



# NOTICE OF AN ORDINARY COUNCIL MEETING

**Ōpōtiki District Council Chambers, 108 St John Street, Ōpōtiki**  
**Tuesday, 19 March 2024**  
**Commencing at 10.00am**

## ORDER PAPER

**OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – COUNCILLOR BROOKS**

**APOLOGIES**

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

**PUBLIC FORUM**

*Carol Quirk – Library and isite*

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**PUBLIC EXCLUDED BUSINESS**

<b>ITEM 20</b>	<b>CONFIRMATION OF IN-COMMITTEE MINUTES – ORDINARY COUNCIL MEETING 7 FEBRUARY 2024</b>	
<b>ITEM 21</b>	<b>IN-COMMITTEE MINUTES – RISK AND ASSURANCE COMMITTEE MEETING MINUTES 11 DECEMBER 2023</b>	
<b>ITEM 22</b>	<b>NOTES FROM COUNCIL WORKSHOPS</b>	
<b>ITEM 23</b>	<b>RESOLUTION TO RESTATE RESOLUTIONS AND READMIT THE PUBLIC</b>	

**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, WEDNESDAY, 7 FEBRUARY 2024 IN THE  
ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM**

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PRESENT:

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

IN ATTENDANCE:

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

MEDIA:

Diane McCarthy (Local Democracy Reporter, The Beacon)  
Mike Fletcher (Correspondent)

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Deputy Mayor Browne opened the meeting with an inspirational reading.

**APOLOGIES**

Councillor Kemara

*It was noted that Councillor Kemara may join the meeting via Zoom if he is able to.*

**RESOLVED**

**(1) That the apology be sustained.**

HWTM/Browne

**Carried**

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

Councillor Nelson declared an interest in Item 19 (Waiotaha Drifts Subdivision – Vehicle Access) and asked if he could be part of the discussion. His Worship the Mayor was happy for Councillor Nelson to take part in the discussion.

*Councillor Kemara joined the meeting at 10.06am via Zoom.*

*The Executive Support Officer entered the meeting at 10.08am.*

*The Reserves Manager entered the meeting at 10.09am.*

## **PUBLIC FORUM**

*Linda Conning (Forest and Bird) – Vehicle Access to Beaches, in particular at Ohiwa*

Linda Conning tabled a paper which she read from. The paper focused on:

- The ecology of Ohiwa
- Management of the area
- Conflict of use
- The issue – being the implementation and enforcement of the rules and bylaws
- Possible solutions
- Cost
- Conclusion
  - The Council has a responsibility to follow through on its rules and bylaws and enforce them. The Council's role is one of leadership, and Forest and Bird implores you to step up into that role – only you can do it.

*Sharon Oxley and Ross Palmer – Waiotaha Drifts Subdivision: Vehicle Access*

Sharon Oxley read a statement signed off on behalf of around 15 residents who endorsed it:

*"We are writing to express our support for the ODC staff's recommendation that Council adopt Option 2 regarding quad bike use in the Waiotaha Drifts and Dunes subdivision. In their report to Council, staff have rightly pointed out the many regulatory and consenting hurdles that would need to be overcome to provide legal access for quad bikes from the subdivision to the beach.*

*Option 1 contemplates spending possibly hundreds of thousands of taxpayer dollars to attempt to undo the work of prior Council members, who themselves spent tax dollars to ensure a liveable community for everyone. To pursue this option in order to accommodate a small vocal minority of residents, flies in the face of good governance particularly given the high cost and low likelihood of success."*

Ross Palmer made some personal comments acknowledging that the situation is gutting. It has divided the Drifts community when that did not need to happen. People could have been told what the rules are and always have been since the consent for the subdivision was given. Ross Palmer said he understood that people had an expectation they could use their quad bikes etc. they did not do their homework like I did, adding that he bought next to a pedestrian walkway. Personal interest is getting in the way of enforcement and Councillors would prefer it be ignored so they themselves can use quad bikes. The messaging from some elected members is that they are condoning a clear violation of the law.

His Worship the Mayor allowed two further people the opportunity to speak in the Public Forum on the Waiotaha Drifts vehicle access topic.

*Graeme Thomson*

Graeme Thomson stated he has returned to Ōpōtiki after a 50-year absence. He is disappointed that an activity which seems to create a good atmosphere for people who use it is being questioned as wrong. It was the spirit of intention from the original developer, who went to the beach every day on his quad bike. For 15 years the status quo was access for vehicles to the beach. Yes, there were some issues but it allowed people to go down to fish and partake in good, clean, healthy family activities. There might be one or two in anything we do where people get carried away, but most putter down to the beach. Allowing the community down on to the beach with quad bikes is absolutely in line with the health aspect, and I have used by quad bike and my boat when people need rescuing, getting down to the beach through the walkway. The walkway would be the length of the Council chambers and quad bike users stop and wait for people who are walking; there is no danger of people getting hurt.

With regard to the environmental effect, surely Option 2 would have been signed off in the policy. All we are asking is to have access on to the boardwalk to the high tide mark. It is impractical to drive a bike on the driftwood and affect bird nests etc.

Graeme Thomson concluded by saying that he did not think the problem is as big as some people make out. A small minority of people have turned this into something bigger than Ben Hur. We need to consider all people, along with the elderly and disabled and keep a happy place.

*Mike Gallagher*

Mike Gallagher said a big part of why he purchased a property at the Drifts was to bring his children to a coastal environment, teach them to ride a quad bike and enjoy the beach. He believed a code of ethics

should be developed and consulted on which would be fair to everyone. It would probably not be a high cost for Council to go through that process.

*His Worship the Mayor advised that Item 19 (Waiotaha Drifts Subdivision – Vehicle Access) will be brought forward and considered now. (Refer page of these minutes).*

*Sharon Oxley, Ross Palmer, Graeme Thomson, Mike Gallagher and other members of the public left the meeting at 10.37am.*

*The Executive Support Officer and the Reserves Manager left the meeting at 10.38am.*

**1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 5 DECEMBER 2023 p4**

**RESOLVED**

- (1) That the minutes of the Ordinary Council meeting held on 5 December 2023 be confirmed as a true and correct record.**

HWTM/Howe

**Carried**

**2. CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 11 DECEMBER 2023 p21**

**RESOLVED**

- (1) That minutes of the Extra Ordinary Council Meeting held on 11 December 2023 be confirmed as a true and correct record.**

HWTM/Nelson

**Carried**

**3. CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 21 DECEMBER 2023 p25**

**RESOLVED**

- (1) That the minutes of the Extra Ordinary Council Meeting held on 21 December 2023 be confirmed as a true and correct record.**

Browne/Nelson

**Carried**

4. **MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 21 AUGUST 2023** p27  
2023

**RESOLVED**

- (1) **That the minutes of the Risk and Assurance Committee meeting held on 21 August 2023, and any recommendations therein, be received.**

Brooks/HWTM

**Carried**

5. **MINUTES – COAST COMMUNITY BOARD MEETING 31 OCTOBER 2023** p35

**RESOLVED**

- (1) **That the minutes of the Coast Community Board meeting held on 31 October 2023, and any recommendations therein, be received.**

Kemara/HWTM

**Carried**

6. **MINUTES – STRATEGY PLANNING AND REGULATORY COMMITTEE MEETING 15 MAY 2023** p38

**RESOLVED**

- (1) **That the minutes of the Strategy Planning and Regulatory Committee meeting held on 15 May 2023, and any recommendations therein, be received.**

HWTM/Nelson

**Carried**

7. **MINUTES – PERFORMANCE AND DELIVERY COMMITTEE MEETING 25 SEPTEMBER 2023** p42

**RESOLVED**

- (1) **That the minutes of the Performance and Delivery Committee Meeting held on 25 September 2023, and any recommendations therein, be received.**

Brooks/Nelson

**Carried**

*Councillor Howe left the meeting at 10.42am and returned at 10.45am.*

*The Executive Support Officer rejoined the meeting at 10.43am.*

8. **DRAFT MINUTES – COAST COMMUNITY BOARD MEETING 12 DECEMBER 2023** p45

Councillor Kemara extended thanks to staff for providing draft Coast Community Board minutes to Council.



**RESOLVED**

- (1) That the draft minutes of the Coast Community Board meeting held on 12 December 2023, and any recommendations therein, be received.

Kemara/HWTM

Carried

9. DRAFT MINUTES – CHIEF EXECUTIVE’S PERFORMANCE COMMITTEE MEETING 18 DECEMBER 2023 p49

**RESOLVED**

- (1) That the draft minutes of the Chief Executive’s Performance Committee meeting held on 18 December 2023, and any recommendations therein, be received.

HWTM/Nelson

Carried

10. MINUTES – CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE MEETING 15 DECEMBER 2023 p52

**RESOLVED**

- (1) That the minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 15 December 2023 be received.

Browne/HWTM

Carried

11. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 15 DECEMBER 2023 p63

**RESOLVED**

- (1) That minutes of the Regional Transport Committee meeting held on 15 December 2023 be received.

HWTM/Browne

Carried

12. MAYORAL REPORT 25 NOVEMBER 2023-26 JANUARY 2024 p69

Highlights noted by His Worship the Mayor from the report were:

- Interviews to promote the Ōpōtiki district – feedback was received from quite a number of people who listen to the radio
- The Lantern Festival

His Worship the Mayor extended thanks to Councillor Kemara for his assistance with an issue which arose at the Lantern Festival and Councillor Howe for assisting in relation to the venue.

**RESOLVED**

**(1) That the report titled "Mayoral Report 25 November 2023-26 January 2024" be received.**

HWTM/Browne

**Carried**

**13. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE**

**p74**

Councillor Howe, as Chair of OMAG, alluded to two items not mentioned in the report:

*Coastguard Boat Ramp*

The majority of OMAG members think it is inappropriate and against what the community needs. Another boat ramp is required and Coastguard would not have an access problem if there were two.

*Vehicular Access to the Western Groyne*

Hundreds of people use this area as a kai moana gathering place and allowing vehicular access would be detrimental to our people.

The Chief Executive Officer advised that vehicular access to the western groyne has been taken on board by the Harbour Steering Group for further investigation.

**RESOLVED**

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

HWTM/Howe

**Carried**

*Councillor Brooks left the meeting at 10.58am.*

**14. LONG TERM PLAN 2024-2034 UPDATE**

**p81**

**RESOLVED**

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

HWTM/Nelson

**Carried**

**15. ENDORSEMENT OF DIRECTION FOR DRAFT BUDGET FOR LONG TERM PLAN 2024-2034**

**p85**

Points made in the discussion:

- Do not like the idea of comparing Ōpōtiki to other councils
- We have a deprived community and asking them to pay more does not go down well
- All for squeezing the belt a bit tighter than what we are already proposing to
- A good result to get the percentage down from 34% to 10.5%-13%; ratepayers would appreciate it if it could be squeezed down a bit lower as times are tough
- If you find 1% or 2% savings please let us know
- When tightening the belt in business, it is about doing it differently and smarter.

**RESOLVED**

- (1) That the report titled "Endorsement of Direction for Draft Budget for Long Term Plan 2024-2034" be received.**
- (2) That Council endorses the direction for the draft budget for the Long Term Plan 2024-2034.**
- (3) That Council directs the Chief Executive to create the final draft of the budget based on the direction received for the Long Term Plan 2024-2034.**

HWTM/Petersen

**Carried**

*Kent Duston entered the meeting at 11.03am.*

**16. DEFERRAL OF ADOPTION OF LONG TERM PLAN 2024-2034**

**p96**

His Worship the Mayor moved that the report be received. This was seconded by Councillor Nelson.

**RESOLVED**

- (1) That the report titled "Deferral of Adoption of Long Term Plan 2024-2034" be received.**

HWTM/Nelson

**Carried**

Recommendation 2:

Council agreed to Option 2b. (Defer the adoption of the Long Term Plan 2024-2034 to 30 September 2024).

Recommendation 3:

Council agreed to Option 3a. (Have an audited Consultation Document).

Recommendation 4:

Council agreed to Option 4b. (Defer the adoption of the Annual Report 2023-2024 to a date no later than 31 December 2024).

The substantive motion was PUT and CARRIED

**RESOLVED**

- (1) That the report titled "Deferral of Adoption of Long Term Plan 2024-2034" be received.**
- (2) That Council directs the Chief Executive to defer the adoption of the Long Term Plan 2024-2034 to 30 September 2024.**
- (3) That Council directs the Chief Executive to have an audited Consultation Document.**
- (4) That Council directs the Chief Executive to defer the adoption of the Annual Report 2023-2024 to a date no later than 31 December 2024.**

HWTM/Browne

**Carried**

**17. RISKPOOL CALL**

**p106**

**RESOLVED**

- (1) That the report titled "Riskpool Call" be received.**
- (2) That Council authorises the unbudgeted expenditure of \$35,223.00.**

HWTM/Nelson

**Carried**

*The Executive Support Officer left the meeting at 11.26am and returned at 11.29am.*

**18. CONSIDERATION OF ADDITIONAL BOAT RAMP AND JETTY FOR THE RESOURCE CONSENT APPLICATION FOR JETTY EXTENSION AND RELOCATION OF THE CHILDREN'S PLAY EQUIPMENT** **p111**

From a discussion it was agreed that clause 2 of the recommendations be amended to read:

*That Council agrees to proceed with the resource consent applications for the extension to the existing jetty and relocation of the children's play equipment and the new boat ramp and jetty to the south west side of the Coastguard building.*

It was further agreed that two new clauses, being clauses 3 and 4, be added to the recommendations as follows:

- *That Council agrees to a further allocation of up to \$190,000 to fund the Resource Consent applications to be taken from the existing wharf budget as outlined in the Long Term Plan.*

- *That the cost of the boat ramp and jetty be estimated and form part of the next Long Term Plan.*

The mover and seconder agreed to the amendments and additions to the recommendations.

**RESOLVED**

- (1) That the report titled “Consideration of Additional Boat Ramp and Jetty for the Resource Consent Application for Jetty Extension and Relocation of the Children’s Play Equipment” be received.**
- (2) That Council agrees to proceed with the resource consent applications for the extension to the existing jetty and relocation of the children’s play equipment and the new boat ramp and jetty to the south west side of the Coastguard building.**
- (3) That Council agrees to a further allocation of up to \$190,000 to fund the Resource Consent applications to be taken from the existing wharf budget as outlined in the Long Term Plan.**
- (4) That the cost of the boat ramp and jetty be estimated and form part of the next Long Term Plan.**

HWTM/Petersen

**Carried**

*Kent Duston left the meeting at 11.40am.*

*The Group Manager Community Services and Development left the meeting at 11.42am and returned at 11.44am.*

*The Group Manager Engineering and Services left the meeting at 11.46am and returned at 12.03am.*

*Item 19 was considered earlier in the meeting, following the Public Forum.*

**19. WAIOTAHE DRIFTS SUBDIVISION –VEHICLE ACCESS**

**p119**

The Group Manager Planning and Regulatory noted a correction at the end of the letter appended to the report. The reference to Appleton Road, should be ‘totem poles’.

Following a discussion it was agreed that having a public meeting was the best course of action.

His Worship the Mayor moved an amendment to the recommendations that clauses and 2 and 3 of the recommendations be replaced with a new clause 2.

Moved: HWTM

Seconded: Browne

That the item Waiotahe Drifts Subdivision – Vehicle Access be left on the table and Council arrange a community meeting.

The motion was PUT and CARRIED.

**RESOLVED**

- (2) That the item Waioatahe Drifts Subdivision – Vehicle Access be left on the table and Council arrange a community meeting.**

HWTM/Browne

**Carried**

Abstained: Nelson

The substantive motion was PUT and CARRIED

**RESOLVED**

- (1) That the report titled “Waioatahe Drifts Subdivision – Vehicle Access” be received.**

- (2) That the item Waioatahe Drifts Subdivision – Vehicle Access be left on the table**

Browne/HWTM

**Carried**

*Deputy Mayor Browne left the meeting at 12.09pm and returned at 12.13pm.*

**20. CHIEF EXECUTIVE OFFICER’S UPDATE**

**p139**

The Chief Executive Officer highlighted the following from the report:

- Blessing of the waharoa at the Skate Park.
- Discussion with LGNZ regarding the Mayors Taskforce For Jobs programme.

**RESOLVED**

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

HWTM/Petersen

**Carried**

*Diane McCarthy left the meeting at 12,12pm.*

*The meeting adjourned for lunch at 12.13pm and reconvened at 12.43pm. Mike Fletcher did not rejoin the meeting at this time.*

**21. RESOLUTION TO EXCLUDE THE PUBLIC**

**p145**

**SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987**

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

- 22. Confirmation of In-Committee Minutes – Ordinary Council Meeting 5 December 2023.**

23. **In-Committee Minutes – Risk and Assurance Committee Meeting 21 June 2023.**
  24. **Draft In-Committee Minutes – Chief Executive’s Performance Committee Meeting 18 December 2023.**
  25. **Harbour Operating Model.**
  26. **Chief Executive’s 12 Month Performance Review – January 2023-December 2023.**
  27. **Notes From Council Workshops.**
2. **THAT the following person be permitted to remain at this meeting after the public has been excluded because of their knowledge of the subject item in relation to the following. This knowledge will be of assistance and is relevant to the matters to be discussed:**

**Name: Kent Duston**

**Item: 25 – Harbour Operating Model**

**Business: To provide Council with detailed information and updates in relation to Item 25 relevant to the Ōpōtiki Harbour Development Project (Harbour Operating Model)**

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

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

**Name: Miles McConway**

**Item: 26 – Chief Executive’s 12 Month Performance Review – January 2023-December 2023.**

**Business: To provide Council with guidance and/or advice on process, if sought by Council, in relation to Item 26 relevant to the Chief Executive Officer’s 12 Month performance review.**

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

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

<b>Item No</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
22.	<b>Confirmation of In-Committee Minutes – Ordinary Council Meeting 5 December 2023.</b>	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)
23.	<b>In-Committee Minutes – Risk and Assurance Committee Meeting 21 August 2023.</b>	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)
24.	<b>Draft In-Committee Minutes – Chief Executive’s Performance Committee Meeting 18 December 2023.</b>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
25.	<b>Harbour Operating Model.</b>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
26.	<b>Chief Executive Officer’s 12 Month Performance Review – January 2023- December 2023.</b>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
27.	<b>Notes From Council Workshops</b>	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:**

22.	Protect the privacy of natural persons Protect information  Protection from improper pressure or harassment	Section 7(2)(a) Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii) Section 7(2)(f)(ii)
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	Prevent disclosure or use of official information Carry out negotiations Maintain legal professional privilege Carry out commercial activities	Section 7(2)(j) Section 7(2)(i) Section 7(2)(g) Section 7(2)(h)
23.	Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h)
24.	Protect the privacy of natural persons Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(j)
25.	Protect information (commercial sensitivity)	Section 7(2)(b)(ii)
26.	Protect the privacy of natural persons Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(j)
27.	Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(f)(ii) Section 7(2)(j)

Nelson/HWTM

**Carried**

**RESOLVED**

- (1) That the resolutions made while the public was excluded be confirmed in open meeting, except for clauses 2, 3 and 4 of CEO item.**
- (2) That the public be readmitted to the meeting.**

Nelson/HWTM

**Carried**

**RESOLVED**

- (1) That the in-committee minutes of the Ordinary Council meeting held on 5 December 2023 be confirmed as a true and correct record.**

HWTM/Petersen

**Carried**

**RESOLVED**

- (1) That the report in-committee minutes of the Risk and Assurance Committee meeting held on 21 August 2023, and any recommendations therein, be received.**

HWTM/Petersen

**Carried**

**RESOLVED**

- (1) That the draft in-committee minutes of the Chief Executive's Performance Committee held on 18 December 2023, and any recommendations therein, be received.**

Browne/HWTM

**Carried**

**RESOLVED**

- (1) That the report titled "Harbour Operating Model" be received.**
- (2) That Council endorse Option 1 and direct staff to negotiate with the Ministry of Business, Innovation and Employment to defer the commencement date of Operations and Maintenance of the harbour.**
- (3) That Council endorses Option 2 as a fallback position to Option 1, allowing staff to prepare the Long Term Plan utilising available funding sources.**
- (4) That Council supports utilising an independent to negotiate harbour usage fees with WMOL.**

HWTM/Browne

**Carried**

**RESOLVED**

- (1) That the report titled "Chief Executive's 12 Month Performance Review – January 2023-December 2023" be received.**

HWTM/Browne

**Carried**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 2.13PM.**

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A  
TRUE AND CORRECT RECORD AT A SUBSEQUENT  
MEETING OF THE COUNCIL HELD ON 19 MARCH 2024**

**D G T MOORE**

**HIS WORSHIP THE MAYOR**



**MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL RISK AND ASSURANCE COMMITTEE MEETING HELD ON MONDAY, 11 DECEMBER 2023, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM**

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**PRESENT:**

Philip Jones (Chairperson)  
Mayor David Moore  
Councillor Tom Brooks  
Councillor Steve Nelson  
Councillor Dean Petersen

Deputy Mayor Shona Browne  
Councillor Barry Howe  
Councillor Maxie Kemara

**IN ATTENDANCE:**

Stace Lewer (Chief Executive Officer)  
Peter Bridgwater (Group Manager Finance and Corporate Services)  
Anna Hayward (Group Manager Community Services and Development)  
Nathan Hughes (Group Manager Engineering and Services)  
Carol Mio (Manager People and Culture)  
Billy Kingi (Financial Controllor), via Zoom  
Katherine Hall (Strategic Development Manager)  
Madeline Kaa (Strategic Policy Analyst)  
Gae Finlay (Executive Assistant and Governance Support Officer)

**GUESTS:**

Kent Duston, via Zoom  
Ian Dickson, via Zoom  
David Walker (Audit New Zealand), via Zoom  
Aaron Huggins (Bay of Plenty Regional Council), via Zoom

**MEDIA:**

Mike Fletcher (Correspondent)

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The Chairperson opened the meeting.

**APOLOGIES**

Nil.

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

Nil.

### **1. MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 21 AUGUST 2023** **p5**

#### **RESOLVED**

- (1) That the minutes of the Risk and Assurance Committee meeting held on 21 August 2023 be confirmed as a true and correct record.**

Brooks/Petersen

**Carried**

### **2. RISK AND ASSURANCE ACTION SHEET** **p13**

The Group Manager Finance and Corporate Services highlighted updates from the Action Sheet:

- LTP
- Financial Strategy
- Project and Contract Management Framework
- Internal Audit (Item 6 on today's agenda)

The Chairperson asked for two columns to be added to the Action Sheet: Original Date and Priority.

#### **RESOLVED**

- (1) That the Risk and Assurance Action Sheet be received.**

Jones/Nelson

**Carried**

### **3. QUARTERLY REPORT TO 30 SEPTEMBER 2023** **p14**

The Financial Controllor noted the drawdown of additional loan monies. The amount of external debt is \$11.5m.

In response to a query from the Chairperson around capital expenditure, the Chief Executive Officer stated that elected members have guided what Council can deliver going into the Long Term Plan. Recruitment in that space has been difficult and it is highly unlikely that the capital works programme will be fully delivered this year with the resources available.

The Group Manager Engineering and Services alluded to a \$22m work programme, with Year 2 being over \$30m. reporting to the Performance and Delivery Committee has us looking at round the 50% mark. It is a large work programme with a number of challenges on us to deliver.

The Group Manager Finance and Corporate Services added that most of the projects are funded through external debt and the impact on levels of service will be substantial.

## **RESOLVED**

**(1) That the report titled "Quarterly Report to 30 September 2023" be received.**

Petersen/Brooks

**Carried**

## **4. LONG TERM PLAN 2024-2034 – UPDATE**

**p23**

The Heat Map was tabled.

It was noted that the workshop scheduled for 29 January 2024 will now be held on 30 January 2024 due to a Public Holiday.

Points discussed:

- Council activities including Finance and Corporate Services, a departure from what has been done previously.
- Procurement set out as a separate activity as it was in line with some of the priorities established to drive community outcomes; performance measures can be set against those.
- A number of measures require community satisfaction surveys; roading is a challenge – it is a system currently used to contribute to recording Council's performance.

David Walker stated that a Long Term Plan is community focussed on outcomes. Internal measures do not necessarily fit that mould. If there is comfort that some of the internal measures are providing outcomes then it is supported. There does not appear to be reference to Council taking any action around climate change, noting that there is legislation around climate change. There is a feeling that if a Council does not have any form of measure it raises the question as to whether there is an adequate, complete performance framework. David Walker suggested looking at what the DIA's current status is so that when you apply that to your measure you have the measure to report on.

It was agreed to delete clause 5 of the recommendations as feedback has been provided in the discussion.

## **RESOLVED**

- (1) That the report titled "Long Term Plan 2024-34 – Update" be received.**
- (2) That the Committee receives Appendix 1: Risk Register.**
- (3) That the Committee receives Appendix 2: Strategic Direction and Community Priorities.**
- (4) That the Committee receives Appendix 3: Draft Activity Structure and Performance Framework.**

Jones/Petersen

**Carried**

## **5. AUDIT NEW ZEALAND – REPORT TO COUNCIL ON AUDIT FOR THE YEAR ENDED 30 JUNE 2023 p71**

David Walker (Audit New Zealand) apologised that he was not able to attend the adoption meeting. He thanked the Group Manager Finance and Corporate Services, the Financial Controllor and the finance team for the massive effort put into the audit. He then highlighted the following points from the report:

- The uncertainty around Three Waters.
- Additional areas of audit focus.
- Adoption of PBE FRS 48: *Service Performance Reporting* and the recommendations for future audits.
- Cost of service statement standard.
- Survey measures – the three bullet points noted in the report are the key points.
- Setting of Te Kaha water rate – difference of 2 cents between the rates resolved by Council and the rating FIS.
- It is not the 2 cents that is the problem, it is that if there was a challenge and it was taken to Court then the Court invalidates the rate.

The Chairperson referred to a Court case of appeal which validated rates. He stated that if David Walker wished to discuss the issue, it needs to be done in Public Excluded, adding that what was said is highly emotive. Further, he queried if Audit had taken legal advice.

It was agreed that David Walker be added to the Resolution to Exclude the Public for the matter to be discussed in that forum.

## **RESOLVED**

- (1) That the Audit New Zealand – Report to Council on Audit for the Year Ended 30 June 2023 be received.**

HWTM/Nelson

**Carried**

## **6. INTERNAL ASSURANCE PROGRAMME**

**p100**

Aaron Huggins gave an overview of the work undertaken on the internal audit review.

The Group Manager Finance and Corporate Services noted that the Action Sheet item informed the discussions with Aaron Huggins and Steven Slack. It is expected that reporting will go through the Executive Leadership Team then to the Risk and Assurance Committee.

The Chief Executive Officer acknowledged that this is a new programme and shows that we are introducing improvement processes. He extended thanks to the Bay of Plenty Regional Council for assisting in the process. The second phase will be creating a list of opportunities as to how the process can be implemented.

Responding to a query, the Group Manager Finance and Corporate Services advised that the work can be undertaken with Council's current capacity but the recommendations that result may come at a cost.

The Chairperson stated that the outcome is around adding value to Council processes and reducing risk.

## **RECEIVED**

- (1) That the Internal Assurance Programme report be received.**

Jones/Brooks

**Carried**

*Councillor Nelson left the meeting at 11.00am and returned at 11.05am.*

## **7. DRAFT POLICY REVIEW CYCLE**

**p105**

The Chairperson referred to Council's process and if it is effective use of Council and staff time. Draft policies go to the Risk and Assurance Committee, then to the Strategy Planning and Regulatory Committee and then to Council. The Strategy Planning and Regulatory Committee could potentially disagree with the recommendations from the Risk and Assurance Committee and water down the recommendations that go to Council.

Further, the Chairperson was of the opinion that Risk and Fraud policies should go directly to Council.

It was noted by His Worship the Mayor that the Risk and Assurance Committee can recommend direct to Council.

Councillor Brooks was of the opinion that the diagram on page 110 of the agenda was far too busy.

It was agreed that clause 4 of the recommendations be removed as the Committee has provided feedback as noted above.

#### **RESOLVED**

- (1) That the report titled "Draft Policy Review Cycle" be received.**
- (2) That the Committee receives Appendix 1: Policy Review Cycle Flowchart.**
- (3) That the Committee receives Appendix 2: Policy Review Cycle Procedure.**

Jones/HWTM

**Carried**

*The Strategic Development Manager, the Strategic Policy Analyst and Mike Fletcher left the meeting at 11.15am.*

#### **8. RESOLUTION TO EXCLUDE THE PUBLIC**

**p63**

#### **SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987**

As agreed under Item 5 (Audit New Zealand – Report to Council on Audit for the Year Ended 30 June 2023), David Walker will be added to the resolution for a discussion around rates.

- 1. THAT the public be excluded from the following parts of the proceedings of this meeting, namely:**
  - 9. Confirmation of In-Committee Minutes – Risk and Assurance Committee meeting 21 August 2023.**
  - 10. Te Ara Moana a Toi – Harbour Operating Model.**
  - 11. Information Risk and Security Review.**
  - 12. Health, Safety, Wellbeing and Human Resources Report.**
  - 13. Extra Item – Rates Discussion.**
- 2. THAT the following persons be permitted to remain at this meeting after the public has been excluded because of their knowledge of the subject item in relation to the following. This knowledge will be of assistance and is relevant to the matters to be discussed:**



**Name:** Kent Duston and Ian Dickson

**Item:** 10

**Business:** To provide the Risk and Assurance Committee with detailed information and updates in relation to Item 10 relevant to the Harbour Operating Model.

**Reason:** To enable the accurate presentation of sensitive information to the Risk and Assurance Committee and to provide responses to queries.

3. That the following person be permitted to remain at this meeting after the public has been excluded to for a discussion around rates because of the sensitive nature of the points raised in the open section of the meeting.

**Name:** David Walker

**Item:** Additional Item

**Business:** To discuss with the Risk and Assurance Committee the setting of rates and power of the Court to validate or invalidate rates.

**Reason:** To discuss sensitive information with the Risk and Assurance Committee.

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:

<b>Item No</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
9.	<b>Confirmation of In-Committee Minutes – Risk and Assurance Committee meeting 21 August 2023</b>	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)
10.	<b>Te Ara Moana a Toi – Harbour Operating Model</b>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
11.	<b>Information Risk and Security Review</b>	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)

<b>12.</b>	<b>Health, Safety, Wellbeing and Human Resources Report</b>	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)
<b>Extra Item</b>	<b>Extra Item – Rates Discussion</b>	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:**

9.	Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h)
10.	Protect information (commercial sensitivity)	Section 7(2)(b)(ii)
11.	Protect information	Section 7(2)(b)(i) & (ii)
12.	Protect the privacy of natural persons Protection from improper pressure or harassment	Section 7(2)(a) Section 7(2)(j)
Extra Item	Protect information Maintain legal professional privilege	Section 7(2)(b)(i) & (ii) Section 7(2)(g)

Petersen/Nelson

**Carried**

*The meeting adjourned at 11.19am and reconvened at 11.24am in-committee.*

## **RESOLVED**

**(1) That the resolutions made while the public was excluded, except for clauses 2-7 inclusive of Item 10 – Te Ara Moana A Toi – Harbour Operating Model, be confirmed in open meeting.**

**(2) That the public be readmitted to the meeting.**

Petersen/Nelson

**Carried**

**RESOLVED**

- (1) That the in-committee minutes of the Risk and Assurance Committee meeting held on 21 August 2023 be confirmed as a true and correct record.

Nelson/Jones

**Carried**

- (1) That the report titled "Te Ara Moana a Toi – Harbour Operating Model" be received.

HWTM/Jones

**Carried**

Abstained: Nelson; Petersen

**RESOLVED**

- (1) That the Information Risk and Security Review report be received.

Jones/Brooks

**Carried**

**RESOLVED**

- (1) That the report titled "Health, Safety, Wellbeing and Human Resources Report" be received.

Jones/HWTM

**Carried**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 12.39PM.**

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A  
TRUE AND CORRECT RECORD AT A SUBSEQUENT  
MEETING OF THE RISK AND ASSURANCE COMMITTEE  
HELD ON 26 FEBRUARY 2024**

**PHILIP JONES  
CHAIRPERSON**



**MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD HELD IN THE COUNCIL CHAMBERS,  
108 ST JOHN ST, OPŌTIKI, ON TUESDAY 27 FEBRUARY 2024, AT 10.03 AM**

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**PRESENT:**

Councillor Maxie Kemara (Chairperson)  
Jack Parata  
Linda Steel  
Allen Waenga  
Michael Collier

**IN ATTENDANCE:**

Nathan Hughes (Group Manager Engineering and Services)  
Katherine Hall (Strategic Development Manager)  
Billy Kingi (Financial Controller)  
Mercedes Neems (Executive Support Officer)

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The meeting was opened with a karakia and the Chairperson welcomed everyone present. He extended a mihi to board member Linda Steel and Ngaitai Iwi, for hosting the Mataatua Kapa Haka regionals at Te One, in Tōrere. He then congratulated all kapa (groups) that will be attending Te Matatini in 2025 and representing Mataatua waka.

**APOLOGIES**

Nil.

**DECLARATIONS OF INTEREST**

Nil.

**1. MINUTES – COAST COMMUNITY BOARD MEETING 12 DECEMBER 2023**

**p3**

It was noted that an error be amended in the minutes; Kathleen's name is Kathleen Morrison, not Morris as recorded. The Executive Support Officer will amend the records copy.

**RESOLVED**

**(1) That the minutes of the Coast Community Board meeting held on 12 December 2023 be confirmed**

**as a true and correct record.**

Kemara/Parata

**Carried**

## **2. ŌPŌTIKI WORKFORCE DEVELOPMENT UPDATE**

**p7**

*The report was taken as read.*

The Strategic Development Manager provided updates since the report was written, which included:

- The Workforce Development Co-Ordinator is now based at Pahaoa Marae one day a week.
- Two training courses have been held and delivered by the Ministry of Social Development (MSD).

With reference to a query regarding the timeframe for delivery of the driving course (delivering it in one full day as opposed to over the duration of three days), the Strategic Development Manager noted that she had been in discussions with the instructor and this is not something she is willing to explore for the service she provides.

Staff are looking at approaching NZTA directly to see how we can support gaining more testing officers and credentials in the district. The Chairperson referenced a meeting he attended in November 2022 alongside NZTA and AA services at which they were open to the idea as they understood the constraints of living remotely. He requested staff keep advocating to NZTA.

### **RESOLVED**

**(1) That the “Ōpōtiki Workforce Development Update” be received.**

Collier/Parata

**Carried**

## **3. GROUP MANAGERS’ COMBINED REPORT**

**p14**

*The report was taken as read.*

The Group Manager Engineering and Services provided a brief update on a civil defence event taking place in Te Kaha, regarding the Hikurangi M9 Fault. Scientists will be presenting on the potential threat the fault could pose to the area.

The Strategic Development Manager presented the items relating to the Long-Term Plan. Councillor Kemara also provided further commentary around the decision to defer until September 30. The Council requires more time to implement the direction received by the new Government, to encompass three waters services back into the Infrastructure Strategy for year 1-10 as opposed to years 1-3.

A discussion ensued regarding proposed level of service cuts for isite, Te Tāhuhu-o-Te-Rangi (Library) and the

reduction of hours. The Group Manager Engineering and Services then provided a summary of the development of the Long-Term Plan, clarified the level of proposed service cuts and the onflow effect the decision has on operating hours.

The decision for the final budget and levels of service will come after the formal consultation period. Councillors have heard from the community and advocated that the community cannot afford a massive rates increase, therefore the community will receive lower levels of service. The difference between the proposed 10.5% rise and 13.2% is \$400K of revenue required.

Board members suggested charging a fee for hui (meetings) being held at Te Tāhuhu-o-Te-Rangi. Board members Michael Collier and Linda Steel both utilise the services, and a charge may assist to maintain the rise in costs for the Library service. This is not something that would be out of favour with certain organisations. The Board will continue to receive updates about the Long-Term Plan as it develops.

The Executive Support Officer provided further commentary regarding the timeline for informal engagement for the Representation Review. It was suggested when staff engage that the Coast Community Board members are shown in the display material alongside the coast area they represent.

**RESOLVED**

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

Kemara/Waenga

**Carried**

**4. COAST INITIATIVES FUND UPDATE**

**p50**

The Financial Controllor provided an update on the balance of the account.

A discussion ensued regarding the pledge towards the technological mobile services van. This pledge is due to expire in August. The Board reached a consensus to instead allocate the amount pledged towards the Library service on behalf of the collective communities in the Coast Ward. Communities in the Coast Ward benefit and utilise the Library service.

It was agreed that the Financial Controllor will review the criteria of the Coast Initiatives Fund and Standing Orders, to explore the option to allocate funding towards the Library service.

Board member Allen Waenga commented on funding received by Standfast Horse Treks and noted that the Horse Sports event is due to take place in March. The Board discussed other funding avenues that may assist

Standfast Horse Treks with their programme. The Board appreciates the outcomes produced by Standfast Horse Treks and would still like to support the initiative but noted that there may be other funding opportunities to assist long term. It was agreed that the Chairperson would speak to Standfast Horse Treks with regard to funding opportunities moving forward.

**RESOLVED**

- (1) That the report titled "Coast Initiatives Fund Update" be received.**
- (2) That the action for the Financial Controllor be added to the Action Schedule, to explore the option of allocating the pledge for the mobile service towards the Library "Te Tāhuhu-o-Te-Rangi".**
- (3) That the action for the Chairperson be added to the Action Schedule, to speak with Standfast Horse Treks regarding funding opportunities moving forward.**

Kemara/Steel

**Carried**

**5. COAST INITIATIVES FUND FUNDING APPLICATION: COMPLETION REPORT  
TE WHĀNAU-Ā-APANUI KAPA HAKA**

**Verbal**

The Board appreciated the completion report for Te Whānau-Ā-Apanui kapa haka, in relation to funding received to attend Te Matatini 2023. The Chairperson will thank Tamati Waaka for the completion report. The Board noted that the two groups that attended Te Matatini 2023 from the Coast Ward were outstanding. This group took out Te Toa Whakaihuwaka, and were the overall winners for Te Matatini 2023.

**RESOLVED**

- (1) That the Coast Initiatives Fund Completion Report from "Te Whānau-Ā-Apanui" be received.**

Parata/Waenga

**Carried**

**6. COAST INITIATIVES FUND FUNDING APPLICATION: COMPLETION REPORT  
MĀORI GIRLS CHARITABLE TRUST**

**p18**

Board member Allen Waenga commended the Board for supporting this kaupapa. Māori Girls Charitable Trust has persevered and returned to the Board on many occasions. The applicants would have appreciated the funding and the Board appreciated receiving the report and hearing the details of the project and the outcomes for the wānanga.

**RESOLVED**

- (1) That the funding application from Māori Girls Charitable Trust be received.**

Waenga/Collier

**Carried**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11:15AM**

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A  
TRUE AND CORRECT RECORD AT A SUBSEQUENT  
MEETING OF THE COAST COMMUNITY BOARD HELD ON  
TUESDAY, 9 APRIL 2024.**

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**MAXIE KEMARA  
CHAIRPERSON  
COAST COMMUNITY BOARD**





**MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL STRATEGY, PLANNING AND REGULATORY COMMITTEE MEETING HELD ON MONDAY, 30 OCTOBER 2023, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 09.00AM**

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PRESENT: Councillor Steve Nelson (Chairperson)  
His Worship the Mayor David Moore  
Deputy Mayor Shona Browne  
Councillor Tom Brooks

Councillor Barry Howe

IN ATTENDANCE: Stace Lewer (Chief Executive Officer)  
Anna Hayward (Group Manager Community Services and Development)  
Madeline Kaa (Strategic Policy Analyst)  
Mercedes Neems (Executive Support Officer)

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The Chairperson welcomed everyone to the meeting.

**APOLOGY**

Nil.

Apologies were noted from Councillor Petersen.

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

Nil.

**1. MINUTES – STRATEGY, PLANING AND REGULATORY MEETING 15 MAY 2023** **p5**

**RESOLVED**

**(1) That the minutes of the Strategy, Planning and Regulatory Committee meeting held of the 15 of May be confirmed as a true and correct record.**

Browne/HWTM

**Carried**

## **2. RETIREMENT OF MULTIPLE POLICIES**

**p5**

The Strategic Policy Analyst spoke to the report.

She highlighted the recommendation from Audit NZ and the need for a policy review cycle. Councillor Brooks suggested simplifying policies to remove the complexity of each policy.

The mover and the seconder agreed to amend the resolution.

### **RESOLVED**

**(1) That the report titled "Retirement of Multiple Policies" be received.**

**(2) That the Strategy, Planning and Regulatory Committee recommend to Council the retirement of nine policies including, Board Venue Policy, Interceptor Trap Policy, Investment Policy, Pohutukawa Project Policy, Public toilets: Waihou Bay Policy, Review of Policy, Signage – Use of Sandwich Board Policy, Street Naming Policy, Youth policy, as identified in Appendix 1.**

HWTM/Brooks

**Carried**

The meeting closed at 9.19am.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A TRUE AND CORRECT RECORD AT A SUBSEQUENT MEETING OF THE STRATEGY AND PLANNING COMMITTEE HELD ON 19 FEBRUARY 2024.**

**STEVE NELSON  
CHAIRPERSON**



**MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL PERFORMANCE AND DELIVERY COMMITTEE MEETING HELD ON MONDAY 6 NOVEMBER 2023, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 09.02AM**

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

Deputy Mayor Shona Browne

IN ATTENDANCE: Stace Lewer (Chief Executive Officer)  
Nathan Hughes (Group Manager Engineering Services)  
Anna Hayward (Group Manager Community Services Development)  
Tina Gedson (Operations and Office Manager)  
Katherine Hall (Strategic Development Manager)  
Maia Calcott (Workforce Development Co-Ordinator)  
Mercedes Neems (Executive Support Officer)

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A warm welcome was extended by the Chairperson.

**APOLOGIES**

It was noted that Councillor Steve Nelson would be late.

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

Nil.

**1. MINUTES – PERFORMANCE AND DELIVERY MEETING 25 SEPTEMBER 2023**

**p5**

**RESOLVED**

- (1) That the minutes of the Performance and Delivery meeting held on the 25 September 2023 be confirmed as a true and correct record subject to these amendments.**

HWTM/Petersen

**Carried**

Councillor Steve Nelson arrived at 09.06am.

## **2. ŌPŌTIKI WORKFORCE DEVELOPMENT UPDATE**

**p7**

*This report was taken as read.*

The Chairperson suggested contacting Blue Light in terms of licensing and support with procuring a vehicle for Eastern Bay REAP to assist with the driver mentoring program.

### **RESOLVED**

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

Petersen/Nelson

**Carried**

*The Strategic Development Manager and Workforce Development Co-Ordinator left the meeting at 09.28am.*

## **3. PROPERTY ADVISORY GROUP QUATERLY UPDATE**

**21**

The Chairperson queried whether there is interest in the properties that are yet to be sold. Officers in attendance noted that they had only just gone to market.

Councillor Petersen queried The Grandstand. The Chief Executive Officer noted that a meeting has been set up with The Grandstand committee members to go through details of their proposal.

With regard to a query regarding the Aerodrome, it was noted by the Chief Executive Officer that a report will be going to full Council in due course with options regarding the Aerodrome. The leasing arrangements will be reassessed as there may be options for better financial return.

### **RESOLVED**

**(1) That the report titled "Property Advisory Group Quarterly Update be received.**

Petersen/Nelson

**Carried**

## **4. OPERATIONAL AND NON-FINANCIAL PERFORMANCE REPORT**

**26**

*The report was taken as read.*

The Group Manager for Engineering and Services spoke to the report. He highlighted key areas of the report and provided further commentary around some of the Key Progress Indicators.

With reference to a query from the Chairperson, the Group Manager Engineering and Services noted that the footpath project has been put on hold due to ongoing surveys to measure their performance and see what maintenance is required.

**RESOLVED**

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

Nelson/Petersen

**Carried**

**5. CAPITAL WORKS REPORT**

**Tabled Item**

The Group Manager for Engineering and Services spoke to the report.

Recently, Council resolved to carry over budget from year 2 to year 3 of the current Long-Term Plan. This is the first report that recognizes carryover and reflects confirmed budgets. The Group Manager Engineering and Services spoke to salient points of key projects and provided further commentary which included:

- Stormwater – King Street Culvert. More budget is required to carry out project. Need to rethink the need of the project and scope.
- Barbarant St Drain Upgrade.
- Comprehensive Discharge Resource Consent – Trying to bring all stormwater consents under one to create efficiency in managing them. 700K of budget required, only 41K has been allocated.
- WWTP Consent, Secondary Treatment Upgrade, Wastewater Treatment Plant Inlet Works, Hukutaia Growth: Option 2 Wastewater – There's a number of risks sitting against the wastewater treatment plant project. This infrastructure is critical to town. A consultant has started investigating options and has commenced a body of work to assist in working through the consent in a methodical way.

**RESOLVED**

**(1) That the report titled "Capital Works Report" be received.**

HWTM/Nelson

**Carried**

**THERE BEING NO FURTHER BUISNESS THE MEETING CLOSED AT 10:40AM**

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A  
TRUE AND CORRECT RECORD AT A SUBSEQUENT  
MEETING OF THE PERFORMANCE AND DELIVERY  
COMMITTEE HELD ON 12 FEBRUARY 2024.**

**TOM BROOKS  
CHAIRPERSON**

# Bay of Plenty Mayoral Forum

## Open Minutes

- Commencing:** Friday 2 February 2024, 1:00pm
- Venue:** Council Chambers, Regional House, 1 Elizabeth Street, Tauranga and via Zoom
- Chairperson:** Mayor Tania Tapsell – Rotorua Lakes Council
- Deputy Chairperson:** Mayor Victor Luca – Whakatāne District Council
- Members:** Chairman Doug Leeder – Bay of Plenty Regional Council  
Commission Chair Anne Tolley – Tauranga City Council  
Mayor Faylene Tunui – Kawerau District Council  
Mayor David Moore – Ōpōtiki District Council  
Mayor James Denyer – Western Bay of Plenty District Council
- In Attendance:** Staff: Stephanie O’Sullivan - Chief Executive, Whakatāne District Council; Fiona McTavish - Chief Executive, Bay of Plenty District Council; John Holyoake - Chief Executive, Western Bay of Plenty District Council; Stace Lewer - Chief Executive, Ōpōtiki District Council; Gina Rangi - Acting Chief Executive, Rotorua Lakes Council (late arrival), Tone Nerdrum Smith – Senior Advisor Governance
- Apologies:** Mayor David Trewavas – Taupō District Council; Julie Gardyne - Chief Executive, Taupō District Council; Marty Grenfell - Chief Executive, Tauranga City Council; Morgan Godfery - Chief Executive, Kawerau District Council; Gina Rangi - Acting Chief Executive, Rotorua Lakes Council (late arrival)

### 1. Opening Karakia

A karakia was provided by Mayor Tania Tapsell.

