

NOTICE OF AN ORDINARY COUNCIL MEETING

Ōpōtiki District Council Chambers, 108 St John Street, Ōpōtiki
Tuesday, 12 March 2019
Commencing at 9.00am

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – COUNCILLOR BROWNE

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

Alex Dobie – Rating System

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PUBLIC EXCLUDED BUSINESS

ITEM 15 CONFIRMATION OF IN-COMMITTEE MINUTES – ORDINARY COUNCIL MEETING 29 JANUARY 2019

ITEM 16 INFRASTRUCTURE ON PRIVATE PROPERTY PART 2

ITEM 17 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



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 29 JANUARY 2019 IN THE
OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPOTIKI AT 9.00AM**

PRESENT:

Mayor John Forbes (Chairperson)
Deputy Mayor Lyn Riesterer (Deputy Chairperson)
Councillors:
Shona Browne
Barry Howe
Haki McRoberts
Arihia Tuoro
Ken Young

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Gerard McCormack (Planning and Regulatory Group Manager)
Ari Erickson (Engineering and Services Group Manager)
Gae Newell (Executive Assistant and Governance Support Officer)

MEDIA:

James Sandbrook (Opotiki News)

PUBLIC:

Len Forrester
Janet Thompson

His Worship the Mayor opened the meeting with reading an excerpt from the Council minute book – January 1919.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Councillors Young, Howe and Tuoro declared an interest in relation to any items pertaining to the Opotiki Harbour Development Project and Whakatōhea Mussels (Opotiki) Ltd.

PUBLIC FORUM

Len Forrester – Lack of Maintenance in the District; Street Numbers

Len Forrester stated that he spoke in the Public Forum at the November 2018 Council meeting. To date, nothing has been done in relation to the issues he raised.

Len Forrester handed out a notebook and pen to everyone. On the first page of each notebook was a suggestion.

The Chief Executive Officer advised Mr Forrester that the concerns he raised previously were with staff for their attention. In relation to footpath maintenance, the Chief Executive Officer stated the footpath budget had doubled, with \$12m of capital expenditure this year.

The Engineering and Services Group Manager said Council is pushing hard on a number of projects, particularly footpaths. He advised that he has arranged for a staff member to speak with Len Forrester.

Len Forrester also mentioned that some attention is need to stormwater, noting that rubbish coming down the river last year almost took out the bridge.

Len Forrester also raised the matter of changing street numbers, adding that he has missed important mail which has not been delivered.

His Worship the Mayor thanked Len Forrester for his attendance.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 18 DECEMBER 2018 p3

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 18 December 2018 be confirmed as a true and correct record.**

Tuoro/McRoberts

Carried

**2. MINUTES – CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE p14
MEETING 7 DECEMBER 2018**

RESOLVED

- (1) That the minutes of the Civil Defence Emergency Management Group Joint Committee meeting held at 7 December 2018 be received.**

HWTM/Browne

Carried

3. MAYORAL REPORT 14 DECEMBER 2018 – 17 JANUARY 2019 p20

A letter from Hon Tracey Martin was tabled. This was in response to the letter attached to the last Mayoral Report regarding gambling issues in the Opotiki district.

His Worship the Mayor noted that Windsor Street is currently being upgraded. Residents would like a small ceremony when the works are completed.

Deputy Mayor Riesterer gave an overview of a presentation she attended in Whakatane on 8 January which introduced the concept of Blue Zones. Information was shared regarding longevity hotspots around the world which could help people in the Bay of Plenty live longer, more fulfilled lives.

Blue Zones projects are being established world-wide, aiming to transform communities into thriving places, to live, work etc.

RESOLVED

- (1) That the report titled “Mayoral Report 14 December 2018 – 17 January 2019” be received.**

HWTM/Browne

Carried

4. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE p22

RESOLVED

- (1) That the report titled “Ōpōtiki Marine Advisory Group (OMAG) be received.**

Tuoro/Riesterer

Carried

Len Forrester and the Engineering & Services Group Manager left the meeting at 9.29am.

5. HARBOUR DEVELOPMENT – MBIE FUNDING

p25

RESOLVED

- (1) That the report titled "Harbour Development – MBIE Funding" be received.**
- (2) That the proposed direction of the project be endorsed by Council.**
- (3) That Council authorise the co-funding of \$250k as part of the \$5.4m budgeted for this phase of the project.**
- (4) That Council recognise a joint steering group will be overseeing the projects.**
- (5) That staff are directed to report back regularly to Council on the progress of the projects.**

Riesterer/Young

Carried

The Engineering and Services Group Manager rejoined the meeting at 9.34am.

6. EDUCATION SMOKEFREE OUTDOOR PUBLIC SPACES POLICY REVIEW

p29

RESOLVED

- (1) That the report titled "Education Smokefree Outdoor Spaces Policy Review" be received.**
- (2) That the Council adopts the amended Education Smokefree Outdoor Spaces Policy attached to this report.**

Browne/Young

Carried

7. PLANNING AND REGULATORY SIX MONTH REVIEW

p36

His Worship the Mayor stated he would like to see reporting included around domestic dwellings, commercial buildings etc. He further stated it would be interesting to see the trends and dollar value of items being consents in the district, with comparatives to last year incorporated in the reporting if it was not too much trouble to do so.

RESOLVED

- (1) That the report titled "Planning and Regulatory Six Month Review" be received.**

Browne/Tuoro

Carried

8. CHIEF EXECUTIVE OFFICER'S UPDATE

p45

RESOLVED

(1) That the report titled "Chief Executive Officer's Update" be received.

Riesterer/Browne

Carried

The meeting adjourned for morning tea at 10.09am and reconvened at 10.28am. the Engineering and Services Group Manager, the Planning and Regulatory Group Manager, Janet Thompson, Mr Chen and James Sandbrook did not rejoin the meeting.

9. RESOLUTION TO EXCLUDE THE PUBLIC

p49

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:

10. Confirmation of In-Committee Minutes – Ordinary Council Meeting 18 December 2018.

11. Toi-EDA Minutes – 10 December 2018.

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:

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
10.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 18 December 2018	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.	Section 48(1)(a)
11.	Minutes – Toi-EDA Meeting 10 December 2018	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.	Section 48(1)(a)

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:

10.	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Prevent disclosure or use of official information Carry out negotiations Maintain legal professional privilege Carry out commercial activities Avoid prejudice to measures protecting the health and safety of members of the public Avoid prejudice to measures that prevent or mitigate material loss to members of the public Commercial sensitivity	Section 7(2)(a) Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii) Section 7(2)(f)(ii) Section 7(2)(j) Section 7(2)(i) Section 7(2)(g) Section 7(2)(h) Section 7(2)(d) Section 7(2)(e) Section 7(2)(b)(ii)
11.	Protect the privacy of natural persons Protect information	Section 7(2)(a) Section 7(2)(b)(i) & (ii)

McRoberts/Young

Carried

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 at on 18 December 2018 be confirmed as a true and correct record.**

Browne/Young

Carried

RESOLVED

- (1) That the draft minutes of the Toi-EDA meeting held on 10 December 2018 be received.**

Riesterer/Browne

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 10.52AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 12 MARCH 2019**

J H FORBES

HIS WORSHIP THE MAYOR



**MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD HELD AT TE WHĀNAU A APANUI
COMMUNITY HEALTH CENTRE, STATE HIGHWAY 35, TE KAHA ON TUESDAY, 4 DECEMBER 2018
AT 10.20AM**

PRESENT:

Haki McRoberts (Chairperson)
Gail Keepa
Allen Waenga

IN ATTENDANCE:

Ari Erickson (Engineering and Services Group Manager)
Gerard McCormack (Planning and Regulatory Group Manager)
Anna-Marei Kurei (Rapid Numbering and Road Naming Officer)
Gae Newell (PA to CEO and Mayor)

PUBLIC:

Mark Stringfellow

The Chairperson opened the meeting with a karakia.

APOLOGIES

No apologies were received.

PUBLIC FORUM

Nil.

**1. CONFIRMATION OF MINUTES – COAST COMMUNITY BOARD MEETING
23 OCTOBER 2018**

p3

As there were not enough members present who were also at the last meeting, confirmation of the minutes will be held over until the next meeting.

2. ACTION SCHEDULE

p7

RESOLVED

(1) That the Action Schedule be received.

Waenga/Keepa

Carried

3. PROGRESS UPDATE – RESERVES

Verbal Item

The Engineering and Services Group Manager noted that Council has employed an intern who is loading data for the Asset Management Plans. A consultant has also been engaged.

4. DISCUSSION PAPER ON DOG CONTROL SERVICES AND COMMUNITY ENGAGEMENT

p9

The Rapid Numbering and Road Naming Officer tabled copies of her presentation slides.

The presentation covered the following points:

- Why We Do Animal Control
- Dog Fees
- Opportunities
- Online Dog Safety Education Resources
- Summer Dog Walks and Events
- Dog Education Schools/Businesses/Service Groups
- Ngā Kuri Auau o Kaikohe
- Outcomes of Ngā Kuri Auau o Kaikohe
- Recommendations

The Planning and Regulatory Group Manager advised that a trailer has been purchased and 'pop-up shops' are planned which will provide free microchipping, the opportunity to register dogs, provide information and answer queries from the public. School visits are also planned. He asked the Board members to advise him if they have any further ideas for promoting Dog Control on the Coast.

RESOLVED

(1) That the report titled "Discussion Paper on Dog Control Services and Community Engagement" be received.

- (2) That the Coast Community Board endorses the implementation of an education pilot project in relation to dog safety, dog ownership and registrations on the Coast.**

Waenga/Keepa

Carried

5. COAST INITIATIVES FUND

p13

Allen Waenga passed on the gratitude of Tauramaitawhiti Kapa Haka for the Board's contribution to their costs of attending Te Matatini 2019.

It was noted that Maraenui School purported to have lodged an application for funding for the Maraenui Fishing Competition. The secretary advised she had no record of receiving the application but would check if it had come in via the online system and had not been sent to her.

The Board expressed a desire to assist with funding the fishing competition if, in fact, an application had been received.

Allen Waenga moved that the Board fund the fishing competition in the amount requested, if an online application had been lodged but not passed on to the Board Secretary for inclusion in the agenda. This was seconded by Gail Keepa.

RESOLVED

- (1) That the report titled "Coast Initiatives Fund" be received.**
- (2) That the Board agrees to assist with funding the Maraenui Fishing Competition in the amount requested, if an application had been lodged online but not passed to the Secretary for inclusion in the agenda.**

Waenga/Keepa

Carried

6. COAST INITIATIVES FUND – FUNDING APPLICATION: TE WHĀNAU A APANUI WAKA AMA

p18

The Board approved the application from Te Whānau a Apanui Waka Ama to assist with the costs associated with a waka ama challenge event to be held on 30 December 2018. It was agreed that funding be provided in the sum requested of \$5,180.

RESOLVED

- (1) That the funding application from Te Whānau a Apanui Waka Ama be received.**

- (2) That the sum of \$5,180 be paid to Te Whānau a Apanui Waka Ama to assist with the costs associated with the Te Whānau a Apanui Waka Ama challenge event to be held on 30 December 2018.

Keepa/Waenga

Carried

General Item Raised

Camping – Maraetai Bay

Gail Keepa advised that the “No Camping” signs at Maraetai Bay Reserve are lying in the grass.

She further advised that people are not camping in the freedom camping area at Maraetai Bay.

The Planning and Regulatory Group Manager stated that Council will be undertaking a higher level of monitoring of freedom camping sites.

The Chairperson closed the meeting with a karakia.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.17AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING
A TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COAST COMMUNITY BOARD HELD
ON TUESDAY, 12 FEBRUARY 2019.**

HAKI McROBERTS

CHAIRPERSON

COAST COMMUNITY BOARD

REPORT

Date : 28 February 2019
To : Ordinary Council Meeting, 12 March 2019
From : His Worship the Mayor, J H Forbes
Subject : **MAYORAL REPORT 18 JANUARY 2019 – 28 FEBRUARY 2019**
File ID : A161717

Since 18 January 2019 I have attended or met with the following:

21 JANUARY 2019

Meeting with Minister Kris Fa'foi and Kiri Allan MP, Whakatāne

4 FEBRUARY 2019

Talked to Rural Health Inter-Professional Programme Students

5 FEBRUARY 2019

New Zealand Walking Access Commission – meeting with Audit New Zealand, Wellington

7 FEBRUARY 2019

Meeting re reset of Bay of Connections/Regional Economic Development

11 FEBRUARY 2019

Waikato Regional Transport Committee – Ports of Tauranga tour, Mt Maunganui

12 FEBRUARY 2019

Coast Community Board meeting, Te Kaha

13 FEBRUARY 2019

Opotiki Marine Advisory Group (OMAG) meeting

15 FEBRUARY 2019

Productivity Commission interview

16 FEBRUARY 2019

Ōpōtiki Learn 2 Earn Expo

18 FEBRUARY 2019

Ōpōtiki District Council Audit and Risk Committee meeting

19 FEBRUARY 2019

Met with new Ōpōtiki Future Leaders Coach, Keri Impey – incorporating a teleconference with Inspiring Stories' Programme Manager and Business Development Manager

20-21 FEBRUARY 2019

New Zealand Walking Access Commission Board meeting, Wellington

25 FEBRUARY 2019

LGNZ Policy Advisory Group meeting, Wellington

26 FEBRUARY 2019

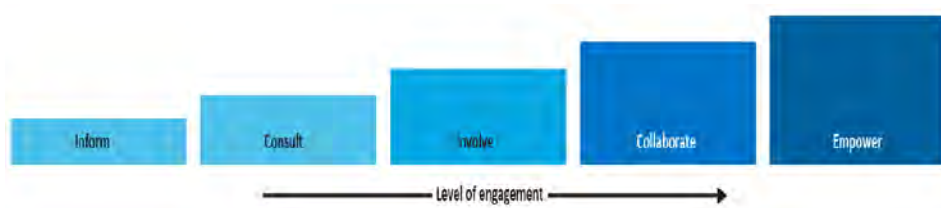
Regional Aquaculture Organisation meeting, Tauranga

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.



RECOMMENDATION:

1. That the report titled "Mayoral Report 18 January 2019 – 28 February 2019" be received.

John Forbes

HIS WORSHIP THE MAYOR



REPORT

Date : 18 February 2019

To : Ordinary Council Meeting, 12 March 2019

From : Mayor John Forbes

Subject : **ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE**

File ID : A156799

EXECUTIVE SUMMARY

This report updates Council on progress advanced through the February 2019 meeting of the Ōpōtiki Marine Advisory Group.

PURPOSE

To inform Council on progress achieved through the Ōpōtiki Marine Advisory Group.

BACKGROUND

The Ōpōtiki Marine Advisory Group (OMAG) was established in 2009 as a technical advisory group to Council in support of the Ōpōtiki Harbour Development Project. This arrangement harnesses the expertise of an important cross-sectoral group of stakeholders to provide advice and address issues in a confidential and efficient manner. OMAG focuses on all matters relevant to the long-term goal of creating the infrastructure required to enable a thriving aquaculture industry centred in Ōpōtiki.

OMAG meets every two months. Members include representatives from the Ōpōtiki community, Ōpōtiki District Council (ODC), Whakatōhea Māori Trust Board, Eastern Sea Farms Limited, Whakatōhea Mussels (Ōpōtiki) Limited, Ōpōtiki Community Development Trust, Toi-EDA, Bay of Plenty Regional Council, and Bay of Connections.

Council has been fully briefed about the Ōpōtiki Harbour Development Project, OMAG, and activities that are underway.

Updates from OMAG

- Peter Vitasovich provided an update from Whakatōhea Mussels (Ōpōtiki) Limited (WMO). WMO is starting to see the benefits of having two boats working on the farm, with work able to progress faster. Two additional staff have been employed, bringing total staff numbers up to 14. A recent highlight for WMO was the announcement on 14 December of funding from the Provincial Growth Fund (PGF) to progress the business case for a mussel processing facility in Ōpōtiki.
- Aileen Lawrie and John Galbraith provided an update on the harbour development project. The recruitment of a PGF funded Eastern Bay project and programme manager is progressing. The position will be responsible for programme management of about 65 projects identified in an Eastern Bay of Plenty: Regional Development Project report prepared by Stakeholder Strategies. The first phase of rock source investigations got underway in mid-January and the contractors will provide a report on potential alternative sources. The harbour redesign workstream is also progressing with the aim of identifying ways to reduce the cost of the harbour construction.
- Barbara MacLennan provided an update on the workforce development project. Refer to attachment one.

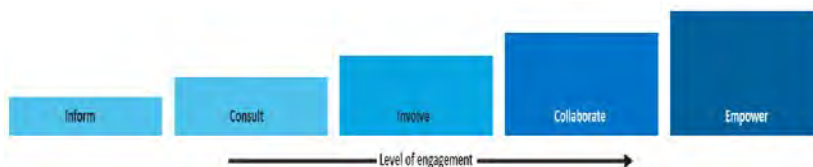
SIGNIFICANCE ASSESSMENT

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 the OMAG 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 receiving the OMAG report 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.



RECOMMENDATION:

1. That the report titled "**Ōpōtiki Marine Advisory Group (OMAG) Update**" be received.

Mayor John Forbes

CHAIR, ŌPŌTIKI MARINE ADVISORY GROUP

ATTACHMENT 1

Workforce Development Update from Barbara MacLennan, Workforce Development Manager

1. He Poutama Rangatahi programmes are progressing:
 - Learn to Earn Expo held in Ōpōtiki on 16 February.
 - In Whakatāne, the rangatahi hub is well underway in Kopeopeo, focusing on youth who are not in education, employment, or training (NEET) with an emphasis on driver licencing and pathways to work.
 - In Kawerau, there has been good progress with pathways to work initiatives and an expression of interest (EOI) we helped prepare last year has been progressed to a PGF application for more "on ramps" in Kawerau.
2. Reducing barriers - driver licencing:
 - Ōpōtiki Community Driver Mentoring Programme has completed cohort four with 60 people successfully achieving their restricted licences. Cohort five is underway.
 - Toi EDA has submitted a draft PGF application for feedback to enable an Eastern Bay of Plenty driver and operator training facility based in Kawerau and covering all classes of driving, and freight and logistics training. Conversations commenced with two New Zealand owned industry training providers who are keen to co-invest in due course and make use of the facility alongside Toi Ohomai.
3. Progressing planning for more industry recruitment tools with senior students:
 - Planning is underway with OPAC, NZ Manuka, Fruition Horticulture and FLAG for a term 3 holidays multiday programme for senior school students keen to move into horticulture and transport industries in 2020.
 - Commencing discussion with local government about new local government programmes that profile the great jobs and career paths available and connect keen students with potential employers.
4. Youth Employability Programme (YEP) - Licence to Work:
 - Work is well underway to help schools and sites that are implementing YEP in 2019 get their planning and systems in place.
5. EBOP Workforce Development Advisory Board to Toi EDA:
 - This board guides and supports workforce development efforts and met on 12 February with the agenda including a focus on labour market planning at sub-regional and regional levels.
 - Quality localised information is a high priority and Toi EDA is submitting an application for an Eastern Bay of Plenty pilot which could be replicated by other regions.

REPORT

Date : 22 February 2019
 To : Ordinary Council Meeting, 12 March 2019
 From : Chief Financial Officer, Billy Kingi
 Subject : **QUARTERLY REPORT TO 31 DECEMBER 2018**
 File ID : A161013

EXECUTIVE SUMMARY

The Quarterly Report for the quarter ended 31 December 2018 provides Council with an understanding of progress against Year 1 of the 2018-2028 Long Term Plan (LTP) for the current financial year.

PURPOSE

The purpose of this report is to present the Quarterly Report to 31 December 2018 to Council.

BACKGROUND

This report is for the six months ending 31 December 2018 and is designed to provide Council with an understanding of progress against year 1 of the 2018-2028 LTP.

The report provides a concise but comprehensive overview of the Council’s financial position as at 31 December 2018, and an overview of how Council is tracking against its Non-Financial performance measures and is structured as follows:

Financial Overview	2
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Capital Expenditure Progress Report to 31 December 2018	13
Non-Financial Performance Measures to 31 December 2019	19

Financial Overview

1. Financial Overview

This report summarises the key financial highlights for the quarter ended 31 December 2018. Please note that variances stated without brackets are favorable, whereas variances stated with brackets are unfavorable.

1.1. Income Statement

	2017-18 2nd Qtr Actual YTD 000's	2018-19 2nd Qtr Actual YTD 000's	2018-19 2nd Qtr Budget YTD 000's	Variance to Budget YTD 000's	2018-19 Annual Plan Full Year 000's
Income Statement					
Operating income	7,234	7,582	7,380	202	16,433
Operating expenditure	6,201	7,120	6,966	(154)	14,283
Net Surplus/(deficit)	1,033	462	413	49	2,150
Income					
Rates	5,227	5,492	5,536	(44)	10,607
Fees & charges	746	847	810	37	1,295
Development and FCs	4	0	1	(1)	4
Subsidies & grants	1,166	1,184	954	230	4,210
Interest revenue	49	35	50	(15)	100
Other revenue	42	24	29	(5)	217
	7,234	7,582	7,380	202	16,433
Expenditure					
Personnel costs	1,759	2,071	2,319	248	4,658
Depreciation & amortisation	1,151	1,429	1,229	(200)	2,458
Finance costs	82	121	149	27	297
Other expences	3,209	3,499	3,269	(229)	6,870
	6,201	7,120	6,966	(154)	14,283
Net Surplus/(deficit)	1,033	462	413	49	2,150

1.2. Significant Variances

Revenue

Revenue to date is \$202,000 ahead than budget. This is mostly related to subsidies and grants received to date. Regulatory fees and charges revenue are also favourable \$37,000. The other areas of revenue are tracking close to budget for the year to date so far. Staff will monitor and report on these should this change.

Expenditure

Although personnel costs are under spent \$248,000 mostly as a result of staff numbers being lower than anticipated during the first half of the year, total expenditure for the year to date is overspent (\$154,000). This occurs mostly as a result of increased activity in solid waste, regulatory, and the effects of weather related roading remedial works undertaken earlier in the year. Further explanation on these variances by Activity is explained in section 1.3.

Finance costs are less than budget due mostly to the timing and delay of a number of loan funded capital projects (refer to the additional commentary in the capital projects section of this report).

Depreciation and amortization expense is tracking higher than budget as a result of the July 2017 asset revaluations on Council's land and buildings, parks and infrastructure assets (comprising three waters, roads and bridges). This is expected to continue throughout the remainder of the year.

1.3. Explanation of Key Variances by Activity

Support Services

Software license fees are likely to be overspent by year end. Overall operational expenditure however is within budget year to date. Depreciation is unfavorable (\$148,000).

Solid Waste

Although RRC revenue is tracking in line with budget estimates, operational costs are overspent (\$110,000) based on year to date budget. This unfavourable variance is a result of numerous factors including:

- The requirement to dispose of timber waste to landfill instead of burning
- A 20% increase in landfill tariffs
- A 27% increase in cost to mulch green waste.

With the additional waste to landfill and timber, we have already reached our usual total annual volume.

Regulation and Safety

Revenue is favorable in Animal Control \$30,000 (increased registration and improvement in recovery of impoundment charges), Building Control (more applications) \$28,000, Compliance (infringements and monitoring of swimming pools) \$5,000, Environmental Health (improved process for cost recovery of

inspections undertaken) \$4,000 and Resource Management (improved process for time recording and subsequent cost recovery) \$30,000.

Over expenditure as a result of increased activity occurs in Building Control (\$15,000), Environmental Health due to consultants which cover vacant FTE position (\$13,000), Emergency Management (\$34,000), and Resource Management (\$65,000), due mostly to BCA accreditation, unbudgeted CDEMG contribution, contractor/consulting and legal costs. These are partially offset by under expenditure in Animal Control \$6,000, Compliance \$4,000 and Liquor Licensing \$6,000. Overall net operations are unfavourable (\$33,000) due to District Plan review/appeal costs).

Community Facilities

Council rental and lease revenue continues to track behind budget (\$13,000). Library lease expense for the temporary premises is unbudgeted (\$16,000). Although CycleWay subsidy received to date is favourable \$65,000, the balance of further expected funding of \$550,000 is subject to a revised business case which is due to be submitted in February. There is a risk of project slippage into next year which may result in the anticipated further funding not being realised this financial year.

Leadership

Expenditure is favourable due to the timing of subscriptions and memberships \$13,000, election costs \$6,000, Annual Plan/community consultation \$12,000 and in strategic planning \$7,000.

