NOTICE OF AN ORDINARY COUNCIL MEETING

Ōpōtiki District Council Chambers, 108 St John Street, Ōpōtiki Tuesday, 19 December 2017
Commencing at 9.00am

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – COUNCILLOR YOUNG

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

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ITEM 30 RESOLUTION TO RESTATE RESOLUTIONS AND READMIT THE PUBLIC
Chair: His Worship the Mayor – John Forbes

Members: Cr Lyn Riesterer (Deputy Mayor)
Cr Shona Browne
Cr Barry Howe
Cr Haki McRoberts
Cr Arihia Tuoro
Cr Ken Young

Committee Secretary: Gae Newell

Quorum: 4

LOCAL AUTHORITIES (MEMBERS’ INTERESTS) ACT 1968

Councillors are reminded that if you have a pecuniary or non-pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the Council chamber.

Aileen Lawrie

CHIEF EXECUTIVE OFFICER
Deputy Mayor Riesterer opened the meeting with an inspirational reading.

**APOLOGIES**

Councillor Tuoro

**RESOLVED**

(1) That the apology be sustained.

Browne/Riesterer

Carried

**DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS**

Nil.
His Worship the Mayor referred to the tabled report titled Ōpōtiki District Population and Rateable Assessment Projections 2018-2028. This report was not finalised in time to make the agenda.

The Chief Executive Officer stated that there is urgency to consider the report as it is required to be used for Council’s Long Term Plan process.

It was agreed that the report would be considered later in the meeting.

**RESOLVED**

(1) That Council will consider the report titled “Ōpōtiki District Population and Rateable Assessment Projections 2018-2028” later in the meeting.

Young/Riesterer  
Carried

*Introduction*

The Chief Executive Officer introduced Sarah Jones, Senior Planner, who will be working in the Planning and Regulatory department as a Senior Planner for the duration of Michal Akurangi’s leave.

1. **CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 26 SEPTEMBER 2017**  

**RESOLVED**

(1) That the minutes of the Ordinary Council meeting held on 26 September 2017 be confirmed as a true and correct record.

McRoberts/Browne  
Carried

*The Senior Planner left the meeting at 9.04am.*

2. **CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 31 OCTOBER 2017**

**RESOLVED**

(1) That the minutes of the Extra Ordinary Council meeting held on 31 October 2017 be confirmed as a true and correct record.

Riesterer/Young  
Carried
3. MINUTES – AUDIT AND RISK COMMITTEE MEETING 4 SEPTEMBER 2017

RESOLVED
(1) That the minutes of the Audit and Risk Committee meeting held on 4 September 2017 and any recommendations contained therein be received.

HWTM/Riesterer Carried

Ross McCullough entered the meeting at 9.05am.

4. MINUTES – COAST COMMUNITY BOARD MEETING 12 SEPTEMBER 2017

RESOLVED
(1) That the minutes of the Coast Community Board meeting held on 12 September 2017 and any recommendations contained therein be received.

McRoberts/HWTM Carried

5. MAYORAL REPORT 22 SEPTEMBER 2017 – 26 OCTOBER 2017

RESOLVED
(1) That the report titled “Mayoral Report 22 September 2017 – 26 October 2017” be received.

HWTM/Browne Carried

6. OPÔTIKI MARINE ADVISORY GROUP (OMAG) UPDATE

RESOLVED
(1) That the report titled “Opotiki Marine Advisory Group (OMAG) Update be received.

Riesterer/Browne Carried

7. CBD HARBOUR INTEGRATION PROJECT

RESOLVED
(1) That the report titled “CBD Harbour Integration Project” be received.
(2) That the following Councillors are appointed to the CBD/Harbour Integration Reference Group:
i) Cr Howe
ii) Cr Browne

Young/McRoberts

8. OLD ŌPŌTIKI MĀORI PLAYERS BUILDING ON PRINCESS STREET RESERVE

Councillor Howe noted that part of the old Ōpōtiki Māori Players’ building was the old jail.

The Community Facilities Manager stated he was happy to look at options to acknowledge that part of the building was previously the jail.

RESOLVED
(1) That the report titled “Old Ōpōtiki Māori Players Building on Princess Street Reserve be received.

(2) That Council approve that the old Ōpōtiki Māori Players clubrooms be demolished.

Browne/Young

9. CHIEF EXECUTIVE OFFICER’S UPDATE

RESOLVED
(1) That the report titled “Chief Executive Officer’s Update” be received.

(2) That the Ōpōtiki District Council resolve to nominate Gerard McCormack as our lead Local Controller under Section 27(1) Civil Defence Emergency Management Act 2002 and seek the CDEM Group Joint Committee approval.


(4) That Council approve expenditure of $19,420 for depot car park safety improvements.

HWTM/McRoberts

ŌPŌTIKI DISTRICT POPULATION AND RATEABLE ASSESSMENT PROJECTIONS

A resolution to consider the report, as tabled, was passed earlier in the meeting.

The Finance and Corporate Services Group Manager spoke to the report.
RESOLVED
(1) That the report titled “Opōtiki District Population and Rateable Assessment Projections 2018-2028” be received.
(2) That the report be adopted for use by Council in the 2018-2028 Draft Long Term Plan.
Riesterer/Young
Carried

Ross McCullough left the meeting at 9.50am.

10. RESOLUTION TO EXCLUDE THE PUBLIC

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

11. Minutes – Ordinary Council In-Committee Meeting 26 September 2017

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<table>
<thead>
<tr>
<th>Item No</th>
<th>General subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
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<tr>
<td>11.</td>
<td>Minutes – Ordinary Council In-Committee Meeting 26 September 2017</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</td>
<td>Section 48(1)(a)</td>
</tr>
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This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

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<th>General subject of each matter to be considered</th>
<th>Ground(s) under section 6 or section 7 of the Official Information Act 1982</th>
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<td>11.</td>
<td>Maintain effective conduct of public affairs</td>
<td>Section 7(2)(f)(i) &amp; (ii)</td>
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<td></td>
<td>Protect the privacy of natural persons</td>
<td>Section 7(2)(a)</td>
</tr>
<tr>
<td></td>
<td>Carry out negotiations</td>
<td>Section 7(2)(i)</td>
</tr>
<tr>
<td></td>
<td>Maintain legal professional privilege</td>
<td>Section 7(2)(g)</td>
</tr>
<tr>
<td></td>
<td>Protect information</td>
<td>Section 7(2)(b) &amp; (c)(i)</td>
</tr>
<tr>
<td></td>
<td>Carry out commercial activities</td>
<td>Section 7(2)(h)</td>
</tr>
</tbody>
</table>

Browne/Young
Carried
The Community Facilities Manager left the meeting at 9.51am.

RESOLVED
(1) That the resolutions made while the public was excluded, be confirmed in open meeting.
(2) That the public be readmitted to the meeting.
Riesterer/Young Carried

RESOLVED
(1) That the In-Committee minutes of the Ordinary Council meeting held on 26 September 2017 be confirmed as a true and correct record.
Browne/McRoberts Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 10.16AM.

THE FOREGOING MINUTES ARE CERTIFIED AS BEING A TRUE AND CORRECT RECORD AT A SUBSEQUENT MEETING OF THE COUNCIL HELD ON 19 DECEMBER 2017

J H FORBES
HIS WORSHIP THE MAYOR
MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD HELD AT TE KAHA BEACH RESORT, HIGHWAY 35, TE KAHA, ON TUESDAY, 24 OCTOBER 2017 AT 10.03AM

PRESENT:
Haki McRoberts (Chairperson)
Mike Collier
Allen Waenga
Deputy Mayor Lyn Riesterer

IN ATTENDANCE:
Mike Houghton (Community Facilities Manager)
Tina Gedson (Property Officer)
Ari Erickson (Assets and Systems Manager)
Anthony Kirikiri (Technical Engineer – Assets)
Gae Newell (PA to CEO and Mayor)

PRESENTERS: Karamea Insley

KARAKIA
The Chairperson opened the meeting with a karakia.

APOLOGIES
Jack Parata, Gail Keepa

RESOLVED
(1) That the apologies be sustained.

Collier/Waenga Carried

PUBLIC FORUM
Nil.
1. CONFIRMATION OF MINUTES – COAST COMMUNITY BOARD MEETING  
12 SEPTEMBER 2017

RESOLVED

(1) That the minutes of the Coast Community Board meeting held on 12 September 2017 be confirmed as a true and correct record.

Waenga/Collier  
Carried

2. PRESENTATION: ŌMAIO PROJECT UPDATE – Chris Insley  
   Verbal Item

Chris Insley provided an update on the Ōmaio Kiwifruit Development Project to the Board and played a video highlighting the programme of work being undertaken at Ōmaio. He passed around a copy of the “Aroha” publication which has been produced to assist in the quest for funding partners.

Chris Insley asked for the Board’s assistance with the cost of website design and development and the documenting and recording of the Ōmaio story.

The Chairperson advised that the Coast Initiatives Fund may be an avenue of funding.

The Board thanked Chris Insley for his presentation.

3. NOTICE OF MOTION – AMENDMENT TO RESOLUTION

RESOLVED

(1) That the report titled “Notice of Motion – Amendment to Resolution” be received.

(2) That the Board amend the resolution passed at the 12 September 2017 meeting regarding Feral Goat Management to read:

   The Board notes the Bay of Plenty Regional Council supports a plan change process that allows the consultation to be carried out for the establishment of new goat management areas around the perimeters of conservation managed land, including Māori land, in the Ōpōtiki district.

Waenga/Collier  
Carried
4. ACTION SCHEDULE

Torere School – Walking Track

The Assets and Systems Manager will follow up with NZTA regarding when work on the Tōrere School walking track will be completed.

Land at the Approach to Waiahu Bay (Orete Point Road Corner)

The Community Facilities Manager advised that the cost to tidy up the land on the corner of Orete Point Road would be $5,000. There would also be ongoing mowing and maintenance costs.

It was agreed that the Community Facilities Manager will work with Allen Waenga to make a decision on what can be done to tidy up the land.

RESOLVED

(1) That the Action Schedule be received.

Waenga/McRoberts
Carried

5. LEASE OF LOCAL PURPOSE RESERVE

RESOLVED

(1) That the report titled “Lease of Local Purpose Reserve” be received.

(2) That the Coast Community Board supports the leasing of local purpose reserve Lot 35 DP 6105 to St John NZ.

Collier/Waenga
Carried

6. NZ TRANSPORT AGENCY INVESTMENT AUDIT REPORT

RESOLVED

(1) That the report titled “NZ Transport Agency Investment Audit Report” be received.

Waenga/Collier
Carried

7. COAST INITIATIVES FUND

RESOLVED

(1) That the report titled “Coast Initiatives Fund” be received.

Collier/Waenga
Carried
**District Plan**

Deputy Mayor Riesterer advised that the final new draft of the District Plan will be out before Christmas and will go to Council early next year.

The Chairperson closed the meeting with a karakia.

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.35AM.**

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A TRUE AND CORRECT RECORD AT A SUBSEQUENT MEETING OF THE COAST COMMUNITY BOARD HELD ON TUESDAY, 5 DECEMBER 2017.**

**HAKI McROBERTS**  
CHAIRPERSON  
COAST COMMUNITY BOARD
MINUTES OF AN ŌPŌTIK I DISTRICT COUNCIL AUDIT AND RISK COMMITTEE MEETING HELD ON
MONDAY, 26 OCTOBER 2017 IN THE OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN
STREET, ŌPŌTIKI AT 2.30PM

PRESENT:
   Councillor Arihia Tuoro (Chairperson)
   Councillor Ken Young
   David Love
   Mayor John Forbes

IN ATTENDANCE:
   Bevan Gray (Finance and Corporate Services Group Manager)
   Gae Newell (Personal Assistant to CEO and Mayor)

APOLOGIES
Ken Young for lateness.

The Chief Executive Officer also tendered an apology for the meeting.

RESOLVED
(1) That the apologies be sustained.
Forbes/Love Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

David Love noted that he is a Bay of Plenty Regional Councillor and is also a member of the Regional Council’s Audit and Risk Committee.

PUBLIC FORUM
Nil.
Item 2 was considered before Item 1 (waiting for Councillor Young to be present to confirm minutes) as David Love was not present at the last meeting.

1. CONFIRMATION OF MINUTES – AUDIT AND RISK COMMITTEE MEETING  
   4 SEPTEMBER 2017

RESOLVED
(1) That the minutes of the Audit and Risk Committee meeting held on 4 September 2017 be confirmed as a true and correct record.

Young/Tuoro Carried

2. ACTION SCHEDULE

The Finance and Corporate Services Group Manager spoke to the items on the Action Schedule.

Credit Card Use
The Finance and Corporate Services Group Manager stated it is hoped to have the Sensitive Expenditure Policy updated with the addition of a section on credit card use by June 2018.

Datacom Users
David Love requested it be noted that the course of action as set out in the comments column has been reviewed and it is the only way forward.

RESOLVED
(1) That the Action Schedule be received.

Forbes/Young Carried

Councillor Young entered the meeting at 2.40pm.

Item 1 was considered before Item 3.

3. DRAFT ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2017

The Summary Annual Report was tabled.

It was agreed that the expenditure items be shown in a more logical order, e.g. highest to lowest spend and that the year be added into the left hand page of the centre spread.
The Finance and Corporate Services Group Manager advised that Audit New Zealand have requested some amendments be made to the Annual Report document.

It was agreed that two parts be added to the recommendation to:
- Receive the Summary Annual Report as tabled
- Receive the draft Annual Report, subject to final amendments being made as requested by Audit New Zealand.

**RESOLVED**

(1) That the report titled “Draft Annual Report For The Year Ended 30 June 2017” be received.
(2) That the Summary Annual Report be received.
(3) That the draft Annual Report be received, subject to final amendments being made as requested by Audit New Zealand.

Young/Love Carried

4. NZ TRANSPORT AGENCY INVESTMENT AUDIT REPORT

**RESOLVED**

(1) That the report titled “NZ Transport Agency Investment Audit Report” be received.
(2) That an action to review the procurement of professional services and late tenders is considered when Council reviews it’s Procurement Policy in consideration with the requests in the NZ Transport Agency Investment Audit Report.

Forbes/Young Carried

5. KOHA PAYMENTS

The Finance and Corporate Services Group Manager advised that sensitive expenditure type items, e.g. flowers, will no longer be included as koha.

**RESOLVED**

(1) That the report titled “Koha Payments” be received.

Young/Love Carried

The Chairperson asked for the Risk Register to be a standing item on the agenda.
At the request of the Chairperson, the Finance and Corporate Services Group Manager will add staffing resources to the Risk Register.

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 3.54PM.**

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A TRUE AND CORRECT RECORD AT A SUBSEQUENT IN-COMMITTEE MEETING OF THE AUDIT AND RISK COMMITTEE ON 27 NOVEMBER 2017.**

________________________________
COUNCILLOR ARIHIA TUORO
CHAIRPERSON
Minutes of the Ōhiwa Harbour Implementation Forum Meeting held in Council Chambers, Whakatāne District Council, Civic Centre, Commerce Street, Whakatāne on Tuesday, 12 September 2017 commencing at 9.30 a.m.

Present:

Chairman: Cr T Marr (Bay of Plenty Regional Council)
Deputy Chairman: Cr L Riesterer (Ōpōtiki District Council)
Appointees: T Ransfield (Te Upokorehe), C Bluett (Te Rūnanga o Ngāti Awa), G Tuari-Kohunui (Whakatōhea Māori Trust Board), Cr N Tánčzos (Alternate, Whakatāne District Council)
In Attendance: Bay of Plenty Regional Council: Chairman D Leeder (in part), Cr W Clark (Alternate), S Stokes (Eastern Catchments Manager), T Senior (Land Management Officer), J Noble (Senior Planner - Coastal), M Stensness (Committee Advisor); Whakatāne District Council: M Naude (General Manager Community Services); Department of Conservation: J King-Hazel (Operations Manager), C Savage (Senior Supervisor Community), V Temo (Iwi Implementation Ranger, Community); T Rother (Contractor); D Lewell, J Storey (Rotary Club of Whakatāne) S Kameta (Committee Advisor)

Apologies: M Manuel (Alternate, Te Upokorehe), Cr A Iles (Whakatāne District Council)

Absent: R Kora (Te Waimana Kaaku)

1 Opening Karakia and Mihi

Councillor Marr opened the meeting with a karakia and mihi that welcomed members and attendees and acknowledged the Ngāti Awa rohe and Whakatane District Council for hosting the meeting at its venue. A mihi of response was given by member Charlie Bluett.

2 Apologies

Resolved

That the Ōhiwa Harbour Implementation Forum:

1 Accepts the apologies from Maui Manuel and Cr Andrew Iles tendered at the meeting.

Marr/Bluett
CARRIED
3 General Business and Tabled Items

Nil.

4 Declaration of conflicts of interest

No conflicts of interest were declared.

5 Previous Minutes

5.1 Ōhiwa Harbour Implementation Forum Minutes - 13 March 2017

Resolved

That the Ōhiwa Harbour Implementation Forum:

1 Confirms the Ōhiwa Harbour Implementation Forum Minutes of 13 March 2017, as a true and correct record.

Marr/Riesterer
CARRIED

6 Reports

6.1 Ōhiwa Harbour Catchment Annual Work Programme Results for 2016-17

Refer PowerPoint Presentation Objective ID A2697170.

Land Management Officer Tim Senior provided highlights of progress results from the 2016/17 Ōhiwa Harbour Catchment Annual Work Programme.

An error was noted on page 23 of the agenda under section 1, paragraph 1 within the second sentence '2015-16' should read '2016-17'.

Members were informed that Consultant Alison Dewes had taken a dairy farmer group to visit a Ballance Award winning farm in the Western Bay of Plenty to look at farm practices. Mr Senior advised a further update on mangrove removal coverage and the potential to utilise Council's hovercraft would be reported to the next meeting.

Attendance
Cr N Tánczos entered the meeting at 10:01 am.

Discussion and comment was raised on the following issues:

1) Black swan issue (Action 1.8) – it was considered that a realistic approach was needed, including opportunities for seasonal culling and that it should be driven by those who were directly affected, such as IWI. Staff endeavoured to take some action, noting the previous request for action from the Forum.

2) Biodiversity and pest control (Action 3.11) - staff confirmed that wild cats were not an issue at the Ōhiwa Headland and spit.
3) Wainui Road safety improvements (Action 3.13) – comment was made that NZTA had developed a business case following community feedback, which included some good design options however, these would depend on attaining safety improvement funding approval in 2018. A member noted that the Safe Roads team would be coming back to consult on their findings in the near future and that it was beholden on members to impress the importance of the business case gaining approval.

Resolved

That the Ōhiwa Harbour Implementation Forum:

1 Receives the report, Ōhiwa Harbour Catchment Annual Work Programme Results for 2016-17.

Marr/Tuari-Kohunui
CARRIED

6.2 Ōhiwa Harbour Catchment Annual Work Programme 2017-2018 Update

Refer PowerPoint Presentation Objective ID A2697171.

Land Management Officer Tim Senior highlighted key achievements and progress against the 2017/18 annual work programme for the period between 1 July and 22 August 2017. Mr Senior advised all indicators were progressing well. He informed members BOPRC-Toi Moana had recently updated its policy on biodiversity and a map was shown delineating high value ecological sites.

Comment and clarification was noted on the following matters:

1) Action 1.9 - While Tauwhare Pā was a place of special significance, the vegetation on the pā site was excluded from the map as it did not meet the high value ecological criteria. Re-vegetation at the site was queried and would be addressed later on the agenda under the Department of Conservation update.

2) Action 3.1 - The impact of recreational use on biodiversity was highlighted as a matter for consideration in the Ōhiwa Harbour Recreational Strategy.

3) Action 3.5 – as per the Forum’s protocol, the use of Te Reo Māori on heritage trail interpretation signage would be brought back to the Forum (via OHSCG) for approval before installation.

4) Action 1.5 – the inter-relationship between new Regional Coastal Environment Plan provisions and existing mangrove consents in the harbour was queried, along with the potential to invest in technology to assist with mangrove seedling removal.

Eastern Catchments Manager Simon Stokes advised that the new coastal plan provisions would be clarified under agenda item 7.5. An assessment of financial costs and operational feasibility of utilising Council’s hovercraft for mangrove removal was planned in the near future. It was requested that a capital project review of the effectiveness, efficiency and financial investment of the hovercraft be undertaken, which staff noted for follow-up.

Resolved
That the Ōhiwa Harbour Implementation Forum:

1 Receives the report, Ōhiwa Harbour Catchment Annual Work Programme 2017-2018 Update.

Marr/Ransfield
CARRIED

Adjournment
The meeting adjourned at 10:44 am and reconvened at 11:07 am.

6.3 State of Ōhiwa Harbour and Catchment Interim Report 2017

Refer PowerPoint Presentation Objective ID A2696854.

Environmental Data Officer Lisa Bevan presented monitoring results and findings from the 2016/17 year. Ms Bevan reported biodiversity and water quality within Ōhiwa Harbour was in fair to good health and improvement in sediment and water quality in the Nukuhou River.

Further points highlighted:

1) Work carried out in the Nukuhou over the past 10 years had significantly assisted water quality improvement, however further work and improvement was still required, including around land stability.

2) Pest control had impacted positively on bittern populations and further work with Department of Conservation would be carried out to further encourage this.

3) BOPRC-Toi Moana wanted to explore with its Iwi partners, the potential to use Mātauranga Māori options for environmental monitoring in Ōhiwa harbour.

It was clarified that the five year report would be more comprehensive and that monitoring was ongoing with some indicators monitored monthly, annually or 5 yearly.

Resolved

That the Ōhiwa Harbour Implementation Forum:


Riesterer/Ransfield
CARRIED

6.4 2017 Re-survey of Selected Threatened, at Risk and Other Significant Native Plants in the Ōhiwa Harbour Catchment

Refer PowerPoint Presentation Objective ID A2692837.

In the absence of Mr Wayne O'Keefe, Land Management Officer Tim Senior presented Mr O'Keefe's survey findings and recommendations for future management of selected at risk and threatened native plant species, involving propagation and replanting. Mr Senior advised it was often difficult to know what impacted and/or assisted plants. Māori names of plants were included within reporting where known.
Resolved

That the Ōhiwa Harbour Implementation Forum:

1  Receives the report, 2017 Re-survey of Selected Threatened, at Risk and Other Significant Native Plants in the Ōhiwa Harbour Catchment.

Marr/Tánczos
CARRIED

6.5 Update on the Proposed Regional Coastal Environment Plan

Refer PowerPoint Presentation Objective ID A2696269.

Senior Planner – Coastal Jo Noble gave an update on the Proposed Regional Coastal Environment Plan and an overview of implications for Ōhiwa Harbour Strategy and the Forum’s work.

Key points outlined:

1) Ōhiwa Harbour was recognised as having high biodiversity values and outstanding natural character and landscape features.

2) Consents must avoid adverse effects and consider a suite of policies and rules for mangrove management. Existing resource consents would not be affected until applying for renewal of consent.

Ms Noble advised that the use of Council’s hovercraft for mangrove management in biodiversity A areas (i.e. Ōhiwa harbour) would require a change to the existing consent and needed to look carefully at the new rules and potential effects, such as disturbance of bird life.

3) The plan took legal effect on 12 April, with several appeal topics still under appeal with the Environment Court, including rules for regionally significant infrastructure within high natural heritage areas (such as Ōhiwa Harbour).

Resolved

That the Ōhiwa Harbour Implementation Forum:

1  Receives the report, Update on the Proposed Regional Coastal Environment Plan.

Marr/Bluett
CARRIED

6.6 Department of Conservation Annual Update 2016-17

Operations Manager Jade King-Hazel, Senior Supervisor (Community) Clint Sullivan and Iwi Implementation Ranger (Community) Violet Temo provided the update on Department of Conservation’s (DOC) operations within the Ōhiwa Harbour catchment. Background was provided on area of coverage and responsibilities for DOC’s Whakatāne-Whirinaki-Ōpōtiki District. Ms King-Hazel advised that while DOC was not a key partner of the Forum, an important part of their role was to collaborate and support Iwi, community groups, businesses and various governance agencies, which also assisted them to deliver their work.
Key points and clarification outlined:

1) Tauwhare Pa – was listed as one of the top 50 iconic sites. Funding had been secured for phase 2 of the upgrade for installation of interpretation panels. An important part of this work was working with Iwi partners and members of OHIF and OHSCG, as one of the sites to be included on the Ngā Tapuwae o Tairongo trail.

It was clarified that any revegetation at the pa site would need to be driven by Iwi via Heritage New Zealand and would have to align with the Heritage Act.

2) Whitebait compliance and monitoring – advice was provided on the potential for Iwi to seek the gazetting of a rohe moana over Ōhiwa harbour and its tributaries, which would have implications for various regulations; therefore it was suggested that if such a proposal was being explored that discussion be raised with DOC.

Comment was raised regarding whitebait population decline. It was clarified that data would be needed to backup any subsequent enforcement and that water quality had the greatest impact on whitebait.

3) Community – funding support had been provided to a number of community projects and initiatives that supported DOC’s work, including the Nukuhou Saltmarsh Care Group, the Ōhiwa Headland Sanctuary Trust and the Whakatāne kiwi Trust.

4) Mahi Ohotata Whale Strandings – it was acknowledged that whale stranding practices of Iwi were culturally significant to tangata whenua and that scientific research and work being carried out to develop protocols nationally would be approved by Iwi.

Eastern Catchments Manager Simon Stokes expressed appreciation for DOC’s support and looked forward to working with staff.

DOC’s current status of involvement with the Forum was queried. Ms King-Hazel advised she was comfortable with the current arrangement of providing updates to the Forum and looked forward to continued collaboration and working together.

Resolved

That the Ōhiwa Harbour Implementation Forum:

1 Receives the report, Department of Conservation Annual Update 2016-17.

Marr/Ransfield
CARRIED

6.7 Rotary Club of Whakatāne - Update on Proposed Ohope Harbour Side Trail

Refer PowerPoint Presentation Objective ID A2692834.

Don Lewell from the Rotary Club of Whakatāne provided an update on the Proposed Ōhope Harbour Side Trail. Mr Lewell outlined the objectives, revised design and timeframes for construction of the trail. He noted the proposed trail aligned with Ōhiwa Harbour Strategy objectives and that resource consent had been granted in October 2016 with mobility access and environmental effects and mitigation provided for.
Members were informed that trail signage would complement other signage around the harbour and that he would be working with OHSCG to ensure signage complied with the Forum’s protocols. Mr Lewell hoped a staged approach for construction could commence in November 2017, subject to funding being obtained from community grants and assistance within set timeframes.

Mr Lewell responded to questions. He advised that community concerns had been considered within the design. Consultation with lwi Forum partner representatives had been carried out and an archaeological assessment completed. As there were several points of entry onto the trail already, no additional parking areas were intended.

Some members expressed their reservation for endorsing the proposal, without having been part of previous consultation and confirming approval from their organisations. In view of these reservations, the Forum agreed to support the proposal in principle.

Mr Lewell advised he would be available to present the proposal to Forum partners where requested.

A request was raised that the archaeological assessment report that was undertaken be made available to Forum members.

Resolved

That the Ōhiwa Harbour Implementation Forum:

1. Receives the Update on the Ohope Harbour Side Trail and provides its support in principle for the proposal.

Riesterer/Ransfield  
CARRIED

7 Closing Karakia

Provided by Cr T Marr.

The meeting closed at 1.16 pm.
Minutes of the Civil Defence Emergency Management Group Joint Committee Meeting held in Council Chamber, Tauranga City Council, Administration Building, 91 Willow Street, Tauranga on Monday, 18 September 2017 commencing at 9.46 a.m.

Present:

Chairman: Mayor G Brownless (Tauranga City Council)

Deputy Chairman: Councillor D Love (Bay of Plenty Regional Council)

Appointees: Mayor J Forbes (Opotiki District Council), Deputy Mayor D Donaldson (Alternate, Rotorua Lakes Council), Mayor A Bonne (Whakatane District Council), Mayor G Webber (Western Bay of Plenty District Council)

In Attendance: C Naude (Director, Civil Defence Emergency Management Group), C Morris (Manager, Recovery and Projects, Civil Defence Emergency Management Group), G Poole (Chief Executive Officer, Tauranga City Council), J Durham (Committee Advisor, Bay of Plenty Regional Council)

Apologies: Mayor M Campbell (Kawerau District Council), Mayor S Chadwick (Rotorua Lakes Council), Councillor S Browne (Alternate, Opotiki District Council), Chairman D Leeder (Alternate, Bay of Plenty Regional Council), Deputy Mayor F Tunui (Alternate, Kawerau District Council)

1 Apologies

That the Civil Defence Emergency Management Group Joint Committee under its delegated authority:

1 Accepts the apologies of; Mayor M Campbell, Mayor S Chadwick, Councillor S Browne, Chairman D Leeder, and Deputy Mayor F Tunui.

Brownless/Love
CARRIED

2 General Business and Tabled Items

Nil.

3 Public Forum

Nil.
4 Declaration of conflicts of interest

There were no conflicts of interest.

5 Reports

5.1 Civil Defence Emergency Management Controller and Recovery Manager Amendments

Director of Civil Defence Emergency Management Group advised members that due to Whakatāne District Council requesting the appointment of a new Local Recovery Manager, it was an opportunity to formally update the appointments and rescindments of authority, as is legally required under the Civil Defence Emergency Management Act 2002.

That the Civil Defence Emergency Management Group Joint Committee under its delegated authority:

1 Receives the report, Civil Defence Emergency Management Controller and Recovery Manager Amendments;

2 Appoints Marcus Goldsbury and Bruce Horne of Rotorua Lakes Council, to act as Alternate Local Controllers for the Bay of Plenty Civil Defence Emergency Management Group, as defined under s27 of the Civil Defence Emergency Management Act 2002.

3 Appoints Barbara Dempsey to act as a Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group, Whakatane District Council as defined under s30 of the Civil Defence Emergency Management Act 2002.

4 Appoints Chris Hopman of Opotiki District Council to act as a Local Controller for the Bay of Plenty Civil Defence Emergency Management Group, as defined under s27 of the Civil Defence Emergency Management Act 2002.

5 Rescinds the authority of Andrew Morrison to act as Local Controller for the Bay of Plenty Civil Defence Emergency Management Group, Kawerau District Council, as defined under s27 of the Civil Defence Emergency Management Act 2002.

6 Rescinds the authority of Peter Clark to act as Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group, Western Bay of Plenty District Council, as defined under s30 of the Civil Defence Emergency Management Act 2002.

7 Confirms that the decision has a low level of significance.

Love/Webber
CARRIED

6 Consideration of General Business

Nil.

The meeting closed at 9.49 a.m.
Minutes of the Regional Transport Committee Meeting held in The Council Chamber, Rotorua Lakes Council, Civic Administration Building, 1061 Haupapa Street, Rotorua on Friday, 15 September 2017 commencing at 9.30 a.m.

Chairman: S Crosby
Deputy Chairman: J Nees
Appointees: Deputy Mayor D Donaldson (Alternate, Rotorua Lakes Council), Mayor A Bonne (Whakatane District Council), Councillor T Molloy (Alternate, Tauranga City Council), Councillor R Curach (Tauranga City Council), Councillor B Julian (Alternate, Kawerau District Council), Councillor K Young (Alternate, Opotiki District Council), Councillor D Thwaites (Western Bay of Plenty District Council), P McLean (Regional Director Waikato/BOP, New Zealand Transport Agency), Councillor J Palmer (Alternate, Western Bay of Plenty District Council)

In Attendance: F McTavish (General Manager Strategy & Science), G Maloney (Transport Policy Manager), B Healey (Senior Transport Planner), M McMullen (Director of Net Journeys Solution Group), M Hasley (Principal Transport Planner) A Talbot (Planning and Investment Manager BOP, NZ Transport Agency), J Lawson (Safe and Sustainable Journeys Manager, Infrastructure Group) R Nikora (Safer Journeys Coordinator, Infrastructure Group) M Stensness (Committee Advisor).

Apologies: Mayor J Forbes (Opotiki District Council), Mayor M Campbell (Kawerau District Council), Mayor S Chadwick (Rotorua Lakes Council), Councillor R Curach (Tauranga City Council), Councillor D Thwaites (Western Bay of Plenty District Council)

1 Apologies

Resolved

That the Regional Transport Committee:

1 Accepts the apologies from Mayor M Campbell, Mayor J Forbes, Mayor S Chadwick and Councillors R Curach and D Thwaites tendered at the meeting.

Crosby/Nees CARRIED

2 General Business and Tabled Items

No general business or items tabled.

3 Declaration of conflicts of interest
No conflicts of interest were declared.

4  Previous Minutes

4.1 Regional Transport Committee minutes - 30 June 2017

Resolved

That the Regional Transport Committee:

1  Confirms the Regional Transport Committee minutes of 30 June 2017 as a true and correct record.

Crosby/Nees
CARRIED

5  Reports

5.1 Update from Committee Members and Advisors

Committee members and external advisors gave a verbal update on transport initiatives and matters impacting their respective areas.

Councillor Molloy - Tauranga City Council

• The underpass at Welcome Bay was due to open next May 2018.
• Tauranga City was working on an underground inner-City transport hub to assist with the growth in traffic numbers.
• Investment for LTP progressing.
• Three temporary roundabouts were in place at Turret Rd Bridge to help ease congestion.

Councillor Julian - Kawerau District Council

• Two new pedestrian crossings that accommodate mobility scooters proved to be successful since instalement. The police were instrumental with monitoring speeding and parking around these areas.

Mayor Bonne – Whakatāne District Council

• The Pekatahi Bridge lights had experienced sequence issues that were being addressed;
• The teardrop solution at Landing Road was to remain in place to manage traffic congestion. WDC’s Project and Services Committee were awaiting a report on future plans and surveys with the intention to retain the teardrop barrier.
• The road to Ruatāhuna had now been reopened.
• Working closely with NZTA regarding special purpose roads, working towards securing 100% funding support;
• Galatea still had some flooding damage but engineers had worked on a better design of Heramanga Bridge instead of a quick fix solution.

Councillor Crosby – Bay of Plenty Regional Council

• Focus had been on Public Transport Blueprint to put out an indicative plan around school and Hopper services in Tauranga. Substantial changes had been made due to submissions. Acknowledged Cr Thurston considerable input into this project and changes had been made to accommodate present and future needs and requirements. Once completed the plan would feed into the LTP.
• Toi Moana-BOPRC provided specific bus services to accommodate for the AIMS games, at least 300 students used the service.

**Councillor K Young - Opotiki District Council**
• Resilience on the roads continued to be an issue as always; with continued blocks on our major roads.
• Driver instructor programme had been well utilised and successful in people securing their full license.
• The cycle track had been very well used and plans of expansion are being discussed.

**Deputy Mayor Donaldson – Rotorua Lakes Council**
• Improvements were underway at Paradise Valley Road since severely impacted by the cyclones.
• Due to technical issues the Hemo roundabout sculpture was delayed to 2018.
• A new bridge to the BMX site was completed and will be opened next week.
• Hemo Gorge section upgrade was underway.
• Draft spatial plan was recommended to be released for public consultation at Council’s Spatial Planning Forum Committee on 14/09/17.
• Urban cycling experienced a 30% increase since counters had been in place.
• RLC had an approach from a company looking to establish a bikeshare scheme in the City.
• RLC had secured $30k funding for cycle skills based programme.
• Political support was likely to be announced for Tarawera roundabout funding.

**Councillor Palmer – Western Bay of Plenty District Council**
• Encouraged by Minister of Transport’s comment that SH 2 between Katikati and Ōmokoroa would be increased to four lanes.
• Te Puna SH2 roundabout was nearing completion and had eased congestion.

**Resolved**

*That the Regional Transport Committee:*

1. Receives the report, Update from Committee Members and Advisors.

_Bonne/Molloy_

**CARRIED**

**5.2 New Zealand Transport Agency Update**

Regional Director Waikato/BOP, New Zealand Transport Agency Mrs P McLean responded to queries from members as follows:

• A draft Government Policy Statement had been circulated for comment and would be finalised after the election;
• The NZTA team had driven through the Ōpōtiki District to Waihau Bay. The team met with the Coastal Community Board to gather information on issues. NZTA had discussed future infrastructure and were proactively engaging to address the issues raised.
Enabling Technology Presentation

Director of Net Journeys Solution Group Mr M McMullen provided a presentation on the Network Transport systems embracing technology and vehicle automation. The presentation highlighted the following:

- The model was digitally focussed on a mobility marketplace that embraced technology and how to best utilise technology.
- The technology focussed on people-centred services where every mode of transport could be traded.
- Moving people with automation; focussed on a connected journey;
- Prototype had been trialled in Queenstown (called Choice) - allowed people to secure their mode of transport all in one single market place. Businesses that signed up to participate indicated interest to stay on the pilot programme.
- If the trial was successful the Agency was looking at making it available to Councils.

Draft 2018 State Highway Investment Proposal Presentation

Principal Transport Planner Mr M Hasley presented an update of the NZTA State Highway Investment Proposal (‘SHIP’) that highlighted the investment environment and the Government Polity Statement. M Hasley advised members of the following key points highlighted:

- Three strategic priorities of economic growth and productivity, road safety and value for money.
- The priorities were supported by six national transport objectives:
  1. Addresses current and future demand for access to economic and social opportunities;
  2. Resilience;
  3. Safe system, increasingly free of death and serious injury;
  4. Delivering the right infrastructure and services to the right level at the best cost;
  5. Providing appropriate transport choices;
  6. Increasingly mitigates the effects of land transport on the environment.
- There were three strategic responses: one connected transport system, people centred services and partnerships for prosperity.
- Long Term Strategic View challenges were population and social change, technological change, economic change and environmental change;
- Next steps:
  o RAG review draft SHIP and recommended feedback for RTC support;
  o Expected GPS to be finalised by government;
  o Expected to finalise investment assessment framework;
  o Upload proposals for RLTP’s by approved organisations;
  o TRC’s underway with review of RLTP’s

Resolved

That the Regional Transport Committee:

1 Receives the report, New Zealand Transport Agency Update.

Crosby/Nees
CARRIED
Adjournment
The meeting adjourned at 11.03 am and reconvened at 11.15 am.

5.3 Road Safety in Rotorua

Road Safety in Rotorua Presentation:

Safe and Sustainable Journeys Manager Ms J Lawson, and Mr R Nikora Safer Journeys Coordinator provided members with a presentation of road safety initiatives in Rotorua.

An overview of the presentation included the team working at a grass roots level and utilising the 'Bike Man' to get the safety message out into the community.

