



Local Government New Zealand

te pūtahi matakōkiri

New Zealand Local Government Association Inc
(Trading as *Local Government New Zealand*)

ANNUAL GENERAL MEETING
Wednesday 28 July 2004
Auckland

AGENDA ITEM 1 - Welcome

The President, Basil Morrison, welcomed members and life members to the 2004 *Local Government New Zealand* Annual General Meeting and thanked them for their support during the year.

AGENDA ITEM 2 - Apologies

Apologies were received from:

Mark Bell-Booth, Palmerston North City Council
David Braithwaite, Hamilton City Council
John Brockies, North Shore City Council
Sir Barry Curtis, Manukau City Council
Mike Cohen, Devonport Community Board
Jim Copeland, Southland District Council
John Drylie, Mayor, Westland District Council
Carole Evans, Christchurch City Council
Peter Guerin, Rotorua District Council
Malcolm Guy, horizons.mw
Colin Hammond, Whakatane District Council
Wyn Hoadley, North Shore City Council
Ross Jamieson, Hutt City Council
John Law, Rodney District Council
Annette Main, horizons.mw
John Maxwell, Waimate District Council
Sue Morris, Ruapehu District Council
Garry Poole, Wellington City Council
Maurice Prendergast, Dunedin City Council
Robin Reeves, Westland District Council
Patrick Smith, Chatham Islands Council
John Terris, Hutt City Council
Jenni Vernon, Environment Waikato
Andrew Williams, North Shore City Council
Grey District Council
Hawkes Bay Regional Council
Napier City Council

The apologies were sustained.

Carried

AGENDA ITEM 3 - Debating and Voting Procedures

The President drew attention to the debating and voting procedures included in the Business Papers and reminded members of the protocols regarding speaking times.

AGENDA ITEM 4 - Proceedings - 2003 Annual General Meeting

Moved by Bob Buchanan (Rangitikei District) and seconded by Mary Bourke (South Taranaki District):

That the 2003 Annual General Meeting proceedings be received.

Carried

AGENDA ITEM 5 - Annual Report

Moved by the President and seconded by John Hurley (Tasman District):

That the report, as presented by the President be received.

Carried

The President reported that 2003/04 had been a successful and productive year for *Local Government New Zealand* and referred to the number of pieces of legislation that the sector had had to address. Central government had imposed a number of additional regulatory activities on local government, and as a result a funding review had been sought. He mentioned the success of the Central/Local Government Forums as an effective tool to formally engage with central government.

The President thanked Peter Winder, former Chief Executive, Kinsley Sampson, former Acting Chief Executive, Eugene Bowen, Chief Executive and the staff of *Local Government New Zealand* for undertaking a significant workload with limited resources. He also thanked the members for their personal support not only for the year, but for the last four years.

AGENDA ITEM 6 - Financial Statements 2003/2004

Moved by Kerry Prendergast (Wellington City) and seconded by Lawrence Yule (Hastings District):

That the Financial Statements for the year ended 31 March 2004 be received and adopted.

Carried

The President drew attention to the issue of reserves and reported that the level of reserves was building to an acceptable level.

AGENDA ITEM 7 - Remits

7(i) 2003 Remit: Report on Outcomes

The President noted the report outlining the action that had been undertaken on the remit passed at the 2003 AGM.

7(ii) 2004 Remits for Consideration

Remit 1 Central Local Government Accord Proposal

Moved by Chalky Leary (Rangitikei District) and seconded by Tim Gilbertson (Central Hawkes Bay District):

“That Local Government New Zealand seeks an accord with central government where central government explicitly identifies additional costs of any new or changed requirements central government has for local government. Where new costs are identified an additional funding source or an additional funding tool will be provided.”

Chalky Leary (Rangitikei District) provided background to the remit stressing the responsibilities and processes that have been imposed on local government by central government without recognising the additional costs involved. Savings made at the central government level should be passed on to local government, so that rates can be held.

Tim Gilbertson (Central Hawkes Bay District) mentioned that additional costs were a particular problem for small councils.

The President put the motion which was:

Carried

Remit 2 Fencing of Swimming Pools

Moved by George Wood (North Shore City) and seconded by Gordon Cruden (Palmerston North City):

“That Local Government New Zealand be requested to prepare proposals for legislative change to address the need for clarity and flexibility in the Fencing of Swimming Pools Act 1987”.

George Wood (North Shore City) explained that there is confusion around the current legislation regarding definitions such as “immediate area, spa pool covers and ranch sliders”, and that clarity was needed.

