

NOTICE OF AN ORDINARY COUNCIL MEETING

**Ōpōtiki District Council Chambers, 108 St John Street, Ōpōtiki
Tuesday, 5 December 2023
Commencing at 10.00am**

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – COUNCILLOR TOM BROOKS

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

Leonard Matchitt – Council’s Wastewater System/River Pollution

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PUBLIC EXCLUDED BUSINESS

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Chair: His Worship the Mayor – David Moore

Members: Cr Shona Browne (Deputy Mayor)

Cr Tom Brooks

Cr Barry Howe

Cr Maxie Kemara

Cr Steve Nelson

Cr Dean Petersen

Committee Secretary: Gae Finlay

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.

Stace Lewer

CHIEF EXECUTIVE OFFICER



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED, TUESDAY, 24 OCTOBER 2023 IN THE
ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM**

PRESENT:

Mayor David Moore (Chairperson)
Deputy Mayor Shona Browne (Deputy Chairperson)
Councillors:
Tom Brooks
Barry Howe
Maxie Kemara
Steve Nelson
Dean Petersen

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Gerard McCormack (Group Manager Planning and Regulatory), via Zoom
Anna Hayward (Group Manager Community Services and Development)
Peter Bridgwater (Group Manager Finance and Corporate Services)
Nathan Hughes (Group Manager Engineering and Services)
Gae Finlay (Executive Assistant and Governance Support Officer)
Mercedes Neems (Executive Support Officer)

MEDIA:

Mike Fletcher (Correspondent)

His Worship the Mayor opened the meeting with a karakia, followed by Deputy Mayor Browne with an inspirational prayer.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

PUBLIC FORUM

Nil.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 12 SEPTEMBER 2023 p4

Councillor Howe asked that the Wharf Masterplan and Implementation Plan be revisited at the next Council meeting through a proper process.

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 12 September 2023 be confirmed as a true and correct record.**

Howe/HWTM

Carried

2. MINUTES – COAST COMMUNITY BOARD MEETING 15 AUGUST 2023 p15

RESOLVED

- (1) That minutes of the Coast Community Board meeting held on 14 August 2023, and any recommendations therein, be received.**

HWTM/Nelson

Carried

3. MINUTES – PERFORMANCE AND DELIVERY COMMITTEE MEETING 14 AUGUST 2023 p21

RESOLVED

- (1) That the minutes of the Performance and Delivery Committee meeting held on 14 August 2023, and any recommendations therein, be received.**

Brooks/HWTM

Carried

4. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 31 AUGUST 2023 p25

RESOLVED

- (1) That the minutes of the Regional Transport Committee held on 31 August 2023 be received.**

HWTM/Browne

Carried

The Executive Support Officer entered the meeting at 10.06am.

5. MINUTES – EASTERN BAY OF PLENTY JOINT COMMITTEE MEETING 15 SEPTEMBER 2023 p32

- (1) That the minutes of the Eastern Bay of Plenty Joint Committee meeting held on 15 September 2023 be received.**

HWTM/Nelson

Carried

6. MAYORAL REPORT – 26 AUGUST 2023-13 OCTOBER 2023 p38

His Worship the Mayor highlighted the opening of the Harbour channel on 15 September as a very special event.

RESOLVED

- (1) That report titled “Mayoral Report – 26 August 2023-13 October 2023” be received.**

HWTM/Nelson

Carried

7. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE p42

The Opotiki Marine Advisory Group (OMAG) Chair, Councillor Howe, noted that OMAG was stagnating and felt the advisory group could be utilised more towards what it was established for.

RESOLVED

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

HWTM/Howe

Carried

8. CONFIRMATION OF COMMUNITY PRIORITIES AND GOALS FOR THE LONG TERM PLAN 2024-2034 p47

Councillor Brooks expressed some concerns:

- Urban engagement has not established the community's view – groups should be targeted, e.g. farming, orcharding etc.
- If groups were targeted the goals may not have been the same
- There was a short engagement for a substantial impact on the community
- Growth and investment – that should be up front.

Councillor Kemara queried if the Priorities and Goals are approved today, is there room to change the goals later.

The Group Manager Community Services and Developed stated that, technically, changes could be made but these are part of the underlying documents to go to Audit in December so need to be locked in by then. She added that the Annual Plan process gives Council the opportunity to make changes which would require a special consultative process so it is about finding balance.

Councillor Howe said Council can change the Goals as it wishes; the LTP is only a guideline. He further said that the opposite has happened to what consultants and experts have advised Council a few years ago, e.g. population growth.

His Worship the Mayor acknowledged that Council has been through the process and there has been ample time to change things. We are elected by the community to approach people and get them to come forward with their views. We had a good representation from across the community in the rates discussion and there has been more engagement with the community than has been done in previous years. He did not feel comfortable going back to another workshop.

Councillor Kemara agreed with the Priorities. He had concerns around Goal No. 1 and the wording of some of the goals, noting that the Goals are 'business as usual' items.

The Group Manager Community Services and Development advised the goals were developed with the view that Council were very clear they did not want an increased rate burden on the community.

Councillor Nelson acknowledged it is hard not to increase rates when there has been such an increase in costs.

Councillor Brooks reiterated that having growth and investment early on should be a priority and time is moving too fast to implement things.

Councillor Kemara was happy with recommendations 1 and 2 but not recommendation 3.

Councillor Petersen stated that Council has had workshops and provided feedback; it is not fair to put this back on the staff.

His Worship the Mayor moved the recommendations as in the report and this was seconded by Councillor Howe.

RESOLVED

- (1) That the report titled “Confirmation of Community Priorities and Goals for the Long Term Plan 2024-2034” be received.**
- (2) That the Council note the current vision of “Strong Community, Strong Future” will be used for the 2023-2034 Long Term Plan.**
- (3) That the Council formally endorses the drafted Community Priorities and Goals for inclusion in the Long Term Plan 2024-2034.**

HWTM/Howe

Carried

Against: Kemara, Brooks

9. LONG TERM PLAN 2024-2034 – UPDATE

p67

RESOLVED

- (1) That the report titled “Long Term Plan 2024-2034 – Update” be received.**

Browne/Petersen

Carried

10. PROPOSED 2022-2023 CAPITAL EXPENDITURE CARRY FORWARDS

p71

On behalf of Council, His Worship the Mayor thanked the Group Manager Engineering and Services and his team for the work done during the recent flooding event.

RESOLVED

- (1) That the report titled “Proposed 2022-2023 Capital Expenditure Carry Forwards” be received.**
- (2) That Council, based on the recommendation from the Performance and Delivery Committee, approves the capital carry forward budgets contained in Appendix 1.**

HWTM/Browne

Carried

The Group Manager Planning and Regulatory left the meeting at 10.40am and returned at 10.43am.

11. DRAFT SIGNIFICANCE AND ENGAGEMENT POLICY FOR PUBLIC CONSULTATION

p77

RESOLVED

- (1) That the report titled “Draft Significance and Engagement Policy for Public Consultation” be received.**

- (2) That the draft Significance and Engagement Policy in Appendix 1 be adopted to go out for public consultation under the Special Consultative Procedure.**
- (3) That Council delegates to the Chief Executive authority to make minor amendments (e.g. punctuation, grammar changes) to the draft policy if required before going out for public consultation.**

HWTM/Brooks

Carried

12. CHIEF EXECUTIVE OFFICER'S UPDATE

p91

Highlights from the report noted by the Chief Executive Officer:

- The opening of the Harbour channel which has been actively used by local boaties since it opened.
- The Future For Local Government event in Wellington which looked at the recommendations from the Future For Local Government report and provided an understanding of what the consensus was around the sector. There will be a follow-up meeting in November.
- Attending the Coast Community Board meeting and the meeting with Te Whanau a Apanui afterwards.

RESOLVED

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

HWTM/Browne

Carried

Mike Fletcher left the meeting 10.54am.

13. RESOLUTION TO EXCLUDE THE PUBLIC

p96

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:

- 14. Confirmation of In-Committee Minutes – Ordinary Council Meeting 12 September 2023.**
- 15. Extension of Rental Agreement, ex Scout Hall 106 St John Street.**
- 16. Notes of Council Workshops.**

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
14.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 12 September 2023.	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)
15.	Extension of Rental Agreement, ex Scout Hall 106 St John Street.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
16.	Notes of Council Workshops.	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:

14.	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	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)
15.	Protect information (commercial sensitivity)	Section 7(2)(b)(ii)
16.	Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(f)(ii) Section 7(2)(j)

HWM/Browne

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.

Brooks/Browne

Carried

RESOLVED

(1) That the in-committee minutes of the Ordinary Council meeting held on 12 September 2023 be confirmed as a true and correct record.

HWTM/Browne

Carried

RESOLVED

(1) That the report titled "Extension of Rental Agreement, Ex Scout Hall 106 St John Street" be received.

(2) That Council proceed with Option 3 'To grant an extension of the current rental agreement for a further two years.'

Browne/Howe

Carried

Abstained: Nelson

RESOLVED

(1) That the report titled "Notes of Council Workshops" be received.

(2) That the Council agree to publicly release the full notes related to the 28 August 2023 Workshop.

(3) That the Council agrees to publicly release the full notes related to the 5 September 2023 Workshop.

(4) That the Council agrees to publicly release the full notes related to the 11 September 2023 Workshop.

(5) That the Council agrees to publicly release the full notes related to the 12 September 2023 Workshop.

(6) That the Council agrees to publicly release the full notes related to the 28 September 2023 Workshop.

HWTM/Browne

Carried

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 COUNCIL HELD ON 5 DECEMBER 2023**

**D G T MOORE
HIS WORSHIP THE MAYOR**



**MINUTES OF AN EXTRA ORDINARY COUNCIL MEETING DATED, MONDAY, 20 NOVEMBER IN THE
ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 1.00PM**

PRESENT:

His Worship the Mayor David Moore (Chairperson)
Deputy Mayor Shona Browne (Deputy Chairperson)
Councillors:
Tom Brooks
Barry Howe
Maxie Kemara
Steve Nelson
Dean Petersen

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Peter Bridgwater (Group Manager Finance and Corporate Services)
Nathan Hughes (Interim Group Manager Engineering and Services)
Billy Kingi (Financial Controllor)
Gae Finlay (Executive Assistant and Governance Support Officer)

GUESTS:

Warren Goslett (Audit New Zealand), via Zoom
Dale Ofoske and Ben Roser (Election Services), via Zoom

MEDIA:

Mike Fletcher (Correspondent)

His Worship the Mayor opened the meeting with a karakia and welcomed everyone to the meeting.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. ADOPTION OF THE 2022-2023 ANNUAL REPORT

**p3
and separate document**

The Financial Controllor advised that the Audit Report presented to the meeting is unsigned until the Annual Report is adopted today. There was an unmodified opinion, except for an Emphasis of Matter in relation to the Water Services Reform programme.

Warren Goslett from Audit New Zealand noted that the audit went very well and reiterated that there is a clean audit opinion with an Emphasis of Matter regarding the Water Services Reform. This is the standard emphasis for all Local Authorities.

Warren Goslett extended thanks to the Group Manager Finance and Corporate Services, the Financial Controllor and the rest of the team for a job exceptionally well done, acknowledging that Ōpōtiki District Council has limited resource.

RESOLVED

- (1) That the report titled "Adoption of the 2022-2023 Annual Report" be received.**
- (2) That the 2022-2023 Annual Report be adopted.**

HWTM/Kemara

Carried

Warren Goslett left the meeting at 1.07pm.

2. DRAFT REVENUE AND FINANCING POLICY FOR PUBLIC CONSULTATION

p6

RESOLVED

- 1. That the report titled "Draft Revenue and Financing Policy for Public Consultation" be received.**
- 2. That the draft Revenue and Financing Policy and Funding Needs Analysis (Appendix 1) be adopted to go out for public consultation under the Special Consultative Procedure.**
- 3. That the Statement of Proposal – Revenue and Financing Policy (Appendix 2) be adopted.**
- 4. That the Council delegates to the Chief Executive authority to make minor amendments (e.g., punctuation, grammar changes) to the draft policy if required before going out for public consultation.**

HWTM/Browne

Carried

Dale Ofoske and Ben Roser (Election Services) joined the meeting at 1.15pm, via Zoom.

3. REPRESENTATION REVIEW AND MĀORI WARDS

p46

The Chief Executive Officer advised a correction. There was also a workshop with Ngai Tai on 21 September 2023 which was not noted in the report.

A discussion ensued with most of the Councillors putting forward their comments.

Councillor Brooks:

- There is currently Māori representation at the Council table.
- There are other mechanisms available, e.g. standing committees, an MOU.
- Having Māori Wards is divisive; there are opportunities for everyone to stand for Council.
- Option B was favoured (not to establish Māori Wards for the 2025 local election and decides to undertake a representation review in 2024).

Councillor Petersen:

- It is like the cart going before the horse; we do not know the outcome of making the decision
- Feedback from ratepayers spoken to is that they are passionate about the wards we currently have and it would be a concern if that was lost.
- Option B was favoured (not to establish Māori Wards for the 2025 local election and decides to undertake a representation review in 2024).

Councillor Howe:

- We have six Councillors and the Mayor to represent the whole community.
- We are a little thin on numbers around the Council table; inclined to think we need a couple more.
- Our fellow Councils to the east and west have Māori Wards.
- We have undertaken a non-binding referendum and the majority said they wanted Māori Wards; if we want to be a fully democratic organisation we need to have a serious think about what the majority said in that referendum.
- Other cultures do not have the Treaty.
- Option A was favoured (establish Māori Wards for the 2025 local election and therefore undertake a representation review in 2024).

Councillor Kemara:

- The key for the three iwi is to have a seat at the Council table; they are asking for Māori Wards than any other structure.

- Option A was favoured (establish Māori Wards for the 2025 local election and therefore undertake a representation review in 2024).

Deputy Mayor Browne:

- Spoken to what I consider key people in the community.
- We have a high percentage of Māori in our district and it is just time that we included them in this Council.
- Option A was favoured ((establish Māori Wards for the 2025 local election and therefore undertake a representation review in 2024).

His Worship the Mayor:

- We are a little thin on numbers around the Council table.
- I would never stand for a Māori Ward as I am not on the Māori roll.
- This is a complicated decision.
- We cannot have iwi boundaries; it goes on numbers.
- If we were to establish Māori Wards we would have to have a bespoke look at the structure.
- Other methods (standing committees, MOU) do not give voting rights.

In response to a query from Councillor Nelson, Dale Ofsoske stated that today is about saying 'yes' or no' to Māori Wards. If 'yes', a representation review process will be undertaken next year which will look into the detail. If 'no' a representation review does not need to be undertaken next year as Ōpōtiki District Council undertake a review two years ago and it can be reviewed again in three years' time. A representation review needs to be done every six years.

Dale Ofsoske further stated that a representation review is for a prescribed period, with a submission process. If there is an objection, the Local Government Commission has the final say. They generally accept what the Council has done; that the process has been rigorous and robust. There are prescribed timeframes with an initial proposal by July next year and a final proposal by December 2024, with a final decision in April 2025.

Councillor Brooks moved that Council does not establish Māori Wards for the 2025 local election and decides to undertake a representation review in 2024 (Option B). The motion was seconded by Councillor Petersen.

The motion was put to the vote and failed:

FOR: Brooks, Petersen

Against: His Worship the Mayor, Browne, Kemara, Howe, Nelson

Councillor Howe moved that Council establishes Māori Wards for the 2025 local election and therefore undertakes a representation review in 2024 (Option A). This was seconded by Councillor Kemara.

The motion was PUT and CARRIED.

RESOLVED

That Council decides on the following course of action:

Council establishes Māori Wards for the 2025 local election, and therefore undertakes a representation review in 2024.

Howe/Kemara

Carried

Against: Brooks, Petersen

The substantive motion was PUT and CARRIED.

RESOLVED

(1) That the report titled "Representation Review and Māori Wards" be received.

(2) That the Council decides on the following course of action:

Council establishes Māori Wards for the 2025 local election, and therefore undertakes a representation review in 2024.

Howe/Kemara

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 1.30PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 5 DECEMBER 2023**

D G T MOORE

HIS WORSHIP THE MAYOR



MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD HELD IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI, ON TUESDAY 19 SEPTEMBER 2023, AT 10.10 AM

PRESENT: Councillor Maxie Kemara (Chairperson)
Jack Parata
Allen Waenga
Spike Collier (Via Zoom)

His Worship the Mayor David Moore
Deputy Mayor Shona Browne
Councillor Barry Howe
Councillor Steve Nelson
Councillor Tom Brooks
Councillor Dean Petersen

IN ATTENDANCE: Stace Lewer (Chief Executive Officer)
Peter Bridgwater (Group Manager Finance and Corporate Services)
Anna Hayward (Group Manager Community Services and Development)
Katherine Hall (Strategic Development Lead)
Maia Calcott (Ōpōtiki Workforce Development Co-Ordinator)
Mercedes Neems (Executive Support Officer)

GUESTS: Dale Clarke (Bay of Plenty Regional Council Senior Transport Planner)
Andrew Williams (Bay of Plenty Regional Council Team Leader, Transport Planning)

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

APOLOGY

Linda Steel

RESOLVED

(1) That the apology be sustained.

Waenga/Parata

Carried

DECLARATIONS OF INTEREST

Nil.

PUBLIC FORUM

Nil.

1. MINUTES – COAST COMMUNITY BOARD MEETING 15 AUGUST 2023

p3

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 15 August 2023 be confirmed as a true and correct record subject to the noted changes.**

Waenga/Collier

Carried

2. EASTERN BAY OF PLENTY – PUBLIC TRANSPORT NEEDS

Verbal

This item regarding Public Transport Needs in the Coast Ward, was presented by Andrew Williams and Dale Clarke from Bay of Plenty Regional Council (BOPRC). BOPRC will be reviewing the public transport services provided across the Eastern Bay in an upcoming network review. This includes the bus service route 150 from Pōtaka to Ōpōtiki along the coast. The current contract for service provided by BOPRC expires in 2025, and the aim is to make any improvements to the network under the new contract in 2025, however will be exploring possible minor changes/quick wins before that time. They would like to investigate on what the demand is currently in the Coast Ward and design the plan around the needs and desires of the community, so assistance on engagement and consultation with local communities is appreciated.

Feedback was provided by the board which included:

- Reach out to Whānau Ora Services Health and Wellbeing Officer, at Te Runanga o Te Whānau Offices, to get feedback on current service.
- Hapū chairs meet every fortnight. Another forum to get feedback on transport needs in Coast Ward.
- Potaka to Ōpōtiki – Provision for disability requirements.

RESOLVED

- (1) That the verbal item “Public Transport Needs” be received.**

Kemara/Waenga

Carried

3. GROUP MANAGERS' COMBINED REPORT

p9

This item was presented by the Strategic Development Manager.

An update was provided regarding the Long-Term Plan (LTP) since the report had been written. With reference to the snake diagram, dates were amended to fit Audit NZ. She expressed gratitude to the members who attended the final strategic planning session with Anne Pattillo. The feedback received will assist in informing the Community Priorities. These will be workshopped again on 16 October, with a final report due to go to Council on 24 October.

The Group Manager Finance and Corporate Services spoke to the items in the report regarding the electoral system decision and discussion on Māori Wards. With regard to Māori Wards, Board member Spike Collier queried whether this was a Council decision, then queried the outcome of the meeting with Te Whakatōhea Māori Trust Board. The Chief Executive Officer responded that yes, the decision sits with full Council. Regarding the hui with Te Whakatōhea Māori Trust Board, he stated it was a good meeting. A presentation was provided for context and Council has sent a formal letter asking for feedback.

RESOLVED

(1) That the report titled "Group Managers' Combined Report" be received.

Kemara/Parata

Carried

4. ŌPŌTIKI WORKFORCE DEVELOPMENT UPDATE

p30

The report was taken as read.

The Strategic Development Manager introduced the new Workforce Development Co-Ordinator, Maia Calcott. She is a descendant from Te Whānau-Ā-Apanui and currently resides in Waihou Bay.

The Strategic Development Manager highlighted Licensing, with reference to East Bay REAP launching a pilot testing route in Ōpōtiki township, combined with upskilling Te Whakatōhea to have licensed instructors.

The Chairperson stated it is good progress that they have come to Ōpōtiki township but requested staff keep advocating and pushing for the service in Te Kaha.

The Chairperson queried the mobile AA unit. A discussion ensued around the location of the unit. The Chief Executive Officer suggested there could be opportunity to have assistance from BOPRC as there

is a link between road safety and licensing. Andrew Williams and Dale Clarke will liaise with the appropriate staff members at Council and an update will be provided to the Board in due course.

RESOLVED

(1) That the report titled "Ōpōtiki Workforce Development Update" be received.

Kemara/Steel

Carried

5. COAST INITIATIVES FUND REPORT

p36

The Group Manager Finance and Corporate Services spoke to the report, which provided an update on balances and what is still outstanding.

RESOLVED

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

Kemara/Parata

Carried

6. FUNDING COMPLETION REPORT: PAHAOA MARAE ANZAC EVENT

p41

The Chairperson attended this event and noted that it was a beautiful day with laughter and memories shared.

RESOLVED

(1) That the "Funding Completion Report for Pahaoa Marae" be received.

Kemara/Waenga

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 10.45AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING
A TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COAST COMMUNITY BOARD HELD
31 OCTOBER 2023.**

**MAXIE KEMARA
CHAIRPERSON**

MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL PERFORMANCE AND DELIVERY COMMITTEE MEETING HELD ON MONDAY, 25 SEPTEMBER 2023, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 09.04AM

PRESENT: Councillor Tom Brooks (Chairperson)
His Worship the Mayor David Moore
Councillor Dean Petersen
Councillor Steve Nelson

IN ATTENDANCE: Nathan Hughes (Group Manager Engineering and Services)
Katherine Hall (Strategic Development Lead)
Maia Calcott (Ōpōtiki Workforce Development Co-Ordinator)
Mercedes Neems (Executive Support Officer)

MEDIA: Mike Fletcher

The Chairperson welcomed everyone to the meeting.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. MINUTES – PERFORMANCE AND DELIVERY MEETING 14 AUGUST 2023

p5

RESOLVED

- (1) The minutes of the Performance and Delivery meeting held on the 14 August 2023 be confirmed as a true and correct record.**

Petersen/Nelson

Carried

2. ŌPŌTIKI WORKFORCE DEVELOPMENT UPDATE

p09

Report taken as read.

This item was presented by the Strategic Development Lead. The new Workforce Development Co-Ordinator was formally introduced to the committee. An update was provided since the report was written, Eastern Bay REAP launched a pilot testing route in Ōpōtiki, they are working in partnership with Whakatōhea to upskill licenced instructors to take the test in Ōpōtiki. The Chairperson queried licencing in Te Kaha. The Chief Executive Officer noted that this has been discussed with the Coast Community Board and staff are currently looking at options as well as advocating to Waka Kotahi as a future possibility.

RESOLVED

(1) The report titled “Ōpōtiki Workforce Development Update” be received.

Petersen/Brooks

Carried

3. PROPOSED 2022-23 CAPITAL WORKS EXPENDITURE CARRY FORWARDS

p20

This report was presented by Group Manager Engineering and Services.

Councillor Petersen queried Tarawa Creek Pump Station Project and whether it was a priority project given the current economic inflationary environment. He raised a concern around further delays with the ongoing increase in costs. The Group Manager Engineering and Services responded that it's a priority, which is why staff have suggested more time to rescope and re-think as Council would not be able to deliver the full Capital Works programme with its current resources this financial year.

RESOLVED

(1) The report titled “Proposed 2022-23 Capital Works Expenditure Carry Forwards” be received.

HWTM/Petersen

Carried

4. OPERATIONAL AND NON-FINACIAL PERFORMANCE REPORT

p24

This item was presented by the Group Manager Engineering and Services. He referred to a future planned workshop for Councillors, regarding setting Key Progress Indicators (KPI's) for the Long-Term Plan. He requested Councillors familiarise themselves with the content of the report, to see whether the report is fit for purpose or require improvement.

Councillors queried a KPI regarding Transport with reference to potholes. The Group Manager Engineering and Services noted they are currently under resourced with staff moving on. A new staff member has been recruited and will be commencing employment in early October to assist in Transport.

RESOLVED

(1) The report titled "Operational and Non-Financial Performance Report" be received.

Brooks/Petersen

Carried

THERE BEING NO FURTHER BUISNESS THE MEETING CLOSED AT 10:20AM

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE PERFORMANCE AND DELIVERY
COMMITTEE HELD ON 6 NOVEMBER 2023**

**COUNCILLOR TOM BROOKS
CHAIRPERSON**

Bay of Plenty Civil Defence Emergency Management Group Joint Committee

Open Minutes

- Commencing:** Friday 29 September 2023, 10:00 am
- Venue:** Western Bay of Plenty District Council, Council Chambers, 1484 Cameron Road, Greerton, Tauranga and via Zoom (Audio Visual Meeting)
- Deputy Chairperson:** Mayor James Denyer - Western Bay of Plenty District Council (WBOPDC)
- Members:**
- Ōpōtiki District Council (ODC):**
Mayor David Moore (via Zoom)
 - Rotorua Lakes Council (RLC):**
Mayor Tania Tapsell
 - Tauranga City Council (TCC):**
Commissioner Bill Wasley (Alternate)
 - Whakatāne District Council (WDC):**
Mayor Victor Luca; Deputy Mayor Lesley Immink (Alternate) (via Zoom)
 - Bay of Plenty Regional Council Toi Moana (BOPRC):**
Cr Malcolm Campbell
 - WBOPDC**
Deputy Mayor John Scrimgeour (Alternate)
 - National Emergency Management Agency (NEMA)**
Observer Ian Wilson, Regional Emergency Management Advisor (via Zoom)
- In Attendance:**
- Kawerau District Council (KDC):** Russell George - Chair of Coordinating Executive Group (CEG) and Chief Executive Officer
 - Emergency Management Bay of Plenty (EMBOP):** Clinton Naude - Director; Stace Tahere - Acting Planning Manager; Cara Gordon - Principal Advisor, Emergency Management; Lisa Glass - Senior Advisor, Communications; Bruce Rutherford - Advisor, Operations; Julian Reweti - Principal Advisor, Recovery (Via Zoom); Andrea Thompson - Executive Assistant
 - BOPRC:** Reuben Fraser - General Manager, Regulatory Services; Chris Brewer - Team Leader, People Experience & Projects; Merinda Pansegrouw - Committee Advisor
 - TCC:** Barbara Dempsey - General Manager: Regulatory and Compliance

Apologies:

Mayor Faylene Tunui (KDC), Commission Chair Anne Tolley (TCC), Deputy Mayor Sandra Kai Fong (Alternate) (RLC); Deputy Mayor Aaron Rangihika (Alternate) (KDC); Cr Ron Scott (Alternate) (BOPRC)

Declaration of Public Recording

Committee members were reminded that the meeting was being recorded and would be made available on the BOPRC website and archived for a period of three years:

Recording of Meeting: [Civil Defence Emergency Management Joint Committee Zoom Recording - 29 September 2023 - YouTube](#)

Opening Karakia

Provided by Stace Tahere - Acting Planning Manager, EMBOP.

1. Apologies

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Accepts the apologies from Chairperson Mayor Faylene Tunui, Commission Chair Anne Tolley, Deputy Mayor Sandra Kai Fong, Deputy Mayor Aaron Rangihika and Cr Ron Scott, tendered at the meeting.**

**Campbell/Luca
CARRIED**

2. Declaration of Conflicts of Interest

None

3. Minutes

Minutes to be Confirmed

3.1 Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 30 June 2023

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Confirms the Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 30 June 2023 as a true and correct record.**

**Wasley/Campbell
CARRIED**

3.2 Extraordinary Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 22 August 2023

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

1. Confirms the Extraordinary Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 22 August 2023 as a true and correct record.

Denyer/Tapsell
CARRIED

3.3 Civil Defence Emergency Management Group (CDEMG) Hearings Panel - Group Plan 2023- 2028 Hearings Minutes - 4 September 2023

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

1. Confirms the minutes, Civil Defence Emergency Management Group (CDEMG) Hearings Panel - Group Plan 2023- 2028 Hearings Minutes - 4 September 2023 as a true and correct record.

Denyer/Tapsell
CARRIED

3.4 Civil Defence Emergency Management Group (CDEMG) Hearings Panel - Group Plan Hearings 2023- 2028 Deliberations Minutes - 4 September 2023

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Confirms the minutes, Civil Defence Emergency Management Group (CDEMG) Hearings Panel - Group Plan Hearings 2023- 2028 Deliberations Minutes - 4 September 2023 as a true and correct record.

Denyer/Tapsell
CARRIED

4. Reports

4.1 Bay of Plenty CDEM Group 2023/24 Annual Plan Dashboard - First Quarter Reporting Schedule 30 June - 30 September 2023

Tabled Document 1 - Updated Training Statistics - September 2023: Objective ID A4495475 [↗](#)

Presented by: Clinton Naude, Director, EMBOP.

Key Points:

- Reminded members that the Annual Plan Dashboard reporting to the Joint Committee would henceforth focus on the activities of the Bay of Plenty Civil Defence Emergency Management (CDEM) Group, reporting progress against the Group Annual Plan
- Encouraged/invited individual councils to provide individual reports to the Joint Committee on respective local work programmes
- Provided an updated Group Training Statistics Schedule for September 2023 (Replacement for page 55 of the agenda)
- Future quarterly reports would include Group Training Statistics Schedules providing a further breakdown of attendees.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty CDEM Group 2023/24 Annual Plan Dashboard - First Quarter Reporting Schedule 30 June - 30 September 2023.**

**Campbell/Wasley
CARRIED**

**4.2 Bay of Plenty Civil Defence Emergency Management Group -
Controller & Recovery Manager Statutory Appointments**

Presented by: Clinton Naude, Director, EMBOP.