The team had delivered a wide range of programmes that included, creating a programme focussed on young drivers and cycling behaviour. These initiatives enabled people to have personal capabilities to help them in their everyday lives and gain lifelong skills.

Other programmes managed by the team were the Driver directions, Blue light navigator and an alcohol impairment education programme which was a Marae based course, structured with Tikanga and Māori protocols and focussed on the offenders and their effect on society. This programme had commenced in 2013 and has proven very successful with 367 offenders that participated on the course with only 12 reoffending.

Resolved

That the Regional Transport Committee:

1 Receives the report, Road Safety in Rotorua.

Crosby/Nees
CARRIED

5.4 Regional Land Transport Plan Strategic Direction

Senior Transport Planner Mr B Healey referred members to Chapters 1, 2 and 5 of the draft Regional Land Transport Plan (RLTP) as he had incorporated feedback provided by the RTC at the meeting held 30 June 2017. Mr Healey noted that members and key stakeholders participated in the second ILM workshop designed to re-test the problem and benefits statements in the existing RLTP. The following amendments had been made:

- a summary of evidence supporting problem statements added;
- structured objectives around the KPI headings added; and
- Objectives and KPI's largely reflected existing RLTP with the addition of public health.

The following had also been added:

- Chapter 1 – public health to the Vision;
- Chapter 2 – some new strategic drivers; and
• Chapter 5 – strengthened policy wording and added two policies to support Māori aspirations and funding for Māori roadways;

Members requested more clarity in specific wording, up to date figures and percentages to allow them to evaluate the RLTP more effectively. Members supported the request for information that addressed the effects of climate change (i.e. emissions, increased numbers of vehicle registrations) and how that could be integrated into the RLTP. It was agreed that climate change was very real and needed to be considered in just about all matters before councils.

Resolved

That the Regional Transport Committee:

1. Receives the report, Regional Land Transport Plan Strategic Direction; and

2. Approves the recommended Regional Land Transport Plan Investment Logic Map and Benefits Map in Appendix 2 of the report.

Donaldson/Nees
CARRIED

5.5 Regional Land Transport Plan Prioritisation Framework

Senior Transport Planner Mr B Healey advised members that the statutory requirement for the RTC would be to determine the priority order of the RLTP significant activities. It was noted that the RLTP was subject to different statutory requirements as well as a regional view. Mr Healy explained that the proposed framework was the same as the RLTP 2015 and that minor adjustments were implemented that reflected the revised ILM. The following were highlighted:

• Identify significant activities – i.e.; SHIP and activity management plans;

• Regional Advisory Group (RAG) members from each local authority and NZTA score activities against RLTP objectives – scores collated to produce overall activity score and RAG members meet to moderate overall scores;

• scenarios are generated to test programme level options – different objective weightings area applied to the draft prioritised list; and

• an optimised programme option is identified – RAG meets for final moderation and make recommendation to the RTC and the recommendation will form part of draft RLTP considered by the RTC.

Mr Healy informed members that the next steps included:

• building the RLTP regional programme and forecasts from individual programmes proposed by approved organisations;

• applying prioritisation framework to significant improvement activities;

• updating the RLTP corridors and networks chapter with programme information; and

• preparing the full draft of the RLTP to enable decisions on 22 November 2017 to approve it for public consultation.
Resolved

That the Regional Transport Committee:

1 Receives the report, Regional Land Transport Plan Prioritisation Framework;

2 Approves the Regional Land Transport Plan 2018 prioritisation framework outlined in the report.

Crosby/Bonne
CARRIED

5.6 Regional Land Transport Plan Variations - SH33 Safety Improvements and LED Street Lighting Conversions

Mr Healy reported in brief that robust discussions were had in relation to a streamlined process related to SH 33 Te Ngae Junction to Paengaroa Safety Improvements and Accelerated LED Street Lighting Conversations. The members were informed that RAG reviewed and accepted the variation recommendations.

Resolved

That the Regional Transport Committee under its delegated authority:

1 Receives the report, Regional Land Transport Plan Variations - SH33 Safety improvements and LED Street Lighting Conversions;

2 Approves the scope change to the renamed ‘SH33 Te Ngae Junction to Paengaroa Safety Improvements’ activity in the Regional Land Transport Plan;

3 Removes the following activities from the Regional Land Transport Plan:

   a. Forest Passing Lane (SH33) Ramp; Alignment; and

   b. Banksia Place Northbound Passing Lane;

4 Adds the ‘Accelerated Light Emitting Diode (LED) Street Lighting Conversions’ activity to the Regional Land Transport Plan; and

5 Determines that the variations are not significant for the purposes of public consultation.

Donaldson/Julian
CARRIED

5.7 Other Matters of Interest

Senior Transport Planner Mr B Healey advised members that NZTA had provided a response to draft Investment Assessment framework for the 2018-21 National Land Transport Programme submissions. Members noted that the response broadly addressed some of the key issues raised by the RTC.
Resolved

That the Regional Transport Committee:

1. Receives the report, Other Matters of Interest.

Crosby/Nees
CARRIED

The meeting closed at 12.22 pm.
Minutes of the Regional Transport Committee Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Wednesday, 22 November 2017 commencing at 9.30 a.m.

Chairman: S Crosby
Deputy Chairman: J Nees

Appointees:
Mayor J Forbes (Opotiki District Council), Mayor M Campbell (Kawerau District Council), Deputy Mayor D Donaldson (Alternate, Rotorua Lakes Council), Mayor A Bonne (Whakatane District Council), Councillor T Molloy (Alternate, Tauranga City Council), Councillor R Curach (Tauranga City Council), Councillor B Julian (Alternate, Kawerau District Council), Mayor S Chadwick (Rotorua Lakes Council), Councillor L Thurston (Alternate, Bay of Plenty Regional Council), Councillor A Iles (Alternate, Whakatane District Council), Councillor K Young (Alternate, Opotiki District Council), Councillor D Thwaites (Western Bay of Plenty District Council), P McLean (Regional Director Waikato/BOP, New Zealand Transport Agency), Councillor J Palmer (Alternate, Western Bay of Plenty District Council), A Talbot (Alternate, New Zealand Transport Agency), J Galbraith (Freight Advisor), Inspector B Crowe (Road Safety Advisor, BOP District Police)

In Attendance:
F McTavish (General Manager Strategy & Science), G Maloney (Transport Policy Manager), B Healey (Senior Transport Planner), M Hasley (Principal Transport Planner), J Galbraith, D Kneebone (Property & Infrastructure Manager, Port of Tauranga) G Bunting (Network Manager, NZ Transport Agency), M Stensness (Committee Advisor).

Apologies: Mayor J Forbes

1 Apologies

Resolved

That the Regional Transport Committee:

1 Accepts the apologies from Mayor J Forbes and late arrival for Mayor Bonne and Mayor Campbell tendered at the meeting.

Malloy/Nees
CARRIED

2 General Business and Tabled Items

No general business or items tabled.
Declaration of conflicts of interest

No conflicts of interest were declared.

Public Forum

Previous Minutes

Correction

Minute item 5.1 Regional Transport Committee minutes – 15 September 2017 incorrectly recorded as 'Spatial Plan Forum Committee' and 'Tarawera Roundabout' to be amended to "Strategy Policy and Finance Committee" and "Te Ngae Road from Tarawera Roundabout to the Airport...".

Regional Transport Committee minutes – 15 September 2017

Resolved

That the Regional Transport Committee:

1 Subject to the corrections above, confirms the Regional Transport Committee Minutes of 15 September 2017 as a true and correct record.

Crosby/Nees
CARRIED

Reports

Update from Committee Members and Advisors

Committee members and external advisors gave a verbal update on transport initiatives and matters impacting their respective areas.

Councillor Curach - Tauranga City Council

• In developing the TCC Long Term Plan $192 million had been budgeted for transport related projects comprising of: $64 million for better transport choices; $32 million assigned to cycling and $6.6 million allocated to regional support for public transport initiative. It was noted that the allocations still needed to go through the various stages for approval noting that variations to the draft funding allocations may trigger an increase in rates by up to 13.5%.
• Cycle action plan consultation process received 1570 feedback forms.
• Tauranga Transport Plan received 2,361 submissions with overwhelming support from community for better public transport and cycling initiatives.
• Joe Metcalfe from Regional Council assisted TCC in drafting a plan to help mitigate the impact of the Baypark - Bayfair congestion that included providing a specific bus service as a joint funding initiative.
• Trial of a connecting cycling bridge around Pilot Bay to the end of the Mount was underway.
• TCC was looking at incentivising ride sharing (2 or more in a car) with incentives such as free parking.
Councillor Crosby – Bay of Plenty Regional Council
As Vice-President of National Council, Councillor Crosby has completed a LGNZ Roadshow and some issues by councils raised during this roadshow were:
• Is the NZTA business plan process fit for purpose moving forward.
• Implications of Forestry activity on local roads For example, in Wairoa handled 50 cars a day was now accommodating 50 logging trucks.
• NZTA transformation process and concerns were raised.
• BOPRC update was that NZTA notified acceptance of The Western Bay Blueprint Business Case and Procurement Plan.

Councillor K Young - Opotiki District Council
• Concerns and resilience was a major issue regarding coast roads being blocked which resulted in a major cost to business and major inconvenience right around the east coast roads through the Waimana Gorge.
• Single bridge access over much of the Opotiki area was of concern where a single accident could result in roads being blocked.

Dan Kneebone – Port of Tauranga
• The Port was experiencing growth particularly in containerised product volumes rather than bulk product.
• From 2015 – 2017 there has been a 20% increase of containerised trans-shipment or rail increase which was not necessarily the result of more movements on the roads.

J Galbraith - Freight Advisor
• Review of the Land Transport Plan was timely, particularly regarding big rail movements from the east therefore it was timely to factor those in;
• Current focus was on driver training –a working group across industry operators had been forned to focus on initiatives to attract younger people to sign up with the logistics sector.

Councillor J Nees – Bay of Plenty Regional Council
• Port of Auckland gave a comprehensive presentation on their port strategy focussed on sustainability as one of the key platforms. It was noted that they may need to move out of central Auckland in the future however, interim plans had been outlined;
• Minister Shane Jones had requested that the Ministry of Transport provide the terms of reference (‘TOR’) document relative to the Upper North Island Port strategy. The ministry were consulting to ensure that the TOR was robust. The ministry invited general discussion regarding what should be considered (i.e. logistics, protection around evidence base approach with a functioning of strategy for the future, independency).
• Needed to re-visit the UNISA shared statement on transport in light of the new government. It was noted that stakeholders would feed into UNISA to foster independency and transport infrastructure.
• Ministry of Transport advised that the GPS would be updated before Christmas, however the full policy would not be available at that time.

Chairman D Leeder – Bay of Plenty Regional Council
• Some projects would not get traction as Minister Parker stated that the appropriations cease on March-April 2018;
• Trade flows established an increase by rail of up to 90% noting that Fonterra utilised the Port of Tauranga and other areas such as Whareroa and Taranaki were predominantly rail use.
Mayor Chadwick – Rotorua Lakes Council
- Te Puia Park space has been well received and RLC were hopeful that they had found a solution for the iconic sculpture.
- Te Manawa was now operational from 29 October with a good response from the community despite some reservations early on.
- There was a mode or shift in cycling with 30% increase in 12 months. Links with cycle ways into the city may see an increase in cycle use.
- Introduction of Uber bikes has slowed down due to the requirement of the code of practice safety stock report. RLC may launch in late 2018.
- Secured $30K from ACC to increase cycle skills programme. Delivery of the programme was offered in te reo maori as RLC was now a reo rua (two language) council.
- RLC awaited Minister Jones announcement regarding forestry and foresight into the impact on freight. Real synergy between the Transport and the Housing Accord. RLC were concerned with the impact of increased traffic to Te Ngae Road and how that may affect the working relationship forged with local iwi to free up land under their control.
- Concerned that the public free buses to Toi Ohomai would now be charging a fare from next year.

Bay of Plenty Regional Council Transport Manager Mr G Maloney advised members that the decision to charge bus fare to Toi Ohomai campus was not a regional council decision. Mr Maloney confirmed that Toi Ohomai had implemented that change and a report would be tabled at the Public Transport meeting on 23 November 2017 to address the matter.

Councillor Thwaites – Western Bay of Plenty District Council
- Similar to TCC, WBPDC was focused on the Long Term Plan. In the past WBPDC was committed to sealing 3km of roading per year with a surplus of $30,000 allocated funding.
- Cycling and walking accessibility was a large part of WBOPDC’s consultation and was gaining traction.

Resolved

That the Regional Transport Committee:

1 Receives the report, update from Committee Members and Advisors.

Malloy/Crosby
CARRIED

6.2 New Zealand Transport Agency Update

Refer Power Point Presentation Objective ID A958507

Regional Director Waikato/BOP, New Zealand Transport Agency Mrs P McLean provided a brief verbal update noting that the new government was focussed on rapid transport options. Ms McLean highlighted the following key points from the report:

- Letter from Minister Twyford were sent out to Local Government organisations;
- NZTA CEO was working primarily with Minister Twyford, and also Ministers Jones and Genter to understand the new government’s priorities moving forward.
• Focus was on future active modes of neutral approach transport availability and implementation of modes for public transport, rail, cycling and walking, coastal shipping.

• Major urban centres - Auckland and Wellington were focussed on rapid transit – light rail.

• BOP continued to be a commitment however while the Tauranga Northern Link and Katikati was discussed there were no reviews at this stage.

• Projects signed off by the NZTA Board would continue as Associate Ministers were yet to receive their formal delegated authorities.

• Indications that Minister Center had a strong agenda regarding safety and her top priority was reducing the road toll.

• NZTA would receive a revised GPS before the end of 2017 and proposed engagement would happen early 2018 with further revision likely to be middle 2018 with strong focus on fundamental change to enable rail.

• No dates were available on public consultation with regard to tolling on the Northern Tauranga Link.

Members recognised the shift of focus of investment away from road use to give people more options such as light rail but were conscious of the flow on effects to future funding commitments required. Ms McLean confirmed that all the options were on the table at this point and that NZTA had no intention to back away from Bay of Plenty commitments. Members discussed the limited funds against the current commitments, commenting that NZTA may need to shift priorities to accommodate for the new government's rapid transport focus. Ms McLean stated that the Committee would need to have further discussions around other funding avenues or partnerships available to the Committee to accommodate for the shift in focus as NZTA confirmed that funds in the National Land Transport Fund were limited.

Resolved

That the Regional Transport Committee:

1 Receives the report, New Zealand Transport Agency Update.

Crosby/Chadwick
CARRIED

6.3 Speed Management

It was noted that Mr Glen Bunting (Network Manager, NZ Transport Agency) flight from Wellington was delayed and he would present his report later in the meeting.

6.4 Draft Regional Land Transport Plan

Refer Power Point Presentation Objective ID A958507

Bay of Plenty Regional Council Transport Manager Mr G Maloney and Senior Transport Planner Mr B Healey explained that no decisions were required by members at this stage as they continued to work on the draft Regional Land Transport Plan ('RLTP') while waiting for the final GPS. Mr Healey advised members that the feedback received at the meeting held 15 September 2017 had been incorporated into the revised version of the RLTP including latest facts and figures, strengthened wording on
carbon emissions, climate change and updating public transport that reflected the current situation.

Mr Healy advised that the RLTP presentation sent to members was outlined in three parts;

1. An overview of what the RLTP plan;
2. Covering off on the draft RLTP as of 15 November 17 (awaiting final GPS) responding to new government direction; and
3. Next steps in the process.

Members were pleased that the revised RLTP reflected current statistics and facts, however it was noted that there was still scope for further tightening and strengthening of the language around future growth around the Bay of Plenty that would make the Committee’s case stronger. Members enquired into the inter-regional feedback process and agreed that more work was required around planning taking into account the environmental impacts, and that the new government position of rapid transport (specifically rail) needed to be incorporated into the RLTP.

Members also underlined the possible implications of the new government’s focus on ongoing projects for smaller rural and provincial areas and projects such as Smart growth. All members agreed that there was a need to protect these projects and not let them fade into the background. Members requested staff to look into the possibility of injecting smaller projects into the larger projects as a means to keep those projects in the fold. Members also commented that there may also be scope to highlight growth issues while the housing accord could also be strengthened to make the case stronger.

Mr Healey and staff from NZTA provided further context to members as follows:

- The final RLTP was due April 2018 however there may be some push back due to the new government;
- BOPRC was worked regularly with NZTA in drafting the RLTP;
- Chapter 7 – the spreadsheet provided a list of activities approved but not complete as the Regional Council was waiting on funding approval. The planning process was underway for the Tarkio network and still needed to be entered into the programme;
- Staff would identify smaller projects where feedback could be provided into the formal state highway proposals to give them formal status;
- “Committed” meant approved funding for that particular phase of the approved activity;
- Eastern corridor stage 2 naturally aligned with the state highway through to the Rotorua Airport – Ministers had promised a move from business case to action as there was a strong need for this project to be elevated;
- Draft priority list spreadsheet had 6 different scenarios highlighted to assist members;
- NZTA confirmed the Katikati bypass would be reported on in the near future,
- The Ōmokoroa project needed to be highlighted as a connection between growth and transport;
- Safety and resilience was noted as an issue for Rotorua and Kawerau that required further consideration by NZTA by the next committee meeting. In the interim staff would provide technical advice regarding Rotorua that may need a special meeting to discuss.

Meeting adjourned 10.42 am.

Meeting reconvened 11.05 am.
Mr Healy informed members that part three included responding to government direction and next steps, he surmised the RLTP as follows:

- Reflects previous draft GPS;
- Development had included engagement with Regional Advisory Group (‘RAG) and had good alignment (generally); and
- RAG requested two activities be added to the 6 year programme and provided other feedback on scope, content and timing of activities;
- RAG recommended feedback via a formal letter from the Committee to NZTA; and
- Staff were waiting on the timing and content of new draft GPS;
- Possible implications from deadline – 30 April 2018; and
- The above information would enable a modified RLTP consultation and approval process to be mapped out;
- Recommended the Committee meet early February 2018 to progress the RLTP.

Resolved

That the Regional Transport Committee:

1. Receives the report, Draft Regional Land Transport Plan.

Crosby/Nees
CARRIED

6.5 Speed Management

Refer Power Point Presentation Objective ID A958507

NZTA Network Manager Mr G Bunting delivered a comprehensive presentation to members focussed on ‘A new process for setting speed limits’. The following information was noted:

- Objectives – nationally consistent approach, deliver safe system and network efficiency, assist councils to prioritise opportunities, support new conversation on road risk and speed;
- Key changes – apply new approach in the guide, enables 110km/h on selected routes, streamlines process for temporary and emergency speed limits, offers outcomes based approach to repeater signs;
- High benefit opportunities – provide speed management information, encourage high benefit opportunities first, have regard to this information when reviewing speed limits;
- Technical megamaps – effective engagement, increase community understanding, enables constructive conversations, creates suitable environment for consultation;
- Identifying safe and appropriate speeds;
- Infrastructure risk rating – eight features
- Engagement comes before consultation with formal consultation requirements;
- The bylaw process – rules and requirements;
- Streamline the process – develop with councils and key stakeholders, set out three year plan, consult with sector and community on plan, changes to limits made via council resolution.

Resolved
That the Regional Transport Committee:

1 Receives the report, Speed Management.

Crosby/Chadwick
CARRIED

6.6 **Regional Land Transport Plan Variations - SH33 Safety Improvements and LED Street Lighting Conversions**

Resolved

That the Regional Transport Committee under its delegated authority:

1 Receives the report, Regional Land Transport Plan Variation – Accelerated LED Street Lighting Conversations (Western Bay of Plenty district);

2 Adds the ‘Accelerated Light Emitting Diode (LED) Street Lighting Conversations (Western Bay of Plenty district) activity to the Regional Land Transport Plan; and

3 Determines that the variation is not significant for the purposes of public consultation.

Crosby/Curach
CARRIED

6.7 **General Business**

Members discussed the national road pricing (tolling) as a means to ease congestion of major roads during peak hours. It was noted that all costs would be directly charged to the road users however, this could be mitigated with the introduction of an incentivised program to encourage users to utilise alternative means of transport.

The Chair noted that Mayor Campbell was unable to attend the meeting due to a vehicle crash on State Highway 33.

The meeting closed at 12.26 pm.
REPORT

Date : 7 December 2017
To : Ordinary Council Meeting, 19 December 2017
From : His Worship the Mayor, J H Forbes
Subject : MAYORAL REPORT 27 OCTOBER 2017 – 14 DECEMBER 2017
File ID : A126645

Since 27 October 2017 I have attended or met with the following:

27 OCTOBER 2017
Met with Kiri Allan MP

1 NOVEMBER 2017
Visited Wananga weaving course, Hawai Marae.

3 NOVEMBER 2017
Zone 2 meeting, Kawerau

7 NOVEMBER 2017
Opōtiki College Senior Prizegiving

15 NOVEMBER 2017
QE II National Trust’s 40th Anniversary – Government House, Wellington

16-17 NOVEMBER 2017
Rural Provincial Sector meeting, Wellington

20-22 NOVEMBER 2017
NZ Walking Access Board meeting, Auckland
23 NOVEMBER 2017
Opōtiki Harbour Project Board meeting, Wellington

27 NOVEMBER 2017
ODC Audit and Risk Committee meeting

29 NOVEMBER 2017
Mayors Professional Advisory Group teleconference
Regional Aquaculture Organisation meeting, Tauranga
Civil Defence meeting, Opōtiki – organised by Opōtiki Lions Club

30 NOVEMBER 2017
Meeting with Whakatōhea and Whakatōhea Mussels (Opōtiki) Ltd

4 DECEMBER 2017
New Zealand China Mayoral Forum, Wellington

6 DECEMBER 2017
Eastern Bay of Plenty Joint Committee meeting, Kawerau

7 DECEMBER 2017
Bay of Connections - 2017 Yearly Report Launch, Tauranga
Opōtiki Community Health Trust meeting

12 DECEMBER 2017
Meeting with Whakatōhea and Whakatōhea Mussels (Opōtiki) Ltd

14 DECEMBER 2017
Harbour presentation to Bay of Plenty Regional Council meeting, Tauranga

SIGNIFICANCE ASSESSMENT
Assessment of significance
Under Council's Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of
Significance for the Mayoral Report is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

**Assessment of engagement requirements**

As the level of significance for the Mayoral Report is considered to be of low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.

![Level of engagement diagram]

**RECOMMENDATION:**

1. That the report titled “Mayoral Report 27 October 2017 – 14 December 2017” be received.

John Forbes

**HIS WORSHIP THE MAYOR**
REPORT

Date : 21 November 2017
To : Ordinary Council Meeting, 19 December 2017
From : Assets and Systems Manager, Ari Erickson
Subject : INVESTIGATION INTO POTENTIAL EXPANSION OF WASTEWATER NETWORK
File ID : A127008

EXECUTIVE SUMMARY
A request has been received from a resident for an extension of the wastewater network to serve a property on the eastern side of the Ōpōtiki township. An “in principle” agreement is sought from Council to provide for an extension of the network, subject to further consideration of the financial and technical feasibility.

PURPOSE
To advise Council of a request received from the owner of 2000 State Highway 2 for an extension of the wastewater network and seek the “in principle” agreement of Council to provide for an extension of the existing wastewater network.

BACKGROUND
2000 State Highway 2 is currently operating as backpacker accommodation, having received resource consent in 2016 (ref. RC2017-02). The owner of the property is interested in redeveloping the property as motel accommodation. In order to do so, an upgrade of existing wastewater facilities on the site would be required. This property, and all other properties on the western side of State Highway 2, are currently served by on site effluent treatment systems (septic tanks). The owner has approached the Council to discuss the options for wastewater treatment, including expansion of the existing wastewater network.
The current 2015-2025 Long Term Plan allows for new reticulation of the Hikutaia area, noting that this would only be implemented and necessary if expected growth occurs. The site in question would be serviced by a section of this extension. A map showing the existing wastewater network, the property in question and possible route for extension of the network into the Hikutaia area is below.

Staff have carried out a preliminary engineering investigation to assess the feasibility of extending the existing network in the location proposed.
OPTIONS

There are two options available

1. Install section of Hikutaia reticulation.
2. Allow installation of single private connection.

<table>
<thead>
<tr>
<th>Install Section Of Hikutaia Reticulation Extension</th>
<th>Advantages</th>
<th>Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opportunity to connect at least 14 properties</td>
<td>Is three years in advance of the 2015 LTP timeframe and seven years in advance of the proposed 2018 LTP timeframe</td>
<td></td>
</tr>
<tr>
<td>Only 12 connections needed to cover depreciation on proposed extension</td>
<td>The cost to service the loan for the works over three to seven years may not be affordable</td>
<td></td>
</tr>
<tr>
<td>If affordable provides a good opportunity to support local business and gives a good head start on the reticulation of Hikutaia</td>
<td>Requires consultation with affected land owners</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Allow Installation Of Single Private Connection</th>
<th>Advantages</th>
<th>Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td>No cost to Council</td>
<td>Significant cost to private connector of approx. $80k</td>
<td></td>
</tr>
<tr>
<td>Timeframes till installation are quicker</td>
<td>Most of asset will become redundant when Hikutaia is reticulated around 2025</td>
<td></td>
</tr>
</tbody>
</table>

SIGNIFICANCE ASSESSMENT

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance of investigating the expansion of the wastewater network is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

As the level of significance of investigating the expansion of the wastewater network is considered to be of low significance, the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.
COMMUNITY INPUT AND PUBLICITY

Installation of a section of the Hikutaia reticulation in 2018 would be three years in advance of planned in the 2015 LTP. As such consultation with property owners that could connect and/or would be affected by an availability rate is required to determine the level of interest and the associated rating income. This will also help determine the affordability of the project.

CONSIDERATIONS

Financial considerations

As the proposed work is not budgeted for the 2018 year alternative funding will need to be found. A decision on the funding mechanism can be made once the costs of the extension are known and we understand the level of interest from properties potentially served by the network. Funding options may include contributions to service the loan over the three years ahead of the planned construction in the 2015 LTP.

Policy and planning implications

Based on a report published by the Bay of Plenty Regional Council in 1999, it is understood that this area could be subject to flooding from the Waioeka River. As such, the provision of a wastewater connection could be a concern if it would facilitate uncontrolled development, in particular residential development.

The site in question, and its neighbours to the north along State Highway 2, are zoned in both the Operative and Proposed Plans as "rural". They are also noted as containing "Versatile Soils".

In a rural zone, and subject to compliance with zone standards, two dwellings per site may be established as a permitted activity on sites over one hectare and three dwellings per site may be established as a permitted activity on sites over four hectares. Any additional dwellings require consent as a discretionary activity. Two sites directly adjacent to this stretch of the highway are currently over 1 hectare in size (1972 and 1966 SH2) and one exceeds four hectares (1988 SH2). This would not change if the sites were provided with a wastewater connection.

Given all the sites contain “Versatile Soils” any formal subdivision of these sites would be a Discretionary Activity (for sites exceeding eight hectares) or Non-Complying (for sites smaller than eight hectares). This would not change if the sites were provided with a wastewater connection.
Non-reticulated sites are also currently subject to rules within the Bay of Plenty Regional Council’s (BoPRC) On-Site Effluent Treatment Regional Plan, which requires each new dwelling to have an adjacent land application area of not less than 1200m$^2$ to qualify as a permitted activity. If this rule cannot be met, the activity defaults to discretionary. If a wastewater connection was provided for properties along SH2, consent from the BoPRC would no longer be required.

However, providing a wastewater connection to these properties would not result in a loss of control over residential development in this area as control would be retained through the District Plan provisions set out above. Given the rural zoning and versatile soils, intensive residential development in this area is always going to require consent as either a discretionary or non-complying activity ensuring that any concerns relating to flooding could be dealt with at the application stage.

**CONCLUSION**

Extension of the wastewater network into the Hikutaia area is provided for in the 2015 Long Term Plan, subject to growth. A recent request from a property owner on the route between the existing wastewater network and the Hikutaia area, could provide an opportune time to look at extending the network. Staff have carried out a preliminary engineering investigation and identified possible options, but more work needs to be done to understand the financial and technical feasibility of the project.

**RECOMMENDATIONS:**

1. That the report titled “Investigation into potential expansion of the wastewater network” be received.
2. That Council agrees “in principle” to provide for an extension of the network, subject to further consideration of the financial and technical feasibility.
REPORT

Date : 7 December 2017
To : Ordinary Council Meeting, 19 December 2017
From : Property Officer, Tina Gedson
Subject : RESERVE LAND - CHANGE OF PURPOSE
File ID : A127036

EXECUTIVE SUMMARY
A change the purpose is recommended for reserve land located on Otutehapari Road, Waihau Bay. The change of purpose would make the stated use consistent with existing use of the reserve as a site for emergency and health services.

PURPOSE
To obtain a resolution that supports the change of designated use of reserve land.

BACKGROUND
Lots 30 and 35 (DP 6105) are adjacent reserve land vested in the Opotiki District Council. The reserves are located on Otutehapari Road Waihau with a combined area of 3668m².

Lot 30 is currently occupied by separate premises belonging to Fire and Emergency NZ (FENZ) and the BOP District Health Board clinic. St John Ambulance Service occupies a garage attached to the Fire Station.

Lot 35 is vacant. Recently St John have requested lease of Lot 35 to construct a new facility. The project is subject to funding and obtaining a secure lease.

The Coast Community Board has supported the request by St Johns to lease.

Discussions are also underway to formalise leases with FENZ and the BOP District Health Board.
Legal advice has been obtained that the leases would be permitted under the Reserves Act 1977 but recommends changing the designation of the reserve from Local Purpose Reserve “Community Buildings” to; Local Purpose Reserve “Community Buildings and Emergency Services”.

DISCUSSION AND OPTIONS SECTIONS
The Reserves Act 1977 prescribes the process whereby a change of use can be undertaken.

A Council resolution is required initially. Next we will publicly notify the proposed change of purpose, specifying the reason for the proposal.

Any person affected by the proposal at any time within one month after first publication may give written objections. Council will consider all objections lodged.

SIGNIFICANCE ASSESSMENT
Assessment of significance
Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for Change the Purpose of Reserve Lot 30 and 35 DP 6105 is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements
As the level of significance for Change the Purpose of Reserve Lot 30 and 35 DP 6105 is considered to be of low significance the level of engagement required is determined to be at the level of consult according to Schedule 2 of the Significance and Engagement Policy.

COMMUNITY INPUT AND PUBLICITY
The proposal to change of purpose will be publicly notified.
CONSIDERATIONS

Financial/budget considerations
This will enable Council to put leases in place for three entities which occupy reserve land.

Policy and planning implications
Under LTP Community Outcomes, Council commits to ‘ensure Services and Facilities meet our needs’ and we will achieve this by “helping agencies and organisations to identify our specific needs and support and encourage effective planning for the future.

Reserves Act 1977
24A Change of purpose of reserve by territorial authority.
Where any local purpose reserve is vested in a territorial authority or regional council, that territorial authority or regional council may, by notice in the Gazette, change the purpose for which that reserve is classified within its classification as a local purpose reserve.

Risks
There are no identified risks associated with the decisions or matters.

Authority
The reserves are vested in the Ōpōtiki District Council. Council has delegated authority under the Reserves Act 1977.

CONCLUSION
Amending the reserve’s use to: Local Purpose Reserve (Community Buildings and Emergency Services) enables a practical solution to ensuring appropriate agreements are put in place for existing and intended leases.

RECOMMENDATIONS:
1. That the report titled “Change the Purpose of Reserve Lot 30 and 35 DP 6105” be received.
2. That staff commence the consultation process to change the purpose of Local Purpose Reserves Lots 30 and 35 (DP 6105) from Community Buildings to; Community Buildings and Emergency Services.

Tina Gedson
PROPERTY OFFICER
REPORT
Date : 7 December 2017
To : Ordinary Council Meeting, 19 December 2017
From : Property Officer, Tina Gedson
Subject : RE-FIT 32 ELLIOTT STREET
File ID : A127005

EXECUTIVE SUMMARY
The 2017-18 Annual Plan includes budget for additional office space to accommodate new staff. Council owned premises at 32 Elliott Street (ex DOC / i-SITE offices) have been assessed as suitable for re-fit for this purpose and an architect has been engaged to develop plans for tender.
Staff recommend proceeding with re-fit of the premises within budget constraints.

PURPOSE
To obtain a resolution to expend funds to re-fit office premises located at 32 Elliott Street.

BACKGROUND
Council owns the land and buildings located at 32 Elliott Street (Legal title Lot 1 DP 4476) with no encumbrances. The premises are currently leased. The lease will expire on 6 January 2018.

The building is located in close proximity to existing offices, is in sound condition and a new roof was installed five years ago. The interior requires renovation to meet operational requirements for use as office premises in addition to some exterior improvements which will be required.

Preliminary asbestos and seismic checks have not identified any major issues. Final reports will be received shortly.
An architect has assessed the premises and has been commissioned to prepare concept plans and then developed drawings for the re-fit work to go to tender.

**DISCUSSION AND OPTIONS SECTIONS**

The Council office premises are currently at capacity.

Growth in total staff numbers is anticipated plus additional office space may be required for harbour personnel.

Options have been considered:
1. Extend the existing office – not achievable within allocated budget.
2. Install portable offices – an interim measure only.

Improvements to the Elliott Street premises would meet the forecast demand for office space, makes good use of existing premises and is within the budget range.

If, for some reason, the renovated premises were not required for Council staff, they could be leased.

**SIGNIFICANCE ASSESSMENT**

**Assessment of significance**

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for Re-fit 32 Elliott Street is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

**Assessment of engagement requirements**

As the level of significance for Re-fit 32 Elliott Street is considered to be of low significance the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.
COMMUNITY INPUT AND PUBLICITY
Consultation on this matter is not being undertaken.

CONSIDERATIONS
Financial/budget considerations
$120,000 is included in the 2017-18 Annual Plan budget.

Policy and planning implications
This property is considered a strategic asset.

LTP 5.4.2
Council’s overall objective is to only own property that is necessary to achieve its strategic objectives. As a general rule, Council will not maintain a property investment where it is not essential to the delivery of relevant services, and property is only retained where it relates to a primary output of Council. Council reviews property ownership through assessing the benefit of continued ownership in comparison to other arrangements which could deliver the same results. This assessment is based on the most financially viable method of achieving the delivery of Council services.

Risks
There are no major risks associated with the decisions or matters.

Authority
Staff would be acting under delegated authority.

CONCLUSION
Proceed with the re-fit of 32 Elliott Street to meet growth in staff numbers.

RECOMMENDATIONS:
1. That the report titled “32 Elliott Street Office re-fit” be received.
2. That staff proceed with the re-fit of 32 Elliott Street to provide additional office space to accommodate new staff.

Tina Gedson
PROPERTY OFFICER
EXECUTIVE SUMMARY

Council needs to review and consult the community on its Waste Management and Minimisation Plan (WMMP). It needs to be adopted by 1 July 2018 following a Special Consultative Process. It is recommended that the Draft Plan be adopted by Council for consultation at the same time as the Long Term Plan (LTP). The Draft WMMP includes targets for reducing residual waste and increasing the volume of recyclable materials.

PURPOSE

To seek a resolution from Council to adopt the attached draft Waste Management and Minimisation Plan for public consultation and to consider the matters proposed for consultation.

BACKGROUND

The Waste Minimisation Act came into force on 25 September 2008 and replaced provisions previously contained in the Local Government Act relating to Waste Management. A waste WMMP was produced in 2012 and is due to be reviewed by 1 July 2018. In tandem Council needs to consult on its 2018-2028 Long Term Plan.

The Waste Minimisation Act requires that a Waste Assessment Report be undertaken and that the results of this assessment, including options for addressing the waste problem and future demands for waste services, guide Council in the preparation of the plan. The Waste Assessment Report is included in Part C of the Plan.
As part of the planning process for this report, Council sought feedback from the community to assist with planning. Advertising was placed on the Ōpōtiki District Council (ODC) website, the ODC Facebook page and in the October issue of Council’s Panui newsletter.

The feedback period ran from 11 to 31 October 2017. Feedback was received by online form (44 responses), email (8 responses), Facebook comments (22 responses) and physical forms (23 responses) which were placed at the Ōpōtiki i-SITE, Ōpōtiki District Library, ODC office at 108 St John Street and at each of the three Resource Recovery Centres.

Some common themes emerged with most relating to the urban rubbish collection, the small size of the current black bags, the lack of bins in commonly used public spaces and having to pay to recycle at our RRCs. Although out of scope for this review it became apparent that the cleanliness of Ōpōtiki was a significant area of concern for our respondents. Summary Report attached as Appendix 1.

Council has now held two workshops on the WMMP process and had provided general feedback to staff.

**DISCUSSION AND OPTIONS SECTIONS**

**Council’s Waste Policies**

Council adopted its Zero Waste Policy in 1998, and continued that theme through the 2012 review.

**Waste Minimisation Achievements**

The 2012 WMMP included actions relating to:

- Communication and engagement
- Residual waste reduction and increasing recovery of recyclable materials
- Collection of litter from the town centre and clean up of illegal dumping sites in the district
- Monitoring and reporting and tracking progress towards achievement of targets
- Collaboration, new initiatives and continuous improvement
- Advocacy on product stewardship schemes

The action areas from the last WMMP have been reasonably well addressed over the term of the plan. Some actions were unable to be completed as they related to national or regional initiatives that no longer operate (such as e-waste and hazardous waste systems). Alternative measures were implemented instead.
A scoping study was prepared for the Council in 2015 relating to the potential options for introducing an urban organic waste kerbside collection and disposal system. This study recommended that a trial collection should be undertaken with a view to implementing a wider collection and processing system.

Vision, Targets and Action Plans

The vision included in the last WMMP was:

_Towards Zero Waste_

While there can be issues with what communities understand is meant by ‘zero waste’, this is not considered to be insurmountable and Council has already made a lengthy commitment to this vision. Therefore it is considered an appropriate vision to carry forward into the new draft WMMP, along with an explanation of the concept.

The last WMMP included targets relating to waste going to landfill, and recyclables materials – with a 10% improvement in each over the 2011 figures. The table below shows these figures for 2011 and the most recent figure, with the % improvement.

<table>
<thead>
<tr>
<th>Measure</th>
<th>2011</th>
<th>Latest</th>
<th>% improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residual waste disposed of to landfill</td>
<td>1,100</td>
<td>1,070</td>
<td>3%</td>
</tr>
<tr>
<td>Recyclable materials collected at resource recovery centres (including kerbside recycling)</td>
<td>1,431</td>
<td>1,662</td>
<td>16%</td>
</tr>
</tbody>
</table>

This shows that the target for increasing the amount that is recycled was achieved – and was actually well exceeded.