### 2. Recording Statement

Mayor Tapsell reminded those present that the open section of this meeting was being recorded and that the recording would be made available on the Bay of Plenty Regional Council website following the meeting.  
<https://www.youtube.com/watch?v=el-mYTFMQ6I>

### 3. Apologies

#### Resolved

That the Bay of Plenty Mayoral Forum:

- 1 **Accepts the apologies from Mayor David Trewavas - Taupō District Council; Julie Gardyne - Chief Executive, Taupō District Council; Marty Grenfell - Chief Executive, Tauranga City Council; Morgan Godfery - Chief Executive, Kawerau District Council, Gina Rangi - Acting Chief Executive, Rotorua Lakes Council (late arrival) tendered at the meeting.**

**Tolley/Denyer  
CARRIED**

### 4. Items not on the Agenda

The Pyrolysis of Tyres opportunity raised by Mayor Luca (refer item 9.1 of the minutes of the meeting on 24 November 2024) would be further discussed as an item not on the agenda.

### 5. Minutes

#### Minutes to be Confirmed

#### 5.1 Bay of Plenty Mayoral Forum Minutes - 24 November 2023

##### Matters Arising:

Item 6.1 - Te Whatu Ora Localities and Locality Boundary Determination: Chairman Leeder to follow up with regards to 'element of co-funding' required for the workstream as clarification regarding what this entailed was required;

Item 6.2 - Sea Cleaners Looking After Our Environment: Noted the direction for Chief Executives to co-ordinate the Sea Cleaners' submission to the respective Councils' Long Term Plans;

Item 9.1 - Pyrolysis of Tyres: To be discussed as an Item Not on the Agenda. Noted that Te Maunga Transfer Station business case was delayed until March 2024.

#### Resolved

That the Bay of Plenty Mayoral Forum:

- 1 **Confirms the Bay of Plenty Mayoral Forum Minutes - 24 November 2023 as a true and correct record.**

**Tapsell/Luca  
CARRIED**

### 6. Reports

#### Decisions Required

## 6.1 Letter to Hon Min Simeon Brown for Approval

Fiona McTavish – Chief Executive spoke to this item.

### **Key Points:**

- Noted that the draft letter had been approved by all Chief Executives and it was now being presented to the Forum for approval.

### **Key Points - Members:**

- Worked through the letter and suggested changes (refer resolution 2 below)
- Recognised the strategic and opportunity driven angle of the letter
- Queried the need/suitability of the Attachment as the level details detracted from the strategic approach of the main letter.

### **Key Points - Staff:**

- Clarified the key priorities as set out in the attachment to the report (agenda pg 20) relating to Eastern Bay, which had been raised through the Eastern Bay Leadership Group.

## Resolved

**That the Bay of Plenty Mayoral Forum:**

- 1 **Receives the report, Letter to Hon Min Simeon Brown for Approval.**
- 2 **Approves the letter as attached, inviting Minister Chris Bishop, Minister Shane Jones and Minister Simeon Brown to the Mayoral Forum meeting on 3 May 2024, with the following amendments :**
  - **Expand the invitees to include Minister Chris Bishop, Minister Shane Jones and Minister Simeon Brown**
  - **Update/replace logos for each Council as appropriate**
  - **Implement minor typographical changes**
  - **Add 'inequity' to the list of issues under 'Safe, supported and empowered Bay of Plenty residents'**
  - **Add recognition of the significant cost of 3 Waters to the communities**
  - **Add new bullet under 'Productivity in our regional economy': "Maintaining airlines and airports that meet local and tourist needs"**
  - **Remove Attachment 1.**

**Tunui/Denyer  
CARRIED**

## 7. Public Excluded Section

### Resolved

**Resolution to exclude the public**

- 1 **Excludes the public from the following parts of the proceedings of this meeting as set out below:**

**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:**

<b>Item No.</b>	<b>Subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Grounds under Section 48(1) for the passing of this resolution</b>	<b>When the item can be released into the public</b>
7.1	Workshop: Water Infrastructure/ 3 Waters Business Case Update	Withholding the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) applies, in the course of their duty; and withholding the information is necessary to not unreasonably prejudice the commercial position of the person who supplied or is the subject of the information.	48(1)(a)(i) Section 7 (2)(f)(i); and 48(1)(a)(i) Section 7 (2)(b)(ii)	To remain in public excluded.

- 2 That Vaughan Payne - Department of Internal Affairs, Sinead Hart - Department of Internal Affairs, Sarah Baddeley - Martin Jenkins be permitted to stay in the public excluded section of the meeting due to their knowledge of the matter under discussion, being Workshop on Water Infrastructure.**

**Moore/Tolley  
CARRIED**

## **8. Consideration of Items not on the Agenda**

### **8.1 Pyrolysis of Tyres**

Presented By: Mayor Luca.

**Key Points:**

- Sought clarification regarding any appetite to pursue the Pyrolysis of Tyres technology as part of the regional waste strategy
- Noted that the delivery of Te Maunga Transfer Station business case had been delayed until March 2024
- A business case for inclusion of the Pyrolysis technology would be required
- Noted that TCC was responsible for the development of the Regional Waste Strategy.

**Action Points:**

- Commissioner Tolley to compile information regarding the Regional Waste Strategy/Te Maunga Transfer Station redevelopment progress and circulate to Forum Members
- This matter to be added to the next meeting agenda.

## **9. Closing Karakia**

A karakia was provided by Mayor Tapsell.

**4.27 pm - the meeting closed.**

**CONFIRMED**

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Mayor Tania Tapsell  
Chairperson, Bay of Plenty Mayoral Forum

# Regional Transport Committee

## Open Minutes

- Commencing:** Friday 9 February 2024, 12.30 pm
- Venue:** Council Chambers, Regional House, 1 Elizabeth Street, Tauranga
- Chairperson:** Cr Lyall Thurston - Bay of Plenty Regional Council Toi Moana (BOPRC)
- Deputy Chairperson:** Cr Ken Shirley (BOPRC)
- Members:** Mayor David Moore - Ōpōtiki District Council, Deputy Mayor John Scrimgeour - Alternate, Western Bay of Plenty District Council, David Speirs - NZ Transport Agency Waka Kotahi (Waka Kotahi), Cr Andrew von Dadelszen - Alternate, BOPRC, Cr Berice Julian - Alternate, Kawerau District Council, Cr Conan O'Brien - Alternate, Rotorua Lakes Council (via Zoom), Chairman Doug Leeder - BOPRC (ex-officio), Commissioner Stephen Selwood - Alternate, Tauranga City Council (via Zoom), Mayor James Denyer - Western Bay of Plenty District Council, Mayor Victor Luca - Whakatāne District Council
- In Attendance:** External Advisors: Glen Crowther - Environmental Sustainability, Greg Pert - Freight, Stacey Spall - NZ Automobile Association, Dan Kneebone - Port of Tauranga, Inspector Logan Marsh - NZ Police Road Safety
- BOPRC: Cr Stuart Crosby (via Zoom), Cr Jane Nees, Cr Kat Macmillan, Cr Ron Scott, Mike Seabourne - Director, Public Transport, Presenters - as listed in the minutes, Amanda Namana - Committee Advisor
- Apologies:** Mayor Faylene Tunui - Kawerau District Council, Mayor Tania Tapsell - Rotorua Lakes Council, Commission Chair Anne Tolley - Tauranga City Council, Angus Hodgson - KiwiRail

### 1. Apologies

#### Resolved

#### That the Regional Transport Committee:

- 1 **Accepts the apologies from Angus Hodgson, Mayor Tunui, Commissioner Tolley and Mayor Tapsell tendered at the meeting.**

Thurston/Luca  
CARRIED

## 2. Public Forum

### 2.1 Mike Williams – State Highway 2 Western Bay of Plenty Safety

*Tabled Document 1 - Traffic volumes coming out of side roads between Katikati and Ōmōkoroa which do not have roundabouts (or proposed roundabouts): Objective ID A4600720 [⇒](#)*

*Tabled Document 2 - State Highway 2 map from Katikati showing proposed roundabout and wire rope barrier locations: Objective ID A4600723 [⇒](#)*

#### **Key Points:**

- Highlighted potential effects to residents of the wire rope safety barriers proposed by Waka Kotahi to be installed on State Highway 2 between Katikati and Ōmōkoroa, particularly intersections where no roundabouts would be present:
  - Residents unable to cross these intersections would have increased travel time to commute or visit neighbouring towns e.g. Katikati which could impact upon local businesses with people being forced to travel in a different direction to shop etc.
  - Further considerations to be made were impacts to public transport and the additional response time for emergency services to attend a serious event
  - Acknowledged the open days Waka Kotahi held during community consultation but noted that most of the submissions received were against the wire safety barriers being installed, particularly across intersections
- Suggested alternative options e.g. seagull intersections
- Considered that wire rope barriers did not enhance safety at intersections, and could create additional danger by causing road users to perform U-turns to travel in their desired direction.

#### **Key Points - Members:**

- Shared concern over wire rope barriers being carried through intersections, and the implications arising from this.

#### **In Response to Questions – Waka Kotahi:**

- One of the primary functions of wire rope barriers was to prevent right turns out of an intersection, along with preventing head on collisions
- Many alternatives had been investigated by road engineers before wire rope safety barriers were chosen as the safest option - there were trade-offs between the cost of death and serious injury and additional travel time for residents
- The Bay of Plenty region had four of the ten most dangerous state highways in the country
- Would pass comments made onto to the safety team for response (Committee Advisor to provide contact details).

## 3. Declaration of Conflicts of Interest

None declared.

## 4. Minutes

### Minutes to be Confirmed

#### 4.1 Regional Transport Committee Minutes - 15 December 2023

##### Resolved

That the Regional Transport Committee:

- 1 Confirms the Regional Transport Committee Minutes - 15 December 2023 as a true and correct record.

Moore/Luca  
CARRIED

## 5. Presentations

### 5.1 NZ Transport Agency Waka Kotahi Update

*Presentation: NZ Transport Agency Waka Kotahi Quarterly Update: Objective ID A4600823* [⇒](#)

Presented by: David Speirs - Director, Regional Relationships

#### Key Points:

- The Ministry of Transport (MoT) reviewed the Government Policy Statement on land transport (GPS) and the next draft was anticipated to be released late February/early March 2024. This would determine the funding categories available, and the priority that each of those would receive
- Electric Vehicles would now be subject to Road User Charges (RUC) from 1 April 2024, including plug-in hybrid vehicles (PHEV)
- The Setting of Speed Limits Rule was to be revoked and a new rule was being developed. A key change from this was that the requirement to develop a Speed Management Plan was now discretionary, rather than mandatory
- Outlined the maintenance and operations programme for the 2023/24 season and the revised targets, including initial dates for night time closures to State Highway 29 (February to July 2024)
- State Highway 2 Baypark to Bayfair link - all major infrastructure components were now completed
- State Highway 29 Tauriko enabling works - the construction phase was expected to commence in March 2024, beginning with Cambridge Road
- Takitimu North Link - Cambridge Road Overbridge flyover required a three month road closure and diversion
- The remaining two sections of safety improvements on State Highway 2 Wainui Road to Ōpōtiki were awaiting funding
- Completion of Phase One of State Highway 30 Eastern Corridor Improvements at Rotorua were expected to be completed mid-2024.

#### Key Points - Members:

- There had been a lack of public consultation for introduction of the electric vehicle RUC, particularly PHEVs and agreed that further consideration needed to be given over how they could be charged in the future e.g. dynamic road pricing

- Resealing operations on State Highway 2 coincided with the end of the school holidays, creating a significant travel delay (up to two hours Katikati to Tauranga)
- Expressed concern that the removal of passing lanes on State Highway 2 had not been sufficiently communicated to the public.

#### **In Response to Questions:**

- The intention had been to introduce RUC on electric vehicles once they reached two percent of New Zealand's light vehicle fleet, which had now been exceeded
- Existing Speed Management Plans that had already been certified would remain in place
- Impacts had been observed due to the price and supply challenges of bitumen
- There were significant efficiency and safety benefits to temporarily closing a portion of a road for maintenance and operations, noting that one of the biggest challenges was identifying safe and appropriate detours
- Modelling for State Highway 20 enabling works would be available once the contract was processed
- Hewletts Road sub-area upgrade was progressing and was in the consultation phase with a preliminary design.

#### **Resolved**

##### **That the Regional Transport Committee:**

- 1 Receives the Presentation, NZ Transport Agency Waka Kotahi Update.**

**Speirs/Julian  
CARRIED**

## **6. Reports**

### **6.1 Chairperson's Report**

#### **Resolved**

##### **That the Regional Transport Committee:**

- 1 Receives the report, Chairperson's Report;**
- 2 Approves the attached letter of support (Attachment 2) signed by the Chair on behalf of the RTC, to be sent to the Eastern Bay Road Safety Group.**

**Thurston/Luca  
CARRIED**

#### **Decisions Required**

### **6.2 Approval of the draft Regional Land Transport Plan 2024 and Statement of Proposal for Public Consultation**

*Presentation: Draft Regional Land Transport Plan 2024-34 and Statement of Proposal: Objective ID A4605035* [⇒](#)

*Tabled Document 3 - Draft Statement of Proposal: Objective ID A4601037* [⇒](#)

Presented by: Oliver Haycock – Manager, Transport Planning, Andrew Williams – Team Leader, Transport Planning, Niki Carling – Senior Transport Planner and Tapuwaerenga Hall – Transport Planner

### **Key Points:**

- The draft 2024-2034 Regional Land Transport Plan (RLTP) document was almost complete with feedback from members incorporated and graphics input underway
- Acknowledged that the current programme required the draft RLTP to go out for consultation in approximately two weeks' time to meet statutory obligations.

### **Key Points - Members:**

- The sense of urgency within the Executive Summary and the Statement of Proposal regarding the significance of the issues from an economic and affordability perspective should be enhanced. The size and significance of the funding issues should be addressed and made clearer, and the urgent need for alternative funding methods to bridge the gap should be added. Suggested the wording from Page 21 of the draft RLTP which showed the significance of these issues, be up front in the Executive Summary
- Questioned where the wording on Page 48 of the draft RLTP under inclusive access came from: 'opportunities to allocate national land transport funding to Māori roadways'
- Noted the incongruity between the Headline Target and sub-target for mode shift. The Headline Target was 20% for Public Transport (PT) and Active Modes, whereas the sub-target for PT was 10% - the percentage between the sub-target and the target had to be kept consistent. Otherwise, there would be a need to achieve a 27% increase per annum for PT to achieve the 20% target by 2032, which the Environmental Sustainability Advisor considered was unlikely
- Ensure that the regionwide map was updated to include the prioritisation revisions made in the workshop held directly prior to the meeting, and reflected representation across the entire region
- Thanked staff and members of the Regional Advisory Group for the work undertaken in developing the RLTP.

### **In Response to Questions:**

- Mode shift would be correlated to the level of investment and the speed of which projects were delivered to support people travelling using alternative modes.

## **Resolved**

### **That the Regional Transport Committee:**

- 1 Receives the report - Approval of the draft statement of proposal for the draft Regional Land Transport Plan 2024 - 2034 (draft RLTP 2024) and the proposed consultation approach;**
- 2 Approves the draft Regional Land Transport Plan 2024-2034 document for public consultation in accordance with the requirements of the Land Transport Management Act 2003;**
- 3 Authorises the Manager, Transport Planning, in consultation with the Chair of the RTC, to include additional text describing the regional benefits associated with top priority projects added at the workshop held immediately prior to this meeting;**

- 4 **Authorises the undertaking of a special consultative procedure, as provided for by the Local Government Act 2002, to consult on the draft Regional Land Transport Plan;**
- 5 **Approves the statement of proposal, including the consultation questions;**
- 6 **Authorises the Manager, Transport Planning, in consultation with the Chair of the RTC, to include the activity prioritisation list (as per guidance provided at the workshop held immediately prior to this meeting) and to make any necessary formatting and minor grammatical changes to the draft Regional Land Transport Plan and Statement of Proposal prior to its release to the public; and**
- 7 **Notes that Hearings and Deliberations on the draft 2024-2034 Regional Land Transport Plan will be undertaken by the full Committee.**

**Selwood/Denyer  
CARRIED**

## **7. Verbal Update Opportunities from Committee Members and Advisors**

### **Greg Pert - Freight Advisor**

- Highlighted a recent media release regarding the use of heavier and longer trucks now being required to move the same volume of freight in order to reduce emissions and congestion, as well as reduce the safety risk for other road users.

### **Stacey Spall - NZ Automobile Association (AA) Advisor**

- Outlined work underway with the AA Research Foundation producing road safety focused research for New Zealand, which was expected to be completed by June 2024 and focused on low cost safety treatments for rural intersections.

### **Dan Kneebone - Port of Tauranga Advisor**

- The Port remained committed to delivering resilient infrastructure to New Zealand and advised that an interim decision had been received on 13 December 2023 for Stage One of the Port berth extension at Sulphur Point, subject to a number of court directions. The focus over the next six months would be on compliance with these.

### **Inspector Logan Marsh - NZ Police Road Safety Advisor**

*Presentation: New Zealand Police Bay of Plenty Road Safety Update: Objective ID A4605415 [⇒](#)*

### **Key Points:**

- Provided an update over the past 12 months in the Bay of Plenty region:
  - Road deaths – There had already been five fatalities on the road this year
  - Total traffic notices by subregion had increased significantly in 2023 – over 70,000 in the past year, with notable increases in the Eastern Bay of Plenty, Taupō and Rotorua
  - Over 287,000 alcohol tests had been carried out in the region. High results were still being recorded for evidential breath tests



- Outlined NZ Police priorities and focus for 2024 including rural/state highway locations, driver impairment and distraction/inattention, adherence to speed limits
- Education – Beginning implementation of The Right Track Programme: working proactively with a focus on young people in the education space.

**Key Points - Members:**

- Raised that the most substantial issues for the Eastern Bay of Plenty were not wearing seatbelts and operating vehicles with excess breath alcohol.

**2.26 pm - the meeting closed.**

**CONFIRMED**

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Cr Lyall Thurston  
Chairperson, Regional Transport Committee

## COUNCIL REPORT

Date : 8 March 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : His Worship the Mayor, David Moore  
Subject : **MAYORAL REPORT 27 JANUARY 2024-8 MARCH 2024**  
File ID : A1211365

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## EXECUTIVE SUMMARY

- This report provides an update to Council on meetings and events attended by His Worship the Mayor for the period 27 January 2024 to 8 March 2024.

## RECOMMENDATION

- 1) **That the report titled “Mayoral Report 27 January 2024-8 March 2024” be received.**

## PURPOSE

1. To provide an update to Council on meetings and events attended by His Worship the Mayor.

## STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opōtiki District Council’s Long Term Plan 2021-2031:
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.
  - Purposeful work and learning opportunities.
  - Development supports the community.
  - Culture and history are treasured.

## **DISCUSSION**

3. Since 27 January 2024 I have attended or met with the following:

### **30 January 2024**

Council workshop

### **1 February 2024**

Mayors Taskforce For Jobs – presentation of Certificate to Jaden Andrews (Jayar Electrical)

Met with Peter Vitasovich, Chief Executive Whakatōhea Mussels (Ōpōtiki) Ltd

### **2 February 2024**

Bay of Plenty Mayoral Forum, Tauranga

### **7 February 2024**

Ordinary Council meeting

### **8 February 2024**

Councillor/CEO catch up meeting

Met with East Coast MP, Dana Kirkpatrick

### **9 February 2024**

*Tauranga*

Regional Transport Committee workshop

Regional Transport Committee meeting

### **12 February 2024**

Performance and Delivery Committee meeting

Council workshop

Meeting with Toi-EDA

**16 February 2024**

*Whakatāne*

1XX interview

Eastern Bay of Plenty Road Safety Operations Group meeting

**19 February 2024**

Strategy Planning and Regulatory Committee meeting

**20 February 2024**

Meeting with Toi-EDA

**22 February 2024**

Citizenship Ceremony

Councillor/CEO catch up meeting

**26 February 2024**

Council workshop

Risk and Assurance Committee meeting

**5 March 2024**

Water Reforms presentation from Vaughan Payne (DIA) and Sarah Baddeley (Martin Jenkins)

**6 March 2024**

Councillor/CEO catch up meeting

Council workshop

**7 March 2024**

Rural Provincial Sector meeting, via Zoom

**8 March 2024**

LGNZ Zone 2 meeting, Karapiro

*Deputy Mayor Browne attended the following on my behalf:*

**13 February 2024**

Blessing of Pakihikura, Opotiki Campus of Te Wananga o Aotearoa

**Financial/budget considerations**

- 5. There are no financial/budget considerations associated with this report.

**Risks**

- 6. There are no risks associated with this report.

**Community wellbeing considerations**

- 7. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
- 8. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
- 9. There are no known social, economic, environmental, or cultural considerations associated with this matter.

**SIGNIFICANCE AND ENGAGEMENT ASSESSMENT**

**Assessment of significance**

- 10. 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.
- 11. 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**

- 12. 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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**INFORM**

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

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13. 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.

David Moore

**HIS WORSHIP THE MAYOR**

## COUNCIL REPORT

Date : 8 March 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Councillor Barry Howe  
Subject : **OPOTIKI MARINE ADVISORY GROUP (OMAG) UPDATE**  
File ID : A1211221

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## EXECUTIVE SUMMARY

- This report updates Council on progress advanced through the 21 February 2024 meeting of the Opotiki Marine Advisory Group (OMAG).

## RECOMMENDATIONS

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

## PURPOSE

1. To inform Council on progress achieved through the Opotiki Marine Advisory Group Meetings.

## STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opotiki District Council's Long Term Plan 2021-2031.
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.
  - Purposeful work and learning opportunities.
  - Development supports the community.
  - Culture and history are treasured.

## BACKGROUND

3. The Opotiki Marine Advisory Group (OMAG) was established in 2009 as a technical advisory group to Council in support of the Opotiki 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.

4. 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**

### HARBOUR DEVELOPMENT PROJECT PROGRESS

5. Sealing top of the western breakwater. Eastern side completing the top blocks and will be filling this in over the next week. Following this the pattern raised blocks will be placed and sealed.
6. HEB monitoring any shallow areas and will put the excavator through it next week. Harbour Project Director has the recent river flow data from last September flood and since then the flow has been calm.

The results from the January coastal survey show there are no significant changes.

7. In approximately two months the Harbour will be finished, at this point HEB will be demobilizing and handing over the main construction works. HEB will then have a small crew on site dredging upriver. Planting will start on the western beach in May/June. Tiaki Taiao are doing predator control on the eastern side and currently monitoring the western side. There will be an appointed Ecologist to overview planting and dune protection, which may include artificial or physical protection and watering.
8. Harbour Project Director looking at potential options for access to the western wall. A good meeting was held with DOC, ODC and others onsite. What has become apparent in last few months is the attractive sheltered beach on the western side of the estuary, which will no doubt be a popular destination.

### HARBOUR INDUSTRIAL ZONE (OMAI) DEVELOPMENT

9. Preparing a number of reports like environmental, conservation and impact reports, in anticipation of being able to move forward, OMAI noting they had received good support from MBIE.

### COUNCIL

10. At the last Council meeting, Council approved to lodge a resource consent for extension of the jetty and relocating the play area further upriver. They also looked at lodging consent for another



boat ramp and jetty on the other side of the Coastguard building for the long term future. These are two separate consents.

## AQUACULTURE INDUSTRY DEVELOPMENTS

### *Whakatōhea Mussels*

11. Quiet time in the industry through the months of November to February, everything is just starting to turn now and coming right, starting next week with 150 tonnes. Will likely increase to 2 shifts around mid-April. Important to note this quiet period has been across the industry.
12. Farm productivity is the best it's looked in the last 2½ years, with a big crop in the water for next season. They are not currently trucking from Coromandel, the size is sitting around 80-90ml in length, not quite ready.
13. Black mussels are a problem in the Sounds, Golden Bay, Coromandel and us. They live on rocks and wharf piles and can survive in an inter-tidal scenario, they thrive in fresh water and with so much rain last year these black mussels have taken a hold. There has not been much rain lately so they are starting to die off in Coromandel and if we can have that same natural weather pattern in the next 6 weeks they will naturally die. The industry has been built on Green shell mussels not the blue shell (Black mussel).
14. Developing more lines and the company will be operating four boats.

### *Te Whānau-ā-Apanui*

15. The Spat hatchery has expanded their research team and now have five fulltime research scientists, a scientist/operations person started in January and now looking at an engineering/technical appointment on a part time basis.
16. The Spat hatchery project is in the detailed design phase and should have the final detail designs ready for consenting in weeks. Already have earth works consent and approval from NZTA for redesign state highway access.
17. The designed facility will put a significant percentage of our production into a nursery before putting in water so it's not growing 2-3ml but growing to 5ml or more. Looking at the balance and optimisation of financial model with capital and operating costs to get them to the size where there is a much better chance of survival.
18. Research in breeding temperature tolerant mussels, and resilience, a lot of thought going into these things with fast growing fatter mussels and better shell to meat ratios.
19. There is a 200 million investment in Aquaculture in the Eastern Bay in the last few years with the Harbour, Whakatōhea build, Sulphur point University.
20. Te Whānau-ā-Apanui historical settlement will get another 5000 hectares of seawater space bringing the total to 15,000 hectares.

21. An economic analysis was completed on the future potential of the seawater space and was presented to the symposium at the end of last year. They are saying a billion annually and thousands of jobs. Investment in spat hatchery, seawater space, harvesting and processing plants, that collectively is integrated in the supply chain brings enormous potential.

#### ŌPŌTIKI TOWN WHARF UPGRADE

22. January load tests completed on the wharf, up to 6.5 tonne, with a survey to measure deflection. Integrity of the structure classed as Importance Level 1 with low danger to people or buildings in earthquake event, also tested B-train truck turning tracks.
23. There is no change on what was consulted on in the Masterplan. The old wharf requires minimal work including use of existing 1942 bollards. Work will include replacing the missing bollard and fitting new front fenders. The area will be enclosed and gated, with the boundary lines being fine-tune. Mooring pole on the small jetty upstream is not included on the latest design but leaves a dead area just upstream of the sheet pile wharf.
24. Whakatōhea mussel boats mooring bow/stern positions on small floods, move out to Whakatane in big floods.
25. With the sheet pile/foundations, HEB noted anchors need to be extended another 7-8 metres. Fenders are timber poles with rubber/tire. Truck movement will enter compound through gate/park for loading/exit. Designed for 24/26 tonne payload B-train truck & trailer.
26. Post construction with car parking, waka ama, etc, now is the time to address, objective to have ready by July.

#### COASTGUARD

27. Coastguard noted they have their consent for the ramp and building. A Harbour Project Director has highlighted Coastguard are an essential service, they are volunteers and deserve our support, Coastguard mentioned the 12.5 m boat donated from America's Cup, requires a drop-down lane on the ramp and that they are now on the funding round, with ramp first then building.

#### **Financial/budget considerations**

28. There are no financial considerations associated with this matter.

#### **Policy and planning implications**

29. No policy and planning implications associated with this report.

#### **Impact on mana whenua**

30. The recommendation of this report has no specific impact on mana whenua.

### Climate impact considerations

31. The recommendation of this report has no specific climate impact.

### Risks

32. There are no risks associated with this report.

### Community wellbeing considerations

33. There are no known social, economic, environmental, or cultural considerations associated with this matter.

## SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

### Assessment of significance

34. 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.

35. 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

36. As the level of significance has been determined to be **low**, the level of engagement required is **Inform**.

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#### **INFORM**

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

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37. 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.

## CONCLUSION

38. This report provides an update to Council on information shared at the 21 February 2024 meeting of the Ōpōtiki Marine Advisory Group (OMAG).

Councillor Barry Howe

**CHAIR, ŌPŌTIKI MARINE ADVISORY GROUP**

## COUNCIL REPORT

Date : 12 March 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Chief Executive Officer, Stace Lewer  
Subject : **ENDORSEMENT OF FINAL DIRECTION FOR BUDGET FOR LONG TERM PLAN 2024-2034**  
File ID : A1211081

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## EXECUTIVE SUMMARY

- This report presents a summary of the budget workshops held for the Long Term Plan 2024-2034 (LTP). On 7 February, Council endorsed the direction for the draft budget for the LTP and directed the Chief Executive to finalise the budget for the LTP.
- Between 8 February and 12 March, Council received feedback from members of the public with regard to the report "Endorsement of Direction for Draft Budget for Long Term Plan 2024-2034", received at the 7 February Ordinary Council Meeting.
- This report recommends revoking the previous recommendations which endorsed the direction for the budget and, following new direction from elected members, endorsing a new set of recommendations for the budget to enable the LTP to be finalised, including the Financial Model, key underlying documents and the financial model.

## RECOMMENDATIONS

- 1) **That the report titled "Endorsement of Final Direction for Budget for Long Term Plan 2024-2034" be received.**
- 2) **That the following recommendations in the report titled "Endorsement of Direction for Draft Budget for Long Term Plan 2024-2034" dated 31 January be revoked:**
  1. **That Council endorse the direction for the draft budget for the Long Term Plan 2024-2034.**
  2. **That Council direct the Chief Executive to create the final draft of the budget based on the direction received for the Long Term Plan 2024-2034.**
- 3) **That Council endorses the direction for the draft budget for the Long Term Plan 2024-2034:**
  - **a general rates increase in Year One of 10.5% across CAPEX, OPEX and Depreciation factors**
    - i. **CAPEX: budget for historic delivery levels**

- ii. **OPEX: seek a reduction in operating budgets of approximately \$400,000 across Engineering & Services, Planning & Regulatory and Community Services & Developments groups**
  - iii. **Depreciation: utilise the Long Run Average Renewal method of funding depreciation**
- 4) **That Council directs the Chief Executive to finalise the budget for the Long Term Plan 2024-2034.**
  - 5) **That Council acknowledges and responds to all members of the public who provided feedback on the 7 February 2024 Council Report “Endorsement of Direction for Draft Budget for Long Term Plan 2024-2034” (feedback received up to 11 March 2024 is attached as Appendix 1).**

## **PURPOSE**

1. The purpose of this report is to revoke recommendations previously carried at the Ordinary Council Meeting on 7 February 2024.
2. It is also to seek endorsement from Council to progress the final draft of the budget for the Long Term Plan 2024-2034 following new direction from elected members.
3. Finally, it is to acknowledge community feedback received with regard to the report titled “Endorsement of Direction for Draft Budget for Long Term Plan 2024-2034” received at the 7 February Ordinary Council Meeting.

## **STRATEGIC ALIGNMENT**

4. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council’s Long Term Plan 2021-2031:
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.
  - Purposeful work and learning opportunities.
  - Development supports the community.
  - Culture and history are treasured.

## **BACKGROUND**

5. The Long Term Plan 2024-2034 (LTP) process began in May 2023.
6. Over the course of nine months, staff and elected members have had a series of workshops to work through the underlying documents required for the LTP; updated the community outcomes of the LTP and update the significance and engagement policy ahead of the formal consultation required for the LTP.

7. The LTP Process provides the council an opportunity to review long term plans and actions and set the budget for the next 10 years.

#### **Workshop – 30 November 2023**

8. On 30 November, a workshop was held. The purpose was to present to elected members the first draft of the budget for the LTP, and the proposed rating impact for Year 1.
9. The proposed rate increase was 34% and comprised five factors:

○ Capital Works Programme (financing)	3%
○ OPEX (Operational Expenditure)	8%
○ Deferred revaluations	5%
○ Harbour & Wharf	8%
○ Depreciation funding	10%
○ TOTAL	34%
10. Capital Programme Delivery was also included as a factor, but the percentage impact was not yet known because it relies on the Capital Works Programme being finalised. The information presented to elected members included options for each factor, and the risks associated with each option.
11. Immediate feedback from elected members was the proposed rating impact was too high and must be reduced. Staff sought direction from elected members with regard to how the rating impact should be reduced and across what factors.
12. Councillors agreed to provide this feedback to staff in due course, in time for the next scheduled workshop.

#### **Workshop – 18 December 2023**

13. On 8 December, staff were provided with the following direction to reduce the proposed rating impact in year one of the LTP:

○ the cost of the harbour operations needs to be delayed
○ revaluation and depreciation needs to be reduced
○ investigate reducing levels of service in isite, library, Toi EDA and parks
○ capital works, pull back and look for possible external funding to bring projects forward
○ the mobile services van is an item to defer/no longer deliver.
14. Staff used the direction received from elected members to prepare for the 18 December workshop. The purpose of the workshop was to confirm staff had correctly interpreted the direction from elected members and had direction to create the next iteration of the budget.
15. The following information was presented, for clarification and confirmation:

Table 1: summary of direction provided for factors of rating impact

<b>FACTOR</b>	<b>DIRECTION FROM COUNCILLORS</b>	<b>ACTION FROM STAFF</b>
<i>Harbour &amp; Wharf</i>	The cost of the harbour needs to be delayed.	Investigate partially rate funding and/or deferring the harbour and wharf activity to later years in the LTP.
<i>Revaluation and depreciation</i>	Revaluation and depreciation needs to be reduced.	Investigate partially funding or not funding what is required to reduce the cost.
<i>OPEX (Operational Expenditure)</i>	Investigate reducing levels of service in the isite, library, Toi EDA and Parks and Reserves. The mobile services van is an item to defer/no longer deliver.	Investigate partial and targeted reduction in levels of service.
<i>CAPEX (Capital Expenditure)</i>	Pull back and look for possible external funding to bring projects forward.	Investigate budgeting for historic average.

16. Each of the factors was discussed with direction provided, and the implications and risks were considered as well.
17. Elected members confirmed to staff they had correctly interpreted the feedback with regard to the harbour, revaluation/depreciation and the CAPEX factors.
18. With regard to OPEX, staff presented scenarios for reduced levels of service and no level of service across the isite (including events), the library, Toi EDA and Parks and Reserves. Councillors indicated the scenarios presented to them was not a correct interpretation of the direction and directed staff to investigate other options for a reduction in levels of service across isite, library, Toi EDA and parks and reserves within the OPEX factor.
19. Staff were not able to present an updated percentage impact at the end of this workshop as elected members requested further work be undertaken with regard to the OPEX factor.

#### **Workshop – 30 January 2024**

20. On 30 January, a workshop was held. Staff had continued to refine and finalise the budget based on the feedback received at the 18 December workshop.
21. On 30 January, staff were able to present the following percentage rating impact for year one:
  - Capital Works Programme (financing) 0%

- Deferred revaluations and depreciation 5%
  - Operational expenditure (current levels of service) 8%
  - TOTAL PERCENTAGE INCREASE 13%
22. When direction provided on 18 December was input into the financial model, the percentage increase for year one was 13% with current levels of service.
23. The options of reducing levels of service was also presented to elected members. The following scenarios were presented with regard to the isite and events:
- locate info centre in library and reduce staff, and deliver one event per year
  - have a static info kiosk in library building and have reduced staff, and deliver one event per year
  - reduce isite services and reduce staff and deliver one event per year.
24. With regard to the library, the following options were presented:
- combine the isite and library with reduced staff and the makerspace area and associated programmes
  - reduced levels of service to be open for 20 hours per week, no additional programmes and reduce staff levels.
25. For both the isite and library activities, the options of maintaining current levels of service was also presented.
26. With regard to Toi EDA (eastern bay economic development agency), direction from councillors was provided to staff to not allocated funding for the agency within the LTP.
27. With regard to parks and reserves, direction was provided to investigate where percentage savings could be made across the activity.
28. In summary, the following direction was received from councillors with regard to reducing the OPEX percentage:

*Table 2: summary of direction presented on 30 January for reducing OPEX factor*

<b>OPEX FACTOR</b>	<b>DIRECTION FROM COUNCILLORS</b>
<i>isite</i>	Reduce levels of service
<i>events</i>	Deliver one event per year
<i>library</i>	Reduce levels of service
<i>Toi EDA</i>	Do not allocate funding for the economic development agency in the 2024-2034 LTP



*parks and reserves*

Investigate reducing levels of service and shared services arrangements with other councils if possible

*additional new FTEs*

Do not implement new FTEs in this LTP unless there is existing staffing budget already allocated which can be reallocated

29. At the end of the workshop, staff were able to present the following proposed rating increased for year one, with some proposed reductions in levels of service:

- Year One of the LTP: 10.5%

#### **Council Meeting – 7 February 2024**

30. At the council meeting on 7 February, a report titled "Endorsement of Direction for Draft Budget for Long Term Plan 2024-2034" was presented to Council and included the following recommendations:

- 1) That the report titled "Endorsement of Direction for Draft Budget for Long Term Plan 2024-2034" be received.
- 2) That Council endorse the direction for the draft budget for the Long Term Plan 2024-2034.
- 3) That Council direct the Chief Executive to create the final draft of the budget based on the direction received for the Long Term Plan 2024-2034.

31. The direction was to direct the Chief Executive to finalise the budget with an overall rating impact of a 10.5% increase, which included reductions in levels of service to reduce the overall rating impact for the OPEX factor.

32. All three recommendations were carried.

#### **Community Feedback – 9 February to 25 February**

33. After the 7 February council meeting, members of the community shared parts of the agenda on social media platforms, and also approached national media outlets. These actions garnered other members of the community to provide written feedback to the council. The 29 February edition of the Ōpōtiki News newspaper included a front-page story on the public response to the council report.

34. Between 7 February and 11 March, the council had received approximately 28 pieces of individual feedback. Additionally, Ashbrook School presented directly to elected members on 11 March 2024, specifically with regard to Te Tāhuhu o Te Rangi.

35. The themes of the feedback included:

- an acknowledgement of the balance to keep rates affordable while delivering core services
  - the majority of feedback received did not support reducing the opening hours of the library and the isite to achieve lesser rates increases
  - two respondents supported reduced levels of service as the library as described in the February report to achieve lesser rates increases
  - the majority of respondents questioned the process of the report recommendation, and whether decisions had or had not been made with regard to the proposed reductions in levels of services
  - the majority of respondents view the library as a core service to the community.
36. The 7 February report had a significance level of 'Medium', and the level of engagement was 'Kōrero': *to ask the community for feedback, ideas, opinions, and information about the development process.*
37. While there is not a prescribed requirement for council to provide an opportunity for members of the public community to speak to their letters/emails on the report recommendations (e.g., a hearing) for 'Medium' level significance, it would be unwise not to acknowledge the public feedback and provide responses to those who have written to the council.
38. Public consultation is not yet open on the LTP. However, members of the community have actively engaged with council on the process during the pre-engagement stage and about the February report. This demonstrates there is keen interest from the public in council decision -making.
39. This report recommends Council acknowledge and respond to every community member who provided correspondence on the report.

#### **Workshop – 26 February**

40. On 26 February, a workshop was held. Staff had continued to refine and finalise the budget at the 30 January workshop, and the 7 February council meeting.
41. The following Year 1 percentage increase was presented to elected members:

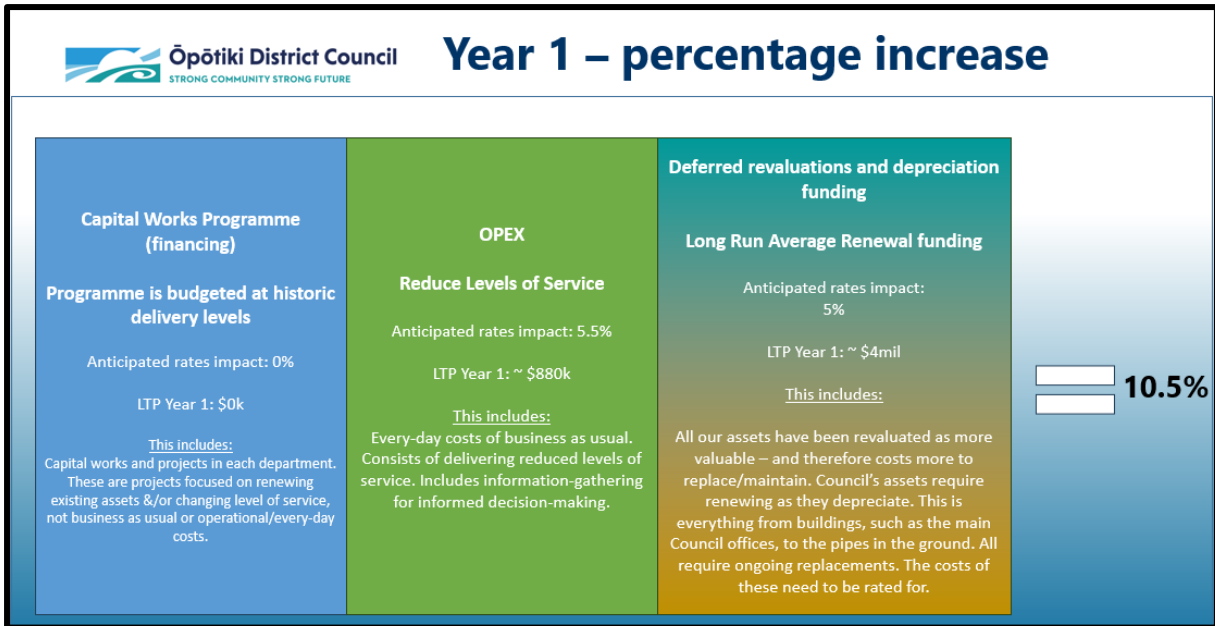


Figure 1: slide from 26 February workshop

42. With regard to the OPEX factor, the following items were discussed:
- reduced isite services, one event per year
  - reduced FTE and hours at the library
  - no allocation of funding to eastern bay economic development (Toi EDA)
  - reduction in levels of service in the parks and reserves activity through reduced mowing and spraying.
43. At the workshop, the media attention and public feedback received to date was discussed. It was considered the reduction in specific levels of services to lessen the overall rating impact was no longer the preferred method to achieve a 10.5% rating increase.
44. Councillors directed staff to investigate other ways to maintain an OPEX factor rate increase of 5.5% by bringing the Engineering & Services group into consideration, in addition to the reduction in the Capital Works Programme (pulling back to historic delivery levels).
45. Staff were not able to present an updated percentage impact at the end of the workshop as councillors requested further work be undertaken with regard to the OPEX factor. An additional workshop was placed in the calendar for elected members and staff for 6 March.
46. The notes from 26 February workshop will be released into the public domain following the usual process.

## Workshop – 6 March

47. On 6 March, a workshop was held. Staff continued to refine and finalise the budget based on the feedback received at the 26 February workshop.
48. At this workshop, staff were able to present an updated OPEX factor increase of 5.5%. This included the following elements:
- reduction in Engineering & Services Group operating and maintenance budget
    - less operating headroom to respond to unexpected events or matters
    - non-urgent maintenance and operations will be dealt with reactively rather than proactively
  - reduction in Planning and Regulatory (Parks & Reserves) operating budget
    - reduced levels of service with regard to litter collection
  - reduction in Community Services & Development group operating budget
    - one event per year
    - no funding allocated toward (eastern bay economic development agency) Toi EDA.
49. The inclusion of the Engineering group operating budget was accompanied by an assessment of the risks of reducing the budget in this area, and the impact it will have on the levels of service for the community.
50. Additionally, the inclusion of the Engineering group operating budget enabled the previously endorsed reductions in levels of services at the library and isite to be no longer required.
51. The updated OPEX factor equates to a 5.5% increase, and results in an overall rate increase of 10.5% in Year One of the LTP.