Key Point:

- Chris Brewer (Alternative Group Controller for the Bay of Plenty Civil Defence Emergency Management Group) and Stace Tahere (Alternative Group Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group) both briefly introduced themselves and provided overviews of their backgrounds/experience.

Key Points - Members:

- Acknowledged the valuable experience the new appointees brought to the team
- Expressed appreciation for the personal introductions provided and wished all well in their new roles.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty Civil Defence Emergency Management Group - Controller & Recovery Manager Statutory Appointments;**

- 2 **Appoints Chris Brewer as Alternative Group Controller for the Bay of Plenty Civil Defence Emergency Management Group, as defined under s26(2) of the CDEM Act 2002;**
- 3 **Appoints Adele Henderson as Local Controller for the Bay of Plenty Civil Defence Emergency Management Group, as defined under s27(1) of the CDEM Act 2002;**
- 4 **Appoints Stace Tahere as Alternative Group Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group, as defined under s29(2) of the CDEM Act 2002; and**
- 5 **Rescinds the appointment of Aimee McGregor and Glenn Sutton as local Recovery Managers for the Bay of Plenty Civil Defence Emergency Management Group, as defined under s30(1) of the CDEM Act 2002.**

Wasley/Tapsell
CARRIED

4.3 Draft Bay of Plenty CDEM Group Annual Report 2022-2023

Presented by: Clinton Naude, Director, EMBOP.

Key Points:

- Highlighted the Bay of Plenty Civil Defence Emergency Management (CDEM) Group's deployment statistics/overview for the period 2022-2023
- Acknowledged that the requirement for the deployment of staff might increase in future, based on the continued increase in events across New Zealand
- Future deployment statistics would be closely monitored/reported on.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 **Receives the report, Draft Bay of Plenty CDEM Group Annual Report 2022-2023;**
- 2 **Approves the Draft Bay of Plenty CDEM Group Annual Report 2022-2023.**

Campbell/Luca
CARRIED

4.4 Bay of Plenty CDEM Group Plan 2023-2028 Development - Joint Committee Hearings Sub-committee Amendments Report

Introduced by: Clinton Naude, Director, EMBOP, presented by Cara Gordon, Principal Advisor, Emergency Management.

Key Points:

- Provided an overview of the Civil Defence Emergency Management (CDEM) Group Plan 2023-2028 development process over the past 12 - 18 months
- Highlighted key points from the hearings process, submissions received, the National Emergency Management Agency's Technical Review, and direction given by the Hearings Panel following its deliberations

- Upon receiving approval from the Joint Committee for the Ministerial review, the Minister of Emergency Management would have a 20-day period to assess the Draft Group Plan (timeline for the review remained uncertain due to the national elections)
- The Minister's recommendations would be presented at the Joint Committee meeting scheduled for 16 December 2023; approval would also be sought for the publication of the Bay of Plenty CDEM Group Plan 2023-2028 at that meeting
- The version of the CDEM Group Plan provided for Ministerial review would include an updated look/feel. Hard copies of the updated draft Bay of Plenty CDEM Group Plan 2023-2028 were available for viewing.

Key Points - Members:

- Expressed appreciation for the well organised process; acknowledged the thorough/proactive work undertaken
- Noted that the updated regional Tsunami Evacuation Maps would go live during the first week in October 2023 and that the public rollout/awareness campaign would commence on Tuesday, 3 October 2023. All councils' teams had been briefed prior to any public-facing information being released
- Noted that learnings were continuously drawn from all international/national events and incorporated into plans
- Expressed concern that the list of hazards reflected in the CDEM Group Plan 2023-2028 did not include a possible nuclear exchange occurring in the northern hemisphere. This would be a significant event and would require appropriate planning/modelling. Noted that a nuclear exchange would require a national response, led by the National Emergency Management Agency (NEMA), with the New Zealand Defence Force as lead agency. Deemed it necessary that more information be made available.

Item for Staff Follow Up:

- NEMA to provide Joint Committee members with further information on the national preparedness/planning for the threat of nuclear exchange.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty CDEM Group Plan 2023-2028 Development - Joint Committee Hearings Sub-committee Amendments Report;**
- 2 Approves the recommendations made by the Bay of Plenty CDEM Group Joint Committee Hearings subcommittee;**
- 3 Approves the amendments to the draft Bay of Plenty Civil Defence Emergency Management Group Plan 2023-2028 as outlined Attachment 1;**
- 4 Approves the Draft Bay of Plenty CDEM Group Plan 2023-2028 for the Ministerial Review; and**
- 5 Delegates Emergency Management Bay of Plenty staff to make any minor editorial changes to the draft Bay of Plenty Civil Defence Emergency Management Group Plan 2023-2028 if required.**

Denyer/Tapsell

CARRIED

4.5 Bay of Plenty Civil Defence Emergency Management Group Delegations Manual

Introduced by Clinton Naude, Director, EMBOP, presented by Cara Gordon - Principal Advisor, Emergency Management.

Key Points:

- The Bay of Plenty Civil Defence Emergency Management (CDEM) Group Delegations Manual provided the delegations made by the Bay of Plenty CDEM Group Joint Committee under Section 18 of the Civil Defence Emergency Management Act 2002
- The Delegations Manual was a supporting document to the Bay of Plenty CDEM Group Plan and reflected current legislative and operational arrangements; it was not intended to drive any transformational change but focussed on formalising current arrangements.

Key Points - Members:

- Supported the proposed arrangements to appoint/remove Controllers and Recovery Managers in an emergency; requested that the paragraphs be rephrased to demonstrate the intent that the first option would be to convene a meeting of the group (within 4 hours); however, if not possible, the next step would be the CDEM Group Chair, in consultation with at least two members of the CDEM Group, be mandated to appoint/remove Controllers and Recovery Managers
- Since time was of the essence when appointing/removing a Group Controller/Recovery Manager, questioned why delegation to the Chair could not be the first option. Supported this as the preferred option; acknowledged that legal advice on this option would be required as the CDEM Act had indicated that "the Group" may appoint/remove Controllers and Recovery Managers.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty Civil Defence Emergency Management Group Delegations Manual.**
- 2 Receives the Draft Bay of Plenty CDEM Group Delegations Manual; and supports option B:**
 - (b) Approves the Bay of Plenty CDEM Group Delegation Manual with the following revision:**
 - **Section 26(4) and Section 29(4): authority to replace/appoint a Group Controller/Recovery Manager be delegated to the CDEM Group Chairperson, in consultation with at least two members of the CDEM Group, as the preferred option; however, subject to seeking legal advice on the matter.**
- 3 Requests that the Bay of Plenty Regional Council revise the BOPRC Chief Executive Delegations Manual to reflect the Group Controller unlimited financial delegation if there is immediate risk to life during an emergency.**

Wasley/Tapsell
CARRIED

4.6 Regional Safety and Rescue Services Fund Review - Coordinating Executive Group Recommendations

Presented by BOPRC General Manager, Regulatory Services, Reuben Fraser.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Regional Safety and Rescue Services Fund Review - Coordinating Executive Group Recommendations.**
- 2 Endorses the following recommendations from the CEG to the Bay of Plenty Regional Council for consideration through its 2024 - 2034 Long Term Plan development process:**
 - (a) No changes are made to the existing Funding Criteria as set out in Appendix 1 of this report.**
 - (b) Request funding applicants provide information on other funding sources in future applications.**
 - (c) Budget \$480,000 for RSRS funding in 2024/25, (due to not increasing with inflation over past three years), then increase in line with inflation in future years.**

Luca/Tapsell
CARRIED

4.7 Bay of Plenty New Zealand Response Teams Directed Gap Analysis and Business case

Presented by Clinton Naude, Director, EMBOP.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty New Zealand Response Teams Directed Gap Analysis and Business case.**
- 2 Receives the supplementary information NZRT Gap Analysis and NZRT Business Case 2023**
- 3 Endorses, the report's findings acknowledging recommendations 4 and 5 below.**
- 4 Endorses, that EMBOP source and secure a suitable base for field operations that can facilitate other agencies when appropriate and be fit for purpose as a logistical hub, ideally at Tauranga Airfield.**
- 5 Endorses, that EMBOP resource the support function to NZRT16 from existing internal resource until additional resource is approved in the long term planning process.**

**Campbell/Luca
CARRIED**

4.8 Emergency Management Bay of Plenty Workforce Planning 2023-2024

Presented by Clinton Naude, Director, EMBOP.

Key Points:

- Current Emergency Management Reform in New Zealand, alongside increasing frequency of emergency events and their impacts on communities, required emergency management resources to be appropriate to meet the increasing demands and expectations
- Had undertaken workforce planning to ensure that resources were appropriate to meet these demands and to be able to deliver on the roles/responsibilities of the Bay of Plenty CDEM Group (as outlined in the Bay of Plenty CDEM Partnership Agreement 2019 and in accordance with the Bay of Plenty CDEM Group Plan 2018-2023).

Key Points - Members:

- Acknowledged the change in demands following the Emergency Management Reform/legislative changes in New Zealand
- Expressed appreciation/support for the cultural advisor/engagement role as a support to integrating Māori/Iwi into the emergency management system
- Supported expanding the capacity and capability within the CDEM Team.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1. Receives the report, Emergency Management Bay of Plenty Workforce Planning model 2023 - 2024;**
- 2. That a new role, Principal Advisor Emergency Management, Cultural Engagement be established to provide for the strategic advice, coordination and support integrating Māori / Iwi and other cultural communities into the emergency management system in the Bay of Plenty;**
- 3. That a new role, Advisor, Communications be established to enhance the emergency communications capacity and capability across the Bay of Plenty CDEM Group;**
- 4. That a new role, Advisor, Operations be established to provide for the coordination and management of New Zealand Response Teams across the Bay of Plenty and Waikato CDEM Groups in accordance with the recently developed GAP analysis and business case for NZRT's;**
- 5. That the Bay of Plenty Regional Council, as the administering authority for the Bay of Plenty CDEM Group, provide for an increase to the CDEM Regional Targeted rate in the Bay of Plenty Regional Council Long Term Plan 2024-2034 to provide for the additional workforce requirements as approved; and**

- 6. That the Director Emergency Management Bay of Plenty consider establishing the new roles Principal Advisor Emergency Management, Cultural Engagement and Advisor, Communications in the current financial year funded by the Bay of Plenty CDEM Group Reserve Fund.**

**Tapsell/Denyer
CARRIED**

4.9 Bay of Plenty CDEM Group Response Review Cyclone Gabrielle

Presentation Response Review Cyclone Gabrielle - Bay of Plenty CDEM Group - September 2023: Objective ID A4495521 [⇒](#)

Introduced by Clinton Naude - Director EMBOP.

Bay of Plenty CDEM Group had commissioned independent consultants, Simplexity to undertake a review of the Bay of Plenty CDEM Group's response to Cyclone Gabrielle. Jane Rollin, Consultant/Director, Simplexity, provided an overview of the report "*Bay of Plenty CDEM Group Response Review Cyclone Gabrielle July 2023*" and its findings, which was circulated under separate cover:

Key Points:

- Contextual information relating to the Bay of Plenty Review into Cyclone Gabrielle
- Key takeaways for the CDEM Joint Committee to note:
 - Many CDEM groups were not as clear about post response review practice; Bay of Plenty had a good review policy in place
 - Statutory process was followed for declarations
 - All decisions had considered the potential impacts on communities
 - Ongoing weather events have had a wellbeing toll on emergency management staff (CDEM Joint Committee should know this risk would get worse unless something changed)
 - Capacity gaps in key roles/response functions were putting additional pressure on staff involved in responses (this was a regional/national challenge)
 - The Chief Executive Group had agreed to all 19 recommendations and these were being incorporated into work planning
- Highlighted key areas of strength; innovation and areas for improvement
- Overview of the Government Inquiry into the Response to the North Island Severe Weather Events - what it was looking at
- Key messages for the Bay of Plenty to consider if they were engaged as part of the Government Inquiry.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1. Receives the report, Bay of Plenty CDEM Group Response Review Cyclone Gabrielle.**
- 2. Endorses incorporating the recommendations of the report - *Bay of Plenty CDEM Group Response Review Cyclone Gabrielle July 2023* into the continuous improvement plan for the Bay of Plenty CDEM Group.**

Wasley/Tapsell

CARRIED

11:30am - The meeting **reconvened**.

11:45am - The meeting **adjourned**.

4.10 Update - Director, Emergency Management Bay of Plenty

Presentation Emergency Management - Directors Update - Joint Committee - 2023-09-29: Objective ID A4495512 →

Presented by Clinton Naude - Director, EMBOP.

Key Points:

- In addition to the Civil Defence Emergency Management Induction Seminar for Bay of Plenty Local Government Elected Officials held at the commencement of a new triennium, suggested a Professional Development Roadmap for Elected Members and requested feedback on preferences for the following additional training:
 - Proposal: Elected Officials CDEM development pathway - three focus categories: legislative, strategic and operational
 - Possible means of delivery:
 - Workshop sessions (30-60 minutes) following formal Joint Committee proceedings
 - Scheduled online Microsoft Teams sessions led by appropriate subject matter experts
 - Scheduled in-person sessions (two hours or half day) led by appropriate subject matter experts
 - Options for Audience
 - Joint Committee members/all Elected Officials
- Acknowledged outstanding achievements by Lisa Glass CEM, Senior Communications Advisor:
 - Recently awarded Certified Emergency Manager Accreditation (International Association of Emergency Managers)
 - Had completed the Advanced Public Information Officer (PIO) course via five days virtual course in September 2023 through the Federal Emergency Management Agency (FEMA) in the United States (as the first international candidate)
 - As a next step, had been accepted to the 2024 Master Public Information Officer Cohort, Emergency Management Institute, the training arm of the FEMA (first international candidate).

Key Points - Members:

- Supported/appreciated the Civil Defence Emergency Management Induction Seminar for Bay of Plenty Local Government Elected Officials held at the commencement of a new triennium; suggested that the session could potentially be repeated to afford councillors who were unable to attend the opportunity to participate in the knowledge sharing. Noted that it would be the individual councils'/Mayors' responsibility to drive attendance by elected members
- Suggested the consideration of introducing on-line training modules for elected members, similar to "cyber security training" (quick/short/two-minute sessions, with a scenario, followed by questions)

- Expressed preference for face-to-face/in person training, focussing on Joint Committee members (mayors and alternates); standalone sessions (not to follow scheduled meetings)
- Noted that the newly appointed Tauranga City Council Councillors would require onboarding/training in June 2024 following local elections
- Congratulated Lisa Glass on her outstanding achievements.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Update - Director, Emergency Management Bay of Plenty.**

**Denyer/Tapsell
CARRIED**

4.11 Update - National Emergency Management Agency (NEMA) - 29 September 2023

Presented by Ian Wilson, Regional Emergency Management Advisor, NEMA.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Update - National Emergency Management Agency (NEMA) - 29 September 2023.**

**Campbell/Luca
CARRIED**

5. Consideration of General Business

5.1 Nuclear exchange discussion

Item for Staff Follow Up:

- Distribution of weblinks relating to nuclear exchange news articles via email to members of the Joint Committee for further reading/information/awareness.

Closing Karakia

Provided by Stace Tahere - Acting Planning Manager.

12:00pm - the meeting closed.

CONFIRMED

Mayor James Denyer
Deputy Chairperson, Bay of Plenty Civil Defence
Emergency Management Group Joint Committee

Ōhiwa Harbour Implementation Forum

Ngā Meneti Open Minutes

Commencing: Thursday 12 October 2023, 9.30 am

Venue: Waimana Kaaku Room, Waimana School, 9 Raroa Road, Waimana

**Heamana
Chairperson:** Cr Toi Kai Rākau Iti - Bay of Plenty Regional Council Toi Moana (BOPRC)

**Heamana Tuarua
Deputy Chairperson:** Charlie Bluett - Te Rūnanga o Ngāti Awa

Ngā Kopounga

Members: Marewa Titoko - Alternate, Waimana Kaaku, Charlie Bluett - Te Rūnanga o Ngāti Awa, Karen Mokomoko - Whakatōhea Māori Trust Board, Gaylene Kohunui - Alternate, Te Upokorehe, Tuwhakairiora O'Brien - Alternate, Te Rūnanga o Ngāti Awa, Cr Malcolm Campbell - Alternate, BOPRC, Cr Andrew Iles - Whakatāne District Council

Te Hunga i Tae Ake In Attendance:

BOPRC: Pim de Monchy - Coastal Catchments Manager, Tim Senior - Land Management Officer, Dr Josie Crawshaw - Environmental Scientist, Gemma Moleta - Senior Planner (Water Policy), Amanda Namana - Committee Advisor

External: Kelly Hughes - ATS Environmental, Professor Kura Paul-Burke - University of Waikato, Joe Burke - MUSA Environmental

Ngā Hōnea Apologies:

Cr Nándor Tánzos - Alternate, Whakatāne District Council, Cr Dean Petersen - Ōpōtiki District Council and Georgina Kohunui - Te Upokorehe

1. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Paaku Titoko.

2. Ngā Hōnea Apologies

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Accepts the apologies from Cr Tánczos, Cr Petersen and Georgina Kohunui tendered at the meeting.

Iles/Iti
CARRIED

3. Whakapuakanga o Ngā Take Whai Taha-Rua Declaration of Conflicts of Interest

None declared.

4. Ngā Meneti Minutes

Kia Whakaūngia Ngā Meneti Minutes to be Confirmed

4.1 Ōhiwa Harbour Implementation Forum Minutes - 14 March 2023

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Confirms the Ōhiwa Harbour Implementation Forum Minutes - 14 March 2023 as a true and correct record, subject to the following amendments:
 - Correct the spelling of Upokorehe member Georgina's surname to 'Kohunui'.

Bluett/Iles
CARRIED

5. Whakahoutanga Kōrero Verbal Updates

5.1 Update from Chair/Host

- Waimana Kaaku host Marewa Titoko welcomed everyone and provided an overview of current projects and matters of interest:
 - Te Waimana Kaaku Tribal Authority was currently undergoing a review to ensure the structure reflected the people it represented
 - Providing support to farmers and whānau in the Nukuhou Catchment and for gravel extraction from the Tauranga River.

- Chair Cr Toi Kai Rākau Iti provided an update on BOPRC matters including the Long Term Plan (LTP) process, and encouraged the Forum to make a submission to ensure momentum was not lost on Ōhiwa Harbour progress to date.

6. Ngā Pūrongo Reports

Hei Pānui Anake Information Only

6.1 Ōhiwa Harbour Strategy annual work programme results

Presentation: Ōhiwa Harbour Strategy Annual Work Programme: Objective ID A4512190 [⇒](#)

Presented by: Tim Senior – Land Management Officer

Key Points:

- Highlighted the work that the Coastal Catchments team had completed over the past year with landowners in the catchment
- A river engineer had been engaged to look at options for a solution to Nukuhou River bank erosion issues. One suggestion was to install a series of small, low structures in the river bed to trap sediment coming downstream
- Navigational Safety Bylaw Review consultation had been delayed and was now open – encouraged everyone to engage in this
- Although vehicles were banned from the campground to the end of Ōhiwa Spit through a bylaw, it had made little difference to the ongoing issue.

Key Points - Members:

- Disappointed that cancellation of the Navigational Safety Bylaw Review consultation meetings had not been sufficiently notified to attendees
- Late January 2024 would likely be the best time to schedule the next Ōhiwa Harbour Strategy Group (OHSB) hui.

In Response to Questions:

- Planting the riverbanks was part of the solution, which was already underway and would continue. However, the bulk of the solution needed to be more substantial, e.g. the small weir-like structures mentioned which would reduce the river downcutting but came at a cost
- The care group not directly supported by BOPRC was the Ōhiwa Headland Sanctuary Trust which was funded by Jobs for Nature
- The use of jet skis for the harvesting of pipi was of major concern due to the lack of resource to monitor take.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Ōhiwa Harbour Strategy annual work programme results.**

Kohunui/Titoko

CARRIED

6.2 Blue carbon building blocks - Saltmarsh restoration

Presentation: Blue Carbon - An introduction to unlocking the potential in the region through saltmarsh restoration: Objective ID A4512188 [↗](#)

Presented by: Dr Josie Crawshaw - Environmental Scientist

Key Points:

- Blue carbon considered marine and coastal ecosystems with the potential to remove carbon and provide benefits for reducing the impacts of climate change, including a suite of additional benefits
- The three main blue carbon ecosystems were mangroves, saltmarshes and seagrasses. These ecosystems could lock away carbon for centuries and it was hoped that they could keep up with sea level rise (SLR) and continue to be a long-term store
- There was limited information available about seagrass habitats at this stage
- Approximately 60% of saltmarsh had been lost across the region and the land management team were working on significant restoration programmes
- Outlined some potential scenarios for SLR and the specific impacts this could have on Ōhiwa
- There was currently a limited understanding of carbon storage in New Zealand saltmarshes and how much our ecosystems could sequester, so BOPRC staff were working with partners to undertake carbon coring in existing habitats to learn more.

Key Points - Pim de Monchy, Coastal Catchments Manager:

- BOPRC had recently purchased a dairy farm at Pukehina, the majority of which would be on sold to the neighbouring property and 32 hectares retained with an iwi collective. A combination of treatment wetlands were being designed and two-thirds of the remaining land would be restored to saltmarsh. This project had many benefits including cultural, water quality, biodiversity and mahinga kai. This type of project could potentially be emulated elsewhere in the region - members expressed interest in a site visit to view the project.

In Response to Questions:

- Landowners creating drainage schemes in order to use lowlands for pasture was the primary driver for the original loss of saltmarsh habitat.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Blue carbon building blocks - Saltmarsh restoration.**

**Iles/Bluett
CARRIED**

10.25 am - the meeting **adjourned.**

10.45 am - The meeting **reconvened.**

6.3 Ōhiwa Harbour Fish Barrier Identification and Remediation Report 2023

Tabled Document 1 - Ōhiwa Master Map: Objective ID A4513558 [⇒](#)

Tabled Document 2 - Ōhiwa barriers remaining 2023: Objective ID A4513559 [⇒](#)

Tabled Document 3 - Ōhiwa yet to be assessed 2023: Objective ID A4513560 [⇒](#)

Tabled Document 4 - Ōhiwa Summary: Objective ID A4513562 [⇒](#)

Tabled Document 5 - Brosnahan: Objective ID A4513564 [⇒](#)

Tabled Document 6 - Ramp rope after - pt2: Objective ID A4513565 [⇒](#)

Presented by: Kelly Hughes - Managing Director, ATS Environmental

Key Points:

- Provided a video about a vision of the future for fish passage remediation including:
 - Information on new low cost, low risk tools to effect mass remediation of small to medium structures
 - Data collection and management processes
 - Examples of remediation techniques
- Fish passage was a crucial indication of the connection people had with waterways and taonga species
- Provided a sankey diagram highlighting how many crossing points (with culverts that may present a barrier) had been identified in Ōhiwa
- Displayed information on what had been assessed within Ōhiwa and what was not currently a barrier - more information was available to members on request
- Material cost of the average 'fish barrier fix' in Ōhiwa was approximately \$180 plus labour
- Highlighted the different fish passage remediation options and how fish were using these.

Key Point - Kura Paul-Burke:

- Work undertaken in Ōhiwa Harbour for the mussel restoration project had involved research around using native fibres for mussel spat lines which could also be used for fish passage - when results were available there was an opportunity to share this information to achieve similar benefits.

Key Points - Members:

- Introduced BOPRC's Fish Passage Officer Jo Cranswick, who assisted in delivering fish passage projects across the region and was in the early stages of creating a fish passage action plan under the National Policy Statement for Freshwater Management (NPS-FM). This would include a work programme with remediations. She was also working with the consents team to standardise consent conditions and include fish passage provisions.

In Response to Questions:

- There was a hierarchy of regulations and historical issues which made it difficult to define the level of legal responsibility for landowners to ensure fish passage and enable remediation on their properties
- The ATS team were working with the concrete industry to have their baffles approved to be used in their culverts without voiding the warranty.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Ōhiwa Harbour Fish Barrier Identification and Remediation Report 2023.**

Iles/Mokomoko
CARRIED

6.4 Final mussel restoration report for Awhi Mai Awhi Atu, Sustainable Seas, National Science Challenge project, September 2023

Presentation: Overview Mussel Restoration in Ōhiwa Harbour: Objective ID A4512189 [↗](#)

Presented by: Professor Kura Paul-Burke – University of Waikato

Key Points:

- Outlined the history of the Awhi Mai Awhi Atu project and the outcomes achieved:
 - In 2007, information was gathered about where mussels were collected from historically, which formed the baseline to overlay the science
 - From the original four mussel beds in the harbour, there was just one remaining by 2019, with the western side beds having disappeared. The cause of this was discovered to be the pātangaroa (eleven-armed seastar)
 - Micro-plastic pollution was a significant concern for mussels so natural mussel spat lines were produced for successful recruitment and biodiversity outcomes
 - Mussel numbers in Ōhiwa had reduced from 112 million in 2007, to just 78,000 in 2019. Through this project, there were three new beds by 2021 and numbers had increased to 745,000. There were now around 16 million mussels in the area where the original beds were
- At present, Ōhiwa Harbour was leading the country in mussel restoration
- A combination of fishing and diving was proven to be the most effective way to manage seastars. A hand cream had been developed as an option for using the removed seastars
- It was discovered that cushion stars also ate baby mussels, which was an important piece of knowledge for restoration efforts
- Highlighted the two potential options available to the Forum for restoration efforts going forward and the three most important factors to focus on:
 - Population surveys
 - Mussel spat lines and relocation
 - Starfish management.

Key Points - Members:

- Expert advice, kaumātua involvement and any other support required should be sought to assist a new care group, if established
- Ngāti Awa had applied for a Section 186A closure of the western side of the harbour under the Fisheries Act 1996 to protect the growing mussel beds and juvenile mussels, including requesting a rāhui of this space in the interim.

In Response to Questions:

- If future restoration efforts focused on one side of the harbour, it was likely the other side would also benefit through flow-on effects and currents
- Care groups assisting with some of the sea star management work was an option e.g. seastar trapping from a boat.

Resolved**That the Ōhiwa Harbour Implementation Forum:**

- 1 Receives the report, Final mussel restoration report for Awhi Mai Awhi Atu, Sustainable Seas, National Science Challenge project, September 2023;**
- 2 Supports the considerations identified in this report consistent with the Action Area priorities of the Ōhiwa Harbour Strategy, Refreshed 2014;**
- 3 Agrees to establish a Working Group to investigate funding opportunities for options to continue with mussel restoration, monitoring and seastar removal, with a focus on a whole harbour approach.**

**Bluett/Mokomoko
CARRIED**

6.5 Essential Freshwater Policy Programme Update

*Presentation: Essential Freshwater Policy Programme Update: Objective ID
A4512187* [⇒](#)

Presented by: Gemma Moleta – Senior Planner (Water Policy)

Key Points:

- Chair Cr Iti introduced the paper and acknowledged the size of this kaupapa, the work undertaken in the programme around Te Mana o Te Wai, the hierarchy and provisions for Te Ao Māori and Te Tiriti o Waitangi
- Significant feedback had been received at community events, including water quality concerns (mainly around E.coli and sediment), questioning whether swimming values were truly present in the freshwater areas of the Ōhiwa Harbour Freshwater Management Unit (FMU), the impact of stream bank erosion on the Nukuhou River and subdivision on water quality, upgrading septic tanks and consenting for forestry
- In response to management options, there had been strong opposition from landowners regarding grazing on slopes greater than 25 degrees
- Sediment control bunds were found to be a successful mitigation tool to prevent sediment entering the freshwater body
- Incorporating additional information regarding cultural values, attributes and monitoring after the Plan Change became operative may be possible with iwi management plans or future Plan Changes
- Displayed maps highlighting that surface and ground water quantity was not an issue affecting the Ōhiwa FMU as there were few takes.

In Response to Questions:

- National Environmental Standards for Plantation Forestry (NES-PF) had been recently updated and additional rules for forestry were being considered. BOPRC had hired a new Compliance Officer from the forestry

industry with a focus in this space and ensuring that operators were in line with environmental standards and new regional rules.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Essential Freshwater Policy Programme Update.**

**Iles/Titoko
CARRIED**

7. Karakia Kati Closing Karakia

A karakia was provided by Paaku Titoko.

12.10 pm – the meeting closed.

CONFIRMED

Cr Toi Kai Rākau Iti
Chairperson
Ōhiwa Harbour Implementation Forum

Eastern Bay of Plenty Joint Committee

Open Minutes

- Commencing:** Friday 10 November 2023, 1.02 pm
- Venue:** Mataatua Room, Bay of Plenty Regional Council Building, Level 1 , 5 Quay Street, Whakatane 3120
- Chairperson:** Cr Malcolm Campbell - Bay of Plenty Regional Council Toi Moana (BOPRC)
- Deputy Chairperson:** Mayor David Moore - Ōpōtiki District Council
- Members:** Mayor Faylene Tunui - Kawerau District Council, Mayor Victor Luca - Whakatāne District Council, Deputy Mayor Lesley Immink - Alternate, Whakatāne District Council
- In Attendance:** Chairman Doug Leeder - BOPRC, Steph O’Sullivan - Chief Executive, Whakatāne District Council, Stace Lewer - Chief Executive, Ōpōtiki District Council, Hanno van der Merre - Group Manager, Operations and Services, Kawerau District Council, Namouta Poutasi - General Manager, Strategy and Science, Presenters - as listed in the minutes, Amanda Namana - Committee Advisor
- Apologies:** Cr Andrew Iles - Whakatāne District Council. Deputy Mayor Aaron Rangihika - Kawerau District Council, Cr Steve Nelson - Ōpōtiki District Council, Cr Jane Nees - BOPRC

Opening Karakia

Deputy Mayor Lesley Immink opened the hui with a karakia.