Gordon Cruden (Palmerston North City) supported the remit and added that the confusion lies with both the Fencing of Swimming Pools Act and the Building Act because “immediate pool area” is not defined in either. As a result, the Building Industry Authority has decided on its own definition.

The President put the motion which was:

Carried

Remit 3 Infringement Offences for Liquor Bans

Moved by Pat Harrow (Christchurch City) and seconded by Lawrence Yule (Hastings District):

“That the Minister be requested to introduce regulations under the Local Government Act 2002 making provisions for infringement offences in relation to the bylaws introduced under section 147, liquor ban prohibitions, and set infringement fees for such offences. Such infringement offences to be available to the Police where they undertake enforcement of such bylaws.”

Pat Harrow (Christchurch City) reported that Christchurch City Council had had success with imposing liquor bans in the inner city, but felt that some kind of intermediate position was needed, such as three offences before an arrest is made.

Lawrence Yule (Hastings District) commented that the Police would like to be able to impose instant fines so that resources are not stretched even further by having to make arrests which take more time to process.

The President put the motion which was:

Carried

Remit 4 Liquor Licensing Fees

Moved by Wayne Guppy (Upper Hutt City) and seconded by Jenny Brash (Porirua City):

“That the Government be asked to legislate or regulate to allow local government to set liquor licensing fees at whatever level is necessary to recover costs.”

Wayne Guppy (Upper Hutt City) said that currently the cost of processing applications for liquor licensing fees was not covered by the fees charged. He felt that it should be up to the council itself to determine the cost to the rate payer and therefore the fees charged.

Noelene Raffills (Auckland City) proposed an amendment

“That the Government be asked to legislate or regulate to allow local government to set liquor licensing fees at whatever level is necessary to recover costs and reduce the percentage of fee that goes to the Liquor Licensing Authority, or if the Liquor Licensing Authority retains this percentage of fee, that better resources be provided so that

- *applications can be heard in a more timely fashion*
- *training for liquor inspectors can be provided at a national level.”*

There was no seconder to the amendment so the motion lapsed. The President then put the original motion which was:

Carried

Remit 5 Passenger Transport Service Procurement

Moved by George Wood (North Shore City) and seconded by Gary Moore (Christchurch City):

“That Local Government New Zealand lobbies the Minister of Transport and Government to give urgency and adequate resources to the review of Passenger Transport Procurement Processes that was announced on 12 December 2003.”

George Wood (North Shore City) reported that the Minister had indicated that no review of passenger transport procurement processes would take place within 12 months and that he felt progress needed to be made earlier than this. He commented that the current system is not coordinated and that this needed to be addressed in a review.

The President put the motion which was:

Carried

Remit 6 Rescue Helicopters

Moved by Gail Collingwood (Nelson City) and seconded by Diane Ridley (Southland District):

“That Local Government New Zealand requests central government to undertake a review of the method of funding for rescue helicopters throughout New Zealand. The objective is to determine the most efficient and fair means of providing this service.”

Gail Collingwood (Nelson City) provided background to the remit stressing the inconsistencies regarding funding and pointing out that rescue services are provided on behalf of central government agencies and that needed to be taken into account in considering funding for the service.

Diane Ridley (Southland District) spoke in support of the remit and commented that the issue had implications from a tax payer point of view given that overseas visitors who require rescue services do not pay for them and that the cost is passed on to the tax payer.

Les Probert (Wairoa District) and Yvonne Sharp (Far North District) also supported the remit because of their experiences in rural areas and the need for fast access to hospitals. It is the Government's responsibility to ensure access to health care.

Tom Hanson (Marlborough District) felt strongly that health services are a central government issue and that rates should not be funding rescue services.

Jan Beange (Tauranga City) did not support the remit and felt that there was a risk that the Government in undertaking a review may determine that rate payers should fund the service. She felt that the review should be initiated by central government.

Philippa Barriball (Thames-Coromandel District) also did not support the remit and felt that the issue should not be isolated to helicopters alone but should encompass all rescue services.

The President put the motion which was:

Carried

Remit 7 Solid Waste

Moved by Dianne Hale (North Shore City) and seconded by Denise Yates (Waitakere City):

“That Local Government New Zealand supports the implementation of the New Zealand Waste Strategy. Toward this aim:

- *request central government to introduce extended producer responsibility legislation for special wastes, for example, used tyres and oil*
- *request Ministry of Transport to cease importation of used tyres*
- *request a ruling from the Commerce Commission that exempts local levies and associated legislation from restrictive trade violations, including amendment to section 544 of the Local Government Act 2002.”*

Dianne Hale (North Shore City) provided background to the remit and the need for councils to be able to impose levies to cover expenses. The issue of imported used cars with used/worn imported tyres was raised.