The target for reducing waste to landfill however was not.

A full summary of the action plan from the last WMMP and how fully this was completed is included in the Waste Assessment.

Matters For Consultation

Matters discussed with Councillors for consultation include:

- Alternative ways to collect rubbish at the kerbside to address issues like dog strike and littering, such as wheelie bins (noting there would be additional cost)
• Alternative ways to collect recycling at the kerbside to provide sufficient capacity, such as more 45L recycling crates or wheelie bins (particularly while there is a charge for recycling at the Opotiki RRC)
• The potential to introduce a food waste collection, diverting more material from landfill and removing smelly material from the kerbside rubbish collection
• Consider options for providing a policy that would provide additional capacity or a subsidy of rubbish user-pays costs in cases of genuine need, such as families with young children or low income households
• Potential to add additional pick up areas to the kerbside collection
• Options to improve management of farm wastes
• Further improvements that could be made to the Opotiki RRC
• Obtaining better data to enable progress to be monitored more closely
• The potential for the aquaculture and associated harbour development to result in new and significant waste streams
• Management of peak season issues

It is proposed that staff do further work on these to develop options and implications and costings for consultation at the Pop up Shop and then for formal consultation.

Several other matters raised in the community survey and workshops are considered operational eg bag distribution process and efficiencies at the RRC and will addressed by staff within current budgets.

SIGNIFICANCE ASSESSMENT AND ENGAGEMENT
Section 50 of the Waste Minimisation Act specifies that the local authority must use the special consultative procedure set out in section 83 of the Local Government Act 2002 and in doing so, notify the waste assessment with the statement of proposal.

Informal consultation will be carried out at the annual pop up shop in late January and formal consultation will be carried out with the Long Term Plan.

The level of engagement is set by law at the level of “Consult”.
CONSIDERATIONS

Financial/budget considerations
Staff will develop costings for the options proposed for consultation.

Policy and planning implications

<table>
<thead>
<tr>
<th>Community Outcomes</th>
<th>How Activity Contributes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development and protection of the natural environment.</td>
<td>Complete collection and disposal of solid waste ensures surrounding environment remains unchanged.</td>
</tr>
<tr>
<td>Services and facilities meet our needs.</td>
<td>The services and facilities meet the needs of the district.</td>
</tr>
<tr>
<td>Fair and efficient leadership.</td>
<td>Activity is prudently managed, policies reviewed and updated as and when necessary.</td>
</tr>
<tr>
<td>Purposeful work and learning opportunities</td>
<td>Waste Minimisation education is provided through specific programmes in schools throughout the district. The management of waste supports jobs.</td>
</tr>
<tr>
<td>Development supports the community</td>
<td>Support and service is provided based on community needs</td>
</tr>
</tbody>
</table>

Risks
There are no major risks associated with the decisions or matters.

Authority
Council has the authority to adopt the draft plan for consultation.

CONCLUSION
Council has made good progress following some well-considered decisions in 1998. It is now appropriate, and required by law to review its practices.

RECOMMENDATIONS:
1. That the report titled “Draft Waste Management and Minimisation Plan” be received.
2. That Council adopt the Waste Assessment report.

4. That staff develop specific consultation proposals and options for the Pop-up shop, and bring these back to Council for adoption along with the draft LTP.

Aileen Lawrie

CHIEF EXECUTIVE OFFICER
REPORT

Date : 13 November 2017

To : Council workshop – 27 November 2017

From : Business Innovation and Communications Advisor, Tracey Dale

Subject : SOLID WASTE ACTIVITY REVIEW – FINAL RESULTS OF COMMUNITY FEEDBACK

File ID : A125321

SUMMARY

To present to Councillors the final results of community feedback received as part of the Solid Waste Activity Review planning process.

BACKGROUND

As part of the planning process for the upcoming Solid Waste Activity Review Council sought feedback from the community to assist with planning.

Advertising was placed on the Ōpōtiki District Council (ODC) website, the ODC Facebook page and in the October issue of Council’s Panui Newsletter.
The feedback period ran from 11 to 31 October 2017. Feedback was received by online form (44 responses), email (8 responses), Facebook comments (22 responses) and physical forms (23 responses) which were placed at the Ōpōtiki i-SITE, Ōpōtiki District Library, ODC office at 108 St John Street and at each of the three Resource Recovery Centres.

RESULTS

The period for receiving feedback was very short, but by using engaging advertising, online feedback options and social media channels we received 97 responses in total.

We asked the community to tell us what they thought about the way rubbish is dealt with in Ōpōtiki and to tell us what they liked, wanted changed, wanted done better, wanted added, thrown out or what they just couldn’t live without. We also asked for any ideas and it is great to see that much of the feedback included suggestions for improvements or change.

Some common themes emerged with most relating to the urban rubbish collection, the small size of the current black bags, lack of bins in commonly used public spaces and having to pay to recycle at our RRC’s. Included below are graphs showing the most common dislikes and the most common requests or suggestions and then a list of the verbatim comments received.

When looking at the main dislikes you can see that the size of our current rubbish bags appears to be the main concern for residents. But... if you combine all the different types of comments that relate in some way to the cleanliness of Ōpōtiki this actually becomes the main dislike or area of concern for our respondents.
32 dislikes relate to the cleanliness of Opotiki

- Fly-tipping/Broken glass at beaches or in parks/reserves
- Animals getting in the plastic rubbish bags
- Messy town on rubbish day
- No bins at beaches or parks/reserves
- Rubbish from freedom campers
- Dirty streets
The main suggestions include bins in various different configurations for the urban collection, bins at beaches, reserves or tourist hot spots (there was no interest in bins at our parks though).
49 responses on how to keep rubbish from reaching and polluting our environment

- Bins at beaches and or parks/reserves
- More street/reserves cleaning, rubbish pick up
- Inorganic collection - 1 or 2 free per year
- Fly-tipping - higher fines/cameras/signs
- Collection - Contractor takes all rubbish even if not in Council bag
- Freedom Camping/tourists/seasonal workers - enforce rules, plan for impacts
- Compost scheme
Tracey Dale  
**BUSINESS INNOVATION AND COMMUNICATIONS ADVISOR**

**Verbatim responses:**

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<tr>
<th>Main likes / compliments / questions</th>
<th>Main dislikes</th>
<th>Main requests</th>
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<tbody>
<tr>
<td>Isn’t it funny that a lot of us in this town can’t fit our weekly Rubbish into one of these tiny bags? And yet we get 52 free per year and they gone within weeks of getting them. Opotiki Council need to get real and give us family sized Rubbish bags. It’s terrible how they concluded that one shopping bag size is enough? It doesn’t reduce the amount of rubbish in town.</td>
<td>Bags are too small</td>
<td>Animals in rubbish</td>
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<tr>
<td>We need bins 1 for recycles 1 for rubbish per household that wud end the dog problem in town ripping into plastic bags...the struggle is real trying to squeeze crap into those midget council bags grrr</td>
<td>Bags are too small</td>
<td>Animals in rubbish</td>
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<td>I agree too I have four kids bout to be five and two are still in nappies plus I have family over every week my house can be completely full and these rubbish bags a ridiculous</td>
<td>Bags are too small</td>
<td>Animals in rubbish</td>
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<tr>
<td>Residential rubbish - We should have wheely bins, because of how many roaming dogs we have you can’t put the rubbish out the night before and those tiny bags are ridiculous. I also think that wheely bins would reduce the amount of rubbish dumped in public places and over our front fence into our garden! We should have them for recycling, refuse and green waste. It should not be up to us to sort our own recycling when it could be someone’s job and give employment to someone in need of a job in our community. This would also take away the need to have to use plastics bags to sort our recycling. As for out in our community, we need more bins in public areas, we need the council to be more proactive in making sure our public areas are clean because people say our community looks run down. There is so much broken glass on the footpaths that never gets cleaned up, in one year I had to replace two tyres on my buggy because of this. There is nothing working about our current system of getting rubbish to the dump, however, the dump is good. Opotiki is the only place iv lived in in NZ where you have to pay to recycle! This is ridiculous, no wonder there is rubbish up most of the streets &amp; all over the beautiful beaches. Even in the king country in a small town there is no charge. Also the size of the rubbish bags...these are tiny, why not have a standard size bag? Why not consider what they have in Christchurch where every house has 3 bins, 1 rubbish, 1 recycling &amp; 1 for greenwaste/food scraps.</td>
<td>Main likes / compliments / questions</td>
<td>Main dislikes</td>
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<td>RRC is good</td>
<td>Animals in bags</td>
<td>Bags too small</td>
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<td>Paying to recycle at RRCs</td>
<td>Bags too small</td>
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<td>Paying to recycle at RRCs</td>
<td>Bags too small</td>
<td>Free recyclables at RRC</td>
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Firstly, I only have good things to say about your frontline staff. The people at the resource recovery centre are friendly and helpful, and the rubbish collectors are top people and great at their jobs. The downside to rubbish in Opotiki is that these seem to be the only people employed to do rubbish. I think the zero waste policy, although full of good intentions, and cheap to implement, leaves our town looking like a sad mess. Unfortunately, some people just don’t care, and it only takes one or two of these people a week to visit the river and biff rubbish out their car windows or entire trailer loads of household rubbish. Sadly, all of this is just left there because no one reports it and the pollution and damage to the environment and life of the river must be horrendous. And children play in the river, and people catch whitebait and eat from that river.

I also wish someone would sweep the streets. Again, the problem comes down to one or two irresponsible people, but glass bottles broken by one person who doesn’t care affects everyone who uses the footpath. The mess is just left there and our footpaths are not friendly for families with very young and the elderly. Wouldn’t the council rather make attempts at making this town a more attractive place to live? A small investment with long term benefits?

Lastly, a plea for wheelie bins. Plastic bags are so wasteful, and as the world becomes more aware of the immense damage plastic bags do to the environment, I would like to see the council do its part- no more plastic bags for rubbish and no more for plastic bags for sorting recycling. At the moment it feels like we aren’t to be trusted with wheelie bins, unlike our richer and more successful big brother- Whakatane. Can we not be treated like any other civilised small town in NZ? Stop being reactive and be proactive. It is a small investment with long term benefits, not just for the town but for the environment. At the moment, the current policy looks like- if the people don’t care then neither do we.

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<tr>
<td>Likes the staff at the RRC</td>
<td>Fly-tipping</td>
<td>Wheelie bins</td>
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<td>Dirty streets</td>
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<td>Cleaner streets</td>
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<td>Make investment now for longer term benefit</td>
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<tr>
<td>As I live rurally the collection of rubbish doesn't apply. However I would like to be able to take</td>
<td>Paying to recycle at RRCs</td>
<td>Free recyclables at RRC</td>
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<tr>
<td>my recycling to the resource centre free of charge. Currently I take it to Whakatane where I am</td>
<td>Dumped rubbish at beaches</td>
<td>Bins at beaches</td>
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<td>also a rate payer. It is free to recycle in most communities and I think we should be the same. I</td>
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<td>would also like to see rubbish bins returned to our beaches in the hope that we can reduce dumping</td>
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<td>there.</td>
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<td>I feel for families that have babies our small black bag would be full in two days thus they'll use</td>
<td>Bags are too small</td>
<td>Wheelie bins</td>
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<td>up their quota within a couple of months then have to buy more Wellington visitors thought I was</td>
<td>Fly-tipping</td>
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<td>joking when I showed them our black bag and explained that was for I weeks household rubbish</td>
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<td>PATHETIC no wonder why rubbish is being dumped all over Opotiki Wheelie bins would solve a lot of</td>
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<td>these problems.</td>
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<td>There is no Rubbish bins at the public places, such as the Beaches Parks Rivers etc in Opotiki</td>
<td>No bins at beaches and other</td>
<td>Bins at beaches and other</td>
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<td>an I would like to see something done about this, its disgusting! And maybe this is why there's</td>
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<td>always rubbish lying around. Thankyou</td>
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Hi
Thanks for the opportunity to provide feedback on rubbish.

Where I live, out by Waiotahe beach, the zero rubbish policy simply does not work. There is a considerable amount of rubbish on the road under the pohutukawa trees. One day recently I counted more than forty bits of rubbish as I walked from the parking lot at the first bay along from the Surf Club to the poles. People stop and have a picnic at the table in the bay where the Waikatoto Stream runs out, (about a kilometre west of the Surf Club) and leave their rubbish behind them. If they pull up at the picnic table, then they don’t see the sign saying please take your rubbish with you. Sometimes they leave their rubbish in a bag beside the table, sometimes they simply leave it to blow wherever the wind takes it. (Sometimes, o joy, they take their rubbish with them!)

Glass bottles are an ongoing nuisance. It is a lot easier for us to pick them up while they are still whole, bring them home, and take them in with our recycling, but if there was a rubbish receptacle here, then maybe, just maybe, the original users of the bottles might put them in such a container. Just the other day it took quite a lot of effort to pick up a beer bottle broken into many pieces by a vehicle in the car park. (Yes, it went into our recycling, but we can hardly put it with the other glass things, because it had lots of mud on it by the time we picked it up.) Tracers from longlines often have a hook still attached, and they are a menace. I feel uneasy picking these up, because a hook in your pocket is not a good idea; how do you get it home safely to your rubbish bin? Yet I do pick them up, because they are a real menace to happy feet on the beach.

If there are fires and barbecues on the beach, then nearly always there are cans and bottles left behind. They make for unsafe walking, and once again, it is easier to bring them home and put them in our recycling than leave them to be broken into pieces.

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<tr>
<td>Rubbish at beach</td>
<td>Inefficient rubbish clean up at beach</td>
<td>Bins at beaches</td>
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and cut peoples feet. People do have barbecues/fires on the beach – even though the sign says light no fires. If you choose not to read it, then it is apparently ok to have a fire and leave litter around. (It’s not only young people, often family groups are guilty here.) Some people are careful to douse the fire and cover the ashes. Others leave the embers for a dog to run into the next day, and suffer the consequences.

I know there are a number of people who take a plastic bag when they walk on the beach, and fill it with human litter. Some of them then leave the bag/s beside on of the blue access poles, for the council to pick up. At least they have done half the job. There is a truck/ute whizzes along the road under the trees most mornings. Usually it is going too fast to see any rubbish. Just sometimes, it is driven slowly and carefully, and does a good job. Well done, for those times.

A considerable amount of flotsam drifts onto the beach with the tide. Again, it is usually easier to bring it home and add it to our recycling. Coast care seems to be rather irrelevant here, in terms of maintaining a safe and tidy littoral area. Getting some school children to pick up rubbish once a year is a bit irrelevant, but, I guess, better than nothing.

We know we are blessed to live in such a beautiful place. However, it does irritate that we have to pay to take other people's rubbish to the recycling centre. If there was a rubbish container around, and it was emptied regularly, then I believe people would be more inclined to pick up rubbish around the dunes, road, beach, and under the trees. This week alone, I have picked up and brought home an old jandal, drink cans, and bottles and bits of glass. I know at least one of our neighbours regularly does the same thing. Sometimes there is rubbish that I will NOT bring home – dirty nappies, used toilet paper, and food rubbish. Usually the seagulls attend to the food, but the dirty/used nappies are not nice. With Guy Fawkes approaching, it’s a reminder that last year there was a LOT of debris left behind after people celebrated. Must remember to take a big plastic bag the morning after.
I know that this feedback applies to only one specific area, but it is the area where I live. I think that if there were a few rubbish receptacles, windproof, and thoughtfully placed, as well as regularly emptied, then visitors and locals would be more inclined to put away their own rubbish, and would feel happier picking up other people’s rubbish. I know that rubbish bins are abused, and people put household refuse in them. Maybe it would take only a couple of prosecutions if the people were caught to deter other people from doing that.

Over the summer, people ignore signs and camp under the pohutukawas, or in the car park. An overnight stay I’m prepared to turn a blind eye to, but when a bus (and its many belongings) parked out in the carpark for three days last year, then I tried to contact the council. The phone message said to ring after January the Xth when the council offices reopened, – not much use during the last days of December. What to do? Campers often leave human excreta around, usually under the trees. A rubbish bin would be of little use in this case, but it would be nice to know who to contact to help them on their uncaring and unhealthy way!
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<th>Feedback from 8 residents in our mental health peer support group. Bags are too small. Council not consistent with rubbish collection - sometimes collect New World bags and sometimes don’t. Roadside can get really messy when Council does not pick up rubbish not in official bags. Bins are a good idea. How about 3x bins Green for green waste, one for recycling and one for household waste.</th>
<th>Bags are too small</th>
<th>Messy Opōtiki on rubbish day</th>
<th>Wheelie bins</th>
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<tr>
<td>With New Worlds phasing out the plastic bags will mean we will now longer have anything to put our recyclables in. The official bags we use are too small. What is the possibility of having wheely bins or going back to the big brown paper bags that we use to being allocated. Our area of Richard Street (east end) is regularly having to deal with people people putting out their rubbish in unofficial bags which of course is not been picked up and is left up to us to clean it up. This need to be sorted.</td>
<td>Bags are too small</td>
<td>Messy Opōtiki on rubbish day</td>
<td>Wheelie bins Or brown paper bags</td>
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<td>Personally i think the district rubbish bags are too small. 52 little rubbish bags for a year is ridiculous. One bag per week. That just not realistic especially for a household with kids. I think the little distric bags should just be taken away for good and we should be allowed to put out on rubbish day one of those big black bags you can buy from the New World per household. Or make the distric bags a lot bigger so they are the same sizes at the ones you can buy from the New World.</td>
<td>Bags are too small</td>
<td>Not enough bags</td>
<td>Large black bags</td>
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<td>We find the rubbish dump here way too expensive. We either take our rubbish over to Whakatane or if going to Kawerau take it there as they are the cheapest. You guys are the only ones that charge for recycling</td>
<td>RRC too expensive</td>
<td>Paying to recycle</td>
<td>Free recyclables at RRC</td>
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Thankyou for the opportunity to contribute. My concern is around just how residents will recycle their plastic, glass and paper if they no longer have access to plastic NW bags. I would hate to see refuse left by collectors on the kerbside due to people not recycling correctly or using the appropriate bags. We see this on a rubbish day around town regularly. The dogs then ravage through and ultimately we have rubbish strewn along the road.

Are wheelie bins viable in our town? Cost effective etc? Paying to go to the recycle centre is by far too expensive for those on low income to access also. Some consideration to rubbish bins on beaches/reserves and parks also need to reconsidered.

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<tr>
<td>What will happen when no NW bags for recycling</td>
<td>Animals in bags</td>
<td>Wheelie bins</td>
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<td>RRC too expensive</td>
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<td>Cheaper RRC</td>
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<td>Bins at beaches</td>
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<td>Bins at other rec</td>
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<td>Main likes / compliments / questions</td>
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<td>Main requests</td>
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<tr>
<td>We live in Rotorua and have a bach at Wagner Place and have occasionally been there on the day that the rubbish was collected. We have put out our bag, it was a Rotorua City council Rubbish bag and it was left behind at the mailbox – ie not collected with the other bags. While I understand this was the Opotiki District, I would expect rubbish collection to be just that, especially in view of the no waste policies. As it happens we were there the next day also, so were able to take the bag home with us back to Rotorua, like we normally do. I fear otherwise it would have sat there for the next 4 weeks, awaiting our return.............. Perhaps this is something that can be reviewed with the collection contractor? Otherwise we love it, but I thought to take the opportunity to place some feedback, as recommended in your newsletter.</td>
<td>Contractor takes all rubbish even if not in Council bag</td>
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<td>I think there is a need for education on burning plastic. It appears that a lot of people are not aware that this is a very toxic process and should be avoided. Living in Whanarua Bay I notice this happening a lot. It could also be laziness as it takes a 40 minute return drive to the recycling center to safely deposit plastic refuse.</td>
<td>Burning plastic</td>
<td>Education on burning plastic</td>
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<tr>
<td>Isn’t it about time we had green wheelie bins. I feel quite envious every time we enter Ohope/Whakatane and see the Bins. Opotiki looks disgusting on rubbish days with all its rubbish dumped on the kerb in supermarket bags, etc. What happens when supermarket bags are gone? The bins are also easier for the disabled and elderly to manage. We would be prepared to accept a slight raise in rates to have the service.</td>
<td>Messy Opotiki on rubbish day</td>
<td>Wheelie bins</td>
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<tr>
<td>Definitely provide Popular areas such as parks beaches river swimming holes with refuse options... people need to chose to make the right choice BUT there are ways to encourage this 😊 just my whakaaro...</td>
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<td>Bins at beaches Bins at other rec</td>
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<td>Main likes/compliments/questions</td>
<td>Main dislikes 1</td>
<td>Main requests</td>
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<td>The bags need to be made bigger for lots of reasons... Tauranga have good size bags... big to make ours x 3 black bags</td>
<td>Bags are too small</td>
<td>Bigger bags</td>
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<tr>
<td>We have to remember cuz not all ppl can drive or have cars to go to the tip. Also in some cases...NOT ALL, some ppl struggle to live weekly &amp; may find it hard lookn for that extra $3++ to dump their rubbish. And agreed council need to make bigger bags or give more. I have a large whanau whanui &amp; recycle hardcore as well, but still find 1 bag for a large family is not enough</td>
<td>Bags are too small</td>
<td>Bigger bags</td>
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<tr>
<td>Need two wheelie bins and of cause the recycling bin, per house hold. A small wheelie bin for every day wasted (pick up weekly)and a large one for ONLY green waste eg: grass clippings garden waste,(pick up every week or fortnightly) and the recycling bin, (pick up weekly)</td>
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<td>Big wheelie bin for green waste</td>
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<td>I agree I’m a family of 3 kids all which are on nappies one child only at night but I can easily fill one bag in just nappies a day</td>
<td>Bags are too small</td>
<td>Bigger bags</td>
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<tr>
<td>I think we also should have free non-organic days like other places so maybe at least once or twice a year we can put anything at our gates for council to collect...(or others that may want it) ...eg microwaves,paint,broken tv’s just whatever and then maybe it would stop people dumping this kind of stuff in places, like up the gorge over the bank or the beaches....</td>
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<td>Free inorganic day each year</td>
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<td>Currently I take my recycling to whakatane as I can recycle for free. Recycling should be lucrative enough to receive the recycling items for free it will encourage mor to do this</td>
<td>Paying to recycle at RRCs</td>
<td>Free recyclables at RRC</td>
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<tr>
<td>free recycle bins at refuse gates. some of us only come to town once a week on a set day. every time i come to town refuse centre is closed.</td>
<td>RRC not open 7 days</td>
<td>Free recyclables at RRC gates</td>
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<td>Main likes/compliments/questions</td>
<td>Main dislikes 1</td>
<td>Main requests</td>
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<tr>
<td>Agree with needing wheelie bins, we are a family of 5 and use more than one black council bag a week easily and we recycle a lot also so its hard to make 52 bags last the year</td>
<td>52 bags does not last a year</td>
<td>Wheelie bins</td>
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<tr>
<td>Need to get wheelie bins not a good look on Tuesday's with shopping bags all over the place every other town has them .if it's not in a council bag or wheelie bin it doesn't get picked up</td>
<td>Messy Ōpōtiki on rubbish day</td>
<td>Wheelie bins</td>
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<tr>
<td>Wheelie bins. So much tidier than plastic bags strewn everywhere and it would stop animals ripping into them.</td>
<td>Messy Ōpōtiki on rubbish day</td>
<td>Wheelie bins</td>
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<td>Main dislikes 1</td>
<td>Main requests</td>
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<td>Council needs to start thinking along the lines of 'Environmental Friendliness'. Would be an advantage if every household were issued wheelie bins as in a household refuse bin, large recycle bin for cardboard<em>plastics</em>tins, &amp; large green waste bin as well as a small green recycle bin for glass. With the amount of plastic already in amongst household rubbish, plastic rubbish bags no matter what size is just adding more plastic to the environment. Bins work well, Whakatane is a good example of that. I mean to say there's a lot of large families in Whk averaging between 4 to 8 children &amp; anywhere up to 11 children in some households however those families manage quite well to dispose of all their rubbish using the bins that they've been supplied from the whk council. There's obvious concern amidst you &amp; many others in regards to refuse disposal issues that need to be looked at &amp; addressed by local council. One of their main roles is to make sure the environment is kept clean &amp; safe of health &amp; safety hazards. It's their role as well to guide &amp; encourage householders of effective &amp; efficient ways to recycle &amp; dispose, whereas it's up to the householder to follow the guidelines given. It would be worthwhile for the locals of the Opotiki community to petition &amp; request for bins &amp; an annual inorganic collection day which would eliminate a lot of issues such as stray animals ripping into rubbish bags &amp; scattering a big mess everywhr as well as illegal dumping of household furniture &amp; refuse.</td>
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<td>They need to do wheelie bins</td>
<td>Bags are too small</td>
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<td>That's why half way through the year you find more and more rubbish dumped around the place, beaches, rivers etc. because people have run out</td>
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<td>Where I used to live they were 1.50 but twice as big. Doesn't it actually put MORE plastic into the environment when we all obviously use more than one a week...bit short sighted of council maybe.</td>
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 Wheelie bins

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<tr>
<td>I would like wheelie bins as well. A small incinerator for each house too. I don’t like having to pay waiotahi for our own green waste turned in to compost. Perhaps we could he a community compost scheme which in turn could encourage us to create a community garden?</td>
<td>Paying for compost</td>
<td>Wheelie bins Incinerator Community compost scheme</td>
</tr>
<tr>
<td>Rubbish bins in parks populated by kids and emptied daily. 1 inorganic trailer load per annum/ratepayer. 1x bin at Hukui beach. Lift all trees along Waiotahi beach so that rubbish dumpers can be seen. Main street swept on a more regular basis. Free recycling to rural ratepayers who don’t get rubbish collected.</td>
<td>Bins at beaches and other</td>
<td>1 free inorganic rubbish drop off per year free recycling for rural ratepayers</td>
</tr>
<tr>
<td>Daily collected rubbish bins at parks and beaches. 2 free green waste drop offs per year. 1 free inorganic trailer load drop off per year. Higher fines for fly-tippers</td>
<td>Bins at beaches and other</td>
<td>2x Free green waste at RRC 1 free inorganic rubbish drop off per year Higher fines for fly-tippers</td>
</tr>
<tr>
<td>Bags are too small. Need bins in prime public areas like opposite Whakatūhea next to spark phone box.</td>
<td>Bags are too small</td>
<td>Bigger bags Bins in prime public areas.</td>
</tr>
<tr>
<td>Today I accompanied my daughter to the Rose Garden Playground - it was littered with lots of plastic lollipop sticks. I picked up a small paper bag full looked around for a bin in which to put them - there was none. I did take it home but would’ve preferred to have left them in a bin. A possible solution - have a bin.Also heaps of broken glass in Rose Garden.</td>
<td>Rubbish and broken glass in rose garden</td>
<td>Bin at Rose Garden Clean up glass at Rose Gardens</td>
</tr>
<tr>
<td></td>
<td>Paying to recycle at RRCs</td>
<td>Free recyclables at RRC</td>
</tr>
<tr>
<td>The litter on Ōpōtiki streets and environs is atrocious. Compare Ōpōtiki with Kawerau where litter is constantly picked up by workers on Quads. Why would a new business come to Ōpōtiki when even the main street looks more like the entry to a tip rather than a thriving business centre.</td>
<td>Litter on streets</td>
<td>More street cleaning</td>
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<tr>
<td>Main likes/complaints/questions</td>
<td>Main dislikes</td>
<td>Main requests</td>
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<tr>
<td>I am not a fan of the way our household rubbish is dealt with in Ōpōtiki - neither is my husband Peter. We live just outside and pay our rates. We pay for but do not get a rubbish collection. We then have all the cost and trouble of having to take our rubbish to the RRC and pay again!! This is obviously unfair. We have to pay for fuel to take it there as well.</td>
<td>Staff at RRC are great.</td>
<td>Pick up our rubbish</td>
</tr>
<tr>
<td>Recycling should not be charged for. Someone in Ōpōtiki should be in charge (on behalf of Regional Council) for attending rubbish fires in our district. They happen all the time. It takes too long for someone from Whakatāne etc to come over. I love my kerbside rubbish bin. I'm ok with the size of the rubbish bags.</td>
<td>Loves kerbside recycle bin</td>
<td>Rubbish fires should be attended to quickly</td>
</tr>
<tr>
<td>Please bring in wheelie bins. Big ones for green waste and a smaller black one for rubbish. And another for recyclables. Also need bins at beaches and especially parks. A clothes recycle skip bin in town would be great too😊</td>
<td>Big wheelie bin for all recycling Smaller bin for non-recyclables</td>
<td>Bins at beaches Clothes recycle skip in town</td>
</tr>
<tr>
<td>Instead of using numerous plastic bags for rubbish why not have bins for plastic, cans and bottles and newspapers. Open the dump on all days. Place rubbish bins at parking areas near beaches and check Snells beach regularly as people use that for a dumping ground. There has been a pile of green waste and to the left of that looks like offal, this should be cleared daily or place a camera there and catch and fine people concerned</td>
<td>Wheelie bins Bins at beaches</td>
<td>Open the RRC on all days Camera at worst fly-tipping areas</td>
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<tr>
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<tr>
<td>I'd really like to see wheelies bins. Small for non-recyclable items and large for recycle. All sorting to be done at the recycle centre. And encourage compost bins or even a scheme that gets a compost bin at every house and people taught how to use them. As for town, beach and park bins. There should be a few slots plastic, glass, paper, non recyclable etc. Illegal dumping should be searched and if a name receipt should have to explain or be fined but I think this will reduce with not having to sort rubbish/recycling and having large bins and not bags. I feel also wheelie bins with help with dogs getting into rubbish. Yearly there should also be a non-organic waste day that people can help themselves to which encourages recycling and one as they say one man's rubbish is another man's good.</td>
<td></td>
<td>Big wheelie bin for all recycling Smaller bin for non-recyclables</td>
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<td></td>
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<td>Bins at beaches and other</td>
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<td>Compost scheme</td>
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<td>Non-Organic waste day once a year</td>
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<td><strong>Main likes/compliments/requests</strong></td>
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<td><strong>Main requests</strong></td>
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<tr>
<td>Weekly residential rubbish - consider moving to biodegradable bags now supermarkets are not going to have plastic bags anymore. Everyone would purchase black biodegradable bags for waste and green biodegradable bags for plastic, tin, glass, paper and cardboard, using one bag for each type of material. Buy them from the supermarket. No more freebies. Put out your black bag every week plus, say, one bag of paper, one of plastic one week. Then your black bag and one of paper and cardboard, and one of glass next week. Can put out as many bags as you like as long as they are sorted. May have to still have bin option available for glass for some. May also still have to have people to sort at RRC as will always be those who biff everything into one bag. RRC - love the RRC. Very reasonable tip fees. Well organised facility. Great staff. Illegal dumping - reports received could be factored into weekly rubbish pick ups. Nearest truck picks up. Possibly put collected rubbish aside for identifying documents to be looked at to try to find the dumpers so can be talked to. Bins at beaches and main parks - great idea. Most would be used by out-of-towners who are used to having bins. Might need to add a Monday bin run as expect would fill over weekends. Could supplement with community adopt-a-park or beach group to organise regular beach and park clean-up days, and to report overfull bins, dumping etc. Zero waste policy - retain as far as possible. Video for this review - Professional, engaging, funny, thought-provoking - made us think if Council can put in the effort with marketing we can put in the effort responding. Very cool!</td>
<td>Love the RRC.</td>
<td>Use biodegradable bags purchased from supermarket - black for waste and green for recycling</td>
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<tr>
<td>I would like bins at beaches and parks, and them emptied daily and kept clean</td>
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<tr>
<td>First up the resource recovery centre. PLEASE don’t change it! The staff are great. The setup for sorting recycling at drop-off is great. The charges are fair. The fact that waste products such as timber, concrete and metal are separated out the back and available for public to sort through and take away (therefore recycling and reducing at it’s best) is fantastic and I hope you don’t change that aspect at all. It’s one of the things that sets Opotiki aside from other centres - big thumbs up :-) Secondly the zero-waste policy is not working so well. While ideally people out and about should take their rubbish with them, many don’t. That means us volunteers have to pick up the rubbish, include it with ours and pay to dump it at Opotiki. ‘Zero waste’ translates to use volunteers to do council responsibilities. I think you should install rubbish bins at key points - the pipi beds, Ohiwa boat ramp, Hukuwai for example. Choose the design carefully so that hopefully rubbish can’t blow out of them. And they must be emptied regularly, not installed and left. As part of this, the freedom camping rules should be enforced - it may be that at least some of the freedom campers contribute to the rubbish in these areas. Freedom campers are camping outside of the regulated areas constantly during the season with no effective enforcement happening. They are often not self-contained and are just freeloading on the district. Wherever there’s freedom camping going on, there is a lot of rubbish around, including toilet waste, which is not acceptable. Thanks - especially to the resource recovery centre. Please pass on our thumbs up to them :-)</td>
<td>Love the RRC</td>
<td>Rubbish from freedom campers</td>
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<td>could we possibly get more or bigger or more rubbish bags possibly stickers that can be used on bigger bags. for nappies?? and i think green waste should be free. also recycle buns at parks and beaches maybe? and more education programs teaching the children about recycling</td>
<td></td>
<td>Bigger bags</td>
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<tr>
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<tr>
<td>I am aware of the zero waste policy, but in my opinion it simply isn’t working. The main beach access points are horrific. The amount of broken glass is frightening. I know you don’t want to promote drinking on the beach, but it is going to be very hard to stop. Could there not be specific bottle bins only at the beach car park. Make the holes too small to fit anything but bottles and cans. It would at least stop the vast majority of broken glass littered all over the sand dunes. I’d like to also know when there is a plan to include the Tirohanga region in any recycling collections. We pay high rates and don’t really feel we get a heck o a lot for our money out there.</td>
<td>Broken glass at beaches</td>
<td>Bottle bins at beach carparks</td>
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<td>We need bigger rubbish bags please, I also think having an inorganic rubbish collection twice a year would be beneficial to stop people dumping old tvs, microwaves, old fridges etc on road sides and rivers.</td>
<td></td>
<td>Bigger bags</td>
</tr>
<tr>
<td>More jobs for picking up rubbish for those on the benefit that are trying to find jobs. Will keep people from getting lazy and using winz as an excuse to stay home. Will help people find jobs faster as they will have a reference. They will learn what working for your money can give you and teach you</td>
<td></td>
<td>Create jobs by getting more workers picking up rubbish</td>
</tr>
<tr>
<td>I no plenty of people at high school that just thought “stuff this I aint working, why work when I can go on the benefit and get paid to stay home and do nothing”. They should be trying to prove them self’s not writing fake emails and addresses for jobs they apparently applied for, when in reality “they never did”. keep New Zealand cleaner And safer for our animals and beaches.</td>
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<td>Perhaps a voucher, issued with the black bags, entitling every household to a number of free deliveries of non-recyclable items to the centre? This might cut down on the dumping of waste on river banks, dunes etc. Perhaps mini recycling bins at key places such as Hukuwai freedom camping site?</td>
<td>Free recyclables at RRC</td>
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<tr>
<td>Free recyclables at RRC</td>
<td>More bins for recycling</td>
<td>Stop using black bags</td>
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<tr>
<td>Stop using black bags</td>
<td>Free green waste at RRC</td>
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<tr>
<td>More bins for recycling</td>
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<tr>
<td>Wheelie bins</td>
<td>Or bigger bags</td>
<td>Sell bags at supermarket</td>
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<tr>
<td>Wheelie bins Or bigger bags Sell bags at supermarket</td>
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<td>Closed lane at RRC</td>
<td>Reopen closed lane at RRC</td>
<td>or more staff to help ease congestion</td>
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<tr>
<td>Reopen closed lane at RRC</td>
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<tr>
<td>It was just fine before! Not sustainable as it is. Suggest either a redesign of the system or more staff to unload the cars and do the sorting to avoid unreasonable hold ups - or just re-open the closed lane.</td>
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</table>
I have recently moved to Opotiki, and was very impressed with the focus on recycling. However, I was surprised to learn that people are encouraged to place their recycling items into plastic bags. This must also act as an incentive for people to get plastic bags from supermarkets instead of using re-usable bags at the supermarket, so that households have enough plastic bags for this process. I did notice a liberal use of plastic bags at the local New World. Since being told off for not separating items into plastic bags I discovered a way around. I now separate items into small cardboard boxes, and put these out when full. Not every household would have enough room to do this, or the means to gather cardboard boxes. In other towns and cities, recycling is placed in wheely bins and then later separated at the recycling plant. It would be great if the Opotiki Council could find another way to help facilitate household recycling without the need to use plastic bags.

