

NOTICE OF AN ORDINARY COUNCIL MEETING

**Ōpōtiki District Council Chambers, 108 St John Street, Ōpōtiki
Tuesday, 23 July 2019
Commencing at 9.00am**

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – COUNCILLOR McROBERTS

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

Helen Laurence (Climate Change Extinction Rebellion)

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CITIZENSHIP CEREMONY

The meeting will adjourn at 10.00am for a Citizenship Ceremony.

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, 4 JUNE 2019 IN THE OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPOTIKI AT 9.00AM

PRESENT:

Mayor John Forbes (Chairperson)
Deputy Mayor Lyn Riesterer (Chairperson)
Councillors:
Barry Howe
Arihia Tuoro

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Gerard McCormack (Planning and Regulatory Group Manager)
Michael Homan (Finance Systems and Property Group Manager)
Gae Newell (Executive Assistant and Governance Support Officer)

MEDIA:

James Sandbrook (Opotiki News)

PUBLIC:

Xiao Yu Chen
Janet Thompson
Mark Stringfellow
John Galbraith

Councillor Howe opened the meeting with an inspirational thought.

APOLOGIES

Councillor Browne, Councillor McRoberts and Councillor Young.

RESOLVED

(1) That the apologies be sustained.

Tuoro/Riesterer

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

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

PUBLIC FORUM

Xiao Yu Chen – Climate Change

Mr Chen stated he was representing a group called Extension Rebellion and was seeking opinions on the current climate emergency, and Council declaring a climate emergency.. He also asked about the zoning of high risk low areas which are prone to flooding and tsunamis.

His Worship the Mayor advised that Ōpōtiki District Council has been working for a long time around how it manages the way forward and have been considering the impacts of climate change and sea level rise. This town has always been prone to flooding and Council takes these things very, very seriously. Zoning of low lying areas have had risk assessments and there is little development in those areas.

The Chief Executive Officer explained that the issues are complex and require a lot of input and analysis, adding that the first sea level rise planning process commenced in 1993. Ongoing modelling is being undertaken by the Regional Council. Climate change is built into everything Council does, e.g. pipe sizing and district planning. Mitigation, adaptation and avoidance are prime considerations, however the cost is something this community will have to grapple with.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 23 APRIL 2019 p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 23 April 2019 be confirmed as a true and correct record.**

Riesterer/Tuoro

Carried

2. MINUTES – AUDIT AND RISK COMMITTEE MEETING 18 FEBRUARY 2019 p13

RESOLVED

- (1) That the minutes of the Audit and Risk Committee meeting held on 18 February 2019 and any recommendations therein be received.**

Tuoro/HWTM

Carried

3. MINUTES – COAST COMMUNITY BOARD MEETING 26 MARCH 2019 **p18**

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 26 March 2019 be received.**

Riesterer/HWTM

Carried

4. MAYORAL REPORT 10 APRIL 2019 – 23 MAY 2019 **p24**

RESOLVED

- (1) That the report titled "Mayoral Report 10 April 2019 – 23 May 2019" be received.**

HWTM/Riesterer

Carried

Items 6, 7, 8 and 9 were considered prior to Item 5.

5. HARBOUR DEVELOPMENT PROJECT UPDATE **p27**

John Galbraith spoke to the report with the aid of a power point presentation.

His Worship the Mayor thanked John Galbraith for his commitment and the hard work he has put into the Harbour Development Project. He also acknowledged HEB and Tonkin & Taylor.

RESOLVED

- (1) That the report titled "Harbour Development Project Update" be received.**
- (2) That Council notes that an initial registration of interest (ROI) will be addressed to known and potential rock suppliers to the Ōpōtiki Harbour Development Project, followed by a targeted request for proposals (RFP) to selected ROI respondents to secure rock supply tenders or commitments by mid-July 2019, for inclusion in the revised business case for harbour funding.**

Tuoro/Riesterer

Carried

6. PROPOSED CHANGES TO ELECTED MEMBER REMUNERATION **p37**

A replacement report was tabled, the only amendment being some updated figures in Tables B and C.

RESOLVED

- (1) That the report titled "Proposed Changes to Elected Member Remuneration" be received.**

(2) That elected members note the changes proposed by the Remuneration Authority.

HWTM/Riesterer

Carried

Mark Stringfellow entered the meeting at 9.17am.

7. PROPOSAL FOR NEW ROAD NAME: KUAKA LANE

p42

RESOLVED

(1) That the report titled "Proposal For New Road Name: Kuaka Lane" be received.

(2) That Council approves the naming of the private way Kuaka Lane and agrees to it being officially recognised as a named road.

Howe/Riesterer

Carried

8. PROPERTY, i-SITE AND LIBRARY SIX MONTHLY ACTIVITY REPORT

p52

RESOLVED

(1) That the report titled "Property, i-SITE and Library Six Monthly Activity Report" be received.

Tuoro/HWTM

Carried

9. CHIEF EXECUTIVE OFFICER'S UPDATE

p58

RESOLVED

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

Riesterer/Tuoro

Carried

The Chief Financial Officer entered the meeting at 9.37am.

The Planning and Regulatory Group Manager left the meeting at 9.41am and returned at 9.42am.

The meeting adjourned for morning tea at 9.49am and reconvened at 10.10am at which time Item 5 (Harbour Development Project Update) was considered.

10. RESOLUTION TO EXCLUDE THE PUBLIC

p61

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

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

11. **Confirmation of In-Committee Minutes – Ordinary Council Meeting 23 April 2019.**
12. **In-Committee Minutes – Audit and Risk Committee Meeting 18 February 2019.**
13. **Harbour Development Project (presentation).**
14. **Investment Update.**

2. **THAT the following person be permitted to remain at this meeting after the public has been excluded because of their knowledge of the subject item in relation to the following. This knowledge will be of assistance and is relevant to the matters to be discussed:**

Name: John Galbraith

Item: Harbour Development Project (presentation)

Business: To provide Council with a detailed update on the Opotiki Harbour Development Project

Reason: To enable the accurate presentation of sensitive information to the Council and to provide responses to queries.

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

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
11.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 12 March 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)
12.	In-Committee Minutes – Audit and Risk Committee Meeting 13 February 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)
13.	Harbour Development Project (presentation)	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)

14.	Investment Update	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)
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This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

11.	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 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)(b)(ii)
12.	Maintain effective conduct of public affairs Protect information Protect the privacy of natural persons Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities	Section 7(2)(f)(i) & (ii) Section 7(2)(b)(i) & (ii), (d) & (e) Section 7(2)(a) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h)
13.	Protect the privacy of natural persons Commercial sensitivity Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(j)
14.	Protect the privacy of natural persons Commercial sensitivity	Section 7(2)(a) Section 7(2)(b)(ii)

Tuoro/Riesterer

Carried

Councillor Howe left the meeting at 10.39am and returned at 10.42am.

James Sandbrook, Janet Thompson, Xiao Yu Chen and Mark Stringfellow left the meeting at 10.44am.

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.**

Tuoro/Howe

Carried

RESOLVED

- (1) That the minutes of the In-Committee Ordinary Council meeting held on 23 April 2019 be confirmed as a true and correct record.**

Riesterer/Howe

Carried

RESOLVED

- (1) That the in-committee minutes of the Audit and Risk Committee meeting held on 18 February 2019 and any recommendations therein be received.**

Tuoro/HWTM

Carried

RESOLVED

- (1) That the report titled "Investment Update" be received.**
- (2) That Council approves the recommendation of the Audit and Risk Committee and agrees in principle to support the request from Evolution Networks, subject to agreeing to the amount, form, priority and timing of the assistance and any additional obligations that may be required from the company.**

HWTM/Tuoro

Carried

His Worship the Mayor exercised his deliberative vote

Against: Councillor Howe

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.23AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 23 JULY 2019**

J H FORBES

HIS WORSHIP THE MAYOR



**MINUTES OF AN EXTRA ORDINARY COUNCIL MEETING DATED FRIDAY, 28 JUNE 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)
Michael Homan (Finance, Systems and Property Group Manager)
Muriel Chamberlain (Corporate Services Manager)
Billy Kingi (Chief Financial Officer)
Jo Hunt (Library Manager)
Sarah Jones (Corporate Planner and Executive Officer)
Tina Gedson (Property Officer)
Gae Newell (Executive Assistant and Governance Support Officer)

At the request of His Worship the Mayor, Councillor McRoberts opened the meeting with a karakia.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. ADOPTION OF 2019-2020 ANNUAL PLAN

p3

The Chief Financial Officer and the Corporate Planner & Executive Officer spoke to the report.

The Chief Executive Officer noted the work done in relation to the Annual Plan by the Finance and Corporate Services Group Manager, Bevan Gray.

His Worship the Mayor asked for a figure in relation to Council’s capital spend for the current triennium and for projects in the next three years.

The Chief Executive Officer advised that the capital spend is 2.6 times more than what Council was doing, compared to what will be done in the future.

His Worship the Mayor acknowledged the large amount of work which goes into the Annual Plan and extended his appreciation to the Chief Executive Officer and staff.

RESOLVED

- (1) That the report titled “Adoption of 2019/20 Annual Plan” be received.**
- (2) That Council:**
 - (a) Adopts the 2019/20 Annual Plan.**
 - (b) Adopts the Funding Impact Statement contained within the 2019/20 Annual Plan.**
 - (c) Adopts the Schedule of Fees and Charges.**

Tuoro/Young **Carried**

2. SETTING OF 2019/20 RATES, DUE DATES FOR PAYMENT, AND THE PENALTIES REGIME p31

RESOLVED

- (1) That the report titled “Setting of 2019/20 Rates, Due Dates for Payment, and the Penalties Regime” be received.**
- (2) That the Ōpōtiki District Council, pursuant to the provisions of the Local Government (Rating) Act 2002, set the following rates for the period 1 July 2019 to 30 June 2020:**

1 GENERAL RATES

- (a) General Rate**
Pursuant to Section 13 of the Local Government (Rating) Act 2002, a general rate of 0.3502 cents in the Dollar of Capital Value on all rateable rating units in the Ōpōtiki District.

Revenue Sought \$6,869,481

(b) **Uniform Annual General Charge**

Pursuant to Section 15 of the Local Government (Rating) Act 2002, a uniform annual general charge of \$434.97 on every rateable rating unit in the district.

Revenue Sought **\$2,070,040**

2 TARGETED RATES

(a) **Water Supply Charges**

Pursuant to Section 16 of the Local Government (Rating) Act 2002, a targeted rate for water supply shall be set within the following water supply areas as follows:

	Supply Name	
(i) A full charge for the ordinary supply of water in respect of each separately used or inhabited part of a rating unit to which water is supplied.	Ōpōtiki/	215.61
	Hikutaia	
	Te Kaha	303.39
	Ohiwa	749.30
(ii) A half charge in respect of every rating unit to which water can be, but is not supplied, situated within 100m of any part of the waterworks.	Ōpōtiki/	107.81
	Hikutaia	
	Te Kaha	151.70
	Ohiwa	374.65
<i>Revenue Sought:</i>	<i>Ōpōtiki/</i>	<i>\$492,787</i>
	<i>Hikutaia</i>	
	<i>Te Kaha</i>	<i>\$107,369</i>
	<i>Ohiwa</i>	<i>\$16,110</i>

Pursuant to section 19 of the Local Government (Rating) Act 2002, a targeted rate for water supplied by meter is applied as well as the connection charge outlined above as follows:

Any property that is connected to one of the above water supplies where there is a water meter, the metered volumes of water used shall be charged at the following rates per cubic meter:

<i>Revenue Sought:</i>	Ōpōtiki	\$285,000
	Te Kaha	\$62,500
	Ohiwa	\$5,000

(b) Sewerage Drainage Charges

Pursuant to Sections 16 of the Local Government (Rating) Act 2002, a targeted rate shall be set in each urban drainage area as follows:

	Scheme Name	2019/20
(i) One full charge in respect of every separately used or inhabited part of a rating unit connected to a public sewerage drain.	Ōpōtiki	476.17
	Waihau Bay	418.47
(ii) Half of the full charge in respect of each rating unit to which sewer drainage can be, but is not connected, situated within 30m from any part of the public sewerage drain.	Ōpōtiki	238.09
	Waihau Bay	209.24
(iii) 80% of the full charge in respect of every separate toilet pan, water closet, or urinal where there are multiple connections on one rating unit.	Ōpōtiki	380.94

Note:

A residence of not more than one household shall be deemed to have not more than one water closet, toilet pan, or urinal.

<i>Revenue Sought</i>	<i>Ōpōtiki</i>	\$808,639
	<i>Waihau Bay</i>	\$10,671

(c) Waioeka Wastewater Extension

Pursuant to Sections 16 of the Local Government (Rating) Act 2002, a targeted rate shall be set as a fixed amount per rating unit connected to the Waioeka Wastewater Extension of \$20,248.50.

<i>Revenue Sought:</i>	<i>Waioeka Extension</i>	\$40,497
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(d) Kerbside Refuse Collection Charge

Pursuant to Section 16 of the Local Government (Rating) Act 2002, a targeted rate for kerbside refuse collection within the defined Ōpōtiki Ward and Waiotahi/Waioeka Ward collection areas set as follows:

- (i) A full charge of \$193.08 per separately used or inhabited part of a rating unit (except those not used or inhabited) within the defined Ward collection areas
- (ii) A half charge of \$96.54 per rating unit that is not used or inhabited within the defined Ward collection areas.

<i>Revenue Sought</i>	\$422,848
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(e) Communities of interest

Pursuant to Section 16 of the Local Government (Rating) Act 2002, a communities of interest targeted rate set as an amount per rating unit as follows:

- (i) Residential communities of interest

\$34.41 per rateable rating unit within the defined rating areas.

Revenue Sought *\$72,300*

(i) Rural communities of interest

\$22.16 per rateable rating unit within the defined rating areas.

Revenue Sought *\$53,974*

(ii) Commercial/industrial communities of interest

\$724.24 per rateable rating unit in the district where land use is commercial or industrial.

Revenue Sought *\$157,161*

3 INSTALMENT DATES

That the Ōpōtiki District Council resolves that all rates are payable in four equal instalments, due on or before:

- Instalment One : 23 August, 2019
- Instalment Two : 22 November, 2019
- Instalment Three : 21 February, 2020
- Instalment Four : 22 May, 2020

That the Ōpōtiki District Council resolve that all metered water charges are payable in six monthly instalments based on usage, due on or before:

- Instalment One : 18 December, 2019
- Instalment Two : 17 June, 2020

4 ADDITIONAL CHARGES ON UNPAID RATES

That the Ōpōtiki District Council authorise the addition of penalties to unpaid rates in accordance with the following regime:

Under the provisions of Sections 57 and 58 of the Local Government (Rating) Act 2002, a penalty of 10% will be added to the amount of the first instalment of rates remaining unpaid after the due date, on 23 August, 2019; of the second instalment of rates remaining unpaid after the due date, on 22 November, 2019; of the third instalment of rates remaining unpaid after the due date, on 21 February, 2020; and of the

fourth instalment of rates remaining unpaid after the due date, on 22 May, 2020.

5 GOODS AND SERVICES TAX

The rates stated above are exclusive of goods and services tax payable. GST should be applied at the current rate of 15% to rates payable on invoices and to any voluntary prepayments made.

HWTM/Riesterer

Carried

3. SUBMISSION ON THE BAY OF PLENTY REGIONAL COUNCIL ANNUAL PLAN 2019-20 p37

The Chief Executive Officer advised that she has met with Council's Bay of Plenty Regional Council Relationship Manager. Council has submitted around the river scheme for 15 years and although the Regional Council has always agreed with the submission, but brushed it off. Although the Relationship Manager was pinned for an answer on what the Regional Council has done about the river scheme, the response was around the politics and the view that if there is too much push from us, the scheme will move more towards user pays. The Chief Executive Officer noted that there are utilities and chunks of the Gisborne district which are not contributing towards the river scheme. When asked what the staff advice was to Regional Councillors, no answer was forthcoming.

The Chief Executive Officer noted that there is a piece of work commencing early next year around affordability which will feed into the Regional Council's LTP process. Ōpōtiki District Council needs to push that, otherwise it will be forgotten about.

RESOLVED

(1) That the report titled "Submission on the Bay of Plenty Regional Council Annual Plan 2019-20" be received.

Riesterer/Young

Carried

The Property Officer entered the meeting at 9.23am.

4. RESOLUTION TO EXCLUDE THE PUBLIC p45

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:

5. Library – Te Tāhuhu o Te Rangi Technology and Research Centre.

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
5.	Library – Te Tāhuhu o Te Rangi Technology and Research Centre	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:

5.	Protect the privacy of natural persons Protect information	Section 7(2)(a) Section 7(2)(b)(i) & (ii)
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Tuoro/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.**

Young/Tuoro

Carried

RESOLVED

- (1) That the report titled “Library – Te Tāhuhu o Te Rangi Technology and Research Centre” be received.**
- (2) That Council resolves to undertake a public consultation exercise as described in this report to seek the views of the public on the three options presented in this report.**
- (3) That Council staff report back to Council following that period of consultation and present to Council the three options outlined in this report for decision.**

HWTM/Riesterer

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9.59AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 23 JULY 2019**

J H FORBES

HIS WORSHIP THE MAYOR



MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD HELD AT TE RUNANGA O TE WHANAU OFFICES, STATE HIGHWAY 35, TE KAHA ON TUESDAY, 7 MAY 2019 AT 10.03AM

PRESENT:

Haki McRoberts (Chairperson)
Jack Parata
Allen Waenga

Deputy Mayor Lyn Riesterer

IN ATTENDANCE:

Ari Erickson (Engineering and Services Group Manager)
Michael Homan (Finance, Systems and Property Group Manager)
Sarah Jones (Corporate Planner and Executive Officer)
Gae Newell (Executive Assistant & Governance Support Officer)

PUBLIC

Mark Stringfellow

The Chairperson opened the meeting with a karakia and extended a welcome to everyone.

APOLOGY

Mike Collier

RESOLVED

(1) That the apology be sustained.

McRoberts/Parata

Carried

PUBLIC FORUM

Nil.

**1. CONFIRMATION OF MINUTES – COAST COMMUNITY BOARD MEETING
26 MARCH 2019**

p3

Jack Parata noted that the ANZAC Day commemoration event held at Ōmaio Marae, which the Coast Initiatives Fund contributed to, went very well.

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 26 March 2019 be confirmed as a true and correct record.**

Parata/Waenga

Carried

2. ACTION SCHEDULE

p9

The Engineering and Services Group Manager spoke to the Action Schedule.

Water – Te Kaha Southern Extension

A tentative date of 20 May 2019 has been set for the Māori Land Court hearing.

RESOLVED

- (1) That the Action Schedule be received.**

Waenga/Parata

Carried

3. GENERAL MANAGERS' UPDATE

p11

RESOLVED

- (1) That the report titled "General Managers' Update" be received.**

Parata/Waenga

Carried

4. PRESENTATION ON ASSET MANAGEMENT AND PROCUREMENT STRATEGIES Verbal Item

The Engineering and Services Group Manager handed out copies of a power point presentation titled Strategic Asset Management and Procurement.

The presentation covered the following points:

- Strategic Asset Management
- Activity Management for Local Authorities
- What are Council Activities
- Vision – Strong Community Strong Future; Community Outcomes – Services and Facilities
- Water Supply
- Consider the Activity Management System:
 - Infrastructure Strategy
 - Asset Management Strategy

- Procurement Policy
- Procurement Strategy
- Project Management Policy

5. CONFLICT OF INTEREST POLICY

p14

The Corporate Planner and Executive Officer provided some background to the report, and discussed the following items with the Board:

- What conflicts are
- Declaring conflicts
- Voting on decisions where you have a conflict
- Formal decision-making which could affect the credibility of the Board or Council
- Where money is involved there can be a judicial review (*if found guilty you can be convicted for not declaring a conflict*).

The key message is that if you are making a decision and someone thinks you are doing it for a personal reason, you need to declare a conflict and it is recorded and discussed – in case it is challenged.

RESOLVED

(1) That the report titled “Conflict of Interest Policy” be received.

Waenga/Parata

Carried

6. ANNUAL COMMUNITY SURVEY RESULTS

p33

The Finance, Systems and Property Group Manager spoke to the report, highlighting the Coast results in particular.

The Board requested to see more detail, i.e. the verbatim comments, especially around ‘recreation’.

The Finance, Systems and Property Group Manager will check if the summary results (a public document) can be put on the website.

The Board agreed that there needs to be more facilities for children on the Coast.

RESOLVED

- (1) That the report titled "Annual Community Survey Results" be received.**

Waenga/Parata

Carried

Mark Stringfellow left the meeting at 11.05am.

7. COAST INITIATIVES FUND

p40

RESOLVED

- (1) That the report titled "Coast Initiatives Fund" be received.**

Waenga/Parata

Carried

**8. COAST INITIATIVES FUND – FUNDING APPLICATION: TE KURA MANA MĀORI
O MARAENUI**

P45

The Board received the application from Te Kura Mana Māori o Maraenui and approved funding in the amount requested of \$4,000 to assist with the costs of the Kura's Annual Surfcasting Competition.

RESOLVED

- (1) That the funding application from Te Kura Mana Māori o Maraenui be received.**
(2) That the sum of \$4,000 be paid to Te Kura Mana Māori o Maraenui to assist with the costs of the Te Kura Mana Māori o Maraenui Annual Surfcasting Competition.

Waenga/Parata

Carried

**9. COAST INITIATIVES FUND – FUNDING APPLICATION: TE KURA O TE
WHĀNAU-A-APANUI**

p47

It was noted that until the new school is built the kura is operating out of various sites. For this reason the Board felt some empathy to the kura's current plight and agreed to receive and approve the application for funding of sports equipment in the amount requested of \$1,313.86.

RESOLVED

- (1) That the funding application from Te Kura o Te Whānau-a-Apanui be received.**
(2) That the sum of \$1,313.86 be paid to Te Kura o Te Whānau-a-Apanui to assist with the costs of purchasing sports equipment for the tamariki of Te Kura o Te Whānau-a-Apanui.

Waenga/Parata

Carried

The Chairperson thanked everyone for their attendance and closed the meeting with a karakia.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.13AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING
A TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COAST COMMUNITY BOARD HELD
ON TUESDAY, 18 JUNE 2019.**

**HAKI McROBERTS
CHAIRPERSON
COAST COMMUNITY BOARD**

Minutes of the Regional Transport Committee Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Friday, 24 May 2019 commencing at 9.30 a.m.

Present:

Chairman: S Crosby (Bay of Plenty Regional Council)

Deputy Chairman: J Nees

Appointees: Mayor M Campbell - Kawerau District Council, Deputy Mayor D Donaldson - Alternate, Rotorua Lakes Council, Councillor B Julian - Alternate, Kawerau District Council, Mayor S Chadwick - Rotorua Lakes Council, Councillor A Iles - Alternate, Whakatāne District Council, Councillor D Thwaites - Western Bay of Plenty District Council, R I'Anson - Acting Director of Regional, New Zealand Transport Agency, Councillor J Palmer - Alternate, Western Bay of Plenty District Council, A Talbot - Alternate, New Zealand Transport Agency, Councillor L Baldock - Tauranga City Council, Mayor John Forbes - Ōpōtiki District Council.

In Attendance: Inspector B Crowe - Road Safety Advisor/ BOP District Police, J Galbraith - Freight Advisor, D Kneebone - Port Advisor/Property & Infrastructure Manager, Port of Tauranga

Bay of Plenty Regional Council: Chairman Leeder, Cr David Love, Namouta Poutasi – General Manager Strategy & Science, Bron Healey – Senior Transport Planner, David Phizacklea – Regional Development Manager, A Namana – Committee Advisor.

Other: Janeane Joyce – Channeled Planning and Contracting, John Hutchings – HenleyHutchings, Robert Brodnax – UFTI Project Director (via Video Link), Mark Tamura – Waikato Regional Council

Apologies: Mayor A Bonne - Whakatāne District Council, Councillor R Curach - Alternate, Tauranga City Council, Councillor K Young - Alternate, Ōpōtiki District Council, Councillor L Thurston - Alternate, Bay of Plenty Regional Council

1 Apologies

Resolved

That the Regional Transport Committee:

Accepts the apologies from Mayor A Bonne - Whakatāne District Council, Councillor R Curach - Alternate, Tauranga City Council, Councillor K Young - Alternate, Ōpōtiki District Council and Councillor L Thurston - Alternate, Bay of Plenty Regional Council tendered at the meeting.

**Crosby/Nees
CARRIED**

2 Public Forum

Carole Gordon – Engaging Elders in Transport Planning

PowerPoint Presentation – Reference A3250351

Tabled item 1 – BOP Longevity Graph – *Reference A3250357*. A supporting document - Final Engagement Report was to be circulated to members following the meeting – *Reference A3250355*.