Community Development

Under expenditure occurs due to the timing of grants \$30,000 and operational projects related to CBD/CCTV camera/internet expansion. This variance is expected to dissipate over the remainder of the year.

Economic Development

Visitor Information Centre operations is favourable \$36,000, due mostly to staffing, and funding received towards summer events. The timing of Harbour Development operational costs continue to also result in under expenditure here of \$78,000. However, an emerging risk is that Council is incurring costs in advance of seeing a funding agreement from MBIE. To date, costs are mainly arising from the rock source project, and project management.

Land Transport

Roading subsidies are favourable \$154,000 mostly due to sealed and unsealed pavement maintenance

expenditure currently ahead of budget (\$178,000) which was due to weather related remedial works during the first quarter. These are expected to be met within existing budgets over the remainder of the year. Depreciation is unfavorable (\$44,000).

Three Waters

Depreciation is unfavorable in water supply (\$11,000), while savings occur in wastewater \$40,000, due to staffing and treatment costs, and in water supply due to staffing. Finance costs are less than budget due to the timing and delay of a number of capital projects, and tenders coming in under budget. There are other minor variances to budget within the rest of the activities but individually these are not considered significant.

1.4. Cash and Cash Investment Balance

	2017-18 Actual to June 000s	2018-19 2 nd Quarter Actual YTD 000s	2018-19* Budget 000s	Variance to Budget 000s
Cash and Short Term Investments	3,630	2,964	4,727	(1,763)
Term Investments	-	-	-	-
Total	3,630	2,964	4,727	(1,763)

**budget is for full year*

The second quarter cash position of \$2.964 million is mainly due to a strong opening cash balance as at 30 June 2018 of \$3.630 million, resulting from lower capital expenditure and no new borrowing last year, than what was planned. Available cash is utilized as much as possible before any new debt is raised. Council has invested the balance into short term investments as per our treasury policy.

1.5. Cash and Cash Investment

Balance Interest and Debt Level

	2017-18 Actual YTD 000s	2 nd Quarter Actual YTD 000s	2018-19* Budget 000s	Variance to Budget 000s
Finance Costs	87	121	297	176
Term Loans	5,000	5,000	18,181	13,181

**budget is for full year for Term Loans, Finance Costs are year to date.*

Finance costs are less than YTD budget by \$27,000. A number of debt-funded capital projects were still in progress at year end 2017-18, while current year debt-funded projects are still only on track.

Council borrowing currently remains at \$5m. Council has not yet had to draw down any further debt to fund capital projects this year. As available cash is utilized as much as possible before Council draws on further debt, the expectation is borrowings will increase once capital projects near completion.

Capital expenditure

2. Capital Expenditure

Total capital expenditure completed for the second quarter year to date was \$2,019,523 compared to a full year budget of \$19.2 million, which includes carry forward budget from 2017-18 of \$835,000, and budget by Council resolution of \$612,778. The bulk of the budget is for the three waters and roading projects. We project that we will be underspent at the end of the year for a number of reasons.

Of the \$19.2 million forecast, we expect delays or deferral of approximately \$8.1 million. More information is provided in the commentary to the schedule.

Please refer to Appendix 1 for the detail of significant capital projects. The table below summarises the capital expenditure report:

	Carry Forward 2017-18	Council Resolve 2018-19	Budget for 2018-19	Actual to December 2018	% Spent Adjusted for Deferred	Projects to be Deferred
Growth	-	204	1,807	148	16.37	1,107
Level of Service	288	409	7,968	551	7.16	970
Renewal	547	-	8,014	1,320	15.53	60
Total	835	613	17,789	2,019	11.81	2,137

Treasury Report

3. Treasury Report

3.1. Debt Position

	Actual 2017-18	YTD Actual 2018-19	Budget 2018-19
	000s	000s	000s
Secured loans – less than 12 months	1,500	1,500	1,500
Secured loans – greater than 12 months	3,500	3,500	16,681
Total Secured Loans	5,000	5,000	18,181

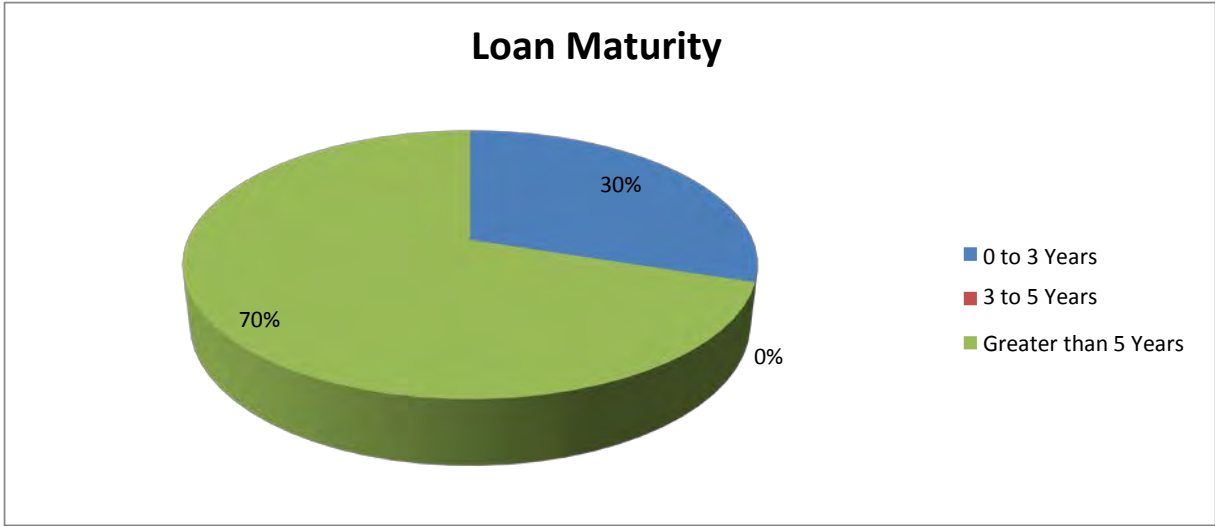
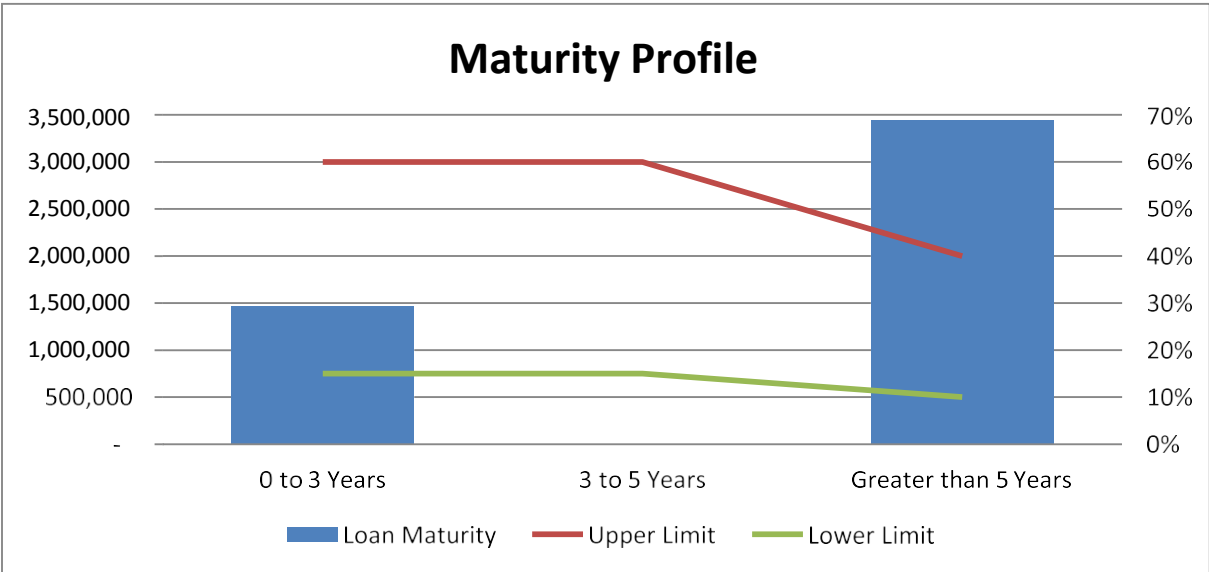
There was no change in Council’s debt position for the second quarter. In December 2017, Council fixed the floating rate loan of \$2 million with LGFA at 4.12%, out to April 2027. There are two other fixed rate term loans of \$1.5 million each, one of which matures in March 2019.

3.2. Funding maturity

The chart below illustrates the funding maturity profile of Council. Council has three loans totaling \$5 million maturing between 0 and 9 years.

Council’s budget in the Annual Plan (year 1 of the LTP) expects further borrowing this year to fund the numerous projects that are planned.

Although the spread between fixed rate loans and floating rate loans is currently 100% on fixed rates and nil% on floating rates, this is expected to come within the 90% fixed rate maximum policy limits (as defined in the Treasury Risk Management Policy, adopted by Council on 30 June 2018) as debt funded capital projects progress throughout the second half of the year.



Compliance with Liability Management Policy

The specific requirements of the Liability Management Policy are detailed below.

Key Performance Targets

The following key performance targets have been set in the Long Term Plan 2018-28:

Measure	Policy Target	Forecast	Actual
Increase in General Rates Revenue	3% + LGCI	1.82%	-5.82%
Increase in Targeted Rates Revenue	10.0%	11.6%	6.68%
Net Interest Expense/Total Revenue	< 10%	1.81%	1.60%
Net Interest Expense/Rates Revenue	< 15%	2.80%	2.20%
Net cash flow from Operating/Interest Expense	≥ 2	15.96	14.76

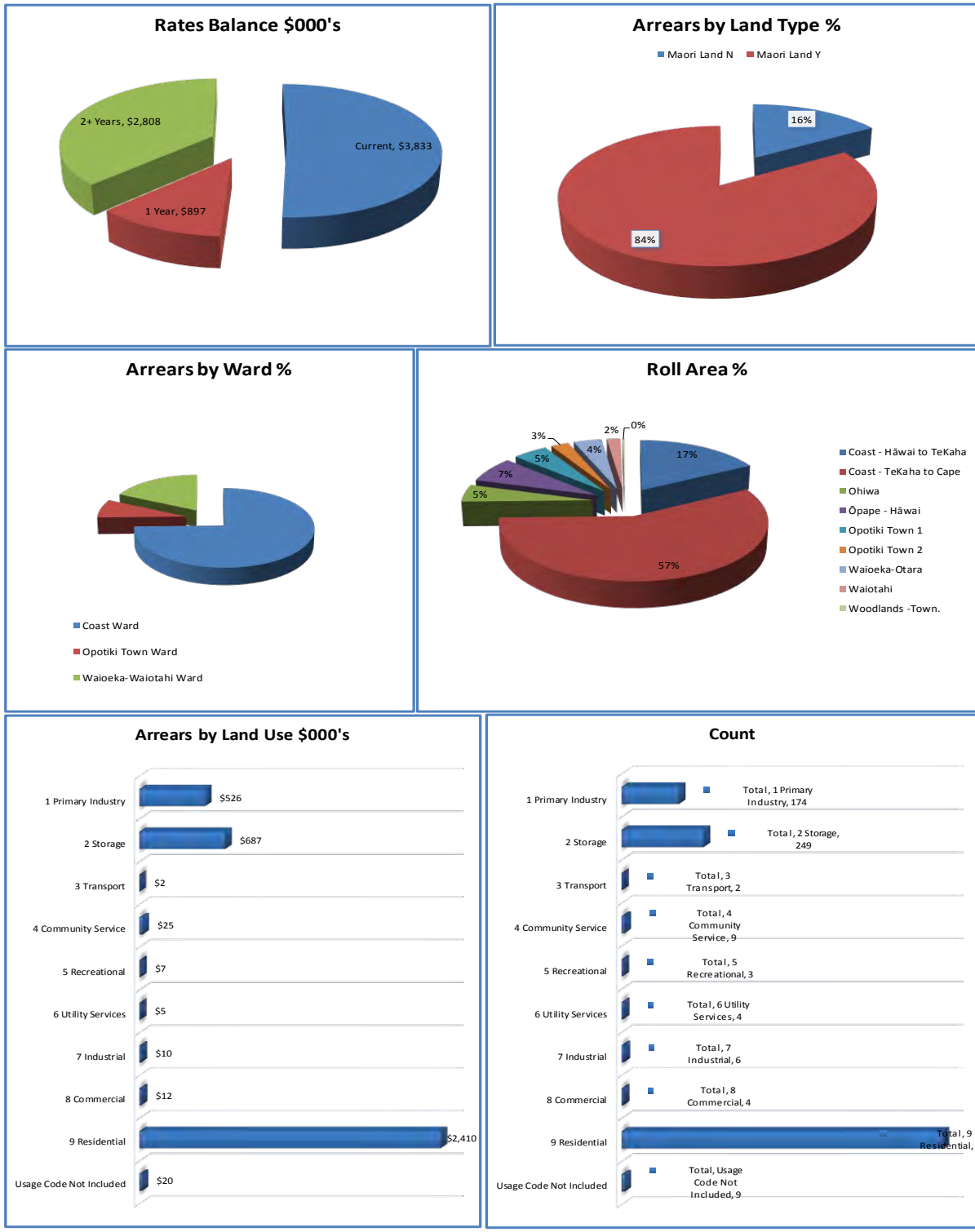
Council is within policy for all of the measures.

Rates Arrears

4 Report on Rates Arrears

The total rates debtors balance as at 31 December is \$7.54 million. Of this amount, \$3.71 million is in arrears. The aging and demographics of the arrears is displayed in the tables and charts below:

Property arrears report as at 31 December 2018			
Overdue amount 2 years	Overdue amount 1 year	Overdue amount current	Overdue amount total
2,807,946	897,022	374,642	4,079,610
69%	22%	9%	
Property arrears report as at 31 December 2017			
Overdue amount 2 years	Overdue amount 1 year	Overdue amount current	Overdue amount total
2,725,189	993,444	502,614	4,221,247
65%	23%	12%	



84% of the arrears, \$3.105 million relates to Māori land, as shown above. There are significant issues in dealing with Māori land, not only for Council, but also for the owners. Council is doing what it can through remissions policies to try to ameliorate this problem.

The balance of the arrears of \$600,000 relates to General Title land. Council has debt management procedures in place to ensure timely and active collection of these outstanding debts.

When comparing December year on year results, there has been a small reduction in arrears of approximately \$14,000, which illustrates that our arrears are not getting worse considering the annual rates levied increases year on year.

When we look at a bit more detail we can see that arrears on General Title land has reduced by 5% compared to last year, whereas arrears on Maori land has worsened by 1%.

When analysed by land use, it is of note that we are making progress in recovering arrears on those properties that have a commercial use, with Storage showing a \$36,000 reduction in arrears compared to last year, and Primary Industry showing a \$23,000 reduction. However, Residential property has increased \$54,000.

The table below outlines in more detail the movements in arrears by land use.

Land Use	Change in #'s	Change in \$	Arrears \$
Usage Code Not Included	-	\$461	19,706
Residential	18	\$53,816	2,409,929
Commercial	-1	-\$4,901	12,290
Industrial	2	-\$3,429	10,260
Utility Services	-	-\$3,525	5,139
Recreational	-1	-\$901	6,915
Community Service	-	\$3,675	25,382
Transport	-	\$113	2,013
Storage	2	-\$35,879	687,346
Primary Industry	9	-\$23,093	525,988
Total	29	-\$13,665	3,704,968

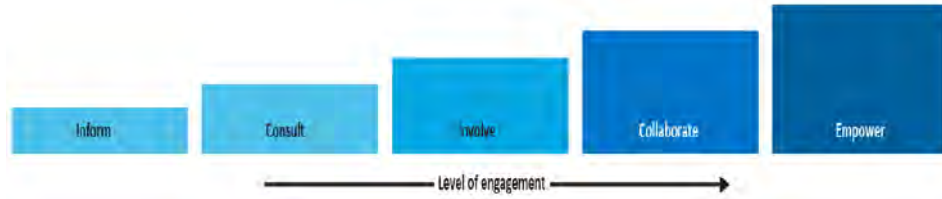
SIGNIFICANCE ASSESSMENT

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 Financial Report to 31 December 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 Financial Report to 31 December 2018 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.



RECOMMENDATION:

- 1. That the report titled "Quarterly Report to 31 December 2018" be received.**

Billy Kingi

CHIEF FINANCIAL OFFICER

Appendix 1 - Capital Expenditure Progress Report to 31 December 2018

Capex Progress Report YTD December 2018	Proj ID.	2018/19 Total Budget	Approved CFWDs from 2017-18	Council Resolution	2018/19 Forecast	2018/19 YTD Actuals	Remaining Budget			
ACTIVITY		\$	\$	\$	\$	\$	\$	TYPE	STATUS	COMMENTARY
Grand Total		17,789,464	835,000	612,778	19,237,242	2,019,523	17,217,719			
Property		150,000	-	-	150,000	0	150,000			
Community Facilities/Property	278007	0			0	0	0	LoS	Deferred	Wharf Precinct
Property Development - Potts	278006	100,000			100,000	0	100,000	LoS	Deferred	Other priorities
Cycle Way		1,232,000	-	-	1,232,000	35,098	1,196,902			
Feasibility Study - EBOP Trail	272006	-			-	32,973	(32,973)	Grwth	On track	Funded by grant. \$20k more to spend. Should be included below
Opo - Waiotaha Bch - Ohiwa	272001	1,007,000			1,007,000	2,125	1,004,875	Grwth	Deferred	Likely to be deferred to next year, revised business case to submit Feb.
Tirohanga Military Track	272004	195,000			195,000	0	195,000	LoS	Slippage	Access negotiations underway, may spend some by end of year.
Trail Enhancements - LOS	272002	30,000			30,000	0	30,000	LoS	On track	Doing some work on it now
District Library		-	80,000	-	80,000	23,879	56,121			
Library Relocation Costs	278005	-	80,000		80,000	23,879	56,121	LoS	Delays	Incurred costs in moving library to ANZ, budget was originally for the full development project
Playgrounds		80,000	-	-	80,000	780	79,220			
Play Equipment	271800	80,000			80,000	780	79,220	Ren	Delays	Majority will be spent on Rose Gardens which will be delayed
Public Toilets		480,000	-	-	480,000	75,932	404,068			
Pipi Beds - Reserve Upgrade	271603	480,000			480,000	8,260	471,740	Ren	On track	RC issued, disposal field in, requires site beautification. Building upgrade underway.
Renew Pipi Beds Disposal Field	271605	-			-	67,672	(67,672)	Ren	On track	RC issued, disposal field in, requires site beautification. Building upgrade underway.
Parks & Reserves		910,000	24,000	-	934,000	79,099	854,901			
Hukutaia Domain - 2018 Centena	277005	60,000			60,000	28,906	31,094	LoS	Complete	Complete
Memorial Park - Upgrades	277002	100,000			100,000	0	100,000	Grwth	Deferred	Drainage and carpark, budget insufficient. Project needs to be revisited
Pakowhai Bridge Lighting	277004	-	24,000		24,000	3,284	20,716	LoS	Complete	Solar lights installed. Spent in 2018 year. Opportunity to look at power supply to bridge

Capex Progress Report YTD December 2018		Proj ID.	2018/19 Total Budget	Approved CFWDs from 2017-18	Council Resolution	2018/19 Forecast	2018/19 YTD Actuals	Remaining Budget			
ACTIVITY		\$	\$	\$	\$	\$	\$	\$	TYPE	STATUS	COMMENTARY
Parks & Reserves Equipment	275200	-				-	5,489	(5,489)	Ren	On track	Pole pruner and planting strategy document
Reserves Improvements 2019	275201	500,000				500,000	9,890	490,110	Grwth	Delays	Rose Garden plan complete. Also covers reserves asset and management planning. Planting strategy. Awaiting BOPRC consenting process
Reserves Management Plans 2019	275202	-				-	1,825	(1,825)	Grwth	On track	Part of pre-planning to Reserves Improvements above.
Asset Management Plans 2019	275203	-				-	15,439	(15,439)	Grwth	On track	Part of pre-planning to Reserves Improvements above.
Rose Garden Renovation Implementation	277003	250,000				250,000	14,268	235,734	LoS	Delays	Verbal update provided at December Council meeting. Currently seeking additional funding from MBIE/various trusts to supplement budget to carry out upgrades as conceptualised by consultants.
Community Development		20,000	-	-	-	20,000	713	19,288			
CBD Cameras & Internet Expansi	321201	20,000				20,000	713	19,288	LoS	Delays	Reviewing ownership model
Harbour Development		-	-	-	-	-	83,333	(83,333)			
Harbour Dev - Construction	373500	-				-	21,818	(21,818)	Grwth	Complete	Final part of geotech investigations
Harbour Dev - Project Mgmt	373501	-				-	61,515	(61,515)	Grwth	Delays	Ongoing project management. Awaiting MBIE funding agreement.
Tourism Promotion/Visitor Information Centre		-	-	-	-	-	12,074	(12,074)			
I-Site Improvements	373400	-				-	12,074	(12,074)	LoS	Complete	Final part of signage and kete install.
Compliance		8,000	-	-	-	8,000	0	8,000			
Compliance Equipment	424201	8,000				8,000	0	8,000	LoS	Delays	Not needed
Emergency Management		105,000	-	-	-	105,000	0	105,000			
Civil Defence Renewals	424700	20,000				20,000	0	20,000	Ren	Delays	Uncertain if needed
Civil Defence alternative EOC	424702	85,000				85,000	0	85,000	LoS	On track	Scoping solutions now
Refuse Collection		86,800	-	104,000	190,800	190,800	0	190,800			
Refuse Bins 40 Litre	433802	86,800				86,800	0	86,800	LoS	On track	Will need recycling bins as well

Capex Progress Report YTD December 2018		Proj ID.	2018/19 Total Budget	Approved C/FWDs from 2017-18	Council Resolution	2018/19 Forecast	2018/19 YTD Actuals	Remaining Budget			
ACTIVITY		\$	\$	\$	\$	\$	\$	\$	TYPE	STATUS	COMMENTARY
Recycling Bins	433603	-		104,000	104,000	0	104,000		LoS	On track	Procurement started February.
Solid Waste Management		20,000	-	-	20,000	0	20,000				
Te Kaha - Replace Outside Bins	433502	20,000			20,000	0	20,000		Ren	On track	
Stormwater		3,000,000	263,000	274,778	3,537,778	335,380	3,202,398				
Opotiki Plant Replacements	469409	-	137,000		137,000	1,701	135,299		Ren	On track	Working on procurement now.
Condition & Performance Assessments	469404	-	10,000		10,000	0	10,000		LoS	On track	Delayed by collaboration opportunity with BOPRC
Comprehensive Discharge RC	469407	-	56,000		56,000	0	56,000		LoS	Delays	Potentially requiring additional budget. Will report to Council in due course.
SW Reticulation Replacements	469418	35,000			35,000		35,000		Ren	On track	Normalised renewal budget may not be needed
Land & Prop Purch -Wellington/Union	469402	-		274,778	274,778	274,778	0		LoS	Complete	Purchase completed December.
Tarawa Creek Flood Water	469403	1,550,000			1,550,000	39,623	1,510,377		LoS	Delays	Staged approach being investigated. Will report to Council in due course.
Upgrade Richard Street	469412	0			0	18,678	(18,678)		LoS	Deferred	Postponed due to high tender price. Ongoing technical modelling.
Replacement of section of 900 gavity main	469416	-	60,000		60,000	0	60,000		Ren	Deferred	Postponed due to high tender price.
Wellington/Brabant St Pump Stn	469401	15,000			15,000	600	14,400		LoS	On track	
Opotiki Sewerage		5,695,000	70,000	204,000	5,969,000	800,308	5,168,692				
Factory Road Wastewater Ext	549609	50,000			50,000	0	50,000		LoS	Deferred	Pending growth
Opotiki WasteWater - Pumps Replace	549614	-	70,000		70,000	6,355	63,645		Ren	On track	Working on procurement now.
Opotiki WW - Private Laterals	549612	1,000,000			1,000,000	29,522	970,478		Ren	On track	Part of wider contract
Reticulation Renewals	549616	45,000			45,000	0	45,000		Ren	On track	Normalised renewal budget may not be needed
Wastewater Extension SH2	549615			204,000	204,000	0	204,000		Grwth	On track	Likely to come in under budget. Tender awarded 5th February.
Wastewater Rehabilitation	549605	4,600,000			4,600,000	764,431	3,835,569		Ren	On track	Contract in progress
Waihau Bay Sewerage		72,800	-	-	72,800	0	72,800				
WW WBay Retic Renewals	549701	2,800			2,800	0	2,800		Ren	On track	Normalised renewal budget may not be needed