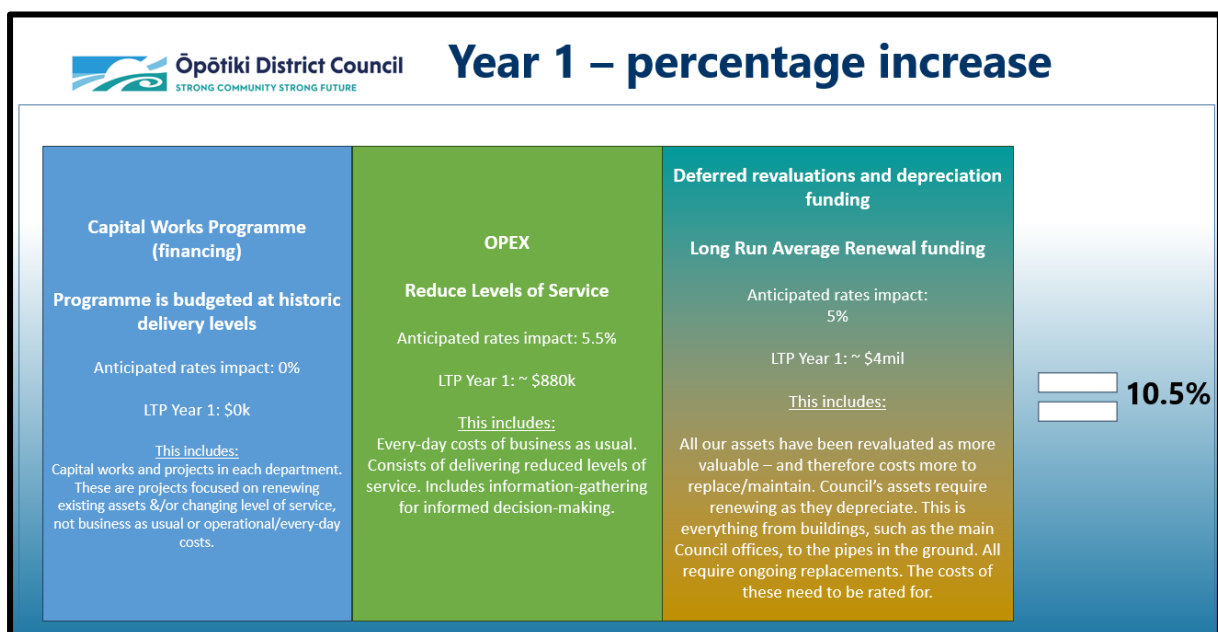


Figure 2: slide from 6 March workshop

52. Staff were able to present draft percentage increases for years two and three of the LTP also:

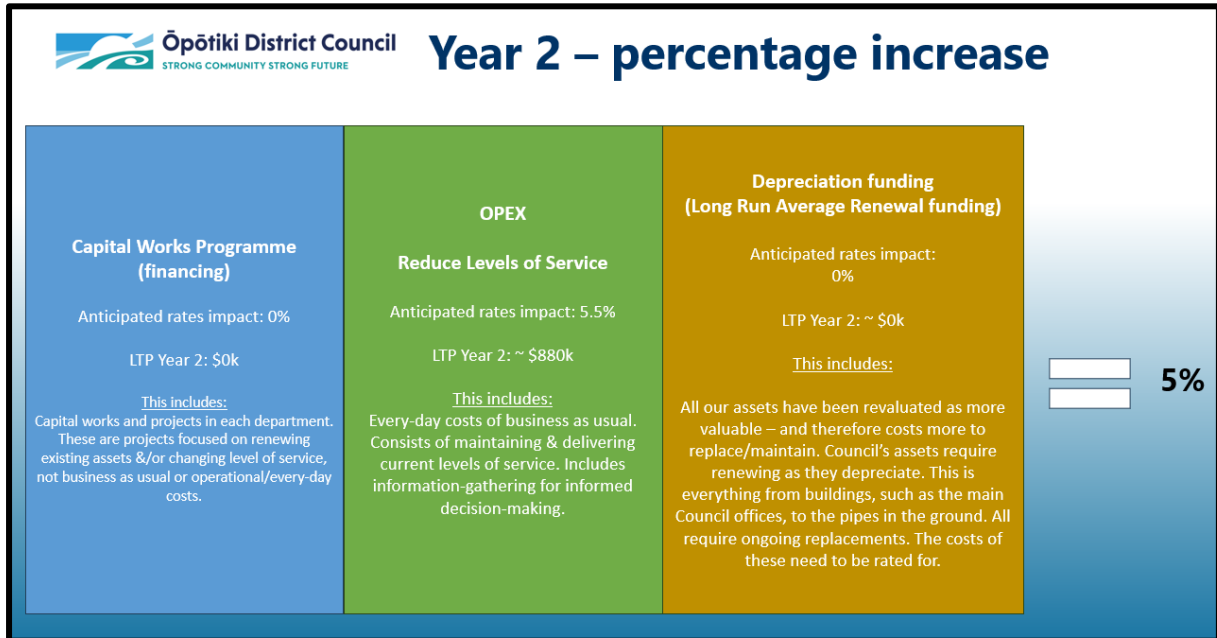


Figure 3: slide from 6 March workshop

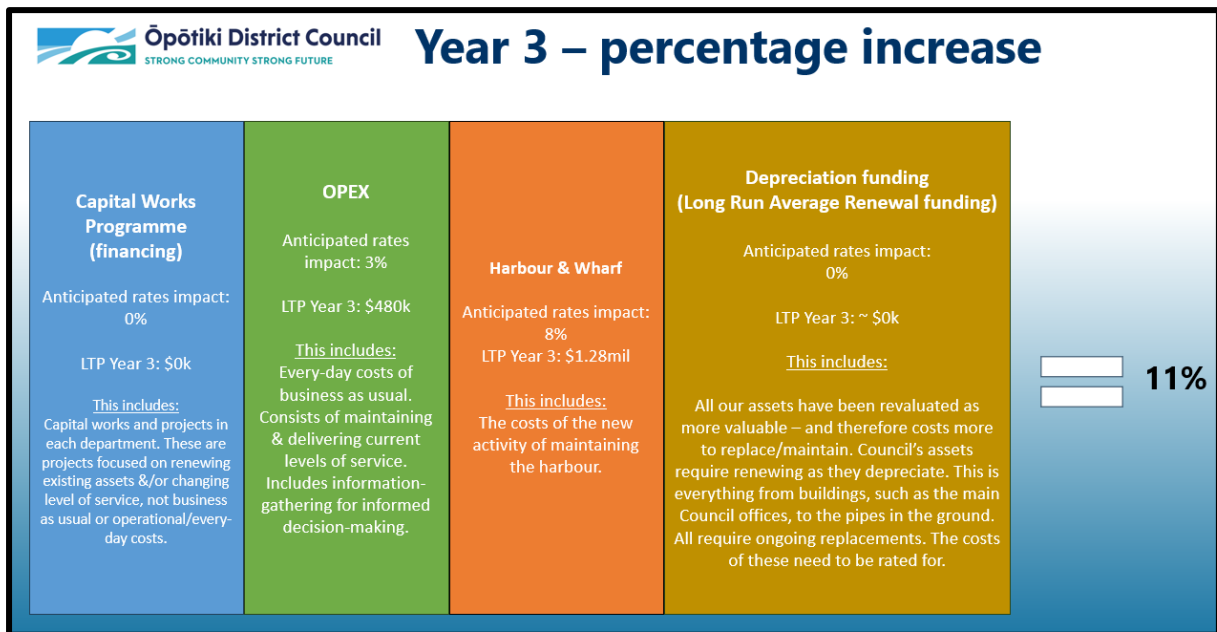


Figure 4: slide from 6 March workshop

53. Direction was received from councillors to move forward with presenting the updated LTP budget to council for endorsement at the 19 March council meeting, based on the 6 March workshop.

54. The notes from the 6 March workshop will be released into the public domain following the usual process.

## OPTIONS

55. There are two options associated with the recommendations in this report.

<b>OPTION 1: Revoke the previous recommendations and endorse the updated direction for the budget for the LTP (recommended option)</b>	
<b>Description</b>	<p><i>The draft budget for year one of the LTP has been presented to elected members in a series of workshop.</i></p> <p><i>It is a proposed rate increase of 10.5% in Year One and includes the following factors:</i></p> <ul style="list-style-type: none"> <li>• <i>Capital Works Programme financing</i></li> <li>• <i>Operational Expenditure</i></li> <li>• <i>Depreciation funding and revaluation of below ground assets</i></li> </ul> <p><i>The elements of the draft budget endorsed at the 7 February Ordinary Council Meeting is no longer the preferred direction to achieve a proposed rate increase in year one of the LTP of 10.5%.</i></p> <p><i>It is recommended the previous recommendations are revoked and recommendations are carried to endorse the updated direction to finalise the budget for the LTP, and therefore enable the underlying key documents and financial modelling of the LTP to be finalised as well.</i></p>
<b>Advantages</b>	<p>Revoking the previous recommendations and endorsing the updated direction for the budget enables staff to proceed with finalising the budget and the financial modelling, and all other key underlying documents of the LTP.</p> <p>The new direction lessens the impact on community services overall, while maintaining a lesser rating impact.</p>
<b>Disadvantages</b>	<p>There are no identified disadvantages associated with the revocation of the previous recommendations and endorsement of the updated direction for the budget for the LTP.</p>
<b>Impact on mana whenua</b>	<p>Approval of the draft budget enables elected members and staff to consult with mana whenua sooner than then formal consultation period begins about the forthcoming rating impact and budget effects.</p>
<b>Strategic alignment</b>	<p>Approving the draft budget for the LTP is aligned to the following community outcomes:</p> <p><i>Services and facilities meet our needs</i></p> <p>The LTP is the key document for planning the budget and activities for the organisation for the next 10 years. Endorsing the direction for the budget enables the organisation to finalise the documents.</p> <p><i>Fair and efficient leadership</i></p> <p>Elected member are required ultimately to adopt the final version of the Consultation Document and the LTP documents. These are brought together based on the direction received during the LTP process.</p>

**OPTION 1: Revoke the previous recommendations and endorse the updated direction for the budget for the LTP (recommended option)**

<b>Associated risks</b>	There are no identified risks associated with approving the draft budget for the LTP.
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**OPTION 2: Do not revoke the previous recommendations and do not endorse the updated direction for the budget for the LTP.**

<b>Description</b>	<i>The recommendations carried at the 7 February meeting remain. .</i>
<b>Advantages</b>	There are no identified advantages associated with not revoking the previous recommendations and not endorsing the direction for the budget for the LTP.
<b>Disadvantages</b>	Staff will be able to progress with developing the final budget as the 7 February recommendations would remain, but it would be in light of community feedback received which carries public perception risk.
<b>Impact on mana whenua</b>	Elected members and staff will not be able to engage with mana whenua on the draft budget and gain their input on the forthcoming rating impact for the community
<b>Strategic alignment</b>	This option does not support the strategic alignment in the LTP 2021-2031.
<b>Associated risks</b>	Not endorsing the direction for the budget for the LTP has the risk of not enabling staff to create the final version of the budget, and all underlying key documents, for 2024-2034.

**DISCUSSION**

- 56. Revoking the recommendations of the previous LTP budget report acknowledges the community feedback council has received over the few weeks. Endorsing the updated direction for the budget, as presented in this report, enables staff to finalise the LTP document and Consultation Document.
- 57. At the 26 February and 6 March workshops, there was discussion about community engagement and community consultation, and the options which Council would be required to include in the Consultation Document for the LTP.
- 58. The Consultation Document is a key item which requires further work, and the recommendations in this report enable staff to proceed with creating it.

**Financial/budget considerations**

- 59. Costs associated to the development of the LTP have been included in the 2023-2024 Annual Plan budget.
- 60. The recommendations in this report enable staff to continue working on creating the final draft of the budget for the LTP.

### **Policy and planning implications**

61. Council is required to meet legislative requirements under the Local Government Act 2002; the Local Government (Rating) Act 2002, Council's *Revenue and Financing Policy* and Rates Remissions and Postponement Policies.
62. In addition, the Consultation Document for the Long Term Plan must ensure it is accurate with regard to the rating impact various options may have on ratepayers.
63. Approving the draft budget enables the Council to meet these policy requirements. It is also aligned to the Community Outcomes *Services and Facilities Meet our Needs* and *Fair and Efficient Leadership*.

### **Impact on mana whenua**

64. There are no identified impacts on mana whenua in relation to approving the direction for the draft budget for the LTP.
65. During the pre-engagement period of the LTP, Council engaged with iwi. Council will continue to engage with mana whenua as the final version of the LTP is created.

### **Climate impact considerations**

66. There are no identified climate impacts associated with the recommendations in this report.

### **Risks**

#### **Publicity/public perception risk**

67. The previous report recommendations garnered sizeable public feedback (see Appendix 1). Not acknowledging and formally responding to the community feedback carries a risk of reputational damage to the organisation.

#### **Risk of delivery failure**

68. The LTP is required to deliver items on key dates. Not endorsing the direction for the budget carries the risk of not delivering key documents on time.

### **Community wellbeing considerations**

69. The purpose of Local Government includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four wellbeings').
70. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
71. The LTP is the document which sets out the activities and budget for the organisation for the next 10 years. The LTP is required in order to promote community wellbeing.



72. The recommendations in this report enables the Council to achieve its purpose

## **SIGNIFICANCE AND ENGAGEMENT ASSESSMENT**

### **Assessment of significance**

73. 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.

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

### **Assessment of engagement**

75. As the level of significance has been determined to be **medium**, the level of engagement required is **Kōrero** according to the Engagement Framework of the Significance and Engagement Policy:

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#### **KŌRERO**

To ask the community for feedback, ideas, opinions, and information about the development process

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76. The level of engagement required for the decision to endorse the direction for the draft budget for the LTP is **Kōrero**.

77. Council can use its social media platforms (Facebook, Antenna, Connect | Hono Mai) and press releases to communicate the decision to the community. Council can invite informal feedback on the decision as these platforms provide for informal two-way communication.

78. There has been community feedback and engagement carried out during the pre-engagement phase of the LTP so it would also be useful and prudent to communicate the decisions to the individuals and groups in the community who have actively participated in the LTP process to date.

## **CONCLUSION**

79. The recommendations in this report enable the Council to continue drafting and refining the budget, the financial modelling and the key underlying documents for the LTP.

80. The process to create the LTP so far has been extensive and involved. While public consultation is not yet open on the LTP, it is notable the public response to the process of creating the documents. The process will continue and council will finalise the LTP, financial modelling, key underlying documents and Consultation Document for formal consultation in June 2024.

Stace Lewer

**CHIEF EXECUTIVE OFFICER**

Feedback received via email (sent either to [info@odc.govt.nz](mailto:info@odc.govt.nz), the Mayor, Councillors or a combination of all).

No.	Feedback
1.	<p>I am writing to submit my concerns re the intended reduction of hours and service at both Te Tahuu o Te Rangī and the I-site. I believe as in the words of Carol Quirk on her recent breakfast tv interview "This town is practically bugged if these reductions go ahead."</p> <p>Our library isn't just a place to borrow books. It's the soul of our town.</p> <p>I have worked at the library for seven years and left in 2023 for personal reasons. I have worked in the old library, the temporary library and then in the new 6 million dollar library. In those years I have seen the library is a fundamental part of this community in so many ways . Te Tahuu o Te Rangī is the link to information resources for many people, young and old from all demographics.</p> <p>It is a refuge and safe place for many in our community who find themselves homeless or are unsafe at home. It is a place to meet, connect, to research. A place for the local schools with no library to make use of the facilities. It is a community centre, safe haven, meeting place, advice centre. A digital resource centre. A place to learn and discover. Especially for those least resourced in our community. The Community has no other place for people to congregate. The Library is the last bastion of democracy in an increasingly polarised society. it is an essential. I believe it is particularly important for Ōpōtiki where we have so many poor and vulnerable people.</p> <p>It is the homeless and vulnerable of our community who rely on this service that will suffer the most. The Library and Digital hub is only 2 years old and was primarily funded by PGF (Provincial Growth Fund). It is bonkers not to continue to utilize this incredibly expensive resource as much as possible and reap the benefits for our community. I don't believe this funding would have been gifted if the PGF had anticipated that the hours would be reduced 2 years after opening.</p> <p>In the last 6 months 35,000 visits were tracked at the library. I know how busy the library can be with people needing assistance for so many reasons. The community was gifted the land that the building sits on by the Mechanics society with the intention that our community should have access to information (a library). Surely our council should honor this pledge.</p> <p>Our library is not about books, it is about people. We have so many wonderful folk in this community from all demographics and ethnicities. This is our place to celebrate us .</p>
2.	<p>Firstly, thank you for your ongoing service to this community. I am writing this submission to you in good faith and in understanding your current predicament regarding restrained funding.</p> <p>I would however like to express my concerns regarding the recent developments related to the library and iSite services within our community. As a concerned resident of Opotiki, I believe it is crucial that any decisions affecting public services and the Long Term Plan are made transparently and with comprehensive public consultation. It has come to my attention that there may have been steps taken towards restructuring and reducing services without adequate engagement with the community, I hope this is not the case. Such actions would not only undermine the trust in our local governance but also potentially violate the principles of due process that are fundamental to democratic decision-making.</p> <p>I am particularly concerned about:</p> <ol style="list-style-type: none"> <li>1. The lack of clear communication and direction on how to make formal submissions regarding these changes.</li> <li>2. The apparent preemptive actions taken by the council or its executives ahead of any public consultation or official decision.</li> <li>3. The potential impact of these changes on our community, especially in terms of access to vital services and resources.</li> </ol>

No.	Feedback
	<p>I request that the council please:</p> <ul style="list-style-type: none"> <li>• Immediately halt any ongoing restructuring related to the library and iSite services until a formal public consultation process has been conducted.</li> <li>• Provide clear and accessible information on how citizens can participate in the decision-making process regarding these and future proposals.</li> <li>• Commit to transparency and accountability in all actions and decisions affecting community services and the Long Term Plan.</li> </ul> <p>The impact of eroding public services like the library and iSite on our community cannot be overstated. They serve as essential resources for education, youth engagement, access to information, and community engagement. Any changes to these services should not be made lightly or without the direct input of those they affect most.</p> <p>Thank you for considering my submission. I look forward to your response and to seeing how the council plans to address these concerns in a manner that respects the voices and needs of our community.</p>
3.	<p>To all council members I'm writing to you about the proposed cut to library hours and staff.</p> <p>I totally oppose this move for many many reasons, some of them below. Firstly 3 questions</p> <ol style="list-style-type: none"> <li>1) what will be the real cost to our people and our town long-term?</li> <li>2) what has changed since central government, Opotiki district council, Opotiki elected Councilors and our community supported the new building?</li> <li>3) what are the consequences of contradicting the Provincial Government Funding aim for the community and sustainable employment?</li> </ol> <p>Some of the reasons why I do not support this move to cut rates.</p> <ol style="list-style-type: none"> <li>1) Library building is all of these, and more .. a cornerstone of our community, a digital hub, community centre, a haven.</li> <li>2) the library and staff are a valuable asset for all especially for our children, our elderly and our disadvantaged</li> <li>3) the library staff work hard; they have invested heavily in this. They research new ideas so that the place is more than just a library, ways to involve our children and our people. There are school holiday activities art &amp; cultural events. They make it the vibrant and interesting place that it is.</li> </ol> <p>Please support the community in its actions to maintain the library hours and services so that it is accessible for all.</p>
4.	<p>I wanted to tell you that my husband and I totally support council on keeping rates down by cutting out non essentials. We think the library, Toi EDA, iSite and special events can all be cut. So can the mobile service van and driver. And whatever other non essentials you can cut back on.</p> <p>The residents of the district have to realise we don't have the money. If you could share our statement of support with the other councillors that would be great.</p>

No.	Feedback
5.	<p>I just wanted to weigh in on reducing library hours. I am for reducing the library hours to prevent rates hikes.</p> <p>I am also for not allowing motorised vehicle access to the drifts including quad bikes. That should be a pedestrian only beach. It is extremely busy in summer. If you plan on changing that then please ask for submissions on it.</p> <p>And in fact given the increase in vehicles on our beaches in general over the past few years I have changed my stance to banning them entirely across the district. No vehicles on beaches.</p>
6.	<p>I am writing to express my strong opposition to council's proposal to halve the hours and staff at the library and I site. These are crucial community assets that deserve full council support. Moving the I site into the library seems a completely unworkable option given the lack of parking for camper vans and other travelers.</p> <p>Perhaps the council should instead consider scrapping expensive and foolish initiatives like trying to change consents to allow quad bikes to access the beach in Waiotaha Drifts. Council's own staff have reported that this will be a costly process and is highly unlikely to succeed. How about focusing on enforcing the rules that are already in place?</p>
7.	<p>It was good to hear that the rates increase has been reduced. Not so good is cutting back the hours to the i-site and the library. Both places do a sterling job and are a great asset to our town. Even more concerning is that there could be staff cuts. Both places have a brilliant staff who do a fantastic job. Of some lost their jobs, where would they find new ones? Some very good people would be lost to our town. That would be a terrible shame. Please find another solution.</p>
8.	<p>Following our conversation last week, please find my submission. I am writing to express my concerns regarding the recent developments related to the library and iSite services within our community. As a rate paying resident, I believe it is crucial that any decisions affecting public services and the Long Term Plan are made transparently and with comprehensive public consultation.</p> <p>It has come to my attention that there may have been steps taken towards restructuring and reducing services without adequate engagement with the community. Such actions not only undermine the trust in our local governance but also potentially violate the principles of due process that are fundamental to democratic decision-making.</p> <p>I am particularly concerned about:</p> <ol style="list-style-type: none"> <li>1. The lack of clear communication and direction on how to make formal submissions regarding these changes.</li> <li>2. The apparent preemptive actions taken by the council or its executives ahead of any public consultation or official decision.</li> <li>3. The potential impact of these changes on our community, especially in terms of access to vital services and resources.</li> </ol> <p>I urge the council to:</p> <ul style="list-style-type: none"> <li>- Immediately halt any ongoing restructuring related to the library and iSite services until a formal public consultation process has been conducted.</li> </ul>

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	<p>- Provide clear and accessible information on how citizens can participate in the decision-making process regarding these and future proposals.</p> <p>- Commit to transparency and accountability in all actions and decisions affecting community services and the Long Term Plan.</p> <p>The value of public services like the library and iSite to our community cannot be overstated. They serve as essential resources for education, access to information, and community engagement. Any changes to these services should not be made lightly or without the direct input of those they affect most.</p> <p>Thank you for considering my submission. I look forward to your response and to seeing how the council plans to address these concerns in a manner that respects the voices and needs of our community.</p>
9.	<p>I am writing to express my concerns regarding the recent developments related to the library and iSite services within our community. As a homeowner of Opotiki, I believe it is crucial that any decisions affecting public services and the Long Term Plan are made transparently and with comprehensive public consultation. It has come to my attention that there may have been steps taken towards restructuring and reducing services without adequate engagement with the community. Such actions not only undermine the trust in our local governance but also potentially violate the principles of due process that are fundamental to democratic decision-making.</p> <p>I am particularly concerned about:</p> <ol style="list-style-type: none"> <li>1. The lack of clear communication and direction on how to make formal submissions regarding these changes.</li> <li>2. The apparent preemptive actions taken by the council or its executives ahead of any public consultation or official decision.</li> <li>3. The potential impact of these changes on our community, especially in terms of access to vital services and resources.</li> </ol> <p>I urge the council to: -</p> <ol style="list-style-type: none"> <li>1. Immediately halt any ongoing restructuring related to the library and iSite services until a formal public consultation process has been conducted.</li> <li>2. Provide clear and accessible information on how citizens can participate in the decision-making process regarding these and future proposals.</li> <li>3. Commit to transparency and accountability in all actions and decisions affecting community services and the Long Term Plan.</li> </ol> <ul style="list-style-type: none"> <li>• The value of public services like the library and iSite to our community cannot be overstated. They serve as essential resources for education, access to information, and community engagement. Any changes to these services should not be made lightly or without the direct input of those they affect most.</li> </ul> <p>Thank you for considering my submission. I look forward to your response and to seeing how the council plans to address these concerns in a manner that respects the voices and needs of our community.</p>
10.	<p>This policy you are embarking upon is a serious mistake. The library is the heart of the town these days, much used, and much needed.</p> <p>I am very disappointed that you didn't canvass opinion before going down this track. It seems so stupid to me to have a wonderful facility like that and then make it much less available to the citizens of the town.</p> <p>Please reconsider and make cost savings elsewhere. Opotiki is so lucky to have this facility, and it must remain open to us all as it is now.</p> <p>I am a ratepayer and library user.</p>

No.	Feedback
11.	<p>The opotiki library is a vital part of opotiki society.</p> <p>When i moved to opotiki from wellington six years ago i was astonished by our local library and the services it provided and by the excellent role played by the library and the librarians helping all strata of society:-</p> <ol style="list-style-type: none"> <li>1 pupils who need help with assignments and research especially those with no wifi access at home – we are a mostly low income rural area with poor wifi access. Our local schools, with the exception of st josephs, no longer have libraries on site</li> <li>2 older people who need help with internet access</li> <li>3 people with low incomes who need access to newspapers and a warm place to read them, plus social interaction</li> <li>4 the library has an excellent selection of books plus librarians always very helpful with ensuring quick access to material not on the shelves</li> </ol> <p>Please register that i am utterly opposed to the cutting of our library hours. This would cause distress to so many opotiki residents. Learning to read is so important and access to books essential The library is a vital part of our town</p>
12.	<p>I strongly oppose the reduction of Library and isite services. The Library is the one and only life force of this town. 38,000 people came through the Library last year, surely that is an indication of the popularity and use this Library has.</p>
13.	<p>I wish to make a submission regarding the reducing of opening hours and reduction of staff at Te Tahuu o Te Rangi. This service is essential for the ongoing education of residents, young and older, of our town. The cultural value is immense. The new building was helped to fruition from the Progressive Growth Fund, reducing the working hours is anything but progressive. Cutting core services to a town does not save money in the long term. It lends itself to population loss, as people leave to find a place to live, that have the services and facilities they require. Loss of residents leads to higher rates per capita. I watched the “Sunday” programme on TV1 last night about the gangs in Opotiki. In that programme, the Mayor of Opotiki, proudly showed the reporter our “New Library Building”. Why be proud of something you want to close, as will eventually happen if this service is reduced.</p>
14.	<p>Dear Mayor's Office,</p> <p>I am writing to express my concerns regarding the recent developments related to the library and iSite services within our community and oppose the proposed halving of these essential community services.</p> <p>As a resident of Opotiki, I believe it is crucial that any decisions affecting public services and the Long Term Plan are made transparently and with comprehensive public consultation. It has come to my attention that there may have been steps taken towards restructuring and reducing services without adequate engagement with the community. Such actions not only undermine the trust in our local governance but also potentially violate the principles of due process that are fundamental to democratic decision-making. I am particularly concerned about:</p>

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15.	<p>Can you please forward this to the council plan tom</p> <p>Library and I site</p> <p>Is there any reason these two separate buildings and services cannot be combined .</p> <p>We clearly have an issue with rates rises and it seems a small simple solution to save some costs</p> <p>Common sence would say the I site should be in corporated into the library facility</p> <p>One lot of over heads not two</p> <p>One phone bill not two</p> <p>One power bill not two</p> <p>Hours could remain the same with much less staff and staff could multi task</p>

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	<p>One lot of building expences and rent out the I site to produce income</p> <p>All seems fairly logical to me</p> <p>Let the fun begin</p>
16.	<p>I am reaching out to passionately advocate for the sustained support and funding of Te Tāhuhu o Te Rangi, an institution that stands as a pillar of our community's wellbeing and advancement. Within this appeal, I aim to not only underscore the multifaceted value of this facility but also to propose concrete steps towards ensuring its services are retained at 100% through strategic adjustments to the Ōpōtiki Long Term Plan (LTP).</p> <p><b>Central Community Nexus:</b> At its core, Te Tāhuhu o Te Rangi epitomises a vital community nexus, providing an array of services including digital assistance, venue hire, Wi-Fi access, and a wealth of both digital and physical resources. Its unparalleled role in knitting our community closer together cannot be overstated.</p> <p><b>Bearer of Cultural Essence:</b> This facility not only pays homage to our ancestral heritage but also functions as a dynamic reservoir of our collective knowledge, mirroring the structural integrity and cultural significance of a wharenuī's tāhuhu on a marae. It stands as a testament to our identity and a source of communal pride in Ōpōtiki.</p> <p><b>Educational Keystone:</b> Te Tāhuhu o Te Rangi emerges as a beacon of educational empowerment, particularly in the realms of STEAM, through its dedicated maker space and technological programmes. It is instrumental in nurturing the intellectual curiosity of our youth and encouraging continuous learning among all age groups.</p> <p><b>Catalyst for Economic Growth:</b> The facility has proven itself to be a critical driver of economic development and job creation, aligning seamlessly with the Council's strategic ambitions for regional prosperity.</p> <p><b>Cultural and Artistic Venue:</b> With its array of art installations, Te Tāhuhu o Te Rangi enriches our cultural fabric, showcasing the talents of local artists and drawing visitors, thereby enhancing our cultural vibrancy.</p> <p>In light of these invaluable contributions, I propose specific adjustments to the Ōpōtiki Long Term Plan (LTP) to ensure the 100% retention of services at Te Tāhuhu o Te Rangi:</p> <ol style="list-style-type: none"> <li>1. Community Consultation: Engage deeply with our community to gather comprehensive feedback on the critical role Te Tāhuhu o Te Rangi plays in their lives and the unanimous desire to fully retain its services.</li> </ol>



No.	Feedback
	<p>2. Review Financial Strategy: Scrutinize the current LTP's financial framework to pinpoint opportunities for reallocating funds or increasing the budget, ensuring the facility's offerings remain robust and expansive.</p> <p>3. Prioritize Services: Methodically assess which services are indispensable, guaranteeing that funding is strategically directed to sustain these at their current capacity.</p> <p>4. Explore Additional Funding: Actively pursue external funding avenues, including government grants or collaborative partnerships, to augment the facility's fiscal resources.</p> <p>5. Regular Review: Leverage the LTP's triennial review mechanism to adaptively reassess and refine the plan, ensuring it evolves in harmony with our community's shifting needs and priorities.</p> <p>Te Tāhuhu o Te Rangi is far more than a mere establishment; it is the heart and soul of our community. I implore the Council to recognize its profound impact and ensure its continued vitality for the betterment of current and future generations in Ōpōtiki.</p> <p>I am grateful for your time and consideration of this significant matter. Let us collectively ensure that Te Tāhuhu o Te Rangi remains a vibrant center of community, culture, education, and economic growth.</p>
17.	<p>I would like to suggest that the ODC move their information center, from its current situation in Bridge Street, and move it to the Opotiki District Library building in Church Street. There is plenty of parking in King Street and Potts Avenue.</p> <p>The Library can continue with its normal hours and the council will no longer need the use of the information center building.</p>
18.	<p>I am writing to express my concern at the news that council are considering a reduction in library access hours, apparently in order to make a small financial saving at the serious expense of an important and essential community service.</p> <p>The fact that this is being considered without public consultation does not seem to be either legal or democratic and questions council's willingness to be transparent in its dealings with ratepayers.</p> <p>The fact is that the new library building has become a lively hub for many services, as was the intention of the PGF in funding it with an expectation of it providing a fully functioning central community service and facility. This requires a dedicated team of staff members able to be employed in full time employment. Another aim of the PGF funding.</p> <p>Many of the library services facilitate social and educational learning opportunities for the young and old which they do not have at home, namely safe access to wifi, books and supervised guidance from staff members. The fact that several schools and the college lack good library facilities makes access all the more important for kids education and leisure outside school hours.</p> <p>As a rural dweller, I personally use the facilities for meeting up with others in town, borrowing reading material, research, advice on internet matters and always find the place to be a welcoming, busy, informative space that has no equal in the otherwise often uninviting main street.</p> <p>Any reduction in access to these opportunities will inevitably adversely affect the community and exacerbate the already on-going problems brought on by lack of educational and work opportunities and vision.</p> <p>Council needs to realise that it's lack of interest in the library does not reflect the wider community's value of its asset and desire to see the town progress.</p> <p>Lastly, the inclusion of the I site in the library appears to overlook the issue of where the visiting campervans, caravans and extra traffic will find to safely park in the main street.</p>

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	<p>It would seem that further consultation and discussion with the community is much needed before any decisions are made regarding the access to Te Tahuhu o Te Rangi.</p> <p>Thankyou for taking time to read this submission and I await council's response to these concerns.</p>
19.	<p>Our rates have to be kept down. Even 10% increase is substantial. Remembering rate increases are compounding year on year.</p> <p>I have always submitted that the I site should be placed in the park opposite Gull, cnr Bridge and Nelson Street, so as to symbolically reflect Opotiki's catch phrase 'Opotiki by Nature'</p> <p>Times have moved on and for a town the size of Opotiki I think just a touch screen or Information board featuring the essential must see and dos in Opotiki and region erected in this park is sufficient. No need to be advertising Whakatane or Gisborne Information. Easy stopping along Bridge Street or van parking in Nelson Street. Most people search for accommodation, etc on their smart phones or as is mooted, on display in new Library complex.</p> <p>I do though think that Library hours should be maintained. It is a community hub.</p> <p>We have Whakatohea Iwi taking initiative to hold markets nights in the new Potts Ave carpark, so fewer Council run events would seem okay.</p> <p>The Provincial Growth Fund for groynes was to raise employment, get people moving back to Opotiki ( more reasonable rates) and foster vision for the town.</p> <p>Vaughn Payne ( former CEO of Opotiki) identified recreational fishing as being potentially even bigger for Opotiki than mussel farms. (Pic of Opotiki News item attached) Recreational Fishing is a Billion dollar industry. ( Old data article attached)</p> <p>Man initiated reefs commonly return 10 to 1 on investment. An Opotiki Community Reef program will create an employment pathway for rangitahi, bring healthy seafood protein in for our Opotiki people and make Opotiki a premium recreational fishing destination. Fishing will return to Opotiki far more than investing in cycleways. But lets have both.</p> <p>Empty shops in main street are increasing.</p> <p>When I visited the International Olympic Museum in Switzerland, they were not spending money on lawn mowing, they were planting their grasslands in wild flowers, promoting working with nature.</p> <p>To bring rates down and foster growth Council needs to act with vision and grow our natural resources.</p>
20.	<p>I am <u>ABSOLUTELY</u> and <u>TOTALLY OPPOSED</u> to cutting these services. It would be a <u>criminally stupid</u> shortsighted idea to halve hours/staff at the library and isite, they are both <u>essential</u> to our town, especially the library. The isite is invaluable for tourists passing through. We want tourists in our town, do we not? The library is even more invaluable, with so many under privileged children here. The library is a haven where they can relax and learn when they wouldn't be taught at home. <u>WHAT IS THE POINT</u> of spending megabucks on our magnificent library – then cutting is services. The staff in both places are dedicated and hard</p>

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	<p>working. If these valuable people get load off, our town has lost them! Can we afford to do that? I say <u>NO, NO</u> and again <u>NO!!!</u> For <u>God's sake</u>, let common sense prevail! Such short sighted decisions can only detrimental. Think again and <u>do not</u> make them.</p>
21.	<p>I was horrified to learn through the media- both national and local- that ODC are planning to reduce our library hours to 20 hours a week.</p> <p>Our wonderful new library building and the world-class services that run from it, are at the heart of this town- providing not only reading matter for leisure, but also for education at all levels and for all ages, advice on all IT/ digital matters, wifi and access to computers for the many in this district who do not have such access at home, and a safe haven, particularly for children, in a supervised environment.</p> <p>I regularly visit the library, both for books and IT advice, and am always impressed, and heartened, by seeing the number of children using their various services- young people getting help with CV's, students doing courses online, staff helping people fill out applications, children doing schoolwork...so much going on.</p> <p>38,000 uses in 6 months- surely this is the most used ODC asset? Why would you make such a well used asset less accessible?</p> <p>Cutting hours would inevitably mean losing some skilled, experienced employees who need full-time employment. Surely one of the core aims of the PGF was to create employment. And having that big new building empty and unused half the week, would not help the feeling on our main street, which already has several unused spaces.</p> <p>Please reconsider these proposals to reduce library hours. I look forward to a response which will reassure me that ODC will ensure that the needs of all our community are at the heart of any decisions made on behalf of the ratepayers- and are doing so in a transparent manner with adequate consultation, so we learn about such matters through ODC, not the national media.</p>
22.	<p>As a teacher in a local school (Ashbrook), we use the library with our students at least twice a month. We have supported the new library and bring our students in to enjoy this beautiful space, as well as having children enjoy the books and activities that the library offers. PLEASE, we need our library for our tamariki...as teachers, we are trying to raise the education of our future community members, and the library is an important place for this to happen.</p> <p>PLEASE maintain the library hours and PLEASE help us to help our children.</p>
23	<p>I am writing to express my concerns regarding the recent developments related to the library and iSite services within our community.</p> <p>As a concerned citizen of Opotiki, I believe it is crucial that any decisions affecting public services and the Long Term Plan are made transparently and with comprehensive public consultation.</p> <p>It has come to my attention that there may have been steps taken towards restructuring and reducing services without adequate engagement with the community. Such actions not only undermine the trust in our local governance but also potentially violate the principles of due process that are fundamental to democratic decision-making.</p>

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	<p>I am particularly concerned about:</p> <ol style="list-style-type: none"> <li>1. The lack of clear communication and direction on how to make formal submissions regarding these changes.</li> <li>2. The apparent pre-emptive actions taken by the council or its executives ahead of any public consultation or official decision.</li> <li>3. The potential impact of these changes on our community, especially in terms of access to vital services and resources.</li> </ol> <p>I urge the council to:</p> <ul style="list-style-type: none"> <li>-Immediately halt any ongoing restructuring related to the library and iSite services until a formal public consultation process has been conducted.</li> <li>-Provide clear and accessible information on how citizens can participate in the decision making process regarding these and future proposals.</li> <li>-Commit to transparency and accountability in all actions and decisions affecting community services and the Long Term Plan.</li> </ul> <p>The value of public services like the library and iSite to our community cannot be overstated. They serve as essential resources for education, access to information, and community engagement. Any changes to these services should not be made lightly or without the direct input of those they affect most.</p> <p>Thank you for considering my submission. I look forward to your response and to seeing how the council plans to address these concerns in a manner that respects the voices and needs of our community.</p>
24.	<p>As a resident and ratepayer of Opotiki for the past 20 years, I respectfully suggest that you reconsider the idea of shortening the hours of public access to the Opotiki Public Library.</p> <p>While that may seem at first sight a quick and easy method of relieving part of the rates burden on the district's ratepayers, it would have both immediate and longer-term detrimental effects on the town centre and the wider area. A town's loss of amenities is often the beginning of the slippery slope to a shabby, dispirited and failed irrelevance.</p> <p>The library at present is a vibrant social and educational hub for visitors and frequent users of all ages and being positioned in a prominent part of the main street, enhances the liveliness of a busy commercial area.</p> <p>It is an attractive and imposing building as well as a remarkable cultural taonga for all the people who live in, and are proud of, the wider district.</p> <p>The highly skilled and dedicated staff contribute substantially to assisting job-seekers into local employment, acquiring research skills and materials for local history and encourage a sense of belonging and citizenship.</p> <p>They also provide extensive learning and literacy opportunities and resources to local Primary Schools. and to Opotiki College, whose own library is presently out of action.</p> <p>Far beyond the traditional lending of books, the library also introduces users to technology in the form of computing, video and electronic devices which they might need for school, college and everyday life.</p> <p>All of these activities have a commercial, as well as social and literacy value to the district's ongoing growth.</p> <p>In short, Opotiki cannot afford to downgrade its elegant, fully-functional, professionally-staffed, vitally important Library to become just another part-time, half-occupied building, in a dusty, dowdy district that has lost its vision.</p>

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	<p>Te Tahuhu o te Rangi is more than a building, more important than to those of us who recognise its value now; it is Taonga and essential part of the ever-beating heart of the Opotiki that we pass on to those yet to come who will carry us into the future.</p> <p>Sincere wishes for your success in developing a progressive and thriving Opotiki</p>
25.	<p>I am writing to express my concerns regarding the recent proposals and developments related to our Library and iSite services within our community. As a resident and ratepayer of 40+ years living at Omarumutu (ward Waiokeka - Waiotaha - Otara), I believe it is of critical importance that any decisions affecting public services and the Long Term Plan are made transparently and with comprehensive public consultation.</p> <p>It has come to my attention that there may have been steps taken towards restructuring and reducing services without adequate engagement with the community. Such actions not only undermine the trust in our local governance but also potentially violate the principles of due process that are fundamental to democratic decision making.</p> <p>Among my concerns are:</p> <ul style="list-style-type: none"> <li>• The apparent pre-emptive actions taken by Council or its executives ahead of any public consultation or official decision.</li> <li>• The lack of clear communication and direction on how our community can make formal submissions regarding these proposed changes.</li> <li>• The potential impact that these changes would have on our community in terms of access to vital services, resources and for all ages and walks of life, a welcoming supportive environment.</li> </ul> <p>I urge Council to:</p> <ul style="list-style-type: none"> <li>• Immediately halt any ongoing restructuring related to the Library and iSite services until a formal public consultation process has been held regarding these and future proposals.</li> <li>• Commit to transparency and accountability in all actions affecting community services and the Long term plan.</li> <li>• Visit Te tahuhu o Te Rangi and see for yourselves the asset we have for our residents. Our Mayor was quoted on Sunday programme recently (amongst a very negative piece about Opotiki), waving towards 'our beautiful new Library' as he walked the main street. The number of empty shops is diminishing the town centre, our Library is a beacon of positivity.</li> </ul> <p>The value of public services lie the Library and iSite to our community cannot be overstated. They serve as essential resources for education, access to information and community engagement. Our librarians are trusted professionals, friendly and helpful to all who enter the doors of our magnificent facility. Thank you for considering my submission.</p> <p>I look forward to your response and I anticipate the positive way that the council plans to address these concerns in a manner that respects the voices and needs of our community.</p>
26.	<p>I am deeply concerned about Ōpōtiki Council's proposal to cut services provided by Te Tāhuhu o te Rangi. Please regard this as a formal submission.</p> <p>I first came to live in Ōpōtiki in 1980. The library was tired and out of date. As a qualified librarian (my experience was in university libraries but I have a long-term interest in the value of public libraries, especially in small communities), I felt there was huge potential for adding value in a community that certainly needed added value.</p>

No.	Feedback
	<p>After 20 years away (1995–2015) I was excited at the prospect of Ōpōtiki achieving something really special. I was more than happy to join in fundraising projects; receiving funds from the PGF was immensely exciting for the town, and meant that the project was achieved many years sooner than would have otherwise been possible. The corner site being available as result of a historical gift to the town was an invaluable bonus.</p> <p>So — Ōpōtiki got its fabulous new library in a stunning new building that attracts visitors from all over New Zealand and overseas. Visitors love to hear the story of the library and to see how much it is valued by the community. They are invariably impressed and maybe a little jealous.</p> <p>I acknowledge the current economic pressures faced by all communities at present, but we mustn't cut core services — cuts that would disadvantage current and future residents. Any decisions affecting public services (such as the library and iSite) and the Long Term Plan must be transparent, and made only after comprehensive public consultation. It's already clear that a sizeable section of the Ōpōtiki community are stressed and distressed at the prospect of cuts being made without considering the short-and long-term effects on residents. Democratic principles demand otherwise.</p> <p>Specifically, in relation to Te Tāhuhu o te Rangi:</p> <ul style="list-style-type: none"> <li>• Cutting library hours and staff numbers would be devastating for users, staff, and the “look” of the main street. I can't imagine staff staying if they are unable to work a full-time job, and users would drift away if the building is closed and empty. Note that one of the aims of the Provincial Growth Fund was to create sustainable employment. Closure or restricting hours would not only affect current staff (and the level of expertise provided), but it would also disadvantage the users who rely on services that might lead to employment or enable them to continue in their current employment.</li> <li>• Although the community made a huge effort to fund-raise, the bulk of the funding for Te Tāhuhu o te Rangi came from the Provincial Growth Fund. Would that have been available if it were known that services and the building would be cut 2 years after opening?</li> <li>• Community cohesion — apart from the ‘community’ that was built up through fundraising, the library has proved to be a hub for the town's activities. School children use the library in considerable numbers for school-centred activities, after-school research and homework, school holiday programmes, and internet access that might not be available at home. Many schools are either downgrading their libraries or closing them altogether as they meet financial pressures, but knowing that the public library can, to some extent, fill that gap. Adults use it for book-borrowing, book clubs, internet access and digital advice, meetings, and job applications.</li> <li>• 38,000 people through the doors in 6 months can't be wrong. Where will they go if the library is closed, for even part of the week?</li> <li>• The library is a source of essential resources for education and information. It provides access to many types of recreation and spaces for community engagement. Any changes to these services must not be made without consideration for the implications for the community, or without their involvement in a decision-making process.</li> </ul>

No.	Feedback
	<p>The library provides these essential services and many more. Ōpōtiki Council should be proudly supporting it, instead of considering it to be expendable.</p> <p>I urge the council to:</p> <ul style="list-style-type: none"> <li>• Immediately halt any ongoing restructuring related to the library (and iSite services) until a formal public consultation process has been conducted.</li> <li>• Provide clear and accessible information on how citizens can participate in the decision-making process regarding these and future proposals.</li> <li>• Commit to transparency and accountability in all actions and decisions affecting community services and the Long Term Plan.</li> </ul> <p>Thank you for considering my submission. I look forward to your response and to seeing how the council plans to address these concerns in a manner that respects the voices and needs of the Ōpōtiki community.</p>
27	<p>This is my submission to council regarding the proposal to reduce staff and opening hours for our library Te Tahuu o te Rangī:</p> <p>Firstly, Te Tahuu o te Rangī is barely two years old and easily the best building in the town. It is something to be proud of and celebrated not relegated to join other empty or underused buildings in town.</p> <p>Secondly, people from out of town e.g. the coastal communities use this as a source of information, community gathering, reading material (obviously), quiet workspace, meeting space, file printing and more. Because they must travel to use the library it needs to be open during normal business hours.</p> <p>Thirdly, it operates as a source of titles which cannot be source elsewhere.</p> <p>Fourthly, the staff have been outstandingly helpful and knowledgeable and deserve to be treated with more respect than this proposal is offering.</p> <p>I am strongly opposed to this proposal.</p> <p>I am happy to speak directly to council if the opportunity is given.</p>

*Feedback received on Connect | Hono Mai – Long Term Plan 2024-2034.*

<b>1.</b>	Save the library and isite.
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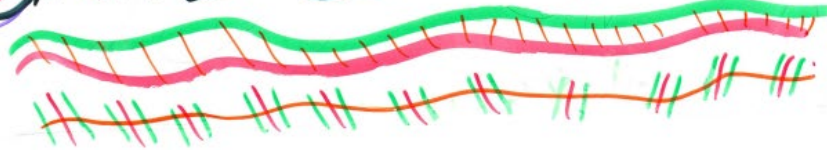






OPO  
Library

SAVE OUR SCREEN



Save our Time at the library  
To communicate and explore.



We need more Time  
To read and learn

Give use more  
Screen Time



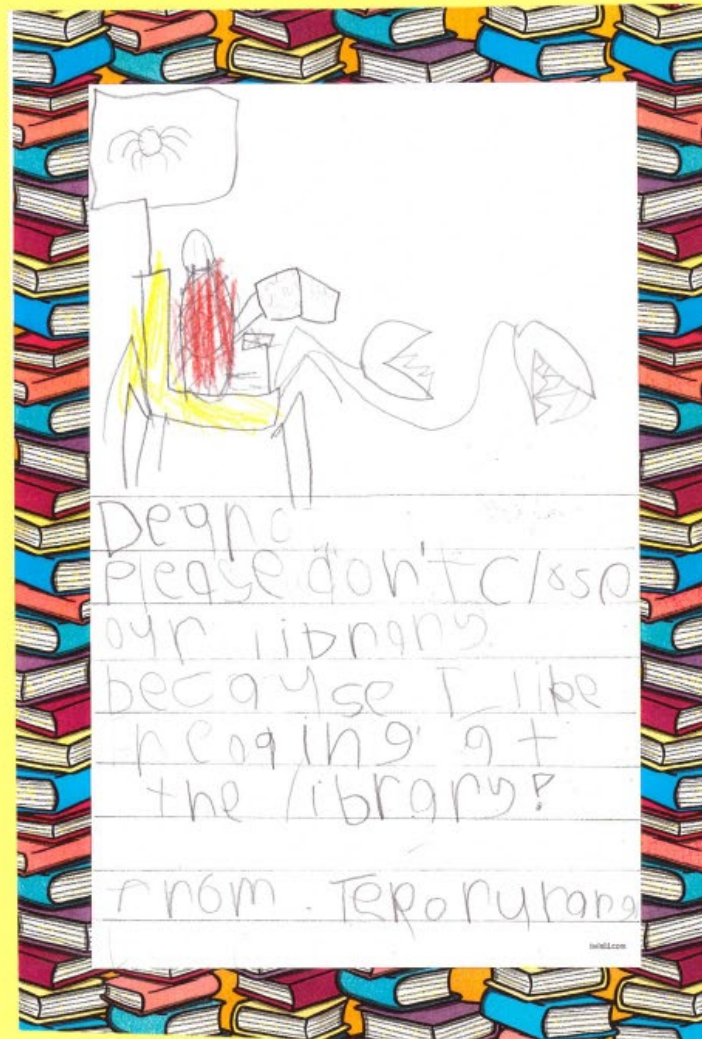
We deserve more  
Reading and chrome  
Time



We deserve  
more time



WE NEED MORE  
TIME TO  
READ AND  
LEARN!!





