



## Minutes of the Annual General Meeting

Town Hall Auditorium, Dunedin  
Wednesday 18 July 2007  
10:00am to 12:00pm

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### 1. WELCOME

The President, Basil Morrison, extended a warm welcome to members for the 2007 *Local Government New Zealand* Annual General Meeting.

### 2. APOLOGIES

Apologies were received from:

Jim Copeland	Southland District
Bob Harvey	Waitakere City
Callan Stone	Waitakere City
Janet Clews	Waitakere City
Vanessa Neesome	Waitakere City
Roger Styles	Hutt City
Kevin Winters	Rotorua District
Charles Stewart	Rotorua District
John Robertson	Papakura District
Peter King	Kaipara District
Richard Alspatch	Kaipara District
McRoberts	Opotiki District
Dobey	Opotiki District
Wayne Payne	Opotiki District
Don Ristra	Life Member
John LawMayor	Rodney District
Bill Bayfield	Bay of Plenty Region
Don Ristra	Life Member again
Yvonne Sharpe	Far North District
Michael McCartney	Horizons Regional
Andrew Newman	Hawke's Bay Regional
Wayne Guppy	Upper Hutt City
Stuart Town	Tauranga City
Rob Williams	Taupo District
Harry Wilson	Environment Waikato
Murray Gilbertson	Hastings District
Chris Ryan	Waitomo District
John Percival	Otorohanga District
Andrew Beasley	Marlborough District
Glenn Innes	McKenzie District
Glenn Snellgrove,	Western Bay of Plenty District
Duncan Field	Queenstown-Lakes District

Colleen Brown	Manukau City
Lee Auton	Manukau City
Sir Barry Curtis	Manukau City
Mike Lee	Auckland Regional
John Brockitch	North Shore City
Gary Poole	Wellington City
Philippa Barriball	Thames-Coromandel District.

Moved by John Hurley (*Tasman District*) and Lawrence Yule (*Hastings District*)

**Carried**

### **3. DEBATING AND VOTING PROCEDURES**

*The Chief Executive, Eugene Bowen went through the debating and voting procedures,*

*Following the Chief Executive's explanation and to make sure everyone understood the electronic voting system and to ensure it was working properly, a test vote was undertaken.*

*Today seventy nine Councils exercised their rights, including proxy votes from Buller District and Stratford District.*

### **4. PROCEEDINGS**

(I) 2006 Annual General Meeting

Moved by Mayor Prendergast (*Wellington City*) seconded by Mayor John Forbes (*Opotiki District*)

**That the 2006 Annual General Meeting proceedings be received.**

**Carried**

### **5. ANNUAL REPORT**

Moved by the President and seconded by Mayor George Wood (*North Shore City*)

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

**Carried**

### **6. FINANCIAL STATEMENTS 2006/2007**

Moved by the President and seconded by Mayor Meng Foon (*Gisborne*):

**That the Financial Statements for the year ended 31 March 2007 be received and adopted.**

**Carried**

## 7. REMITS

### (i) 2006 Remits: Report on Outcomes

The Chief Executive had no additional comment to make.

Moved by Mayor Mary Bourke (*South Taranaki District*) seconded by Mayor Michael McEvedy (*Selwyn District*)

**That the report be received.**

**Carried**

### (ii) 2007 Remits for Consideration

#### Remit 1 Building Accreditation Franklin District

Moved by Mayor Mark Ball (*Franklin District*) seconded by Mayor George Wood (*North Shore City*)

**That Local Government strongly protests the limited time afforded to local authorities to undertake the necessary steps to gain accreditation and registration as building consent authorities under the Building Act by 30 November 2007, and seeks a commitment from central government that, in future, timeframes for implementation of major new legislation or regulation changes are set following consultation with Local Government New Zealand.**

**Carried**

*Mark Ball presented the remit and reiterated that when it was first discussed way back in 2004, all of the timeframes were really achievable. As a result of the rules and regulations not coming out until January of this year, it had put a huge amount of stress onto the small local authorities as well as on the Councils that are growing at an exponential rate. It had also had a major effect on those that had been recently affected by the adverse weather conditions around New Zealand.*

*Mark Ball also felt that if we wanted to enhance the partnerships that have been developing over the last two years with Central Government, the short timeframes do nothing to encourage that.*

#### Remit 2 Weather Tightness / Leaky Homes

Moved by Mayor George Wood (*North Shore City*) seconded by Mayor Dick Hubbard (*Auckland City*).