Key Points

- Provided a follow up from a previous presentation to the Public Transport Committee
- The number of people over 75 years of age in the SmartGrowth region would increase 229% by 2036 and be the largest public transport consumer group
- Outlined research survey results of what elders sought from the public transport environment
- Described current issues of public transport provision
- Suggested a 3D printed self-driving shuttle concept
- Recommended that UFTI consider complementary urban, community focused “micro-transit” public transport services to complement key transit routes, increase patronage and address congestion
- Supported further investigation of the public transport requirements of ageing communities in the Bay of Plenty region.

Key Points – Namouta Poutasi – General Manager Strategy & Science

- Subsequent to the previous presentation to the Public Transport Committee on 10 May 2019, the report had been taken to UFTI and the project team with staff committing to propose how to work through the recommendations at the next Public Transport Committee
- As part of Bay of Plenty Regional Council’s Annual Plan 2019-20 deliberations, smaller bus options were being considered as well as the extension of super gold card hours.

The Chairperson acknowledged the years of service provided by Councillor Curach and welcomed Councillor Baldock as the new appointed member from Tauranga City Council.

3 Acceptance of Late Items

Nil.

4 General Business

Nil.

DRAFT MINUTES TO BE CONFIRMED

5 **Declaration of Conflicts of Interest**

Nil.

6 **Previous Minutes**

6.1 **Regional Transport Committee Minutes - 15 March 2019**

Resolved

That the Regional Transport Committee:

- 1 Confirms the Regional Transport Committee Minutes - 15 March 2019 as a true and correct record.

Crosby/Nees
CARRIED

6.2 **Regional Transport Committee minutes - 24 April 2018**

Resolved

That the Regional Transport Committee:

- 1 Confirms the Regional Transport Committee minutes - 24 April 2018 as a true and correct record.

Crosby/Nees
CARRIED

6.3 **Regional Transport Committee minutes - 02 February 2018**

Resolved

That the Regional Transport Committee:

- 1 Confirms the Regional Transport Committee minutes - 02 February 2018 as a true and correct record.

Crosby/ Nees
CARRIED

7 **Reports**

7.1 **Update from Committee Members and Advisors**

Mayor Steve Chadwick – Rotorua Lakes Council

Key Points

- Requested clarification on the status of Connect Rotorua and an update on the timing for interim Stage 1 and completion of the Ngongotahā roundabout

DRAFT MINUTES TO BE CONFIRMED

- Supported UFTI in principle, but had concerns about its impact on Rotorua activities which were also addressing urban growth issues.

John Galbraith – Freight Advisor

Key Points

- Funding had been secured to set up a driver training centre in Kawerau to service the Eastern Bay of Plenty, complementing the existing network of training centres
- Acknowledged support of Freight Logistics Action Group (FLAG) at career expo events held in Rotorua and Edgecumbe.

Mayor Malcolm Campbell – Kawerau District Council

Key Points

- The quality of State Highway 34 pavements on the Rotorua side of Kawerau was a concern
- Noted the importance of catering to the needs of elderly people in small communities
- Waiū Dairy Plant would be operational in another six weeks.

Inspector Brent Crowe – Road Safety Advisor/ Bay of Plenty District Police

Key Points

- 40 people had died on Bay of Plenty roads in 2019 to date
- Approximately 50% of vehicle crashes involved impairment including fatigue, distraction or alcohol consumption
- In the majority of instances Heavy Motor Vehicles (HMVs) were not at fault
- A national initiative would see an additional 30 policing staff from around the country arriving in the Bay of Plenty for the month of June 2019
- People could expect to observe a higher police presence on roads during this time and resources would be focussed on high-risk areas highlighted by emerging trends.

Key Points – Members

- Mayor Chadwick acknowledged the police and emergency services staff for their hard work over a difficult period on Bay of Plenty roads.

Cr Stuart Crosby (Chairperson) – Bay of Plenty Regional Council

Key Points

- Phase 3 of the review of the Western Bay Public Transport Blueprint network was well underway
- Dedicated school bus service was on track with Phase 1 showing success with students identifying with the same bus and driver
- Progress on the return of some Tauranga and Pāpāmoa routes had been delayed due to bus driver shortage
- Route 41 would now be reinstated on 24 June 2019 and 8 July 2019 for Pāpāmoa, a direct route would be taken in the morning and afternoon, but servicing every stop during the day
- The UFTI budget would be announced 30 May 2019.

Dan Kneebone – Port of Tauranga

Key Points

DRAFT MINUTES TO BE CONFIRMED

- First interim report of the upper North Island supply chain study had been released
- The Port supported the current competitive model
- Congestion on Totara Street and at Hewletts Road/ Totara Street intersection remained a major issue
- Continued to encourage growth in volumes on rail and via coastal shipping
- The large scale de-barker opened at Murupara meant logs would be transported without bark, reducing debris on rail and roads.

Cr Andrew Iles – Whakatāne District Council

Key Points

- Costing was being sought for a permanent compostable toilet for the swimming hole site at Waimana gorge where the next Tūhoe Ahurei would be held in 2020
- State Highway 2 Taneātua pedestrian and speed management concept options were close to being released
- LED lighting installations across the district were on track for completion by the end of June 2019.

Cr Larry Baldock – Tauranga City Council

Key Points

- Cycle Action Plan report was due to go to the Urban Form and Transport Committee in July 2019
- A well-funded communication budget was essential for effective community engagement
- Plans were being finalised for Arataki/ Bayfair interchange and the central city terminal
- Updated members on Tauranga Transport Strategic Model and Tauranga Transport Hybrid Model, due to be completed by the end of June 2019.

Cr Don Thwaites – Western Bay of Plenty District Council

Key Points

- 90% of urban growth in the Western Bay of Plenty occurred north of Wairoa bridge
- Funding models from Ministry of Transport were required to address the issues of public transport and accessibility for population growth.

Cr John Palmer – Western Bay of Plenty District Council

Key Points

- A key component of completing the Ōmokoroa to Tauranga cycleway was crossing the Wairoa bridge
- Ōmokoroa Road project was now on hold awaiting funding from NZTA.

Mayor John Forbes – Ōpōtiki District Council

Key Points

- New road development to service the harbour entrance needed to be addressed in the first part of 2020
- Street lighting on Ōpōtiki Bridge had been scheduled for repairs for seven months and was an issue for community safety.

Resolved

DRAFT MINUTES TO BE CONFIRMED

That the Regional Transport Committee:

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

**Campbell/Crosby
CARRIED**

7.2 New Zealand Transport Agency Update

PowerPoint Presentation – Reference A3241181

Ross l'Anson – Acting Director Regional Relationships and Alistair Talbot – Lead Strategic Planner presented this item.

Key Points

- Working together with Creative Tauranga on the visual aesthetics of the Baypark to Bayfair Link
- Noted Mayor Chadwick's concerns about Connect Rotorua process and would continue engagement with Rotorua Lakes Council on this
- Trying to progress work on Ngongotahā roundabout and Ngongotahā to State Highway 5
- Ōpōtiki bridge lighting issues were to be resolved
- All National Land Transport Programme (NLTP) activity classes were oversubscribed due to an overwhelming response to the GPS and Target Enhanced Financial Assistance Rate (TEFAR)
- TEFAR scope was reduced and would now only cover low cost/ low risk safety projects
- Communication was being released to each Council advising which projects had been approved and which projects were likely or unlikely to be funded in the next two years
- Highlighted areas of focus for the NLTP 2021-24
- Provided a speed management update included in a suite of safety interventions to be delivered as part of the Safe Network Programme
- Standard Safety Intervention Toolkit had been released as part of the Safe Network Programme
- Mega Maps speed management tool was to become more readily available with access requests assessed on an individual basis.

Presenters in Response to Questions

- There were more projects than available funding
- NZTA would work closely with Councils on TEFAR projects and prioritisation.

Key Points – Members

- It was challenging to identify which cycle projects would be aligned to the new requirements
- There did not appear to be any immediate benefits from the changes at Barks Corner.

Resolved

That the Regional Transport Committee:

DRAFT MINUTES TO BE CONFIRMED

1 Receives the report, New Zealand Transport Agency Update.

Iles/Chadwick
CARRIED

7.3 Urban Form and Transport Initiative Update

Robert Brodnax – Project Director for Urban Form and Transport Initiative (UFTI) provided a verbal update via Video Link, supported by David Phizacklea – Regional Development Manager.

Key Points

- Three people had been appointed to the UFTI Project Team – Robert Brodnax (Project Director), Ben Peacey (Technical Coordinator) and Janeane Joyce (Project Manager)
- Summarised the objectives and intentions the final UFTI report would provide to the Bay of Plenty region and how people and goods would be moving around now and within the next 50 years
- Current focus was on aligning evidence and information from Councils to complete the foundation report
- A co-design approach was being developed with stakeholders, where collaboration was important with both organisations and stakeholders across the wider Bay of Plenty region to ensure their engagement in the process
- Work was underway on an effective communications platform for the wider community
- More work was required around the potential of mode shift to make a difference in terms of how the transport system functioned now and in the long term
- Quick fixes and longer term solutions were being planned for pressure areas such as Hewletts Road and Totara Street
- Higher profile engagement material could be expected in the next four to six weeks.

Presenters in Response to Questions

- As part of the project, the impact of tourists flows would be considered
- Regional freight flows was a critical piece of work which included the entire Bay of Plenty region.

Resolved

That the Regional Transport Committee:

1 Receives the report, Urban Form and Transport Initiative Update.

Crosby/ Iles
CARRIED

7.4 Regional Land Transport Plan Variation - Urban Form and Transport Initiative Programme Business Case

Bron Healey – Senior Transport Planner presented this item.

DRAFT MINUTES TO BE CONFIRMED

Resolved

That the Regional Transport Committee:

- 1 **Receives the report, Regional Land Transport Plan Variation - Urban Form and Transport Initiative Programme Business Case;**
- 2 **Adds the Urban Form and Transport initiative Programme Business Case to the Bay of Plenty Regional Land Transport Plan 2018; and**
- 3 **Determines that the proposed variation is not significant for the purposes of public consultation.**

Thwaites/Nees
CARRIED

7.5 Hamilton to Auckland Corridor Partnership

*PowerPoint Presentation – Reference A3245165 and **Tabled Item 2** – Hei Awarua ki te Oranga – Reference A3245168*

David Phizacklea – Regional Development Manager introduced Mark Tamura – Waikato Regional Council who attended the meeting to present this item.

Key Points of Presentation

- Briefly covered the background and the context of the Corridor Plan
- Hamilton to Auckland Corridor was one of the most significant water, road and rail corridors in the country
- Waikato Awa had constraints including being oversubscribed, yet not over-allocated
- Major challenges were congestion, water availability and quality
- There was a strong collaborative leadership culture through Future Proof Partnership, similar to SmartGrowth
- Provided an overview of the process:
 - Collaborative but targeted
 - Accelerated
 - Evidence informed
- Detailed each of the six layers within the Statement of Shared Spatial Intent
- Objectives were effectively balanced between environmental wellbeing, community wellbeing, growth and development
- A corridor plan steering group had been created in addition to the existing structure
- Described the five parts to the Growth Management Partnership.

Presenters in Response to Questions

- Freight growth needed to be considered with passenger capabilities and what a rapid service could look like
- Low carbon planning was a key aspect of the project.

Key Points – Members

- Agreed that regional spatial planning was the way of the future.

DRAFT MINUTES TO BE CONFIRMED

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Hamilton to Auckland Corridor Partnership.

Forbes/Thwaites
CARRIED

12.05 pm - The meeting **adjourned**.

12.25 pm - The meeting **reconvened**.

7.6 Appointment of Environmental Sustainability Advisor

Bron Healey – Senior Transport Planner presented this item.

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Appointment of Environmental Sustainability Advisor;
- 2 Notes that a public process will seek nominations for candidates to fill the Environmental Sustainability Advisor role; and
- 3 Appoints the Regional Transport Committee Chair and the Regional Council's General Manager – Strategy and Science as a selection panel and delegates authority to the Chair to appoint an Environmental Sustainability advisor.

Nees/Baldock
CARRIED

7.7 Transport Planning Update

John Hutchings – HenleyHutchings attended the meeting and provided an overview of national initiatives.

Key Points

- The cost of living in large New Zealand cities was increasing compared to Australia
- Policy changes had funding implications and funding opportunities needed to be watched closely
- Identified the different initiatives and implications for the transport sector
- Highlighted the connecting themes and links back to the agenda for regional transport.

12.43 pm - Mayor Forbes **withdrew** from the meeting.

Resolved

That the Regional Transport Committee:

DRAFT MINUTES TO BE CONFIRMED

1 Receives the report, Transport Planning Update.

Crosby/Iles
CARRIED

7.8 Bay of Plenty Passenger and Freight Rail Investigation - Draft Report

PowerPoint Presentation – Reference A3247392

Janeane Joyce – Channeled Planning and Contracting attended the meeting for this item and provided an outline of the report.

Key Points of Presentation

- Outlined the two phases of the investigation and covered the work undertaken to date in Phase 1
- Recognised the input and assistance of key stakeholders
- Three Government reviews linked to rail were in progress
- Detailed future opportunities involving:
 - Partnering with Central Government
 - Developing a Rapid Transit Transition Plan for Western Bay of Plenty
 - Encouraging protection and optimisation of the Bay of Plenty rail network
 - Including all rail activities within the National Land Transport Fund / Programme
 - Defining customer values within multi-modal choices

1.00pm - Cr Thwaites **withdrew** from the meeting.

- Access to rail was important to many industries including horticulture
- It was important to discover what people valued when making decisions about transport choices.

Presenters in Response to Questions

- Rapid Transit included all modes of transport
- Clarified that the conversation around Phase 2 would be built into UFTI and other regional work.

Key Points – Members

- Noted key points in terms of freight rail and potential for passenger rail need to be read together.
- Kaimai tunnel considerations needed to be included in Regional Rail Constraints
- There was a direct Rotorua to Auckand line which could be an opportunity to have reinstated.

1.23 pm - Mayor Chadwick **withdrew** from the meeting.

Resolved

That the Regional Transport Committee:

DRAFT MINUTES TO BE CONFIRMED

- 1 **Receives the report, Bay of Plenty Passenger and Freight Rail Investigation – Draft Report;**
- 2 **Support the exploration of rapid transit through UFTI and other relevant strategies;**
- 3 **Endorses the Bay of Plenty Passenger and Freight Rail Phase 1 Investigation report, subject to any amendments arising from discussion of the item.**

**Crosby/Campbell
CARRIED**

7.9 **Review of Regional Land Transport Plan Measures and Targets**

Bron Healey – Senior Transport Planner presented this item.

1.26 pm - Dan Kneebone **withdrew** from the meeting.

Resolved

That the Regional Transport Committee:

- 1 **Receives the report, Review of Regional Land Transport Plan Measures and Targets;**
- 2 **Notes that there are several legislative and national policy development processes underway with significant implications for measures and targets in Regional Land Transport Plans;**
- 3 **Notes that staff and the Regional Advisory Group will continue to develop high level options for measures and targets for future consideration by the Committee.**

**Nees/Iles
CARRIED**

7.10 **Bay of Plenty Regional Road Safety Report**

Inspector Crowe – NZ Police responded to questions regarding this item.

In Response to Questions

- New short term resources would likely be domiciled in Rotorua and deployed using an evidence based model
- Of the four multiple fatality Bay of Plenty crashes in the year to date, only one had involved a people mover
- The infringement fee for using cell phones whilst driving was \$80 and involved no demerit points for the driver. Attaching demerits could be a catalyst for change.

Resolved

DRAFT MINUTES TO BE CONFIRMED

That the Regional Transport Committee:

- 1 Receives the report, Bay of Plenty Regional Road Safety Report.**

**Nees/Campbell
CARRIED**

The meeting closed at 1.47 p.m.

Confirmed DATE

Chairperson – Regional Transport Committee

Councillor Stuart Crosby

DRAFT MINUTES TO BE CONFIRMED

Minutes of the Eastern Bay of Plenty Joint Committee Meeting held in Mataatua Room, Bay of Plenty Regional Council, 5 Quay Street, Whakatāne on Tuesday, 4 June 2019 commencing at 1.00 p.m.

Present:

Chairman: Councillor Bill Clark (Bay of Plenty Regional Council)

Deputy Chairman: Deputy Mayor Lyn Riesterer (Opotiki District Council)

Appointees: Mayor John Forbes (Opotiki District Council), Mayor Malcolm Campbell (Kawerau District Council), Mayor Tony Bonne (Whakatāne District Council), Councillor David Sparks (Kawerau District Council), Deputy Mayor Judy Turner (Whakatāne District Council)

In Attendance: Bay of Plenty Regional Council: Chairman Doug Leeder, David Phizacklea – Regional Development Manager, Stephen Lamb – Environmental Strategy Manager, Tone Nerdrum-Smith – Committee Advisor

Whakatāne District Council (WDC): Stephanie O’Sullivan – Chief Executive

Ōpōtiki District Council (ODC): Aileen Lawrie – Chief Executive, Gerard McCormack - Planning and Regulatory Group Manager

Kawerau District Council (KDC): Russell George – Chief Executive Officer, Chris Jensen - Manager, Planning, Compliance and Capability

Others: Yvonne Parker – NZ Police, John Galbraith – Toi EDA Trustee

Apologies: Councillor Norm Bruning (Bay of Plenty Regional Council)

1 Apologies

Resolved

That the Eastern Bay of Plenty Joint Committee:

- 1 Accepts the apology from Cr Bruning (Bay of Plenty Regional Council) tendered at the meeting.

Clark/Turner
CARRIED

2 **Public Forum**

Nil

3 **Acceptance of Late Items**

Nil

4 **General Business**

Nil

5 **Confidential Business to be Transferred into the Open**

Nil

6 **Declarations of Conflicts of Interest**

Nil

7 **Previous Minutes**

7.1 **Eastern Bay of Plenty Joint Committee Minutes - 05 March 2019**

Resolved

That the Eastern Bay of Plenty Joint Committee:

- 1 Confirms the Eastern Bay of Plenty Joint Committee Minutes - 05 March 2019.**

**Campbell/Bonne
CARRIED**

Matters Arising

The following points were raised regarding the upcoming delegation to China:

- Concerned regarding a lack of representation from the wider Bay of Plenty authorities.
- Recognised the importance of the regional kiwifruit industry; education and regional development in the relationship between Bay of Plenty and China.
- Represented a development opportunity for, in particular, the Eastern Bay of Plenty.

Reports

7.2 **Next Steps for Eastern Bay - Beyond Today**

David Phizacklea – Regional Development Manager BOPRC introduced Gerard McCormack - Planning and Regulatory Group Manager ODC and Chris Jensen - Manager, Planning, Compliance and Capability KDC who presented this item.

Key Points

- Provided an outline of the report.

- Eastern Bay – Beyond Today (EB-BT) sat underneath the Bay of Plenty Spatial Plan.
- Sought input from the Committee on the future direction of EB-BT and the four options set out in the report.

In Response to Questions

- BOPRC could commit resources towards a refresh (Option 2), which, if chosen, would reduce the pressure on the already stretched district councils' staff.

Key Points – Members

- The report identified a number of challenges relating to changing demographics and projected future growth.
- An update of the EB-BT was required, however the current Provincial Growth Fund focus meant Council staff's ability to accommodate additional responsibilities was limited.
- Important that a review considered all relevant Bay of Plenty plans and strategies in conjunction as they jointly contributed to national prioritisation.
- Queried whether the current Spatial Plan adequately reflected the desired integrated approach.
- The Regional Transport Committee should provide an avenue for integrated regional thinking at a strategic level, but this was not always the case.

Resolved

That the Eastern Bay of Plenty Joint Committee:

- 1 Receives the report, Next Steps for Eastern Bay - Beyond Today.**
- 2 Agrees that a discussion of the initial draft of the refreshed document take place in December 2019 as part of the elected members' induction.**
- 3 Agrees that options to refresh information and sharpen Eastern Bay – Beyond Today be included for discussion at the first meeting of the newly established Joint Committee in 2020.**

**Riesterer/Bonne
CARRIED**

7.3 Update on Firearms Reform Programme – New Zealand Police

PowerPoint Presentation – Objective Reference A3245101

Yvonne Parker – NZ Police presented this item.

Key Points

- Outlined the current changes within NZ Police, which had resulted in a number of secondments in the region.
- There were a high number of firearms licences in the Bay of Plenty region.
- Outlined the challenges around return/surrender of firearms for owners and the Police.

Key Points – Presentation

- Firearms Reform Programme
- Why are we doing this?
- The Arms Act amendments

- Hand-in > collection > buy-back > transportation
- What the public can do right now
- What does this look like for EBOP/BOP?
- Resources available to you include:
 - [Police website](#)
 - [FAQs](#)
 - [Videos](#)
 - [Public Online Notification Form](#)

In Response to Questions

- All firearms licensees would be contacted directly by Police and social media/public notifications would be actively used to raise awareness of the programme.
- Face-to-face interaction with firearms licence applicants was a crucial aspect of licensee vetting.
- Police were increasingly encountering firearms and knives during call outs.
- Use and trade of methamphetamine had increased the risk for police and public servants accessing properties.

Key Points – Members

- Concerned regarding the overarching assumptions that those holding firearms, whether licenced or not, had access to the internet and could utilise this media for return or registering of firearms.
- Letters and telephone calls should be some of the options used to reach firearm holders.

Resolved

That the Eastern Bay of Plenty Joint Committee:

- 1 Receives the presentation, Update on Firearms Reform Programme – New Zealand Police.**

**Forbes/Campbell
CARRIED**

8 Standing Items

8.1 Toi EDA Update

PowerPoint Presentation – Objective Reference A3254921

John Galbraith – Toi EDA Trustee presented this item.

Key Points

- Toi EDA had appointed David Turner as the new Chairperson; Karl Gradon as the General Manager and Ian Morton as General Manager Operations.
- Driver and Operator Training recognised that freight movement was an integrated part of regional growth and development.
- Toi EDA worked with Toi Ohomai, AMS Group and Vertical Horizonz Ltd as training providers.
- There was a high demand for in-service training.
- Toi EDA would not be a training provider, rather it was facilitating the availability of the training through funding of facilities and pastoral care, etc.

8.2 Identification of Agenda Items for Next meeting

Items for the Next Agenda – 3 September 2019

- Housing developments
- Update from Karl and John – Toi EDA
- Treaty settlement update – invite OTS?
- Tertiary education/polytechnic update – central government intentions
- China trip update
- Three waters update.

2.30 pm – Chairman Leeder **withdrew** from the meeting (and re-entered in the Public Excluded section).

9 Public Excluded Section

Resolved

Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

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:

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
10.1 Public Excluded Eastern Bay of Plenty Joint Committee Minutes EBOPJC - 5 March 2019	Refer the relevant minutes	Good reasons for withholding exists under section 48(1)
10.2 Ōpōtiki Harbour Development Project Update, including Rock Supply	To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Good reasons for withholding exists under section 48(1)

Bonne/Campbell
CARRIED

The meeting closed at 3.05 pm

Confirmed DATE

Cr Bill Clark - Chairperson
Eastern Bay of Plenty Joint Committee

REPORT

Date : 18 July 2019
To : Ordinary Council Meeting, 4 June 2019
From : His Worship the Mayor, J H Forbes
Subject : **MAYORAL REPORT 24 MAY 2019 – 18 JULY 2019**
File ID : A171847

CONDOLENCE BOOKS FOR CHRISTCHURCH

The two Condolence Books which we were open for signature at the Council office and the Library following the Christchurch shootings were sent to Christchurch City Council on behalf of the Ōpōtiki community. Attached is a letter of appreciation received from Mayor Lianne Dalziel.

