



NOTICE OF AN ORDINARY COUNCIL MEETING

**Opotiki District Council Chambers, 108 St John Street, Opotiki
Tuesday, 30 April 2024
Commencing at 10.00am**

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – COUNCILLOR KEMARA

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

Ross Palmer – Evidence related to historical information and growth statistics on quad bikes and side-by-sides at the Drifts, based on newly collected data.

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PUBLIC EXCLUDED BUSINESS

**ITEM 12 CONFIRMATION OF IN-COMMITTEE MINUTES – ORDINARY COUNCIL MEETING
19 MARCH 2024**

ITEM 13 NOTES FROM COUNCIL WORKSHOP

ITEM 14 RESOLUTION TO RESTATE RESOLUTIONS AND READMIT THE PUBLIC

Chair: His Worship the Mayor – David Moore

Members: Cr Shona Browne (Deputy Mayor)

Cr Tom Brooks

Cr Barry Howe

Cr Maxie Kemara

Cr Steve Nelson

Cr Dean Petersen

Committee Secretary: Gae Finlay

Quorum: 4

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

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

Stace Lewer

CHIEF EXECUTIVE OFFICER



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED, TUESDAY, 19 MARCH 2024 IN THE
ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.01AM**

PRESENT:

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

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Gerard McCormack (Group Manager Planning and Regulatory)
Anna Hayward (Group Manager Community Services and Development)
Peter Bridgwater (Group Manager Finance and Corporate Services)
Nathan Hughes (Group Manager Engineering and Services)
Tina Gedson (Operations and Office Manager)
Joseph Hayes (isite and Events Manager)
Mercedes Neems (Executive Support Officer)
Gae Finlay (Executive Assistant and Governance Lead)

MEDIA:

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

PUBLIC:

Jan Willis
Crystal Beach
Several members of the public

Councillor Brooks opened the meeting with an inspirational verse.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

PUBLIC FORUM

Jan Willis (standing in for Carol Quirk) – Library and isite

Jan Willis spoke on behalf of Carol Quirk who was unable to attend. She advised that Crystal Beach will also speak in support.

The following points were made:

- It now appears these core services will not be cut or merged and Council is to be congratulated on that
- Carol Quirk is still speaking to ensure this must not happen again; that these core services stay as they are, or even expand
- There is nothing in the PGF applications about a part time Library
- Council has lost the community on this topic
- The Library is different now, with quite different users
- Three of our schools do not have libraries
- 660 people have signed a petition to keep the Library full time
- People love the events the isite puts on, noting that many people cannot afford to take their children to Whakatāne for events.

Crystal Beach – Library and isite

Crystal Beach spoke on behalf of Te Puāwaitanga o te Kākano, an adult learning organisation for rural women which had no building to use for six months last year. The Library welcomed the group with open arms. During the times the group used the Library they saw many school groups come into the Library; they love the place. It is not just a home for the books. Crystal Beach noted that Councillors endeavour to work for the people in our community and recognised their effort, noting that it is not an easy job. She thanked Council for hearing her concerns.

Diane McCarthy, Jan Willis, Crystal Beach and some members of the public left the meeting at 10.10am.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 7 FEBRUARY 2024 p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 7 February 2024 be confirmed as a true and correct record.**

HWTM/Nelson

Carried

2. MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 11 DECEMBER 2023 p19

RESOLVED

- (1) That minutes of the Risk and Assurance Committee meeting held on 11 December 2023, and any recommendations therein, be received.**

Nelson/HWTM

Carried

Diane McCarthy rejoined the meeting at 10.13am.

3. DRAFT MINUTES – COAST COMMUNITY BOARD MEETING 27 FEBRUARY 2024 p28

RESOLVED

- (1) That the draft minutes of the Coast Community Board meeting held on 27 February 2024 and any recommendations therein, be received.**

HWTM/Kemara

Carried

4. MINUTES – STRATEGY PLANNING AND REGULATORY COMMITTEE MEETING 30 OCTOBER 2023 p33

RESOLVED

- (1) That the minutes of the Strategy Planning and Regulatory Committee meeting held on 30 October 2023, and any recommendations therein, be received.**

HWTM/Browne

Carried

5. MINUTES – PERFORMANCE AND DELIVERY COMMITTEE MEETING 6 NOVEMBER 2023 p35

RESOLVED

- (1) That the minutes of the Performance and Delivery Committee meeting held on 6 November 2023, and any recommendations therein, be received.**

HWTM/Kemara

Carried

6. MINUTES – BAY OF PLENTY MAYORAL FORUM MEETING 2 FEBRUARY 2024 p38

RESOLVED

- (1) That the minutes of the Bay of Plenty Mayoral Forum meeting held on 2 February 2024 be received.**

HWTM/Bowne

Carried

The Executive Support Officer left the meeting at 10.21am and returned at 10.23am.

7. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 9 FEBRUARY 2024 2023 p43

RESOLVED

- (1) That the minutes of the Regional Transport Committee meeting held on 9 February 2024 be received.**

HWTM/Browne

Carried

8. MAYORAL REPORT 27 JANUARY 2024–8 MARCH 2024 p50

RESOLVED

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

HWTM/Browne

Carried

9. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE p55

RESOLVED

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

HWTM/Howe

Carried

10. ENDORSEMENT OF FINAL DIRECTION FOR BUDGET FOR LONG TERM PLAN 2024–2034 p60

The Chief Executive Officer thanked staff and elected members for their engagement in the Long Term Plan process, along with the public.

His Worship the Mayor acknowledged this has been a challenging process and thanked staff for their work.

Councillors provided their views as noted below:

Councillor Kemara

- Appreciate the work but it feels like a tick the box exercise
- Although we are going out to consultation, it is like we have already made up our minds

- Feel this process is not in the best interests of our people
- We need to be serious about taking our community's views on board.

Councillor Nelson

- Throughout this process we have been looking for service level efficiencies, rather than slashing and burning.

Councillor Petersen

- If there is push back from the public when this goes out for consultation, it is hoped there is enough time to change to what they are asking for in their feedback
- The average rate rise we are looking at is 10.5%; everyone will not pay that as it depends on the property valuation.

Councillor Brooks

- It is concerning to me that when we go out for public consultation, there are no options – it should be free and the public can say what is the burning issue for them
- A lot of misinformation has gone around; the bonus is that people have got quite animated about the whole thing.

Deputy Mayor Browne endorsed everything that has already been said.

Councillor Howe

- Agree with Councillor Nelson – efficiency was never about downsizing the services; it was about running the Library and isite more efficiently and getting a better bang for the buck
- Every business is trying to find different ways of running their business efficiently
- Efficiency should be our No.1 priority
- The mana whenua community – would like the effects on mana whenua added in to clarify to the community what it is all about.

RESOLVED

- (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: see a reduction in operating budgets of approximately \$400,000 across Engineering & Services, Planning & Regulatory and Community Services & Development 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).

HWTM/Nelson

Carried

11. ADOPTION OF RATES REMISSION AND POSTPONEMENT POLICY FOR PUBLIC CONSULTATION

p113

RESOLVED

- (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.

HWTM/Browne

Carried

12. TREASURY RISK MANAGEMENT POLICY FOR ADOPTION **p134**

RESOLVED

- (1) That the report titled "Treasury Risk Management Policy" be received.**
- (2) That Council adopts 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.**

HWTM/Petersen **Carried**

The isite and Events Manager joined the meeting at 11.02am.

13. PROPERTY STRATEGY ADOPTION **p161**

RESOLVED

- (1) That the report titled "Property Strategy Adoption" be received.**
- (2) That Council adopts the Property Strategy attached to the report as Appendix 1.**

HWTM/Browne **Carried**

The Operations and Office Manager entered the meeting at 11.04am.

The remaining members of the public left the meeting at 11.05am.

14. COMPLAINTS POLICY FOR ADOPTION **p176**

RESOLVED

- (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.**

HWTM/Petersen **Carried**

15. POLICY REVIEW CYCLE FOR ADOPTION **p189**

RESOLVED

- (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.**

HWTM/Brooks **Carried**

16. BOPLASS LTD STATEMENT OF INTENT FOR 2024-2027 AND HALF YEARLY REPORT p206

RESOLVED

- (1) That the report titled "BOPLASS Ltd Statement of Intent for 2024-2027 and Half Yearly Report" be received.**
- (2) That Council no comment on the Statement of Intent but wishes to thank BOPLASS.**

HWTM/Brooks

Carried

17. ŌPŌTIKI MATARIKI FESTIVAL FUNDING APPLICATIONS p239

RESOLVED

- (1) That the report titled "Ōpōtiki Matariki Festival Funding Applications" be received.**
- (2) That Council approves a funding application to be lodged with the Aotearoa Gaming Trust to support the Ōpōtiki Matariki Festival 2024 subject to quotes.**
- (3) That Council approves a funding application to be lodged with The Lion Foundation to support the Ōpōtiki Matariki Festival 2024 subject to quotes.**
- (4) That Council approves Person 1, (Joseph Hayes – isite & Events Manager) and Person 2 (Iranui Huriwai – Senior isite Officer) to apply on behalf of the Ōpōtiki District Council to the Aotearoa Gaming Trust and The Lion Foundation for event funding.**

HWTM/Browne

Carried

The Group Manager Community Services and Development, the Operations and Office Manager, the isite and Events Manager and the Executive Support Officer left the meeting at 11.28am.