1. Apologies

Resolved

That the Eastern Bay of Plenty Joint Committee:

- 1 Accepts the apologies from Cr Iles, Deputy Mayor Rangihika, Cr Nelson and Cr Nees tendered at the meeting.**

**Moore/Tunui
CARRIED**

2. Declaration of Conflicts of Interest

None declared.

3. Minutes

Minutes to be Confirmed

3.1 Eastern Bay of Plenty Joint Committee Minutes - 15 September 2023

Resolved

That the Eastern Bay of Plenty Joint Committee:

1 Confirms the Eastern Bay of Plenty Joint Committee Minutes - 15 September 2023 as a true and correct record, subject to the following amendments:

- Item 5.1: Amend the recommendation to receive the correct report (administrative error)
- Item 6.1: Add the desire reflected by members for a relationship to be established with the Toi EDA Trustees.

**Campbell/Tunui
CARRIED**

4. Presentations

4.1 Te Rāhui Herenga Waka Whakatāne - Update and Context

Presentation: He Rāhui Herenga Waka Whakatāne - Whakatāne Boat Harbour Build: Objective ID A4539292 [↗](#)

Presented by: John Rae – Independent Board Chair, Te Rāhui Herenga Waka Whakatāne

Key Points:

- Provided background of the Joint Venture (Te Rāhui Herenga Waka Whakatāne), which had been established to progress the Whakatāne boat harbour build project and deliver outcomes for all parties
- The origins of the project:
 - Long held need
 - Investment requirement
 - Funding opportunity
 - Application development
 - Expertise secured
 - Development potential
 - Feasibility undertaken
 - Application submitted
- Work undertaken prior to the Provincial Growth Fund (PGF) investment was critical, including considering the strategic need for a commercial boat harbour
- The PGF application was a complex proposition involving the landowner, iwi/hapū, Whakatāne District Council and the Crown, requiring an amalgamation of interests to meet the differing aspirations
- Outlined the anticipated benefits to the subregion and Māori economy
- This was one of the few PGF projects that had its own establishment board

- Explained the funding structure and its complex nature
- Te Rāhui Herenga Waka was now its own legal entity, run by the board of directors
- Highlighted the project progress to date.

Key Points - Members:

- Considered that this project complimented the Ōpōtiki Harbour Redevelopment Project.

In Response to Questions:

- Although there was some political uncertainty with the recent change of government, it was hoped that the project was still able to be funded to completion.

5. Verbal Updates

5.1 Extreme Boats

Presented by: Glen Shaw - Managing Director, Extreme Boats

Key Points

- Provided a brief background of the Extreme Boats business and the development of the new brand for Legacy Marine
- There were three main sectors to the marine industry in New Zealand - trailer boats, (approximately four to nine and a half metres), 'white boats' - ten to approximately 25 metres, and super yachts
- Although the boat building industry was dominated by fibreglass vessels, Extreme Boats built aluminium boats
- There were approximately 120 employees at present, 40 which were on the Legacy Marine (larger boats) side of the business
- Had been working with Ngāti Awa for approximately five years to develop an apprenticeship programme including in-house learning opportunities
- Support in transporting the larger boats through Whakatāne was critical to continue this work and enable the business to grow
- Currently part of the business operations was undertaking one-off commercial builds
- The first international sale for Legacy Marine had just been completed.

Key Points - Members:

- Reiterated that the invitation to Kainga Ora should be extended as soon as possible to address the specific housing needs of the Eastern Bay - this was discussed at the previous meeting.

In Response to Questions:

- Housing for workers was a major concern for a growing business and many staff were travelling from other parts of the region. Extreme Boats provided housing for approximately 15 staff and had recently lost a staff member who was unable to find accommodation locally
- There were significant costs involved in transporting each launch

- Had not been approached by Waka Kotahi regarding the roundabout proposed for the Tauranga-Thornton intersection, however power lines were a more significant issue for transporting the vessels.

5.2 Three Waters Reform - Post Election

Presentation: Water Services Reform: Objective ID A4539293 [⇒](#)

Presented by: Vaughan Payne - Department of Internal Affairs.

Key Points

- Responsible for setting up three entities for Waikato, Bay of Plenty and Taranaki
- The challenge around infrastructure remained
- Had been involved in the consenting of the Ōpōtiki Harbour Redevelopment and the mussel farm through Whakatōhea
- Provided collective context (challenges and opportunities) including:
 - Increasing expectations
 - Demographic
 - Growth and Resilience
 - Workforce labour
 - New incoming government
 - Potential repeal of water services legislation (all or part)
 - Councils and Long Term Plans (LTP's)
- Improving systems to achieve better outcomes for communities
- Outlined the meaning for Water Services Reform - what was in the 'pause' category and what was being continued
- Looking at what did not align with incoming government
- Supporting the Mayoral Forum in terms of what the region wanted and potential solutions
- Mayors and Chief Executives across the region had been interviewed, and the secretariat for Te Mana o Te Wai in the wider area (Waikato, Bay of Plenty and Taranaki).

5.3 Eastern Bay of Plenty - Jiangxi Relationship

Presentation: Bay of Plenty Jiangxi Relationship: Objective ID A4539290 [⇒](#)

Tabled Document 1 - Executive Summary - Jiangxi Relationship Strategy

Document: Objective ID A4541223 [⇒](#)

Tabled Document 2 - Bay of Plenty - Jiangxi Sister Province Relationship Strategy

Document (Draft): Objective ID A4539291 [⇒](#)

Presented by: Simon Appleton - Chief Executive Officer, Eastern Bridge Global.

Key Points

- Provided an introduction to Jiangxi and history of the strategically chosen relationship with the Eastern Bay of Plenty
- Outlined the role of local government in elections. Local diplomacy could be a significant supporter of regional economic growth as well as helping to promote tourism, international students in schools and facilitating businesses for exports
- Outlined opportunities to update a post-Covid plan:
 - Trade (import and export)
 - Investment

- Export education
- Tourism
- Volunteer
- Exchange
- Scholarship
- Community exchange
- Training
- Events and Activities
- 'Hongi' – a dedicated website for communicating with migrants and international audiences (available in ten languages)
- Outlined the monitoring underway and considered that it needed to be improved
- Highlighted the services offered by Eastern Bridge Education
- Refer the draft Strategy and Executive Summary documents provided and distributed with the meeting minutes.

Key Points - Members:

- Expressed concern over reputational issues and past adverse experience with intellectual property.

In Response to Questions:

- The \$250, 000 scholarship to bring Jiangxi students to the Eastern Bay was for a short term (two week 'taster') period and was a good opportunity for schools to promote themselves as a long term destination for international students
- The \$1.8M referred to University level qualifications and not all courses were offered in English
- Whilst school capacity may be an issue, several local schools had been approached and many indicated willingness to be involved.

5.4 Toi EDA Update - Talent attraction campaign

Minute Note

Although the campaign aimed for a March 2024 launch, the Committee was unable to formalise a decision to approve the branding or direction as this was a verbal update without an accompanying report. Therefore, a report was requested to go to each respective Council for the purpose of gaining endorsement.

Presentation: Toi EDA Brand Identity Development: Objective ID A4539289 [⇒](#)

Presented by: Jamie Boynton and Reuben Woods – Managing Director, Woods Agency.

Key Points

- The objective was a branded campaign which positioned the Eastern Bay of Plenty as a thriving, vibrant place to live, work and play
- Key stakeholder groups had been engaged with and surveyed
- Refer presentation for details of:
 - Brand proposition
 - Development of the name 'Toi te ihi' for the Eastern Bay of Plenty
 - Brand vision and values
 - Brand identity development
 - Design rationale
 - Proposed designs including Tohu, wordmark, logo, colour palette, brand patterns, photography mood, promotional opportunities and merchandise

- Launch/ Ongoing campaign including video/ story-driven campaign, driving to a website, building name recognition. Targeting global businesses, small business owners, expats and jobseekers.

Key Points - Members:

- Supported the brand and campaign as a whole. Enjoyed the narrative and considered the subregion was captured well within the brand, found the campaign easy to identify with and relate to
- Acknowledged the work of former Ōpōtiki Councillor Louis Rāpihana
- The communications and public relations for this campaign would be critical to its success and would take time to develop
- Raised an outstanding issue for tangata whenua and Kawerau District Council and would like to meet with Toi EDA trustees to resolve this as soon as possible, and move forward.

In Response to Questions:

- Four workshops had been held across Ōpōtiki, Kawerau and Whakatāne
- Telling success stories of businesses in the region may attract new opportunities - there was also value in a potential jobseekers' portal
- Providing a voice for the Eastern Bay of Plenty and connecting communities.

6. Closing Karakia

A karakia was provided by Deputy Mayor Lesley Immink.

3.41 pm - the meeting closed.

CONFIRMED

REPORT

Date : 24 November 2023
To : Ordinary Council Meeting, 5 December 2023
From : His Worship the Mayor, David Moore
Subject : **MAYORAL REPORT – 14 OCTOBER 2023–24 NOVEMBER 2023**
File ID : A1191269

Since 14 October 2023 I have attended or met with the following:

16 OCTOBER 2023

Council workshop

18 OCTOBER 2023

Catch up meeting with Police, including new Eastern Bay of Plenty Area Commander, Nicky Cooney
Ōpōtiki Marine Advisory Group (OMAG) meeting

19 OCTOBER 2023

ODC Governance Review Workshop

24 OCTOBER 2023

Ordinary Council meeting

25 OCTOBER 2023

Councillor/CEO catch up meeting

27 OCTOBER 2023

Eastern Bay of Plenty Road Safety Operations Group meeting, Whakatāne
Property Advisory Group meeting

30 OCTOBER 2023

Strategy Planning and Regulatory Committee meeting

Interview with 1XX

2 NOVEMBER 2023

LGNZ Future for Local Government workshop, Wellington

3 NOVEMBER 2023

LGNZ Rural Provincial Sector meeting, Wellington

6 NOVEMBER 2023

Performance and Delivery Committee meeting

Met with East Coast MP, Dana Kirkpatrick

8 NOVEMBER 2023

Councillor/CEO catch up meeting

Reorua workshop with Whakatōhea

Creative NZ meeting

10 NOVEMBER 2023

Eastern Bay of Plenty Joint Committee meeting, Whakatāne

13 NOVEMBER 2023

Council workshop

15 NOVEMBER 2023

Mayors' Taskforce for Jobs – on camera interviews with employers and rangatahi

27 SEPTEMBER 2023

Property Advisory Group meeting

16 NOVEMBER 2023

Zone 2 powhiri, Whakatāne

Zone 2 dinner, Ōhope

17 NOVEMBER 2023

Zone 2 meeting, Whakatāne

Deputy Mayor Browne also attended the Zone 2 meeting

20 NOVEMBER 2023

Council workshop

Extra Ordinary Council meeting

Public Drop-in session – Significance and Engagement Policy

21 NOVEMBER 2023

Public Drop-in session – Significance and Engagement Policy

23 NOVEMBER 2023

Reorua workshop with Whakatōhea

24 NOVEMBER

Bay of Plenty Mayoral Forum, Rotorua

Deputy Mayor Shona Browne attended the following on my behalf:

3 NOVEMBER 2023

Ōpōtiki College Prizegiving

Councillor Steve Nelson attended the following on my behalf:

4 NOVEMBER 2023

Ōpōtiki Volunteer Fire Brigade End of Year Dinner and Honours Night

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is Inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

RECOMMENDATION:

- 1. That the report titled "Mayoral Report 14 October 2023 – 24 November 2023" be received.**

David Moore

HIS WORSHIP THE MAYOR

REPORT

Date : 14 November 2023
To : Ordinary Council Meeting, 5 December 2023
From : Councillor Barry Howe
Subject : **ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE**
File ID : A1189788

EXECUTIVE SUMMARY

This report updates Council on progress advanced through the 18 October 2023 meeting of the Ōpōtiki Marine Advisory Group (OMAG).

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, Harbour construction contractors, Coastguard, Marine Industrial Zone (OMAI), Toi-EDA.

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

DISCUSSION AND OPTIONS SECTIONS

Harbour construction

Flood event happened at the end of September, a interim barge incident report is still being worked by the contractor, and will be ready in the next couple of weeks. HEB Construction onsite echo sounder recorded approx. 90 000m³ of sand scoured from river that got washed out between the harbour walls to sea. DML surveyors were onsite today, they are going out to minus 6m contour on the seaside to see if a bar has formed. The Eastern breakwater will be completed in a couple of weeks with sheet piling, and the completion of hanbars & top blocks are on track by Christmas. Seal surfacing and raised ends will be after Christmas. Dredging a channel opening for recreational boat traffic on the East side of the river frees up access to the Westside for operations to continue closing the old river channel without boat traffic stop/go.

Harbour progress

Where the river dredging is required, reducing from 90m wide south of harbour walls down to 60m adjacent to marina, and then 30m wide across river and up to town wharf. The 50,000m³ dredging material from the river channel will go onto the OMAI block. Timing for this work depends on survey results, estimate 6-8 weeks. Keeping in mind that the recent weather event wasn't a big flood, maybe a 2-3-year event, highest for 2 years, in terms of significance, its well below a 5-year event.

The dotterel nesting area has been covered in driftwood.

Planting programme:

Irrigation testing on the first hectare planted on the Eastern side, 13/14 hectares to go. The new dune is a lot bigger than planned, so a bigger planting programme will be needed, with Tonkin + Taylor surveying the area. Engagement continues with Coastlands Nursery for planting and BOPRC for guidance and advice.

Tiaki Taiao report a high rabbit population coming in from the farm on the south, which is an ongoing issue, may need to look at poisoning as there is too much vegetation to try gasing to get all the burrows. Predator control on the Western side is going well 30-40 traps have been setup for stoats/rats. The issue here is to protect the dotterels from predators.

Harbour industrial zone (OMAI) development:

Mediation on the consent appeal commences on Wednesday, 15 November. There will be discussion with Hapu who have agreed to attend, noted, there had been a complaint from Hapu with lack of communication. The Court suggested a Marae venue for mediation, but this is unavailable; looking for a venue with neutral grounding.

Council

Council's recently adopted Masterplan, which includes the interim arrangement at the wharf to house the mussel boats and also pledged funding to dredge ramp and pathway projects, with those projects we are transitioning into design phases.

The boat ramp overflow parking area next to the Coastguard building is being used; a temporary arrangement at the front of the building with a longer term vision. Further to that a number of projects in the Masterplan includes re-locating play equipment, extensions to different elements and the like.

In terms of dredge ramp erosion, in discussion with BOPRC to try and solve this issue; there has been bank scouring in that location for a period of time. Discussion on the bend cutting programme which would have significant impact on what is happening on the other areas. BOPRC feedback indicated control overflow areas so instead of cutting as a new channel through the bend, prefers shaved top option, during storm events as it acts as an overflow and will still maintain general flow; feedback to consider. The dredge ramp compound is to house the dredge.

Future Operations and Maintenance costs and what the impact on funding of that activity will be, some of that income stream was from marina, which is going to be significantly delayed. Include this information in the long-term plan and have that discussion through that process.

The marina is designed for 100 trailers, commercial user pays, would take a huge amount of pressure off any other boat ramp.

Positive feedback from someone around their first time through the groynes; perfect boating straight in and out.

Aquaculture industry developments

Whakatōhea Mussels

No harvesting of mussels is taking place at the moment, mussels became fat really quick this year and then spawned within 10 days; the industry is struggling nationwide to get condition on their mussels.

Currently finding in our area the top half of the lines are growing faster than the bottom half. 14-15 tonnes sitting out in the ocean now and need to get a 40% recovery. The right conditions might be the middle of November for harvest. Pink algae bloom around at the moment this is good for mussels, not so much for fish.

BOPAG and other Science and Technology Groups

The Chief Executive Officer updated – Bay of Plenty Aquaculture Group.

Working on a spatial plan for the roll out of the sea space how that needs to link in with Eastern Bay Spatial Plan progressing at the moment. Making sure the two plans are aligned, the roading infrastructure to transport the growing aquaculture industry, linking in with Waka Kotahi transport route. His Worship the Mayor mentioned not just products, its resilience, our neighbours been regularly cut off, Tauranga ship example on Country Calendar, 500 tonne carrying capacity, nothing stopping that being from Opotiki to Lottin Point.

Te Whanau – A - Apanui

The Chairperson has not heard from Hayden about Te Whanau Apanui, foundations for their laboratory has been delayed till next year, equipment for laboratory coming from overseas is the hold up.

Workforce planning project/pathways to work and benefits realisation

MFTJ activity

Maia Calcott the new Workforce Development Co-ordinator is now into the second month of her role.

We continue to support the 15 MFTJ job placement subsidies across four businesses, including Te Pou Oranga o Whakatōhea (Ringa Raupa), Opotiki Pharmacy, Robert Monk Transport and Jayar electrical, with one new applicant in October from Browne and Smale Ltd.

The planned EMA course for first line supervision in October was successful with 10 participants. The workforce coordinator is in the process of coordinating a series of EMA courses to run in the first months of 2024.

We have a planned videography project, supported by national MTFJ, with Whakatōhea Mussels in November. The filming of successful stories, through which MTFJ subsidies and programmes have supported will be highlighted throughout the country and used to promote the projects local councils are currently rolling out.

Class 1 Drivers Licence

The new test route for licensing was announced at the end of September for Opotiki and we expect to see an increase in the number of passes achieved throughout the Opotiki and Coast district.

We continue to support Class 1 driver licences through the Driver mentor programme via REAP (Restricted and Full), the Y2Hub for Learners and the Opotiki college through their Drive to Thrive programme.

The planned defensive driving course with Mary-Lou (Defensive driving instructor) for the beginning of October was successful with course filling to maximum capacity of 20 participants. The final theory session was on Tuesday the 17th and we will follow up participants and students to ensure they complete their practical drive.

General Business

Coastguard on their resource consent, which has now been five months. Coastguard noted they have a Ngai Tama hapu member liaison, and they are working through bullet points to address. Coastguard are running a 'Bar Crossing Programme' which is open to public at the Coastguard building – Tuesday, 14 November at 6.30pm

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is inform

Assessment of engagement

As the level of significance has been determined to be Low the level of engagement required is inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

RECOMMENDATION:

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

Councillor Barry Howe

CHAIR, ŌPŌTIKI MARINE ADVISORY GROUP

REPORT

Date : 29 November 2023
To : Ordinary Council Meeting, 5 December 2023
From : Stace Lewer, Chief Executive Officer
Subject : **LONG TERM PLAN 2024-2034 – UPDATE**
File ID : A1192563

EXECUTIVE SUMMARY

The purpose of this report is to provide an update to Council on the work carried out on the Long Term Plan 2024-34 and seek Council approval of an updated the ŌDC Long Term Plan 2024-34 – Workplan (Appendix 1).

PURPOSE

The purpose of this report is to provide an update to Council on the work carried out on the Long Term Plan 2024-2034, since the 24 October Ordinary Council Meeting. It is also to seek approval for an item to be provided to the Risk and Assurance Committee for review.

BACKGROUND

At the time of writing this report, the following LTP work has been carried out:

On 16 October, a workshop was held. The following LTP items were discussed:

- update on Eastern Bay of Plenty spatial plan
- *i*-Site Strategy
- Te Tāhuhu o Te Rangi Strategy
- Engineering (various items)
- Draft Revenue and Financing Policy.

The notes from this workshop will be released following the standard council approval process.

On 24 October, an Ordinary Council Meeting was held. The LTP items in the agenda for that meeting were:

- Long Term Plan update
- Formal endorsement of the Community Priorities and Goals for inclusion in the Long Term Plan and reconfirmation of 'Strong Community, Strong Future' as the vision for the Long Term Plan
- The draft Significance and Engagement Policy was approved by Council to go out for consultation under the Special Consultative Procedure.

On 13 November, a workshop was held. The following item was discussed:

- Draft Revenue and Financing Policy.

On 20 November, a workshop was held. At the workshop, the following items were discussed:

- Updates to the 'ŌDC Long Term Plan 2024-34 – Workplan' (also known as the "Snake") with the inclusion of a new workshop on 30 November, and a new Council Meeting on 21 December
- A draft version of the LTP 2024-34 Performance Framework which includes the new Activity Structure
- A draft version of Key Planning Assumptions.

The dates included in the workplan (or "Snake") for 2024 will be provided to Governance to include in the Schedule of Meetings for 2024.

The draft version of the LTP 2024-34 Performance Framework was presented to councillors for review and feedback at the 20 November workshop. It included the new council activity structure (which is included in the draft Revenue and Financing Policy). This document is required to be included in the LTP and it has been generated to reflect the new Community Priorities which were adopted at the October council meeting. It provides the key performance indicators for the organisation to achieve and measure against, and it has been created to align with the goals which sit under the new Community Priorities. This document will be provided to the Risk and Assurance Committee on 11 December to seek review and feedback for the purpose of ensuring the council's performance framework is appropriate and in keeping with Treasury and Audit requirements.¹

¹ The Treasury requires all public benefit entities effectively and transparently report on its performance, and the External Reporting Board provides the standards to which council must adhere: [PBE FRS 48 Jan22 \(xrb.govt.nz\)](https://www.xrb.govt.nz/pbe-frs-48-jan22)

The notes and draft documents from both workshops will be released following the standard council approval process.

In addition, on 20 November, an Extra Ordinary Council Meeting was held in the afternoon. With regard to the LTP, the Revenue and Financing Policy was approved to go out for public consultation, under the Special Consultative Procedure.

At the time of writing the report, a Workshop is scheduled for 30 November. The following item is included on the agenda for the workshop:

- Project prioritisation.

The notes from this workshop will be released following the standard council approval process.

DISCUSSION

An updated version of the *ŌDC Long Term Plan 2024-34 Workplan*, or "Snake" is attached to this report for approval. This will be the third iteration of the "Snake" presented to Council. While every effort is made to align the LTP 2024-34 Workplan to the Schedule of Meetings for 2023, there are occasions where additional meetings and workshops are required to ensure items are considered adequately. The "Snake" is attached to this report as Appendix 1.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is Inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONSIDERATIONS

Financial/budget considerations

Costs associated to the development of the Long Term Plan have been included in the 2023-24 Annual Plan budget.

Policy and planning implications

Council is required to ensure it meets the legislative requirements with regard to creating the Long Term Plan. The contents of the report support this.

Risks

No risks have been identified with the recommendations of the report. The report seeks approval to refer the draft Council Activity Structure and Performance Framework to the Risk and Assurance Committee, to ensure our long term plan process is robust.

Authority

Council has the authority to make the decisions required.

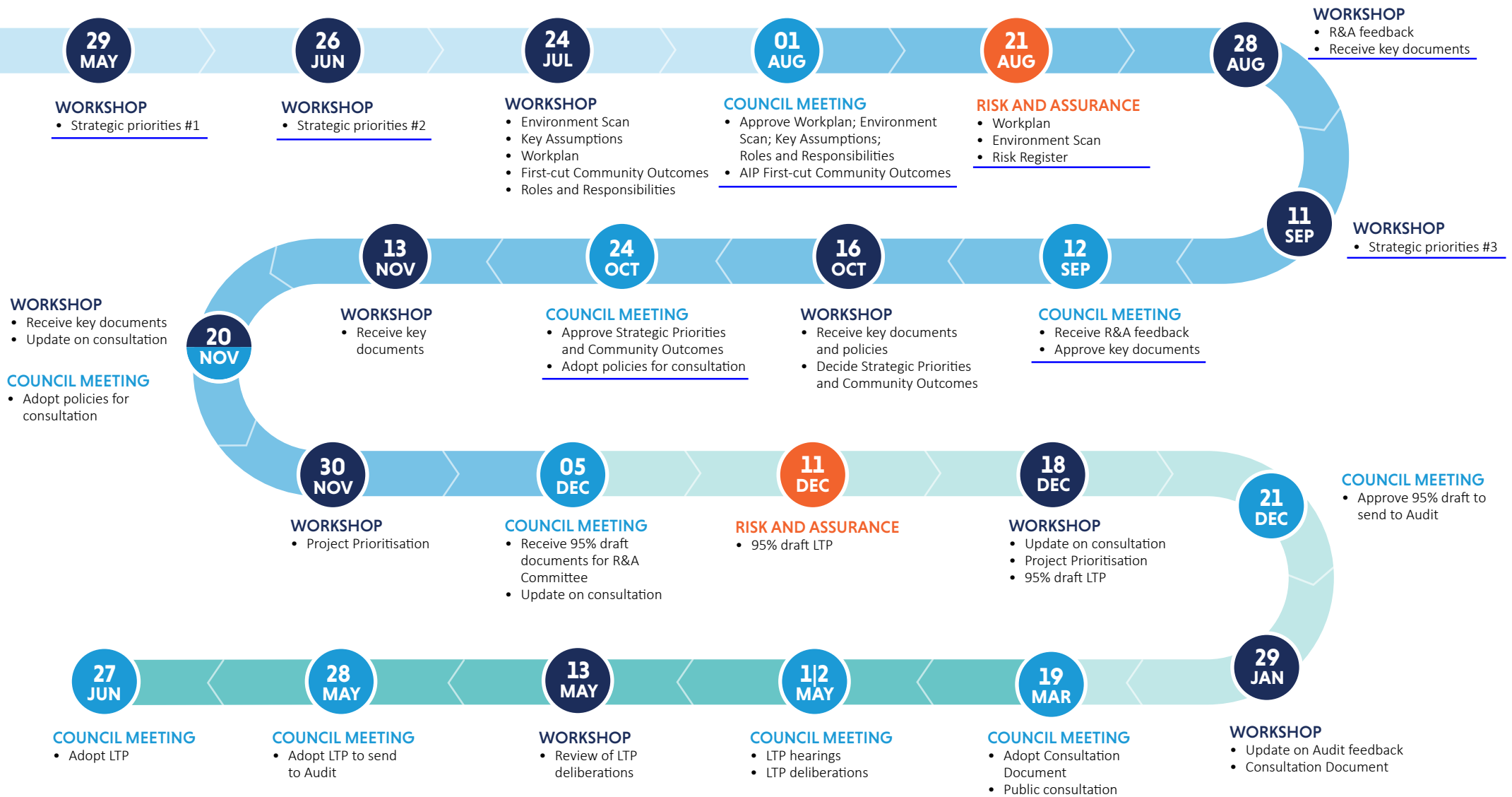
RECOMMENDATIONS:

- 1. That the report titled "Long Term Plan 2024-34 - update" be received.**
- 2. That the Council approve the latest version of the ŌDC Long Term Plan 2024-34 – Workplan (Appendix 1).**

Stace Lewer

CHIEF EXECUTIVE OFFICER

ŌDC Long Term Plan 2024-34 – Workplan



REPORT

Date : 1 November 2023

To : Ordinary Council Meeting, 5 December 2023

From : Councillor Steve Nelson, Chair, Strategy, Planning and Regulatory Committee

Subject : **RETIREMENT OF NINE POLICIES**

File ID : A1187257

EXECUTIVE SUMMARY

As part of the development of an organisational Policy Review Cycle, nine policies were identified by Group Managers as having been superseded or consisting of controls that are no longer operational. The Committee therefore recommends these policies be retired.

PURPOSE

This purpose of this report is to update Council on policies that have been identified as no longer operational and/or having been superseded. These can therefore be retired.

BACKGROUND

Council staff are in the process of developing a Policy Review Cycle to maintain up to date, effective, and legislatively compliant policies. The need for the creation of a Policy Review Cycle was highlighted in the *Report to the Council on the audit of Opotiki District Council* by Audit New Zealand. This Audit Report is produced annually and provides guidance and recommendations for organisational improvement. Generally, these recommendations are in line with legislation, good practice in the local government sector, and to ensure the organisation is effective.

The report includes a recommendation that Council “ensure all policies are regularly reviewed, updated, and adopted,” noting that Good Practice is to review policies at least every three years, outside of implementing updates in accordance with relevant guidance and/or legislation. To address this recommendation, Council staff are developing the Policy Review Cycle which will ensure a review, and

update if necessary, will be undertaken for each policy at least every three years. The purpose of the Policy Review Cycle is to have regular and ongoing maintenance of Council's policies, which ensures Council remains legislatively compliant and the documents guiding the organisation remain relevant and effective.

During the process of creating this Policy Review Cycle, Group Managers were asked to assess the policies for which they are currently responsible. This assessment identified nine policies which have been superseded or consist of controls which are no longer operational, therefore making each policy redundant. The rationale for the retirement of each policy is included in Appendix 1.

DISCUSSION AND OPTIONS SECTIONS

The Policy Review Cycle has identified nine policies for retirement, which are listed in Appendix 1 of this report. At the Strategy, Planning and Regulatory Committee meeting on 30 October, staff presented the policies recommended for retirement and the Committee received the recommendations.

At the Committee meeting, committee members raised questions about two policies proposed to be retired: the Street Naming Policy and the Youth Policy. Through discussion, it was determined there are appropriate existing mechanisms and policies within the organisation which perform the same function as the two policies identified in discussion, and it was appropriate to retire the policies. The minutes of the committee meeting will be released into the public domain following the usual approval process.