Since 24 May 2019 I have attended or met with the following:

24 MAY 2019

Regional Transport Committee meeting, Tauranga
Future Leaders meeting, Ōpōtiki

27 MAY 2019

LGNZ Policy Advisory Group meeting, Wellington

4 JUNE 2019

Eastern Bay of Plenty Joint Committee meeting, Whakatāne

5 JUNE 2019

Ōpōtiki Marine Advisory Group (OMAG) meeting
Met with MPs Kiri Allan, Tamati Coffey, Priyanca Radhakrishnan and Marja Lubeck

6-7 JUNE 2019

Rural Provincial Sector meeting, Wellington

10 JUNE 2019

Spoke to Blue Monday Group meeting, Whakatāne

11 JUNE 2019

Reserve Management Plans and Bylaws Review Workshop

Met with NZTA Acting Director Regional Relationships

13 – 22 JUNE 2019

Part of Eastern Bay of Plenty delegation to China

24 JUNE 2019

Regional Growth Leadership Group meeting, Whakatāne

25 JUNE 2019

Regional Aquaculture Organisation meeting, Tauranga

27 JUNE 2019

“Looking Ahead For Tamariki in Ōpōtiki” meeting

Ōpōtiki Community Health Trust meeting

2-3 JULY 2019

New Zealand Walking Access Commission Board meeting, Wellington

4 JULY 2019

Inspiring Stories catch up meeting

Met with Director Emergency Management Bay of Plenty

5 JULY 2019

Met with Anne Tolley MP

6 JULY 2019

Mayors Taskforce For Jobs Core Group meeting, Wellington

7-9 JULY 2019

Wellington

LGNZ Annual General Meeting

LGNZ Conference 2019

Mayors Taskforce For Jobs Annual General Meeting

11 JULY 2019

“Building a Brighter Future For Our Tamariki” meeting

ATTENDANCES WITH OR ON BEHALF OF THE MAYOR BY DEPUTY MAYOR LYN RIESTERER**27 MAY 2019**

Eastern Bay Mayors/Chair/CEs meeting, Whakatāne

4 JUNE 2019

Eastern Bay of Plenty Joint Committee meeting, Whakatāne

13 – 22 JUNE 2019

Part of Eastern Bay of Plenty delegation to China

24 JUNE 2019

Regional Growth Leadership Group meeting, Whakatāne

4 JULY 2019

Inspiring Stories catch up meeting

7-9 JULY 2019

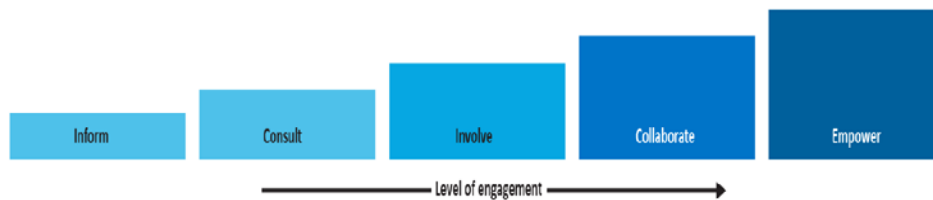
LGNZ Conference 2019, Wellington

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 24 May 2019 –18 July 2019" be received.**

John Forbes

HIS WORSHIP THE MAYOR

Office of The Mayor

20 June 2019

Mayor John Forbes
Opotiki District Council
PO Box 44
Opotiki 3162

Christchurch
City Council 

RECEIVED
- 1 JUL 2019
Opotiki District Council
RECORDS

Dear Mayor John Forbes

Please accept my sincere apologies for the delay in responding to your message and the condolence books. We have been overwhelmed by the number of messages of condolences and support, as well as the gifts, condolence books and artworks that I have received in the wake of the atrocity that struck at the heart of Christchurch's Muslim communities, in their time of prayer on March 15 this year. These messages have come from across New Zealand and from around the world, and so I have asked my office to send this reply on my behalf.

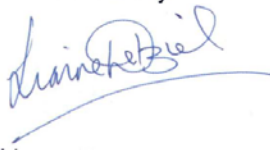
Members of our local Muslim communities have told me how uplifted they have felt as a result of the outpouring of love, compassion and kindness. And we in turn have felt inspired by the infinite capacity for forgiveness that has been expressed.

An act that was designed to divide us has united us as a city and as a nation. And the message has gone out around the world that this is how to respond to terrorism - not with retribution, but with generosity of mind and spirit, as we build bridges across cities and across the world.

We stand for human rights and, in condemning terrorism, we reject all actions that engender hatred, violence and division. We now know where that can lead.

Thank you once more for the condolence books. It has meant a lot to us at this time.

Yours sincerely



Lianne Dalziel
MAYOR

Civic Offices, 53 Hereford Street, Christchurch 8011
PO Box 73016, Christchurch 8154
Phone: 03 941 8999
www.ccc.govt.nz



REPORT

Date : 5 June 2019

To : Ordinary Council Meeting, 23 July 2019

From : Mayor John Forbes

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

File ID : A165585

EXECUTIVE SUMMARY

This report updates Council on progress advanced through the June 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). A business case for a mussel processing factory in Ōpōtiki is being prepared for submission to the Ministry of Business, Innovation and Employment.
- Aileen Lawrie and John Galbraith provided an update on the harbour development project, including harbour redesign and recosting and rock sourcing.
- Barbara MacLennan provided an update on the workforce development project. Refer to attachment one.

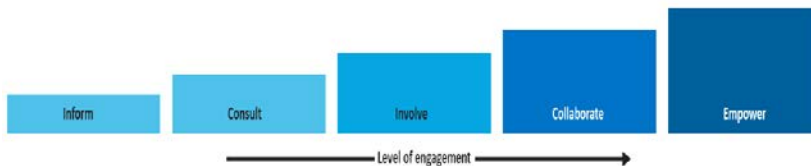
SIGNIFICANCE ASSESSMENT

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

Workforce Development Update from Barbara MacLennan, Workforce Development Manager

New "On-Ramps"

- Further investment announced for Eastern Bay of Plenty (EBOP) work-ready initiatives via Provincial Growth Fund (PGF) in April, including through Te Puna Ora o Mataatua, the School of Hard Knocks, Kawerau Pathways to Work (KDC, Tuwharetoa ki Kawerau Hauora) and Toi EDA. The initial investment in Te Kaha (total \$13m) is also workforce development focussed.
- Toi EDA's application for funding to establish a Kawerau-based EBOP driver and operator training facility, covering all classes of driving, and freight and logistics training, was approved in part (no funding was allocated for additional class 1 driving programmes).
- Te Pou Oranga o Whakatōhea in partnership with Hancocks Forestry Management, VHNZ and MSD are trialling a new programme to pathway local people into silviculture and forestry jobs.

School Facing Work

- EBOP Careers Expo held in Edgecumbe on 16 April, including a FLAG-led freight and logistics stall.
- Toi EDA distributed advance notice fliers about a new residential industry exploration programme for senior students serious about leaving school for work or study in horticulture. Programme graduates will be able to apply for scholarships, cadetships, internships and jobs with companies supporting the programme.
- Planning for a freight and logistics programme along similar lines will begin later this month.
- BOP DHB ran a Health Careers Expo in Whakatāne on 16 May.
- Two meetings have been held with EBOP and BOPRC HR managers to explore ways of highlighting local government careers and jobs to EBOP school students and their whānau. There will be a local government stand at the Canvas Careers Expo in August.
- Work is underway with NZKGI to plan the EBOP Cultivate Your Career Day for 2019. A short programme for seniors may also be arranged.

Reducing Barriers

- Class 1 driver licence tuition is now woven into all work ready programmes funded through Te Ara Mahi and He Poutama Rangatahi.
- Ōpōtiki Community Driver Mentoring Programme – Eastbay REAP has resolved the lack of driver testing facilities via a direct arrangement with VTNZ and the flow of graduates has increased steeply as a result, completing the NZTA funded programmes (75 pax) and commencing an additional four cohorts (60 pax) which are via a partnership arrangement.

Information, Labour Market Planning

- Working with Stakeholder Strategies on an information approach which will build on and update supply demand work undertaken with MartinJenkins in 2014 and 2017.
- BOP Labour Market Business Case prepared by Deloitte and sent to PGF has received a response regarding establishment of a BOP regional investment portfolio for employment.

REPORT

Date : 12 July 2019

To : Ordinary Council Meeting, 23 July.2019

From : Contract Manager for Opotiki Community Driver Mentor Programme, Barbara MacLennan

Subject : **OPOTIKI COMMUNITY DRIVER MENTOR PROGRAMME – UPDATE AND PLANS FOR 2019-2020**

File ID : A172355

EXECUTIVE SUMMARY

This report updates Council on progress with the Opotiki Community Driver Mentoring Programme, including plans for 2019-2020.

BACKGROUND

During the 2016-2017 year, Council advocated strongly to NZTA for investment in improving levels of driver licensing in the Opotiki district. NZTA approved funding towards a partnership approach with Opotiki District Council (ODC) for a driver licensing programme which assists learner drivers to gain their restricted license. Government had recently raised the requirements for this licensing step, in an endeavour to improve driving quality nationally.

In April 2017, ODC contracted Eastbay REAP to implement the Opotiki Community Driver Mentoring Programme (OCDMP) with the goal of supporting 75 young people to achieve their restricted licences. ODC also enlisted the support of Bay of Plenty Regional Council (BOPRC) to contribute two vehicles to the programme.

In October 2018 we reported to Council that new partnership arrangements were in place between ODC, Eastbay REAP, Toi EDA and the Eastern Bay of Plenty Road Safety Committee to fund four further cohorts beyond completion of the original five, funded by NZTA.

PROGRESS TO DATE

By May 2019 Eastbay REAP had successfully supported the NZTA funded Cohorts and 75 more locals, the vast majority being under 25 years, had achieved their Restricted Licence. A Report is attached to round off that Partnering Agreement.

Cohort Six was also completed, bringing the total to 90, and Cohort Seven was well underway by June 30 2019. Due to Cohort Seven not being fully complete by June 30, Whakatāne District Council indicated that the Road Safety Committee funding commitment was withdrawn, and Toi EDA stepped in to fund Cohort Seven. Assurance has been received that the Road Safety Committee will honour its commitment to at least the original level committed, during the 2019-2020 year. Eastbay REAP awaits the contract associated with this.

We were also delighted that Bay of Plenty Regional Council agreed to extend the lease of ex-fleet cars for the programme into the 2019-2020 year, and add a third car in support of the Community Driver Mentoring Programme.

PLANS GOING FORWARD

Once the Road Safety Committee's commitments via WDC are finalised, partners will meet to discuss plans beyond late 2019.

Two emerging opportunities are to now follow up with drivers who graduated from OCDMP and can move to Full Class 1 licences, and to work with management at Ōpōtiki College who are keen to integrate more Driver Licensing focus into school programmes.

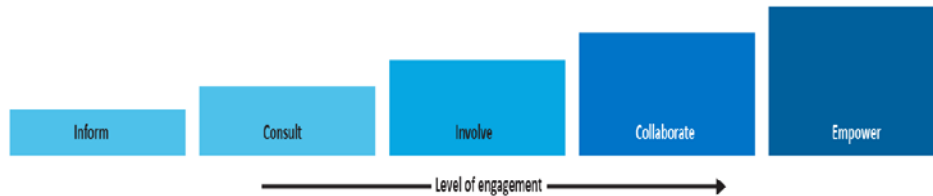
SIGNIFICANCE ASSESSMENT

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 report on the Ōpōtiki Community Driver Mentor Programme 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 report on the Ōpōtiki Community Driver Mentor Programme 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.



CONSIDERATIONS

Financial/budget considerations

Ōpōtiki District Council's contribution to enable the \$100,000 investment during 2018-2019 is in-kind, including contract management and reporting, financial management and accounting, communications and liaison.

Policy/Planning Considerations

The Ōpōtiki District 2018-2028 Long Term Plan notes that ODC is a partner in, and underwrote the development of, the Pathways to Work programme to provide pathways into training and jobs. The OCDMP aligns with the Pathways to Work programme by removing not having a driver licence as a barrier to seeking and taking up employment. As stated in NZTA's Community Driver Mentor Programme Development Guide, the programme "...opens the doors to further education, training and employment opportunities."

RECOMMENDATIONS:

- 1. That the report titled "Ōpōtiki Community Driver Mentor Programme – Update and Plans For 2018-2019" be received.**
- 2. That the support and involvement of the Eastern Bay of Plenty Road Safety Committee, Toi-EDA, and Bay of Plenty Regional Council in enabling the Ōpōtiki Community Driver Mentor Programme to continue their support be acknowledged.**

Barbara MacLennan

CONTRACT MANAGER FOR ŌPŌTIKI COMMUNITY DRIVER MENTOR PROGRAMME

REPORT

Date : 5 July 2019
To : Ordinary Council Meeting, 23 July 2019
From : Finance, Systems and Property Group Manager, Michael Homan
Subject : **2019 PRE-ELECTION REPORT**
File ID : A171718

EXECUTIVE SUMMARY

Under section 99A of the Local Government Act 2002 the Chief Executive of a Local Authority must prepare a Pre-Election Report no later than the day that is two weeks before the nomination day for a triennial general election of members of a local authority under the Local Electoral Act 2001 (being 2 August 2019).

PURPOSE

To brief Council of the Chief Executive's intention to publish a Pre-Election Report (PER) by 2 August 2019 as per Section 99A of the Local Government Act 2002 (LGA 2002).

BACKGROUND

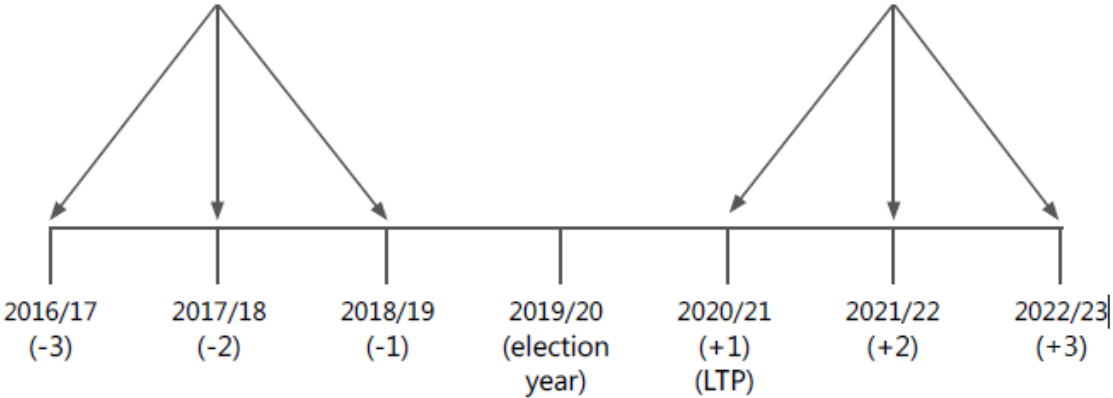
The Local Government Act 2002 (LGA 2002) requires the Chief Executive to prepare a PER no later than the day that is two weeks before the nomination day for a triennial general election of members of a local authority under the Local Electoral Act 2001.

The purpose of a PER is to provide information about the local authority in the lead up to the local government election on 12 October 2019 and to promote public discussion about the issues facing a local authority. It also reports on Council's performance against the adopted Financial Strategy as well as the forecast financial position for the incoming Council. In effect, it is an update of the medium term forecasts contained within the 2018-2028 Long Term Plan as well as a summary of performance over the last three years.

In addition to the following mandatory information that must be included, a PER should also restate a summary of the Ōpōtiki District Council strategic direction as provided for by the 2018-2028 Long Term Plan.

Mandatory Contents of a Pre-Election Report:

Retrospective information	Prospective information
<ul style="list-style-type: none"> • funding impact statements for election year -3 and election year -2 (from the annual reports) and either an estimated FIS for election year -1 or the FIS from the annual report for that year • summary balance sheets for election year -3 and election year -2 (from the annual plan) and either an estimate FIS for election year -1 or data from the annual plan for that year • a report on compliance with the financial strategy • a report comparing the actual and target returns on investments 	<ul style="list-style-type: none"> • funding impact statements for election year +1, election year +2, and election year +3 (from the LTP) • summary balance sheets for election year +1, election year +2, and election year +3 (from the LTP) • major projects for the election year +1, election year +2, and election +3 (no source legislatively specified but in most instances will be the LTP)



PER DEVELOPMENT PROCESS

The PER is an a-political document. The Council does not have to formally adopt it before it can be published, as a matter of law only the Chief Executive’s approval is necessary. Having said that, the Chief Executive is an employee of the Council, and as such is responsible for the performance of her duties including the preparation of a PER. Further to that, the Chief Executive is of the view that the ‘no surprises’ approach to the Governance/Management relationship is paramount and just as relevant to the PER as to any other aspect of Council business.

For that reason a copy of the 2019 Pre-Election report has been circulated to councillors with this agenda prior to the documents publication on or before 2 August 2019.

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 2019 Pre-Election 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 2019 Pre-Election 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.



COMMUNITY INPUT AND PUBLICITY

The LGA requires that the PER be prepared and “published” – a slightly different wording from that which applies to other accountability documents such as the Long Term Plan, Annual Plan and Annual Report (these must be “made publicly available”).

In accordance with the requirement to ‘publish’ it is intended that the 2019 Pre-Election Report be distributed as below:

- An electronic (and readily downloadable and printable) copy of the PER on Council’s website
- A small number of hard copies for placement in normal places of distribution (library, front counters etc.)
- Public notice that the PER is available through the local news papers
- A media release describing the PER and that it is available and how the community can obtain a copy.

OPTIONS

Nil. By law the Chief Executive must prepare and publish a PER prior to the triennial general election.

RECOMMENDATION:

- 1. That the report titled "2019 Pre-Election Report" be received.**

Michael Homan

FINANCE, SYSTEMS AND PROPERTY GROUP MANAGER

REPORT

Date : 9 July 2019

To : Ordinary Council Meeting, 23 July 2019

From : Corporate Planner and Executive Officer, Sarah Jones

Subject : **CLIMATE CHANGE UPDATE AND STOCKTAKE**

File ID : A172217

EXECUTIVE SUMMARY

This report provides an update on the emerging information on the impacts of climate change. Whilst we have some understanding of how these impacts will affect our community, more information is being produced and given the uncertainties around climate change, this information is expected to evolve and change over time. Although at present there is no specific plan or place where the Council's position or response to climate change is documented, many of the decisions that Council staff make on a day to day basis, are inherently influenced by what we know about climate change and its likely impacts on our community. This report documents these activities.

PURPOSE

This report seeks to update Council on the emerging information around climate change and its impacts. The report provides an update on national and regional responses to climate change and provides a summary of work the Council is currently doing directly, or indirectly, in response to climate change and its impacts.

BACKGROUND

International and national information on climate change and its impacts

The scientific consensus on human-caused climate change is widely agreed. Evidence is widespread and we are already seeing effects of climate change within our region, including sea level rise and flooding impacts. There is general agreement that these impacts are expected to get more serious

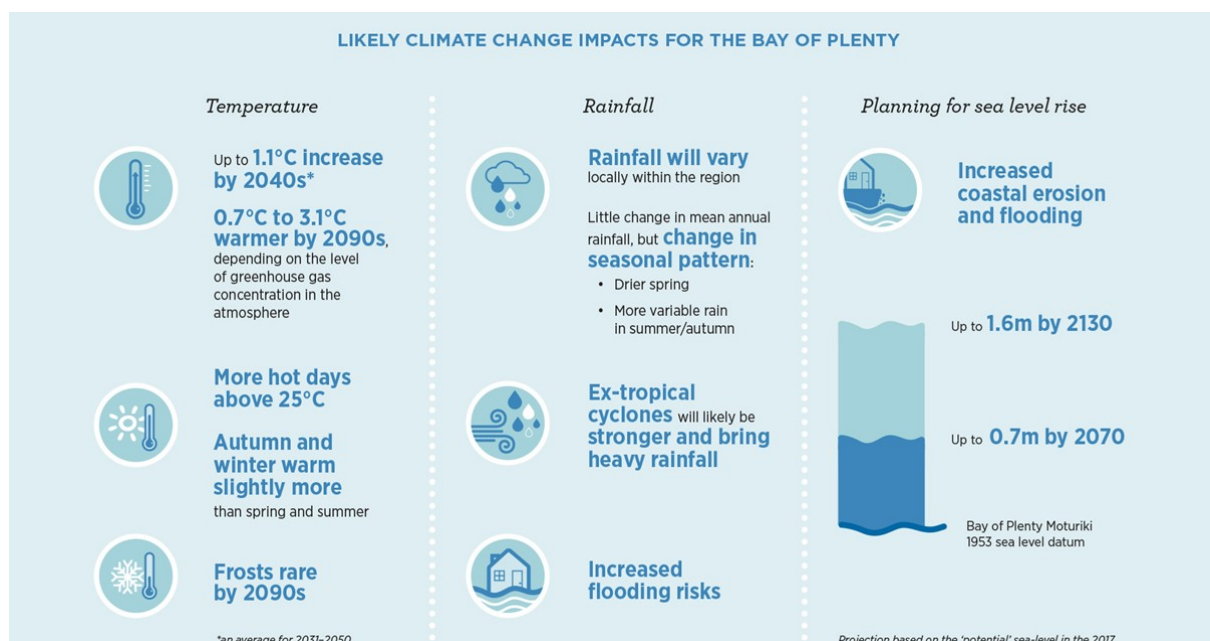
over time, with international research and reports shifting primarily towards better understanding the pace and patterns of change and impacts.

The severity of climate change impacts will depend in large part on global greenhouse gas (GHG) emissions in the future. However, while the risks increase if global GHG emissions remain high, a certain amount of damage is already “locked in”. Globally, climate change will lead to greater weather extremes – extreme rainfall, storms and heatwaves. The International Panel on Climate Change noted that, “[i]n recent decades, changes in climate have caused impacts on natural and human systems on all continents”, and that “impacts from recent climate-related extremes, such as heat waves, droughts, floods, cyclones and wildfires, reveal significant vulnerability and exposure of some ecosystems and many human systems to current climate variability” (IPCC, Climate Change 2014 Synthesis Report, 2014).

The impacts of climate change on New Zealand will be significant, with more frequent and extreme storms, cyclones and rainfall events resulting in more (and more frequent) flooding around the country.

Climate change in the Bay of Plenty region:

Information published by the Ministry for the Environment (MfE) summarises the likely impacts of climate change within the region as follows:



(Information provided by MfE and summarised on the BOPRC website <https://www.boprc.govt.nz/environment/climate-change/how-it-affects-us/>)

Information provided by MfE suggests that such changes are likely to present the following challenges in our region:

- Heavy rain – The capacity of stormwater systems may be exceeded more frequently due to heavy rainfall events which could lead to surface flooding. River flooding and hill country erosion events may also become more frequent. While there is large natural variability in extreme rainfall frequency in the Bay of Plenty from year to year and decade to decade there will be an increase in the intensity of events which will:
 - raise the flood risk to floodplains
 - decrease flood protection service levels.

The extreme rainfall events will increase erosion, increase catchment run-off and lead to an increase in sediment transport to harbours, estuaries and river mouths.

- Coastal hazards – Coastal roads and infrastructure will face increased risk from coastal erosion and inundation, increased storminess and sea-level rise.
- Drought – By 2090, the time spent in drought ranges from minimal change through to more than double depending on the climate model and emissions scenario considered. More frequent droughts are likely to lead to water shortages, increased demand for irrigation and increased risk of wild fires. Droughts are likely to increase in both intensity and duration.
- Agriculture – Warmer temperatures, a longer growing season and fewer frosts could provide opportunities to grow new crops. Farmers might also benefit from faster growth of pasture and better crop-growing conditions. However, these benefits may be limited by negative effects of climate change such as prolonged drought and greater frequency and intensity of storms. Warmer winters could affect kiwifruit production, making some varieties uneconomic in warmer parts of the region.
- Biosecurity – Warmer, wetter conditions could increase the risk of invasive pests and weeds.
- Disease – There may be an increase in the occurrence of summer water-borne and food-borne diseases, such as Salmonella. There could also be an increased risk from some vector-borne diseases such as Dengue Fever and Ross River Virus (downloaded from <https://www.mfe.govt.nz/climate-change/likely-impacts-of-climate-change/how-could-climate-change-affect-my-region/bay-of-16/07/2019>).

Existing and emerging evidence on impacts

More research is underway both at the national and regional level. The Government is in the process of producing New Zealand's first National Climate Change Risk Assessment through the soon to be

appointed Climate Change Commission. Additionally, the Government has committed approximately \$100 million over 10 years on research and projects relating to adapting to climate change (MfE website, 11/07/2019).

Similarly, BOPRC has commissioned or is in the process of producing detailed information that will help us understand the impacts of climate change in our district. In particular, the following information is expected:

- An updated Climate Change Assessment for the Bay of Plenty' December 2011 prepared by NIWA on behalf of Bay of Plenty Regional Council currently in the process of being updated. Due to be released September 2019
- Staff also understand that the Regional Council is currently carrying out a study that looks at the resilience of existing flood defences in the Ōpōtiki District and how they might be affected by sea level rise. This information is expected in 2021. Understanding the resilience of our existing flood defences is critical in assessing and responding to risk.

DISCUSSION

National, regional and local responses to climate change

The context for Council considering climate change continues to rapidly change, including the recent release of the Carbon Response (Zero Carbon) Amendment Act, declarations of a 'climate emergency' by the Bay of Plenty Regional Council, Environment Canterbury and Nelson City Council, school climate strikes and an increasing number of media releases and business forums around climate change.

The Local Government sector too, has recently been looking at responses to climate change – and commitments have been made to engage in action planning across local government. In 2017, a number of Local Authorities signed the Local Government New Zealand 'Local Government Leaders' Climate Change Declaration'. One of the key commitments included within the declaration is the requirements to develop "ambitious action plans that reduce greenhouse gas emissions and support resilience within our own councils and for our local communities". Ōpōtiki District Council has not signed this declaration due to uncertainty about what the declaration would require, how the Council would resource those requirements and what the community's views on this would be.