Capex Progress Report YTD December 2018	Proj ID.	2018/19 Total Budget	Approved CFWDs from 2017-18	Council Resolution	2018/19 Forecast	2018/19 YTD Actuals	Remaining Budget			
ACTIVITY		\$	\$	\$	\$	\$	\$	TYPE	STATUS	COMMENTARY
WWTP Renewals	549617	70,000			70,000	0	70,000	Ren	On track	Normalised renewal budget may not be needed
Ohiwa Water		16,500	-	-	16,500	0	16,500			
Ohiwa Filtration	583204	15,000			15,000	0	15,000	LoS	On track	Direct procurement
Ohiwa Treatment Renewals	583205	1,500			1,500	0	1,500	Ren	On track	Normalised renewal budget may not be needed
Opotiki/Hikutaia Water		990,000	140,000	-	1,130,000	111,982	1,018,018			
Clarks Cross/Otara Rd booster	583013	800,000			800,000	36,549	763,451	LoS	On track	Contracted awarded.
Hikutaia Booster Station	583001	-	15,000		15,000	0	15,000	Ren	On track	
Opotiki Water - Spare Pumps	583019	-	95,000		95,000	72,541	22,459	Ren	On track	In progress
Water Retic Renewals Opotiki	583022	60,000			60,000	0	60,000	Ren	On track	Normalised renewal budget may not be needed
Water Treatment Renewals Opo	583021	50,000			50,000	0	50,000	Ren	On track	Normalised renewal budget may not be needed
WaterS Condition & Performance	583000	80,000			80,000	2,892	77,108	LoS	On track	Undertaking now
WTP Backwash Pump	583010	-	10,000		10,000	0	10,000	Ren	On track	Pump purchased in 2016/17 ready for install. Sweating old pump.
WTP Chlorine Pipe upgrade	583011	-	20,000		20,000	0	20,000	LoS	On track	Component purchased ready for install. Sweating old assets.
Te Kaha Water		88,000	49,000	30,000.00	167,000	2,625	164,375			
Southern Ext Stage 2a	583106	-			-	2,525	(2,525)	Grwth	Delays	Still working through process with landowners and MLC. 56% funded by MoH. Report request to go to Council with recommended option post land owner agreements.
Te Kaha Water - Spare Pumps	583108	-	49,000		49,000	100	48,900	Ren	On track	Working on procurement now.
Water Retic Renew Te Kaha	583110	20,000			20,000	0	20,000	Ren	On track	Normalised renewal budget may not be needed
Water Te Kaha New	583111	50,000			50,000	0	50,000	LoS	On track	Settlement banks
Rider-Main - Water Supply Extn	583112	-		30,000	30,000	0	30,000	LoS	On track	In progress
Water Treatment Renew Te Kaha	583109	18,000			18,000	0	18,000	Ren	On track	Normalised renewal budget may not be needed
Subsidised Roading		1,839,364	-	-	1,839,364	208,038	1,631,326			
Asset Management Planning	626108	-			0	2,633	(2,633)	Ren	On track	Not Capex - to expense out

Capex Progress Report YTD December 2018		Proj ID.	2018/19 Total Budget	Approved C'FWDs from 2017-18	Council Resolution	2018/19 Forecast	2018/19 YTD Actuals	Remaining Budget			
ACTIVITY		\$	\$	\$	\$	\$	\$	\$	TYPE	STATUS	COMMENTARY
Drainage Renewals	626100	93,888			93,888	42,244	51,644		Ren	On track	
Minor Improvements	626101	204,864			204,864	18,653	186,211		Ren	On track	
New Roads	626111	800,000			800,000	0	800,000		LoS	Deferred	Harbour dev roads
Pavement Rehabilitation	626102	177,189			177,189	74,035	103,154		Ren	On track	In progress
Sealed Resurfacing	626103	398,044			398,044	(44)	398,088		Ren	On track	In progress
Street Lighting Upgrade	626110	-			0	36,048	(36,048)		LoS	On track	In progress
Structures Component Replace	626401	20,831			20,831	0	20,831		Ren	On track	
Traffic Services Renewals	626104	44,548			44,548	7,251	37,297		Ren	On track	
Unsealed road metalling	626105	-			0	27,219	(27,219)		Ren	On track	To expense out
Urban Undergrounding	626112	100,000			100,000	0	100,000		LoS	On track	Completed, expecting invoice for Council contribution soon.
Non-Subsidised Roading		302,000	11,000	-	313,000	0	313,000				
Footpath	628401	50,000			50,000	0	50,000		Ren	On track	Contract let
Seal Extension	628402	220,000			220,000	0	220,000		LoS	Delays	Budget for requests for seal only
Urban Kerb & Channel	628400	32,000	11,000		43,000	0	43,000		Ren	On track	In progress
Information Systems		343,000	-	-	343,000	93,265	249,735				
AssetFinda Upgrade	707508	20,000			20,000	0	20,000		LoS	Deferred	Subject to IT strategy defer to next year
Hardware & Software Renewal	707500	40,000			40,000	45,713	(5,713)		Ren	On track	
Mobile Capture Project	707504	30,000			30,000	0	30,000		LoS	Delays	Will be carried forward to next year
Online Building Consent Prog	707507	30,000			30,000	24,208	5,792		LoS	On track	
Property File Digitisation	707505	150,000			150,000	0	150,000		LoS	Delays	Subject to IT strategy and other process improvements
Software Systems & Improvement	707400	30,000			30,000	9,344	20,657		LoS	On track	
Sphere Online Services	707506	29,000			29,000	0	29,000		LoS	Delays	Will be carried forward to next year
Antenna App Implementation	707509	14,000			14,000	14,001	(1)		LoS	Complete	
Plant Operating		321,000	-	-	321,000	146,078	174,922				
Fleet Vehicle & Plant renewal	707700	321,000			321,000	114,494	206,506		Ren	On track	As required.

Capex Progress Report YTD December 2018	Proj ID.	2018/19 Total Budget	Approved CFWDs from 2017-18	Council Resolution	2018/19 Forecast	2018/19 YTD Actuals	Remaining Budget			
ACTIVITY		\$	\$	\$	\$	\$	\$	TYPE	STATUS	COMMENTARY
Office Equipment	277306	-			0	31,584	(31,584)	Ren	Complete	Office furniture for Regulatory Dept
Admin Buildings		-	-	-	-	4,151	(4,151)			
Library Site Improvements	707301	-			0	4,151	(4,151)	LoS	Complete	Storage shed complete
Land & Buildings		2,030,000	198,000	0	2,228,000	6,789	2,221,211			
Additional Office Space	277308	200,000	98,000		298,000	4,389	293,611	LoS	On track	Tenders received, ready to let contract
Earthquake Prone Buildings	278000	130,000	100,000		230,000	0	230,000	Ren	On track	In progress
Investigation - CBD Integration	278001	0			0	0	0	Grwth	Deferred	To tie in with Harbour dev
Redevelop of Mechanics Inst	277800	0			0	2,400	(2,400)	LoS	Deferred	Consenting for floor levels




Non-Financial Performance Measures to 31 December 2019




A 'traffic light' system has been used to clearly show at a glance which Key Performance Measures (KPIs) have been achieved (or are on target to be achieved), which are in danger of not being achieved, have not been achieved, and which have not been required to be reported on in this period.





-  Achieved or on target to be achieved
-  In danger of not being achieved
-  Not achieved
-  Not required to be reported on this period




Council reports each year on a total of 87 KPIs. 65 KPIs are required to be reported on this period.







Of that 65, 87.7% (57 KPIs) are recorded as achieved or on target to be achieved, 6.15% (4 KPIs) are recorded as in danger of not being achieved and 6.15% (4 KPIs) are recorded as not achieved.





Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
LEADERSHIP					
Council will provide leadership that is visionary, community focused, efficient and inclusive.					
Community satisfaction with Council leadership	55%	70%	N/A	Not required till 4th quarter.	
Decision making in compliance with the Local Government Act 2002.	No successful challenges to Council decision making process.	No successful challenges to Council decision making process	No challenges to Council decision making process	On target.	
Level of community satisfaction with the opportunities to participate in decision making.	New target	50%	N/A	Not required till 4th quarter.	





Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
COMMUNITY FACILITIES					
Planned development of quality parks and recreation facilities.					
Complete planning for the development of key recreation reserves.	0	Development plans complete for Rose Garden reserve, Te Ahiaua (Waiōtahe Domain), Hukuwai Beach, Hukutaia Domain.	In progress	On target. The first stage of the comprehensive reserves management plans and asset management plans has been completed with the assembly of the asset data base. Documents are also in draft and progressing toward presentation and feedback at Council workshop.	
High quality parks and recreation facilities provided and accessible to the community.					
% of community satisfied with the provision of recreation facilities in annual surveys.	69%	80%	N/A	Not required till 4th quarter.	
Playgrounds comply with NZS 5828 (2015).					
% of play equipment compliant with NZS 5828 or relevant standard. N.B The NZS 5828 standard is intended to promote and encourage the provision and use of playgrounds that are well designed, well-constructed, well maintained, innovative and challenging.	0.84	70%	N/A	Not required till 4th quarter.	






Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Public toilets are clean, safe and operational.					
Public toilets are compliant, functional and clean.	New target	Customer requests and complaints responded to within 4 hours.	Not achieved	11 Requests received in the 1 July 2019 to 31 December 2019 period. 10 responded to within 4 hours and one responded to greater than 4 hours.	
Cemeteries maintained to a high standard; accurate records maintained and accessible.					
% of community satisfied with the provision of cemetery services, maintenance and records.	69%	80%	N/A	Not required till 4th quarter.	
Provision of a comprehensive community library service for the community.					
% Percentage of the community satisfied with the library facility and service.	41%	80%	N/A	Not required till 4th quarter.	
Number of library facilitated programmes per year.	>15	6	8	Achieved. PechaKucha x2; School Holiday Programmes x 2; Genealogy Group; Book Groups x2; Science in a Van	


Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
COMMUNITY DEVELOPMENT					
Provide assistance for community support activities.					
Grants for the maintenance of the 22 district Urupa will be distributed by 31 December each year.	100%	100%	Achieved	All maintenance grants for the 22 Urupa paid out on 8 November 2018.	
Memorandum of understandings and administration agreements for community grants are in place.	N/A	100%	100%	Achieved.	
Enhance community Safety.					
Continual expansion to CCTV camera system in town.	New target	1	On target	Project to now include equipment upgrade and two new cameras at pound - quote being prepared.	




Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
ECONOMIC DEVELOPMENT					
Development of the Opotiki Harbour entrance.					
BOPRC Funding - Comply with all conditions of Regional Infrastructure Fund Heads of Agreement/Funding Agreement as they fall due or renegotiate deadlines.	Not measurable.	100%	Not measurable.	Heads of Agreement complied with to extent possible without government funding confirmed.	
Crown Funding - Complete funding agreement with Crown.	Not achieved.	Funding agreement signed	Not measurable.	A funding agreement would follow a positive Crown decision to fund.	
Manage the contract for design and construction of the Ōpōtiki Harbour Development Project.	Not measurable.	N/A	N/A	Not applicable as no target set for the 2018/19 year.	
Investigate and promote investment in a range of economic development opportunities.					
Implement Economic Development Strategy.	Achieved	Review strategy and implementation methods 2018	Not currently measurable.	Investigation in to this KPI and tie in with Toi EDA EBOP Economic Strategy being considered.	
Maintain a current database of business contacts.	Achieved	Database revised quarterly	Not currently measurable.	Investigation in to this KPI and tie in with Toi EDA EBOP Economic Strategy being considered.	
Communicate regularly with business sector.	Achieved	4 bulletins posted per annum	Not currently measurable.	Investigation in to this KPI and tie in with Toi EDA EBOP Economic Strategy being considered.	


Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Promote the district as a tourism destination; support tourism operators and events.					
Increase \$ tourism spend.	New target	Increase in \$ tourism spend over last year	On track	Report presented to Council in August 2018.	
Facilitate community events.	Seven events	Two events per year	2 events	Achieved. 2 events run up to 31 Dec 2018 1 event supported.	
Maintain a current database of tourism sector	Database revised quarterly and 4 bulletins posted	Database revised quarterly	Database revised quarterly	On target. Data base is continually being updated along with accommodation listing information on the Opotikin ^z .co.nz webpage.	
Communicate regularly with tourism contacts	Database revised quarterly and 4 bulletins posted	4 bulletins posted per annum	2 bulletins posted	On target. 2 update bulletins to database posted and weekly emails to those receiving the Opotiki What's On listing.	



Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
REGULATION AND SAFETY					
Council will provide and maintain a quality service to meet statutory requirements and community expectations.					
All liquor licences are processed within 15 working days after the receipt of all reports and information required.	100%	100%	100%	On target. 45 applications have been processed within the prescribed timeframes.	
As per Food Act 2014, food premises are checked and verified as their registrations become due.	58% (52 Registered premises and 30 verifications carried out)	100%	56%	On target. 28 premises out of 50 have been inspected with the remaining 22 premises scheduled for inspections before June 2019.	
% of known dogs registered within the District (as recorded on the 1st June)	1463	90%	94%	Achieved. 1494 dogs have been registered out of the 1583 dogs on our system meaning 94% of all dogs known to us have been registered.	
All animal control complaints of an aggressive or threatening nature are responded to within 2 hours from receipt of complaint.	65%	100%	75%	Not achieved. 40 complaints received of an aggressive or threatening nature (10 after hours and 30 within business hours) in the 1 July 2018 to 31 December 2018 period. 31 complaints were responded to within 2 hours and 9 responded to over 2 hours.	



Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
% of building consents issued within the statutory timeframes.	1	100%	98%	Not achieved. 62 building consents were processed, 61 of which were within statutory timeframes.	
% of customer satisfaction with level of service (as measured by the annual Building Control Authority survey).	N/A	>90%	Not measurable	No surveys have been received so unable to measure result. A letter has been sent to the building community and a feedback session has been arranged for March 2019.	
% of roles identified and staffed for 24 hours operation of the Emergency Coordination Centre.	90%	100%	81%	On target to fill vacant roles as new staff are appointed.	
% of staff identified for roles in the Emergency Operations Centre that are trained to an appropriate level agreed by the Group.	68%	100%	39%	On target. Untrained officers have been booked on courses to be carried out over the next 6 months.	
% of resource consents issued within the statutory timeframes.	100%	100%	100%	On target. 25 resource consent applications were received during this period and all application determined were done so within statutory timeframes.	





Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Council actively engages with the wider community to increase the level of awareness preparedness and resilience.					
Minimum number of council delivered initiatives to promote community resilience and safety.	7 initiatives delivered	4 initiatives delivered	4 initiatives delivered	Achieved. Community response planning working for coastal communities has been undertaken, an Emergency Management Bay of Plenty stall was manned at the A & P show, get ready week of activities has been undertaken and representatives from Whakatohea participated in an exercise with an operation in the Emergency Operations Centre.	



Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
SOLID WASTE MANAGEMENT					
The kerbside collection of bagged refuse and recyclables where the service is provided is efficient and effective. (NB: service provided in Opotiki township, Hikutaia/Woodlands)					
Number of service complaints per year regarding the quality of the kerbside refuse / recycling collection service. (Note: service conditions outlined on brochure mailed annually)	Maximum of 2 per month	<20 per year	16	Currently only just under the full year target so is in danger of not being achieved.	
Provision of effective waste service for the community.					
Customer satisfaction rating of waste transfer stations good or better.	85%	>80%	N/A	Not required till 4th quarter.	
Waste minimisation education reduces household waste and increases good recycling practices.					
Number of public education activities completed.	9	3	6	Achieved. Worm farm workshop has been run again this year. Education programmes have been undertaken at Waioeka, Maranui, Opotiki College, St Josephs and Waioatahe Valley so far this year.	




Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Service provided keeps residual waste to minimum quantity.					
Residual waste per year does not exceed 120 kg per person per year.	135kg/person / year	<120 kg / person / year	N/A	Result to be provided 4th quarter. Expectation is this will not be achieved due to increased collection and deposit at Resource Recovery Centres (RRC's) in combination with inability to find company to take plastic recycled materials. Previous market no longer available.	




Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
STORMWATER					
The urban stormwater activity is managed to protect people and property from the impacts of flooding.					
The number of flooding events that occur in the District. N.B. The Department of Internal Affairs describes a flooding event as an overflow of stormwater from a territorial authority's stormwater system that enters a habitable floor.	0	0	0	On target. No flooding events were recorded where an overflow of Stormwater from Council's urban stormwater system affected a habitable floor. Number of flooding events = 0 Number of habitable floors affected = 0.	
For each flooding event, the number of habitable floors affected (expressed per 1000 properties connected to Council's stormwater system).	0	0	0	On target. No flooding events were recorded where an overflow of Stormwater from Council's urban stormwater system affected a habitable floor. Number of flooding events = 0 Number of habitable floors affected = 0.	

Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Service requests and complaints are processed as they come in.					
Median response time to attend a flooding event, from notification to personnel on site.	0	<4 hrs	0	On target - no flooding events reported where an overflow of stormwater from Council's urban stormwater system affected a habitable floor in the 1 July to 31 December 2019 period.	
Number of complaints received about the performance of the stormwater system per 1000 connections to the Council's stormwater system.	26	<20/1000 connections	<8	On target. A total of 5 complaints received in the 1 July to 31 December 2018 period which is <8 per 1000 connections based on an estimated 700 connections as Council does not have knowledge of the exact number of connections in the district. The estimate of 700 connections is based on half of the available connections.	




Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Stormwater water quality will be managed effectively for 365 days of the year.					
Compliance with Council's resource consents for discharge from its stormwater system, measured by the number of Abatement notices received by Council in relation to those resource consents	0	0	0	On target. None received in the 1 July 2018 to 31 December 2018 period.	
Compliance with Council's resource consents for discharge from is stormwater system, measured by the number of Infringement notices received by Council in relation to those resource consents	0	0	0	On target. None received in the 1 July 2018 to 31 December 2018 period.	
Compliance with Council's resource consents for discharge from is stormwater system, measured by the number of Enforcement orders received by Council in relation to those resource consents	0	0	0	On target. None received in the 1 July 2018 to 31 December 2018 period.	
Compliance with Council's resource consents for discharge from its stormwater system, measured by the number of convictions received by Council in relation to those resource consents	0	0	0	On target. None received in the 1 July 2018 to 31 December 2018 period.	





Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
DISTRICT PLAN					
Review District Plan in accordance with the RMA.					
Review and update the District Plan subject to appeal.	Completed.	100%	In progress	On target. The outstanding appeals are set to be concluded by the end of this financial year.	
Council develops appropriate controls for the Ōpōtiki District and monitors and enforces provisions.					
Review and adopt all Council Bylaws over the next 3 years.	New target	33%	In progress	On target. Work on consolidating the bylaws is on-going and a report will be presented to Council before the end of the financial year.	





Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
WASTEWATER					
A reliable removal and treatment service is provided in areas serviced by Council operated sewerage systems.					
The total number of complaints received by Council about sewerage odour expressed per 1000 connections to Council's sewerage system.	<1	<5	0	On target. No complaints received by Council about sewerage odour relating to Council's sewerage system in the 1 July 2018 to 31 December 2018 period.	
The total number of complaints received by Council about sewerage system faults expressed per 1000 connections to Council's sewerage system.	13	<10	3	On target. A total of 5 complaints received by Council about sewerage system faults relating to Council's sewerage system which is 3 per 1000 connections based on a total of 1661 connections.	
The total number of complaints received by Council about sewerage system blockages expressed per 1000 connections to Council's sewerage system.	<3	<5	<1	On target. A total of 1 complaint received by Council about sewerage system blockages relating to Council's sewerage system which is <1 per 1000 connections based on a total of 1661 connections.	





Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
The total number of complaints received by Council about Council's response to issues with its sewerage system expressed per 1000 connections to Council's sewerage system.	0	<3	<1	On target. A total of 1 complaint received by Council about sewerage system blockages relating to Council's sewerage system which is <1 per 1000 connections based on a total of 1661 connections.	
Median response time to attend to sewerage overflows resulting from a blockage or other fault in the Council's sewerage system. An overflow means sewage that escapes Council's sewerage system and enters the environment and includes blockages and chokes.	14 minutes	<4 hours	<7 minutes	On target. A total of 2 complaints received in the 1 July 2018 to 31 December 2018 period relating to an overflow from Council's sewerage system and the median response time to attend the event was 6.5 minutes.	
Median response time to resolve a sewerage overflow resulting from a blockage or other fault in the Council's sewerage system. An overflow means sewage that escapes Council's sewerage system and enters the environment and includes blockages and chokes.	75 minutes	<2 days	>2 days	Currently over target. A total of 2 complaints received in the 1 July 2018 to 31 December 2018 period relating to an overflow from Council's sewerage system and the median resolution time is 2 days and 30 minutes.	



Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Sewage is managed without risk to public health.					
Number of sewage overflows into habitable buildings due to faults in the wastewater system.	1	0	1	Not achieved. 1 overflow into habitable building recorded in the 1 July 2018 to 31 December 2018 period. Contractors working on investigating and repairing existing faults in the system near the complainant's home caused sewerage to vent up through homeowners toilet.	
The number of dry weather overflows from Council's sewerage system expressed per 1000 sewerage connections to that sewerage system.	<1	<2	<1	On target. 1 dry weather overflow from Council's sewerage system recorded in the 1 July 2018 to 31 December 2018 period which is <1 per 1000 connections based on a total of 1661 connections.	
The quality of effluent leaving the treatment plant is of a standard required by consents.					
Compliance with Council's resource consents for discharge from its sewage system, measured by the number of abatement notices received by Council in relation to those resource consents.	0	0	0	On target. None received in the 1 July 2018 to 31 December 2018 period.	


Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Compliance with Council's resource consents for discharge from its sewage system, measured by the number of infringement notices received by Council in relation to those resource consents.	0	0	0	On target. None received in the 1 July 2018 to 31 December 2018 period.	
Compliance with Council's resource consents for discharge from its sewage system, measured by the number of enforcement orders received by Council in relation to those resource consents.	0	0	0	On target. None received in the 1 July 2018 to 31 December 2018 period.	
Compliance with Council's resource consents for discharge from its sewage system, measured by the number of convictions received by Council in relation to those resource consents.	0	0	0	On target. None received in the 1 July 2018 to 31 December 2018 period.	






Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
WATER SUPPLY					
Council will provide safe drinking water that is pleasant tasting and looking from Council operated supplies.					
The total number of complaints received by Council about drinking water clarity expressed per 1000 connections to Council's networked reticulation system.	<1	<5	<1	On target. 2 complaints received in the 1 July 2018 to 31 December 2018 period which is <1 per 1000 connections based on 2455 connections.	
The total number of complaints received by Council about drinking water taste expressed per 1000 connections to Council's networked reticulation system.	0	<5	0	On target. No complaints received in the 1 July 2018 to 31 December 2018 period.	
The total number of complaints received by Council about drinking water odour expressed per 1000 connections to Council's networked reticulation system.	0	<5	0	On target. No complaints received in the 1 July 2018 to 31 December 2018 period.	
The total number of complaints received by Council about drinking water pressure or flow expressed per 1000 connections to Council's networked reticulation system.	<1	<5	<1	On target. 1 complaint received in the 1 July 2018 to 31 December 2018 period which is <1 per 1000 connections based on 2455 connections.	





Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
The total number of complaints received by Council about drinking water continuity of supply expressed per 1000 connections to Council's networked reticulation system.	0	<5	0	On target. No complaints received in the 1 July 2018 to 31 December 2018 period.	
The total number of complaints received by Council about Council's response to any of these issues expressed per 1000 connections to Council's networked reticulation system.	0	<3	<1	On target. 2 complaints received in the 1 July 2018 to 31 December 2018 period which is <1 per 1000 connections based on 2455 connections.	
The extent to which Council's drinking water supply complies with Part 4 of the drinking water standards (bacteria compliance criteria); and	1	100%	100%	On target. Fully compliant in the 1 July 2018 to 31 December 2018 period.	
The extent to which Council's drinking water supply complies with Part 5 of the drinking water standards (protozoal compliance criteria).	33%	100%	33%	Opotiki fully compliant. Te Kaha and Ohiwa non-compliant. Ohiwa capital upgrades due to do be completed this year. Te Kaha capital upgrades still under investigation alongside ongoing planning considerations surrounding water source.	



Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Failures and service requests are responded to promptly.					
Fault response times: a) Median response time to attend urgent call-outs	24 minutes	<4 hours	49 minutes	On target. 1 urgent request received in the 1 July 2018 to 31 December 2018 period and time from notification to personnel on site is 49 minutes.	
Fault response times: b) Median response time to resolve urgent call-outs	36 minutes	<1 days	<3 hours	On target. 1 urgent request received in the 1 July 2018 to 31 December 2018 period and time from notification to resolution is 2 hours and 38 minutes.	
Fault response times: c) Median response time to attend non-urgent call-outs	18 minutes	<1 day	23 minutes	On target. 49 non-urgent request received in the 1 July 2018 to 31 December 2018 period and median time from notification to personnel on site is 23 minutes.	
Fault response times: d) Median response time to resolve non-urgent call-outs	<1 day	<4 days	1 day and 5 minutes	On target. 49 non-urgent request received in the 1 July 2018 to 31 December 2018 period and median time from notification to resolution is 1 day and 5 minutes.	


Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Water resources are used efficiently and sustainably.					
Average consumption of drinking water per day per resident.	Opotiki - 220L. Te Kaha - 262L. Ohiwa - 136L	<400L	Opotiki - 213L Te Kaha - 224L Ohiwa - 449L	Expect to meet target. Opotiki and Te Kaha well within performance targets. Ohiwa is slightly over due to leak. This should drop back to within performance target.	
Percentage of real water loss from networked reticulation system - Opotiki	Opotiki - 7%	<20%	7%	On target. Opotiki scheme real losses of 7% is equivalent to an ILI score of 1.4, Low. (See below for ILI detail). This is well below the performance target of <20%. Water NZ's water loss guidelines recommend using the Infrastructure Leakage Index (ILI) to provide guidance on the status of schemes. The ILI doesn't report in % water loss but rather in a factor of real losses over unavoidable losses.	


Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Percentage of real water loss from networked reticulation system - Te Kaha	Te Kaha - 8%	<20%	20%	Expected to meet target. Currently over target. The Te Kaha scheme real losses of 20% is equivalent to an ILI score of 4, Moderate. With the discovery of and repair to a significant leak, it is anticipated the losses will reduce.	
Percentage of real water loss from networked reticulation system - Ohiwa	Ohiwa - 63%	No target set due to size of system. Reported on for information purposes only.	26%	The Ohiwa scheme real losses of 26% is equivalent to an ILI score of 8, Very High. A major leak was discovered and repaired in the internal reticulation of the largest consumer in the scheme. This repair should reduce the losses significantly, bearing in mind there are only 21 connections on the scheme.	

Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
LAND TRANSPORT					
The surface of the roading network is maintained in good condition and is 'fit for purpose'.					
Percentage of requests relating to roads and footpaths that are responded to within timeframes set in Long Term Plan:					
Urgent requests within 1 day	100%	95%	100%	On target. A total of 13 urgent requests were received in the 1 July 2018 to 31 December period and all were responded to within 1 day.	
Non-urgent requests within 4 days	92%	90%	91%	On target. A total of 72 non-urgent requests were received in the 1 July 2018 to 31 December period. 66 were responded to within 4 days and 6 were not responded to within 4 days.	
Percentage of sealed road network resurfaced.	>5%	>5%	Tracking toward 5.3%	On target. Programme is yet to begin - awaiting season. 7km planned of 132km network.	
Traffic services (street lighting, roadside vegetation, road signs, road markings) are visible and accurate.					
Percentage of road users satisfied that traffic services on the network are accurate and visible.	81%	>85%	N/A	Not required till 4th quarter.	
Road users find the road environment predictable and the road safe to use.					
Percentage of persons who as users rate the safety of the District's roads as good or excellent.	65%	>85%	N/A	Not required till 4th quarter.	

The average quality of a ride on a sealed local road network, measured by the smooth travel exposure.	97%	91-95%	91-95%	Achieved. Based on two yearly assessments. Last assessment completed in 2018-19.	
Change from previous year in number of fatalities and serious injury crashes on Council maintained roads.	3	Target for reducing the number of serious injuries and fatalities = no increase and a general declining trend	0	On target – none recorded on Council maintained roads in 1 July 2018 to 31 December 2018 period.	
Road Corridor users (pedestrians, joggers, disabled persons etc.) are able to use the road corridors in a safe and convenient manner.					
The number of users who agree the standard of footpaths is good or excellent.	60%	>70%	N/A	Not required till 4th quarter.	
Percentage of footpaths in Ōpōtiki district that fall within the level of service or service standard for the condition of footpaths as set in plans.	Achieved	70% of qualifying footpath faults scheduled for repair	70% of qualifying footpath faults scheduled for repair	On target. Footpath repair contract is due to start mid March 2019.	

Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
INVESTMENTS					
BOPLASS					
Investigate new joint procurement initiatives for goods and service for BOPLASS councils	10	Minimum of 4	3	On target. Investigation into a system of qualifying potential shared service opportunities, scoping of two projects relating to Solid Waste licensing, data collection and diversion, tender undertaken for redesign of shared collaboration portal.	
Communicate with each shareholding Council through a minimum of one meeting with each Executive Leadership Team.	Not achieved	100%	100%	Two executive-level meetings held with councils. Operations Committee meetings also held during the 1 July to 31 December period with executive level input provided by all shareholding councils. Executive Leadership Team representation and attendance at one or more meetings from every council.	

Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Toi-EDA					
Develop and implement a strategy and annual work plan that supports and develops key sectors in the Eastern Bay economy to grow employment and wealth.	Achieved	80%	100%	Achieved. Annual work plan and strategy developed that supports and develops key sectors in the Eastern Bay economy to grow employment and wealth. Key focus areas are: As a member and part funder of the Eastern Regional Leadership Group which helped develop 'Eastern Bay - Beyond Today Implementation Plan' (Eastern Bay Regional Development Project 2018) - development plan and key opportunities for the Eastern Bay, workforce development programme, industrial symbiosis initiatives, logistics, aquaculture, horticulture and tourism.	

Key Performance Indicator	Performance achieved 2017/18	Performance target 2018/19	Performance to 31/12/18	Commentary on performance to 31/12/18	Tracking
Submissions lodged on all regional and EBOP district plans.	Achieved	100%	100%	On target. Submissions lodged on applicable plans.	

REPORT

Date : 28 February 2019

To : Ordinary Council Meeting, 12 March 2019

From : Engineering and Services Manager, Ari Erickson

Subject : **TE KAHA WATER SUPPLY SOUTHERN EXTENSION 2A FUNDING**

File ID : A161449

EXECUTIVE SUMMARY

The Te Kaha Southern Extension was originally planned to be completed in the second year of the 2015 LTP. The project sought and was awarded Ministry of Health (MoH) funding. The extension intended to connect a subdivision on Parekura Hei Rd. At the outset of the project delays arose due to attainment of easements for the proposed route. Delays continued through to 2018 and the project was omitted from the 2018 LTP as the Ministry of Health funding scheme ended. Despite the perceived end of the project, staff sought and received extension of funding until June 2019. This report seeks Council resolution to fund the project again in the hope that land owners' agreements may be resolved in April.

PURPOSE

The purpose of this report is to seek Council resolution to fund the Southern Extension 2A project again.

BACKGROUND

The Te Kaha Southern Extension was originally planned to be completed in the second year of the 2015 LTP. The project sought and was awarded an 85% Ministry of Health subsidy. The extension intended to connect a subdivision of 11 properties on Parekura Hei Rd as well as 3 properties along the road with 4 of these 14 properties having existing residencies.

Delays arose at the outset of the project as staff attempted to go through the process of attaining easement agreements. As all the affected titles were Maori land and Parekura Hei Rd is a Maori

Roadway a particularly involved process culminating in a Maori Land Court special hearing was undertaken. The hearing heard from numerous affected parties and the presiding judge noted that there was existing infrastructure that lacked agreement. On this basis she had reservations about awarding easements until these historic easement agreements had been resolved. In response staff set about consulting again meeting with further delays through the process.

As of June 2018 the consultation process surrounding historic infrastructure was still ongoing and with the MoH funding scheme ending the Southern Extension project was omitted from the 2018 LTP. Despite the perceived end to the project staff continued with negotiations for existing infrastructure with some progress being made. Staff were also informed that a further extension of MoH funding until the end of June 2019 would be approved.

DISCUSSION AND OPTIONS SECTIONS

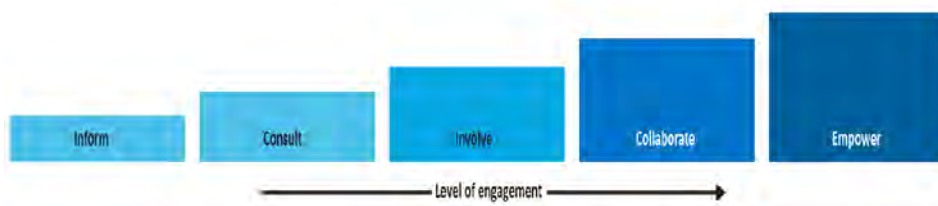
The Te Kaha Southern Extension project was estimated at \$154,000 funded at 85% by the Ministry of Health. An additional \$20,000 is however required to cover the cost of the consultation process, including land surveys, valuations and legal advice. Part of the funding awarded by the MoH has paid for the cost of the consultation process but this has resulted in a budget shortfall for the physical construction component.

In total Council's contribution to the project will be \$43,100. The loan fund for this work would add an additional \$1,802 to the annual rate requirement for the scheme. There are 4 properties that will connect to the water supply and another 10 properties that can connect in future. Based on four full rates charges and 10 availability (half) charges these properties will reduce the Te Kaha targeted rate per property by \$3.22.

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 for resolution of funding for the Te Kaha Southern Extension 2a project 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 for funding the Te Kaha Southern Extension 2a project 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

As the installation of the Te Kaha southern extension will have a net benefit on Te Kaha's targeted rates, consultation is not required. The subdivision applicants have been consulted with and are aware of the rates implications and will be incorporated in the rating base.

Risks

Despite progress through the consultation process with affected land owners there is still a risk that agreements could fall over at the last hurdle. Agreements required for the Te Kaha Southern Extension project are yet to be formalised requiring the resolution of the Maori Land Court, a special hearing from which is tentatively planned for April 2019.

Authority

Council has the authority to make decisions on the recommendations provided in this report in accordance with the Local Government Act 2002.

CONCLUSION

Construction of the Te Kaha southern water supply extension remains a valuable opportunity for Council to extend service to additional rate payers in the Te Kaha area. With the funding awarded from the Ministry of Health the project serves to provide a net reduction in the overall rates applied to users. Though there have been numerous delays in the project surrounding attainment of agreements which are still yet to be fully resolved, the risk that the project may not eventuate as a result is considered acceptable when compared to its potential value.

RECOMMENDATIONS:

- 1. That the report titled "Te Kaha Water Supply Southern Extension 2A Funding" be received.**
- 2. That Council approves the loan fund of \$43,100 to complete the project.**

Ari Erickson

ENGINEERING AND SERVICES GROUP MANAGER

REPORT

Date : 11 February 2019

To : Ordinary Council Meeting, 12 March 2019

From : Planning and Regulatory Group Manager, Gerard McCormack

Subject : **THE OPOTIKI DISTRICT COUNCIL FIRE PREVENTION BYLAW 2008**

File ID : A158334

EXECUTIVE SUMMARY

In 2017, the Fire and Emergency New Zealand Act transferred fire control powers from territorial authorities to Fire and Emergency New Zealand (FENZ), a new organisation established to amalgamate urban and rural fire services. The matters in the Opotiki District Council Fire Prevention Bylaw 2008, including declaring prohibited or restricted fire seasons, issuing fire permits, and removal of fire hazards, are addressed in the Fire and Emergency New Zealand Act and are now the responsibility of FENZ. The Fire Prevention Bylaw is no longer needed and it is recommended that it be revoked.

PURPOSE

This report recommends that Council revoke the Opotiki District Council Fire Prevention Bylaw 2008 (the Fire Prevention Bylaw) as it is redundant due to changes to fire legislation.

BACKGROUND

The Fire Prevention Bylaw came into force on 1 July 2008 and replaced the Fire Prevention Bylaw Involving Vegetation. It is based on the New Zealand Standard Model General Bylaws Part 11 – Fires in the Open Air NZS 9201:Part 11: 2000 and contains clauses relating to:

- Fires in the open
- Restricted fire season
- Prohibited fire season

- Public notice of restricted or prohibited fire season
- Revocation or suspension of permits
- Fees for permits
- Council may extinguish fires
- Live ashes
- Removal of gorse and other growth
- Storage of combustible materials
- Storage of hay.

In 2017, the Fire and Emergency New Zealand Act was introduced, replacing the Fire Service Act 1975 and the Forest and Rural Fires Act 1977. On 1 July 2017, the New Zealand Fire Service, the National Rural Fire Authority, 12 enlarged rural fire districts, and 26 territorial authority rural fire authorities were amalgamated into one organisation, Fire and Emergency New Zealand (FENZ). The principal objectives of FENZ are: reducing the incidence of unwanted fires and the associated risk to life and property; and protecting and preserving life, and preventing or limiting injury, damage to property, land and the environments.

The Fire and Emergency New Zealand Act inserted a new section 152B into the Local Government Act 2002 (LGA) clarifying the effect of the legislative changes on fire bylaws and streamlining the process for bylaws covering FENZ activities to be removed. Under section 152B, if any bylaw made by a territorial authority is inconsistent with the Fire and Emergency New Zealand Act 2017 or any regulations or notice under that Act, the territorial authority must amend or revoke the bylaw to remove the inconsistency. Since 1 July 2017, FENZ has been responsible for fires in open air, setting fire seasons, and issuing fire permits in urban and rural areas. The provisions in the Fire Prevention Bylaw 2008 are no longer Ōpōtiki District Council's responsibility; therefore the bylaw is no longer required and it is recommended that it be revoked.

Fires on Council controlled land will continue to be covered by relevant clauses in other bylaws, specifically the Ōpōtiki District Council Beach Bylaw 2008 and the Ōpōtiki District Council Public Places Bylaw 2008. Clause 9.1(d) of the Beaches Bylaw 2008 states that "[a] person shall not, on any part of the beach: [s]ubject to any applicable Fire Control legislation or any Part of this Bylaw, light or leave any fire in a manner or condition which is or might be dangerous to any person or which causes or may cause a nuisance to any person." Clause 5.1(b) of the Public Places Bylaw 2008 states "No person shall light any fire in any public place" and clause 19.3.2 includes "[l]ighting or cause to remain alight, any fire within any reserve except within a barbecue provided by the Council for that purpose" in the

list of activities that are prohibited on all reserves unless permitted by a Council resolution or the person engaging in the activity has the Council’s written permission. These provisions will be reviewed as part of a full review of all of Ōpōtiki District Council’s bylaws that is currently being undertaken.

DISCUSSION AND OPTIONS SECTIONS

Under the LGA, the Council must amend or revoke the Fire Prevention Bylaw to remove inconsistencies with the Fire and Emergency New Zealand Act 2017.

The preferred option is to revoke rather than amend the Fire Prevention Bylaw as all the clauses in the existing bylaw are covered under the Fire and Emergency New Zealand Act and are no longer Ōpōtiki District Council’s responsibility. Restrictions on lighting fires on public places, including beaches, will be retained in the Beaches Bylaw 2008 and Public Places Bylaw 2008 and reviewed during the general review of all Council bylaws.

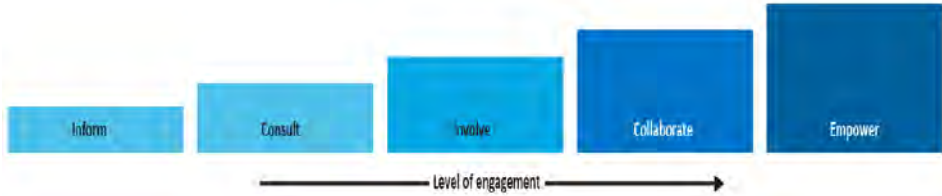
SIGNIFICANCE ASSESSMENT

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 revoking the Fire Prevention Bylaw 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 revoking the Fire Prevention Bylaw 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.



COMMUNITY INPUT AND PUBLICITY

There is no requirement for Council to consult on this matter as section 152B of the LGA enables territorial authorities to revoke bylaws that are inconsistent with the Fire and Emergency New Zealand Act without consultation.

CONSIDERATIONS

Financial/budget considerations

There are no costs associated with revoking the Fire Prevention Bylaw.

Policy and planning implications

Revoking the Fire Prevention Bylaw will meet council's obligations under section 152B of the LGA to ensure that any bylaw that is inconsistent with the Fire and Emergency New Zealand Act 2017 is either amended or revoked. The matters covered in the Fire Prevention Bylaw are now the responsibility of FENZ.

Risks

There are no risks associated with revoking the Fire Prevention Bylaw.

Authority

The council has the authority to revoke the Fire Prevention Bylaw by resolution publicly notified under section 152B of the LGA.

RECOMMENDATIONS:

- 1. That the report titled "The Ōpōtiki District Council Fire Prevention Bylaw 2008" be received.**
- 2. That the Ōpōtiki District Council Fire Prevention Bylaw 2008 be revoked.**

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER



3 July 2018

Aileen Lawrie
Chief Executive
Opotiki District Council
PO Box 44
Opotiki 3162

Dear Ms Lawrie,

Urban Fire Control Bylaws

In May 2017, the New Zealand Fire Service Commission wrote to the Opotiki District Council regarding the Fire and Emergency New Zealand Act 2017 (the Act) and its impact on councils' relevant fire bylaws.

Under the Act, from 1 July 2017, Fire and Emergency New Zealand gained a number of powers covering matters formerly controlled by councils under the Local Government Act 2002 (the LGA).

The Act also made amendments to the LGA (new section 152B) under which councils must amend or revoke any bylaws that are inconsistent with the Act or any regulations or notice under the Act.

In addition, councils may, after consultation with Fire and Emergency New Zealand, amend or revoke a relevant fire bylaw.

In relation to both inconsistent bylaws, and relevant fire bylaws that a council decides to amend or revoke after consultation with Fire and Emergency New Zealand, the necessary amendments or revocations may be made without consultation under section 82 of the LGA, or use of the special consultative procedure in section 83 of the LGA. This is express in sections 152B(1) and (4) of the LGA.

I am satisfied and confirm that Opotiki District Council has consulted with Fire and Emergency New Zealand with regard to its relevant fire bylaws as required under section 152B(1) of the LGA.

Fire and Emergency New Zealand will continue to work closely with Council representatives in relation to arrangements for Fire and Emergency New Zealand exercising fire control powers within the Opotiki District.

Kind regards,

Rhys Jones
Chief Executive



THE OPOTIKI DISTRICT COUNCIL FIRE PREVENTION BYLAW 2008

EXPLANATORY NOTE

The Opotiki District Council Fire Prevention Bylaw 2008 was made in accordance with the Local Government Act 2002. The purpose of the Opotiki District Council Fire Prevention Bylaw 2008 is to prevent the spread of fires involving vegetation.

This Bylaw is used in conjunction with the provisions of the Forest and Rural Fires Act 1977 and Forest and Rural Fires Regulations 2005.

The Bay of Plenty Regional Council has responsibility for discharges into the air. Fires in the open air must comply with the Bay of Plenty Regional Council's Regional Air Plan Rules. Consents or approvals may be required from the Bay of Plenty Regional Council for discharges into the air from fires in the open air.

Nothing in this Bylaw shall be regarded as derogating from the provisions of the Forest and Rural Fires Act 1977, the Forest and Rural Fires Regulations 2005 or requirements of the Bay of Plenty Regional Council under its "Regional Air Plan" rules.

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17. Dispensing Powers
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19. Offences and Breaches
20. Penalties for Breaches of Bylaw

The Opotiki District Council

Fire Prevention Bylaw 2008

1. Title

This Bylaw shall be known as "The Opotiki District Council Fire Prevention Bylaw 2008".

2. Commencement

This Bylaw shall come into force on the 1st day of July 2008.

3. Repeals

As from the date that this Bylaw comes into force the Fire Prevention Bylaw Involving Vegetation shall be repealed.

4. Interpretations

4.1 For the purposes of this Bylaw the following interpretations shall apply:

Acceptable means of fire suppression means a hose connected to a reticulated water supply or an alternative means of fire suppression approved in writing in a particular case by the authorised officer.

Authorised Officer means any person appointed or authorised in writing by the Chief Executive or by the Council to act on its behalf and with its authority to enforce this Bylaw.

Barbeque means any fixed or portable gas or solid fuel burning equipment or device designed or intended for the cooking of food in the open air.

Ethnic cooking fire means any hangi, umu or similar fire in the open air and used for the preparation of food using ethnic cooking methods.

Fire permit means a permit to light a fire in the open air granted in accordance with 6. 4 of this Bylaw.

Incinerator means a container used for burning of waste material, which is made of non-combustible materials and which has a grate and a lid or spark arrester.

Incinerator fire means fire within an incinerator.

Open air means in the open whether on or above ground level.

Open fire season means a period of time, whether fixed or indefinite during which the lighting of fires in the open air is permitted.

Premises means any land or buildings or part of the same and any adjoining land and or buildings occupied together shall be deemed to be the same premises

Prohibited fire season means the period of time, whether fixed or indefinite during which the lighting of fires in the open air is prohibited in accordance with 7. 2 of this Bylaw.

Restricted fire season means a period of time whether of fixed or indefinite duration during which period permits or authorities are required for the lighting of fires in the open air in accordance with 6. 2 of this Bylaw.

4.2 For the purposes of this Bylaw the word "shall" refers to practices that are mandatory for compliance with this Bylaw, while the word "should" refers to practices which are advised or recommended.

5. Fires in the Open

No person shall in any open fire season light any fire in the open air including a barbecue, ethnic cooking fire, or an incinerator fire under the following conditions:

- (a) Where the location, wind, or other conditions cause or are likely to cause the fire to become:
 - (i) A danger to any person or property; or
 - (ii) Out of control or spread beyond the limits of the premises on which it is lit; or
- (b) Within three metres of any part of a building, tree, hedge, fence or other combustible material; or
- (c) Without continuous supervision being maintained at all times; or
- (d) Without an acceptable means of fire suppression being available where the fire is located on residential premises, or land adjoining such premises.

6. Restricted Fire Season

- 6.1 An authorised officer may at any time prescribe a restricted fire season or seasons within the district or in any specified part or parts thereof, and may at any time cancel or vary such a prescription.
- 6.2 Any person wishing to obtain a fire permit during a restricted fire season shall apply to the authorised officer.
- 6.3 The authorised officer may from time to time prescribe a form of application for the purposes of 6.2.
- 6.4 Upon receiving an application under 6.2 an authorised officer may issue a fire permit and may impose such conditions and restrictions in respect of the permit as the authorised officer considers reasonably necessary having regard to:
 - (a) Any cultural requirements or practices;
 - (b) The location, terrain, natural vegetation and the existence of buildings or other structures and any other fuels; and
 - (c) Protection of the safety, health and convenience of persons on the premises in respect of which the permit is issued and adjoining lands and premises.
- 6.5 Nothing in Section 6 shall apply to an ethnic cooking fire, an incinerator or a barbecue. Provided that Council may in certain circumstances include the above where it considers it necessary to do so.

7. Prohibited Fire Season

- 7.1 An authorised officer may at any time prescribe a prohibited fire season or seasons within the District or in any specified part or parts thereof, and may at any time cancel or vary such a prescription.
- 7.2 In a prohibited season no person shall light any fire in the open air including an ethnic cooking fire, an incinerator or a barbecue and no person being the occupier of any premises shall cause, permit or suffer any fire to be lit or continue to burn in the open air on those premises.
- 7.3 Nothing in 7.2 applies to the use of gas fire barbecues. The authorised officer may in certain circumstances prohibit the use of gas barbecues.

8. Public Notice of Restricted or Prohibited Fire Season

- 8.1 Public notice of the prescription of a restricted or a prohibited fire season made under 6.1 or 7.1 or the cancellation or variation of such a prescription, shall be made by:
- (a) Broadcast or other similar means within the District; or
 - (b) By a notice inserted in a daily or community newspaper circulating within the District.
 - (c) By any effective means.

9. Revocation or Suspension of Permits

- 9.1 Subject to 9.2 every fire permit issued in accordance with 6.4 shall remain in force from the date of issue until the expiry of the period, date or time specified in the permit, unless a prohibited fire season is declared.
- 9.2 Notwithstanding any other provisions in this bylaw, any permit issued under this Part of this Bylaw may be revoked or suspended by an authorized officer at any time, or suspended for such periods of time on such terms and conditions, as the authorized officer may consider reasonable in the circumstances.

