with a 2025 rates instalment notice by the end of August 2025 ([Appendix 3](#));
- a confirmation letter issued to all current non-resident ratepayer electors in March/April 2025;
- a national advertising campaign on the qualifications and procedures for enrolment as a non-resident ratepayer elector during May 2025.

Council can undertake additional promotion of the ratepayer roll if it wishes - such as contacting (letter/email etc) all current or potential non-resident ratepayer electors encouraging their enrolment and participation in the electoral process.

**Order of Candidate Names**

Regulation 31 of the Local Electoral Regulations 2001 provides the opportunity for Council to choose the order of candidate names appearing on the voting documents from three options – alphabetical, pseudo-random (names drawn randomly with all voting documents printed in this order) or random order (names randomly drawn by computer with each voting document different).

Council may determine which order the names of candidates are to appear on the voting documents, but if no decision is made, the order of names defaults to alphabetical.

Council adopted the alphabetical order of names for the 2022 triennial elections as did the Bay of Plenty Regional Council for their 2022 triennial elections.

For Council's information, Auckland Council has undertaken analysis on the effect on the order of candidate names, and research showed no observable effect of candidate order on actual election outcomes.

### **Alphabetical Order**

Alphabetical order is simply listing candidate surnames alphabetically and is the order traditionally used in local and Parliamentary elections.

Comments regarding alphabetical order are:

- voters are easily able to find names of candidates for whom they wish to vote. Some candidates and voters over the years have argued that alphabetical order may tend to favour candidates with names in the first part of the alphabet, but in practice this is generally not the case – most voters tend to look for name recognition, regardless of where in the alphabet the surname lies;
- the order of candidate names on the voting document matches the order listed in the candidate directory (candidate profile statements).

### **Pseudo-Random Order**

Pseudo-random order is where candidate surnames are randomly selected, and the same order is used on all voting documents for that position. The names are randomly selected by a method such as drawing names out of a container.

Comments regarding pseudo-random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;
- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there may be many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

### **Random Order**

Random order is where all candidate surnames are randomly selected and are listed in a different order on every voting document. The names are randomly selected by computer so that the order is different.

Random order enables names to be listed in a completely unique order on each voting document.

Comments regarding random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;
- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there are many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory

(candidate profile statements).

There is no price differential in printing costs between the three orders of candidate names.

#### **Number of Electors**

The number of electors for the 2025 triennial elections is expected to be 5,300 (as at 31 January 2025 this was 5,240). This compares to 5,125 electors for the 2022 triennial election or + 3.4% growth.

#### **Pre-Election Report**

Section 99A of the Local Government Act 2002 requires each local authority to prepare a pre-election report, whose purpose is to provide information to promote public discussion about the issues facing the local authority. The pre-election report is prepared by the Chief Executive, must contain financial and major project information, and should be completed by the end of June 2025.

#### **Promotion of Election**

Section 42(2) (da) of the Local Government Act 2002 requires the chief executive of a local authority to promote their elections to help increase voter participation.

As a chief executive legislative requirement, such promotion should focus on an effective communications/education strategy about the council - what it does, its services and relevance to the community and the importance to stand for office and to vote/have your say to help determine the future of the district.

#### **Pre-Election Period**

The period three-months before election day, known as the pre-election period, is a time where Council must be mindful not to make any significant decisions.

Business as usual must be able to continue, but best practise is that any decisions of significance should not be made in this period (11 July 2025 to 11 October 2025).

In addition, local authorities cannot promote, or be perceived to promote, the prospects of any candidate, especially a current member. This includes restrictions on elected member official communications by Council.

Any use of Council resources (websites, social media, vehicles, phones, staff etc) by elected members during the pre-election period for re-election purposes is unacceptable and possibly unlawful. This prevents a perception of an "unfair advantage" to current elected members over other candidates.



## Recommendation

It is recommended that:

Council resolves for the 2025 triennial election, to adopt *either*:

- (i) the alphabetical order of candidate names; *or*
- (ii) the pseudo-random order of candidate names; *or*
- (iii) the random order of candidate names

as permitted under regulation 31 of the Local Electoral Regulations 2001.

Author:



Dale Ofoske  
Electoral Officer // Kawerau District Council  
Election Services

## APPENDIX 1



KAWERAU DISTRICT COUNCIL



## TIMETABLE | WĀTAKA

2025 LOCAL GOVERNMENT ELECTIONS  
11 OCTOBER 2025

May 2025	National ratepayer roll qualifications and procedures campaign [Sec 39, LEA]
Monday 9 June 2025	Electoral Commission's enrolment update campaign commences
Wednesday 2 July 2025	Public notice of election, calling for nominations, roll open for inspection [Sec 42, 52, 53, LEA]
Friday 4 July 2025	Nominations open / roll open for inspection
Friday 1 August 2025	Nominations close (12 noon) / roll closes [Sec 5, 42, 55 LEA, Reg 21, LER]
Wednesday 6 August 2025	Public notice of day of election, candidates' names [Sec 65, LEA]
Friday 5 September 2025	Electoral officer certifies final electoral roll [Sec 51, LEA, Reg 22, LER]
Tuesday 9 September – Monday 22 September 2025	Delivery of voting documents [Reg 51, LER]
Tuesday 9 September – Saturday 11 October 2025	Progressive roll scrutiny [Sec 83, LEA] Special voting period (12 noon) [Sec 5 LEA, Reg 35, LER] Early processing period (12 noon) [Sec 80, LEA]
by Friday 10 October 2025	Appointment of scrutineers (12 noon) [Sec 68, LEA]
Saturday 11 October 2025	Election day [Sec 10, LEA] Close of voting (12 noon) [Sec 84, LEA] Progress and preliminary results available as soon as practicable after close of voting [Sec 85, LEA]
Monday 14 October – Friday 17 October 2025	Official count [Sec 84, LEA]
Friday 17 October – Saturday 18 October 2025	Declaration of result/public notice of declaration [Sec 86, LEA]
mid/late December 2025	Return of electoral donations & expenses form [Sec 112A, LEA]

LEA = Local Electoral Act 2001 LER = Local Electoral Regulations 2001 (incorporating 30 July 2024 changes)

## APPENDIX 2



KAWERAU DISTRICT COUNCIL



## FACT SHEET | WHĀRANGI MEKA

2025 LOCAL GOVERNMENT ELECTIONS  
11 OCTOBER 2025



## ➔ WHAT DOES COUNCIL DO?

The District Council meets regularly to make many decisions that impact the day-to-day lives of people in the Kawerau area. The Council governs a wide range of local services including roads, water systems, rubbish collection, libraries, parks, community centres, dog registration, community and economic development and district planning.

## ➔ BACKGROUND

Local government triennial elections are being held by postal vote on Saturday 11 October 2025 and will be undertaken by Election Services, under contract to the Kawerau District Council.

The first past the post (FPP) electoral system will be used for both the Kawerau District Council and the Bay of Plenty Regional Council elections.

## ➔ 2025 KEY DATES

Nominations open	Friday 4 July
Nominations close	noon, Friday 1 August
Delivery of voting packs	from Tuesday 9 September
Close of voting	noon, Saturday 11 October
Official results announced	Friday 17 October

## ➔ WHO IS BEING ELECTED?

Elections will be required for the following positions:\*

- ➔ Mayor (elected 'at large')
- ➔ Councillors (8)
  - elected 'at large' (2)
  - Kawerau General Ward (3)
  - Kawerau Māori Ward (3)
- ➔ Bay of Plenty Regional Council Members - either:
  - 2 members from the Eastern Bay of Plenty General Constituency, or
  - 1 member from the Kōhi Māori Constituency.

\* Subject to determination by the Local Government Commission, expected by 10 April 2025

In addition electors will be able to vote on a poll — whether to retain or disestablish the Māori ward for the Kawerau District Council. The outcome of this poll will be binding and apply to the 2028 and 2031 triennial elections. The Bay of Plenty Regional Council is not required to hold a poll on whether to retain or disestablish their Māori constituencies.

## ➔ HOW CAN I BE NOMINATED?

Nominations for these positions open on Friday 4 July 2025 and close at noon on Friday 1 August 2025.

For online nominations go to: [www.esp.electionservices.co.nz](http://www.esp.electionservices.co.nz).

Printed nomination papers and a candidate handbook will also be available during this period from:

- ➔ from the District Office, 2 Ranfurly Court, Kawerau;
- ➔ or download and print at: [www.kaweraudc.govt.nz](http://www.kaweraudc.govt.nz).

To be eligible to stand for election, a candidate **must** be:

- ➔ a New Zealand citizen (by birth or naturalisation ceremony); **and**
- ➔ enrolled as a Parliamentary elector (anywhere in New Zealand); **and**
- ➔ nominated by two electors whose names appear on the electoral roll within the respective area that a candidate is standing for.

A candidate information handbook is available in May 2025.

## ➔ WHO CAN VOTE?

Those eligible to vote are all resident electors and non-resident ratepayer electors whose names appear on the electoral roll when it closes on Friday 1 August 2025. The Preliminary Electoral Roll will be available for public inspection between Friday 4 July 2025 and Friday 1 August 2025 at the District Office, 2 Ranfurly Court, Kawerau.

**Resident Roll:** All parliamentary electors, including those on the Māori Electoral Roll, are automatically enrolled on the Resident Roll, at the address where they live.

Any alterations to the Resident Roll (e.g. change of address details, including new postal addresses) should be made by:

- ➔ completing the appropriate form (available from the Electoral Commission or District Office);
- ➔ phoning 0800 36 76 56;
- ➔ accessing the Electoral Commission website: [www.vote.nz](http://www.vote.nz).

**Ratepayer Roll:** If a person is on the parliamentary roll in one area and pays rates on a property in another area, this person may be eligible to be enrolled on the non-resident ratepayer roll. A firm, company, corporation or society paying rates on a property may nominate one of its members or officers as a ratepayer elector (provided the nominated person resides outside the area).

To check if you may be eligible or to obtain an enrolment form, go to [www.ratepayer.co.nz](http://www.ratepayer.co.nz). Ratepayer Roll enrolment forms are also available at [www.kaweraudc.govt.nz](http://www.kaweraudc.govt.nz).

**All electors** will be able to vote for the mayor and those councillors elected 'at large'. Those electors on the general electoral roll will be able to vote for the general ward councillors and those electors on the Māori electoral roll will be able to vote for the Māori ward councillors.

## ➔ HOW TO VOTE?

Voting packs will be posted to all those who have enrolled from Tuesday 9 September 2025.

The voting period is just over four weeks (Tuesday 9 September 2025 to noon Saturday 11 October 2025.)

Electors may post their completed voting documents back to the electoral officer using the orange prepaid envelope sent with their voting document.

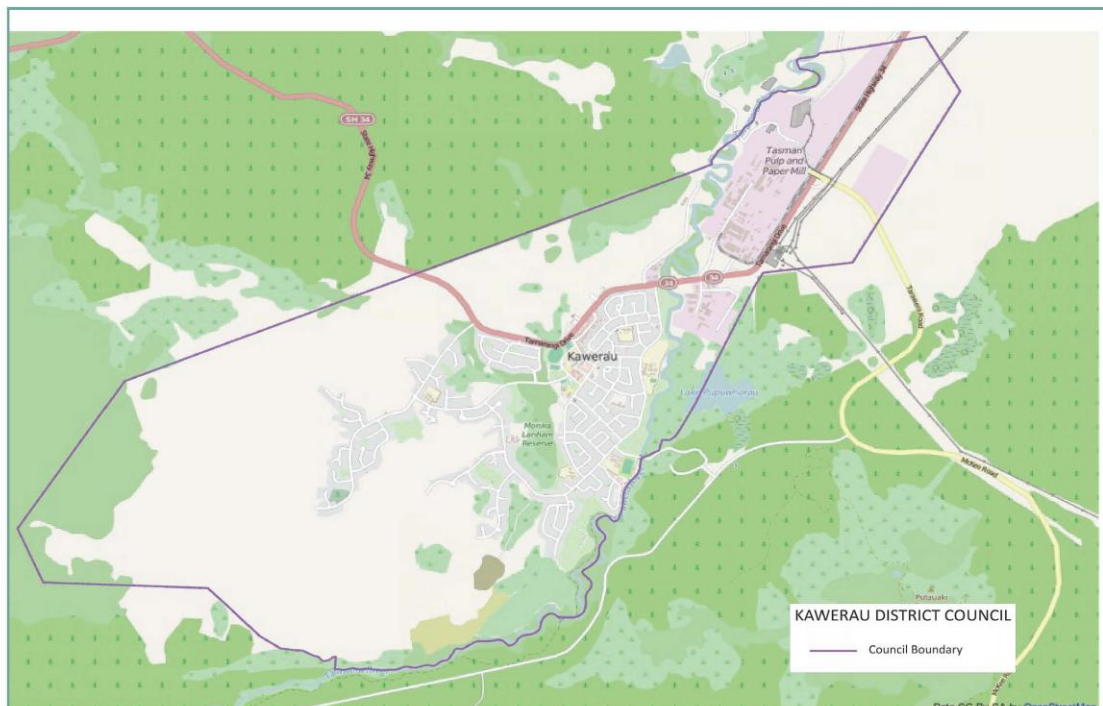
A polling place for the issuing of special voting documents and for the receiving of completed voting documents will be available from Tuesday 9 September 2025 to noon Saturday 11 October 2025 at the District Office, 2 Ranfurly Court, Kawerau.

**To be counted, all completed voting documents must be in the hands of the electoral officer or an electoral official by noon, Saturday 11 October 2025.**

## ➔ RESULTS

Progress results will be known early afternoon on election day, and preliminary results will be known by Sunday, 12 October 2025. Final results will be known by Friday 17 October 2025, and all results will be accessible on Council's website: [www.kaweraudc.govt.nz](http://www.kaweraudc.govt.nz).

## 2025 KAWERAU DISTRICT COUNCIL MAP



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## APPENDIX 3



**WHEREVER  
YOU PAY  
RATES  
YOU CAN  
VOTE.**

### Do you live in one area and pay rates on a property in another area?

You may qualify to vote in both areas at the local authority elections in October 2025

You may like to vote in this election. Voting is a way to have your say on what happens in your local community. This information is designed to help you. It notes who you can contact to enrol, and ways you might qualify to vote.

### There are two types of electors...

**Residential Electors** – If you are registered to vote on the electoral roll, you are automatically enrolled to vote in local authority elections. You will receive a voting document so that you can vote by post.

**Ratepayer Electors** – You may also be eligible to enrol as a non-resident ratepayer elector in a council district if both of these apply:

- you are on the district valuation roll and pay rates in the council district
- the address where you are registered as a Parliamentary elector is outside that council district.

Your eligibility to enrol or be nominated as a ratepayer elector may also depend on your individual circumstances as determined by criteria in the Local Electoral Act 2001 and its regulations.

**Enrol now – the Ratepayer Electoral Roll closes on 1 August 2025**

### An organisation can nominate one of its members or officers to vote on its behalf

If a firm, company, trust, corporation, society partners, joint tenants and tenants in common collectively pay rates on a property in a council district, one of the group may be nominated to be the ratepayer elector. The person nominating and the nominated person must be registered as Parliamentary electors at addresses outside the council district where the property is located.

### You can only enrol once

You can only enrol, or be nominated to enrol, once in a council district, no matter how many properties you own in that council district. Council district includes: a city, district and regional council area; a community board area if established; the area of Auckland Council and the local boards.

### New Ratepayer Electors

If you think you may be eligible to enrol or to nominate someone as a ratepayer elector, get an Enrolment Form for Ratepayer Electors from the local council where you pay your rates. The Electoral Officer will be able to help you with your application.

If you want further information, please scan the QR code below.



[votelocal.co.nz/information-for-voters/ratepayer-roll/](http://votelocal.co.nz/information-for-voters/ratepayer-roll/)



**WHEREVER  
YOU PAY  
RATES  
YOU CAN  
VOTE.**

**Enrol now – the Ratepayer Electoral Roll closes on 1 August 2025**



**Meeting:** Council

**Meeting Date:** 26 March 2025

**Subject:** Adoption of Council's Fraud and Corruption Risk Assessment

**File No.:** 201300

## **1 Introduction**

The purpose of this report is for Council to review and adopt Council's fraud and corruption risk assessment.

## **2 Background**

Council is required to manage its risks which also includes the risk of fraud, corruption and bribery occurring.

The Office of the Auditor-General requires every public entity to formally address the matter of fraud and formulate an appropriate policy on how to minimise it and if it occurs, how to deal with it. As part of the fraud management process, Council needs to assess what its major fraud risks are and what controls are in place to reduce those risks.

Council has a Fraud and Corruption Policy, which was last reviewed and adopted by Council in August 2023, following the recommendation from Council's Auditors to add in Corruption and Bribery to the policy. It is prudent that given this update and expansion of the policy that the Council reviews and updates the fraud risk assessment to determine if other potential fraud, corruption or bribery risks need to be added.

Kawerau District Council needs to protect its revenue, property and information. The Fraud and Corruption Policy has been established to facilitate the development of controls that will aid in the detection and prevention of fraud against the Council.

The Fraud Risk Assessment as provided in Appendix A and as detailed below was presented to the Audit and Risk Committee on the 10<sup>th</sup> of February 2025, with the committee supporting the assessment as presented.

## **3 Fraud Risk Assessment**

A review and update of the Fraud Risk Assessment has been undertaken, and the updated assessment is attached in Appendix A. The updated assessment is essentially the same as the previous assessment, however corruption and bribery has been added, as well as additional controls to manage fraud, corruption and bribery risks. For ease of comparison, Appendix B contains the previous risk assessment.

There are three categories of likely fraud identified, which include:

- Financial statement manipulation
- Misappropriation of assets
- Employee corruption and bribery

The assessment identifies the likelihood, significance, controls and residual risks for each of these categories.

It is important to note that the following Council policies support the prevention of fraud and corruption:

- Code of Conduct
- Sensitive Expenditure Policy
- Procurement Policy.

Also, Council utilises pre-employment screening assessments, as a precautionary control process.

#### **4 RECOMMENDATIONS**

1. That the report “Adoption of Council’s Fraud and Corruption Risk Assessment” be received.
2. That Council adopt the “Fraud and Corruption Risk Assessment” as proposed in Appendix A.