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<tr>
<th>Main likes/compliments/questions</th>
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<tbody>
<tr>
<td>Plastic bags for recycling</td>
<td>Wheele bins for recycling</td>
<td>Recycling sorted at the RRC</td>
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<td><strong>Main likes/compliments/requests</strong></td>
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<tr>
<td>I would really appreciate (just like most of the town I imagine) one big bin that is for recycling only and then continue with the one bag for non recycled items (nappies etc). That will be kept in the bin (alternative is that you provide a big and small bins)</td>
<td>Volume of sorted rubbish</td>
<td>Big wheelie bin for all recycling</td>
</tr>
<tr>
<td>I am aware that this initially will cost as you will have to get a different rubbish truck and bins, but you will still need sorters so the employees who would normally make the rubbish run may be moved to the other end and help sort the recycling (as all recycling will now be in one bin).</td>
<td></td>
<td>Smaller bin for non-recyclables</td>
</tr>
<tr>
<td>I am unsure of the logistics of who own the bins .. my suggestion is that they will be owned by council and if you brake/loose one then the rate payer for that property is responsible for replacing it. (As a home owner Im sure you can list it in as a chattel and therefore part of the bond)</td>
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<tr>
<td>I really like how much of our rubbish is sorted properly here in Opotiki and I hope that this will continue. Thank you for acknowledging that the current system will be difficult to manage with new world going bag free.</td>
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<tr>
<td>BIGGER COUNCIL REFUSE BAGS(or large blacksaks/wheelie bin)- the standard bags are too small for our household of three and thats after recycling and reusing. It's cheaper for us to take the larger blacksaks of rubbish to the dump but inconvenient to travel constantly to dump.</td>
<td>Bags are too small</td>
<td>Bigger bags</td>
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<td></td>
<td></td>
<td>Wheelie bins</td>
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<tr>
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<tr>
<td>The current system is ridiculous. Dogs come and Rip up the rubbish bags and we out there cleaning it up over and over. The bags are too small for the average famiky. The average famiky uses 2-5 small bags a week. Given they are distributed at an allowance of 1 per week and after just having them sent out for the year the average famiky is almost through their lot. Then What? You have to pay $3 a bag to dump a black sack at the dump? This is a low economic toen. Some people cannot afford that and some don’t have cars the transport. Time to get real. I think this needs an urgent review with consideration to bigger bags or bins. Recycling bins are a must. Bagging in plastic bags means more plastic waste in the environment. At least give us large black sacks and recycling bins</td>
<td>Animals in rubbish</td>
<td>Bags are too small</td>
</tr>
<tr>
<td>Disposing of recyclable material should be free.</td>
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<tr>
<td>The existing kerbside collection could be improved with each household being given a small wheelie bin for waste destined for landfill collected fortnightly. Separate boxes with lids for recycling glass, cardboard, plastic and food waste should be provided which are collected weekly. Rather than disposing waste to landfill sites it should be sent to a waste to energy transfer stations and burnt to generate electricity. With the likely harbour development on the horizon consideration should be given to transporting waste by boat to improve the carbon footprint and reduce the number of trucks on our roads.</td>
<td></td>
<td>Recycling bins</td>
</tr>
<tr>
<td>I really think we need bigger rubbish bags because the very small ones we have at present are terrible and can only fit one days worth of rubbish in.</td>
<td>Bags are too small</td>
<td>Bigger bags</td>
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Free recyclables at RRC

Wheelie bins and boxes

Waste to energy conversion

Transport waste by boat to reduce carbon footprint
<table>
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<th>Main likes/complements/questions</th>
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<tr>
<td>Your rubbish bags are ridiculously waaaaay too small they need to be bigger. You need to have a bigger option along with the smaller bags for bigger families. We are a family of 6 and we use 3-4 bags a week having a baby in nappies shes fills 1 herself a week. We recycle sooo much during the week but yet still using a few bags. We need bags as big as the black bags u can buy in supermarket for us big families and we arent the only ones theres mire out there. Bigger bags will stop people dumping rubbish who run out of bags and cannot afford to buy more. In theory smaller bags but more being put out isnt helping the environment its making more rubbish and plastic by people putting out more bags a week. Think of it make bags bigger to fit one weeks rubbish in it itl end up being 1-2 bags a week instead of 3-4 per big household. Something needs to be done coz the size it is now is ridiculous</td>
<td>Bags are too small</td>
<td>Bigger bags</td>
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<tr>
<td>I think Opotiki has done a great job with the introduction of residents sorting their recyclables out. I would like to see alot more rubbish bins in the town centre and especially at our beaches</td>
<td>Council doing a good job getting folk to recycle</td>
<td>bins at beaches</td>
</tr>
<tr>
<td>There needs to be more bins placed through out public spaces. It is unacceptable to liter but if you haven't noticed the streams by the river are full of rubbish. Be nice for tourists to have the privilege in this town to be able to dispose of their rubbish in an appropriate manner.</td>
<td>fly-tipping</td>
<td>Bins at beaches and other</td>
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<tr>
<td>You need to put rubbish bins at least in the main rest areas Pipi Beds - Waiotahe Beach (both totem pole area and surf club) and Hukuwai Beach if not full time at least over the summer period November - February the current no rubbish policy is a joke. You are currently placing the upcoming tourist trade and the image of Opotiki at serve risk. Do not penalize the traveling public because you can not control or educate a small portion of the locals. The bins need to have a bar over the top to limit the opening gap of the lid. You are currently paying contractors to clean the toilets and pick up rubbish within these areas so emptying bins on a daily basis should not incur any great increase costs.</td>
<td>No bins at beaches and other</td>
<td>Bins at beaches and other</td>
</tr>
<tr>
<td>I think the recycle centre is very well run. I am concerned about the curb side collection when New world plastic bags are no longer in use as these are acceptable by the council at present. Perhaps we will require another bin for all paper and plastics, this bin would need to be bigger than the current one. Bottles and cans in one bin and paper, plastic in the other</td>
<td>RRC is well run</td>
<td>Bins for recyclables</td>
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<tr>
<td>Wouldnt like to see wheelie bins as they totally discourage segregation of recyclables. They are a large ‘catchall’ which is exactly how they work in the areas they exist in and would be a step back from the current progress. I have separate bins for all my recyclables, I collect all fruit, vege scraps and dig into my garden which is a choice I make. Perhaps you could also create a competition to award to the best most easily implemented improvement ideas to encourage people to submit creative ideas for projects or whatever to aid the cause. One significant factor which needs to go into the mix is the significant number of Overseas people now always living in opotiki and contribute significantly to the generation of the rubbish. I mention them because I know first hand how difficult it is to get some ethnicities in particular to own minimising their contributions as it isn't important in their own countries...this is first hand knowledge as opposed to destructive hypothesis and have to insist with some of my guests on behaviour around recycling...important for us all to consider in being responsible about recycling.</td>
<td>Consider impact of tourists and seasonal workers in planning</td>
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<tr>
<td>Hi, I think there should be something for people who live out of town. We are in Ohiwa so we don't get rubbish collection, but still pay the rates. Can't we have free drop off at the transfer station with proof of address?</td>
<td>Nothing for those out of town</td>
<td>Free drop off at RRCs</td>
</tr>
<tr>
<td>The Opotiki recycling centre is ace. Please keep it as it is. Awesome people. Love the bins for timber, concrete etc. Please don't change that, so many people come in and get stuff, the perfect &quot;reuse resources&quot; scenario. Please continue to stay up to date with what can be recycled — all possible plastics.</td>
<td>RRC is great do not change</td>
<td>Stay up to date with what plastics can be recycled</td>
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<tr>
<td>Supermarkets discontinuing the supply of plastic bags will not necessarily mean less plastic bags filled with rubbish on the streets. People will still either buy or use bags being provided by other retailers or they will throw rubbish into cardboard boxes which will get wet spilling refuse on the roadside. Provide the means for us to help our environment and I think you will find most of us will comply.</td>
<td></td>
<td>Ways to recycle without using plastic bags</td>
</tr>
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<td>I think the black bags should be changed to bins because people who get their rubbish picked up early in the morning cannot put their rubbish out at night they have to get up early because the animals will attack the rubbish if it is put out at night</td>
<td>Animals in bags</td>
<td>Wheelie bins</td>
</tr>
<tr>
<td>WHEELIE BINS!!! Plastic bags of any kind are ridiculous and shows we are not thinking about the future. Rubbish and recycling wheelie bins are the answer</td>
<td>Plastic bags</td>
<td>Wheelie bins</td>
</tr>
<tr>
<td>Why can’t we have wheelie bins for all the different things eg paper cardboard etc and one week we put out paper cans next week we put out other But also have the addresses stamped onto the bins so no one can take them as the guys picking up will see that the bins don’t belong to that house</td>
<td></td>
<td>Wheelie bins</td>
</tr>
<tr>
<td>Do our bit and get rid of the plastic bags and bring in reusable Wheelie bins. I’m happy to continue to bring my own rubbish back from our beaches and parks.</td>
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<td>Wheelie bins</td>
</tr>
<tr>
<td>Excellent staff great for customers</td>
<td>Good staff at RRC</td>
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<tr>
<td>The collectors of the rubbish also need to be more responsible when throwing stuff on the truck, at times they miss and rubbish then goes on road and is not picked up, only to be blown around or glass lies in gutter. People need to learn to recycle properly but it is education that needs to be thrashed out. Teach the children and hopefully they then can educate the parents???? I see people want wheelie bins, we already have a small black bin, perhaps as other centres have, two more bins same size as black one different colour, one for plastic, one for glass and black for cardboard and paper promotional stuff.</td>
<td>Rubbish contractor not careful</td>
<td>Educate on recycling</td>
</tr>
<tr>
<td>I remember a while back I had carefully saved up all our old batteries and delivered them to the RRC, only to have them all thrown in to general rubbish, which I am sure is not part of your waste management policy. It is really bad if these batteries are going to landfill. I would like to suggest the RRC have an obvious dump container for visitors to drop off batteries, so they can be dealt with appropriately.</td>
<td>Batteries going to landfill</td>
<td>Battery collection at RRC</td>
</tr>
<tr>
<td>Our recycled rubbish (Paerata Ridge) requires placing separated items (paper, glass, plastic, tins) into plastic rubbish bags and placing those bags into a black plastic bin. The two main supermarkets are ending use of plastic bags (by end of 2018?). I suggest Council provides two internal plastic dividers for the black bin, which can be adjusted to fit the differing amounts of the 4 recyclable items. These items can then be put in without plastic bags, but easy for the collectors to deal with.</td>
<td></td>
<td>Recycle bins with separate compartments</td>
</tr>
<tr>
<td>We need more of an incentive to recycle and be more sustainable and sort our rubbish. The cost to visit the recycle centre is too much. Monitor curbside waste - Ōpōtiki black plastic bags and recycle bins only - some people are putting out much more. To cut down curb side sorting costs - have you thought about having one day a month for paper, 2nd week cans and tins, third week plastic etc. It’s all sorted for you then.</td>
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<tr>
<td>I would like to get rid of the black rubbish bags and replace with large lidded rubbish bins and fortnightly pick ups. Would also like a smaller bin - same make as above and also do fortnightly collects. In our cul de sac we could share these larger bins and possibly do weekly collects if bins shared.</td>
<td>Bins not bags</td>
<td>Smaller bins</td>
</tr>
<tr>
<td>You should provide a green waste bin</td>
<td>Green waste bin</td>
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<tr>
<td>What was the purpose of making a one lane entry into the recycle/rubbish tip. After years of efficiency suddenly things change. The queues of vehicles at busy times makes for angry users and staff op it (frustrations). As a consequence one of the best (Dinny) has decided to leave - she has been excellent at her job. Remember, each time we use the facility we the citizens have to pay. With no bin for lawnmower clippings and weekeding this necessitates several trips a year (30-40) which is quite costly. So give us service for our money please! Two lanes as it used to be. As an avid walker I am amazed and disgusted by the number of empty beer bottles/cans (some bottles smashed) that litter our paths and walkways. Unfortunately we have morons who deliberately toss their rubbish onto our streets, and they do this regularly with disdain. There used to be a vehicle that went around the streets daily, to pick up this rubbish but I haven’t seen it for some time. Before someone gets injured by the smashed glass, I hope this service restarts, as it is needed. Better still, it is hoped the culprits responsible for defacing the town, are caught and punished. Okay I know the money factor will be used as an excuse but these basic things are just as important to us as the Harbour, Library etc, and as pensioners, the rates are crippling. For what it is worth this is my (any many others who agree), rubbish feedback. A positive response would be appreciated. Yours etc Reg W Taia.</td>
<td>Single lane at RRC</td>
<td>Lack of street cleaning</td>
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</table>
I would like to share some details of yesterday’s Clean-up Day with you as councillor. This was the second Envirohub clean-up day organised this year and an even greater success than the first one in March. More than 60 people turned out to collect rubbish from around Ohiwa Harbour (Ruatauna RD, Ohiwa Loop Rd, Kutarere wharf and stopbank), the Waioweka River in the Waioweka gorge and alongside Opape stream. Thanks to KG Kayaks generously providing the kayaks a group of six also went to clear rubbish from the islands in the southeastern Ohiwa Harbour. Many bags and trailer loads of rubbish were lifted from these sites.

Many of the volunteers got together for a sausage sizzle in John Burdett Park in Opotiki afterwards. At the park there was not only a sausage for everyone but also information on recycling as well as a stall from the Boomerang Bags Opotiki project showing how anyone can make a difference by using reusable shopping bags rather than plastic ones.

At the park, volunteers shared their concern and disgust of the huge amounts of rubbish they had found at all three locations and being unable to clear everything from Opape stream and Waioweka sites as these appear to have been used as dumping grounds for whiteware, household rubbish, nappies and glass bottles for many years. A number of volunteers asked for the council skip bins to be reinstated or an alternative system to be put in place that makes recycling easier for people and frees up their funds to dispose of rubbish adequately, especially from rural areas. Making the disposal of recycled materials free of charge at the dump was one of the ideas put forward. Many voiced their concern that the current ODC waste management policy did not work and that it would be way better to have household rubbish dumped in public bins than into nature. It was also suggested to educate people about recycling, e.g. by having three compartments for the town rubbish bins for recycling and general rubbish. Some also thought that 'No dumping of rubbish' signs needed to be installed at the hot spots such as

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<td>Fly-tipping</td>
<td>Paying to recycle at RRCs</td>
</tr>
</tbody>
</table>
Opape Stream that would also inform people that they will get fined.
As Opotiki District Council is currently reviewing its waste management strategy I trust that these voices are heard. Also, it would be great if the Council could provide the logistics for removing rubbish from the Opape stream which is located on a steep bank and requires the help of the right technical equipment. This is a great opportunity to take up on the community’s desire to do something about this and stop the illegal dumping of rubbish.

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<tr>
<td>Bryans Beach residents as part of their rates pay for a rubbish and recycle collection we do not get. Everything has to be brought into town at our cost and then we pay again. This is clearly very unfair. If a rubbish collection is not a viable option may I suggest a compromise of say 26 free designated bags per annum, per household. These bags plus anything recyclable would not incur a charge at the dump. This at least would be a slightly more equitable system.</td>
<td>Paying twice to get rid of rubbish</td>
<td>Council rubbish bags</td>
</tr>
<tr>
<td>Not enough black bags issued out to public. More rubbish bins at our beaches, entertainment places. Lower cost for rubbish dump.</td>
<td>More bags</td>
<td>bins at beaches and other</td>
</tr>
<tr>
<td>Would like to know how to separate rubbish for recycling without the use of plastic bags</td>
<td>How to recycle without plastic bags?</td>
<td></td>
</tr>
<tr>
<td>The recycling centre is nothing short of incredible. I don't believe there is another in the country to equal it. Sadly not everyone is into recycling. I wonder if putting up the price of processing the black rubbish bags would encourage people to recycle, where possible, the contents of those bags. Is there a way of showing the cost efficiency of that recycling against the cost of the change for processing those bags. Keep up the great work you are doing.</td>
<td>Recycling centre is the best in NZ</td>
<td>Increase cost to process black rubbish bags</td>
</tr>
<tr>
<td>If the rubbish dump was free people wouldn’t dump rubbish over the banks/beach/parks.</td>
<td></td>
<td>Free RRCs</td>
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<td>Main likes/compliments/questions</td>
<td>Main dislikes 1</td>
<td>Main requests</td>
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<td>----------------------------------</td>
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<td>---------------</td>
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<tr>
<td>Is concerned that New World are thinking of getting rid of their plastic bags and was wondering how she’s going to recycle? She thinks the rubbish/recycling system that we have in place is great.</td>
<td>Information on how to recycle without plastic bags.</td>
<td>Information on how to recycle without plastic bags.</td>
</tr>
<tr>
<td>Waiōtahe Drifts - the black bags are too small. Encourages people to dump the rest of their waste around our community, our beach, our dunes, our bridge into Opo. All continually littered with nappies bottles etc. Green waste - why is there not green waste collection?</td>
<td>Bags too small</td>
<td>Bigger bag</td>
</tr>
<tr>
<td>1/ Encourage selective recycling separate recyclable items, don’t put them into black bags. 2/ How much of our recyclables are recycled - maybe it should be more. 3/ I would like to see wheelie bins used for our weekly collects to stop bags being torn by dogs and rubbish scattered. 4/ At holiday times I would like to see rubbish bins on our popular beaches. I’ve been on rubbish pickups on beaches and the amount of rubbish is disgraceful. 5/ Tougher penalties for littering and illegal dumping of rubbish. 6/ Maybe have talks in schools about the importance of recycling and how wrong it is to dump rubbish.</td>
<td>Fly-tipping</td>
<td>Dirty Opōtiki on rubbish day</td>
</tr>
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<td>Main likes/compliments/questsions</td>
<td>Main dislikes 1</td>
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| I live in a rural area. I keep our recycled rubbish on hand until it’s convenient for me to take a car-load to the Resource Recovery Centre. Even tho I have a notice on our woodshed door to remind me, I still occasionally get caught out by taking it in to town on a Tuesday or Wednesday. I grizzle (loudly), but take it back home again (as it’s my fault for not reading my own notice!) until my next trip to town. However, folk from a long, long way out of town probably absent-mindedly do the same thing, but have the need to fill their car with bulk groceries on their return journey. What do they do? Probably find some isolated corner and dump it, just to empty their vehicle?? Also, I suspect the $$$ charge for already-sorted rubbish puts off a lot of people, on principle. And - you may get a laugh over the attached poem I wrote years ago, annoyed at the dumping that happens in secluded rural corners...
| Fly-tipping | RRC open 7 days | Cheaper RRC Education |
| Taking A Dump

Long ago, 
Granddad’s little girl
helped
take-away
rubbish to The Dump;
Fascinating!
A free
smelly
collective litter site
for the local’s
throw-aways.

Today’s modern clean
Refuse Centre
sorts it now -
for a tidy fee.
| Bottles here  
| Cardboard there  
| Plastic everywhere.  
| Refuse to pay?  
| Today  
| other kiddie’s Granddads  
| tip refuse…  
| to spill down a hill  
| to slash down a slope;  
| a layby litter sight  
| Environmental blight.  
| What does that teach  
| their young grandkids  
| when they don’t care  
| about taking a dump  
| in paradise? |
First thought..... I think the current pick up system is great but many people using supermarket plastic bags to put their recyclables in – perhaps a drive to encourage people to use cardboard boxes instead (returned to them) rather than the plastic box supplied by council – not everyone still has this – mine was stolen for eg – our local supermarket could perhaps provide the boxes and promote this. Not a fan of the wheelie bin suggestion - costs involved in a new system which isn't really needed. Also is recycling and composting and stuff like that promoted in schools? My niece who lives in Tauranga says they do it there but not sure of the Opotiki situation. I think it is vital to get to the mentality of people earlier in life rather later. Encouragement of young parents to get involved in this as well - it could be introduced as a project where they also have to visit the resource recovery centre - or a competition - as well as encouraging recycling on the school grounds and yes including composting. These ideas to address illegal dumping. How about a fee free dumping day annual and allocated street by street so that it runs all year round but each street only gets it once per year. Or fee free for WINZ and community card holders. Go back to putting skip bins in outlying areas such as Ohiwa and Kutarere for removal monthly I am told since these were removed rubbish is just being dumped in nature. I think the thing with illegal dumping is that if we dont address it now we will have a bigger mess to clean up in the future. If night vision cameras needed for anywhere, perhaps problem spots, my sisters used this one when she was monitoring wildlife around her home cost not too high

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<th>Main requests</th>
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<tr>
<td>Likes current pick up system</td>
<td>Recyclables in plastic bags</td>
<td>Recyclables in cardboard boxes</td>
</tr>
<tr>
<td>Cost of wheelie bins</td>
<td>Education</td>
<td>Free dumping day at RRC</td>
</tr>
<tr>
<td>Education</td>
<td>Skip bins/cameras in fly-tipping hotspots.</td>
<td></td>
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Executive Summary
Part A: The Strategy

**Add image**
1.0 Introduction

This Waste Management and Minimisation Plan (WMMP) sets out Opotiki District Council’s plans for managing waste in our community. It has been prepared in accordance with the requirements of the Waste Minimisation Act 2008 (WMA).

1.1 What happens with our waste?

Opotiki district sent just over 1,700 tonnes of waste to landfill in 2016. There were also large amounts of waste sent to cleanfill, and a significant but unknown quantity of waste disposed of within farms. This waste is likely to include a quantity of material that, if separated, could be recycled or composted. Rubbish collected at the kerbside contains around a third of food waste – which could be separated and treated locally to create a beneficial product.

There are around 2,000 tonnes of material diverted from landfill through recycling or recovery, either through the Opotiki District Council (Council) collections and resource recovery centres, or through private operations.

1.2 What is waste and why is it a problem?

Most of the things we do, buy and consume generates some form of waste. This not only costs money when we have to throw things away but, if we don’t manage it properly, it can cause problems with the environment and with people’s health.

In this WMMP, terms like ‘rubbish’, ‘recycling’, and ‘waste’ will be used that may not be familiar to you or may mean something different to the way they are used here. Definitions are provided at the end of this draft WMMP in Appendix A.1.0.

The Waste Minimisation Act defines waste as:

“material that has no further use and is disposed of or discarded”

The Act also describes ‘waste minimisation’ as reducing waste and increasing the reuse, recycling, and recovery of waste and diverted material. ‘Diverted material’ is anything that is no longer required for its original purpose, but still has value through reuse or recycling. For example – your empty drink aluminium can is waste to you, but is worth money to metal recycling companies and so becomes ‘diverted material’ if it is recycled.

Our WMMP covers all solid waste and diverted material in the district, whether it is managed by council or not. This does not necessarily mean that Council is going to have direct involvement in the management of all waste – but there is a responsibility for Council to at least consider all waste in the district, and to suggest areas where other groups, such as businesses or householders, could take action themselves.

Liquid and gaseous wastes are not included except where they interact with solid waste systems. This includes hazardous wastes like chemicals and the outputs from wastewater treatment plants.

1.3 Why do we need a plan?

Managing waste and ensuring good outcomes for the community can be a complex task. We need to look after the environment, take care of people’s health, and make sure that this is done at an acceptable cost to the community. To achieve these outcomes will require all parts of the community to work together.
City and district councils have a statutory role in managing waste. Councils are required under the Waste Minimisation Act 2008 (WMA) to promote effective and efficient waste management and minimisation within their city/district. A key part of doing this is to adopt a Waste Management and Minimisation Plan (WMMP). Councils also have obligations under the Health Act 1956 to ensure that our waste management systems protect public health.

This WMMP sets the priorities and strategic framework for managing waste in our district. Once the plan is adopted, the actions will be carried forward into our long term and annual plans to ensure the resourcing is available to deliver the plan’s goals and objectives.

In line with the requirement of section 50 of the WMA, our WMMP needs to be reviewed at least every six years after its adoption. Councils may elect to review any or all aspects of the Plan at any time prior to this, if they consider circumstances justify such a review.

The previous WMMP was adopted in 2012 and most of the actions contained in the plan have been completed.

1.4 What does the plan have to contain?

The plan must meet requirements set out in the Waste Minimisation Act, including to:

- Consider the ‘Waste Hierarchy’ which sets priorities for how we should manage waste (see figure 1)
- Ensure waste does not create a ‘nuisance’
- ‘Have regard to’ the New Zealand Waste Strategy and other key government policies, which emphasise reducing harm and improving the efficiency of resource use
- Consider the outcomes of the ‘Waste Assessment’ (this is a review of all information that we have about the current waste situation in Opotiki, including rubbish from households and businesses)
- Follow the Special Consultative Procedure set out in the Local Government Act (2002).
1.4.1 The waste hierarchy

The ‘waste hierarchy’ refers to the idea that reducing, reusing, recycling and recovering waste is preferable to disposal (which in New Zealand usually means a landfill). The waste hierarchy can be shown like this:

*Figure 1: The Waste Hierarchy*

![The waste hierarchy diagram]

*Source: www.mfe.govt.nz*
1.5 Other relevant strategies and plans

As well as aligning to Council’s LTP and Annual Plans, the joint WMMP must also support or align with other strategies and plans.

Relevant government policy for local government over the current term and the last two terms (2009 – 2014) has focused on the following areas:

- fiscal responsibility, transparency and accountability;
- efficiency; through service reviews, joint working, and amalgamation;
- sustainable procurement, with a particular focus on innovation and partnership working; and
- economic growth.

Other key strategies related to waste include the New Zealand Waste Strategy which has two goals – to reduce harm, and to improve resource efficiency.

The Bay of Plenty Regional Waste and Resource Efficiency Strategy (2015), and the national New Zealand Waste Strategy (2010).

The Bay of Plenty regional document has a vision of “working together towards a resource-efficient region”. The regional strategy recognises waste as a resource, and includes five goals:

- to protect our communities, land, water and air from harmful and hazardous wastes;
- to encourage resource efficiency and beneficial reuse of wastes that create sustainable economic growth in the region;
- to work together to encourage and support innovative affordable solutions, with a preference for local solutions;
- to reduce waste to landfill; and
- to promote consistent regulation and compliance monitoring requirements.

As active members of the Waikato and Bay of Plenty Waste Liaison Group and the Bay of Plenty Waste Advisory Group, Opotiki District Council will seek to support the regional waste strategy through our waste management and minimisation activities.
1.6 The structure of our plan

This plan is in three parts

**Part A: The Strategy**: This contains the core elements of the strategy including vision, goals, objectives, and targets. It essentially sets out what we are aiming to achieve, and the broad framework for working towards the vision.

**Part B: Action Plan**: The action plan sets out the proposed specific actions to be taken to achieve the goals, objectives, and targets set out in Part A. Part B also sets out how we will monitor and report on our actions and how they will be funded.

**Part C: Supporting Information**: This part contains the background information that has informed the development of our WMMP. Most of this information is contained in the Waste Assessment, which is included in Part C.
2.0 Opotiki’s vision, goals, objectives and targets

This section sets out what we want to try and achieve through our plan. It has been developed after listening to the views of people in our community, considering how we can work best together, and taking into account all of our obligations. Council wants to hear your views on the proposed direction for waste management and minimisation in the Opotiki district.

2.1 Our vision

“Towards Zero Waste”

This vision reflects the aspirations of the Opotiki district community. Opotiki committed to a zero waste approach in 1998, and this has been reflected in the changes and improvements made to services and facilities since this time. Council feels that this is still an appropriate path for the district to follow.

‘Zero Waste’ is an approach and a way of thinking about waste, not a target. One way of thinking about zero waste is ‘Zero Waste – Waste Nothing’ – if there is a way that we can reduce, reuse, or recycle the things we no longer want rather than disposing of them to a landfill, then we should be choosing these options. Other key aspects of zero waste include:

- Council and community working together to have a positive impact on the local economy and the local environment
- Cleaner production – businesses finding better ways to do things, or to make or process products that use less resources and therefore create less waste and other negative impacts on the environment
- Reducing the amount the community as a whole spends on waste management through waste reduction.

The Council and community have already achieved significant results in working towards the vision of zero waste. However the challenge now is to reduce the amount of waste going to landfill further over the period of this WMMP.

2.2 Tangata whenua worldview of waste management

This vision aligns with tangata whenua principles such as kaitiakitanga and mauri, taking an integrated view of the environment and aiming to protect land, air and water from the possible negative impacts resulting from the inappropriate management of waste.

Traditionally, tangata whenua societies produced only organic wastes which could be managed by returning these to the land. In modern times, this is no longer possible due to the increase in volumes and a shift to non-organic and potentially hazardous waste types.

Kaitiakitanga, mauri, and the waste hierarchy are seen as an aligned set of principles that support our vision of minimising the amount of waste we send to landfill.

2.3 Goals and objectives

Our vision will be realised through achieving a set of supporting goals and objectives set out in the table below.

In some areas it makes sense for councils to collaborate to gain efficiencies, share risk and achieve greater outcomes for our communities. Where it aligns and makes sense, Opotiki District
Council will work with other territorial and regional councils, private and community sectors, and central government to achieve shared goals and objectives.

**Goal 1: A community committed to reducing, reusing, and recycling and minimising waste sent to landfill**

<table>
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<tr>
<th>Code</th>
<th>[Council] Objectives (CO)</th>
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<tbody>
<tr>
<td>CO1:</td>
<td>Provide sustainable services that are cost-effective to the community as a whole</td>
</tr>
<tr>
<td>CO2:</td>
<td>Improve collections and facilities so that more material, and a wider range of items, can be diverted from landfill</td>
</tr>
<tr>
<td>CO3:</td>
<td>Prioritise other waste reduction, reuse and recovery &amp; recycling initiatives which align with other council objectives such as social &amp; business development; and environmental protection</td>
</tr>
<tr>
<td>CO4:</td>
<td>Council and community work together where possible to implement projects, to maximise understanding and appreciation of waste management and minimisation, and gain benefit from community knowledge and energy</td>
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<tr>
<td>CO5:</td>
<td>Promote, encourage, and emphasise reduction, reuse and recycling</td>
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**Goal 2: A community that considers, and where appropriate implements, new initiatives and innovative ways to assist in reducing, reusing and recycling wastes**

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<tr>
<td>CO6:</td>
<td>Process and manage wastes locally wherever feasible and cost-effective</td>
</tr>
<tr>
<td>CO7:</td>
<td>Investigate and implement new services, facilities, or other initiatives that will increase the amount of waste reduced, reused, or recycled</td>
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<tr>
<td>CO8:</td>
<td>Council will work closely with commercial entities to identify opportunities to better manage non-household waste streams</td>
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**Goal 3: Minimise environmental harm and protect public health**

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<th>[Council] Objectives (CO)</th>
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<tr>
<td>CO9:</td>
<td>Consider the environmental impact and public health implications of all waste management options and choose those which are cost-effective to the community, while also protecting environmental and public health</td>
</tr>
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</table>
2.4 Targets

Currently there is not a great deal of certainty about the data available regarding waste quantities and types in the district, and therefore it is difficult to set meaningful targets.

Council intend to implement the national waste data framework and work to improve the quality of data held over more waste streams. Once better data is available, Council will undertake further benchmarking and set targets for the remainder of the term of the WMMP on this basis.
3.0 What we have considered

In preparing this WMMP we have taken into account a wide range of considerations including the following:

- Information on the waste we generate and manage in our district
- Projections of how our population and economy might change over time
- Development plans for aquaculture, harbour development and associated activities
- Resident surveys and feedback
- The waste hierarchy
- Public health
- Tangata Whenua worldview on waste
- The potential costs and benefits of different options to manage our waste

The detail of the above information is contained in the Waste Assessment (and other supporting documentation) which is presented in Part C.

We have also taken into account a large number of plans, policies and legislation and their requirements. These include the following:

- The Waste Minimisation Act (WMA) 2008
- The Local Government Act (LGA) 2002
- The Hazardous Substances and New Organisms (HSNO) Act 1996
- The Resource Management Act (RMA) 1991
- The Health Act 1956
- The Health and Safety at Work Act 2015
- Climate Change (Emission Trading) Amendment Act 2008
- The New Zealand Waste Strategy (NZWS)
- Regional Policy Statement for the Bay of Plenty Region (2015)
- Bay of Plenty Regional Waste and Resource Efficiency Strategy (2013)
- The Council’s Long Term Plan

Further information on the above plans, policies and legislation and how it has been considered in the formulation on this plan is contained in the Waste Assessment.
4.0 The waste situation

4.1 Long term and global considerations

There is increasing awareness of waste issues globally, for example with the issues of plastic waste in the oceans, the amount of food that is wasted, and recently with the role of China in the global recycling markets becoming more uncertain. While consumption and populations continue to grow, waste management and minimisation will continue to be an important issue locally and globally.

4.2 Summary of national and regional waste situation and activities

The management requirements in New Zealand for landfills have become stricter, and operating landfills has become more expensive, partly due to the regulations, and partly due to extra costs like the $10 waste disposal levy and the inclusion of landfills in the New Zealand emissions trading scheme. Apart from a decrease during the global financial crisis in 2011 and 2012, the amount of waste sent to landfill in New Zealand has been increasing fairly rapidly. We are now sending a third more waste to landfill than we did back in 2009 when the waste disposal levy was introduced.

With the change of government in late 2017, it is now more likely that there will be changes made to national regulation and tools such as the landfill levy, which is currently $10 per tonne, product stewardship schemes, and the emissions trading scheme.

There may also be more work done on the lack of data in New Zealand, following on from previous projects that focused on municipal waste going to landfills.

A national project focusing on farm waste is in the final stages, with trials of various options taking place around the country. The outcomes of these trials will be important for Ruapehu district, with so much farming activity in our area.

The Waikato and Bay of Plenty Waste Liaison Group have already worked together on a number of collaborative projects. The most recent of these involved the production of a template for Waste Assessments and WMMPs (which have been used to develop our documents) and the development of standard wording for solid waste bylaws.

Possible future regional or cross-regional projects include implementation of licensing and data collection, a facilities strategy, and work on food waste.

4.3 Our district

In 2016 an estimated 1,722 tonnes of waste were disposed of to ‘Class 1’ landfill in 2016 from Council services and facilities. This consisted of waste sent to landfill from the resource recovery centres, an estimate of privately collected waste sent to landfill, demolition waste to Tirohia, and other waste such as medical waste that is not managed by Council.

A total of approximately 17,000 tonnes of solid waste from Opotiki were disposed of to land in the last year. This includes other waste that does not go to ‘Class 1’ landfills. Waste disposed of at Class 2-4 landfills comprised approximately 47% of the total, and was equivalent to nearly one tonne per person (this is mainly inert construction and demolition waste like dirt, concrete, etc.). Farm waste makes up the second largest fraction of waste to land accounting for approximately 43% of the total.

An estimated 425 tonnes of waste was sent to landfill by private collectors.
Around 2,000 tonnes of waste was recovered in 2016, with most of this – 1,700 tonnes – coming through Council services and facilities.

4.4 Composition of waste to landfills

There is no composition data available for residual waste from the Ōpōtiki District. However, some estimates of composition for kerbside waste have been made based on existing national data.

Figure 2: Estimated Composition of Domestic Kerbside Rubbish

4.5 Material diverted from landfill

Although we are throwing away about 1,700 tonnes of material into landfills each year, we are recovering nearly 1,700 tonnes each year as well through Council services and facilities. Material that is recovered from landfill is called ‘diverted material’.

Most of the Council recycling is green waste, glass, and metal. Significant quantities are also recovered of wood, concrete and rubble, cardboard, and paper. A number of other materials are also recovered such as plastics, aluminium cans, electrical/electronic waste, tyres, ‘Gib’ board, and used furniture and textiles.

An additional estimated 425 tonnes is recovered through private collections and systems.

4.6 Waste minimisation performance

The services provided by Council currently show a 51% diversion rate (although only 9% of the total waste stream). When compared to other councils, the amount of waste sent to landfill per person each year is very low at 204kg.

However, the amount of recycling collected at the kerbside from households is also low at 58kg per person each year.

The last WMMP included targets relating to waste going to landfill, and recyclables materials – with a 10% improvement in each over the 2011 figures. The table below shows these figures for 2011 and the most recent figure, with the % improvement.
Table 1: Progress against waste reduction targets from the previous plan

<table>
<thead>
<tr>
<th>Measure</th>
<th>2011</th>
<th>Latest</th>
<th>% improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residual waste disposed of to landfill</td>
<td>1,100</td>
<td>1,070</td>
<td>3%</td>
</tr>
<tr>
<td>Recyclable materials collected at resource recovery centres (including kerbside recycling)</td>
<td>1,431</td>
<td>1,662</td>
<td>16%</td>
</tr>
</tbody>
</table>

This shows that the target for increasing the amount that is recycled was achieved – and was actually well exceeded.

The target for reducing waste to landfill however was not.

4.6.1 Projections of future demand

The population in Ōpōtiki is projected by Statistics NZ to decline in the future, but these projections do not take into account the potential impact of significant economic development initiatives that are underway. Revised projections that do take these factors into account suggest a 30% increase in population over the next 10 years in the ‘Aspirational’ scenario.

Projections which take into account the impact of economic development initiatives can be used to future demand for waste management services. The outcome of the future demand projection is shown in the chart below.

Figure 3: Projections for Waste to Class 1 Landfill and Recovery 2018-2028
4.7 Key issues

The Waste Assessment looked across all aspects of waste management in the district, (including some of the data presented in this section), and identified the main areas where we could improve our effectiveness and efficiency in managing and minimising waste.

Local council issues: issues under council’s area of control are:

1. Kerbside recycling: Increasing the capacity of the kerbside recycling collection, so that householders are able to have the majority of their recycling collected at the kerbside.

2. Food Waste: Food waste is likely to represent a large proportion of the waste being landfilled. This is potentially the biggest opportunity to improve diversion.

3. Rural waste: This includes households that live in rural areas. Rural properties currently do not receive council kerbside collections. While a kerbside collection is not necessarily a cost-effective way to provide a service, it may become economical to provide service to more rural properties in future.

4. Farm waste: while originating in similar locations to rural waste, farm waste is usually very specific types of material and requires specific management. These include things like silage wrap, drench and farm chemical containers, leftover chemicals, veterinary supplies etc. Estimates suggest that there could be substantial quantities of farm waste in the district, and we need to make sure this is well managed.

5. Aquaculture/harbour development: this is likely to result in new and increased waste streams requiring management in the district.

6. Disposal and other infrastructure: disposal facilities are likely to become more limited in availability, and more expensive.

7. Kerbside refuse: Residents and staff currently report a number of issues with ‘dog strike’ resulting in litter and difficulty in collecting the rubbish.

8. Data and Monitoring: due to the lack of a weighbridge, data relating to kerbside collections is largely estimated. Composition data is not widely available. Little is known about non-household waste streams, other than the waste which passes through Council’s collections or facilities.

Addressing these issues is a key focus of the WMMP.

Regional/Sub-regional issues: Other significant issues have been identified where regional or sub-regional co-operation is likely to improve outcomes, for example:

1. Product stewardship; particularly for medical waste
2. Targeted education & engagement; particularly around rural and construction and demolition waste
3. Infrastructure capacity, particularly around understanding market influences
4. Regional cooperation on regulation, especially licensing of waste operators and data collection
5. Food waste management
These issues are discussed in a little more detail below:

1. **Product Stewardship (producer responsibility)**
   Waste streams such as e-waste, tyres, and agricultural chemicals and their containers require central government to activate product stewardship and other regulatory mechanisms in order to achieve better waste management outcomes. Councils are likely to have greater influence on achieving product stewardship by presenting a unified voice.

   Medical waste is also an area where working together is likely to achieve better results. As home based healthcare is increased across the region, medical waste issues will increase. Working together provides the best opportunities to support DHBs to establish a medical waste product stewardship scheme to support those utilising home healthcare.

2. **Targeted education & engagement**
   Providing consistent messaging across the region will support education and behaviour change outcomes. As communities often cross district and city boundaries, consistent education and engagement messages are more effective when implemented over a wider area. In particular:
   - Targeted messaging to the rural sector and businesses involved in C&D
   - Encouraging markets for recovered materials

3. **Infrastructure capacity**
   Benchmarking, identifying gaps in infrastructure provision (particularly around food and C&D waste) and developing a better understanding market influences at a regional level is likely to benefit all councils.

4. **Regulation – licensing and data collection**
   Following on from the development of standard clauses for solid waste bylaws, there is now potential for councils to cooperate at a regional or cross-regional level to implement parts of the bylaw. This particularly applies to the provisions relating to licensing of waste operators and data collection.