18. CHIEF EXECUTIVE OFFICER'S UPDATE p243

RESOLVED

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

HWTM/Kemara

Carried

Diane McCarthy and Mike Fletcher left the meeting at 11.32am.

19. RESOLUTION TO EXCLUDE THE PUBLIC p248

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:

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
20.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 7 February 2024.	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)
21.	In-Committee Minutes – Risk and Assurance Committee Meeting 11 December 2023.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
22.	Notes From Council Workshops.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)

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

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)
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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)

HWTM/Nelson

Carried

RESOLVED

- (1) That the resolutions made while the public was excluded be confirmed in open meeting.**
- (2) That the public be readmitted to the meeting.**

HWTM/Nelson

Carried

RESOLVED

- (1) That the in-committee minutes of the Ordinary Council meeting held on 7 February 2024 be confirmed as a true and correct record.**

Browne/HWTM

Carried

RESOLVED

- (1) That the in-committee minutes of the Risk and Assurance Committee meeting held on 11 December 2023, and any recommendations therein, be received.**

HWTM/Howe

Carried

RESOLVED

- (1) That the report titled "Notes From Council Workshops" be received.**
- (2) That Council agrees to publicly release the full notes related to the 30 January 2024 Workshop.**
- (3) That Council agrees to publicly release the full notes related to the 26 February Workshop.**
- (4) That Council agrees to publicly release the full notes related to the 12 February Workshop.**

HWTM/Nelson

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.53PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 30 APRIL 2024**

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

MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD HELD AT TE RUNANGA O TE WHANAU OFFICES, STATE HIGHWAY 35, TE KAHA ON TUESDAY, 9 APRIL 2024 AT 10.00AM

PRESENT:

Maxie Kemara (Chairperson)
Mike Collier, via Teams
Jack Parata
Linda Steel
Allen Waenga

Mayor David Moore

IN ATTENDANCE:

Katherine Hall (Strategic Development Manager)
Billy Kingi (Financial Controllor)
Maia Calcott (Workforce Development Co-ordinator)

PUBLIC:

Mark Stringfellow
Mereana Parkinson
Merle Callaghan
Benny Kim (Brighta Consulting), via Teams
Amanda de Jong (Brighta Consulting), via Teams

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

APOLOGIES

Nil.

His Worship the Mayor joined the meeting at 10.02am.

ITEMS NOT ON THE AGENDA – COAST INITIATIVES FUND APPLICATIONS

The Chairperson advised that two items will be added to the agenda for consideration.

1. Coast Initiatives Funding Application – Wairuru Marae

The application was received after the agenda was prepared. It will be considered under urgency due to funding being required for ANZAC Day which falls prior to the next Board meeting.

2. Coast Initiatives Fund Funding Application – Parkinson Consultants Ltd

The application was not included in the agenda. The applicant has attended the meeting today to speak to the application which was lodged in time.

(Note subsequent to this meeting: The application was filed on 20 March 2024 and it was an administrative error the item was not included in the agenda).

PUBLIC FORUM

Coast Initiatives Fund Funding Application – Parkinson Consultants Ltd

Mereana Parkinson, supported by Merle Callaghan, spoke to the application and the kaupapa for which they are seeking funds. She thanked the Board for considering the request.

Mereana Parkinson and Merle Callaghan left the meeting at 10.10am.

Benny Kim and Amanda de Jong joined the meeting, via Teams, at 10.10am.

1. MINUTES – COAST COMMUNITY BOARD MEETING 27 FEBRUARY 2024 **p3**

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 27 February 2024 were confirmed as a true and correct record.**

Kemara/Waenga

Carried

2. ACTION SHEET **p8**

The Financial Controllor spoke to the Action Sheet item "Allocation of Funds Towards the Library". Guidance was provided to the Board around the pledge for the mobile services van being allocated to Te Tāhuhu o Te Rangī if the Board chose to do so. The mobile services van is not being included in the 2024-2034 Long Term Plan.