Lee-Anne Butler, CA, BMS

**Group Manager Finance and Corporate Services**

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## APPENDIX A:

### Fraud and Corruption Risk Assessment:

Fraud is defined as the use of deception with the intention of obtaining personal gain, an unlawful advantage, avoiding an obligation, or causing loss to another party.

Corruption is defined as the lack of integrity or honesty or the abuse of a position of trust for dishonest personal gain.

Three categories of fraud and corruption are identified:

- Financial Statement manipulation
- Misappropriation of Council assets
- Employee corruption and bribery

Identified fraud & corruption risks	Likelihood	Significance	People / Department	Existing controls	Assessment of existing controls	Residual Risks	Fraud & Corruption Risk Response
<b>Financial Reporting:</b> 1) Expenditure recognition - Holding invoices - Incorrect coding  2) Revenue recognition -Timing of income -Incorrect coding  3) Public Debt -Incorrectly reported or kept off books	Low. Council is not profit driven nor is pay dependent on financial performance. However, there is some pressure to ensure expenditure/ revenue is within budget.	Not significant	Accounting staff and managers	Management report reviewed by managers each month as well as overview by CEO.	Controls are appropriate for Council	Risk that management will override existing controls	Minimal risk.  Risk Acceptable.

Identified fraud & corruption risks	Likelihood	Significance	People / Department	Existing controls	Assessment of existing controls	Residual Risks	Fraud & Corruption Risk Response
<b>Misappropriation of Assets:</b> 1) Cash  2) Accounts payable - Fictitious vendors - Inflated invoices - Private Purchases (charged to Council)	Possible	Material	Cashiers (at KDC, library, swimming pool, i-site and transfer station)	<ul style="list-style-type: none"> <li>➤ Separation of duties and independent reconciliation of cash (daily)</li> <li>➤ Cash kept as secure as possible.</li> <li>➤ Invoices are raised in most cases.</li> <li>➤ Reconciliation and analytical reviews completed with revenue from previous years.</li> </ul>	Tested/approved by management. Compared to best practice	Controls are bypassed. Eg possible for receipts not to be given (Where no invoice) and money misappropriated .	Customers are encouraged to make automatic payments where possible. Also accept EFTPOS and credit cards.  Risk Acceptable.
	Possible	Material	Managers and officers who authorise expenditure. Also, Creditors/Payroll Officer.	<ul style="list-style-type: none"> <li>➤ Separation of duties.</li> <li>➤ Delegations for set limits. Most suppliers are known. Use BOPLASS preferred suppliers in some cases.</li> <li>➤ Checks are undertaken to compare bank accounts with those in payroll system.</li> <li>➤ Sensitive expenditure is approved by respective managers and reviewed by Accounting Team Lead.</li> </ul>	Controls are appropriate for Council and follow recommendations by Audit.	Controls are bypassed.	Monthly costs and revenue reviewed by management for reasonableness Risk Acceptable.

3) Payroll - Fictitious Employees - Unauthorised payments	Possible	Material	Creditors/Payroll Officer.	<p>➤ Review by management of department personnel and costs.</p> <p>➤ Controls within payroll system.</p> <p>➤ Reviewed/authorised by the Accounting Team Lead for new personnel and any changes to rates.</p>	Controls are appropriate for Council and consistent with what other organisations have.	Established controls are bypassed.	Review by management of monthly costs. Risk Acceptable.
4) Assets/Inventory - Theft by employee - Theft by others	Possible	Material	All staff	<p>➤ Inventory/asset registers.</p> <p>➤ Assets at risk are locked away when not in use.</p> <p>➤ Alarms in Council buildings.</p> <p>➤ Policy around private use of council assets.</p> <p>➤ Review by Managers/Supervisors.</p> <p>➤ Fraud and Corruption Policy in place to assist with identification and managements of any fraud.</p>	Controls are tested by management and considered appropriate for the risk level	Assets (especially portable items such as laptops) are taken by either employees or others.	Insurance for loss of assets. Allocation and management of digital devices managed by IT team. Risk Acceptable.

Identified fraud & corruption risks	Likelihood	Significance	People / Department	Existing controls	Assessment of existing controls	Residual Risks	Fraud & Corruption Risk Response
<b>Corruption &amp; Bribery:</b> 1) Conflict of interest - Kickbacks/gifts - Engaging or contracting relatives - Profiteering from insider knowledge - Disclosure of confidential information to external parties for private gain.	Possible	Material	Supervisors/Managers	➤ Fraud and Corruption Policy in place to assist with identification and management of any fraud or corruption or bribery. ➤ Established policy whereby staff unable to accept gifts exceeding specified value. ➤ Procurement Policy to ensure procedures in place for engagement for the supply of goods and Services. ➤ Delegation procedures are in place to limit the number of people who can engage contractors and suppliers for services. ➤ Senior leadership team and Councillors are required to declare any "interest" or possible conflict. ➤ Pre-employment checking process.	Controls considered effective for level of risk.	Policies are ignored.	Review by management. Risk Acceptable.

## APPENDIX B - Fraud Risk Assessment 2021

Fraud refers to an intentional act by an individual to deceive for the purposes of obtaining an unjust or illegal advantage.

3 categories of fraud are identified:

- Financial Statement manipulation
- Misappropriation of Council assets
- Employee corruption

Identified fraud risks	Likelihood	Significance	People / Department	Existing controls	Assessment of existing controls	Residual Risks	Fraud Risk Response
<b>Financial Reporting:</b> 1) Expenditure recognition -Holding invoices - Incorrect coding 2) Revenue recognition -Timing of income -Incorrect coding 3) Public Debt -Incorrectly reported or kept off books	Low. Council is not profit driven nor is pay dependent on financial performance. However, there is some pressure to ensure expenditure/revenue is within budget.	Not significant	Accounting staff and managers	Management report reviewed by managers each month as well as overview by CEO.	Controls are appropriate for Council	Risk that management will override existing controls	Minimal risk. Risk Acceptable.
<b>Identified fraud risks</b>	<b>Likelihood</b>	<b>Significance</b>	<b>People / Department</b>	<b>Existing controls</b>	<b>Assessment of existing controls</b>	<b>Residual Risks</b>	<b>Fraud Risk Response</b>
<b>Misappropriation of Assets:</b> 1) Cash	Possible	Material	Cashiers (at KDC, library, swimming pool, i-site and transfer station)	Separation of duties and independent reconciliation of cash (daily) Cash kept as secure as possible. Invoices are raised in most cases. Also comparison with revenue from previous years.	Tested/approved by management. Compared to best practice	Controls are bypassed. Eg possible for receipts not to be given (Where no invoice) and money misappropriated.	Customers are encouraged to make automatic payments where possible. Also accept EFTPOS and credit cards. Risk Acceptable.

2)Accounts payable -Fictitious vendors -Inflated invoices -Private Purchases (charged to Council)	Possible	Material	Managers and officers who authorise expenditure. Also Creditors/Payroll Officer .	Separation of duties. Delegations for set limits. Most suppliers known. Use BOPLASS preferred suppliers in some cases. Checks to be undertaken to compare bank accounts with those in payroll system. Sensitive expenditure is approved by respective managers and reviewed by accountant.	Controls are appropriate for council and follow recommendations by Audit	Controls are bypassed.	Monthly costs and revenue reviewed by management for reasonableness
3) Payroll -Fictitious Employees -Unauthorized payments	Possible	Material	Creditors/Payroll Officer.	Review by management of department personnel and costs. Controls within payroll system. Reviewed/authorised by the accountant for new personnel and any changes to rates.	Controls are appropriate for Council and consistent with what other organisations have.	Established controls are bypassed.	Review by management of monthly costs. Risk Acceptable.
4) Assets/Inventory -Theft by employee -Theft by others	Possible	Material	All staff	Inventory/asset registers. Assets at risk are locked away when not in use. Alarms in Council buildings. Policy around private use of council assets. Review by Managers/Supervisors.	Controls are tested by management and considered appropriate for the risk level	Assets (especially portable items such as laptops) are taken by either employees or others.	Insurance for loss of assets. Risk Acceptable.

Identified fraud risks	Likelihood	Significance	People / Department	Existing controls	Assessment of existing controls	Residual Risks	Fraud Risk Response
<b>Corruption:</b> 1) Conflict of interest -Kickbacks/gifts -Engaging/contracting relatives	Possible	Material	Supervisors/Managers	Established policy whereby staff unable to accept gift exceeding specified value. Also staff and councilors are required to declare any “interest” or possible conflict.	Control considered effective for level of risk.	Policies are ignored	Review by management. Risk Acceptable.





**Meeting:** Council

**Meeting Date:** 26 March 2025

**Subject:** **Receipt of Submissions, Deliberations and Adoption of the Easter Sunday Shop Trading Policy**

**File No:** 110800

## **1 Purpose**

The purpose of this workshop is to receive community submissions, deliberate on the submissions and if deemed appropriate resolve to adopt the Easter Sunday Shop Trading Policy.

## **2 Background**

In 2016, the Shop Trading Hours Amendment Act introduced the ability for Councils to adopt a local Easter Sunday Shop Trading Policy to enable shops to open on Easter Sunday either across the whole of the district or across parts of the district.

Prior to this legislative change, most shops were required to remain shut on three and a half days a year, being Good Friday, Easter Sunday, Anzac Day (until 1pm) and Christmas Day pursuant to the Shop Trading Hours Act 1990. Only limited shops, are able to open on these days, as set out in section 4 of the Shop Trading Hours Act 1990.

In February 2017, Kawerau District Council adopted the Easter Sunday Shop Trading Policy 2017. During the public consultation at that time, three submissions were received with two supporting the policy (grocery chains) and one opposed (church). This policy permitted shops in the whole of the district to open on Easter Sunday.

In 2024, Council received three calls from the public wanting to confirm whether the Council had a policy to enable Easter Sunday Trading. It was at this stage the policy was identified as not having been reviewed within the required five-year timeframe and was automatically revoked in February 2024. This was identified too late to re-enact prior to Easter 2024. The enquirers were advised that Council would consider whether or not to re-introduce a policy in the following year.

If Council chooses not to adopt a policy, the Shops Trading Hours Act 1990 will continue to apply to the district and only limited shops will be able to open on Easter Sunday. If shops that do not meet any of the exemptions under s4 of the Shop Trading Hours Act 1990 choose to open on Easter Sunday, they risk prosecution and fines of up to \$1,000.

This paper was initially postponed due to the introduction of the Repeal of Good Friday and Easter Sunday as Restricted Trading Days (Shop Trading and Sale of Alcohol) Amendment Bill mid last year. This bill proposed to repeal Good Friday and Easter Sunday as restricted trading days, removing the need for Council to adopt a policy on Easter Sunday trading. This Bill was defeated on 17 December 2024 at the first reading.

A draft policy was prepared and adopted for public consultation on 12 February 2025.

### **3 Submissions and Recommendations for Amendments**

#### **3.1 Submissions Received**

Community consultation commenced on 17 February 2025 and closed on 17 March 2025. During this period, a letter containing all consultation information was provided to the local retail businesses. This provided all consultation information and submission form, along with guidance on where to seek further information on employer and employee rights and obligations, if required.

During this period, Council received three submissions. At the time of writing, no late submissions had been received.

None of the three submitters wished to speak to their submissions, and as a result no hearing has been scheduled.

The following summarises the responses received for the two questions.

#### **Question 1: Please tick your preferred option?**

- Option 1: Adopt a policy allowing all shops in the district to open on Easter Sunday
- Option 2: Adopt a policy allowing shops in certain areas of the district to open on Easter Sunday (please list specific areas, you think should allow Easter Sunday Trading)
- Option 3: Do not adopt a policy

Of the 3 submitters, the responses have been categorised as 66% positive recommending option 1 - adopt a policy allowing Easter Sunday trading across the whole district, and 33% negative recommending option 3 - do not allow Easter Sunday Trading.

#### **Question 2: Please make any further comments you have regarding the Draft Easter Sunday Shop Trading Policy.**

Of the 3 submitters, the responses have been categorised as 66% offering positive sentiments and 1 offering a sentiment in the negative, towards a policy being adopted.

The individual comments are included in the table below.

<b>Support</b>
I think individual shop owners should be permitted to choose if they wish to open on Easter Sunday or not. It would be nice if more did open to cater for visitors who may be pushed for time.
I believe shops should have the choice to open or not and providing their staff are fairly and legally remunerated, then should be able to do so. The community can choose to support them opening or not. Everyone is entitled to their own prerogative. It's my opinion this legislation is outdated, archaic and not relevant to much of our communities these days.

<b>Do not support</b>
Stop erasing Christian values and traditions.

Please refer to Appendix 1 Submissions on the Draft Easter Sunday Shop Trading Policy to review a list of all submissions.

### 3.2 Recommendation for Amendments

The submissions made no recommended changes or amendments to the content of the Draft Easter Sunday Shop Trading Policy. Based on this, no changes have been made to the policy, other than adding the proposed commencement date being 31 March 2025.

## 4 Options Considered

There are three options available for consideration by Council. These options are outlined below:

### 4.1 Option One: Adopt a policy allowing all shops in the District to open on Easter Sunday **(Preferred Option)**

This option will essentially reinstate the previous policy which enabled shops across Kawerau District to decide whether to open or not, without the fear of prosecution or fines.

#### ***Advantages***

This option provides Employers with the opportunity to make their own decision as to whether or not to open. This may provide increased revenue, employment and shopping opportunities.

Enabling trading on Easter Sunday provides alternative activities for the increasing proportion of the population that do not observe religious holidays or are of a different religion to those that observe Easter Sunday.

The District wide policy prevents confusion and frustration for business, residents and tourists as it sets clear and consistent rules.

This option reduces the benefits/disadvantages some businesses gain from being able to open longer hours, while others cannot, proving fairer business opportunities.

This is one way Kawerau District Council can demonstrate its support in the growth and development of business opportunities within the district.

Trading on Easter Sunday is also an opportunity for employees to choose to work and gain an additional day's wages or revenue, noting that Easter Sunday is not a paid public holiday and employees are not entitled to be paid time and a half or an alternative day off. Employees can still refuse to work on Easter Sunday if they want to.

The majority of support from the community preferred this option.

### ***Disadvantages***

A District-wide policy may also impact on the ability of employees and employers to engage in cultural, religious or whānau activities on Easter Sunday. The importance of community (however defined by an individual), cannot be underestimated.

Easter Sunday is an important day for Christian religions and this may appear to undervalue the importance of Easter Sunday to those religions.

Although employees have the right to refuse to work on Easter Sunday, they may not understand this and may feel pressured to work. Employers may not fully understand their legal obligations in regards to requesting employees to work over this period creating misunderstandings.

Existing businesses have been used to having the ability to trade on Easter Sunday up until last year. While many of the businesses within Kawerau (supermarkets, dairies, petrol stations) may be able to open (in part or in full) under the provisions in the Shop Trading Hours Act 1990, not all can.

This option was not supported by all submitters.

### ***General Comments***

While it is not Council's role to ensure employees and employers understand their legal rights and obligations, this information was included in the community engagement and frequently asked questions, with guidance on where to seek further information if required.

## **4.2 Option Two: Adopt a policy allowing shops in certain areas of the District to open on Easter Sunday**

This option will only enable shops in some areas in Kawerau District to decide whether to open or not. This option is largely impractical for a District the size of Kawerau, where we are one community and are not divided into suburbs, wards or have other satellite communities.

### ***Advantages***

This option provides individual communities with the option to self-determine what is best for their area.

### ***Disadvantages***

Kawerau District does not have readily defined suburbs, wards or satellite communities. We are one community.

This would create an unintended administration burden and significant community consultation to determine defined areas for a policy, which largely impacts only those currently operating in the central business area.

No support was provided for this option during community consultation.

#### 4.3 Option Three: Status Quo, Do not adopt a Policy

This Option would mean the Easter Sunday trading would remain a restricted trading day and only shops with an exemption under sections 4, 4A and 4B of the Shop Trading Hours Act 1990 would be able to open.

The shops enabled under the Act include dairies, service stations, takeaway bars, restaurants, cafes, duty free stores, shops providing services but not selling goods (e.g. a hairdresser), real estate agencies, pharmacies, garden centres, shops at public transport hubs, shops within an exhibition or show and souvenir stores. There are some restrictions around these shops opening that can be viewed at the attached link <https://www.employment.govt.nz/leave-and-holidays/public-holidays/restricted-trading-days-for-shops>

The occupier of a shop not allowed to trade, could be liable for a fine of up to \$1,000 for trading on Easter Sunday as enforced by the Ministry of Business, Innovation and Employment.

##### ***Advantages***

This option protects an important day in the Christian religions.

This option provides for one day in which whānau, social, cultural and recreational benefits are supported through a guaranteed day where a majority of employees are not working.

A limited number of shops will remain open to service the District on Easter Sunday.

This removes concerns that some employers and employees may not fully understand their rights and obligations and the disputes this may raise.

One of the three submitters supported this option.

##### ***Disadvantages***

Only limited shops would be able to open on Easter Sunday, reducing the opportunities for businesses to self-determine any benefits (revenue) in opening and some employees will lose the opportunity for additional working hours.

This option may create inconsistencies between our District and other districts in the Bay of Plenty area, meaning tourists may choose to visit those other districts during Easter weekend. This could negatively impact our local economy.

This option creates inconsistencies between those businesses that can open and those that cannot. This may also create a 'risk taking' attitude, where businesses open anyway risking prosecution or a fine.

This option was not supported by the majority of submitters.

#### 4.4 Other Bay of Plenty Councils

Councils across the Bay of Plenty all have policies in place to enable trading on Easter Sunday. Where there are inconsistencies, this will encourage visitors to travel to other

districts where there is more opportunity to visit open shops. While Kawerau District is a smaller district with less shopping opportunities, businesses may be further disadvantaged if they are unable to open while others around the region can. The community is also disadvantaged by having to travel, when options may have been available locally.

## **5 Policy and Plan Considerations**

There are no policy or plan provisions that conflict with the recommendations in this report.

## **6 Legal Considerations**

There is no legal requirement to adopt an Easter Sunday Shop Trading Policy, and the scope of the policy is tightly defined.

The policy can only:

- a) Permit shops to open on Easter Sunday in an area comprising –
  - i) The whole of its district; or
  - ii) Any part or parts of its district.

The Act does not allow for the policy to:

- a) Permit shops to open only for some purposes; or
- b) Permit only some types of shops in the area to open; or
- c) Specify times at which shops may or may not open; or
- d) Include any other conditions as to the circumstances in which shops in the area may open.