5. **Food waste**
   Food waste collections are increasingly becoming a priority work area for councils all over New Zealand, as the next significant waste stream to divert from landfill. There is potential for councils to work together in designing and implementing food waste management systems in a more cost-effective way.

Council will use its influence, and work collaboratively with regional and national organisation to address these issues.
Part B: Action plan

5.0 Introduction

The following action plan sets out how Opotiki District Council intends to work towards the vision, goals, and objectives, and address the issues outlined in Part A of the WMMP.

The action plan aims to set out clear, practical initiatives that Opotiki District Council will implement, either on our own or jointly. While the action plans form part of the WMMP they are intended to be useful ‘living’ documents that can be regularly updated to reflect current plans and progress. Under the WMA the plans can be updated without triggering the need for a formal review of the WMMP, as long as the changes are not significant and do not alter the direction and intent of the strategy as set out in Part A. These changes would be made as part of the annual planning process.

5.1 Considerations

This action plan is a strategic document outlining high level intentions for actions to meet our obligations under the WMA.

Further work will be required to determine the costs and feasibility of some projects, which may impact how, when or if they are implemented. Detailed assessments of some actions will be carried out prior to their implementation.

In some instances, the delivery of the actions set out in this action plan will depend on the development or amendment of contractual arrangements with providers. The nature of these contractual arrangements cannot be pre-empted and may impact the nature, timing or cost of these projects.

5.2 Council’s intended role

The Council intends to oversee, facilitate and manage a range of programmes and interventions to achieve effective and efficient waste management and minimisation within the district. The Council will do this through our internal structures responsible for waste management. We are responsible for a range of contracts, facilities and programmes to provide waste management and minimisation services to the residents and ratepayers of Opotiki district.

In addition, the councils in the Bay of Plenty region will continue to work together to deliver the vision goals and objectives set out in this plan.

One of the avenues through which collaboration may be facilitated is through working with the BOPLASS (Bay of Plenty Local Authority Shared Services), an organisation that we belong to, which has been set up to take action where working together makes sense.
### Regulation

<table>
<thead>
<tr>
<th>Reference &amp; Title</th>
<th>Description</th>
<th>New or existing action</th>
<th>Timeframe</th>
<th>Funding</th>
<th>Strategic Goals &amp; Hierarchy Position</th>
<th>Contribution to Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solid waste Bylaw</td>
<td>Review existing bylaw to ensure alignment with any changed services, and incorporate standard clauses as appropriate</td>
<td>New</td>
<td>2018</td>
<td>Minimal – rates</td>
<td></td>
<td>General support</td>
</tr>
<tr>
<td>Regional licensing and data collection project</td>
<td>Work with other council and agencies such as BOPLASS to support the implementation of any regional approach to licensing and data collection</td>
<td>New</td>
<td>2018</td>
<td>Minimal – rates</td>
<td></td>
<td>General support</td>
</tr>
<tr>
<td>Illegal dumping</td>
<td>Continue to take enforcement action against those that dump rubbish where possible</td>
<td>Existing</td>
<td>Ongoing</td>
<td>Rates</td>
<td></td>
<td>General support</td>
</tr>
</tbody>
</table>

**Rationale:** While Opotiki District Council has a solid waste bylaw, this may need to be updated to ensure it is aligned with any changes to services and management options. While the bylaw is being reviewed and updated, the opportunity is taken to incorporate the standard template bylaw wording wherever possible to ensure consistency across the Bay of Plenty and Waikato regions. This will maximise Council’s ability to take part in subsequent regional or cross-regional projects.

### Data

<table>
<thead>
<tr>
<th>Reference &amp; Title</th>
<th>Description</th>
<th>New or existing action</th>
<th>Timeframe</th>
<th>Funding</th>
<th>Strategic Goals &amp; Hierarchy Position</th>
<th>Contribution to Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop a data strategy that is aligned with the national waste data</td>
<td>Develop a data strategy that is aligned with the national waste data framework will ensure that Council is collecting accurate and appropriate data</td>
<td>New</td>
<td>2018</td>
<td>$15k - $25k – levy funding</td>
<td></td>
<td>General support and guides future actions</td>
</tr>
</tbody>
</table>
framework to use in future waste assessments. This may involve carrying out ‘SWAP’ composition studies, and/or negotiating the use of a weighbridge to collect data on the quantity of wastes from kerbside rubbish and recycling collections.

**Rationale:** Better data on a wider range of waste streams will enable Council to better prioritise waste management and minimisation activities in future, and to benchmark against other local authorities.

### Communications

<table>
<thead>
<tr>
<th>Reference &amp; Title</th>
<th>Description</th>
<th>New or existing action</th>
<th>Timeframe</th>
<th>Funding</th>
<th>Strategic Goals &amp; Hierarchy Position</th>
<th>Contribution to Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>General education and engagement</td>
<td>Continue to provide information on services and waste minimisation generally to householders, appropriate to their situation</td>
<td>Existing</td>
<td>Ongoing</td>
<td>$5k per annum – rates</td>
<td></td>
<td>General support</td>
</tr>
<tr>
<td>Expand education and engagement activities</td>
<td>Build on existing information provision, particularly through social media and community engagement channels</td>
<td>New</td>
<td>Ongoing</td>
<td>Minimal</td>
<td></td>
<td>General support</td>
</tr>
<tr>
<td>Specific education and engagement relating to any service changes</td>
<td>If kerbside collection services or other services are changed/new services are offered, more intensive and specific information material will be required.</td>
<td>New</td>
<td>As required</td>
<td>$5-8k, depending on scope of change – levy funding</td>
<td></td>
<td>General support and specific support of any service changes</td>
</tr>
</tbody>
</table>
Rationale: the community needs to understand the motivations and reasons for actions Council takes, and how they can support these. When/if services are changed or new services are introduced, a one-off campaign will be needed to ensure that householders use services to the maximum potential possible and that contamination is minimised.

Collections

<table>
<thead>
<tr>
<th>Reference &amp; Title</th>
<th>Description</th>
<th>New or existing action</th>
<th>Timeframe</th>
<th>Funding</th>
<th>Strategic Goals &amp; Hierarchy Position</th>
<th>Contribution to Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review kerbside collection systems generally</td>
<td>Review the kerbside collection system and identify improvements that will address issues such as restricted capacity for recycling and rubbish, food waste diversion, reducing dog strike, and a subsidy policy for specific parts of the community Options for providing subsidies/discounts to target groups will be investigated. Investigate offering wheeled bins for rubbish collection, which could still be on a user-pays basis. A wheeled bin service costs more to provide than the existing system (around double current cost). If a food waste collection is introduced, wheeled bins could be collected fortnightly</td>
<td>New</td>
<td>2018</td>
<td>Levy and rates (targeted and general), user charges</td>
<td>Can directly support diversion from landfill.</td>
<td></td>
</tr>
<tr>
<td>Extend kerbside</td>
<td>Extend kerbside collections to additional areas, as</td>
<td>Existing</td>
<td>Ongoing</td>
<td>Targeted and</td>
<td>Unlikely to achieve increase in diversion from landfill</td>
<td></td>
</tr>
<tr>
<td>Collection Systems</td>
<td>Operational efficiency makes this cost-effective, on a case by case basis</td>
<td>General rates, user charges</td>
<td>Farm Waste</td>
<td>Consider introducing a specific service targeting farm waste, depending on the outcomes of the current trials</td>
<td>New</td>
<td>2018-19</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-----</td>
<td>--------</td>
</tr>
<tr>
<td>Reuse Collections</td>
<td>Investigate the potential for community groups to work with the Opotiki RRC to provide a reusable items collection service</td>
<td>New</td>
<td>2019-20</td>
<td>User charges</td>
<td>Could result in a small increase in diversion from landfill</td>
<td></td>
</tr>
<tr>
<td>Peak Season Collections</td>
<td>Investigate the potential to introduce a ‘summer camping’ system where visitors to the district and users of popular free camping areas are able to pay a charge and receive collections during peak seasons. Implement if feasible</td>
<td>New</td>
<td>2017-18 for possible implementation in 2018-19 summer</td>
<td>Levy, user charges</td>
<td>Could result in a small increase in diversion from landfill</td>
<td></td>
</tr>
</tbody>
</table>

**Rationale:** Currently there are a number of issues with the kerbside collections, including lack of capacity for recyclables and dog strike. Households have relatively restricted capacity in their recycling collection, and are charged for delivering additional recyclables to the Opotiki RRC. Introducing a kerbside food waste collection will divert a significant proportion of waste from landfill, while also ensuring rubbish is less attractive to dogs etc. Food waste can be processed locally into a beneficial product for the horticulture and orchard sectors. Feedback from the community is that wheeled bins would be preferred for rubbish collections.

Farm waste is a specific waste stream which requires specific management and services. A project is currently underway trialling various services that are targeted at farm wastes. Council could implement the outcomes of this project, once results are known.

**Infrastructure**
<table>
<thead>
<tr>
<th>Reference &amp; Title</th>
<th>Description</th>
<th>New or existing action</th>
<th>Timeframe</th>
<th>Funding</th>
<th>Strategic Goals &amp; Hierarchy Position</th>
<th>Contribution to Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extend RRCs</td>
<td>Operate RRCs as currently, with improved signage, additional reuse options, reviewed charges, and incorporation of additional waste streams, micro-businesses and community partnerships</td>
<td>New</td>
<td>Ongoing</td>
<td>Rates, levy</td>
<td></td>
<td>Moderate diversion from landfill depending on opportunities that are identified and implemented</td>
</tr>
<tr>
<td>Capital works</td>
<td>Continue to undertake scheduled capital works on facilities</td>
<td>Existing</td>
<td>Ongoing</td>
<td>Capital allocations</td>
<td></td>
<td>No impact on diversion from landfill</td>
</tr>
</tbody>
</table>

**Rationale:** Currently the RRCs function very well and a wide range of materials are diverted. Signage is dated and could be improved to be more noticeable and consistent. The reuse area at Opotiki could be further developed as a community partnership, and other opportunities may be identified during the course of this plan that could be incorporated into RRCs.

**Leadership & Management**

<table>
<thead>
<tr>
<th>Reference &amp; Title</th>
<th>Description</th>
<th>New or existing action</th>
<th>Timeframe</th>
<th>Funding</th>
<th>Strategic Goals &amp; Hierarchy Position</th>
<th>Contribution to Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work proactively with commercial and community sectors</td>
<td>Identify key groups and work proactively with them to target waste stream and issues, and develop collaborative solutions e.g. form a working group to address waste issues arising from the aquaculture and harbour developments</td>
<td>New</td>
<td>Ongoing</td>
<td>Levy, rates</td>
<td></td>
<td>Could achieve a significant diversion from landfill, or prevention of waste to landfill</td>
</tr>
</tbody>
</table>
Rationale: Previously the commercial and community sectors have largely been independent of Council in managing waste issues. As identified in the Waste Assessment and described in this WMMP, there are potentially significant gains to be achieved by working more closely. Similarly, if closer working isn’t managed, new and significant waste streams could arise in the District with little forward planning for management.

Sub-regional, Regional and National Collaboration

<table>
<thead>
<tr>
<th>Reference &amp; Title</th>
<th>Description</th>
<th>New or existing action</th>
<th>Timeframe</th>
<th>Funding</th>
<th>Strategic Goals &amp; Hierarchy Position</th>
<th>Contribution to Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participate in collaborative projects</td>
<td>Work within the Waste Liaison Group to identify and support collaborative projects, particularly those relating to infrastructure, food waste collections, and licensing/data collection.</td>
<td>Existing</td>
<td>Ongoing</td>
<td>Rates</td>
<td></td>
<td>Dependent on projects identified</td>
</tr>
<tr>
<td>Advocate for extended product stewardship</td>
<td>Work with local and regional councils and other organisations to promote enhanced product stewardship schemes including accredited and priority product schemes under the WMA</td>
<td>Existing</td>
<td>Ongoing</td>
<td>Rates</td>
<td></td>
<td>Dependent on outcomes</td>
</tr>
<tr>
<td>Medical Waste Collection</td>
<td>Encourage and work with the Bay of Plenty District Health Board in providing appropriate schemes for the management of medical waste from home health care and medical facilities.</td>
<td>Existing</td>
<td>Ongoing</td>
<td>Rates</td>
<td></td>
<td>Minimal impact on waste to landfill</td>
</tr>
</tbody>
</table>
6.0 Monitoring evaluating and reporting progress

6.1 Monitoring and Reporting

Progress on development and implementation of the WMMP will be reported to Council through the Chief Executive on a quarterly basis, or more frequently as required to review progress and make decisions in respect to the WMMP and its implementation.

Actions with significant financial implications will be referred to Council for decisions at the appropriate time.

This WMMP contains a number of actions with carrying timeframes (refer to Part B), as well as a set of waste minimisation targets (refer section 0).

Each of these actions and targets will be reported against in terms of progress to the Chief Executive and then to Council.
7.0  Funding the plan

The Waste Minimisation Act 2008 (s43) (WMA) requires that the Councils include information about how the implementation of this Plan will be funded, as well as information about any grants made and expenditure of waste levy funds.

7.1  Funding local actions

There are a range of options available to local councils to fund the activities set out in this plan. These include:

- Uniform Annual General Charge (UAGC) - a charge that is paid by all ratepayers
- User Charges - includes charges for user-pays collections as well as transfer station gate fees\(^1\)
- Targeted rates - a charge applied to those properties receiving a particular council service
- Waste levy funding - The Government redistributes funds from the $10 per tonne waste levy to local authorities on a per capita basis. By law 50% of the money collected through the levy must be returned to councils. This money must be applied to waste minimisation activities
- Waste Minimisation Fund - Most of the remaining 50% of the levy money collected is redistributed to specific projects approved by the Ministry for the Environment. Anyone can apply to the WMF for funding for projects
- Sale of recovered materials - The sale of recovered materials can be used to help offset the cost of some initiatives
- Private sector funding - The private sector may undertake to fund/supply certain waste minimisation activities, for example in order to look to generate income from the sale of recovered materials etc. Council may look to work with private sector service providers where this will assist in achieving the WMMP goals.

Funding considerations take into account a number of factors including:

- Prioritising harmful wastes;
- Waste minimisation and reduction of residual waste to landfill;
- Full-cost pricing - ‘polluter pays’;
- Public good vs. private good component of a particular service;
- That the environmental effects of production, distribution, consumption and disposal of goods and services should be consistently costed, and charged as closely as possible to the point they occur to ensure that price incentives cover all costs;
- Protection of public health;
- Affordability; and
- Cost effectiveness.

The potential sources of funding for each of the actions are noted in the tables in Part B of the WMMP. Budgets to deliver the activities set out in this plan will be carefully developed through

\(^1\) Most councils in the region own transfer stations and or landfills and are able to set the fees at these facilities and can derive income from these activities. In accordance with s46 (2) of the Act, the Councils can charge fees for a facility that are higher or lower than required to recover the costs to provide the service, providing the incentives or disincentives will promote waste minimisation.
our Annual Plan and Long Term Plan processes. The approach taken will be to implement as many of the activities as possible while controlling costs and, where possible, taking advantage of cost savings and efficiencies. It is anticipated that by setting appropriate user charges, reducing costs through avoided disposal, more efficient service delivery from joint working, and targeted application of waste levy money, the increased levels of waste minimisation as set out in this WMMMP will be able to be achieved without overall additional increases to the average household cost.

### 7.2 Funding regional, sub-regional and national actions

There are a range of waste issues that make sense to collaborate on at a sub-regional, regional or national level where efficiencies can be made through collaborative funding.

The Council will provide funding towards agreed regional projects through the Annual and Long Term Plans. This may be funded from rates, waste levy funding, user charges, or other sources as determined by Council at the time.

There is also opportunity to leverage regional collaboration to access the contestable Waste Minimisation Fund (WMF) for larger capital projects that will support the wider region/s.

Delivery of each regional project and management of associated regional project budgets will be the responsibility of Waikato Regional Council or a Project Lead Council, who will have agreed guidelines for oversight of the project and responsibility for spending.

Projects will be chosen based on agreed criteria for funding of regional initiatives.

### 7.3 TA Waste levy funding

Council receive, based on population, a share of national waste levy funds from the Ministry for the Environment. It is estimated that at the current rate of $10 per tonne our council’s total share of waste levy funding will be approximately $30,000 per annum. While the amount of levy money received may rise in the future if the levy goes up, this is not certain and we have not made any current provision for this.

The WMA requires that all waste levy funding received by Councils must be spent on matters to promote waste minimisation and in accordance with their WMMMP.

Waste levy funds can be spent on ongoing waste minimisation services, new services, or an expansion of existing services. The funding can be used on education and communication, services, policy research and reporting, to provide grants, to support contract costs, or as infrastructure capital.

We intend to use our waste levy funds for a range of waste minimisation activities and services as set out in the Action Plans – including participating in regional, sub-regional and national activities.

In addition, we may make an application for contestable waste levy funds from the Waste Minimisation Fund, either separately, with other Councils, or with another party. The Waste Minimisation Fund provides additional waste levy funds for waste minimisation activities.
Part C: Supporting information

Glossary of terms
Calculation of Targets
Waste Assessment
A.1.0 Glossary of Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>C&amp;D Waste</td>
<td>Waste generated from the construction or demolition of a building including the preparation and/or clearance of the property or site. This excludes materials such as clay, soil and rock when those materials are associated with infrastructure such as road construction and maintenance, but includes building-related infrastructure.</td>
</tr>
<tr>
<td>Cleanfill</td>
<td>A cleanfill (properly referred to as a Class 4 landfill) is any disposal facility that accepts only cleanfill material. This is defined as material that, when buried, will have no adverse environmental effect on people or the environment.</td>
</tr>
<tr>
<td>Disposal</td>
<td>Final deposit of waste into or onto land, or incineration</td>
</tr>
<tr>
<td>Diverted Material</td>
<td>Anything that is no longer required for its original purpose and, but for commercial or other waste minimisation activities, would be disposed of or discarded.</td>
</tr>
<tr>
<td>Domestic Waste</td>
<td>Waste from domestic activity in households.</td>
</tr>
<tr>
<td>ETS</td>
<td>Emissions Trading Scheme</td>
</tr>
<tr>
<td>Food waste</td>
<td>Any food scraps – from preparing meals, leftovers, scraps, tea bags, coffee grounds</td>
</tr>
<tr>
<td>Green waste</td>
<td>Waste largely from the garden – hedge clippings, tree/bush prunings, lawn clippings</td>
</tr>
<tr>
<td>Hazardous waste</td>
<td>Waste that can cause harm or damage, to people or the environment, like strong chemicals. Shouldn’t go in to landfills.</td>
</tr>
<tr>
<td>ICI</td>
<td>Industrial, Commercial, Institutional</td>
</tr>
<tr>
<td>Landfill</td>
<td>Tip or dump. A disposal facility as defined in S.7 of the Waste Minimisation Act 2008, excluding incineration. Includes, by definition in the WMA, only those facilities that accept ‘household waste’. Properly referred to as a Class 1 landfill</td>
</tr>
<tr>
<td>LGA</td>
<td>Local Government Act 2002</td>
</tr>
<tr>
<td>LTP</td>
<td>Long Term Plan</td>
</tr>
<tr>
<td>Managed Fill</td>
<td>A disposal site requiring a resource consent to accept well-defined types of non-household waste, e.g. low-level contaminated soils or industrial by-products, such as sewage by-products. Properly referred to as a Class 3 landfill.</td>
</tr>
<tr>
<td>MfE</td>
<td>Ministry for the Environment</td>
</tr>
<tr>
<td>MGB</td>
<td>Mobile garbage bin – wheelie bin.</td>
</tr>
<tr>
<td>MRF</td>
<td>Materials Recovery Facility</td>
</tr>
<tr>
<td>MSW</td>
<td>Municipal Solid Waste</td>
</tr>
</tbody>
</table>
NZWS  New Zealand Waste Strategy
Putrescible, garden, greenwaste  Plant based material and other bio-degradable material that can be recovered through composting, digestion or other similar processes.
Recovery  a) extraction of materials or energy from waste or diverted material for further use or processing; and
           b) includes making waste or diverted material into compost
Recycling  The reprocessing of waste or diverted material to produce new materials
Reduction  a) lessening waste generation, including by using products more efficiently or by redesigning products; and
           b) in relation to a product, lessening waste generation in relation to the product
Reuse  The further use of waste or diverted material in its existing form for the original purpose of the materials or products that constitute the waste or diverted material, or for a similar purpose
RRP  Resource Recovery Park
RTS  Refuse Transfer Station
Rubbish  Waste, that currently has little other management options other than disposal to landfill
Service Delivery Review  As defined by s17A of the LGA 2002. Councils are required to review the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services, and performance of regulatory functions. A review under subsection (1) must consider options for the governance, funding, and delivery of infrastructure, services, and regulatory functions.
TA  Territorial Authority (a city or district council)
Transfer Station  Where waste can be sorted for recycling or reprocessing, or is dumped and put in to larger trucks for transport to landfill
Treatment  a) means subjecting waste to any physical, biological, or chemical process to change its volume or character so that it may be disposed of with no or reduced adverse effect on the environment; but
           b) does not include dilution of waste
WA  Waste Assessment as defined by s51 of the Waste Minimisation Act 2008. A Waste Assessment must be completed whenever a WMMP is reviewed
Waste  Means, according to the WMA:
           a) Anything disposed of or discarded, and
           b) Includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or
construction and demolition waste); and

c) To avoid doubt, includes any component or element of diverted material, if the component or element is disposed or discarded.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Assessment</td>
<td>A document summarising the current situation of waste management in a locality, with facts and figures, and required under the Waste Minimisation Act.</td>
</tr>
<tr>
<td>Waste Hierarchy</td>
<td>A list of waste management options with decreasing priority – usually shown as ‘reduce, reuse, recycle, reprocess, treat, dispose’</td>
</tr>
<tr>
<td>WMA</td>
<td>Waste Minimisation Act (2008)</td>
</tr>
<tr>
<td>WMMP</td>
<td>A Waste Management and Minimisation Plan as defined by s43 of the Waste Minimisation Act 2008</td>
</tr>
<tr>
<td>WWTP</td>
<td>Wastewater treatment plant</td>
</tr>
<tr>
<td>Zero Waste</td>
<td>A philosophy for waste management, focusing on Council/community partnerships, local economic development, and viewing waste as a resource. Can also be a target (but not in this case).</td>
</tr>
</tbody>
</table>
A.2.0 Waste Assessment
EXECUTIVE SUMMARY

The Local Government Act 2002 (LGA) requires Council to prepare a set of planning assumptions that underpin the Long Term Plan. The purpose of this report is to present a draft set of Planning Assumptions for the 2018-2028 Long Term Plan.

PURPOSE

To consider and adopt a draft set of Planning Assumptions for the 2018-28 Long Term Plan (LTP). A report setting out suggested assumptions for the LTP is attached as Appendix One to this report.

BACKGROUND

Schedule 10 (clause 17) of the LGA contains provisions relating to ‘significant forecasting assumptions’. The Act requires that Council identify the significant forecasting assumptions and risks underlying the financial estimates. Where there is a high level of uncertainty, Council is required to state the reason for that level of uncertainty and provide an estimate of the potential effects on the financial forecasts.

This section sets out the significant forecasting assumptions that are to be used in the preparation of the 2018-2028 LTP together with their perceived levels of risk to the integrity of the LTP and particularly the financial forecasts to be contained therein.
SIGNIFICANCE ASSESSMENT

Assessment of significance
Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for the planning assumptions for the 2018-28 Long Term Plan is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

The planning assumptions will however be part of a special consultative procedure with the Long Term Plan itself in early 2018.

Assessment of engagement requirements
As the level of significance for adoption of the planning assumptions for the 2018-28 Long Term Plan is considered to be of low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.

COMMUNITY INPUT AND PUBLICITY
Once adopted by Council the planning assumptions will be loaded onto our website for review and feedback from the community. The key assumption around population growth has been adopted separately to the remaining assumptions, and has been also made available to the public for comment.

Policy and planning implications
The assumptions form an integral part of the Long Term Plan process, and contain the drivers for the decisions that have been made within the Long Term Plan, and the options that will be provided to the community in the Consultation Document. It is important that these assumptions are well considered and understood.
RECOMMENDATIONS:

1. That the report titled “Planning Assumptions for the 2018-28 Long Term Plan” be received.
2. That the draft Planning Assumptions be approved for use in the preparation of the Long Term Plan.
3. That the draft Planning Assumptions be made available for feedback from the public.

Bevan Gray

Finance and Corporate Services Group Manager
Draft Planning Assumptions

Introduction
Schedule 10 (clause 17) of the Local Government Act 2002 contains provisions relating to ‘significant forecasting assumptions’. The Act requires that Council identify the significant forecasting assumptions and risks underlying the financial estimates. Where there is a high level of uncertainty, Council is required to state the reason for that level of uncertainty and provide an estimate of the potential effects on the financial forecasts.

This section sets out the significant forecasting assumptions that have been used in the preparation of the 2018-28 Long Term Plan (LTP) together with their perceived levels of risk to the integrity of the 2018-28 LTP and particularly the financial forecasts contained therein.

The significant forecasting assumptions are summarised in the table below and are discussed in more detail on the pages that follow.

Summary of Assumptions

<table>
<thead>
<tr>
<th>No.</th>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Future Price Changes – Rate of Inflation</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>2.</td>
<td>Future Treasury Changes</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>3.</td>
<td>New Zealand Land Transport Agency Subsidy Rates</td>
<td>Low</td>
<td>Medium</td>
</tr>
<tr>
<td>4.</td>
<td>Revaluation of Infrastructural Assets</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>5.</td>
<td>Useful Lives of Infrastructural Assets and Depreciation Rates</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>6.</td>
<td>Form of governance</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>7.</td>
<td>Central government policy Direction</td>
<td>Medium</td>
<td>Low</td>
</tr>
<tr>
<td>8.</td>
<td>Climate Change and Emissions Trading Scheme</td>
<td>Medium</td>
<td>Low</td>
</tr>
<tr>
<td>10.</td>
<td>Rating Unit Growth</td>
<td>Low</td>
<td>Medium</td>
</tr>
<tr>
<td>11.</td>
<td>Building and Residential Development</td>
<td>Medium</td>
<td>Medium</td>
</tr>
<tr>
<td>12.</td>
<td>Development of commercial aquaculture industry and a navigable harbour entrance at Ōpōtiki</td>
<td>Low</td>
<td>High</td>
</tr>
<tr>
<td>13.</td>
<td>Treaty of Waitangi Settlement</td>
<td>Low</td>
<td>Medium</td>
</tr>
<tr>
<td>14.</td>
<td>Funding of Ōpōtiki Harbour development</td>
<td>Medium</td>
<td>Medium</td>
</tr>
<tr>
<td>15.</td>
<td>Biosecurity Incursions</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>16.</td>
<td>Availability of Staff/Contractors</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>17.</td>
<td>Ōpōtiki Wastewater Replacement</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>18.</td>
<td>Sources of Funds for Future Asset Replacement</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>19.</td>
<td>Ōpōtiki Library Development Project</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>20.</td>
<td>Resource Consents</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>21.</td>
<td>Natural Hazards/Disaster</td>
<td>Medium</td>
<td>Low</td>
</tr>
<tr>
<td>22.</td>
<td>Insurance</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>23.</td>
<td>LGFA Borrower Notes</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

Assumption Detail

1. Future Price Changes – Rate of Inflation
The Society of Local Government Managers (SOLGM) commissioned a study to develop price level change adjustors for local authorities to use when forecasting future year expenses through to 2028. The following table lists the forecast annual percentage change for each of the adjustors.
These inflation assumptions have been applied to both operational and capital expenditure items as the indices include a combined forecast of operating and capital costs. However because of the mixture in the composition of these indices, they may understate (or overstate) the change in process of both operational and capital expenditure.

It should be noted that these inflation forecasts do not allow for spikes that can occur during retendering or contract renewal processes. Such spikes can occur for a variety of reasons, such as changes to service levels or as a consequence of changes in contract interpretation, and are difficult to forecast.

Future price changes different than those forecast above will impact on either service levels or future rate requirements depending on the variance. Such variances can be managed through future reviews of the LTP or via the Annual Plan Process so are considered to be low risk in the context of the 2018-28 LTP.

<table>
<thead>
<tr>
<th>Year Ending</th>
<th>Road (Transport)</th>
<th>Property (Property &amp; Facilities)</th>
<th>Water (Water, Sewerage &amp; Stormwater)</th>
<th>Construction (Earthmoving &amp; Site work)</th>
<th>Staff (Salary &amp; Wage Rates Local Government Sector)</th>
<th>Other (LGCI Total)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>2.0</td>
<td>1.7</td>
<td>3.0</td>
<td>3.5</td>
<td>1.8</td>
<td>2.0</td>
</tr>
<tr>
<td>2020</td>
<td>2.2</td>
<td>2.0</td>
<td>2.8</td>
<td>3.8</td>
<td>1.6</td>
<td>2.2</td>
</tr>
<tr>
<td>2021</td>
<td>2.2</td>
<td>2.1</td>
<td>2.4</td>
<td>3.9</td>
<td>1.7</td>
<td>2.2</td>
</tr>
<tr>
<td>2022</td>
<td>2.3</td>
<td>2.1</td>
<td>2.5</td>
<td>4.1</td>
<td>1.8</td>
<td>2.2</td>
</tr>
<tr>
<td>2023</td>
<td>2.4</td>
<td>2.2</td>
<td>2.6</td>
<td>4.3</td>
<td>1.8</td>
<td>2.3</td>
</tr>
<tr>
<td>2024</td>
<td>2.4</td>
<td>2.3</td>
<td>2.7</td>
<td>4.5</td>
<td>1.9</td>
<td>2.3</td>
</tr>
<tr>
<td>2025</td>
<td>2.5</td>
<td>2.3</td>
<td>2.6</td>
<td>4.7</td>
<td>1.9</td>
<td>2.4</td>
</tr>
<tr>
<td>2026</td>
<td>2.6</td>
<td>2.4</td>
<td>2.9</td>
<td>4.9</td>
<td>2.0</td>
<td>2.5</td>
</tr>
<tr>
<td>2027</td>
<td>2.7</td>
<td>2.4</td>
<td>3.0</td>
<td>5.1</td>
<td>2.0</td>
<td>2.6</td>
</tr>
<tr>
<td>2028</td>
<td>2.8</td>
<td>2.6</td>
<td>3.2</td>
<td>5.3</td>
<td>2.1</td>
<td>2.7</td>
</tr>
</tbody>
</table>

2. Future Treasury Changes

The key factors for when forecasting future treasury costs include interest received on investments, interest rates associated with external and internal borrowings and the Council’s on-going ability to access external borrowings.

Interest received on Investments
Interest rates for investments have been calculated as shown in the table below, based on estimated wholesale rates over the term of the plan. Historically interest rates have been higher. However with the current economic downturn rates have fallen, and are not expected to recover for 3 years. Council has limited investments therefore exposure is minimal.

<table>
<thead>
<tr>
<th>Year</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate</td>
<td>2.98</td>
<td>3.16</td>
<td>3.54</td>
<td>3.86</td>
<td>4.16</td>
<td>4.41</td>
<td>4.62</td>
<td>4.77</td>
<td>4.86</td>
<td>4.90</td>
<td>4.93</td>
</tr>
</tbody>
</table>

Interest on External Borrowings
Debt servicing costs on existing borrowing is the actual cost for each loan. Whilst Council is currently enjoying historically low interest rates it is not anticipated this will continue in the medium to long term. The table of assumed interest rates are based on expected wholesale rates over the term of the plan plus a margin of 110 basis points due to it being a small local authority. Council has therefore adopted assumed borrowing rates across the 10-year period as shown below.

<table>
<thead>
<tr>
<th>Year</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate</td>
<td>3.73</td>
<td>3.91</td>
<td>4.29</td>
<td>4.61</td>
<td>4.91</td>
<td>5.16</td>
<td>5.37</td>
<td>5.52</td>
<td>5.61</td>
<td>5.65</td>
<td>5.68</td>
</tr>
</tbody>
</table>

Internal loans interest rates will be the same as the external loan interest rates. The reason for this is that all loan funded expenditure within an activity will be funded by internal loan. The council will have a treasury function which borrows externally to fund internal loans should it not have enough available cash on hand. This will enable more efficient treasury management of investments and loans, and allow Council to keep external debt lower than would otherwise be achieved without the treasury function. Council has estimated interest rates on current levels. If Loans cannot be sourced at the estimated interest rates projected, the costs will differ from those estimated in the Council financial statements. Higher interest rates would have an impact on either service levels or rate requirement however Council considers this assumption to be of low risk as whilst the actual interest rates are likely to vary over the life of the plan there will be times when they are below the assumed rate as well as above.

Access to External Borrowings
This plan is based on the continuity of funding from an approved banking institution. Council believes that the likelihood of the withdrawal of LGFA funding is low, due to the good credit rating and relatively low risk Council has as a public entity. In addition, Council has the ability to set rates at a level sufficient to cover its costs. As long as Council continues to be financially...
prudent and can demonstrate financial sustainability over time there is minimal risk attached to this assumption.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Future treasury changes will be within the range forecast by LTP</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

3. New Zealand Transport Agency (NZTA) Subsidy Rates

The NZTA subsidy for the maintenance, renewal and improvement of the Local Roading Network is Council’s single largest source of income after rates revenue.

In 2013 NZTA reviewed the funding assistance rates (FAR) nationally across all councils. The aim was to smooth out some of the discrepancies between the different funding rates that councils were getting and to also apply more attention to roads of significance and Auckland. Also each council previously received different rates for different types of work, so there was a lack of clarity within the system.

NZTA have indicated that they would move all councils to their new final rates over a 9 year period, or 3 NLTF periods. The new funding rates will take into account, deprivation, affordability, roads of significance, and a number of other factors. For the Ōpōtiki District our rate will move up to 75% by the 2023/24 funding year. A table of forecast funding rates is included below:

<table>
<thead>
<tr>
<th>Year</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate</td>
<td>55%</td>
<td>58%</td>
<td>61%</td>
<td>64%</td>
<td>67%</td>
<td>71%</td>
<td>75%</td>
<td>75%</td>
<td>75%</td>
<td>75%</td>
<td>75%</td>
</tr>
</tbody>
</table>

The setting of these rates however removed any increased subsidy that we used to receive on minor improvements work, which was an additional 10% over and above the operational rate of 50% that we were receiving for operational and renewal costs. All works are now covered by the one funding rate.

The emergency works rate is still higher than the normal funding rate, but NZTA have tightened up on what qualifies for this rate. The rate for this will be the normal funding rate plus 20% and will only be received on out of the ordinary short duration natural events.

Further changes in subsidy rate and variation in criteria for inclusion in subsidised works programme does represent a level of uncertainty for the LTP. NZTA funding priorities may change over the life of the LTP as aspects of the review process are still ongoing, and variations in subsidy are possible given the priority allocated to Auckland transport issues, and the fact that there is a new government in power which is considering allowing petrol tax rates to be set differently across the country.

Whilst it is possible that the criteria and level of funding available could vary over the life of the plan the likelihood of such occurring is considered to be low. However given Council’s reliance on the NZTA subsidy as a source of operating revenue the impact on the LTP is considered to be medium.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>NZTA Subsidy Rates will continue at planned for levels.</td>
<td>Low</td>
<td>Medium</td>
</tr>
</tbody>
</table>

4. Revaluation of Infrastructural Assets

Infrastructure Assets are to be re-valued every three years in line with Council’s Accounting Policies and the outcome may alter the carrying value of Council Assets and the associated depreciation expense. The last valuation was undertaken as at 1 July 2017. It has been assumed that any change in valuation will be in line with assumed rates of inflation. As a result Council considers that Asset Revaluations represent a low level of uncertainty for the LTP forecasts.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Changes in valuation will be in line with inflation.</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

5. Useful Lives of Infrastructural Assets and Depreciation Rates

The useful lives assumed in the Asset Management Plans (AMP’s) and therefore the LTP are those provided by the National Asset Management Steering (NAMS) Group and used by experienced valuers. Variations between actual and assumed useful lives will impact on the funding of depreciation and the asset renewal programme, however over time the impact is likely to be self-balancing with minimal impact on the forecasts contained in the LTP.

Council has an asset management planning and upgrade programme in place. Asset capacity and condition is monitored, with replacement works being planned in accordance with standard asset management and professional practices. Depreciation estimates are prepared on the basis of the recent asset revaluation exercise and renewal and development expenditure over the life of the LTP. Council uses the straight line method for calculating depreciation on all property, plant and equipment at rates that tie directly to the useful lives of the assets. Certain factors can distort these calculations such as asset revaluations, knowledge of assets (e.g. age, condition etc) and the level of investment in the renewal and development programme. Such factors are considered to be low risk as they are reviewed on a regular basis and generally in alignment with the triennial review of the LTP itself.
6. Form of Governance

It is assumed that Central Government will provide a relatively stable legislative platform for the existence of Local Government in its present form over the life of the LTP. Government has signalled in a number of forums that they do not intend to look at forced amalgamations. The 2012 amendment to the Local Government Act was intended to make amalgamation easier between willing councils and communities. In the Bay of Plenty there is general agreement between the councils, via the Triennial forum that “form follows function” and any drivers for amalgamation are not apparent. Ongoing work for Invest Bay of Plenty, the Regional Spatial Plan and the Eastern Bay of Plenty are throwing up a number of challenges but none that suggest amalgamation as a solution. Workstreams currently underway include “Building a Better Bay”, and “Best for the Bay”. These are showing a region of difference and diversity, and showcasing success stories that arise because of the current governance arrangements. For a district like the Ōpōtiki District there are reasons why the current form of governance is essential:

- The very strong sense of community brought about by the rich Māori and colonial history, and the geographical isolation.
- The harbour development would have been unlikely under a larger Council give governance based elsewhere
- Any agglomeration will result in increased costs that overall the local community cannot sustain.

There is risk however of groups lodging amalgamation proposals to the Local Government Commission. The amendments to the LGA mean that smaller councils can be voted out of existence by larger communities. Currently there would appear little community appetite for this in the Bay of Plenty.

7. Central Government Policy Direction

Historically successive governments have imposed additional responsibilities on Local Government without associated funding recovery mechanisms. The administration of new and changing legislation, regulations, policy statements, standards, and accreditations over time has been a key factor for increased costs for Local Government in New Zealand. If this trend were to continue then costs would continue to increase as would most likely rate revenue. The past three years has resulted in many, and cumulative, legislative changes that have required changed processes, staff resources to implement and insufficient cost recovery mechanisms.