One of the primary areas of responsibility of the Strategy, Planning and Regulatory Committee is to oversee and provide recommendation to Council on areas such as strategy and policy. The Committee accepted the staff recommendations to retire the nine identified policies in full. Council is the governing body with the authority to retire the policies identified in Appendix 1. Therefore, the Committee recommends Council retire the policies identified in Appendix 1 of this report.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance


On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is Inform according to the Engagement Framework of the Significance and Engagement Policy:

	Inform	To provide balanced and objective information to assist understanding about something that is going to happen.
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The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONSIDERATIONS

Financial/budget considerations

There are no financial or budget considerations for this decision.

Policy and planning implications

It is not considered the retirement of these policies will adversely affect the effectiveness or robustness of Council's policy responsibilities. This is because the guidance, approaches, and considerations outlined in these policies still exist in more recent and up to date documents. Where this is not the case, it is because the processes are no longer required or no longer exist.

Risks

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

Authority

Council has the authority to make the required decision.

RECOMMENDATIONS:

- 1. That the report titled "Retirement of Nine Policies" be received.**
- 2. That Council retire the nine policies identified in Appendix 1.**

Councillor Steve Nelson

CHAIR, STRATEGY, PLANNING AND REGULATORY COMMITTEE

APPENDIX 1

The rationale for retirement of each policy is below.

Policy Name	Board Venue Policy
Policy Owner	Gerard McCormack
Document ID	A2294 (2008 Policy Manual)
Last Adoption Date	06/10/2009
Previous Adoption Meeting	Ordinary Council Meeting
Council or Staff Policy	Council
Staff conducting review	Ngahuia Muru & Gerard McCormack
Purpose of policy	For the purposes of this policy, Board Venue means premises that are owned or leased by the New Zealand Racing Board and where the main business carried on at the premises is providing racing betting or sports betting services under the Racing Act 2003. The policy outlines the processes by which Board Venues would establish in Ōpōtiki.
Rationale for retirement	To date Gerard has not come across this policy or the need to use it. To his knowledge there are no board venues looking to move into Ōpōtiki so currently there is no need for this policy. If an instance arises that a Board Venue is looking to establish in Ōpōtiki, a new policy can be developed accordingly.

Policy Name	Interceptor Traps Policy
Policy Owner	Gerard McCormack
Document ID	A2294 (2008 Policy Manual)
Last Adoption Date	02/08/2008
Previous Adoption Meeting	Ordinary Council Meeting
Council or Staff Policy	Council
Staff conducting review	Ngahuia Muru & Gerard McCormack
Purpose of policy	This policy details the installation and maintenance of interceptor traps at service stations to prevent the inappropriate disposal of liquid waste.
Rationale for retirement	This policy is no longer required as its function is captured in the best practice guides that are used by engineering and building team.

Policy Name	Investment Policy
Policy Owner	Peter Bridgwater
Document ID	A81639
Last Adoption Date	30/01/15
Previous Adoption Meeting	Extra Ordinary Council Meeting
Council or Staff Policy	Council
Staff conducting review	Ngahuia Muru & Peter Bridgwater
Purpose of policy	This policy outlines Council's approach to and intentions about investments.
Rationale for retirement	This policy has been superseded by the Treasury Risk Management Policy and Procedures including Liability Management and Investment Policies. As such, the standalone policy is redundant.

Policy Name	Pohutukawa Project Policy
Policy Owner	Garry Page/ Gerard McCormack
Document ID	A2294 (2008 Policy Manual)
Last Adoption Date	02/08/2008
Previous Adoption Meeting	Extra Ordinary Council Meeting
Council or Staff Policy	Council
Staff conducting review	Ngahuia Muru & Gerard McCormack
Purpose of policy	This policy outlines Council's approach to enhance and protect Pohutukawa trees.
Rationale for retirement	This policy is no longer required as it is covered by the Reserves Act and Resource Management Act. As such, the standalone policy is redundant.

Policy Name	Public Toilets: Waihou Bay Policy
Policy Owner	Garry Page/ Gerard McCormack
Document ID	A2294 (2008 Policy Manual)
Last Adoption Date	02/08/2008
Previous Adoption Meeting	Extra Ordinary Council Meeting
Council or Staff Policy	Council
Staff conducting review	Ngahuia Muru & Gerard McCormack
Purpose of policy	This policy outlines the agreement Council currently maintains to provide public toilets in Waihou Bay.
Rationale for retirement	The agreement is coming up for renewal and will be dealt with as part of the Waihou Bay Masterplan. All existing and ongoing agreements/lease/otherwise will go to the Property Committee for sign off. Therefore, this policy can be retired.

Policy Name	Review of Policy Policy
Policy Owner	Peter Bridgwater
Document ID	A2294 (2008 Policy Manual)
Last Adoption Date	02/08/2008
Previous Adoption Meeting	Extra Ordinary Council Meeting
Council or Staff Policy	Council
Staff conducting review	Ngahuia Muru
Purpose of policy	This policy outlines Council's approach to reviewing current policies.
Rationale for retirement	This policy is no longer required as the new policy template requires the review period to be specified in each individual policy.

Policy Name	Signage – Use of Sandwich Board Policy
Policy Owner	Gerard McCormack
Document ID	A2294 (2008 Policy Manual)
Last Adoption Date	02/08/2008
Previous Adoption Meeting	Extra Ordinary Council Meeting
Council or Staff Policy	Council
Staff conducting review	Ngahuia Muru & Gerard McCormack
Purpose of policy	This policy outlines Council's approach to approving and managing Sandwich Boards.

Rationale for retirement	Sandwich Boards fall under the advertisement category, which is controlled under the Resource Management Act and signage bylaw. This standalone policy is therefore redundant.
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Policy Name	Street Naming Policy
Policy Owner	Nathan Hughes
Document ID	A2294 (2008 Policy Manual)
Last Adoption Date	02/08/2008
Previous Adoption Meeting	Extra Ordinary Council Meeting
Council or Staff Policy	Council
Staff conducting review	Ngahuia Muru & Nathan Hughes
Purpose of policy	This policy sets out the conditions for naming streets within the Ōpōtiki District.
Rationale for retirement	This has been superseded by a new policy, the Road Naming Policy, which was adopted in 2018, which again was superseded by an updated policy which was recently adopted in 2022.

Policy Name	Youth Policy
Policy Owner	Peter Bridgwater
Document ID	A102666
Last Adoption Date	27/05/2008
Previous Adoption Meeting	Ordinary Council Meeting
Council or Staff Policy	Council
Staff conducting review	Ngahuia Muru & Peter Bridgwater
Purpose of policy	This policy outlines Council's approach to create an environment where young people have the opportunity to participate in decision making and learn about local government.
Rationale for retirement	The controls discussed in this policy are no longer in place. Additionally, it is considered that this guidance is not best placed as a policy and in future this kaupapa would work better as a Council strategy, perhaps alongside the workforce development activity.

REPORT

Date : 14 November 2023

To : Ordinary Council Meeting, 5 December 2023

From : Group Manager Planning and Regulatory, Gerard McCormack

Subject : **HUKUTAIA GROWTH AREA PLAN CHANGE: RURAL TO RESIDENTIAL**

File ID : A1182411

EXECUTIVE SUMMARY

On 21 December 2021, Council decided to commence preparation of a plan change to make changes to the Opotiki District Plan in order to implement the draft Structure Plan for the Hukutaia Growth Area (HGA). Formal commencement was reliant on approval of the funding from the Infrastructure Acceleration Fund (IAF).

This report is seeking direction on whether to continue with the plan change to extend the residential zone in Hukutaia, despite the IAF funding not being approved. The process, scope, timing, costs and risks are outlined in this report to inform Council decision-making.

PURPOSE

The purpose of this report is to obtain direction for progressing a change to the operative Opotiki District Plan (ODP) to support the implementation of the draft Structure Plan for the future development of the Hukutaia Growth Area (HGA).

This report addresses the following:

- The scope, process and timing of the plan change;
- Dependencies that need to be taken into account;
- Benefits and risks relating to continuing with the plan change versus maintaining the status quo.

BACKGROUND

On 21 December 2021, Council decided the following regarding the plan change to the Ōpōtiki District Plan in order to implement the draft Structure Plan for the Hukutaia Growth Area (HGA):

Timing: Council start preparing the plan change prior to the IAF funding decision, and formally commence the notification period (or SPP process) after the IAF decision has been released.

Under the above mandate, Council has undertaken the various technical assessments to inform and direct the plan change and infrastructure concept design for HGA:

1. Urban Design Report.
2. Hazardous Activities and Industries (HAIL) Desktop Assessment.
3. Ecological Desktop Assessment.
4. Geotech Desktop Assessment.
5. Planning Assessment – Stormwater and Wastewater Infrastructure.
6. Stormwater Options and Concept Design Reports
7. Wastewater Options, Concept and Early Development Reports

Council was unsuccessful in its IAF funding application. One of the reasons for this may be that the IAF funding was focussed on infrastructure development, while ODC's holistic approach to provide capacity for the long-term housing need without the planning framework being in place, did not allow for immediate implementation.

This report is seeking to further progress the plan change to ensure the planning framework is in place to support infrastructure and residential development and any future application for infrastructure funding.

Catalyst to progress Plan Change:

Progressing the planning phase of the HGA to enable development will ensure alignment with the National Policy Statement Urban Development requirement to provide sufficient development capacity to meet the short-, medium- and long-term residential and business growth and plan for the infrastructure to support such growth.

Landowners within the HGA have expressed an interest to develop their land for residential purposes. A need has been identified to combine the efforts of these developers in drafting a whole of area plan

change application to allow for a uniformed approach, coordinate financial and land contributions, facilitate the share of implementation costs to improve project feasibility and to enable development to progress.

The Eastern Bay Spatial Plan (EBSP) has progressed to a point where the Council can make an informed decision on the growth needs of the district with relation to residential, commercial and industrial growth and associated infrastructure. Iwi aspirations in terms of Papakāinga / Māori housing, as well as economic drivers that would support/drive residential and infrastructure development have been identified.

The following as identified through the EBSP process, highlights the need to progress with the plan change for HGA:

1) Climate change considerations

- Climate change resilience has been identified as a key matter of concern. Climate change will result in an increase in extreme weather events, which puts many homes and buildings at risk of flooding and sea-level rise and can reduce the durability of building material and the lifespan of dwellings, resulting in high financial and social costs. How and where we build can help our communities adapt.
- The New Zealand Adaptation Plan includes actions the government will take over the next six years to build climate resilience to ensure urban development and housing (including Māori housing), consider climate hazards.
- Tsunami modelling for Ōpōtiki (Prasetya, et. al., 2011) predicts that a tsunami will follow the Waioeka and Otara Rivers and cause extensive inundation towards Ōpōtiki township. Bay of Plenty Regional Council has identified a large proportion of Ōpōtiki township as being both low lying (less than 3m elevation - NZ vertical datum) and at risk of flooding (flood depth more than 3m in a 1 in 100 year event). Focussing future growth within these areas will be contrary to the New Zealand Adaptation Plan.
- HGA provides a climate-resilient option for residential growth as well as additional long-term capacity if managed retreat should be required.

2) Housing

- Although Ōpōtiki township can technically accommodate two thirds of the projected growth if the full yield potential of all existing lots were explored, not all of those lots are necessarily developable. This is due to the placement of existing buildings, services constraints, development cost and natural hazard risks. Only a limited number

(approximately 400-900) additional dwellings can be accommodated before the wastewater treatment plant will require major upgrades. Furthermore, Council cannot rely on infill within Ōpōtiki township to provide for future growth since that is reliant on landowner interest, willingness and capability to develop.

- Waiōtahe suburb only has the ability to provide a fraction (116 dwellings) of the projected growth and further growth in that area is restricted due to flood constraints. The existing subdivided lots cater for the high end, less affordable market and does not provide diverse housing choice.
- The HGA includes the Whakatōhea block which will enable iwi aspirations to develop papakāinga housing and housing for the elderly. This provides more housing choice.
- HGA is the primary location to provide for future residential growth over the next 30 years. It provides a greenfield area, large enough to accommodate the housing need (1580 units over 30 years) and where infrastructure investment can be focussed. It is in close proximity to other community, healthcare and education facilities, shops and job opportunities. There are wastewater reticulation system options that could allow additional growth to occur without the need for the full upgrade of the wastewater treatment plant.

3) Commercial

- In order to provide for commercial growth over the next 30 years, 10 hectares would be required. Many of the existing buildings within the town centre are earthquake prone and low lying, which would lead to higher re-development costs. In accordance with the New Zealand Adaptation Plan, HGA would be best suited to accommodate future commercial growth. Commercial development in HGA would support future residential development over the next 30 years. The Whakatōhea block within HGA could potentially provide for this.

4) Industrial

- There is limited land that is zoned Industrial and infrastructure ready to address long-term industrial growth. There is landowner interest to develop an area between HGA and State Highway 2 for industrial purposes. Enabling development of the HGA could potentially serve as a catalyst to progress such proposal, which will support HGA as new employment opportunities within close proximity.

- The HGA plan change could also be a catalyst for providing an intersection on the state highway and a new access to connect the Marine Industrial area north of the State highway with HGA.
- The HGA plan change could facilitate the provision of a foot/cycle bridge across the Waioeka River (between HGA and Stoney Creek Road) to connect HGA with the existing industrial area for job opportunities. Such a bridge could serve as an alternate route for evacuation in case of emergency or if the main bridge fails.

5) Iwi aspirations

- Whakatōhea has recently settled with the Crown and development of their land block within the HGA is subject to infrastructure provision. The Whakatōhea development includes 30 kaumatua and iwi houses, medical centre, Iwi Trust Board office, retirement village and commercial development. The plan change would enable cost-share between developers within the HGA, thereby making development of Māori owned land more feasible.

The wastewater concept design for Hukutaia has provided a solution that would not be reliant on the immediate full upgrade of the wastewater treatment plant (WWTP). The WWTP capacity could also be extended by restricting existing septic tank users in Hukutaia from connecting to the wastewater reticulation system and to prioritise greenfield development within HGA. This therefore enables the plan change to progress.

New legislation coming into effect may add additional constraints on land development and cause delays in opening up land for development and stifle any development for a significant amount of time. Without the HGA being opened up for development, there is a risk that Ōpōtiki would not be able to address the housing need associated with the projected growth.

It is therefore timely to progress a plan change to allow development within the HGA.

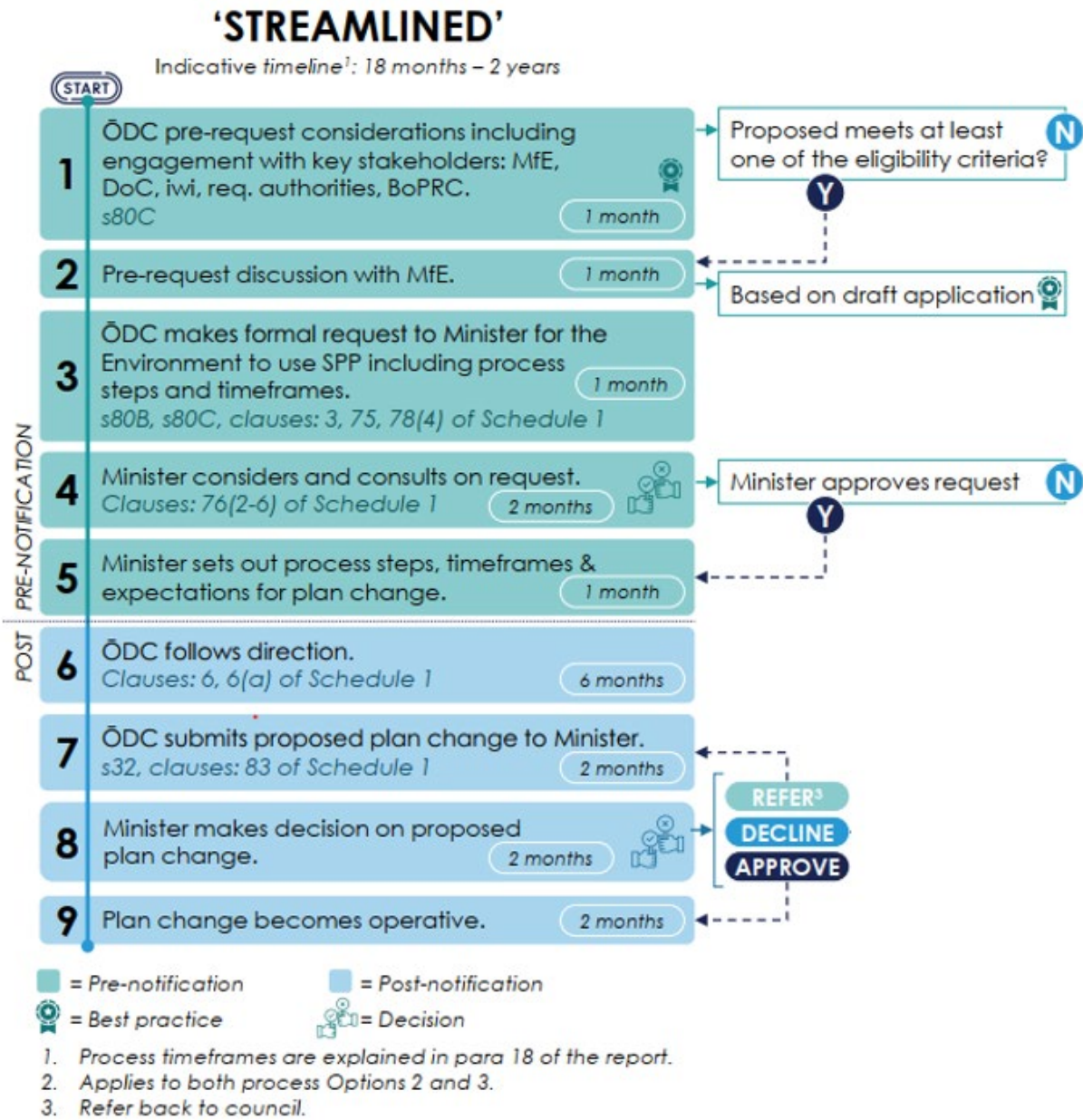
DISCUSSION AND OPTIONS SECTIONS

It is proposed that ODC continue with the plan change despite the lack of the IAF / external funding, but still following the scope and process as per Council's decision on 21 December 2021. Below is:

- a brief overview of the planning process;
- the project time frame in relation to other projects and requirements, and
- the project scope in the light of human resources and funding requirements.

Process

As per Council decision, it is proposed to follow the Streamlined Planning Process (SPP), which enables a local authority to request a plan making process to suit the planning issue(s) involved, instead of following the standard district plan review process. The process is demonstrated by the diagram below.



On 23 August 2023 the National and Built Environment Act 2023 (NBA) and Spatial Planning Act 2023 (SPA) were given royal assent. The NBA and SPA introduce new planning processes for the development of regional spatial strategies (RSSs) and NBA plans. The RMA SPP can still be used for RMA plans until the RSS for that region has been adopted and publicly notified by the regional planning committee.

The SPP process is still considered the best option because appeal rights are limited.

Timing

As demonstrated in the diagram above, the SPP will take 18 months to 2 years till the plan change becomes operative.

The timing of the plan change prior to lodging the application with the Minister is entirely in Council's control, and can be calibrated to suit Council's requirements, resourcing and the timing of other projects. However, once the SPP process is in place, Council needs to adhere to the schedule set by the Minister.

The planning team can develop the plan change and consult with key stakeholders while the necessary technical evidence is prepared to support the plan change.

As part of ODC's initial consultation with BoPRC regarding the Hukutaia structure plan, BoPRC confirmed that the upgrade of the wastewater treatment plant is required to support the future development of the Hukutaia structure plan area. The engineering team is progressing the design of the upgrade of the wastewater treatment plant through existing LTP funding.

The wastewater concept design for Hukutaia has provided a solution that would not be reliant on the immediate full upgrade of the wastewater treatment plant (WWTP). The upgrade timing therefore does not affect the plan change, but only the implementation of the structure plan. The district plan will signal these risks to future developers.

The WWTP capacity could also be extended by prioritising greenfield development within HGA and restricting existing septic tank users in Hukutaia from connecting to the wastewater reticulation system until the WWTP has been fully upgraded.

The current Regional Plan does not require landowners within the Hukutaia structure plan area to retire their current septic tanks once reticulation is provided. This has been confirmed by Bay of Plenty Regional Council officers in writing. However, there is a risk that the Regional Plan requirements may change in the future, but Council and community will have the ability to make submissions on any changes proposed.

Scope

As per the Council decision, it is proposed that the Hukutaia Growth Area is rezoned from Rural to Residential, and the lot layout included in the Structure Plan, is included as an overlay to provide further detail regarding future development potential.

Key Outcomes:

Progressing the above plan change under the Resource Management Act (RMA) is required to provide for long-term (30 Year) growth within the district. It will:

- Provide for future residential development in the Residential zoned and Rural zoned greenfield areas surrounding the existing Hukutaia residential area,
- Allow mixed use to address iwi aspirations development on the Whakatōhea block,
- Provide for commercial development,
- Facilitate infrastructure development and transport upgrades to support such development, and
- Open up the opportunity for industrial development to connect from the north and east with the HGA, supported by transport upgrades.

Supporting documentation such as a high-level engineering assessment, identification of risks relating to the planning requirements and the lot layout has been commissioned and completed as part of the IAF funding application. It provides a perspective of the development potential, based on the preliminary engineering design for bulk service provision to the structure plan area, but does not address all planning matters.

The plan change application will provide an overview of the various planning matters to demonstrate developability of the plan change area for residential purposes.

Therefore, in the interest of ensuring a streamlined decision on the plan change application and providing more certainty to future developers, it is proposed that high level technical assessments be undertaken to support the plan change application. However, it is intended that the technical assessments that address these planning matters in more detail will be addressed through subdivision and land use applications for the relevant properties.

To progress the plan change the following outputs are required:

- Detail review technical aspects and confirmation of omitting the following from the project scope:

- Preliminary or detailed site-specific geotechnical assessment (depending on whether it is low lying or at risk according to the desktop geotechnical assessment) will be required at subdivision stage to recommend development controls. Controls may include the requirement to undertake detailed site-specific geotechnical assessment at site-development stage.
- A site-specific land rehabilitation and site management plan with relation to contaminated land will be required at subdivision stage.
- Archaeological desktop analysis is not considered necessary as there are only two identified archaeological sites to the north of the existing residential area and would not be affected by the HGA plan change.
- An agricultural desktop assessment is not considered necessary for the plan change purpose since HGA has been identified for future growth prior to the NPS for Highly Productive Land has been notified. Protection of productive land is therefore not a requirement. If certain areas within HGA remain productive land and is not developed, there may be reverse sensitivity aspects to take into account. This can be dealt with as part of the planning assessment.
- Site-specific flood risk and -management recommendations to be undertaken for low lying areas at subdivision stage. Land acquisition and easements required for the centralised stormwater system to be undertaken separate from the plan change process.
- The technical assessments (e.g. detailed geotechnical assessment) required for the bulk services route for phase 1 of HGA (extending services lines along Hukutaia Road) will be commissioned separately from the plan change process to allow design and construction.
- Pre-application consultation with affected landowners regarding the centralised stormwater treatment system and obtain affected party approval based for the system based on the Structure Plan and plan change proposal. Explore options to manage stormwater contaminants resulting from development at the source (specify roof materials and requiring sumps to be fitted with submerged outlets to capture hydrocarbons).
- Pre-application consultation with Regional Council with regard to the Structure Plan, including:
 - Comprehensive stormwater consent
 - Contaminated land
 - Bulk earthworks
 - Discharge consent
 - Effects on freshwater body
- The following further technical assessments will be commissioned for the HGA:

- Contaminated land assessment and site management recommendations.
- Detailed geotechnical assessment and contaminated land assessments of the historic landfill site at 233 Woodlands Road to confirm rehabilitation requirements and to assess any contamination of groundwater and soil in the vicinity and risk of gas leaching and its impact on the surrounding environment. Depending on the effect of the landfill on the surrounding area, the structure plan may require updating. It is unlikely that the site will be suitable for development or that rehabilitation will be feasible. However, based on the outcome, a suitable use and zoning will be determined.
- Ecological assessment (including potential wetlands and the various streams identified in the desktop analysis, located within and adjacent to the project site - This will require landowner approval to allow access) and recommendations on waterway and wetland enhancements.
- Landscape assessment – advice on how the Structure Plan could enhance and make use of natural features and landscapes and recommendations on district plan controls to ensure quality development.
- Structure plan update to provide for commercial land use, parks/reserves, connectivity within the HGA and with the wider area etcetera. Refinement is also required e.g. cemetery at 101 Dip Road needs to be excluded. Alignment with the final services concept design needs to be confirmed.
- Infrastructure assessment:
 - Developability Statement based on the updated Structure Plan.
 - Stormwater assessment (stopbank construction/upgrade as mitigation for flooding will affect geotechnical assessment recommendations for re-use of soil) and recommendations for the centralised system and alternative management while the centralised system is not in place. A more detailed assessment is required for the tide gate capacity for Kukumoa Creek.
 - Water supply.
 - Wastewater reticulation options assessment and recommendations – phase 1 (extension of services along Hukutaia Road) and wider HGA.
 - Transport assessment.
- Planning Assessment:
 - Assessment of effects against existing district plan rules and policies.
 - Assessment of effects against existing Regional Plan rules and policies.

- The Bay of Plenty Regional Council confirmed that the existing septic tank systems within HGA are permitted under the On Site Effluent Treatment Plan (OSET) and do not need to be decommissioned once the reticulation is in place.
- Draft new district plan rules and policies:
 - Average densities/expected yield, access, connectiveness;
 - Technical requirements for development
 - Create inclusion zone to set land aside for climate change retreat/government funded housing, developer contribution to inclusion zone / offer land;
 - Rates changes and new rules will not be applicable to land until subdivision stage;
 - Similarly, the development of the structure plan area can only occur once the necessary bulk services and service upgrades are in place. Therefore the district plan will signal that development is subject to availability and capacity of services.
- Review all the technical reports
- Draft application – a bundled consent to the Minister through the Streamlined Planning Process that addresses both ODC and BOPRC’s plan requirements
- Consultation with affected parties/landowners, mana whenua and the community. This can be undertaken in-house by the planning team, supported by the communications team.
- Various aspects as outlined in the Streamlined Planning Process
- Project management – oversight over the above processes, including coordination between developers

Cost

Appeals to the Environment Court following notification of the decision on a plan change can absorb significant time and financial resources. One of the most significant advantages following the SPP process in terms of an efficient rolling out of the plan change is that it limits appeal rights and therefore reduces time and cost to Council.

ODC can have control over the amount of money spent on the technical assessments required for the plan change and can ensure this is within the budget.

With ODC carrying the cost of the plan change, allows Council to charge financial contributions at development stage, which would be financially advantageous.

Options

The Council has the following options in terms of the plan change to accommodate the Hukutaia structure plan:

Option 1: Maintain the status quo and do not progress the plan change

Advantages

- The internal human resources could focus on other projects
- The funds budgeted for district plan review could roll over to the next year, providing financial relief for the larger Council budget during the following year.

Disadvantages

- The internal human resources may be underutilised or come under undue pressure if the plan change is scheduled to a later date when other projects kick off.
- The landowner, tangata whenua and stakeholder expectations aren't met, which may impact relationships and Council's reputation.
- The planning framework is not available to support development to meet the community's housing need. This may further frustrate developers investing in the district.
- If the funds budgeted for district plan review is not used, there is a risk of funds being redirected to other projects.
- The lack of a planning framework to support future development may stifle future funding applications.
- New legislation may stifle development and the housing need could not be addressed in a timely manner.

Option 2: Progress the Hukutaia Growth Area Plan Change

Advantages

- The plan change can be undertaken by internal staff within the existing budget.
- The majority of work to be done for the plan change involve discreet pieces of work that can be outsourced to consultants, with oversight from internal staff. The key outcomes for Ōpōtiki through the Eastern Bay Spatial Plan have been achieved, providing sufficient capacity to provide this oversight. There are currently no other major projects scheduled that would impact the staff capacity to deliver on the plan change.
- The expectations of the landowners, tangata whenua and stakeholders are met, having a positive impact on relationships and Council's reputation.
- The plan change provides the planning framework to support development and the interest of developers in the district.

- The housing needs of the community can be addressed, relieving the housing shortage and encouraging investment in the district, contributing to economic growth and social wellbeing.
- Future funding applications would have a better chance of success if there were a planning framework in place which supports residential growth.
- It provides opportunities for mana whenua to participate in the planning and development process and realise their aspirations for Hukutaia area.
- It provides sufficient time to engage with the regional council and explore opportunities to align or even combine the plan change processes.
- The process allows sufficient time to socialise the concept and purpose of the plan change with stakeholders and the wider community.
- Allows Council the ability to plan for the expenditure associated with progressing and implementing the plan change.
- It provides sufficient lead-in time for Council and mana whenua to engage, consult and consolidate aspirations with relation to the Whakatōhea Hospital site.

Disadvantages

- It may be perceived by some in the community as a 'high risk' strategy while infrastructure provision for the Hukutaia Growth Area remains uncertain.
- Some landowners may oppose the plan change. However, with the key concerns being addressed (not decommissioning of septic tanks, deferring the impact of the new rules and rates to subdivision stage and designing the wastewater system to function without negatively impacting the waste water treatment plant capacity) and sufficient upfront consultation to relay any concerns, landowner expectations can be managed and support for the project obtained.
- Human resources and costs are focussed on and committed to the plan change at the detriment of other projects that may arise.
- Resources and expertise external to Council will need to be secured for the technical assessments.
- The pace of the plan change may frustrate developer's desire to maximise the potential of their sites.