Any policy introduced, would not override shop-trading provisions in other legislation such as the Sale and Supply of Alcohol Act 2012 (which allows the sale of alcohol in limited circumstances).

In addition, the policy would not address shop employees' rights, as this is governed under the Shop Trading Hours Act 1990. Shop employees have the right to refuse to work on Easter Sunday.

Enforcement of the Shop Trading Hours Act 1990 is the role of the Ministry of Business, Innovation and Employment. The introduction of an Easter Sunday Shop Trading Policy would not come with enforcement requirements for Council. The policy is essentially enabling trade on Easter Sunday, the policy is not able to be breached as the option to open on Easter Sunday is not mandatory.

Under section 5E of the Shop Trading Act 1990, within 10 days after Council adopts a local Easter Sunday Shop Trading Policy, Council must notify the Chief Executive of the Ministry of Business, Innovation and Employment, of the adoption of a policy and provide a copy of the resolution and the adopted policy.

## **7 Financial Considerations**

There are no budget considerations associated with the recommendations in this report.

## **8 Significance and Engagement**

In accordance with Council's Significance and Engagement Policy, the matters in this report are considered low significance. In saying this, under section 5B of the Shop Trading Hours Act 1990, Council is required to consult using the special consultative process outlined in section 83 of the Local Government Act 2002.

The following documents were required for the special consultative process:

- a) Draft Easter Sunday Shop Trading Policy
- b) Statement of Proposal

Also included in the consultation package was:

- c) Frequently Asked Questions
- d) Submissions Form

The formal consultation process was undertaken between 17 February and 17 March 2025. A public notice was advertised in the Beacon, and on Council's Website and Council's Facebook page. Community drop in centres were made available and letters were delivered to local retail businesses in Kawerau.

Easter Sunday is on 20 April 2025. Under the Shop Trading Hours Act 1990, employers must give their employees no less than 4 weeks written notice of their right to refuse to work on Easter Sunday. While this policy will not be in place within this timeframe, the information package and letter regarding consultation on the proposed policy, which was delivered to local retail business, included relevant information regarding their legal requirements around opening and where they could seek further advice.

## **9 Attachments**

The following documents are attached:

- Appendix 1: Draft Easter Sunday Shop Trading Policy Submissions
- Appendix 2: Easter Sunday Shop Trading Policy

## **10 RECOMMENDATIONS**

1. That the report "Receipt of Submissions, Deliberations and Adoption of the Easter Sunday Shop Trading Policy" be received.
2. That Council receive the submissions.

3. That Council deliberates on the Easter Sunday Shop Trading Policy; and
4. That Council resolves to adopt the Easter Sunday Shop Trading Policy 2025 effective from 31 March 2025; and
5. That Council authorises the Group Manager Regulatory and Planning to make any necessary minor edits or changes to reflect decisions made by Council at the meeting.



Michaela Glaspey

**Group Manager Regulatory and Planning**

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## APPENDIX 1

# Easter Sunday Shop Trading Policy Submissions

Thank you to all three submitters on the proposed Draft Easter Sunday Shop Trading Policy.

Council asked the community for feedback on the Draft Easter Sunday Shop Trading Policy in Kawerau with the following questions:

**Question 1:** Please tick your preferred option:

- |           |   |
|-----------|---|
| Option 1: | Adopt a policy allowing all shops in the district to open on Easter Sunday  |
| Option 2: | Adopt a policy allowing shops in certain areas of the district to open on Easter Sunday (please list specific areas you think should allow Easter Sunday Trading) |
| Option 3: | Do not adopt a policy   |

**Question 2:** Please make any further comments you have regarding the Draft Easter Sunday Shop Trading Policy

#	Name	Hearing	Preferred Option
01	Elaine McGlinchey	NO	<p><b>Q1.</b> Option 1: Adopt a policy allowing all shops in the district to open on Easter Sunday</p> <p><b>Q2.</b> I think individual shop owners should be permitted to choose if they wish to open on Easter Sunday or not. It would be nice if more did open to cater for visitors who may be pushed for time.</p>
02	Heather Kuka	NO	<p><b>Q1.</b> Option 1: Adopt a policy allowing all shops in the district to open on Easter Sunday</p> <p><b>Q2.</b> I believe shops should have the choice to open or not and providing their staff are fairly and legally remunerated, then should be able to do so. The community can choose to support them opening or not. Everyone is entitled to their own prerogative. Its my opinion this legislation is outdated, archaic and not relevant to much of our communities these days.</p>
03	Anonymous	NO	<p><b>Q1.</b> Option 3: Do not adopt a policy</p> <p><b>Q2.</b> Stop erasing christian values and traditions.</p>

# Council Policy

## Easter Sunday Shop Trading Policy

<b>Effective Date:</b>	31 March 2025
<b>Last Reviewed :</b>	New Policy
<b>Next Review Date:</b>	March 2030 (Five Year Review)
<b>Engagement Required:</b>	Public Consultation (s83 LGA)
<b>Document Number:</b>	POL 07
<b>Responsibility:</b>	Group Manager, Regulatory and Planning
<b>Associated Documents:</b>	Shop Trading Hours Act 1990, Holidays Act 2003, Sale and Supply of Alcohol Act 2012 and the Employment Relations Act 2000

## 1. INTRODUCTION

- 1.1 The Shop Trading Hours Act 1990 enables territorial authorities to have a local policy to permit shops in the whole or any part(s) of its district to open on Easter Sunday.
- 1.2 Council recognises the importance of supporting local businesses while also respecting the rights of workers and considering the community impact.
- 1.3 The policy aims to support local businesses by providing them the option to trade on Easter Sunday and providing increased choice and convenience for residents and visitors.

## 2. POLICY PURPOSE

The purpose of the policy is to provide shops in Kawerau District with the option to open on Easter Sunday.

## 3. SCOPE

This policy applies to the whole of the Kawerau District, as indicated in Schedule 1 of this policy.

## 4. DEFINITIONS

**Act** means the Shop Trading Hours Act 1990 and its amendments.

**District** means Kawerau District

**Shop** has the meaning set out in section 2 of the Act.

### Explanatory notes

Section 2 of the Act, defines shop as:

A building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include-

- (a) a private home where the owner or occupier's effects are being sold (by auction or otherwise); or
- (b) a building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them; or
- (c) a building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again.

## 5. POLICY STATEMENT

- 5.1 Any shop is permitted to open on Easter Sunday within the Kawerau District.

**5.2** Nothing in this policy requires any shop to open.

## 6. EXEMPTIONS

**6.1** This policy does not:

- a) apply to any day other than Easter Sunday;
- b) control the types of shops that may open or the opening hours;
- c) apply to the sale and supply of alcohol on Easter Sunday which is regulated by the Sale and Supply of Alcohol Act 2012.

## SCHEDULE 1 – KAWERAU DISTRICT MAP





**Meeting:** Council

**Meeting Date:** 26 March 2025

**Subject:** Adoption of the Freedom Camping Bylaw and Amendments to the Reserve Management Plan.

**File No.:** 320400

## **1 Purpose**

The purpose of this report is to adopt the Freedom Camping Bylaw, having previously received and deliberated on the submissions received on 26 February 2025.

## **2 Background**

The Freedom Camping Bylaw 2019, was introduced as a means to address problems that had arisen with freedom camping in Kawerau District. The introduction of the Bylaw was considered the best way to protect freedom camping areas and the health and safety of people in the Kawerau District and enabled Council to adopt an infringement regime to help manage the freedom camping areas.

A new Bylaw must be reviewed within 5 years of implementation and then every 10 years after this. This is the first review of the current bylaw.

In addition to a standard review, in June 2023, changes were made to the Freedom Camping Act 2011 and the Plumbers, Gasfitters and Drainlayers Act 2006 through the enactment of the Self-Contained Vehicles Legislation Act 2023, which had the purpose of improving the management of vehicle based freedom camping.

The amendments to the Freedom Camping Act included amending the definition of freedom camping and self-contained vehicle definition. The full definition can be viewed within the proposed draft Freedom Camping Bylaw. Please note the definition includes those who are not considered a freedom camper.

The Act now provides a presumption that freedom camping on local authority land is a permitted activity, including the use of a tent or temporary structures. While Council can restrict freedom camping to set areas within the District, or set types of freedom camping via a bylaw, Council cannot issue a blanket ban on freedom camping.

In June 2024, prior to completing a review of the Freedom Camping Bylaw, Council undertook an initial site assessment of all Council owned land. These site assessments were considered as part of the review of the Freedom Camping Bylaw.

### **2.1 Initial Review**

The Bylaw balances freedom camping with protecting community reserves for recreational purposes, through defining areas of Council-owned land that are either restricted or prohibited for freedom camping. In addition to this, the bylaw provides enforcement options that are not otherwise available under the Freedom Camping Act or other legislation.



Enforcement and monitoring is currently limited to working hours (8am-5pm), however Council is in the progress of engaging contractors to provide additional monitoring.

The Freedom Camping Bylaw is still considered necessary for the following reasons:

- Kawerau receives a consistent number of freedom campers on an ongoing basis (the average would be around 5 per night – although this is likely low), plus we have a number of groups which attend events within Kawerau. Without a bylaw in place, we may not have sufficient control over the use of Council Land (particularly Firmin Lodge and Prideaux Park).
- Enforcement powers, although not often used, help ensure the majority of visitors comply, and provides staff with a means to address serious non-compliance.
- The bylaw helps inform the community of their rights and obligations.

The key issues identified with the current bylaw were:

- Wording of the bylaw enables a maximum of seven consecutive nights in any calendar month. Unfortunately, having stayed for six consecutive nights, providing they leave, they could return for another set of seven consecutive nights and not technically be in breach of the bylaw.
- Bylaw does not allow exemptions or prior approval. Council is often faced with individuals requesting to stay additional nights, however the bylaw has no provisions to enable this.
- Site assessments indicate the need to adjust the availability of certain sites.
- The bylaw is currently inconsistent with the Reserves Management Plan, which is currently under review.

## 2.2 Post Review Process

Upon completion of the review, Council determined that a bylaw under the Freedom Camping Act 2011 was the most appropriate way to manage issues relating to freedom camping, and that the proposed bylaw was the most appropriate form of bylaw. The proposed bylaw was assessed as not being inconsistent with the New Zealand Bill of Rights Act 1990.

On 31 July 2024, the draft freedom camping bylaw was adopted for consultation for the period 5 August 2024 to 6 September 2024. During the consultation period, Council received 21 submissions on the proposed bylaw.

The submissions were received by Council and deliberations were commenced, however were placed on hold awaiting a legal opinion on whether or not the site assessments complied with the provisions under the Freedom camping Act 2011.

At the same time, the High Court decision *New Zealand Motor Caravan Association Incorporated v Queenstown Lakes Council* [2024] NZHC 2729 was reported. One finding of the decision was that the consideration of amenity and economic factors were outside the scope of the Freedom Camping Act 2011. As a result, Council made the decision to complete reassessments of all site assessments.

A full reassessment of the site assessments was completed, which included removing all reference to and consideration of amenity and economic values.

While the review of the site assessments, changed some scoring of the individual criteria for various sites, the site reassessments did not lead to significant changes.



No sites were reclassified to enable freedom camping, that were previously recommended to be prohibited or restricted in the June 2024 site assessments.

Two sites (Waterwheel Heritage Park, Tamarangi Reserve) were removed from the prohibited sites, as they did not meet the level in which would exclude them from being suitable for freedom camping. These sites remain unable to be used for Freedom Camping as they are prohibited under s44(1) of the Reserves Act 1977.<sup>1</sup> The Circus Paddock was also removed from the Bylaw.

The Freedom Camping Bylaw was amended to reflect the outcome of the site assessments. On 13 November 2024, Council adopted the amended Bylaw and the newly proposed amendments to the Reserve Management Plan (see below point 4 for consistency) for public consultation between the period of 18 November 2024 and 20 December 2024. A total of 8 submissions were received.

### **3 Submissions Received and Deliberations**

#### **3.1. Brief overview of submissions received**

##### **Question 1:**

##### **Do you support the introduction of the Freedom Camping Bylaw as proposed?**

Of the 8 submissions, six responses were categorised as positive (6 submissions, 75%), and two had no view (2 submissions, 25%).

Four submissions, although positive indicated the need for some amendments, those that indicated their suggested amendments recorded concerns for the homeless and those living in their vehicles.

No submissions provided a negative sentiment.

##### **Question 2:**

##### **Do you support the proposed changes to the Reserve Management Plan?**

Of the 8 submissions, one response was positive (12.5%) and seven had no view on this question (87.5%). Two of those who recorded no response, made follow up comments. One in support of the amendments to the Reserves Management Plan and one stated the review was appropriate to ensure it was still fit for purpose.

##### **Question 3:**

##### **Do you support or oppose the introduction of a limit of a total of seven (7) nights of freedom camping in one calendar month?**

Of the 8 submissions, two responses were positive (25%), three responses provided alternative options (37.5%), and three responses had no view (37.5%).

Two submitters agreed with 7 nights, although one mentioned 2 to 3 nights a week is sufficient.

<sup>1</sup> Section 44(1) of the Reserves Act 1977 prohibits camping where not specifically incorporated in a operative Reserves Management Plan.

Three submitters recommended a range of alternative nights, one wanting more nights (10-14) and two wanting less nights (4 nights, 7 nights in one year). No reasons were given for the extended timeframe.

#### **Question 4:**

**What are your reasons for your support or opposition of the proposed Freedom Camping Bylaw?**

This question was an accidental double up – but provided some further feedback.

Of the 8 submitters, there were 4 responses.

Two responses related to the 7 days being an appropriate timeframe. The other comments relates to it being difficult to find freedom camping and that it would be good to maintain the freedom camping sites.

#### **Question 5:**

**Do you support the new proposed restricted and prohibited sites? This would mean:**

- **Prideaux Park** - extend current restricted area to include the grassed area along the northern side of the Kawerau Bowling Club;
- **Firmin Field** - reducing the area for freedom camping to provide better parking for recreational users.
- **Ron Hardie Recreation Centre** - now prohibited due to health and safety concerns with Sulphur levels;

Of the 8 submitters, four responses were positive (50%), one was negative (12.5%), and three submitters had no view (37.5%).

The majority of responses (4) indicated positive sentiments to the proposed changes to the restricted or prohibited sites. However, two of the positive sentiments only supported in part, one reasoning they only support at Firmin Field and the other stated that if freedom camping is limited at Firmin, then the parks should be restricted to freedom campers only, not recreational uses.

One submitter did not support the proposed changes and requested freedom camping to be kept limited, creating less issues and also requested no increase in levels of service to maintain.

#### **Question 6:**

**Do you agree with enabling Boyce Park, Waterhouse Street Reserve and Firmin Field (along the northern and eastern edge of the field), as sites for freedom camping in self-contained vehicle only with prior approval? (access needs to be provided by Council as reserves do not have vehicle access)**

Of the 8 submissions, three responses were positive (37.5%), one was negative (12.5%), and four offered no view (50%).

Of the positive sentiments, two only supported in part with one wanting to ensure the prior approval was not prohibitive and the second did not want to enable Waterhouse Street Reserve preferring it be left for dog walkers.

One response did not support the proposed changes and suggested Council offer a “reserve and pay” space to help keep rates low.

The majority of submissions (4) did not indicate a response to this question.

**Question 7:**

**Do you agree with the introduction of obtaining prior approval to freedom camp in non-self-contained vehicles and tents, within the restricted area/s:**

- **Waterhouse Street Reserve, and/or**
- **Firmin Field (on the Northern and Eastern areas of the field itself).**

Of the 8 submissions, four were positive (50%), two were negative (25%), and two had no view (25%).

The majority of submissions (4) indicated positive sentiments to enabling specific areas for non-self-contained vehicles with pre-approval. One of the four only supported in part, stating it should only be for very short periods and an upgrade of an ablution block is needed.

Two submitters did not support the non-self-contained vehicles or tents, as the timeframe was too long, a 48hrs maximum and recommended Council charge a fee for dealing with rubbish, and providing water. One wanted whānau to visit free, without the worry of fines.

**Question 8:**

**Please provide any further comments you have on the proposed Freedom Camping Bylaw?**

Out of the 8 submitters, 5 made further comments on the proposed freedom camping bylaw. These submissions cover a range of perspectives from concern for the homeless, the growing number of people living in their motorhomes, to the method in which the site assessments were completed.

The following cover the key themes identified in the responses to question 7.

**General comments**

One submitter is new to freedom camping but did agree rules need to be set. Another made the comment, provision for two areas, plus provision for group who wish to use other, plus free pools and free power.

**Homelessness**

Concerns were raised about what this will mean for the homeless that live in their vehicles.

**Freedom Camping Site Re-Assessment**

One submitter while commending Council for removing the not relevant considerations such as amenity and economic values, was concerned that other consideration appeared to back fill the reasons in order to retain or increase the scores.

**Waterwheel Heritage Park**

One submission stated the Waterwheel Heritage Park meets the criteria for restricted camping and requests that in the future there is an opportunity to allow some form of

vehicle based freedom camping on site and recommended Council enable through the bylaw and passes a resolution under the Reserves Act.

### **Temporary Closures or Restrictions of Freedom Camping**

One submission while not objecting to temporary closures recommended clarification around the definition of temporary to ensure if used it is required to be proportionate and not inconsistent with the New Zealand Bill of Rights.

### **Freedom Camping Restricted Areas – Roads with speed limits of 50km/h or less**

One submitter does not support the prohibition of freedom camping on roads with speed limits of 50km/hr or less and states it is unclear why it is necessary to effectively blanket ban campers from parking directly outside any residence, commercial or industrial premise. The submitter recommends it be deleted.

### **Freedom Camping Prohibited Area - Council Owned Carparks**

One submission suggested council owned carparks are ideal locations for motorhomes to park overnight and other towns have benefited from offering overnight parks within walking distance from town.

### **Business Services**

One submitter referenced their suite of solutions for freedom camping being a pay as you go system, with booking system and monitoring.

## **3.2. Hearing and Deliberations**

On 26 February 2025, submissions were presented to Council and an opportunity was provided for those that wished to be heard. Unfortunately, those wishing to speak were unable to present their ideas due to unforeseen circumstances.