10. Fees for Permits

- 10.1 The Council may from time to time, by resolution set fees in accordance with the Local Government Act 2002 for issue of any permit under this Bylaw. Any fee prescribed shall be paid upon uplifting the permit.

11. Council May Extinguish Fires

- 11.1 Where a fire has been lit or allowed to burn in:
- (a) An open fire season in breach of section 5, or
 - (b) A restricted fire season in breach of the conditions of a fire permit issued in accordance with 6.4 or
 - (c) A prohibited fire season, in breach of 7.2
- Any officer or agent of the Council (including the New Zealand Fire Service) may extinguish any such fire or direct the occupier of premises on which the fire is located, or the person who lit the fire, to extinguish such fire.
- 11.2 Where an authorized officer or agent of the Council has extinguished a fire pursuant to 11.1, the Council may recover any costs incurred in extinguishing the fire from the occupier of premises on which the fire was located, or the person who lit the fire.
- 11.3 Where any occupier of premises upon which a fire in the open air is located, or person who lit such a fire, disregards a Council direction under 11.1 to extinguish the fire, the authorized officer may authorize an agent of the Council (including the New Zealand Fire Service) to extinguish the fire and to take such other steps as may be reasonably necessary to ensure the safety of any person or to protect the premises, or any other property.
- 11.4 The Council may recover from the occupier of the premises, or the person who lit the fire, any costs incurred by it as a result of its officer or agents taking any action authorized by the authorized officer under 11.3

12. Live Ashes

- 12.1 No person shall place any live cinders, embers or ashes in or upon any premises other than:
- (a) In a container made and constructed of concrete or other similarly fire resistant material to prevent the transmission of heat to any combustible material;
 - (b) In a pit or upon any fire-resistant substance in manner which will prevent the spreading of fire or heat by the action of wind or otherwise; or
 - (c) As part of an ethic cooking process including hangi and umu.

13. Removal of Gorse and other Growth

- 13.1 No occupier or any other person having the control of any land shall allow any broom, gorse, bushes, scrub, dry grass, or similar growth to exist within 6 metres of any building or adjoining premises, in such a condition or state that it is likely to become a source of risk from fire.
- 13.2 An authorised officer of the Council may, by written notice, require an occupier or person having control of any land to remove any dangerous growth.
- 13.3 The Council may cut down or otherwise eradicate and remove any broom, gorse, bushes, scrub, dry grass or similar growth to which 13.1 applies, after giving verbal notice to the occupier or where there is no occupier, to the owner of the land, if life, property or any road is in imminent danger. The cost of the work shall be a charge against the owner of the land.
- 13.4 Should the owner/ occupier fail to comply with the written request of the Council to remove the dangerous growth then the Council may arrange the removal of such growth and recover the cost of removal from the owner or occupier.

14. Storage of Combustible Materials

- 14.1 Except as provided in 14.2 and 14.3, no occupier of any premises shall permit the storage or stacking in the open of any combustible material, unless the distance of the stack from any boundary other than a street boundary is at least equal to the height of the stack, but in any case not less than 1.4 metres.
- 14.2 A stack may be placed closer to the boundary than the distance specified in 14.1 if a brick, stone, or Concrete wall extending not less than 450 millimetres above and not less than 1.4 metres beyond the length of the stack, is situated between the stack and the boundary.
- 14.3 A stack may, with the written approval of the adjoining owner and of the authorized officer, be placed closer to the boundary than the distance specified in 14.1 where any of the following conditions continue to exist:
- (a) Where there is a brick, stone or concrete wall as defined in 14.2 without openings situated on the adjoining property and within 1.4 metres of the common boundary; or
 - (b) Where there are no buildings on the adjoining land; or
 - (c) Where there is no danger of a stack adjacent to a boundary increasing the risk of the spread of fire.

15. Storage of Hay

- 15.1 No occupier of any premises shall permit the storage or stacking in the open of more than 3 cubic metres of hay, or similar material unless the distance of the stack from any building, boundary, fence,

private road, public place, or adjacent land is not less than 6 metres and the intervening space is at all times kept free from any rubbish or obstruction of any kind.

- 15.2 No occupier of any premises shall permit the storage of more than 1 cubic metre of hay or similar material in any building attached to, or at a distance of less than 6 metres from, any other building unless the first mentioned building has a roof of approved fire-resistant material and walls constructed wholly of brick, stone or concrete or any combination of brick, stone and concrete and complying with the specifications mentioned in 14.2.
- 15.3 The provisions of 15.2 shall not apply in any case where agricultural produce required for the keeping of horses is kept or stored in any building used only for the purpose of or in connection with a stable.

16 Notices

- 16.1 The Council may give notice to any person in breach of the provisions of this Bylaw to carry out any remedial action in order to comply with the Bylaw and every such notice shall state the time within which the remedial action is to be carried out, and maybe extended from time to time.

17 Dispensing Powers

- 17.1 Where in the opinion of the Council full compliance with any of the provisions in this Bylaw, would needlessly or injuriously affect any person, or the course or operation of the business of, or bring a loss or inconvenience to any person without any corresponding benefit to the community, the Council may, on the special application of that person, dispense with the full compliance with the provisions of this Bylaw; provide that any other terms or conditions (if any) that Council may deem fit to impose shall be complied with by that person.

18 Serving of Orders and Notices

- 18.1 Except as otherwise provided for in any other enactment, where any notice, order, or other document is required to be served on any person for the purposes of this Bylaw, service may be effected by delivering it personally to the person or by sending it by registered post to that person's last known residential or business address.
- 18.2 If the person is absent from New Zealand the order, notice, or other document may be served on the person's agent in the manner referred to in 18.1.
- 18.3 If the order, notice, or other document relates to land or buildings, then the order, notice, or other document should be served on the person who owns that land or buildings. However, if that person is not known or is absent from New Zealand, or has no known agent in New Zealand, the order or notice may be:
- (a) Served on the person who is occupying the land or buildings; or
 - (b) If there is no person in occupation, put up on some conspicuous part of the land or buildings.
- It is not necessary in that notice to name the occupier or the owner of that land or buildings.
- 18.4 Where an order or notice is sent by registered post, the order or notice shall be sent so as to arrive no later than the latest time on which such order or notice is required to be served.
- 18.5 Any order or notice issued shall state the time within which the remedial action is to be carried out, and may be extended from time to time by written authority of an authorised officer.

19. Offences And Breaches

- 19.1 Any person commits a breach of this Bylaw who:
- (a) Does, or causes to be done, or knowingly permits or suffers to be done anything whatsoever contrary to or otherwise than as provided by this Bylaw;
 - (b) Omits or neglects to do, or knowingly permits or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw, ought to be done by that person at the time and in the manner provided by this Bylaw;
 - (c) Does not refrain from doing anything which under this Bylaw they are required to abstain from doing;
 - (d) Knowingly permits or suffers any condition of or things to exist contrary to any provision contained in this Bylaw;
 - (e) Refuses or neglects to comply with any notice given to that person under this Bylaw;
 - (f) Obstructs or hinders any authorised officer of Council in the performance of any duty to be discharged by that officer under or in the exercise of any power conferred upon that officer under this Bylaw; or
 - (g) Fails to comply with any notice or direction given under this Bylaw.
- 19.2 Where it is suspected that any person has committed a breach of this Bylaw, that person shall, on the direction of an authorised officer, provide their full name and address.

20 Penalties for Breach of Bylaw

- 20.1 Every person who commits an offence against this Bylaw is liable to:
- (a) The penalty set out in the Local Government Act 2002.
 - (b) Where another enactment specifies the penalty for a breach of the Bylaw, that other penalty.
- 20.2 In accordance with the Local Government Act 2002 the Council may apply to the District Court for an injunction to restrain a person from committing a breach of this Bylaw.


This Bylaw was duly made by the Opotiki District Council by a resolution passed on the 11th day of March 2008 and was confirmed following consideration of community submissions received during a special consultative procedure by a resolution {No 461} passed on the 17th day of June 2008.

The common Seal of the Opotiki District Council was here to affixed in the presence of



Mayor





Chief Executive



REPORT

Date : 19 February 2019
To : Ordinary Council Meeting, 12 March 2018
From : Planning and Regulatory Group Manager, Gerard McCormack
Subject : **DOG CONTROL REGISTRATION FEES**
File ID : A159403

EXECUTIVE SUMMARY

The Territorial Authority can fix dog registration fees, by resolution and then fix a lower fee for specific circumstances as outlined in the Dog Control Act 1996.

This report provides information on the Dog Control Act and Council's responsibilities when setting registration fees and provides options of fee regimes for Council to consider.

PURPOSE

The purpose of this report is to present to Council recommendations for fees for dog registration for the 2019/20 financial year.

BACKGROUND

Dog registration is due to be paid on 1 July and a penalty is added (in accordance with the Dog Control Act 1996) at the beginning of August. Owners of dogs that remain unregistered will receive infringement notices, typically between September and December, after a check by Animal Control staff, which confirms that the dogs are still in the district. Dogs that remain unregistered can be seized.

DOG CONTROL ACT 1996

Section 37 of the Dog Control Act 1996 states:

“The dog control fees payable to a territorial authority shall be those reasonable fees prescribed by resolution of that authority for the registration and control of dogs under this Act.”

The territorial authority can fix fees, by resolution and then fix a lower fee for any of the following circumstances:

- (a) *fix fees for neutered dogs that are lower than the fee for dogs that have not been neutered:*
- (b) *fix fees for working dogs that are lower than the fee for any other dog, and may limit the number of working dogs owned by any person which qualify for lower fees under this section:*
- (c) *fix different fees for the various classes of working dogs:*
- (d) *fix fees for dogs under a specified age (not exceeding 12 months) that are lower than the fee that would otherwise be payable for those dogs:*
- (e) *fix, for any dog that is registered by any person who demonstrates to the satisfaction of any dog control officer that that person has a specified level of competency in terms of responsible dog ownership, a fee that is lower than the fee that would otherwise be payable for that dog:*

The territorial authority may also fix fees as follows:

- (f) *fix by way of penalty, subject to subsection (3), an additional fee, for the registration on or after the first day of the second month of the registration year or such later date as the authority may fix, of any dog that was required to be registered on the first day of that registration year:*
- (g) *fix a fee for the issue of a replacement registration label or disc for any dog.*

The territorial authority may also fix penalty fees as follows:

- (3) *Any additional fee by way of penalty fixed under subsection (2)(f) shall not exceed 50% of the fee that would have been payable if the dog had been registered on the first day of the registration year.*

DISCUSSION AND OPTIONS SECTIONS

The fees for Dog registration (2019/20) are as follows:

(All charges include GST)

	Charges 1 July 2018	Charges 1 July 2019
Dog Registration		
The following fees apply to registration of dogs in the Ōpōtiki District		
Discounted fee (applies if paid on or before 1 August 2018)		
Complete dog	\$110.00	\$110.00
Neutered dog	\$55.00	\$55.00
Working dog	40.00	\$40.00

(All charges include GST)	Charges 1 July 2018	Charges 1 July 2019
Full fee (applies if paid after 1 August 2018)		
Complete dog	\$165.00	\$165.00
Neutered dog	\$82.50	\$82.50
Working dog	\$60.00	\$60.00

It is proposed that owners who pay their annual dog registration before 1 August 2019 get the implant of micro-chip transponder for free. The normal cost for this service will be \$25 (inc gst). This was trialled this year which we believe has led to an increase in the number of dogs being registered and assisted in the promotion of microchipping. Twenty seven dogs were microchipped free of charge this financial year at a cost of \$675 in lost microchipping revenue to the council.

(All charges include GST)	Charges 1 July 2017	Charges 1 July 2018
Implant of micro-chip transponder	\$25.00 – Free for dogs with annual registration for 2018/19 paid before 1 August 2018	\$25.00 – Free for dogs with annual registration for 2019/20 paid before 1 August 2019

History of fees collected over the past three years and seven months

Fee type	2015/16	2016/17	2017/18	2018/19 7months
Dog registration (includes dog micro chipping)	\$85,489	\$79,182	\$85,439	\$85,440
Infringement Fines	\$19,737	\$16,036	\$16,056	\$6,061
Impounded Dog	\$6,908	\$5,764	\$5,515	\$7,171
Microchipping revenue	\$2,565	\$1,543	\$1,896	\$761
TOTAL DOG CONTROL REVENUE	\$114,699	\$102,525	\$108,909	\$99,433

Any registration of dogs for the remainder of this year is pro-rata so the revenue, for that component of the total revenue collected, will not change significantly. Based on the seven months to date revenue is on target to meet the budgeted figure of \$104,500 figure.

In the 2014/15 year Council reduced fees by \$5 for complete and neutered dogs and in the 2015/16 year Council introduced a reduce fee for working dogs (a reduction of \$70 for entire dogs and \$15 for Neutered dogs). These reductions were supported because of the increased number of registered dogs and the enforcement revenue collected through infringements and impounding fees for failure to comply with the legislation.

OPTIONS

The following are options for dog registration fees for the 2019/20 financial Year.

Option One

Registration Fees remain the same as for the 2018/19 financial year.

Option Two

Registration Fees are increased for dog registration for the 2019/20 financial year.

Option Three

Change to a mix of fees. For example reduce fees for neutered dogs, and/or increase fees for entire dogs.

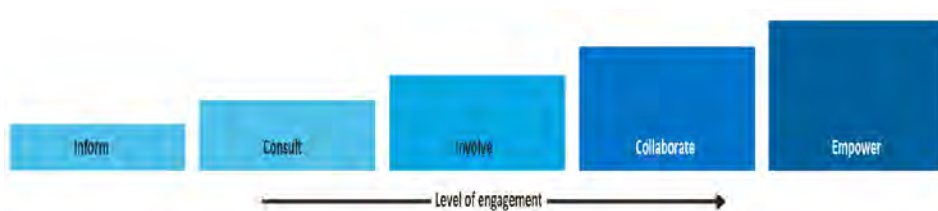
SIGNIFICANCE ASSESSMENT

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 Dog Control Registration Fees 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 Dog Control Registration Fees 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.



COMMUNITY INPUT AND PUBLICITY

The setting of fees under the Dog Control Act 1996 is not subject to the Local Government Act special consultative process. The process is outlined in the Dog Control Act 1996. Council can adopt reasonable fees prescribed by resolution for the registration of dogs.

CONSIDERATIONS

Council's Revenue and Financing Policy requires a total of 20-40% of total expenditure to be collected from Fees and Charges for the Regulation activity. The total target for Regulation can be achieved with no change to the total revenue from Dog Control and other fee amendments which will be proposed through the Fees and Charges.

Some dog owners currently struggle to pay their dog registration fees. It is considered that a further increase would result in more dog owners avoiding the requirement to register their dog and extra compliance cost to follow up on these unregistered dogs. The penalty for non-registration is a \$300 Infringement fine, plus registration is still required.

The total revenue collected from enforcement is tracking downwards and while this is a positive outcome of the hard work undertaken by the Animal and Compliance Officers and the behaviour of the majority of dog owners it does have an impact on the total revenue.

Council has previously set the penalty at the maximum of 50% of the relevant fee, no change is proposed.

The inclusion of free micro-chipping, as part of the registration fee, until 1 August will encourage owners to register early. As well as saving officer time chasing up non-micro chipped dogs and the administration cost of processing the \$25.00 micro chipping fee.

Authority

As per the Dog Control Act 1996 Council has the authority to set the Dog Control registration fees.

CONCLUSION

For the past three years revenue has exceeded budget, therefore it is reasonable to estimate that even with the reduced level of revenue from enforcement that the activity will still meet the funding targets set in Council's Revenue and Financing Policy. Therefore it is recommended that Fees and Charges remain at the current level.

RECOMMENDATIONS:

1. That the report titled "Dog Control Registration Fees" be received.
2. That the Council, in accordance with Section 37 of the Dog Control Act 1996, fix by way of resolution the following fees for dog registration for the 2019/20 registration year.

Dog Registration		
The following fees apply to registration of dogs in the Ōpōtiki District		
Discounted fee (applies if paid on or before 1 August 2019)		
Complete dog		\$110.00
Neutered dog		\$55.00
Working dog		\$40.00
Full fee (applies if paid after 1 August 2019)		
Complete dog		\$165.00
Neutered dog		\$82.50
Working dog		\$60.00

(All charges include GST)	Charges 1 July 2018	Charges 1 July 2019
Implant of micro-chip transponder	\$25.00 – Free for dogs with annual registration for 2018/19 paid before 1 st August 2018	\$25.00 – Free for dogs with annual registration for 2018/19 paid before 1 st August 2019

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER



REPORT

Date : 1 March 2019
To : Ordinary Council Meeting, 12 March 2019
From : Planning and Regulatory Group Manager, Gerard McCormack
Subject : **UPDATE ON FOOD ACT 2014 IMPLEMENTATION**
File ID : A161402

EXECUTIVE SUMMARY

This report provides an update on implementation of the Food Act 2014 (the Act), which took effect on 1 March 2016 and came fully into force on 1 March 2019. Food businesses operating under the Food Hygiene Regulations 1974 or Food Act 1981 had a three year transition period to register, which ended on 28 February 2019.

PURPOSE

This report provides an update on implementation of the Food Act 2014.

BACKGROUND

In a previous report to the Ordinary Council meeting on 19 April 2016, Council received an update on implementation of the new Food Act 2014 (the Act) that came into force on 1 March 2016. The Act applied to all new food businesses from that date. Existing food businesses were required to transition between 1 March 2016 and 28 February 2019 depending on which food sector they belonged to.

The Act moved from a 'one size fits all' approach under the Food Act 1981 to one that is risk based. It is administered by the Ministry for Primary Industries (MPI) and promotes food safety by focusing on the processes of food production, not the premises where food is made. It applies to food that is sold or traded commercially and features a sliding scale, with higher risk businesses being subject to tougher food safety requirements than those that are lower risk. Higher risk businesses must have

written food control plans while medium to low risk businesses operate under national programmes and do not need a written plan but must follow a set of rules to ensure food safety.

THE ROLE OF COUNCILS UNDER THE FOOD ACT 2014

The Act sets out the role of territorial authorities in the food safety regime, including education and advisory services, registration, verification, and enforcement activities. Contractors can be used to carry out some of these functions. Attachment 1 lists territorial authority functions under the Act and identifies which can and cannot be contracted.

Registration

Food businesses operating under a national programme or template food control plan and based in one local council area, operating a mobile food business, or selling online must register with their local council. Food businesses with multiple sites based in more than one territorial authority district may choose to register each site with the local council in each area, or register all sites under one registration with MPI. Food businesses operating under a custom food control plan must register with MPI.

Verification

Verification of template food control plans developed and issued by MPI where the business operates in a single council region and sells mainly directly to the consumer is carried out exclusively by local councils. Councils do not need to apply for recognition or undertake assessment to carry out this role as they are automatically recognised under section 137 of the Act. The Act allows territorial authorities to use a contractor to manage verification functions in relation to template food control plans.

National programmes, template food control plans registered with MPI, and custom food control plans have contestable verification, meaning any agency or person that has gained the appropriate recognition can do the verification. To gain recognition, an agency or person must develop a quality management system (QMS) and get it assessed before applying to MPI. ISO 17020 accreditation is required to become a recognised agency to evaluate and verify custom food control plans. To operate as a recognised agency, at least one person in the agency also needs to become recognised to undertake evaluation or verification.

Councils and independent verifiers set their own fees for verification. According to MPI's website, these fees range from \$115 to \$210 an hour plus travel fees.

Enforcement

Territorial authorities are responsible for investigating non-compliance and complaints about food businesses registered by them and taking appropriate corrective and preventative actions. Food safety officers appointed under the Act may issue directions, infringement notices, or initiate a prosecution for particularly serious offences. Contractors cannot be used to carry out enforcement functions.

IMPLEMENTATION OF THE FOOD ACT IN ŌPŌTIKI

Registration

Forty nine food businesses with template food control plans and 16 food businesses with national programmes are registered with Ōpōtiki District Council (ODC). All existing food businesses that were operating prior to 1 March 2016 have transitioned to the Act, with one exception which will soon be resolved.

Verification

ODC provides verification services for businesses operating under template food control plans but is not a recognised agency for verification of national programmes. When implementation of the Act began in 2016, it was decided that the low number of national programme premises in the Ōpōtiki district did not justify the significant cost and resources that would be required for ODC to implement a QMS, have it assessed by an accreditation agency or MPI, and apply to MPI to become a recognised agency to verify national programmes. This means food businesses registering a national programme with ODC need to arrange their own verifier before submitting their application and may have to pay the verifier's travel costs in addition to the cost of the visit itself. Though national programme businesses such as retailers of manufacturer-packaged ice creams are lower risk, the registration and verification requirements may represent a significant cost, particularly to small businesses.

When the Act came into force in 2016, ODC had two staff who were approved auditors under the old Food Act 1981 and able to continue to verify food control plans under the new Act. They were assisted, supported and provided with training by a contractor, Tessa Clarke, who is a recognised verifier with Hutt City Council. ODC now solely uses contractors (Tessa Clarke and Peter Mittermuller) to verify businesses with template food control plans. This arrangement is working well and verifications of food businesses are being completed with minimal delay as they fall due. Thirty eight verification visits have been made to date this financial year.

ODC charges food businesses an hourly rate of \$130 for verification. The length of visits depends on the complexity of the business and how well they are managing food safety, meaning those that

perform well pay less than those who perform poorly, who are also subject to more frequent verification visits. For comparison, the verification costs charged by the other councils in the Bay of Plenty are as follows:

- Kawerau District Council charges a set fee of \$150 plus \$50 per hour if the visit exceeds three hours.
- Whakatāne District Council charges a set fee of \$630 for verification of new food control plans or national programmes, \$460 for subsequent verifications, and \$125 per hour for verification of multiple site registrations where the time spent exceeds 6.5 hours in the case of new verifications or five hours in the case of subsequent verifications.
- Tauranga City Council charges \$436.56 verification fee for up to three hours of staff time and \$142.80 per hour for additional time.
- Western Bay of Plenty District Council charges a set fee of \$390 for verification, inspection and audit plus \$170 per hour after the first two hours.

Enforcement

ODC does not have an appointed food safety officer so is unable to undertake enforcement under the Act. Food safety officers must be employed directly by the council and cannot be contractors. ODC intends to employ a food safety officer (on a casual basis) to investigate non-compliance and any complaints regarding the safety and suitability of food sold in the Ōpōtiki district, which will fulfil ODC's enforcement functions under the Act.

POSSIBLE CHANGES AND IMPLICATIONS

Review of section 137 of the Food Act 2014

The Act requires MPI to review the operation of section 137 and consider whether any amendments to the law are necessary or desirable, in particular whether there is a need to retain, amend or repeal section 137. The automatic recognition and exclusive right of territorial authorities to verify template food control plans for businesses registered with them may be revoked as a result of the review. If this happens and ODC wants to continue offering verification services, ODC will need to develop a QMS, have it assessed, and apply for recognition. ODC could continue to use contractors to carry out verifications, or employ a staff member who would need to complete training and assessment by an accreditation agency to become a recognised person. Becoming a recognised agency would also enable ODC to offer verification services to food businesses with national programmes, if it wished. If ODC decided not to provide verification services, it is likely that costs for businesses operating under food control plans to comply with the Act would increase as they would need to use third party verifiers with higher rates, including travel expenses. ODC will be consulted during MPI's review.

Additional verification options

MPI has trialled remote verification services and ODC has registered interest in undertaking or providing these services. This could potentially reduce the cost of verification for food businesses by eliminating travel costs.

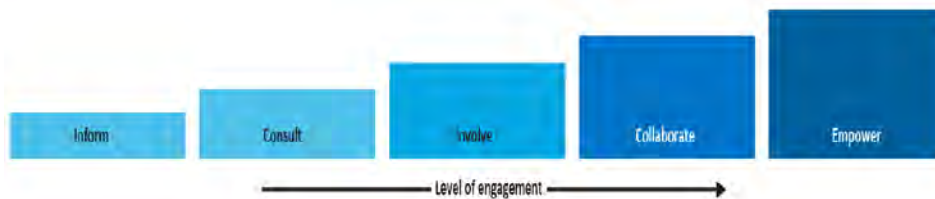
SIGNIFICANCE ASSESSMENT

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 the update on implementation of the Food Act 2014 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 the update on implementation of the Food Act 2014 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.