- Dear O.D.C
- Please keep our library
- open because I like
- reading the books.
- Kcjh

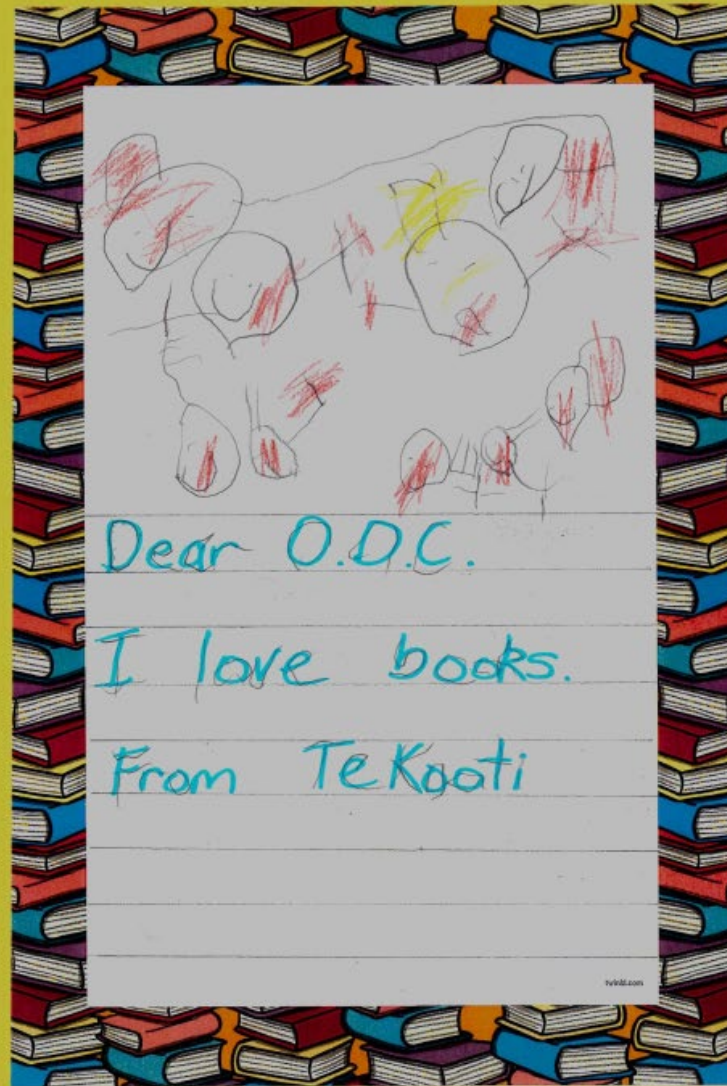




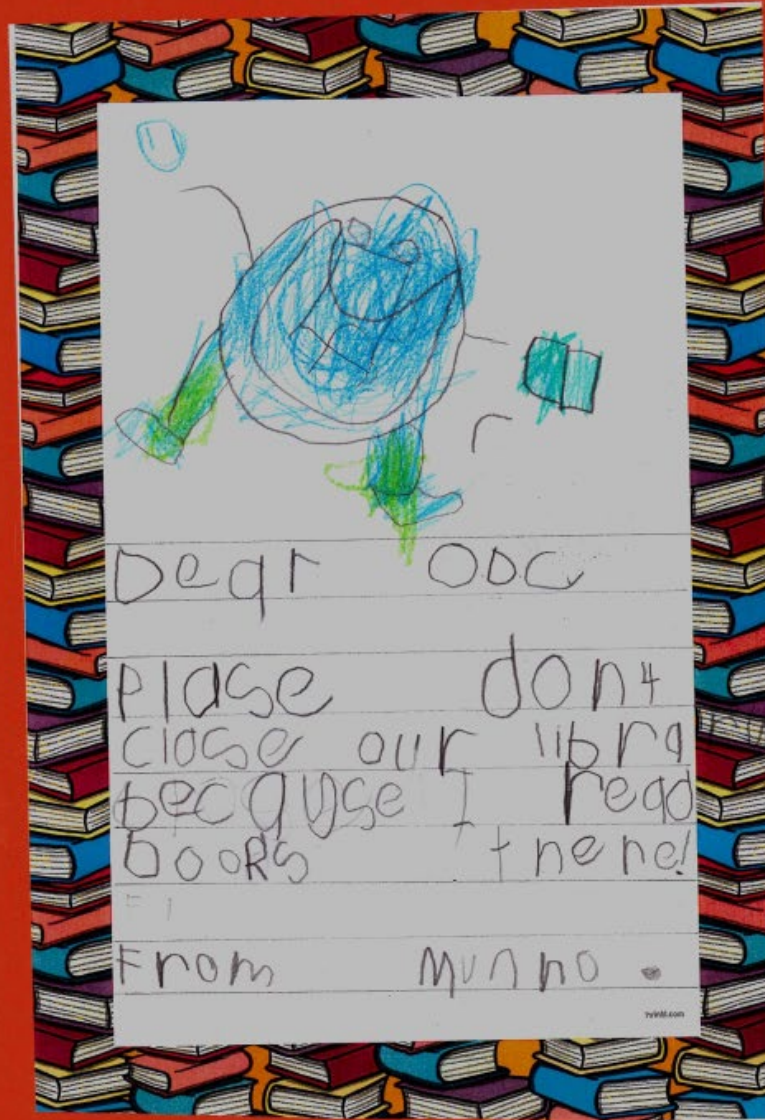
Dear Od.C.

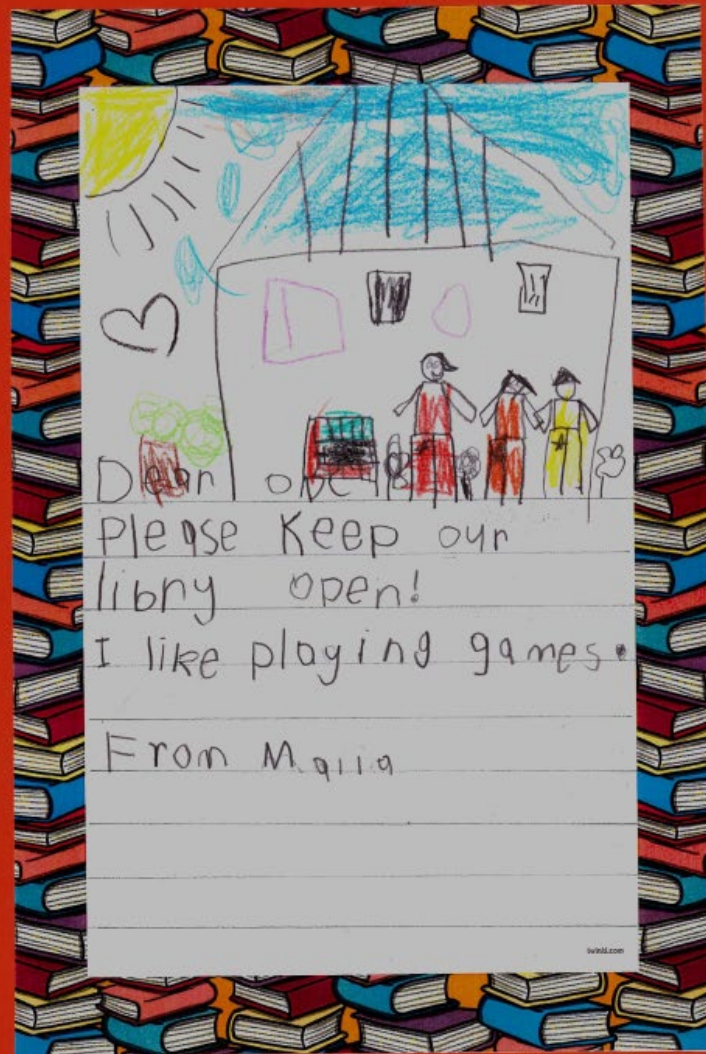
- Please do not
- close the library
- because I like
- to learn.
- I like to read.
- We learn from the
- books
- from ivory.
- 









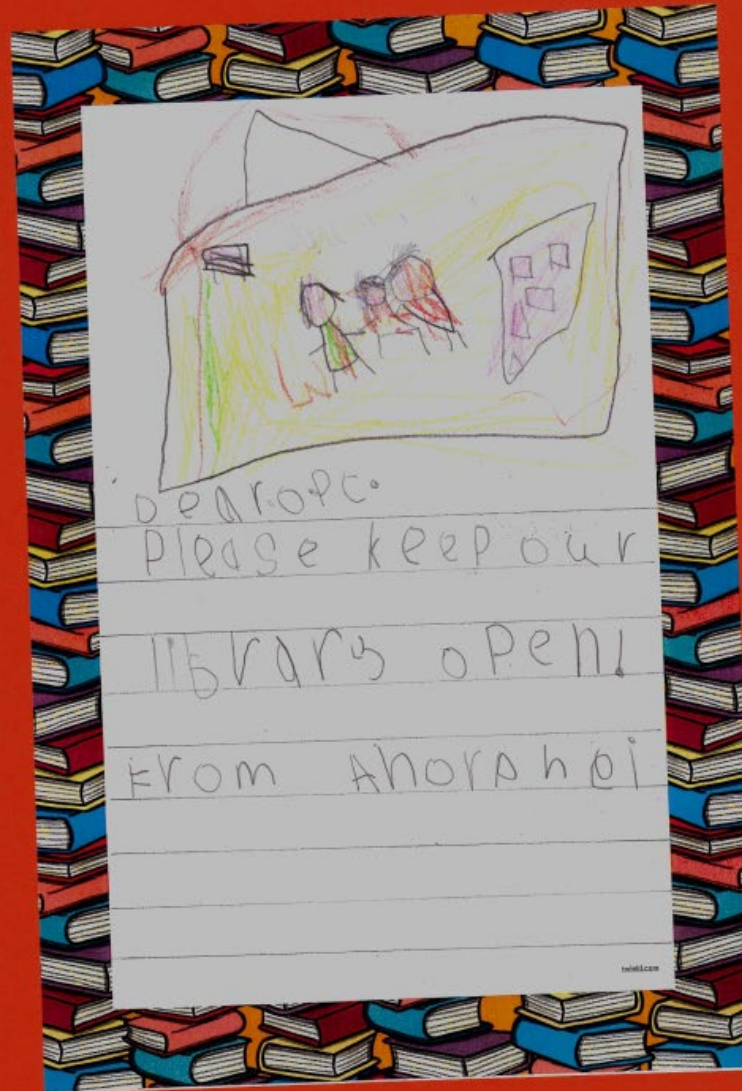


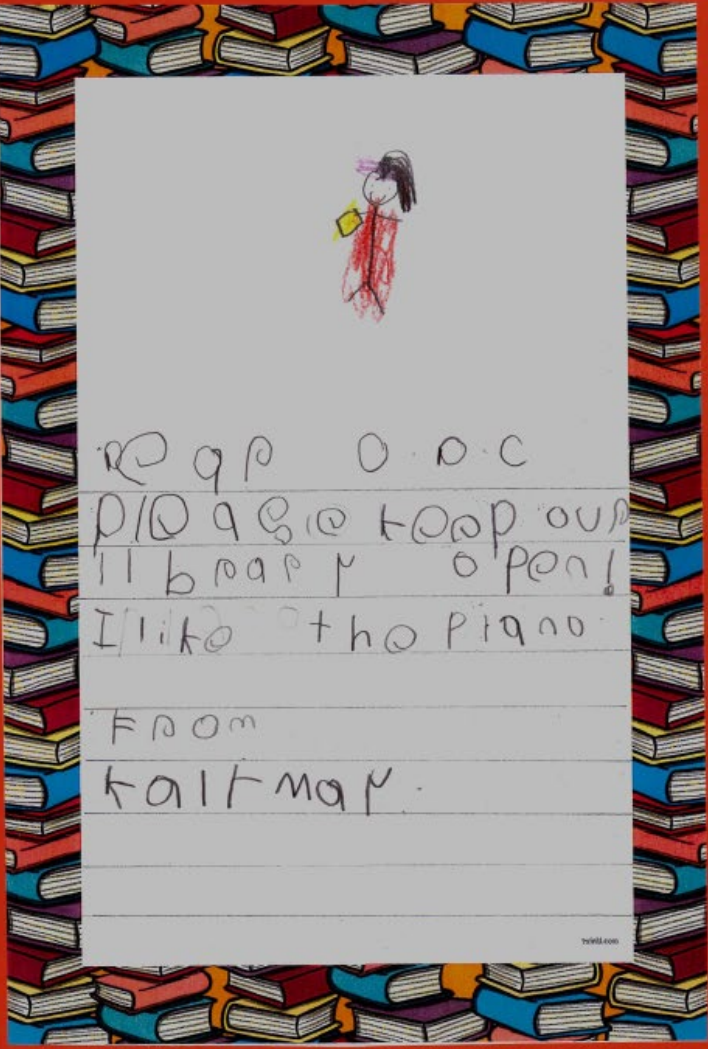
Prax To V



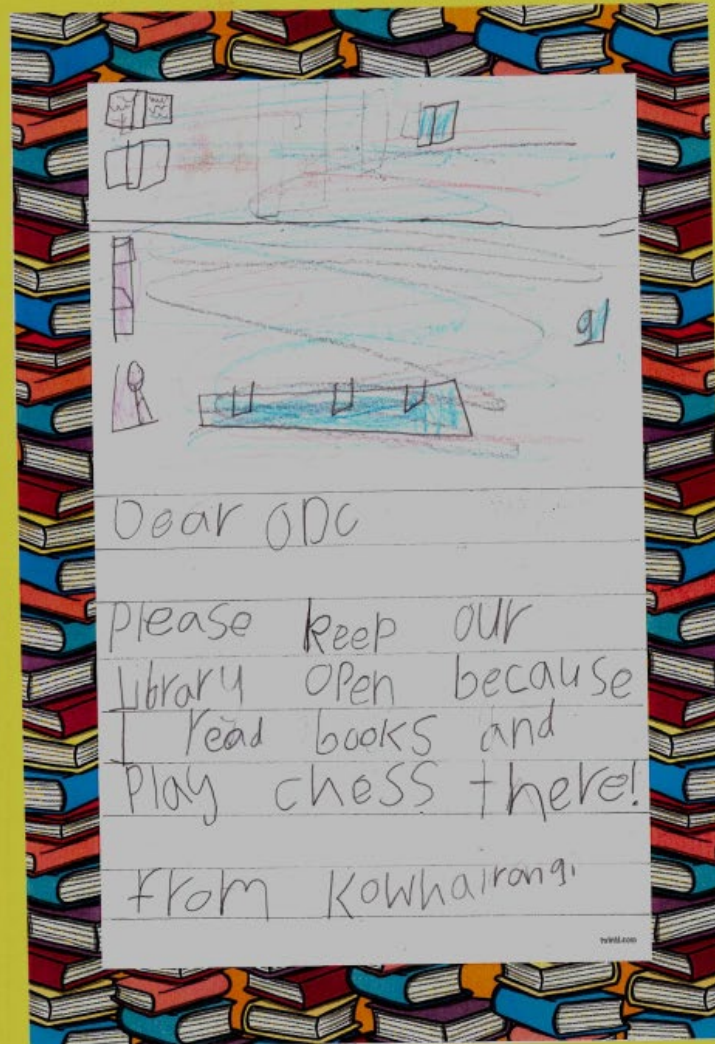
- Dear O.D.C
- Please keep our library open so
- that I can learn how to read  
THAT I CAN LEARN HOW TO READ  
ra O U T P
- Prax To V

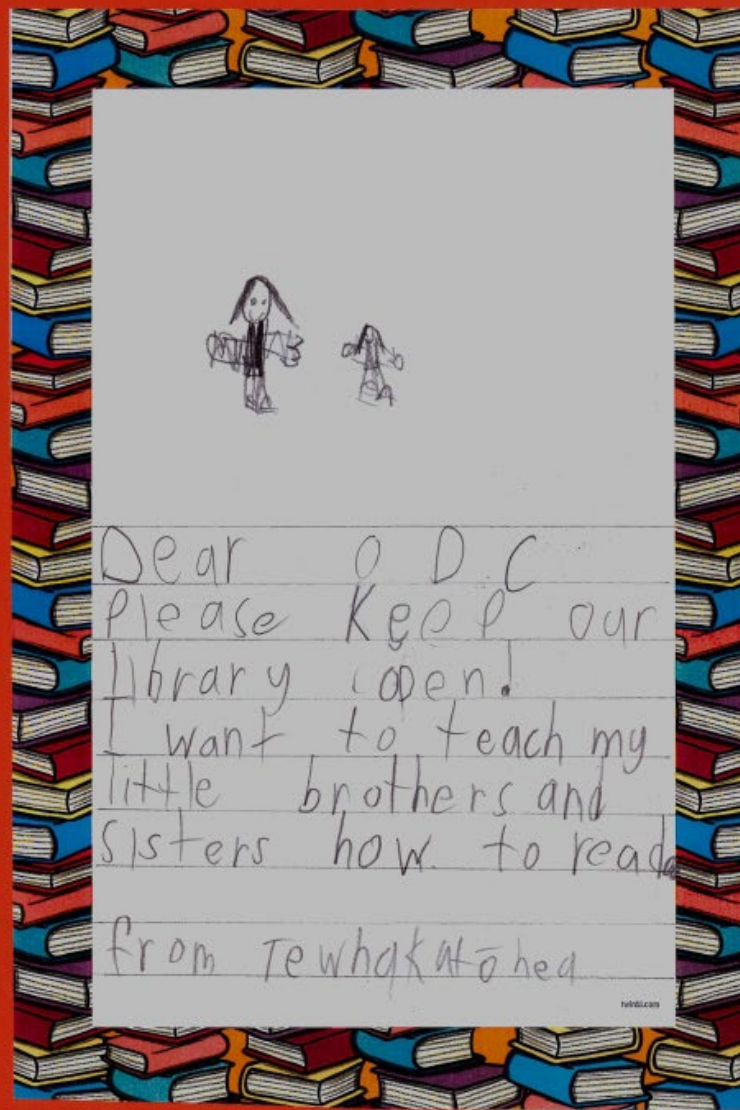


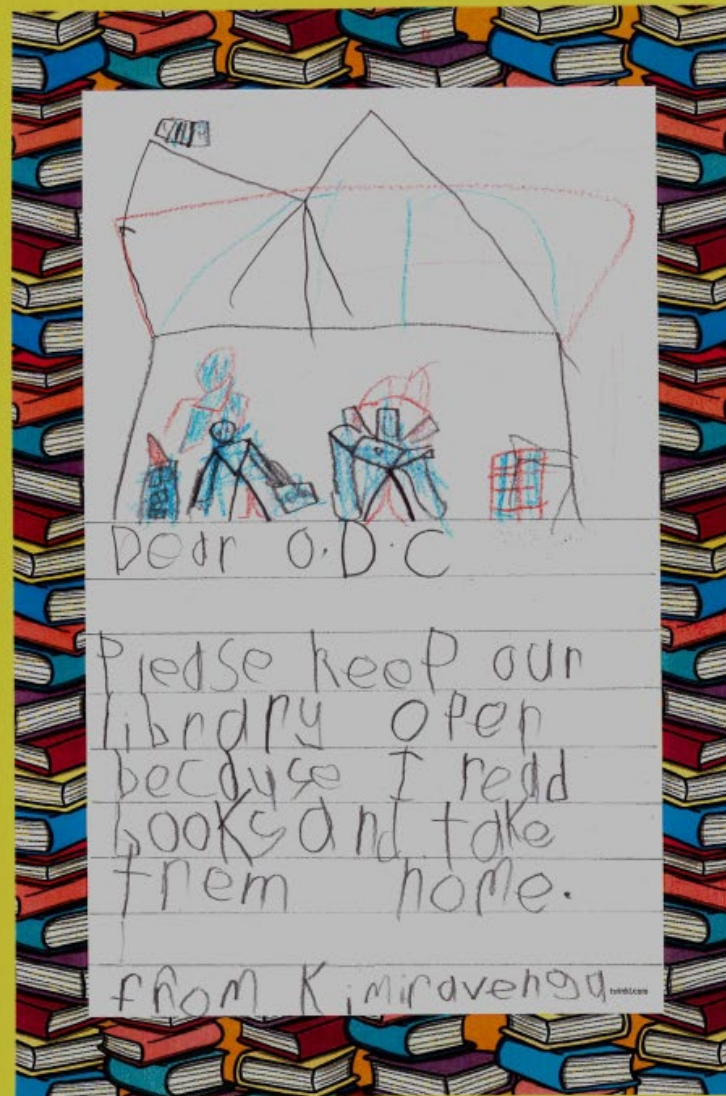




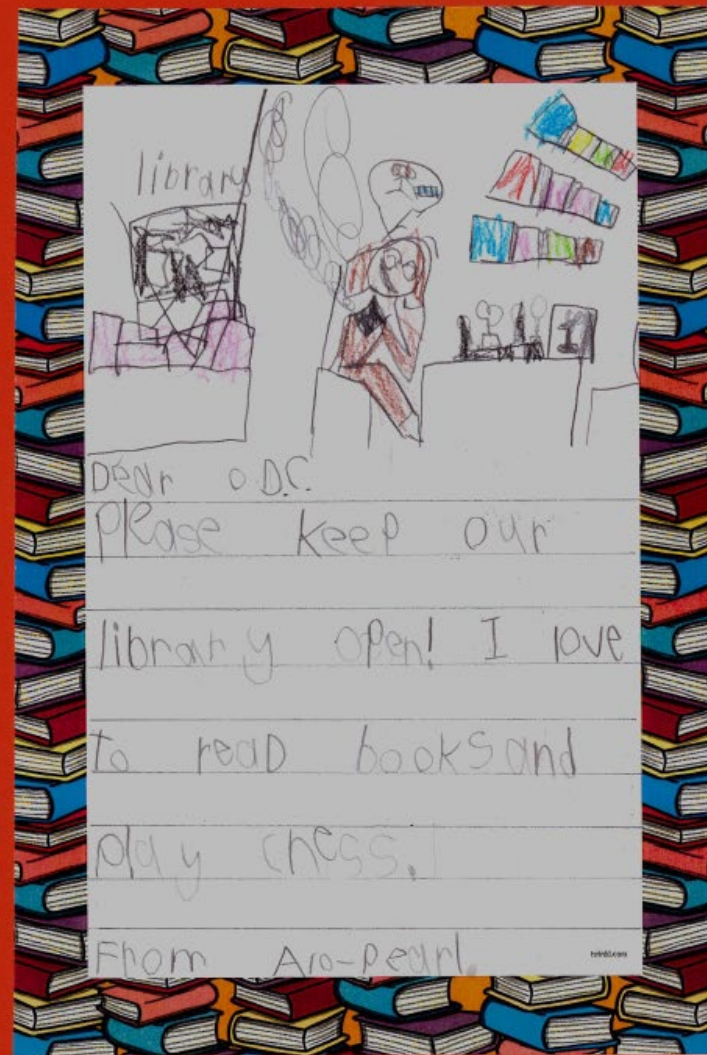
Read a book  
I like to read  
I like the piano  
From  
Kaitlyn

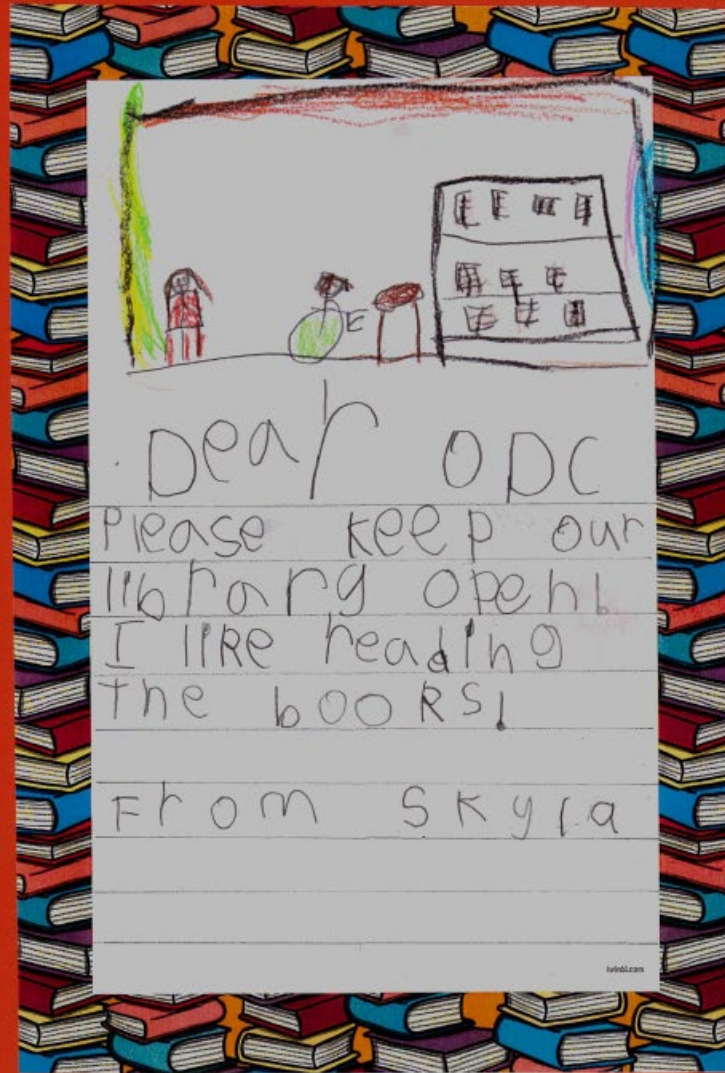


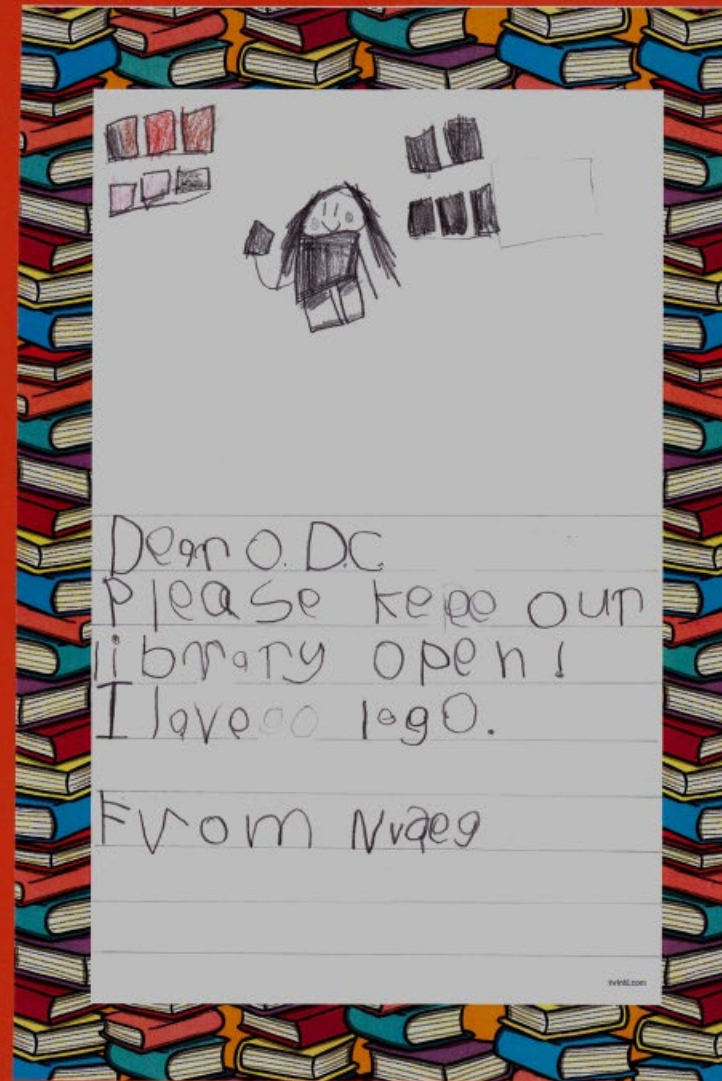


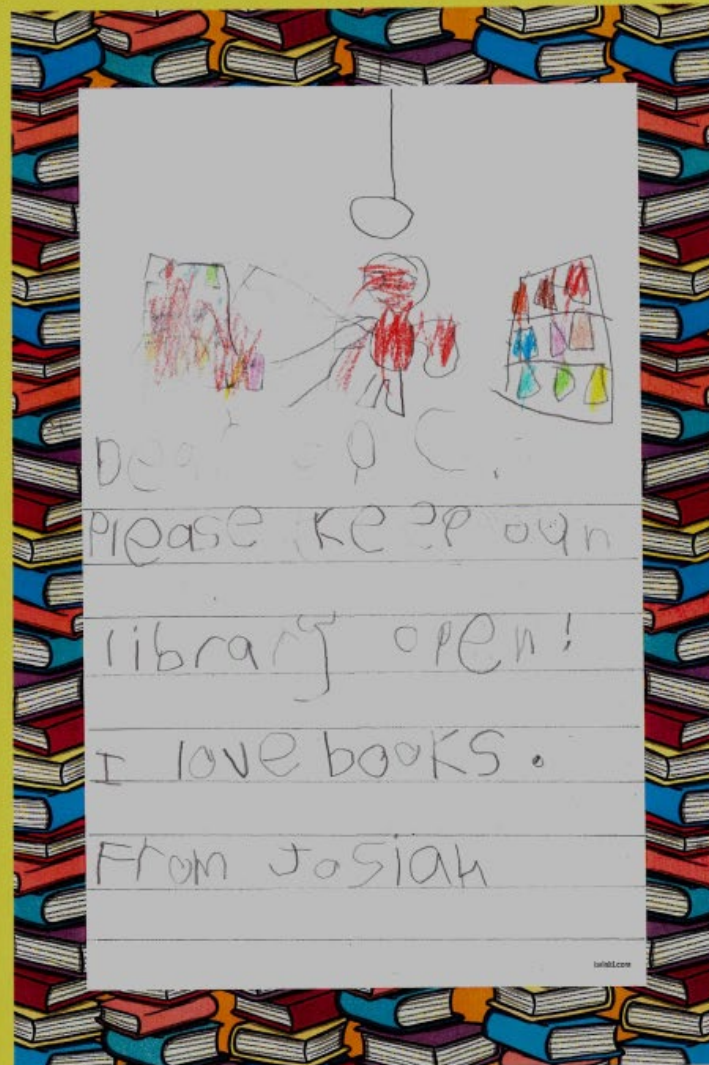


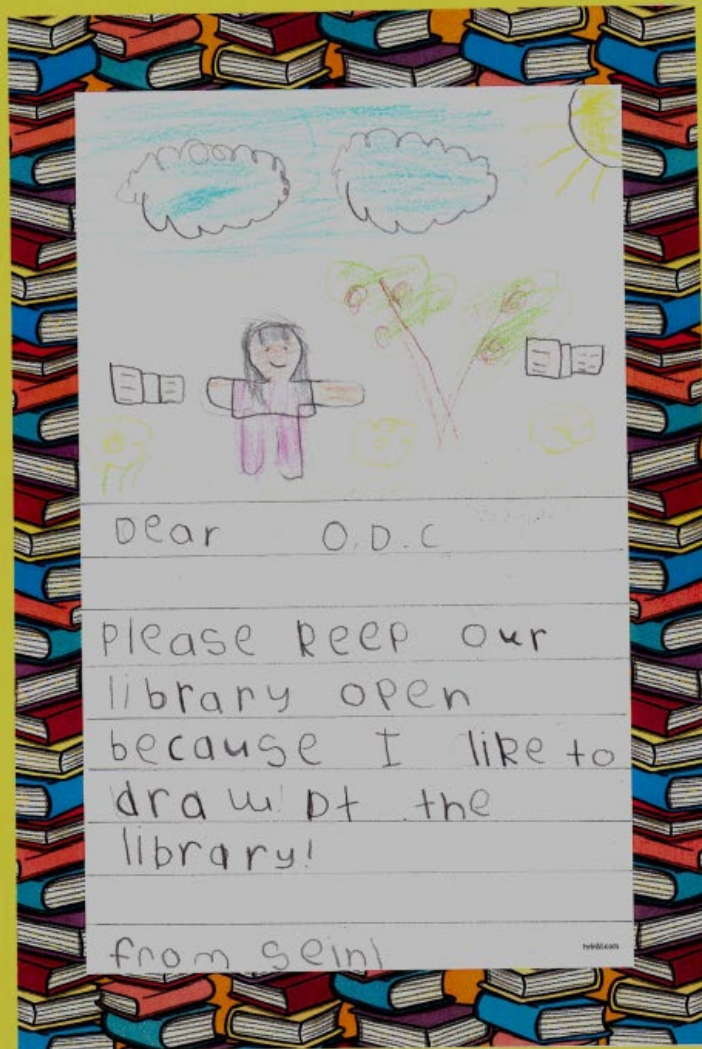


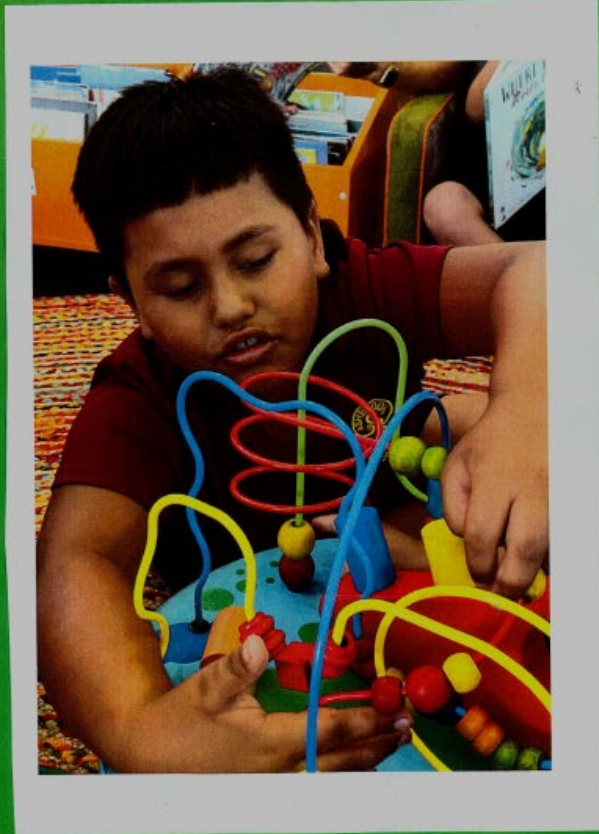













• AP



• Dear O.D.C  
Deo P.O.C

• Please keep our library open.  
P.P.C.

• So that I can learn and

• read.

• AP P



- Dear Mr. D.C please keep
- the library open so I can
- get comics to take home.
- I can learn and teach
- others like my friends and
- brothers and my teachers.
- 
- 
- 
- 
- From AUS + /h.



Dear O.D.C.

- Please keep our library open.
- Please don't shut the library
- because I like reading the books.
- please don't shut the library
- because I like the games.

from Bowen



## COUNCIL REPORT

Date : 27 February 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Group Manager Finance and Corporate Services, Peter Bridgwater  
Subject : **ADOPTION OF RATES REMISSION AND POSTPONEMENT POLICY FOR PUBLIC CONSULTATION**  
File ID : A1201775

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## EXECUTIVE SUMMARY

- Council has undertaken a review of its rates remission and postponement policies as part of the 2024 – 2034 Long Term Plan development. This review has resulted in Council's four rates remission/postponement policies being combined into one: Rates Remission and Postponement Policy (Appendix 1).
- Under section 102 of the Local Government Act, this policy is required to undergo the Special Consultative Procedure (section 83 of the LGA) before being formally adopted.
- This report seeks Council adopt the Rates Remission and Postponement Policy (Appendix 1) and the Statement of Proposal (Appendix 2) for public consultation.

## RECOMMENDATIONS

- 1) **That the report titled "Adoption of Rates Remission and Postponement Policy for Public Consultation" be received.**
- 2) **That the draft Rates Remission and Postponement Policy, attached to the report as Appendix 1, be adopted for public consultation.**
- 3) **That the Statement of Proposal attached to the report as Appendix 2, prepared in accordance with section 83 of the Local Government Act, be adopted.**
- 4) **That Council delegates to the Chief Executive authority to make minor amendments (e.g., punctuation, grammar, etc.,) to Appendices 1 and 2 if required before going out for public consultation.**

## PURPOSE

1. Council has reviewed its rates remission and postponement policies as a part of the Long Term Plan process.

2. This report presents to Council the updates made to Council's rates remission and postponement policies. This report also recommends the Rates Remission and Postponement Policy (Appendix 1), and associated Statement of Proposal (Appendix 2), be adopted for public consultation.

### **STRATEGIC ALIGNMENT**

3. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long Term Plan 2021-2031.
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.
  - Purposeful work and learning opportunities.
  - Development supports the community.
  - Culture and history are treasured.

### **BACKGROUND**

4. The Local Government Act 2002 (LGA) allows for local authorities to adopt rates remission and postponement policies under section 102(3). The LGA also requires rates remission and postponement policies be publicly consulted on in a manner which gives effect to the Special Consultative Procedure, detailed in section 83 of the LGA.
5. Council's rates remission and postponement policies are documents underpinning the Long Term Plan, which is currently being developed. Council has therefore reviewed these policies as a part of developing the 2024 – 2034 Long Term Plan. Council engaged an expert consultant for this review.
6. This review resulted in the following changes:
  - Council's four rates policies (Rates Postponement in Cases of Extreme Hardship, Rates Postponement on Māori Land, Rates Remission on Māori Freehold Land, and Rates Remission on General Land) have been consolidated into one policy. This policy is named Rates Remission and Postponement Policy (Appendix 1). It is commonplace in local government for rates remission and postponement policies to be in one document. It ensures the information is in one place for public and staff. Additionally, a review or legislation changes only require change to one policy, rather than multiple.
  - Council no longer offers rates postponements (with the exception of individuals who enter into a payment plan with Council). Council's criteria for a postponement are operationally identical to its criteria for a remission. Where community members would qualify for a postponement, they would also qualify for a remission; thus, the two postponement policies

are “gathering dust” as there is no significant difference in Council’s approach to a postponement versus a remission.

- The document has been streamlined; delegations and responsibility information has been removed as these are present in the Delegation Manual Council adopted by Council 1 August 2023. Application details are now at the beginning of the document rather than throughout, for ease of use.
  - The policy was updated in line with legislative requirements, none of which result in operational change.
7. On 30 January 2024 Council held a workshop where the above changes were presented to Councillors. Councillors agreed and provided no direction for any further changes to the policy.
8. The Risk and Assurance Committee received the draft policy on 26 February and provided the following feedback:
- Council no longer offering rates postponements required an exception for ratepayers who enter into a payment plan with Council. In this instance, those ratepayers’ rates will be postponed in accordance with their payment plan. This has been added on page 3, under the Rates Postponement section.

## OPTIONS

9. To proceed, Council needs to decide upon one of the following two options.

<b>OPTION 1: Adopt <i>Rates Remission and Postponement Policy</i> for public consultation (recommended).</b>	
<b>Description</b>	Council adopts the draft policy to go out for public consultation as per the Special Consultative Procedure outlined in section 83 in the Local Government Act.
<b>Advantages</b>	<ul style="list-style-type: none"> <li>• Council will be meeting its legislative requirements, as it is required to publicly consult before adopting any rates remission/postponement policy.</li> <li>• Council will align with the timeline to deliver the 2024 -2034 Long Term Plan, as this policy is a key underlying document.</li> </ul>
<b>Disadvantages</b>	There are no identified disadvantages to this option.
<b>Impact on mana whenua</b>	Public consultation will allow for Council to receive feedback from mana whenua on the draft policy, particularly those elements specific to Māori land.
<b>Strategic alignment</b>	<ul style="list-style-type: none"> <li>• <i>Services and facilities meet our needs:</i> This option allows for Council to consult on its rates remission and postponement policy (which is also legislatively required) and gather community feedback, ensuring it is fit for purpose for the district’s residents.</li> </ul>

**OPTION 1: Adopt *Rates Remission and Postponement Policy* for public consultation (recommended).**

	<ul style="list-style-type: none"> <li>• <i>Development supports the community.</i> As above, this option ensures Council will consult on the draft policy, thereby working to ensure the policy is fit for purpose to support the community.</li> </ul>
<b>Associated risks</b>	There are no identified risks to this option.

**OPTION 2: Do not adopt the *Rates Remission and Postponement Policy* for public consultation.**

<b>Description</b>	Council does not adopt the draft policy to go out for public consultation as per the Special Consultative Procedure outlined in section 83 of the Local Government Act.
<b>Advantages</b>	There are no identified advantages to this option.
<b>Disadvantages</b>	<ul style="list-style-type: none"> <li>• Council will not be able to formally adopt the updated policy, as it is required to undergo public consultation under section 102 of the Local Government Act.</li> <li>• Additionally, Council will be at risk of not meeting its legislative timeframes for completing the Long Term Plan, as this policy is an underlying document.</li> </ul>
<b>Impact on mana whenua</b>	By not publicly consulting on the reviewed policy Council will be missing a key opportunity to receive feedback from mana whenua on how the rates remission and postponement policy does or does not serve them.
<b>Strategic alignment</b>	This option does not meet the Long Term Priorities indicated in the Strategic Alignment section.
<b>Associated risks</b>	There is significant risk associated with this option as Council is legislatively required to consult on any rates remission and postponement policies before adoption. Additionally, Council will be at risk of not meeting its legislative timeframes to complete the 2024 – 2034 Long Term Plan.

**DISCUSSION**

10. Option one is recommended by staff. The recommendations to this report reflect option one.
11. Option one will require implementing the Special Consultative Procedure as outlined in section 83 of the LGA. This will entail the following:
  - Producing a Statement of Proposal (Appendix 2) detailing the changes to the policy, the consultation period, and how to make a submission.
  - Using the local newspaper, Council website, Council engagement website, Council Facebook page, Front of House, Te Tāhuhu o Te Rangi, and isite to promote the consultation and make digital and physical copies of the documents available.
  - The community will be given a period of a minimum of four weeks to make submissions and will have the opportunity to speak to their submissions in a Council hearing.

- Council will then deliberate on the content of the submissions and agree to any policy changes as a result, before formally adopting the updated policy.
- This is a minimum legislative requirement and does not prevent Council from engaging in further consultation.

#### **Financial/budget considerations**

12. Costs associated with the development of the 2024 – 2034 Long Term Plan have been included in the 2023/24 Annual Plan.

#### **Policy and planning implications**

13. Council is legislatively required to consult on any rates remission and/or postponement policy. This report aligns with this obligation.

#### **Impact on mana whenua**

14. As identified in option one, public consultation on this policy allows for the opportunity to receive feedback from mana whenua on the standard and suitability of the draft policy.

#### **Climate impact considerations**

15. There are no climate considerations associated with the matters in this report.

#### **Risks**

16. There are no identifiable risks associated with option one, the preferred option.

#### **Community wellbeing considerations**

17. The purpose of Local Government includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four well-beings').
18. The subject of this report has been evaluated in terms of the four well-beings during the process of developing this report as outlined below.

#### **Social, Economic, Environmental, and Cultural**

19. Publicly consulting on the Rates Remission and Postponement Policy allows for community engagement and the opportunity to develop an understanding of whether the proposed policy is fit for purpose both economically and environmentally for Ōpōtiki residents. This includes mana whenua and specific concerns around Māori land.

## **SIGNIFICANCE AND ENGAGEMENT ASSESSMENT**

### **Assessment of significance**

20. 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.
21. The level of significance related to the decision in this report is considered to be **high**. Because the decision is determined to have **high** significance in accordance with the policy, the corresponding level of engagement required is **Consult**.

### **Assessment of engagement**

22. As the level of significance has been determined to be **high**, the level of engagement required is **Consult** according to the Engagement Framework of the Significance and Engagement Policy.
23. The significance level has been determined to be **high** as Council is legislatively required to publicly consult on any rates remission and/or postponement policy before adoption. The details of this public consultation can be found in the Discussion section of this report and outlined in section 83 of the LGA.

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#### **CONSULT**

To obtain public feedback about ideas on rationale, alternatives, and proposals to inform decision making.

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## **CONCLUSION**

24. Council has undertaken a review of its rates remission and postponement policies as part of the 2024 – 2034 Long Term Plan development. This review has resulted in Council's four rates remission and postponement policies being combined into one: Rates Remission and Postponement Policy (Appendix 1).
25. Under section 102 of the Local Government Act, this policy is required to undergo the Special Consultative Procedure (section 83 of the LGA) before being formally adopted.
26. This report seeks Council adopt the Rates Remission and Postponement Policy (Appendix 1) and the Statement of Proposal (Appendix 2) for public consultation.

Peter Bridgwater

**GROUP MANAGER FINANCE AND CORPORATE SERVICES**

## APPENDIX 1

POLICY	STATUS	AT	DATE	DOC ID
<i>Rates Remission and Postponement Policies, including on General Land, Māori Land, and Māori Freehold Land</i>	<i>Draft</i>	<i>Management Team Meeting</i>	<i>8 December 2023</i>	<i>A1198626</i>



**Opotiki District Council**  
STRONG COMMUNITY STRONG FUTURE

## ŌPŌTIKI DISTRICT COUNCIL

# RATES REMISSION AND POSTPONEMENT POLICY, INCLUDING ON GENERAL LAND, MĀORI LAND, AND MĀORI FREEHOLD LAND

## GENERAL

This policy outlines Ōpōtiki District Council's approach to Rates Remissions and Postponements. This includes on General Land, Māori Land, and Māori Freehold Land.

## RECOGNITION OF OBLIGATIONS TO MĀORI

The amendment of the Local Government Act 2002 ([102\(3A\)](#)) in the Local Government (Rating of Whenua Māori) Amendment Act 2021 requires that the Rates Remissions Policies must support the principles set out in the [Preamble](#) to Te Ture Whenua Māori Act 1993.

This policy supports the matters in the Preamble by giving effect to Council's statutory obligations under the Local Government Act 2002 and the Local Government (Rating) Act 2022 including the matters in the rates remissions policies, Local Government Act 2002 [Schedule 11](#) and Local Government (Rating) Act 2002 [Schedule 1](#).

All policies in the Rates Remission and Postponement Policy apply to Māori freehold land unless stated otherwise. Additionally, the Rates Remissions and Postponement policy for Māori Freehold land also apply to Māori freehold land.

### Te Ture Whenua Māori Act 1993

This policy will support the Preamble to Te Ture Whenua Māori Act 1993. Council will

- Recognise that land is a taonga tuku iho of special significance to Māori people.
- Promote the retention of that land in the hands of its owners, whānau, and their hapu.
- Protect Wahi tapu.

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<sup>1</sup> [Te Ture Whenua Maori Act 1993 No 4 \(as at 29 November 2022\), Public Act Preamble – New Zealand Legislation](#)

- Facilitate the occupation, development, and utilisation of that land for the benefit of its owners, their whānau, and hapu.<sup>1</sup>

## APPLICATIONS PROCESS

This section applies to the entirety of this policy.

Ratepayers wishing to claim a remission should make an application at the following webpage. PDFs of application forms can also be downloaded at this link. Individuals may request a physical form our main office at 108 Saint John Street.

[Rates Remissions and Postponements - Ōpōtiki District Council \(odc.govt.nz\)](#)

The application for rate remission must be made to the Council prior to April 1 for the next rating year. Applications received during a rating year will be applicable from the commencement of the following rating year. Applications will not be backdated.

Applications for remissions shall be considered by Finance and Corporate Services Group Manager. Further delegations are made from the management level, and are documented in Council's Delegation Manual.