From a discussion the Board considered that the original pledge should be allocated to an activity within the Coast Ward, rather than to Te Tāhuhu of Te Rangī, as that was the intention of the pledge.

Linda Steel noted that the previous resolution to allocate funds to the mobile services van would need to be rescinded before it could be allocated toward another item.

MOTION:

Moved: Steel

Seconded: Parata

That the Board rescinds the commitment of allocation of funds, being \$10,000, towards the Mobile Services van on the Coast.

The motion was PUT and CARRIED

RESOLVED

- (1) That the Board rescinds the commitment of allocation of funds, being \$10,000, towards the Mobile Services van on the Coast.**

Steel/Parata

Carried

The Chairperson advised that he had not heard back from Standfast Horse Treks with regard to funding opportunities moving forward.

RESOLVED

- (2) That the Action Sheet be received.**

Kemara/Steel

Carried

3. GROUP MANAGERS' REPORT

p9

The Strategic Development Manager spoke to the report. Public consultation on the 2024-2034 Long Term Plan will commence from 18 June 2024.

RESOLVED

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

Kemara/Collier

Carried

4. ŌPŌTIKI WORKFORCE DEVELOPMENT – UPDATE

p92

The Workforce Development Co-ordinator spoke to the report.

Responding to a query from the Chairperson, the Workforce Development Co-ordinator noted that some days several rangatahi enquire about workforce matters or the Mayors Taskforce For Jobs programme, and not so many on other days. Overall, the uptake has been good.

RESOLVED

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

Waenga/Steel

Carried

RESOLVED

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

Kemara/Parata

Carried

Jack Parata left the meeting at 10.33am.

The Workforce Development Co-ordinator left the meeting at 10.47am.

COAST INITIATIVES FUND FUNDING APPLICATION – PARKINSON CONSULTANTS LTD

The application was tabled.

The Board agreed to receive the application.

Allen Waenga asked for clarification as to why the application was not included in the agenda. He questioned whether it was because the applicant was a company, rather than an individual. The Strategic Development Manager agreed to look into this and provide feedback at the next scheduled meeting.

It was noted the amount of funding applied for was relatively small and that the Board always appreciates seeing applications where other funding sources have been investigated and approached, alongside the Coast Initiatives Fund application.

Michael Collier was of the opinion the application should be approved as a one-off payment toward the Kaupapa.

Linda Steel asked that feedback to be provided in writing to the applicant as follows:

- Consider seeking Charitable Trust status in the near future.
- Do wider research to attract more whanau to the course.

RESOLVED

- (1) That the funding application from Parkinson Consultants Ltd be received.**

- (2) That the Board approves funding to assist with the costs of providing extension material for the Raukokore Ataarangi Extension roopu, i.e. Te Reo text books to help extend Te Reo Māori learners, in the amount of \$412.52.**

Kemara/Collier

Carried

COAST INITIATIVES FUND FUNDING APPLICATION – WAIRURU MARAE

The application was tabled.

As noted at the beginning of the meeting, this application is being considered urgency.

The Board agreed to receive the application. Understanding the time pressure on the applicant, the Board agreed to approve funding in the amount requested of \$3,000.

RESOLVED

- (1) That the Board receives the funding application from Wairuru Marae.**
- (2) That the Board approves funding in the amount of \$3,000 towards the cost of the ANZAC Commemoration Service and Hakari.**

Waenga/Collier

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.03AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING
A TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COAST COMMUNITY BOARD HELD
ON TUESDAY, 21 MAY 2024.**

**MAXIE KEMARA
CHAIRPERSON
COAST COMMUNITY BOARD**

Ōhiwa Harbour Implementation Forum

Ngā Meneti Open Minutes

Commencing: Thursday 28 March 2024, 9:32 am

Venue: Totara Room, Whakatāne District Council, 14 Commerce Street, Whakatāne

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

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

**Ngā Kopounga
Members:** Cr Andrew Iles - Whakatāne District Council (WDC), Gaylene Kohunui - Alternate, Te Upokorehe, Cr Nándor Tánzos - Alternate, WDC, Tuwhakairiora O'Brien - Alternate, Te Runanga o Ngāti Awa, Cr Malcolm Campbell - Alternate, BOPRC

**Te Hunga i Tae Ake
In Attendance:** Pim de Monchy - Coastal Catchments Manager, Tim Senior - Contractor (Land Management Officer), Sami Fox - Land Management Officer, Merehine Waiari - Senior Advisor, Linda Conning - Forest and Bird, Amanda Namana - Committee Advisor

External: Georgina Fletcher, General Manager, Community Experience - WDC

**Ngā Hōnea
Apologies:** Karen Mekomoko - Whakatōhea Māori Trust Board, Georgina Kohunui - Te Upokorehe, Marewa Titoko - Alternate, Waimana Kaaku, Cr Nándor Tánzos - Alternate, WDC (for lateness)

1. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Charlie Bluett – Ngāti Awa.