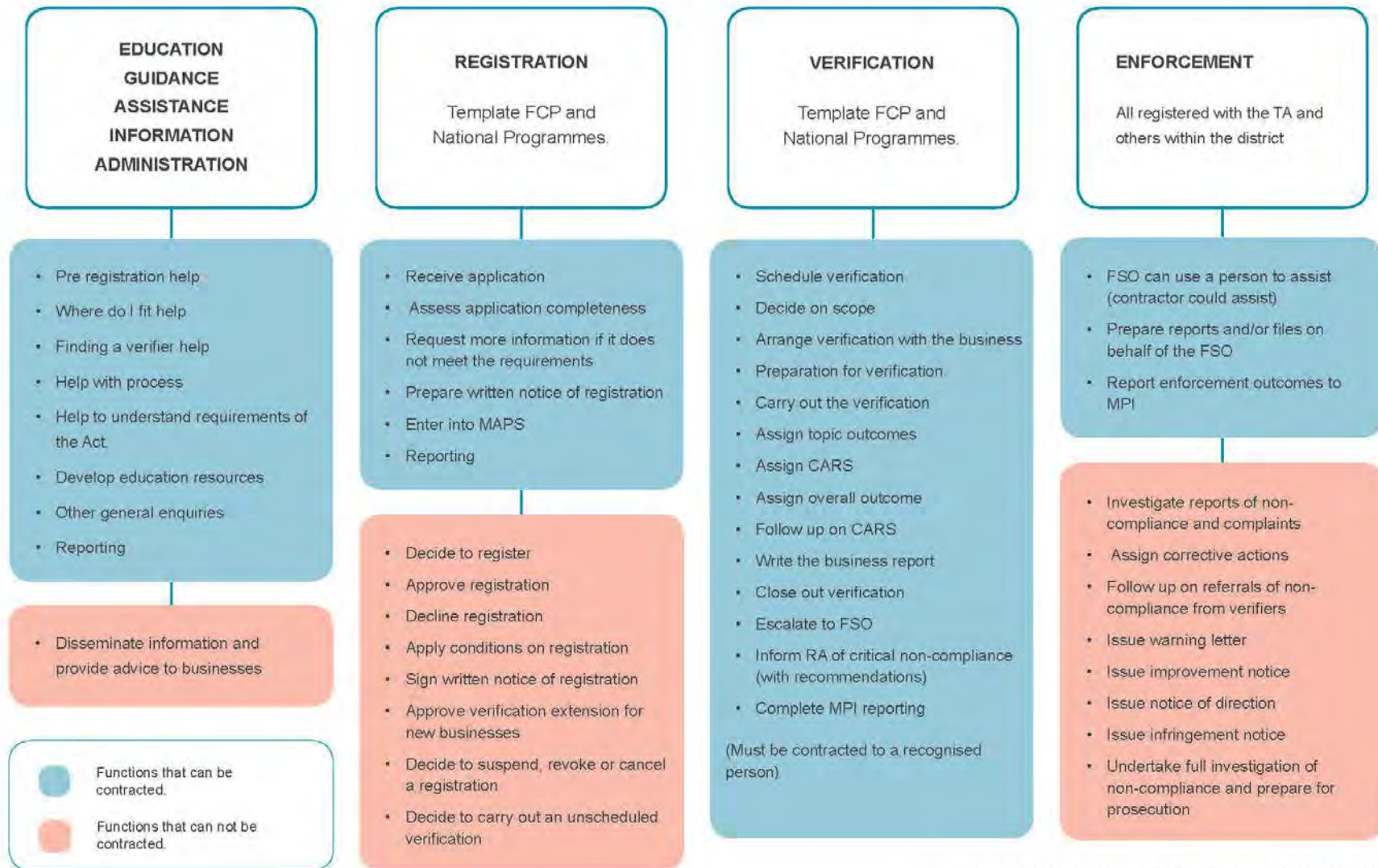
RECOMMENDATION:

- 1. That the report titled "Update on Food Act 2014 Implementation" be received.**

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER

Attachment 1: Contracting of territorial authority function under the Food Act 2014



Territorial Authorities contracting functions under the Food Act 2014

REPORT

Date : 21/02/2019
To : Ordinary Council Meeting, 12 March 2019
From : Finance, Systems and Property Manager, Michael Homan
Subject : **PRE-ELECTION REPORT**
File ID : A159725

EXECUTIVE SUMMARY

The 2019 triennial Council elections will occur on Saturday, 12 October 2019. An update on preliminary matters relating to the election is provided to Council, including a decision required on the order of candidate names to appear on the voting documents and adoption of the 2019 Pre-Election Protocol.

PURPOSE

- 1/ Update Council on matters relating to the forthcoming Local Government elections.
- 2/ Council to confirm the order candidate names appear on voting documents
- 3/ Council adopt the Pre-Election Protocol Policy
- 4/ Council adopt the Election Signs – General Conditions Applicable to All Areas Policy.

BACKGROUND

Attached as is a report from Dale Ofoske, Council's appointed Electoral Officer from Independent Election Services Ltd. This outlines matters relating to the October 2019 election and is provided for Councillors' information.

Also attached is the Pre-election Protocol Policy (refer Appendix 4) adopted by Council on 19 April 2016. One change has been made to the policy to now include 'digital devices' as an example of a council communications tool that elected members will not have access to for campaign purposes. The policy is now required to be reconfirmed for use in the 2019 triennial election.

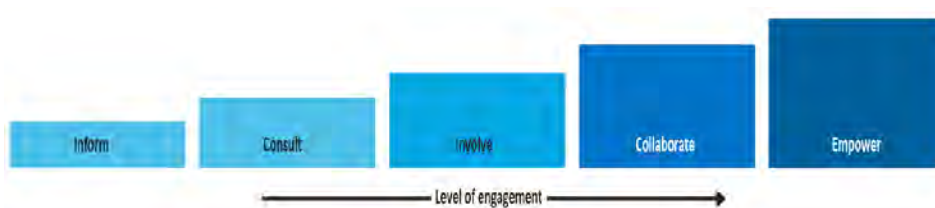
Independent Elections Services Ltd publish for Council the 'Candidate Information Handbook' as a complete guide for all candidates which will include Council's 'Election Signs – General Conditions Applicable To All Areas Policy' (refer Appendix 5). Council are now required to adopt this policy.

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 for the proposal to determine the order of names on voting documents and reconfirm the Pre-election Protocol for the period leading up to the election 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 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.



CONCLUSION

Council is required to determine the order of names on the voting documents. A brief explanation for each is outlined in the Electoral Officer's report. The alphabetical order of candidate names was adopted for use for the 2016 triennial elections. There is no price differential in printing costs between the orders of candidate names.

RECOMMENDATIONS:

- 1. That the report titled "Pre-Election Report" be received.**
- 2. That Council resolves for the 2019 triennial elections to adopt either:**
 - (i) the alphabetical order of candidate names; or**
 - (ii) the pseudo-random order of candidate names; or**
 - (iii) the random order of candidate names****as permitted under Regulation 31 of the Local Electoral Regulations 2001.**
- 3. That Council adopts the Pre-Election Protocol for the period 12 July 2019 to 12 October 2019**

4. That Council adopts the Election Signs – General Conditions Applicable To All Areas Policy

Michael Homan

FINANCE, SYSTEMS AND PROPERTY MANAGER

Appendix 4

POLICY	STATUS	AT	DATE	DOC ID
<i>Pre-Election Protocol Policy</i>	<i>Adopted</i>	<i>Ordinary Council Meeting</i>	<i>19/04/2016</i>	



OPOTIKI DISTRICT COUNCIL

**PRE-ELECTION
PROTOCOL POLICY**

BACKGROUND

A local authority must not promote, nor be perceived to promote the re-election prospects of a sitting member. Therefore, the use of council resources, directly or indirectly, wittingly or unwittingly, for re-election purposes is unacceptable and possibly unlawful.

PURPOSE

To clarify Councils approved communications protocol for elected members during the pre-election period in an effort to pre-empt unacceptable and unlawful conduct.

SCOPE

Three months prior to the local body elections being 12 July to 12 October 2019.

Use of Council communications resources.

Communication by elected members relating to Council.

POLICY

Authority to authorise council communications during the pre-election period is vested solely with management.

Elected members do not have access to council communications facilities (such as stationary, postage, internet, email, telephones or those on digital devices) for campaign purposes.

Council communications, including newsletters, media releases, advertisements and regularly published columns will not feature elected members during the pre-election period.

Journalistic use of photographs or information on elected members will be discontinued for the pre-election period.

Comments attributed to elected members in their official capacities as spokespersons will, where possible, be avoided.

All comments made by elected members should be identified as personal comment unless authorised by management.

The use of staff for the purposes of information collection is limited to current issues and the day to day business of the council.

Council funded events and community activities involving elected members will be restricted to those that are absolutely necessary for Council business to continue.

Elected members are responsible for ensuring the accuracy and appropriateness of political comment during the pre-election period.

Members are collectively responsible for council decisions, for the effective operation and for the public. Politically motivated criticism of council, other members or management is not considered appropriate.

Members should be conscious of the need for Council to present a professional and businesslike corporate image and actions that misrepresent or undermine Council's position are deemed inappropriate.

Management will not publicly respond to politically motivated discussion during the pre-election period.

Elected members shall not make reference to any staff member, by name or by function at any time.

Elected members are at all times subject to the requirements of confidentiality, Standing Orders and the Council's Code of Conduct. Particular attention to these requirements should be shown during the pre-election period.

DELEGATIONS

Authority to authorise council communications during the pre-election period is vested solely with management.

RELEVANT LEGISLATION

'The Controller and Auditor-General's Good Practice for Managing Public Communications by Local Authorities' - with particular reference to Principles 12 & 13 (see Appendix 1 below).

Local Electoral Act 2001.

Employment Relations Act.

Protected Disclosures Act.

Standing Orders and Opotiki District Council

Appendix 1 – Office of the Controller and Auditor General ‘Good Practice for Managing Public Communications by Local Authorities’ principles 12 and 13

*Communications in a pre-election period*¹³

Principle 12

A local authority must not promote, nor be perceived to promote, the re-election prospects of a sitting member. Therefore, the use of Council resources for re-election purposes is unacceptable and possibly unlawful.

4.45

Promoting the re-election prospects of a sitting Member, directly or indirectly, wittingly or unwittingly, is not part of the proper role of a local authority.

4.46

A Council would be directly promoting a Member’s re-election prospects if it allowed the member to use Council communications facilities (such as stationery, postage, internet, e-mail, or telephones) explicitly for campaign purposes.

4.47

Other uses of Council communications facilities during a pre-election period may also be unacceptable. For example, allowing Members access to Council resources to communicate with constituents, even in their official capacities as members, could create a perception that the Council is helping sitting Members to promote their re-election prospects over other candidates.

4.48

For this reason, we recommend that mass communications facilities such as –

- Council-funded newsletters to constituents; and
- Mayoral or Members’ columns in Council publications –

be suspended during a pre-election period.

4.49

Promoting the re-election prospects of a sitting Member could also raise issues under the Local Electoral Act 2001. For example:

- Local elections must be conducted in accordance with the principles set out in section 4 of the Local Electoral Act – see Appendix 1 on page 27. The principles apply to any decision made by a Council under that Act or any other Act, subject only to the limits of practicality. A breach of the principles can give rise to an “irregularity” which could result in an election result being overturned.¹⁴
- The publication, issue, or distribution of information, and the use of electronic communications (including web site and e-mail communication), by a candidate are “electoral activities” to which the rules concerning disclosure of electoral expenses apply.

4.50

“Electoral expenses”¹⁵ include:

- the reasonable market value of any materials applied in respect of any electoral activity that are given to the candidate or that are provided to the candidate free of charge or below reasonable market value; and
- the cost of any printing or postage in respect of any electoral activity.

4.51

A Member's use of Council resources for electoral purposes could therefore be an "electoral expense" which the Member would have to declare – unless it could be shown that the communication also related to Council business and was made in the candidate's capacity as a Member.

Principle 13

A Council's communications policy should also recognise the risk that communications by or about Members, in their capacities as spokespersons for Council, during a pre-election period could result in the Member achieving electoral advantage at ratepayers' expense. The chief executive officer (or his or her delegate) should actively manage the risk in accordance with the relevant electoral law.

4.52

Curtailling all Council communications during a pre-election period is neither practicable nor (as far as mandatory communications, such as those required under the LGA, are concerned) possible. Routine Council business must continue. In particular:

- Some Councils publish their annual reports during the months leading up to an October election, which would include information (including photographs) about sitting Members.
- Council leaders and spokespersons need to continue to communicate matters of Council business to the public.

4.53

However, care must be taken to avoid the perception, and the consequent risk of electoral irregularity, referred to in the commentary to principle 12. Two examples are:

- journalistic use of photographic material or information (see paragraph 4.42 on page 21 of the guide) that may raise the profile of a Member in the electorate should be discontinued during the pre-election period; and
- access to Council resources for Members to issue media releases, in their capacities as official spokespersons, should be limited to what is strictly necessary to communicate Council business.

4.54

Even if the Council's Communications Policy does not vest the power to authorise Council communications solely in management at normal times, it should do so exclusively during the pre-election period.

Appendix 5

POLICY	STATUS	AT	DATE	DOC ID
<i>Elections Signs – General Conditions Applicable To All Areas</i>	<i>Adopted</i>	<i>Extra Ordinary Council Meeting</i>	<i>2/4/2008</i>	<i>A95468</i>



OPOTIKI DISTRICT COUNCIL

**ELECTIONS SIGNS –
GENERAL
CONDITIONS
APPLICABLE TO ALL
AREAS POLICY**

BACKGROUND

Election signs can cause visual clutter and distract drivers. However, the Electoral Act 1993 specifies how long such signs can be displayed and removed.

PURPOSE

The placement of elections signs on private land needs to be managed to avoid where ever possible distractions to drivers due to visual clutter that might result in traffic accidents.

POLICY

- (a) All permits and permission to be subject to the condition that signs be removed on the day prior to the election.
- (b) Erection and siting to be to the satisfaction of the officer delegated to make the decision.

CONDITIONS FOR ERECTION OF TEMPORARY ELECTION SIGNS (as determined by the Ōpōtiki District Council Control of Signs Bylaw 2008)

The erection of temporary election signs will be required to comply with the following conditions:

- 1.0 The maximum size for temporary signs is 1.8m².
- 2.0 Election signs will only be permitted on private land and the owner's consent is required.
- 3.0 Election signs will not be permitted on Council owned or Council controlled lands or roads.
- 4.0 Signs shall be sited so that they do not cause any obstruction to or restrict the vision of vehicle operators.
- 5.0 No temporary sign shall be erected within 6m of an intersection or on a roundabout.
- 6.0 The Opotiki District Council retains the right to require the position of any sign to be moved, or the sign to be removed due to Condition 4.0 above.
- 7.0 Election signs shall not be erected more than one (1) calendar month prior to Election Day.
- 8.0 Election signs shall be removed in accordance with the requirements of the Electoral Act 1996.

An application for the erection of election signs is not required.

DELEGATIONS

The following position holders have delegated authority from Council using the policy principles above:

The officer delegated to make the decision.

RELEVANT LEGISLATION

Electoral Act 1993.

Ōpōtiki District Council Control of Signs Bylaw 2008.



REPORT

Date : 28 February 2019

To : Ordinary Council Meeting, 12 March 2019

From : Chief Executive Officer, Aileen Lawrie

Subject : **REGIONAL ECONOMIC DEVELOPMENT AGENCY TRUST EXEMPTION AS A COUNCIL CONTROLLED ORGANISATION**

File ID : A162007

EXECUTIVE SUMMARY

It is recommended Council resolve to renew the exemption of the Regional Economic Development Agency (Toi-EDA) from the provisions of a Council Controlled Organisation. Toi-EDA is established and funded by contributions from Eastern Bay of Plenty Councils. Exemptions have a term of three years. The benefits of having the exemption are the avoidance of onerous conditions that apply to a CCO and enable Toi-EDA to focus on economic development.

PURPOSE

To obtain a Council resolution to continue to exempt Toi-EDA from the provisions relating to Council Controlled Organisations (CCOs) as provided by Section 7 of the Local Government Act 2002.

BACKGROUND

A Local Authority must review an exemption it has granted:

- (a) Within three years after it is granted; and
- (b) After the first review, at intervals of not less than three years.

The continuing exemption will also be considered by the other Councils which are party to Toi-EDA.

Toi-EDA was established to support regional economic development and is governed by Trustees, some of which are appointed by the three District Councils; Ōpōtiki, Whakatāne and Kawerau, the Bay

of Plenty Regional Council and Te Runanga o Ngāti Awa (on behalf of the Mataatua Iwi Forum which represents the iwi of the region).

Toi-EDA falls within the definition of a CCO in Section 6 of the Local Government Act 2002 as:

“(b) an organisation in respect of which 1 or more local authorities have, whether or not jointly with other local authorities or persons,

- (i) control, directly or indirectly, of 50% or more of the votes at any meeting of the members or controlling body of the entity; or*
- (ii) the right, directly or indirectly, to appoint 50% or more of the trustees, directors or managers (however described) of the entity”.*

CCO REQUIREMENTS

The requirements of a CCO under the Local Government Act 2002 include:

- Preparation of a Statement of Intent (in accordance with timeframes and process set out in the Act)
- Preparation of Half-Yearly Reports and Annual Reports
- Consultation on establishment
- Having a policy on the appointment and remuneration of directors
- Monitoring performance.

However, Section 7 of the Local Government Act 2002 provides:

“(3) A local authority may, after having taken account of the matters specified in subsection (5), exempt a small organisation that is not a council-controlled trading organisation, for the purposes of section 6(4)(i).

(4) An exemption must be granted by resolution of the local authority.

(5) The matters are—

- (a) the nature and scope of the activities provided by the organisation; and*
- (b) the costs and benefits, if an exemption is granted, to the local authority, the council-controlled organisation, and the community.*

(6) A local authority must review an exemption it has granted—

- (a) within 3 years after it is granted; and*
- (b) after the first review, at intervals of not less than 3 years.*

(7) A local authority may, at any time, revoke an exemption it has granted.”

At the time of authorising the Trust Deed in 2004, Council considered that the requirements of the Act relating to CCOs were onerous in relation to the direct financial costs and benefits for the Regional Economic Development Agency. In accordance with Section 7 of the Local Government Act 2002, the Council resolved to exempt Toi-EDA as a CCO. Discussions were held with the Council's auditors at that time and the auditors advised that they saw Toi-EDA fitted the grounds for an exemption.

The exemption has been renewed at three-yearly intervals, the most recent review of the status was on 8 March 2016 when the Council resolved to continue the exemption for Toi-EDA for a further period of three years.

REASONS FOR EXEMPTION

The Local Government Act requirements on a CCO are onerous and expensive. For example, the requirement to have an Annual Report audited. In terms of the nature and scope of the CCO's activities, Toi-EDA's role is focused on activities which contribute to the sustainable growth and development of the regional economy. The Council contributes to Toi-EDA as a public service for the future of households and business in the Eastern Bay of Plenty.

Being exempted from being a CCO allows the Trust to focus its resources on improving economic development without the additional CCO administrative requirements of the Act. The Council's auditors also advise that they do not have concerns about the continued exemption status of the REDA. This paper therefore recommends that the Council continue to exempt Toi-EDA as a CCO under Section 7 of the Local Government Act 2002 and from the provisions of Section 6 of the Act.

SIGNIFICANCE ASSESSMENT

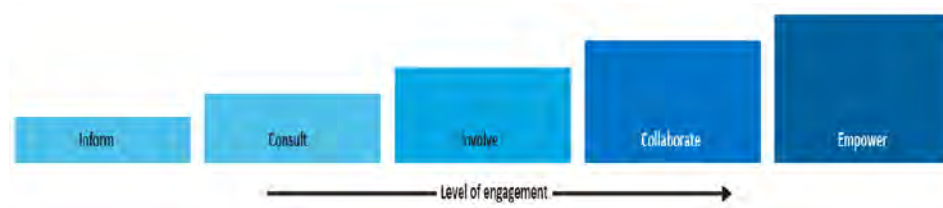
Assessment of significance

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 Regional Economic Development Agency Trust Exemption as a Council Controlled Organisation 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 Regional Economic Development Agency Trust Exemption as a Council Controlled Organisation 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

No consultation or publicity is required.

CONSIDERATIONS

Financial/budget considerations

Resolving the exemption of the Eastern Bay of Plenty Regional Economic Development Trust as a CCO represents a saving to Council of additional audit fees.

Policy and planning implications

Toi-EDA is included as a CCO in Council's Long Term Plan with disclosure that it is an exempt CCO. No change is required to the Long Term Plan.

Authority

Council has the authority to resolve to continue to exempt Toi-EDA from the provisions related to Council Controlled Organisations as provided under Section 7 of the Local Government Act 2002 for a period of three years.

RECOMMENDATIONS:

- 1. That the report titled "Regional Economic Development Agency Trust Exemption as a Council Controlled Organisation" be received.**
- 2. That Council resolve to continue to exempt the Regional Economic Development Agency Trust from the provisions related to Council Controlled Organisations as provided under Section 7 of the Local Government Act 2002 for a period of three years.**

Aileen Lawrie

CHIEF EXECUTIVE OFFICER



REPORT

Date : 27 February 2019

To : Ordinary Council Meeting, 12 March 2018

From : Chief Executive Officer, Aileen Lawrie

Subject : **BOPLASS LTD STATEMENT OF INTENT FOR 2019-2022 AND HALF YEARLY REPORT**

File ID : A161740

EXECUTIVE SUMMARY

The BOPLASS Statement of Corporate Intent sets out the activities and intentions of BOPLASS Ltd for the coming financial year. Comment, if any, is required by 30 April 2019. The Half Yearly Report is provided for information.

PURPOSE OF REPORT

To have Council consider the BOPLASS Statement of Corporate Intent (copy attached) and make comment if Council considers it wishes to. The Half Yearly Report is also attached.

BACKGROUND

BOPLASS Ltd is a Council Controlled Organisation owned in 1/9th shares by the seven Bay of Plenty Councils plus Gisborne and Taupo. The company was designed to investigate, develop and deliver shared services, joint procurement and communications for any combination of, some, or all of the Councils.

Since its inception in 2006, the Chief Executives of the BOPLASS Councils have acted as Directors, advised by a Company Chief Executive, who is in turn supported by advisory groups of staff with various expertise. In the past three years the Directors have benefitted from the move to an independent Chair for the Board.

The independent Chair of the Board also sits on the BOPLASS Operations Committee which is made up of second tier managers from their respective Councils. The Operations Committee continues to be a very operational activity, with the managers able to give the time required to drive the initiatives both within BOPLASS and within the Councils. Bevan Gray, our Finance and Corporate Services Group Manager, has been an excellent contributor to the Operations Committee, leading some of its streams of work.

The main achievements of BOPLASS have been in joint procurement and a list of projects is attached to the SOI in Appendix B. As a small Council we see significant value in BOPLASS managing procurement processes, gaining savings and administering contracts. We certainly see savings in financial terms but there is also value in terms of saved staff time in running the processes, and applying expertise in due diligence processes that is not available within our staffing. We also see unquantifiable efficiencies as a result of shared staff that use familiar systems, for example the Communications staff that we have contracted from BOPRC.

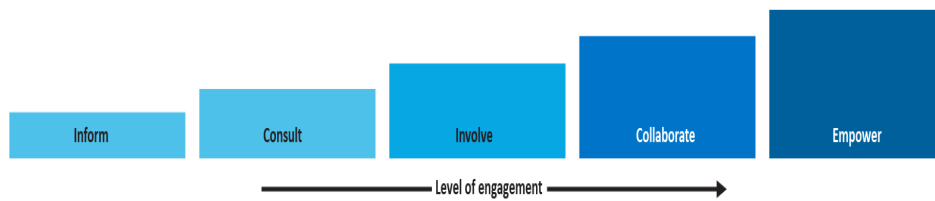
All of Government Procurement contracts continue to provide alternative routes for bulk procurement. BOPLASS is recommending that Councils use these in circumstances where it makes sense, but for various reasons we are finding that the one size fits all approach of the AOG means that BOPLASS is still an appropriate vehicle to use.

There are a range of instances of shared services across the BOP Councils that have evolved in a "bottom up" or organic way, outside the formal BOPLASS structures. This is captured through a collaboration portal. Other Councils can find out about new collaborations through this system and then have the potential to join or at least gain some information about how similar challenges have been dealt with.

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 in relation to the matters of this report are not considered to be significant as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

As the level of significance for this report 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.