Looking ahead there are significant amendments proposed to the Building Act, the Resource Management Act. The Health and Safety Act has already had a significant impact on our organisation and the businesses that deal with Council. There are also changes recently bedded in that relate to the Food Act that have required a reallocation of resourcing in the organisation. There is also an increased risk that a newly elected government will make further changes to the legislation applicable to local government, although this may be offset by the stated intention to drive regional economies.

It is therefore assumed that incremental and cumulative change will continue and costs will rise over time.

8. Climate Change and Emissions Trading Scheme

The earth’s atmosphere is made up of oxygen, nitrogen and a small percentage of greenhouse gases. Greenhouse gases normally act like the roof on a greenhouse – trapping warmth and making life possible on earth. Without them, too much heat would escape and the surface of the earth would freeze. Increased amounts of greenhouse gases have the opposite effect – they heat up the earth, causing a rise in temperature and affecting climate patterns (known as climate change).

Current scientific thought is that more than 100 years of industrialisation and human activity has increased the amount of greenhouse gases in the atmosphere, speeding up climate change. Central government recognises climate change as a long-term strategic issue for New Zealand within the broader context of economic transformation, national identity, and other leading issues such as water quality and flood risk management. Since 1916, sea level has climbed by between 14 and 22cm at our four main New Zealand ports.

How might climate change affect New Zealand and the Bay of Plenty in particular?
It is predicted the New Zealand, including the Bay of Plenty region, can expect the following climate change effects:

- A base sea level rise of 0.5m and potential higher value sea level rise of at least 0.8m between 1990 and 2090; (noting MFE are currently updating, and likely increasing these numbers)
- Temperatures are likely to be around 1.1°C warmer by 2040 and up to 3.1°C warmer by 2090, compared to 1995
- According to MFE predictions, there is large natural variability in extreme rainfall frequency in the Bay of Plenty from year to year and decade to decade. According to the most recent projections, the Bay of Plenty is not expected to experience a significant change in the frequency of extreme rainy days as a result of climate change.
- Fewer cold temperatures and frosts, with more high temperature episodes.
- The frequency of extremely windy days in the Bay of Plenty by 2090 is not likely to change significantly. It is possible the region may experience more north-easterly winds during summer and more westerly winds during winter.
- Future changes in the frequency of storms are likely to be small compared to natural inter-annual variability. Some increase in storm intensity, local wind extremes and thunderstorms is likely to occur. The frequency of ex-tropical cyclones is projected to either decrease or remain unchanged over the 21st century; however the ex-tropical cyclones will likely be stronger and cause more damage as a result of heavy rain and strong winds.

A changing climate is expected to create both opportunities and risks for the Bay of Plenty. These predicted changes may be beneficial to some sectors of the agricultural and horticultural industries with less frost and increased mean temperatures leading to longer growing seasons.

It may also mean that the Bay of Plenty is susceptible to:

- More of different pest plants and animals, and the need to change varieties of crops;
- Changes in natural ecosystems;
- Sea level rise, which will increase costs of draining and pumping in low lying areas, and has the potential to decrease coastal flood protection levels of service;
- An increase in the intensity of rainfall rising the flood risk to floodplains; and
- More frequent and intense storms which could change flood protection design levels, increase erosion impacts, increase coast storm effects, and increase run-off from upper catchments leading to an increase in sediment transport to harbours and estuaries.

Climate Change can affect Council’s functions in a number of ways:

A. Hazard Planning and other regulatory and environmental planning roles

Council has a shared responsibility under S31 of the RMA for management of natural hazards. This is further reinforced in the Regional Policy Statement that directs a shared approach to the management of natural hazards. Council’s regulatory role is generally well defined by the hierarchy of RMA planning documents and national guidance is given on the parameters and the process of implementation. From time to time national policies are promulgated that require council to update its planning documents and regulatory functions in accordance with revised guidance. It is assumed that updates will be accommodated within normal planning processes.

B. Design of assets

In designing its assets council will continue to use the latest guidance for the various design parameters. Climate change effects are built into the design of new assets and on replacement of existing assets. Some assets may need additional capacity as climate change effects become apparent, however climate change scenarios indicate there is sufficient time to plan ahead. It is assumed that guidance on increased rainfall or sea level parameters will continue to be readily available and council will continue to adapt as new predictions from credible sources become available.

C. Increase in frequency of extreme events

Climate change predictions are for an increase in the number and size of extreme events over time. This is a difficult science in that there is a lot of noise in the data that can lead the public to perceive a rapid change in weather events when in fact it is a slow change over decades. It is assumed that there will be a gradual increase in the frequency and size of events causing increased erosion and damage. Over time Council may find itself facing increased costs of flood and erosion events however it assumed this will be over a number of decades and can be reviewed in successive LTPs.

Emissions Trading Scheme

The New Zealand government is a signatory to the Kyoto Protocol that seeks to limit global emissions. One of the tools the government is using is the implementation of an Emissions Trading Scheme. Effects on council could be increased cost of disposing of solid waste, and increased fuel and energy costs. Effects in the district could be more favourable conditions for forestry and increased cost of farming from 2015 when farming enters the scheme.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate Change will affect the District over the medium to long term and that government continues its progress towards an emissions trading scheme but at a slower rate and with less impact than had been previously forecast</td>
<td>Medium</td>
<td>Low</td>
</tr>
</tbody>
</table>


Population Structure: As at the 2013 census that population of the Ōpōtiki District had declined by 420 people to 8,780. This is a 4.6% reduction since the 2006 census, or on average a decline of around 1% per annum.
As at the 2013 census the median age (half are younger, and half older, than this age) of people in the Ōpōtiki District is 40.8. For New Zealand as a whole, the median age is 38.0 years. 16.9 percent of people in Ōpōtiki District are aged 65 years and over, compared with 19.1 percent of the total New Zealand population. 23.0 percent of people are aged under 15 years in Ōpōtiki District, compared with 20.4 percent for all of New Zealand. The graph below tracks past changes to the Ōpōtiki Districts population age and forecast projections (based on Stats NZ medium projection series) out to 2043. The overall trends points toward an aging demographic. This apparent trend may have an impact on Council services going forward as they relate to services relevant to the retired however it is important to note that the Statistic New Zealand forecasts are not influenced by local factors such as the developing Aquaculture Industry (discussed further below) which will increase employment opportunities and therefore a working age population.

![Population Projections - Statistics NZ](image)

Ethnic groups: 52.0 percent of people in Ōpōtiki District belong to the European ethnic group, compared with 74.0 percent for New Zealand as a whole. 60.6 percent of people in Ōpōtiki District belong to the Māori ethnic group, compared with 14.9 percent for all of New Zealand.

Statistics New Zealand Census Data and associated projection are generally considered a reliable source of information for the purposes of planning for future (demand driven) services in the Local Government Sector and for that reason form the starting point for the population assumptions for Council’s 2018-28 Long Term Plan. It is important however to note that these projections do not always cater for localised events, issues and developments that can and often do influence communities and their populations.

There are four such developments that are likely to take shape in the Ōpōtiki District over the life of the 2018-28 Long Term Plan. The first is the developing aquaculture industry and related navigable harbour entrance at Ōpōtiki (discussed in section 11 below) which will see the pāua industry (discussed in section 11 below) which will see the

The second is the pending Treaty of Waitangi Settlement with the Whakatāhe iwi (discussed in section 12 below). The third is proposed expansion in the kiwifruit industry in the District, two of the three large packhouses have spent a considerable amount of money in capital expansion works over the last three years, and have budgeted for significant increases in throughput and numbers of jobs available. And fourthly the Manuka industry has really taken off over the last three years through NZ Manuka, a considerable amount of capital has been invested recently, and job numbers are projected to increase substantially. All of these issues will have significant impacts for the Ōpōtiki District Community and its population. The already developing Aquaculture Industry will create employment (both direct and indirect) opportunities within the community and have a subsequent impact on the future population. So too will the Treaty of Waitangi Settlement with the Whakatāhe Māori Trust Board developing strategies to invest Treaty Settlement proceeds locally with a view to benefit Whakatāhe people within the Rohe and to attract its people back to the area. Whilst the expansion in the kiwifruit and Manuka industries will bring more people into the district to fill the jobs required, and also provide for more high paying full time jobs.

Martin Jenkins has been commissioned to provide population projections for the Ōpōtiki District to support the Long Term Plan.

We reviewed historical demographic data and school rolls as well as economic variables such as employment, rateable assessments and building permits to determine whether there were other trends that may inform population projections that differ from those provided by Statistics New Zealand and the National Institute of Demographic and Economic Analysis.

The analysis suggested that population decline of the order suggested by Statistics NZ and NDIEA were likely outcomes. The approach used to determine Ōpōtiki population projections in the previous LTP was modified to provide an aspirational growth scenario for the district.

The Statistics NZ high percentile and low percentile scenarios were adopted as the baseline scenarios. We then estimated likely employment growth from the Twin Harbour Projects, Kiwifruit expansion and Whakatāhe iwi development activity. This included indirect and induced employment generated as a result of these direct jobs. We then estimated the likely proportion of this employment that would have to come from outside the district over the medium term (to 2028).

This out of region employment was then converted into new households and then additional population utilising ratios of average employed per household and average household size to determine the additional population these jobs would attract.
Over the period 2016 to 2028, there will be population growth of 2,182 people and an additional 1,200 households from the increased economic activity.

The additional population was added to the Statistics NZ High percentile projections to reflect the aspirational population scenario. The Statistics NZ Low percentile projections reflected a worst case scenario where the additional activity resulted in no new population growth. Population projections for the Ōpōtiki District are shown in Figure 1.

![Figure 1: Ōpōtiki District Population Projections, 2016 to 2028](image)

Under the aspirational projection, population increases by 2.1 percent per annum between 2016 and 2028, an increase of 2,182 people. Under the worst case scenario, the district’s population would decline by 1.4 percent per annum, or 1,163 people.

Table 1 presents a summary of the key assumptions underpinning the analysis.

<table>
<thead>
<tr>
<th>Assumption</th>
<th>Level of Uncertainty</th>
<th>Impact on Integrity of LTP</th>
</tr>
</thead>
<tbody>
<tr>
<td>That changes in population structure and growth have been adequately provided for in the Long Term Plan</td>
<td>Low</td>
<td>Medium</td>
</tr>
</tbody>
</table>

The aspirational population projection is based on projected employment growth in the district. However, for this analysis we have only considered growth as a result of the Twin Harbour projects and the Kiwifruit and Manuka industries. There is potential to achieve growth in other sectors of the local economy, such as tourism; or other regional development activity that is occurring in the region such as Whakatōhea Māori Development Board activity to encourage opportunities for their iwi.

Further, the aspirational projection will change if any of these key assumptions change.

It should be noted that these population projections are a guide to future growth and are not interpreted as an absolute when making investment decisions reflected in the Long Term Plan. By way of example, decisions around infrastructure investments are based on not only catering for the above population projections but also provide for additional capacity so to ensure that services are future proofed.
10. Rating Unit Growth

Rateable assessments provide an estimate of the total number of properties in Ōpōtiki. Rateable assessments include all property types – residential, commercial and public. From 2003 to 2013 there has been a steady increase in the number of rateable assessments, as shown below;

Figure 2: Rateable assessments 2003-2018

Source: MartinJenkins

Between 2003 and 2013, the number of rateable assessments grew by 1.3 percent each year. On average, there were an additional 73 rateable assessments each year. From 2014 to 2018, the growth in the number of rateable assessments has dropped off, growing by only 0.3 percent each year.

We would note that there has been some consolidation in the rateable assessments with the amalgamation of rural properties between 2016 and 2017.

Looking forward, reticulation projects should result in infill housing in Hikutaia and Woodlands. The next lot of the Waiau drifts should release a further 100 sections. The district plan review saw 20 hectares rezoned from rural to industrial, and a marine services and harbour industrial zone were also added.

Figure 3: Rateable assessment scenarios

Source: MartinJenkins

The number of rateable assessments increases under all three scenarios. By 2028, the aspirational scenario sees the number of rateable assessments increase by 1.6 percent each year to 7,476.

Under the Statistics New Zealand high scenario, rateable assessments will increase by 0.3 percent each year from 2018 to 2028 to 6,459.

Under the Statistics New Zealand low scenario, rateable assessments will increase only marginally, to 6,214, an increase of 0.04 percent each year.
The two assumptions that have a major influence on the rateable assessments are the proportion of additional households that move into existing vacant residential; and that a decline in household growth does not have a flow on effect to rateable assessments.

<table>
<thead>
<tr>
<th>Assumption</th>
<th>Level of Uncertainty</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>That growth in the rating base is adequately provided for in the long Term Plan</td>
<td>Low</td>
<td>Medium</td>
</tr>
</tbody>
</table>

11. Building and Residential Development

As discussed elsewhere in this paper the developing Aquaculture Industry along with a significant growth in the kiwifruit industry and a pending Treaty of Waitangi Settlement will create significant opportunities that are expected to drive population growth over the 2018 to 2028 LTP period.

The projected population increases over this period are included in section 8 of this paper. In summary it is anticipated that the population of the district will increase by about 2,182 residents. It has been assumed that around 1,200 additional houses will be needed to accommodate the increased population at a rate of 2.25 persons per household.

The business case for the aquaculture venture shows that there will be a range of jobs and salaries and therefore there is likely to be a wide variety of expectations in terms of the residential environments that people may wish to live in. The Ōpōtiki District Council needs to be able to offer choice in residential demand to satisfy demand and expectations. It is likely that some of the projected population increase will be accommodated through existing rural-residential lifestyle development in close proximity to the township. However, these developments are at the upper end of the market and will not be an option that will be generally affordable for most. There is also capacity in areas that are zoned coastal settlement, and in particular the area known as the Drifts is one such area. These areas are also at the higher end of the market.

There are two other areas that offer opportunities for further developments, the Kukumoa/Hukutaia area which has a mixed old and new residential character and could be developed further to satisfy mid-market ranges and within the boundaries of the Ōpōtiki Township there is a level of infill capacity which could be suitable for the development of affordable housing.

It is anticipated that rural-residential lifestyle and coastal development are likely to accommodate a small percentage of the increased population due to affordability issues. Therefore, it is anticipated that most of the population increase will be accommodated within the Ōpōtiki Township and in particular the area known as Hukutaia. People moving into Ōpōtiki can reasonably expect to have a similar level of infrastructural services that are available in other towns such as reticulated sewerage and water supply.

The aging sewerage infrastructure requires upgrade and would not be able to cater for a substantial increase in infill development should individual owners wish to exercise their options under the District Plan and subdivide sections to 400m2. The scheme will need to be upgraded in order for infill development to be an environmentally sustainable option for the township. At present there is no reticulated sewerage system in the Kukumoa/Hukutaia area. If the population was to substantially increase in this area it is desirable from a health and environmental perspective that sewerage be reticulated.

The District Plan provides for a density of one household unit per 400m2 where sites have access to a sewerage system. There are around 1090 existing houses within the township and the majority of these houses are built on sites that are theoretically capable of infill development acknowledging that many property owners may not wish to subdivide. In addition it is anticipated that there will be a number of other activities associated with the processing facility that are likely to be located within the Ōpōtiki Township due to indirect and induced effects of the establishment of the processing facility. These activities will also have an impact on the sewerage system. While there will be impacts on the capacity of the sewerage system within the township to cope with increased activities (residential and industrial) the current treatment facilities are capable of treating any increase and disposing of it in an environmentally friendly manner.

It also cannot be overlooked that with the development of processing facilities for the aquaculture product, this too will have a significant trade waste component that may need to be accommodated by the sewerage system.

The Hikutaia area has at present around 460 houses. There is potential for around 530 further sites on land that is already zoned residential under the District Plan through Greenfield development.

Note: the number of potential house sites was calculated using the 800m2 minimal lot size and included the hospital site.

There is also land presently zoned rural adjacent to the residentially zoned land that is considered suitable for residential development and there is potential for 346 sites. The greater Hukutaia area at its greatest extent is likely to accommodate in excess of 876 residential sites (under existing rules).

It is not desirable from a health and environmentally sustainable perspective for this level of development to occur without appropriate sewerage facilities. In addition the old hospital located on Hukutaia Road has been land banked and is subject to treaty claims. While the Council cannot influence treaty processes and timing of settlements, it is anticipated that during the life
of this LTP that the future of this site will become apparent and while it may not be used for residential purposes any development is likely to place additional demands for sewerage disposal. The past practice of addressing sewerage disposal on site when the hospital was in operation is now not an appropriate way of addressing sewerage from an activity that is likely to generate levels significantly above those generated by an individual residential activity.

In summary:
- It is anticipated that the population of Ōpōtiki will increase by 2,182 residents and that this will require the building of 1,200 houses
- It is anticipated that a small percentage of the increased population will be accommodated through rural-lifestyle development and land presently zoned coastal settlement such as the ‘Drifts’
- The aging state of the Township’s sewerage provides a significant constraint to residential infill development and the ability of the system to accommodate new aquaculture processing and other associated industrial activities
- The Hukutaia area is presently considered capable of accommodating a significant proportion of growth through both land presently zoned residential and an extension to the residential zone on land presently zoned rural
- The Hukutaia area is not presently serviced by reticulated sewerage and for the population to increase in this area there is a need for a reticulated sewerage disposal system from health and environmentally sustainable perspectives
- The settlement of treaty claims over the life of the LTP will create a dynamic situation that is likely to place additional demand on Council’s facilities and in particular the Hikutaia area where the on-site disposal of sewerage and waste from a significant activity will be undesirable from both health and environmentally sustainable reasons.

<table>
<thead>
<tr>
<th>Assumption</th>
<th>Level of Uncertainty</th>
<th>Impact on Integrity of LTP</th>
</tr>
</thead>
<tbody>
<tr>
<td>That urban development has been adequately catered for and that planned for infrastructure can cope with expected development.</td>
<td>Medium</td>
<td>Medium</td>
</tr>
</tbody>
</table>

12. Development of commercial aquaculture industry and navigable harbour entrance at Ōpōtiki
The Ōpōtiki Harbour Transformation Project is comprised of two interdependent projects: one is the Eastern Sea Farms Limited (ESL) aquaculture venture – the country’s largest offshore marine farm; the other is a large scale infrastructure project to improve the navigability of the Ōpōtiki Harbour entrance. Together these projects have the potential to transform the Ōpōtiki community from high levels of deprivation and social spend, to social and economic independence.

The ESL marine farm site is located 8.5km off the Eastern Bay of Plenty coastline and will have a total area of 3,800 hectares when fully developed. Comprehensive research and investigations undertaken as part of the proposal’s development determined that the site is potentially one of the most productive marine farming areas nationally and, in all probability, internationally.

ESL holds all necessary resource consents for the development of the multi-species marine farm. The first three trial lines for Greenshell mussels (Ōpōtiki) Limited (WMOL), was formed in 2014 and has since installed 108 of its own lines and 60 for ESL. The first commercial harvest of 45 tonnes in October 2016 was sold on the local market and WMOL purchased a specialised marine farming vessel, the Northern Quest, in November 2016. In November 2017, WMOL contracted a New Zealand boat builder to build a second, new customised vessel. Once production reaches about 6,000 tonnes per year, they expect to be able to land product in Ōpōtiki, where a processing plant will be constructed. The resource consents for the farm enable diversification into other species including scallops, pacific and flat oysters, and allow for pilot farming of geoduck. Trials with some of these species have been undertaken.

Ōpōtiki District Council has led the development of a proposal to recreate a usable harbour entrance that provides a level of access suitable for servicing the existing marine farm and enables additional offshore aquaculture development in the Eastern Bay of Plenty. In July 2009, all necessary resource consents were granted for the improvement works, including regional and district council consents and restricted coastal activity approvals from the Minister of Conservation. A concession for the use of land has been approved by the Department of Conservation and is being updated.

As can be seen from the timelines below, the existing marine farm and the harbour entrance improvements are inextricably linked. For the commercial entity, the proximity of the marine farm to servicing and processing facilities is a key determining factor in the long-term viability of the farm’s development. Currently, servicing of the farm occurs through the Port of Whakatāne, and mussels are transported to Tauranga by road for processing. However, Whakatāne is not suitable in the long term due to its difficult harbour entrance, lack of suitable land for servicing and processing facilities, and conflicting uses in and around the harbour. Locating the servicing base in Ōpōtiki is the most cost effective option, subject to a reliable entrance being created.

Similarly, the benefits of the Ōpōtiki harbour entrance improvements project will only be fully realised if the marine farm servicing and facilities can be located in Ōpōtiki with the resultant social and economic benefits to the community.
Draft Planning Assumptions

14. Funding of the Ōpōtiki Harbour Redevelopment

As described in section 12, the development of the Ōpōtiki Harbour is fundamental to the developing aquaculture industry in the Eastern Bay of Plenty and central to the Ōpōtiki District reaping the associated economic and social benefits.

Combined with the ongoing development of the commercial aquaculture industry, a navigable harbour entrance at Ōpōtiki has the potential to transform the Ōpōtiki community from high levels of deprivation and social spend, to social and economic independence.

The harbour and the aquaculture projects are fully consented. The commercial aquaculture entity is now active and a local mussel processing plant becomes feasible when the operation reaches a production volume of 6,000 tonnes year. The Whakatāne Agreement in Principle to reserve a further 5,000 ha for aquaculture more than doubles the likely benefit of the harbour and recent research shows that up to five farms totalling 20,000 ha are sustainable in the Eastern Bay of Plenty.

The development of the harbour to enable the aquaculture industry comes at significant cost. That cost cannot, and should not, be borne by the Ōpōtiki District ratepayers alone. The Ōpōtiki District community is likely to materialise beyond that point in time. However the reality that settlement will occur within the planning period is an important consideration when considering the future of the Ōpōtiki District. Both of these issues will have significant impacts for the Ōpōtiki District Community and its population. In August 2017 Whakatāne signed an Agreement in Principle with the Crown. The quantum of settlement agreed is $100M, with additional redress in the form of land, cultural, education and health initiatives as well as a “reservation” of a further 5000 ha of marine farming space.

Whilst specifics are not yet available it is clear that the Whakatāne Māori Trust Board intend to invest Treaty Settlements in area’s that create opportunities for its people and that those opportunities will primarily be based with the Ōpōtiki District. Investments are likely to be made in the areas of health, education, and employment creating industries such as Horticulture, Forestry, Agriculture and Aquaculture. Such investments will have a material impact on the future growth of the Ōpōtiki District.

<table>
<thead>
<tr>
<th>Aquaculture Industry</th>
<th>Ōpōtiki Harbour Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investment decision</td>
<td>Sep – Jan 2018</td>
</tr>
<tr>
<td>Government investment decision</td>
<td>– By Dec 2017</td>
</tr>
<tr>
<td>First commercial harvest</td>
<td>Jan - Oct 2016</td>
</tr>
<tr>
<td>Construction start</td>
<td>Late 2018</td>
</tr>
<tr>
<td>Construction finish</td>
<td>Early 2021</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the aquaculture industry and related Ōpōtiki Harbour Transformation Project will continue to develop as planned.</td>
<td>Low</td>
<td>High</td>
</tr>
</tbody>
</table>

13. Treaty of Waitangi Settlement

A significant Treaty of Waitangi Settlement with the Whakatāne Iwi is expected within the planning horizon of the 2018-28 Long Term Plan. Certainly the down-stream benefits to the Ōpōtiki District Community are likely to materialise beyond that point in time. However the reality that settlement will occur within the planning period is an important consideration when considering the future of the Ōpōtiki District. Both of these issues will have significant impacts for the Ōpōtiki District Community and its population. In August 2017 Whakatāne signed an Agreement in Principle with the Crown. The quantum of settlement agreed is $100M, with additional redress in the form of land, cultural, education and health initiatives as well as a “reservation” of a further 5000 ha of marine farming space.

A fully operative aquaculture industry serviced from the Ōpōtiki Harbour will benefit the Ōpōtiki District’s community in terms of social and economic outcomes; however the regional and national benefit should not be overlooked. Estimates by Sapere (2012) are that the existing 3,800 hectare marine farm, using conservative figures and processing mussels alone, could be worth about $41-55 million in terms of regional Gross Domestic Product (GDP). This also has a flow on impact on national GDP, and other national benefits such as a potential reduction in the need for tax payer funded social services in the Ōpōtiki District.

Given the local, regional and national benefit, a funding partnership between Ōpōtiki District Council, Bay of Plenty Regional Council and central government has been assumed. In 2013, BOPRC committed $18M in grant funding through their Regional Infrastructure Fund, plus $2M in its Long Term Plan 2015-25. ODC is working with partners, including BOPRC, Whakatāne Māori Trust Board, the Ministry of Business, Innovation and Employment, and the Ministry for Primary Industries, to finalise a business case for government funding for the harbour development.. The business case provides compelling social and economic justification for investment.

The commitment of $5.4M from Ōpōtiki District Council will be funded by way of loan, to be repaid over time by revenue from harbour users. The BOPRC funding is a grant, subject to a range of conditions set out in a Heads of Agreement approved in December 2014. The form of
the government funding is not known at this stage but is assumed to be a mixture of grant funding and suspensory loan. The following funding splits are assumed for the purposes of the 2018-28 financial forecasts.

<table>
<thead>
<tr>
<th>Funding Partner:</th>
<th>Contribution:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ōpōtiki District Council (loan)</td>
<td>$5.4M</td>
</tr>
<tr>
<td>Bay of Plenty Regional Council (grant)</td>
<td>$20M (no inflation allowance)</td>
</tr>
<tr>
<td>Central Government</td>
<td>Withheld under S 7(2)(h)and (i) LGOIMA</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>Withheld under S 7(2)(h)and (i) LGOIMA</strong></td>
</tr>
</tbody>
</table>

While there is no confirmed commitment around the government funding, the two main political parties have made positive public statements about the project. All political parties and many government officials have been briefed and updated over the past 12 years. The certainty around the funding availability is judged a low risk.

The BOPRC funding is conditional on a commitment to the construction of a local processing plant, as the expected social and economic outcomes arise from the creation of local jobs, with local people filling those jobs. The rationale for ODC’s contribution is also to drive social and economic change and is therefore subject to the same condition.

WMOL has achieved successful mussel spat catches and its second commercial mussel harvest. The spat catch nationally has been significantly reduced over the last few years and the site at Ōpōtiki is showing promise as a supplier of spat to the wider industry. The company’s success to date, the risk around lack of investment is judged to be low, though there are a range of risks related to weather patterns and events, offshore currents and nutrients, vandalism etc. The risk in relation to the establishment of a local mussel processing factory is therefore judged to be medium.

If external funding is not available to support the Harbour Transformation Project, it will not go ahead and associated expenditure will not occur because the level of investment is beyond the Ōpōtiki District Community’s ability to pay.

15. Biosecurity Incursion Risks

There are a number of biosecurity risks that have the potential to significantly impact the district. In the last LTP we had a separate assumption on Pseudomonas Syringae pv. Actinidiae (PSA) which had recently impacted on the district quite significantly.

More recently, an outbreak of Myrtle Rust hit our shores with the potential to devastate Pohutukawa and Manuka. There were a number of positive cases in Northland, and a few in the Bay of Plenty. There have been no confirmed cases yet in the Ōpōtiki District but the impact on a blossoming Manuka industry could have some potential, although it has been found that Manuka in Australia (where the rust originated from) has been quite resistant.

In the aquaculture industry, there is potential for a biosecurity risk to affect the production of mussels. In recent times there have been instances of other organisms growing on the mussels grown in other areas. Harvesting of mussels was also halted for two weeks in late 2017 as there was a shellfish biotoxin alert issued by MPI for the Bay of Plenty. All commercial shellfish growing areas have strict sampling programmes in place to monitor biotioxins and ensure shellfish sold by retailers and wholesalers are safe to eat.

16. Availability of staff/contractors

Recent economic conditions in New Zealand mean that there are skills shortages in some industries. In the 2017 Pre-election Economic and Fiscal Update, Treasury warned of growing evidence of capacity constraints on the economy. In Ōpōtiki, there is evidence that many civil construction contractors are busy, are recruiting and struggling to attract appropriately skilled staff. Council also struggles to attract staff to some skill areas. As a result of the harbour project, Council is a partner, and has underwritten the development of a Pathways to Work programme. This programme has become a broader programme underpinning the economic development programmes of the Eastern Bay of Plenty and is beginning to have results in ensuring pathways into training and jobs. It is anticipated this will be a strong focus area in the next three years of this LTP. Council included a requirement in the tender process for the harbour for the contractor

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>External funding is available in support of the Ōpōtiki Harbour Transformation Project</td>
<td>Medium</td>
<td>Medium</td>
</tr>
</tbody>
</table>

Additional Assumptions:
to engage with the Pathways to Work programme to ensure maximum uptake of the newly created jobs. There is potential that the letting of a contract to build the harbour will bring additional expertise and capability to Ōpōtiki in the form of new and up-resourced contractors,

It is assumed that the announcement of the harbour will mean we are able to attract more skilled applicants for the vacancies, and that the Pathways to Work programme, and the joined up programmes of the partners will have positive effects on the availability of work ready local workers.

It is assumed that we will be able to retain and find skilled staff and contractors to undertake work that is required, to the agreed standards, deadlines and cost.

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<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>That staff and contractors will be available as needed and budgeted</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

17. Ōpōtiki Wastewater Renewal Project

Council undertook significant investigation works in the first three years of the 2015-25 LTP on the issues present within the network, this involved a find and fix project on a smaller catchment of the town that proved very successful.

The results of the investigation pointed to a much more affordable relining and replacement project to be carried out across the balance of the town which has already begun. The remainder of this project will be completed in the first few years of the 2018-28 LTP. There is a minor risk of delay due to pressure on contractor availability over the next three years.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the wastewater replacement project will entail a revised replacement and relining project for the Ōpōtiki wastewater network as budgeted</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

18. Source of funds for the future replacement of assets

The sources of funds for the future replacement of assets are outlined in the Revenue and Financing Policy.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the sources of funds for the future replacement of assets will be available to Council</td>
<td>Low</td>
<td>Low</td>
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</tbody>
</table>

19. Resource Consents

It is assumed that all projects outlined in the Long Term Plan that are required to gain resource consent should do so in a timely manner, within the cost estimates provided.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>That resource consents where required for projects will be available</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

21. Natural Hazards/Disasters

Our district is at risk of a range of natural hazards such as earthquakes, flooding, drought, debris flow, slips, tornado, fire, and volcanic activity. We have not allowed for any such event in our LTP. However, we have appropriate insurance policies, and agreements with Central Government to cover the majority of the costs from these types of events. It is also assumed that we will be able to continue operating to deliver essential services to the community in the event of a disaster.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>That a natural disaster does not happen over the course of this LTP, should one happen however, it is assumed that Council can obtain funding for recovery and still continue to deliver essential services to the community</td>
<td>Medium</td>
<td>Low</td>
</tr>
</tbody>
</table>
22. Insurance
It is assumed that we will be able to obtain insurance cover and that the cost for insurance will be similar to that for the previous year plus inflation.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>That insurance cover is available at rates equivalent to the prior year plus inflation</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>

23. LGFA Borrower Notes
It is assumed that the LGFA will not default on any of its financial commitments requiring Council to convert its borrower notes into equity over the period of the LTP. As a non-guaranteeing Council we are required to purchase borrower notes as security when we borrow from the LGFA. These notes are converted to equity on default, the likelihood of this happening is very remote as there are many other failsafe measures further up the chain that will get called upon before the borrower notes.

<table>
<thead>
<tr>
<th>Assumption:</th>
<th>Level of Uncertainty:</th>
<th>Impact on Integrity of LTP:</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the LGFA borrower notes will not be called upon over the term of the LTP.</td>
<td>Low</td>
<td>Low</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY
Council has a Sensitive Expenditure Policy which was adopted 15 December 2015. This policy has now been updated to align with industry standards around areas identified by Audit New Zealand in their interim management report. The policy has been updated to include the use of Credit Cards. The Audit and Risk Committee now recommends Council adopt the revised policy for use.

PURPOSE
To present to Council an updated Sensitive Expenditure Policy and to recommend Council adopt the revised policy for use.

BACKGROUND
Audit New Zealand have reviewed the sensitive expenditure policy and identified areas where we could improve our policy to align with industry standards. Being a relatively recently implemented policy it was felt a full review would not be necessary.

The areas identified by Audit NZ and updated/included in the policy are:
- Credit Cards

The updated draft policy was presented to the Audit and Risk Committee at their meeting on 27 November 2017. The Committee resolved to recommend that Council adopt the updated policy for use.
DISCUSSION AND OPTIONS
Following the interim audit undertaken by Audit NZ a recommendation was made that the sensitive expenditure policy is updated in relation to credit card use, who is responsible for them and their use, the process for cancelling and destroying cards, how credit limits are set, how transaction documentation is compiled, review processes, and consequences of unauthorised use.

The revisions in the updated policy hopefully address the recommendations made.

SIGNIFICANCE ASSESSMENT
Assessment of significance
Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of significance for receiving and recommending Council adopts the Sensitive Expenditure Policy is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements
As the level of significance for receiving and recommending Council adopts the Sensitive Expenditure Policy is considered to be low, the level of engagement required is determined to be at the level of Inform according to Schedule 2 of the Significance and Engagement Policy.

RECOMMENDATIONS:
1. That the report titled Sensitive Expenditure Policy Update be received.
2. That Council adopt the revised Sensitive Expenditure Policy for use.

Bevan Gray
FINANCE AND CORPORATE SERVICES GROUP MANAGER
OPOTIKI DISTRICT COUNCIL

SENSITIVE EXPENDITURE POLICY
Purpose

The purpose of this policy is to:

- Set out clearly the principles and decision guidelines for sensitive expenditure
- Set out clearly defined parameters for sensitive expenditure
- Ensure that sensitive expenditure is assessed, authorised and reviewed consistently for all staff and Councillors.

Sensitive Expenditure is spending by Council that could be seen to give some benefit to a staff member or Councillor or could be considered unusual for Council. Sensitive expenditure will have one or more of the following attributes:

- Results in a perceived or real private benefit to the individual
- May be an unusual expenditure item for Council
- Doesn't directly align with the core business of Council or has a poor link to the business purposes of Council
- Usually a discretionary expenditure item
- Is likely to be more then less difficult to justify to the public
- May involve a conflict of interest (legal or ethical)
- May be considered an extravagant or immoderate expenditure.

Definitions

Sensitive Expenditure - Any council expenditure where there may be a perceived personal benefit to staff or Councillors, or expenditure that could be considered unusual for a council is deemed to be sensitive expenditure.

Application

This policy applies to all staff, contractors and Councillors of the Opotiki District Council.
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Principles applicable to sensitive expenditure

- Council is spending public money – it is not the property of staff or Councillors to do with as they please. Consequently all expenditure should be subject to a standard of probity and financial prudence that is to be expected of a local authority and be able to withstand public scrutiny.

- Those standards apply the principle that expenditure decisions:
  - Have a justifiable business purpose.
  - Preserve impartiality.
  - Are made with integrity.
  - Are moderate and conservative, having regard to the circumstances.
  - Are made transparently.
  - Are appropriate in all respects.

- In practice, an authorised staff member will make the decision on and/or payment for each item of sensitive expenditure. They will need to exercise careful judgement in accordance with these principles and this policy. This will always be about balance in the particular context. The principles must also be applied as a set as all are equally important.

- In the case of expenditure incurred by the Mayor or other Councillors (not explicitly approved by Council), this is subject to review by the Chief Executive for compliance with this policy.

Deciding when sensitive expenditure is appropriate

- The quantity of money spent on an item of sensitive expenditure may be small relative to Council’s total expenditure. However each sensitive expenditure decision is important, because improper expenditure could harm the reputation of, and trust in, the Council as well as local authorities in general.

- In deciding what appropriate sensitive expenditure is, Council staff and Councillors need to take account of both individual transactions and the total amount of sensitive expenditure.

- Even when sensitive expenditure decisions can be justified at the item level, the combined amount spent on a category of expenditure may be such that, when viewed in total, the entity could be criticised for extravagance and waste.
The responsibilities of Senior Managers, the Mayor and Councillors

- To be truly effective, this sensitive expenditure policy, procedures and other controls must be embedded in the Council’s values, philosophy, practices and business processes. When this occurs everyone at Council becomes involved in the proper and prudent management of sensitive expenditure.

- Overall responsibility for this policy rests with those at the top of Council, the Mayor, Councillors and senior management team. This group must make it clear to staff what is and is not acceptable sensitive expenditure. This group also must model those behaviours to the highest standard.

Good controls and judgement

- The responsibilities of the Mayor, Councillors and the Senior Management Team (SMT) at Council include being accountable for properly and prudently spending the public money under their control. This includes sensitive expenditure and the internal controls that support this.

- While good controls at Council will assist good sensitive expenditure decisions, good judgement will also be required. This is because it is not possible or desirable to attempt to set rules for every possible situation that may arise. In the absence of a specific rule for a given situation, Management, the Mayor and Councillors are expected to exercise good judgement by taking the principles in this policy into account in the context of the given situation.

- Management, the Mayor and Councillors are required to ensure transparency in both sensitive expenditure and remuneration systems, to avoid any trade-off between the two. Items of expenditure that may not be justified under the principles of this policy should not be included as part of an employee’s remuneration for the purposes of avoiding scrutiny against sensitive expenditure principles.

General controls for sensitive expenditure

- All claims must be submitted promptly after the expenditure is incurred. Except in exceptional circumstances this means within one month of the expenditure being incurred.

- Staff, Councillors and the Mayor is, in accordance with the principles of this policy, required to exercise prudent judgement regarding all Council related expenditure.

- Sensitive expenditure will only be reimbursed if it is deemed to be reasonable, actual and has been incurred directly in relation to the Opatiki District Council business.

- Valid original GST compliant invoices/receipts and other supporting documentation must be maintained/submitted for all sensitive expenditure. Credit card statements do not constitute adequate documentation for reimbursement.

- All claims must clearly state the business purpose of the expenditure where it is not clear from the supplier documentation supporting the claim.
All claims must document the date, amount, description, and purpose for minor expenditure ($<20) when receipts are not available.

Wherever possible Councils preferred suppliers are to be used.

Approval of sensitive expenditure:

- Must only be given where the person approving the expenditure is satisfied that a justified business purpose and other principles have been adequately met.

- To determine the appropriateness/reasonableness of sensitive expenditure the principles in section 1 of this policy must be applied. In addition the following questions should be considered:
  - Does the expenditure support the Council’s Vision, Mission and Values?
  - Could the expenditure be justified to a stakeholder, e.g. the public?
  - Could publicity about the expenditure or occasion adversely affect the Council?