**That Local Government New Zealand continue to strongly advocate on behalf of all affected councils for central government to contribute to the settlement of leaky homes claims.**

**Carried**

*George Wood presented the remit: Weather tightness or leaky homes issue has been discussed widely over a number of years. It's a problem that is not going to go away, and sadly it's going to be with us for probably up to 15 years.*

*Looking at the schedule of where the claims are, they extend right through New Zealand, making it a national issue, but predominantly impact on the metros areas.*

*The metros have been seeking a meeting with the Prime Minister and the Minister of Finance..*

*As at 27 June there were 3127 claims right across the country. In many claims the Council has liability under joint and several liability, but there are a lot of people who are finding it very difficult, because they used private certifiers and Councils don't have liability in those cases.*

*George Wood asked for support with this Remit.*

*Dick Hubbard (Auckland City) totally supported this remit stating the existing situation needs a radical overhaul. There are major problems with this issue all over New Zealand and there are a number of wrong assumptions being made by Government in their existing arrangement and the mechanism set up for resolution.*

*The first assumption is that leaky homes are caused by a failure of builders, building materials and local authorities. That's proven now to be not correct. The core cause of failure is actually the regulations allowing monolithically clad homes. Whereas before it was thought that just houses that were built incorrectly would leak, now there's a realisation that all monolithic clad homes will at some stage leak.*

*The second assumption is that if leaking occurs, it will occur within the first ten years. That's also proven now to be incorrect, and there's a feeling that a large number of houses will show significant leakage problems between year 10 and year 20. People who experience this will find they've got nowhere to go, no cover, no one accepting any responsibility.*

### **Remit 3          Climate Change, Waitakere City**

Moved by Penny Hulse (*Waitakere City*) seconded by Mayor Alan Milne (*Kapiti Coast*)

**That Local Government New Zealand advocates more strongly and engages actively in the issue of climate change, supporting the request for Government funding.**

**Carried**

*Penny Hulse presented the remit. What is being sought is for Government to be involved by way of a contestable fund that councils can draw on for climate change initiatives for practical projects. No sums have been put in the Remit, however there is a speaker who is going to suggest an amendment to our Remit. We would like Local Government New Zealand to be more up front and to advocate more strongly on the issue of climate change. We would also like some serious Government funding to support Councils across New Zealand, to enable them to do something more proactive, without putting some of their own fragile budgets at risk.*

#### **Amendment:**

Councillor Dick Hubbard proposed an amendment to the motion, seconded by Anne Candy, Manukau.

**That the Chief Executive report back on setting up a specific fund and specific resources, to provide strong Local Government leadership in the area of climate change.**

*Mayor Hubbard thought that it was very important that we show strong leadership here. If we provide the resources, the money and leadership, we can make a huge difference in the area of policies for mitigation, and in the area of policies for adaptation. I think local government can achieve more than Central Government, and it can achieve it a lot faster. It's important we have a unified approach, that we don't have different interpretations of what to do, how to do it, how far to go and most important that we don't send confusing messages out to the public. I haven't mentioned figures, because we need to work through and see what the requirements are.*

*In conclusion, this amendment is about investing in the future. If we provide the resources and the facilities to be proactive in the climate change, we can walk out of this meeting holding our heads up and saying yes, we have invested in the future.*

*Jim Gerard spoke against the amendment mainly because it was quite contradictory to the original motion. While he conceded that climate change is a big issue and didn't have a problem with the original motion, he didn't believe that Local Government should be getting into funding, what Central Government indeed should be doing at any rate.*

*Gary Moore supported the motion and said that it is possible for Councils to do a lot now. Christchurch City has had a commitment to this over the last ten years and would be happy to share their knowledge on this topic. As a Council they have reduced energy usage by 30%, reduced CO2 emissions by 50 % and carefully measured the whole thing. They have sold carbon credits on the international market and have millions of dollars coming in to Council on the back of that. He thought an important part of this is to actually share experience and in supporting this remit Mayor Moore said as a City would be happy to share their knowledge.*

The President put the motion.