ODC response to climate change

Although the Council has not "declared" a position in respect to climate change, climate change is considered in much of the work carried out by Council. Although at present, there is no specific plan or place where the Council's position or response to climate change is documented, many of the

decisions that Council staff make on a day to day basis, are inherently influenced by what we know about climate change and its likely impacts on our community.

Climate change features in both the Planning Assumptions and Community Outcomes listed in the Long Term Plan 2018-2028 (LTP) – the key document that provides strategic direction on all Council activities.

The assumptions around climate change are summarised in the LTP as follows: “Climate change will affect the District over the medium to long term and that government continues its progress towards an emissions trading scheme but at a slower rate and with less impact than had previously been forecast” (pg. 29-30). The assumption also explains how the climate change is expected to affect Council functions. The assumptions set out in this section of the LTP, underpin all subsequent sections of the LTP and ensures that what we know about climate change filters into all decisions made about the future work programmes and levels of service provided by Council.

More detail on the Council’s understanding of the impacts of climate change, particularly in respect of its assets, is provided in the Infrastructure Strategy that supports the LTP. In this strategy, one of the key strategic issues is noted as: ‘Response to natural hazards including addressing climate change’. Under this heading detailed information is provided about what we understood, at the time of writing, about the impacts of climate change on our communities (for more detail see appendix A). These impacts are taken into consideration in planning for our infrastructure. More detail is provided in Appendix B, but the key component is ensuring that climate change effects are built into the design of new assets and replacement of existing assets.

Aside from this obvious response, there are a number of other ways in which the Council responds to climate change. These include ‘deliberate’ activities, where climate change is the specific focus of the work (for example provisions within the District Plan that specific address climate change) as well as activities that were not undertaken expressly for the purpose of climate change adaption or mitigation, but have an associated climate change impact. Council staff have conducted a stocktake of all such activities to provide an inventory of all climate change related work undertaken by the Council. This stocktake is attached at appendix B and is broken down into four key areas as follows:

1. Considering climate change when we conduct out business.
2. Considering climate change in the management of our assets.
3. Providing information and support to our communities on climate change.
4. Engaging regionally and nationally on climate change.

The table also provides information around whether the activities are historic or current, and whether they are complete or ongoing, and also makes a distinction between whether the activity is either a form of adaptation or mitigation.

Future commitments

There are a wide range of ways the Council could respond to climate change and whatever course of action the Council chooses to take will have significant implications for our communities. When looking around the country, there is much variation in how Councils are choosing to respond to climate change. Even amongst those who have signed the LGNZ Declaration, the way the commitment is being interpreted varied, and generally, most Councils remain in the early stages of developing their action plans and responses.

As is described above, the evidence and research emerging in relation to the impact of climate change is ever changing and even at a national level, the situation remains uncertain. As was set out in the recent report from the Productivity Commission in respect of its inquiry into Local Government Funding and Financing: "Even with the best available science, deep uncertainties exist about the course of climate change and the damage it will cause.... Embarking on a specific adaptation plan that appears to be optimal given current knowledge may turn out to be unwise in the light of new information that becomes available a few years down the track – adaptation too early or late can be costly" (pg. 217). A clear recommendation from that recent report is that central Government should "take the lead on providing high-quality and consistent science and data, standard setting and legal and decision making guidance" noting that it would be costly and would risk inconsistency and inequity for Councils to expend resources on these individually.

Any future commitments the Council chooses to make in response to climate change need to be based on a thorough understanding of the impacts, risks, and uncertainties. This understanding is critical to ensure appropriate action and avoidance of ad hoc responses to climate related events. Whilst we have a basic understanding of the impacts, more information is expected in the short term, both at a national and regional level, but given the uncertainties around climate change, this information is expected to evolve and change.

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 Climate Change Update and Stocktake 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 Climate Change Update and Stocktake 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.



CONCLUSION

The impacts of climate change are already being noted in our region, and evidence suggests that these impacts will get more significant over time. Whilst we have some understanding of how these impacts will affect our community, more information is being produced and given the uncertainties around climate change, this information is expected to evolve and change over time. Although at present, there is no specific plan or place where the Council’s position or response to climate change is documented, many of the decisions that Council staff make on a day to day basis, are inherently influenced by what we know about climate change and its likely impacts on our community. This report documents these activities. Any future commitments the Council chooses to make in response to climate change need to be based on a thorough understanding of the impacts, risks, and uncertainties. This understanding is critical to ensure appropriate action and avoidance of ad hoc responses to climate related events.

RECOMMENDATION:

- 1. That the report titled "Climate Change Update and Stocktake" be received.**

Sarah Jones

CORPORATE PLANNER AND EXECUTIVE OFFICER

**Appendix A: Extract from the Infrastructure Strategy supporting the 2018-2028 Long Term Plan
– Key Strategic Issue 1: Climate Change**

Scientists say there is no longer any doubt that the Earth's climate is warming. Despite the cooling effects of a strong La Niña, 2011 was globally the ninth warmest year since 1880, reinforcing a trend which shows that nine of the 10 warmest years on modern record happened after 2000.

The region will get roughly the same average annual rainfall in 2090 as it does now, but rain may fall at different times. For instance, winters are expected to get drier as the century unfolds while on the other hand, summer rainfall is projected to increase and to become heavier.

Current predictions for sea-level rise are between 50 centimetres and 80 centimetres by the 2090s. For planning purposes, the Bay of Plenty Regional Policy Statement 2014 (NH 11B and IR 2B) uses 0.9m with an additional 0.1m for each decade after 2112.

For the Ōpōtiki Township storms and floods have been a major concern going back to its founding. Numerous events have occurred over the decades with stop banks completed in 1967 to protect the town from high river levels.

The Ōpōtiki Township is located between the Otara and Waioeka Rivers. Ground level lies between 2m and 5m above mean sea level sloping west to east and south to north at relatively low relief. The location of the Township and low ground level alongside the onset of climate change raise several issues due consideration within this strategy.

More intense storms will increase the volumes of rainfall across the urban catchment exacerbated by more frequent storms which saturate the soil resulting in more runoff and greater volumes of overland flow.

The encirclement of the Township by the Otara and Waioeka rivers on the eastern, western and northern sides results in the bounding of stormwater runoff within the Township. While it is possible for gravity outflow of these stormwater volumes, when storms are severe, gravity outlets are commonly closed due to high river levels.

To further aggravate the situation rising sea levels will also contribute to elevated ground water levels, further reducing the capacity of soils to absorb rainfall. Concurrently the low ground water levels at the northern and western edges of the Township will be marginalised as the ground becomes increasingly

saturated. Though these outcomes are not expected to materialise till well beyond the term of this strategy, the lives of new and renewed infrastructure could be cut short if not properly planned for well in advance. Furthermore the likelihood of an extreme event is ever increasing and upgrade of stormwater infrastructure is critical.

Outside the Township rising sea levels and increasingly frequent and intense storms are likely to contribute to coastal erosion, landslides and stormwater surges. With the exception of existing water supply reticulation in the Ōhiwa area, which is very limited, Council infrastructure along the coast is generally elevated above the areas that would experience adverse effects from the sea. Consideration is however due for Councils roading networks, primarily due to their vulnerability to landslides and river levels which cause washouts and slips. While these effects are common and often unavoidable, ongoing programmes of inspection and risk assessment can minimise their consequences. (pg. 182-183 of the Ōpōtiki District Council, 2018-2028 Long Term Plan).

Appendix B: Climate Change Stocktake

	Initiative/activity	Detail/impact on climate change	Mitigation or Adaptation*	Current/Historic	Timeframe
	Considering climate change when we conduct our business				
1	Zero waste initiative	Council has been committed to zero waste initiative since 1998, actively encouraging 'reduce, reuse or recycle' through education and the way we provide services. Reduce and reuse are emphasised as they reduce waste to landfill as well as minimise carbon emissions from the production and recycling of materials.	Mitigation	Current	Ongoing
2	Reductions to emissions from corporate travel	Online vehicle booking system enables staff to see all car bookings allowing them to check whether a car is booked to the same location on the same date to check whether a separate booking is necessary.	Mitigation	Current	Ongoing
3	Investment in teleconferencing equipment to reduce the need for corporate travel	Council purchased teleconferencing equipment in 2014 which has been used extensively for 6 weekly meetings over the course of the harbour project with representatives from across the country. This initiative has reduced the need for corporate travel both inside and outside of the organisation.	Mitigation	Current	Ongoing
4	Encouraging remote communication to avoid the need for corporate travel	Encouraging other organisations to provide remote conferencing facilities in order to avoid staff travel.	Mitigation	Current	Ongoing
5	Natural hazard research	Commissioning natural hazard research, for example, impacts of flooding and inundation in the Opōtiki township	Adaptation	Both	Ongoing
6	Input and support to other climate change and natural hazard research	Providing input of information (eg, infrastructure information etc) into national/regional studies to assist understanding of impacts	Both	Current	Ongoing
7	Incorporate national and regional climate change policy into planning documents	NZCPS requires coastal hazard assessment to consider a timeframe of at least 100 years and includes projected climate change impacts. RPS requires the effects of climate change to be taken into account in natural hazard risk assessment.	Adaptation	Current	Ongoing

		RCEP uses the sea level rise projections included in the RPS. The RCEP influences land-use planning in the coastal environment and includes direction on use of hard protection structures			
8	Addressing climate change through district plan controls	Various triggers in District Plan to ensure effects of natural hazards are considered in design and development. These include identification of areas susceptible to natural hazards (Area Sensitive to Coastal Hazards line), floor level requirements, traffic and asset management considerations, and urban design – directing residential intensification to urban areas. Triggering these rules requires detailed consideration to be given to the effects of natural hazards through a hazards assessment.	Both	Current	Ongoing
9	Commitment to address climate change through future plan change to district plan	Future plan change commitment listed in Natural Hazards section of the District Plan which will give effect to the risk based approach promoted in the Regional Policy Statement	Adaptation	Future	Three years from date of notification of decisions
10	Addressing climate change through strategic planning documents – planning assumption	Climate change listed as a Planning Assumption, the details of which filter through into all subsequent sections of the LTP.	Both	Current	Ongoing
11	Addressing climate change through strategic planning documents – Infrastructure Strategy	Climate Change is listed as a Key Strategic Issue in the Infrastructure Strategy (see appendix A). This provides direct influence over how we manage our assets (see detail under item 16 below).	Both	Current	Ongoing
12	Providing advocacy and financial assistance in order to retain government functions locally reducing the need for residents to travel	Council regularly acts as an advocate for retention of local services when government and other national organisations are considering exiting the district. Recent examples include the police, ANZ. Additionally, Council provides financial assistance in some instances to retain local services, for example, driver licensing service.	Mitigation	Current	Ongoing
13	Training staff in multiple roles to provide increased efficiency	Staff servicing more remote parts of our district (for example Te Kaha) are trained in order to allow them to carry out multiple functions and servicing, reducing demand for travel.	Mitigation	Current	Ongoing

14	Considering sustainability when assessing tender applications	Although not a formal requirement, staff reported giving consideration to sustainability credentials of contractors when considering tenders (where possible)	Both	Current	Ongoing
15	Use of sustainable management practice in parks maintenance	Seeking to reduce reliance on chemicals for maintenance of parks and gardens, and promoting other management techniques where possible and appropriate.	Mitigation	Current	Ongoing
Considering climate change in the management of our assets					
16	Considering climate change effects when managing our infrastructure	<p>The Infrastructure Strategy directs management of assets as follows:</p> <ul style="list-style-type: none"> • Encourage growth in areas that are less susceptible to impacts of climate change (e.g. Hukituia) • Assets design – Latest climate change parameters factored into design of all assets eg bridge height, pipe size, etc • Large stormwater detention basins are budgeted for in the LTP and are in the planning stages for implementation. Intended to provide short term large scale storage of stormwater to reduce flood peaks, and also provides for treatment. • Optimise infrastructure renewals and upgrades to improve power, production and operational efficiency • Improve resilience and performance of infrastructure to address climate change impacts 	Both	Current	Ongoing
17	Zero waste – in house recycling	Recycling service provided in council offices	Mitigation	Current	Ongoing
18	Fleet management – commitment to Co2 reduction and sustainability	Fleet Management Policy seeks to “Reduce Co2” emissions and contains detailed criteria to be considered around sustainability and measures to reduce and offset carbon footprint	Mitigation	Current	Ongoing

19	Energy efficient street lighting	All street lights (aside from veranda lighting) are LED providing an 80% energy saving. Automated remote management system allows more advanced control (timing and dimming etc)	Mitigation	Current	Ongoing
20	Energy efficient variable speed drivers of all water pumps	Aligns the speed of the pump to increases and decreases in demand. Saves energy and lengthens life of asset.	Mitigation	Current	Ongoing
21	Staff proactively managing energy consumption in offices	Staff reported implementing a number of processes designed to reduce energy consumption. (e.g. Use of LED lightbulbs, switching lights/computers off or to standby when not in use, end of day checks of heat pumps. etc)	Mitigation	Current	Ongoing
22	Discouraging waste within council	Some teams in the Council have proactively moved to paperless systems reducing waste, saving on printing, paper and postage costs, also reducing the need for storage and associated heating costs.	Mitigation	Current	Ongoing
23	Considering carbon reductions when managing parks and streetscape	Considering use of species that offer greatest carbon reductions. Repurposing grazed areas to native bush where appropriate. Promoting use of native species.	Mitigation	Current	Ongoing
Providing information and support to our communities on climate change					
24	Provide advice to third parties	Engineering and planning advice provided through LIMS, PIMS, BC and RC process on properties prone to flooding or at risk of sea level rise.	Adaptation	Current	Ongoing
25	Support increased residential energy efficiency	Promotion of the national Energy-wise Warmer Kiwi Homes Programme – insulation, efficient heat pumps, wood burners and pellet burners reducing electricity demand	Mitigation	Current	Ongoing
26	Preparation for future extreme climate events	Active participation and commitment to Civil Defence and Emergency Management. 85% of staff trained to CIMS4. Ability to provide a local EOC if required. Provide education and information in the community to build resilience (Marae preparedness, schools)	Adaptation	Current	Ongoing
27	Local politicians provide leadership on climate change	Elected members actively support and encourage local, regional and national forums to consider climate change.	Both	Current	Ongoing

28	Staff provide leadership on climate change	Staff actively participate in local, regional and national forums on climate change such as Collaboration Bay of Plenty and Bay of Connections	Both	Current	Ongoing
29	Support for community initiatives that have an impact on climate change	Funding provided through Coast Initiatives Fund to events like the Red Tide Summit in Te Kaha in 2018.	Both	Current	Ongoing
30	Providing information and educational opportunities associated with climate change	Annual workshops in schools on waste reduction/worm farms	Adaptation	Current	Ongoing
31	Sand dune restoration and maintenance	Support the work of Coast Care to strengthen and fortify dunes which also provides some buffer protection from sea-level rise and storm events.	Adaptation	Current	Ongoing
32	Promoting carbon reductions through installation of electric car charging points	In conjunction with Horizon Energy installation of two electric car charging points have been installed in the district, one at the i-site in Ōpōtiki and one in Te Kaha.	Mitigation	Historic	December 2017
Engaging regionally and nationally on climate change					
33	Active participation and collaboration with other councils at a regional scale to improve practice	Looking at options to better manage waste. Staff recently suggested regional collaboration of a plastic recycling factory. Also suggested collective procurement of solar panels for publically owned buildings.	Mitigation	Current	Ongoing
34	Provide input into development of national and regional direction around climate change	Provide feedback and submission to national and regional bodies developing policy and guidance on climate change to ensure the impacts and implications on our communities are understood (eg. Submission on BOPRC annual plan, and submission to Productivity Commission on the Funding and Financing Review).	Both	Current	Ongoing

* Mitigation: reducing greenhouse gases in the atmosphere; and adaptation: responding to the changes we are already seeing and will continue to encounter, even with a global reduction in future emissions.

REPORT

Date : 11 July 2019
To : Ordinary Council Meeting, 23 July 2019
From : Reserves Manager, Garry Page
Subject : **ROSE GARDENS RESERVE DEVELOPMENT**
File ID : A172215

EXECUTIVE SUMMARY

To update Council on progress to date and changes to future planned works as a result of Opotiki District Council being unsuccessful in its approach to the Tourism Infrastructure Fund for funding assistance regarding the Rose Gardens Reserve development.

PURPOSE

The purpose of this report is to seek Council support to staff amending the works programme that was outlined to Council in December 2018 to a staged approach that better reflects the current budget and any future external funding that may become available.

BACKGROUND

At the ordinary meeting of Council on 18 December 2018 Council received a power point presentation from the Reserves Manager which covered the following points regarding the development of the Rose Gardens Reserve:

Design Motives

Site Analysis Plan

Landscape Concept Plan

Community Consultation Outcomes

A copy of the Landscape Development Design prepared by Boffa Miskell was also tabled at that meeting.

It was stated that funding already included in the Long Term Plan (\$255,000) would be bolstered by external funding. The development plan as presented, in its entirety was costed at \$1.26m.

Council were supportive of the options presented and agreed to the ongoing development of the Rose Garden Reserve.

Preliminary work at the Rose Gardens has commenced and to date has covered the decommissioning and removal of a number of structures including fencing and a pergola. Discussions with the relevant parties regarding the relocation of the rose plants to the bridge street reserve is also underway.

DISCUSSION AND OPTIONS SECTIONS

The infrastructure component budget for this project totalled \$621,159. This covered the construction of toilets, hard surfaces and the provision of services such as power, water and sewage. An application to the Tourism Infrastructure Fund for \$434,811 was submitted for a portion of that cost.

Unfortunately Council was informed on 26 June 2019 that this application had been unsuccessful (refer attachment below).

Other potential sources of funding are now being investigated.

In light of missing the Tourism Infrastructure Funding Council Officers have reviewed the plan as presented in December 2018 and amended the construction programme to what now can be completed within the current funding allocation. Savings have been made by putting on hold or reducing the works with the following items identified in the table below.

Table: Rose Gardens Reserve Upgrade Amended Budget

Item	Original Budget \$(000's)	Deferred Spending \$(000's)	Amended Working Budget \$(000's)	Comment
Professional Fees	100	75	25	Reduced scope
Site clearance & demolition	20	0	20	Still required
Services	40	26	14	Only keeping stormwater & ground drainage
Paving, hard surfacing & edging	127	21	106	Slightly reduced area
Hub	74	74	0	Deferred until funding identified
Toilets	150	150	0	Deferred until funding identified
Splashpad	150	150	0	Deferred until funding identified
Play equipment	154	139	15	Tidy up existing with any new deferred until additional funding identified
Gardens, planting	88	63	25	Reduced scale and some funded from operating budget
Fencing	13	3	10	Not upgrading pre-school fence
Lawns	6	+9	15	Lawns over deferred areas
Outdoor furniture	50	25	25	Reduced scope
Cultural Elements	40	40	0	Deferred until funding identified
Contingency	253	253	0	Incorporated in items amended budget lines
TOTAL	1266	1011	255	

It is therefore recommended that the items identified in the above table are completed within the current budget. Future implementation of the deferred items can occur as and when any new funding source has been secured and can be revisited as part of future LTP planning in accordance with the final adopted Reserve Management Plan.

The work planned will not only enhance the Reserve but will also be carried out with a view to possible future development.

The full development plan for the Rose Gardens will now form part of the Reserve Management Plan process that is underway and should other funding sources be identified or grant monies become available then further work as per a final adopted Reserve Management Plan can be completed over time.

Council does of course have the option of continuing with the full plan now however that would require a significant change to the Long Term Plan (LTP) as no monies beyond the carry forward figure of \$255,000 in the 2019/2020 Annual Plan have been allocated or obtained for this project.

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 in this case 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.



CONSIDERATIONS

Financial/budget considerations

No external funding to date has been obtained for this development.

The Long Term Plan and the 2019/2020 Annual Plan makes allowance for a Council contribution of \$255,000 towards this Reserve.

This leaves a shortfall of \$1m.

Should Council consider the completion of this project in full without the comfort or certainty of external funding then staff will need to report back to Council on the funding implications of doing so.

Council can however proceed with the work as per the preceding '*Table: Rose Gardens Reserve Upgrade Amended Budget*' as funding is available within existing budgets. Any other minor improvements can be carried out in addition to this work through Councils ongoing reserves development budget should they be necessary.

Items not completed will be prioritised by staff and form part of future Long Term Planning considerations by Council. Should external funding for the Rose Gardens be obtained in the meantime then those monies will be used as per the criteria of the grant application and in accordance with Council priorities for this Reserve.

Policy and planning implications

Council is required to have an operative Reserve Management Plan in place for each Reserve under its jurisdiction which covers the use of the reserve along with any proposed development. The community is fully consulted during the preparation of Reserve Management Plans.

By keeping within the existing Annual Plan budget for 2019/2020 and incorporating the overall development plan in to the Reserve Management Plan process for this Reserve then Council will be meeting its legislative requirements under the Reserves Act 1977.

RECOMMENDATIONS:

- 1. That the report titled "Rose Gardens Reserve Development" be received.**

2. **That Council approve the changes to the work programme that was presented on 18 December 2018 to a staged approach that reflects the 2019/2020 Annual Plan and funding that is available.**
3. **That the long term development of the Rose Gardens will now form part of the Reserve Management Plan process currently underway.**

Garry Page

RESERVES MANAGER



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
HĪKINA WHAKATUTUKI



25 June 2019

Garry Page
Reserves Manager
Opotiki District Council

Email: GarryP@odc.govt.nz

Dear Mr Page

FUND: Tourism Infrastructure Fund
ORGANISATION: Opotiki District Council
PROJECT: Opotiki Rose Garden Reserve Development

Thank you for your application to the Tourism Infrastructure Fund for the Rose Garden project.

I regret to advise that, after careful consideration, your application was unsuccessful.

A number of high quality applications were received that closely aligned with the Fund's eligibility and assessment criteria. However it was considered that your Council's application is to develop a more attractive area in Opotiki rather than as a response to visitor growth. Development of attractions is not eligible for TIF funding.

Thank you for taking the time to apply to the Tourism Infrastructure Fund. If you have any questions, please contact the Secretariat at tif@mbie.govt.nz

Yours sincerely

Martin Cavanagh
Manager, Investment Management and Performance
Tourism Branch

REPORT

Date : 6 July 2019

To : Ordinary Council Meeting, 23 July 2019

From : Engineering and Services Group Manager, Ari Erickson

Subject : **TE KAHA WATER SUPPLY SOUTHERN EXTENSION 2A FUNDING 2019-20**

File ID : A172129

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 twice received extension of funding, now extended until June 2020. This report seeks Council resolution to fund part of the project now that Council has attained easement agreements.

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 three properties along the road with four 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 was undertaken.

In April 2019 staff completed a milestone in the consultation process attaining easement agreements formalised by Maori Land Court Order for the majority of the proposed water supply extension as well as a number of land blocks where there is existing infrastructure.

DISCUSSION AND OPTIONS SECTIONS

The Te Kaha Southern Extension project was estimated at \$154,000 funded at 85% by the Ministry of Health. At the reduced total length the cost to complete the project has been estimated at \$127,907.00. However it is proposed that the funding be left in to allow additional rider-mains to be installed allowing additional connections and reducing the overall rates for Te Kaha.

In total Council’s contribution to the project will be \$23,100. The loan fund for this work would add an additional \$966 to the annual rate requirement for the scheme. There are 7 properties that will connect to the water supply. Based on four full rates charges these properties will reduce the Te Kaha targeted rate per property by \$4.51.

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 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.

Assessment of engagement requirements

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.

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.

RECOMMENDATIONS:

- 1. That the report titled "Te Kaha Water Supply Southern Extension 2A Funding 2019-20" be received.**
- 2. That Council approves the loan fund of \$23,100 to complete the project.**

Ari Erickson

ENGINEERING AND SERVICES GROUP MANAGER

REPORT

Date : 7 July 2019

To : Ordinary Council Meeting, 23 July 2019

From : Engineering and Services Group Manager, Ari Erickson

Subject : **ŌPŌTIKI WASTEWATER NO.1 PUMP-STATION RENEWAL BYPASS**

File ID : A172135

EXECUTIVE SUMMARY

The No.1 Wastewater Pump-Station, Opōtiki's primary station is planned for renewal in the 2018 LTP for 2024. Like the rest of the reticulation the pump-station is reaching the end of its life and is beginning to suffer intermittent failures. When the pump-station is renewed it will require a bypass line to be installed to allow the renewal work to be undertaken. The bypass line will also serve as contingency in the event of failure. Based on recent faults at the pump-station it is recommended that a portion of the pump-station renewal budget be brought forward to carry out the bypass in advance and reduce the risk of service loss in the event of a critical failure.