The discretion of approving or rejecting any application is the sole determination of Council. Council may delegate the authority to make such approvals to particular Council staff as specified by a resolution of Council.

Decisions of remission of penalties will be delegated to officers as set out in the Council's Delegations Manual.



## RATES POSTONEMENTS

Individuals who enter into payment plans for their rates have their rates postponed in accordance with their individual payment plan.

Outside of the above, Council does not have a policy allowing for the postponement of rates.

## RATES REMISSION OF GENERAL LAND

### Introduction:

The Rates Remission on General Land policy identifies the circumstances where the council will consider rates relief on general land.

### 1 COMMUNITY, SPORTING AND OTHER ORGANISATIONS

#### Preamble

Section 8 of the Local Government (Rating) Act 2002 provides for certain categories of land to have rates assessed not exceeding 50% of the rates that would have otherwise been assessed. These categories of land are more specifically detailed in the Act as:

Part 2:

Land 50% non-rateable:

1. Land owned or used by a society incorporated under the Agricultural and Pastoral Societies Act 1908 as a showground or place of meeting.
2. Land owned or used by a society or organisation of persons (whether incorporated or not) for games or sports, except galloping races, harness races, or greyhound races.
3. Land owned or used by a society or organisation of persons (whether incorporated or not) for the purpose of any branch of the arts.<sup>2</sup>

Notes:

For the purposes of this part, unless the context otherwise requires, **land** does not include land used for the private pecuniary profit of any members of the society or association. **Land**, in clause 2, excludes land in respect of

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<sup>2</sup> [Local Government \(Rating\) Act 2002 No 6 \(as at 23 August 2023\), Public Act Schedule 1 Categories of non-rateable land – New Zealand Legislation](#)

which a club licence under the Sale of Liquor Act 1989 is for the time being in force.

However, in addition there are other groups which Council believes should have a remission.

### **Objective**

To facilitate the ongoing provision of non-commercial (business) community services and non-commercial (business) recreational opportunities for the residents of Ōpōtiki district.

The purpose of granting rates remission to an organisation is to:

- assist the organisation's survival; and
- make membership of the organisation more accessible to the general public, particularly disadvantaged groups – these include children, youth, young families, aged people, and economically disadvantaged people.

### **Conditions and criteria**

For application details, refer to the beginning of the policy.

This part of the policy will apply to land owned by the Council or owned and occupied by a charitable organisation, which is used exclusively or principally for sporting, recreation, or community purposes.

The policy does not apply to organisations operated for private pecuniary profit.

The policy will also not apply to groups or organisations whose primary purpose is to address the needs of adult members (over 18 years) for entertainment or social interaction, or who engage in recreational, sporting, or community services as a secondary purpose only.

Rate remission under this policy will be limited to 50% of the general or targeted rates. No remission will be granted on the targeted rates for water supply, sewage disposal or refuse collection.

Council at its discretion may to apply this remission to properties it feels fit the criteria.

Organisations making application should include the following documents in support of their application:

- statement of objectives; and
- financial accounts; and
- information on activities and programmes; and
- details of membership or clients.

The policy shall apply to such organisations as approved by the Council as meeting the relevant criteria. The discretion of approving or rejecting any application is the sole determination of Council. Council may delegate the authority to make such approvals to particular Council Officers as specified by a resolution of Council.

## **2 UNIFORM CHARGES ON RATING UNITS OWNED BY THE SAME OWNER**

### **Preamble**

Section 20 of the Local Government (Rating) Act 2002 provides for two or more rating units to be treated as 1 unit for setting a rate if those units are:

- a) owned by the same person or persons; and
- b) used jointly as a single unit; and
- c) contiguous or separated only by a road, railway, drain, water race, river or stream.

However, sub-divided land owned by a developer while contiguous is not held for the same purpose as each lot can be sold separately to a different purchaser. This has had additional implications where properties of more

than one lot are now treated as separate properties. Further there are ownership of properties which to all intent and purposes is similar and which Council consider should have relief under this policy.

### **Objectives**

To provide for relief from uniform charges on land held by a developer or what was formerly a single property but now treated as two or more properties and properties to which the ownership, to all intents and purposes, is similar.

### **Conditions and criteria**

For application details, refer to the beginning of the policy.

Rating units that meet the criteria under this policy may qualify for a remission of uniform annual general charges and any targeted rate set on the basis of a fixed dollar charge per rating unit. The ratepayer will remain liable for at least one set of each type of charge.

The rating units on which remission is made must to all intents and purposes have the same owner.

Only one of the units may have any residential dwelling situated on the rating unit.

Council at its discretion may apply this remission to properties it feels fit the criteria. The policy shall apply to such organisations approved by the Council as meeting the relevant criteria.

## **3 PENALTIES**

### **Preamble**

Council has large rate arrears and it can be an incentive to the collection of back years' arrears if some concession is made in collection of penalties. Further where owners are prepared to enter into formal payment

arrangements any penalties incurred through timing of payments should be waived. There are also other extenuating circumstances where it may be just and equitable to waive penalties.

### **Objective**

The objective of this part of the remissions policy is to:

- a) enhance the collection of back years' rates;
- b) enable the Council to act fairly and reasonably in its consideration of rates which have not been received by the Council by the penalty date due to circumstances outside the ratepayer's control.

### **Conditions and criteria**

For application details, refer to the beginning of the policy.

Automatic remission of the penalties incurred on instalments one and two will be made where the ratepayer pays the total amount due for the year on or before the penalty date of the third instalment.

Remission of one penalty will be considered in any one rating year where payment has been late due to significant family disruption. Remission will be considered in the case of death, illness, or accident of a family member, as at the due date.

Remission of the penalty will be granted if the ratepayer is able to provide evidence that their payment has gone astray in the post or the late payment has otherwise resulted from matters outside their control. Each application will be considered on its merits and remission will be granted where it is considered just and equitable to do so.

### **Write-offs**

Write-off of penalties applied in previous years may be considered at the Chief Executive's discretion where doing so may facilitate the of payment of rates arrears in full.

As per section 90A and 90B of the LGRA, the Chief Executive may also write off outstanding rates when it is considered by the CE that the rates cannot reasonably be recovered. This may be done at any time by the Chief Executive's initiative or by application from a ratepayer. When this happens, the Chief Executive must:

- a) notify a ratepayer of any write-off of the ratepayer's rates; and
- b) provide a written response to an applicant within 30 days of receipt of the application, detailing the reasons for the decision to or to not write off the rates specified in the application.

#### **4 ECONOMIC DEVELOPMENT**

##### **Preamble**

The Ōpōtiki District is one where employment opportunities have been few and far between. Council is also concerned that raw products from farming and forestry in the District leave the District for further processing. The Council wishes to attract investment in processing-type industries, and considers that rate remissions during the development phase of investment projects will assist in achieving this objective.

##### **Objective**

To promote employment and economic development within the district by assisting new business.

##### **Conditions and criteria**

For application details, refer to the beginning of the policy.

This part of the policy applies to commercial and/or industrial development that involves the construction, erection or alteration of any building or buildings, fixed plant and machinery, or other works intended to be used for industrial, commercial or administrative purposes.

Horticultural and residential development may qualify for remission under this part of the policy.

In considering applications for remission under this part of the policy, Council will have regard to the following criteria:

- the likely financial advantage to the district
- employment opportunities
- the extent to which developments of the particular type or types are likely to be promoted or prejudicially affected by the granting of rates remissions.

Applications must be made in writing and must be supported by:

- a description of the development
- a plan of the development (where possible)
- an estimate of costs
- an estimate of the likely number of jobs created by the development.

Applications for remission for economic development will be considered by Council. In considering applications, Council may decide to seek independent verification of any information provided on an application.

Council will decide what amount of rates will be remitted on a case by case basis, subject to a maximum amount of 50 percent of rates, and a maximum remission period of five years from the commencement of the development. For the purposes of this part of the policy, a project will be viewed as having commenced when resource consent is issued.

In granting remissions under this part of the policy, Council may specify certain conditions before remission will be granted. Applicants will be required to agree in writing to these conditions and to pay any remitted rates if the conditions are violated.

#### **5 LAND USED FOR NATURAL, HISTORIC OR CULTURAL AND CONSERVATION PURPOSES**

##### **Objective**

To preserve and promote natural resources and heritage to encourage the protection of land for natural, historic or cultural purposes. This policy will support the provisions of the Ōpōtiki District Council District Plan.

### **Conditions and criteria**

For application details, refer to the beginning of the policy. Applications must be made in writing. Applications should be supported by documentary evidence of the protected status of the rating unit, e.g. a copy of the Covenant or other legal mechanism.

Ratepayers who own rating units which have some feature of cultural, natural or historic heritage which are voluntarily protected may qualify for remission of rates under this part of the policy.

Land that is non-rateable under section 8 of the Local Government (Rating) Act and is liable only for rates for water supply, sewage disposal or refuse collection will not qualify for remission under this part of the policy.

Applications for the remission for protection of heritage will be considered by Council. In considering any application for remission of rates under this part of the policy, Council will consider the following criteria:

- the extent to which the preservation or natural, cultural or historic heritage will be promoted by granting remission of rates on the rating unit
- the degree to which features of natural, cultural or historic heritage are present on the land
- the degree to which features of natural, cultural or historic heritage inhibit the economic utilisation of the land
- the extent to which the preservation of natural, cultural or historic heritage will be promoted by granting remission of rates on the rating unit.

Council will decide what amount of rates will be remitted on a case by case basis.

In granting remissions under this part of the policy, Council may specify certain conditions before remission will be granted. Applicants will be required to agree in writing to these conditions and to pay any remitted rates if the conditions are violated.

## **6 RATES REMISSION FOR A RATING UNIT AFFECTED BY CALAMITY**

### **Objective of Policy**

The objective of this remission policy is to permit the Council to remit part or whole of the rates charged on any land that has been detrimentally affected by erosion, subsidence, submersion, or other calamity.

### **Conditions and Criteria**

For application details, refer to the beginning of the policy.

The Council may remit the rates charged on a rating unit if:

1. Land is detrimentally affected by erosion, subsidence, submersion, or other natural calamity or
2. The land is unable to support the activity for which it was used prior to the calamity, for example a residence or commercial building that is unable to be occupied as a result of a calamity.

Rates remissions will only be considered and made following the receipt of an application by a qualifying property to the financial year in which the application was received. Rates remissions would only apply to rates payable after the date of the calamity. (i.e. next instalments). There will be no backdating of rates remissions.

Rates remissions (for part or all) may be applied to all rates charged on the qualifying properties.

## **7 POLICY RATE REMISSION FOR EXTREME FINANCIAL HARDSHIP**

### **Objective of the Policy**

The objective of the policy is to assist ratepayers experiencing extreme financial hardship which affects their ability to pay rates.

### **Conditions and Criteria**

For application details, refer to the beginning of the policy.

Remissions of rates in part or in whole may be given in cases of extreme financial hardship where it is considered appropriate by Council.

The rating unit which is the subject of the application must be used solely as a domestic residence, be the normal place of residence of the ratepayer and the ratepayer must not own any other property in the Ōpōtiki or any other district. (An interest in Māori freehold land in multiple ownership is not included in this exclusion)

The policy does not apply to vacant land.

The remission will be granted to natural persons only.

Council must be satisfied that extreme financial hardship exists or would be caused by requiring payment of the whole or part of the rates.

The ratepayer must provide any evidence that the Council deems appropriate to support the claim for extreme financial hardship.

The ratepayer must make acceptable arrangements for payment of future rates, for example by setting up a system for regular payments.

In order to provide relief to people in situations where water usage is high due to a water leak, Council may remit water consumption rates where all of the following apply:

- A remission application has been received; and
- Council is satisfied a leak on the property has caused excessive consumption and is recorded on the water meter; and
- The leak has been repaired within one calendar month of being identified (unless evidence is provided that the services of an appropriate repairer could not be obtained within this period); and
- Proof of the leak being repaired has been provided to Council promptly after repair of the leak.

The amount of the remission will be the difference between the average consumption of the property and the consumption over and above that average.

Remission for any particular property will generally be granted only once every year. However, where a remission for a water leak has been granted to a property under this policy within the last year, the remission decision is to be made by the delegated officer.

Any remission over 2000 cubic meters of water is to be referred to the Council for decision.

## **8 WATER RATES ATTRIBUTABLE TO WATER LEAKS**

## RATES REMISSION ON MĀORI FREEHOLD LAND POLICY

### Introduction:

The Remission of Rates on Māori Freehold Land policy explains the criteria and conditions used to determine whether rates should be waived on this land. The Ōpōtiki District has a significant amount of Māori Freehold land.

### 1. BACKGROUND

Section 108 of the Local Government Act 2002 allows for Councils to adopt a policy on remission and postponement of rates on Māori freehold land.

Under a 2021 amendment to the Local Government (Rating) Act 2002, entire Māori freehold land rating units that are unused are now non-rateable.

This remission policy is therefore intended to cater to situations where a significant part of a Māori freehold land rating unit may be unused, and a remission of rates based on the unused portion of the rating unit is considered fair.

### 2. DEFINITIONS

Māori freehold land is defined by the Local Government (Rating) Act 2002 as being "Land whose beneficial ownership has been determined by the Māori Land Court by freehold order<sup>3</sup>." The same Act states (Clause 91):

*"Except where this part otherwise provides, Māori freehold land is liable for rates in the same manner as it if were general land."*

The term "unoccupied" means that the land is not occupied. Occupation is where person/persons do one or more of the following for his or her profit or benefit:

1. Leases the land.

<sup>3</sup> [Local Government \(Rating\) Act 2002 No 6 \(as at 23 August 2023\), Public Act 5 Interpretation – New Zealand Legislation](#)

2. Resides upon the land.
3. Depastures or maintains any livestock whatsoever on the land.
4. Cultivates the land and plants crops there on.
5. Stores anything upon the land.
6. Uses the land or any improvements thereon in any way.

### 3. SUMMARY

Council considers this policy for remission of rates on Māori Freehold Land will achieve the aim:

*To ensure the fair and equitable collection of rates from all sectors of the community recognising that certain Māori freehold land have particular conditions, features, ownership structures or other circumstances which make it appropriate to provide relief from rates.*

### 4. OBJECTIVES

As per section 114A of the LGRA<sup>4</sup>, the objective of this policy is to facilitate the occupation, development, and utilisation of Māori freehold land for the benefit of its owners.

Council may remit rates on Māori freehold land where the development of that land is likely to provide:

- (a) Benefits to the district by creating new employment opportunities:
- (b) Benefits to the district by creating new homes:
- (c) Benefits to Council by increasing Council's rating base in the long term:
- (d) Benefits to Māori in the district by providing support for marae in the district:

<sup>4</sup> [Local Government \(Rating\) Act 2002 No 6 \(as at 24 August 2023\), Public Act 114A Remission of rates for Māori freehold land under development – New Zealand Legislation](#)

- (e) Benefits to the owners by facilitation the occupation, development, and utilisation of the land.

In addition, Schedule 11 of the Local Government Act 2002<sup>5</sup> provides key considerations for Council when determining a rates remission decision. These considerations are:

- (a) Supporting the use of the land by the owners for traditional purposes.
- (b) Recognising and supporting the relationship of Māori and their culture and traditions with their ancestral land.
- (c) Avoiding further alienation of Māori Freehold Land.
- (d) Facilitating and incentivising any desire of the owners to develop the land for economic use.
- (e) Recognising and taking account of the presence of waahi tapu that may affect the use of the land for other purposes.
- (f) Recognising and taking account of the importance of the land in providing economic and infrastructure support for marae and associated papakainga housing (whether on the land or elsewhere).
- (g) Recognising and taking account of the importance of the land for the community goals relating to:
  - (i) Presentation of the natural characteristics of the coastal environment;
  - (ii) Protection of outstanding natural features; and
  - (iii) Protection of significant indigenous vegetation and significant habitats of indigenous fauna.
- (h) Recognising the level of community services provided to the land and its occupiers.
- (i) Recognising matters related to the physical accessibility of the land.

## 5. THE REGISTER

Council will maintain a register titled the “Māori Land Rates Relief Register (‘the Register’) for the purpose of recording properties on which it has agreed to remit rates pursuant to this policy.

The Register will comprise two category lists, these being:

1. The “Māori Land General Remissions List”
2. The “Māori Land Economic Adjustment Remissions List”

## 6. MĀORI LAND GENERAL REMISSIONS LIST

### Objective

The objective of this remission policy is to permit the Council to remit part or whole of the rates where the below criteria is met and where doing so would facilitate the objectives of section 114A of the LGRA.

### Conditions and criteria

For application details, refer to the beginning of the policy.

Council will consider remission for property that comes within the following criteria:

The land is unoccupied and:

- (a) The land is set aside as Waahi Tapu; or
- (b) The land is set aside for the preservation of natural characteristics of the coastal environment; or
  - to protect the outstanding natural features; or
  - to protect significant indigenous vegetation and significant habitats or indigenous fauna ; or
- (c) The land is inaccessible
- (d) The land is unused

<sup>5</sup> [Local Government Act 2002 No 84 \(as at 01 October 2023\), Public Act – New Zealand Legislation](#)



The remission for land recorded in the Māori Land Remissions List will be up to 100% of any rates except targeted rates made for water supply, sewerage disposal or waste management.

## **7. MĀORI LAND NON-RATEABLE LIST**

Council will consider non-rateable status for property that meets the following criteria:

1. The land is entirely unused and;
  - a. Meets the criteria set out in section 55 of the amendment act.
2. Or for land which meets the criteria of non-rateable land under Schedule 1 of the LGRA<sup>6</sup>, including:
  - a) Nga Whenua Rahui kawenata land under the reserves and conservation acts.
  - b) Education land including:
    - a. Wānanga.
    - b. Kura Kaupapa Māori.
    - c. Special programmes under the education and training act.
  - c) Urupa.
  - d) Māori customary land.
  - e) Marae or meeting place.
  - f) Māori reservation held for the common use and benefit of the people of New Zealand.
  - g) Unused rating unit of Māori freehold land.

The non-rateable land recorded in the Māori Land Non-Rateable List will be up to 100% of any rates. Council will periodically review the status of any land on the non-rateable list to ensure the requirements are still being met.

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<sup>6</sup> [Local Government \(Rating\) Act 2002 No 6 \(as at 24 August 2023\), Public Act Schedule 1 Categories of non-rateable land – New Zealand Legislation](#)

## **8. MĀORI FREEHOLD LAND - ECONOMIC INCENTIVES REMISSIONS**

### **Objective**

The purpose of this section is to facilitate the occupation, development, and utilisation of Māori freehold land for the benefit of its owners.

### **Remission Period**

Up to five years at the discretion of Council.

### **Remission Value**

Up to 100% of rates.

### **Conditions and Criteria**

1. The Council may remit all or part of the rates (including penalties for unpaid rates) on Māori freehold land if the Council is satisfied that the development is likely to have any or all of the following benefits:
  - a. benefits to the district by creating new employment opportunities;
  - b. benefits to the district by creating new homes;
  - c. benefits to the council by increasing the council's rating base in the long term;
  - d. benefits to Māori in the district by providing support for marae in the district;
  - e. benefits to the owners by facilitating the occupation, development, and utilisation of the land.
2. A remission application must be made in writing.
3. The Council may remit all or part of the rates having considered the duration of the development and the stages of

development, having regard to when the ratepayer is likely to generate income from the development or in the case of housing when the dwelling is likely to be used.

4. The Council may put conditions on a remission including consideration of commencement and completion of the development.
5. Eligibility for this remission will be reviewed once the remission period expires. The Council may provide rates remission for other purposes if these remissions ensure ratepayers are treated equitably by the Council.

#### **Write-offs**

The Chief Executive may write off all or part of outstanding rates for a rating unit of Māori freehold land when the following criteria is met:

- a) The rates are payable by a person beneficially entitled to a deceased owner's beneficial interest in the land; and
- b) The rates were payable by the deceased owner at the death of the owner.

#### **REVIEW OF THIS POLICY**

Refer to Policy Index for the Policy owner. This policy will be reviewed at least once every three years, or as otherwise required by legislation.

## RELEVANT LEGISLATION

The following is a summary of the major matters for Māori freehold land as provided in local Government legislation.

1. Local Government (Rating) Act 2002
  - a. The Act provides many clauses to address the nature of Māori Freehold Land. For example: trustee liability, multiple landowners, deceased owners, unproductive land, separation of land.
  - b. Provision for the chief executive of Council to write-off rates that cannot be recovered.
  - c. Provision of remissions on land under development.
  - d. Non-rateable land
    - i. Nga Whenua Rahui kawenata land under the reserves and conservation acts.
    - ii. Education land including:
      1. Wānanga
      2. Kura Kaupapa Māori
      3. Special programmes under the education and training act
    - iii. Urupa
    - iv. Māori customary land.
    - v. Marae or meeting place
    - vi. Māori reservation held for the common use and benefit of the people of New Zealand
    - vii. unused rating unit of Māori freehold land
2. Local Government Act 2002
  - a. Consider the matters in Schedule 11 in developing a Remission on Māori Freehold land Policy.
    - i. supporting land for traditional purposes
    - ii. recognising the relationships with ancestral lands
    - iii. avoiding further alienation of the land
    - iv. facilitating development
    - v. taking account of waahi tapu
    - vi. recognising the importance of the land to Marae and papakainga
    - vii. recognising the importance of the land for community goals
    - viii. recognising the level of community services provided to the land recognising the physical accessibility to the land.



# Statement of Proposal

# Rates Remission and Postponement Policy

21 March 2024  
A1202627

Opotiki District Council would like to hear your thoughts on our draft Rates Remission and Postponement Policy. We are updating this as part of the 2024 – 2034 Long Term Plan.

## Summary of Proposal

This policy is updated every three years as part of the Long Term Plan development, and we're keen to hear your thoughts on our draft. You can also read more about the 2024 – 2034 Long Term Plan here: <https://connect.odc.govt.nz/long-term-plan-2024-2034>.

### Purpose and use of this policy

The Local Government Act allows Councils to adopt a rates remission and rates postponement policy under section 102. The purpose of this policy is outline under which circumstances ratepayers may be eligible for a rates remission or postponement, and how to make an application.

### What's new?

This policy has undergone quite a few changes.

1. Council used to have four rates remission/postponement policies: two for remissions and two for postponements. We have combined these into one policy as that is common practice in local government. It also means all the information is in one place and is easier to access.

2. We have updated the policy in compliance with legislation. This has not introduced any significant operational changes to the policy.
3. Ōpōtiki District Council no longer offers rates postponements (apart from ratepayers who enter into payment plans with Council). We have decided to retire our postponement policies as the criteria for a postponement was operationally identical as the criteria for a remission. Thus, our postponement policies were “gathering dust.”

You can read the full draft of Council’s Rates Remission and Postponement Policy on our Connect | Hono Mai website ([connect.odc.govt.nz/rates-remission-and-postponement-policy](https://connect.odc.govt.nz/rates-remission-and-postponement-policy)) or by picking up a physical copy from our main office at 108 Saint John Street, Ōpōtiki.

## Have your say

Connect with us! We want to hear your feedback, thoughts, and questions about our draft Rates Remission and Postponement Policy. Your submissions directly contribute to Council’s decision-making.

### KEY DATES

21/03/2024	Submissions open.
19/04/2024	Submissions close.
01/05/2024	Submitters’ opportunity to speak to Council about their submission. Council deliberates on submissions and any changes to the draft policy are agreed.
11/06/2024	Council adopts the updated Rates Remission and Postponement Policy.

## Make a submission

### Online

The easiest way to make a submission is to visit our Connect | Hono Mai website: <https://connect.odc.govt.nz/rates-remission-and-postponement-policy>. The computers at Te Tāhuhu o Te Rangi are available for this if you do not have access to a computer.

### Write to us

Printed copies of this proposal, the full policy, and the accompanying feedback form can be collected from our main office at 108 Saint John Street, Ōpōtiki, during usual business hours.

You can also call our main office on 07 315 3030 and ask for a printed copy and feedback form to be posted to you.

You can return the feedback form by

1. Sending it to Ōpōtiki District Council, PO Box 44, Ōpōtiki.
2. Dropping a copy off to our main office front reception at 108 Saint John Street, Ōpōtiki.
3. Emailing a copy to [connectadmin@odc.govt.nz](mailto:connectadmin@odc.govt.nz).

### Your Privacy

All submissions are public information. This supports our drive to be as transparent as possible. If there are any personal details you don’t want made public, please let us know on your submission.

### Want to know more?

If you have any questions or would like more information, please contact Peter Bridgewater at [peterb@odc.govt.nz](mailto:peterb@odc.govt.nz).

## COUNCIL REPORT

Date : 21 February 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Group Manager Finance and Corporate Services, Peter Bridgwater  
Subject : **TREASURY RISK MANAGEMENT POLICY FOR ADOPTION**  
File ID : A1204404

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## EXECUTIVE SUMMARY

- This report presents the reviewed and updated Treasury Risk Management Policy (Appendix 1) and associated Procedures Manual (Appendix 2).
- This policy has been reviewed as part of the Long Term Plan development.
- This report seeks Council adopt the Treasury Risk Management Policy and Treasury Procedures Manual (Appendices 1 and 2).

## RECOMMENDATIONS

- 1) **That the report titled "Treasury Risk Management Policy" be received.**
- 2) **That Council adopt the Treasury Risk Management Policy attached to the report as Appendix 1 and the Treasury Procedures Manual attached to the report as Appendix 2.**
- 3) **That, as a result of Recommendation 2, the current Treasury Risk Management Policy is superseded.**

## PURPOSE

1. This report seeks the adoption of the updated Treasury Risk Management Policy and Procedures Manual (Appendices 1 and 2).
2. This policy has been reviewed and updated as part of the Long Term Plan process.

## STRATEGIC ALIGNMENT

3. The matters detailed in this report relate to the following priorities from Opotiki District Council's Long Term Plan 2021-2031.
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.
  - Purposeful work and learning opportunities.

Development supports the community.

Culture and history are treasured.

## **BACKGROUND**

4. This policy governs Council's risk management approach to the treasury function, as well as Council's investments. Council is required to have a Liability Management Policy and an Investment Policy under section 102(1) of the Local Government Act 2002 (LGA). Ōpōtiki District Council has combined these into one policy: the Treasury Risk Management Policy.
5. This policy does not require public consultation as per section 102(5) of the LGA.
6. A review of this policy was triggered by the Long Term Plan development, as this policy is a key underlying document.
7. Council engaged an expert consultant to assist with the review. The feedback from this consultant, in combination with ŌDC staff's own review, resulted in the following updates to the policy:
  - All content related to delegations/responsibilities have been removed, as these are documented in the Delegations Manual adopted by Council on 1 August 2023. This change helps ensure the content of the policy is relevant and extraneous information does not confuse the document. Additionally, it means any changes to delegations does not require a change of the policy itself.
  - All procedural/operational content has been removed from the policy and shifted to its own Procedures Manual (Appendix 2). This is for the same reasons as above.
  - The reporting practices detailed within the policy have been updated to accurately reflect Council's financial reporting.
8. Outside of these changes, there have been no significant or operational alternations to the content of the policy.
9. The Risk and Assurance Committee received the draft policy at the 26 February 2024 meeting and provided the following feedback:
  - Updating the Policy Statements on page 3 to include reporting requirements in any instance of departures from the policy.
  - Deletion of one of the authorised financial market investment parameter rows in the table on page 18, as Council's use of that partner is so unlikely the information was functionally irrelevant to the policy.
10. The full Treasury Risk Management Policy, and associated Treasury Procedures Manual, are appended (Appendix 1 and 2, respectively).

## **OPTIONS**

11. To proceed, Council must choose one of the following options.

**OPTION 1: Council adopts the Treasury Risk Management Policy and Procedures Manual (Appendices 1 and 2) (recommended).**

<b>Description</b>	Council resolves to adopt the Treasury Risk Management Policy and Procedures Manual (Appendices 1 and 2).
<b>Advantages</b>	Council's Treasury Risk Management Policy will be up to date and fit for purpose. This option also aligns with Council's obligation to deliver underlying documents required for continued work on the Long Term Plan.
<b>Disadvantages</b>	There are no identified disadvantages to this option.
<b>Impact on mana whenua</b>	There are no identified impacts on mana whenua.
<b>Strategic alignment</b>	<i>Services and facilities meet our needs</i> and <i>Development supports the community</i> . This option fulfils both identified community outcomes as the policy establishes and maintains accountability for Council's prudent financial risk management. Prudent financial management enables Council to undertake its work toward these community outcomes.
<b>Associated risks</b>	There are no associated risks.

**OPTION 2: Council does not adopt the Treasury Risk Management Policy and Procedures Manual (Appendices 1 and 2).**

<b>Description</b>	Council resolves to not adopt the Treasury Risk Management Policy and Procedures Manual (Appendices 1 and 2).
<b>Advantages</b>	There are no identified advantages to this option.
<b>Disadvantages</b>	Council's Treasury Risk Management Policy will not be the most up to date or fit for purpose version. Additionally, Council will not be updating a key underlying document for the Long Term Plan.
<b>Impact on mana whenua</b>	There are no identified impacts on mana whenua.
<b>Strategic alignment</b>	This option does not fulfil the identified community outcomes.
<b>Associated risks</b>	This option will impact on Council's ability to deliver a legislatively compliant Long Term Plan.

**DISCUSSION**

12. The recommended option is **Option 1**. The recommendations for this report reflect option 1.

**Financial/budget considerations**

13. Costs associated with the development of the Long Term Plan are included in the 2023/24 Annual Plan budget. This policy was reviewed as part of the Long Term Plan development.



### **Policy and planning implications**

14. Council is legislatively required to adopt a Liability Management Policy and an Investment Policy under section 102 of the LGA. Council's Treasury Risk Management Policy serves as both.
15. Additionally, updating and adopting this policy aligns with Council's ability to deliver a legislatively compliant Long Term Plan.

### **Impact on mana whenua**

16. There is no identified impact on mana whenua associated with the matters in this report.

### **Climate impact considerations**

17. There is no identified climate impact associated with the matters in this report.

### **Risks**

18. There is no risk associated with option 1 (the recommended option). Option 2 holds a risk for the delivery of a compliant Long Term Plan, as the Treasury Risk Management Policy is an underlying document required in the Long Term Plan development.

### **Community wellbeing considerations**

19. The purpose of Local Government includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four well-beings').
20. The subject matter of this report has been evaluated in terms of the four well-beings during the process of developing this report as outlined below.

### **Economic**

21. The matters of this report contribute primarily to the economic wellbeing, as the Treasury Risk Management Policy establishes and maintains accountability for Council's prudent financial risk management.

## **SIGNIFICANCE AND ENGAGEMENT ASSESSMENT**

### **Assessment of significance**

22. 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.
23. 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**

24. 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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**INFORM**

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

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25. 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.

### **CONCLUSION**

26. This report presents the reviewed and updated Treasury Risk Management Policy (Appendix 1) and associated Procedures Manual (Appendix 2).
27. This policy has been reviewed as part of the Long Term Plan development.
28. This report seeks Council adopt the Treasury Risk Management Policy and Treasury Procedures Manual (Appendices 1 and 2).

Peter Bridgwater

**GROUP MANAGER FINANCE AND CORPORATE SERVICES**

## APPENDIX 1

POLICY	STATUS	AT	DATE	DOC ID
<i>Treasury Risk Management Policy, including Liability Management and Investment Policies</i>	<i>Draft</i>	<i>Management Team Meeting</i>	<i>6 December 2023</i>	<i>A1084256</i>



**Opotiki District Council**  
STRONG COMMUNITY STRONG FUTURE

**OPŌTIKI DISTRICT COUNCIL**

# **TREASURY RISK MANAGEMENT POLICY, INCLUDING LIABILITY MANAGEMENT AND INVESTMENT POLICIES**

## 1.0 INTRODUCTION

### 1.1 Policy purpose

The purpose of the Treasury Risk Management Policy ("Policy") is to outline approved policies and procedures in respect of all treasury activity to be undertaken by Ōpōtiki District Council ("Ōpōtiki"). The formalisation of such policies and procedures will enable treasury risks within Ōpōtiki to be prudently managed.

## 2.0 SCOPE AND OBJECTIVES

### 2.1 Scope

This document identifies the policy and procedures of Ōpōtiki in respect of treasury management activities.

The Policy has not been prepared to cover other aspects of Ōpōtiki's operations, particularly transactional banking management, systems of internal control and financial management. Other policies and procedures of Ōpōtiki cover these matters.

### 2.2 Treasury management objectives

The objective of this Policy is to control and manage interest costs and investment returns that can influence operational budgets and public equity and set debt levels.

#### Statutory objectives

All external borrowing, investments and incidental financial arrangements (e.g. use of interest rate hedging financial instruments) will meet requirements of the Local Government Act 2002 and incorporate the Liability Management Policy and Investment Policy.

- Ōpōtiki is governed on borrowing and investment matters by the following relevant legislation;
  - Local Government Act 2002, in particular Part 6, including sections 101,102,104 and 105.

- Local Government (Financial Reporting and Prudence) Regulations 2014, in particular Schedule 4.
- Trustee Act 1956. When acting as a trustee or investing money on behalf of others, the Trustee Act highlights that trustees have a duty to invest prudently and that they shall exercise care, diligence and skill that a prudent person of business would exercise in managing the affairs of others. Details of relevant sections can be found in the Trustee Act 1956 Part II Investments.
- All projected external borrowings are to be approved by Council as part of the Annual Plan (AP) or the Long Term Planning (LTP) process or resolution of Council before the borrowing is affected.
- Council will not enter into any borrowings denominated in a foreign currency.
- Council will not transact with any Council Controlled Trading Organisation (CCTO) on terms more favourable than those achievable by Council itself.
- A resolution of Council is not required for hire purchase, credit or deferred purchase of goods if:
  - The period of indebtedness is less than 91 days (including rollovers); or
  - The goods or services are obtained in the ordinary course of operations on normal terms for amounts not exceeding in aggregate, an amount determined by resolution of Council.

#### General objectives

- To manage investments and the protection of investment capital, optimise returns whilst balancing risk and return considerations within the parameters of the Policy.
- Manage Council's costs and risks in the management of its borrowings.
- Manage Council's exposure to adverse interest rate movements.
- Monitor, evaluate and report on treasury performance.
- Borrow funds and transact risk management instruments within an environment of control and compliance under the Council approved Policy so as to protect Council's financial assets and manage costs.

- Arrange and structure external long term funding for Council at the lowest optimal margin t from debt providers.
- Optimise flexibility and spread of debt maturities within the funding risk limits established by this Policy statement.
- Monitor and report on financing/borrowing covenants and ratios under the obligations of Council's lending/security arrangements.
- Comply with financial ratios and limits stated within this Policy.
- Monitor Council's return on investments.
- Ensure the Council, management and relevant staff are kept abreast of the latest treasury products, methodologies, and accounting treatments through training and in-house presentations.
- Maintain appropriate liquidity levels and manage cash flows within Council to meet known and reasonable unforeseen funding requirements.
- To minimise exposure to credit risk by dealing with and investing in credit worthy counterparties.
- Ensure that all statutory requirements of a financial nature are adhered to.
- To ensure adequate internal controls exist to protect Council's financial assets and to prevent unauthorised transactions.
- Develop and maintain relationships with financial institutions, the Local Government Funding Agency (LGFA), brokers and investors.

### **2.3 Policy setting and management**

The Council approves Policy parameters in relation to its treasury activities. The Council's Chief Executive Officer has overall financial management responsibility for the Council's borrowing and investments. Overall financial delegations can be read in the Council delegation manual.

## **3.0 GOVERNANCE AND MANAGEMENT RESPONSIBILITIES**

### **3.1 Overview of management structure**

#### **Policy statements**

**Council will ensure effective controls over treasury management and segregation of duties controls are in place.**

**Council may, by way of a resolution, depart from the Treasury policy where it considers that the departure would advance the broader well-being of the district or other policy objectives.**

**Council will report any departures from this policy on a quarterly basis until those instances have returned within policy allowances, or have otherwise resolved.**

#### **Procedures and Delegations**

Authority levels, reporting lines, treasury duties and responsibilities, as well as details of those individuals and bodies who have treasury responsibilities, can be read in the Treasury Procedures Manual and Council delegation manual.

## **4.0 LIABILITY MANAGEMENT POLICY**

### **4.1 Introduction**

Council's liabilities are comprised of borrowings and various other liabilities. Council maintains borrowings in order to:

- Raise specific debt associated with projects and capital expenditures.
- Raise finance leases for fixed asset purchases.
- Fund assets whose useful lives extend over several generations of ratepayers.

- Borrowing provides a basis to achieve inter-generational equity by aligning long-term assets with long-term funding sources, and ensure that the cost are met by those ratepayers benefiting from the investment.

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## 4.2 Borrowing Limits

### Procedures

Debt will be managed within the following limits:

Item	Council (LGFA) Limit
Net External Debt / Total Revenue	<175%
Net Interest on External Debt / Total Revenue	<20%
Net Interest on External Debt / Annual Rates Income	<25%
Net Debt / Council Equity	
External, term debt + committed bank facilities + unencumbered cash/cash equivalents to existing external debt.	>110%

- Total Revenue is defined as cash derived and earnings from rates, government capital grants and subsidies, user charges, interest, dividends, financial and other revenue and excludes non-government capital contributions (e.g. developer contributions and vested assets).
- Net interest on external debt is defined as the amount equal to all interest and financing costs (on external debt) less interest income for the relevant period.
- Annual Rates Income is defined as the amount equal to the total revenue from any funding mechanism authorised by the Local Government (Rating) Act 2002 (including volumetric water charges levied) together with any revenue received from other local authorities for services provided (and for which the other local authorities rate).
- Annual Rates Income excludes regional levies.

- Disaster recovery requirements, urgent financing of emergency-related works and services are to be met through the special funds and liquidity policy.

## 4.3 Asset management plans

In approving new external debt Council considers the impact on its borrowing limits as well as the economic life of the asset that is being funded and its overall consistency with Council's LTP and Financial Strategy.

## 4.4 Borrowing mechanisms

### Procedures

Ōpōtiki is able to externally borrow through a variety of market mechanisms including, direct bank borrowing, the LGFA, accessing the short and long-term wholesale/retail debt capital markets directly using Commercial Paper, Floating Rate Notes and Fixed Rate Bonds or internal borrowing of reserve and special funds.

Alternative funding mechanisms such as leasing should be evaluated with financial analysis in conjunction with traditional on-balance sheet funding. The evaluation should take into consideration, ownership, redemption value and effective cost of funds.

In evaluating strategies for new borrowing (in relation to source, term, size and pricing) the F&CSGM, takes into account the following:

- Council's projected debt requirements.
- Available terms from banks, LGFA, debt capital markets and loan stock issuance.
- Council's overall debt maturity profile, to ensure concentration of debt is avoided at reissue/rollover time.
- Prevailing interest rates and margins relative to term for loan stock issuance, debt capital markets, LGFA, and bank borrowing.

- The outlook on bank and debt capital market credit margins.
- Ensuring that the implied finance terms and conditions within the specific debt (e.g. project finance) are evaluated in terms such as cost/tax/risk limitation compared to the terms and conditions Ōpōtiki could achieve in its own right.
- Legal documentation and financial covenants considerations.
- Alternative funding mechanisms such as leasing should be evaluated with financial analysis in conjunction with traditional on-balance sheet funding. The evaluation should take into consideration, ownership, term, redemption value and effective cost of funds.

Council's ability to readily attract cost effective borrowing is largely driven by its ability to rate, maintain a strong financial standing and manage its relationships with its investors, LGFA, and financial institutions/brokers.

#### 4.5 Security

##### Policy statement

**Council offers a Debenture Trust Deed on the security arrangement for its external borrowing and investment activities.**

**Council assets may be pledged as security where it is advantageous, lawful and cost effective to do so.**

##### Procedures

Council's external borrowings and interest-rate risk management instruments will generally be secured by way of a charge over rates and rates revenue offered through a Debenture Trust Deed. Under a Debenture Trust Deed, Council's borrowing is secured by a floating charge over all Council rates levied under the Local Government (Rating) Act 2002. The security provided by Council ranks all lenders equally.

From time to time, and with Council approval, security may be offered by providing a charge over one or more of Councils assets, where it is beneficial to do so.

- Any internal borrowing will be on an unsecured basis.
- Any pledging of physical assets must comply with the terms and conditions contained within the Debenture Trust Deed.

#### 4.6 Debt repayment

##### Procedures

The funds from all asset sales and operating surpluses will be applied to the reduction of debt and/or a reduction in borrowing requirements, unless the Council specifically directs that the funds will be put to another use.

Debt will be repaid as it falls due in accordance with the applicable loan agreement. Subject to the debt limits, a loan may be rolled over or re-negotiated as and when appropriate.



#### **4.7 Guarantees/contingent liabilities and other financial arrangements**

##### **Policy statement**

**Council may act as guarantor to financial institutions on loans or enter into incidental arrangements for organisations, clubs, Trusts, or Business Units, when the purposes of the loan are in line with Council's strategic objectives.**

##### **Procedures**

Council is not allowed to guarantee loans to Council Controlled Trading Organisations under Section 62 of the Local Government Act 2002.

Financial arrangements include:

- Rural housing loans.
- Tenant contribution flats.
- Rural water supply loans.
- Advances to community organisations.

Council will ensure that sufficient funds or lines of credit exist to meet amounts guaranteed.

Guarantees provided will be reported quarterly to Council.

#### **4.8 Internal borrowing of special and general reserve funds**

##### **Procedures**

Given that Council may require funding for capital expenditure cash shortfalls over the remaining life of the existing special and general reserve funds, where such funds are deemed necessary, they should be used for internal borrowing purposes when external borrowing is required. Accordingly, Council maintains its funds in short term maturities emphasising counterparty credit worthiness and liquidity. The interest rate yield achieved on the funds therefore is a secondary objective.

Liquid assets will not be required to be held against special funds or reserve funds unless such funds are held within a trust requiring such, instead, Council will manage these funds using internal borrowing facilities.

Any internal borrowing of special funds used must be reimbursed for interest revenue lost. Interest on internally funded loans is charged annually in arrears, on year-end loan balances.

Except where a specific rate has been approved for particular circumstances, interest is charged annually in arrears on all internal loans at the weighted average cost of external borrowing (including credit margin and other related costs). The Council has the ability to reset interest rates monthly if required.

#### 4.9 Capital works funding and debt period

##### Policy statement

**Capital works will be funded through raising new debt.**

**The use of long-term loan funds will be restricted to capital items only unless there is a compelling business case to do so.**

##### Procedures

Capital works will be funded through raising new debt.

Term debt greater than one year will not be used to fund annual operational expenditure.

#### 4.10 New Zealand Local Government Funding Agency Limited

Despite anything earlier in the Liability Management Policy, the Council may borrow from the New Zealand Local Government Funding Agency Limited (LGFA) and, in connection with that borrowing, may enter into the following related transactions to the extent it considers necessary or desirable:

- Contribute a portion of its borrowing back to the LGFA as an equity contribution to the LGFA in the form of Borrower Notes.
- Provide guarantees of the indebtedness of other local authorities to the LGFA and of the indebtedness of the LGFA itself.
- Commit to contribution additional equity (or subordinated debt) to the LGFA if required.
- Subscribe for shares and uncalled capital in the LGFA.
- Secure its borrowing from the LGFA, and the performance of the other obligations to the LGFA or its creditors with a charge over the Council's rates and rates revenue.

#### 5.0 INVESTMENT POLICY AND LIMITS

##### 5.1 Introduction

Council generally holds investments for strategic reasons where there is some community, social, physical or economic benefit accruing from the investment activity. Generating a commercial return on strategic investments is considered an objective. Investments and associated risks are monitored and managed, and regularly reported to Council. Specific purposes for maintaining investments include:

- For strategic purposes consistent with Council's Long Term Plan;
- The retention of vested land.
- Holding short term investments for working capital and liquidity requirements.
- Holding investments that are necessary to carry out Council operations consistent with Annual Plans, to implement strategic initiatives, or to support inter-generational allocations.
- Provide ready cash in the event of a natural disaster. The use of which is intended to bridge the gap between the disaster and the reinstatement of normal income streams and assets.
- Invest amounts allocated to accumulated surplus, Council created restricted reserves and general reserves.
- Invest funds allocated for approved future expenditure.
- Invest proceeds from the sale of assets.

Council should internally borrow from special reserve funds in the first instance to meet future capital expenditure requirements, unless there is a compelling reason for establishing external debt.

## 5.2 Policy

Council's general Policy on investments is that:

- Council may hold financial, property, and equity investments if there are strategic, commercial, and economic or other valid reasons.
- Council will keep under review its approach to all investments and the credit rating of approved creditworthy counterparties.
- The authority to acquire financial investments is delegated to the F&CSGM.

## 5.3 Mix of investments

Council maintains investments in the following assets:

- Equity investments.
- Property investments.
- Financial investments.

### 5.4.1 Equity investments

Equity investments, including investments held in CCO/CCTO and other shareholdings.

Council maintains equity investments and other minor shareholdings. Council's equity investments fulfil various strategic, economic development and financial objectives as outlined in the LTP.

Council seeks to achieve an acceptable rate of return on all its equity investments consistent with the nature of the investment and their stated philosophy on investments.

Dividends received from CCO's/CCTO's and unlisted companies not controlled by Council are recognised when they are received in the consolidated revenue account.

Any purchase or disposition of equity investments requires Council approval and any profit or loss arising from the sale of these investments is to be

recognised in the Statement of Financial Performance. Any purchase or disposition of equity investments will be reported to the next meeting of Council. Council may also acquire shares that are gifted or are a result of restructuring.

Unless otherwise directed by Council, the proceeds from the disposition of equity investments will be used firstly to repay any debt relating to the investment and then included in the relevant consolidated capital account.

Council recognises that there are risks associated with holding equity investments and to minimise these risks Council, through the relevant Council-committee, monitors the performance of its equity investments on a twice-yearly basis to ensure that the stated objectives are being achieved. Council seeks professional advice regarding its equity investments when it considers this appropriate.

#### 5.4.1.1 New Zealand Local Government Funding Agency Limited

Despite anything earlier in this Investment Policy, the Council may invest in shares and other financial instruments of the LGFA, and may borrow to fund that investment.

The Council's objective in making any such investment will be to:

- Obtain a return on the investment; and
- Ensure that the LGFA has sufficient capital to remain viable, meaning that it continues as a source of debt funding for Council.

As a borrower, Council's LGFA investment includes borrower notes.

Because of this dual objective, the Council may invest in LGFA shares in circumstances in which the return on that investment is potentially lower than the return it could achieve with alternative investments.

If required in connection with the investment, the Council may also subscribe for uncalled capital in the LGFA.

#### **5.4.2 Property investments**

Property investments incorporating land, buildings, a portfolio of ground leases and land held for development.

