

F22/55/05 – D24/30048

Date: Tuesday 11 June at 2.00pm  
Venue: Council Chambers, 63 Miranda Street, Stratford

To hear and consider submissions to the

- Draft Rates Remission Policy
- Draft Rates Postponement Policy

### Present

The Deputy Mayor – M McKay (the Chairperson), the District Mayor N C Volzke, Councillors: S J Beck, V R Jones, G W Boyde, J M S Erwood, A K Harris, E E Hall, W J Sandford, and M J Watt.

### In attendance

The Acting Chief Executive - Mrs T Radich, the Director – Assets Mrs V Araba, the Director – Environmental Services – Mr B Sutherland, the Acting Director – Community Services – Mrs E Bishop, the Committee Secretary– Ms E Coulton, the Communications Manager – Ms G Gibson, The Revenue Manager – Ms K Lawrence, The Community and Economic Development Manager – Ms S Afzal (Part Meeting).

#### 1. Welcome

The opening karakia was read.

The Deputy Mayor welcomed the Chief Executive, Councillors, staff, and the media.

The Deputy Mayor reiterated the health and safety message and emergency procedures.

#### 2. Apologies

An approved leave of absence was noted for Councillor A M C Dudley, an apology noted from Councillor C M Tongaawhikau and the Chief Executive – Mr S Hanne.

#### Recommendation

THAT the apologies be received.

HARRIS/BOYDE  
Carried  
P&S/24/176

#### 3. Announcements

There were no announcements.

#### 4. Declarations of members interest

Elected members were asked to declare any real or perceived conflicts of interest relating to items on this agenda. There were no declared conflicts of interest.

## 5. Attendance Schedule

The Attendance schedule for Policy and Services Committee meetings, including Hearings, was attached.

## 6. Acknowledgement of Submissions

Submissions – Pages 9-24

Attached were the seven (7) submissions received to the draft Rates Remission and Rates Postponement policies.

### Recommendations

1. THAT the submissions to the draft Rates Remission and Rates Postponement Policies be received.
2. THAT the submitters be advised of the outcome of their submission and notified that the minutes of the Policy and Services Committee Meeting, and subsequent meetings, will be available on Council's website.

BECK/HALL  
Carried  
P&S/24/177

### **Recommended Reason**

So that each submission is formally received and the submitter provided with information on decisions made.

## 7. Submitters To Be Heard

There are four submitters wishing to speak.

Each submitter will be allocated five (5) minutes to present their submission and allowed five (5) minutes for questions.

Submission #	Name	Organisation	Page Number
4	Mike Procter		14
Points noted in presentation:			
<ul style="list-style-type: none"><li>• Mr Procter acknowledged that the policies up for submission are two separate policies but highlighted that he believes there is commonality between the two.</li><li>• He thinks that Section 2 of the Rates Postponement Policy sets too strict a criteria for qualifying for a rates postponement in cases of natural disasters. The policy at current, requires both the occurrence of a natural disaster and the declaration of a state of emergency to qualify for a rates postponement. He noted that if a tornado was to take place and destroy one or two properties it would be unlikely that council is to declare a State of Emergency, but the homeowners should have the opportunity to apply for a rates postponement.</li><li>• It was also noted by Mr Procter that the rates postponement for natural disasters does not mention targeted rates such as water supply, wastewater or solid waste, he believes that this is also too narrow of a scope.</li><li>• Section 7 of the Rates Remission Policy, if a property was to become uninhabitable due to fire, mentions a Rate Remission of targeted rates such as water supply, wastewater and solid waste</li></ul>			

for those effected. He believes that this is yet again too narrow of a circumstance and suggests other situations that could cause a property to become uninhabitable should also be considered.

- He illustrated his point with scenarios such as the storm that hit Auckland, East Cape, and Hawkes Bay last year. During this severe weather event, houses became uninhabitable due to damage in the area, even though the houses themselves were undamaged. Local councils subsequently 'red-stickered' these homes, deeming them uninhabitable. This situation meant that homeowners in these cases were unable to claim insurance. Mr Procter stated that he believes if this was to happen within our district neither one of the policies have the ability to deal with this situation.
- Mr Procter noted that between the two policies it was difficult to balance them both side by side.
- Mr Procter summarised that he believes there are inconsistencies between the two policies with one mentioning a decision committee and the other not, he also noted that one policy mentions Māori freehold land and the other does not however, he acknowledged that he has not looked at the management response to that yet.