Lost

#### **Remit 4 National Council Financial Recognition, Rotorua District**

Moved by Trevor Maxwell (*Rotorua District*) seconded by Mayor Malcolm (*Kawerau*)

**That the membership of Local Government New Zealand indicate to the National Council support for consideration of financial recognition for the increasing workload of some National Councillors.**

Carried

*Hugh Vercoe supported the remit saying that Zone two had debated this issue and the thought was that when people get elected to National Council, some of them finish up doing an enormous amount of work, over and beyond what we would normally expect when somebody is elected to do that job. National Council needs to consider how best to manage this situation. We are not saying it should be a meeting allowance or should be this or that, what is being asked is that members indicate support for consideration by National Council.*

## Remit 5      Boy Racer Legislation

Moved by David Ogden (*Hutt City*) seconded by Mayor Kerry Prendergast (*Wellington City*)

**That Local Government New Zealand asks Central Government to review the effectiveness of Boy Racer legislation, with a view to strengthening it and provide more resources for the police, to enable them to provide a higher level of enforcement.**

Carried

*David Ogden presented the remit. Boy racers are a big problem in New Zealand. Not a day goes by when the Hutt City council doesn't field calls from concerned members of the public, regarding boy racers and their bad behaviour and he suspects it's an experience shared by mayors from other cities and towns, both big and small. Boy racers drive dangerously, intimidate others and illegally modify their cars. Too often tragic reports are heard of boy racers killing themselves and innocent people. With the police continuing to impound hundreds of cars and issue untold tickets for breaching driver license conditions, excessive noise, illegal modifications, dangerous driving, speeding and driving under the influence of alcohol and other substances, all this suggests the law is not a tough enough deterrent. To their credit, the Government passed the boy racer legislation, which has had some affect at curbing the bad behaviour of boy racers, and recently the architect of that legislation, Associate Justice Clayton Cosgrove, indicated his willingness to toughen the law.*

*The Government must send a strong message to boy racers that bad behaviour will not be tolerated. A zero tolerance approach must be adopted, where the permanent confiscation of vehicles for breaking the law will be the norm, not the exception.*

*More police on the road to enforce law is also required. Another option might be more funding for road safety programs. We need to encourage law-abiding boy racers who observe the bad behaviour of their peers and bring it to the attention of the police.*

*In conclusion the boy racer problem is a big one, but one that can be overcome if Government, police, local government and the community work together to address the issue, and come up with workable solutions. To do nothing is to encourage civil disobedience.*

*Mayor Kerry Prendergast supported the remit. She acknowledged that Wellington's problem was not as bad as some other parts of the country, and was localised in some hot spots, in particular, Oriental Bay and Kent Terrace. She was well aware that it is perceived as a community safety issue.*

*Mayor Prendergast acknowledged the lack of effective tools to control the problem, and regarded the issue as a national problem that is best controlled by Government. We lack effective enforcement capabilities and the use of by-laws just leads to displacement of the issue rather than overcoming it. The noise controls under the by-law are not considered appropriate. The Land Transport Unauthorised Street and Drag Racing Amendment Act 2003, which was introduced and enacted the following year, has not addressed the problem. We are more than happy to second this amendment.*

*Heather Tanguay, Palmerston North City supported this recommendation and supported all that Mayor Kerry said, because they too have dealt with issues the*

*same way as Wellington has. The problem moves around the city, but changing the by-laws, we have decided, does not work. It just moves the problem to another part. We have locked gates, closed parts, closed streets but the boy racers have found ways of getting behind the fences, through the parks, over gardens and continue with wrecking and vandalising property.*