2. Ngā Hōnea Apologies

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Accepts the apologies from Karen Mokomoko, Georgina Kohunui, Marewa Titoko and Cr Nándor Tánzos (for lateness) tendered at the meeting.

Iles/Iti
CARRIED

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

None declared.

4. Ngā Meneti Minutes

**Kia Whakaūngia Ngā Meneti
Minutes to be Confirmed**

4.1 Ōhiwa Harbour Implementation Forum Minutes - 12 October 2023

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Confirms the Ōhiwa Harbour Implementation Forum Minutes - 12 October 2023 as a true and correct record.

Iles/Iti
CARRIED

5. Whakahoutanga Kōrero Verbal Updates

5.1 Update from Host Member: Whakatāne District Council

Presentation: Whakatāne Long Term Plan Update: Objective ID A4635000 [⇒](#)

Presented by: Cr Andrew Iles – WDC

Key Points:

- Welcomed the Forum to the refurbished WDC Chambers and provided a brief update:
 - Outlined Council's vision and workplan for the Whakatāne District
 - The Long Term Plan (LTP) had gone out for consultation and submitters were encouraged to include detail and additional information to their submissions

- Many consultation meetings had taken place across the rohe including in Murupara, Galatea and Cheddar Valley
- Raised the repeal of the Three Waters reforms and the funding issues arising from this
- Played the video 'Weaving a narrative': [Weaving a narrative \(youtube.com\)](https://www.youtube.com)
- Highlighted the importance of the work and investment to date on restoration of the mussel beds in Ōhiwa Harbour and the criticality of maintaining the momentum on this mahi.

Key Points - Members:

- Commended WDC for the extended consultation that had been undertaken with the wider community
- Suggested including the request for continued or increased funding for the Ōhiwa Harbour in the WDC submission to the BOPRC Long Term Plan
- Innovative thinking may be required to identify ways to redistribute resources within existing budgets to assist in continuing the work.

Georgina Fletcher - General Manager, Community Experience - In Response to Questions:

- Investment in Port Ōhope and development on the land surrounding the wharf would continue so feedback from the Forum would be welcomed regarding continued investment and improvements in this area
- WDC were also submitting to BOPRC on their Long Term Plan, reinforcing a desire to see continued investment in the Ōhope Spit, pest management and care groups.

5.2 Chairperson's Update

Presented by: Cr Toi Kai Rākau Iti - BOPRC

Key Points:

- Provided an Essential Freshwater Update to the Forum:
 - Due to a new central Government with differing ideas around freshwater, there were now many unknown factors as to how things would proceed in this space concerning resource management and freshwater policy direction
 - BOPRC had confirmed that it would notify the draft freshwater plan change to implement the NPS-FM by September 2025, following consultation on a draft document to be released at the end of 2024
- Noted the Ōhiwa land management report discussed at a recent Monitoring and Operations Committee meeting (similar to item 6.2 on this agenda), which had the outcome of further information requested to the Strategy and Policy Committee for viable options of mitigation measures related to the health of the harbour.

Key Points - Members:

- Expressed concern over any farms or properties in the catchment that may be affected by targeted rates for potentially both rivers (Whakatāne and Nukuhou).

In Response to Questions:

- There had been little detail provided to date from central government other than indicating the rebalancing of Te Mana O Te Wai – rather than being at the top of a decision hierarchy Te Mana O Te Wai would now be

one of several objectives to consider when deciding on rules for freshwater management.

- A catchment by catchment approach had been indicated, rather than a blanket approach which aligned with BOPRC's intended direction
- The river scheme for Tauranga/Whakatāne ended in the Waimana basin before the Nukuhou River. The Nukuhou River flowed down to Ōhiwa Harbour and was excluded from existing river schemes.