Preferred option: Progress the Hukutaia Growth Area plan change.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The decision is considered to have low significance in accordance with the Significance Flowchart for the following reasons:

- *Although community interest will be generated from this proposal, it is only the landowners that would be directly affected, and Council previously consulted with them on this matter.*
- *The plan change is not expected to radically change the level of service to the existing landowners because the status quo regarding the septic tanks can be maintained until such time as the waste water treatment plant has been upgraded;*
- *The plan change will not create radically different effect on ratepayers because the rates will only be increased when the land is developed for residential purposes and is not based on the zoning alone.*
- *The proposal will not incur net capital/operational expenditure exceeding 10% of total Council annual expenditure in the year commenced and will not radically impact a specific demographic.*

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is 'Inform' according to the Engagement Framework of the Significance and Engagement Policy.



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a workshop to inform the Hukutaia landowners and directly affected parties of the details of the plan change, followed by a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media to inform the general public.

However, to efficiently assess the effects of the proposal and ensure a streamlined decision process, a level of 'consultation' and 'involvement' engagement strategy is proposed with the interested landowner developers.

	Consult	To obtain public feedback about ideas on rationale, alternatives, and proposals to inform decision making.
	Involve	Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered.

The tools that council will use for the 'Consult' level of engagement include meetings with key stakeholders, tangata whenua and letters to directly affected parties. Whakatōhea will be involved in deciding what development is anticipated on their block of land.

CONSIDERATIONS

Financial/budget considerations

There is \$235,000 per annum in the Long-Term Plan for the operational costs of reviewing the District Plan. This would be sufficient for any technical assessments that are required. The detail technical assessments required for the construction of infrastructure does not form part of the budget for the plan change.

The in-house cost for developing and overseeing the plan change is budgeted separately.

Policy and planning implications

The Hukutaia Growth Area is specifically included in the LTP (2021-2031). It aligns with Council's stated community outcomes to develop and protect the natural environment and provide services and facilities to meet our needs.

Risks

The risks below have been considered at the 21 December 2021 Council meeting, and no additional risks have been identified. Mitigation measures are outlined against these risks, which demonstrates that these risks can be managed to an acceptable level:

- If not supported then it undermines or would be inconsistent with the aspirations of the spatial plan.
- If changes are proposed to the Regional Plan particularly in relation to OSET systems, ODC will have the opportunity to ensure it aligns with the interests of the Hukutaia plan.
- Developer expectations: Without funding, the development area cannot be serviced. The Long Term Plan is currently under review and Council can budget for these costs. If the plan change signals that development within the structure plan area is subject to availability and capacity of services, these risks can be anticipated by the developers.
- Relationships: Delivery failure or delay could undermine the Council's relationships with key stakeholders, including local iwi, landowners and developers. Clear consultation about the process without creating unrealistic expectations would mitigate these risks.
- Reputation: Delivery failure may compromise Council's reputation and relationship with potential future funding partners, mana whenua, landowners and the development community. A clear project management plan and engagement plan for the delivery of the Plan Change could reduce this risk.
- Carrying costs: there is a risk that developers and landowners may not progress development if extensive resource consents are required. This will leave unutilised infrastructure in place, attracting carrying costs. To mitigate the risks, the plan change must ensure the policy and rule framework supports the future development and is clear.
- Post-process deliverability: some areas of the proposed Hukutaia plan change area are contaminated because of their historical and current use as primary production land. They are identified as HAIL sites (Hazardous Activities and Industries List) in the Council's GIS mapping system. Achieving the necessary resource consents (under the National Environmental Standards Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) and remediating these sites to enable residential development could increase development costs, and potentially adversely affect development feasibility. Options to mitigate this risk include raising awareness among the development community of the need to factor the costs associated with the authorisation of change of use or development of contaminated land and remediation of contaminated sites into development budgets. Funding may potentially be available from the Contaminated Site Remediation Fund (CSRF), administered by the Ministry for the Environment. This fund provides financial assistance to owners of land that is considered

high-risk to the environment and where the landowner is unable to fund the remediation or management themselves. However, it should be noted that this option will need to be investigated further.

CONCLUSION

This report has reviewed the process, scope, timing, costs and risks related to progressing a plan change to support the implementation of the draft Structure Plan for the Hukutaia Growth Area. It is preferred to progress the plan change rather than maintaining the status quo for the following reasons:

- It provides sufficient certainty to funders of the Council's intention to progress the Hukutaia Growth Area.
- It makes the most efficient use of time and resources available to Council.
- The costs associated with the plan change is proportionate to the scale of the task.
- It provides sufficient time to conduct appropriate levels of engagement and consultation with key stakeholders and landowners.
- It best provides for the aspirations of mana whenua.

RECOMMENDATIONS:

- 1. That the report titled "Hukutaia Growth Area Plan Change: Rural to Residential" be received.**
- 2. That Council agrees to commence and progress the plan change to the Ōpōtiki District Plan as outlined in this report using the draft Structure Plan (as shown in Appendix 1) as a basis for the Hukutaia Growth Area.**

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER

APPENDIX 1



REPORT

Date : 21 November 2023

To : Ordinary Council Meeting, 5 December 2023

From : Group Manager Planning and Regulatory, Gerard McCormack

Subject : **CONSTRUCTION OF THE SNELLS ROAD DREDGE ACCESS RAMP AND CAR PARK**

File ID : A1188959

EXECUTIVE SUMMARY

In September 2023 the Opotiki District Council (ODC) endorsed the updates to the Opotiki Wharf Masterplan and Implementation plan and agreed to a funding allocation of \$1,000,000 for the construction of an dredge access ramp and car parking area. This project is identified in the long-term plan 2021-2031.

It has since been identified that the project faces erosion issues due to dynamic riverine activity and increasing erosion rates in this location.

This report seeks the following:

1. That the report titled "Construction of the Snells Road Dredge Access Ramp and Car Park" be received.
2. That Council decides whether to proceed with the construction of the Snells Road dredge access ramp and car parking area.

PURPOSE

The purpose of this report is to:

- Provide an update on the works required for construction of the Snells Road dredge access ramp and car park
- Provide information for Council to be able to determine whether to proceed with the construction of the Snells Road dredge access ramp and car parking area.

BACKGROUND

Harbour consent and LTP

In July 2009, Ōpōtiki District Council (ŌDC) obtained resource consents for the Ōpōtiki Harbour entrance development. With the work on the harbour commenced, the ŌDC 2021-2031 Long Term Plan (LTP) allocated funding for a comprehensive master planning exercise encompassing river frontages and the harbour area. In consulting with the community, one of the purposes of the masterplan was to facilitate the construction of an additional boat ramp with associated parking provisions. LTP.

Ōpōtiki Wharf Masterplan and Implementation Plan

In September 2022, following an extensive period of public consultation, ŌDC endorsed the masterplan, serving as a guiding vision for community infrastructure investments to support the harbour development project. During the masterplan process, ŌDC identified the community's desire for an enhanced boat ramp facility that is easily accessible by car, aimed at alleviating pressure on the current wharf area due to the opening of the harbour entrance. In response to this community need, a key component of the masterplan was the establishment of a public boat ramp at Snell Road, utilising the existing access ramp originally intended for the harbour entrance project's dredger.

Updates to the Ōpōtiki Wharf Masterplan and Implementation Plan

In March 2023, ŌDC endorsed the option to adapt the existing Ōpōtiki wharf to allow for mussel boat operations, subject to a satisfactory lease agreement and funding for the required upgrades. At that time, ŌDC also endorsed the development of conceptual options for accommodating community recreational uses in the vicinity of the wharf area. This led to the original masterplan being updated, at which time the proposal to have a new access ramp and car parking area at Snell Road remained as a concept. The updated Ōpōtiki Wharf Masterplan and Implementation Plan was endorsed in September 2023.

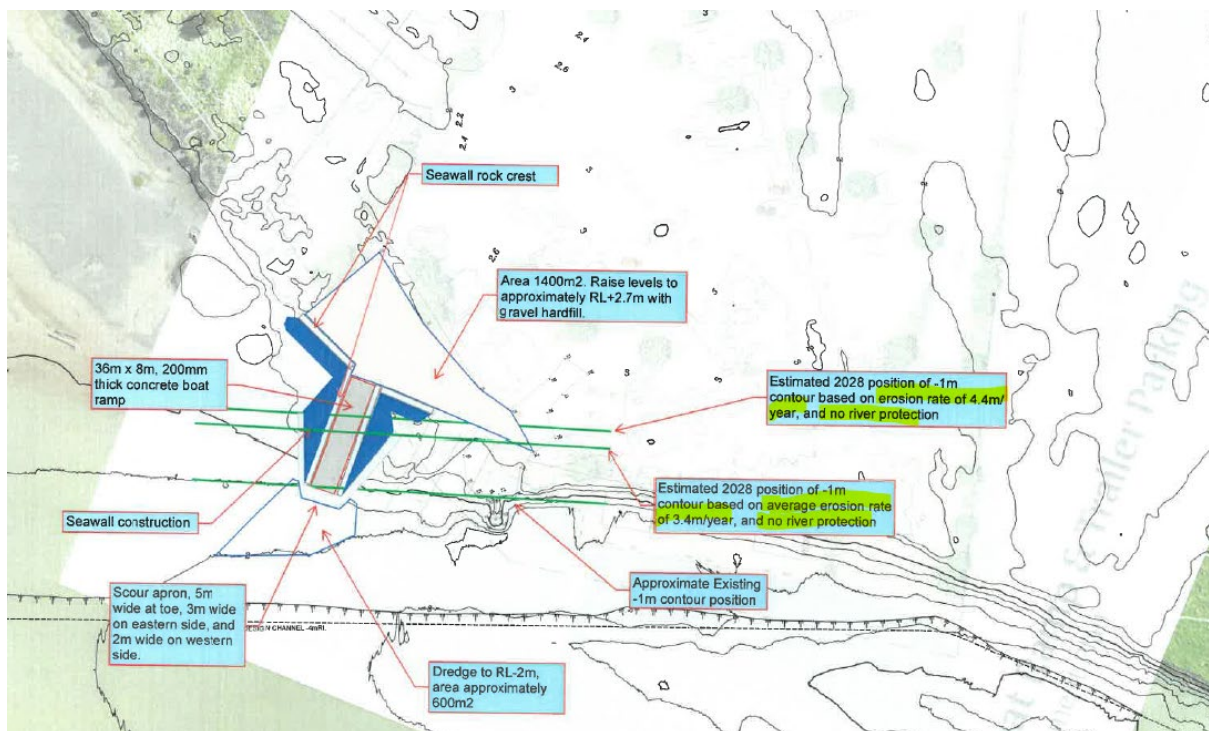
In September 2023, ŌDC also agreed to a funding allocation of \$1,000,000 for the construction of the access ramp, car parking area and upgrade of Snell Road. The funding for this was allocated for

implementation in year 3 of the LTP. The estimated cost for design and construction stands at approximately \$815,000. Of this amount, \$75,000 has been spent to date on detailed design, which has been suspended pending the decision of Council. If the project was not to proceed the design could be utilised at a later date as a shovel ready project.

Erosion issues

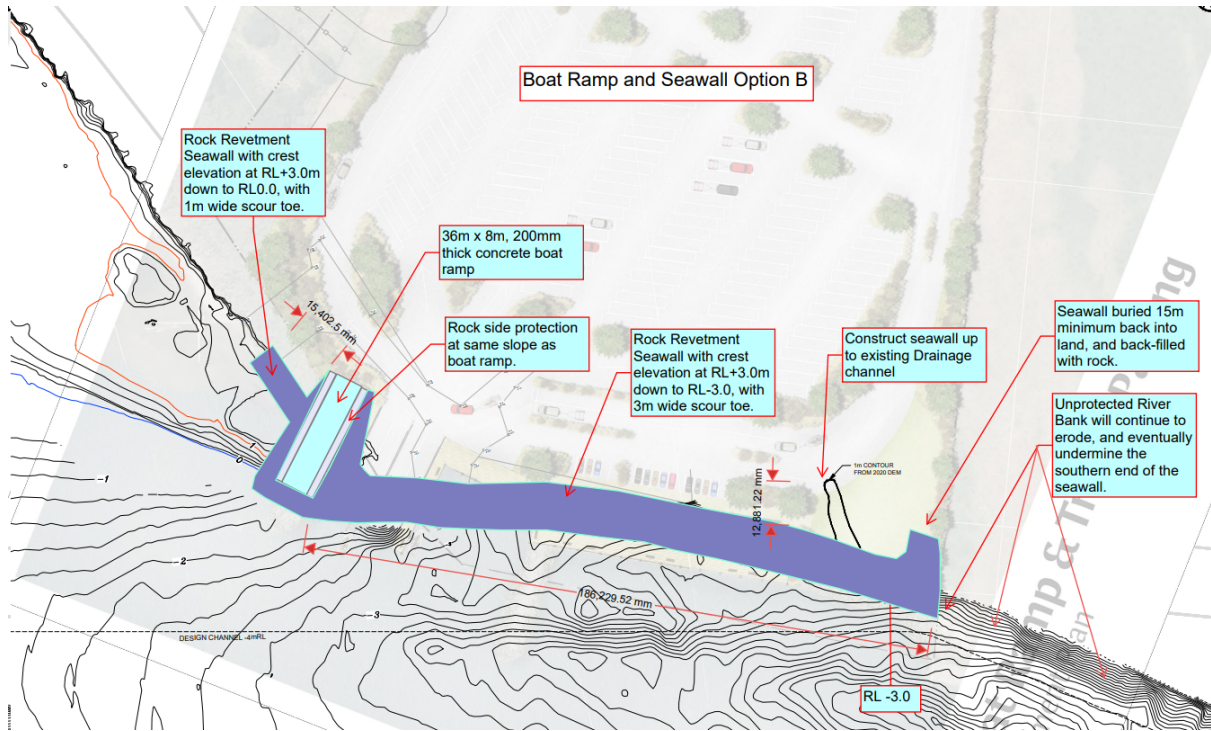
Given the dynamic nature of riverine activity and the increasing erosion rates in this location, it has been identified that erosion protection for the access ramp would be required to ensure longevity of the structure. To address the erosion issue, ŌDC is working closely with BOPRC to explore potential solutions. Modelling by Tonkin and Taylor has indicated that the erosion rates in this location could be between 3.4m and 4.4m per year (see figure 1 below). Currently, the preferred erosion protection method under consideration is a rock wall.

It's important to note that the erosion issues for this area of the river are not limited to the construction of the access ramp. Erosion in this area and how this is managed in the medium-longer term will need to be considered more holistically given the adjacent land being returned to Whakatōhea as part of the treaty settlement and the risk it poses to the council's assets, particularly the wastewater treatment system.

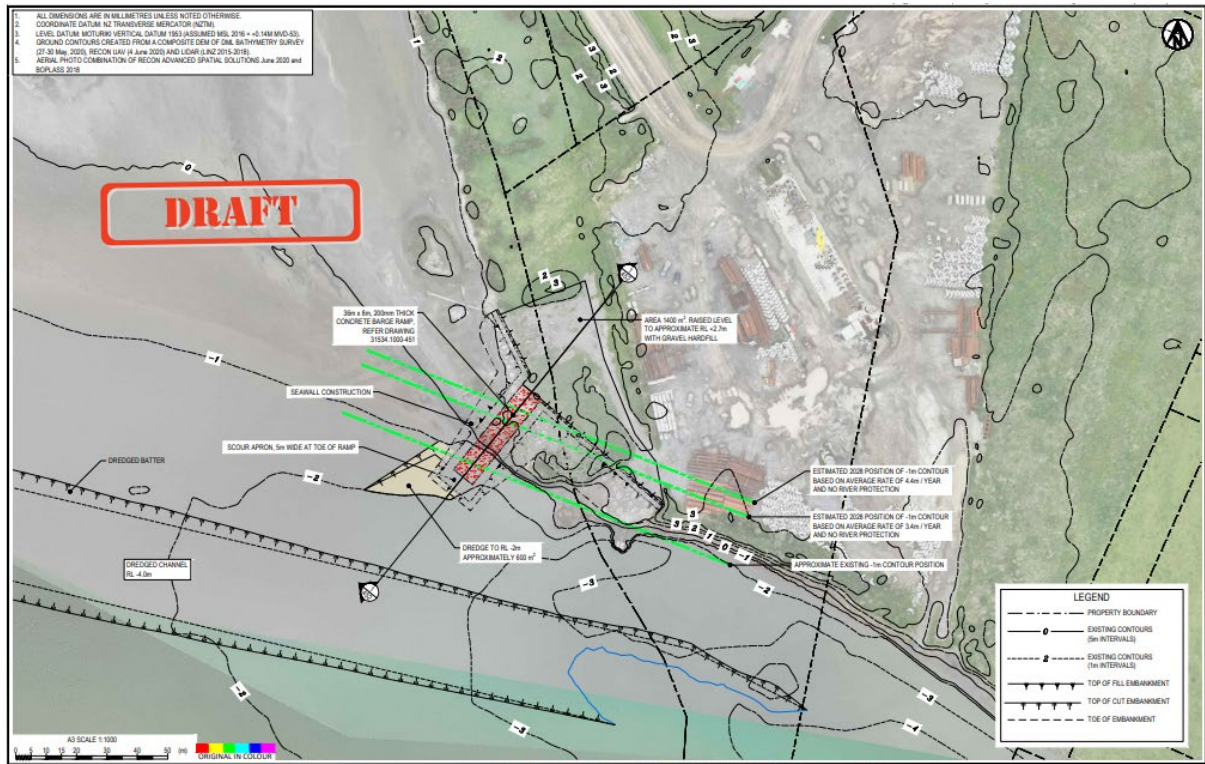


(Figure 1. Erosion rate simulation)

The estimated cost of the erosion protection is currently between \$2.5m and 3m below is a stretch of one of the erosion protection options available.



(Figure 2: One option for erosion protection)



(Figure 3: Proposed dredge ramp and rock protection)



(Figure 4: Recent photograph of the site)

DISCUSSION AND OPTIONS SECTIONS

Given the erosion issues that have been identified and the additional funding that will be required to provide the necessary protection to address the problem, Council needs to decide how to proceed. There are three options:

- **Option 1** – Proceed with the construction of the Snells Road dredge access ramp and car parking area as per the endorsed masterplan and funding allocation without provision for erosion protection.
- **Option 2** - Proceed with the construction of the Snells Road dredge access ramp and car parking as per the endorsed masterplan and funding allocation with additional provision for erosion protection.
- **Option 3** – Not proceed with the construction of the Snells Road, dredge access ramp, carparking area and upgrade to Snells Road.

Option 1 – Proceed with the construction of the Snells Road access ramp and car parking area as per the endorsed masterplan and funding allocation without provision for erosion protection.

Pros:

- Utilises the current existing consent, eliminating the need for additional consenting approval(s).

- Consistent with the community's aspirations expressed during the consultation process for the masterplan.
- Provides extra parking facilities for boats and trailers for increased use expected from the new harbour entrance.
- Offers opportunities to enhance public facilities in the area.

Cons:

- The access ramp would likely be damaged overtime by erosion and require ongoing maintenance to ensure it remains safe and able to be used. This presents an ongoing cost to Council.

Option 2 - Proceed with the construction of the Snells Road dredge access ramp and car parking area as per the endorsed masterplan and funding allocation with additional provision for erosion protection.

Pros:

- Utilises the current existing consent, eliminating the need for additional consenting approval(s).
- Consistent with the community's aspirations expressed during the consultation process for the masterplan.
- Provides extra parking facilities for boats and trailers for increased use expected from the new harbour entrance.
- Offers opportunities to enhance public facilities in the area.
- Construction of the erosion protection (rock wall) could be undertaken as part of the harbour consent.

Cons:

- Requires additional expenditure to implement the erosion protection measures.

Option 3 – Not proceed with the construction of the Snells Road dredge access ramp and carparking.

Pros:

- Results in cost savings for Council, reducing additional project expenditure.
- Design can be used at a later date and/or be used as a shovel ready project for possible grant funding.

Cons:

- The consent will not be able to be utilised after the completion of the harbour construction phase. If an access ramp was desired by Council in this location in the future, a new resource

consent(s) would be required. This may be a lengthy process and there is no guarantee that a consent would be granted by BOPRC.

- There wouldn't be an additional public access ramp available for boats if the existing boat ramp at the wharf becomes busier over time.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONSIDERATIONS

Financial/budget considerations

Funding for the access ramp, car parking area and upgrade to Snell Road as part of the harbour entrance project has been secured as it is allocated within the Long-Term Plan (LTP) budget for 2021-2031. However, additional funding would be required for the erosion protection works in the vicinity of the access ramp.

Policy and planning implications

The establishment of the access ramp, car parking area and road upgrade at Snell Road aligns with the 2023/24 Annual Plan and is scheduled for implementation during year 3 of the Long-Term Plan (LTP). This proposal is in accordance with the goals outlined in the Ōpōtiki Harbour/Wharf Masterplan and Implementation Plan, which offer strategic direction and guidance for the Council and its staff in the development of the harbour and wharf areas.

Risks

There are no known risks associated with the decisions to construct an access ramp, car parking area and upgrading of Snell Road.

Authority

Council has the authority to decide the further implementation process of the access ramp, car parking area and upgrading of Snell Road'.

RECOMMENDATIONS:

- 1. That the report titled "Construction of the Snells Road Dredge Access Ramp and Car Park" be received.**
- 2. That Council decides to proceed with:**
 - Option 1 – Proceed with the construction of the Snells Road access ramp and car parking area as per the endorsed masterplan and funding allocation without provision for erosion protection.**
 - Option 2 - Proceed with the construction of the Snells Road dredge access ramp and car parking area as per the endorsed masterplan and funding allocation with additional provision for erosion protection.**
 - Option 3 – Not proceed with the construction of the Snells Road dredge access ramp and car parking area.**

Gerard McCormack

GROUP MANAGER PLANNING AND REGULATORY

REPORT

Date : 21 November 2023

To : Ordinary Council Meeting, 5 December 2023

From : Group Manager Planning and Regulatory, Gerard McCormack and Group Manager Engineering and Services, Nathan Hughes

Subject : **ŌPŌTIKI HARBOUR ACCESS ROAD PROJECT FUNDING ALLOCATION**

File ID : A1194933

EXECUTIVE SUMMARY

In the current Long-term Plan (LTP), the Harbour Access Road Project has a budget of \$1.18M. However, due to considerations emerging during the design phase, the total project cost estimate has since increased to \$3.29M. Opotiki District Council (ODC) has successfully secured additional funding from Waka Kotahi, covering 75% of the total project costs. This report seeks the Council's endorsement for the remaining 25% contribution, proposing a strategic reallocation of budget from the Marine Precinct and Wharf Redevelopment budget to cover ODC'S contribution.

This report seeks the following:

- 1. That the report titled "Opotiki Harbour Access Road Project" be received.**
- 2. That Council endorses the reallocation of \$526,974 from the Marine Precinct and Wharf Redevelopment to cover a 25% contribution to the Harbour Access Road project costs.**

PURPOSE

The purpose of this report is to inform the Council on the progress of the Harbour Access Road and seek endorsement of the reallocation of the funding.

BACKGROUND

The initial budget allocated for the Harbour Access Road Project in the current Long-term Plan (LTP) is \$1.18M. The original design was primarily aimed at topping up and sealing the access road, with no

specific considerations for the design speed of the alignment. However, after completing the design phase, a revised cost estimate was generated, resulting in a total project estimate of \$3.29M.

The increase in costs is attributed to various factors as follows:

- *Design Deviations:* Slight deviations from the preferred design alignment were necessitated by the discovery of kōiwi in an unrecorded Urupā. Compliance with a 60km/hr safe and appropriate Speed required minor curve adjustments and corrections for superelevation, leading to the need for extra pavement material to meet safety standards.
- *Road Level and Flooding:* Construction of a section of the road for construction traffic between car parks occurred below the required level for long-term access, resulting in recurrent flooding. Rectification involves additional earthworks to elevate this section to be approximately 2m above mean sea level.
- *Incorporation of Shared Use Path (SUP):* The project scope includes a separated Shared Use Path (SUP) to facilitate walking and cycling, necessitating the widening of the carriageway. This widened path, linking the SUP with the Motu trails access from town, incurs additional formation costs.
- *Cost escalations:* Since the budget of \$1.18m was included in the 2021-2031 LTP inflation has increased the cost to deliver the project.



Figure 1. Proposed Harbour Access Road design with the proposed car parking area



Figure 2. Proposed car parking area near Harbour Entrance

ŌDC intends to finalise the design and contract documents, aiming to have a contract available for tender in early January. Construction is scheduled to commence once HEB has completed works and disestablished the site.

DISCUSSION AND OPTIONS SECTIONS

As the total project estimate has reached \$3.29M, ŌDC has requested additional funding from Waka Kotahi. The request has been approved, securing an extra \$2.1M to accommodate the revised project costs. The planned contribution of funding is outlined as follows:

	Funding Contribution	Original Budget	Additional Budget	Total Budget
Waka Kotahi	75%	\$885,086	\$1,580,923	\$2,466,008
ŌDC	25%	\$295,029	\$526,974	\$822,003
Total	100%	\$1,180,114	\$2,107,897	\$3,288,011

As such, to proceed with the Harbour Access Road Project, ŌDC is required to make an additional contribution of approximately \$530K.

Proposed reallocation of the LTP funding

A proposed solution for accommodating the extra funding involves the reallocation of the Marine Precinct and Wharf Redevelopment budget, currently standing at \$5,065,606. This budget has been secured for the implementation of the Harbour-Wharf Master Plan. As the Harbour Access Road constitutes an integral component of the broader harbour development plan, this reallocation aligns

with the intended purpose of the funding. Further, this strategic reallocation ensures the utilisation of the Ōpōtiki Harbour Development by establishing sustained access to the Harbour Entrance.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONSIDERATIONS

Financial/budget considerations

The budget for Ōpōtiki Harbour Access Road (Snell Road upgrade) is allocated within the LTP 2021-2031 budget.

Policy and planning implications

The Ōpōtiki Harbour Access Road Project is consistent with the aim of the LTP 2021-2031 and the Harbour-Wharf Masterplan's objectives.

Risks

There are no known risks associated with the endorsement of reallocation of the LTP funding.

Authority

Council has the authority to endorse the reallocation of LTP funding.

RECOMMENDATIONS:

- 1. That the report titled "Ōpōtiki Harbour Access Road Project" be received.**
- 2. That Council endorses the reallocation of \$526,974 from the Marine Precinct and Wharf Redevelopment to cover a 25% contribution to the Harbour Access Road project costs.**

Gerard McCormack

**GROUP MANAGER PLANNING AND
REGULATORY**

Nathan Hughes

**GROUP MANAGER ENGINEERING AND
SERVICES**

REPORT

Date : 21 November 2023

To : Ordinary Council Meeting, 5 December 2023

From : Group Manager Planning and Regulatory, Gerard McCormack

Subject : **CONSTRUCTION OF JETTY EXTENSION AND RELOCATION OF CHILDREN'S PLAY AREA**

File ID : A1189508

EXECUTIVE SUMMARY

In September 2023, the Opotiki District Council (ODC) endorsed the updates to the Opotiki Wharf Masterplan and Implementation plan. The implementation of the masterplan funding is identified in the long-term plan 2021-2031 and includes funding for construction of a jetty extension and relocation of children's play equipment. Given there are costs associated with applying for resource consent(s), officers are seeking direction from Council as to whether or not to proceed with the application process.

This report seeks the following:

1. That the report titled "Construction of Jetty Extension and Relocation of Children's Play Area" be received.
2. That Council (agrees / does not agree) to proceed with an application for resource consent(s) for the jetty extension and relocation of the children's play area.

PURPOSE

The purpose of this report is to provide information for Council to be able to determine whether to apply for the resource consent(s) that are required to undertake construction of the jetty extension and relocate the children's play area.

BACKGROUND

Updates to the Ōpōtiki Wharf Masterplan and Implementation Plan

In March 2023, ŌDC endorsed the option to adapt the existing Ōpōtiki wharf to allow for mussel boat operations, subject to a satisfactory lease agreement and funding for the required upgrades. At that time, ŌDC also endorsed the development of conceptual options for accommodating community recreational uses in the vicinity of the wharf area. The proposal to construct an extension to the existing jetty and relocate the children's play area (swing and slide) to the north close to Memorial Park was included in the updated masterplan concepts which were endorsed in September 2023.

During the council meeting in September 2023, it was acknowledged that officers would do further work to get an estimate of costs for the construction works to build the jetty extension following resource consents being obtained. Given there are costs associated with obtaining the resource consent(s), officers are seeking direction as to whether or not the consent application(s) should proceed. Further, to limit consenting costs, a decision has been made to seek consent for the construction of the jetty extension and the relocation of the children's play area within the same application.

The estimated cost for the resource consent application(s) with BOPRC are as follows:

- Planning consultant costs associated with preparing the application - \$5000 (plus GST)
- Engineering report costs – range from \$15k-25k (plus GST) (depending on ability to re-utilise existing geotechnical reports that ŌDC hold for that area)
- BOPRC consent application deposit - \$2700 (additional processing fees likely to be incurred beyond this)

Wharf upgrade indicative timeline

The wharf upgrade construction is anticipated to commence by March 2024. There is an opportunity to align the wharf upgrade construction works with the jetty extension works. In this regard, the resource consent for the jetty extension and the relocation of the children's play area would need to be obtained by February 2024.