PURPOSE

The purpose of this report is to seek a Council resolution to bring forward funding from the Pump-Station No.1 Renewal Project planned for 2024 to complete a sub-component of that project in advance.

BACKGROUND

The No.1 pump-station is Opōtiki's primary wastewater pump-station; it was installed in the 1950's alongside much of Opotiki wastewater reticulation and is thus reaching the end of its 80-100 year life. The pump-station is planned for renewal in the 2018 LTP for 2024. Renewal of the pump-station will see the existing building and wet well replaced.

Before the renewal work can be completed a bypass line will need to be installed to allow wastewater flows to continue. This bypass line will redirect wastewater flows around the pump-station using a spare pump installed in an adjacent manhole.

During the heavy weather event that hit Ōpōtiki on 5 July, a critical component (a riser pipe) within the pump-station partially failed. The failed component is still functioning though at reduced efficiency. There is a fully operable alternate component which serves the same function however the resilience of the pump-station is reduced.

DISCUSSION

The repair of the failed riser pipe in No.1 Pump-station requires the pump-station to cease operation to allow works to be completed efficiently and safely. A bypass line is the only way to allow the station to shutdown whilst continuing service to the township. As the bypass is a portion of the planned station renewal there is existing budget. Bringing the budget forward would normally result in an early rise in rate demand however with the current Wastewater Rehabilitation project coming in significantly under budget no increase in rate demand will eventuate.

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 resolution of bringing forward a portion of the No.1 Pump-station renewal budget 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 bringing forward a portion of the No.1 Pump-station renewal budget 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 bringing forward a portion of the No.1 Pump-station renewal budget will be offset by savings achieved in the reticulation rehabilitation project there will be no increase in rates demand and therefore consultation is not required.

Authority

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

CONCLUSION

The Opotiki No.1 wastewater pump-station is currently at a reduced level of resilience and requires repair. For repairs to be completed a bypass line originally planned for 2024 as a part of the Pump-Station Renewal Project is proposed to be brought forward to allow works to be completed safely and efficiently. The early expenditure to complete the bypass component of the project will not result in an increase in rate demand as it will be offset by the under expenditure of the Wastewater Rehabilitation Project.

RECOMMENDATIONS:

- 1. That the report titled "Opotiki Wastewater No.1 Pump-station Renewal Bypass" be received.**
- 2. That Council approves bringing forward \$60,000 of the \$420,000 total budget planned for the No.1 Pump-station Renewal Project from 2024.**

Ari Erickson

ENGINEERING AND SERVICES GROUP MANAGER

REPORT

Date : 10 July 2019

To : Ordinary Council Meeting, 23 July 2019

From : Engineering and Services Group Manager, Ari Erickson

Subject : **WAIŌTAHE PUBLIC TOILETS WATER SUPPLY EXTENSION**

File ID : A172142

EXECUTIVE SUMMARY

The Waiōtahe Public Toilets have been supplied with water from the adjacent Surf Club since the early 1990s. Surf Club representatives have approached Council seeking formalisation of a historic agreement for water and amendment of annual contributions to water costs. They are seeking an increase from the historic \$400 per annum to \$1,000 per annum citing increases in maintenance and renewal costs. An engineering assessment of cost agrees with this estimated increase. However, with the Waiōtahe Drifts water supply located only 270m away, it is recommended that an extension is funded to achieve a lower whole of life cost and to provide treated potable water to both the surf club and toilets.

PURPOSE

The purpose of this report is to seek a Council resolution to fund a water supply extension from the existing Waiōtahe Drifts line to the Waiōtahe Public toilets and Surf Club.

BACKGROUND

The Waiōtahe Public Toilets have been supplied with water from the adjacent Surf Club since the early 1990s. Untreated water is sourced from a shallow bore within the Surf Club lot and piped directly to the Surf Club and public toilets. Representatives from the Surf Club have approached Council seeking an increase in annual contribution from \$400/yr to \$1,000/yr sighting increases in pump and bore maintenance and component renewals.

DISCUSSION

An engineering assessment into the cost of maintenance for the existing water supply agrees with the increase in annual maintenance cost, however it has been noted that the adjacent Waiōtahe Drifts water supply line is only 270m away and that an extension from this line would achieve a lower whole of life cost. Connection to the town water supply will also provide treated potable water to both the Surf Club and toilets.

COST COMPARISON	
Option	Annual Cost
Water Supply Extension	\$550
Increased contribution	\$1,000
Current contribution	\$400

Adding the annual water rate of \$247.45, chargeable to the Surf Club, results in a net reduction in cost to Council of \$97.45/yr.

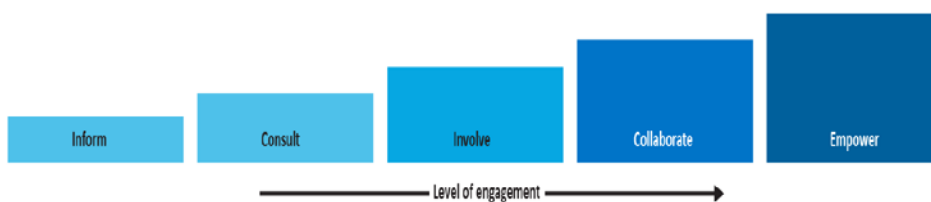
SIGNIFICANCE ASSESSMENT

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 resolution of funding for the Waiōtahe Public Toilets Water Supply Extension 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 funding the Waiōtahe Public Toilets Water Supply Extension 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 Waiōtahe Public Toilet Water Extension will result in a reduction in rates demand consultation is not required.

CONSIDERATIONS

Authority

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

CONCLUSION

The extension of the Waiōtahe Drifts water supply line to provide water to the Surf Club and Waiōtahe Public Toilets will provide potable water at a net reduction in cost relative to the current arrangement.

RECOMMENDATIONS:

- 1. That the report titled "Waiōtahe Public Toilets Water Supply Extension" be received.**
- 2. That Council approves the loan fund of \$20,000 to complete the project.**

Ari Erickson

ENGINEERING AND SERVICES GROUP MANAGER

REPORT

Date : 4 July 2019

To : Ordinary Council Meeting, 23 July 2019

From : Planning and Regulatory Group Manager, Gerard McCormack

Subject : **THE ASSESSMENT OF POTENTIALLY EARTHQUAKE-PRONE BUILDINGS**

File ID : A171576

EXECUTIVE SUMMARY

Amendments to the *Building Act 2004* came into effect on 1 July 2017 requiring Territorial Authorities to manage the assessment of potentially earthquake-prone buildings. The Act provides timeframes in which the assessment must be undertaken, a methodology and a process for the assessment. Those Territorial Authorities that are within a high seismic area must have identified buildings that are potentially earthquake-prone by 1 January 2020. As all the Opōtiki district is within a high seismic area, this date is applicable to Council. This report provides an outline of the legislative requirements and a suggested approach to be taken by Council. It is recommended that:

- 1. The report titled “The assessment of potentially earthquake prone buildings” be received.**
- 2. In accordance with legislative requirements, staff continue the assessment of potentially earthquake-prone buildings and that letters outlining the legislative process are sent to the owners of potentially earthquake-prone buildings.**

As the *Building Act* is prescriptive regarding the assessment criteria, process, timeframes and the Local Government areas that these apply to there is no recommendation regarding any of these.

PURPOSE

This report provides an outline of the legislative requirements under the *Building Act 2004* in relation to the assessment and management process for earthquake-prone buildings. Recommendations are provided in relation to Council continuing the legislative process.

BACKGROUND

The legislative setting

Amendments to the *Building Act 2004* came into effect on 1 July 2017 requiring Territorial Authorities to manage the assessment of potentially earthquake-prone buildings (subpart 6A of Part 2). The legislation identifies Local Government areas by the level of seismic activity and allocates timeframes accordingly for undertaking the assessments and any necessary remediation work. Ōpōtiki district is within a high seismic area as shown on map in Appendix 1.

Under the amendments to the Act, territorial authorities must undertake the following tasks:

- Identify potentially earthquake-prone buildings and notify the building owners.
- Consider engineering assessments provided by building owners.
- Determine if a building is earthquake-prone and if it is, assign an earthquake rating.
- Issue earthquake prone building notices to the owners of earthquake-prone buildings.
- Publish information about earthquake prone buildings on the EPB register.

Territorial Authorities that are within a high seismic area must have identified potentially earthquake-prone buildings by 1 January 2020. The owners of identified buildings will be required to provide Council with an assessment by a structural engineer within twelve months of having received Council's letter. If it is recommended that the building needs structural work, then property owners in a high seismic area will have 7.5 years to undertake the remedial work at their cost.

The management of the legislative requirements is the responsibility of the Ministry of Business, Innovation and Employment (MBIE). The MBIE have established a training programme for structural engineers who wish to undertake the assessment of earthquake-prone buildings, an information website for the community, courses for Council staff managing the process and will monitor the progress of Territorial Authorities in meeting their legislative requirements.

The MBIE in association with technical specialists has also developed the criteria for the identification of potentially earthquake-prone buildings as set out in section 133AE of the Act. The criteria can be divided into two broad categories of priority buildings earthquake-prone buildings:

1. Hospital, emergency and education buildings.
2. Buildings or parts of unreinforced masonry(URM) buildings that have the potential to fall in an earthquake onto certain thoroughfares with sufficient vehicular or pedestrian traffic to warrant prioritisation and buildings that could collapse and impede transport routes of strategic importance.

It will be necessary for Council to consult with the community to determine vehicle and pedestrian thoroughfares and routes of strategic importance in accordance with section 83 of the *Local Government Act 2002*. Given the number of earthquake prone buildings along Church Street it is likely that this would be such a route.

The priority buildings that meet the criteria are then allocated a category:

- A Unreinforced masonry buildings:
- B Pre 1976 buildings that are either three stories or more than 12 metres in height.
- C Pre 1935 buildings that are one or two stories (other than category A buildings).

The majority of priority buildings in the district will be in the town centre and category A. In most instances buildings used for residential purposes will not be affected. There are some exemptions including buildings that have previously been assessed or have had structural work undertaken on them.

Council progress

In 2011, Council staff in accordance with Council's *Policy on Earthquake Prone Buildings 2006* undertook a visual and desktop assessment of potentially earthquake-prone buildings in the town centre. A structural engineer was engaged to assist with the process. Council then wrote to the owners of each assessed building advising of the assessment rating. The rating given to most of the buildings required a detailed assessment by a structural engineer at the owner's cost. Given, the age of many of the buildings and the construction materials (predominantly unreinforced masonry), the need for numerous town centre buildings to require further assessment is not surprising. Council attempted to facilitate a group approach to having the structural engineering assessments undertaken however, it is understood that it was not supported by the majority of building owners. It is thought that few, if any, buildings have been assessed by a structural engineer for earthquake proneness. To confirm this, it will be necessary for Council staff to check property files for any previous assessments or the certification of remedial work. In 2016, Council wrote to the property owners that had had a Council assessment advising of the legislative amendments. There has been no correspondence with the property owners of potentially earthquake-prone buildings since this time.

Currently, Council staff are using the assessments undertaken in 2011 together with an external visual assessment to determine potentially earthquake-prone buildings using the criteria outlined above. Additionally, discussions will be held with emergency services staff regarding their views on strategically important transport routes. Consultation documentation will be prepared for discussion with the community on these and vehicle and pedestrian thoroughfares on which unreinforced

masonry buildings could fall in an earthquake. It is anticipated that consultation would occur in September 2019. Government organisations such as the Ministry of Education will also be contacted to ascertain their progress on the assessment of buildings owned by them.

On 5 June 2019, Council staff met with the MBIE staff to discuss Council's progress on the assessment of potentially earthquake-prone buildings and the application of the assessment criteria in relation to the town centre. It is understood that MBIE staff have met with other Councils in regard to this work, particularly those in high seismic areas. Following the visit, MBIE advised that the Council would be actively monitored by them in relation to how the earthquake prone building legislation was implemented in the District. They also made the following points for Council to consider and address accordingly:

- *MBIE recommends that ODC focus on identifying potential priority EPB's and notifying building owners before the 1 January 2020 deadline.*
- *MBIE recommends that ODC develops or adopts a policy for handling buildings that are potentially earthquake-prone and are outside the EPB methodology profile categories.*
- *MBIE recommends ODC ensures it has documented policies and procedures for EPB and all other TA functions. Such documentation is useful to ensure the TA is meeting its obligations under the Act and the Local Government Act 2002. Having policies and procedures set out is a useful resource for new staff and for experienced staff who do not carry out these TA functions on a regular basis.*
- *MBIE recommends ODC undertakes forward EPB staff development planning and succession planning to ensure present and future staff are trained in EPB requirements.*
- *ODC is to provide to MBIE an updated policy for Dangerous, affected, or insanitary buildings in line with s131 & s132 (3). The Council may wish to liaise with other territorial authorities within their cluster-group to better understand how they have documented these policy requirements.*

Given the above comments and Council having a *Policy Earthquake Prone Buildings*, adopted in 2006 which has been superseded by the legislative amendments, it will be necessary for Council to repeal the current policy and develop new policy particularly in regard to buildings that are outside the legislative assessment criteria. A report will be presented to a forthcoming Council meeting which will recommend repeal of the current policy and adoption of a new one.

Council properties

It should be noted that Council has undertaken an assessment of the buildings owned by it and is carrying out the recommended remedial structural work.

The next steps in the process are:

1. The implementation of the communication plan.
2. Discussion with emergency service organisations and government agencies on priority routes and the progress on their buildings.
3. Review of Council policy concerning the assessment and management of earthquake-prone buildings.
4. Council report to the MBIE by 13 August 2019 regarding progress in the period from 1 July 2018 to 30 June 2019.
5. Community consultation on the pedestrian and vehicle thoroughfares and strategically important routes, September 2019.
6. Council report on the results of the community consultation on the pedestrian and vehicle thoroughfares and strategically important routes, October 2019.
7. The determination of the priority buildings to be completed and letters to send to the owners of these buildings stating that in accordance with the legislation that they must obtain an assessment by a structural engineer. It is anticipated that the letters will be sent in December 2019.

Heritage listed buildings

The Act recognises that buildings that are heritage listed require additional assistance one of these being additional time for the owners of these buildings to undertake remedial work. Additionally, the Ministry for Heritage and Culture has advised Council that grants are available to assist with the assessment and remedial work of listed buildings. An excerpt from the Ministry for Heritage and Culture letter states:

"Increased support is available for heritage building owners in rural and provincial areas, because we know these owners face unique challenges. This includes:

- *up to 50% of the costs for obtaining professional advice such as detailed seismic assessments, conservation reports, architectural and structural engineering plans*
- *multiple-building applications can apply for up to 67% of professional advice costs*
- *many owners can now apply for up to 67% of upgrade works costs."*

The grant applications close on 29 July 2019 with another round towards the end of November. Officers will be writing to owners of building that may meet the criteria to advise them of the support available.

DISCUSSION

It is likely that once an assessment been undertaken by a structural engineer that some earthquake-prone buildings will need to be either strengthened or rebuilt within the 7.5 year time frame. Given,

that it is possible that there will be a substantial number of buildings in the town centre particularly Church Street and its associated intersections, where the rebuild of either the whole or part of these buildings will alter the character of the street and in turn the town centre. Particular consideration will need to be given to heritage listed buildings and those with heritage significance (either part or the whole of the building). Any replacement buildings will need to be constructed to current Building Code earthquake standards. This is likely to result in buildings that have a high proportion of steel and concrete resulting in a modern look, very different to the current streetscape. This situation provides an opportunity for building owners, the community and Council to consider the future 'look and feel' of the town centre.

An example of a new building, which provides a positive contribution to the streetscape, is the planned library. Whilst being a functional building, it takes into account the cultural and heritage aspects of the district and any final design will meet the Building Code requirements for earthquake.

To manage this likely change, it is proposed that a structure plan and building design guidelines are prepared for the town centre. It is suggested that whilst development in the centre is slow, if substantial development was to occur quickly without policy that takes account of the district's uniqueness, cultural, heritage and needs, the resulting streetscape and 'feel' may be poor. This is the subject of a separate report to the July 2019 meeting of Council.

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 assessment of earthquake-prone buildings is considered to be high as determined by the criteria set out in section 12 of the Significance and Engagement Policy. This is due to the situation where the district is in a high seismic area and the age, style and construction materials of many buildings in the town centre will mean that the requirements of the Act to manage the earthquake-proneness of these buildings will have a large impact on the community.

Council's Significance and Engagement policy states that a matter shall be determined to be significant if *A decision that will have a major and long-term impact on a wide range of people and/or groups who reflect the makeup of the District's community.* As a significant decision or matter, the Council must apply greater diligence in regards to the decision making requirements of the *Local Government Act 2002.*"

Risks

There will be a range of perspectives in the community about the need for the legislative assessment of buildings, the process and structural engineering recommendations and Council decisions resulting from these. Arising from each of these are numerous risks for Council including; not acting in accordance with the legislative requirements, the need to undertake compliance action against those not meeting legislative requirements and adverse community perceptions. The provision of information for the community by the MBIE and Council will assist in lessening risk for Council.

It is likely, that there will be numerous instances, where building owners do not obtain an assessment or undertake work within the legislative timeframes. It is suggested that whilst Council staff will work with property owners to facilitate these requirements, the owners will need to demonstrate to Council that the process is progressing otherwise it will be necessary to undertake enforcement action in accordance with the Council's *Enforcement Policy*.

Information on the earthquake-prone status of a building will be included in Land Information Memorandums, which in addition to a national earthquake building register will alert potential owners to the earthquake status of a building.

The resourcing of the tasks associated with the assessment and management of earthquake-prone buildings whilst included in the Long Term Plan staff costs is likely to be considerable given the likely high number of buildings that will be determined as earthquake-prone. It may also be necessary for Council to engage a consultant structural engineer to assist Council staff with technical considerations. There is no financial assistance for councils to assist with this work.

Authority

The *Building Act* directs Territorial Authorities to undertake the requirements of the Act.

CONCLUSION

The *Building Act 2004* requires Territorial Authorities to undertake an assessment of potentially earthquake-prone buildings in accordance with the criteria included in the legislation. As the Ōpōtiki district is within a high seismic area, Council is required to have completed the identification of buildings that are potentially earthquake-prone by the 1 January 2020. Council staff have commenced the assessment in accordance with the legislation and anticipate that letters will be sent to affected building owners in early December 2019. To ensure that there is a good understanding of the requirements, a communication plan should be implemented. As it is likely that some buildings will require strengthening or demolition, a strategy is required for the revitalisation of the Ōpōtiki town

centre which includes building design guidelines. This is the subject of a separate report to the July 2019 meeting of Council.

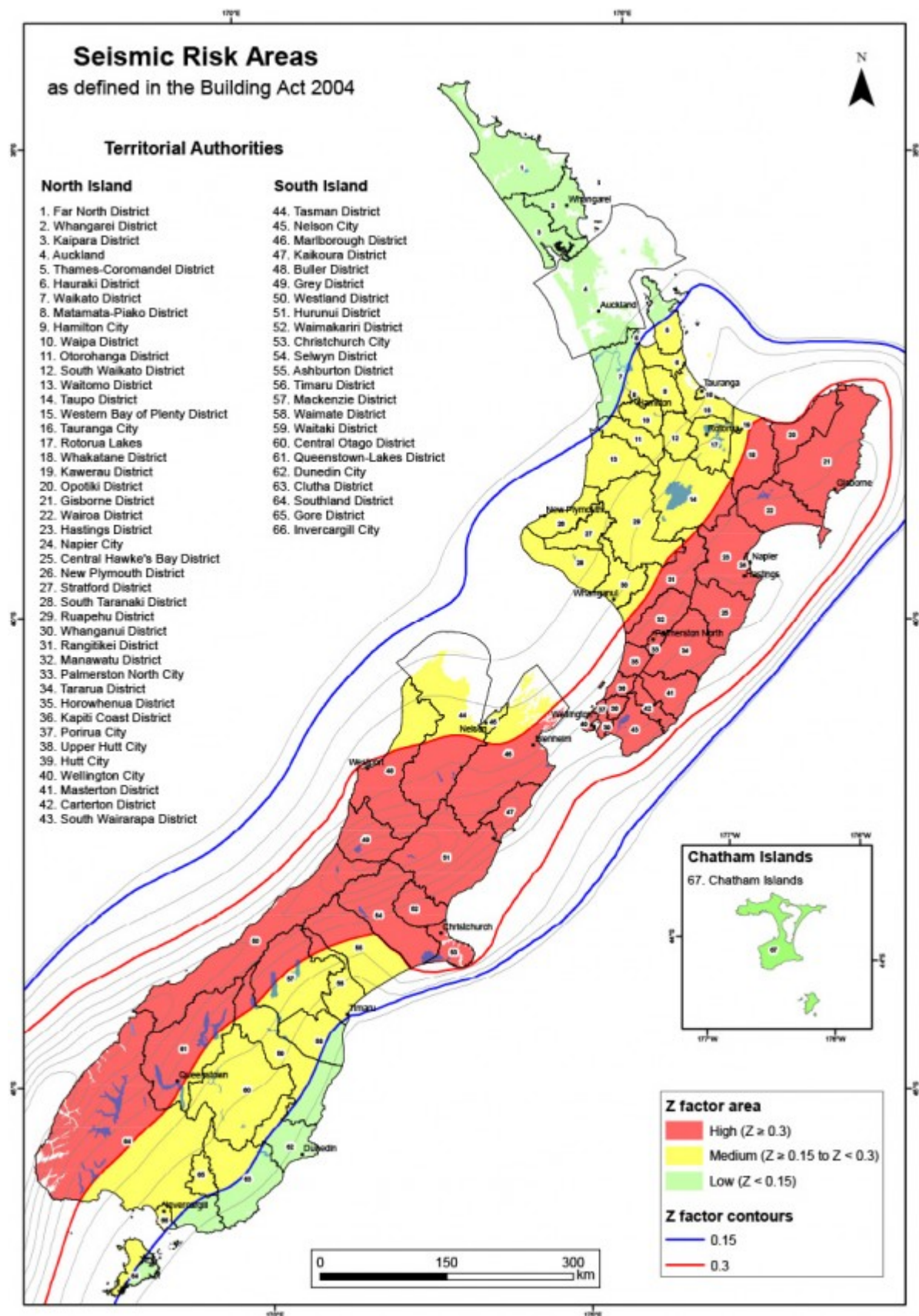
RECOMMENDATIONS:

- 1. That the report titled "The Assessment of Potentially Earthquake Prone Buildings" be received.**
- 2. That in accordance with the legislative requirements community consultation on the pedestrian and vehicle thoroughfares and strategically important routes is carried out.**
- 3. That in accordance with legislative requirements, staff continue the assessment of potentially earthquake-prone buildings within the District and as part of this that letters outlining the legislative process are sent to the owners of potentially earth-quake prone buildings.**

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER

Appendix 1 Seismic risk areas



Source

<https://www.building.govt.nz/managing-buildings/managing-earthquake-prone-buildings/how-the-system-works/#jumpto-seismic-risk-areas-and-time-frames>

REPORT

Date : 8 July 2019
To : Ordinary Council Meeting, 23 July 2019
From : Planning and Regulatory Group Manager, Gerard McCormack
Subject : **REVITALISATION OF THE OPOTIKI TOWN CENTRE PROJECT**
File ID : A171756

EXECUTIVE SUMMARY

The town centre of Opotiki is facing numerous challenges including a tired main street, the likelihood of the remodelling or rebuilding of earthquake-prone buildings and the need for development provisions, which create an environment that reflects the culture and heritage of the Opotiki district but allow for development, which provides opportunity and growth. To assist in addressing these challenges this report proposes the undertaking of the 'Revitalisation of the Opotiki Town Centre' project, which would include the development of a structure plan, design guidelines and significant community consultation. The report recommends the following:

1. That the report titled 'Revitalisation of the Opotiki Town Centre' project be received.
2. That a structure plan and design guidelines for the Opotiki town centre be developed and adopted by July 2020.

PURPOSE

The purpose of this report is to seek Council endorsement for the completion of a structure plan and design guidelines for the Opotiki town centre by July 2020.

BACKGROUND

The current situation

The Long Term Plan 2018-2028 (p68) provides \$200,000 in 2019 for the project 'CBD Integration with Harbour Environment' and then three million dollars from 2023-2025. The Plan (p15) states:

"We have included \$3million of budget in the latter part of the LTP once the harbour has been completed and the aquaculture industry is booming to allow for Council to make inroads into the CBD development. This may involve conceptually turning the town CBD around to face the water. Both this project and the previous wharf project will be in subsequent LTP's so will be available for consultation a number of times before any commitment is made. At this stage we are signalling the direction."