Denise Yates (Waitakere City) felt the issue needed urgent attention and that it was important to address the responsibility of disposal of oil and tyres.

Scott Dalziel (Hutt City) supported the remit but raised a concern about the need to better recycle resources to make better use of them.

Meng Foon (Gisborne District) spoke against the remit. He said that low income earners in his area had increased ability to purchase vehicles with the legislation to allow second hand vehicle imports. He also commented that truck tyres rather than car tyres presented the biggest problem.

Ian McLennan (Waikato District) also spoke against the remit. He said that facilities are available to recycle car tyres and that in the Waikato district industrial tyres were the main issue. He said that the problem in New Zealand was storing the used tyres until the market demanded a use for them as recycled products.

The President put the motion which after a hand count was:

Carried

Remit 8 Traffic Enforcement Powers

Moved by Penny Hulse (Waitakere City) and seconded by Tim Shadbolt (Invercargill City):

“That Local Government New Zealand advocates to Government for the transfer from the New Zealand Police to local authorities, or make available in addition to the Police powers, all traffic enforcement functions for the area within their jurisdiction and that the associated revenues be applied to local traffic safety programmes; including, but not limited to, the following:

- *Providing programmes to avoid remedy and mitigate the adverse effects on society due to the infringement of traffic regulations.*
- *Providing the ability to establish a local traffic enforcement activity, including appropriate resources.*
- *Providing the ability to enforce traffic and speeding offences.*
- *Enabling the operation of speed cameras and radar.*
- *Enabling the operation of red light cameras.”*

Penny Hulse (Waitakere City) provided background to the remit. She noted that the Police resources are insufficient to enforce regulations and that the Police support the remit.

Tim Shadbolt (Invercargill City) spoke in support of the remit particularly mentioning the lack of police support at night.

Tony Holman (North Shore City) supported the remit and commented that in his experience traffic controls by police in metropolitan areas were not effective. He would like to see councils have the capacity to control traffic needs in their own districts. He commented that the remit should not be seen as a revenue-gathering activity for councils.

Stuart Collie (Southland Region) spoke against the remit because he felt that local government should not be involved in what is essentially a central government issue.

Stan Scorrige (McKenzie District) and Tim Gilbertson (Central Hawkes Bay District) also spoke against the remit because he felt that local government does not need the additional burden of policing and that it is a central government responsibility and that the Police should do their job better rather than having it taken away from them.

The President put the motion which was:

Lost

AGENDA ITEM 8 - Reports from Zones and Sectors

Moved by Pat Christianson (Upper Hutt City) and seconded by David Owen (Waimate District):

That the Reports from Zones and Sector Groups be received.

Carried

AGENDA ITEM 9

The following obituaries were received during the year or were recorded by members during the AGM:

Andrews, Sam	Taupo District Councillor
Barraclough, Brian	Former Wellington City Councillor
Beamish, Ralph	Former Hastings District Councillor
Cornish, Guy	Albany/North Shore Community Board member and former North Shore City Councillor
Draper, Victor Anthony (Tony)	South Wairarapa District Councillor 1992 - 1995 and 1998 - 2004
Hamilton, Keith	Former Franklin District Councillor and Community Board Chair
Holliss, Barry Alan	Banks Peninsula District Councillor and Council representative to Lyttelton/Mt Herbert Community Board 1995 - 2001
Hope, Michael	Waikato District Councillor
Kennedy, Owen Swale	Former Wallace County Councillor and Chair
Kennedy, William John	Franklin District Councillor 1986 - 1998
Kimber, Wayne	Chief Executive Stratford District Council
Law, David	Former Hastings County and District Councillor
Lithgow, John	Wanganui District Councillor
McIntosh, William Stuart	Former Vincent County Councillor and Mayor Central Otago District Council 1989 - 2001
Neale, Richard	Hawera Borough Councillor 1974 - 1978, Hawera District Councillor 1978 - 1989, Hawera District Deputy Mayor, 1983 - 1989, South Taranaki District Councillor and Chair Hawera Community Board 1989 - 1993
Olliff, Laurie	Former Thames-Coromandel District Councillor
Patterson, Kelvin	Wanganui District Councillor

Thomson, Sue

Buller District Councillor

Williams, Brian

Former Napier City Councillor

AGENDA ITEM 10 - Other Business

The President advised that the next Annual General Meeting would be held in Christchurch on Wednesday 27 July 2005.

The President declared the meeting closed.

Signed:

President, Basil Morrison

Dated:
