

MINUTES



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MEMBERSHIP: Her Worship the Mayor Rehette Stoltz, Deputy Mayor Josh Wharehinga, Colin Alder, Andy Cranston, Larry Foster, Debbie Gregory, Ani Pahuru-Huriwai, Rawinia Parata, Aubrey Ria, Rob Telfer, Teddy Thompson, Rhonda Tibble and Nick Tupara

MINUTES of the EXTRAORDINARY COUNCIL/TE KAUNIHERA

Held in Te Ruma Kaunihera (Council Meeting Room), Awarua, Fitzherbert Street, Gisborne on Wednesday 9 April 2025 at 1:00PM.

PRESENT:

Her Worship the Mayor Rehette Stoltz, Colin Alder, Andy Cranston, Larry Foster, Debbie Gregory, Ani Pahuru-Huriwai, Rawinia Parata, Aubrey Ria, Rob Telfer, Daniel Thompson, Rhonda Tibble, Josh Wharehinga.

IN ATTENDANCE:

Chief Executive Nedine Thatcher Swann, Director Lifelines Tim Barry, Director Internal Partnerships & Protection James Baty, Director Liveable Communities Michele Frey, Director Engagement & Maori Partnerships Anita Reedy-Holthausen, Chief Financial Officer Pauline Foreman, Director Sustainable Futures Jo Noble, Principal Policy Planner Shane McGhie, Senior Policy Planner Viveshen Murugan, Journeys Operations Manager Libby Young, Founding Director SGL Funding Steve Bramley, Contractor Liveable Spaces Jo Haughey, Independent Election Services Electoral Officer Dale Ofoske, Acting Democracy & Support Services Manager Teremoana Kingi and Governance Advisor Sally Ryan.

Secretarial Note: Items were heard out of the order described in the agenda. For ease of reference the Minutes have been recorded in agenda order.

1. Apologies

There were no apologies.

2. Declarations of Interest

Cr Cranston declared an interest in report **25-80** Indoor Multipurpose Centre (IMC) Business Case as a trustee of Whiti Ora Tairāwhiti.

3. Action Register and Governance Work Plan

3.1 Action Register

Noted.

3.2 Governance Work Plan

Noted.

4. Leave of Absence

There were no leaves of absence.

5. Acknowledgements and Tributes

There were no acknowledgments or tributes.

6. Public Input and Petitions

6.2 Deputation from Whiti Ora Tairāwhiti

Whiti Ora Tairāwhiti Chief Executive Stefan Pishief spoke to the Indoor Multipurpose Centre presentation, which is requesting that Gisborne District Council (Council):

- Endorse the Indoor Multipurpose Centre business case: and
- Seek capital funding to build the Indoor Multipurpose Centre.

Questions of clarification included:

- The Showgrounds were considered as a potential site option but ruled out due to the set criteria and assessment matrix. While the Business Case is suggesting a new build, any alternative options that prove to be more cost-effective will be explored as a priority.

7. Extraordinary Business

There was no extraordinary business.

8. Notices of Motion

There were no notices of motion.

9. Adjourned Business

There was no adjourned business.

10. Committee Recommendations to Council

10.1. 25-104 Committee Recommendations to Council - Council Strategic Risk

MOVED by Cr Stoltz, seconded by Cr Wharehinga

That the Council/Te Kaunihera:

1. Approves the adoption of Council's Risk Management Policy.
2. Agrees to the use and implementation of the proposed Risk Management Policy and Framework to ensure Risk Management is successfully embedded into Council's everyday BAU and project activities and work programmes.

CARRIED

11. Reports of the Chief Executive and Staff for DECISION

11.1 25-69 Draft Urban Plan Change- To send a copy to Iwi Authorities for Comment

Director Sustainable Futures, Jo Noble spoke to the report and answered questions of clarification including:

- The proposed Draft Urban Plan Change will be sent to Iwi for further comments and will then be brought back to the Sustainable Tairāwhiti Committee to discuss the feedback.
- Staff will work closely with Iwi technicians over the next 2–3 weeks to support the drafting process. This timeframe also allows for the incorporation of feedback from the Commissioners, as well as further internal input from the Consents team. A revised version will be brought back to the Committee for consideration.
- The Iwi technicians providing recommendations are also qualified Resource Management Practitioners, many with experience advising central government, Iwi chairs, and other agencies.
- The proposal to allow 70m² granny flats would override current provisions in the Tairāwhiti Resource Management Plan (TRMP). Council is awaiting the final details of the proposed National Environmental Standard, as national regulations generally take precedence over local planning rules. Once the standard is confirmed, Council will then assess whether the TRMP needs to be updated to align with the new requirements.
- The Design Guide is not part of the formal plan but serves as a best practice guide for urban design. It is intended to support and inform development, rather than restrict it, by providing principles that encourage well-designed, functional urban spaces.
- Council has developed a Future Development Strategy to address housing capacity issues and enhance the functionality of the urban environment. Recent recalculations of Gisborne's population continue to show consistent growth trends. While there appears to be an increase in the number of houses for sale or rent, this may be more indicative of affordability challenges rather than a genuine increase in housing supply.
- Staff are engaged in ongoing discussions with Ngati Oneone and are also reaching out to Iwi entities who have the capacity to engage. Council, by statutory acknowledgments, have a delegation to Iwi entities. Iwi entities will often present and tell Council that they're mandated on behalf of their people by the settlements process and while some Iwi may not be able to respond, there are efforts to ensure as many groups as possible have an opportunity to have their say.