CONCLUSION

BOPLASS has value for its procurement services in terms of its ability to gain savings through bulk purchase, its ability to carry out due diligence on purchases, and to manage ongoing contracts. The value is in direct and indirect savings, efficiencies and better products.

BOPLASS is an important vehicle for shared services, but not the only one. Opotiki District Council benefits from shared services or contracting services from a range of entities that are unrelated to BOPLASS.

RECOMMENDATIONS:

- 1. That the report titled "BOPLASS Ltd Statement of Intent 2019-2022 and Half Yearly Report" be received.**
- 2. That Council considers whether it wishes to comment on the Statement of Intent.**

Aileen Lawrie

CHIEF EXECUTIVE OFFICER

“COUNCILS PARTNERING FOR VALUE AND SERVICE”



28 February 2019

Aileen Lawrie
Chief Executive Officer
Opotiki District Council
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OPOTIKI 3162

BOPLASS Ltd
C/- Tauranga City Council
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Tauranga

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Dear Aileen,

The primary document setting out the company's strategic direction is the Statement of Intent which is required to be consulted on and approved by Directors each year. Schedule 8 (9) of the Local Government Act 2002 sets out the content of the document which must cover the next three financial years.

A formal draft document has been approved by the Board for circulation to Shareholders by 1 March 2019. Following the two months allowed for submissions the Directors must consider any comments made by Shareholders and approve a final document by 30 June 2019.

The approved draft is attached and is now circulated for Shareholder comment. The council's Chief Executive is the Shareholder representative and will be responsible for representing the views of the council to the Board in writing prior to 30 April 2019.

We believe that the document realistically deals with the challenges facing the company, identifies ways in which it can contribute value to its constituent councils and reflects an awareness of the challenges facing Local Government.

We look forward to any comments your council wishes to make.

Yours sincerely,

Stephen Boyle
BOPLASS Ltd

BOPLASS Ltd
Bay of Plenty Local Authority Shared Services



STATEMENT OF INTENT FOR 2019-2022



June 2019

“COUNCILS PARTNERING FOR VALUE AND SERVICE”

1 Introduction

This Statement of Intent (SOI), developed under Schedule 8 of the Local Government Act 2002, is:

- A public declaration of the activities and intentions of BOPLASS Ltd and the objectives to which those activities will contribute.
- Provides an opportunity for the shareholders to influence the direction of BOPLASS Ltd, and
- Provides a basis for the accountability of the Directors to the Shareholders for the performance of BOPLASS Ltd.
- This Statement of Intent covers BOPLASS Ltd and any subsidiary company established in pursuance of the objectives herein.

2 Background

The councils that operate within the Bay of Plenty and Gisborne Regions have formed a Council Controlled Organisation (CCO) to investigate, develop and deliver Joint Procurement and Shared Services projects where delivery is more effective for any combination of some or all of the councils.

Benefits that can be achieved through collaboration are:

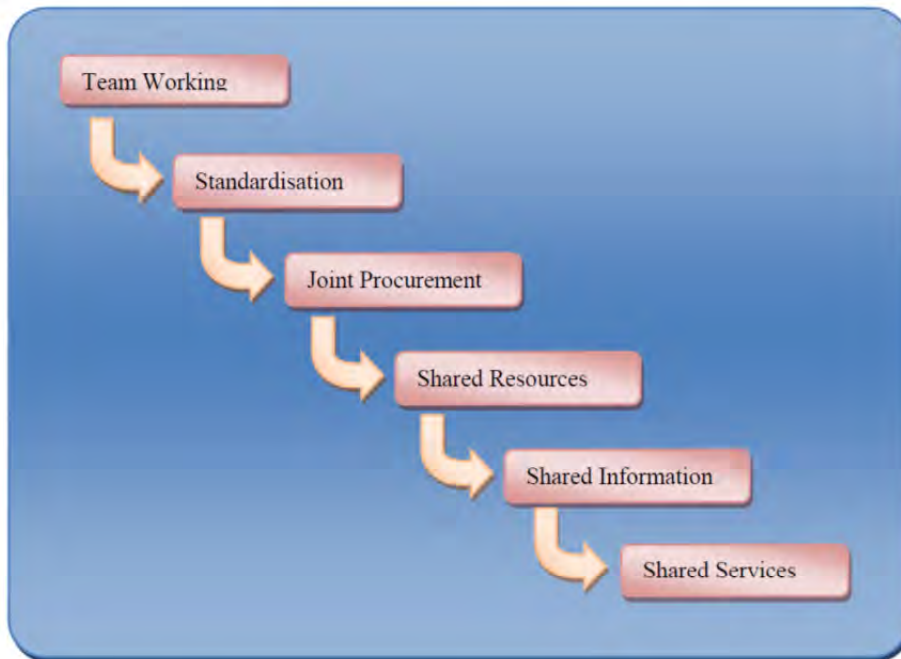
- improved levels and quality of service;
- a co-ordinated and consistent approach to the provision of services;
- reductions in the cost of support and administrative services;
- opportunities to develop new initiatives;
- economies of scale resulting from a single entity representing many councils in procurement;

These benefits and opportunities can apply to all councils irrespective of location or size.

Business processes, information architectures and functional tools differ in each council to varying degrees. The BOPLASS strategies facilitate a journey of progressive development using the approach identified in the BOPLASS Strategy and Action Plan to:

- Enhance the capability to collaborate,
- Encourage the elimination of barriers to collaborative action and
- Identify services that deliver viable business cases.

A generic sequence or stages of collaboration between multiple councils is followed to develop Shared Services, as shown in Figure 1.



Many of the BOPLASS Joint Procurement projects have supported the development of standard products, services or solutions across the councils. These standards assist in creating a foundation for the delivery of collaboration within the councils.

Examples of procurement and projects are:

- Establishment of 1GB fibre Inter Council Network (ICN)
- Information Services Strategic Plan
- GIS ESRI enterprise agreement
- GIS software standardisation
- Security and technology policies
- Data centre and hosting services
- Electronic purchasing
- Reprographic equipment
- Aerial photography

- Voice and data services
- Video conferencing
- IT applications and software
- Collaboration Portal
- Historic aerial imagery archiving
- After hours call management
- Health and Safety
- Internal audit services
- Solid waste services

3 **Our Vision**

“COUNCILS PARTNERING FOR VALUE AND SERVICE”

4 **Objectives of BOPLASS Ltd**

Working together with the full support and involvement of staff, we will provide benefit to councils and their stakeholders through improved levels of service, reduced costs, improved efficiency and/or increased value through innovation.

These will be achieved primarily through:

Joint Procurement

Being the procurement of services or products by two or more councils from an external provider regardless of whether the service is paid for through BOPLASS or individually by participating councils.

Shared Services

Being the participation of two or more councils in the provision of a common service which may be jointly or severally hosted.

5 **Nature and Scope of Activities**

The principle nature and scope of the activities of BOPLASS Ltd is to:

- Use Joint Procurement to add value to goods and services sourced for its constituent councils.
- Establish the underlying technology, framework, platform and policies to enable and support collaboration.

- Facilitate initiatives that benefit councils and their stakeholders through improved levels of service, reduced costs, improved efficiency, innovation and/or increased value.
- Pursue best practice in the management of all activities to obtain best value and minimise risk.
- Demonstrate fiduciary responsibility by ensuring that its activities are adequately funded from savings achieved, levies, council contributions, or Government funding where available.
- Allow other councils or organisations to participate in its activities where this will benefit its constituent councils directly or indirectly.
- Actively monitor and engage with Shared Service developments across the public sector to identify opportunities for further development and establishing best practice.
- Represent the collective views of its Shareholders in matters with which it is associated.

6 Governance

BOPLASS Ltd will conduct itself in accordance with its Constitution, its annual Statement of Intent, and the provisions of the Companies Act 1993 and the Local Government Act 2002.

The Company is governed by its Directors. To ensure total synergy between the Company's activities and its council shareholders' activities, nine Directors are also the current Chief Executives of their respective shareholding councils. The dual roles recognise the interdependence of BOPLASS and its councils in the undertaking of its activities.

The Board also includes an independent Chair, appointed with specific skills and knowledge to add incremental value. This appointment brings experience and specialist skills that are complementary to those held by the other Directors.

Shareholder	Appointed Director
Bay of Plenty Regional Council	Fiona McTavish
Gisborne District Council	Nedine Thatcher Swann
Kawerau District Council	Russell George
Opotiki District Council	Aileen Lawrie
Rotorua Lakes Council	Geoff Williams
Taupo District Council	Gareth Green
Tauranga City Council	Marty Grenfell
Western Bay of Plenty District Council	Miriam Taris
Whakatane District Council	Stephanie O'Sullivan
Independent Director and Chair	Craig O'Connell

A sub-committee of council delegates has been established by the Directors as an Operations Committee to manage responsibility for regular monitoring and governance of operational aspects of BOPLASS projects, allowing the Board to primarily focus on supporting the strategic development of the organisation.

Each activity or project is managed by an Advisory Group, nominated by the shareholding councils in that particular service. The Board retains the right to approve nominations to the Advisory Groups and all of their material decisions – there is only one Board of Directors and that remains at the umbrella or holding company level.

The Board has established a principle that participation in each initiative is decided by individual councils on an 'opt in' basis.

Services delivered are subject to a formal service level agreement between BOPLASS Ltd and the participating councils, outlining the services and activities provided, where, when and how; and reflecting the capital and operational costs being met by each service shareholder.

Joint Procurement initiatives consistent with their nominated role may be undertaken by any advisory group as approved by the Operations Committee. In considering Joint Procurement initiatives the Company will take into account the opportunities available through All of Government (AoG) purchasing arrangements and, where there is demonstrated benefit to the Company or its constituent councils, support such initiatives. In assessing the benefits of a Joint Procurement initiative, opportunities for integration shall be considered. The Board has recognised that the availability of All of Government Procurement options has the potential to impact on BOPLASS' ability to provide procurement options in some categories.

Subject to the approval of shareholders in accordance with the shareholder agreement the Directors may decide that a particular activity is best managed as a subsidiary company and proceed accordingly. Any subsidiary company whose objectives are in accordance with the objectives set out in this Statement of Intent shall not be required to have a separate Statement of Intent.

7 Future Developments

BOPLASS Ltd will continue to work on business cases for Joint Procurement and Shared Services that may be provided in the region.

BOPLASS Joint Procurement opportunities will be actively pursued to ensure maximum savings and benefits continue to be delivered to the participating councils through existing and new contracts.

Joint Procurement initiatives will be considered by the Board and/or its advisory groups where there is demonstrated support from two or more member councils, with councils participating on an opt-in basis.

The Board will be looking for commitment from councils to participate in collaborative services and to provide a lead in the identification and management of opportunities and projects.

BOPLASS will also proactively explore opportunities to partner with other local authorities and Shared Services organisations within NZ where they are either developing or considering developing cost effective services or Joint Procurement initiatives involving products or services that are of value to the BOPLASS councils.

The Collaboration Portal, established by BOPLASS for the sharing of information on Shared Services or Joint Procurement opportunities, has been made available to the wider local government community to provide better visibility of common projects and to encourage further cross-regional collaboration. BOPLASS will continue to market the benefits of inter-region collaboration and assist other councils through providing support and access to the Collaboration Portal.

BOPLASS will continue to explore opportunities for councils to develop ICT solutions using middleware and cloud technologies that allow for future sharing and the development of Shared Services without the wholesale replacement of IT systems.

Where it is practicable, BOPLASS will work with other LASSes or councils in developing shared service ICT strategies and/or leverage off, or participate in services established by other collective local government groups.

8 Stakeholder Engagement

BOPLASS recognises the ambitious plans our constituent councils have for their communities and endeavours to support these aspirations through:

- Regular engagement at project, management and governance level
- Including councils' short, medium and long-term goals within BOPLASS planning
- Using quality information from councils to guide our decision-making
- Identifying and developing services that directly benefit councils and/or their communities
- Monitoring councils' future plans and remaining agile to change to include these aspirations in our own planning
- Regularly communicating to ensure stakeholders are aware of what we are doing and why we are doing it
- Involving councils in our decision-making and planning

9 Performance Targets

To ensure the Company continues to operate effectively in both governance and management terms over the next three years the targets are to:

Target	How	Measure
Ensure supplier agreements are proactively managed to maximise benefits for BOPLASS councils.	Manage and/or renegotiate existing contracts.	Contracts are reviewed annually to test for market competitiveness. New suppliers are awarded contracts through a competitive procurement process involving two or more vendors where applicable.
Investigate new Joint Procurement initiatives for goods and services for BOPLASS councils.	Procure from sources offering best value, service, continuity of supply and/or continued opportunities for integration. (Current identified projects are listed in Appendix B.)	A minimum of four new procurement initiatives investigated. Initiatives provide financial savings of greater than 5% and/or improved service levels to the participating councils.
Provide support to BOPLASS councils that are managing or investigating Shared Services projects.	BOPLASS to provide 0.25 FTE resource and expertise to assist councils in Shared Services developments and projects.	Resource assignment measured from project job tracking.
Further develop and extend the Collaboration Portal for access to, and sharing of, project information and opportunities from other councils and the greater Local Government community to increase breadth of BOPLASS collaboration.	Increase usage of the Collaboration Portal by providing support and training material for new and existing users. Proactively market the benefits to councils.	Number of listed projects to increase by 20% per year. Number of active users to increase by 20% per year.
Communicate with each shareholding council at appropriate levels.	Meeting with each Executive Leadership Team.	At least one meeting per year.
Ensure current funding model is appropriate.	Review BOPLASS expenditure and income and review council contributions and other sources of funding.	Performance against budgets reviewed quarterly. Company remains financially viable.

9 Balance Sheet Ratios

The Local Government Act 2002 Schedule 8 (9) requires the SOI to include the projected ratio of shareholders' funds to total assets within the Forecast Statement of Financial Position. As at 30 June 2018 the consolidated Shareholder funds comprised \$39,757 and the total assets were \$1,192,245. The resulting ratio is 3.3%.

As asset owning Shared Services are approved, the Board will, if appropriate, provide a mechanism for the recognition of each council's contribution.

10 Accounting Policies

10.1 Statement of Accounting Principles

The Company will adopt accounting practices that comply with NZ IFRS, the requirements of the LGA and the Financial Reporting Act 1993.

10.2 IPSAS Accounting Standards

As a Public Sector Public Benefit Entity (PS PBE), the Company has elected to report using International Public Sector Accounting Standards for Public Benefit Entities under Tier 3 PBE standards.

10.3 Measurement Basis

The Company will follow generally accepted international accounting principles for reporting of earnings and financial position.

10.4 Specific Accounting Principles

The following are principles which will have a significant effect on the measurement of financial position:

- Accounts Receivable are stated at their expected realisable value after writing off any known bad debts and providing for doubtful debts.
- Investments are valued at the prevailing market value.
- Fixed assets are recorded at cost, less accumulated depreciation.
- Any liability for overseas funding of equipment, systems or services is based on the prevailing exchange rate as at balance date.
- Where intangible assets are purchased, such as intellectual property, these are capitalised and written off on a straight line basis over their expected life, but no greater than four years.

- All assets are depreciated over their expected useful lives. Depreciation is provided on a diminishing value basis over the estimated useful life, at the same rate as is allowed by the Income Tax Act 1994.
- It is not envisaged that the Company will hold inventories, other than those that might relate to providing information services to a number of parties. They will be valued at net realisable value.
- Taxation will be provided as required in line with relevant legislation.
- In accordance with the Public Audit Act 2001 and the Local Government Act 2002, the office of the Auditor General will be responsible for the audit of the Company's financial statements.

11 Distributions to Shareholders

The Company is not expected to make profits that would ordinarily be distributed by way of dividends. Any surplus funds (after tax) remaining from an activity or the annual operations of the Company shall be carried forward to the ensuing year and may be used to reduce service costs, invest in further developing other services, and/or as the Directors may decide.

12 Information to be Provided to Shareholders

The Company will deliver the following statements to shareholders:

- On a three monthly basis the Financial Position and Cashflow.
- Within two months of the end of the first half of the financial year: Financial Performance and Financial Position.
- Within three months of the end of the financial year the following audited statements: Financial Position, Movements in Equity, Cashflows, Service Performance plus a summary of how the Company has tracked against its objectives and prospects for the next financial year, and a report on the Company's medium to long term plans.
- Six monthly summaries of project activities included in Half Yearly and Annual Reports.

13 Procedures for the Purchase and Acquisition of Shares

The Board will give approval before BOPLASS Ltd subscribes for, purchases or otherwise acquires shares in any company or other organisation, which is external to the group.

14 Activities for Which the Board Seeks Compensation

The ongoing activities to identify, develop, procure Shared Services will be budgeted for in advance, subject to a business case and either funded by individual councils without BOPLASS Ltd involvement, or agreed by the Board to be funded by BOPLASS Ltd with consequent recovery from participating councils.

Shareholding councils will make a contribution to the operational costs of the Company on an annually agreed basis.

The Company will also seek contributions by way of a levy or administration charges on services provided or administered. In determining an appropriate charge, the Directors may take into account the cost of running the Company, its future operational requirements, the nature and cost of the service provided, benefits achieved and councils' ability to pay.

The Company may provide services (at a cost recovery or a cost plus basis) to other non-shareholding councils within or beyond the region. Any surplus from such activity will be used to either reduce service costs and/or invest in further developing of that or other services, as agreed by the Advisory Group and by the Board.

15 Value of Shareholder's Investment

The Directors estimate that, at this stage, BOPLASS Ltd has little or no commercial value. As each shareholder's investment in BOPLASS Ltd is less than \$20,000, the Board believe that that fairly represents the value of their investment. The Directors will reassess the value of this shareholding on or about the 1st of March each year.

16 Financial Forecasts

The Forecast Financial Statements for the years 2019-2022 are included (Appendix A). The budget is not adjusted for inflation.

Core revenue includes the recovery of costs for BOPLASS salaried staff when seconded to individual council projects.

The Aerial Photography revenue/expenses reflects the flying programme determined by the participating councils which includes interim flying programmes and extensive region-wide flying programmes over the next five years.

A continued increase in Recoveries has been forecast to reflect the direct recovery of purchases made on behalf of councils through Joint Procurement projects.

It is the company's intention to always fully recover costs incurred on behalf of participating councils.

Appendix A

SOI Forecast 2019/22				
	Budget 2018/19	Forecast 2019/20	Forecast 2020/21	Forecast 2021/2022
REVENUE				
Revenue - Core	\$319,510	\$274,510	\$274,510	\$274,510
Bank Interest Received	1,000	1,000	1,000	1,000
Council Contribution	273,510	273,510	273,510	273,510
Sales of Service	45,000	0	0	0
Revenue - Projects	1,563,500	1,213,000	1,513,000	1,213,000
Aerial Photography Income	600,000	300,000	600,000	300,000
Bank Interest Received	16,500	16,500	16,500	16,500
Collaboration Portal	100,000	75,000	75,000	75,000
Lease Income - ICN	175,000	135,000	135,000	135,000
Lease Income - Video Confer.	13,000	30,500	30,500	30,500
Rebates	9,000	6,000	6,000	6,000
Recoveries	650,000	650,000	670,000	680,000
Total Operating Revenue	1,883,010	1,487,510	1,787,510	1,487,510
EXPENSES				
Expenditure - Core	440,400	383,800	383,800	383,800
ACC	1,500	1,500	1,500	1,500
Accommodation & Travel	1,500	1,500	1,500	1,500
Accounting & Audit	17,500	17,500	17,500	17,500
Administration	24,000	14,400	14,400	14,400
Amortisation	12,000	8,000	8,000	8,000
Bank Fees	400	400	400	400
Catering Expenses	2,000	2,000	2,000	2,000
Conferences	2,000	2,000	2,000	2,000
Depreciation	0	0	0	0
Directors costs	18,000	18,000	18,000	18,000
Fringe Benefit Tax	7,000	7,000	7,000	7,000
Health and Safety	1,000	1,000	1,000	1,000
Insurance	8,000	8,500	8,500	8,500
Interest Paid - TCC Loan	1,000	1,000	1,000	1,000
Legal	2,000	2,000	2,000	2,000
Salaries	325,000	285,000	285,000	285,000
Salaries - C'Portal Opex	-10,000	-10,000	-10,000	-10,000
Staff Support Costs	20,000	16,500	16,500	16,500
Staff Training Costs	2,000	2,000	2,000	2,000
Subscriptions	1,000	1,000	1,000	1,000
Tax Advice	4,500	4,500	4,500	4,500
Expenditure - Projects	1,442,610	1,103,710	1,403,710	1,103,710
Aerial Photography Expense	600,000	300,000	600,000	300,000
Collaboration Portal Opex	40,000	26,000	26,000	26,000
Lease Expense - ICN	170,000	129,100	129,100	129,100
Lease Expense - Video Confer.	12,610	28,610	28,610	28,610
Projects - Recoveries	620,000	620,000	640,000	650,000
Total Operating Expenditure	1,883,010	1,487,510	1,787,510	1,487,510
Operational Surplus/ (Deficit) before Tax	0	0	0	0

Appendix B

Completed Joint Procurement Projects

Requiring ongoing management for performance, renewal or replacement

- × Office supplies
- × Banking
- × Postal services
- × Courier services
- × Fuel
- × Advertising services
- × Travel and accommodation services
- × Air travel
- × Insurance brokerage
- × Aerial imagery
- × N3 / GSB
- × ESRI licences
- × GIS software
- × Health insurance
- × Security services
- × Antivirus software
- × Video conferencing
- × Above ground asset insurance
- × GPS vehicle tracking
- × Archaeological services
- × Telephony – voice, data, mobile
- × Reprographic – printers/copiers
- × Infrastructure insurance
- × Media monitoring services
- × EFTPOS services
- × Historical imagery digitisation
- × On-line services
- × Internal audit services
- × Health and safety training services
- × Risk management workshops
- × Infrastructure insurance – excess layer
- × Collective geospatial training
- × EMA membership
- × Environmental insurance
- × Print Media Copyright Services
- × Health and Safety software

Identified Joint Procurement Projects

- × Civil works contracts
- × Civil works materials
- × Infrastructure valuation services
- × High volume print
- × Web services
- × Electronic document management
- × Archives
- × Document storage
- × Document scanning
- × Agenda management software
- × ICT security policies
- × Business continuity
- × IT applications
- × Web services
- × Rates collection
- × Property valuation services
- × Telephony platform
- × Chemicals
- × Digital signatures
- × Recruitment/candidate management
- × Surveys and research
- × CCTV monitoring
- × Media distribution services
- × CD emergency notifications
- × Fleet purchasing
- × Drug and alcohol testing
- × Push wireless
- × Fleet management
- × Community communication systems
- × Lone worker
- × Eastern BOP electricity procurement
- × LiDAR acquisition – PGF

Collaborative Projects

Managed by BOPLASS or by one or more constituent councils

- × IT hosting / IaaS
- × Shared datacentre
- × Internal audit services
- × GIS web services
- × Project management office
- × Shared licence server
- × Contractor H&S prequalification
- × Radio telephony strategy
- × Collaboration portal
- × After hours call management
- × Archive service
- × Health and safety auditing
- × Inter-council network
- × Smart cities
- × Section 17A reviews –identification of opportunities for collaboration in delivery of services in accordance with s17A LG Act 2002
- × Video conferencing
- × GIS imagery data storage
- × Waste licencing and data collection
- × Historic aerial imagery
- × Sustainable procurement
- × Diversion of putrescible waste from landfill
- × Civil works projects marketing

Projects for Consideration

- × Rates Collection
- × Geospatial services
- × Joint software support
- × Asset Management
- × Web services
- × Payroll
- × Telephony platform
- × Consents Processing
- × CCTV monitoring
- × Information Services
- × Debt management
- × Capital construction
- × Electronic Document and Records Management System
- × Business continuity planning
- × Infrastructure development codes
- × Inter-council H&S audits
- × Solid waste regional facilities strategy
- × Building consents
- × Accounts payable automation
- × Regional Civil Defence
- × Document digitalisation
- × Robotics processing automation
- × Electronic document management-managed service



“COUNCILS PARTNERING FOR VALUE AND SERVICE”

28 February 2019

Aileen Lawrie
Chief Executive Officer
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Dear Aileen

The Local Government Act 2002 requires that the Directors deliver to the Shareholders a report within two months of the end of the first six months of the financial year. The report is required to provide information against the objectives set out in the Statement of Intent.

The attached report and accompanying Chair's letter records the objectives of the Company and reports on performance against the performance requirements set out in the Statement of Intent.

The report was approved for presentation to Shareholder Councils by a resolution of the Board on 27 February 2019.