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Ian Patterson

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Points noted in presentation:

- Mr Patterson noted his submission is regarding the targeted forestry roading rate.
- Mr Paterson acknowledged that he understands the current rate applies to residents living on council-owned roads, for a property utilised for forestry purposes. He also highlighted that the rate costs are calculated based on a fraction of the Government Value of the property.
- He noted that he has based conclusions on two assumptions regarding the targeted rate: firstly, that the presence of 50 logging trucks within a month would result in more road damage compared to just one truck; and secondly, that the longer the road, the higher the repair costs would be.
- He reiterated that the cost of the rates are calculated on the government valuation (GV) of the property, he noted that this valuation includes the quality of the land, the value of the land, buildings and chattels. Mr Patterson highlighted that the GV is not solely based on the land value, that infrastructure can have an effect on the outcome. Mr Patterson used an example to back this, he stated that the GV would be significantly higher if someone owned a piece of land with good improvements on it in, he then noted that this increase in GV would in turn increase the dollar amount of roading rates to be paid.
- Mr Paterson clarified that his main point is that at times the GV does not represent either of the two assumptions stated above.
- He noted that he is aware he can not dispute the roading rate or the fact that it is based off GV as the decision has already been made, he mentioned that the only avenue he has to speak up about what he views as injustice is through the rates remission policy.
- After looking on the Taranaki Regional Explorer (which he mentioned that he is aware it is not up to date) at properties with forestry blocks that have a high GV he calculated that forestry owners are looking at rates of \$3,000 - \$5,000 per hectare of trees per kilometre of road he then noted that in comparison a property with a lower GV would be looking at \$200 per hectare of trees per kilometre of road. Mr Patterson stated that he is not here to justify those figures but is here to highlight the unfairness of excluding forestry from the rates remission policy.
- Mr Paterson noted that if the council wants to have a targeted rate that is 'user pays', to target those that are using it, he does not believe that this policy is achieving that.

Questions/Points of Clarification:

- Councillor Boyde clarified the quoted figures of \$3,000 - \$5,000 per hectare of trees per kilometre of road. Mr Patterson confirmed them and stated that he is not too sure where his next set of rates are to be cost wise but his previous rates went up from \$1,500 to \$3,500 when it was identified that there were trees on his property. He expressed that the submission is not about his figures as such, but it is about the principle of being excluded from the decision of this.
- The District Mayor clarified that Mr Patterson was seeking a remission today on different grounds than his previous submission which was about slow growing species and now he is arguing about targeting the right person the right amount of money using a per hectare per kilometre rate. Mr Patterson acknowledged this and noted that he believed he was not getting anywhere with his previous argument, so he decided to add in some figures. He noted that whilst the figures are important, he sees them as irrelevant to the situation as his main point is that the council has

taken away his opportunity to speak and that the targeted forestry roading rate should not be excluded from the policy.

- Councillor Harris asked the Revenue Manager to clarify which aspects of the property are considered in determining the rate pricing. Specifically, she inquired whether the entire GV of the property is taken into account, or if the value of the trees on the land is assessed separately. The Revenue Manager explained that only the hectares of trees affect the targeted forestry road rate, while the valuation of the remainder of the property is conducted separately. Mr Patterson noted that this not the information he received, and it was confirmed that this has only recently been completed by QV and the owners may not have been notified yet.
- Mr Patterson believes that property owners should not have to stop planting trees to keep their rates down and if the council wants to call the rate a user pays, the entire length of the road should be considered.

6	Miranda Wells	Eight Hundred Trust	19	2.35pm
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Points noted in presentation:

- Ms Wells introduced the Eight Hundred Trust, an old forestry block located in Tututawa that is being repurposed into an educational bird food forest. The trust is about exciting individuals about conservation and developing new technology alongside this. Ms Wells noted the Eight Hundred Trust works alongside Rotokare and are in frequent discussions with them about creating a corridor for rare native birds.
- The trust is intending on using this land to also educate and train young people, recently having students from WITT there to learn about conservation.
- She noted that the trust works with the Taranaki Regional Council and the Taranaki Kiwi trust. She noted that they have released kiwi into the trust's environment in both 2023 and 2024 and that the District Mayor has been involved in a kiwi release with the trust in April 2024.
- Ms Wells mentioned that whilst the new technology is for innovation within conservation, the funds from developing this are going towards paying their rangers and rates, she noted that there is a vision of self sufficiency through producing this new technology in the future.
- Her objective was for consideration to be given to a rates remission for land such as this which is being used for community conservation gain and not personal gain, Ms Wells noted that this would be helpful even for a short period of time whilst the trust gets up and running.
- Ms Wells extended an invitation to the room to attend a tree planting day in September.