MOVED by Cr Parata, seconded by Cr Wharehinga

That the Council/Te Kaunihera:

1. Provides any additional feedback to be considered as part of finalising the draft content.
2. Approves the preferred option and timeframe for notification of the plan change being Option 2 as follows:
 - a. Slightly extend the timeframe to enable time for working with Iwi technicians on content, and to further refine the Plan Change to meet the intent of the Committee's direction on the draft.

AND

- b. Delegate authority to Sustainable Tairāwhiti to consider and endorse the TRMP Committee's recommendation to send the draft Plan Change to Iwi Authorities as required by Clause 4A, Schedule 1 of the Resource Management Act 1991 to allow time for the content to be further refined to meet the intent of the Committee's direction. Any feedback from this meeting can also be taken into account.

CARRIED

11.2 25-70 Mobile Traders Bylaw - Approval to Consult

Strategic Planning Manager, Charlotte Knight answered questions of clarification including:

- A key issue with the current bylaw is its readability, along with having references to acts that have since been updated. The idea is to improve the clarity of what can and cannot be done and address the readability issues and outdated references in the existing regulations.
- The current bylaw restricts mobile traders from operating with the Central Business District (CBD) but doesn't provide details on where the CBD is, and the map has been included in the Bylaw to provide that clarity. This measure is intended to protect existing businesses in the area, as well as ensure safety and manage traffic effectively.

MOVED by Cr Telfer, seconded by Cr Foster

That the Council/Te Kaunihera:

1. Notes the contents of this report.
2. Determines as required by s155 of the Local Government Act 2002 that the proposed Ture-ā-Rohe Kaihoko Nekeneke o Te Tairāwhiti (Tairāwhiti Mobile Traders Bylaw 2025) in Attachment 1 of this report:
 - a. Is the most appropriate form of bylaw; and
 - b. Does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
3. Adopts the Statement of Proposal in Attachment 1 of this report including the proposed Ture-ā-Rohe Kaihoko Nekeneke o Te Tairāwhiti (Tairāwhiti Mobile Traders Bylaw 2025) for public consultation using the special consultative procedure.

CARRIED

11.3. 25-74 Submission on Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill

Voting was by division.

For	Against	Abstained
Cr Parata	Cr Thompson	Cr Alder
Cr Gregory	Cr Tibble	
Cr Pahuru-Huriwai		
Cr Telfer		
Cr Cranston		
Cr Foster		
Cr Wharehinga		

MOVED by Cr Parata, seconded by Cr Gregory

That the Council/Te Kaunihera Committee:

1. Delegates authority to the Chief Executive to make amendments to the draft submission (Attachment 1) in line with the resolution/s of Council on this matter, and any minor amendments for grammar or spelling; and
2. Delegates authority to the Chief Executive and Mayor to submit the submission to the Justice Committee.

CARRIED

11.4. 25-96 2025 Triennial Election

Director Engagement and Māori Partnerships Anita Reedy-Holthausen read and Election Services Electoral Officer Dale Ofoske with additional points including:

- Council is required to conduct a Referendum due to the establishment of Māori Wards in 2020, which was done without holding a referendum at that time. Under the legislation enacted in 2024, all councils that fall into this category are now obligated to undertake such a poll. This Referendum will be binding, meaning that the outcome will determine the status of Māori Wards for the 2028 and 2031 triennial elections. Should electors vote to either retain or remove the Māori Wards, this decision will remain in effect until 2031 and cannot be revisited until that time.
- The Referendum must be conducted under a first-past-the-post voting system and will feature a clear, simple question: "I vote to keep the Māori Ward" or "I vote to remove the Māori Ward," designed for clarity and ease of understanding nationwide.

Questions of clarification included:

- If the outcome of the Referendum is to retain the Māori Wards, the standard representation review cycle will proceed as scheduled, occurring every six years. However, councils have the option to conduct a review earlier, should they choose to do so.

- If voters choose to remove Māori wards, a Representation Review must be undertaken the following year to reflect that change. Even if the Referendum result is to remove Māori Wards, future councils will still have the power to reintroduce them, but only after the six year stand-down period has passed.
- The Māori Electoral Roll determines who can vote in or stand for Māori Wards. This is a separate process and is part of the legally required representation review, which aims to ensure fair representation across the community.
- A Representation Review must occur every six years regardless of the existence of Māori Wards. These reviews consider ward boundaries, population shifts, and the inclusion or exclusion of Māori Wards as part of a statutory process.
- While Council and the Electoral Office must remain completely neutral throughout the Referendum process, elected councillors are free to campaign and publicly express their views on the matter.
- Legislation requires that the Referendum be held alongside the main elections and conducted on the same basis. The Referendum will be held via postal voting. While this method may be less familiar to younger voters, current legislation does not permit online voting, and changes to voting methods cannot be implemented for this election cycle.