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

Council reviews the performance of its property investments on a regular basis. All income, including rentals and ground rent from property investments is included in the consolidated revenue account. All rented or leased properties will be at market rentals, except where Council has identified a level of subsidy that is appropriate.

Properties for sale are to be marketed in accordance with statutory requirement and in a manner that does not disrupt the market place, and in consultation with Community Boards and Committees where appropriate. Any purchased properties must be supported by a current registered valuation, substantiated by management including a fully worked capital expenditure analysis. Council will not purchase properties on a speculative basis.

#### **5.4.3 Financial investments**

##### **Objectives**

Council's primary objective when investing is the protection of its investment capital. Accordingly, Council may only invest in approved creditworthy counterparties.

The parameters governing Opotiki's financial market investment activities are contained in Appendix 1 Council should only hold investments that are permissible with a underlying the parameters set out in Appendix A. credit rating of AA- or above. Credit ratings are monitored and reported at least six-monthly.

Council's investment portfolio will be arranged to provide sufficient funds for planned expenditures and allow for the payment of obligations as they fall due. Council prudently manages liquid financial investments as follows:

- Any cash investments must be restricted to a term of no more than 91 days ensuring that meets future cash flow and capital expenditure projections are met.
- Interest income from financial investments is credited to general funds, except for income from investments for special funds, reserve funds and other funds where interest may be credited to the particular fund.
- Internal borrowing will be used wherever possible to avoid external borrowing.

##### **Trust funds**

Where Council hold funds as a trustee, or manages funds for a Trust then such funds must be invested on the terms provided within the trust. If the Trusts investment policy is not specified then this policy should apply.

#### 5.4.4 Loan Advances

Council may provide advances to CCOs, CCTOs, charitable trusts and community organisations for strategic purposes only. New loan advances are by Council resolution only. Council does not lend money, or provide any other financial accommodation, to a CCO or CCTO on terms and conditions that are more favourable to the CCO or CCTO than those that would apply if Council were borrowing the money or obtaining the financial accommodation.

Council will assess risk, and reviews performance of its loan advances on a regular basis to ensure strategic and economic objectives are being achieved. All loan advances are reported in the annual report.

#### 5.5 Utilisation of investment sales and insurance monies

Funds released from investment sales (after sale costs) or non-reinstatement of damaged properties must be applied in the following order of priority:

- Repayment of any associated debt.
- Repayment of debt, which incurs interest at a rate well above the rate able to be earned on the proceeds where costs are justified.
- Placement of funds in reserves to the extent that the reserve is underfunded and/or is required for intended future events.
- Purchase of assets / capital works rather than borrowing for those assets at an interest rate well above the rate able to be earned on the proceeds.
- Council may change the order of priority as required.

#### 5.6 Departures from normal Policy

The Council may, in its discretion, depart from the Investment Policies where it considers that the departure would advance its broader social or other policy objectives. As per section 80 of the Local Government Act (2002), any resolution authorising an investment under this provision shall

- Clearly identify the inconsistency (departure from policy).
- The reasons for this.
- And any intention of amending the policy to accommodate this decision.

#### 5.7 Investment management and reporting procedures

Council's policy for the management and reporting of investments includes:

- The legislative necessity to maintain efficient financial systems for the recording and reporting (inter alia) of:
  - All revenues and expenditures;
  - All assets and liabilities; and
  - The treatment and application of special funds.
- Adherence to Council's financial processes and delegations to Council's staff to invest surplus short-term funds and negotiate reinvestments, subject to the provision of adequate cash resources to meet normal expected cash demands;
- Treasury reporting is completed on at least a quarterly basis.

#### 6.0 RISK RECOGNITION/IDENTIFICATION/MANAGEMENT

##### Policy statements

**Total amount of debt should be spread across the range of financial institution and maturity dates.**

**Variable debt compared to fixed rate debt should be managed to appropriate percentage levels given the overall level of borrowing.**

**Hedging instruments can be used in the management of wholesale market interest rate exposure, but should not increase Council's overall risk.**

**Council's portfolio shall be arranged to provide, at all times, sufficient funds for planned expenditure and to allow for payment of its obligations as they fall due.**

**The risk of default in respect to any individual investment will be minimised by the selection of creditworthy investments spread across different entities.**

**Council may invest in equity instruments where they meet Council's strategic goals.**

### **Procedure**

The definition and recognition of liquidity, funding, investment, interest rate, counterparty credit, operational and legal risk of Council is detailed below and applies to both the Liability Management Policy and Investment Policy.

## **6.1 Interest rate risk**

### **6.1.1 Risk recognition**

Interest rate risk on borrowing, is the risk that funding costs (due to adverse movements in market wholesale interest rates) will materially exceed projections included in the LTP and AP so as to adversely impact cost control and capital investment decisions/returns/feasibilities.

The primary objective of interest rate risk management is to manage and reduce uncertainty relating to interest rate movements through fixing/hedging of funding costs. Certainty around funding costs is to be achieved through the active management of underlying interest rate exposures.

### **6.1.2 Approved financial instruments.**

The approved derivative interest rate risk management instruments are as follows:

- Fixed interest rate swaps, including forward starting swaps.
- Forward Rate Agreements ("FRA").
- Interest rate options – includes caps, swaptions and collars. For a collar the amount of the sold option must match the amount of the purchased option.
- Fixed rate term loans.

Options on hedging floating rate debt with an exercise rate greater than 2.00% above the equivalent period interest rate at the time of inception cannot be counted as part of the fixed rate cover percentage calculation. For example a two year cap at 5.00% would only count as a fixed rate hedge if the underlying swap rate at the time of inception was greater than 3.00%.

Any other financial instrument must be specifically approved by the Council on a case-by-case basis and only be applied to the one singular transaction being approved.

### 6.1.3 Interest rate risk control limits

Exposure to interest rate risk is managed and mitigated through the risk control limits below.

Council's forecast external core debt as determined by Management should be within the following fixed/floating interest rate risk control limits.

Core external debt is defined as minimum gross external debt over the financial year. When approved forecasts are changed, the amount of fixed rate protection in place may have to be adjusted to ensure compliance with the Policy minimums and maximums:

Fixed Interest Rate Risk Control Limits		
	Minimum Fixed Rate	Maximum Fixed Rate
0 – 2 years	40%	100%
2 – 5 years	20%	80%
5 – 8 years	0%	60%
8 – 12 years	0%	30%

- "Fixed Rate" is defined as an interest rate repricing date beyond 12 months forward on a continuous rolling basis.
- "Floating Rate" is defined as an interest rate repricing within 12 months.
- The percentages are calculated based on the rolling 12 month projected external core debt levels calculated by management.
- Any interest rate swaps with a maturity beyond 12 years must be approved by Council.
- These limits shall not apply if external debt is less than \$7.5 million.

### 6.2 Liquidity risk/funding risk

#### 6.2.1 Risk recognition

Cash flow deficits in various future periods based on long term financial forecasts are reliant on the maturity structure of cash, short-term financial investments, loans and bank facilities. Liquidity risk management focuses on the ability to access committed funding at that future time to fund the gaps. Funding risk management centres on the ability to re-finance or raise new debt at a future time at acceptable pricing (fees and borrowing margins) and maturity terms of existing loans and facilities.

A key factor of funding risk management is to spread and control the risk to reduce the concentration of risk at one point in time so that if any of the above events occur, the overall borrowing cost is not unnecessarily increased and desired maturity profile compromised due to market conditions or unexpected credit events.

#### 6.2.2 Liquidity/funding risk control limits

To ensure funds are available when needed Council ensures that:

- There is sufficient available operating cash flow, liquid investments (cash/cash equivalents) and unused committed bank facilities to meet cash flow requirements between rates instalments as determined by the Finance Team.

For liquidity purposes Council maintains the following

- External term debt plus committed bank facilities, plus unencumbered cash/cash equivalents to existing external debt shall be maintained at a minimum of 110%.
- Liquidity is defined as external debt plus committed loan facilities plus liquid investments divided by external debt plus uncommitted loan facilities.
- Council has the ability to pre-fund up to 18 months forecast debt requirements including re-financings.

- To avoid concentration of debt maturity dates Council will, where practicable, aim to have no more than 40% of debt subject to refinance in any rolling 12 month period.

### **6.3 CASH MANAGEMENT**

The Finance and Corporate Services Advisor (FM) has the responsibility to carry out the day-to-day cash and short-term debt management activities. All cash inflows and outflows pass through bank accounts controlled by the finance function. The Finance Team prepares rolling cash flow and debt forecasts to manage Council's cash management and borrowing requirements. The overdraft facility is utilised as little as practical with any operational surpluses prudently invested.

### **6.3 Counterparty credit risk for derivative instruments**

Counterparty credit risk is the risk of losses (realised or unrealised) arising from a counterparty defaulting on a derivative financial instrument where the Council is a party. The credit risk to the Council in a default event will be weighted differently depending on the type of instrument entered into.

Credit risk will be regularly reviewed by the Council. Treasury related transactions would only be entered into with organisations specifically approved by the Council.

Counterparties and limits can only be approved on the basis of long-term S & P's Global Ratings, (or equivalent Fitch or Moody's rating) being AA- and above and/or short-term rating of A-1 or above.

In determining the usage of the above gross limits, the following product weightings will be used:

- Interest rate contracts - determined by adding 3% of the notional 'face' value of the contract to its mark-to-market valuation. If this sum is negative (i.e. the instrument is substantially 'out of the money'), there is no counterparty credit exposure on the contract.

- Foreign exchange contracts - determined by multiplying the notional value of outstanding transactions by 10%.

Credit ratings should be reviewed by the Finance and Corporate Services Supervisor on an ongoing basis and in the event of material credit downgrades should be immediately reported to the F&CSGM and assessed against exposure limits. Counterparties exceeding limits should be reported to the Council.

### **6.4 Foreign currency**

Council has minor foreign exchange exposure through the occasional purchase of foreign exchange denominated services, plant and equipment.

Generally, all individual amounts of NZD 100,000 or greater for foreign exchange are hedged using foreign exchange contracts, once expenditure is approved and the currency amount, and timing are known. Both spot and forward foreign exchange contracts can be used by Ōpōtiki.

Council shall not borrow or enter into incidental arrangements, within or outside New Zealand, in currency other than New Zealand currency. Council does not hold investments denominated in foreign currency.

### **6.5 Operational risk**

Operational risk is the risk of loss as a result of human error (or fraud), system failures and inadequate procedures and controls.

### **6.6 Legal risk**

Legal and regulatory risks relate to the unenforceability of a transaction due to an organisation not having the legal capacity or power to enter into the transaction usually because of prohibitions contained in legislation. While legal risks are more relevant for banks, Ōpōtiki may be exposed to such risks.

Ōpōtiki will seek to minimise this risk by adopting policy regarding:



- The use of standing dealing and settlement instructions (including bank accounts, authorised persons, standard deal confirmations, contacts for disputed transactions) to be sent to counterparties.
- The matching of third-party confirmations and the immediate follow-up of anomalies.
- The use of expert advice.

#### **6.6.1 Agreements**

Financial instruments can only be entered into with banks that have in place an executed ISDA Master Agreement with Council.

Council's internal/appointed legal counsel must sign off on all documentation.

#### **6.6.2 Financial covenants and other obligations**

Council must not enter into any transactions where it would cause a breach of financial covenants under existing contractual arrangements.

Council must comply with all obligations and reporting requirements under existing funding facilities and legislative requirements.

#### **Segregation of duties**

As there are a small number of people involved in the treasury activities, adequate segregation of duties among the core functions of deal execution, confirmation, settling and accounting/reporting is not always strictly achievable. The risk will be minimised by the following the process included in appendix 3.

### **7.0 MEASURING TREASURY PERFORMANCE**

In order to determine the success of Council's treasury management function, the following benchmarks and performance measures have been prescribed.

Those performance measures that provide a direct measure of the performance of treasury staff (operational performance and management of debt and interest rate risk) are to be reported to Council or an appropriate sub-committee of Council on a quarterly basis.

- Statement of policy compliance.
- Commentary on economic conditions and the debt markets.

## 8.1 Treasury reporting

### 8.1.1 Reporting

This report forms the basis for the reporting of the Council's funding and associated interest rate risk management activity and provides the elected members and management with details about the Council's borrowing activities. The report shall contain the following:

The following reports are produced:

Report Name	Frequency	Prepared By	Recipient
Treasury Report <ul style="list-style-type: none"> <li>Total debt facility utilisation, including any debt sourced from a bank, the capital markets and the LGFA.</li> <li>Interest rate maturity profile against percentage hedging limits.</li> <li>New hedging transactions completed - interest rate risk management.</li> <li>Weighted average cost of funds.</li> <li>Funding profile against the policy limits.</li> </ul>	Quarterly	FC	F&CSGM /CEO/ Council

<ul style="list-style-type: none"> <li>Liquidity profile against the policy limits.</li> <li>Exception reporting as required.</li> <li>Summary of any unresolved exception reports.</li> </ul>			
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Report Name	Frequency	Prepared By	Recipient
Trustee Report	As required by the Trustee	FC	Trustee company
Revaluation of financial instruments	Annually	FC	F&CSGM /CEO/Council
LGFA Covenant Compliance	Six monthly	FC	LGFA

#### Benchmarking

Management has delegation as set out in the Council Delegations Manual to manage debt and interest rate risk within policy control limits. Thus, the actual funding rate achieved must be compared against an appropriate external benchmark interest rate that assumes a risk neutral position within policy. In this respect, a risk neutral position is always precisely at the mid-point of the minimum and maximum control limits specified in the policy.

Given the Fixed/Floating Interest Rate Risk Control Limits of this policy, the market benchmark (composite) indicator rate will be calculated as follows:

- 30% Average 90 day bill rate for reporting month.
- 10% 3 year swap rate at end of reporting month.
- 10% 3 year swap rate, 3 years ago.
- 10% 5 year swap rate at end of reporting month.
- 10% 5 year swap rate, 4 years ago.
- 7.5% 8 year swap rate at end of reporting month.
- 7.5% 8 year swap rate, 8 years ago.
- 7.5% 10 year swap rate at end of reporting month.
- 7.5% 10 year swap rate, 10 years ago.

The actual reporting benchmark is the 12 month rolling average of the monthly calculated benchmarks using the above parameters. This is compared to actual cost of funds, excluding all credit margins and fees.

## **8.2 Accounting treatment of financial instruments**

Council uses financial arrangements (“derivatives”) for the primary purpose of reducing its financial risk to fluctuations in interest rates. The purpose of this section is to articulate Council’s accounting treatment of derivatives in a broad sense. Further detail of accounting treatment is contained within the appropriate operations and procedures manual.

Under New Zealand Public Benefit Entity (PBE) International Public Sector Accounting Standards (IPSAS) changes in the fair value of derivatives go through the Income Statement unless derivatives are designated in an effective hedge relationship.

Council’s principal objective is to actively manage the Council’s interest rate risks within approved limits and chooses not to hedge account. Council accepts that the marked-to-market gains and losses on the revaluation of derivatives can create potential volatility in Council’s annual accounts.

All treasury financial instruments must be revalued (marked-to-market) at least every six months for risk management purposes.

## **9 Relevant Legislation**

- Local Government Act 2002.
- Local Government (Financial Reporting and Prudence) Regulations 2014.
- Trustee Act 1956.

## **10 POLICY REVIEW**

The Policy is to be formally reviewed on a triennial basis, or as required by legislation. Refer to the Policy Index for policy owner.

## Appendix 1: Authorised Financial Market Investment Parameters

Authorised Asset Classes	Maximum limit as a Percentage of the Total Portfolio	Approved Financial Market Investment Instruments (must be denominated in NZ dollars)	Credit Rating Criteria – S&P (or Moody's or Fitch equivalents)	Limit for each issuer subject to overall portfolio limit for issuer class
New Zealand Government or Government Guaranteed	100%	Government Bonds Treasury Bills	Not Applicable	Unlimited
Rated Local Authorities	50%	Commercial Paper	S&P ST rating of 'A-1' or LT 'A-' or A	\$2 million
		Bonds/MTNs/FRNs	S&P ST rating of 'A-1+' or LT 'A+' or better	\$4 million
Unrated local authorities where rates are used as security	25%	Bonds/MTNs/FRNs	Not applicable	\$2 million
New Zealand Registered Banks	100%	Call/Term Deposits	S&P ST rating of 'A-1' or LT 'A-' or 'A'	\$3 million
		Bonds/MTNs/FRNs	S&P ST rating of 'A-1+' or LT 'A+' or better	\$12 million
State Owned Enterprises	33%	Commercial Paper	S&P ST rating of 'A-1' or LT 'A-' or 'A'	\$2 million
		Bonds/MTNs/FRNs	S&P ST rating of 'A-1+' or LT 'A+' or better	\$4 million
Corporates	25%	Commercial Paper	S&P ST rating of 'A-1' or LT 'A-' or 'A'	\$1 million
		Bonds/MTNs/FRNs	S&P ST rating of 'A-1+' or LT 'A+' or better	\$2 million

## APPENDIX 2

POLICY	STATUS	AT	DATE	DOC ID
<i>Treasury Procedures Manual</i>	<i>Draft</i>	<i>Management Team Meeting</i>	<i>6 December 2023</i>	<i>A1197009</i>



ŌPŌTIKI DISTRICT COUNCIL

# Treasury Risk Management Procedures Manual

## Purpose

This procedure manual sets out the procedures in relation to the Treasury Risk Management Policy, including Liability and Investment Policies. This manual should be read in conjunction with the aforementioned policy.

## Definitions

- F&CSGM Financial and Corporate Services Group Manager.
- FC Financial Controller.
- FM Finance and Corporate Services Advisor.
- CE/CEO Chief Executive Officer.

## Procedure

### Treasury activity procedures

The following processes must be adhered to in order to minimise risk:

- The F&CSGM reports directly to the CEO.
- The Financial Controller (FC) will report directly to the F&CSGM to control the transactional activities of the Finance and Corporate Services Advisor (FM).
- There is a documented approval and reporting process for borrowing, interest rate and liquidity management activity.

### Procedures

All treasury financial instruments should be recorded and diarised within a treasury spreadsheet, with appropriate controls and checks over journal entries into the general ledger. Deal capture and reporting must be done immediately following execution/confirmation.

Procedures should include:

- Regular management reporting.
- Regular risk assessment, including review of procedures and controls as directed by the Council or appropriate sub-committee of Council.
- Organisational, systems, procedural, and reconciliation controls to ensure:
- All borrowing, investing, interest rate and cash management activity is bona fide and properly authorised.
- Checks are in place to ensure Council accounts and records are updated promptly, accurately and completely.
- All outstanding transactions are revalued regularly and independently of the execution function to ensure accurate reporting and accounting of outstanding exposures and hedging activity.

### Organisational controls

- The F&CSGM has responsibility for establishing appropriate structures, procedures, and controls to support borrowing, investment, interest rate and cash management activity.
- All borrowing, investing, cash management and interest rate risk management activity is undertaken in accordance with approved delegations authorised by the Council.

### **Cheque/electronic banking signatories**

- Positions approved by the CEO as per register.
- Dual signatures are required for all electronic transfers.

### **Authorised personnel**

- All counterparties are provided with a list of personnel approved to undertake transactions, standard settlement instructions and details of personnel able to receive confirmations.

### **Recording of deals**

- All deals are recorded on properly formatted deal tickets by the FC and approved by the F&CSGM. Deal summary records for borrowing, investments, interest rate risk management and cash management transactions (on spreadsheets) are maintained and updated promptly following completion of transaction.

### **Confirmations**

- All inward deal confirmations including registry confirmations are received and checked by the Finance and Corporate Services Advisor (FM) against completed deal tickets and the treasury spreadsheet records to ensure accuracy.
- All deliverable securities are held in the Council's safe.
- Deals, once confirmed, are filed (deal ticket and attached confirmation) by the FM in deal date/number order.
- Any discrepancies arising during deal confirmation checks, which require amendment to the Council records, are signed off by the F&CSGM.

### **Settlement**

- The majority of borrowing, investing, interest rate and cash management transactions are settled by direct debit authority.
- For electronic payments, batches are set up electronically. These batches are checked by the FM to ensure settlement details are correct. Payment details are authorised by two approved signatories as per Council registers.

### **Reconciliations**

- Bank reconciliations are performed monthly by the Accountant and checked and approved by the FC. Any unresolved un-reconciled items arising during bank statement reconciliation which require amendment to the Council's records are signed off by the F&CSGM or FM.

A monthly reconciliation of the treasury spreadsheet to the general ledger is carried out by the Accountant and approved by the FC.

## **Relevant Legislation and Council documents**

- Local Government Act 2002.
- Treasury Risk Management Policy, including Liability Management and Investment Policies.

## **Review**

This policy will be reviewed at least every three years, with the next review due in 2027, or in tandem with a review of the Treasury Risk Management Policy, including Liability Management and Investment Policies. Refer to policy index for policy owner.



## COUNCIL REPORT

Date : 4 March 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Group Manager Community Services and Development, Anna Hayward  
Subject : **PROPERTY STRATEGY ADOPTION**  
File ID : A1210332

---

## EXECUTIVE SUMMARY

- A 'Property Strategy' has been developed to formalise Council's approach to the strategic management of its property portfolio, to ensure property meets the needs of Opotiki through the acquisition, lease, management or disposal of Councils properties.

## RECOMMENDATIONS

- 1) **That the report titled "Property Strategy" be received.**
- 2) **That Council adopts the Property Strategy attached to the report as Appendix 1.**

## PURPOSE

1. To establish and adopt a 'Property Strategy' with a robust set of principles objectives and processes to guide property decisions.

## STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opōtiki District Council's Long Term Plan 2021-2031:
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.
  - Purposeful work and learning opportunities.
  - Development supports the community.
  - Culture and history are treasured.

## BACKGROUND

3. In 2023 staff identified Council required a Property Strategy to support consistent management of Council's property portfolio. Meetings were held with Managers from Council's Engineering, Parks and Reserves, and Property departments to identify requirements, receive feedback and complete input. The completed draft Strategy was then presented to the Executive Leadership Team and the Property Advisory Group for their feedback. The Strategy went to the Strategy, Planning and Regulatory Committee on 19 February 2024 where it was recommended to go to Council for adoption.

## OPTIONS

4. To proceed Council must choose one of the following options:

OPTION 1: Council adopts the Property strategy (appendix 1)	
<b>Description</b>	Council resolves to adopt the Property Strategy (Appendix 1).
<b>Advantages</b>	Adopting the Property Strategy will establish a consistent robust set of principles objectives and processes to guide property decisions.
<b>Disadvantages</b>	There are no identified disadvantages to this option.
<b>Impact on mana whenua</b>	The Property Strategy will promote discussion and consideration for any impact on mana whenua.
<b>Strategic alignment</b>	Services and facilities meet our needs: This option formalises the property process that ensures Council considers the current and future needs of Ōpōtiki.
<b>Associated risks</b>	There are no identified risks to this option.

OPTION 2: Council does not adopt the Property Strategy (Appendix 1)	
<b>Description</b>	Council resolves to not adopt the Property Strategy.
<b>Advantages</b>	There are no identified advantages to this option.
<b>Disadvantages</b>	There will not be any consistent set of principles objectives or processes to guide property decisions.
<b>Impact on mana whenua</b>	Any potential impacts on mana whenua may not be considered as part of any property process.
<b>Strategic alignment</b>	This option does not meet the Long Term Priorities which indicate that Services and facilities meet our needs
<b>Associated risks</b>	There are risks associated with this option as Council currently does not have consistent management of its properties when it comes to property principles, objectives, acquisitions, development or disposal.

## **DISCUSSION**

5. The preferred option is **Option 1**. The recommendations of this report reflect option 1.
6. The purpose of the Property Strategy is to establish objectives to provide consistent direction for property management, this document is divided into two sections:
  - a. The Strategy: This outlines the principles and objectives, and defines the category of uses, management, acquisitions, development and disposal of council properties.
  - b. Appendix 1: Property Decision Matrix: This is to be used by staff to support consistency in decision-making regarding Council-owned property and buildings.
7. The Strategy will provide clear processes to support transparency and accountability with Council decision-making.

### **Financial/budget considerations**

8. There are no financial or budget considerations for the matters in this report. The application of the Property Strategy will formalise work staff already engage in, and will not require additional resource.

### **Policy and planning implications**

9. The property Strategy is consistent with supporting the Community Outcomes in the 2021-2031 Long Term Plan.

### **Impact on mana whenua**

10. To promote discussion and consideration Objective 7 in the strategy notes: 'Ensure mana whenua cultural values, interests and associations with an area and / or natural resource that may be affected by any project or proposal are considered'
11. The Matrix for property disposal asks 'is it practically; legally; socially; environmentally; **culturally** and economically feasible to dispose of the property'

### **Climate impact considerations**

12. To promote discussion and consideration Objective 6 in the strategy notes: 'Consider the effects of climate change on projects and proposals'
13. The Matrix for property disposal asks 'is it practically; legally; socially; **environmentally**; culturally and economically feasible to dispose of the property'.

### **Risks**

14. Risk comes in many forms, whether it is financial, through redevelopment, entering into partnerships or in holding property that may be earthquake prone or subject to other hazards.

There can be significant reputational, health and safety and financial risk to Council in property dealings.

15. The Property Strategy would be used to assist in minimising the risk through the appropriate management and assessment of council property assets.

### **Community wellbeing considerations**

16. There are no known social, economic, environmental, or cultural considerations associated with this matter.

## **SIGNIFICANCE AND ENGAGEMENT ASSESSMENT**

### **Assessment of significance**

17. 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.
18. 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**

19. 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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**INFORM**

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

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20. 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.

## **CONCLUSION**

21. This report seeks Council adopt the Property Strategy (Appendix 1)

Anna Hayward

**GROUP MANAGER COMMUNITY SERVICES AND DEVELOPMENT**



**Opotiki**  
**District Council**

STRONG COMMUNITY  
STRONG FUTURE

# PROPERTY STRATEGY 2024

# 1. INTRODUCTION

Opotiki District Council is responsible for the management of property including land and built assets across the 3,101km<sup>2</sup> of the Opotiki District Area

## *Purpose*

Property is a fundamental requirement for Council to deliver its services to the community, it is a significant, highly valuable, and risky resource that directly impacts on the success and performance of services at the Ōpōtiki District Council.

As services and priorities change over time Council's property portfolio will be required to adapt to these needs.

By establishing and adopting a Property Strategy with a robust set of principles, objectives, and processes to guide property decisions, Council will be best placed to deliver its services to the community. This is relevant whether it be to acquire, lease, hold, maintain, or dispose.

## *Scope*

This Property Strategy applies to all Council property assets (land and buildings), that are either Council owned or managed, whether in full or part, or occupied by Council as lessee.

- Council's Reserve Management Plans should be referenced in relation to land use matters relevant to Council's Parks and Reserves.
- Council's Property Asset Management Plan/Register should be referenced in relation to the condition ratings of Council's buildings (to be developed)
- Council has responsibility for a considerable amount of road assets in the form of public roads and paper roads. Only the paper roads are included in the scope of this Strategy. Council managed public roads are managed through Council's Engineering and Services Group and associated Transport Activity Management Plan

## 2. PRINCIPLES and OBJECTIVES

*As this strategy is to ensure Council has the right property for the right purpose in the right place at the right time, Council will manage its property portfolio in accordance with Key Principles and Objectives.*

## Principles

Key principles to be considered for each property:

1. Strategic relevance – has the property been identified as being strategically relevant
2. Core – does the property contribute to the core business of council
3. Location- is the property in the correct location
4. Sufficiency – is the property sufficient for delivering the service
5. Functionality – is the property in a good state of repair and 'fit for purpose'
6. Utilisation – is the property well-utilised/accessible for its purpose
7. Provision – is the property the only one of its kind or are other options available
8. Cost efficiency – Is the property cost effective
9. Return on investment – Does the property return a good ROI
10. Cost – What is the cost of maintaining the asset in a state fit for purpose

## Objective

*The objective of the strategy is to:*

1. Ensure property management practices are consistent with Council's Strategic goals. As set out in councils LTP
2. Meet community needs and expectations taking into consideration future trends and changes in community demographics.
3. Ensure properties are safe, secure, and compliant with relevant legislation and other regulatory obligations including Council policies, procedures and guidelines.
4. Ensure properties are maintained in accordance with best practice strategic asset management principles, with all property being maintained such that their condition ratings are either very good, good or fair
5. Ensure that Council's property portfolio is managed in a financially sustainable way to optimise the balance of both commercial and community outcomes specific to each property.
6. Ensure the effects of climate change are considered on projects and proposals
7. Ensure mana whenua cultural values, interests and associations with an area and / or natural resource that may be affected by any project or proposal are considered

## **Appendix 2: Objectives for Specific Council properties are covered in appendix 2**

### **3. CATEGORIES OF USES**

Council has categorised the uses of its property portfolio in the following terms.

#### ***Parks and Reserves (Direct Community Services)***

Reserve Land: cannot be leased, licenced or any other estate granted over the land for more than 33 years.

Disposal of Reserve land under the Reserves Act can only be sold if the reserve classification has been revoked. This can only occur if the land is no longer required as a reserve and must be done in accordance with Section 24 of the Reserves Act. In addition, Council cannot act without first consulting with DOC and the general public. There is a well-defined statutory process laid down in Section 24 that must be followed before any reserve land can have its reserve status revoked.

Reserve Land includes land intended for public access and use including public reserves and is managed under the Reserves Act 1977, Resource Management Act 1991, Local Government Act 2002, Heritage New Zealand Pouhere Taonga Act 2014, Conservation Act 1987, and walking access act 2008

The types of properties that directly provide community services include: Pavilions, Public Toilets, Cemeteries, Playgrounds, Reserves, Sports Fields, Cycle and Walking Trails and Aerodrome

#### ***Community (Indirect Community Services)***

Properties that provide services indirectly to the community are those which are utilised by service providers such as community groups, charities, not-for-profit organisations that deliver the service to the community.

These properties are typically owned by Council and made available to the service provider on a lease or license basis. Depending on the overall value that can be realised from the property and the service provision being offered, Council may elect to make the property available on preferential lease terms such as subsidised rent, to attract the most appropriate service provider. Such concessions on preferential lease terms may also be used to attract funding from external sources. (sports clubs, community groups)



### **Operational** (Council Operational Services)

Operational service properties are those which accommodate Council staff who oversee, manage and deliver Council's administrative and support service functions relating to direct service delivery. Operational service properties also accommodate Council assets

Operational Land does not have any special legislative restrictions other than those that may apply to any piece of land.

The types of properties that directly provide operational services include the Administration Offices, Library, Depots and infrastructure treatment plants, pump stations, stormwater basins etc

### **Investment** (Commercial)

Commercial property relates to the use and management of land or assets where the primary purpose is an investment for the generation of revenue. A key financial objective for commercial properties will be to achieve self-sufficient operation and to supplement the funding of the operation, management, maintenance and capital requirements for Council's other services.

Properties of a commercial nature may also include a provision for community benefit, albeit this secondary function may not always apply. It is preferable, however, to maximise opportunities for community benefit wherever practical to maximise the overall value being realised.

Land classified as commercial property is either held for capital gain or providing rental yield

### **Properties Leased / Licensed from Others**

Council may lease or license properties from other parties where:

1. The property or part of the property being used by Council will contribute to Council meeting its statutory, service delivery and/or community requirements.
2. Ownership of the property would be impractical, inappropriate, or otherwise problematic. This may be due to a pre-existing arrangement, or as a result of Council determining the value to be realised from leasing / licensing being greater than the value that could be realised if Council were to assume ownership of the property, or similar reason.

Council will generally determine which of the above applies during the planning stage of new developments. Council may recategorise the use of a property to meet service requirements as required. Where buildings accommodate multiple uses, the property will be designated according to the primary or majority use.

## 4. ACQUISITIONS, DEVELOPMENT, DISPOSAL

In order to provide some transparency in determining whether a property asset should be acquired, retained/held or disposed of, it is necessary to provide a consistent approach to assessment. Council will ensure that the property portfolio is regularly reviewed to reflect the changing nature of community outcomes and activity specific objectives, to enable informed decision making.

- **AQUIRE:** In making a decision to purchase land and/or property, Council is making a decision to use public money to provide a service or investment now or in the future. Council will assess property acquisitions by identifying future property requirements to meet service and investment needs. As the property market changes the timing of the acquisition of property needs to be right to ensure the right level of investment is made at the right time for the purpose for which the land is required.
- **RETAIN/HOLD:** There are instances that Council will hold or acquire land for the delivery of service and may need to develop the land or buildings to make it fit for purpose for the service. Similarly, in optimising the property portfolio.
- **DISPOSAL:** In order to have an efficient property portfolio, Council will identify property that is no longer required for the purpose for which it was acquired. A strategic assessment will be undertaken for land and/or buildings identified that could potentially be sold

Property transactions will be negotiated and executed in accordance with legislative requirements. The decision to buy, sell or exchange property will be made by Council resolution. The Council report will be supported by an appropriate strategic assessment and business case as deemed necessary to justify the property transaction and a clear recommendation to form the basis of the Council resolution

### **Appendix 1: Flowchart to assist in decision making to Retain or Dispose**

## 5. PROPERTY MANAGEMENT

All properties should be managed and maintained to be fit for purpose and deliver affordable levels of service. As a landowner, the management of property is critical to maintaining the value of the asset and optimising its life. Council has responsibilities under legislation, including that buildings and structures meet health and safety requirements and are compliant. This requires robust record keeping, to be able to quickly assess the status of each building.

## DEFINITIONS

Following are the key definitions relating to Opotiki District Council's property management strategy.

- Acquisition** An asset or object bought or obtained by Council.
- Asset** Aggregated physical form of the building or item of infrastructure. Assets may be either owned by Council or used by Council, such as in the form of a lease or license.
- Building** The term "building" is specifically defined within the Building Act 2004. Section 8 of the Act defines a "building" as "a temporary or permanent, movable or immovable, structure, including a structure intended for occupation by people, animals, machinery, or chattels.
- Reserves** Includes Recreation (*Reserves Act 1977*), Historic (*section 18 of the RA*), Scenic (*section 19 of the RA*), Nature (*section 20 of the RA*), Scientific (*section 21 of the RA*), Government Purpose (*section 22 of the RA*), Local Purpose (*Section 23 of the RA*)
- Public Land** Land that is vested in or under Council's control.
- Lease** An agreement via contract between the Lessor and Lessee that secures the use of an asset by the Lessee subject to conditions such that the Lessee has exclusive possession of the asset and there is a fixed term of occupation with rent payable.
- License** An agreement via contract between the Licensor and Licensee that secures the use of part of an asset by the Licensee for a fee subject to conditions and such that the Licensee does not have exclusive possession of the asset
- Disposal** The sale or transfer of an asset beyond Council. Any disposal of Council land and properties will have to meet the legislative requirements of the LGA and particularly the Reserves Act if it is Reserve land
- Surplus Assets** are assets considered to be of no benefit to either the community through the delivery of services, or long-term strategic property portfolio or for any other Council related purpose.

## *Opotiki Council Relevant Policies and Plans*

### **Property**

Procurement policy

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Investment policy (Now Treasury risk management policy and procedures)

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Revenue and Financing policy

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Risk management policy

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Roads – Non legal road policy

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Roads right of ways policy

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Reserve management plan's part 1 general policies, part 2 individual reserves policy

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Long Term Plan

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Asset Management Plan

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BOPRC Plans

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Opotiki District Plans

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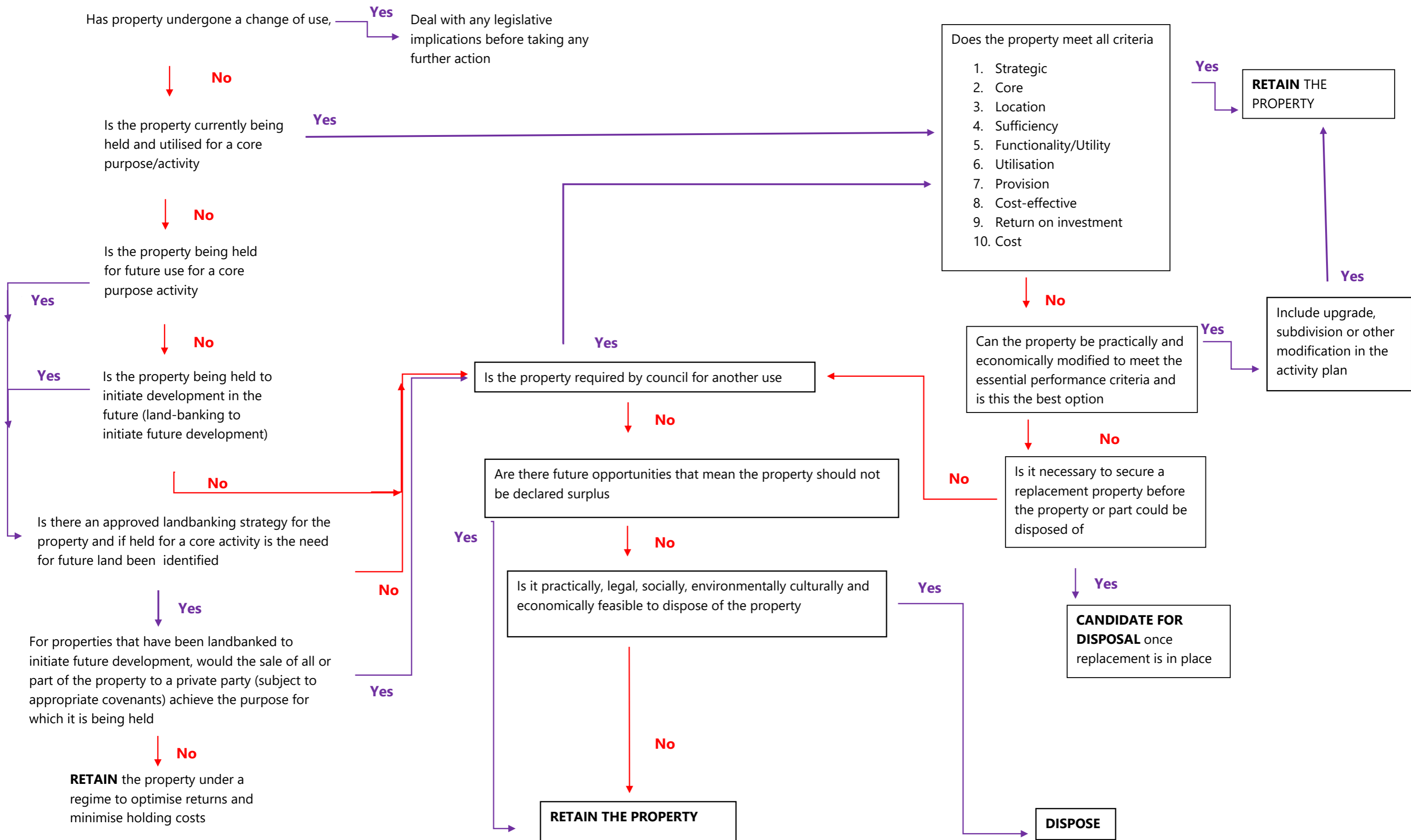
Iwi Management Plans

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# APPENDIX 1: PROPERTY DECISION FLOWCHART



## COUNCIL REPORT

Date : 28 February 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Group Manager Community Services and Development, Anna Hayward  
Subject : **COMPLAINTS POLICY FOR ADOPTION**  
File ID : A1204983

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## EXECUTIVE SUMMARY

- Staff are in the process of developing a Customer Charter – a set of systems and procedures outlining Council’s operational elements of working with customers and ratepayers.
- Through this process the absence of an organisational complaints policy was identified. Staff have therefore developed a draft Complaints Policy (Appendix 1).
- This report presents the Complaints Policy (Appendix 1) to Council for adoption.

## RECOMMENDATIONS

- 1) **That the report titled "Complaints Policy For Adoption" be received.**
- 2) **That Council adopts the Complaints Policy attached to the report as Appendix 1.**

## PURPOSE

1. The creation process of Council’s Customer Charter identified the absence of an organisational complaints policy.
2. Staff have therefore drafted a Complaints Policy (Appendix 1). This report summarises the draft policy and recommends Council adopts the Complaints Policy.

## STRATEGIC ALIGNMENT

3. The matters detailed in this report relate to the following priorities from Opōtiki District Council’s Long Term Plan 2021-2031.
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.
  - Purposeful work and learning opportunities.



- Development supports the community.
- Culture and history are treasured.

## BACKGROUND

4. Staff are in the process of developing a Customer Charter – a set of systems and procedures outlining Council’s operational elements of working with customers and ratepayers. The purpose of the Customer Charter is to ensure consistent, organisation-wide responses and engagement with customers. It also provides guidance to new staff to learn organisation standards without exclusively relying on personnel to train them.
5. The creation of the Customer Charter revealed the absence of an organisational complaints policy. The ability to receive feedback – positive or negative – from the community is an integral part of customer relationships. Staff have therefore developed the Complaints Policy (Appendix 1).
6. The Complaints Policy (Appendix 1) has been developed with input from multiple levels of staff, including Human Resources, Council’s Business and Online Services Development Lead, the senior leadership team, and the Strategy, Planning and Regulatory Committee.
7. The Strategy, Planning and Regulatory Committee received the draft Complaints Policy on 19 February 2024 and noted the following feedback:
  - o The Committee would like the procedure to include a response within one (1) working day of receiving a complaint to acknowledge the receipt and indicate the complaints process has begun. This has been added to the policy under section 4.1(b).
8. The Committee resolved to recommend to Council the adoption of the Complaints Policy (Appendix 1).

## OPTIONS

9. To proceed, Council must choose one of the following options.

<b>OPTION 1: Council adopts the Complaints Policy (Appendix 1) (recommended option)</b>	
<b>Description</b>	Council resolves to adopt the Complaints Policy (Appendix 1).
<b>Advantages</b>	Adopting the Complaints Policy will address a gap in customer relationship processes for Council and formalise a process staff already undertake. Council will also be able to progress with the implementation of the Customer Charter.
<b>Disadvantages</b>	There are no identified disadvantages to this option.
<b>Impact on mana whenua</b>	It is worth noting Council will have limited resources should a member of the public wish to place a complaint in Te Reo Māori.
<b>Strategic alignment</b>	<i>Services and facilities meet our needs:</i> Adopting the Complaints Policy will formalise a process that ensures Council is engaging with the community and customers in all aspects – positive and negative. The policy will enable Council to process and learn from feedback and continually improve our services.

### OPTION 1: Council adopts the Complaints Policy (Appendix 1) (recommended option)

<b>Associated risks</b>	There are no identified risks to this option.
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### OPTION 2: Council does not adopt the Complaints Policy (Appendix 1).

<b>Description</b>	Council resolves not to adopt the Complaints Policy.
<b>Advantages</b>	There are no identified advantages to this option.
<b>Disadvantages</b>	This option will negatively impact Council's ability to gather feedback both positive and negative from the community. Council's implementation of the Customer Charter will also be negatively impacted.
<b>Impact on mana whenua</b>	There are no identified impacts on mana whenua.
<b>Strategic alignment</b>	This option does not contribute to the community outcome of <i>Services and facilities meet our needs</i> .
<b>Associated risks</b>	The lack of a Complaints Policy exposes Council to reputational and sector risk, as the organisation does not have a formalised process through which complaints are managed. This lack of management can lead to instances of Ombudsman investigation.

## DISCUSSION

10. The recommended option is **Option 1**. The recommendations of this report reflect option 1.
11. The purpose of the Complaints Policy is as follows:
  - To provide a clear set of principles and processes for how Council will manage complaints, both internal and external.
  - Provide Council's definition of a complaint.
  - Clearly set out a timeline for customers and staff relating to complaints.
  - Explain roles and responsibilities.
  - Identify the principles Council will apply managing complaints.
12. The policy also provides a clear process for community members to reference and hold Council accountable.
13. The policy aligns with procedures already enacted by staff; it simply formalises the process and, most importantly, provides the community with a clear understanding of this process and what they can expect when a complaint is placed.

### **Financial/budget considerations**

14. There are no financial or budget considerations for the matters in this report. The application of the Complaints Policy procedure will be formalising work staff already engage in, and so will not require additional resource.

### **Policy and planning implications**

15. The matters recommended in this report align with Council's responsibilities around community engagement and relationships. Adopting the Complaints Policy will also align Council more closely with local government sector best practice guidance from the Ombudsman<sup>1</sup>.

### **Impact on mana whenua**

16. As stated in the Options section, option 1 notes Council will have limited resources in the event a customer wishes to place a complaint in Te Reo Māori. However, it is felt this can be mitigated through staff working with the individual on a case-by-case basis.

### **Climate impact considerations**

17. There are no identified climate impact considerations associated with the matters in this report.

### **Risks**

18. There are no identified risks associated with the matters recommended in this report. There are greater risks associated with Council's current lack of a complaints policy. These risks include poor public perception, and poor transparency with the community about how their feedback is handled, by what timeline they can expect responses, and what is learned from the feedback. Additionally, as identified in the Options section, the lack of Complaints Policy exposes Council to organisational/sector risk, as individuals with complaints may escalate directly to the Ombudsman.
19. The implementation of a Complaints Policy will mitigate these risks.

### **Community wellbeing considerations**

20. The purpose of Local Government includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four well-beings').
21. The subject matter of this report has been evaluated in terms of the four well-beings during the process of developing this report as outlined below.

### **Social**

22. This policy formalises a process to manage customer dissatisfaction. As such, it primarily contributes to social wellbeing. Having a policy which clearly outlines responsibilities, processes,

<sup>1</sup> [Effective complaint handling.pdf \(ombudsman.parliament.nz\)](https://www.ombudsman.parliament.nz/effective-complaint-handling.pdf)

and timelines for customers and community members will contribute to the social wellbeing of the district.

## **SIGNIFICANCE AND ENGAGEMENT ASSESSMENT**

### **Assessment of significance**

23. 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.
24. 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**

25. 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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#### **INFORM**

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

- 
26. 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.

## **CONCLUSION**

27. Staff are in the process of developing a Customer Charter – a set of systems and procedures outlining Council's operational elements of working with customers and ratepayers.
28. Through this process, the absence of an organisational complaints policy was identified. Staff have therefore developed a Complaints Policy.
29. This report presents the Complaints Policy (Appendix 1) to Council for adoption.

Anna Hayward

## **GOUP MANAGER COMMUNITY SERVICES AND DEVELOPMENT**

<b>POLICY</b>	<b>STATUS</b>	<b>AT</b>	<b>DATE</b>	<b>DOC ID</b>
<i>Complaints Policy</i>	<i>Draft</i>	<i>Management Team Meeting</i>	<i>23 January 2024</i>	<i>A1196824</i>



**ŌPŌTIKI DISTRICT COUNCIL**

# **Complaints Policy**

## BACKGROUND

The Ōpōtiki District Council ('**Council**') recognises the importance of customer feedback about its services. Council welcomes this feedback and is committed to using the information it receives to help further drive improvements to its service delivery.