Work should commence on the town centre (CBD) beginning with the development of a structure plan and design guidelines without waiting for the commencement of the harbour project. The primary reasons for this are:

1. The town centre is in need of revitalisation.
2. Council is considering making a substantial and long term financial commitment to the Ōpōtiki town centre with the redevelopment of the library. Council's decisions in relation to this project and seeing development underway on Church Street will prompt a lot of local interest and therefore provides opportune timing to kick start the town centre project.
3. There is the likelihood that some earthquake-prone buildings will need to be remodelled or rebuilt.
4. If the harbour project proceeds, Council will be well-placed to integrate the town centre precinct with the proposed harbour precinct.

Structure Plan

A structure plan is a means of bringing together current and future land uses and infrastructure to ensure a co-ordinated 'way forward' for a precinct preventing duplication of work and increasing efficiencies through not having detailed design discussions at the resource consent and infrastructure planning stage. A structure plan is usually presented in a map-based format with broad principles for the precinct area and they generally contain an overview of the issues, strategies and an implementation plan. The strategies in the structure plan will be linked to Council's Infrastructure Strategy and Long Term Plan, which ensures that they will be funded.

It should be noted that whilst the structure plan and design guidelines will consider items such as streetscape they do not fulfil the role of a masterplan, which would detail specific projects such as footpaths, lighting or the planting of a particular tree species in a designated location.

A structure plan for the town centre would take into account a future harbour and include but not limited to the following:

- The District Plan including the types of current and future land use in the precinct.
- The character or themes for the town centre precinct including culture and heritage and how these can be reflected in the streetscape, open space and buildings.
- Public and children's art.
- Gateway, town centre information and advertising signage.
- A crime and safety audit.
- The location of current and future infrastructure including vehicle parking, cyclepaths, open space, reserves and street furniture.
- The views of the community and government agencies.

Design Guidelines

The design guidelines will focus on the matters that contribute to the look, form and nature of buildings and business advertising signage. Items that could be included are:

- Features and materials that reflect the heritage and cultural characteristics identified in the structure plan.
- Minimum floor areas, car spaces, window sizes for the residential components of a building, this would predominantly be focused on residential accommodation above commercial units.
- Energy efficiency and infrastructure requirements, for example the siting and size of solar panels.
- Flood management and earthquake measures.
- Building colours (a broad range which reflects the heritage and cultural characteristics identified in the structure plan).
- Features that provide protection from the sun, wind and rain.

Care will need to be taken to ensure the structure plan and design guidelines reflect the Ōpōtiki culture, environment, and heritage and desired future direction rather than directly importing ideas. For the whole community, this is a chance to create a built environment that is more than a physical space, it is an expression of identity. Additionally, there will be an emphasis in both documents on the practicality of ideas and cost for both council and developers.

DISCUSSION

The work is progressed to enable a structure and design guidelines to be adopted by July 2020 and that a committee is appointed to assist with the development of these plans.

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 ‘Revitalisation of the Ōpōtiki town centre’ project is considered to be high as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Council’s Significance and Engagement policy states that a matter shall be determined to be significant when *a decision that will have a major and long-term impact on a wide range of people and/or groups who reflect the makeup of the District’s community* criteria has been triggered. As a significant decision or matter, the Council must apply greater diligence in regards to the decision making requirements of the *Local Government Act 2002* section 76-82. This includes, but is not limited to, the degree to which different options are identified and assessed and the extent to which community views are considered, including whether consultation is required.”

Assessment of engagement requirements

“As the level of significance for the ‘Revitalisation of the Ōpōtiki town centre’ project is considered to be of high significance, the level of engagement required is determined to be at the level of *involve* according to Schedule 2 of the Significance and Engagement Policy.



COMMUNITY INPUT AND PUBLICITY

A draft Communications Plan has been developed based on the structure plan, design guidelines and community consultation being undertaken by Council. The aim of the Communications Plan is to involve as many of the Ōpōtiki community as possible. This would include both the business sector and community groups and particularly the older and younger members of the community.

CONSIDERATIONS

Financial/budget considerations

The main costs associated with the development of the proposed plans is staff time, which can be covered using existing resources within the planning and regulatory group. There may be some small additional costs associated with catering. These costs too, can also be covered within existing budgets.

It is likely that there will be a level of consultancy advice needed to assist with the preparation of the plans. This consultancy advice has not been budgeted but resources will be deployed across the regulatory group to cover the cost of any advice sought.

Within the Long Term Plan \$200,000 has been allocated for capital projects in 2019 for 'CBD Integration with Harbour Environment' and then further three million dollars from 2023-2025. This funding would be used for development requirements identified at a later date when a decision on the harbour has been made.

Policy and planning implications

The structure plan and design guidelines will be subordinate documents to the District Plan however, they provide the detail that is not included in a District Plan. Following the adoption by Council of the structure plan and design guidelines, it may be necessary to review the town centre chapter of the District Plan to align it with both the structure plan and design guidelines (see the legal section below). The revitalisation of the town centre meets Council's strategic priorities.

Risks

Adverse effect on the community

The risk to the community of undertaking the project particularly the business community is considered minimal.

Publicity / public perception

There will be a range of perspectives on both the need to undertake the project and the direction of the structure plan and design guidelines. Proactive land use and infrastructure planning is vital for the district's wellbeing and an essential part of this is community discussion on the town centre.

Timeframes

The twelve month time frame to deliver the proposed plans is designed to be challenging to ensure momentum is maintained and the project is delivered.

CONCLUSION

The Ōpōtiki town centre is in need of revitalisation, it is proposed that this is managed through the development of a structure plan and design guidelines. It is suggested that without documents to guide future development particularly in relation to buildings that may be rebuilt due to being earthquake-prone that the outcome may be poor. The report recommends that a structure plan and design guidelines are prepared by Council staff and that there is a significant amount of community involvement.

RECOMMENDATIONS:

- 1. That the report titled 'Revitalisation of the Ōpōtiki town centre' project be received.**
- 2. That a structure plan and design guidelines for the Ōpōtiki town centre be developed and adopted by July 2020.**

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER

REPORT

Date : 15 July 2019
To : Ordinary Council Meeting, 23 July 2019
From : Planning and Regulatory Group Manager, Gerard McCormack
Subject : **PLANNING AND REGULATORY ANNUAL REVIEW**
File ID : A172374

EXECUTIVE SUMMARY

The report provides an overview of the activities carried out within the Planning and Regulatory Group during the 2018-19 financial year.

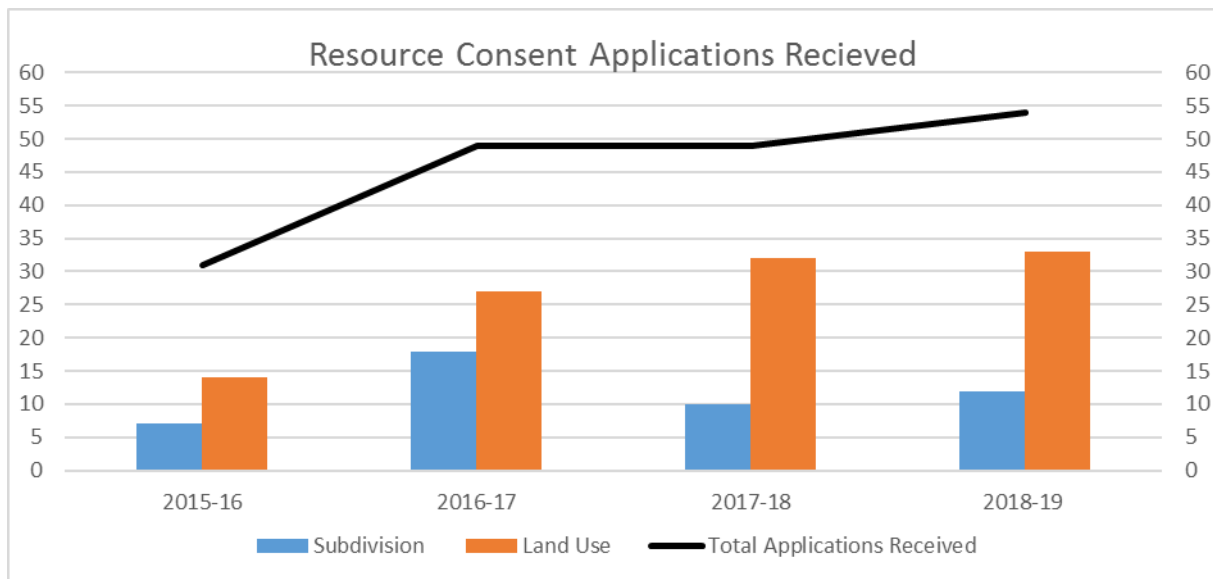
PURPOSE

This report seeks to provide an overview of the work undertaken within the Planning and Regulatory Group during the 2018-19 financial year. This report is for information only.

DISCUSSION

Resource Consents

During 2018-19 a total of 54 resource consent applications were received. This represents a slight increase from the number received in the last financial year as is illustrated in the graph below.



We have received and dealt with 487 enquiries relating to resource consents in 2018-19. At the start of 2018 a new system for managing planning enquiries was implemented. Amongst other things, the new system provides a mechanism for recording all enquiries received, monitoring the response times and the nature of the responses provided by officers. The new system has introduced efficiencies and made it easier for officers to manage the workload generated, but despite this, the planning enquiries service continues to be resource intensive (and generates no direct revenue). At present, evidence suggests that our resource consent officers spend almost the same amount of time responding to enquiries as they do processing resource consents applications.

We currently have one full time resource consent officer processing the majority of resource consents and dealing with all enquiries received. The larger more complicated and time-consuming consents received are being processed by consultants. At this stage workloads are manageable with enquiries being responded to in a timely manner and all resource consent applications being processed within 20 working days. If application numbers were to increase well beyond current levels, then we would be reliant on consultants to assist with processing consents in the short term. If application numbers were to remain high then the appointment of another resource consent officer would be considered as a longer term solution.

All resource consents applications received and the decisions made in respect of those applications (post June 2017) are available on our website at the following link: <https://www.odc.govt.nz/our-services/planning-guidance-and-resource-consents/Pages/default.aspx>

A student has been employed during holiday periods to update our resource consent database and ensure that all files are scanned into our document management system. This is improving the availability of resource consent files and accuracy of the information held on property files.

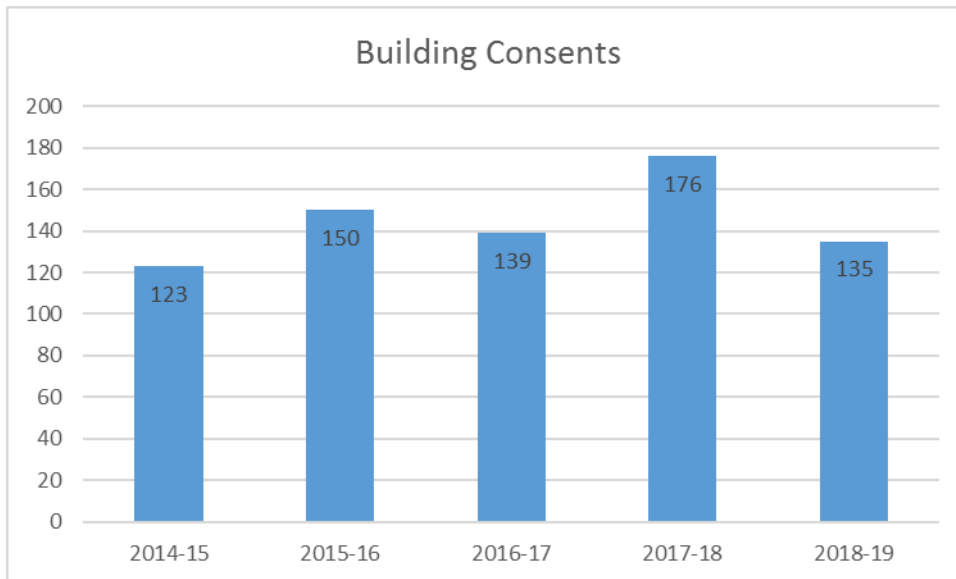
District Plan

Following the notification of decisions on the proposed District Plan in May 2018, ten parties lodged appeals with the Environment Court. Between November 2018 and May 2019 informal meetings occurred between Council officers and appellants in an attempt to resolve appeals, without the need for matters to go before the Environment Court. Many of the appeals have been concluded through these negotiations. However, there were a number of relatively minor matters that could not be resolved between the parties, and as such, court assisted mediation has commenced.

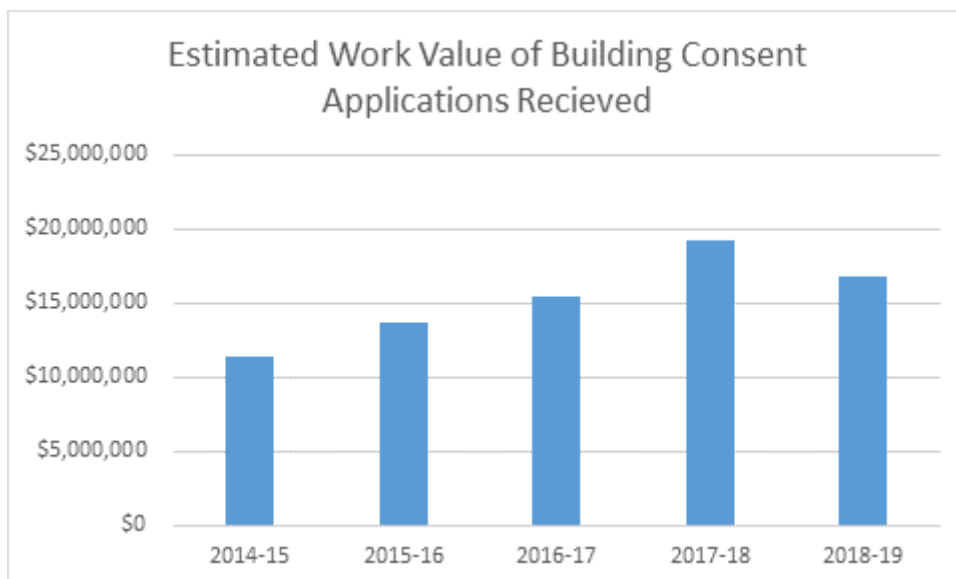
There has been one mediation meeting at the time of writing this report which resolved many of the appeal points discussed. Two more mediation days have been scheduled. The majority of the remaining appeals relate to minor issues (around wording of policies) which officers are confident can be resolved over the next couple of scheduled mediation meetings. The more substantive appeal lodged by the Regional Council in relation to indigenous vegetation has been resolved and a consent order is expected to be signed by the end of July to formalise this. The appeal by Forest and Bird seeking a ban on vehicles driving on beaches remains unresolved and there is a possibility that this may end up being decided by the Environment Court.

Building consents

135 building consents were received during this financial year, representing a 25% decrease when compared to the previous financial year. However, the number of consents received in the previous financial year was unusual. The number of building consents received this year is similar to the number of consents received in earlier financial years (as is illustrated in the graph below).

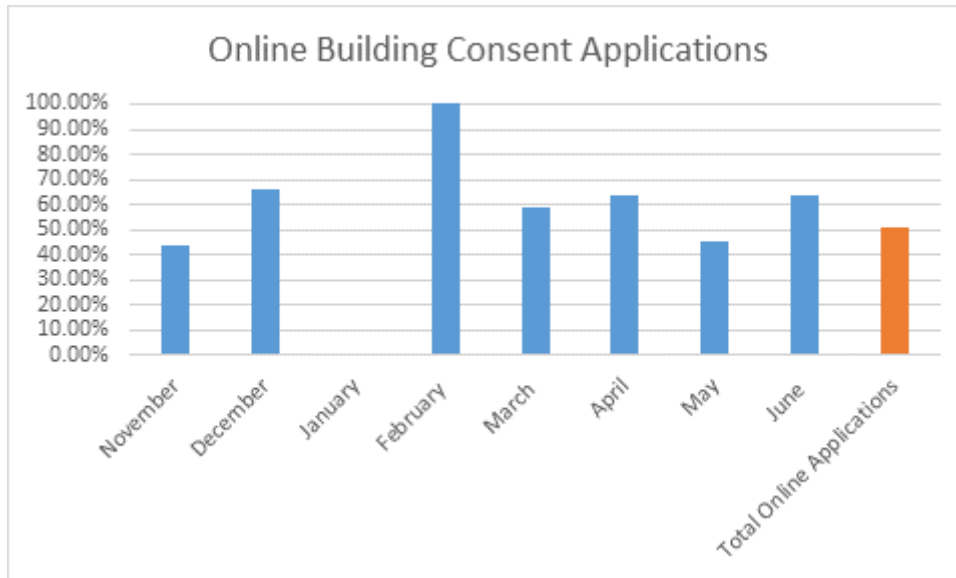


Below is a graph showing the estimated work value of building consent applications received over the last five years. Despite having received a fewer applications in the last four years, the value of building work has remained above the fifteen million dollar line.



Online applications

Since introducing this online platform in November, half of all building consent applications have been submitted online. The intention is to do more publicity around the availability of the online portal and increase the number of online submissions. Online applications improve efficiency as officers can begin assessing the application on day one rather than having to wait for paperwork to be scanned in and files made up. Vetting of applications is more streamlined and applicants don't have to pay a deposit as they get billed once the consent is ready to be issued.



Notices to fix

Four Notices to Fix have been issued during this financial year as outlined in the table below:

Reason for notice to fix	Number of notices issued
Swimming pool fencing does not comply	4
Building works undertaken without the required consents being in place	2

The building consents team currently has one full time administrator, one full time and one part time senior building control officer and one full time building control officer. Western Bay of Plenty District Council (WBOP) have agreed to process consents on our behalf where required and are also providing officers to assist with site inspections. We are working closely with WBOP to improve our resilience and ability to respond to spikes in application numbers. This relationship is also assisting us to fill the gaps in technical knowledge that arise in a small team. We will continue to monitor application numbers and if the trend continues to rise then consideration will be given to recruiting additional members of staff.

The International Accreditation New Zealand (IANZ) accreditation inspection was carried out in August 2018 and a number of non-compliances were highlighted. These were all addressed before Christmas and a letter has been received confirming the Council's continued accreditation. A follow up visit from IANZ inspectors was carried out in May and a further twelve general non-compliances were identified. Officers are working through this and expect them to be clear by August.

Audit Costs 2018-19

The cost of the mandatory IANZ accreditation was \$58,774.09 (inc GST) with \$26,108.93 (44%) attributed to expenses associated with the visits such as flights, car rental, accommodation and meals. This costs represents 31% of the total income received from fees associated with building consents during this financial year.

This year officers from MBIE have also undertaken audits/visits in relation to earthquake prone buildings, swimming pools and building warrants for fitness (BWOFS) compliance. Although there is no charge to the Council for these visits from MBIE staff, they do have a significant impact on resources in terms of staff time. The level of auditing we have experienced this year is much greater than that experienced in the past. It has resulted in officers having to spend time away from processing consents and undertaking visits, instead being required to prepare, partake or respond to questions in relation to these audits/visits. This has impacted our ability to operate the building control function as effectively and efficiently as we would have liked this year and put a lot of pressure on our small team.

Environmental Health

The number of food premises registered within the district has increased to 64 and all food premises, operating under food control plan templates, were inspected during the financial year.

Premises type	Number registered	Inspection carried out (revisits not included)
Food (operating under food control plan template)	46	50
Food (operating under national programmes)	18	n/a*
Campground	11	11

*Visits are carried out by third party providers, not the Council.

Our inspectors are reporting continued improvement in operating practices and compliance with the Food Act requirements. 32 (75%) of businesses within the district have received an acceptable outcome following their initial visit. 8 of those businesses received two acceptable consecutive outcomes, resulting in the frequency of verification visits being reduced. It is envisaged that more businesses will have the frequency of verification visits reduced following their next inspection as practice and compliance improves.

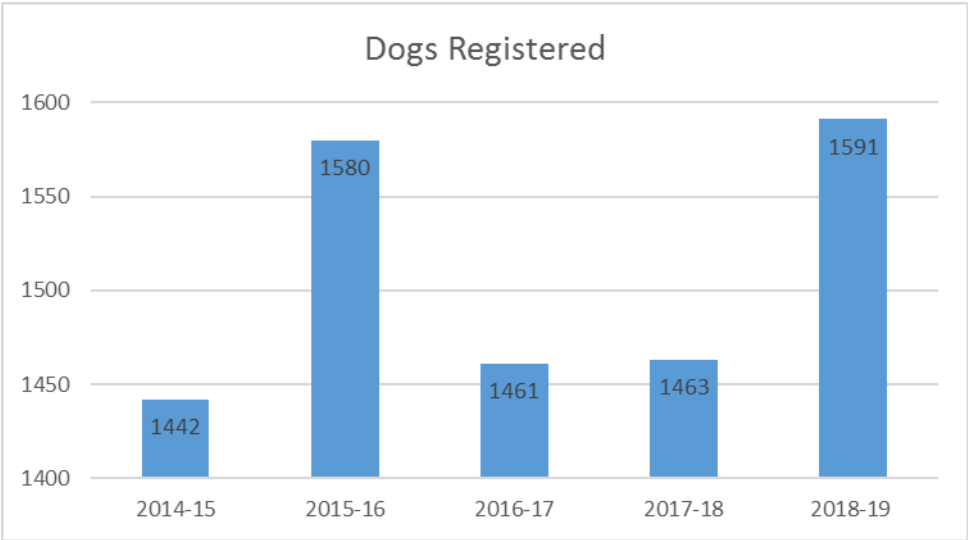
Inspections and verification of food control plan templates for food businesses are currently carried out by consultants. The consultants carry out the work over the course of a week every 6-8 weeks.

The average charge for a verification of a food control plan including administration and visiting officer time was \$355.77 (inc GST). This is the cheapest rate in the Bay of Plenty Region and one of the cheapest rates in New Zealand.

In October 2018, Council held two half-day training sessions for food operators to assist them with their understanding and implementation of food control plan templates. This course was well attended and well received. If demand arises, further training sessions will be arranged in the next financial year to assist operators.

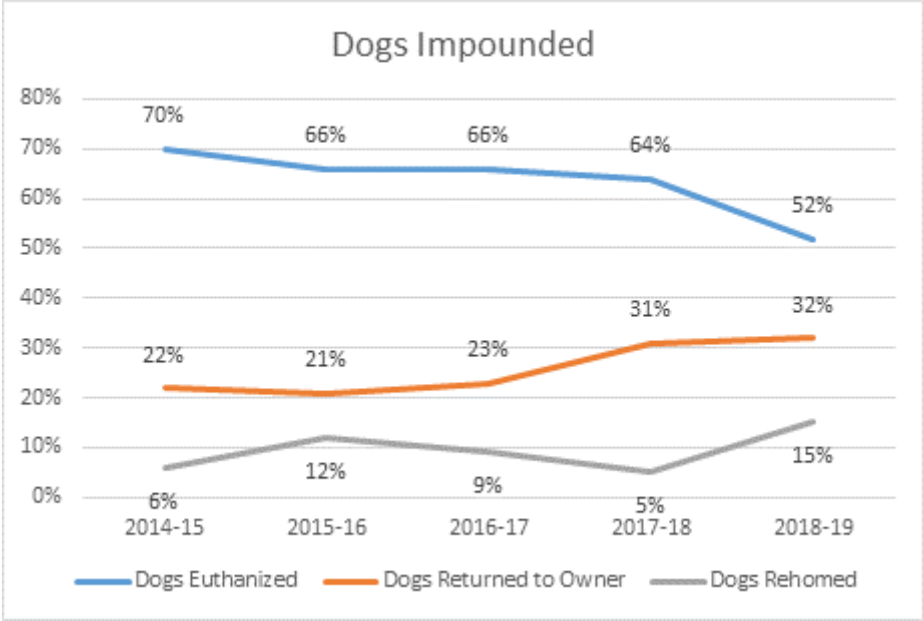
Animal Control

This year 1,591 dogs were registered, the highest number of dogs ever registered in a financial year. New initiatives that have been put in place have improved registration rates, particularly around the Te Kaha area, and more dogs have ben rehomed from the pound.



In terms of numbers of dogs impounded there has been an increase compared to last year but is consistent with the impoundment numbers between 2015-2017. In response, additional patrols were carried out during working hours, in the early hours and evening and particularly on rubbish collection days, when most dogs are found to be roaming.

The table below shows the reason why dogs were released from the pound as a percentage of the overall number of dogs impounded.



There has been a significant decline in the number of pitbulls and other menacing breeds being impounded as a result of Council decision to fund de-sexing programmes for dangerous and menacing dogs. This has meant a greater portion of dogs impounded are suitable for adoption than has been the case in previous years. We are also adopting dogs through the SPCA and they are also advertising dogs available for adoption on their website. Dogs have been rehomed from the pound to Invercargill, Auckland, Thames, Christchurch and Wellington this year.

Work has commenced on drawing up plans for a new pound as budgeted for in the Long Term Plan for 2019-20.