MOVED by Cr Stoltz, seconded by Cr Wharehinga

That the Council/Te Kaunihera:

1. Adopts for the 2025 triennial election, the random order of candidate names as permitted under regulation 31 of the Local Electoral Regulations 2001.

CARRIED

11.5. 25-80 Indoor Multipurpose Centre (IMC) Business Case

Director Livable Communities, Michele Frey and Founding Director of SGL Funding, Steve Bramley spoke to the presentation and Chief Executive Nedine Thatcher Swann and Pauline Foreman answered questions of clarification including:

- Staff noted that Central Government has previously proposed the removal of the Four Well-beings. Even under those earlier proposals, councils continued to invest in community infrastructure considered essential to the wellbeing and functioning of communities. As such, the removal of the Four Well-beings alone would not prevent Council from continuing similar investments. The greater concern is the potential introduction of a funding cap, which could restrict the proportion of rates revenue that Council is able to allocate to infrastructure. However, it is still unclear what impact such a cap would have.

- The anticipated operational deficit for the Multi-Purpose Indoor Centre is comparable to the deficits associated with other community facilities such as libraries and theatres. These facilities are not developed for profit, and Council typically subsidises part of their ongoing operational costs. Any shortfall would need to be covered through rates. This depends on Council's Financial Policies, particularly its approach to depreciation.
- Council is currently transitioning toward 100% fully funded depreciation, based on the principle that future asset replacement should be properly accounted for. This shift will result in a significant increase in operating costs, particularly in the asset's first year of use, and will impact the overall operational budget.
- Given that the region is still in a recovery phase, there is a risk that if Central Government earmarks specific funding for recovery purposes, and Council chooses to invest outside those targeted areas, there is a possibility this could jeopardise access to that recovery funding.

MOVED by Cr Cranston, seconded by Cr Wharehinga

That the Council/Te Kaunihera:

1. Notes the contents of this report.
2. Endorses the Indoor Multipurpose Centre Business Case.
3. In endorsing the business case, the Council/Te Kaunihera endorses:
 - a. The need for a regional three-court indoor facility.
 - b. Kiwa Pools as the current preferred site for the Indoor Multipurpose Centre.
4. Authorises council staff to:
 - a. Start external fund-raising activities for the Indoor Multipurpose Centre.
 - b. Proceed to design and consent for the Indoor Multipurpose Centre.
 - c. Explore funding, ownership, governance, partnerships, and management avenues to enable the Indoor Multipurpose Centre to be built.
 - d. Identify opportunities to review and optimise existing Council leisure spend to help address the future capital and net annual operating costs of the IMC.
5. Agrees to consult with the community about the Indoor Multipurpose Centre in the 2027-2037 Long Term Plan.

CARRIED

11.6 25-53 Public Transport Private Share Targets

Journeys Operations Manager, Libby Young, took the report as read noting that public transport services are funded from rates; with a targeted rate isolated to the residential area within Gisborne city and is not targeted to any rural areas.

Questions of clarification included:

- The reduction in the private share of public transport funding is due to the government's decision to withdraw additional subsidies that were previously introduced under the Government Policy Statement (GPS) for land transport. The current government has made it clear they will not be providing further subsidies, such as the 50% subsidies, child fare subsidies, or gold card subsidies. Instead, the Minister of Transport has directed that future funding should be sourced from ticket fares rather than continued subsidies.
- Chief Financial Officer Pauline Foreman highlighted that in 2018-19, a petition was presented to Council, raising concerns that bus fares were too high, with 60% of users being students who relied on buses to attend school. In response, the Council at that time decided to subsidise fares to ensure that students could access education without having to choose between paying for transport or for lunch.
- The New Zealand Transport Agency (NZTA) initially proposed a target where 20% of public transport funding would come from users. Council acknowledged the challenges of achieving this in Gisborne, given the region's socioeconomic conditions. Council also recognised that increasing fares from \$1 to \$2 would negatively impact the community, especially students.

MOVED by Cr Telfer, seconded by Cr Foster

That the Council/Te Kaunihera:

1. Approves requirements to increase private share of public transport operating costs as set out in the Government Policy Statement for Land Transport 2024.
2. Approves the preferred timelines to set private share targets outlined by NZTA to include officer level agreement by 31 January 2025 and Council decision by 9 April 2025.
3. Approves Council officers to report private share target progress on a quarterly basis to the Regional Transport Committee.

CARRIED

12. Public Excluded Business

Secretarial Note: These Minutes include a public excluded section. They have been separated for receipt in Section 12 Public Excluded Business of Council.

13. READMITTANCE of the Public

MOVED by Mayor Stoltz, seconded by Cr Wharehinga

That the Council/Te Kaunihera:

1. Re-admits the public.

CARRIED

14. Close of Meeting

There being no further business, the meeting concluded at 3:25 pm.

Rehette Stoltz

MAYOR