This policy outlines the aims of Council in dealing with customer feedback and sets out what customers can expect when contributing feedback regarding Council services or staff.

## PURPOSE

The purpose of the policy is to provide Council's definition of a formal complaint and the principles and process that will be applied to give assurance and guidance to both Council and public as to how complaints are to be dealt with.

This policy applies to all employees, casual staff, contractors, and temporary staff at Council.

This policy applies specifically to formal (written) complaints. "LGOIMA", "Privacy" and "Ombudsman requests" are managed under the relevant legislation.

For complaints related to building control functions, please see our Building Control Authority Complaint Policy. Complaints related to building control functions will always be processed under the Building Control Authority Complaint Policy.

## DEFINITIONS

### **A complaint is:**

An expression of dissatisfaction in writing by one or more members of our customers, citizens, ratepayers, and visitors about the Council's:

- Action or lack of action
- Decision, or
- The standard of service provided by or on behalf of the council, where a response or resolution is explicitly or implicitly expected.

### **A complaint is not:**

- A request for routine services, e.g., grading a road, fixing potholes, or cleaning toilets.
- A request for readily available information, e.g., building consent, geotechnical report or property information.
- A suggestion for an improvement to service, e.g., an extra rubbish bin collection over summer.
- Matters for which there are defined legislative process and/or right for appeal and/or legal remedy, i.e a resource consent decision where there is an objection process.

Where information fitting the above descriptions is received through the complaints process, it will be managed through the appropriate procedure.

## **POLICY**

### **1. Principles**

When handling complaints, Council will:

- Try and see things from the customers' perspective to understand and address where/how Council did not meet their expectations.
- Resolve the complaint as soon as practicable.
- Treat complaints with priority and give a timely response.
- Utilise a user-friendly system for customers and communicate in a way that is easy to understand.
- Be fair and act with integrity.
- Not be defensive.
- Ensure that issues raised are assessed on their own merits.
- Improve how things are done by learning from complaints.
- Manage complaints in accordance with Councils systems and procedures.
- Maintain a centralised register of all complaints.
- Handle complaints with discretion and in a fair manner.

### **2. Seriousness of Complaints**

Although all issues raised by customers and ratepayers are taken seriously, many complaints can be addressed through conversations with Customer Service Officers or the appropriate council officer. Staff will always endeavour to work with individuals to reach a resolution as soon as is practicable.

However, if an individual is unhappy with the handling of the issue, or a resolution fails to eventuate, this policy is the procedure to escalate that concern through a formal complaint in writing for investigation.

### **3. Roles and Responsibilities**

There may be a network of people who are directly or indirectly involved in the formal complaints process whether it is a defined part of a staff members role or not. Any staff member or elected member could be potentially approached by a customer or ratepayer wishing to raise a complaint; be asked to assist with an investigation; or approached to contribute their expertise.

Therefore, at a general level all staff are expected to:

- Be impartial, independent, professional and accountable in handling complaints,
- Be familiar with this Policy,

- Be aware of their roles and responsibilities in relation to complaints or know where to go for further assistance relating to the handling of complaints.

Where elected members are receiving complaints directly and/or in-person, they should notify the Chief Executive as soon as is practicable and inform the individual(s) in question of this policy should they wish to lodge a formal complaint.

#### **4. Complaints Procedure**

*See Appendix 1 of this Policy for a flowchart.*

Complaints must be received in writing. This can be done on paper, in email, or through the appropriate online portal/form. This information can be provided in the following ways:

1. The online form:  
<https://app.smartsheet.com/b/form/d95705c2b0c4453dbdc2d484b80b2df9>
2. Emailing [info@odc.govt.nz](mailto:info@odc.govt.nz),
3. Sending a physical letter to 108 Saint John Street, Ōpōtiki.

Complaints are sorted into two categories:

1. Complaints about a Council process.
2. Complaints about a Council employee.

##### **4.1 Procedure**

- a) Basic information is required from the customer. This includes:
  1. Name,
  2. Address,
  3. Contact telephone number,
  4. Details of the issue or problem concerned.
  5. Location (if appropriate).
  6. Any supporting documents (such as photos, emails, etc.,)
- b) All formal complaints are to be received from the person concerned in writing. The complaint will be duly recorded and logged upon receipt within the Council document management system. Complaints will be acknowledged with a response to the complainant within one (1) working day of receipt.
- c) All complaints will be referred to the appropriate Group Manager.
- d) The Group Manager will acknowledge receipt of the complaint within three (3) working days.
- e) This acknowledgement to the complainant will contain as a minimum the following information:
  1. How long before a reply will be given.
  2. The contact details of the Group Manager dealing with the complaint.



- f) The Group Manager will then investigate the complaint and reply to the customer within ten (10) working days from the date of receipt.
- g) If unable to reply within the agreed ten (10) days (i.e. for very complex matters), the complainant will be informed, and the appropriate timescales for reply set out.
- h) If the complainant is not satisfied with the response to their complaint, they may refer the matter directly to the Chief Executive for review. The complaint will be logged by the Chief Executive's office upon receipt.
- i) Complainants will receive an initial written response from the Chief Executive within three (3) working days of receipt of the request for review by the Chief Executive.
- j) If complainants remain unsatisfied with the response received to their complaint, and with the Chief Executive's review, the complainant may refer the matter to the Ombudsman. *See below for details on contacting the Ombudsman.*
- k) A decision regarding complaints will be considered final and no further correspondence will be entered into (except as otherwise provided by legislation).

The Group Manager in receipt of any complaint must continue to monitor the progress until it is resolved – which means they must always follow up and check on progress and resolution.

Complaints made under specific pieces of legislation will be dealt with according to the requirements of that legislation. The complainant will be advised of the appropriate procedure and requirements.

#### **4.2 Escalation to the Ombudsman**

The Ombudsman has the authority to investigate city, district, and regional councils<sup>1</sup>. Please note the Ombudsman **cannot** investigate complaints about:

- Private individuals or companies.
- Private training establishments.
- Lawyers.
- Members of parliament.
- Decisions made by a full Council.
- Decisions made by a court or tribunal.

The [Ombudsman website](#) provides details of how to make a complaint, what complaints will/will not be investigated, and what individuals should do before contacting the Ombudsman. It is worth noting that the Ombudsman may choose to not investigate a complaint where the individual has not attempted to find a resolution directly with the agency in question first.

The Ombudsman can be contacted through the following means:

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<sup>1</sup> [How the Ombudsman works | Ombudsman New Zealand](#)

- by Free phone: 0800 802 602
- by visiting their website: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz)
- by email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz)
- by post to Office of the Ombudsman, PO Box 10152, Wellington 6143.

#### **4.3 Anonymous Complaints**

Where an individual does not/will not provide their contact details, or are otherwise unable/unwilling to be identified, they will need to use Council's general feedback form: <https://www.odc.govt.nz/our-council/contact-us>. Council will process the information and implement learnings; however, Council will be unable to have further communication with the individual.

#### **4.4 Confidentiality**

Complaints will be managed with confidentiality where or as appropriate. Council will ensure access to complaint information will be restricted to only those managing the response process and meets Council's obligations under the Privacy Act (and other relevant legislation).

#### **5. Record Keeping**

The details of each complaint, key internal and external correspondence, and outcomes must be recorded in Council's document management system.

It is the responsibility of all staff to maintain full and accurate records of each complaint in a centralised and accessible location so that it can be retrieved if necessary.

#### **6. Learning From Complaints**

The Ōpōtiki District Council values feedback and complaints and aims to use the lessons learned to inform and promote service improvements.

### **RELEVANT LEGISLATION**

- Local Government Act 2002
- Privacy Act 2020
- Health and Safety at Work Act 2015
- Local Government Official Information and Meetings Act 1987
- Public Records Act 2005
- Ombudsman Act 1975

## **REVIEW**

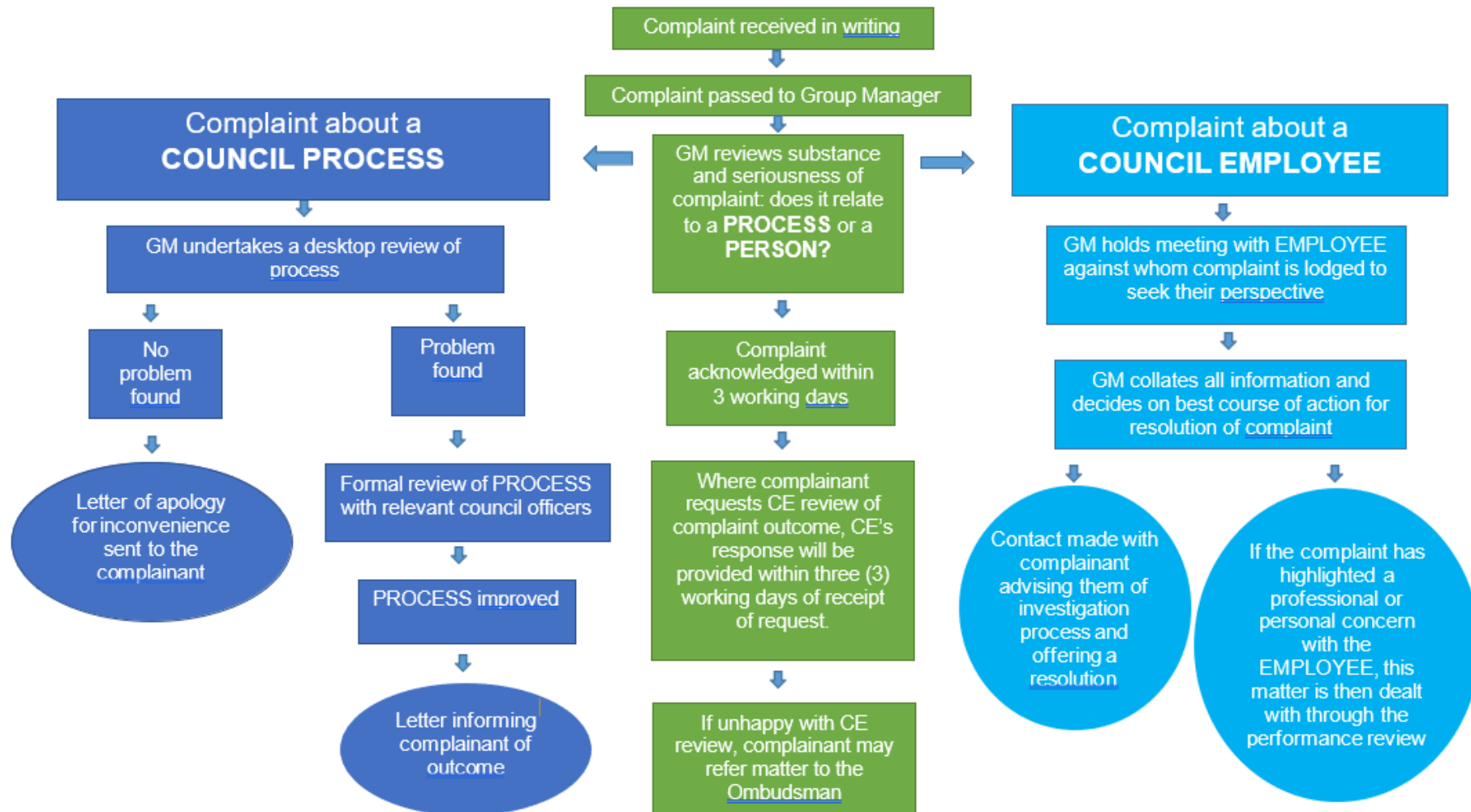
The Group Manager for Community Services and Development will be responsible for leading the review of this Policy at least every three years or as required by legislative or industry practice changes.

DRAFT

# APPENDIX 1

## Schedule 1: Process for dealing with a normal complaint

Most complaints are minor in nature and can be dealt with by Customer Services Officers or referred by them to the appropriate council officer for resolution. If the complainant wishes the concern to be taken more seriously they must lodge a formal complaint in writing for investigation.



## COUNCIL REPORT

Date : 22 February 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Group Manager Community Services and Development, Anna Hayward  
Subject : **POLICY REVIEW CYCLE FOR ADOPTION**  
File ID : A1203132

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## EXECUTIVE SUMMARY

- Staff have developed a Policy Review Cycle to ensure regular reviews are undertaken for Council policies, to ensure they are up to date, effective, and legislatively compliant.
- The need for the creation of the cycle was highlighted in the 2021 *Report to the Council on the audit of Ōpōtiki District Council* by Audit New Zealand.
- The Policy Review Cycle (Appendix 1) is appended to this report. This report seeks Council adopt the Policy Review Cycle.

## RECOMMENDATIONS

- 1) **That the report titled "Policy Review Cycle For Adoption" be received.**
- 2) **That Council adopts the Policy Review Cycle attached to the report as Appendix 1.**

## PURPOSE

1. This report summarises the work done to develop the Policy Review Cycle, the purpose and objective of the Policy Review Cycle, and the feedback implemented from both the Risk and Assurance Committee and the Strategy, Planning and Regulatory Committee.
2. This report seeks Council adopts the Policy Review Cycle.

## STRATEGIC ALIGNMENT

3. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long Term Plan 2021-2031.
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.

- ☒ Purposeful work and learning opportunities.
- ☒ Development supports the community.
- ☒ Culture and history are treasured.

## **BACKGROUND**

4. Council staff have developed a draft 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 2021 *Report to the Council on the audit of Ōpōtiki District Council* by Audit New Zealand.
5. 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.
6. The report from Audit 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, staff have developed the draft Policy Review Cycle, which will ensure a review, and update if deemed necessary, will be undertaken for each policy at least once every three years.
7. 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 fit for purpose.
8. At the Ordinary Council Meeting on 5 December 2023, Council resolved to retire nine policies that had been identified by Group Managers as having been superseded or consisting of controls that are no longer operational.
9. With the retirement of these nine policies, Council currently has 79 adopted policies, alongside 15 other documents within the Policy Index consisting of Guidelines, Codes of Conduct, Delegation Manuals, Reserve and Waste Plans, and Standing Orders.
10. Of these 79 policies, 57 were last adopted and/or reviewed in 2019 or earlier. This means 72% of Council’s policies are overdue for a review.
11. The creation and implementation of this Policy Review Cycle addresses and acknowledges the existing overdue policies Council currently has and establishes a process to ensure ongoing maintenance of policies and similar ‘backlog’ does not occur in the future.
12. The Risk and Assurance Committee received the draft Policy Review Cycle on 11 December 2023 with no significant concerns raised. The Risk and Assurance Committee noted there are multiple ‘layers’ of committees reviewing draft policies before reaching a full Council meeting. It was suggested the Risk and Assurance Committee can make the recommendation for high-risk policies

to go directly to full Council for debate, as opposed to the Strategy, Planning and Regulatory Committee first, when reviewing a draft policy.

13. The following changes have been made to the Policy Review Cycle to implement this feedback:
  - Flowchart: the phrase “where appropriate” has been added to the steps of a draft policy going to the Risk and Assurance and Strategy, Planning and Regulatory Committees.
  - Procedure: where appropriate, the Executive Leadership Team may give direction on whether a draft policy needs to go to both or either Committees. Similarly, if it is appropriate for a draft policy to go to the Risk and Assurance Committee, that Committee may recommend the policy go directly to a full Council meeting, and bypass the Strategy, Planning and Regulatory Committee, where appropriate.
14. The Strategy, Planning and Regulatory Committee received the Policy Review Cycle on 19 February and provided no further direction for changes or updates. At this meeting the Committee resolved to recommend to Council the adoption of the Policy Review Cycle.

## OPTIONS

15. To proceed, Council must choose one of the following options.

<b>OPTION 1: Council adopts the Policy Review Cycle (Appendix 1) (recommended option).</b>	
<b>Description</b>	Council resolves to adopt the Policy Review Cycle.
<b>Advantages</b>	<p>This option ensures Council has a system which clearly defines processes, responsibilities, timelines, and objectives regarding the maintenance of Council’s policies.</p> <p>There will be a system to address the current backlog of Council policies overdue for a review, rather than doing so on an ad hoc basis.</p>
<b>Disadvantages</b>	There are no identified disadvantages.
<b>Impact on mana whenua</b>	There are no identified impacts on mana whenua. It is worth noting this option is consistent with enabling Council’s obligations under Te Tiriti o Waitangi.
<b>Strategic alignment</b>	This option contributes toward the identified community outcomes as Council’s policies are the guiding documents of the organisation and work to ensure Council fulfils its legislative obligations and implement local government best practice. The adoption of the Policy Review Cycle will ensure these guiding documents remain up to date, legislatively compliant and fit for purpose, thereby enabling Council to effectively undertake its work.
<b>Associated risks</b>	There are no identified risks.

## OPTION 2: Council does not adopt the Policy Review Cycle.

<b>Description</b>	Council resolves not to adopt the Policy Review Cycle.
<b>Advantages</b>	There are no identified advantages.
<b>Disadvantages</b>	Council as an organisation will remain without a clear procedure for the maintenance of policies, resulting in many negative flow-on impacts around legislative responsibilities and a backlog of documents no longer fit for purpose.  Council will continue to only address policies on an ad hoc basis.
<b>Impact on mana whenua</b>	There are no identified impacts on mana whenua.
<b>Strategic alignment</b>	This option does not align with Council's community outcomes.
<b>Associated risks</b>	Council will fail to act on one of Audit's recommendations. There is also significant risk (legislative and operational) associated with Council's current lack of procedure for the ongoing maintenance of policies. There is significant risk with the current level of policies overdue for review and updating.

### DISCUSSION

16. The recommended option is **Option 1**. The recommendations for this report reflect Option 1.
17. The Policy Review Cycle is appended to this report (Appendix 1). It consists of the Policy Review Cycle Procedure and the Policy Review Cycle Flowchart.
18. The Policy Review Cycle aims to mitigate the risks highlighted in the Audit report by implementing clear timeframes for reviewing policies; providing a clear process to follow when reviewing a policy; and assigning responsibilities to staff, committees, and Council to provide appropriate authority of policies at appropriate stages of the review cycle process.

### Financial/budget considerations

19. There are no financial or budgetary considerations for this decision.

### Policy and planning implications

20. The matters recommended in this report are consistent with Council's obligation to ensure policies and guiding documents are up to date, fit for purpose, and legislatively compliant.

### Impact on mana whenua

21. The matters recommended in this report have no specific or identified impact on mana whenua. As noted in the Options section, the recommended option (Option 1) is consistent with enabling Council's obligations under Te Tiriti o Waitangi through ensuring Council's guiding documents are legislatively compliant, including regarding matters of mana whenua.



### **Climate impact considerations**

22. The matters recommended in this report have no identified climate impact considerations.

### **Risks**

23. As stated in the Options section, there are no identified risks to the recommended option (Option 1). There are several risks associated with Option 2 including legislative and operational.

### **Community wellbeing considerations**

24. The purpose of Local Government includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four well-beings').

25. The subject matter of this report has been evaluated in terms of the four well-beings during the process of developing this report as outlined below.

### **Social**

26. Council has many policies which relate to social aspects of Ōpōtiki district, such as those relating to Community Groups and Sports Clubs.

### **Economic**

27. Council has many policies which relate to economic aspects of Ōpōtiki district, such as the Rates Remission and Postponement policies and the Revenue and Financing Policy.

### **Environmental**

28. Council has many policies which relate to environmental aspects of Ōpōtiki district, such as those relating to road closures and maintenance, infrastructure, signage, and building control.

### **Cultural**

29. Council has many policies which relate to cultural aspects of Ōpōtiki district, such as the Significance and Engagement Policy. Moreover, every policy has a role to play in Council's relationship with mana whenua.

30. With regard to promoting the four well-beings, the matters recommended in this report allow for ongoing and regular maintenance of organisational policies, ensuring they are fit for purpose for the Council and the district.

## **SIGNIFICANCE AND ENGAGEMENT ASSESSMENT**

### **Assessment of significance**

31. 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.

32. 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**

33. 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.

---

34. 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.

#### **CONCLUSION**

35. Staff have developed a Policy Review Cycle to ensure regular reviews are undertaken for Council policies, to ensure they are up to date, effective, and legislatively compliant.
36. The need for the creation of the cycle was highlighted in the 2021 Report to the Council on the audit of Ōpōtiki District Council by Audit New Zealand.
37. The Policy Review Cycle (Appendix 1) is appended to this report. This report seeks Council adopt the Policy Review Cycle.

Anna Hayward

**GROUP MANAGER COMMUNITY SERVICES AND DEVELOPMENT**

**APPENDIX 1**



**Opotiki District Council**  
STRONG COMMUNITY STRONG FUTURE

# Policy Review Framework

10 January 2024  
A860772

# 1. Background

Ōpōtiki District Council ('Council') develops a range of policies, procedures or Bylaws that guide decision-making and articulate Councils position on a range of issues.

An effective policy framework helps Council to deliver its strategic priorities and is an essential component of corporate governance systems. The framework guides Staff and Council decision-making on a range of areas. The documents that form part of this framework include:

- **Council policies** – statements adopted by resolution of Council or approval of the Chief Executive, which provide a set of controls or principles to guide current and future decision-making within the organisation. Council policies establish a framework within which council operates and generally have an external focus or related to matters of public policy or Councils responsibilities under legislation.
- **Procedures** – A step-by-step sequence of activities, or description of a particular course of action, that must be implemented in order to correctly perform the task. Procedures are generally developed to support the effective implementation of Council policies.
- **Bylaws** – Bylaws are rules set by Council which affect how people live, work and play. They help council manage problems or issues that are considered significant in a local area. The Local Government Act empowers Council to create bylaws.

## 2. Objectives

The objectives of this procedure are to:

- Establish a timeline for reviews.
- Establish a uniform procedure for the development and review of Council policies, procedures and bylaws.
- Set out the roles and responsibilities of Council staff within the development and review process.

## 3. Policy Review Cycle

The review cycle follows a tri-annual review process: Cycles A, B, and C. Policies adopted by Council will be reviewed every 3 years. A cycle runs from April to March and the policy index identifies what policies fall within each cycle. The policy owner is responsible for reviewing the set policies within that cycle. For each policy, the policy owner or relevant staff will follow the procedure set out at **section 8**.

Refer to the Policy Index on Smartsheet ([link](#)) for the categorisation of policies.

### Cycle Adjustments

There will be instances that arise when a policy cycle may need to be adjusted due to legislation, good practice changes, or a breakdown in controls, triggering a policy requiring review more urgently than the prescribed cycle. In order to do this, policy owners will have two options: choose to add the policy in to the current cycle or rotate it with another policy which is less urgent and important (refer to **section 4** for guidance).

To maintain an accurate record, the policy owner will need to notify the Strategic Policy Analyst who will adjust the Smartsheet to reflect that adjustment and make note that the change occurred.

## 4. Priority Matrix

A traffic light approach can be used to determine which policies require a more urgent review. The guidance is provided below but Policy Owners and/or Group Managers also have the relevant expertise to determine priority.

### Red – Urgent

- Policy has been identified by Councils Audit Provider as requiring review.
- There has been an identified control breakdown.
- Policy is high risk if not reviewed.
- Legislation or best practice guidance has changed.

### Orange

- Conflicts with another policy.
- There is moderate risk associated with not reviewing the policy.

### Green – Low priority

- No significant legislative or best practice changes.
- Controls are still operational.

## 5. Council or Staff Policy

Some common characteristics are listed below to help determine the type of policy that may be developed. Council policies are required to be adopted by resolution at Council as opposed to Staff policies which are adopted by the Chief Executive.

Council	Other Policies
<ul style="list-style-type: none"> <li>• May apply to councillors.</li> <li>• Is a policy required by Local Government Act or other legislation.</li> <li>• Would be significant to the public.</li> <li>• Requires a special consultative procedure to be followed.</li> </ul>	<ul style="list-style-type: none"> <li>• May relate to individual employment agreements.</li> </ul>

## 6. Timeframe

As part of every review, a timeframe of deliverable actions will be outlined by the relevant staff. The approximate timeframes for each component of a review period are specified below. These timeframes do not commence at the beginning of the cycle but set the standard timeframe to follow once the policy owner decides to conduct their review. Dates are to be included in the memo that goes to the Executive Leadership Team.

### Staff policies = 12 weeks (Approx.)

- Prep and assign: 2 weeks
- Policy draft period: 4-6 weeks
- Internal consultation: 2-4 weeks
- Endorsement: 2 weeks
- Implementation: 1 week

### Council policies = 24 weeks (Approx.)

- Prep and assign: 2 weeks
- Policy draft period: 8-10 weeks

- Public comment/ consultation: 2-4 weeks
- Endorsement: 9 weeks
- Implementation: 1 weeks

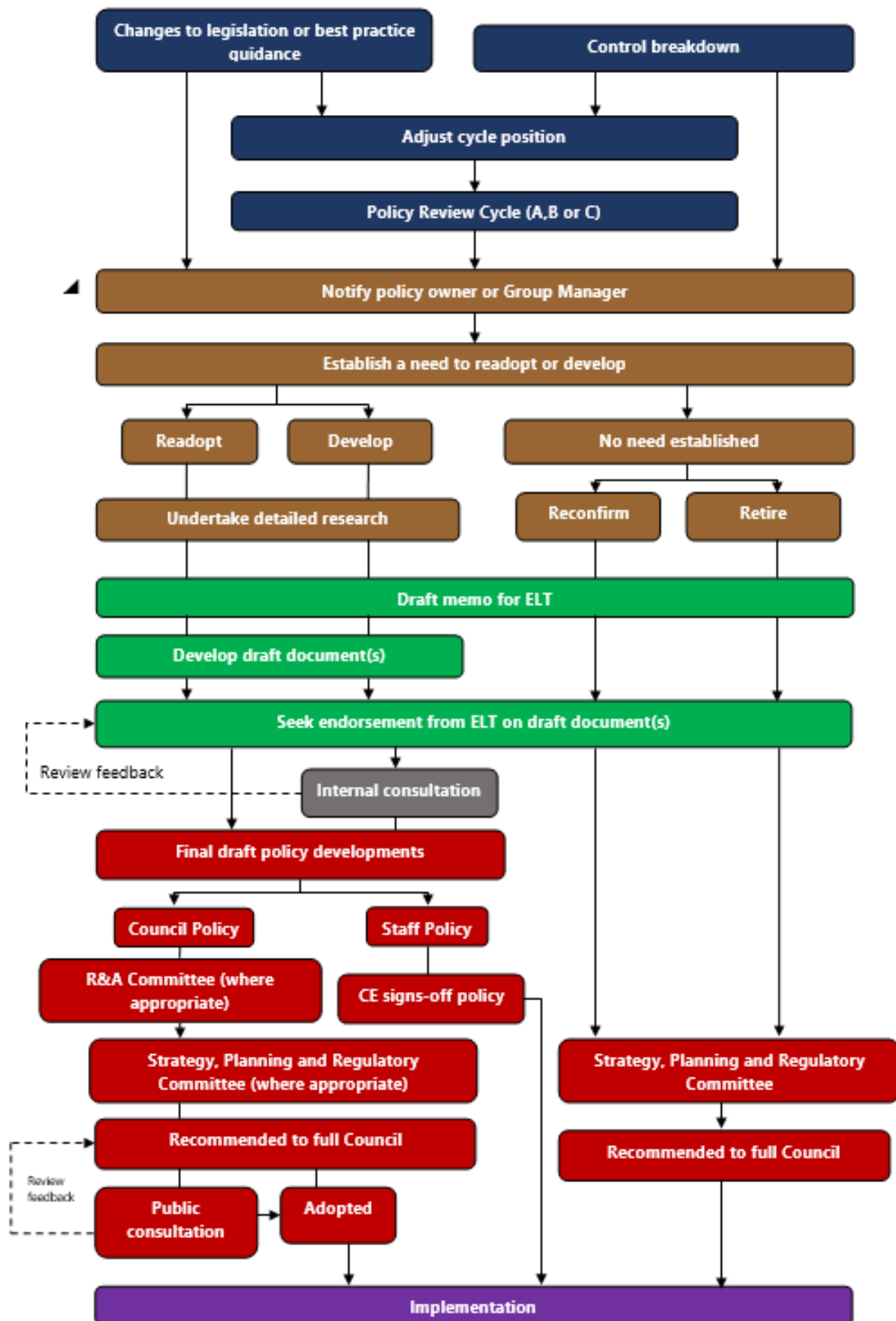
## 7. Policy Procedure Flowchart

The flowchart is coloured per the phases listed in the timeframes:

- Dark Blue = Review procedure triggers
- Brown = Preparation and assign
- Green = Drafting
- Grey = Internal consultation
- Red = Endorsement
- Purple = Implementation

The flowchart should always be used as a guide and read in conjunction with the procedural explanations under **section 8**.

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## 8. Review Procedure

The review procedure is separated into 5 different phases. There are 4 different avenues that a policy review may progress through (**Readopt, Develop, Reconfirm, Retire**). The relevant avenue the policy/procedure/bylaw (**'Policy'**) review goes down will determine what steps to follow. The flowchart should be used as a guide and the procedure sets out what should be done.

### Triggers

Several reasons that may trigger the need to develop a new policy or review an existing policy include:

- Changes to legislation or best practice guidance
- Identification of a control break within a policy
- Identification of an absence of controls/procedure
- A decision of Council or the Executive Leadership (**'ELT'**) requiring development or review of a policy.

#### Existing Policy - adjusting policy cycle position

If a policy review is required more urgently than what is scheduled as per the cycle it will need to be pulled into the current cycle. The recommendation is that the policy be substituted with another policy of low priority of the intended cycle to manage workload. This will be up to the relevant Group Manager to determine.

#### New policy

If a new policy is being created, then it will fall within the cycle occurring during the policy's adoption.

### Preparation Phase

#### 1. Notify policy owner or Group Manager

An automated notification system in Smartsheet will send an email to the Executive Leadership Team detailing the policies within the cycle that are due to be reviewed. This notification will always be sent out on April 1.

#### 2. Establish a need to develop or review a policy

The need to develop a new policy or review an existing policy stem from some of the triggers identified. Once a review has been triggered it will be up to the policy owner to determine next steps. There are 4 different avenues (Readopt, Develop, Reconfirm and Retire) that the policy review may follow and the level of change required will determine which subsequent steps must be taken. Some background research should be undertaken to ensure that avenue chosen is appropriate. The relevant Group Manager should be consulted on the chosen review avenue and consider the resources required/available to pursue a review.

##### I. Readopt

Existing policies that require substantive changes or introduction of new controls will need to be readopted. All policies that are developed or reviewed as per legislative requirements must go to appropriate committees and Council to be readopted.

##### II. Develop

Developing a new policy follows the same process as readoption. Developing a policy is generally to address a gap in Council's controls. All policies that are developed or reviewed as per legislative requirements must go to appropriate committees and Council to be adopted.



### III. Reconfirm

If the policy owner identifies that there is no clear need to readopt or develop a policy because it is still operational, then it should be noted on the memo to ELT. The Chief Executive can reconfirm Staff policies. Council policies will be reconfirmed through the appropriate committees and Council.

### IV. Retire

Policies that are no longer operational or required can be retired. Retiring a policy revokes all its decision-making guidance. To retire a policy, develop a memo for ELT to consider. Policies to be retired must also go to appropriate committees and Council.

### 3. Undertake detailed research

If the Policy Owner determines that readoption or development is the most appropriate way forward, further research should be undertaken to identify key issues, analyse various options available for direction of policy, other up to date council examples available, and the advantages and disadvantages of those options. Research should include analysis of current policy controls to ensure they are still workable and align with guidance or legislative requirements.

### 4. Draft memo for ELT

Once the relevant Group Manager has been notified of the intentions for the policy review, the **Policy Reviewer** (relevant council staff undertaking the review) will complete a memo that will be sent to the Executive Leadership Team. The Policy Review Memo template will need to be used for this step ([A860674](#)). The memo template requires the following information:

- Date of last review
- Background of the policy
- Other Council examples of the policy
- Resources required to complete review
- Rationale regarding which avenue the policy will take
- Predicted timeline for review
- Relevant legislation
- Related policies and documents

If the policy is going to be readopted or developed the relevant staff member will need to identify the predicted consultation requirements for the policy. For further guidance refer to **section 7/14**.

The relevant policy reviewer should retrieve the following from Council's Teams platform to use throughout the policy development and review process:

- Policy Review Memo Template ([A860674](#))
- Policy template ([A116352](#))
- This procedure.

*If the policy is being reconfirmed or retired, proceed to **Step 6.1**.*

## Drafting phase

### 5. Develop Draft Document

Once approval is granted from ELT the policy status will need to change to 'under review' on the Policy Index (Smartsheet – [link](#)) and be moved into the Policy Manual drafts folder in Objective ([qA74955](#)). To have the status changed in the Index contact the Policy Index Librarian/admin. The updating or drafting of the policy document should be commenced. At this stage, consideration should be given as to whether any additional documentation such as an accompanying or complementary policy should also be reviewed.

To maintain document integrity, the draft should be developed using track changes or clearly identify where changes have been made to policy. The policy reviewer should keep the policy owner informed of draft changes.

During this step, the policy reviewer may need to meet with other staff who have responsibilities entailed within the policy or have a particular expertise relating to the policy. If there are any new or amended controls that relate to staff employment, then HR should be consulted during this step.

#### ***Seek policy owner approval***

Once the documents have been developed, provide the draft to the relevant manager or policy owner for review.

### 6. Seek Executive Leadership endorsement or approval of the draft document for readoption or development

The finalised draft must be sent to the Executive Leadership Team for review. An agenda item must be provided to the Executive Assistant for inclusion in the agenda, including:

- A statement for the reason why the new or reviewed policy is required.
- An analysis of the policy options and key issues for consideration, including details of any research and/or consultation that occurred as part of the development process.
- The implications for adopting the policy document, including any potential impact upon Council's resources, the roles and responsibilities that will arise as a result of the implementation of the policy documents.
- A PDF copy of the draft policy document.

ELT will have the discretion to determine the next steps of the policy from here. In particular, if the Chief Executive has the delegation to sign off the policy or whether it will go to Council for readoption.

*If consultation is not required, proceed to **Step 9**.*

#### **6.1 Seek Executive Leadership endorsement for reconfirmation or retirement**

If a policy is to be reconfirmed or retired, the Strategic Policy Analyst and policy owner should seek endorsement of this pathway from the ELT. The memo from **Step 4** must be provided to the Executive Assistant for inclusion in the next Management Team Meeting.

*If policy is a Staff Policy, proceed to **Step 10**.*

If policy is a Council Policy, proceed to **Step 12**.

## Internal Consultation

### 7. Internal consultation requirements

Consultation should be undertaken as appropriate to enable input from various stakeholders, staff and unions. The relevant staff conducting the review must work with Human Resources to implement the consultation. Various methods may be used such as meetings, focus groups, surveys, or emails. To determine if consultation will be required consider the following:

Inform	Consult
<ul style="list-style-type: none"><li>○ Only grammatically or format changes.</li><li>○ No major control changes.</li></ul>	<ul style="list-style-type: none"><li>○ Has there been substantive control changes?</li><li>○ Are there employment implications if a new control in the policy is breached?</li><li>○ Does the policy go beyond what is outlined within the relevant code of conducts?</li><li>○ Will the policy effect council's decision-making powers?</li><li>○ Will the policy only affect a specific group of staff?</li></ul>

### 8. Review consultation feedback

Once the consultation period has concluded, the Human Resources manager will collate and share the findings, where appropriate the submissions will be shared anonymously. The relevant staff will review the submissions and consult management or the policy owner on changes that may need to be made. If any changes are implemented from consultation feedback, they must be approved by the relevant group manager in consultation with Human Resources.

## Endorsement phase

### 9. Final draft preparations

Following the endorsement by ELT and/or internal consultation, the draft policy will be returned to the relevant staff member with suggested changes and comments. The relevant staff member in consultation with the policy owner will examine and consider the feedback and implement recommendations where they see fit. At this step the policy reviewer should be preparing the document in a full and final form, ready for adoption.

If the policy is not required to go to Council, proceed to **Step 10**.

If the policy must go to Council, proceed to **Step 11**.

### 10. Chief Executive sign-off

Once the Chief Executive has reviewed the proposal document and the new or updated policy, they will make the decision to confirm the policy or not. This step may be done in consultation with ELT.

### **11. Draft Policy/report to go to Risk and Assurance Committee**

Following ELT approval, the finalised draft may be sent to the Risk and Assurance Committee subject to ELT direction. The committee will assess the possible risk surrounding the policy and then determine if it should be recommended to other relevant committees and Council for adoption. An agenda item must be included in the meeting which is to be prepared using the Council template and timelines.

The R&A Committee may make the recommendation for a policy to go directly to full Council for debate/adoption, and bypass the Strategy, Planning and Regulatory Committee. Similarly, ELT may give the direction for a draft policy to go directly to the Strategy, Planning and Regulatory Committee (**Step 12**) and bypass this step.

*If the recommendation is resolved, proceed to **Step 12**.*

*If the recommendation is lost, follow the direction given from the committee.*

### **12. Draft Policy/report to go to Strategy, Planning and Regulatory Committee**

Following ELT approval, and where appropriate Risk and Assurance Committee approval, the draft policy (or report regarding reconfirmation/retirement) may go to the Strategy, Planning, and Regulatory Committee to recommend to Council. An agenda item must be included in the next committee meeting which is to be prepared using the Council template and timelines.

Where appropriate, as determined by ELT and/or the Risk and Assurance Committee, a draft policy may go directly to full Council for debate/adoption and bypass this step.

*If the recommendation is resolved, proceed to **Step 13**.*

*If the recommendation is lost, follow the direction from the committee.*

### **13. Draft Policy/report to go to Full Council**

Following previous steps and/or recommendations and feedback, the draft policy (or report regarding reconfirmation/retirement) will go to full Council. An agenda item must be included in the meeting which is to be prepared using the Council template and timelines.

For Readopt/Develop avenues, there are likely two pathways: Council can decide to adopt the policy or Council may be required to send the policy out for consultation if it meets the special consultative requirements under the Local Government Act (Refer to [S.82](#) & [S.82A](#) & [S.87](#) for guidance).

For Readopt/Develop avenues:

*If the policy gets adopted, proceed to **Step 15**.*

*If the draft policy requires public consultation, proceed to **Step 14**.*

*If the recommendation is lost, follow the direction from Council.*

For Reconfirm/Retire avenues:

*If the recommendation is resolved, proceed to **Step 15**.*

*If the recommendation is lost, follow the direction from Council.*

#### **14. Public consultation**

The purpose of consultation is to enable the effective participation of individuals and communities in the decision-making of councils. Some of the relevant consultation guidance can be found in the Local Government Act [S.82](#) , [S.82A](#), [S.87](#), [S.95A](#). In summary there are 3 processes to be followed:

- Consultation with Staff and Unions
  - Once a policy has been drafted internally then it can go to staff internally prior to it going to the Risk and Assurance Committee.
  - Refer to **step 7** for guidance on internal consultation.
- Principles of consultation
  - If there is likely going to be an impact to the community or rate payers, then they should be consulted.
  - The Significance and Engagement Policy gives effect to the principles and should be used when consulting publicly.
  - If there are significant changes to the policy because of public consultation, then the draft policy may need to go back to staff again.
- Special consultative procedure
  - The requirements under this procedure are explicitly prescribed in the Significance and Engagement Policy and LGA and should be engaged when there are substantial changes (such as service delivery or high community interest) to either the Long Term Plan or Annual Plan.
  - If there are significant changes to the policy because of consultation, then the draft policy may need to go back to staff/public again.

The Executive Leadership Team must be informed of any policy that is required to go out for public consultation. The relevant staff should work with the Communication Advisor in the development of consultation documentation. Councillors should be kept updated throughout the entirety of the process. Once public consultation has concluded, a review should be undertaken alongside the Policy Owner.

Following public consultation, the policy will need to be considered and presented to full Council for adoption (*Refer to **Step 13***).

## **Implementation**

#### **15. Notify Policy Index Librarian**

To maintain an accurate record of the policies, the index must be updated once a policy has completed the relevant process. To update the Index inform the Strategic Policy Analyst of the following details:

- Name of policy
- Status – readopted, adopted (new policies), reconfirmed or retired.
- Date and name of meeting
- Relevant legislation and related documents.

#### **16. Notify Communications Advisor**

When a policy is required to be updated on the website, provide a PDF copy of the final policy to the Communications Advisor.

#### **17. Notify staff and/or councillors**

At the conclusion of the review procedure the Chief Executive will notify staff and/or councillors of the outcome of that policy.

## COUNCIL REPORT

Date : 8 March 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Chief Executive Officer, Stace Lewer  
Subject : **BOPLASS LTD STATEMENT OF INTENT FOR 2024-2027 AND HALF YEARLY REPORT**  
File ID : A1211616

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## EXECUTIVE SUMMARY

- The BOPLASS Statement of Intent sets out the activities and intentions of BOPLASS Ltd for the coming financial year. Comment, if any, is required by 30 April 2024. The Half Yearly Report is provided for information.

## RECOMMENDATIONS

- 1) **That the report titled “BOPLASS Ltd Statement of Intent for 2024-2027 and Half Yearly Report” be received.**
- 2) **That Council considers whether it wishes to comment on the Statement of Intent.**

## PURPOSE

1. To have Council consider the BOPLASS Statement of Intent (SOI) and make comment if Council wishes. The Half Yearly Report is also attached for information.

## STRATEGIC ALIGNMENT

### *Guidance (delete this cell on completion):*

- Select the checkbox of the relevant priorities from the Long Term Plan that this report relates to.

2. The matters detailed in this report relate to the following priorities from Opōtiki District Council's Long Term Plan 2021-2031:
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.
  - Purposeful work and learning opportunities.

- Development supports the community.
- Culture and history are treasured.

## **BACKGROUND**

3. BOPLASS Ltd is a Council Controlled Organisation owned in 1/9<sup>th</sup> shares by the seven Bay of Plenty Councils plus Gisborne and Taupo. The company was designed to investigate, develop and deliver shared services, joint procurement and communications for any combination of, some, or all of the Councils.
4. Since its inception in 2006, the Chief Executives of the BOPLASS Councils have acted as Directors, advised by a Company Chief Executive, who is in turn supported by advisory groups of staff with various expertise. In recent years the Directors have benefitted from the move to an independent Chair for the Board.
5. The main achievements of BOPLASS have been in joint procurement and a list of projects is attached to the Statement of Intent. As a small Council we see significant value in BOPLASS managing procurement processes, gaining savings from bulk procurement and administering contracts. We certainly see savings in financial terms but there is also value in terms of saved staff time in running the processes, and applying expertise in due diligence processes that is not available within our staffing. We also see unquantifiable efficiencies as a result of shared staff that use familiar systems.
6. All of Government Procurement contracts continue to provide alternative routes for bulk procurement. BOPLASS is recommending that Councils use these in circumstances where it makes sense, but for various reasons we are finding that the one size fits all approach of the AOG means that BOPLASS is still an appropriate vehicle to use.
7. There are a range of instances of shared services across the BOP Councils that have evolved in a "bottom up" or organic way, outside the formal BOPLASS structures. This is captured through a collaboration portal. Other Councils can find out about new collaborations through this system and then have the potential to join or at least gain some information about how similar challenges have been dealt with. We will continue to explore and promote shared service opportunities where it is seen to provide benefit.

## OPTIONS

8. The BOPLASS Statement of Intent sets out the activities and intentions of BOPLASS Ltd for the coming financial year. Comment, if any, is required by 30 April 2024

OPTION 1: No comments provided on the Statement of Intent	
<b>Description</b>	<i>Council has no comments relating to the 2024-2027 BOPLASS Statement of Intent.</i>
<b>Advantages</b>	<i>No recommended changes to the SOI are required.</i>
<b>Disadvantages</b>	<i>Nil</i>
<b>Impact on mana whenua</b>	<i>There are no identified impacts on mana whenua in relation to the report.</i>
<b>Strategic alignment</b>	<i>SOI aligns with the LTP framework.</i>
<b>Associated risks</b>	<i>None</i>

OPTION 2: Comments provided on the Statement of Intent	
<b>Description</b>	<i>Council provides comments relating to the 2024-2027 BOPLASS Statement of Intent.</i>
<b>Advantages</b>	<i>Provide feedback on the SOI to the BOPLASS board.</i>
<b>Disadvantages</b>	<i>Nil</i>
<b>Impact on mana whenua</b>	<i>There are no identified impacts on mana whenua in relation to the report.</i>
<b>Strategic alignment</b>	<i>SOI aligns with the LTP framework.</i>
<b>Associated risks</b>	<i>None</i>

## DISCUSSION

9. The 2024-2027 BOPLASS Statement of Intent sets out the activities and intentions of BOPLASS Ltd for the coming financial year. Council is provided the opportunity to provide comment on the SOI by 30 April 2024.
10. Comment is optional and if not provided it is assumed that the SOI 2024-2027 is supported by Council as presented (copy attached).
11. The Half-Yearly Report is provided as an attachment for information only and provides an update on the current year's performance.



### **Financial/budget considerations**

12. There are no financial implications in relation to this report.

### **Policy and planning implications**

13. The SOI 2024-2027 aligns with Council's LTP framework and promotes collaboration, improved levels of service, reduced costs and improved efficiency through joint procurement and shared service opportunities.

### **Impact on mana whenua**

14. There are no identified impacts on mana whenua in relation to the report.

### **Climate impact considerations**

15. There is no identified impact on climate change in relation to the report.

### **Risks**

16. There are no identified risks in relation to the report.

### **Community wellbeing considerations**

17. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').

18. There are no identified implications on community wellbeing in relation to the report.

## **SIGNIFICANCE AND ENGAGEMENT ASSESSMENT**

### **Assessment of significance**

19. 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.

20. 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**

21. 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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#### **INFORM**

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

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22. 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.

### **CONCLUSION**

23. BOPLASS has value for its procurement services in terms of its ability to gain savings through bulk purchase, its ability to carry out due diligence on purchases, and to manage ongoing contracts. The value is in direct and indirect savings, efficiencies and better products.
24. BOPLASS is a vehicle for shared services, but not the only one. Opotiki District Council benefits from shared services or contracting services from a range of entities that are unrelated to BOPLASS.

Stace Lewer

**CHIEF EXECUTIVE OFFICER**



**“COUNCILS PARTNERING FOR VALUE AND SERVICE”**

28 February 2024

Stace Lewer  
Chief Executive Officer  
Ōpōtiki District Council  
PO Box 44  
Ōpōtiki 3162

BOPLASS Ltd  
Regional House  
Elizabeth Street  
Tauranga

DX HP40016  
Tauranga Central  
Tauranga 3141  
Phone 07 577 7342  
[www.bopllass.govt.nz](http://www.bopllass.govt.nz)

Dear Stace

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

A formal draft document has been approved by the Board for circulation to Shareholders by 1 March 2024. The Directors must consider any comments made by Shareholders and approve a final document by 30 June 2024.

The approved draft is attached and is now circulated for Shareholder comment. The council’s Chief Executive is the Shareholder representative and will be responsible for representing the views of the council to the Board in writing prior to 30 April 2024.