Deliberations were undertaken upon receipt of the submissions. Council considered each of the consultation questions, along with the other topics raised as part of the consultation.

The key points of Council deliberations are as follows:

- On consideration of the number of nights – Council agreed the 7 nights had previously been agreed and was a happy medium. Other comments included that 7 nights in one year was very light and unrealistic for those visiting more than once or coming to attend events. 10- 14 nights in a month was stretching things.
- Council agreed with the consideration of the amendments made to the restricted and prohibited sites as follows:
  - Prideaux Park – parking on the northern edge of the Bowling Club
  - Firmin Lodge – reduction of freedom camping to the eastern edge of the carpark
  - Ron Hardie Recreation Centre – prohibited due to health and safety concerns (excellent)
- Council maintains its support for prior approval to enable use for legitimate temporary freedom campers. Other comments included that the freedom camping rules are intended for those visitors on a temporary basis, it was not intended for those living permanently in their mobile homes.

- Support is given for the introduction of non-self-contained vehicles/tents at Firmin Field or Waterhouse Street Reserve with prior approval, for legitimate freedom campers. Comments acknowledged the facilities were not designed for the purpose of freedom campers and that prior approval enabled a discussion with applicants around suitability, needs and availability of facilities (pools showers, toilets), while enabling conditions to be determined on a case by case nature. Talks about being responsibly permissive.
- Opening the Waterwheel Heritage Park was considered not suitable at this stage for the purpose of freedom camping due to current neighbour and current use. Further consideration may be able to be given to this through later long-term plans or district planning. Not supported at this stage.
- Further wording was suggested around temporary closures to help address the submissions – In making a decision to temporarily close or restrict access to a freedom camping site, Council will ensure any changes are reasonable in the circumstances and are not inconsistent with s11 of the Freedom Camping Act 2011. This additional wording was supported.
- Some discussion occurred around the restriction of freedom camping on 50km/h roads. Major concern was around the limited room on the roads for emergency vehicles such as ambulances, fire engines, causing a health and safety risk. With the freedom camping sites available, there is no lack of parks. When visiting family or friends, campers could park off the section/driveway and if room is limited, the property owner could park their vehicles (cars) on the road. Again this is about temporary visiting and not any a form of permanency, Council is satisfied there is sufficient parking available.
- On the consideration of opening other Council owned car parks close to the town centre, it was considered the parking available at Maurie Kjar Aquatic Centre was sufficient and is central to the town centre. This could be reviewed later if there was a change.

### **3.3. Amendments made upon submissions and deliberation**

On deliberation Council did not request significant changes in the proposed Freedom Camping Bylaw. Based on the discussion and the submissions received the final freedom camping bylaw has been amended as follows:

- Pg 2 – First adopted date added, and amended next review date being 10 years from adoption
- Pg 4 – Added resolution date and adoption date (based on today's report, if approved). Added the name of the Freedom Camping Bylaw into the explanatory note
- Page 7 - Definition added for temporary and minor corrections
- Page 10 – Minor corrections
- Page 11 – New clauses added around considerations when temporarily closing a venue and where closed for more than a month, a site assessment will be completed to determine if site need reclassification under the bylaw. One minor correction
- Page 14 – Added clarification for parking at Maurie Kjar Aquatic Centre.
- Page 15 – Added map numbers
- Pg 24 – Map name corrected

All amendments are in red for ease of identification for this report. If adopted these will be changed to black on the final document.

#### **4 Reserve Management Plan Amendments**

Alongside the proposed Freedom Camping Bylaw, Council also sought feedback on amendments to the Reserve Management Plan to ensure the rules are consistent with the Freedom Camping Bylaw. During the consultation, one submission agreed with the proposed changes, no other submitters responded to this question.

The Reserve Management Act 1977 prohibits freedom camping unless enabled through a Reserve Management Plan. The following amendments were proposed to be included in the Reserve Management Plan. If approved, the amendments will be incorporated to align with the effective date of the Freedom Camping Bylaw.

##### Boyce Park

We are proposing to amend Boyce Park in the Reserve Management Plan to allow self-contained vehicles to freedom camp on the reserve with prior approval from Council by adding the following to page 8 of the Reserves Management Plan. Under policies add a heading - Freedom Camping and the following wording *“That freedom camping is permitted upon prior approval from Council in self- contained vehicles. The maximum length of stay is set out in the Kawerau District Council Freedom Camping Bylaw.”*

##### Firmin Field

We are proposing to amend Firmin Field in the Reserve Management Plan to allow for self-contained vehicles to freedom camp on the eastern side of the reserve carpark and upon prior approval for self-contained, non-self-contained and tents by adding the following to page 10 of the Reserves Management Plan. Under policies add a heading - Freedom Camping and the following wording *“That freedom camping is permitted on the eastern side of the Firmin Lodge carpark. In addition, upon application Council may consider prior approval for self-contained vehicles, non-self-contained vehicles and tents for organised groups in which capacity of other areas may not be sufficient for demand. The maximum length of stay is set out in the Kawerau District Council Freedom Camping Bylaw.”*

##### Prideaux Park

We are proposing to amend the wording for Prideaux Park in the Reserve Management Plan. This will allow for self-contained vehicles to freedom camp on the northern edge of the Bowling Club and to enable the use of Maurie Kjar Aquatic Centre carpark during the hours of 4pm to 9am. Upon application Council may also consider prior approval for self-contained vehicles on the field by adding the following to page 22 of the Reserves Management Plan. Amend the Heading Self-Contained Motor Vehicle Sites to Freedom Camping and amend the wording to state *“Self-contained motor vehicles are permitted to park behind the field pavilion and along the northern boundary of the Bowling Club. In addition, freedom camping is allowed been 4pm and 9am at Maurie Kjar Aquatic Centre carpark and upon application, Council may consider prior approval for self-contained vehicles, for organised groups in which capacity of other areas may*

*not be sufficient for demand.. The maximum length of stay is set out in the Kawerau District Council Freedom Camping Bylaw.”*

#### Waterhouse Reserve

We are proposing to amend Waterhouse Reserve in the Reserve Management Plan to allow for self-contained vehicles, non-self-contained vehicles and tents to freedom camp on the reserve with prior approval by adding the following to page 33 of the Reserves Management Plan. Under policies add a heading - Freedom Camping and the following wording *“That freedom camping is permitted upon prior approval from Council in self-contained vehicles, non-self-contained vehicles and tents. The maximum length of stay is set out in the Kawerau District Council Freedom Camping Bylaw.”*

## **5 Options Considered**

There are two options available for consideration.

### Option 1: Adopt the proposed Freedom Camping Bylaw and Amendments to the Reserve Management Plan ( Preferred Option)

This option follows the deliberations undertaken on 26 February 2025, which indicated Council’s views on the questions and responses received by the community.

This option would see the proposed Freedom Camping Bylaw adopted. This will have the effect of managing freedom camping on Council reserves as set out in the restricted and prohibited areas. This also provides for Council to allow prior approval for freedom camping outside of the provisions of the Freedom Camping Bylaw.

This option provides a good balance between providing freedom camping and protecting the area, the health and safety of the people that may visit and protect the access.

### Option 2: Status Quo

Without finalising the review of the Freedom Camping Bylaw, the current bylaw would lapse and be automatically revoked after two years. (Council could choose to revoke instantly). With the changes to the Freedom Camping Act 2011, this will enable freedom camping in both self-contained and non-self-contained vehicles or tents on Council owned reserves unless not enabled through the Reserves Act 1977. Currently, this will enable freedom camping only at Prideaux Park.

Council would also need to rely on the default provisions within legislation in order to enforce Freedom Camping. The legislation associated to Freedom Camping includes the Freedom Camping Act 2011, the Reserves Act 1977 and the Resource Management Act 1991. The Freedom Camping Act 2011, provides additional enforcement provisions where a bylaw has been enacted.

This option is not recommended.

## **6 Policy and Plan Considerations**

There are minor amendments required to the Reserves Management Plan to align with the amendments in the proposed Freedom Camping Bylaw. These amendments have been outlined and included in the consultation, which enables them to be incorporated into the Reserves Management Plan.

There are no identified inconsistencies with any of the Council's policies or plans in relation to this report.

## **7 Financial Considerations**

### **7.1. Enforcement Costs**

The following considerations have been undertaken.

The enforcement for freedom camping is currently undertaken by Council Staff and this will continue at no additional cost.

Council is currently following a tender process to engage after hours services which may include freedom camping depending on the cost indicators received. It is expected this may be able to be covered within our current budget, however this will not be confirmed until the tender process has been completed.

Where the additional services are not able to be covered within current budgets (or exceed expectations), the services will continue being undertaken by Council staff, with the option to extend working hours through running a split shift.

### **7.2. Setting Fees for Prior Approval**

This requires an application for prior consent to be lodged with a fee, as set out in Council's schedule of fees and charges.

The work involved in processing a prior consent application for Freedom Camping includes:

- 30mins – review of application, current arrangements/bookings and preparation of an approved consent.
- 30mins – opening/closing access gates, including any basic clean up or repair
- 15mins daily monitoring.

These costs do not include any additional servicing of the facilities in the location, as this would be very dependent on the group size.

While one of the core reasons to enable prior consent is to cater for large events, there is also the ability for individuals to request to stay for a long period or in an alternative area, or for a non-self-contained camper requesting to use the facilities.

For this reason, it is proposed that we have a separate fee for individuals and groups as proposed below:

- \$45 for single vehicle
- \$80 for groups



The reasoning for the higher fees for groups is there will be a higher cost in monitoring due to the time involved and additional costs in maintaining facilities.

These charges will not cover the full cost of the additional services, however provide a balance between providing additional services and not being too prohibitive.

## **8 Legal Considerations**

Prior to approving the Proposed Draft Freedom Camping Bylaw and Statement of Proposal for consultation, Council must consider the following statutory considerations.

### **8.1 Is the Bylaw the most appropriate way of addressing the perceived problem?**

Kawerau District receive a large number of freedom campers in comparison to its size. With limited accommodation sites in Kawerau a lot of visitors need to consider alternative options such as freedom camping.

While freedom campers are welcome, they also contribute towards some negative impacts on the environment and the community. These include:

- Pollution of the environment, resulting in health issues such as unsanitary human waste;
- Freedom Campers limiting access to sites for other visitors such as tourist sites like the pools, Firmin Lodge, residential areas.

Since the amendments to the Freedom Camping Act 2011, Council has recognised that controlling freedom camping was necessary to protect the district's environment, including the visual amenity, landscapes and waterways.

Complaints and community tensions can occur particularly when ratepayers are inconvenienced by Freedom Campers through limited access, damage to infrastructure, concerns about the mess left behind.

Lastly, there are also concerns around the use of non-self-contained vehicles, campers staying too long, failing to pay for powered site and campers not using on-board facilities.

The Bylaw is an appropriate way of monitoring and managing the Freedom Campers and the site they visit.

### **8.2 Is the proposed Bylaw the most appropriate form of Bylaw? s155(2)(a) LGA**

Section 155(2)(a) requires Council to determine whether the proposed Bylaw is the most appropriate form of Bylaw. While finding that the previous Bylaw could be improved, it is believed that the proposed amendments will sufficiently address any shortcomings, along with ensuring consistency with the Freedom Camping Act 2011 updates.

### 8.3 Does the proposed new Bylaw give rise to any implications under the New Zealand Bill of Rights Act 1990?

The proposed Bylaw is not considered to be inconsistent with the Bill of Rights Act 1990.

While there may be potential limitations to the freedom of movement due to limited access to Council grounds for the purpose of freedom camping, it is considered these limits are justified for the following reasons:

- Site assessments have been completed which provide an assessment of which sites should be restricted to protect the area, health and safety of visitors or the significance of the site.
- The site is still accessible on foot and visitors are welcome, it is only the vehicle access or the ability to camp that is restricted.
- The majority of sites do not have access or are fenced off.
- The new Bylaw enables prior approval for special circumstances.

## 9 Significance and Engagement

The matters in this report are considered to be of a moderate significance due to the level of community interest, and the possible adverse impact on the community and environment.

Public consultation was undertaken under s83 of the Local Government Act on two separate occasions including 5 August to 6 September 2024 and 17 November to 20 December 2024, after amendments were made to the draft bylaw.

A total of 21 submissions were received on the first engagement round with a further 8 received on the second.

An invitation was sent to Ngāti Tūwharetoa ki Kawerau, Tūwharetoa ki Kawerau Hauora, Ngāti Rangitihi, Ngāti Awa, Māori Investments and Tuhourangi to discuss or make a submission on the proposed Bylaw. We have received no feedback.

We also reached out to the New Zealand Motor Home Association through local representatives to advise them of the consultation on the Proposed Freedom Camping Bylaw. They have provided a submission on both iterations of the Freedom Camping Bylaw.

## 10 RECOMMENDATIONS

1. That the report “Adoption of the Freedom Camping Bylaw and Amendments to the Reserve Management Plan” be received.
2. That Council confirms the proposed Freedom Camping Bylaw is the most appropriate way to manage freedom camping in Kawerau.

3. That Council confirms the proposed Freedom Camping Bylaw as attached
  - i) Is in the most appropriate form of the Bylaw; and
  - ii) Does not give rise to any implications under, and is not inconsistent with, the New Zealand Bill of Rights Act 1990.
4. That Council resolves to adopt the Freedom Camping Bylaw 2025 pursuant to section 11 of the Freedom Camping Act 2011.
5. That Council authorises the Group Manager Regulatory and Planning to make any necessary minor drafting or presentation amendments to the Freedom Camping Bylaw to correct errors or omissions, or to reflect decisions made by Council during the meeting to adopt the Freedom Camping Bylaw.
6. That Council approves the commencement for the Freedom Camping Bylaw to be 1 April 2025.
7. That Council resolves to adopt the proposed changes to the Reserves Management Plan for consistency with the Freedom Camping Bylaw.
8. That Council adopts the fees and charges as proposed, or as determined by Council, for prior consent applications.



Michaela Glaspey

**Group Manager Regulatory and Planning**

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**KAWERAU  
DISTRICT COUNCIL**  
Te Kaunihera ā rohe o Kawerau



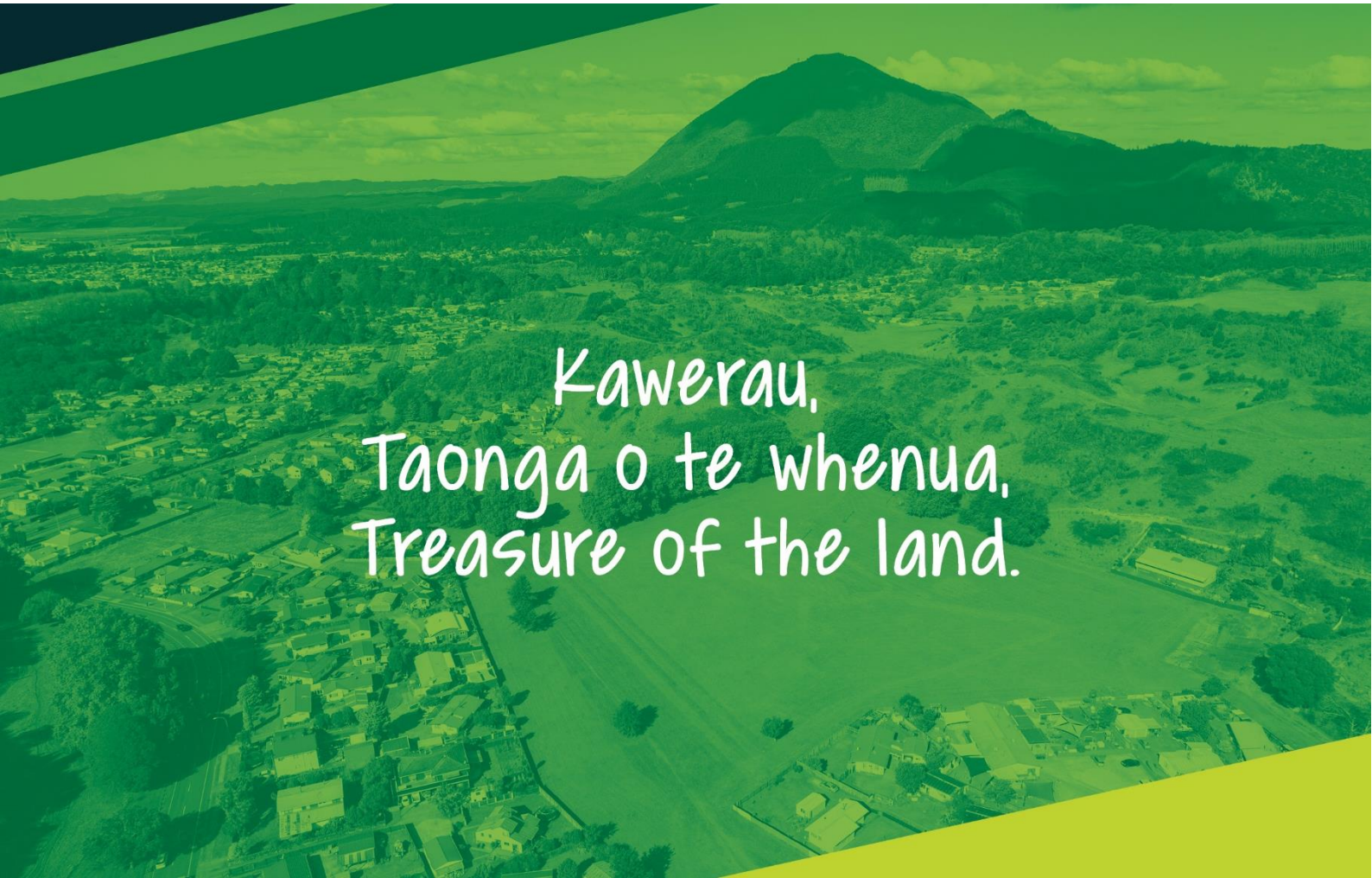
# Freedom Camping Bylaw 2019



# Kawerau District Council Freedom Camping Bylaw 2019

1.

<b>Date First Adopted:</b>	October 2019
<b>Last Reviewed :</b>	July 2024 (adopted March 2025)
<b>Next Review Date:</b>	March 2034
<b>Engagement Required:</b>	Special Consultative Procedure (s83 LGA)
<b>Document Number:</b>	BYL 001
<b>Responsibility:</b>	Group Manager, Regulatory and Planning
<b>Associated Documents:</b>	Freedom Camping Act 2011, Kawerau District Council Reserve Management Plan



Kawerau,  
Taonga o te whenua,  
Treasure of the land.