Questions/Points of Clarification:

- Councillor Boyde sought clarification on how much pine is currently on the property. Ms Wells confirmed that all the pine on the property has been harvested.
- The District Mayor questioned if the Eight Hundred Trust was registered as a charitable organisation. Ms Wells confirmed that it is registered as a charitable organisation.
- The District Mayor queried as to what percentage of the property is bush and non-grazeable. Ms Wells clarified that none of the section that houses the bird food forest is grazeable and believes that around 50% of the second section is grazeable but the trust would rather not use that portion of grazeable land for cattle due to the steep terrain.
- The District Mayor noted that in the current policy there is provision for a rates remission on biodiverse properties, he questioned whether the trust has applied for remission under the current policy and if the trust has qualified for this. The Acting Chief Executive noted that under our current policy it only refers to biodiverse land that has been specified in our District Plan which has not been reviewed in 10 years. The District Mayor sought clarification that if this property was listed in appendix 9 of the District Plan it would qualify for remission? The Acting Chief Executive clarified it could be possible but it would be dependent on the land meeting some specific criteria such as public access etc.

Points noted in presentation:

- Mr Carrick noted that he was here to discuss receiving a rates remission on his forestry farm block.
- He acknowledged the merit of the targeted road rate for forestry but contends that because his property lies along State Highway 43, and he can bypass council roads for harvesting and transporting trees, he should be exempt from paying the rates.
- He believes that council have overstepped their boundaries by attempting to charge people a targeted roading rate when those people are not using Council roads.
- He noted that this rate is user pays, but he is not using.

Questions/Points of Clarification:

- Councillor Boyde noted that in Mr Carrick's last submission during the Long Term Plan process he mentioned creating a contract that can stipulate where trucks can and cannot go, Councillor Boyde questioned if this was possible as he had heard otherwise. Mr Carrick clarified that this is possible.
- The District Mayor questioned as to how the council would safeguard themselves and other rate payers if we were to alter the targeted forestry road rate to exclude properties that use the state highways to harvest. He used Waitomo Council as an example who originally had those who harvest onto a state highway exempt from paying their Targeted Roading Rate for Forestry, however at the time of adoption they had removed this from their policy. The reason for this being safeguarding issues.
- Mr Carrick was not sure how the council would achieve that but stated that there is no way that he can harvest onto a council road and other neighbouring forestry owners are the same. He expressed that if he could prove to council that he does not and can not use the council roads for harvesting that he should be entitled for a remission.

## 8. Consideration of Submissions

### **Submission One:**

- Councillor Hall raised a query about circumstances where individuals are completely unable to use local roads. She clarified that this excludes those who have the option to avoid council roads but applies specifically to those who have no alternative route whatsoever. The Acting Chief Executive acknowledged that whilst she understands the frustration from the submitter, it was difficult to identify those properties with forestry blocks, so for the council to also monitor the vehicle movements of their harvesting and operations could be challenging. Councillor Hall questioned if council has adequate resources to monitor or clarify certain properties that only operate on state highways? The Acting Chief Executive clarified that council does have a list of all the properties and can see if they are located on a state highway but the struggle would be monitoring vehicle movements during harvesting season, she noted that she wouldn't see it as a cost benefit exercise for the council but acknowledged that if elected members expressed interest in the council gaining these types of resources it could be possible.
- The District Mayor remarked that although they could potentially reach the port from their property without using council roads, the real question is whether they will choose to do so, regardless of contracts. He mentioned that one of the solutions in the long term would be to use electronic road user charges and when the Government chooses to place them on logging trucks that it will solve this problem.
- Councillor Harris noted another point that it is not just harvesting vehicles that impact the roads, it can be a number of vehicles within the industry such as metal trucks.
- Councillor Watt expressed that with a rate remission he is under the impression that the applicant is responsible to prove their case, he believes it should not be up to us to monitor it and if the owners can provide contracts and snapshots of locations and self-monitor it with evidence provided, he does not see why it could not be done.

**Submission Two:**

No Comments were made.

**Submission Three:**

No Comments were made.

**Submission Four:**

No Comments were made.

**Submission Five:**

- Councillor Jones questioned if Council has adequate resources to measure the length of roads to create a targeted rate based on distance. The Acting Chief Executive clarified that this goes back to how we apply the rate, she mentioned that we are able to apply the rate to certain areas under the legislation. She further confirmed that this cannot be done by distance from a certain point but can be done by a geographical area of location, it was mentioned that this method may be explored going further when the council relooks at how this rate is applied but in the case of remissions there is nothing that can currently be done.