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

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

Yours sincerely

Stephen Boyle  
**BOPLASS Ltd**



BOPLASS Ltd

# STATEMENT OF INTENT FOR 2024-2027



June 2024

*“COUNCILS PARTNERING FOR VALUE AND SERVICE”*

## 1. Introduction

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

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

## 2. Background and Benefits

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

Since inception, estimated financial savings of over \$30 million have been achieved by the participating councils through undertaking joint initiatives. BOPLASS is forecast to return in excess of \$2.6 million in savings in the 2023-24 financial year.

Other benefits that have been achieved through collaboration are:

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

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

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

- enhance the capability to collaborate;
- encourage the elimination of barriers to collaborative action; and
- identify services that deliver viable business cases.

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

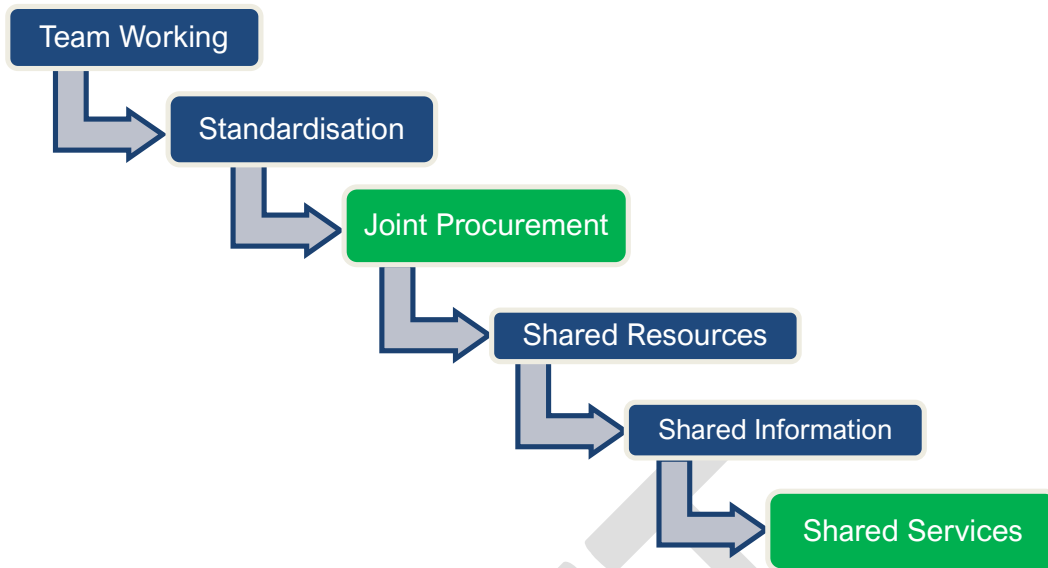


Figure 1

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

Examples of Joint Procurement and Shared Service projects are:

- Infrastructure Insurance
- Collective Training
- Aerial Imagery and LiDAR
- Provincial Growth Fund Co-funding for LiDAR Capture
- Standardised Community Engagement App
- Lone Worker Field Solutions
- Robotic Process Automation
- Accounts Payable Automation Software
- Print Media Licencing
- Insurance Valuations
- Contractor Online Inductions
- Health and Safety Management Software
- Radio Telephony (RT) Strategy
- Solid Waste Management
- Health and Safety Inter-Council Audits
- Asbestos Protocols
- Sustainable Public Procurement
- Health and Safety Benchmarking
- Video Conferencing Services
- Council Library and Cloud Services
- Inter-Council Network (ICN) Review, Redesign and Renegotiation
- Debt Collections
- Collaboration Portal
- Capital Construction and Civil Works Projects
- Fortigate Firewall Services
- Wireless WAN
- Inter-LASS Collaboration
- Human Resources Information Systems
- CCTV and monitoring

A full list of projects is provided in Appendix B.

### 3. Our Vision

**“COUNCILS PARTNERING FOR VALUE AND SERVICE”**

### 4. Objectives of BOPLASS Ltd

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

These will be achieved primarily through:

#### **Joint Procurement**

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

#### **Shared Services**

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

### 5. Nature and Scope of Activities

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

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

## 6. Sustainable Future: Environmental, Social and Governance (ESG)

The board recognises the importance of ESG in BOPLASS' role and ensuring that integrated risk management, non-financial outcomes, and Te Tiriti are considered in all BOPLASS joint procurement and shared services initiatives.

The company is committed to operating all aspects of its business with a focus on protecting and enhancing our communities today and in the future through sustainable environmentally responsible business practices, social contribution, and good governance.

The company has always had a stakeholder-centric approach, ensuring the company's objectives, goals and the undertaking of business are aligned with our constituent councils, our wider communities and supporting ESG outcomes that have wide-ranging benefits.

While achieving financial savings for member councils through BOPLASS joint procurement is a key objective, the company recognises the importance and responsibility of social procurement and will continue to consider the broader environmental, social and cultural outcomes as part of all BOPLASS procurement processes.

As examples, BOPLASS is working towards satisfying ESG criteria within social procurement by:

- Increasing access to BOPLASS procurement contracts for NZ businesses and local businesses, with particular focus on those groups that may have limited access to opportunities (such as Māori and Pacific Peoples' businesses).
- Giving consideration to organisations that provide employment opportunities to targeted groups and promote inclusion and diversity within their workforce.
- Recognising vendors that will help future-proof the ability of New Zealand businesses to trade.

With a focus on *Social Sustainability*, BOPLASS ensures a balanced approach is taken with the company's activities to create positive social and cultural outcomes for the local communities it serves while also maximising positive outcomes for Māori and the broader community.

*Environmental Sustainability* is a priority in all BOPLASS business activities – internal and external. Through collaboration and partnership with its constituent councils, BOPLASS strives to protect and enhance our environment and biodiversity. The company is committed to operating in an environmentally responsible way and will embed sustainability considerations (including ethical considerations) within a culture of excellence across its wider business and all joint procurement and shared services initiatives.

*Te Tiriti o Waitangi* responsibilities and outcomes are a driver for governance and management decisions within BOPLASS, include acknowledging and involving mana whenua as Kaitiaki o Te Taiao in project decisions impacting on land or natural



resources. The company is committed to providing and improving opportunities for Māori to contribute to local government decision-making processes and establishing collaborative partnerships and processes that reflect mutual outcomes.

## 7. Governance Structure

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

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

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

<b>Shareholder</b>	<b>Appointed Director</b>
Bay of Plenty Regional Council	Fiona McTavish
Gisborne District Council	Nedine Thatcher-Swann
Kawerau District Council	Morgan Godfery
Ōpōtiki District Council	Stace Lewer
Rotorua Lakes Council	Andrew Moraes
Taupō District Council	Julie Gardyne
Tauranga City Council	Marty Grenfell
Western Bay of Plenty District Council	John Holyoake
Whakatāne District Council	Stephanie O’Sullivan
<b>Independent Director and Chair</b>	Craig O’Connell

Sub-groups of council subject matter experts have responsibility for regular monitoring of operational aspects of BOPLASS projects, allowing the Board to primarily focus on supporting the strategic development of the organisation.

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

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

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

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

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

## **8. Future Developments**

The company recognises the importance of remaining adaptive in what is a complex and changing working environment. BOPLASS continues to look at new opportunities or alternative approaches to progressing projects that benefit our shareholding councils.

The Board recognise that the drive for change and/or collaboration in some key areas of council business will often be led by other groups, e.g., waters reform, RMA changes. Although BOPLASS may not be leading these specific projects, the organisation may be considered as one of the vehicles available to assist with managing collective regional outputs from these projects.

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

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

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

Shared Services projects are approved by the board based upon identifying initiatives that will provide genuine value to all participating councils. Shared Services may be delivered by BOPLASS, partnering with a LASS, or in conjunction with multiple LASS.

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

## 9. Inter-Regional Collaboration

The board recognise the benefits of BOPLASS proactively partnering with other local authorities and Shared Services organisations where they are either developing or considering developing cost effective services or Joint Procurement initiatives that are of value to the BOPLASS councils. The Board is constantly looking to expand on this activity and the range of opportunities for inter-regional partnering. BOPLASS will work towards providing improved visibility of projects being undertaken in other regions that may provide opportunities for multiple councils to participate in.

Where practicable, BOPLASS will work with other LASS or councils to leverage off, or participate in, services established by other collective local government groups.

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

BOPLASS has provided substantial savings to its shareholding councils through joint procurement undertaken with neighbouring regions. The Board has tasked BOPLASS with leading further inter-regional joint procurement initiatives that will provide benefit to all parties through an aggregated approach.

Significant benefits and savings have been achieved in the placement of councils' insurance through working in conjunction with other LASS. BOPLASS is considered a leader in the development of the interLASS insurance collective. Promoting the size of the aggregated LASSes to provide critical mass and maintain our favourable position within the insurance industry will continue to be leveraged.

## 10. Stakeholder Engagement

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

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

## 11. Performance Targets

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

Target	How	Measure
Ensure supplier agreements are proactively managed to maximise benefits for BOPLASS councils.	Manage and/or renegotiate existing contracts.	Contracts reviewed annually to test for market competitiveness. New suppliers are awarded contracts through a competitive procurement process involving two or more vendors where applicable.
Investigate new Joint Procurement initiatives for goods and services for BOPLASS councils.	Procure from sources offering best value, service, continuity of supply and/or continued opportunities for integration. (Current identified projects are listed in Appendix B.)	A minimum of four new procurement initiatives investigated. Initiatives provide financial savings of greater than 5% and/or improved service levels to the participating councils.
Identify opportunities to collaborate with other LASS in Procurement or Shared Service projects where alliance provides benefits to all parties.	BOPLASS to regularly engage with other LASS to identify and explore opportunities for further inter-regional collaboration.	Quarterly reporting on engagement and a minimum of one new collaborative initiative undertaken annually.
Further develop and extend the Collaboration Portal for access to, and sharing of, project information and opportunities from other councils and the greater Local Government community to increase breadth of BOPLASS collaboration.	Increase usage of the Collaboration Portal by providing support and training material for new and existing users. Proactively market the benefits to councils.	Number of active users to increase by 5% per year.
Communicate with each shareholding council at appropriate levels.	Actively engage in obtaining political support for identified projects.	Information provided to elected members, and feedback sought, on BOPLASS projects, benefits to local communities, and value added to each council.
Ensure current funding model is appropriate.	Review BOPLASS expenditure and income and review council contributions and other sources of funding.	Performance against budgets reviewed quarterly. Company remains financially viable.

## 12. Balance Sheet Ratios

The Local Government Act 2002 Schedule 8 (9) requires the SOI to include the projected ratio of shareholders' funds to total assets within the Forecast Statement of Financial Position. As at 30 June 2023 the consolidated Shareholder funds comprised \$28,520 and the total assets were \$2,704,410. The resulting ratio is 1.05%.

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

## 13. Accounting Policies

### 13.1 Statement of Accounting Principles

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

### 13.2 IPSAS Accounting Standards

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

### 13.3 Measurement Basis

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

### 13.4 Specific Accounting Principles

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

- Accounts Receivable are stated at their expected realisable value after writing off any known bad debts and providing for doubtful debts.
- Investments are valued at the prevailing market value.
- Fixed assets are recorded at cost, less accumulated depreciation.
- Any liability for overseas funding of equipment, systems or services is based on the prevailing exchange rate as at balance date.
- Where intangible assets are purchased, such as intellectual property, these are capitalised and written off on a straight-line basis over their expected life, but no greater than four years.
- All assets are depreciated over their expected useful lives. Depreciation is provided on a diminishing value basis over the estimated useful life, at the same rate as is allowed by the Income Tax Act 1994.
- It is not envisaged that the Company will hold inventories, other than those that might relate to providing information services to a number of parties. They will be valued at net realisable value.
- Taxation will be provided as required in line with relevant legislation.

- In accordance with the Public Audit Act 2001 and the Local Government Act 2002, the office of the Auditor General will be responsible for the audit of the Company's financial statements.

#### **14. Distributions to Shareholders**

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

#### **15. Information to be Provided to Shareholders**

The Company will deliver the following statements to shareholders:

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

#### **16. Procedures for the Purchase and Acquisition of Shares**

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

#### **17. Activities for Which the Board Seeks Compensation**

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

Shareholding councils will contribute to the operational costs of the Company on an annually agreed basis.

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

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

## **18. Value of Shareholder's Investment**

The Directors estimate that, at this stage, BOPLASS Ltd has limited commercial value. As each shareholder's investment in BOPLASS Ltd is less than \$20,000, the Board believe that fairly represents the value of their investment. The Directors will reassess the value of this shareholding on or about the 1st of March each year.

## **19. Financial Forecasts**

The Forecast Financial Statements for the years 2024-2027 are included (Appendix A).

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

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

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

SOI Forecast 2024/27	Budget 2023/2024	Forecast 2024/2025	Forecast 2025/2026	Forecast 2026/2027
<b>REVENUE</b>				
<b>Revenue - Core</b>	<b>327,637</b>	<b>362,115</b>	<b>371,130</b>	<b>380,871</b>
Bank Interest Received	6,000	1,500	1,500	2,000
Council Contribution	321,637	360,615	369,630	378,871
<b>Revenue - Projects</b>	<b>1,200,000</b>	<b>1,317,000</b>	<b>1,321,000</b>	<b>1,241,000</b>
Aerial Photography Income	300,000	400,000	400,000	320,000
Bank Interest Received	9,000	7,000	6,000	6,000
Collaboration Portal	45,000	40,000	45,000	50,000
Lease Income - ICN	120,000	135,000	135,000	130,000
Lease Income - Video Confer.	15,000	15,000	15,000	15,000
Rebates	1,000	0	0	0
Recoveries	710,000	720,000	720,000	720,000
<b>Total Operating Revenue</b>	<b>1,527,637</b>	<b>1,679,115</b>	<b>1,692,130</b>	<b>1,621,871</b>
<b>EXPENSES</b>				
<b>Expenditure - Core</b>	<b>395,953</b>	<b>423,436</b>	<b>436,451</b>	<b>450,992</b>
ACC	900	950	950	950
Accommodation & Travel	2,200	5,500	6,000	5,000
Accounting & Audit	22,000	24,000	25,000	26,000
Administration	18,000	20,000	20,000	22,000
Amortisation	8,700	5,000	4,500	3,800
Bank Fees	200	200	200	200
Conferences	2,200	2,500	2,500	2,500
Depreciation	650	4,300	4,000	4,000
Directors' costs	23,000	23,000	23,000	25,000
Fringe Benefit Tax	4,000	4,500	4,500	4,500
General & Catering	2,400	1,500	1,500	1,500
Health and Safety	1,000	1,000	1,000	1,000
Insurance	12,000	14,000	16,000	17,000
Interest Paid - TCC Loan	0	0	0	0
Legal	2,000	2,500	2,500	2,500
Salaries	286,403	300,723	309,744	319,037
Salaries - C'Portal Opex	-17,000	-18,000	-18,000	-18,000
Staff Support Costs	18,500	19,500	21,000	22,000
Staff Training Costs	2,500	2,500	2,500	2,500
Subscriptions	1,000	4,263	4,057	4,005
Tax Advice	5,300	5,500	5,500	5,500
<b>Expenditure - Projects</b>	<b>1,131,684</b>	<b>1,255,679</b>	<b>1,255,679</b>	<b>1,170,879</b>
Aerial Photography Expense	300,000	400,000	400,000	320,000
Collaboration Portal Opex	27,884	27,979	27,979	27,979
Lease Expense - ICN	115,200	129,600	129,600	124,800
Lease Expense - Video Confer.	14,100	14,100	14,100	14,100
Projects - Recoveries	674,500	684,000	684,000	684,000
<b>Total Operating Expenditure</b>	<b>1,527,637</b>	<b>1,679,115</b>	<b>1,692,130</b>	<b>1,621,871</b>
<b>Operational Surplus/ (Deficit) before Tax</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



### Undertaken Joint Procurement Projects

Requiring ongoing management for performance, renewal or replacement:

- Accounts Payable automation software
- Advertising services
- Aerial imagery and LiDAR
- Air travel
- Antivirus software
- Archaeological services
- Asbestos protocols
- Banking
- Capital construction and civil works
- Cloud services
- Collective training services
- Community engagement app
- Courier services
- Cyber insurance
- Document management – EDRMS
- Document storage
- EFTPOS services
- Electricity
- Electronic purchasing
- EMA membership
- Firewall Services
- FME Server
- Fuel
- Geospatial training services
- GIS regional technical advisor
- GIS software
- GPS vehicle tracking
- Health & Safety benchmarking
- Health & Safety management software
- Health & Safety training services
- Health & Wellbeing online platform
- Historic imagery digitisation
- HR information systems
- Infrastructure as a Service
- Insurance brokerage services
- Insurance – General
- Insurance – Infrastructure
- Internet services
- IPWEA library
- Media monitoring
- N3/GSB membership
- Office supplies
- Postal services
- Print media copyright services
- Provincial Growth Fund co-funding
- Radio telephony
- Rapid antigen tests
- Reprographic – printers/copiers
- Risk management workshops
- Security services
- Telephony – voice, data, mobile
- Tender facilitation
- Transactional banking
- Travel and accommodation services
- Valuation services provider
- Video conferencing services
- Website analytics
- Wireless WAN

### Identified Joint Procurement Projects

- Agenda management software
- Business continuity
- Chemicals
- Civil works contracts
- Civil works materials
- Community communication systems
- Contractor online inductions
- Digital signatures
- Document scanning
- Driver training
- Drug & Alcohol testing
- Engineering Codes of Practice
- Fleet purchasing and management
- Health insurance
- High volume print
- ICT security policies
- Infrastructure valuation services
- IT applications
- Lone worker field solutions
- Media distribution services
- PPE & Uniform
- Property valuation services
- Recruitment/Candidate management
- Risk profiling workshops
- Robotic Process Automation (RPA)
- Surveys and research

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### Shared Services

Managed by BOPLASS or by one or more constituent councils:

- After hours call management
- CCTV monitoring
- Contractor H&S prequalification
- Debt recovery services
- Employee benefit schemes
- FME licensing pool
- GIS imagery data storage
- GIS support (inter-council)
- GIS web services
- Health and safety auditing
- Historic aerial imagery digitisation
- Insurance COE
- Inter-council network
- Internal audit services
- MahiTahi LG Collaboration Portal
- Media monitoring
- Occupational health
- Radio telephony strategy
- Section 17a reviews
- Shared licence server
- Solid waste services
- Standards NZ
- Video conferencing hosting
- Waste Operator Licensing

### Projects for Consideration

- Archive services
- Asset Management
- Building consents
- Business continuity planning
- Capital Expenditure projects
- Centralised insurance resource
- Civil Defence Emergency Management
- Civil works projects marketing
- Consents Processing
- Contractor online inductions
- Debt Management
- Digital transformation
- Diversion of putrescible waste from landfill
- Document digitisation
- Driver training
- Electronic Document and Records Management System
- Geospatial services
- HR Information Systems
- Information Services
- Infrastructure development codes
- Insurance valuations
- Inter-council Secondments
- IT hosting
- Joint software support
- Payroll
- Project management office
- Rates Collection
- Regional Civil Defence
- Risk and total assurance
- Shared datacentre
- Solid waste regional facilities strategy
- Smart cities
- Staff engagement survey systems
- Web services
- Windscreen replacement



**“COUNCILS PARTNERING FOR VALUE AND SERVICE”**

28 February 2024

Stace Lewer  
Chief Executive Officer  
Ōpōtiki District Council  
PO Box 44  
Ōpōtiki 3162

BOPLASS Ltd  
Regional House  
Elizabeth Street  
Tauranga

DX HP40016  
Tauranga Central  
Tauranga 3141  
Phone 07 577 7342  
[www.bopllass.govt.nz](http://www.bopllass.govt.nz)

Dear Stace

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

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

The report was approved for presentation to Shareholder Councils by a resolution of the Board on 16 February 2024.

An electronic copy is attached.

Yours faithfully

Stephen Boyle  
**BOPLASS Ltd**

# HALF YEARLY REPORT TO SHAREHOLDERS



Period ended 31 December 2023

***“COUNCILS PARTNERING FOR VALUE AND SERVICE”***



## BOPLASS Chair's Report

It is with pleasure the Directors present their 2023/2024 Half Yearly Report to Shareholders demonstrating the considerable contribution the company makes to collaboration between councils.

While BOPLASS typically reports on the substantial financial savings the company makes for its shareholding councils, it is important to also recognise some of the less-tangible benefits that may not always be measured financially, but still provide significant efficiencies or resource savings for all participating councils. Some examples for this year have been:

- The collective work undertaken by the BOPLASS Health and Safety Advisory Group has always been very effective and continues to deliver significant value through supporting productive collaboration between BOPLASS councils, CCO's, and often Waikato councils. While multiple projects have been undertaken by this group, the current project to address the continued increase in aggressive behaviour within public spaces is helping to address a much too common challenge faced by almost all councils. The sharing of information and development of a collective framework for the management of conflict and aggression has been very beneficial for councils and is a great example of best practice being shared for the benefit of all parties.
- The collective BOPLASS programme for aerial imagery and LiDAR data has meant that this information is readily available to councils and their communities. A recent request from Te Puni Kōiri (Ministry of Māori Development) for access to councils LiDAR data was able to be approved and delivered quickly and centrally via BOPLASS, negating time-consuming multiple requests.
- The WOLDS project has made very good progress with a vendor recently appointed for the 20 councils in the BOPLASS and Waikato regions. This involved a single RFP process managed by BOPLASS on behalf of the group; potentially saving tens of thousands of dollars (and resourcing) compared with if 20 councils were to run individual procurement processes.
- In a similar manner the CCTV project being developed across the region by BOPLASS provides significant efficiencies compared with councils undertaking this type of project individually. A single specialist contractor is developing a regional solution, completely removing the usual duplication of effort. Engagement with NZ Police within the project has also been centralised.
- Possibly one of the best examples of unreported savings to councils would be the MahiTahi Local Government Collaboration Portal. This shared resource developed by BOPLASS provides a growing conduit for the sharing of information across local government. The ability for councils to request information or documentation from their peers is exactly how local government should work as, after all, a lot of the time councils are undertaking very similar workstreams.

While BOPLASS will continue to report on the financial savings and benefits achieved, it is pleasing to also recognise some of the less obvious benefits achieved through collaboration. Additional information about current projects is available in the attached report.

We thank staff from the participating councils and acknowledge the support we have received from them.

Yours faithfully

Craig O'Connell  
**Chair**



**BOPLASS Ltd**

*“COUNCILS PARTNERING FOR VALUE AND SERVICE”*

# HALF YEARLY REPORT TO SHAREHOLDERS

16 FEBRUARY 2024

## 1 INTRODUCTION

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

## 2 OBJECTIVES OF BOPLASS LTD

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

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

These will be achieved primarily through:

### JOINT PROCUREMENT

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

### SHARED SERVICES

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

## 3 GOVERNANCE

The end of 2023 included changes of Chief Executives at Rotorua Lakes Council and Kawerau District Council. BOPLASS welcomes new directors Andrew Moraes (Rotorua Lakes Council), and Morgan Godfery (Kawerau District Council) to the BOPLASS Board.

## 4 NATURE AND SCOPE OF ACTIVITIES

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

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

## 5 FUTURE DEVELOPMENTS

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

The Board has adjusted its strategy to ensure that BOPLASS is focused on continuing to deliver savings and value to councils through new and existing joint procurement initiatives while also identifying new shared services opportunities.

Current reviews for joint procurement and shared services cover but are not limited to:

- Archive services
- Building consents
- Business continuity planning
- CCTV monitoring
- Centralised insurance resource
- Consents processing
- Contractor online inductions
- Debt management
- Driver training
- Geospatial services
- High volume print
- Information systems
- Inter-council secondments
- Infrastructure development codes
- Joint software support
- Payroll
- Project management office
- Rates collection
- Regional Civil Defence
- Solid waste regional facilities strategy
- Staff engagement survey systems
- Web services

Other collaborative opportunities may be progressed after the Board has considered individual business cases and formally agreed to take on and deliver (or host/procure etc.) the project.



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

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

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

## **6 PERFORMANCE TARGETS**

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

- Ensure supplier agreements are proactively managed to maximise benefits for BOPLASS councils.
- Investigate new joint procurement initiatives for goods and services for BOPLASS councils.
- Identify opportunities to collaborate with other LASS in Procurement or Shared Service projects where alliance provides benefits to all parties.
- Further develop and extend the Collaboration Portal for access to, and sharing of, project information and opportunities from other councils and the greater Local Government community to increase breadth of BOPLASS collaboration.
- Communicate with each shareholding council at appropriate levels.
- Ensure current funding model is appropriate.

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

## **7 CURRENT INITIATIVES**

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

## HIGHLIGHTS

- Crime Prevention/CCTV Monitoring – BOPLASS was successful in securing co-funding from MSD for Crime Prevention initiatives in the Bay of Plenty region. Initial work has been undertaken by an independent CCTV consultancy engaged to conduct a CCTV capability maturity assessment survey of the councils involved in the BOPLASS Retail Crime Prevention project. The assessment will ensure councils' requirements are qualified, and the outcomes will be beneficial to local communities.
- Insurance renewals – Despite very challenging markets, insurance renewals have been completed for all councils under the BOPLASS collective programme. Strong underwriter interest in our programme continues to be demonstrated from new and existing syndicates – resulting in competitive pricing. While rate increases were able to be kept to a minimum, most councils premiums have been impacted by large increases in asset valuations over the last 12 months. Underwriters remain very focussed on climate change and the impact on councils' risk profiles. The 2023 significant NZ weather events had less impact on our renewal than anticipated, mainly due to diversification of risk across the BOPLASS portfolio.
- Waste Operator and Licensing Data System (WOLDS) – The development of this shared service is being led by BOPLASS on behalf of BOP, Gisborne, and Waikato councils. A recent tender was awarded for the provision of an Information Management System. Additionally, BOPLASS is exploring options of a shared Administration Service to streamline and centralise services, manage waste contractor licensing, and significantly reduce much of the workload for councils.
- Aerial Imagery – Tenders have been awarded for urban and rural orthophotography covering Taupō, Rotorua, Western BOP, Gisborne and Tauranga regions, with aerial capture to be undertaken during the summer of 2023-24.
- Managing Conflict & Aggression – The BOPLASS Health & Safety advisory group continue to collaborate and share resources to manage an increasing trend of aggressive behaviour within public spaces across BOPLASS councils. Comprehensive material and information have been made available to all BOPLASS councils allowing for a collective approach to developing best practice.
- Contractor and Employee H&S Inductions – A project continues to be investigated to develop a common platform and standard for the development and management of H&S inductions – for both staff and contractor purposes.
- GIS Technical Advisory Group – A GIS technical group has been established, with staff nominated from each BOPLASS council to develop opportunities for further sharing of information and learnings at practitioner level. While investigating further development of system commonality across councils, this also helps enable councils to provide GIS support to each other in civil defence situations.
- GIS Software and Services – A number of key contracts for councils' geospatial software have been reviewed and renewed through collective BOPLASS agreements.

- MahiTahi Collaboration Portal – Further growth has been achieved with the MahiTahi Collaboration Portal with additional councils joining and using it as a collaboration tool for sharing information across councils.
- Health insurance – A project is underway to explore benefits of establishing a group scheme across the BOPLASS group.
- Health & Safety training – BOPLASS has renewed a collective agreement for councils' H&S training services with a wider range of services now included. A project is also underway with Waikato councils for the provision of a collective Occupational Health Services provider.
- Print Media Copyright Agency (PMCA) – A collective contract providing savings for all BOPLASS councils has been renegotiated with PMCA.
- Institute of Public Works Engineering Australasia (IPWEA) – BOPLASS has renewed the single BOPLASS membership covering all councils and providing substantial savings. Discounted rates were also negotiated through IPWEA for a BOPLASS NAMS+ subscription, used by council asset managers.
- Media Monitoring Service – A BOPLASS tender has been recently awarded for a new media monitoring provider. The collective approach by councils has resulted in a more cost effective and broader service than previously received by councils. In addition to print, online and broadcast media, the services also cover all forms of social media and 'social listening' services that analyse social media feedback or sentiment.
- High volume print – Following the BOPLASS appointment of a print provider across the councils, options for high-volume print solutions are being investigated. Councils currently use a variety of solutions for their high-volume print runs, often utilising large print equipment, outsourcing to external suppliers, or a mixture of both.
- Te Puni Kōiri (Ministry of Māori Development) – LiDAR data collected by BOPLASS councils has assisted Te Puni Kōiri in understanding climate hazards by allowing them to generate rich analytics and insights of hapori Māori throughout New Zealand, demonstrating beneficial partnerships beyond local government. The collective nature of the BOPLASS LiDAR programme allowed for this data to be provided quickly and simply.
- Driver Training – BOPLASS continues to investigate options for appointing a preferred provider for driver training services.
- Lone worker field solutions – BOPLASS is investigating technologies and solutions to support council staff in lone worker situations.
- Inter-LASS collaboration – A number of procurement projects are underway covering multiple LASS and benefitting from the increased volumes. Collaboration across the regions is driving greater efficiencies within projects under consideration by more than one LASS and allows the projects to be better resourced.
- Communication – BOPLASS continues to regularly engage with our constituent councils, senior management and shareholders to ensure opportunities continue to be

developed to the benefit of all stakeholders. A communications plan is being developed to widen the audience and better inform all levels within councils.

- Viability of Current Funding Model – The sources of BOPLASS funding and the viability of the funding model are regularly reviewed with financial reporting provided to the BOPLASS Board.

## **8 FINANCIAL REPORTS**

### **8.1 Financial Support and Accounting Services**

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

### **8.2 Accounting Policies**

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

### **8.3 Tier 2 PBE Accounting Standards Applied**

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

### **8.4 Financial Reports**

Financial Reports for the period to 31 December 2023 are attached.

### **8.5 Variations**

Bank Interest received is up \$19,665 on budget as a result of BOPLASS holding Crime Prevention funding provided by MSD in an interest-bearing account. This project funding is to be committed or drawn down on during this financial year.

Council Contributions are \$13,291 higher than budget because of an inflationary adjustment to the 2023/24 contributions that was not reflected in the original budget.

Crime Prevention was a new project introduced during the current financial year and was therefore not included in the 2023/24 budget. Additional lines have been included in the reporting to report expenditure and revenue for this project.

BOPLASS is reporting a \$45,032 surplus at our six-month position. We believe the company is on track to achieve budget for the financial year.

## **9 STAFFING, ACCOMMODATION AND SUPPORT**

### **Staff**

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

### **Accommodation and Support**

We continue to appreciate the office space provided to us by BOP Regional Council and the support that is offered for IT and Accounting services by Tauranga City Council.

**BOP LASS LTD**  
**STATEMENT OF COMPREHENSIVE INCOME**  
**FOR THE MONTH ENDED 31 DECEMBER 2023**

	Actual YTD	Budget YTD	Total Budget	YTD Variance
<b>REVENUE</b>				
<b>Revenue - Core</b>	<b>198,275</b>	<b>165,319</b>	<b>330,637</b>	<b>32,956</b>
Bank Interest Received	24,165	4,500	9,000	19,665
Council Contribution	174,110	160,819	321,637	13,291
<b>Revenue - Projects</b>	<b>870,585</b>	<b>861,586</b>	<b>1,210,200</b>	<b>8,999</b>
Bank Interest Received	1,443	86	200	1,357
Aerial Photography Revenue	139,241	150,000	300,000	(10,759)
Collaboration Portal Revenue	26,000	22,500	45,000	3,500
Lease Revenue - ICN	74,172	65,000	130,000	9,172
Lease Revenue - Video Conference	18,380	24,000	24,000	(5,620)
Projects - Recoveries Revenue	597,820	600,000	710,000	(2,180)
Crime Prevention Revenue	13,530	0	0	13,530
Rebates	0	0	1,000	0
<b>TOTAL OPERATING REVENUE</b>	<b>1,068,860</b>	<b>1,026,904</b>	<b>1,540,837</b>	<b>41,956</b>
<b>EXPENSES</b>				
<b>Expenditure - Core</b>	<b>201,641</b>	<b>201,902</b>	<b>390,103</b>	<b>-261</b>
ACC	716	450	900	266
Accommodation & Travel	5,148	2,200	2,200	2,948
Accounting & Audit	6,006	11,000	22,000	(4,994)
Administration	9,109	9,000	18,000	109
Amortisation	845	1,000	2,000	(155)
Bank Fees	1	100	200	(99)
Conferences	0	1,100	2,100	(1,100)
Depreciation	2,147	2,500	5,000	(353)
Directors Costs	9,657	11,500	23,000	(1,843)
Fringe Benefit Tax	500	1,750	3,500	(1,250)
General & Catering	0	1,200	2,400	(1,200)
Health & Safety	0	500	1,000	(500)
Insurance	11,517	11,500	11,500	17
Interest Paid - TCC Loan	0	0	0	0
Legal	0	1,250	2,500	(1,250)
Salaries	148,574	143,202	286,403	5,372
Salaries - Projects OpEx	(6,970)	(9,500)	(19,000)	2,530
Staff Support Costs	9,723	9,000	18,000	723
Staff Training Costs	504	1,000	2,000	(496)
Subscriptions	4,163	500	1,000	3,663
Tax Advice	0	2,650	5,300	(2,650)
<b>Expenditure - Projects</b>	<b>822,187</b>	<b>825,003</b>	<b>1,150,734</b>	<b>(29,876)</b>
Aerial Photography Expense	139,241	150,000	300,000	(10,759)
Collaboration Portal OpEx	13,611	14,543	28,874	(932)
Lease Expense - ICN	78,711	62,400	124,800	16,311
Lease Expense - Video Conference	19,175	22,560	22,560	(3,386)
Projects - Recoveries Expenditure	557,919	575,500	674,500	(17,581)
Crime Prevention	13,530	0	0	(13,530)
<b>TOTAL OPERATING EXPENDITURE</b>	<b>1,023,827</b>	<b>1,026,905</b>	<b>1,540,837</b>	<b>(3,077)</b>
<b>OPERATIONAL SURPLUS / (DEFICIT) BEFORE TAX</b>	<b>45,032</b>	<b>0</b>	<b>0</b>	<b>45,032</b>

**BOP LASS LTD  
STATEMENT OF FINANCIAL POSITION  
AS OF 31 DECEMBER 2023**

	<b>Actual YTD</b>
<b>Bank</b>	
Cheque Account	545,141
Trust A/c Aerial Photography	31,568
Crime Prevention	968,916
Term Deposit 182 days Maturing March 2024	250,000
<b>Total Bank</b>	<b>1,795,625</b>
<b>Current Assets</b>	
Trade Debtors	465,084
Accrued Revenue	17,318
Tax Payable (Tax Receivable)	18,933
Prepayments	22,726
<b>Total Current Assets</b>	<b>524,060</b>
<b>Non-current assets</b>	
Intangible - Computer Software	79,175
Intangible - Amortisation	(72,964)
Computer Equipment at cost	4,516
Less Accumulated Depreciation on Computer Equipment	(4,219)
Inter Council Network	25,097
Accumulated Depreciation Inter Council Network	(10,686)
<b>Total Non-current assets</b>	<b>20,919</b>
<b>TOTAL ASSETS</b>	<b>2,340,604</b>
<b>Current Liabilities</b>	
Business Credit Card	25
Trade Creditors	71,531
Accrued Expenses	4,537
Accrued Leave Entitlements	22,272
GST Collected, Paid, Payments (Refunds)	69,164
Retentions	36,020
Income in Advance	2,057,925
PAYE Accruals Payable	5,578
TCC Loan	0
<b>Total Liabilities</b>	<b>2,267,053</b>
<b>NET ASSETS</b>	<b>73,552</b>
<b>Equity</b>	
Current Year Earnings	45,032
Retained Earnings	(70,482)
Share capital	99,002
<b>TOTAL EQUITY</b>	<b>73,552</b>

## COUNCIL REPORT

Date : 12 March 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Senior isite Officer, Iranui Huriwai  
Subject : **OPOTIKI MATARIKI FESTIVAL FUNDING APPLICATIONS**  
File ID : A1211846

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## EXECUTIVE SUMMARY

- Council resolution is sought to support funding applications to Aotearoa Gaming Trust, The Lion Foundation, One Foundation, Trust Horizon, Community Matters Lottery Fund, and Matariki Ahunga Nui Fund for the Opotiki Matariki Festival 2024.

## RECOMMENDATIONS

- 1) **That the report titled “Opotiki Matariki Festival Funding Applications” be received.**
- 2) **That Council approves a funding application to be lodged with the Aotearoa Gaming Trust to support the Opotiki Matariki Festival 2024 subject to quotes.**
- 3) **That Council approves a funding application to be lodged with The Lion Foundation to support the Opotiki Matariki Festival 2024 subject to quotes.**
- 4) **That Council approve Person 1, (Joseph Hayes – isite & Events Manager) and Person 2 (Iranui Huriwai – Senior isite Officer) to apply on behalf of the Opotiki District Council to the Aotearoa Gaming Trust and The Lion Foundation for event funding.**

## PURPOSE

1. To obtain resolution from Council in support of funding applications.

## STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opotiki District Council's Long Term Plan 2021-2031:
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.

- Purposeful work and learning opportunities.
- Development supports the community.
- Culture and history are treasured.

## BACKGROUND

3. The Ōpōtiki isite and Events staff have organised five well-attended Matariki Festivals since 2019. In 2021, the team set a vision to make Ōpōtiki the Central North Island's 'go to' destination for whanau to gather to celebrate Matariki. Last year we engaged with over eighteen local and regional organisations to deliver the festival, which was made of 14 events and spanned two weeks.
4. Ōpōtiki Matariki celebrations are planned to take place from 28 June – 13 July 2024. We will continue to create and establish Matariki events and provide an event umbrella for event organisers and groups in the community to promote their Matariki events through.
5. Applications are eligible to Aotearoa Gaming Trust for 'Community Purposes' including 'non-profit community cultural or arts festivals. The Lion Foundation accepts applications for any charitable, philanthropic, or cultural purpose that benefits the local community. A resolution from Council is required to accompany these funding applications.
6. A resolution is not required to apply for funding through One Foundation, Trust Horizon, and Matariki Ahunga Nui Fund.

## OPTIONS

7. Regarding the Ōpōtiki Matariki funding applications, there are two options available:

<b>OPTION 1: Council approves staff to apply for funding (Recommended option)</b>	
<b>Description</b>	<i>Council approve staff to apply to the above funders for the Ōpōtiki Matariki Festival 2024.</i>
<b>Advantages</b>	Staff can apply for funding to enable the execution of the Ōpōtiki Matariki Festival 2024.
<b>Disadvantages</b>	There are no disadvantages identified with this option.
<b>Impact on mana whenua</b>	None.
<b>Strategic alignment</b>	<ul style="list-style-type: none"> <li>• A strong and effective community spirit.               <ul style="list-style-type: none"> <li>- Our community understands and actively participates in local events.</li> </ul> </li> <li>• Development supports the community.               <ul style="list-style-type: none"> <li>- Ōpōtiki is recognised as the place to go for great events.</li> </ul> </li> <li>• Culture and history are treasured.               <ul style="list-style-type: none"> <li>- Regeneration of traditional Māori customs, and local celebration of a national holiday.</li> </ul> </li> </ul>
<b>Associated risks</b>	None.



## OPTION 2: Council do not approve staff to apply for funding

<b>Description</b>	<i>Council do not approve staff to apply to the above funders for the Ōpōtiki Matariki Festival 2024.</i>
<b>Advantages</b>	There are no identified advantages associated with this option.
<b>Disadvantages</b>	Staff are unable to apply for funding therefore the Ōpōtiki Matariki Festival 2024 will be limited to Council contribution allocated within the LTP.
<b>Impact on mana whenua</b>	None.
<b>Strategic alignment</b>	Not applicable.
<b>Associated risks</b>	Failure to deliver the Ōpōtiki Matariki Festival 2024.

### DISCUSSION

8. Staff recommend Option 1 as this allows staff to apply for external funding and not rely solely on Councils contribution as would be the result of Option 2.

#### Financial/budget considerations

9. There are no budget considerations relating to this report.

#### Policy and planning implications

10. None.

#### Impact on mana whenua

11. There is no identified impact on Mana whenua.

#### Climate impact considerations

12. There are no specific climate related impacts identified.

#### Risks

13. The risks associated with each option are considered in the options section above.

### SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

#### Assessment of significance

14. 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.

15. 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**

16. 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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**INFORM**

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

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17. 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.

#### **CONCLUSION**

18. Council resolution is sought to support external funding applications, the recommended option allows staff to apply for funding for the Ōpōtiki Matariki Festival 2024

Iranui Huriwai

**SENIOR ISITE OFFICER**

## COUNCIL REPORT

Date : 8 February 2024  
To : Ordinary Council Meeting, 19 March 2024  
From : Chief Executive Officer, Stace Lewer  
Subject : **CHIEF EXECUTIVE OFFICER'S UPDATE**  
File ID : A1210680

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## EXECUTIVE SUMMARY

- To provide an update to Council on LGOIMA requests and meetings attended by the Chief Executive Officer.

## RECOMMENDATIONS

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

## PURPOSE

1. To provide an update to Council on LGOIMA requests and meetings attended by the Chief Executive Officer.

## STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opotiki District Council's Long Term Plan 2021-2031:
  - Development and protection of the natural environment.
  - Services and facilities meet our needs.
  - Fair and efficient leadership.
  - A strong and effective community spirit.
  - Purposeful work and learning opportunities.
  - Development supports the community.
  - Culture and history are treasured.

## DISCUSSION

### 3. LGOIMA Requests

## LGOIMA Report (01/12/2023-13/03/2024)

Month	Submitter	Subject	Due
December 2023	Mikael Andersson	Culvert data	Completed
	Bay Wide Law	Steve Carthew Dog Attack	09/01/2024
	Taxpayers NZ	Christmas LGOIMA	Completed
	Chris Hopman	General Rates rational	Completed
	Stefan Speller	territorial authorities	Completed
	NZ Taxpayers	Ratepayers Report	22/01/2024
January 2024	Tasman Democracy	Council Debt	09/02/2024
	Tasman Democracy	LGOIMA Process 2023	Completed
	Alcohol Harm Reduction Project	District Licensing Committee decisions	Completed
	Stephen Bell	Request for numbers of dogs dealt with by animal control	Completed
	Lyn Mayes	Plastic Packaging Product Stewardship - Data Request	Completed
February 2024	Kainga Ora	non-publicly shared data Data sets	07/03/2024
	Carol Quirk	Library statistics	Completed
	Paora Manuel - Radio 1XX Journalist	Food outlet inspection data	Completed
	Carol Quirk	PGF, Public Money query library	Completed
	Carol Wheeler	Query Zoning and Consents	15/03/2024
	Doug Wheeler	Zoning and Consents	15/03/2024
	Radio NZ	Three waters spending implications for the LTP	20/03/2024
	Carol Quirk	request for conflicts of interests register	20/03/2024
	Saunders Lawyers	Building Consent Claims	28/03/2024
	EHINZ	Dataset on decades of building ages in the district	28/03/2024
	Packaging Forum	waste and recycling data re - Plastic Packaging Product Stewardship Scheme	28/03/2024
	March 2024	Downers	Requests for all Downer related Resource Consents
Nicola Page		Building Consents	08/04/2024

#### **4. Meetings / Events Attended by the Chief Executive Officer – 27 January 2024-8 March 2024**

##### **30 January 2024**

Council workshop

Ōpōtiki Harbour Project meeting with MBIE, via Zoom

##### **1 February 2024**

Met with Peter Vitasovich, Chief Executive Whakatōhea Mussels (Ōpōtiki) Ltd

##### **2 February 2024**

Bay of Plenty Mayoral Forum, Tauranga

##### **7 February 2024**

Ordinary Council meeting

##### **8 February 2024**

Councillor/CEO catch up meeting

Taituara meeting re repeal of the water reforms; the audit process and LTP audit fees, via Zoom

##### **9 February 2024**

BOPLASS meeting, via Zoom

##### **12 February 2024**

Performance and Delivery Committee meeting

Council workshop

Meeting with Toi-EDA

Ōpōtiki Harbour Project meeting with MBIE, via Zoom

##### **13 February 2024**

Blessing of Pakihikura, Opotiki Campus of Te Wananga o Aotearoa

Ōpōtiki Harbour Steering Group meeting

ODC Tenders Sub-Committee meeting

##### **16 February 2024**

BOPLASS Board meeting, Tauranga

Farewell lunch for Russell George, ex CEO Kawerau District Council

**19 February 2024**

Strategy Planning and Regulatory Committee meeting

**20 February 2024**

Bay of Plenty CEs' Forum, via Teams

Meeting with Toi-EDA

**21 February 2024**

Opotiki Marine Advisory Group (OMAG) meeting

**22 February 2024**

Citizenship Ceremony

Councillor/CEO catch up meeting

**26 February 2024**

Council workshop

Risk and Assurance Committee meeting

Catch up meeting with Dickie Farrar, CEO Whakatōhea Maori Trust Board

**1 March 2024**

Civil Defence Emergency Management Co-ordinating Executive Group Meeting, via Teams

**5 March 2024**

Water Reforms presentation from Vaughan Payne (DIA) and Sarah Baddeley (Martin Jenkins)

Catch up meeting with Donna Perese, CEO Toi-EDA

**6 March 2024**

Councillor/CEO catch up meeting

Council workshop

**7 March 2024**

Rural Provincial Sector meeting, via Zoom

**Financial/budget considerations**

5. There are no financial/budget considerations associated with this report.

## Risks

6. There are no risks associated with this report.

## Community wellbeing considerations

7. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
8. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
9. There are no known social, economic, environmental, or cultural considerations associated with this matter.

## SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

### Assessment of significance

10. 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.
11. 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

12. 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.

---

13. 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.

Stace Lewer

**CHIEF EXECUTIVE OFFICER**

**REPORT**

Date : 8 March 2024

To : Ordinary Council Meeting, 19 March 2024

From : Chief Executive Officer, Stace Lewer

Subject : **RESOLUTION TO EXCLUDE THE PUBLIC**

**SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987**

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

- 20. Confirmation of In-Committee Minutes – Ordinary Council Meeting 7 February 2024.**
- 21. In-Committee Minutes – Risk and Assurance Committee Meeting 11 December 2023.**
- 22. Notes From 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:

<b>Item No</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>20.</b>	<b>Confirmation of In-Committee Minutes – Ordinary Council Meeting 7 February 2024.</b>	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)
<b>21.</b>	<b>In-Committee Minutes – Risk and Assurance Committee Meeting 11 December 2023.</b>	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)



22.	<b>Notes From Council Workshops.</b>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
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**This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:**

20.	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)
21.	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities	Section 7(2)(a) Section 7(2)(b)(i) & (ii) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h)
22.	Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(f)(ii) Section 7(2)(j)