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# 1. Introduction

## 2. Title

This bylaw shall be known as the Kawerau District Council Freedom Camping Bylaw 2019.

## 3. Commencement

This bylaw came into force on 1 October 2019. Amendments to this bylaw come into force on **1 April 2025**, in accordance with a resolution of Council made on **26 March 2025**.

## 4. Enabling enactment

This bylaw is made in accordance with section 11 of the Freedom Camping Act 2011 ('Act'). This bylaw should be read alongside the Act.

## 5. Purpose

The purpose of this bylaw is to control freedom camping in the Kawerau District in order to:

- a) Protect local authority areas;
- b) Protect the health and safety of people who may visit local authority areas; and
- c) Protect access to local authority areas.

### Explanatory Notes

The provisions of **the Freedom Camping Bylaw** only apply to land owned and controlled by Council. It does not apply to private land or land owned by the Department of Conservation, Land Information New Zealand or the New Zealand Transport Agency.

## 6. Explanatory notes

This bylaw contains explanatory notes, which do not form part of this bylaw. The Council may add, amend or delete explanatory notes at any time without amending the bylaw.

## 2. Definitions

For the purpose of this bylaw, the following definitions apply:

<b>Act</b>	means the Freedom Camping Act 2011 (“Act”).
<b>Chief Executive</b>	means the person appointed by Council under section 42 of the Local Government Act 2002.
<b>Council</b>	means Kawerau District Council.
<b>District</b>	means Kawerau District.
<b>Enforcement Officer</b>	means a person appointed as an enforcement officer under section 32 of the Freedom Camping Act 2011.
<b>Freedom camp</b>	has the meaning set out in section 5 of the Act.

### Explanatory notes

As at 7 June 2023, section 5 of the Act, defines freedom camp as:

- (1) In this Act, freedom camp means to camp (other than at a camping ground) within 200m of an area accessible by motor vehicle or within 200m of the mean low-water springs line of any sea or harbour, or on or within 200m of a formed road or a Great Walks Track, using either or both of the following:
  - (a) a tent or other temporary structure;
  - (b) a motor vehicle.
- (2) In this Act, freedom camping does not include the following activities:
  - (a) temporary and short-term parking of a motor vehicle;
  - (b) recreational activities commonly known as day-trip excursions;
  - (c) resting or sleeping at the roadside in a motor vehicle to avoid driver fatigue.
- (2A) In this Act, a person is not freedom camping if the person—
  - (a) is a person other than a person who is in New Zealand on the basis of a visitor visa (within the meaning of the immigration instructions); and
  - (b) is unable to live in appropriate residential accommodation; and
  - (c) as a consequence of that inability, is living in either or both of the following:
    - (i) a tent or other temporary structure;
    - (ii) a motor vehicle.

For the avoidance of doubt, as at 7 June 2023, section 5(3) of the Act defines camping ground as:

- (a) a camping ground that is the subject of a current certificate of registration under the Camping-Grounds Regulations 1985; or
- (b) any site at which a fee is payable for camping at the site.



<b>Freedom camping</b>	has the equivalent meaning of Freedom camp.
<b>Infringement offence</b>	means an offence specified in section 20 of the Act.

#### Explanatory notes

Section 20 of the Act sets out the infringement offences which include the following:

- freedom camps or makes preparation to freedom camp in breach of any prohibition or restriction specified in a bylaw.
- freedom camps in a vehicle that is not self-contained, in breach of a bylaw.
- fails to display a warrant card for the vehicle being used to freedom camp.
- freedom camps or makes preparation to freedom camp in a self-contained vehicle with more people than the vehicle is certified for.
- while freedom camping in a local authority area, interferes with or damages the area, its flora or fauna, or any structure in the area.
- deposits waste in or on the area (other than into an appropriate waste receptacle).
- fails or refuses to leave a local authority area when required to do so by an enforcement officer acting under section 36.

For clarification to **make preparations** means to do either or both of the following:

- (a) erect a tent to use it for freedom camping;
- (b) park a motor vehicle to use it for freedom camping.

<b>Local authority area</b>	has the meaning as in section 6 of the Act.
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#### Explanatory Notes

As at 7 June 2023, section 6(1) of the Act, where Local Authority Area is defined, states:

(1) In this Act, local authority area—

(a) means an area of land—

(i) that is within the district or region of a local authority; and

(ii) that is—

(A) controlled or managed by or on behalf of the local authority under any enactment...

<b>Prohibited area</b>	means an area identified in Schedule 2: Prohibited Areas, in which freedom camping is prohibited.
<b>Restricted area</b>	means an area identified in Schedule 1: Restricted Areas, in which freedom camping is permitted subject to restrictions.
<b>Reserve</b>	means any land classified as a reserve under the Reserves Act 1977 or its amendments.

**Self-Contained**

has the meaning given in section 4 of the Act.

**Explanatory Notes**

As at 7 June 2023, section 4 of the Act, defines self-contained as:

(4) In relation to a motor vehicle, means that the vehicle has a valid certificate of self-containment issued in accordance with section 87U(3)(d) of the Plumbers, Gasfitters, and Drainlayers Act 2006.

The Self-contained Motor Vehicles Legislation Act 2023 amends the Act and enables a transition period to enable compliance with the new self-contained requirements. Part 1 of Schedule 1AA for the meaning of self-contained during the transitional period, being 7 June 2023 to 7 June 2025)

If you have a blue warrant on your personal self-contained vehicle, this is valid until its expiry or 7 June 2025, whichever is sooner.

A green warrant is valid for four years from the date you receive the warrant. From 7 June 2025, all vehicles will need to be certified with a green warrant, to be certified self-contained under the new requirements.

For further information refer to MBIE's website <https://www.mbie.govt.nz/immigration-and-tourism/tourism/tourism-projects/supporting-sustainable-freedom-camping-in-aotearoa-new-zealand/freedom-camping-changes>

Government is currently considering an extension of time to obtain a green warrant. Where Government extend the transitional period, this explanatory note will be updated.

**Explanatory Notes**

To be certified self-contained, the motor vehicle must achieve compliance with NZ Standard 5465:2001. The standard can be viewed or printed once for free at this link: <https://www.standards.govt.nz/shop/nzs-54652001>.

For the avoidance of doubt, the standard requires that a self-contained motor vehicle be equipped with a toilet that is permanently fixed to the vehicle in order to be certified.

**Temporary**

Means lasting for a limited time period of time; not permanent.

**Vehicle**

has the meaning given in section 2(1) of the Land Transport Act 1998.

**Waste**

means any kind of waste, including human waste.

## 3. Freedom Camping Areas

### 7. Freedom Camping

- 3.1.1. Freedom camping is permitted in any local authority area within the District, in a self-contained vehicle, unless it is restricted or prohibited by this bylaw or under any associated enactment, bylaw, or reserve management plan.
- 3.1.2. For clarification, freedom camping in any tent or temporary structure in any local authority area is prohibited.

### 8. Freedom Camping - Restricted Areas

- 3.1.1 A person may freedom camp in any area identified in Schedule 1: Restricted Areas for Freedom Camping are marked yellow on the maps in Schedule 3. Freedom Campers must comply with the restrictions listed below:
- a) No person may freedom camp except in a self-contained vehicle.
  - b) No person may freedom camp for more than 7 nights in any one calendar month.
  - c) No person may freedom camp for more than 7 consecutive nights when crossing over two months.
  - d) All waste must be either removed or disposed of in the bins provided.
  - e) All wastewater (including human waste) must be disposed of in the dump sites provided at Prideaux Park and Firmin Field.
  - f) Campsites must be kept clean and tidy.
  - g) Freedom campers must not prevent others from undertaking legitimate activities in the area or restrict access to any public area or private land.
  - h) No person may light any fires.
  - i) All persons are subject to all other requirements that apply generally to the area where they are camped, including dog, alcohol and noise control.
  - j) No person may interfere with or damage any freedom camping area, flora, fauna or structure.
  - k) Enforcement officers must be able to inspect any campsite and freedom campers must comply with any reasonable direction.
- 3.1.2 Despite sub clause 3.2.1 some restricted areas require prior consent as identified in Schedule 1. Restricted Areas requiring prior consent are for large organised groups or events, which cannot be accommodated within existing Restricted Sites. Restricted Areas requiring prior consent are marked blue on the maps in Schedule 3.

- 3.1.3 Despite sub clause 3.2.1 and 3.2.2 a person may freedom camp in any restricted area, if they have obtained the prior written consent of the Council, granted under clause 4 of this bylaw, and complies with any conditions of the consent. The written consent must be produced on request of an enforcement officer.

## 9. Freedom Camping - Prohibited Areas

- 3.1.4 No person may freedom camp in any local authority area in the District described in Schedule 2: Prohibited Areas, and mark red on the maps in Schedule 3.
- 3.1.5 Despite sub clause 3.3.1 a person may freedom camp in a prohibited area if they have obtained the prior written consent of the Council, granted under clause 4 of this bylaw, and complies with any conditions of the consent. The written consent must be produced on request of an enforcement officer.

### Explanatory notes

The Reserves Act 1977 prohibits camping on all reserves unless one of the exemptions in s44(1) of that Act apply (one of the exemptions is that freedom camping is specifically provided for in the operative reserve management plan). Council cannot grant consent under the Act [Freedom Camping Act 2011] for freedom camping on reserves. However, Council has been delegated the Minister for Conservation's powers under s44 Reserves Act 1977 to consent to the following pursuant to a deed of delegation dated 12 June 2013:

- i. The use of a reserve for temporary or permanent personal accommodation; and
- ii. Consent to any vehicle, caravan, tent or removable structure remaining on a reserve for a period of more than four weeks during the period 1 November in any year and ending with 31 March.

Refer to clause 4 for details on the application process.

## 4. Prior Consent from Council

### 10. Application for Consent

- 4.1.1. The Council may grant written consent to a person to freedom camp contrary to any prohibition or restrictions that apply under this bylaw.
- 4.1.2. An application for consent must be made in writing, to the Chief Executive Officer, at least 10 working days prior to the date on which freedom camping is planned to **commence**.
- 4.1.3. The application must be accompanied by the application fee, set in Council's schedule of fees and charges.
- 4.1.4. Completed applications will be considered by Council and may be granted at Council's sole discretion.

#### Explanatory notes

Council anticipates the following reasons may be grounds for an application:

- Where associated with a special event or occasion occurring in the area and an exemption is required for the duration of the event or occasion.
- Where the anticipated availability of freedom camping sites will not meet the expected needs.
- Complying with the restrictions in the **freedom camping** bylaw is not reasonable in the circumstances.

- 4.1.5. The Council may impose any conditions to any consent granted that Council considers appropriate and are consistent with the purpose of this Bylaw, as set out in clause 1.4.
- 4.1.6. The consent is not transferable to another person or event.
- 4.1.7. An enforcement officer, may revoke a consent given under clause 4.1.1 if any person breaches the conditions specified in the consent or the freedom camping covered by the consent, breaches this bylaw or the Act.

## 5. Temporary Closure or Restriction of Freedom Camping

### 11. Temporary Closure or Restriction

5.1.1 Council may temporarily close or restrict freedom camping in any local authority area or part of any area, where the closure or restriction is considered necessary to:

- a) Allow maintenance of the area or facilities in the area;
- b) Prevent damage to the area or facilities;
- c) Protect the safety of persons or property; or
- d) Provide better public access to facilities, including access to local events held in the area.

5.1.2 In making a decision to temporarily close or restrict a freedom camping site, the Council will ensure any changes are reasonable in the circumstances and ensure any decisions are consistent with section 11 of the Freedom Camping Act 2011.

5.1.3 If the temporary closure extends beyond one month, Council will undertake a review of the site assessment to determine whether site requires reclassification under this bylaw.

### 12. Notice

Council will give notice of a closure or restriction of this bylaw, as soon as reasonability practicable, taking into account the circumstances of such closure or restriction.

#### Explanatory Notes

Notice given by Council may include any of the following:

- A sign erected in the area
- Advertising on Council website and/or Council facebook page
- Advertising on the radio
- Public notice in a **local** newspaper

## 6. Offences

### 13. Offences

Every person who freedom camps, or makes preparation to freedom camp, in a local authority area in breach of any prohibition or restriction imposed in this bylaw commits an infringement offence under section 20(1) of the Act. This includes a breach of any condition of an approved prior consent.

### 14. Exceptions

Every person who has obtained a written consent from Council, granted under clause 4.1.1 of this bylaw, and who complies with all conditions of that consent, is not acting in breach of any prohibition or restriction in this Bylaw as set out under section 20(1)(a) and (f) of the Act.

#### **Explanatory notes**

Every person who commits an offence under the Act is liable for a penalty for any amount prescribed under s20E of the Act or in any regulations made under s43 of the Act. Penalties for infringement offences under the Act are specified in the Freedom Camping (Penalties for Infringement Offences) Regulations 2023 and can be viewed here:

Freedom Camping (Penalties for Infringement Offences) Regulations 2023 (SL 2023/136) Schedule 2 Penalties for infringement offences under Freedom Camping Act 2011 – New Zealand Legislation

Freedom Camping (Penalties for Infringement Offences) Regulations 2023 (SL 2023/136) – New Zealand Legislation

Where no regulations are made, the infringement fee is \$400 (s20E of the Act).

Infringements may be issued to:

- a person who committed the offence;
- the registered owner of the vehicle used to freedom camp; or
- the person lawfully entitled to possession of the vehicle used to freedom camp (s26 of the Act).

Enforcement officers may require a person to leave an area if the officer has reasonable grounds to believe the person is committing or has committed an offence (s36 of the Act).

# SCHEDULE ONE

## Freedom Camping Restricted Areas

Freedom Camping in areas described below is subject to restrictions specified in clause 3.2 of this bylaw.

All restrictions must be complied with unless prior written consent of the Council is obtained under clause 4 of this bylaw.

### Explanatory Notes

Restricted Areas included some locations which require prior consent to be accessed. These have been included as restricted due to the public interest in these areas for large events. These sites are shown as blue below and on the maps.

Map	Area and Description	Restrictions
01	<p><b>Prideaux Park</b></p> <p>Prideaux Park is located on the corner of Islington Street and Plunket Street and extends all the way to Glasgow Street.</p> <p>Access off Plunket Street, Kawerau.</p> <p>Three areas are available for freedom camping at Prideaux Park.</p> <ul style="list-style-type: none"> <li>Stream side area located behind the Prideaux Park Pavilion. Four power sites available – contact Kawerau iSite for details.</li> <li>Grassed area behind Kawerau Bowling Club.</li> <li>Grassed area in front of Kawerau Bowling Club.</li> </ul> <p>Dump station available on site.</p>	<p>Restricted to self-contained vehicles.</p> <p>Grassed area in front of Kawerau Bowling Club is only available where no events are being held at Prideaux Park. Vehicles and all camping equipment must not encroach on the access way.</p> <p>Prior Consent required if requesting to use the sports field.</p> <div> <p><b>Explanatory Notes</b></p> <p>Freedom Camping on Prideaux Park will require an amendment to Council's Reserves Management Plan to enable the use of self-contained vehicles for freedom camping on the reserve.</p> </div>
01	<p><b>Maurie Kjar Aquatic Centre Carpark</b></p>	<p>Restricted to self-contained vehicles.</p>



	<p>Maurie Kjar Aquatic Centre is located on the corner of Plunket Street and Glasgow Street and is accessible from either street.</p>	<p>Freedom camping only available between 4pm and 9am (<b>Short term parking (less than 3 hrs) while using the pools or facilities between 9am and 4pm is permitted</b>)</p>
<b>02</b>	<p><b>Firmin Field</b></p> <p>Firmin Field is located between Waterhouse Street and Porritt Drive and runs along the side of Tarawera River.</p> <p>Access is off Waterhouse Street.</p> <p>One area is available for freedom camping.</p> <ul style="list-style-type: none"> <li>Sealed carpark along eastern edge. Six powered sites available - contact Kawerau isite for details.</li> </ul> <p>Access off Waterhouse Street, Kawerau.</p> <p>Dump station available on site.</p>	<p>Restricted to self-contained vehicles</p> <p>Restricted to the eastern edge of the carpark closest to Tarawera River.</p> <p>Prior Consent is required if requesting to use the field as part of an organised group.</p> <ul style="list-style-type: none"> <li>No freedom camping within 10 metres of the riverbank or the residential properties.</li> </ul> <p>Prior consent is also required for the use of non-self-contained vehicles or tents.</p> <ul style="list-style-type: none"> <li>No freedom camping within 10 metres of the riverbank or the residential properties.</li> </ul> <div style="border: 1px solid black; border-radius: 10px; padding: 10px; margin-top: 10px;"> <p><b>Explanatory Notes</b></p> <p>Freedom Camping on Firmin Field will require an amendment to Council's Reserves Management Plan to enable the use of self-contained vehicles for freedom camping on the reserve and allow for the consideration of non-self contained vehicles and tents for organised groups.</p> </div>

<p><b>No Map</b></p>	<p><b>Roads with a speed limit of 50km/hr or less</b></p> <p>Freedom camping is available on local roads with a speed limit under 50km/s.</p>	<p>Restricted to self-contained vehicles.</p> <p>Campers must not be parked directly outside any residence, commercial or industrial premises on the same side of the road as those premises.</p> <p>No freedom camping is allowed on :</p> <ul style="list-style-type: none"> <li>• Valley Road outside of Cemetery (Map 13).</li> <li>• Weld Street around the reserve (Map 12).</li> <li>• Robinson Street around the reserve (Map 12).</li> <li>• Holland Crescent around the Cobham Drive Reserve (Map 12).</li> </ul>
Map	Area and Description	Restrictions
<p><b>03</b></p>	<p><b>Boyce Park</b></p> <p>Boyce Park is located on the corner of Tamarangi Drive and River Road.</p> <p>Access is off River Road.</p> <p>All freedom campers must seek prior approval.</p>	<p>Prior Consent required if requesting to use the field as part of an organised group.</p> <ul style="list-style-type: none"> <li>• Restricted to self-contained vehicles.</li> <li>• No freedom camping within 10 metres of the riverbank.</li> </ul> <div data-bbox="895 1447 1433 1760"> <p><b>Explanatory Notes</b></p> <p>Freedom Camping on Boyce Park will require an amendment to Council's Reserves Management Plan to enable the use of self-contained vehicles for freedom camping on the reserve.</p> </div>
<p><b>04</b></p>	<p><b>Waterhouse Street Reserve</b></p> <p>Waterhouse Street Reserve is located between Waterhouse Street and Tarawera High School and runs along the side of Tarawera River.</p>	<p>Prior Consent required if requesting to use this reserve as part of an organised group.</p> <ul style="list-style-type: none"> <li>• Restricted to self-contained vehicles.</li> </ul>

	<p>All freedom campers must seek prior approval.</p>	<ul style="list-style-type: none"> <li>• No freedom camping within 10 metres of the riverbank.</li> </ul> <p>Prior consent is also required for the use of non-self-contained vehicles or tents.</p> <div style="border: 1px solid black; border-radius: 10px; padding: 10px; margin-top: 10px;"> <p><b>Explanatory Notes</b></p> <p>Freedom Camping on Waterhouse Street Reserve will require an amendment to Council's Reserves Management Plan to enable the use of self-contained vehicles for freedom camping on the reserve and allow for the consideration of non-self contained vehicles and tents for organised groups..</p> </div>
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# SCHEDULE TWO

## Freedom Camping Prohibited Areas

Freedom Camping in areas described below is prohibited as specified in clause 3.3 of this bylaw.