Liquor Licensing

Licensing applications continue to be processed within targeted timeframes and two hearings were carried out during the year. We currently have a part time post allocated to processing licensing applications and carrying out inspections of premises. At present the number of applications received is consistent with previous years and staffing levels are sufficient to cover the workload.

Application type	Number received	Number processed
Specials	15	15
Clubs	3	3

ONS	4	3
OFF	4	4
Manager Certificate	37	37
Total	62	62

Other regulatory activities

Council decided in October to establish litter infringement fines under the Litter Act 1979. Since then a number of infringement notices have been issued to individuals who were found to be illegally dumping rubbish.

In response to community concerns about inconsiderate motorists parking on pavements or in spaces reserved for mobility card holders, work was undertaken to upgrade our database to enable parking infringement notices to be issued. This work was completed in December 2018 and since then 250 infringement notices have been issued for parking offences and vehicles not having a valid WOF or registration.

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 Planning and Regulatory Six Month Review 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 Planning and Regulatory Six Month Review is considered to be of low level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.



CONCLUSION

At present, the number of applications being received and general workload within the Planning and Regulatory Group remains similar to previous years and therefore manageable within existing resourcing allowances. Improvements to systems and processes have been carried out and consultants have been brought in to respond to spikes in workload and build resilience within the team.

A rapid increase in demand for services could put pressure on our small team. However, with improved use of IT, continued development of relationships with other Councils and consultants, we should have sufficient capacity to deal with a small uplift in application numbers in the short term. If larger numbers of applications are received over a longer term, consideration will be given to the recruitment of additional staff.

RECOMMENDATION:

- 1. That the report titled "Planning and Regulatory Annual Review" be received.**

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER

REPORT

Date : 9 July 2019

To : Ordinary Council Meeting, 23 July 2019

From : Gerard McCormack, Planning and Regulatory Group Manager

Subject : **ŌPŌTIKI DISTRICT COUNCIL BYLAW AND DOG CONTROL POLICY REVIEW**

File ID : A171638

EXECUTIVE SUMMARY

A review of Ōpōtiki District Council's bylaws has been conducted as required by the Local Government Act 2002. The dog control policy has also been reviewed in accordance with section 10AA of the Dog Control Act 1996. Proposed amendments are outlined in a draft statement of proposal for the Ōpōtiki District Council Consolidated Bylaw 2019 and the Dog Control Policy 2019. Approval is sought to adopt the statement of proposal for public consultation using the special consultative procedure set out in the Local Government Act 2002.

PURPOSE

This report seeks adoption of the Statement of Proposal for the Ōpōtiki District Council Consolidated Bylaw 2019 and the Dog Control Policy 2019 for public consultation.

BACKGROUND

The Local Government Act 2002 (the Act) provides territorial authorities with general bylaw making powers for one or more of the following purposes:

- (a) protecting the public from nuisance.
- (b) protecting, promoting, and maintaining public health and safety.
- (c) minimising the potential for offensive behaviour in public places.

The Act also confers bylaw making powers for a number of specific purposes, including regulating trade wastes, solid wastes, and the keeping of animals, bees, and poultry. Other enactments that

provide territorial authorities with bylaw making powers include the Land Transport Act 1998 and the Dog Control Act 1996. The Dog Control Act requires all councils to have a policy on dogs and enables them to make dog control bylaws.

Under the Local Government Act 2002, bylaws must be regularly reviewed to ensure they remain relevant and are still the most appropriate way to resolve identified problems in a district. Bylaws must be reviewed within five years of being made and every 10 years thereafter. Bylaws automatically lapse two years after the date by which they were due to be reviewed.

The review of Ōpōtiki District Council’s bylaws considered:

- The perceived problem addressed by the bylaw: does the issue or problem the bylaw is intended to address still exist?
- Whether the bylaw is the most appropriate way to address the problem: is the problem already addressed by existing legislation or could it be better addressed by a non-regulatory alternative? Does the bylaw provide greater enforcement power than existing legislation?
- Whether the bylaw is practical and enforceable.

A number of changes to the bylaws are proposed. These are summarised in the attached statement of proposal, prepared in accordance with sections 83 and 86 of the Local Government Act 2002.

OPTIONS

During the review of the bylaws, the following options were identified and assessed in accordance with section 77 of the Act.

Option	Advantages	Disadvantages
Retain and approve all bylaws without amendment.	Maintains status quo.	Bylaws do not reflect legislative changes and may create uncertainty.
Restructure and amend the bylaws as set out in the statement of proposal (preferred option).	Bylaws updated to improve clarity and readability, reflect legislative changes, remove duplication with existing legislation, remove clauses that are no longer considered necessary, and address gaps identified in the current bylaws. Unnecessary bylaws revoked.	Resources required for education to raise awareness and ensure the community is aware of changes and new provisions.
Revoke all bylaws or allow them to lapse without replacing them.	Reduced enforcement requirements. No unnecessary regulation of some activities that are not a local issue.	ODC no longer has the ability to regulate perceived problems or issues that may create public nuisance and/or endanger public health and safety.

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 approving the Statement of Proposal for Ōpōtiki District Council Consolidated Bylaw and Dog Control Policy 2019 for release for public consultation is low. However, the review of the Ōpōtiki District Council bylaws and dog control policy is considered to be of high significance as determined by the criteria set out in section 12 of the significance and engagement policy.

Council’s Significance and Engagement Policy states that a matter shall be determined to be significant if/when it has major and long-term impact on a wide range of people and/or groups who reflect the makeup of the district’s community. As a significant decision or matter, the Council must apply greater diligence in regards to the decision making requirements of the Local Government Act 2002 section 76-82. This includes, but is not limited to, the degree to which different options are identified and assessed and the extent to which community views are considered, including whether consultation is required.

Assessment of engagement requirements

As the level of significance for approving the Statement of Proposal for Ōpōtiki District Council Consolidated Bylaw and Dog Control Policy 2019 for release for public consultation is low, the 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 review of Ōpōtiki District Council’s bylaws and dog control policy will follow the special consultative procedure set out in the Local Government Act 2002. The timeline for public consultation will be aligned with consultation on the draft reserve management plans.

CONSIDERATIONS

Financial/budget considerations

The costs associated with the review of the bylaws and dog control policy will be met through existing budgets.

Policy and planning implications

The review of the bylaws and dog control policy is consistent with the Ōpōtiki District 2018-2028 Long Term Plan (LTP), which notes that the regulation and safety activity includes ensuring "...that public health and safety is protected and enhanced through the effective and efficient implementation of legislation...and fit for purpose bylaws." One of the key performance indicators identified in the LTP is "review and adopt all Council bylaws over the next 3 years."

Risks

There are no major risks associated with the decision to adopt the statement of proposal and approve it for release for public consultation.

Authority

The Council has the authority to make the required decision under the Local Government Act 2002.

RECOMMENDATIONS:

- 1. That the report titled "Ōpōtiki District Council Bylaw and Dog Control Policy Review" be received.**
- 2. That the Statement of Proposal for the Ōpōtiki District Council Consolidated Bylaw and Dog Control Policy 2019 be adopted for public consultation using the special consultative procedure in accordance with sections 83 and 86 of the Local Government Act 2002.**
- 3. That it be noted that the submission period for feedback on the Statement of Proposal for the Ōpōtiki District Council Consolidated Bylaw and Dog Control Policy 2019 will be aligned with the submission period for feedback on Ōpōtiki District Council's reserve management plans.**
- 4. That the ability to make minor amendments to the Statement of Proposal for the Ōpōtiki District Council Consolidated Bylaw and Dog Control Policy 2019 before its release for public consultation be delegated to the Chief Executive Officer.**

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER

REPORT

Date : 11 July 2018

To : Ordinary Council Meeting, 23 July 2018

From : Planning and Regulatory Group Manager, Gerard McCormack

Subject : **DOG CONTROL POLICIES AND PRACTICES REPORT 2018-2019**

File ID : A170356

EXECUTIVE SUMMARY

Council is required to publicly report on its dog control policies and practices each financial year under section 10A of the Dog Control Act. A copy of the annual report is to be submitted to the Secretary for Local Government. The annual report for the 2018-19 financial year is attached.

PURPOSE

The purpose of this report is to provide Council with the annual report setting out Council's dog control practices for the year 2018-19. Following receipt by Council, the annual report will be submitted to the Secretary for Local Government. The annual report is included in appendix 01 attached.

BACKGROUND

The Dog Control Act requires territorial authorities to publicly report on dog control policy and practices under section 10A of the Dog Control Act.

Section 10A of the Dog Control Act 1996 states that the report "*.....must, in respect of each financial year, report on the administration of -*

- (a) its dog control policy adopted under section 10; and*
- (b) its dog control practices."*

Section 10A(3) specifies that "*the territorial authority must give public notice of the report in one (1) or more daily newspapers circulating in the territorial authority district."*

Section 10A(4) requires the Council, *"within one month after adopting the report, to send a copy of it to the Secretary for Local Government"*.

DISCUSSION

The attached report summarises the key information requirements set out in the Dog Control Act in terms of reporting. Also included below are some of the key statistics for the financial year, and reasoning for any notable changes. More generally, Animal Control staff continue to be proactive within the community. They undertake daily patrols, respond to service requests and look after the pound. They also spend time with customers on a one-on-one basis talking about the responsibilities of individual dog owners.

During this financial year, Animal Control Officers operated a pop-up shop in Te Kaha every Thursday between January and March. This was arranged in response to comments from the community that there was a lack of Council presence in this part of the district. Feedback was received from owners of hunting dogs in coastal and rural communities that one reason they do not register their dogs is because the fee was too high and they felt it was unfair that hunting dogs fall into the same category as domestic dogs kept as pets. In response to this feedback, a report was considered by Council on 23 April 2019, and as a result the Council resolved to declare hunting dogs to be working dogs for the purposes of the Dog Control Act 1996.

Statistical analysis

- 1591 dogs were registered during this financial year which is the highest number of dogs ever registered in the district.

Animal Control Officers phoned dog owners in August/September to remind them to re-register their dogs to avoid penalties being applied. This was a contributing factor to the increase in registered dogs and for the lower number of infringement notices issued for unregistered dogs.

- 60 dogs were rehomed during this financial year which represents 15% of all dogs impounded and is the highest number of dogs rehomed ever recorded within a financial year.

There has been a significant decline in the number of Pitbulls and other menacing breeds being impounded as a result of a Council decision to fund de-sexing programmes for dangerous and menacing dogs. This has meant a greater portion of dogs impounded are suitable for adoption than has been the case in previous years. We are also adopting dogs through the SPCA and they are also

advertising dogs available for adoption on their website. Dogs have been rehomed from the pound to Invercargill, Auckland, Thames, Christchurch and Wellington during this financial year.

- 397 dogs were impounded, and 52% of these dogs were euthanised. This is the lowest percentage ever recorded during a financial year, and is 12% less than last year and 18% less than the previous high in 2014-15 of 70%.

The de-sexing programme has reduced the amount of unwanted litters of menacing and dangerous dogs being left at the pound. Additionally, there has been an improvement in rehoming rates and increases in return of dog to owners. Both result in a significant reduction in the number of dogs that have needed to be euthanised in this financial year.

- 128 (32%) of dogs impounded were returned to their owners which is the highest percentage of dogs returned to owners following impoundment ever recorded within a financial year.

Following Council incentives to micro-chip all dogs registered prior to 1 August for free and public education campaigns about micro-chipping dogs, the number of dogs micro-chipped in the district has increased making it easier for officers to return impounded dogs to their owners.

- 3 dogs were broken out from the pound during this financial year.

However, since CCTV cameras were installed at the pound in January there has not been a break in or any signs that forced entry has been attempted.

Council undertakes an annual satisfactory survey which includes a question around whether the responder was very/fairly satisfied with Animal Control. Results for the last five years are presented below:

2018-19	2017/18	2016/17	2015/16	2014/15
59%	55%	51%	55%	56%

This year represented the highest levels of satisfaction with the Animal Control service since the survey commenced. However, staff are aware that dogs are still an issue within the district. Public feedback from the survey, letters to the local paper, posts on facebook and comments to Council officers confirm that the level of roaming dogs, dog attacks and dangerous dogs in the district are still of an issue for our residents and therefore continued efforts are required.

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 Dog Control Policies and Practices Report 2018-20 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

The Dog Control Act 1996 requires Council to report on dog control policy and practices each year. Public notification of the report is required in one or more daily newspapers circulating within the district. Council must also, within one month of adopting the report, send a copy of it to the Secretary of Local Government.

As the level of significance for the Dog Control Policies and Practices Report 2018-20 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

The work of the Animal Control team has resulted in improvements in a number of our statistical reporting measures during this financial year. Some improvement in customer satisfaction has also been noted. However, Dog Control is an activity of Council that will always require a proactive approach to ensure that dog owners fulfil their responsibilities under the Dog Control Act, in particular to ensure that their dogs are registered, and to ensure dogs do not wander and therefore reducing the likelihood of attacks.

RECOMMENDATIONS:

- 1. That the report titled “Dog Control Policies and Practices Report 2018-19” be received.

2. **That the Dog Control Policies and Practices Report 2018-19 attached in Appendix 01 be adopted by Council and its availability publicly notified in the Ōpōtiki News in accordance with Section 10A(3) of the Dog Control Act.**
3. **That the Dog Control Policies and Practices Report 2018-19 attached in Appendix 01 be filed with the Secretary for Local Government (Department of Internal Affairs) in accordance with section 10A(4) of the Dog Control Act.**

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER



Opotiki District Council Dog Control Policies and Practices Report 2018-19

Section 10A report in accordance with the Dog Control Act 1996

1 Introduction

Opotiki District Council, as a Territorial Authority, is required to manage and enforce the provisions of the Dog Control Act 1996.

This report is to meet the requirements set under Section 10A of that Act which requires Council to report on its dog control policy and practices.

This report contains information and statistics on the Council's dog control activity for financial year 2019 (1 July 2018 to 30 June 2019).

2 Dog Policy, Objectives and Practices – Section 10A (1) (a)

Opotiki District Council has a Dog Policy, dated 9 November 2004 with the objectives being:

- Minimising the danger, distress and nuisance of dogs to the community generally
- Separating children and dogs in public places
- Enabling, to the extent that is practicable, the public to use streets and public amenities without fear of attack or intimidation by dogs
- The exercise and recreational needs of dogs and their owners

High priority objectives are identified as:

- The need to reduce the number of dogs roaming the streets
- The need to decrease the amount of uncontrolled breeding that occurs

Dog registration and fees are charged annually and used to fund Council's dog control functions along with rates funding given the wider public benefit that is derived by keeping the community safe.

3 Summary of Practices – Section 10A (1) (b)

The Animal control function forms part of the Planning and Regulatory Group of Council.

During the reporting period Council has had 2.5FTE officers dedicated to Dog Control, with officers' also managing horse and stock control. In addition, support is provided by another staff member within the Regulatory team, although this is not their core function.

Limited afterhours support is provided by Independent Security Consultants Ltd (ISCL).

The Opotiki Town Centre is patrolled at least three times a day. The purpose of these patrols is to identify non-compliance with the Dog Control Act, the Dog Control Bylaw and Policy. In this reporting period there have also been some after-hour patrols undertaken.

The patrols are also an opportunity to get out into the community and talk to dog owners about their responsibilities on an individual basis.

Patrols are also carried out to include the wider Opotiki Township, Woodlands and East Coast settlements such as Te Kaha, Waihau Bay, Ohiwa, Bryan's Beach and Paerata Ridge. East of Te Kaha patrols are undertaken on an as needed basis often through a Service Request or via N.Z. Police.

Funding has been approved by Council for the de-sexing dogs classified as dangerous or menacing within the district and also to have all dogs micro-chipped before 1 August 2019 microchipped for free.

4 Dog Control Statistics

Section 10A (2) information

The following information is required under section 10A (2) clauses a –g.

	2018-19	2017-18	2016-17	2015-16	2014-15
a. Registered Dogs	1591	1463	1461	1580	1442
b. Probationary owners	0	0	0	0	0
c. Dogs classified as dangerous	6	5	8	6	3
d. Dogs classified as menacing	28	33	85	54	42
e. Number of Infringements issued	91	100	96	139	161

f. Number of service requested	357	328	332	393	577
g. Number of Prosecutions	0	0	0	0	0

The number of registered dogs increased to the highest level ever recorded in the District, with the number of menacing dogs decreasing to 28 the lowest number recorded. This is attributed to success of last year's trial de-sexing programme which has been running for a number of years.

Pound Statistics

The table below shows the activity at the pound over the last five years:

Activity	2018-19	2017-18	2016-17	2015-16	2014-15
Dogs euthanized	206 (52%)	181 (64%)	280 (66%)	294 (66%)	426 (70%)
Dogs stolen from pound	3	1	5	1	8
Dogs returned to owner	128 (32%)	87 (31%)	98 (23%)	95 (21%)	134 (22%)
Dogs rehomed	60 (15%)	14 (5%)	39 (9%)	54 (12%)	34 (6%)
Dogs impounded	397	283	422	444	602

Infringement notices

There were 91 infringement notices issued by the Animal Control Officers over the 2018-19 year.

Details are as follows:

Type of Infringement	2018-19	2017-18	2016-17	2015-16	2014-15
Failure to register Dog	72	85	72	91	86
Failure to keep dog under control	13	11	23	43	60
Wilful Obstruction of dog control officer or ranger	Nil	Nil	Nil	Nil	Nil
Failure to comply with effects of classification of dog as dangerous dog	6	1	1	3	3
Failure to comply with a Bylaw	Nil	Nil	Nil	Nil	1
Falsely notifying death of a dog	Nil	Nil	Nil	1	Nil

Wilfully providing false information about a dog	Nil	1	Nil	1	161
Failure to implant microchip	Nil	2	Nil	Nil	Nil
TOTAL	91	100	96	139	241

Customer Service Requests

Animal Control related service requests continue to decline as shown in the following table:

Service request type	2018-19	2017-18	2016-17	2015-16	2014-15
Dog Control	357	328	332	393	577

REPORT

Date : 8 July 2109

To : Ordinary Council Meeting, 23 July 2019

From : Rapid numbering and Road Naming Administration Officer, Anna-Marei Kurei

Subject : **PROPOSAL FOR NEW ROAD NAME: WHAROTAI ROAD**

File ID : A171247

EXECUTIVE SUMMARY

An application has been made to Council to have a Council road named under this policy. This report recommends that the application is approved and Wharotai Road to be officially named.

PURPOSE

The purpose of this report is to propose a road name for a public road located at the end of Maraenui Pa Road. The application proposes the road to be called Wharotai Road named after the ākau from the mouth of the Mōtū to Parenuī maunga (Tokaroa).

BACKGROUND

The road to be named is located at the end of Maraenui Pa Road and is highlighted in Appendix D. Houses located off this road have come under Maraenui Pa Road which has caused many postal issues for residents. In addition emergency services in particular have found it difficult to locate property addresses along this road.

DISCUSSION AND OPTIONS SECTIONS

The following options are proposed for Council's consideration

Option 1 – To leave the road unnamed

Option 2 – Council to approve the name change put forward and provide signage

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 Proposal For New Road Name: Wharotai Road 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 Proposal For New Road Name: Wharotai Road is considered to be of *low* the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.



COMMUNITY INPUT AND PUBLICITY

In accordance with the road naming policy the applicant has consulted and informed affected parties of the proposed name change. The consultation process undertaken by the applicant and the outcomes are attached in Appendix B.

If the decision is made to name the road the case officer will inform Land Information New Zealand of the road changes and reassign numbers in accordance to the Australian/New Zealand Rural and Urban Addressing Standard (AS/NZS 4819:2011).

CONSIDERATIONS

The road naming application was completed by a member of the local hapū at the request of the officer due to his knowledge of the local area and its people.

Financial/budget considerations

The road to be named is owned by the Council and therefore the small cost associated with the signage will be met using the existing engineering group budget.

Risks

There are no major risks associated with the decisions.

Authority

Council has the authority to make the required decision

CONCLUSION

The applicant has completed the road naming application for the proposal of the Council road to be named Wharotai Road. The application and road name is consistent with the Council's Road Naming Policy and the Australian/New Zealand Rural and Urban Addressing Standard (AS/NZS 4819:2011).

RECOMMENDATIONS:

- 1. That the report titled "Wharotai Road name proposal" be received.**
- 2. That Council approves the road to be officially named Wharotai Road**

Anna-Marei Kurei

RAPID NUMBERING AND ROAD NAMING ADMINISTRATION OFFICER

Appendix A Letter of support

To whom it may concern,

Residents of Maraenui have been consulted on the roadway running adjacent to the beachfront of Maraenui, it was raised with us the issues this road causes for emergency services and not being able to locate residents when a call is made. This is a huge health and safety matter that needs to be rectified by officially naming of the private road.

A Discuss has been had on what the name of this private road should be and the possibilities of getting new rapid numbers issued, this has been discussed not only with residents but the local kaumātua, the names suggested are as follows

WHĀROTAI ROAD (Private road)

The name "**Whārotai**" is given as the first option as it is the name of the beach in maraenui which stretches from Tokaroa in the west to the mōtū mouth in the east.

TE POHO O APANUI ROAD (Private road)

The name "**Te Pohō o Apanui**" is given as the second option as this is the name of the lands here in Maraenui it signifies the home lands of our ancestor Apanui Ringamutu.

ROAD SIGNAGE

It is asked that "Private Road" be placed under the name as it is a private roadway for the land blocks to access their properties.

Is it also possible to have a 10km speed limit sign with "Dust nuisance" below it erected on the eastern side for the residents?

ISSUING OF RAPID NUMBERS

Currently all residents along the front have rapid numbers issued to Maraenui Pā Road, however this road ends on the tarseal.

It is suggested that the residents on the east end be issued with rapid numbers 1 – 100 as this is where our Marae is and the residents on the west end be allocated 101 – 200 with the newly assigned name.

Please if you have further questions do not hesitate to contact me on the below details

Nāku noa



Louis Rāpihana

HAPŪ MĀNGAI | TE WHĀNAU A HIKARUKUTAI

C 027 354 4483 P 07 325 2809

E Louis.Robson@emergeaotearoa.org.nz

Appendix B: Application Form for road name/renaming



Opotiki District Council
STRONG COMMUNITY STRONG FUTURE

Application for road name/renaming	
Date of application	30/4/2019
1. Name of person making request	First name: Louis Surname: Rāpikanga
2. Postal Address of applicant	3643 State Highway 35, Opotiki
3. Contact details	Phone: 073252809 Mobile: 0213544483 Email: louis.robson@emergeaotearoa.org.nz
4. Road to be named location	Address: Legal Description:
5. Type of naming	<input type="checkbox"/> New road created from subdivision <input type="checkbox"/> Road Re-Naming <input type="checkbox"/> Existing Legal Unnamed Road <input checked="" type="checkbox"/> Private road
6. Proposed road names <i>Please provide three names in order of preference along with their background</i>	
Road 1	Whārotai Road
Name	
Road 2	Te Poho o Apanui Road
Name	
Road 3	
Name	
Background	The name Whārotai is the name of the ākau from the mouth of the Mōtu to Parenuī Maungā (Tokarua)

Road renaming

Please state the current road name and your reason for requesting the name change below then complete the rest of the form. Also, please ensure you attach the written consents of at least 85% of affected residents and attach to the application form.

There is currently no legal name for this road all residents currently come under "Maraenni Pa Road" which legally ends at the tassel.