- Must be given before the expenditure is incurred, wherever practical;

- Must be made strictly within their delegated authority in accordance with the delegations manual and only where budgetary provision exists.

- Must be given by a person senior to the person who will benefit or might be perceived to benefit from the expenditure, wherever practical.

- In general the practice of ‘one up approval’ will be utilised by the Ōpōtiki District Council.

- Group Managers will approve any sensitive expenditure incurred by their staff.

- The Chief Executive will approve any sensitive expenditure of Group Managers.

- The Mayor will approve any sensitive expenditure of the Chief Executive.

- Any sensitive expenditure incurred by the Mayor will be approved by the Finance and Corporate Services Manager and the Deputy Mayor.

Issue and operation of Council credit and ‘P’ cards

- Whilst using credit and P cards is not a type of sensitive expenditure they are a common method of payment for such expenditure in many local authorities.

- There are only two Council credit cards issued. These are for items of expenditure where it is difficult to issue a purchase order. Usually these are for library book purchases direct from the publisher, or renewal of software subscriptions. Where a staff member uses a credit card to procure a good or service a ‘credit card purchase’ form must be completed.

- The Finance and Corporate Services Group Manager is responsible for the management of Council credit cards. If a new card needs to be issued then a business case will be required for its issue. The business case will outline the need for the card, and the limit to be applied to the card.
• The Finance and Corporate Services Group Manager is also responsible for the closing and destruction of cards. This will need to happen if there are changes to staff as each card is named for the holder.

• The card holder is responsible for the day to day management of the card, including its security. If the card is lost the holder is responsible for notifying the Finance and Corporate Services Group Manager at their earliest convenience, or ANZ bank directly.

• There are two limits set on the card, the first is the individual transaction limit based on the financial delegation of the card holder. The second is the total transaction limit for the card. This is based on the business case and the use of the card. Any amendments to limits will need to be authorised by the Finance and Corporate Services Group Manager.

• Copies of credit card transactions need to be kept by the card holder, these are to be provided to Finance so that they can reconcile the monthly credit card payments in total.

• Credit card transactions and purchases need to be approved on a one up basis in line with Council’s normal procurement and purchase order process.

• Unauthorised credit card use will not be tolerated, and may be treated as serious misconduct as per the employee handbook.

• Cash advances from Council credit cards are not permitted. Delegated financial limits apply to Council credit cards, these are personalised for Council staff that require them.

• Expenditure charged to Council credit cards must be for business use only. Personal purchases are not permitted.

• Where the use of a personal credit card is necessary (e.g. in the event of travel) Council will reimburse staff and members at zero cost to the card holder/owner, provided that the costs claimed comply with this policy, and where practicable are pre-approved.

**Travel and accommodation expenditure – principles**

• Councillors and Council staff may need to incur travel and accommodation costs while conducting Council business elsewhere in New Zealand or overseas. The principles of a justified business purpose, moderate and conservative expenditure, are particularly relevant for travel and accommodation expenditure.

• Travel and accommodation expenditure should be economical and efficient, having regard to purpose, distance, time, urgency and personal health, security and safety considerations.

**Travel and accommodation expenditure – air travel**

• To the extent practical, air travel is to be booked well ahead of the actual travel date, so the expenditure is the most cost-effective possible. Staff travel and accommodation will be approved on a one-up basis with the appropriate form.
• Discounted economy or economy class and/or a discount airline is to be the first choice for journeys where the uninterrupted flight time is 5 hours or less, except where the distance or hours travelled, work schedule on arrival, or personal health, safety or security reasons make business class preferable, in which case prior approval of the Chief Executive Officer is required. Travel for the Mayor or Chief Executive will often be more flexible fares to provide for the frequency that priorities change and flights need re-booking.

• Council does not provide for membership of airline travel clubs e.g. Koru Club.

• Air points (loyalty schemes) - Loyalty rewards accruing to staff and elected officials carrying out their official duties remain the benefit of the Council; provided the use of carriers supplying air points does not result in Council incurring additional costs.

Meals and accommodation when travelling

• To the extent practical, accommodation is to be booked well ahead of the actual travel date, so the expenditure is the most cost-effective possible. This must take into account the location of the accommodation relative to the event, the standard of the accommodation and security issues. Wherever possible use is to be made of Council’s preferred suppliers and negotiated corporate rates.

• Where an employee chooses to stay in private accommodation reimbursement will be made directly to the hosts at the discretion of the Chief Executive.

• Drinks – Council will pay for only two beverages (alcoholic or non-alcoholic) with an evening meal, and these must be clearly identifiable on receipts supporting the expenditure.

• Minibars/Videos – these costs will not be reimbursed by Council.

• Phone Calls – All charges for business related telephone calls, faxes, email and internet access made by an employee or Councillor while travelling on Council business will be reimbursed. Council will also pay for one toll call home (10-15 minutes) each day while staff are travelling on Council business.

• Accommodation check out times is to be observed. In the absence of extenuating circumstances, any additional costs as a result of failing to check out in time are the responsibility of the staff member or Councillor.

• Reasonable expenses will be met for unexpected events, e.g. overnight expenses due to a cancelled plane flight.

• Reasonable meal costs will be met with the total cost not expected to exceed $60 per person per meal. Separate meal expenses will not be met where a meal has been provided as part of the meeting, conference, training, etc.

• Where travel arrangements are extended to accommodate an employee’s or member’s personal arrangements, all costs in addition to those that would be expected for the business component of the trip are the responsibility of the staff member or Councillor.
Motor Vehicles and Taxis

- Council requires that the most economical type and size of rental car be used, consistent with the requirements of the trip. Rental cars are only available for business conducted outside the district. Any fines (parking or traffic offences) incurred while using a rental vehicle are the responsibility of the driver.

- Private use of a rental car is only permitted in exceptional circumstances and requires the express approval of the Group Manager or Chief Executive. All additional costs as a result of private use are the responsibility of the employee or Councillor.

- Council expects the use of taxis to be cost effective relative to other transport options.

- Council vehicles (except those provided explicitly under a remuneration arrangement) are not available for private use. Any fines (parking or traffic offences) incurred while using a Council vehicle are the responsibility of the driver unless the fines relate to an aspect of the condition of the vehicle outside the driver's control.

- Generally Council will not pay for travel by private motor vehicle where travel by other means is more practical and cost effective. Staff are expected to always use a Council vehicle for Council business if one is available. Pre-approval is required in all instances where reimbursement by Council is claimed. Where the use of a private vehicle is approved, mileage reimbursement for running costs will be made in accordance with the current Council vehicle policy. The maximum reimbursement payable will be the running costs of the alternative Council vehicle. The vehicle owner must ensure that they have appropriate insurance cover for the vehicle while it is being used on Council business. Any fines (parking or traffic offences) incurred while using a private vehicle on Council business are the responsibility of the driver.

- All reimbursement claims for use of a private motor vehicle must be made on the appropriate Council form and at the rates approved from time to time by Council. The reimbursement rate will be in line with those generally used in the public sector. Mileage rates used are the standard mileage rate for motor vehicles advised by Inland Revenue.

- For the avoidance of doubt the replacement of Council motor vehicles is to be undertaken in accordance with Council’s Motor Vehicle Replacement Policy and requires the approval of the tender sub-committee.

Tipping

- The probity issue associated with tipping is that it is discretionary and usually undocumented expenditure. Tipping should not in any circumstances be extravagant. The principle of moderate and conservative expenditure is particularly relevant.

- Council will not reimburse staff or Councillors for tipping while they are on business in New Zealand. Council will reimburse staff and Councillors for low to moderate tipping during international travel only in places where tipping is local practice.
Other travel issues

- The use of communications technology, e.g., cell phones, telephones, email, and internet access should be moderate. Reasonable private use to clear email and communicate with family members is permitted.

- Private travel (extended travel) linked with official Council travel. Staff and Councillors with the express approval of the Department Manager or Mayor (as applicable) may undertake private travel before, during or at the end of Council travel, provided there is no additional cost to the entity and the private travel is only incidental to the business purpose of the travel.

- Travelling spouses, partners, or other family members. As a general principle, travel cost for accompanying spouses, partners, or other family members are a personal expense and will not be reimbursed by Council. In those rare instances where the involvement of a spouse directly contributes to a clear business purpose and preapproval has been obtained, then Council may contribute to all or part of the additional costs.

- The cost of stopovers will only be reimbursed where they are pre-approved and have a clear business purpose.

Entertainment and hospitality expenditure – principles

- Entertainment and hospitality can cover a range of items from tea, coffee, and biscuits to catering, such as meals and alcohol. It also includes non-catering related items, such as Council funded entry to sporting or cultural events.

- Expenditure on entertainment and hospitality is sensitive because of the range of purposes it can serve, the opportunities for private benefit, and the wide range of opinions on what is appropriate.

- Five business purposes of entertainment and hospitality have been identified:

  1. building relationships
  2. representing the organisation
  3. reciprocity of hospitality where this has a clear business purpose and is within normal bounds – acceptance of hospitality is expected to be consistent with the principles and guidance for provision of hospitality
  4. recognising significant business achievement
  5. building revenue

- Supporting the Council’s internal organisational development may in occasional circumstances also be a legitimate business purpose for moderate expenditure.

- Given the many non-commercial functions of Council, there will only be limited justification for expenditure under some of the five purposes of entertainment and hospitality above.
The principles of a justified business purpose, moderate and conservative expenditure are particularly relevant to Council. Council requires tight control of expenditure and transparent reporting.

**Entertainment and hospitality expenditure – general**

- All entertainment and hospitality expenditure must be pre-approved where practical and always supported by clear documentation. This documentation must identify the date, venue, costs, recipients and benefits derived and/or reasons for the event.
- The most senior person present should approve and confirm the expenditure as being appropriate.
- Expenditure on liquor will only be approved when consumed along with food and the amount involved is reasonable and moderate.

**Goods and services expenditure – disposal of surplus assets**

- This section covers obtaining, disposing or using goods and services that are not covered by the terms and conditions of employment.
- Sale of Surplus Assets – As part of normal business Council will from time to time dispose of assets. Typically this is when the assets have become obsolete, worn out or surplus to requirements. Council’s disposals are intended to be both transparent and fair.
- Council will not dispose of assets to staff or Councillors or related parties at a discounted rate if a greater net value is likely to be realised by an alternative method of sale.
- The principles of preserving impartiality and integrity are particularly relevant. Council expects staff disposing of assets not to benefit personally from the disposal. All disposals are to be handled in a manner that ensures the staff's personal judgement or integrity are not compromised.
- To ensure transparency, fairness and receipt of best value for Council, the disposal of assets, which have become obsolete, worn out or surplus to requirements, shall normally be conducted on the open market or by way of trade-in on a replacement asset, unless the value of the assets are minimal (i.e. <$500)
- Where disposal to officers or Councillors is approved by the Chief Executive (or delegated by the Chief Executive), the following principles shall apply:
  - Officers involved in disposing of the asset shall not benefit from the disposal
  - All assets identified for disposal to officers shall be valued and subject to a tender or other process that is appropriate to the value of the asset
  - Assets shall not be sold at a discounted rate to officers or Councillors if a greater value could be realised by an alternative method of disposal.
Goods and services expenditure – loyalty reward scheme benefits

- Loyalty reward schemes provide a benefit to the customer for continuing to use a particular supplier of goods or services. Generally, the rewards tend to be given in the name of the individual who obtains the goods or service, regardless of who has paid for them.

- Where a reward/prize is obtained by chance and without inducement, it will be the property of Council. If there is no business use for the prize or gift received it may become the property of the individual at the discretion of the Chief Executive or Departmental Manager.

- Generally prizes received from a free competition entry obtained while undertaking an entity’s business are also considered a loyalty or reward scheme for the purposes of the Council policy with the exception of:
  - Air Points schemes, these are covered under section 8 of this policy.
  - Prizes received from competitions at training or conference events or through membership of professional bodies are treated as the property of the Council. In situations where receiving a prize or loyalty reward could be perceived as inappropriate, even if the entity rather than the individual would benefit from it, Council expects the prize or reward to be declined. If there is no business use for the prize or gift received it may become the property of the individual at the discretion of the Chief Executive or Departmental Manager.

- The principles of preserving impartiality and integrity are particularly relevant.

- Council treats loyalty rewards accruing to staff carrying out their official duties as the property of Council.

- Staff must apply, as far as practicable, those loyalty rewards only for the benefit of Council.

- Council requires that staff keep a record of loyalty rewards accrued and applied for the benefit of Council, and regularly supply the departmental manager with a report of this record.

- Council requires staff leaving Council with unapplied loyalty rewards to transfer the benefits to Council or buy the unapplied rewards from Council at the market rate. Where neither of these is practical, arrangements are to be made with the supplier to cancel the unapplied rewards.

Goods and services expenditure – private use of Council assets

- Any physical item owned, leased or borrowed by Council is considered an asset for the purpose of this policy. This includes photocopiers, telephones, cell phones, cameras, means of accessing the Internet, and stationery.

- The principles of transparency, moderate and conservative expenditure, are particularly relevant. Private use for personal purposes will only be permitted in defined limited circumstances.

- The costs to Council of private use will be recovered, unless it is impractical or uneconomic to separately identify those costs.
• The use of Council assets in any private business that any employee or Councillors may operate is strictly prohibited.

Goods and services expenditure – Council use of private assets

• Council may decide that reimbursing staff for use of private assets is appropriate for reasons such as cost, convenience or availability. Council may also decide to do this in circumstances where it would not fully use an asset of the same type if it acquired it directly. Examples include private motor vehicles, private cell phones and private computers.

• The main issue associated with Council’s use of private assets is the risk of the Council paying or reimbursing amounts that inappropriately benefit the staff member or Councillor. Therefore pre-approval by the Department Manager is required. In assessing the request the Department Manager will pay particular attention to the principles of a justified business purpose and preserving impartiality and integrity.

• Staff members must not approve or administer payments to themselves for the Council’s use of their private assets.

Goods and services expenditure – Private use of Council suppliers

• Some Council suppliers may offer discounts to Councillors and staff.

• As staff may have access to some Council suppliers on the same basis as Council, they may receive preferential access to goods or services, and potentially at a preferential price, which is not available to the public. The risk is that the availability of the discount to staff will influence the choice of Council suppliers. In particular the selection of suppliers must be in Council’s interest and is not to be affected by the availability or possibility of purchasing privileges for staff.

• Staff may make use of any preferential access to goods or services through Council’s suppliers under the following conditions:

  • The discount offered must be the same discount offered to all Council staff and not be particular to individual staff members.

  • All orders are to be issued on a cash sale basis only and the staff member must pay in full for the goods and services directly to the supplier at time of supply.

  • In rare circumstances a Council order may cover expenditure with a personal component, e.g. travel or accommodation booking. In this case payment to Council for the personal component must be made on the earlier of the confirmation of the cost or the receipt of the invoice from the supplier.

  • Councillors may have preferential access to goods or services through Council’s suppliers on the same basis as staff, provided there is no real or perceived conflict of interest.
Staff support and welfare expenditure – clothing

- Other than official uniforms and health and safety-related clothing, staff will not be clothed at the Council’s expense, when they are engaged in a normal business activity.

Staff support and welfare expenditure – care of dependants

- The Chief Executive may authorise in exceptional circumstances – such as when the staff member unexpectedly requires to perform additional duties at very short notice, or a dependant unexpectedly requires additional care that the staff member cannot provide because of the essential nature of their duties at the time – the reimbursement of actual and reasonable costs. In all other instances care of dependants is to be treated a personal and private expense of the staff member.

Staff support and welfare expenditure – financing Social Club activities

- Staff social clubs typically provide the opportunity for staff to have social interaction with both immediate work colleagues and other people in Council with whom they would not normally have contact. Social clubs may also assist staff to gain a better understanding of the wider roles and functions of Council and its business units.

- Council may make a prudent and reasonable monetary contribution to a social club(s). The contribution may be in the form of an all-purpose grant towards the club’s annual budget, or it may be a grant or subsidy for a specific event.

- Before approving a grant to be made the Chief Executive must be satisfied that there is a justified business purpose for the contributions. This purpose would typically be connected with organisational development and staff welfare.

Staff support and welfare expenditure – farewells and retirements

- Expenditure on farewells and retirements includes spending on functions, gifts and other items when staff are leaving or retiring from Council or its Business Units.

- Expenditure on farewells and retirements should not be extravagant or inappropriate to the occasion. The principle of moderate and conservative expenditure is particularly relevant.

- Expenditure on farewells or retirements is to be pre-approved by the Chief Executive.

Staff support and welfare expenditure – sponsorship of staff or others

- Staff taking part in an activity that is not part of their job – such as a sporting event – may be sponsored by Council through the provision of, or payment for, goods or services (for example, a t-shirt or an entry fee).

- Sponsorship should have a justified business purpose, which could include both publicity for the Council and its objectives and organisational development. The cost to Council must be moderate
and conservative. If the sponsorship does not have a justified business purpose, the cost is a donation.

- Sponsorship of people who are not staff must be undertaken in a manner that is transparent. It is also preferable that, if non-staff are sponsored, the sponsorship is of an organisation they belong to, rather than directly of the individual.

- In most circumstances such sponsorship is best considered by Council as part of its grants budget allocation.

Other types of expenditure – donations

- A donation is a payment (in money or by way of goods or services) made voluntarily and without the expectation of receiving goods or services in return.

- Council requires donations to be:
  
  - lawful in all respects
  - disclosed in aggregate in the Council’s annual report
  - made to a recognised organisation by normal commercial means (not to an individual) and not in cash and non-political.

Other types of expenditure – Koha

Koha is a gift, a token, or a contribution given on appropriate occasions made in the context of Maori custom, without any obligation for that recipient to provide something in return.

In the Ōpotiki District, Koha is a normal and accepted practice and provides an indication of the importance of an event, or shows a relationship is valued and sometimes the recompense for hospitality at events. Both Council staff and Councillors frequently find themselves in situations where providing a Koha is an expected custom, and offence can be caused if those customs are not adhered to. For Council this poses a challenge to balance the expectations of its community against standard financial practice.

- Koha payments must be approved by the chief executive as appropriate as to its purpose and amount. They will generally be specific to a legal entity or known grouping of people (eg hapū).

- The type of Koha depends on the circumstances to which it is required. For formal meetings at a marae, it will generally be a pre-prepared cheque written to the entity holding the function. For a tangi it may be written directly to the family of the deceased. For events where a kaumatua, or group attends to perform formalities a cheque or petrol vouchers may be appropriate.

- In instances where there is insufficient time to draw a cheque in advance, the staff member or Councillor must communicate in advance of the need to provide Koha or as soon as practicable following the event, including the amount and method of payment. If cash is provided a withdrawal slip should be retained.
• All instances of Koha will be reported to the Audit and Risk Committee Meeting in a report prepared by the Financial Accountant. The report will outline the event and the justification for the amount provided.

Other types of expenditure – communications technology

• Communications technology – such as cell phones, telephones, email and internet access is widely used in the Council workplace. While some personal use of this technology may be unavoidable, excessive use incurs costs, including lost productivity to Council.

• Council’s policies on general and personal use of communications equipment is contained within Council’s Information Technology policies.

• Where it is administratively possible and cost effective Council will require reimbursement of personal use.

Other types of expenditure – gifts

• A gift is usually given as a token of recognition of something provided by the recipient.

• The giving of gifts by Council requires the express prior approval of the Chief Executive or Council resolution.

• The giving of gifts must be appropriate, transparent and reasonable.

• The receiving of a gift is not strictly sensitive expenditure however it nevertheless is a sensitive issue. This policy below aims to ensure that staff and Councillors’ impartiality or integrity cannot be called into question as a result of receiving gifts.

  • Council staff are permitted to accept gifts if they are infrequent and inexpensive and are openly distributed by suppliers and clients (e.g. pens, badges, calendars etc)

  • Infrequent is defined as no more than three times in any 12 month period and inexpensive as having a monetary value of less than $60.

  • In all instances staff must inform their manager or supervisor that they have received a gift for service or appreciation.

  • The acceptance of any gift with a monetary value exceeding $60 must have the express approval of the Group Manager for staff to retain it.

Review
Annually or earlier if required to update to new industry standards or following recommendations from audit reviews.

Policy Owner
Finance and Corporate Services Group Manager.
EXECUTIVE SUMMARY

The Enforcement Policy sets out how the Planning and Regulatory Group will perform the Council’s regulatory responsibilities. The Audit and Risk Committee has approved the policy and it is now recommended that Council adopt the Enforcement Policy for use.

PURPOSE

To present to Council the Enforcement Policy and to recommend Council adopt the policy for use.

BACKGROUND

Council, as a regulator, is responsible for a wide ranging list of statutes. At times the Council is required to take formal enforcement action against individuals or entities that fail to comply with aspects of the various statutes that Council is obliged to manage as a Territorial Authority.

Staff, in particular those working in the Regulatory Group, investigate breaches of the law and prepare, where appropriate, the case for enforcement action. In order to ensure consistency of approach and transparency of process, many Councils around New Zealand have policies that set out how the Council will carry out its role as a regulator.

An Enforcement Policy has been put together to fulfil this purpose for the Planning and Regulatory Group at Ōpōtiki District Council. The policy provides for an open and transparent process with regards to the Council approach to enforcement. It clearly sets out what can be expected of all those
involved in the compliance process. It will ensure a consistent approach is applied across regulatory functions.

The policy was presented to the Audit and Risk Committee meeting on 27 November 2017 and the Committee reviewed and approved the policy and it is now recommended that Council adopt the policy for use.

SIGNIFICANCE ASSESSMENT
Assessment of significance
Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of significance for adopting the Enforcement Policy is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements
As the level of significance for adopting the Enforcement Policy is considered to be low, the level of engagement required is determined to be at the level of Inform according to Schedule 2 of the Significance and Engagement Policy.

RECOMMENDATIONS:
1. That the report titled Enforcement Policy be received.
2. That Council adopt the Enforcement Policy for use.

Gerard McCormack
PLANNING AND REGULATORY GROUP MANAGER
OPOTIKI DISTRICT COUNCIL

ENFORCEMENT POLICY
INTRODUCTION

Opōtiki District Council (the Council) is responsible for the administration and regulation of a wide range activities. These include matters such as land use and development under the District Plan, the carrying out of building work, the preparation of food for sale at cafes, restaurants and other outlets, controls on the sale and consumption of alcohol in public, controls on dogs, littering and parking.

The primary purpose of these regulatory activities is to protect the public, the environment and groups such as consumers and residents. The main statutes under which the Council has responsibilities for enforcing regulatory requirements are listed below. (Note this is not a complete list.)

- Biosecurity Act 1993
- Building Act 2004
- Dog Control Act 1996
- Freedom Camping Act 2011
- Food Act 2014
- Forest and Rural Fire Act 1977
- Gambling Act 2003
- Hazardous Substances & New Organisms Act 1996
- Health Act 1956
- Impounding Act 1955
- Land Transport Act 1998
- Litter Act 1979
- Local Government Act 2002
- Prostitution Law Reform Act 2003
- Reserves Act 1977
- Resource Management Act 1991
- Sale and Supply of Alcohol Act 2012
- Transport Act 1962
- Various regulations, Council policies, plans and bylaws

The Enforcement Policy (the Policy) sets out the general principles that Opōtiki District Council intends to follow in relation to its regulatory obligations.

PURPOSE

The primary purpose of this Policy is to:

- Inform the general public of the Council’s approaches to the compliance and enforcement of the legislation it is responsible for enforcing;
- Outline the possible enforcement actions able to be administered by the Council;
- Guide and assist officers of the Council in the performance of their compliance, enforcement and prosecution functions;
- Ensure consistent, appropriate and coordinated decision-making of compliance, enforcement and prosecution matters.

OBJECTIVES

The regulatory activities the Council is responsible for, provide a range of health, safety and environmental benefits for the public and residents of the Opōtiki District. The key areas where the Council has enforcement responsibilities are:

Our environment – We want everyone to be able to share in the benefits of living in a built and natural environment that contributes to the outcomes agreed in the District Plan.

Buildings – We want to have buildings that are safe and provide the amenities expected by owners and users. We are concerned about buildings that expose owners and users to risks to their health or safety.
Food – We want to support local food businesses that meet the food safety standards and ensure people can enjoy food prepared and sold in the district. We are concerned about risks to people’s health that can arise from poor food safety standards when preparing food for sale at cafes, restaurants or other outlets.

Alcohol – We want people to enjoy public events and public spaces without being confronted by anti-social behaviour caused by excessive consumption of alcohol or alcohol being consumed by persons who are under-age.

Dogs – We want people to have the confidence they can live and carry out their businesses in the district without being distressed or intimidated by dogs that are not being properly controlled by their owners.

PRINCIPLES OF ENFORCEMENT

The requirement to monitor and ensure compliance with the law is a mandatory obligation of most of the Acts that the Council administers. These Acts provide the specific legislative framework for Council to enforce the rules and regulations. While these Acts provide the enforcement tools, how Council chooses to enforce remains at its discretion. This is necessarily so when considering that compliance and enforcement is complex in law and usually complicated by many factors, all having a bearing one way or another on an appropriate response. The Council is accountable to the community for the manner in which it exercises this discretion.

A number of principles guide this exercise of discretion as follows:

- Fair, reasonable and proportional approach
- Consistency of process
- Transparency
- Targeted
- Responsive and effective
- Education

Fair, reasonable and proportional approach - We will apply regulatory interventions and actions appropriate for the situation. We will use our discretion justifiably and ensure our decisions are appropriate to the circumstances and that our interventions and actions will be proportionate to the risks posed to people and the environment, and the seriousness of the non-compliance.

Consistency of process - Our actions will be consistent with the legislation and within our powers. Compliance and enforcement outcomes will be consistent and predictable for similar circumstances. Consistency of process does not mean uniformity, it means taking a similar approach in similar circumstances to achieve similar ends, while allowing for the flexibility of discretion for case by case scenarios.

Transparency - Transparency is important in maintaining public confidence in the Council’s ability to regulate. It is about helping those who are regulated and other members of the community, to understand what is expected of them and what they should expect from the Council. An integral component of transparency is making clear why an Officer intends to take or has taken enforcement action. It also involves distinguishing between statutory requirements and providing advice or guidance about what is desirable or good practice but is not necessarily compulsory.

Targeted - We will focus on the most important issues and problems to achieve the best environmental outcomes. We will target our regulatory intervention at poor performers and illegal
activities that pose the greatest risk to the environment. We will apply the right tool for the right problem at the right time.

*Responsive and effective* - We will consider all alleged non-compliance to determine the necessary interventions and action to minimise impacts on the environment and the community and maximise deterrence. We will respond in an effective and timely manner in accordance with legislative and organisational obligations.

*Education* - Education is a crucial factor in providing an effective enforcement service. Ongoing education ensures that the public is aware of the current regulations as well as increasing public confidence in the service to enforce them.

**THE ENFORCEMENT PROCESS**

The following section outlines the enforcement process we will undertake from discovery of an offence through to the decision to take enforcement action.

The response upon discovery of an offence will be largely dependent on several factors, including the need to deal with any ongoing adverse environmental effects, risk of continuing offending and the seriousness of the offence. It is expected that the response will take the following staged approach:

1. **Response to Effects**
   Upon discovery, the initial response will be to assess the actual or potential effects, if any, resulting from the contravention. Significant adverse effects will require an immediate response prior to any other action. This may include:
   - To prevent further serious environmental damage from starting or continuing. May include abatement notice, enforcement or interim enforcement order.
   - An immediate closure in the case of a serious food hygiene risk.
   - Seizure of an offending animal in the case of a dog attack.

2. **Gathering information**
   Following any urgent intervention to deal with effects, the next stage is to conduct investigations, including gathering evidence, speaking to witnesses and obtaining explanations.

   The purpose of this is to find out whether, how, and why the breach occurred and enable informed decisions to be made. The depth and scope of an investigation will be dependent on the seriousness of the incident.

   In less serious matters, it may be sufficient to write to the offending party or parties requiring written explanation as to why the offence occurred and the circumstances behind it, and then determine and appropriate response.

   In more serious matters, it is expected that the investigation will be more in depth and that detailed witness statements will be obtained and that liable parties will be interviewed under formal caution.

   Regardless of the level of offending, a response will ordinarily be sought from an offender. The exception to this would be matters of a very minor nature with nil environmental or other detrimental effects, or the person has responded such that the effects are remedied and it will not happen again.

   Upon receipt of any explanation, the next and final stage is one of deciding on an appropriate response to the offence through a sound decision-making process.
3. Deciding the Enforcement Response

Providing the correct enforcement response, requires considerable skill. It also requires a good knowledge or understanding of the relevant legislation involved. It is widely accepted across agencies that the Courts have provided helpful guidelines as to what factors are appropriate to consider to determine seriousness of a breach. Factors to consider are:

- The actual adverse effects (effects that have occurred)
- Any likely adverse effects (potential effects)
- Whether it was deliberate or an accidental action
- The degree of due care taken/foreseeability of incident
- The value or sensitivity of the area affected
- The attitude of the offender toward the offence
- Whether it was a repeat non-compliance or if previous enforcement action was needed for a similar situation
- Any effort made to avoid, remedy and/or mitigate the adverse effects
- The effectiveness of any remediation or mitigation undertaken
- Any profit or benefit gained by alleged offender
- Any relevant special circumstances – e.g. extreme weather event or other event outside the control of the party involved

Not every factor will be relevant every time. On occasion one single factor may be so overwhelmingly aggravating, or mitigating, that it may influence the ultimate decision. Each case is unique and the individual circumstances need to be considered on each occasion to achieve a fair and reasonable outcome.

An overview of the enforcement process is illustrated below:
ENFORCEMENT OPTIONS

Čapēški District Council Regulatory Officers have a broad range of enforcement options available to them to address matters of non-compliance. The tools that apply to the different regulatory functions are illustrated in the table below. These tools can be categorised into three main types; informal directive and punitive actions. Informal actions are focused on providing education and incentive based responses to allow the person to become better informed and develop their own means to improved compliance. Directive actions are about looking forward and giving direction and righting the wrong. Punitive actions are about looking back and holding people accountable for what they have done.

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<tr>
<th></th>
<th>Building</th>
<th>Planning and resource consents</th>
<th>Environmental Health</th>
<th>Liquor</th>
<th>Noise</th>
<th>Animal control</th>
<th>Bylaws</th>
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<td><strong>Education and Incentive</strong></td>
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<td><strong>Punitive actions</strong></td>
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Selecting the appropriate enforcement response will depend on such factors as the seriousness of the offence, the significance of adverse effect on people and/or the environment, and the level of remorse shown by the offender. A brief description of each of the relevant tools, impacts on the liable party, and the circumstances when we might use these tools are described below.

### Education and Incentive

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<tr>
<th>Action</th>
<th>Description of Action</th>
<th>Potential impacts on the liable party</th>
<th>When might this action be appropriate</th>
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<tbody>
<tr>
<td>Education and Engagement</td>
<td>To prevent further breaches, or to remedy or mitigate the effects of non-compliance, Council can provide information or guidance around rules</td>
<td>This is a non-formal process and as such has no legal implications.</td>
<td>Education and other incentive based interactions are reserved for dealing with co-operative parties, who are motivated to do the right thing but lack the</td>
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<td>Directive Actions</td>
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<tr>
<td><strong>Action</strong></td>
<td><strong>Description of Action</strong></td>
<td><strong>Potential Impacts of the Liable Party</strong></td>
<td><strong>When might this action be appropriate</strong></td>
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<tr>
<td>Letter of Direction</td>
<td>To prevent further breaches, or to remedy or mitigate the effects of non-compliance, Council can give a written direction for a party to take or cease a particular action.</td>
<td>Such a direction is not legally enforceable.</td>
<td>Letter of directions should be reserved for dealing with co-operative parties, who are motivated to follow the direction, and where the breach is of a minor nature, consistent with a breach that would perhaps also receive a formal warning.</td>
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<tr>
<td>Excessive Noise Direction</td>
<td>These binding notices require excessive noise to be reduced to a reasonable level and can apply for a period of up to 72 hours. Directions can be given verbally or in writing.</td>
<td>If a direction is not complied with, officers can seize and remove, render inoperable or make unusable, any device causing excessive noise.</td>
<td>Used in urgent cases where noise is causing immediate nuisance. Usually in response to complaint from neighbour or member of the public where, for example, a burglar alarm is sounding continuously, or a noisy party continues to an unreasonable hour.</td>
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<tr>
<td>Notice to Fix</td>
<td>A notice to fix is a formal, written directive. It is drafted and served by council instructing a specified person to correct an instance of non-compliance with the Building Code and/or Building Act. The form and content of the notice are specified in the Building Act.</td>
<td>A direction given through a notice to fix is legally enforceable. To breach a notice to fix is to commit an offence and make liable parties open to punitive actions or fines.</td>
<td>A notice to fix may be appropriate where a building warrant of fitness and/or compliance schedule requirements in the Building Act have not been adhered to or when Building Consent is not obtained for building work that requires a consent.</td>
</tr>
<tr>
<td>Abatement Notice</td>
<td>An abatement notice is a formal, written directive. It is drafted and served by Council instructing an individual or company to cease an activity or requiring them to do something. The form, content and scope of an abatement notice are prescribed in statute.</td>
<td>A direction given through an abatement notice is legally enforceable. To breach an abatement notice is to commit an offence and make liable parties open to punitive actions.</td>
<td>An abatement notice may be appropriate any time that there is a risk of further breaches of environmental regulation or remediation or mitigation is required as a result of non-compliance.</td>
</tr>
<tr>
<td><strong>Enforcement Order</strong></td>
<td>Enforcement orders offer more options than an abatement notice, including the ability to recover clean-up costs incurred or likely to be incurred in avoiding, remedying or mitigating any adverse effect on the environment.</td>
<td>To breach an enforcement order is to commit an offence and make liable parties open to punitive actions.</td>
<td>An enforcement order may be appropriate when an abatement notice has not been complied with as another way of achieving compliance.</td>
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<tr>
<td><strong>Negotiated settlements</strong></td>
<td>A person may approach the Council with a proposal for settlement. We are open to resolving non-compliance by agreement where a remedy is possible and where this is prompt, easily implemented and in the public interest.</td>
<td>A negotiated settlement typically requires the following – the person to admit that they have breached the law, to cease the non-compliant conduct, pay compensation, pay our costs and may involve some publicity.</td>
<td>A negotiated settlement will only be agreed to if it is in the public interest. Council is unlikely to agree to a negotiated settlement where the non-compliance has caused serious harm, the person is a repeat offender or activity resists compliance.</td>
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<th><strong>Punitive Actions</strong></th>
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<td><strong>Action</strong></td>
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</table>
| Formal Warning | A formal warning is documented by way of a letter to a culpable party informing them that an offence against an Act or regulation has been committed, and that they are liable. | No further action will be taken in respect of that breach. However, the warning forms part of a history of non-compliance and will be considered if there are future incidents of non-compliance. | A formal warning may be given when:  
- An administrative, minor or technical breach has occurred; and  
- The environmental effect, or potential effect, is minor or trivial in nature; and  
- The subject does not have a history of non-compliance; and  
- The matter is one which can be quickly and simply put right; or  
- A written warning would be appropriate in the circumstances. |
| Infringement Notice | An infringement notice is a written notice which requires the payment of a fine. The amount of the fine is set in law. | No further action will be taken in respect of that breach. However, the infringement forms part of a history of non-compliance and will be considered if there are future incidents of non-compliance. | An infringement notice may be issued when:
- There is prima facie (on the face of it) evidence of a legislative breach; and
- A one-off or isolated legislative breach has occurred which is of minor impact and which can be remedied easily; and
- Where an infringement notice is considered to be a sufficient deterrent. |
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</thead>
<tbody>
<tr>
<td>Prosecution</td>
<td>A prosecution is a process taken through the criminal courts to establish guilt or innocence and, if appropriate, the court will impose sanctions. Matters are heard in either the District Court or Environment Court depending on the Act. All criminal evidence rules and standards must be met.</td>
<td>A successful prosecution will generally result in a conviction, a penalty imposed and consideration of the costs of the investigation. A prosecution forms part of a history of non-compliance and will be considered if there are future incidents of non-compliance.</td>
<td>A prosecution may be considered appropriate when the factors listed above indicate that the matter is sufficiently serious to warrant the intervention of the criminal law. Consideration will be given to the Solicitor-General’s Prosecution Guidelines (2013).</td>
</tr>
</tbody>
</table>

**WHAT THE COMPLAINANT CAN EXPECT FROM THE REGULATORY TEAM**

To initiate an enforcement investigation, complaints should be preferably made via the standard form which can be found on the Council’s website, at the Council offices or alternately they can be sent out to complainants if requested.

In order to assist the investigation we ask that as much information is provided as possible when the initial enquiry is made. This should include the identity and address of complainant, the address at which the alleged breach has taken place, a description of the unauthorised activities and the harm that is considered to be caused. Complainants will also be encouraged to send in dated photographs of the alleged breach in order to assist the investigation. In respect of complaints received, the following standards apply:

- All valid enquiries will be properly recorded and investigated
- The personal details of the new enquirer will be held in the strictest confidence.
- Other than cases where immediate or urgent action may be required (see step 1 of the Enforcement Process above), an initial investigation is to be undertaken within five working days of receipt.
- In cases of involving a serious and/or irreversible harm, the complaint will be investigated as a matter of priority, usually within 24 hours of receipt. Urgent action will be instigated to stop unlawful activity.
• The enquirer will be updated on any subsequent action that may result as soon as reasonably practicable.
• Staff will not take sides in a dispute; staff will however judge what action is appropriate according to the evidence, particular circumstances, impact on the environment, relevant policies, and legalisation.

WHAT THOSE IN BREACH CAN EXPECT FROM THE REGULATORY TEAM
Under normal circumstances, prior to taking formal enforcement action, the officer concerned will fully and openly discuss the circumstances of the breach with those involved. Those in breach will be contacted as soon as possible following the site visit, and advice will be provided on what action is required to avoid, remedy and/or mitigate the environmental harm identified. When breaches are found to have occurred Regulatory Officers will:
• Communicate clearly to the responsible party or their agent, identifying the problem and that they may need to undertake action to achieve compliance.
• Where officers consider there is a minimal effect, or effects are satisfactorily addressed by mitigation measures, a reasonable period of time will be allowed for the submission of a retrospective application to regularise an activity (where this is an available course of action under the relevant piece of legislation).
• Initiate formal enforcement powers after being satisfied that there is a clear breach of the relevant piece of legislation, and there has been an adverse impact on the environment.
• In the case of formal action being authorised, the rights of appeal will be explained to those in breach.
• Persistent offenders and those who seek to exploit the compliance process at the expense of others will be dealt with using appropriate action.