*We would like to make one or two amendments to this recommendation, that Palmerston North city council supports point two of the Remit to strengthen legislation, providing that the strengthening focuses on the graduated license system. We would like to have this included, because we believe, and our evidence shows, that as with motorbikes, when the graduated license system for motorbikes was imposed, accidents came down. We would like to see some system, whereby the license system was graduated. Also included in this strengthening, is the development of an objective noise test for vehicle exhausts, because from checking around the warrant of fitness stations, the boy racers are actually taking off their exhausts, going for their warrant of fitness, then putting the other one on when they get home.*

#### **Remit 6          New Sanitary works subsidy scheme**

Moved by Mayor Juno Hayes (*Clutha District*) seconded by Mayor Frana Cardno (*Southland District*)

**That Local Government New Zealand be asked to actively lobby central government to set up another Sanitary Works Subsidy Scheme to assist communities that are unable to afford the full costs of essential sanitary services.**

**Carried**

*Mayor Juno presented the remit. We believe there should be funding for populations of less than 100. Whilst we have not indicated any population bottom line, I believe that the bottom line will come once the Council does the assessment of a proposed scheme to see the feasibility of being able to run it and the relevant costs. A population of 90 can have just the same problems as populations over 100, and it does not seem to make a great deal of sense to limit it to a population of 100 to become eligible.*

#### **Remit 7          Sanitary works subsidy scheme funding**

Moved by Frana Cardno (*Southland*) seconded by Mayor Bob Buchanan (*Rangitikei District*)

**That Local Government New Zealand calls upon central government to apply the percentage of the sanitary works subsidy as determined at the provisional stage to final stage costs if community consultation has been entered into on that basis; and increase its funding commitment to the sewerage and water subsidy schemes to meet their objectives.**

**Carried**

*Dave Adamson, CE Southland, presented the remit. The first part of the motion is based around a small town called Tuatapere, which has got a sanitary sewerage scheme and a community which is a struggling, low socioeconomic group. To meet*

*the criteria to get approval, they had to invest \$400,000 by the time they did their plans, their resource consents and the rest of it.*

*We consulted with them over what had happened from the time of the application for this subsidy up until now. Where they would actually make a preliminary and then a final application and apply the same percentage of subsidy to the final costs in that final application. They had a contribution of about \$6000 per property, but by the Government changing its policy it was going to cost the Council another \$3000 per property. It is worth noting that this community had tried to get a sewerage scheme three times, 1982, 1987 and well as the current one. They had already committed \$400,000 to the process when the Government changed the rules, and if they had then not proceeded with the scheme, inflation would have pushed prices up further and they would have lost their investment to date..*

*There's a small group that have been caught, not so much by a change in rules, but more by a change of how those rules are applied.*

*Gavin Ion (Waikato District Council) totally supported Southland District's proposal and their remit, because because Waikato had had the same experience with a small community called Rangiriri, and exactly the same thing happened. The cost doubled from the preliminary stage through to the final stage, where the Government had confirmed 50 percent of funding..*

## 8. REPORTS FROM ZONES AND SECTORS

Moved by Lawrence Yule (*Hastings District*) and seconded by Mayor John Hurley (*Tasman District*)

**That the Reports from Zones and Sector Groups be received.**

**Carried**

## 9. OBITUARIES

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

Keith Fyall	Clutha District/Balclutha Borough
Stewart Allinson	Clutha District
Jack Trecy	Clutha County
Dorothy Harris	Environment Canterbury/Rangiora Borough
Bronwyn Whiteman	Hauraki District
William Smith	Rodney District
Jim Earwalker	Otorohanga District
Ron Tuhoro	Kawerau District
John de Vere	Glen Eden Borough
Brian Slater	Waitemata City
Selwyn Begley	Hawkes Bay County
Wally Redwood	Whangarei City/District, Northland Harbour Board
Tom Jones	Porirua City
Eric McKenzie	Porirua City

The President moved that the obituaries be noted, acknowledging their enormous contribution to local government and society, in many cases over a long period of time, and offered condolences to families and Councils.

Seconded by Mayor Peter Tennent.

**Carried**

**12. OTHER BUSINESS**

The President gave a closing speech and advised that the next Annual General Meeting would be held in Rotorua on 30 July, 2008.

The President declared the meeting closed at .....

Signed: \_\_\_\_\_

**President, Basil Morrison**

Dated: \_\_\_\_\_