

LGOIMA Response to [REDACTED]

16 September 2024

Dear [REDACTED]

29 Bowler Avenue, Gore 9710
PO Box 8, Gore 9740

Phone 03 209 0330
Email info@goredc.govt.nz
www.goredc.govt.nz

Thank you for your request for information, under the Local Government Official Information and Meetings Act, received by the Gore District Council on 19 August 2024.

You asked for information relating to legal fees incurred by the Council:

- The actual figures for 30 June 2023 including a breakdown.
- The budget for the year ending 30 June 2024.
- The actual figures for 30 June 2024 including a breakdown.

Please find below two tables, one by Council activity, and one by category of legal expense.

Table 1: Legal fees by council activity

Council Activity	2023/24 Draft Actuals	2023/24 Budget	2022/23 Actuals
Democracy	35,692	-	110,412
Corporate	96,747	88,296	63,905
Regulatory	11,963	13,452	5,896
District Plan	27,075	-	-
Property (incl Matai Ridge)	9,324	4,932	71,770
Arts & Heritage	-	-	2,583
3Waters	25,148	5,700	1,750
Solid Waste	17,427	-	-
Total	223,375	112,380	256,316
Budget	112,380	112,380	180,396

It is difficult to predict with any certainty what issues may arise that will require legal advice during the year. With pressure on trying to keep rates increases down, a number of budgets were reduced including the budget for legal fees.

We thought it would be useful to provide some context around the figures, and note that there is a decrease of around 13% compared to the actual legal costs incurred in 2022/23.

Traditionally, the Democracy activity has not incurred legal fees, and therefore no budget was provided for this activity. This triennium has been different with different issues arising that have required legal assistance to work through. The 2024/25 Annual Plan has included a budget for legal fees in the Democracy activity.

The Council did not provide budget for legal expenses related to the District Plan. When the Annual Plan was developed it was anticipated that the District Plan would be substantially completed, and that a legal fees budget would not be required. A budget for legal fees in the District Plan activity has been included in the 2024/25 Annual Plan.

Legal advice has been required in the solid waste area in relation to obtaining resource consents, and in the 3Waters activities for easements and consents.

Table 2: Legal fees by category

Type of legal expense	2023/24*	2022/23
Employment	78,049	127,265
Property	31,355	86,429
Governance related legal opinions/advice	35,692	22,363
General	14,062	8,898
LGOIMAs	6,444	2,639
District Plan	27,075	-
Regulatory (incl Ministry of Justice)	30,700	8,722
Total	\$ 223,375	\$ 256,316
Budget	\$ 112,380	\$ 180,396

One area that the Council is finding an increasing need for legal advice is around LGOIMAs, with the number and complexity of requests increasing.

If you are unsatisfied with the response, you are entitled to lodge a complaint with the Office of the Ombudsmen. You can find more information on its website <http://www.ombudsman.parliament.nz>.

If you wish to discuss this decision with us, please feel free to contact me on 209-0330.

Kind regards

A handwritten signature in blue ink, appearing to read "L. Straith". The signature is fluid and cursive, with a large, stylized initial "L" and "S".

Lornae Straith
General Manager Corporate Support