DISCUSSION AND OPTIONS SECTIONS

Given there are costs associated with the resource consent process and ahead of any construction costs associated with the physical works, Council needs to decide whether to apply for resource consent. There are two options:

Option 1 – Apply for the resource consent for the jetty extension and relocation of the children’s play area.

Pros:

- Begins the process of the implementing areas for enhanced public use ahead of the mussel boats coming in accordance with the endorsed masterplan.
- Provide an opportunity to align with construction works for the wharf upgrade.

Cons:

- Uncertainty related to the cost and timeframe of the construction for the jetty extension and relocation of the children’s play area.

Option 2 - Not to apply for the resource consent(s).

Pros:

- Results in cost savings for the Council, reducing project expenditure.

Cons:

- Possible delays in having a designated area for children to safely play once the mussel boats are in place.
- Lack of the public space available in the vicinity of the wharf area once the mussel boats are in place.
- Misses the opportunity to align the construction works with the works to upgrade the wharf.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONSIDERATIONS

Financial/budget considerations

Funding for the implementation of the masterplan has been secured as it is allocated within the Long-Term Plan (LTP) budget for 2021-2031.

Policy and planning implications

The proposed works are included within the endorsed Ōpōtiki Wharf Masterplan and Implementation Plan.

Risks

There are no known risks associated with the decisions to seek the resource consents for the jetty extension and children's play area.

Authority

Council has the authority to decide to seek resource consent(s) for the jetty extension and children's play area.

RECOMMENDATIONS:

- 1. That Council receives the report titled 'Construction of jetty extension and relocation of children's play area'.**
- 2. That Council (agrees / does not agree) to proceed with an application for resource consent(s) for the jetty extension and relocation of the children's play area.**

Gerard McCormack

GROUP MANAGER PLANNING AND REGULATORY

APPENDIX 1



REPORT

Date : 21 November 2023

To : Ordinary Council Meeting, 5 December 2023

From : Gerard McCormack, Group Manager Planning and Regulatory

Subject : **EARTHQUAKE PRONE BUILDINGS WITHIN OPOTIKI DISTRICT UPDATE**

File ID : A1191275

EXECUTIVE SUMMARY

This report provides information for Council on how earthquake prone buildings have been managed with the Opotiki District following the identification of priority routes at the Council meeting on 12 November 2019.

This report seeks the following:

- 1. That Council receives the report titled "Earthquake Prone Buildings Within Ōpōtiki District Update."**

PURPOSE

To provide information to the Council on how earthquake prone buildings are managed within the Ōpōtiki District.

BACKGROUND

It is a requirement under the *Building Act 2004* that Council manages the process relating to potentially earthquake prone buildings within the district.

The territorial authority:

- i. must identify potentially earthquake-prone buildings that fall within the categories of buildings, known as profile categories, specified in section 1.2 of this methodology within the time frames specified in section 133AG(4) of the Building Act
- ii. may identify a building as potentially earthquake prone at any time under section 133AG(3) of the Building Act if it has reason to suspect the building may be earthquake

prone. Reasons that may cause a territorial authority to suspect a building may be earthquake prone are set out in section 1.3 of this methodology.

The territorial authority must notify the owner and request an engineering assessment in accordance with section 133AH of the Building Act.

23 July 2019

1. Council agreed to carry out consultation on the pedestrian and vehicle thoroughfares and strategically important routes, in accordance with the legislative requirements.
2. Council confirmed that 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.

5 September 2019

1. Council confirmed that the following thoroughfares (including the footpath on both sides) are identified as having sufficient vehicle or pedestrian traffic and unreinforced masonry buildings (or parts) that could fall onto them in an earthquake:
 - A Church Street from Richard Street to Kelly Street
 - B King Street from Potts Avenue to St John Street ending at the roundabout
 - C Elliott Street from Potts Avenue to St John Street ending at the roundabout
 - D Kelly Street from Potts Avenue to the Kelly Street cemeteryand are adopted for consultation in relation to determining 'priority' buildings.
2. There are no buildings that have been identified that if they collapsed in an earthquake would impede routes of strategic importance and that given this it is not considered necessary to undertake consultation on transport routes of strategic importance.
3. The Statement of Proposal prepared in relation to thoroughfares (recommendation no. 2) under section 83 of the *Local Government Act 2002* Special Consultative Procedure is adopted for consultation (appendix 1).
4. That the consultation period for determining the thoroughfares relating to 'priority' buildings is from Monday 9 September 2019 to Friday 18 October 2019.
5. That Council will consider submissions and hear the views of people and organisations at the meeting of Council on 12 November 2019.

12 November 2019

3. Council confirmed the following thoroughfares (including the footpath on both sides) are identified as having sufficient vehicle or pedestrian traffic and unreinforced masonry buildings (or parts) that could fall onto them in an earthquake:

- A Church Street from Richard Street to Kelly Street
- B King Street from Potts Avenue to St John Street
- C Elliott Street from Potts Avenue to St John Street ending at the roundabout
- D Kelly Street from Potts Avenue to the Kelly Street cemetery

and are adopted for inclusion in determining 'priority' buildings.



Timeframes for action

There are priority and non-priority buildings. The timeframes for actions on non-priority buildings are as follows:

Seismic risk area	TAs must identify potentially earthquake-prone buildings by:		Owners of earthquake-prone buildings must carry out seismic work within (time from issue of EPB notice):	
	Priority	Other	Priority	Other
High	1 Jan 2020	1 July 2022	7.5 years	15 years
Medium	1 July 2022	1 July 2027	12.5 years	25 years
Low	N/A	1 July 2032	N/A	35 years

Seismic Assessment outcomes of risk per % can be seen in the table below.

Percentage of New Building Standard (%NBS)	Alpha rating	Approx. risk relative to a new building	Life-safety risk description
>100	A+	Less than or comparable to	Low risk
80-100	A	1-2 times greater	Low risk
67-79	B	2-5 times greater	Low to Medium risk
34-66	C	5-10 times greater	Medium risk
20 to <34	D	10-25 times greater	High risk
<20	E	25 times greater	Very high risk

Forty-one earthquake prone buildings have been identified within the Ōpōtiki District as they were considered to be below 33%NBS, thirty-five of which are on identified priority routes.

Earthquake prone building notices have been issued to the owners of the forty-one properties identified and they have been uploaded onto the MBIE earthquake prone building register, which is available for the public to review online.

Since the notices were issued four properties have been removed from the register either because they have carried out the required strengthening work or an engineer's assessment has been provided confirming the buildings are above 33%NBS.

Earthquake prone building notices deadlines are due as follows:

Seismic deadline due	Number of Buildings due
2024-2026	0
2027	1
2029	32
2036	1
2037	3

The owners have recently been sent reminder letters outlining their obligations and timeframe for compliance. Officers will continue to carry out spot checks at premises to ensure the relevant earthquake prone building notice are being displayed as they should.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

RECOMMENDATION:

1. That the report titled "Earthquake Prone Buildings Within Ōpōtiki District" be received.

Gerard McCormack

GROUP MANAGER PLANNING AND REGULATORY

REPORT

Date : 21 November 2023

To : Ordinary Council Meeting, 5 December 2023

From : Group Manager Planning and Regulatory, Gerard McCormack

Subject : **ŌPŌTIKI TOWN CENTRE PUBLIC REALM DEVELOPMENT**

File ID : A1192001

EXECUTIVE SUMMARY

In January 2021, ŌDC endorsed the Ōpōtiki Town Centre Masterplan and Implementation Plan (the Masterplan). The Masterplan was made to provide a long-term vision for the town centre and facilitate the revitalization of the town centre via good urban design practice. Several parts of the Masterplan have been put into action through the Provincial Growth Fund (PGF) awarded in August 2020. As part of the masterplan implementation, preparations have been made for the Ōpōtiki Town Centre Public Realm Development, including an estimation of its associated costs.

This report seeks the following:

1. That Council receives the report titled 'Ōpōtiki Town Centre Public Realm Development'
2. That Council agrees to the priority order and funding allocation for the Ōpōtiki Town Centre Public Realm Development projects as follows:
 - a) Priority 1 project: Upgrade of the Elliott Street intersection
 - b) Priority 2 project: Shared space on Church Street with a contribution of up to \$128,000 of Council funding.
3. That Council endorses that the Laneway project adjacent to Lots 9 and 10 be added to the LTP programme for future funding consideration.

PURPOSE

The purpose of this report is to outline the estimated cost of the projects, funding allocation, and priority of the Masterplan implementation.

BACKGROUND

In January 2021, ŌDC endorsed the Ōpōtiki Town Centre Masterplan and Implementation Plan (the Masterplan). The Masterplan was made to provide a long-term vision for the town centre and facilitate the revitalisation of the town centre via good urban design practice. Many parts of the Masterplan have been put into action through the Provincial Growth Fund (PGF) which was awarded in August 2020. As part of the work to implement the Masterplan, the Ōpōtiki Town Centre Public Realm Development project has been prepared, and the associated construction costs have been estimated.

DISCUSSION AND OPTIONS SECTIONS

In order to progress the implementation of the Masterplan, Council needs to determine the the project priorities and funding allocation. Each of the projects are set out below along with the estimated costs and funding sources available:

a) Elliott Street intersection

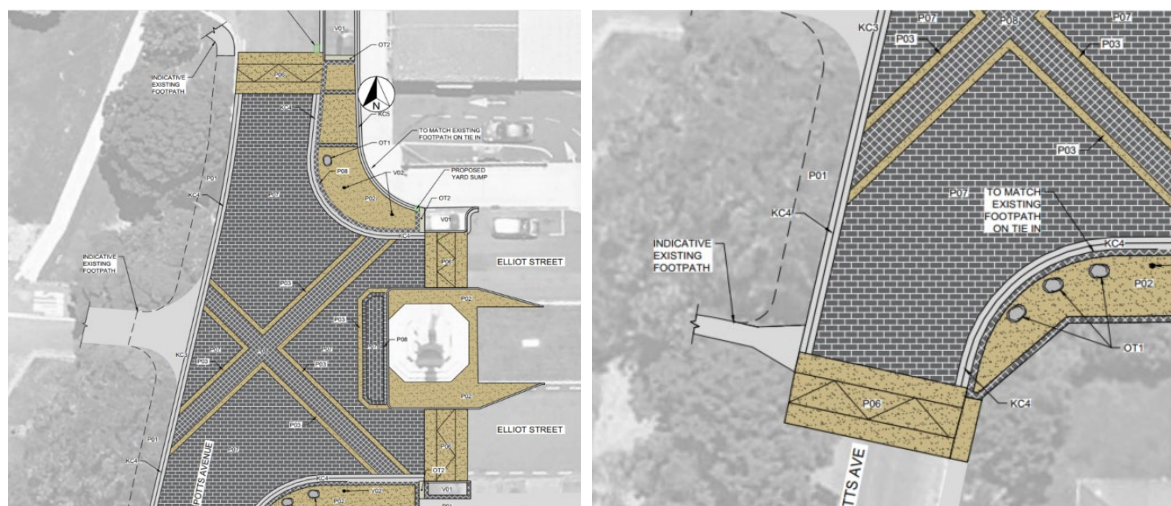


Figure 1. The design of the raised platform in Elliott Street / Potts Ave intersection

PGF funding is available for this project, aligning with the estimated cost to complete this project. This project could commence immediately, with an estimated construction timeframe of up to 6 weeks.

b) **A shared space on Church Street**

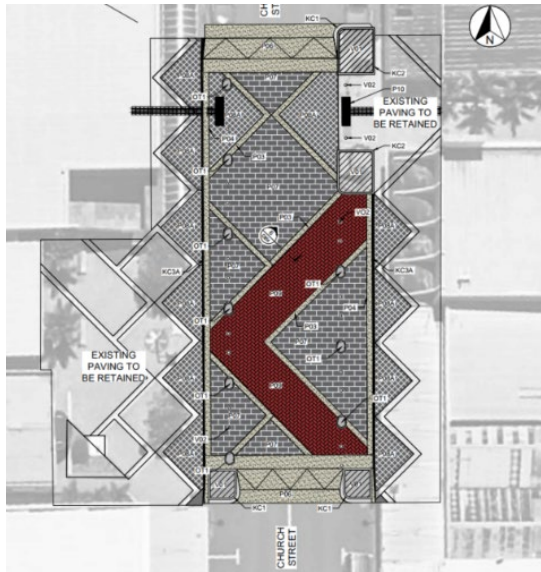


Figure 2. The design of the raised platform in Church Street

There is currently a shortfall between the remaining PGF monies and the contract price of \$128,000 which will need to be funded by Council before the commencement of work.

c) **An improved Laneway from Potts Ave to Te Ara Utauta and to the service lane to Te Tahuhu o Te Rangi**

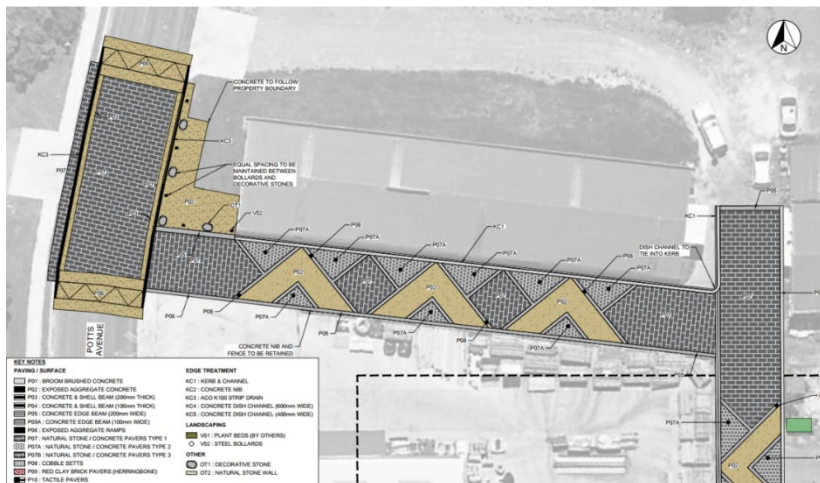


Figure 3. The design of the raised platform in Laneway from Potts Ave to Te Ara Utauta and to the service lane to Te Tahuhu o Te Rangi

The estimated cost for this project is approximately \$700,000. As the PGF funding would be committed to the Elliot Street and Church Street projects, it is proposed that this project is added to the work programme for future LTP funding consideration.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONSIDERATIONS

Financial/budget considerations

The budget for Ōpōtiki Town Centre Public Realm Development 2023/24 is allocated from the PGF funding with some funding required from the LTP budget as set out in the body of the report.

The funding for an additional \$128,000 would be 0.1% of the overall rate take, costing \$16.5k per annum for the next ten years.

Risks

There are no known risks associated with the decisions regarding prioritisation of the projects and funding allocation.

Authority

Council has the authority to decide the priority of the projects and funding allocation.

RECOMMENDATIONS:

- 1. That Council receives the report titled “Ōpōtiki Town Centre Public Realm Development”**
- 2. That Council agrees to the priority order and funding allocation for the Ōpōtiki Town Centre Public Realm Development projects as follows:**
 - a) Priority 1 project: Upgrade of the Elliott Street intersection**
 - b) Priority 2 project: Shared space on Church Street with a contribution of up to \$128,000 of Council funding.**
- 3. That Council endorses that the Laneway project adjacent to Lots 9 and 10 be added to the LTP programme for future funding consideration.**

Gerard McCormack

GROUP MANAGER PLANNING AND REGULATORY

REPORT

Date : 21 November 2023

To : Ordinary Council Meeting, 5 December 2023

From : Group Manager Planning and Regulatory, Gerard McCormack

Subject : **HOW ROAMING HORSES ARE MANAGED WITHIN THE OPOTIKI TOWNSHIP**

File ID : A1188945

EXECUTIVE SUMMARY

This report provides information for Council on how roaming horses are managed within the Opotiki Township following the adoption of the consolidated Bylaws at the Council meeting in December 2021.

This report seeks the following:

- 1. That the report titled "How Roaming Horses are Managed Within the Opotiki Township" be received.**

PURPOSE

To provide information to the Council on how roaming horse issues are managed within the Opotiki township..

BACKGROUND

The persistent issue of roaming horses in Opotiki Township has prompted a series of actions by the Council in the past. The following provides an overview of the measures taken to address this concern:

1st June 2021:

- The Council reserved the right to reconsider a resolution on Option 1, involving public consultation for a \$200,000 increase in the animal control budget.
- Agreed to prohibit use of reserves within the Opotiki township for the grazing of horses.

- Agreed to undertake a review of the Animal Control Bylaw seeking to ban horses from the Ōpōtiki township.

29th June 2021:

- Council considered increasing the animal control budget and decided that an increase and subsequent increase on the rates budget would not be justified.
- Acknowledged the recruitment of an animal control officer and, in the interim, sought assistance from ŌDC security and out of hours contractors.
- Due to no improvement post the 1st June meeting, the Council resolved that the community should form a horse responsibility group to address the ongoing roaming horse issue within one month.

30th August 2021:

- Council adopted the Statement of Proposal for the review of Part 8 of the Consolidated Bylaws to address roaming horses.
- Council delegated the authority to the Group Manager Planning and Regulatory to make minor amendments to the Statement of Proposal before public consultation.

21st December 2021:

- Council adopted the Consolidated Bylaws in accordance with the Local Government Act 2002 (sections 145 and 146).
- Council delegated to the Group Manager Planning and Regulatory the ability to make minor amendments before releasing it to the public.

Part 8.9 of the Consolidated by laws states the following in relation to Horse Keeping.

8.9 Horse keeping

8.9.1 Horses kept in the township must be kept securely, in a fenced paddock.

8.9.2 Horses that are tethered, not secured in fenced paddocks, or roaming, are not permitted in the township.

8.9.3 Any horses kept in the township must be registered on the Council horse register, and evidence must be provided to Council that enables identification of the horse and its owner.

Explanatory notes:

- *Refer to definition of township and Schedule 2 of Part 8 for map of area in which horses must be kept securely, in a fenced paddock.*

- Council reserves the right to impound any horse that is not kept securely in a fenced paddock in the township, or any horse in the township that is not identified on the Council register, under the Impounding Act 1955.
- Evidence which enables Council to easily identify a horse includes photographs and another identifying marker such as a branding/chemical branding; written description of the horse, or a microchip. This information must be provided to Council to keep on its horse register.

8.9.4 Horse owners must ensure that horses kept in the township always have adequate welfare provisions.

8.9.5 Horses that are kept in the township that are found to not have adequate welfare provisions may be impounded under the Impounding Act 1955.

Explanatory note:

- Owners who keep horses in the township must provide evidence to Council that they will ensure horses are kept with adequate grazing, water and shelter in accordance with the Animal Welfare Act 1999.

8.9.6 All stallions, unless de-sexed and evidence is provided to Council that demonstrates this, are prohibited from the township.

8.9.7 A person may ride a horse in the township as long as it remains under effective control of the rider at all times.

Current procedures ŌDC follow to manage horse complaints

At present Council does not have officers who are suitably qualified or trained to wrangle horses, and as such under current health and safety requirements officers are not permitted to undertake this work. In light of this the procedure below has been developed and implemented.

The current procedure for responding to horse complaints is as follows:

- Council Animal Control officers do not attend to horse call outs at the time of the receipt of the complaints; however, the officers will follow up.
- If a photo can be taken by the complainants at the time of the event and sent to the Council, it can be treated as evidence for impounding the horses.
- Complainants interested in the matter can submit their opinions to the Long Term Plan (LTP) during reviews.

In terms of follow-up:

- Officers conduct on-site visits to locations with horse complaints, capturing photographic evidence for documentation. In cases of recurrent offences, the Council officer can initiate impounding procedures "as is where is" for the horses and publishes notifications in local newspapers to advise the community about the impoundments.
- If potential community danger is identified during site visits, officers engage with the police.

- Once the photos related to the complaint are obtained, officers check the horse register to see if the owner of the horse can be identified.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is inform according to the Engagement Framework of the Significance and Engagement Policy:



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The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

RECOMMENDATION:

- 1. That the report titled "How Roaming Horses are Managed Within the Ōpōtiki Township" be received.**

Gerard McCormack

GROUP MANAGER PLANNING AND REGULATORY

REPORT

Date : 21 November 2023

To : Ordinary Council Meeting, 5 December 2023

From : Group Manager Planning and Regulatory, Gerard McCormack

Subject : **WAIOTAHE DRIFTS SUBDIVISION – ISSUES WITH VEHICLES GETTING ACCESS TO BEACH VIA SAND LADDERS/BOARDWALKS**

File ID : A1191273

EXECUTIVE SUMMARY

This report provides information for the Council on the current concerns raised by members of the community about the use of quad bikes within the Waiotaha Drifts subdivision. These concerns primarily involve the use of quad bikes on boardwalks, private properties, and dunes, posing risks to pedestrian safety and the coastal ecosystem.

This report seeks the following:

- 1. That the report titled “Waiotaha Drifts subdivision – Issues With Vehicles Getting Access to the Beach Via Sand Ladders/Boardwalks” be received.**
- 2. That the Council direct staff to investigate options to provide legal vehicular access through the established boardwalk.**

PURPOSE

The purpose of this report is to provide information to the Council on the current concerns raised by members of the community related to quad bikes gaining access to the beach via sand ladders/boardwalks in the dune.

BACKGROUND

In recent years, attention has been drawn to the uncontrolled use of quad bikes within the Waiotaha, Drifts subdivision including instances on boardwalks, private properties, and the dunes. This raises concerns about potential threats to pedestrian safety and impacts on the dune ecosystem. It is

important to ensure the issue is addressed for the safety of people in the area, but also for the preservation of the coastal ecosystem.

Waiotaha Drifts Subdivision

The original subdivision consent for Waiotaha Drifts was granted in 2003, outlining plans for residential developments in seven stages in the area adjacent to the coast, east of the Waiotaha River mouth and west of Ōpōtiki. The consent(s) make specific reference to pedestrian and vehicle access to the beach in the consent conditions as follows:

- *Condition 16 – Each of the reserves and residential lot facing the sea (north) shall have a fence of a type agreed to by the Engineering and Service Manager that **will prevent vehicular access and restrict pedestrian access via approved sand ladders/boardwalks routes.***
- *Conditions 30 – That a Consent Notice be registered on the Certificate of Title for Lots 21 to 24, Lots 36 to 44, Lots 111 to 119, Lots 166 to 173 and Lots 203-205, stating that **vehicular access to the beach via the unformed legal road on the front (northern) boundary of these lots is not permitted.***

In 2022, a s127 variation consent was granted to reduce the building line restriction. The variation allows for a 15m building line for relocatable structures and a 20m building line for non-relocatable buildings, easing restrictions from the original 25m. In regard to vehicle access, the officer's assessment of environmental effects makes reference as follows:

5.21 The subdivision layout includes **various reserves to link the residential area to the coast and unformed road and these will provide pedestrian access only. Vehicle access to the coast is not provided for under the existing subdivision conditions.** These reserves will remain and are unaffected by this s127 land use proposal. There is no effect on the public's ability to use the unformed road or access the coast.

Previous communication on the issue of vehicle access to the beach

In April 2022, the Bay of Plenty Regional Council (BOPRC), the Department of Conservation, Te Ūpokorehe kaitiaki, and a representative from an Ōhiwa volunteer group collectively called for more specific regulations and enhanced enforcement regarding the use of vehicles on dunes and the surrounding areas. In September 2023, Ōpōtiki District Council (ŌDC) and BOPRC reminded people to keep all vehicles off the dunes to prevent damage to the coastal nesting area in and around Ōpōtiki. Emphasis was placed on protecting the dunes' ecosystem and preventing erosion, which serves as a natural barrier against sea inundation.

Other planning provisions relevant to the issue

New Zealand Coastal Policy Statement 2010 (NZCPS)

Policy 20 – Vehicle access

- (1) Control use of use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where:
 - (a) damage to dune or other geological systems and processes; or
 - (b) harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding areas and shellfish beds; or
 - (c) danger to other beach users; or
 - (d) disturbance of the peaceful enjoyment of the beach environment; or
 - (e) damage to historic heritage; or
 - (f) damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or
 - (g) damage to sites of significance to tangata whenua; might result.



Figure 1. Indication of Indigenous Biological Diversity Area – A (IBDA) around the subject site.

BOPRC Regional Coastal Environment Plan

Recreation, public access and open space (RA)

Policies 7.1.5 Vehicle access – Policy RA 5: Regional district and city councils should restrict, and prevent where appropriate, vehicle use of foreshore, seabed, beaches and adjacent public land:

- (b) On dunes, bird roosting areas, shorebird nesting areas and any other areas sensitive to vehicle disturbance identified in a Schedule 2, Table 1 Indigenous Biological Diversity Area A, other than for surf lifesaving operations; emergency situations; law enforcement activities and coastal conservation management activities;
- (c) On any beach abutting an urbanised settlement area, with the exception of:

- (i) Surf lifesaving vehicles, police vehicles, emergency response vehicles, vehicles used by people with disabilities, vehicles used for boat launching and retrieval;
 - (ii) Local government vehicles undertaking public service activities including but not limited to coast care, debris removal, maintenance of structures;
 - (iii) Land yacht, all-terrain vehicles, or motor cycle provided it is driven at less than 15 kms per hour and does not have the potential to cause danger to any person; and provided it is not otherwise restricted by any Local Government Act Bylaw;
 - (iv) Vehicles used for setting up and running events on the beach, provided the event has been authorised by the District or City Council;
 - (v) Vehicles used for coastal conservation management activities; and
 - (vi) Vehicles used for the establishment and maintenance of regionally significant infrastructure.
- (d) At any part of the coastal environment, where the use of vehicles is causing damage to dunes, vegetation or river mouths and where the damage from vehicles is or has the potential to result in an increased rate of erosion;
- (e) In any circumstances listed in NZCPS Policy 20(1).

Ōpōtiki District Plan

Chapter 13. Earthworks, landscapes, indigenous vegetation and habitats

13.2.2 Objective: The sustainable management of indigenous vegetation and habitats of indigenous fauna to maintain and, where appropriate, enhance biodiversity of the District. This includes maintaining the overall extent of rare and threatened ecosystem types.

13.2.2.11 Policies: To restrict vehicle access to the coast, rivers and their margins in accordance with NZCPS Policy 20(1)(b).

13.2.4 Objective: Coastal and estuarine margins, wetlands and riparian areas within the District continue to support indigenous flora and fauna as part of a wider ecological system and their natural character is maintained and enhanced.

13.2.4.3 Policies: To restrict vehicle access to the coast, rivers and their margins in accordance with NZCPS Policy 20(1)(a).

ŌDC consolidated bylaws 2021

Part 4. Beaches - 4.6.2. the following conditions apply in vehicle permitted areas:

- (a) Vehicles must be driven at a maximum speed of 15 kilometres per hour.
- (b) Vehicles must not be driven in a manner that endangers public health or safety, or causes a nuisance to any other person.
- (c) Vehicles must enter and exit the beach only from Council approved designated entry and exit points.
- (d) Vehicles must be driven only within the area between the tidal wash line at mean high water springs and mean low water springs.
- (e) Vehicles must not be driven on the beach sand dune areas, or on any area set aside for coastal vegetation, rehabilitation or conservation.

- (f) Vehicles must give way to people, dogs, and horses at all times.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

RECOMMENDATIONS:

- 1. That the report titled 'Waiotahe Drifts subdivision – Vehicle access to the beach via sand ladders/boardwalks' be received.**
- 2. That the Council direct staff to investigate options to provide legal vehicular access through the established boardwalk.**

Gerard McCormack

GROUP MANAGER PLANNING AND REGULATORY

REPORT

Date : 5 December 2023

To : Ordinary Council Meeting, 5 December 2023

From : Group Manager Planning and Regulatory, Gerard McCormack

Subject : **FREEDOM CAMPING IN THE ŌPŌTIKI DISTRICT**

File ID : A1193751

EXECUTIVE SUMMARY

In September 2022, the Council received funding to complete a review of the freedom camping activity within the district to establish a freedom camping bylaw and identify and introduce any revised measures considered necessary.

The attached report (Appendix A: Freedom Camping in the Ōpōtiki District) considers a broad range of freedom camping-related matters including: current supply and demand for camping in the district, strategic approach's to camping, the economic and social contribution of camping, analysis of the district camping survey, the information available to the public, existing sites, the regulatory environment, the effects of recent changes to legislation and regulatory and non-regulatory measures to mitigate or control the impact of camping.

The review has identified the following four potential options for managing freedom camping in the district for the council to consider and recommends the actions associated with the preferred option be implemented in stages. The recommended option is that Council manages freedom camping using a mixed method approach, utilising a mixture of regulatory and non-regulatory measures, including a freedom camping bylaw. Alternatives such as using legislation alone (without a bylaw) or not undertaking any action are not recommended as they are not considered to be effective at managing the issues arising from unrestricted camping both now and in the future.

This report recommends:

- 1. That Council receives the report titled 'Freedom Camping in the Ōpōtiki District'.**
- 2. That Council receives the Xyst Freedom Camping in the Ōpōtiki District - Current state analysis, Dated 3 October 2023.**
- 3. That Council adopts the Draft Freedom Camping Strategy 2023.**
- 4. That Council progress with the review of the Freedom Camping Bylaw in accordance with the Draft Freedom Camping Strategy.**

PURPOSE

To present to the Council a report that reviews freedom camping activity and recommends the Council use a staged approach to implement a mixture of regulatory and non-regulatory measures to manage and facilitate freedom camping in the district.