An electronic copy is attached.

Yours faithfully

Stephen Boyle
BOPLASS Ltd

BOPLASS Ltd
Bay of Plenty Local Authority Shared Services



BOPLASS Ltd

HALF YEARLY REPORT TO SHAREHOLDERS



Period ended 31 December 2018

"COUNCILS PARTNERING FOR VALUE AND SERVICE"



BOPLASS Chair's Report

It is with pleasure the Directors present their 2018/2019 Half Yearly Report to Shareholders demonstrating the continuing contribution the company makes to collaboration between councils.

There has been one change to the Board this year and we welcome the Whakatane District Council Chief Executive, Stephanie O'Sullivan, to the Board as Director and Shareholder Representative.

The first six months of this year has seen a number of new projects initiated by BOPLASS and also continued success with ongoing joint procurement. A unique approach to the tender for aerial imagery resulted in a vendor being appointed at approximately \$100,000 less than budgeted, with the participating councils benefiting directly from these additional savings. The lead BOPLASS is providing in coordinating a Provincial Growth Fund application for the capture of LiDAR to provide 3D mapping for the entire BOP region provides the opportunity for our councils to benefit by up to \$1,000,000 through this co-funding.

BOPLASS has continued the investigation of collaborative opportunities outside of back of office services and a project is currently underway to investigate improved coordination of capital works programmes across the region. This provides the potential for collective marketing of a sequenced programme to assist in attracting improved responses from contractors. Scoping of the solid waste projects being led by BOPLASS has now been completed with Waikato and BOP councils currently reviewing the collaborative approach to progressing these projects.

The BOPLASS Health and Safety group continues to deliver significant value through productive collaboration between BOP and Waikato councils. The sharing of information and partnering in projects is a good example of how all parties can benefit through collaboration and how this significantly reduces duplication of effort. A project is currently underway to develop Health and Safety Benchmarking across the councils so councils can continue to benefit from sharing information and learnings. BOPLASS has recently assisted the councils in the procurement of Health and Safety management software. This collective approach resulted in councils achieving significant cost savings and a standard technology platform across the majority of BOP and Waikato councils.

The Collaboration Portal continues to prove its value in the NZ local government community by providing improved visibility of participating councils' work plans and it is becoming an essential conduit for the sharing of information across councils. A project is being managed by BOPLASS to further develop the Collaboration Portal to assist NZ councils in developing a higher level of sharing.

BOPLASS also has a number of active procurement opportunities either in the formative stage or about to go to tender. Additional information about current projects is available in the attached report.

Yours faithfully

Craig O'Connell

Chair



BOPLASS Ltd
"COUNCILS PARTNERING FOR VALUE AND SERVICE"

HALF YEARLY REPORT TO SHAREHOLDERS

27 FEBRUARY 2019

1 INTRODUCTION

The Local Government Act 2002 requires that the Directors deliver to the Shareholders a report within two months of the end of the first six months of the financial year. The report is required to provide information against the objectives set out in the Statement of Intent. The following report records the objectives of the company and reports on performance against a table of specific performance requirements set out in the Statement of Intent.

2 OBJECTIVES OF BOPLASS LTD

The company exists to provide councils in the Bay of Plenty and Gisborne regions with an umbrella vehicle to investigate, procure, develop and deliver shared services.

Working together with the full support and involvement of staff, we will provide benefit to councils and their stakeholders through improved levels of service, reduced costs, improved efficiency and/or increased value through innovation.

These will be achieved primarily through:

JOINT PROCUREMENT

Being the procurement of services or products by two or more councils from an external provider regardless of whether the service is paid for through BOPLASS or individually by participating councils.

SHARED SERVICES

Being the participation of two or more councils in the provision of a common service which may be jointly or severally hosted.

3 GOVERNANCE

In the year to date the governance structure has remained stable with the only change being the appointment of the Whakatane Chief Executive, Stephanie O'Sullivan, to the Board as Director and Shareholder Representative.

4 NATURE AND SCOPE OF ACTIVITIES

The principle nature and scope of the activities of BOPLASS Ltd is to:

- *Use joint procurement to add value to goods and services sourced for its constituent councils.*
- *Facilitate shared services that benefit councils and their stakeholders through improved levels of service, reduced costs, improved efficiency, innovation and/or increased value.*
- *Pursue best practice in the management of all activities to obtain best value and minimise risk.*
- *Demonstrate fiduciary responsibility by ensuring that its activities are adequately funded from savings achieved, levies, council contributions, or Government funding where available.*
- *Allow other councils or organisations to participate in its activities where this will benefit its constituent councils directly or indirectly.*
- *Represent the collective views of its shareholders in matters with which it is associated.*

5 FUTURE DEVELOPMENTS

BOPLASS Ltd will continue to work on business cases for joint procurement and shared services that may be provided in the region or cross-regionally.

The Board has adjusted its strategy to ensure that BOPLASS is focused on lifting the effort on shared services and innovation and delivering wider value than just procurement savings.

Current feasibility studies for shared services include but are not limited to:

- GIS;
- ICT strategy and services;
- Joint software support;
- High speed fibre network services;
- Digitalisation Services;
- Accounts payable processing;
- Collaboration Portal;
- Archive services;
- Health and safety;
- Radio-telephony;
- IT datacentre/hosting;
- Regional waste facilities strategy
- Diversion of putrescible waste from landfill
- Waste collections licensing and data.
- Insurance valuations
- Robotic Process Automation

Other shared services may be provided after the Board has considered each individual business case and formally agreed to take on and deliver (or host/procure etc.) the shared service.

Joint procurement opportunities will continue to be identified and developed with individual councils engaging under the opt-in principle established by the Board. Joint procurement initiatives will be considered by the Board and/or its advisory groups where there is demonstrated support from two or more member councils.

The Board supports BOPLASS continuing to develop collaboration opportunities outside of the regional boundaries. BOPLASS will continue to proactively explore opportunities to partner with other Local Authorities and shared services organisations within New Zealand where they are developing, or considering developing, cost effective shared services and products that are of value to the Bay of Plenty and Gisborne councils.

BOPLASS development of the Collaboration Portal for the sharing of information on shared services or joint procurement opportunities within the constituent councils has identified a number of duplicate projects across councils that present an opportunity for further collaboration. The BOPLASS Collaboration Portal is now used by other LASS and councils and provides an opportunity to assist with the identification and management of inter-regional collaboration opportunities. BOPLASS will continue to develop the Collaboration Portal and make it available to the wider local government community.

The BOPLASS Operations Committee will continue to manage responsibility for regular monitoring and governance of operational aspects of BOPLASS projects, allowing the Board to primarily focus on supporting the strategic development of the organisation. The committee members will also be responsible for identifying additional BOPLASS projects that add value to the shareholding councils and advocating these projects within their respective councils.

6 PERFORMANCE TARGETS

To ensure the company continues to operate effectively in both governance and management terms over the next three years the current SOI targets are to:

- Investigate new joint procurement initiatives for goods and services for BOPLASS councils.
- Provide support to BOPLASS councils that are managing or investigating shared services projects.
- Further develop and extend the Collaboration Portal for access to, and sharing of, project information and opportunities from other councils and the greater Local Government community to increase breadth of BOPLASS collaboration.
- Ensure appointed vendors remain competitive and continued best value is returned to shareholders.
- Review governance performance and structure to ensure it supports BOPLASS' strategic direction.
- Communicate with each shareholding council at appropriate levels.
- Ensure current funding model is appropriate.

The Board believes that all targets are being achieved or are on-track to be achieved, as is demonstrated by the following list of current initiatives.

7 CURRENT INITIATIVES

The following initiatives have been under consideration or operating during the first part of the year:

HIGHLIGHTS

- Aerial Imagery and LiDAR Tender – A sub-regional tender has been recently awarded to AAM NZ Ltd for Aerial Imagery and *LiDAR, with aerial capture being undertaken during the summer of 2018-19. An additional financial savings of approximately \$100,000 was achieved (beyond the benefits of a collective tender) through a unique flying and capture process being utilised.

**LiDAR (Light Detection and Ranging) data, or height data, is precise laser measurements of the Earth's surface that is used for creating highly accurate 3D maps of the land. LiDAR is particularly useful for flood modelling purposes because it provides accurate terrain and surface models of the land. LiDAR allows us to better understand where water will flow, what protection may be needed and where the areas at greatest risk from flooding are.*

- Provincial Growth Fund Application for LiDAR Capture – BOPLASS is managing a coordinated regional approach to a Provincial Growth Fund application for LiDAR capture for the entire Bay of Plenty region. Co-funding is available through the Fund to invest in an expansion of 3D mapping to assist with supporting major development projects and improve land use management in the regions.
- Account Payable Automation Software – BOPLASS is leading a project to identify collaborative opportunities for the automation of accounts payable processes through specific software or collective development of a shared solution.
- Robotic Process Automation – RPA provides an opportunity for the automation of repeatable processes that can run without intervention. BOPLASS has facilitated workshops with vendors and also with Auckland Council as they have developed a mature process for developing solutions based upon various business units' requirements.
- Drug and Alcohol Testing – BOPLASS is currently managing a tender on behalf of Waikato and BOPLASS councils for drug and alcohol testing services. The majority of Waikato and BOPLASS councils currently use the same provider for alcohol and drug testing services but rates and services are based upon individual contracts and vary across councils.
- Lone Worker Field Solutions – The BOPLASS Health and Safety group have engaged with vendors to review communication and technology solutions for lone or remote workers.
- Video Conferencing – New video conference services have been established using Canon and Zoom to deliver desktop and meeting room services to participating councils.
- Debt Management – BOPLASS has engaged with MWLASS to investigate opportunities for BOPLASS councils to participate in their debt management service (Debt Management Central) as a shared service. The level of engagement will vary from council to council dependent on each council's requirements.
- Community Communications Services – BOPLASS is investigating opportunities for a standard communications platform to allow councils to connect and communicate with their communities through a mobile device app.

- Infrastructure Insurance – BOPLASS has recently represented a collective group of councils in negotiations for placement of councils' infrastructure insurance into the London markets. Although faced with a hardening insurance market BOPLASS councils were able to achieve particularly good outcomes as a result of our existing underwriter relationships and a good history within the London insurance markets. This was supported by accurate loss modelling information, asset valuations, and risk quantification data, all of which have become essential information in securing appropriate and competitively priced insurance.
- Sustainability in Procurement – BOPLASS has recently supported Toi-Ohomai Institute of Technology in a research report on Sustainable Public Procurement in the Bay of Plenty. BOPLASS is now working with COBOP and The Sustainable Business Network to progress the opportunities identified in the report. The research report investigates how procurement policies and practices of local government authorities in the Bay of Plenty are aligned with the Australian and New Zealand Government Framework for Sustainable Procurement.
- Inter Council Network – An initiative with FX Networks/Vocus and the One.Govt consortium providing a 1Gbps fibre connection between the majority of BOPLASS councils. A technology and service review has resulted in reduced costs for this foundation service.
- Health and Safety Management Software – A BOPLASS preferred supplier agreement has been established with Vault with preferential pricing applied to all participating Waikato and BOPLASS councils. The agreement provides significant savings for all councils and migration to the latest Vault version at no cost to participating councils.
- Health and Safety Benchmarking – The BOPLASS and Waikato LASS health and safety groups are reviewing the opportunity of implementing a local authority health and safety benchmarking system.
- Radio Telephony (RT) Strategy – Push Wireless have been appointed as preferred supplier to coordinate region-wide Radio Telephone services and technologies. Standardisation of services and networks also provides the potential for further alignment in civil defence strategies.
- Solid Waste Management – Scoping for two of the three solid waste services that are being coordinated by BOPLASS has been completed, with significant opportunities for cross-regional collaboration identified:
 - A regional or cross-regional approach to licensing and data collection for waste operators
 - Diverting putrescible wastes from landfill

The Regional Facilities Strategy project is awaiting commitment from Waikato councils before completing the initial scoping.

- Capital Construction and Civil Works Projects – A regional-wide marketing approach to civil projects is being reviewed. The focus of this approach is to market the project plans of the region as a whole to the construction sector and to help avoid the complex issue of regional versus local prioritisation for delivery of projects. The anticipated benefit of this approach is to attract a better response from contractors for councils across the region.
- Collaborative Training – Cross-council training has continued to be arranged across a number of areas of council business, providing for discounted rates, reduced staff travel (as trainer is prepared to travel to region for a larger group), opportunity to network with peers from other councils and development of tailored material.

- Collaboration Portal – The Collaboration Portal was developed by BOPLASS to provide improved visibility of existing and potential collaboration opportunities across councils and to facilitate improved sharing of information. A project is underway to further develop the Collaboration Portal to enable and encourage a higher level of sharing.
- Inter-LASS collaboration – BOPLASS continues to encourage collaboration between all LASSes and has established quarterly meetings for LASS leaders to share information and identify opportunities for collective partnering.
- Communication – BOPLASS continues to regularly engage with our constituent councils, senior management and shareholders to ensure opportunities continue to be developed to the benefit of all stakeholders.
- Viability of Current Funding Model – The sources of BOPLASS funding and the viability of the funding model are regularly reviewed with financial reporting provided to the BOPLASS Board.

8 FINANCIAL REPORTS

1. Financial Support and Accounting Services

Accountancy services and support continue to be provided by Tauranga City Council.

2. Accounting Policies

The company is compliant with the accounting policies stated in the Statement of Intent.

3. Tier 2 PBE Accounting Standards Applied

The financial accounts are prepared with application of Tier 2 accounting standards.

4. Financial Reports

Financial Reports for the period to 31 December 2018 are attached.

5. Variations

The organisation is operating within budget and has achieved a reasonable revenue stream for the first half of the year.

Included are the service related payments for services accessed by councils.

Project expenses, and conversely, project recoveries are reporting lower than budget due to the timing of additional projects being undertaken by BOPLASS.

Revenue from rebates exceeds budget as a supplier rebate is to be paid this year covering a prior period.

An additional video conference service has been established for participating councils resulting in increased expenditure and revenue recoveries.

Savings have been made in core ICN costs and this is reflected in the reduced revenue and expenditure of ICN services.

Aerial photography revenue and expenditure will remain lower than budget this year due to BOPLASS achieving exceptionally good pricing through our most recent tender.

9 STAFFING, ACCOMMODATION AND SUPPORT

Staff

Staffing levels are unchanged with a part-time administrator continuing to provide additional project support and management of existing activities.

Accommodation and Support

We continue to appreciate the office space provided at Tauranga City Council and the support that is offered for IT and Accounting services. Although there is a monthly fee there is still a contribution in kind.

BOP LASS LTD				
STATEMENT OF COMPREHENSIVE INCOME				
FOR THE MONTH ENDED 31 DECEMBER 2018				
	Actual YTD	Budget YTD	Total Budget	YTD Variance
REVENUE				
Revenue - Core	166,082	159,750	319,510	6,332
Bank Interest Received	379	498	1,000	-119
Council Contribution	136,755	136,752	273,510	3
Sales of Service	28,948	22,500	45,000	6,448
Revenue - Projects	770,449	979,748	1,563,500	-209,299
Bank Interest Received	5,167	8,250	16,500	-3,083
Aerial Photography Income	85,606	250,000	600,000	-164,394
Collaboration Portal	78,400	63,000	100,000	15,400
Lease Income - ICN	62,851	87,500	175,000	-24,649
Lease Income - Video Confer.	30,196	6,498	13,000	23,698
Recoveries	482,242	560,000	650,000	-77,758
Rebates	25,988	4,500	9,000	21,488
Total Operating Revenue	936,531	1,139,498	1,883,010	-202,967
EXPENSES				
Expenditure - Core	214,580	237,966	440,400	-23,386
ACC	864	1,500	1,500	-636
Accommodation & Travel	540	750	1,500	-210
Accounting & Audit	543	17,500	17,500	-16,957
Administration	15,212	12,000	24,000	3,212
Amortisation	3,335	6,000	12,000	-2,665
Bank Fees	160	204	400	-44
Conferences	2,655	1,002	2,000	1,653
Depreciation	704	0	0	704
Directors Costs	12,126	9,000	18,000	3,126
Fringe Benefit Tax	2,240	3,500	7,000	-1,260
General & Catering Expenses	877	1,002	2,000	-125
Health & Safety	0	504	1,000	-504
Insurance	8,425	8,000	8,000	425
Interest Paid – TCC Loan	1,056	1,000	1,000	56
Legal	0	2,000	2,000	-2,000
Salaries	161,867	162,498	325,000	-631
Salaries – C'Portal Opex	-11,692	-4,998	-10,000	-6,694
Staff Support Costs	12,169	10,002	20,000	2,167
Staff Training Costs	0	1,002	2,000	-1,002
Subscriptions	0	1,000	1,000	-1,000
Tax Advice	3,500	4,500	4,500	-1,000
Write Off reconciliations	0	0	0	0
Expenditure - Projects	662,263	909,306	1,442,610	-247,043
Aerial Photography Expense	85,606	250,000	600,000	-164,394
Collaboration Portal Opex	15,742	19,998	40,000	-4,256
Lease Expense - ICN	54,115	85,002	170,000	-30,887
Lease Expense – Video Confer.	29,635	6,306	12,610	23,329
Projects - Recoveries	477,164	548,000	620,000	-70,836
Total Operating Expenditure	876,843	1,147,272	1,883,010	-270,429
Operational Surplus / (Deficit) before Tax	59,689	-7,774	0	67,463

BOP LASS LTD	
STATEMENT OF FINANCIAL POSITION	
AS OF DECEMBER 2018	
	Actual YTD
Current Assets	
Cheque Account	\$203,036
Trust A/c Aerial Photography	\$374,462
Term Deposit – #1	\$300,000
Term Deposit – #2	\$250,000
Term Deposit – #3	\$250,000
Trade Debtors	\$39,733
Accrued Revenue	58,871
Withholding Tax	\$16,804
Prepayments	\$39,227
Total Current Assets	\$1,532,133
Non-current assets	
Intangible - Computer Software	\$66,465
Amortisation	(\$50,395)
Computer Equip at cost	\$3,995
Computer Equip depreciation	(\$1,908)
Office equip at cost	\$0
Office equip depreciation	\$0
Total Non-current assets	\$18,158
TOTAL ASSETS	\$1,550,290
Current Liabilities	
Trade Creditors	\$96,356
Accrued Expenses	\$180,089
GST Collected, Paid, Payments/refunds	(\$14,359)
Retentions	\$56,761
Accrued Salaries and Wages	\$5,127
Accrued Leave Entitlements	\$11,300
PAYE Accruals Payable	\$10,207
Income in Advance	\$1,105,364
TCC Loan	\$0
Total Current Liabilities	\$1,450,845
TOTAL LIABILITIES	\$1,450,845
NET ASSETS	\$99,445
Equity	
Current Year Earnings	\$59,689
Retained Earnings	(\$59,245)
Share capital	\$99,002
TOTAL EQUITY	\$99,445

REPORT

Date : 28 February 2019
 To : Ordinary Council Meeting, 12 March 2019
 From : Chief Executive Officer, Aileen Lawrie
 Subject : **CHIEF EXECUTIVE OFFICER'S UPDATE**
 File ID : A161187

LGOIMA REQUESTS

1 March 2019 9:33 LGOIMA Report - 6 weeks			
Month	Count	Submitter - Subject - Status	Due
		Daniel Wairua - Rates - Maungaroa No 1 sec 2B 2 Block - 7660-337-00-E	Completed
		Water Safety New Zealand - Funding	Completed
		New Zealand Taxpayers' Union - Economic grants to Toyota New Zealand	Completed
		NZ Herald enquiry - Number of swimming pools inspected 2018	Completed
		Stuff Media - spending on advertising in the past five financial years	Completed
January 2019	6	New Zealand Taxpayers' Union - Waste Management and Minimisation Plan Funding Grants	1/03/2019
		New Zealand Taxpayers' Union - Report of overhead costs	Completed
		New Zealand Taxpayers - Companies with councillors as interested parties awarded council contracts	Completed
		Coastline Markers - Road Marking contracts	15/03/2019
		New Zealand Taxpayers - 2018-80 previously rejected	19/03/2019
		New Zealand Taxpayers Union - Official Information Request - amount of money paid in Koha	
		Auckland University - resource consents for Quarries	25/03/2019
February 2019	6	Chris Hopman - OIA request - Allocation of costs for recycling bins procurement and distribution.	27/03/2019

LGNZ COMMUNITY BOARDS CONFERENCE 2019

The LGNZ New Zealand Community Boards Conference is being held in New Plymouth on 11-13 April 2019.

Councillor Haki McRoberts has indicated he would like to attend the conference, with one other member of the Coast Community Board. Board member Allen Waenga has advised that he is available to attend.

The earlybird registration fee for the conference is \$755 per person and was valid up to 1 March 2019. To take advantage of the lower pricing, registrations have been done. Travel, accommodation and some meal costs are additional to the registration fees. All of the above costs will be covered from budgeted funding.

A resolution of Council is required to obtain approval for Councillor McRoberts and Allen Waenga to attend the LGNZ Community Boards Conference 2019.

MEETINGS / EVENTS ATTENDED BY CEO – 18 JANUARY 2019 – 28 FEBRUARY 2019

21 JANUARY 2019

Whakatāne

Meeting with Minister Kris Fa'oi and Kiri Allan MP

Eastern Bay of Plenty CEs meeting

24 JANUARY 2019

Ōpōtiki Harbour Project Governance Group meeting, via teleconference

Met with representatives of the Office of Māori Crown Relations

5 FEBRUARY 2019

Ōpōtiki District Council Tenders Sub-Committee meeting

7 FEBRUARY 2019

Meeting re reset of Bay of Connections/Regional Economic Development

Catch up meeting with Richard Ward, Department of Internal Affairs

11 FEBRUARY 2019

Eastern Bay of Plenty CEs' meeting, Whakatāne

13 FEBRUARY 2019

Ōpōtiki Marine Advisory Group (OMAG) meeting

14-15 FEBRUARY 2019

Productivity Commission interviews

18 FEBRUARY 2019

Ōpōtiki District Council Audit and Risk Committee meeting

19-20 FEBRUARY 2019

Advanced Leadership Programme Workshop, Auckland

21 FEBRUARY 2019

Ōpōtiki Harbour Project Governance Group meeting, via teleconference

Holland Beckett Law function at new Ōpōtiki office premises

26 FEBRUARY 2019

Meeting with Waiariki MP, Tamati Coffey

27 FEBRUARY 2019

Tauranga

BOPLASS Directors' meeting

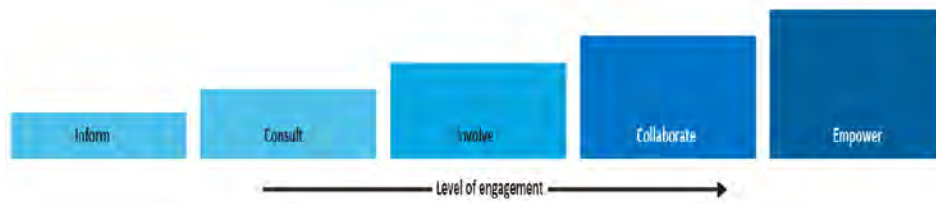
Eastern Bay of Plenty CEs' meeting

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.



RECOMMENDATION:

- 1. That the report titled "Chief Executive Officer's Update" be received.**
- 2. That Councillor Haki McRoberts and Coast Community Board member Allen Waenga are authorised to attend the LGNZ Community Boards Conference 2019.**

Aileen Lawrie

CHIEF EXECUTIVE OFFICER

REPORT

Date : 28 February 2019

To : Ordinary Council Meeting, 12 March 2019

From : Chief Executive Officer, Aileen Lawrie

Subject : **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:

- 15. Confirmation of In-Committee Minutes – Ordinary Council Meeting 29 January 2019.**
- 16. Infrastructure on Private Property Part 2.**

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:

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
15.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 29 January 2019	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.	Section 48(1)(a)
16.	Infrastructure on Private Property Part 2	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.	Section 48(1)(a)

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:

15.	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Prevent disclosure or use of official information Carry out negotiations Maintain legal professional privilege Carry out commercial activities Avoid prejudice to measures protecting the health and safety of members of the public Avoid prejudice to measures that prevent or mitigate material loss to members of the public Commercial sensitivity	Section 7(2)(a) Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii) Section 7(2)(f)(ii) Section 7(2)(j) Section 7(2)(i) Section 7(2)(g) Section 7(2)(h) Section 7(2)(d) Section 7(2)(e) Section 7(2)(b)(ii)
16.	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Carry out negotiations	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i)