*The Community and Economic Development Manager joined the meeting at 3:00pm*

- Councillor Beck asked for clarification regarding the GV and inquired whether the rate is assessed based on the hectare size of the land with trees, valued not at the farming land GV but at its forestry value. The Acting Chief Executive and the Director – Corporate Services confirmed that is correct and clarified that the submitter, Mr Patterson was under the impression that we were still doing rates based on the GV of the entire property not just the area of trees. The Revenue Manager noted that this confusion may be due to the fact they haven't yet received a notification from QV yet as the council only just received a notification themselves.

**Submission Six:**

- Councillor Beck questioned if this piece of land is currently under private ownership? It was noted that it was owned by a Trust. Councillor Beck noted his concern that the land could be sold.

*The meeting adjourned at 3:07pm and reconvened at 3.56pm*

**Submission One:**

- Councillor Jones raised a question about the evidence-based system proposed by Councillor Watt for tracking the routes of logging trucks. He pointed out that rates are determined in advance and questioned how they could prove something that has not yet occurred. He also emphasized the need to audit this data and inquired about who would be accountable for the auditing of that data and who would be paying for that? He mentioned that this may counteract the cost benefits being sought through remission. The Acting Chief Executive agreed with Councillor Jones point of view and stated that council needs to think about the cost benefit and whether it outweighs the fairness.
- Councillor Erwood proposed another point of view in response to Mr. Carrick's submission regarding contract terms. He noted that if a truck travels a certain distance from point A to B using a state highway instead of council roads, additional costs such as diesel and time would be included in the final transport supplier's bill. He emphasized that if he mandates a longer route for trucks, there would be associated costs, as they wouldn't undertake it without compensation.

**Submission Five:**

- The District Mayor made comment about how rates and the remission process is a blunt tool, he noted that if the council was to bring the rates down on the submitter's property or someone similar, by default this would bring someone else's rate up. He was unsure as to how we would be able to lower rates on some properties and raise them on others without consulting them as well.
- Councillor Erwood questioned if the council has the tools to be able to facilitate that and suggested that we do not.
- Councillor Sandford asked whether properties subject to general rates, which include a roading rate, receive a discount if they are located on a state highway. The Acting Chief Executive clarified that they do not.

**Internal Submission:**

No Comments were made.

9. Decision Report – Rates Remission Policy – Deliberation and Adoption  
D24/25928 Page 25

Council needs to consider submissions as part of the consultation process.

Recommendations	
1. <u>THAT</u> the report be received.	WATT/HARRIS Carried <u>P&amp;S/24/178</u>
2. <u>THAT</u> , subject to new information from submissions highlighted at the hearing, the draft Rates Remission Policy be adopted, and effective from 1 July 2024.	BOYDE/BECK Carried <u>P&amp;S/24/179</u>
<b>Recommended Reason</b> Council has reviewed the policy and consulted with the community.	

Questions/Points of Clarification:

- Councillor Hall pointed out that Submission 4 raised a valid point about properties rendered uninhabitable by fire and believes that the suggestion of expanding the criteria to include other scenarios is a good idea. Whilst she's hesitant to include something as universal as a volcanic eruption, which affects everyone, she believed there was room to broaden the criteria beyond fire-related incidents. Additionally, Councillor Hall questioned why general rates or UAGC had not been included in the remission, noting that only water, wastewater, and solid waste charges had been addressed, and asked for the rationale behind this decision.
- The Acting Chief Executive clarified that certain rates are included over others because of past situations where homeowners were still billed for water and wastewater services even when their homes were destroyed by fire and they were no longer using those services. She noted that general rates and UAGC are intended as contributions from landowners to the district which is why they are not included in the remission policy.
- The District Mayor noted that he believes that clause 7 is a specific clause for a specific event and would be hesitant to change that clause to add in other scenarios. He noted that another clause could be added for those scenarios but would advise leaving clause 7 as is.
- Councillor Harris clarified that she was referring to situations where houses become uninhabitable due to incidents like burst pipes, rather than natural disasters. She noted that a

scenario such as that would be the same outcome for ratepayers but with no remission. The District Mayor argued that a house could be deemed uninhabitable due to neglect, he noted if we were to add in a clause we would have to be cautious.