WHAT THE REGULATORY TEAM CAN EXPECT FROM THE COMPLAINANT AND THOSE IN BREACH
Regulatory Officers often deal with heavy caseloads and can, as a result, experience many pressures on their time throughout the day. Therefore, in order to allow Officers to make best use of their time, and ensure that the regulatory Team service is operating as effectively and efficiently as possible, members of the public are asked to adhere to the following:
• People are asked to treat officers with respect and listen to what is being said rather than what they ‘think or want to hear’. Sometimes a favourable outcome, or the outcome the complainant seeks, cannot always be achieved. If this occurs, the reasons for taking the action or not taking any action, will be explained in full by the Officer in a clear and understandable fashion.
• Officers are happy to speak to members of the public on the phone provided the conversations are productive. If callers are unreasonable in their expectations or are rude to staff they will be asked to only communicate with the Officer via letters or email to which they can expect a response within 10 working days of receipt.

INFORMING THE PUBLIC
The Council is committed to educating and informing members of the public in relation to the work carried out by its Regulatory Team. The Council will attempt to strike a balance between informing the public about regulation through publishing articles in newsletters as well as publicising when formal action is taken via the media. It is considered important to highlight action that has been taken to
discourage others from breaching regulations and to ensure the public have confidence in the
Regulatory Team. All communication with the media will be undertaken in accordance with relevant
policies.

Pro-active campaigns will be used to educate the public in relation to the targeted breaches of the
specific regulations through Council publications and press releases. Local community groups may
also be encouraged to assist in targeted campaigns in their particular area.

As part of the Council’s commitment to being open and accountable, a six-monthly Regulatory report
will be presented to Council.

RELEVANT LEGISLATION
See Introduction.

REVIEW
This policy will be reviewed every three years. Refer to policy index for policy owner.
EXECUTIVE SUMMARY

This report seeks approval to reappoint Commissioners and List Members to the Eastern Bay District Licensing Committee (EBDLC) which is a shared Committee of Kawerau, Ōpōtiki and Whakatāne District Councils.

PURPOSE

The Eastern Bay District Licensing Committee (EBDLC) is a shared Committee of the Kawerau, Opotiki and Whakatane District Councils, set up under the Sale and Supply of Alcohol Act 2012 to make decisions on all liquor licence applications and for Manager Certificates.

The Opotiki District Councils Delegations Register has a time period stated for the operation of the EBDLC, being from the 18 December 2013 to 18 December 2017.

The Council is asked to reconfirm the Committee for a further period of 4 years; and to reappoint the Commissioners and List Members for the same period.

BACKGROUND

The EBDLC operates under a Terms of Reference (ToR) attached to this report as Appendix 1.

The ToR establishes two shared DLC’s to consider and determine licensing matters for the three District Councils. Committee A is the primary DLC that will operate unless the Commissioner of
Committee A is unable to fulfil his duties, in which case Committee B will consider and determine applications. Each Committee must operate with a minimum of three members.

Clause D of the ToR (paragraph 18 and 19) states that:

18. A Commissioner holds office for a term, stated when the commissioner is appointed. The Commissioners of Committees A and B have been appointed for four years and may be reappointed for one or more further periods of up to five years.

19. List members have also been appointed for a period of four years and may be approved for any one or more further periods of up to five years.

List Members may resign and the TOR states how a replacement member can be appointed.

The Council is asked to reappoint the current members for a further term of four years. The current members are:

Committee A: Commissioner Russell Orr, Jenny Mahoney, Russell Chase, Anita Moore, Shona Browne, Memory Mio, and Michelle Heath.

Committee B: Commissioner Jenny Mahoney, Russell Chase, Anita Moore, Shona Browne, Memory Mio, and Michelle Heath.

All current List Members have indicated they are willing to be reappointed for a further term of four years.

**DISCUSSION AND OPTIONS SECTIONS**

The Council receives regular updates on the operation of the DLC. The Commissioner (of Committee A) makes most decisions under delegated authority, but hearings requiring three members do occur periodically during the year.

By all accounts the DLC operates well, under the leadership of an experienced and knowledgeable Commissioner. The members, while used less often, provide sound support for hearings and other decisions they are required to be involved in. There is no cause to believe the combined DLC should be modified in terms of structure, functions or composition.
The delegations register limits the life of the Eastern Bay District Licensing Committee to the 18 December 2017. The Council is asked to amend the Delegations Register to allow the DLC to continue to operate under delegated authority from the Opotiki District Council.

On this basis, the preferred option is that the Eastern Bay wide DLC continue to operate, and that its current membership be reappointed for a similar 4-year term. The options available to Council relate to amending the membership (people) or the term of the appointments. All existing members have indicated they wish to continue. The ToR has the flexibility to change membership if required, but in the absence of any evidence to suggest change is needed, it is appropriate to continue on the same basis as it has existed.

In terms of the Delegations Register, the options are limited to the Council continuing to delegate its authority to the DLC or not. It is recommended that the Council does delegate its authority for efficiency reasons.

**SIGNIFICANCE ASSESSMENT**

The reappointment of the current List Members is not a significant decision in accordance with the Significance and Engagement Policy.

**Assessment of engagement requirements**

“As the level of significance for reappointment of the Eastern Bay District Licensing Committee is considered to be of low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.

**COMMUNITY INPUT AND PUBLICITY**

It is not considered that the community needs to be consulted on this issue.
CONSIDERATIONS

Financial/budget considerations
The remuneration for list members is currently budgeted. Revenue is received in accordance with the Fees and Charges set by the legislation. The level of remuneration for members is defined by section 195 of the Act, allowing the Minister of Justice to set remuneration rates.

Policy and planning implications
The Delegations Register is relevant as it needs to be amended to allow the continued functioning of the DLC.

Risks
Given the experience of the current DLC members, there are few risks in reappointing the current List Members and providing the required delegation. The ToR provides for changes to List Members as required, while the reappointment of current members would provide consistency of approach and a higher level of certainty to continue the level of work undertaken over the last four years.

Authority
The Council has the authority to approve the appointments of list members, and to extend the delegation to the Delegations Register.

RECOMMENDATIONS:
1. That the report titled “Eastern Bay District Licensing Committee Reappointments” be received; and
2. That the Ōpōtiki District Council approves the reappointment of the following List Members to the Eastern Bay District Licensing Committee for a further period commencing on the 19 December 2017 to 18th December 2021:
   - Committee A: Commissioner Russell Orr, Jenny Mahoney, Russell Chase, Anita Moore, Shona Browne, Memory Mio, and Michelle Heath.
   - Committee B: Commissioner Jenny Mahoney, Russell Chase, Anita Moore, Shona Browne, Memory Mio, and Michelle Heath.
3. That the Ōpōtiki District Council amend the Delegations Register to update the current date (being the 18 December 2013 until 18 December 2017) to read “19 December 2017 until 18 December 2021.”
Attached to this report:

- Terms of Reference for the Eastern Bay District Licensing Committee.

Gerard McCormack

**PLANNING AND REGULATORY MANAGER**
A. Interpretation

1. For the avoidance of doubt, nothing in this Terms of Reference prevails over the Sale and Supply of Alcohol Act 2012 (“SSAA”).

2. All sections referred to in this Terms of Reference relate to the SSAA unless otherwise stipulated.


4. “Partner councils” refers to the three Territorial Authorities that are parties to the District Licensing Committees – KDC, ODC and WDC.

5. “Member” refers to the person/s presiding over an issue at a DLC meeting.

6. “List Member” refers to a person who is approved by all partner councils to be a member on the DLC and included in the list as attached as appendix 1.

7. “Commissioner” refers to the person approved by the partner Councils to preside over the meeting and undertake the responsibilities in the SSAA Section 193.

8. “Committee A” refers to the primary DLC that will operate unless the Commissioner of Committee A is unable to fulfil their duties because of illness or absence, or for other sufficient reason.

9. “Committee B” refers to a secondary DLC that will operate if the Commissioner of Committee A is unable to fulfil their duties. Committee B has all the functions, powers and duties of Committee A.
B. Purpose

10. The purpose of this Terms of Reference (“TOR”) is to establish the working relationship of the partner councils, in regards to the District Licensing Committee (“DLC”).

11. KDC, ODC and WDC have appointed two shared DLCs to deal with licensing matters for the three Districts in accordance with section 186, as applicable. The DLCs have all the powers conferred on them by or under the SSAA or any other Act and all powers as may be reasonably necessary to enable them to carry out their functions (section 188).

12. Members will be required to act in accordance with the SSAA and to implement the Eastern Bay of Plenty Local Alcohol Policy as adopted by the partner councils.

13. This TOR will undergo a review whenever the Eastern Bay of Plenty Local Alcohol Policy is reviewed.

C. Membership

14. For each of the committees, in accordance with section 189, the DLC must consist of three members.

15. For each of the committees, one member must be appointed as commissioner by KDC, ODC and WDC. The commissioner will be a member of the DLC for their term in office as commissioner and will have all the functions, powers and duties of the commissioner of the DLC.

16. The DLC list members, included in Appendix 1, shall include at least one member that resides in or is generally associated with Kawerau, Ōpōtiki and Whakatāne Districts, in order to meet the requirements of section 29 of this Terms of Reference.

17. List Members will attend any training as is deemed appropriate and applicable by the partner councils.

D. Termination of membership

18. A commissioner holds office for a term, stated when the commissioner is appointed. The Commissioners of Committee A and B have been appointed for four years and may be reappointed for one or more further periods of up to five years.
19. List Members have also been appointed for a period of four years and may be approved for any one or more further periods of up to five years.

20. List Members may resign or be removed from the DLC in accordance with section 194.
   (a) A Commissioner or List Member may resign from office at any time by written notice to KDC, ODC and WDC.
   (b) At any time, partner councils may jointly agree to remove a Commissioner or List Member for inability to perform the functions of office, bankruptcy, neglect of duty, or misconduct, proved to the councils’ satisfaction.

21. At the expiry of the List Member’s term (in accordance with clauses 19 and 20 of this TOR), the name of the List Member will be removed from the list as attached as Appendix 1. The councils must approve a new candidate to fill the exiting List Member’s place.

E. Meetings

22. Meetings of the DLC may be held at any time and place it or its commissioner decides, however it is expected these will be held at any partner council offices.

23. Meetings will be scheduled on a weekly basis, at the commissioner’s discretion and subject to applications.

24. Meetings will be scheduled and held subject to workload as follows:
   • first and third week of the month – Whakatāne;
   • second week of the month – Ōpōtiki; and the
   • fourth week of the month – Kawerau.

25. At a meeting where three members are present, the decision of the DLC on any matter is determined by a majority of the valid votes recorded on it.

F. Quorum

26. The necessary quorum of any DLC meeting is three members (except as outlined in 27.)

27. At a meeting to consider and determine an application of a kind listed below (a-c) where no objection has been filed and no matters of opposition have been raised under sections 103, 129 or 141, the quorum necessary is one member who must be the Commissioner.
(a) An application for a special licence
(b) An application for a manager’s certificate
(c) An application for renewal of a licence or manager’s certificate.

G Meetings of the Full Committee

28. All New, On, Off, Club and Temporary Authority Licences will be considered by the full committee as well as any renewals and manager’s certificates that have received objections from any party. In extraordinary circumstances, the Liquor Licensing Inspector or the Secretary may request a full committee meeting for an application for renewal of a licence.

29. For the determination of each application that goes to the full committee, the Commissioner shall select on a rotational basis two other DLC members from the list. At least one of the members of the DLC shall reside in, or generally be associated with, the District that is affected. For example, if an application relates to Kawerau, one member on the DLC determining the application shall either reside in, or generally be associated with, Kawerau District. Where no preferred list member is readily available, the Commissioner may select any of the remaining list members.

30. For the determination of each application that goes to the full committee, the DLC will meet in the affected territorial authority area, unless both the applicant and Commissioner agrees otherwise. For example, if an application relates to Ōpōtiki, the DLC is expected to meet in Ōpōtiki District.

H. Procedure

31. The Committee will abide by the procedure as laid down in section 202 of the Act. This includes that if no objection to an application is filed, the committee may either grant the application on the papers or convene a public hearing to consider the application. Where an objection is filed, the committee must convene a public hearing to consider the application, unless:

(a) The application is withdrawn
(b) The objection is considered vexatious or based on grounds outside the scope of the SSAA
(c) The objector does not require a public hearing.

32. The licensing authority or licensing committee concerned must give at least 10 working days’ notice of the public hearing to:

(a) the applicant; and

(b) each objector; and

(c) the constable, the inspector, and the Medical Officer of Health, to whom a copy of the application has been sent in accordance with this Act.

33. For all meetings requiring a hearing by the full committee, the committee will hold the meeting in public, and carry out proceedings in accordance with section 203 of the Act.

34. In accordance with Section 211, of the Act, all decisions must be given in writing and state:

(a) the reasons for the decision; and

(b) what reports on the application were received; and

(c) the attitude towards the application of every report.

35. The minutes of the DLC will be forwarded to each of the member councils for their information. The territorial authority must take all reasonably practicable steps to ensure that copies of all decisions are publicly available.

36. The DLC will implement the Local Alcohol Policy. If, however, a decision is made contrary to the LAP, the reasons for this decision should be recorded and reported to each partner council.

I. Secretary of licensing committee

37. The Chief Executive is the secretary for each of the territorial authorities DLCs. The three secretaries, on behalf of their respective DLCs, will delegate functions, duties or powers to a person jointly appointed to hold that position. Each Chief Executive will provide for this delegation in writing, stating each function, power and duty being delegated, in accordance with section 198.

38. The Secretary will be the point of contact for the Committee and all requests will be made through the secretary. If matters are not resolved they are then to be directed to the Regulatory and Planning Manager Kawerau, Planning and Regulatory Manager Ōpōtiki and/or General Manager Strategy and Planning Whakatāne or their delegate.
39. The Secretary will act as an advisor to the DLC, providing advice and support regarding the Act.

40. The Secretary will process all decisions made by the DLC in liaison with the Commissioner and as determined at meetings, and ensure these are correctly signed off and disseminated as required.

41. The cost of providing the secretary will be shared between the partner councils based on time spent on license applications relating to their area.

J. Fees, allowances and costs

42. Members of the DLC are entitled to receive remuneration or be reimbursed in accordance with section 195. Rates are set by the Government. Payment will be made based on invoices received for time spent, in accordance with the contract for services.

43. Members of the DLC are entitled to be reimbursed for actual and reasonable travelling expenses, incurred in carrying out their duty as a member. The cost of return travel will be met by the Territorial Authority in which the meeting is being held. This distance will be measured from the member’s residence in the Eastern Bay of Plenty, to the location of the meeting. Travel can be claimed at a rate of $0.77 cents per km.

44. Partner Councils will meet all actual and reasonable costs (ie. administration, publication of decisions, etc.), relevant to applications relating to their districts.

45. Partner Councils will share equally the cost of training for List Members, Commissioner, and Secretary.
Appendix 1 – List of Members approved to be Members of a DLC

Committee A

<table>
<thead>
<tr>
<th>List Member as at 18 December 2013</th>
<th>Residing in / generally associated with</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Russell Orr</td>
<td>Whakatāne</td>
<td>Commissioner</td>
</tr>
<tr>
<td>2. Jenny Mahoney</td>
<td>Whakatāne</td>
<td>List Member</td>
</tr>
<tr>
<td>3. Michelle Campbell</td>
<td>Whakatāne</td>
<td>List Member</td>
</tr>
<tr>
<td>4. Russell Chase</td>
<td>Kawerau</td>
<td>List Member</td>
</tr>
<tr>
<td>5. Anita Moore</td>
<td>Kawerau</td>
<td>List Member</td>
</tr>
<tr>
<td>6. Shona Browne</td>
<td>Ōpōtiki</td>
<td>List Member</td>
</tr>
<tr>
<td>7. Memory Mio</td>
<td>Ōpōtiki</td>
<td>List Member</td>
</tr>
</tbody>
</table>

Committee B

<table>
<thead>
<tr>
<th>List Member as at 18 December 2013</th>
<th>Residing in / generally associated with</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Jenny Mahoney</td>
<td>Whakatāne</td>
<td>Commissioner</td>
</tr>
<tr>
<td>2. Michelle Campbell</td>
<td>Whakatāne</td>
<td>List Member</td>
</tr>
<tr>
<td>3. Russell Chase</td>
<td>Kawerau</td>
<td>List Member</td>
</tr>
<tr>
<td>4. Anita Moore</td>
<td>Kawerau</td>
<td>List Member</td>
</tr>
<tr>
<td>5. Shona Browne</td>
<td>Ōpōtiki</td>
<td>List Member</td>
</tr>
<tr>
<td>6. Memory Mio</td>
<td>Ōpōtiki</td>
<td>List Member</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY
The Ōpōtiki Community Health Trust (OCHT) was established in 1996 for charitable purposes in the Ōpōtiki district’s health sector.
Ōpōtiki District Council resolved to assist with the selection of community trustees on the OCHT committee. A call for nominations was made and nominations received are now presented to Council for its selection of any new Trustee/s.

PURPOSE
To provide Council with a list of nominations received for the positions of Community Trustees for the OCHT and to seek Councils selection of any new Trustee/s.

BACKGROUND
The OCHT Committee meets in Ōpōtiki four times per year to consider applications for funding and scholarships. In this way, Trustees assist Ōpōtiki people and organisations to achieve their health objectives.

Council resolved at its 27 January 2015 Ordinary Council Meeting to agree to a request from the OCHT to assist in the selection of its Community Trustees. Council agreed to the request from the OCHT to provide this service subject to:
• Suitable legal advice supporting the amendments to the deed
• Appropriate filing of, and acceptance of the amended deed by the Charities Commission
• Suggesting to the Trust that it run the administrative process; or
  Ensuring cost recovery for any services provided by Council
• Provision of appointment criteria.

Council duly received a copy of the OCHT amended trust deed and a copy of the acceptance of the amended deed by the Charities Commission – attached as Appendix 1, and the Trust agreed to be billed for any cost incurred by Council in running a nomination process.

Council received a request for the nomination process to proceed for three Community Trustees on 23 October 2017.

Council publically notified the call for nominations on Thursday 2 November 2017 through print advertising, its website and social media. The nomination period closed on 30 November 2017. A total of 3 nominations have been received – attached as Appendix 2 for the following:

Libby Walker
John Forbes
Sandra Innes-Smith

As per the OCHT deed, Council is now required to vote on the nominee candidates with the preferred three candidates being appointed as the new Community Trustees. Council is to appoint Trustees for a term of three years, with the right to re-appoint Trustees for a further three years.

SIGNIFICANCE ASSESSMENT

Assessment of significance

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for Ōpōtiki Community Health Trust Nominations is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.
Assessment of engagement requirements
As the level of significance for Ōpōtiki Community Health Trust Nominations is considered to be of low significance the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.

Authority
Ōpōtiki District Council has the required authority to select and appoint Community Trustees to the OCHT as per the OCHT deed.

RECOMMENDATIONS:
1. That the report titled “Ōpōtiki Community Health Trust Nominations” be received.
2. That Council consider the nominations put forward and appoint three Community Trustees to the trust board of the Ōpōtiki Community Health Trust.
3. That Council advise the Ōpōtiki Community Health Trust Secretary and all nominees of Council’s decisions.

Tracey Dale
BUSINESS INNOVATION AND COMMUNICATIONS ADVISOR
NEW CLAUSE 8(6):

8(6) Community Nominees

The following shall apply to the appointment of Trustees pursuant to clause 8.4(b);

(a) The Trustees of the Trust shall request Ōpōtiki District Council or such other local authority as has local government responsibility for the Ōpōtiki Region (ODC) and request that authority to call for nominations to replace Community Appointed Trustees whose term is expiring or has expired.

(b) The Secretary of the Trust (or if a Secretary has not been appointed then the Trustees for the time being) shall advise ODC:

(i) the date of the expiry of the term of the trustee/s who have been appointed under the process of the clause 8(6) of the Trust Deed;

(ii) the number of Trustees whose appointment is about to expire;

(iii) the date by which those Trustees must be replaced

(c) Upon receipt of the request ODC shall call for nominees from the Community to fill the Trustee positions for the Community representatives which must be appointed.

(i) ODC shall give 1 month’s public notice of its intention to make Community representative appointments of Trustees and shall call for nominations for those positions.

(ii) Shall place on the special agenda of the next appropriate regular full ODC meeting the appointment of the representatives to the board of the Ōpōtiki Community Health Trust.

(d) ODC shall at the advertised full council meeting hold a vote of councillors on the selection of nominees.

(i) If any of the nominees is by majority of vote of the councillors deemed not to be a fit candidate by the councillors then that candidate shall be excluded from the process

(ii) The councillors shall then by simple vote of councillors elect the nominees and appoint those by way of normal ODC process in accordance with its own protocols.

(e) Upon notification of the ODC nomination the new nominated Trustees shall be Trustees pursuant to clause 8.4(b) appointed in accordance with this clause of the Trust Deed.

(f) The term of the appointment of the Trustees nominated in accordance with this clause shall be three years from the date of appointment.

Signed and dated by all Ōpōtiki Community Health Trustees

John Forbes

John Hata

Jeremy Luxton

Mark Haywood

Witness

22/6/2017

Muriel Kelly-Smith

Robyn Towersey

Josie Mortensen

Louisa Erickson

S.L. Watson, JP

#13319

OPOTIKI

Justice of the Peace for New Zealand
26 June 2017

Tina Gedson
PO Box 44
Opotiki 3162

THE OPOTIKI COMMUNITY HEALTH TRUST
817628

Thank you for submitting the amendments to the Trust Deed. This document has been registered and can be viewed for free online at www.societies.govt.nz by conducting a Register Search.

Please contact this office on free phone 0508 SOCIETIES (0508 762 438) or visit http://support.business.govt.nz if you have any enquiries regarding this letter.

Registrar of Incorporated Societies
NOMINATION FORM

TO STAND FOR THE POSITION OF TRUSTEE FOR THE OPOTIKI COMMUNITY HEALTH TRUST

Please return the completed form by 4.00pm, Thursday 30 November 2017

To:
Tracey Dale
Opotiki District Council
PO Box 44
Opotiki 3162

Or Email to: traceyd@odc.govt.nz

Or deliver to: Council's main office at 108 St John Street, Opotiki District Council

I hereby nominate:

Name: Elizabeth (Libby) Walker
Address: 114 Grant Road, Opotiki

For the position of Trustee for the Opotiki Community Health Trust.

Nominated by: Mariana Hudson
Address: 212 Otara Rd, Opotiki

Signed:

Signature of Nominee:

Please tell us why you believe the person you have nominated will be a good addition as a Trustee on the Opotiki Community Health Trust Committee:

I believe Libby already is an asset to our community as a lead role for the non-charitable trust, Quota International of Opotiki, and already working within the healthcare system of Opotiki. By adding her as a Trustee on the Opotiki Community Health Trust Committee she will bring good knowledge of community events, roles and responsibilities within the committee and provide positive input into the committee.

Thank you for your nomination.
NOMINATION FORM

TO STAND FOR THE POSITION OF TRUSTEE FOR THE OPOTIKI COMMUNITY HEALTH TRUST

Please return the completed form by 4:00pm, Thursday 30 November 2017

To:
Tracey Dale
Opotiki District Council
PO Box 44
Opotiki 3162

Or Email to: traceyd@odc.govt.nz

Or deliver to: Council’s main office at 168 St John Street, Opotiki District Council

I hereby nominate:

Name: JOHN FORBES
Address: 9 BEECHER RIDGE RD OPOTIKI

For the position of Trustee for the Opotiki Community Health Trust.

Nominated by: MIKE HOUGHTON
Address: 95 LOWRY RD RD2 OPOTIKI

Signed:

Signature of Nominee:

Please tell us why you believe the person you have nominated will be a good addition as a Trustee on the Opotiki Community Health Trust Committee:

Thank you for your nomination.
NOMINATION FORM

TO STAND FOR THE POSITION OF TRUSTEE FOR THE OPOTIKI COMMUNITY HEALTH TRUST

Please return the completed form by 4.00pm, Thursday 30 November 2017

To:
Tracey Dale
Opotiki District Council
PO Box 44
Opotiki 3162

Or Email to: tracey@opdc.govt.nz

Or deliver to: Council’s main office at 108 St John Street, Opotiki District Council

I hereby nominate:

Name: Sandra Innes-Smith
Address: 201a Coral Rise, 35 Reeves Rd, Ohunguru, Opotiki

For the position of Trustee for the Opotiki Community Health Trust

Nominated by:
Sue McKay
Address: 1213 Sav lesion St, Taihape, Opotiki 3193

Signed: 

Signature of Nominee:

Please tell us why you believe the person you have nominated will be a good addition as a Trustee on the Opotiki Community Health Trust Committee:

Born and bred in Opotiki & raised by her own family here. Very involved in healthcare delivery as a District Nurse now also Rheumatic Fever Program. An extremely talented, intelligent, competent woman. She has a depth of knowledge re PTH and other health providers in the Eastern Bay area. I am proud to call her a friend & colleague & believe our community will be well served with her on the Trust.

Thank you for your nomination.
REPORT

Date : 7 December 2017

To : Ordinary Council Meeting, 19 December 2017

From : Chief Executive Officer, Aileen Lawrie

Subject : SCHEDULE OF MEETINGS 2018

File ID : A126846

EXECUTIVE SUMMARY

Council needs to set a schedule for the coming year for its Ordinary meetings and Extra Ordinary meetings required for the adoption of statutory documents.

PURPOSE

To set a schedule of meetings for Council for the coming year (2018).

BACKGROUND

Historically, Council has met on a six weekly basis, with Ordinary meetings being held on a Tuesday and commencing at 9.00am. Extra Ordinary meetings are proposed to provide for the adoption of Council’s statutory business documents. The setting of meeting dates requires consideration of the deadlines for a range of statutory processes and dates set for meetings by other organisations.

The Schedule of Meetings 2018 is attached. Coast Community Board and Audit & Risk Committee meeting dates are included in the schedule, along with other regular meetings and Council workshops.

DISCUSSION AND OPTIONS

Council can adopt the Schedule of Meetings 2018 as presented, or review and amend the Schedule.
SIGNIFICANCE ASSESSMENT

Assessment of significance
Under Council's Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for the Schedule of Meetings 2018 is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements
As the level of significance for the Schedule of Meetings 2018 is considered to be of low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.

RECOMMENDATIONS:
1. That the report titled “Schedule of Meetings 2018” be received.

Aileen Lawrie
CHIEF EXECUTIVE OFFICER
## Schedule of Meetings for 2018

### Opotiki District Council

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<tbody>
<tr>
<td>Mon 1</td>
<td>New Year</td>
<td>2 NNY Day After</td>
<td>Tue 2</td>
<td>3 M. Tea</td>
<td>Wed 3</td>
<td>4</td>
<td>Thu 4</td>
<td>5</td>
<td>Fri 5</td>
<td>6</td>
<td>Sat 6</td>
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<tr>
<td>Sun 7</td>
<td>1 D/Light Save Ends</td>
<td>Mon 8</td>
<td>2 Easter Monday</td>
<td>Tue 9</td>
<td>3 Queen’s B/D</td>
<td>Wed 10</td>
<td>4</td>
<td>Thu 11</td>
<td>5</td>
<td>Fri 12</td>
<td>6</td>
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<td>Sat 13</td>
<td>7</td>
<td>Sun 14</td>
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<td>Mon 15</td>
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<td>Fri 19</td>
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<td>Sat 20</td>
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<td>Sun 21</td>
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<td>Mon 22</td>
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<td>Tue 23</td>
<td>17</td>
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<td>Thu 25</td>
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<td>Fri 26</td>
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<td>Sat 27</td>
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<td>Sun 28</td>
<td>22</td>
<td>Mon 29</td>
<td>23</td>
<td>Tue 30</td>
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<tr>
<td>Wed 31</td>
<td>25</td>
<td>Thu 32</td>
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<td>Fri 33</td>
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<td>Sat 34</td>
<td>28</td>
<td>Sun 35</td>
<td>29</td>
<td>Mon 36</td>
<td>30</td>
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<tr>
<td>Tues 37</td>
<td>31</td>
<td>Wed 38</td>
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<td>Thu 39</td>
<td>33</td>
<td>Fri 40</td>
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<td>Sat 41</td>
<td>35</td>
<td>Sun 42</td>
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</table>

<table>
<thead>
<tr>
<th>Meeting</th>
<th>Start Time</th>
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</thead>
<tbody>
<tr>
<td>Council</td>
<td>9.00am</td>
</tr>
<tr>
<td>(Draft Consultation document to be adopted for audit at 13 March meeting)</td>
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<tr>
<td>Council Workshop - Strategic Issues 1</td>
<td>Following Council meeting 30.1.18</td>
</tr>
<tr>
<td>Council Workshop - Strategic Issues 2</td>
<td>Following morning tea 20.2.18</td>
</tr>
<tr>
<td>Council Workshop - Overall Impact</td>
<td>Following Council meeting 13.3.18</td>
</tr>
<tr>
<td>Extra Ordinary Council 1 - Adopt draft Consultation document for consultation</td>
<td>9.00am</td>
</tr>
<tr>
<td>Extra Ordinary Council 2 - Hearings (second day set aside if required)</td>
<td>9.00am</td>
</tr>
<tr>
<td>Extra Ordinary Council 3 - Adopt Annual Report</td>
<td>9.00am</td>
</tr>
<tr>
<td>Audit and Risk Committee</td>
<td>10.00am</td>
</tr>
<tr>
<td>Coast Community Board</td>
<td>10.00am</td>
</tr>
<tr>
<td>Council/CEO morning tea</td>
<td>10.00am</td>
</tr>
</tbody>
</table>

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**Meeting Details**

- **Council**: 9.00am
- **Pop-Up Shop**: Triennial & CDEMG (same day meetings)
- **CDEMG Joint Committee**: (stand alone meeting)
- **Eastern Bay of Plenty Joint Committee**: LGNZ Conference 2018
- **LMNZ Joint Committee**: Zone 2
- **Creative New Zealand**: Local Government NZ

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**Event Notes**

- **Meeting Start Time**: 9.00am
- **Pop-Up Shop**: Triennial & CDEMG (same day meetings)
- **CDEMG Joint Committee**: (stand alone meeting)
- **Eastern Bay of Plenty Joint Committee**: LGNZ Conference 2018
- **Zone 2**: Local Government NZ

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**Pages**

- **Page 210**
REPORT

Date : 14 December 2017
To : Ordinary Council Meeting, 19 December 2017
From : Chief Executive Officer, Aileen Lawrie
Subject : CHIEF EXECUTIVE OFFICER’S UPDATE
File ID : A126869

OPOTIKI COMMUNITY DRIVER MENTOR PROGRAMME
The Opotiki Community Driver Mentor Programme is proceeding with excellent outcomes. From April to November 2017, 53 people have entered the programme, seven have not completed and 33 have passed their restricted licence. Work is continuing to ensure the programme is funded into the future.

HE POUTMAA RANGATAHI
Local organisations that work with people who are NEET aged 16-24 are collaborating on a community youth employment plan to submit to MBIE. The work going on locally is very positive and all participants are hopeful of a good outcome.

MEETINGS / EVENTS ATTENDED BY CEO 27 OCTOBER 2017 – 14 DECEMBER 2017

27 OCTOBER 2017
BOP CDEMG Co-ordinating Executive Group meeting, Tauranga

1 NOVEMBER 2017
Ōpōtiki Harbour Independent Quality Assurance Committee meeting, via teleconference

10 NOVEMBER 2017
Ōpōtiki District Council Stakeholder Strategy Day

13 NOVEMBER 2017
Tenders Sub-Committee meeting
21 NOVEMBER 2017
Met with Francis Pauwels, General Manager of Toi-EDA

23 NOVEMBER 2017
Ōpōtiki Harbour Project Board meeting

24 NOVEMBER 2017
Tenders Sub-Committee meeting

27 NOVEMBER 2017
ODC Audit and Risk Committee meeting

28 NOVEMBER 2017
Tauranga
BOPLASS Directors meeting
BOP Chief Executives Forum

30 NOVEMBER 2017
Meeting with Whakatōhea and Whakatōhea Mussels (Ōpōtiki) Ltd

6 DECEMBER 2017
Ōpōtiki Harbour Independent Quality Assurance Committee meeting, via teleconference

12 DECEMBER 2017
Meeting with Whakatōhea and Whakatōhea Mussels (Ōpōtiki) Ltd

14 DECEMBER 2017
Harbour presentation to Bay of Plenty Regional Council meeting, Tauranga

SIGNIFICANCE ASSESSMENT

Assessment of significance
Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for the Chief Executive Officer’s Update is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.
Assessment of engagement requirements

As the level of significance for the Chief Executive Officer’s Update is considered to be of low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.

RECOMMENDATIONS:

1. That the report titled “Chief Executive Officer’s Update” be received.

Aileen Lawrie

CHIEF EXECUTIVE OFFICER
REPORT

Date : 7 November 2017

To : Ordinary Council Meeting, 19 December 2017

From : Chief Executive Officer, Aileen Lawrie

Subject : RESOLUTION TO EXCLUDE THE PUBLIC

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

1. THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

   PART 1
   22. Confirmation of Minutes – Ordinary Council In-Committee Meeting 7 November 2017.
   23. Minutes – In-committee Meeting Audit and Risk Committee Meeting 14 August 2017.
   24. Land Acquisition Update.
   25. Future Use of Land.
   26. Resolution to Adjourn the Meeting.

   PART 2

2. THAT the following persons be permitted to remain at this meeting after the public has been excluded because of their knowledge of the subject item in relation to the following. This knowledge will be of assistance and is relevant to the matters to be discussed:

   Names: Bruce Robertson and Kent Duston
   Items: 27, 28, and 29
   Business: Harbour Development Project – Detailed business Case
             Harbour Development Project – Contract 124 Design and Construction Tender
             Harbour Development Project – Financial Considerations.
Reason: To enable the accurate presentation of sensitive information to the Council and to provide responses to queries.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

**PART 1**

<table>
<thead>
<tr>
<th>Item No</th>
<th>General subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>22.</td>
<td>Confirmation of In-Committee Minutes – Ordinary Council Meeting 7 November 2017</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>23.</td>
<td>Minutes – In-Committee Meeting Audit and Risk Committee 14 August 2017</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>24.</td>
<td>Land Acquisition Update</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>25.</td>
<td>Future Use of Land</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>26.</td>
<td>Resolution to Adjourn the Meeting</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</td>
<td>Section 48(1)(a)</td>
</tr>
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## PART 2

<table>
<thead>
<tr>
<th>Resolution Number</th>
<th>Description</th>
<th>Reasoning</th>
<th>Section</th>
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<tbody>
<tr>
<td>27.</td>
<td>Ōpōtiki Harbour Development Project – Detailed Business Case</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</td>
<td>48(1)(a)</td>
</tr>
<tr>
<td>28.</td>
<td>Ōpōtiki Harbour Development Project – Contract 124 Design and Construction Tender</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</td>
<td>48(1)(a)</td>
</tr>
<tr>
<td>29.</td>
<td>Ōpōtiki Harbour Development Project – Financial Considerations</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.</td>
<td>48(1)(a)</td>
</tr>
</tbody>
</table>

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

## PART 1

<table>
<thead>
<tr>
<th>Resolution Number</th>
<th>Description</th>
<th>Reasoning</th>
<th>Sections</th>
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<tr>
<td>22.</td>
<td>Maintain effective conduct of public affairs</td>
<td></td>
<td>7(2)(f)(i) &amp; (ii)</td>
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<td></td>
<td>Protect the privacy of natural persons</td>
<td></td>
<td>7(2)(a)</td>
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<tr>
<td></td>
<td>Carry out negotiations</td>
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<td>7(2)(i)</td>
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<tr>
<td></td>
<td>Maintain legal professional privilege</td>
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<td>7(2)(g)</td>
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<tr>
<td></td>
<td>Protect information</td>
<td></td>
<td>7(2)(b) &amp; (c)(i)</td>
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<tr>
<td>23.</td>
<td>Maintain effective conduct of public affairs</td>
<td></td>
<td>7(2)(f)</td>
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<tr>
<td></td>
<td>Protect the privacy of natural persons</td>
<td></td>
<td>7(2)(a)</td>
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<tr>
<td></td>
<td>Protect information (commercial sensitivity)</td>
<td></td>
<td>7(2)(b)(i)(d) &amp; (e), (ii)</td>
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<td></td>
<td>Carry out commercial activities</td>
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<td>7(2)(h)</td>
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<td></td>
<td>Carry out negotiations</td>
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<td>7(2)(i)</td>
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<td></td>
<td>Maintain legal professional privilege</td>
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<td>7(2)(g)</td>
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<td>24.</td>
<td>Protect the privacy of natural persons</td>
<td></td>
<td>7(2)(a)</td>
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<td></td>
<td>Carry out negotiations</td>
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<td></td>
<td>Commercial sensitivity</td>
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<td>7(2)(b)(ii)</td>
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<tr>
<td></td>
<td>Free and frank expression of opinions</td>
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<td>7(2)(f)(i)</td>
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<tr>
<td>25.</td>
<td>Protect the privacy of natural persons</td>
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<td>7(2)(a)</td>
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<td></td>
<td>Free and frank expression of opinions</td>
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<td>7(2)(f)(i)</td>
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<tr>
<td></td>
<td>Protection from improper pressure or harassment</td>
<td></td>
<td>7(2)(f)(ii)</td>
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<tr>
<td>26.</td>
<td>Maintain effective conduct of public affairs</td>
<td></td>
<td>7(2)(f)(i) &amp; (ii)</td>
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<tr>
<td>27.</td>
<td>Protect information</td>
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<td>7(2)(b)(i) &amp; (ii)</td>
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<td>Protect the privacy of natural persons</td>
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<td>7(2)(a)</td>
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<td></td>
<td>Free and frank expression of opinions</td>
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<td>7(2)(f)(i)</td>
</tr>
<tr>
<td></td>
<td>Prevent disclosure or use of official information</td>
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<td>7(2)(j)</td>
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<td>Protect the privacy of natural persons</td>
<td>Free and frank expression of opinions</td>
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<tr>
<td>28.</td>
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<td>Protect the privacy of natural persons</td>
<td>Free and frank expression of opinions</td>
</tr>
<tr>
<td>29.</td>
<td>Protect information</td>
<td>Protect information subject to an obligation of confidence</td>
<td>Free and frank expression of opinions</td>
</tr>
</tbody>
</table>