BACKGROUND

Like many parts of regional New Zealand, during the summer months, the Ōpōtiki district faces an influx of freedom campers. Camping is an important part of local traditions and the low-cost option of camping at Council reserves and camping grounds is valued by visitors and Bay of Plenty residents. For several years, the Council has permitted freedom camping in designated locations such as Te Ahiaua, Hukuwai, Hoani Waititi Memorial Reserve in Ōmaio and Maraetai Bay Reserve in Te Kaha.

Camping can potentially cause adverse effects on the environment, enjoyment and use by other members of the public and places demands on infrastructure and resources. This is particularly so at peak periods or over sustained periods of use.

The Council's approach to freedom camping has been to restrict camping to five designated camping areas only and impose time limits for the duration of stay. Camping on other reserves is prohibited.

Council does not have a bylaw to restrict freedom camping on land administered by the Council and doesn't currently have warranted officers to enforce freedom camping policies on its reserves or enforce the provisions of the freedom camping act rules.

Recent changes to Freedom Camping legislation have changed the legality of freedom camping in the District on land managed by Council and other government agencies. Staying overnight on land held under the Reserves Act 1977 is still prohibited unless provided for in the Ōpōtiki District Reserve Management Plan or by consent from the minister. This is summarised in Table 1.

Table 1: Summary of current legal position for camping in the Ōpōtiki District

	Certified Self-Contained	Tent	Not self-contained ¹
Council land under LGA	Permitted	Permitted	Not Permitted
Council land held under the Reserves Act 1977	Prohibited unless allowed in the ODRMP*	Prohibited unless allowed in the ODRMP*	Prohibited unless allowed in the ODRMP*
State Highways	Permitted	Permitted	Permitted
LINZ	Not Permitted	Not Permitted	Not Permitted
Ōpōtiki District Reserve Management Plan Provisions			
Te Ahiaua Reserve; Hukuwai Beach Reserve; Te Kaha Reserve, Maraetai Bay	3 nights max stay	3 nights max stay	3 nights max stay
Hoani Waititi Memorial Reserve	14 consecutive days	14 consecutive days	Not Permitted

*Ōpōtiki District Reserve management plan

DISCUSSION AND OPTIONS SECTIONS

Options for managing freedom camping identified in the review

The review of Freedom Camping in the Ōpōtiki District has assessed the current state of play, issues relating to freedom camping in the district, and amendments to the legislation regulating freedom camping in New Zealand. As a result, it has identified the following four options for managing freedom camping in the district for the council to consider:

1. That Council manages freedom camping utilising a mixture of regulatory and non-regulatory measures, including a freedom camping bylaw (**Recommended**).
2. That Council uses the infringement provisions of the Freedom Camping Act 2011 and the Reserves Act (excluding creating bylaws) as the primary mechanism to manage freedom camping.
3. That Council uses non-regulatory measures as the primary mechanism to manage freedom camping.
4. Do nothing.

¹ Private vehicles that were “self-contained” as certified by the “blue warrant” can freedom camp until 7 June 2025. Rental vehicles need to fully comply by 7 June 2024.

Discussion and analysis on all four options are contained in the full report in Appendix A: Freedom Camping in the Ōpōtiki District.

Preferred option and recommendation outlined in the review

The review recommends Option 1, which proposes that the Council use a mixture of both regulatory and non-regulatory tools and actions to manage freedom camping in the District.

Regulatory Measures include:

- Bylaw created under the Freedom Camping Act 2011 (including Waka Kotahi sites).
- Enforcement under the Freedom Camping Act 2011 and Reserves Act 1977.

Non-regulatory measures include:

- Education first approach, including public facing freedom camping strategy.
- Camping booking system for peak periods.
- Improved level of service at designated Freedom Camping (including increased facility servicing, signage, marked parking bays where possible and information).

The advantages of this option include:

- A full suite of tools available for managing freedom camping.
- Provides a clear and transparent approach to managing freedom camping.
- Reduces the impact on the environment caused by camping and allows issues to be managed proportionate to the level of impact created (e.g., impose restrictions on when, where, or how camping can happen).
- Allows Council to be responsive to new issues that arise over time (e.g., add restricted areas to an existing bylaw).
- Enables Council to allocate financial resources to manage camping when they are most required (e.g., target areas for enforcement or increased service provision).

The primary challenges/limitations of this option relate to funding required for:

- Five yearly statutory bylaw reviews
- Development and increased servicing of facilities such as bins and toilets.
- Enforcement and a camping booking system.

There is also a need to utilise warranted officers/security contractors to enforce rules under the Reserves Act 1977, the Freedom Camping Act 2011 and Freedom Camping Regulations (2023).

Utilising a mix of camping management tools will allow the council to clearly communicate to the public what acceptable and responsible camping looks like in the district, direct camping to appropriate areas and have a framework that proactively manages potential issues before they occur or in a proportionate and measured way as they arise. In the long term, this approach will also likely reduce the financial and staff resources required to manage issues arising from freedom camping in the district.

The review also recommends the council take a staged approach to implementing recommended actions for managing freedom camping in the district. The key recommendations and stages include:

Stage 1 – Policy development

Stage 2 - Education and enforcement

Stage 3 – Develop a bylaw

Stage 4 – Improve infrastructure

Refer to the recommendations in Appendix A: Freedom Camping in the Ōpōtiki District for details on specific actions relating to each stage.

Proposed Freedom Camping Review Timeline

Freedom Camping Report and Draft Freedom Camping Strategy	5 December 2023
Freedom Camping Bylaw Review Workshop	January 2024
Bylaw Review presented to Council	February/March 2024
Public Consultation	April/May 2024
New Freedom Camping Bylaw Adopted	June/July2024

Other options considered in the review

The review identified and analysed three other potential options as the primary method for managing camping in the district.

While each of the options considered have some advantages for the council for example, limited immediate financial or staff resource required, the main reason these options were not recommended is that they are unlikely to be effective at managing the issues and impacts arising from unrestricted freedom camping, both now and into the future, especially if implemented as the primary or only mechanism to manage freedom camping.

Some other key limitations of these options include:

- Without an intentional strategy and framework for managing freedom camping, the council will be unable to effectively address these issues if they deteriorate or be responsive to new freedom camping-related issues as they arise.
- Relying solely on infringement and other provisions provided directly under legislation without supporting education and clear and transparent rules for the public, this option is unlikely to be an effective or efficient way of managing freedom camping in the district and it has the potential to foster the perception that the Ōpōtiki District is an unwelcoming destination.
- The effectiveness of non-regulatory measures implemented in isolation from other statutory measures is limited, as they rely on all campers embracing the principles of responsible camping, which is currently not occurring and is unlikely to change in the future.
- Providing improved facilities and servicing may result in an unintended increase in use that may require further improvement to services and more cost to the Council.
- The potential need for increased enforcement resources given the lack of education and public awareness of the local rules.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Any decision to proceed with a bylaw will be subject to a full assessment under the Local Government Act and full public consultation on the bylaw will be required.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is Inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONSIDERATIONS

Financial/budget considerations

The recommendations proposed to the Council require a staged approach to change. The bulk of the changes proposed have some associated cost and not all can be managed within existing budgets.

Implementing the recommended changes has not been costed at this stage. However, the bylaw and strategy development will include costs for site assessments, drafting and public engagement. Information signage and facility improvements will require capital investment. Enforcement and increased servicing costs will generally be seasonal in nature.

ODC has been awarded a grant from MBIE of \$214,500 to fund the process.

Policy and planning implications

The recommendations if adopted by Council, are intended to support Council in its management of the freedom camping activity and are consistent with and supported by existing legislation including:

- Freedom Camping Act 2011
- Reserves Act 1977 (including the Ōpōtiki District Reserves Management Plan prepared in accordance with the Reserves Act).

The development of a bylaw if adopted, is supported by and are consistent with existing legislation, and will require council to follow the special consultative procedure, including drafting a statement of proposal, stakeholder and public engagement.

Strategic alignment with community outcomes is an intended outcome of this report;

- Development and protection of our natural environment.
- Services and facilities that meet our needs.
- A strong and effective community spirit.
- Development supports the community.
- Culture and history are treasured.

Risks

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

RECOMMENDATIONS:

- 1. That Council receives the report titled 'Freedom Camping in the Ōpōtiki District.**
- 2. The Council receives the Xyst Freedom Camping in the Opotiki District – Current state analysis, dated 3 October 2023.**
- 3. That Council adopts the Draft Freedom Camping Strategy 2023.**
- 4. That Council progress with the review of the Freedom Camping Bylaw in accordance with the Draft Freedom Camping Strategy**

Gerard McCormack

GROUP MANAGER PLANNING AND REGULATORY



Freedom Camping in the Ōpōtiki District

Current state analysis

Ōpōtiki District Council

3 October 2023

Everything parks, recreation, and community

Tēnā koutou katoa

This report has been prepared for the Ōpōtiki District Council by Dafydd Pettigrew, Mark Smith and Paul Wilson from Xyst.

We thank Kurt Bledsoe and Garry Page for their contribution to the report.

Xyst advises clients primarily in the local government sector in the areas of parks, recreation and tourism and provides benchmarking services through Yardstick. We aim to provide practical advice that can improve the lives of people through the provision of parks, recreation and sustainable tourism.

Revision History

Rev.	Date	Author	Notes
1.0	3/11/2023	DP	Issued – Reviewed PW

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EXECUTIVE SUMMARY

This report is an assessment of the current state of play regarding freedom camping in the Ōpōtiki District following amendments to the legislation regulating freedom camping in New Zealand. We make the following key observations:

- Camping on **reserves** is prohibited unless provided for in the Ōpōtiki District Reserve Management Plan. The plan provides for camping for approved one-off events and at five reserves.
- Camping on other land owned by Ōpōtiki District Council is **permitted** in certified self-contained vehicles (and in tents).
- The Department of Conservation provides three low-cost campgrounds in the district. There are three other low-cost campgrounds operated by private landowners.
- There are nine holiday parks in the district, one of which is owned by Council and leased to private operators.
- The Council does not have a bylaw to restrict freedom camping on land administered by Council or to enforce freedom camping policies on its reserves.
- The Visitor Strategy (2014) recognises demand for demand for camping by domestic travelers over summer holiday season. The Draft Economic Strategy (2020) supports the operation of quality camping grounds along Ōpōtiki District's coastline.
- Changes to legislation will reduce number of 'sleeper vans' and see an increase in people camping in tents and certified self-contained vehicles.
- Nationally (in 2019/20) domestic responsible campers spent an average of \$43.50 per visitor night, with \$14 being spent on food and drink and \$12.70 on vehicle fuel and maintenance. When vehicle hire is excluded international responsible campers who purchased their own vehicles spent an average of \$37.50 per visitor night, compared with \$77.80 for those who hired a budget vehicle and \$83.20 for those who hired a premium vehicle.¹
- We estimate the annual spend of freedom campers to be in the order of \$150,000 per annum when in the District.
- Camping offers a wide range of non-economic benefits that contribute to personal well-being, mental health, and overall quality of life. It enhances the traditions and culture of the Ōpōtiki District.
- Ōpōtiki District Council lacks current strategy and tools to manage freedom camping in the district.

¹ MBIE/Fresh Info Responsible Camping Research 2019/20

CAMPING IN THE OPOTIKI DSTRICT

Range of camping options

The current options for camping in the district are:

1. Holiday Parks – Full-service holiday parks generally with a mixture of powered sites and non-powered sites, cabins and shared kitchen and bathroom facilities.
2. Conservation Campsites – Basic self-registration sites operated by the Department of Conservation with toilets and basic dishwashing facilities.
3. Designated Campsites at five Council administered reserves.
4. Freedom Camping – parking overnight on public land (other than conservation/reserve land)

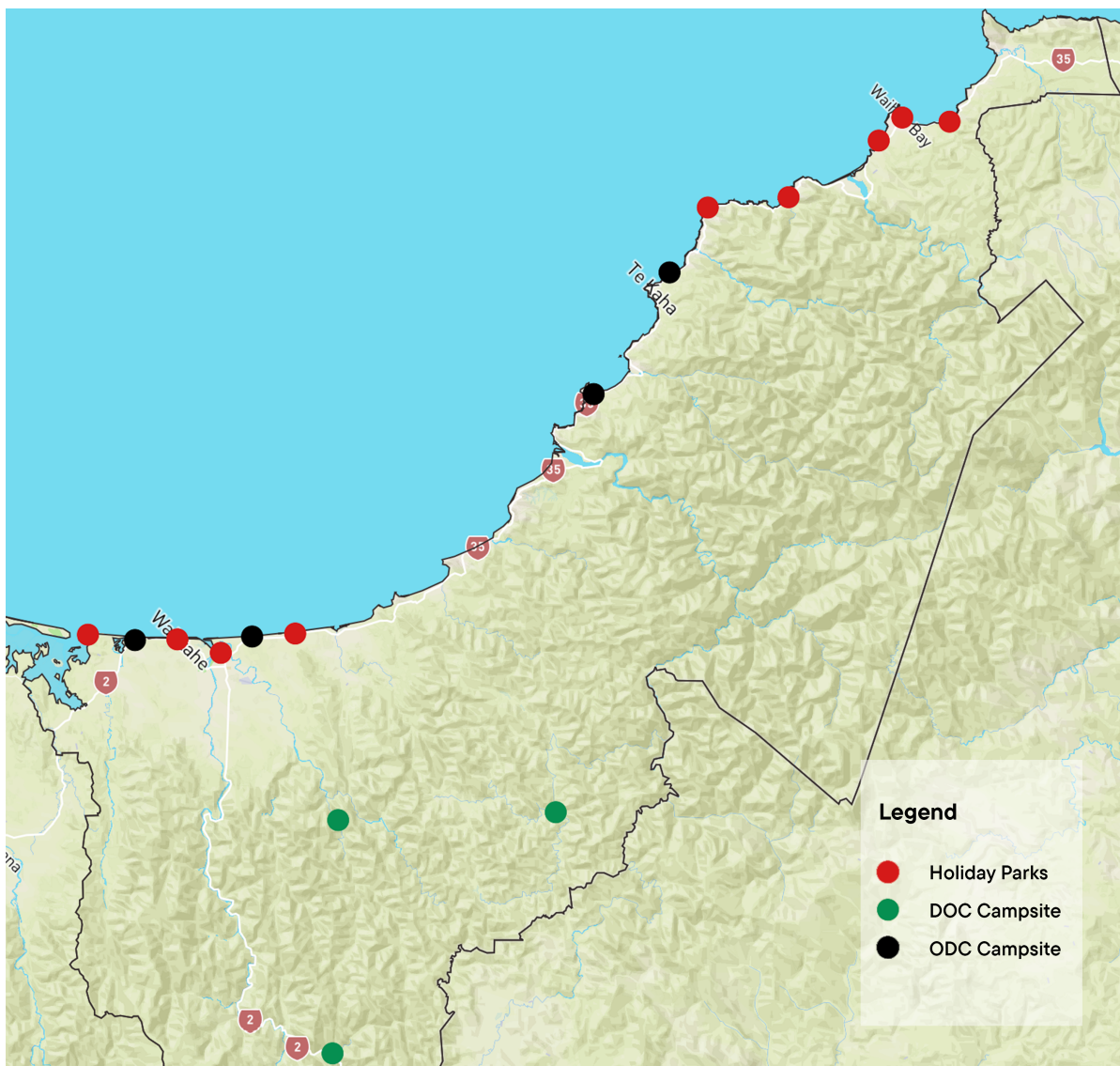


Figure 1 Approved camping locations

Popularity of camping

The annual rolling sum for total guest nights in the Ōpōtiki District (August 2022 – August 2023) was 156,800 across all accommodation types. Holiday Parks and Campgrounds accounts for 36% of stays in the Bay of Plenty, which when extrapolated to the Ōpōtiki District indicates approximately 5,647 guest nights in holiday parks and campgrounds over the last year.

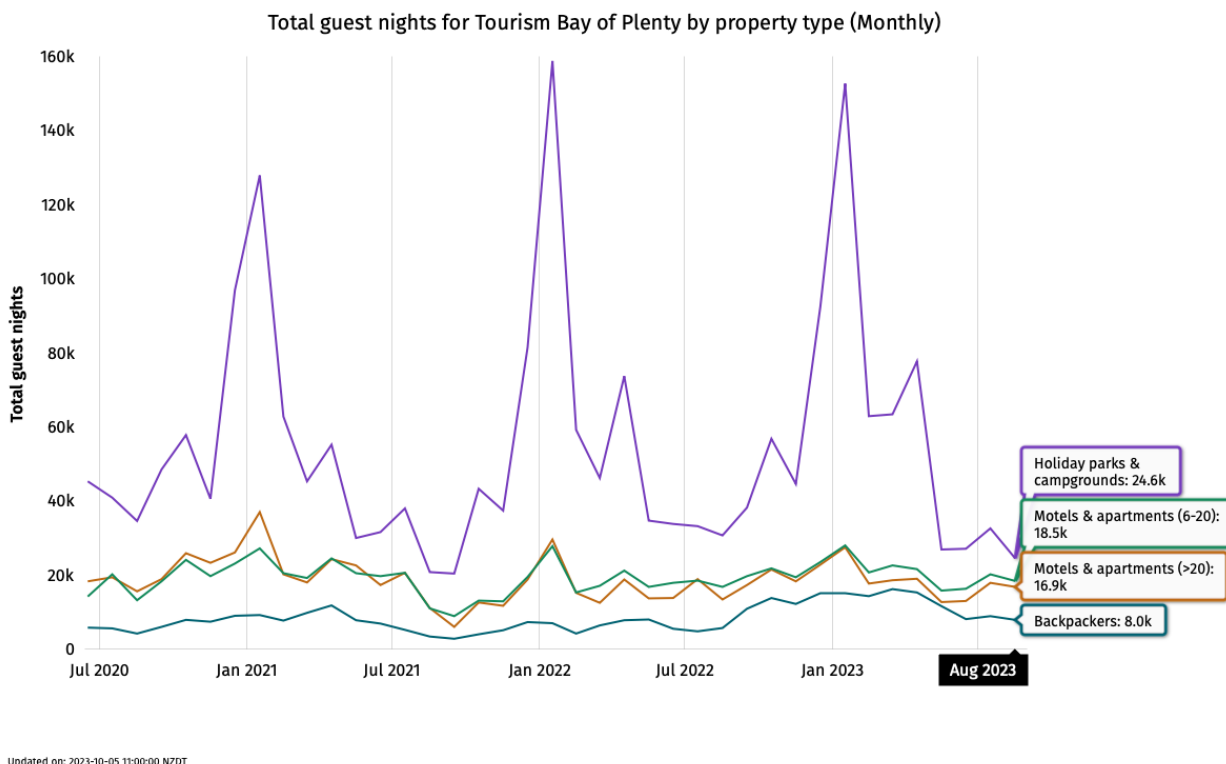


Figure 2 Total Guest Nights in Bay of Plenty

The unit *Total guest nights* refers to the number of guest nights spent in short-term accommodation units e.g. two guests staying 3 nights would generate 6 guest nights.

Covid-19 had a significant impact on domestic and international tourism. Figure 3 shows the significant decline in guest nights in the Bay of Plenty and the slow climb in numbers since early 2023.

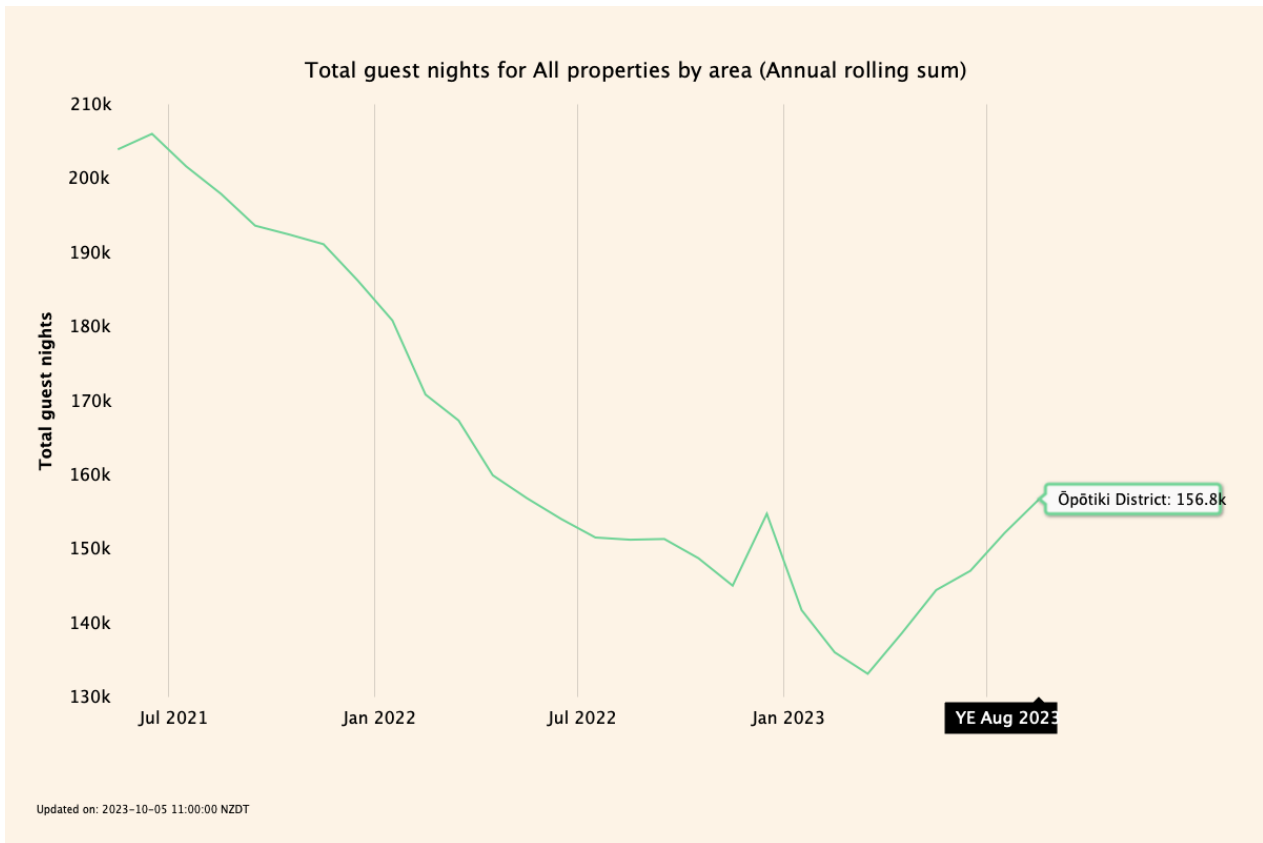


Figure 3 Change in Guest Nights over time

Economic contribution of camping

We have assumed that there are approximately 2,500 freedom camper guest nights for in the district based on the 5,647 guest nights in holiday parks and campgrounds and the 500² campers interviewed last summer.

The MBIE/Fresh Info Responsible Camping Research undertaken in 2019/20 provided an average spend of \$43.50 per guest night for domestic campers and average of \$37.50 per visitor night for international campers travelling in their own vehicle or \$77.80 for those who hired a budget vehicle.

We have assumed 80% of campers will be domestic visitor providing a total estimated spend of \$87,000 for domestic campers and \$40,000 for international visitors. Allowing for inflation since 2019/20 we estimate the total spend for visitors freedom camping to be in the order of \$150,000 per annum.

² We estimate that the average number of campers per survey is 2, staying 1.7 nights giving a total of 1,700 guest nights at the three sites surveyed.

Social contribution of camping

Camping offers a wide range of non-economic benefits that contribute to personal well-being, mental health, and overall quality of life. These benefits often relate to a deeper connection with nature and the outdoors, as well as personal and social growth. Some of the non-economic benefits of camping include:

- **Reconnection with nature:** Camping allows individuals to disconnect from the hustle and bustle of urban life and reconnect with the natural world. Spending time in natural settings can lead to a sense of awe, wonder, and appreciation for the environment.
- **Stress reduction:** Being in natural surroundings and away from the stresses of daily life can reduce stress levels. The calming and soothing effects of nature can lead to improved mental well-being.
- **Mental health benefits:** Camping can promote mental health by reducing symptoms of anxiety and depression. Time outdoors and physical activity can boost mood and provide a sense of tranquility.
- **Physical activity:** Camping often involves physical activities like walking, swimming, or even just setting up camp. These activities provide exercise and promote a healthier lifestyle.
- **Quality time with Loved Ones:** Camping is an opportunity for whanau and friends to spend quality time together away from distractions (including wifi). It can lead to stronger relationships and bonding experiences.
- **Personal growth:** Camping challenges individuals to step outside their comfort zones, learn new skills, and develop self-reliance. This can boost confidence and self-esteem.
- **Appreciation of simplicity:** Camping often involves simplifying one's lifestyle, relying on basic necessities, and disconnecting from modern conveniences. This can foster a deeper appreciation for the simple things in life.
- **Environmental awareness:** Spending time in nature can enhance awareness and understanding of environmental issues. This may encourage individuals to become more environmentally conscious and engaged in conservation efforts.
- **Connection with culture:** Camping in natural or historical areas can provide a sense of connection to the past, allowing individuals to learn about the cultural heritage of a place.

We consider the non-economic benefits of camping are significantly more valuable than the economic benefits. Camping enhances the traditions and culture of the Ōpōtiki District.

Camper Survey

A survey of campers undertaken by Ōpōtiki District Council between 17 December 2022 and 21 May 2023 interviewed 502 freedom campers across three sites being:

- Hoani Waititi Memorial Reserve
- Hukuwai Reserve
- Te Ahiaua/Pipi Beds

One camper was interviewed 39 times between 12th April 2023 and 19th of May indicating a long term stay predominately at Hukuwai Reserve. Three other campers stayed in excess of 15 nights. The average reported length of stay was 1.7 nights with the campers at Te Ahiaua/Pipi Beds report they intended to stay two nights.

Origin

20% of campers were reported as visitors from overseas, the majority being from Europe. Of the 80% of domestic campers, 1% reported being on "no fixed abode" or permanently camping. The largest proportion of domestic campers were from the Bay of Plenty (20%), followed by Gisborne (18%). Campers from other regions accounted for less than 1% of campers per region including 0.5% from the South Island.

It is important to note that this survey was undertaken when travel was beginning to return to normal post Covid-19 and reflects many campers (38% of all campers) choosing to holiday close to home.

Comments

Campers were asked for feedback and suggestions regarding the camping area. Here is a summary of the key points:

1. Amenities and Facilities:

- Many campers mention the need for drinking water.
- Suggestions for showers in the area.
- Requests for improved toilets and cleanliness.
- More rubbish bins and recycling facilities desired.
- Some mention the need for a dump station for campervans.
- Suggestions for an outdoor shower, cold shower, and water access.

2. Infrastructure and Maintenance:

- Comments on the need for better road conditions and leveling of the camping area.

- Drainage issues mentioned.
- Calls for maintenance, including mowing lawns and keeping the area tidy.
- Some suggest adding lights and signage for safety.
- Concerns about potholes in the roads.
- Several comments about the need for renovations and upgrades, particularly for toilets and showers.

3. **Environmental Concerns:**

- Suggestions for planting trees or vegetation to provide wind cover.
- Concerns about the impact on the environment, such as litter and dog waste.
- Calls for better control of those who stay for extended periods.

4. **Recreation and Family-Friendly Features:**

- Requests for playgrounds and picnic tables.
- Mention of enjoying the proximity to the beach.
- Requests for access to the beach and recreational facilities for children.
- Suggestions for a communal area.

5. **Community and Safety:**

- Concerns about road noise and safety.
- Requests for better access to beach areas and a safer environment.
- Calls for monitoring and maintenance of facilities for safety.
- Suggestions for keeping the campsite safe for kids.

6. **Other Suggestions:**

- Some campers mention specific locations and their positive experiences.
- Requests for signs indicating camping areas and rules.
- Concerns about public behaviour, such as littering and illegal dumping.
- Calls for more facilities and services, including shops and restaurants.

- Requests for specific amenities like potable water, fresh water, and dump stations.

Overall, the comments highlight a range of concerns and suggestions related to the campsite's infrastructure, facilities, environmental impact, and safety. Campers have varying preferences and priorities, but most emphasise the importance of cleanliness, safety, and access to basic amenities.

REGULATORY ENVIRONMENT

Introduction

The Self-contained Motor Vehicles Legislation Bill became law on 7 June 2023. The Act amends the Freedom Camping Act 2011 (Freedom Camping Act) and the Plumbers, Gasfitters and Drainlayers Act 2006 (the PGD Act).

The legislation introduces a new national rule that freedom camping on local authority land in a non-self-contained vehicle is prohibited. In other words, the default position is now that freedom camping on local authority land is restricted to self-contained vehicles only.

Local authorities can diverge from the default position of the national rule by implementing freedom camping bylaws that:

- permit freedom camping in non-self-contained vehicles in certain areas, or
- prohibit or place restrictions on freedom camping in certain areas (i.e. limiting the number of consecutive days someone can camp in a self-contained vehicle in a particular area).

Note: The new national rule only applies to motor vehicles (not tents or other temporary structures). This means that the default position is that freedom camping in a tent on local authority land is permitted. However, as is currently the case under the Freedom Camping Act, local authorities can implement freedom camping bylaws that place restrictions on tent-based freedom camping.

