



5 June 2020

Mayor Riesterer
Opotiki District Council
PO Box 44
Opotiki

Via email to lynr@odc.govt.nz

Dear Mayor

New Zealand Kiwifruit Growers Incorporated (NZKGI) advocates on behalf of New Zealand kiwifruit growers by being involved in industry and government decision making. NZKGI is sending this letter on behalf of Opotiki kiwifruit growers with strong support from the Maori Kiwifruit Growers Forum.

On May 2020, NZKGI became aware of an article¹ in Stuff that detailed a 55% rates increase for kiwifruit orchards in the Opotiki District. The article went on to say that rural properties such as dairy, pastoral and horticultural increased in value by 16, 18 and 70% respectively at the last valuation.

While NZKGI understands that increase to property valuations generally means an increase to property rates, NZKGI is concerned that Council reduced the uniform annual general charge component of the general rating system without consultation with the community.

The Local Government Act has specific requirements for consultation.

Section 78² Community Views in relation to decisions

A local authority must, in the course of its decision-making process in relation to a matter, give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter.

Section 82³ (1) (a) Principles of consultation

Consultation that a local authority undertakes in relation to any decision or other matter must be undertaken, subject to subsections (3) to (5), in accordance with the following principles:

(a) that persons who will or may be affected by, or have an interest in, the decision or matter should be provided by the local authority with reasonable access to relevant

¹ <https://www.stuff.co.nz/national/politics/local-democracy-reporting/121580652/rates-rise-to-hit-ptiki-orchardists-hardest>

² <http://www.legislation.govt.nz/act/public/2002/0084/latest/DLM172321.html>

³ <http://www.legislation.govt.nz/act/public/2002/0084/latest/DLM172327.html#DLM172327>

information in a manner and format that is appropriate to the preferences and needs of those persons:

(b) that persons who will or may be affected by, or have an interest in, the decision or matter should be encouraged by the local authority to present their views to the local authority:

Section 82 goes on to say that a local authority must ensure that it has in place processes for consulting with Māori in accordance with subsection (1).

Section 95⁴ Annual Plan

A local authority must consult in a manner that gives effect to the requirements of section 82 before adopting an annual plan under this section.

Council website states that:

As we are not planning any major changes to what we said we would do in the 2018-2028 Long Term Plan (LTP), we are not undertaking a time-consuming and expensive special consultative procedure before adoption of the 2020/21 Annual Plan.

NZKGI would argue that a change to the uniform annual general charge which has contributed to the 55% rates increase for kiwifruit growers is a significant change and therefore a consultation process should have been conducted. NZKGI requests that Council defer the rates increase for 2020/21 and provide the industry with a consultation process that allows the industry to have their say.

Council has advised NZKGI a meeting will take place with growers however we are yet to hear when this will be. Council is encouraged to hold this meeting as soon as possible.

Opotiki kiwifruit growers are proud of the community they live in and have established the Opotiki Kiwifruit Growers Community Fund which they personally fund. The fund was established out of a desire by local growers to support and grow their community and its facilities. The fund will be directed towards projects which create opportunities to grow and build a strong, resilient and cohesive community. Furthermore, the Maori kiwifruit growers from Opotiki through to Te Whanau a Apanui, have made immense contributions to their respective communities with a particular focus on employment and Rangatahi (youth) support through education and vocational contributions. The proposed rates increase, without a clear engagement and consultation process with Iwi and Maori growers, could severely impact that ongoing support.

The kiwifruit industry is a major contributor to regional New Zealand, returning \$170m to Opotiki in 2018/19.

Yours sincerely



Doug Brown
Chairman
NZKGI

⁴ <http://www.legislation.govt.nz/act/public/2002/0084/latest/DLM172347.html>

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