### Explanatory Notes

Freedom camping on reserves is prohibited under section 44 of the Reserves Act 1977 and therefore prohibited under section 10(2)(b) of the Freedom Camping Act 2011, except where it is permitted in the designated places on reserves specified in Schedule 1, which are subject to the restrictions in this Bylaw.

Map	Area and Description
<b>05 &amp; 01</b>	<p><b>Stoneham Walk, Ruruanga Reserve and the Valley Road/Kirk Crescent Reserve</b></p> <p>Freedom camping is prohibited within Stoneham Walk which incorporates Ruruanga Reserve and Valley Road/Kirk Crescent Reserve.</p> <p>This area is bounded by Valley Road (northwest) and Fenton Mill Road (southeast). Around the edges the reserve backs onto residential properties off Blundell Avenue, Marshall Street, Kirk Crescent and Bell Street. The previous stock pound also backs onto the reserve to the south.</p>
<b>06</b>	<p><b>Recreation Centre Reserve</b></p> <p>Freedom camping is prohibited from the recreation centre reserve located on Tombleson Way (off Onslow Street). This encompasses the parking area in front of the Ron Hardie Recreation Centre, the geothermal area behind the Ron Hardie Recreation Centre, the bmx track, basketball court, skate park and play ground.</p>
<b>07</b>	<p><b>Keith McKenzie Park</b></p> <p>Freedom camping is prohibited from Keith McKenzie Park located off Tamarangi Drive on the north side just west of the entrance into Kawerau town centre.</p>
<b>08</b>	<p><b>Tarawera Park, Lyn Hartley Reserve and Roy Weston Park</b></p> <p>Tarawera Park, Lyn Hartley Reserve and Roy Weston Park all link together running along the edge of Tarawera River. The main entrances are from either Porritt Drive entering Roy Weston Reserves or off Cobham Drive. The</p>

	three reserves extend from the Golf Club to the south and Firmin Field to the north. On the western side they are bordered by residential properties off Cobham Drive, Holland Crescent, Ward Street and Porritt Drive.
<b>09</b>	<p><b>Monika Lanham Reserve and Fraser Street Reserve</b></p> <p>Freedom Camping is prohibited on Monika Lanham Reserve. Monika Lanham Reserve encompasses the hill to the southwest of the town centre. This reserve is surrounded by Fenton Mill Road, River Road and Onslow Street and the Fraser Street Reserve to the south.</p>
<b>10</b>	<p><b>River Road Reserve</b></p> <p>Freedom camping is prohibited on the River Road reserve which is largely inaccessible. This reserve sits in between the Tarawera High School, and the Tarawera River.</p>
<b>11</b>	<p><b>Previous Stock Pound Area (yet to be renamed)</b></p> <p>Freedom Camping is prohibited from the previous stock pound area located off Fenton Mill Road. This reserve is bordered by Fenton Mill Road, Kirk Crescent and Stoneham Walk.</p>
<b>12</b>	<p><b>Neighbourhood Reserves (in Residential Areas)</b></p> <p>Freedom camping is prohibited on all neighbourhood reserves as listed below:</p> <ul style="list-style-type: none"> <li>• Ballance/Seddon Street Reserve</li> <li>• Boss Road Reserve</li> <li>• Fraser Street Reserve</li> <li>• Hilldale Reserve – Beattie Road and Hardie Avenue</li> <li>• Porritt Glade Reserve</li> <li>• Tuwharetoa Road Reserve</li> <li>• Valley Road/Delamere Drive Reserve</li> <li>• Beattie Road/Shepherd Street Reserve</li> <li>• Cobham Drive Reserve</li> <li>• Hadley Street Reserve</li> <li>• Valley Road/Ryder Place Reserve</li> <li>• McKenzie Street Reserve</li> <li>• Robinson Street Reserve</li> <li>• Weld Street Reserve</li> </ul> <p>Each of the reserves above are small reserves located on the roads as set out in the reserves name.</p>
<b>13</b>	<p><b>Kawerau Cemetery</b></p> <p>Kawerau Cemetery is located off Valley Road and is surrounded by residential houses from Delamere Drive and Ryder Place.</p>

14 & 15	<p><b>Kawerau Town Centre</b></p> <p>Freedom camping is prohibited in the Kawerau Town Centre being the inner area bounded by Islington Street, Onslow Street and Plunket Street. This area also includes all of Islington Street and Liverpool Street. (See restrictions under roads lower than 50km.)</p>
16	<p><b>Council Owned Carparks</b></p> <p>Freedom camping is prohibited in the following Council owned carparks:</p> <ul style="list-style-type: none"> <li>• Porritt Drive (alongside the river)</li> <li>• Corner Plunket and Glasgow Street (parking area around Skate Park)</li> <li>• Plunket Street carpark opposite the Maurie Kjar Aquatic Centre (customer parking)</li> <li>• Islington Street carpark behind 23 to 33 Islington Street (customer parking for local businesses)</li> <li>• Corner Onslow and Plunket Street (customer parking)</li> <li>• Fenton Mill Road (located at the entrance to Stoneham Walk)</li> <li>• Keith McKenzie Park carpark off Tamarangi Drive (park access)</li> <li>• Islington Street main carpark located on the northern side of Council Offices (customer parking)</li> </ul>
17 & 18	<p><b>All Kawerau Local Purpose/Amenity Reserves</b></p> <p>These include the following reserves:</p> <ul style="list-style-type: none"> <li>• Fenton Road Reserve – This is the large open grassed berm on the western side of Fenton Road.</li> <li>• Pat Baker Reserve, Beattie Road Reserve and Dump Reserve – These three reserves form one larger reserve. They are located off River Road or Beattie Road and apart from Pat Baker Reserve which is a scenic reserve at the northern edge, the rest of the reserve travels in a southerly direction out towards farmland.</li> <li>• Owen/Julian Road Reserve – This reserve is located between the end of both Owen and Julian Road and is surrounded by farmland on one end and Hilldale Reserve on the other end.</li> <li>• Reserve near Manukorihi Drive - This reserve is located to the east of Tarawera River off Tamarangi Drive directly east of the bridge crossing the river. The reserve sits between the Tarawera River and the industrial area.</li> </ul>



# SCHEDULE THREE - MAPS

PRIDEAUX PARK - Map 1



## FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



## DISCLAIMER

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## FIRMIN FIELD - Map 2



## FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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## BOYCE PARK - Map 3



## FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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### WATERHOUSE STREET RESERVE - Map 4



#### FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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# STONEHAM WALK, VALLEY ROAD/KIRK CRESCENT RESERVE - Map 5



## FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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## RECREATION RESERVE - Map 6



### FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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## KEITH MCKENZIE RESERVE - Map 7



### FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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# TARAWERA PARK, LYN HARTLEY RESERVE, ROY WESTON PARK - Map 8



## FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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## MONIKA LANHAM RESERVE, FRASER STREET RESERVE - Map 9



### FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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## RIVER ROAD RESERVE - Map 10



### FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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## PREVIOUS STOCK POUND AREA - Map 11



### FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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## NEIGHBOURHOOD RESERVES - Map 12



### FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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### KAWERAU CEMETERY - Map 13



#### FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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## KAWERAU TOWN CENTRE - Map 14



### FREEDOM CAMPING BYLAW

- Restricted
- Restricted with Prior Consent
- Prohibited



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# **KAWERAU TOWN CENTRE, LIVERPOOL STREET - Map 15**



## **FREEDOM CAMPING BYLAW**

- Restricted
- Restricted with Prior Consent
- Prohibited

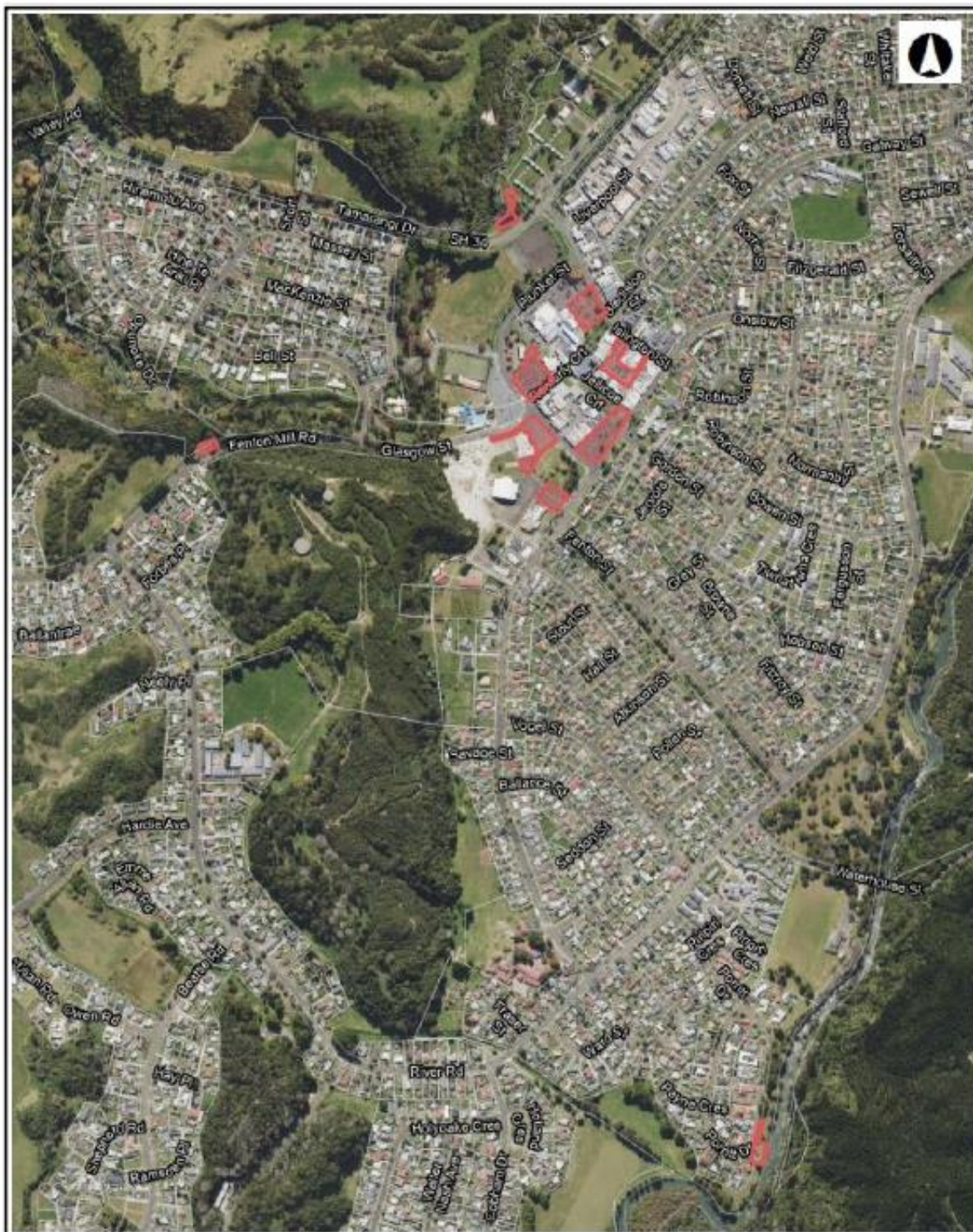


## **DISCLAIMER**

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## COUNCIL OWNED CARPARKS - Map 16



### FREEDOM CAMPING BYLAW

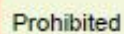
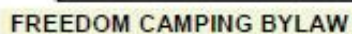
- Restricted
- Restricted with Prior Consent
- Prohibited



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# **KAWERAU LOCAL PURPOSE/AMENITY RESERVES - Map 18**



## **FREEDOM CAMPING BYLAW**

- Restricted
- Restricted with Prior Consent
- Prohibited



## **DISCLAIMER**

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**Meeting:** Council

**Meeting Date:** 26 March 2025

**Subject:** **Proposed Budget Overview and Rates for Long Term Plan 2025-2034**

**File Number:** 201600

## 1 **Purpose**

The purpose of this report is to outline the draft budget for 2025/26 and the proposed rates (being year one of the Long Term Plan), and a summary of the full nine year estimates that are to be included in the Long Term Plan and the Long Term Plan Consultation Document 2025 - 2034.

## 2 **Background**

Council is required to produce and adopt a Long Term Plan every three years, and an Annual Plan is required for the years in between. Council completed an Enhanced Annual Plan for 2024/25 given all the uncertainties with the new Local Water Done Well Legislation that was still to come into effect at that time. Council is therefore preparing a nine year Long Term Plan for 2025 – 2034.

The preparation of the Long Term Plan Consultation Document has been prepared based on the budget as detailed in this report and is currently being audited by Audit New Zealand.

The Long Term Plan Consultation document and supporting key documents for the Long Term Plan will be adopted by Council at an Extraordinary Council meeting on 9 April 2025. Following adoption of the Long Term Plan Consultation Document, consultation will begin on 11 April 2025, with submissions closing on 12 May 2025. Hearing and consideration of submissions will be held on 28 May 2025, with the adoption of the Long Term Plan on 25 June 2025.

## 3 **Budget Estimates for 2025/26**

Council has a total of 2,957 rateable properties, split into 2,790 residential properties and 167 Commercial/Industrial properties. Following the District Revaluation in 2024, the rateable capital value of the whole district totals \$1,354,067,500 of which the capital value for all residential properties is \$1,078,676,500 and \$275,391,000 for all Commercial/Industrial properties.

Following reviews of required expenditure to continue to provide the same levels of service to the community for 2025/26 Council will require \$15,811,230 in rates income, which is an increase of \$1,227,480, an increase of 8.5% on the 2024/25 rates income requirement.

The table below shows the proposed budget for 2025/26 with comparisons to the 2024/25 budget.

	<u>Estimate</u> <u>2024/25</u>	<u>Estimate</u> <u>2025/26</u>	<u>Movement</u>	<u>%</u>
<b><u>Operating Statement</u></b>				
<b><u>Revenue</u></b>				
General Rates	13,212,910	14,084,020	871,110	6.6%
Separate Rates				
Water Supply	275,000	421,720	146,720	53.4%
Wastewater	430,000	555,080	125,080	29.1%
Refuse Collection	665,840	750,410	84,570	12.7%
<b>Total Rates</b>	<b>14,583,750</b>	<b>15,811,230</b>	<b>1,227,480</b>	<b>8.5%</b>
Government Grants & Subsidies	4,852,850	3,023,480	-1,829,370	-37.7%
Petrol Tax	65,000	66,960	1,960	3.0%
Interest Revenue	52,000	85,500	33,500	64.4%
Other Revenue	2,775,680	2,998,410	222,730	7.8%
<b>Total Revenue</b>	<b>22,329,280</b>	<b>21,985,580</b>	<b>-343,700</b>	<b>-1.5%</b>
<b><u>Operating Expenditure</u></b>				
Personnel costs	7,335,980	7,792,040	456,060	6.2%
Depreciation	4,338,620	4,634,610	295,990	6.8%
Finance Costs	350,000	460,500	110,500	31.6%
Other Costs	7,770,210	8,182,370	412,160	5.3%
<b>Total Expenditure</b>	<b>19,794,810</b>	<b>21,069,520</b>	<b>1,274,710</b>	<b>6.4%</b>
<b>Operating Surplus/(Shortfall)</b>	<b>2,534,470</b>	<b>916,060</b>		
<b>Rate Increase</b>	<b>12.2%</b>	<b>8.5%</b>		
<b>Capital &amp; Reserves</b>				
<b>Funding Requirement</b>				
<b><u>Capital Expenditure</u></b>				
Asset Renewals	5,624,680	5,247,590		
Inventory	3,000,000	4,601,000		
Loan Repayments	4,158,920	159,730		
<b>Total Funding Required</b>	<b>12,783,600</b>	<b>10,008,320</b>		
<b><u>Funded By:</u></b>				
Transfers from:				
- Loan	6,000,000	2,000,000		
- Sale Proceeds	0	2,229,420		
- Operating Surplus/(Deficit)	2,534,470	916,060		
- Depreciation Reserves	2,152,850	2,778,550		
<b>Total Funding</b>	<b>10,687,320</b>	<b>7,924,010</b>		
<b>Shortfall (Surplus)</b>	<b>2,096,280</b>	<b>(2,084,310)</b>		
<b>Depreciation Not Funded</b>	<b>2,096,280</b>	<b>2,084,310</b>		

### 3.1 Analysis of proposed rates increase for 2025/26

The budget estimates for 2025/26 equates to an additional \$1.227m of rates income required, which is an 8.5% increase. Listed below are the main factors contributing to the increase:

Description	Amount	% of Rates Increase
Personnel Costs	\$456,060	3.1%
Operational costs - (includes increases for Solid Waste \$174k & Water implementation \$82k)	\$412,160	2.8%
Depreciation Expense	\$295,990	2.0%
Finance Costs (interest expense)	\$110,500	0.8%
Increase in interest income	(\$33,500)	(0.2%)
Miscellaneous other changes	(13,730)	
	<b>\$1,227,480</b>	<b>8.5%</b>

#### Personnel Costs

Personnel costs have increased 6.2% when compared to 2024/25, which is due to anticipated cost increases for salaries and wages.