Key freedom camping rule changes

The key changes brought about by the new legislation are:

- changes around certifying self-contained vehicles
- changes to where you can freedom camp
- changes around infringement fees and fines (increased from \$200 to \$400)
- extension to include Waka Kotahi Land and
- camping on land managed by Land Information New Zealand (LINZ)

Changes around certifying self-contained vehicles

- Vehicles with a portable toilet are no longer able to be certified as self-contained
- Requirement of fixed toilet for self-contained vehicles
- Self-contained Motor Vehicles Legislation Act 2023 establishes the Plumber Gasfitters and Drainlayers Board as the regulator of the self-contained vehicle system
- 2 year transition period will enable the existing self-containment certification requirements to be phased out (See Appendix 1)

Changes to where you can freedom camp

In general, you can only freedom camp on local authority land if your vehicle is certified self-contained.

- The default position will be a non-self-contained vehicle can't camp on local authority land
- This change could reduce the number of sites schedule in Bylaws, particularly where sites were only included to prohibit or restrict non-self-contained camping.

Changes to infringement fees and fines

Infringement offences from the Freedom Camping Act (FCA) prior to the Self Contained-Motor Vehicles Legislation Act remain in place for local authority land and there are new infringement offences for breaching rules associated with freedom camping in a self-contained vehicle for example these apply to

- inappropriately disposing of waste
- interfering with, or damaging, the environment
- not leaving a local authority area when required to do so by an enforcement officer.

The default infringement fees for most offences has increased from \$200-\$400 with some to \$600. Refer to the Freedom Camping Infringement Offences and Penalties table in Appendix 2

Waka Kotahi and LINZ land

The Act extends the Freedom Camping Act to land administered by Waka Kotahi and LINZ. There are some key differences between the treatment of Waka Kotahi and LINZ land, which are explained below:

Local authorities can now include Waka Kotahi land (SH2 and SH35) in a freedom camping Bylaw, however:

- the Freedom Camping Act does not automatically apply to Waka Kotahi land
- the local authority must receive the written consent of the Chief Executive of Waka Kotahi to include land in a Bylaw

Camping on LINZ land (Typically Lakes and waterways)

The Act stipulates that freedom camping on LINZ land is prohibited. However, the Act empowers the Commissioner of Crown Lands and Chief Executive of LINZ to permit freedom camping on LINZ land subject to any restrictions or conditions.

Transition Period

Some of the changes to the Freedom Camping Act are effective immediately, whilst others will occur over the next two years.

A two-year transition period will enable the existing self-containment certification requirements, known as a blue warrant, to be phased out and eventually replaced with the new requirements, known as a green warrant. (Refer to Appendix 1).

CURRENT STRATEGY AND POLICY IN ŌPŌTIKI DISTRICT

Visitor strategies

It is noted that there is no current visitor or economic strategy in place for the Ōpōtiki district. The following strategies do offer some support for formalised camping.

Ōpōtiki District Visitor Strategy 2014-2018

The vision is for Ōpōtiki to be regarded as a highly attractive destination for visitors - known for its stunning outdoor experiences, cultural heritage, relaxation and genuine warm hospitality. The strategy notes:

- Ōpōtiki has a solid base of domestic visitors coming to the district for camping over the peak summer period.
- The Ōpōtiki District Council supports tourism in the form of providing infrastructure and facilities for visitors, including the leasing of reserves for commercial campgrounds and 'freedom camping' at selected locations.
- Holiday parks – there are five holiday parks located within ten minutes of Ōpōtiki, one in town and four on the coast. They are only at capacity for a few weeks after Christmas. Visitor feedback on the three parks included on Trip Advisor is outstanding, with close to 100% satisfaction ratings.

The strategy notes current visitors to Ōpōtiki principally include:

- New Zealand families camping at Ōpōtiki beaches during the peak summer period, staying an average of ten days.

- The retired New Zealand market travelling mainly in the shoulder seasons, often by campervan, touring around the East Cape, and generally staying the night in Ōpōtiki.
- A small but growing number of cyclists/ mountain bikers coming specifically for the Motu trails – 44% of who stay in holiday parks.

Much of this information is in need of review given the impacts of Covid-19 and the economic and international market changes that have occurred.

Ōpōtiki District Draft Economic Development Strategy (2020)

This strategy notes support for development of camping grounds including:

- V3 Advocate for and support the development of appropriate visitor accommodation
- V3-2. Enable the operation of quality camping grounds along Ōpōtiki District's coastline.

Reserves Act 1977

The Reserves Act 1977 (44) prohibits camping on a reserve unless it is in camping ground set apart for that purpose, it is permitted in a reserve management plan or specific consent from the minister has been obtained.

The Reserves Act 1977 (s94) also sets out some general offences on land held under the reserves act. In addition, on 3 February 2020 the Reserves (Infringement Offences) Regulations 2019 came into force. The regulations amend the act including section 105 application of fines (that relate to section 94), creating the ability for monitoring and enforcement of selected offences using infringement penalties and the ability to prosecute for other offences. However, currently no Council officers are warranted under the Reserves Act and training has not yet occurred to allow for enforcement activities.

Although the infringement mechanism under the Reserves Act provides Council with the ability to issue infringements for unauthorised camping on reserves the following should be noted:

- the Act does not have specific infringement powers relating to freedom camping unlike the Freedom Camping Act which has clear definitions of camping,
- the base infringement fee of \$800 is significantly higher than the majority of freedom camping specific infringements which generally have a start point set at \$400
- The Council can utilise a range of infringement provisions set out in the Freedom Camping Act 2011 on reserve land, this is likely to provide a more efficient and effective infringement regime for managing issues relating to freedom camping on reserves.
- To issue an infringement under the Reserves Act, the issuer must be warranted by the CEO to exercise the powers of an officer or honorary ranger under the Reserves Act.

Ōpōtiki District Council Reserve Management Plan (October 2020)

The adopted reserve management plan lists a number of reserves where freedom camping is prohibited and lists the reserves where camping is permitted³. The reserve management plan permits camping:

- One off events
- Where subject to a lease for a camping ground
- at designated locations within the following reserves: Te Ahiaua Reserve; SH2; Hukuwai Beach Recreation Reserve, SH35; Te Kaha Recreation Reserve, Maraetai Bay SH35 and subject to conditions (3 night stay in designated area):
- at Hoani Waititi Memorial Reserve, Omaio Beach Rd in the designated camping zone, for a maximum period of 14 consecutive days.

Freedom Camping Act 2011

The Freedom Camping Act provides local authorities with access to specific regulatory and enforcement measures to better manage the nuisance created by errant freedom campers. The act also enables local authorities to create a bylaw under the act to decide where freedom camping is prohibited or restricted on council land.

Whether or not a bylaw is made, a council has enforcement powers and can issue infringements under the Freedom Camping Act these include:

- Freedom camping in a local authority area using a motor vehicle that is not self-contained, other than where permitted (i.e., campground or designated non-self-contained camping area)
- Failing to display a warrant card when freedom camping in a motor vehicle in a local authority area, other than where permitted
- Freedom camping in a local authority area in a self-contained motor vehicle with more people than the vehicle is certified for
- Interfering with or damaging a local authority area, its flora or fauna, or any structure in the area while freedom camping or depositing waste in or on the area while freedom camping
- Making preparations to freedom camp in a local authority area using a motor vehicle that is not self-contained, other than where permitted

³ There is no need to list reserves where camping is prohibited; camping is prohibited on all reserves unless permitted in a reserve management plan or by ministerial consent .

- Failing or refusing to leave a local authority area when required to do so by an enforcement officer.

Policy and bylaws

There is no adopted policy on the management of freedom camping in the district. The Ōpōtiki District Council Consolidated Bylaws 2021 do not provide any bylaws to regulate freedom camping. The effect of this is that Council has no means to restrict camping for certified self-contained campers or camping in tents (other than on reserve land).

SUMMARY OF CURRENT LEGAL POSITION

As a result changes to legislation and that the Council does not currently have a bylaw in place to manage freedom camping the following applies to freedom camping in the district:

- Freedom camping in a **non-self-contained** vehicle on Council land is now prohibited and;
- Freedom camping in certified self-contained vehicles is permitted on all Council land for example civic car parks, local road reserve areas, parks and other open space not held under the Reserves Act 1977 except where permitted in the Ōpōtiki District Council Reserve Management Plan or by Ministerial consent
- Camping in tents is permitted on Council land (except on reserves held under the Reserves Act 1977 unless permitted in Ōpōtiki District Council Reserve Management Plan or by Ministerial consent or by Ministerial consent

	Certified Self-Contained	Tent	Not self-contained ⁴
Council land under LGA	Permitted	Permitted	Not Permitted
Te Ahiaua Reserve; Hukuwai Beach Reserve; Te Kaha Reserve, Maraetai Bay	3 nights max stay	3 nights max stay	3 nights max stay
Hoani Waititi Memorial Reserve	14 consecutive days	14 consecutive days	Not Permitted
State Highways	Permitted	Permitted	Permitted
LINZ	Not Permitted	Not Permitted	Not Permitted

⁴ Private vehicles that were “self-contained” as certified by the “blue warrant” can freedom camp until 7 June 2025. Rental vehicles need to fully comply by 7 June 2024.

IMPLICATIONS OF LEGISLATION CHANGES

The changes to the legislation could assist the council in managing freedom camping by providing reassurance to the public that legitimate campers are adequately self-contained. The strengthened infringement system and range of infringement actions available to Council should also help to deter inappropriate freedom camping. However in order to **enable** non-self-contained camping at certain sites or **restrict** where self-contained camping can occur outside of reserves Council will require a bylaw. A bylaw would:

- largely eliminate the issues associated with non-self-contained freedom camping vehicles (if enforced via a bylaw)
- enable a greater ability for the Council to enforce the rules through fines

Non-self-contained camping

The impact the new national rule prohibiting freedom camping in non-self-contained vehicles in local authority areas and new infringement provisions to enforce the rule is not yet well understood. It is likely that demand for freedom camping in non-self-contained vehicles will continue. Although the Council currently does not intend to provide for non-self-contained freedom campers outside established commercial campgrounds, or specific reserves a bylaw would enable the council to easily designate areas for non-self-contained camping on council land in the future. However, ongoing education and enforcement are both likely to be required to maintain the effective management of non-self-contained camping.

Camping in Tents

New self-containment requirements required by legislation only applies to motor vehicles (not tents or other temporary structures). This means that the default position is that freedom camping in a tent on Council land is permitted.

Evidence of tent based camping is currently limited to reserve land where it is permitted through the reserve management plan. However, a rise in tent-based freedom camping on other council and Waka Kotahi land is possible given the new self-containment rules and the requirement for fixed toilets in freedom camping vehicles.

Pending the outcome of specific site assessments (which are a prerequisite of any future freedom camping bylaw the council creates), a freedom camping bylaw that places restrictions on tent-based freedom camping may would be the appropriate mechanism to address tent based camping on council land.

CREATING A BYLAW

There may be areas that the Council may wish to protect from the impacts of freedom camping such as:

- recreational or natural open space areas not held under the Reserves Act
- civic parking areas
- residential streets and road reserves
- historic or cultural sites

The Freedom Camping Act allows the council to create a bylaw to protect these areas. Bylaws can prohibit freedom camping, place further restrictions on where, when and how long camping can occur at a site, or permit freedom camping in non-self-contained vehicles. Issuing fines will offset the high enforcement costs and avoid this cost falling onto the ratepayer.

Council may also like to protect areas of open space, particularly along SH35's coastal edge, managed by Waka Kotahi. Rent changes to the Freedom Camping Act now allow council to include Waka Kotahi land in a freedom camping bylaw created under the act with the written permission of Waka Kotahi.

Whilst there may only be a small number of sites that a bylaw is required for today, having a bylaw in place will enable the council to be responsive to any unforeseen future issues that freedom camping presents in the future.

IMPLICATIONS UNDER THE NEW ZEALAND BILL OF RIGHTS ACT 1990 (NZBORA)

If the Council chooses to create a freedom camping bylaw it must be satisfied that its freedom camping bylaw is not inconsistent with the NZBORA.

The first step in making this assessment is determining whether or not the bylaw limits any of the rights contained in the NZBORA. The next step is to determine whether those limits are demonstrably justified in a free and democratic society.

The New Zealand Bill of Rights Act (NZBORA) affirms, protects and promotes human rights and fundamental freedoms in New Zealand. These include rights in relation to life and security of the person, democratic and civil rights, and non-discrimination and minority rights.

A Bylaw that only sought to impose justifiable and reasonable limits on people in the interests of reducing the impacts of freedom camping on the natural environment, public health and public access as identified through a specific individual site assessment process would be consistent with the NZBORA.

HOMELESSNESS

There is evidence that the New Zealand housing and cost of living crisis is being felt across New Zealand and people and family groups appear to be setting up longer-term residences or regular camping on council land across the country. There is potential for this to spread to areas in the district if the situation deteriorates further.

Previously, people experiencing homelessness could be liable for offences under the Freedom Camping Act. The Act now contains an exemption from the freedom camping rules for those that are experiencing homelessness. The exemption sets out that a person is not “freedom camping” if they are not in New Zealand on a visitor visa, and unable to live in appropriate residential accommodation.

A bylaw is not the appropriate mechanism for addressing homelessness and local authorities are encouraged to apply discretion and to not penalise people experiencing homelessness and instead direct them to appropriate social service agencies

NON-REGULATORY MEASURES

There are a range of other non-regulatory measures council could introduce to mitigate the effects of freedom camping or control freedom camping on council land. For example:

- more public toilets, rubbish bins and other freedom camping facilities serviced more frequently
- locking gates and restricting access to car parks and other areas at night
- Increased monitoring and patrolling and continuation of the freedom camping education program
- Introduction of a freedom camping booking system on reserves during peak periods

Most non-regulatory options are likely to require some initial investment in infrastructure e.g. gates, bins, toilets as well as ongoing funding for maintenance, servicing, patrolling and education.

As camping on certain reserves is supported by Council and has become somewhat of a tradition for some families that the Council is happy to enable. A booking system put in place for busy periods could be a way of managing numbers, communicating responsible camping through booking conditions and addressing impacts such as overcrowding, litter and ground damage. The introduction of a fee may also help recover some of the cost of increased site servicing.

These non-regulatory measures may be effective in some locations particularly where current levels of unauthorised freedom camping are low or specific to the summer holiday season. However, an increase in camping may be an unintended consequence of improved infrastructure and/or booking system at some locations and they may not be as effective in managing the impacts of freedom camping if camping increases.

RESERVE LAND RETURNED TO MĀORI OWNERSHIP

Provisions of the Freedom Camping Act 2011 specifically relate to Local Authority Land, Conservation land (managed by the Department of Conservation) and land managed by Land Information New Zealand (LINZ). Reserve land being returned to Māori land ownership under treaty claim settlements cannot be included in freedom camping bylaws and the infringement provisions of the Freedom Camping Act do not apply. However, if the status of the whenua remains as reserve and iwi are appointed to control and manage a reserve under the Reserves Act 1977 then the infringement provisions of the Reserves Act will likely be available to the new administering body.

If an iwi wishes to provide camping facilities for the public on its whenua, it can normally do so subject to the provisions of the District Plan and Camping Ground Regulations 1985. Unauthorised camping would need be controlled using the Trespass Act 1980.

RECOMMENDATIONS

We make the following recommendations:

Education

- Continue the education-first approach to managing the impacts of freedom camping in the district
- Continue using freedom camping ambassadors to encourage visitors to do the right thing and provide responsible camping education
- Promote the Tiaki Promise and continue to promote the benefits of visitors to the local economy.

Policy

- Develop a Camping Strategy to outline Council's position on camping following community consultation and as a pre-cursor to developing a bylaw. This could include seeking feedback on the introduction of a camping booking system, including conditions of use for reserves, over peak periods as a method of enabling responsible camping, managing the impacts of freedom camping and recovering some costs.
- Engage with Waka Kotahi to identify potential sites on Waka Kotahi land where inclusion in a bylaw would help manage the impact of freedom camping and confirm Waka Kotahi's appetite for these sites to be included any future freedom camping bylaw.
- Undertake freedom camping site assessments on council land (not held under the Reserves Act) and any Waka Kotahi land experiencing the impact of freedom camping to inform a future bylaw.

- Amend the Ōpōtiki District Council Reserve Management Plan to reflect any changes in Council's position on camping on reserves following development of a camping strategy.

Enforcement

- Subject to completing the policy work above, develop a freedom camping bylaw primarily to restrict camping in streets and certified self-contained freedom camping vehicles on council land (not held under the Reserves Act) and Waka Kotahi land experiencing the impacts of freedom camping.
- Utilise the general infringement provisions of the Freedom Camping Act as the preferred mechanism to enforce freedom camping rules on all council land including for land held under the Reserves Act.
- Employ private security who are warranted under both the Reserves Act and Freedom Camping Act to patrol freedom camping sites and enforce freedom camping rules on council land in a at selected times/peak periods.

Infrastructure

- Review the level of service provided at designated camping areas and develop plans for their improvement where possible
- Increase frequency of site servicing particularly litter bin and toilet servicing.
- Review the design and location of signage related to freedom camping both in areas where camping is permitted and where it is prohibited or restricted.

APPENDICES

Appendix 1 – Transition Period for 2023 Freedom Camping Legislation changes

Appendix 2 - Freedom Camping Infringement Offences and Penalties

Appendix 1: Transition Timeline for new self-containment rules

Milestone	Description
7 June 2023 - Act in force	<ul style="list-style-type: none"> Only vehicles that have a fixed toilet can be certified self-contained under the existing requirements (Blue Warrant) Vehicles with a portable toilet that are already Certified Self-Contained can still camp (until warrant expiry or 7 June 2025 whichever comes first)
Mid-July 2023	<ul style="list-style-type: none"> Increased infringement fees in place mid-July (ahead of FIFA Woman World Cup)
7 December 2023 (6 months after Act in force)	<ul style="list-style-type: none"> Vehicles can be certified under new requirements (Green Warrant) Applications open to become certification Authority Register of self-contained vehicles (under new regulations) goes live
7 June 2024 (12 months after Act in force)	<ul style="list-style-type: none"> Self-containment can only be done by certified authorities
7 December 2024 (18 months after Act in force)	<ul style="list-style-type: none"> Rental vehicles must be certified under the new requirements and display their green warrant as evidence
7 June 2025 (24 months after Act in force)	<ul style="list-style-type: none"> ALL vehicles must be certified under the new requirements and display their green warrant as evidence

Appendix 2: Infringement Fees and Fines

Infringement Offences on local Authority Land		
Infringement Offence	Infringement Offence	Maximum Fine
Freedom camping in breach of a bylaw	\$400	\$1200
Freedom camping in a non-self-contained vehicle in breach of the national rule	\$400	\$1200
Failing to display a warrant card in a motor vehicle when freedom camping (unless the area is permitted for non-self-contained vehicles) ³	\$200	\$600
While freedom camping a person: <ul style="list-style-type: none"> • interferes or damages the area, its flora or fauna, or any structure, or • deposits waste in or on the area (other than into an appropriate waste receptacle)⁴ 	\$800	\$2400
Freedom camping in a self-contained vehicle with more people than the vehicle is certified for	\$400	\$1200
Making preparations to freedom camp in breach of a bylaw	\$400	\$1200
Making preparations to freedom camp in a non-self-contained vehicle in breach of the national rule	\$400	\$1200
Making preparations to freedom camp in a self-contained vehicle with more people than the vehicle is certified for	\$400	\$1200
Failing or refusing to leave a local authority area when required to do so by an enforcement officer	\$600	\$1800



Ōpōtiki District Council

STRONG COMMUNITY STRONG FUTURE

Freedom Camping Strategy 2023

In the Ōpōtiki District



5 December 2023

A1193679

INTRODUCTION

Camping is a popular and traditional pastime throughout New Zealand and is one of our favourite holiday options, particularly over the summer months. Ōpōtiki is renowned as a location for the classic coastal holiday, however that reputation can also have negative consequences if not carefully managed.

This plan defines a strategic position for camping in the district, recognising that there are many complex issues for the community and wider district to work through to achieve tangible change.

WHAT IS CAMPING

There are broadly three types of camping carried out in New Zealand:

1. Freedom camping (tent or self-contained vehicle),
2. Camping in designated areas for 'freedom camping' (this may be self-contained vehicles only),
3. Camping within a defined camping ground.

For the purpose of this document, we have adopted the following camping definitions:

Freedom camping

Is when you camp on public land that isn't a recognised camping ground or holiday park. It includes camping in a tent, caravan or motor vehicle." - Ministry of Business, Innovation & Employment (MBIE).

Self-contained camping

Refers to camping in a vehicle that has a fixed toilet able to support a given number of people for 3 days without needing additional water supplies or dumping waste.

Note: At the time of writing regulations for the technical requirements for self-containment as a result of the Self-Contained Vehicles Legislation Act 2023 had not been finalized. They are expected to enforce no later than 7 December 2023. These new requirements will be phased in over the 2-year transition period. For more information on the legal requirements during the transition period see Schedule 1AA FCA

A camping ground

Means a formalised area of land where people pay a fee to temporarily stay. Campgrounds are regulated by the Camping-Grounds Regulations 1985.

Camping in its various forms takes place across Opōtiki.

WHY IS CAMPING IMPORTANT?

Opōtiki is the gateway to SH35 and the East Cape and its range of camping and recreation opportunities. The district is also home to a wealth of Māori and colonial history.

Many of us enjoy camping and have done so for generations. Heading to the beach for summer or making the most of the ocean, coast, rivers, and bush is what our district is renowned for. Making sure we continue to have access to these places in ways that protect our environment is critical.

Tourism is one of several important economic focus areas for the district moving forward. We are already experiencing increased demand across many of our camping areas. In particular, our coastal camping sites have become a destination to Kiwis who now, more than ever, are looking to visit places where they have never been before. Places with spectacular natural landscapes and scenery and opportunities to relax and refresh are at the top of their lists and include many sites within the Opōtiki District.

We want to encourage responsible camping to make sure we all have access to camping opportunities across the district, but managed in a way that protects our environment, supports our economy, responds to local needs and respects the cultural context of places and people.

WHAT WE KNOW ABOUT CAMPING IN THE OPŌTIKI DISTRICT

What our community told us

Over the summer periods between 2017 and 2022 we asked our community to let us know how they felt camping should be managed across the district.

Overall, the comments highlight a range of concerns and suggestions related to the campsite's infrastructure, facilities, environmental impact, and safety. Campers have varying preferences and priorities, but most emphasise the importance of cleanliness, safety, and access to basic amenities.

What's happening locally

There are many existing campsites and camping facilities across the district. Council owns and leases a number of campgrounds and also manages freedom camping sites on reserves in our coastal areas. In addition to this, there are privately owned campsites and three Department of Conservation (DOC) owned and administered freedom camping sites.

Freedom camping is a trend that continues to build momentum as it enables travellers to traverse off the well-known tourist tracks to find isolated scenery and destinations less known. This is placing pressure on some of our environments and our infrastructure. It also puts a strain on the environment and some communities, predominantly from campers choosing not to stay at an established camp site and those that are not self-contained.

Some of our biggest challenges are:

- The capacity and quality of our aging existing infrastructure and facilities.
- Environmental impact, damage to camping areas, overstaying and anti-social behaviour.
- The lack of clear, concise, and accessible information on camping in the district.
- Determining how to pay for camping investment and increase servicing of camping facilities - should everyone contribute or should more focus be put on users.

As pressure builds from visitors to our district, there is also a rising feeling of the need to protect certain areas, particularly our coastal camping sites, for locals. This also includes making sure that whanau and friends can visit these areas for day trips. We need to establish what this could look like in the future, including possible management approaches.

Other issues we need to consider across our camping network include the quality, capacity and location of facilities that support freedom camping such as toilets, rubbish bins and dump stations.

What's happening nationally

New Zealanders planning domestic holidays has increased significantly since 2020 and the COVID-19 Pandemic. Many of these people were looking for camping experiences well off the beaten tourist track. With our many scenic rural areas and remote beaches the Opōtiki District is a prime destination. As campers increase in our district there will be additional pressure on our environment and on our communities.

MBIE and Tourism New Zealand have been promoting the Tiaki Promise now since 2018 with mixed success. The Tiaki Promise is an initiative to help all travellers in New Zealand care for people, place and culture, for now and for future generations. Tiaki invites us all to form a deeper connection with place, and to reflect this in our attitudes and behaviours and to commit to travelling in this way is to take the Tiaki Promise. Council has been required to promote this message as a condition of funding from MBIE, however there is a place to develop and understand local values.

Changes to freedom camping legislation in 2023 aim to make freedom camping in New Zealand more responsible, but we also need to think about how we do this locally.

WHAT DO WE WANT TO ACHIEVE?

Strategic goal:

We believe Opōtiki is the perfect place to stop, relax and explore. We are surrounded by pristine beaches, rivers and forests, rich in culture and history and want this to continue for future generations.

We will know we have been successful when:

We have allowed for and promote camping in a way that protects, respects, sustains, and enhances our natural environments.

Our camping solutions are fit for purpose and reflect the values of our community to promote visitation and meet community needs.

We have a Freedom Camping Policy to guide where and how people can freedom camp across the district.

We have quality and diverse camping experiences that reflect the pride we have in our district, its places, and its stories.

There is easily accessible, clear, and consistent information on camping facilities within the district.

STRATEGIC PRIORITIES

The strategic priorities below outline Council's commitment to camping.

Council will continue to work with hapū, communities and campers across our district to make sure our camping responses are locally led. We will also work with organisations like the Department of Conservation (DOC) and Waka Kotahi to identify opportunities for a joint approach to managing camping across our district and improving and expanding our camping opportunities.

STRATEGIC PRIOTIES		
STAGE	APROACH	ACTION(S)
1	POLICY DEVELOPMENT	<ol style="list-style-type: none"> 1. Consult with the community on this public facing Camping Strategy that outlines Council’s position on camping as a pre-cursor to developing a bylaw and seek feedback on the introduction of a camping booking system, including conditions of use for reserves, over peak periods as a method of enabling responsible camping, managing the impacts of freedom camping and recovering some costs. 2. Engage with Waka Kotahi to identify potential sites on Waka Kotahi land where inclusion in a bylaw would help manage the impact of freedom camping and confirm Waka Kotahi’s appetite for these sites to be included any future freedom camping bylaw. 3. Undertake freedom camping site assessments on council land (not held under the Reserves Act) and any Waka Kotahi land experiencing the impact of freedom camping to inform a future bylaw. 4. Amend the Ōpōtiki District Council Reserve Management Plan to reflect any changes in Council’s position on camping on reserves following development of a camping strategy.
2	EDUCATION AND ENFORCEMENT	<ol style="list-style-type: none"> 5. Continue the education-first approach to managing the impacts of freedom camping in the district. 6. Continue using freedom camping ambassadors to encourage visitors to do the right thing and provide responsible camping education. 7. Promote the Tiaki Promise and continue to promote the benefits of visitors to the local economy. 8. Utilise the general infringement provisions of the Freedom Camping Act as the preferred mechanism to enforce freedom camping rules on all council land including for land held under the Reserves Act.
3	DEVELOP A BYLAW	<ol style="list-style-type: none"> 9. Subject to completing the policy work above, develop a freedom camping bylaw primarily to restrict camping in streets and certified self-contained freedom camping vehicles on council land (not held under the Reserves Act) and Waka Kotahi land experiencing the impacts of freedom camping.

4	IMPROVE INFRASTRUCTURE	<p>10. Review the level of service provided at designated camping areas and develop plans for their improvement where possible.</p> <p>11. Review frequency of site servicing particularly litter bin and toilet servicing.</p> <p>12. Review the design and location of signage related to freedom camping both in areas where camping is permitted and where it is prohibited or restricted.</p>
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OUR CAMPING EXPERIENCES

Campsite	Facility Management	Facilities	Availability and Use	Type
Te Ahiaua Reserve - Waiōtahe (Pipi Beds)	Ōpōtiki District Council	Public Toilet Space for up to six campervans and caravans	Open year round Max stay three consecutive nights	Self- Contained, Non-self- contained campervans and caravans, and tents
Hukuwai Reserve – Hukuwai Beach	Ōpōtiki District Council	Public Toilet Space for up to six campervans and caravans	Open year round Max stay three consecutive nights	Self- Contained, Non-self- contained campervans and caravans, and tents
Hoani Waititi Reserve, Ōmaio	Ōpōtiki District Council	Space for up more than twenty campervans and caravans	Open year round Max stay thirteen consecutive nights	Self- Contained, Non-self- contained campervans and caravans, and tents
Te Kaha Reserve, Maraetai Bay	Ōpōtiki District Council	Public Toilet	Open year round	Self- Contained, Non-self- contained campervans and caravans, and tents

		Space for up to six campervans and caravans	Max stay three consecutive nights	
Boulders	Department of Conservation	16 non-powered/tent sites BBQ Public toilets Water from stream	Open year round Free	Self- Contained, Non-self-contained campervans and caravans, and tents
Whitikau Forks	Department of Conservation	16 non-powered/tent sites BBQ Public toilets Water from stream	Open year round Free	Self- Contained, Non-self-contained campervans and caravans, and tents
Manganuku	Department of Conservation	20 non-powered/tent sites BBQ Public toilets Water from stream	Open year round \$6 Adults \$3 Children 5-17years old	Self- Contained, Non-self-contained campervans and caravans, and tents
Ōhiwa Beach Caravan Park	Commercial Campground			
Island View Holiday Park	Commercial Campground			
Ōpōtiki Holiday Park	Commercial Campground			

Tirohanga Beach Holiday Park	Commercial Campground	
Ōpape Motor Camp	Commercial Campground	
Hāwai Bay Motor Camp	Commercial Campground	
Te Kaha Holiday Park	Commercial Campground	
Maraehako Camping Ground	Commercial Campground	
Waihau Bay Holiday Park	Commercial Campground	