Road naming guide

Type of Roads	Road Names
Relatively short, dead-end roads, cul-de-sacs	Place, Court, Close, Grove, Way, Rise, Courtyard
Loop road to same street	Crescent, Loop, Circle
Long cul-de-sac through road	Road, Street, Drive, Ridge, Terrace
Narrow road, service lane	Lane
Wide spacious road	Avenue, Boulevard, Parade
Streets in commercial area	Arcade, Mall, Plaza, square, Street, Road
Short road leading to water	Landing

**Road naming/Renaming Application:
Required Information Checklist**

This checklist is intended to help applicants identify and provide information required by the Opotiki District Council under the Road Naming Policy. If you do not provide the required information it may result in your proposal not being processed

	Yes	NA
1. Do you have the application to apply for a road new name/rename and is it completely filled in?	✓	
2. Have you arranged a pre-lodgement meeting with the relevant Council staff to discuss the application process and procedures	✓	
3. Have you attached a map showing the location and boundary of the road to be named?		
4. Have you consulted with the relevant parties (affected property owners, Māori etc.)?	✓	
5. Do you have documentation of all consultation (both positive and negative) taken as evidence for your application?		
6. In the application have you proposed three names and set them in order of preference?		
7. Can you confirm that the proposed names do not have the same name of already existing roads within the Opotiki district?	✓	
8. Is the background provided for the three names proposed?		
9. If the road name is Māori is it endorsed by the local whanau/hapū/iwi and is it spelt correctly?	✓	
10. Does the road name and type comply with the road name and road type criteria set in the Council policy and section 4 of the AS/NZS 4819:2011?	✓	
11. If your application is for a Māori land block and only one name is being submitted is there considerable documentation to show that all owners are in support of the proposed name?		✓

Appendix C: Road Types

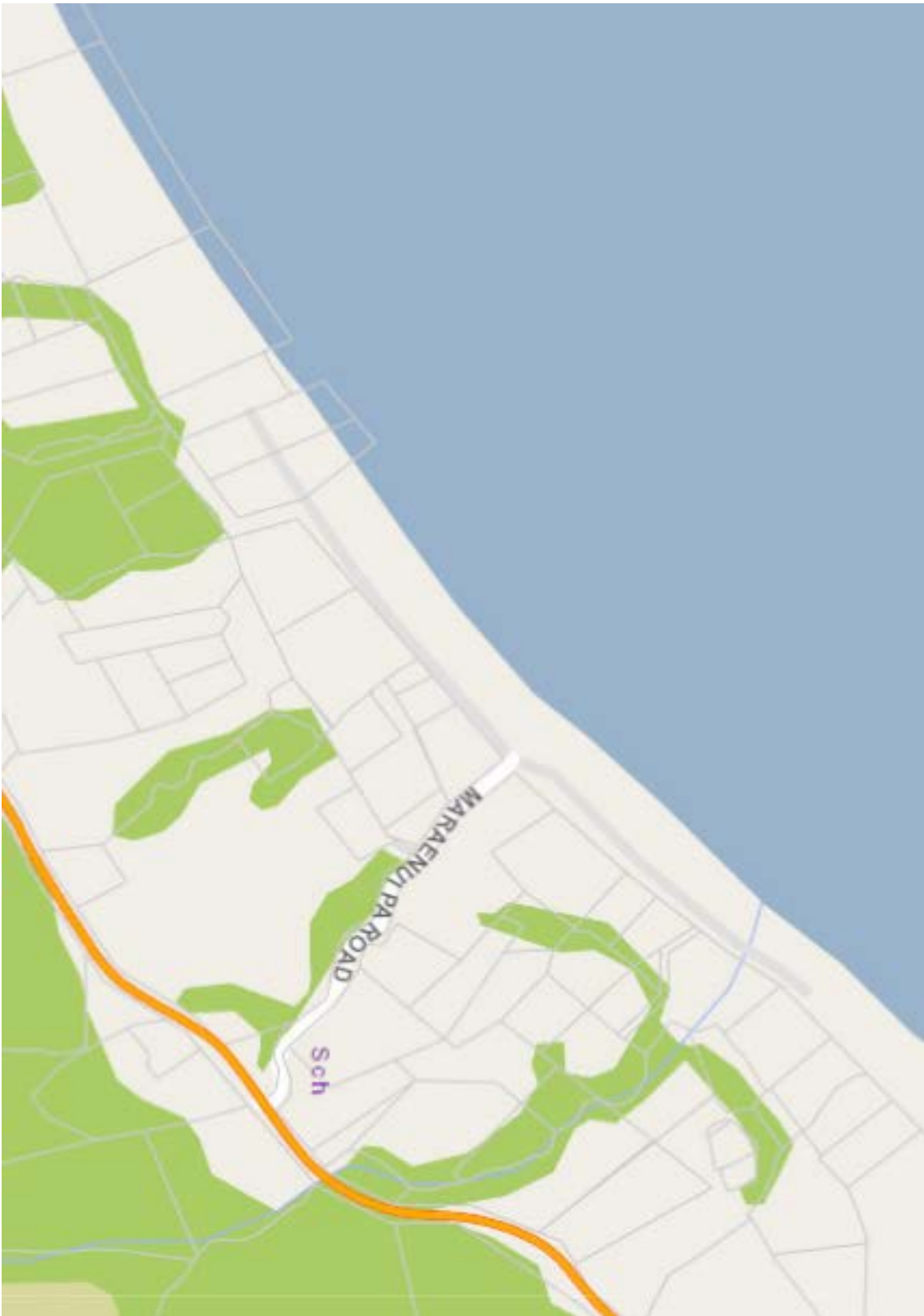


Opotiki District Council
STRONG COMMUNITY STRONG FUTURE

Road type	Abbreviation	Description	Open ended	Cul-de-sac	Pedestrian only
Alley	Aly	Usually narrow roadway in city or towns	✓	✓	
Arcade	Arc	Covered walkway with shops along the sides			✓
Avenue	Ave	Broad roadway, usually planted on each side with trees	✓		
Boulevard	Blvd	Wide roadway, well paved, usually ornamented with trees and grass plots	✓		
Circle	Cir	Roadway that generally forms a circle; or a short enclosed roadway bounded by a circle	✓	✓	
Close	Cl	Short enclosed roadway		✓	
Court	Crt	Short enclosed roadway, especially where both ends join the same thoroughfare		✓	
Crescent	Cres	Crescent shaped roadway, especially where both ends join the same thoroughfare	✓		
Drive	Dr	Wide main roadway without many cross-streets	✓		
Esplanade	Esp	Level roadway along the seaside, lake, or a river	✓		
Glade	Gld	Roadway usually in a valley of trees	✓	✓	
Green	Grn	Roadway often leading to a grassed public recreation area		✓	
Grove	Grv	Roadway that features a group of trees standing together		✓	
Highway	Hwy	Main thoroughfare between major destinations	✓		
Lane	Lane	Narrow roadway between walls, buildings or a narrow country roadway	✓	✓	✓

Loop	Loop	Roadway that diverges from and rejoins the main thoroughfare	✓		
Mall	Mall	Wide walkway, usually with shops along the sides			✓
Mews	Mews	Roadway in a group of houses		✓	
Parade	Pde	Public roadway or promenade that has good pedestrian facilities along the side	✓		
Place	Pl	Short, sometimes narrow, enclosed roadway		✓	
Promenade	Prom	Wide flat walkway, usually along the water's edge			✓
Quay	Qy	Roadway alongside or projecting into water	✓	✓	
Rise	Rise	Roadway going to a higher place or position	✓	✓	
Road	Rd	Open Roadway primarily for vehicles	✓		
Square	Sq	Roadway which generally forms a square shape, or an area of roadway bounded by four sides	✓	✓	
Steps	Stps	Walkway consisting mainly of steps			✓
Street	St	Public roadway in an urban area, especially where paved and with footpaths and buildings along one or both sides	✓		
Terrace	Tce	Roadway on a hilly area that is mainly flat	✓	✓	
Track	Trk	Walkway in natural setting			✓
Walk	Walk	Thoroughfare for pedestrians			✓
Way	Way	Short enclosed roadway		✓	✓
Wharf	Whrf	A roadway on a wharf or pier	✓	✓	✓

Appendix D: Map of area



REPORT

Date : 11 July 2019
To : Ordinary Council meeting, 23 July 2019
From : Chief Executive Officer, Aileen Lawrie
Subject : **JIANGXI VISIT UPDATE**
File ID : A172359

EXECUTIVE SUMMARY

The three eastern Bay of Plenty Mayors recently led a trip to Jiangxi province in China. The three Mayors led delegations to three “friendship cities” and signed agreements with those cities and a Regional Agreement with the Jiangxi Provincial Government. Many opportunities have been identified that can benefit the Bay of Plenty and New Zealand.

PURPOSE

To update the Council on the trip to Jiangxi, China.

BACKGROUND

A concept of a sister region relationship has been developed by Simon Appleton of Eastern Bridge over the last few years. Whakatāne District Council initially led the development of the initiative through their Sister Cities Committee, and Simon carried out an analysis of which region/cities were most likely to align with ours in terms of similarities and opportunities. Several reports came to the Joint Committee of the Eastern Bay of Plenty that were reported back to each Council. In December 2018 Council agreed to participate in the trip and to sign the proposed Sister City Agreement with their individual cities.

In June 2019, a 20 strong delegation of Mayors, CEOs and education professionals from the Eastern Bay of Plenty (Dong fengshen wan) visited Jiangxi in China. The trip was facilitated by Eastern Bridge Limited, a company created by former Opotiki resident and ODC/Toi-EDA employee Simon Appleton.

Simon had spent some time researching opportunities and developing relationships in China to further the interests of the eastern Bay of Plenty.

Our delegation broke into three and each district visited a Jiangxi city, selected for their similarities with us:

- Whakatāne Fuzhou
- Kawerau Yingtan
- Ōpōtiki Xinyu

Following our individual visits we converged in Nanchang (the capital of Jiangxi) to hold a conference with Chinese business interests, to meet with the Jiangxi Government and to sign the Friendship Agreements. The events were well publicised in the Chinese media and was broadcast across China, complete with interviews from our three Mayors on Jiangxi television.

We understand that this is the first Regional Agreement for both China and New Zealand and that both Governments are watching carefully to see how this progresses and stand ready to support actions we can identify that will be of benefit. The Ministry of Foreign Affairs and Trade sent their political attaché and a former Ambassador to Beijing to attend the formal signing event.

DISCUSSION AND OPTIONS SECTIONS

Jiangxi



Jiangxi is an inland province, approximately four hours on a high-speed train west of Shanghai. It is serviced by an International Airport and is home to 49 million people. The region challenges the commonly held perceptions of China. It is unlike the more commonly visited areas such as Beijing or Shanghai. It is a rural province with a focus on its environmental quality:

- 63% of province in in forest
- 15 national level nature reserves
- 47 national level forest parks
- Largest fresh water lake in china and wetland of international significance
- 2 UNESCO natural world heritage sites.

The economy has a strong base in tourism, horticulture, food, traditional Chinese medicine processing and forestry. The province is now developing an eco-tourism industry as well as becoming a popular domestic migration destination for families wanting to escape the pressures of the overcrowded East Coast. Other parallels with the Eastern Bay of Plenty is in Jiangxi's geothermal energy sector and growing ambitions in aquaculture.

GDP is growing at 9% and the people of Jiangxi have the highest disposable income in China. One of the statistics we heard about the improvements being made is that 700m people in China have been lifted out of poverty in one decade.

The region is culturally rich; the home of Taoism and with strong Buddhist and Confucius cultural influence. Jiangxi is also a leading region for tea and Tea Culture. We witnessed a range of Arts – cultural singing, exquisite embroidery and porcelain; and we saw the popularity of traditional Chinese medicine.

We saw many opportunities for NZ industry – for example, we saw a company using 70,000 tonnes per year of New Zealand milk powder, combining it with the probiotics from rice, to make award-winning high value health products. We saw huge investments in technology and research, and the development of companies' ethical thinking and donating to charity.

Renewable energy aspirations are being pursued on a large scale – China has 60% of the world's solar panels.

Jiangxi province statistics:

Population	49 million
GDP (NZD)	\$3,26 billion - 9% growth (2017)
Household Income (NZD)	\$28,000 (est)
Average Disposable income (NZD)	\$7,253.61 (8.5% growth)
Students	7.2 million students 30 universities
International Links	International Airport (Asia and Europe) International Rail (SEA)

Capital city	Nanchang
Consumers	Rapidly growing presence of international brands, hotels, Starbucks, international travel and education agencies.

Xinyu

The Opotiki delegation spent three days in the City in Xinyu. The district has a Land area of 3178 sq km, and population of 1.16m of which 800,000 live in the city. Originally settled 5,000 years ago the city was established in the year 267. It has a large freshwater lake - Fairy lake (Xian nu hu), named from the love story of one of the seven fairy gods. With 50 square km of water, 200 islands, and a Buddhist temple it is the birth place of Chinese Valentines day. A cycleway runs around the lake and is very popular. Fishing competitions are a popular recreational activity in the lake, which contains many very large fish.

The district is pursuing all round wellbeing for its people. It has forests, temples and caves and is home to exquisite Xiabu embroidery – of national cultural heritage value. A revitalisation project is underway transforming the city. Its flower is the rose, with many rose gardens around the city.

Two rivers run through the city that are part of an extensive river control and water quality improvement scheme that gives it the aspirational title of “sponge city”, in their efforts to deal with increased rainfall as a result of climate change. The lovely Beihu Lake provides the setting for a walkway, used by many in the evenings, that doubles as a stormwater and water quality retention facility. The district boasts some very lovely cultural songs.

Steel is produced in Xinyu as well as a rapidly growing food product sector. Rice products combined with New Zealand milk powder is extensively available in the province and biscuit/snack production is growing rapidly, again using imported New Zealand milk powder. GDP growth is running at around 13%

OPPORTUNITIES

Education is an immediate opportunity. While we were in Jiangxi we announced on behalf of the North Asia CAPE New Zealand Government scholarships to the value of \$190k for New Zealand students to spend time in Jiangxi. Upon our announcement a reciprocal agreement valued at approximately \$220,000 (NZD) has been confirmed by the Jiangxi Governor.

Export education is New Zealand's fourth largest export and the eastern Bay of Plenty is capable of benefitting from two-way exchanges. A stated goal is to grow the economic value of export education to the eastern Bay of Plenty Region to \$8m (NZD) per year.

Tourism – there is great potential for reciprocal tourism outcomes with a focus on high value packages, not commodity groups. The three Eastern Bay Councils will work through Simon Appleton to develop suitable packages in consultation with Jiangxi's Tourism and Culture Department.

Products – high quality products are sought after in China. Honey, kiwifruit, manuka products, aquaculture and wood products all have potentially very large markets. Zespri indicated interest in future trips and had three trays of gold kiwifruit delivered to us in Nanchang for us to distribute. The Eastern Bay will extend an invitation to Jiangxi business to visit our region and learn about the products we have to offer.

Cultural and sports exchanges were sought after by the groups and schools that the delegation visited.

Traditional Chinese medicine – this is possibly the next wave of popular health initiatives with growing interest from New Zealanders. Facilities in New Zealand are likely to attract locals, New Zealand Chinese and, potentially, Chinese tourists.

Through Eastern Bridge an eastern BOP display area in the Jiangxi University has been secured. The eastern Bay of Plenty has the opportunity to shape this space and attract young capable people to New Zealand and promote New Zealand products and tourism. This space is free to access for all eastern Bay of Plenty schools, businesses or organisations. There is also potential for a reciprocal centre in New Zealand.

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 this update report is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assesment of engagement requirements

As the level of significance for this update 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

The visit to Jiangxi challenged the commonly held perceptions about China. The region and issues facing them are not dissimilar to New Zealand. Many opportunities exist that can be of benefit to both countries and Don fengshen wan need to decide how to collectively take these forward.

RECOMMENDATIONS:

- 1. That the report titled "Jiangxi Visit update" be received.**

Aileen Lawrie

CHIEF EXECUTIVE OFFICER

REPORT

Date : 11 July 2019

To : Ordinary Council Meeting, 23 July 2019

From : Chief Executive Officer, Aileen Lawrie

Subject : **CHIEF EXECUTIVE OFFICER'S UPDATE**

File ID : A171572

LGOIMA REQUESTS

LGOIMA Report (23/05/2019-13/07/2019)

Month	Submitter	Subject	Due
May 2019	New Zealand Taxpayers Union	Costs of Council's decision to rename four bridges in the Rahui valley along Toatoa Road	Completed
	New Zealand Taxpayers Union	Remuneration of Chief Executive	Completed
	Ministry of Health	Appointment of Environmental Health Officers	Completed
	Mariana Juliani	Farmers access to managed dump sites	Completed
June 2019	AUT Gail Pacheco	Gambling policy research	Completed
	Christine Taylor	Historic and recent interaction between ODC and Tangata Whenua in relation to coastal and marine areas	Completed
	Hannah Enderby	Quarry and tree falling permits	Completed
	New Zealand Taxpayers Union	Stakeholder Strategies	Completed
	Warren Fitzgerald	Landfill and recycling data	Completed
	Emma Hatton Radio NZ	Costs Council is facing to quake-proof buildings	Completed
	Stuff website	Survey on staff diversity	Completed
	Carey Conn	Dog pound rehoming	Completed

July 2019	Robert Newbigging	Mayoral Vehicle, Council registration vehicle numbers, RC to discharge sewage into rivers	Completed
	Pip Jones	Water restrictions over past 50 years	06/08/2019

WATER SUPPLY

The water supply plant fix has been completed and the contingency line has now been stopped. People are, however, still reporting instances of discolouration. It is difficult to tell whether discolouration is residual in the lines or the reservoir. Staff are hesitant to flush the lines and risk exacerbating the problem rather than fixing it. Comms messaging at the moment is that the fix is in place but we are still monitoring for ongoing issues and do recommend people continue to check for discolouration due to the possibility of residual iron and manganese still trapped in the lines.

The computer system that failed has been fixed but staff and contractors have not stopped working on it. Utilising the water supply treatment renewal budget a full system replacement with additional contingency is planned. It's about due at 20 years old, though age was not the cause of the failure. Despite this type of failure being unavoidable officers want to reduce the total repair timeframe to avoid switching to the contingency bypass line as much as practical. The best way to achieve this is through the outcomes proposed in the draft procurement strategy that will be brought to Council in due course.

Officers are also looking into local and Whakatāne based laundry services and want to check their chemical handling certificates and determine if a preferred service provider can be found that utilises the particular chemicals required to clean iron and manganese stained clothes.

WASTEWATER

PS1 is running but is vulnerable to further failures. During the heavy weather one of the two riser pipes, that alternate in operation, partially failed. As the alternate component was working the pump station continued and still continues to operate but resilience is reduced. Staff have prepared a report to Council outlining the nature of the failure and the proposed short and long term treatments.

SOLID WASTE COLLECTION

The new solid waste collection has now completed two runs. There have been around 100 complaints from last count, the vast majority due to dissatisfaction at having more waste than the collection allows. These complaints have generally come from large families that didn't know that the collection capacity has actually increased and that the volumes they had been setting out were well in excess of

the volumes that had been adopted years ago. Staff have been explaining that the collection volume is based on the average collection, coinciding with the average household in Ōpōtiki of three people and that rates are charged evenly on this basis.

Officers note one particular complaint, being the ease of use for elderly, as a legitimate and fair concern. Officers are currently investigating plastic dollies that could be provided for elderly and other vulnerable members of the community and will report to Council as soon as possible.

The bins and crates distribution has run relatively smoothly from all reports with only a few people having difficulty, generally due to misplaced or unread flyers. The distribution ran over 10 days and the pickup store for those that weren't home has been open since 22 June and will stay open until 14 July. Any ratepayers that may miss the final days for pick up or are unable to pick up, have been and will be able to contact Council contractors to arrange pick up or delivery. There are only 300 of the 2200 odd bins and crates sets yet to be distributed.

Most ratepayers seem to be happy with the new bins, however there are some that have concerns about the durability, particularly the lids. The durability of the bins is a contextual concern. The lids are not as durable as those found on the large 120L bin but they are also lower cost. \$38 for complete new bins and \$11 for new lids. Treated with due care the bins are predicted to last 10 years and because of their modularity, bin components can be swapped out without being returned to the manufacturer. Components are also made of recyclable material. Concerns have been raised about the treatment of bins by the collection contractor. This potential issue is being resolved through direct instruction to contractors and by installing cameras on the collection vehicles to provide a means of auditing contractor performance. The cameras also serve a dual purpose of addressing health and safety concerns.

Health and safety was also a matter raised recently by Work Safe which noted that the previously accepted process was no longer safe practice. Officers worked with contractors in an urgent meeting and were able to find practical interim solutions which have proven successful, although catching out some community members who didn't set out their waste at 8am as requested. Officers are now working on the new contract to be taken to tender which will see the health and safety process fully reviewed and implemented. At this stage, despite initial concerns, the changes in process are not expected to exceed operational budgets.

SAFER ROADS PROGRAMME

I have been advised that the proposed \$32m spend on SH2 Interventions in the Opotiki District that was supposed to start in June, has been deferred by NZTA pending funding availability – i.e. deferred to compete with next year's round of projects. At this stage we have not heard this formally but given the importance of particularly two of the proposals to upgrade intersections (including the long awaited fix to Matekerepu, for safety and route security purposes), we have been actively seeking information on the outcome.

This has been a very long journey, and ODC, other agencies and the community have put in many hours of work into the following processes:

2001-2015

Many interactions of business cases/advocacy and attempts to have Matekerepu reviewed for safety and route security.

2013-2015

Signature Programme – Safer Journeys Action Plan originally across the Eastern BOP with multi \$m allocated (but not spent).

2015-2016

Refocussed on an Ōpōtiki Interventions Strategic Case.

2017-2019

Safer Roads programme.

Following some detailed analysis of the available statistics the interventions Strategic Case concluded:

The Eastern Bay of Plenty also has significantly higher rates of rural deaths and serious injury (DSI) crashes than the rest of the country. This has been the case for an extended period, as shown by the NZTA crash statistics in the SignatureNET database. Despite some anecdotal views, the majority of the DSI crashes are local people dying and being injured in the local area. As a consequence, there are widespread impacts on whānau and their communities from the crash rates, both in human and economic terms.

So far we have had only one outcome from these three processes and that was the driver licence mentoring programme that was the subject of a separate business case, and includes in kind and other funding support from ODC, and BOPRC. Council may wish to consider taking this matter up with NZTA or the Associate Minister of Transport. It is noted that MOT are currently consulting on Vision Zero and it would appear highly inconsistent that the Safer Roads proposals have been deferred.

MACRONS FOR ŌPŌTIKI A STEP CLOSER

At its meeting on 20 June 2019 the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa agreed to proceed with the proposed alteration of Opotiki District to **Ōpōtiki District**. Please note the NZGB received letters of support from Whakatāne District Council and Bay of Plenty Regional Council.

Likely on 31 July 2019, the proposal will be notified for one month's public consultation in the *New Zealand Gazette*, online, in national and local newspapers, and in other publications. The report considered by the NZGB will be available on the LINZ place names webpages. Public consultation and participation is valued in the process to gauge any opposition or support, particularly from mana whenua and the local community.

If the NZGB receives only supporting submissions or no submissions, the NZGB will make a final determination on the proposal, and request an order in Council from the Governor General to alter the name. If objections are received, the NZGB will consider them at its next meeting on 18 October 2019. From there, the NZGB would recommend its decision to the Minister for Land Information, who may then confirm, modify, or reject that decision.

MEETINGS / EVENTS ATTENDED BY CEO – 24 MAY 2019 – 11 JULY 2019

30 MAY 2019

Opotiki Harbour Project Steering Group meeting, via teleconference

4 JUNE 2019

Eastern Bay of Plenty Joint Committee meeting, Whakatāne

5 JUNE 2019

Ōpōtiki Marine Advisory Group (OMAG) meeting

Met with MPs Kiri Allan, Tamati Coffey, Priyanca Radhakrishnan and Marja Lubeck

10 JUNE 2019

Eastern Bay of Plenty CEs meeting, Whakatāne

11 JUNE 2019

Reserve Management Plans and Bylaws Review Workshop

Met with NZTA Acting Director Regional Relationships

Met with Port Manager and Dredge Master Buller District Council

12 JUNE 2019

Catch up meeting with BOPLASS Chief Executive Officer

13 – 22 JUNE 2019

Part of Eastern Bay of Plenty delegation to China

24 JUNE 2019

Whakatāne

Regional Growth Leadership Group meeting

EMA Networking function

25 JUNE 2019

Met with PSA Union representatives

Met with ODC's Regional Council Relationship Manager

3 JULY 2019

Eastern Bay of Plenty Mayors, Chair and CEs meeting with Toi-EDA, Whakatāne

4 JULY 2019

Met with Ōpōtiki College Principal

Met with Director Emergency Management Bay of Plenty

5 JULY 2019

Met with MBIE (Provincial Development Unit) Principal Regional Advisor, Bay of Plenty and MSD Group General Manager, Client Services

Met with Anne Tolley MP

7-9 JULY 2019

Local Government New Zealand Conference 2019, Wellington

11 JULY 2019

Met with Community Police.

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.

Aileen Lawrie

CHIEF EXECUTIVE OFFICER

REPORT

Date : 11 July 2019

To : Ordinary Council Meeting, 23 July 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:

- 24. Confirmation of In-Committee Minutes – Ordinary Council Meeting 4 June 2019.**
- 25. Confirmation of In-Committee Minutes – Extra Ordinary Council Meeting 28 June 2019.**
- 26. Property Transaction 1.**
- 27. Property Transaction 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
24.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 4 June 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)
25.	Confirmation of In-Committee Minutes – Extra Ordinary Council Meeting 28 June 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)

26.	Property Transaction 1	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)
27.	Property Transaction 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:

24.	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 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)(b)(ii)
25.	Protect the privacy of natural persons Protect information	Section 7(2)(a) Section 7(2)(b)(i) & (ii)
26.	Protect the privacy of natural persons Commercial sensitivity Carry out negotiations	Section 7(2)(a) Section 7(2)(b) Section 7(2)(i)
27.	Protect the privacy of natural persons Commercial sensitivity Carry out negotiations	Section 7(2)(a) Section 7(2)(b) Section 7(2)(b)