#### Depreciation Expense

Council's assets are required to be revalued every three years, with the next revaluation due as at 30 June 2025. Council anticipates based on inflation a further increase in the value of Council assets, which will result in an increase in Council's depreciation expenditure. For the 2025/26 budget the depreciation expense has been estimated at \$4,634,610, an increase of \$295,990 (6.8%). Council's reported actual depreciation expenditure for 2023/24 was \$4,606,264 compared to a budget of \$3,976,210.

#### Additional Operational Costs

For the 12 months to 30 June 2024, the annual inflation rate was 3.3%. While the high rate of inflation has eased, operational costs continue to increase across the board with the current economic climate. The significant cost increases are for solid waste and maintenance costs for water and wastewater. Also, the legislative reforms for Local Water Done Well requires additional expenditure of \$82,000.

There is a \$100,000 reduction for Spatial Plan expenditure that is a saving for 2025/26, which offsets part of the increasing operational costs.

#### Capital Expenditure

Capital expenditure for 2025/26 is \$5,247,590 (\$5,624,680 for 2024/25). Appendix 1 has a summary of the Capital Projects for 2025/26.

#### Fees and Charges

Council is proposing to increase most fees and charges for 2025/26 by inflation, to reflect the impact of increasing costs for service delivery.

### 3.2 Funding of Depreciation

For the past two Annual Plans, Council has consulted with the community on the levels of depreciation funding from rates. Council, with consideration of the community's feedback, decided to reduce the rates requirement by lowering the amount of

depreciation being funded. The level of depreciation being funded for the last two years (2023/24 & 2024/25) has been at 65% on strategic assets. While this had no impact on short term debt, continual non-funding of depreciation may require funding from debt in the future.

Council has indicated that given the rates requirement for 2025/26 and consideration of rates affordability, the status quo of funding 65% of depreciation on strategic assets is the preferred approach. The proposed budget for 2025/26 has been prepared on this basis and also in the Long Term Plan from 2026/27 onwards a 3% gradual increase in the funding of depreciation has been included. Council intends to further consult with the community on the level of depreciation funding in the Long Term Plan Consultation Document.

The balanced budget requirement, of operating revenue being sufficient to meet operating expenses, is impacted by the level of depreciation Council funds. If it is financially prudent to not fully fund depreciation, Council can resolve do this. Ratepayer affordability while balancing intergenerational equity are key financial considerations.

### 3.3 Proposed budgets for LTP 2026/27 to 2033/34

The following table includes the budgets for the years 2026/27 to 2033/34 and the anticipated rate increases for each year:

	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
<b>Revenue:</b>								
Rates - Gen	14,241,600	14,604,840	14,838,600	14,766,220	14,501,310	14,222,770	13,574,510	13,069,980
Rates – Tar	2,028,780	2,472,190	3,029,520	3,615,700	4,326,190	5,178,890	6,089,440	7,294,460
Subsidies	1,246,110	979,870	1,011,790	1,044,600	1,267,680	1,301,190	1,335,740	1,581,960
Petrol tax	68,980	71,060	73,020	74,980	76,810	78,640	80,530	82,360
Interest	90,900	87,540	56,440	51,030	75,750	101,200	150,000	183,730
Other	3,085,840	3,029,220	3,050,450	3,186,020	3,234,960	3,498,150	3,211,930	3,261,190
<b>Total Revenue</b>	<b>20,762,210</b>	<b>21,244,720</b>	<b>22,059,820</b>	<b>22,738,550</b>	<b>23,482,700</b>	<b>24,380,840</b>	<b>24,442,150</b>	<b>25,473,680</b>
<b>Operating Expenditure:</b>								
Personnel	8,051,160	8,276,060	8,493,170	8,696,080	8,884,420	9,072,920	9,254,140	9,428,180
Depreciation	4,708,210	5,151,290	5,212,150	5,246,110	5,648,870	5,680,700	5,714,320	6,088,150
Interest	589,000	717,310	851,800	915,900	914,200	912,700	913,000	917,000
Other	8,115,570	8,273,800	8,627,680	8,857,180	8,879,680	9,293,040	9,363,450	9,656,710
<b>Total Exp</b>	<b>21,463,940</b>	<b>22,418,460</b>	<b>23,184,800</b>	<b>23,715,270</b>	<b>24,327,170</b>	<b>24,959,360</b>	<b>25,244,910</b>	<b>26,090,040</b>
<b>Surplus/ (Shortfall)</b>	<b>(701,730)</b>	<b>(1,173,740)</b>	<b>(1,124,980)</b>	<b>(976,720)</b>	<b>(844,470)</b>	<b>(578,520)</b>	<b>(802,760)</b>	<b>(616,360)</b>
<b>Rate increase</b>	<b>2.9%</b>	<b>5.0%</b>	<b>4.7%</b>	<b>2.8%</b>	<b>2.4%</b>	<b>3.2%</b>	<b>1.4%</b>	<b>3.6%</b>

### 3.4 Rates Impact

While the overall budgeted increase in rates revenue is 8.5%, individual properties will have rate increases different to this, as the average increase will vary depending on the value of individual properties. Also, each property has new values following the revaluation, which will further vary the rates increase.

Although Council is underway with the preparation of the Water Services Delivery Plan as required by the new Local Water Done Well legislation, there is still uncertainty regarding the full impact of these changes. With the changes in the legislation

requirements Council has considered that transitioning to increased targeted rates for water and wastewater is the responsible approach. Council has indicated that a gradual longer term (9 years) would be the recommended transition period. Council will consult on this option with the community in the Long Term Plan Consultation document and also provide a shorter five year transition as an alternative option.

Council has indicated that given rates changes due to the revaluations and increased targeted rates, keeping the status quo of the Uniform Annual General Charge at \$900, the general rates differential of 48% Residential and 52% Industrial/Commercial ensures some consistency in the rates charges for 2025/26 is preferred.

Attached in Appendix 2 are examples of the rates impact on individual properties. The examples provided are the same as those which will be included in the Long Term Plan Consultation Document.

### 3.5 Rates Affordability

Council has set its rates affordability benchmarks as:

- Total rates will not exceed 88% of total revenue and
- The annual rates increase will not exceed the average rate of inflation plus 2%

The following table shows the annual rates increase compared to the limit:

	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
Budgeted Increase	8.5%	2.9%	5.0%	4.7%	2.8%	2.4%	3.2%	1.4%	3.6%
Rates Limit	5.0%	5.0%	4.8%	4.5%	4.4%	4.3%	4.2%	4.2%	4.1%
Estimated Inflation	3.0%	3.0%	2.8%	2.5%	2.4%	2.3%	2.2%	2.2%	2.1%

The draft estimates do exceed the 'underlying rate of inflation (3.0%) for Council costs plus 2 percent', which sits at an 8.5% rates increase for 2025/26, and also in 2027/28 and 2028/29 by 0.2%. An explanation will be included in the Long Term Plan as to why it is exceeding the "rates affordability" limits in these years. The reasons for the 2025/26 are detailed earlier in this report. The 2027/28 and 2028/29 reasons for exceeding the limit are due to increased finance costs and specific major maintenance works that are required in these years.

Total Rates in the draft estimates equates to 71.9% of Total Revenue. If the Better Off funding is excluded, Total Rates equates to 80% of Total Revenue. Both of these percentages are within Council's limits.

## 4 Options for Consideration

The Long Term Plan Consultation Document will be prepared based on the proposed budget 2025/26 and will be adopted by Council on 9 April 2025, with community consultation starting from 11 April 2025.

Council has the following options regarding the overall rate increase for 2025/26:

- Keep the proposed budget and rates as drafted.
- Review and amend some levels of service to reduce costs and the rates increase for 2025/26.

## **5 Significance and Engagement**

The proposed budget as presented will be the basis for the preparation of the Long Term Plan Consultation Document and the Long Term Plan 2025 – 2034, which will be consulted on with the community, as required by the Local Government Act 2002. The following is the timeframe for the consultation and adoption of the Long Term Plan 2025 - 2034:

- Adoption of Long Term Plan 2025 - 2034 Consultation Document – 9 April 2025
- Consultation period – 11 April 2025 to 12 May 2025
- Hearings, consideration and deliberations of submissions – 28 May 2025
- Adoption of Long Term Plan 2025 – 2034 – 25 June 2025

## **6 Financial Considerations**

Development of the Kawerau District Council Long Term Plan 2025 - 2034, including the process of the special consultation procedure, can be met within existing estimates.

## **7 Legal Considerations**

The budget as proposed will form part of the Long Term Plan and Long Term Plan Consultation Document 2025-2034, which are prepared in compliance with the Local Government Act 2002. Council's auditors Audit New Zealand are currently auditing Council's Long Term Plan Consultation Document 2025 – 2034, to ensure compliance with legislative requirements.

## **8 Conclusion**

Council is presented with the proposed 2025/26 budget and rates for inclusion in the Long Term Plan Consultation Document. The Long Term Plan Consultation Document and supporting documents will be adopted by Council on the 9<sup>th</sup> of April 2025.

## **9 RECOMMENDATIONS**

1. That the report "Proposed Budget Overview and Rates for Long Term Plan 2025-2034" be received.

2. That Council adopt the draft budget 2025/26 and the proposed rates for inclusion in the preparation of the Long Term Plan Consultation Document which will be adopted by Council on 9 April 2025.



Lee-Anne Butler, CA, BMS

**Group Manager Finance and Corporate Services**

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## **Appendix 1 - Capital Expenditure**

The following table lists the capital expenditure items for 2025/26.

<b>Activity</b>	<b>Asset</b>	<b>2025/26</b>
<b>Economic Development</b>	Firmin Lodge & i-site	\$42,300
<b>Roading</b>	Kerb Replacement	\$84,000
	Street Light Upgrade	\$40,500
	Reseals	\$136,700
	Pavement Treatment	\$76,700
	Footpath Repairs	\$58,100
	Stormwater Catch-pit renewal	\$60,000
	Reseal Carparks	\$54,700
	Rubbish bins / seating / music system / Xmas Lights / Signs / CCTV / town centre lights	\$32,480
<b>Water Supply</b>	Pipework Renewals	\$2,000,000
	Tobies	\$50,000
	UV Tubes Replacement	\$15,840
	Refurbish Pump	\$30,000
	Hydrants	\$88,000
	WTP Power and Back-up	\$30,000
	Water Treatment	\$15,000
<b>Waste Management</b>	Wastewater pipework	\$1,117,100
	Wastewater Treatment Plant & Pump Station	\$625,300
<b>Leisure &amp; Recreation</b>	Library stock	\$79,090
	Library other	\$2,080
	Library Building	\$63,240
	Museum Gas Reader & Displays	\$8,500
	Spa Pool	\$6,000
	Plant Room	\$105,000
	Recreation Centre – Building	\$7,190
	Town Hall furniture	\$2,980
	Concert Chambers Renewals	\$3,900
	Rangi Delamere Centre	\$3,700
	Field Amenity Buildings	\$20,540
	Passive Reserves fences, bins, sprinklers, carparks	\$58,360
	Playgrounds renewals and shade sails	\$32,110
Overheads	Computers & Document Management	\$101,450
Plant	Vehicles	\$157,490
Buildings	Depot & District Office	\$39,240
		<b>\$5,247,590</b>



## **Appendix 2**

**Rates Impact on selected properties for proposed rates increase of 8.5%** based on status quo of UAGC of \$900 and rates differential 48% Residential and 52% Commercial).

The examples below are the properties to be included in the Long Term Plan Consultation Document.

<b>Residential</b>					
<b>Capital Value 2024*</b>	<b>Rates 2024/25</b>	<b>Rates 2025/26</b>	<b>Rates Change \$</b>	<b>%</b>	<b>Weekly change \$</b>
305,000	2,739	3,040	301	11.0	6
390,000	3,121	3,456	335	10.7	6
435,000	3,312	3,675	363	11.0	7
550,000	3,673	4,091	417	11.4	8
650,000	4,225	4,725	500	11.8	10
<b>Commercial/Industrial</b>					
<b>Capital Value</b>	<b>Rates 2024/25</b>	<b>Rates 2025/26</b>	<b>Rates Change \$</b>	<b>%</b>	<b>Weekly Change \$</b>
240,000	7,961	8,422	461	5.8	9
405,000	12,641	13,352	711	5.6	14
1,010,000	31,417	31,433	16	0.1	0
11,693,000	332,764	350,565	17,801	5.3	342
19,300,000	579,485	578,030	-1,455	-.03	-28
34,750,000	986,650	1,039,753	53,103	5.4	1,021
46,250,000	1,312,813	1,383,430	70,617	5.4	1,358

\* Important note when comparing the rates between 2024/25 and 2025/26 the capital values apply when calculating the rates. This does result in variable changes in property rates, as it depends on the movement in the revaluation. Also, the transition to higher targeted rates for water and wastewater adds a further variable to the impact on the individual properties.



**Meeting:** Council

**Meeting Date:** 26 March 2025

**Subject:** **Adoption of Draft Rate Remissions and Postponement Policies for Consultation**

**File No:** 110551

## **1 Purpose**

The purpose of this report is to review and adopt Council's Draft Rate Remissions and Postponement Policies. These policies will be consulted on with the community as part of the Long Term Plan Consultation process.

## **2 Background**

The Local Government Act 2002 requires that Council adopt rate remission and postponement policies if Council intends to remit or postpone rates. The policies must be reviewed at least every 6 years and consulted on with the community.

The policies were reviewed and consulted on prior to the adoption of the 2021 – 2031 Long Term Plan. Also, in June 2024 Council adopted a new remission policy for Sport, Recreation and Community Organisations Leasing Council Land.

Council has the following current rate remission and postponement policies:

- Rates remission for high valued residential properties
- Rates relief for farm properties
- Rates relief for developments
- Rates remission and postponement policy for Māori freehold land
- Rates penalty remission policy
- Rates remission for Sport, Recreation and Community Organisations Leasing Council Land.

Council cannot remit rates (including penalties) unless it has a policy that permits that particular rate remission.

The current policies have been updated into the new policy templates and each policy is attached in the Appendices. The following is a summary of each policy and any recommended changes for Council's consideration and approval.

### **3 Rates Remission for high valued residential properties**

Council has a remission policy for high valued residential properties, which is to cap residential rates by way of a remission, the policy is attached in Appendix 1. This remission was introduced so disproportionately high rates did not act as a disincentive for improvement to existing homes. This remission was first adopted in the 2005/2006 rating year, with a cap of \$2,000. For each subsequent year the level of the cap has risen by the percentage increase in total rates.

To continue increasing the cap based on the total rates increase, Council will need to keep increasing the minimum rate payable by residential properties by the percentage of the rates increase each year. For 2025/26 this cap would be \$6,200 which means residential properties with capital values of \$1,004,900 or higher would pay this amount.

At present there are no properties within the district that meet this threshold, therefore there is no need for the current policy. Council may wish to remove the policy and if the need arises can reintroduce this remission in the future, should the remission policy still meet the required purpose it was originally set up to achieve.

### **4 Rates Relief for Farm Properties**

The objective of this policy is to provide rates relief to farming properties, to ensure the rates are not unreasonably high and comparative with other farming properties. The remission is only on the general rate charged on capital value, which has been set at 30% following the 2021 triennial revaluation (prior was 45%).

Following the revaluation for 2024, to continue to provide a consistent remission that the contribution to the general rate is similar to prior to the revaluation, the same 30% remission on the general rate on capital value should be applied.

Therefore, there are no recommended changes to this current remission policy.

### **5 Rates Relief for Developments**

The policy objectives for this remission are to encourage land development in the district to stimulate employment opportunities and enhance the economic wellbeing of the Community

The current Rates Relief for Development policy does leave discretion to Council to specify the level of the remission and the timeframe. Following feedback, Council has indicated having a policy that provided a minimum level of remission and timeframe would provide consistency and certainty to businesses. Therefore, it is recommended the remission be set at a minimum of 50% for two years.

The policy has been updated with the above recommendations for Council's consideration.

## **6 Rates Remission and postponement policy for Māori freehold land**

The Local Government Act requires Council to adopt a policy on the remission and postponement of rates on Māori freehold land and in determining the remission policy Council must consider a number of matters and objectives that Council must consider.

There are no recommended changes to this current remission policy.

## **7 Rates Penalty Remission**

Council applies a penalty of 5% on the outstanding amount for any rates instalment and a further 5% in July and January of each year for the total amount of rates outstanding. The penalties dates are adopted by Council each year and ratepayers are advised of these dates.

Council cannot remit any outstanding rates unless Council has a remission policy for those circumstances. There can be valid reasons for a ratepayer to miss paying their rates instalment. This policy provides for the remission of the penalties due to specific circumstances as detailed in the policy.

There are no recommended changes to this current remission policy.

## **8 Remission for Sport, Recreation and Community Organisations Leasing Council Land**

This remission policy was introduced on 1 July 2024 following consultation with the community in June 2024. Council considered the submissions received on the policy and adopted the policy as detailed in the appendix. At this early stage of the policy's implementation, there are no recommended changes to the current remission policy.

## **9 Rates Remission for Boundary Reorganisation Properties**

The first boundary reorganisation change was in 2012 and at that time Council did not want to impose a significant rate increase on the owners of this land while it still remained farmland and did not have any development on it. Therefore, Council established a remission policy so that the rates were similar to what was charged to equivalent valued farmland elsewhere, which was originally set at 70%. Following the district revaluations (in 2015, 2018 & 2021) Council amended the remission percentages and the current remission for farming properties is 30%.

With the new boundary reorganisation, effective from 1 September 2024, a further 14 rating units have transferred to the Kawerau District. These rating units straddled the boundary of both districts and are largely undeveloped rural properties (described as “Rural Foothills” in Whakatāne’s District Plan).

As these properties were in the Whakatāne District as of 1 July 2024, the rates for the 2024/25 year were required to be rated under the Whakatāne District Council. The 2025/26 rates will be rated under the Kawerau District Council.

As part of the discussion with the property owners prior to the change, there was an understanding that the rates charged by Kawerau District Council for the transferred properties would not be significantly more than what would have been charged if they remained in the Whakatāne District. Therefore, to enable this Council needs to adopt a remission for the Boundary Reorganisation Properties at 50%, which would result in the rates applied being similar to the current rates charged.