- Councillor Harris questioned whether there had been any cases where individuals sought remission because their homes had become uninhabitable due to reasons other than fire. The Acting Chief Executive clarified that there is none that she can think of that aligns with the current discussion. Councillor Sandford noted that whilst it would be nice to cater to everyone, it may open up a can of worms that does not need to be opened.
- Councillor Boyde asked if there is a discretion policy for special considerations? The Acting Chief Executive clarified that there is not and that it would have to be specified in the remission policy to qualify for a remission.
- Councillor Harris noted that she is in support of leaving clause 7 as it is currently. The Deputy Mayor noted that there was not a strong agreement for adding a clause and therefore noted that it will remain as is.
- Councillor Watt noted that he would like to discuss the matter of having forestry in the rates remission, he expressed that he had a few points for council to consider. He noted that the council would not lose any money if we were to give forestry the opportunity for remission and we would only be targeting those who use the roads. He believes that there would be a net positive outcome by doing this as it may incentivise logging trucks to stick to state highways and not use council roads. There was discussion surrounding the implications of adding in forestry to the remissions policy at this current point of time. It was noted that if this was to be added we would need to go out for public consultation and that the situation as a whole is currently hard to police.
- The Deputy Mayor sought indication from the elected members if there was appetite to include remissions around forestry into the policy, there was no indication of appetite to add this in.
- Councillor Hall noted that she found the 800 Trust submission interesting and further noted that she would be interested to see the council do something that would incorporate them so they would be eligible for remission due to their level of conservation.
- The District Mayor noted that for the 800 Trust to be eligible to receive a remission, a description of their property would have to be included in the policy due to the fact that their property is not included in the District plan. He noted that if we did this there is a possibility that we will accidentally pick up a number of other properties through the description as well as the 800 Trust, which is not the intention. The District Mayor also noted that the property is also a working sheep and beef farm. He expressed that until it is clearly what it says it is (a conservation block) he is unsure that council can currently do anything.
- Councillor Beck noted that he agrees with the District Mayor and believes that until the land can not be touched it does not qualify for a remission.
- The Deputy Mayor questioned if the 800 Trust is on their way to meeting the criteria for a remission? The Acting Chief Executive clarified that through the discussion it is evident that there is still supplementary income through the sheep and beef and noted that due to this they are not on their way currently to achieve this.
- There was further discussion surrounding the 800 Trust and whether the council can accommodate a remission for the Trust at this current time. It was noted that by the District Mayor that the best option for this property would be to get it assessed to be included in Appendix 9 of the District Plan when it is next reviewed.
- Councillor Jones highlighted that in the policy every section has specific objective stated except for section 6, Remission for Promoting Business Development. He noted that this may need to be looked at when this policy is due for its next review.
- The Deputy Mayor stated that the policy is to remain unchanged with the exception of the wording changes from the internal submission.



Council considered submissions as part of the consultation process.

Recommendations	
1. <u>THAT</u> the report be received.	ERWOOD/McKAY <u>Carried</u> <u>P&amp;S/24/180</u>
2. <u>THAT</u> , subject to proposed amendments and new information highlighted through the submission and at the hearing, the amended Rates Postponement Policy be adopted, and effective from 1 July 2024.	HALL/HARRIS <u>Carried</u> <u>P&amp;S/24/181</u>
<b>Recommended Reason</b>	
Council has reviewed the policy and consulted with the community.	

Questions/Points of Clarification:

- The Deputy Mayor opened discussion around the potential removal of the last sentence 'and where a State of Emergency has been declared in relation to that event.' From section 2, Postponement for Land Affected by Natural Disasters from the Draft Rates Postponement Policy. She noted that it was quite a high threshold and noted that a general agreeance was shared in previous discussion about removing this sentence.
- Councillor Harris sought clarification on how the declaration of State of Emergencies work, she asked if it has to be declared for the district as a whole or can it be declared for only a section of the district if necessary? The District Mayor clarified that State of Emergency declarations can be targeted to one of three areas, a specific section of the district, the district as a whole or the region as whole. He noted that State of Emergency declarations have different levels that align with the severity of the event that's taken place, these can range from a full emergency, a partial emergency or being on standby he also noted that each level requires a different response from TEMO.
- The District Mayor suggested that the last sentence under the objective listed under section 2 of the policy should be amended to 'A natural disaster is considered as including, but not necessarily limited to, flooding, earthquake damage or a storm.'
- It was a unanimous decision to remove the sentence 'and where a State of Emergency has been declared in relation to that event.' From section 2, Postponement for Land Affected by Natural Disasters from the Draft Rates Postponement Policy.

The closing karakia was read.

*The meeting closed at 4.40 pm.*

M McKay  
**Chairperson**

Confirmed this 23<sup>rd</sup> day of July 2024.

N C Volzke  
**District Mayor**