This new policy is attached in the appendix, with the above recommendations for Council’s consideration.

## **10 Legal and Policy Considerations**

The Local Government Act 2002 requires Council to adopt a rate remission and postponement policy for Māori freehold land. Also, Council may adopt other rate remission and postponement policies, and these policies must be reviewed and consulted on with the community every 6 years. These policies were reviewed as part of the Long Term Plan 2021-2031 and it is appropriate to review as part of the preparation of the Long Term Plan 2025 - 2034.

## **11 Financial Considerations**

Council cannot remit rates unless there is a remission policy in place. The remission policies financial impacts are accounted for within Council’s budgets, with the purpose of providing rates relief for the specific purposes and circumstances as detailed in each remission policy.

## **12 Options**

The following options are available:

1. Adopt the Rates Remissions and Postponement Policies as presented. This option is recommended.
2. Reject the Rates Remissions and Postponement Policies. This option is not recommended.

### 13 **Significance and Engagement**

The Rates Remissions and Postponement Policies will be consulted on with the community as part of the Long Term Plan 2025 – 2034 consultation process. This consultation process is from 11 April 2025 until 12 May 2025.

### 14 **RECOMMENDATIONS**

1. That the report “Adoption of Draft Rate Remissions and Postponement Policies for Consultation” be received.
2. That Council adopts the following Draft Rate Remissions and Postponement policies for public consultation as part of the Long Term Plan Consultation process:
  - Rates relief for farm properties
  - Rates relief for developments
  - Rates remission and postponement policy for Māori freehold land
  - Rates penalty remission policy
  - Rates remission for Sport, Recreation and Community Organisations Leasing Council Land.
  - Rates remission for Boundary Reorganisation Properties
3. That Council confirm the removal of the remission policy for High Value Properties, which will no longer apply from 1 July 2025.



Lee-Anne Butler, CA, BMS

**Group Manager, Finance & Corporate Services**

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# Council Policy

## Rates Relief for High Valued Properties Policy

Effective Date:	1 July 2025
Date First Adopted:	2003
Last Reviewed:	2021
Next Review Date:	2027 (Three Yearly Review)
File reference:	Pol 19
Responsibility:	Group Manager, Finance and Corporate Services
Associated Documents:	N/A





# 1. Policy Objectives

The objective of this policy is to cap residential rates by way of a rate remission (applies to Kawerau District Council rates only).

# 2. Policy Principles

Council believes that disproportionately high rates would discourage residential development in the District and act as a disincentive for improvement to existing homes. It also considers that they would place an unfair burden on a small group of ratepayers.

# 3. Definitions

**Capital Value** - Capital value is the value of land plus improvements, as determined by the Valuer General.

**Rating Unit** - For land for which there is a certificate of title, a rating unit is the land comprised in the certificate of title. Where there is no certificate of title, what constitutes a rating unit is either the land described in an instrument which exists or if there is no instrument, the land that the Valuer General considers would be appropriate to sell or transfer as a separate property or, for crown land, to treat as if comprised in a certificate of title. If land in a rating unit is in two or more districts, the part in each district constitutes a separate rating unit.

**Separately used or inhabited part of a rating unit** - Separately used or inhabited part of a rating unit is any portion of a rating unit that is used or inhabited by a person who has the right to do so by virtue of a tenancy, lease, licence or other agreement.

# 4. Background

Council's rating system is based on capital value. This previously resulted in a small number of residential rating units with high capital values incurring disproportionately high annual rates. Therefore, Council decided to adopt a remission policy to put a cap on the rates that are charged to individual residential properties.

Council first adopted the Rates Relief for High Value Properties policy for the 2005/06 rating year. At that time, the cap was set at \$2,000 (including GST) per rating unit. For each subsequent year the level of the cap rose by the percentage increase in total rates. For the 2023/24 year, the proposed cap is \$4,900.00.

Year	Maximum Rates (Incl. GST)
2022/23	\$4,530.00
2023/24	\$4,900.00
2024/25	\$5,500.00

## 5. Policy Statement

All residential rating units, or separately used or inhabited parts thereof, that incur rates above the cap will have the excess rates remitted automatically. The cap applies to the sum of the general rate, one uniform annual general charge and one standard targeted rate for each service rated in that way.

The following charges will be payable in addition to the cap:

1. Targeted rates for all services provided to each separately used or inhabited part of a rating unit.
2. Additional residual refuse bins supplied to any rating unit or separately used or inhabited part of a rating unit.

# Council Policy

## Rates Remission Farm Properties Policy

Effective Date:	1 July 2025
Date First Adopted:	2003
Last Reviewed:	2021
Next Review Date:	2027 (Three Yearly Review)
File reference:	Pol 18
Responsibility:	Group Manager, Finance and Corporate Services
Associated Documents:	N/A

# 1. Policy Objectives

The objectives of this policy are to ensure that the rates charged to farming properties are not unreasonably high and that they are comparable to the rates charged by other Councils for farming properties of similar value.

# 2. Policy Principles

The level of rates charged for farming property should be fair and equitable.

# 3. Background

Council's rating system has two differentials for the general rate:

- Residential (which includes rural lifestyle) and
- Industrial/Commercial

Farming property is classified as 'residential' for the purposes of charging the general rate, but following the last revaluation, it has been recognised that the rates charged to these properties would not be reasonable if they were charged the rates applicable to residential property in full.

Following the revaluation of the district in 2018, Council revisited the portion of the remission and reduced it from 70% to 45% so the contribution by farming properties to the general rate was similar to that prior to the revaluation. Following the next revaluation in 2021, Council has reviewed the quantum of the remission, with a remission of 30% applicable for 2022/23 and 2023/24.

# 4. Policy Statement

Council will grant a 30% remission for 2025/26 (30% 2024/25) for the general rate charged to farming properties comprising the following assessment numbers:

07281/002.00

07281/008.01

07281/008.02

07281/008.04

07281/008.05

07281/008.06

07281/008.07

07281/008.08

07284/906.00

This remission is conditional on the properties remaining farming (as the principal use).

It will apply only to the general rate which is charged on capital value. The remission will not apply to the Uniform Annual General Charge nor to any other rates charged.

This policy has been reviewed following the last triennial revaluation of the District (August 2024), and it was determined that it was fair and reasonable to continue providing this remission to these properties. The policy will be further reviewed following the next revaluation of the district in August 2027.

# Council Policy

## Rates Relief for Developments Policy

Effective Date:	1 July 2025
Date First Adopted:	2003
Last Reviewed:	2021
Next Review Date:	2027 (Three Yearly Review)
File reference:	Pol 17
Responsibility:	Group Manager, Finance and Corporate Services
Associated Documents:	N/A

# 1. Policy Objectives

The objective of this policy is to encourage land development in the Kawerau District to stimulate employment opportunities and enhance the economic wellbeing of the Community. To ensure the fair and equitable collection of rates from all ratepayers, recognising that certain Māori owned lands have particular conditions, features, ownership structures or other circumstances which make it appropriate to provide relief from rates.

# 2. Definitions

**Development** – The development or re-development of any land in the District:

- By constructing, erecting, or altering any one or more buildings on the land for the purpose of providing at least 10 new, or 9 additional household units; or
- By constructing, erecting, or altering any building or buildings, fixed plant and machinery, or other works, intended to be used solely or principally for industrial or commercial or administrative purposes (including hotels, motels and other transient accommodation), or any combination of those purposes;
- Does not include the sub-division of land.

**Employment opportunities** – Employment creation, employment growth or employment retention in the Kawerau District.

# 3. Policy Statement

## ***Eligibility Criteria***

Council will consider any application for development in the District which can demonstrate that it will be likely to lead to employment opportunities.

## ***Forms of Rates Relief***

Council may remit or postpone (or a combination of these), part or all of the rates otherwise payable on a property for any period subject to an annual application being made. For guidance Council will consider if eligible and subject to all criteria of this policy, applying a minimum of a 50% remission for two years.

Council may impose conditions on the remission of rates and may cancel any remission for non-compliance, or if a project ceases to operate. In those circumstances, Council may require payment of full rates in respect of any year in which rates have been remitted. Council does not consider that granting rates relief according to a strict formula

or code is either practical or desirable. This policy is considered to constitute adequate guidelines for the consideration of applications.

### ***Factors to be Considered***

Council will have regard to the following matters when considering applications for rates relief:

- Whether and to what extent, the development will create employment opportunities. (NB: While actual job creation will be a strong factor in favour of granting rates relief, potential for job creation will also be a positive factor).
- Whether and to what extent, the granting of rates relief would be of material benefit to the development and the developer.
- Such other matters as Council may consider relevant.

Council does not consider rates to be of themselves a significant factor in a decision to carry out a new development. However, Council shall take into account the fact that rating relief may use this policy to assist the viability of a development and may use this policy to assist in expediting such a development.

### ***Procedures***

Applications for rates relief should be addressed to the Chief Executive Officer. Applications will be required to provide statements of intent, supporting critical statistics and such other information as is reasonably necessary to enable Council to assess the application in relation to this policy. Every decision of Council shall be publicly notified and the notice shall include:

- The reasons for the decision to approve or decline the application; and
- If the application is approved, the identity of the occupier of the land and the estimated amount of the rates remitted or postponed.

### ***Council Policy Affecting Applications***

The provisions of this policy constitute guidelines for the consideration of applications, as the granting of rates relief according to a strict formula is neither practical nor desirable. The ability of an applicant to meet the above requirements does not in itself constitute a right to rates relief. Council will consider each application on its merits in relation to Council's Economic Development Strategy



# Council Policy

## Rates Remission and Postponement Policy for Māori Freehold Land

Effective Date:	1 July 2025
Date First Adopted:	2003
Last Reviewed:	2021
Next Review Date:	2027 (Three Yearly Review)
File reference:	Pol 15
Responsibility:	Group Manager, Finance and Corporate Services
Associated Documents:	N/A



# 1. Policy Objectives

The objective of this policy is to ensure the fair and equitable collection of rates from all ratepayers, recognising that certain Māori owned lands have particular conditions, features, ownership structures or other circumstances which make it appropriate to provide relief from rates.

# 2. Policy Principles

The principles which underpin this policy are:

- That, as provided by section 91 of the Local Government (Rating) Act 2002, Māori freehold land is liable for rates in the same manner as if it were general land.
- That Council will decide on the provisions of rate relief on Māori Freehold Land should any applications be received.
- That the policy does not provide for the permanent remission or postponement of rate on the land concerned.

# 3. Definitions

**Maori Freehold Land -** Means land whose beneficial ownership has been determined by the Māori Land Court by freehold order (that is; the Court has created a title for the land and determined the beneficial owners to that land).

# 4. Background

The LGA requires Council to adopt a policy on the remission and postponement of rates on Māori freehold land. A policy adopted under this requirement does not need to provide for the remission and postponement of rates on Māori freehold land, but in determining a policy, Council must consider the following matters:

1. The desirability and importance within the District of each of the objectives listed below.
2. Whether and to what extent, the attainment of any of those objectives could be prejudicially affected if there is no remission of rates or postponement of the requirement to pay rates on Māori freehold land.
3. Whether and to what extent, the attainment of those objectives is likely to be facilitated by the remission of rates or postponement of the requirement to pay rates on Māori freehold land.

4. The extent to which different criteria and conditions for rates relief may contribute to different objectives.

The objectives that Council must consider are:

- a) Supporting the use of the land by the owners for traditional purposes.
- b) Recognising and supporting the relationship of Māori and its culture and traditions with its ancestral lands.
- c) Avoiding further alienation of Māori freehold land.
- d) Facilitating any wish of the owners to develop the land for economic use.
- e) Recognising and taking account of the presence of waahi tapu that may affect the use of the land for other purposes.
- f) Recognising and taking account of the importance of the land in providing economic and infrastructure support for marae and associated papakainga housing (whether on the land or elsewhere).
- g) Recognising and taking account of the importance of the land for community goals relating to:
  - i. The preservation of the natural character of the coastal environment.
  - ii. The protection of outstanding natural features.
  - iii. The protection of significant indigenous vegetation and significant habitats of indigenous fauna
- h) Recognising the level of community services provided to the land and its occupiers
- i) Recognising matters related to the physical accessibility of the land.

## 5. Policy Statement

Applications for rates remission or postponement should include the following information:

- Details of the rating unit or units involved.
- Documentation that shows that the land qualifies as land whose beneficial ownership has been determined by a freehold order issued by the Māori Land Court.

Council may, of its own volition, investigate and grant remission or postponement of rates on any Māori freehold land in the District.

Relief and the extent thereof, are at the sole discretion of the Council and may be cancelled and reduced at any time.

Council will give a remission or postponement of up to 100% of all rates for the year for which it is applied, based on the extent to which the remission or postponement of rates will achieve objectives described in the background section of this policy. In addition, Council will consider how an application would provide for an efficient collection of rates and the removal of rating debt.

# Council Policy

## Rates Penalty Remission Policy

Effective Date:	1 July 2025
Date First Adopted:	2003
Last Reviewed:	2021
Next Review Date:	2027 (Three Yearly Review)
File reference:	Pol 16
Responsibility:	Group Manager, Finance and Corporate Services
Associated Documents:	N/A

# 1. Policy Objectives

The objective of this policy is to enable Council to act fairly and reasonably when considering applications for the remission of penalties on rates that have not been received by Council.

# 2. Background

Council presently charges the following penalties on unpaid rates:

- (a) Penalties on current rates that are not paid by the due date during the year.
- (b) Penalties on rates charged in the previous financial year, which remain outstanding on the first day of the new financial year or 5 working days after the resolution is made (whichever is the later) and
- (c) Further penalties charged on rates to which penalties were added under (b) and remain unpaid 6 months after the day the penalty was added

Council has adopted the following remission policy to remit rates penalties as long as specific criteria are met and the ratepayer has settled the outstanding rates.

# 3. Policy Statement

All applications for the remission of rates penalties must be in writing.

Rates must be paid in full before Council remits the penalties charged.

Council will consider applications for the remission of rates penalties in circumstances where:

- Significant disruption to the ratepayer such as the death of a family member; or
- Matters outside the ratepayer's control such as a late sales notice, have contributed to a late payment and it is reasonable to remit the penalty; or
- The ratepayer is new to the District and for whatever reason did not receive a rate invoice; or
- The ratepayer (that is in arrears) entered into an acceptable payment arrangement and complied with those arrangements for the payment of all current rates and arrears.

(NB: A ratepayer who has been in arrears and has had penalties remitted will not be eligible for a further remission of rate penalties for a period of 3 years).

The Chief Executive Officer is delegated to approve rate penalty remissions in accordance with the conditions of this policy.

# Council Policy

## Rates Remission Policy – Sport, Recreation and Community Organisations Leasing Council Land

Effective Date:	1 July 2025
Date First Adopted:	2003
Last Reviewed:	2021
Next Review Date:	2027 (Three Yearly Review)
File reference:	Pol 20
Responsibility:	Group Manager, Finance and Corporate Services
Associated Documents:	N/A



# 1. Policy Objectives

The objective of this policy is to facilitate the on-going provision of sporting and cultural opportunities for the Kawerau Community by ensuring that the rates charged to sporting and cultural organisations that lease Council land, are on the same basis as if Council was providing these services.

# 2. Policy Principles

The principles which underpin this policy are that the level of rates charged to sporting and cultural organisations should be affordable (for the organisation) as well as fair and equitable, where the provision of the sporting and cultural opportunities are on a non-commercial basis.

# 3. Background

There are current leases where Council owned reserve or recreation reserve land is leased to organisations to provide sporting and cultural activities.

From a rates perspective, if the organisations do not hold a liquor license and the organisation is liable for 50% of the general rates plus service charges (water, wastewater & refuse charges), Council considers that it is equitable and efficient to remit the rates excluding the service charges to facilitate and support the sporting and cultural organisations.

# 4. Policy Criteria

Council will grant a 100% remission for the general rate charged to sporting and cultural organisations that are leasing Council reserve and recreational reserve land and not holding a liquor license.

This remission is conditional on the properties continuing to provide sporting and cultural services to the community, and also not holding a liquor license.

The remission policy will apply to the general rate (charged on capital value and the Uniform Annual General Charge). However, it will not apply to targeted rates for services (water, wastewater & refuse) which will be charged to these organisations on a quarterly basis.



# Council Policy

## Rates Remission Boundary Reorganisation Properties Policy

Effective Date:	1 July 2025
Date First Adopted:	2003
Last Reviewed:	2021
Next Review Date:	2027 (Three Yearly Review)
File reference:	Pol 27
Responsibility:	Group Manager, Finance and Corporate Services
Associated Documents:	N/A

# 1. Policy Objectives

The objectives of this policy are to ensure that the rates charged to the specific properties that have joined the Kawerau District as of 1 September 2024 are not unreasonably high as these properties transition to the Kawerau District rating system.

# 2. Policy Principles

The level of rates charged for boundary adjusted properties should be fair and equitable.

# 3. Background

Council's rating system has two differentials for the general rate:

- Residential (which includes rural lifestyle) and
- Industrial/Commercial

In September 2024, following a boundary adjustment, 18 properties were transferred into the Kawerau District. These properties straddled the boundary of both districts and are largely undeveloped rural properties (described as "Rural Foothills in Whakatāne's District Plan)

This remission is similar to the farm properties remission that was introduced following the first boundary reorganisation in 2012 and was introduced for the rates charged to be comparable with other Councils' similar properties.

# 4. Policy Statement

Council will grant a 50% remission for 2025/26 for the general rate charged to Boundary Reorganisation properties comprising the following assessment numbers (NB these are the WDC assessments which will be updated for the new Kawerau assessment numbers):

07181/456.00A  
 07181/456.00B  
 07181/456.00C  
 07181/389.00B  
 07181/458.01  
 07181/461.00  
 07181/460.00  
 07181/462.00  
 07181/463.00  
 07181/038.00  
 07181/038.01

07181/039.00  
07181/052.00  
07181/050.00

This remission is conditional on the properties continuing in their current primary use and the remission will apply until such time as the properties use changes and/or property is developed.

The remission will apply only to the general rate which is charged on capital value. The remission will not apply to the Uniform Annual General Charge nor to any other rates charged.

This policy will be reviewed following each district revaluation of the district to determine if it is fair and reasonable to continue providing this remission to the stated properties. The next district revaluation is due in August 2027.