6. Ngā Pūrongo Reports

Hei Pānui Anake Information Only

6.1 Annual Work Programme report to 29 February 2024 and proposed work programme for 2024-25

Presentation: Ōhiwa Harbour Annual Work Programme: Objective ID A4640905 [⇒](#)

Presented by: Tim Senior – Contractor (Land Management) and Linda Conning – Forest and Bird

Key Points:

- Provided an update on fish passage and played a video showing freshwater shrimp already passing through during installation, with fish waiting at the bottom for passage
- Asian paddle crab update – in February 2023 there were 38 caught in traps, concerningly there were 173 caught in February 2024. Highlighted the areas of the harbour they were discovered in and noted that there were significantly more males, the reasons for which were uncertain
- Vehicles on the beach (to surfcast) and mud flats (to access the pipi beds) were of ongoing concern, particularly for dotterel nesting spots. People continued to ignore signage, sometimes going to great lengths to sabotage them.

10.30 am – Cr Nándor Tánzos **entered** the meeting.

- Whangakopikopiko pipi bed was now so depleted that it was taking up to an hour to find 150 pipi, and on random weekends more than 4700 people were observed collecting pipi
- Tokitoki Reserve erosion required repair of the sea wall, for which Department of Conservation now had resource consent to undertake the work and would begin immediately.

Key Points - Members:

- Policing and enforcing bylaws to keep vehicles off protected areas was the biggest challenge. Expressed concern that if the access point was permanently blocked, it may force people to find alternative options through other dotterel grounds
- Pipi monitoring was a very time consuming task for Upokorehe and covered a vast area including the pipi beds, Tokitoki, the boat ramp and further around toward the spit. This was increasingly challenging, particularly for personal safety reasons as intimidation was also becoming a factor

- Suggested a potential rāhui be placed to suspend pipi take and assist in replenishing the population. Noted the Ministry for Primary Industries had authority to enforce rāhui under Section 186A of the Fisheries Act 1996
- Consider inviting farmer-led catchment groups to attend future hui as observers in the interest of a whole of catchment approach.

In Response to Questions:

- Asian paddle crabs were edible, however caution was required as there were several species of native paddle crab also. They were known to have a negative impact on harbours as they were voracious feeders, yet staff were uncertain of long term impacts and suggested someone with expertise on this matter be invited to speak at a future meeting so that action could be taken sooner rather than later
- The Biosecurity Team performed annual surveys in each of the estuaries
- The most successful tool to date had been a security camera which was hired during the dotterel nesting season as a deterrent to vehicles on the beach and to identify offenders. Those vehicles that received letters were not observed to be repeat offending. Options for installation of a more permanent camera, or one specifically for the nesting season were being looked into, however funding was a significant issue
- There were people paying attention to the signs and abiding by the bylaw as some had been noted parking and walking.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Annual Work Programme report to 29 February 2024 and proposed work programme for 2024-25;**
- 2 Endorses the proposed annual work programme 2024-25;**
- 3 Requests further information exploring costs and options for installing temporary or permanent cameras to deter vehicles at both locations, including potential trade-offs and funding partners;**

**Iti/Iles
CARRIED**

11.09 am - The meeting **adjourned.**

11.20 am - The meeting **reconvened.**

6.2 Ōhiwa FMU Land Management Update

Presentation: Ōhiwa Land Management Operations Update: Objective ID A4635216



Presented by: Sami Fox - Land Management Officer

Key Points:

- The Land Management team worked with willing landowners in the catchment under set parameters
- Sediment and e-coli in the Ōhiwa catchment were priority contaminants and required a high scale of change to meet the National Policy Statement for Freshwater Management (NPS-FM) targets and environmental outcomes

- SedNet monitoring had been undertaken in 2021 by Landcare Research, which identified sources of sediment and nutrients
- The main emphasis for land management works to date had been on retiring steep erodible land and riparian margins
- The Nukuhou River had seen significant downcutting of its bed, resulting in bank material being mobilised and ultimately ending up in the harbour. This river was not part of a rated river scheme, therefore current funding to address the issues was limited and third party funding to consider bed control structures was being explored
- Further focus was in biodiversity and working with care groups, of which Ōhiwa had the largest proportion in the Eastern Bay of Plenty (13 care groups protecting thousands of hectares of public land).

Key Points - Members:

- Would be useful to know the land use of the farms and lifestyle blocks that were working with the Land Management team, and those who were not (e.g beef, lifestyle, forestry), to gain a clearer picture of the overall catchment. Requested more information to a future meeting identifying what data was being collected, how it could be presented and best utilised
- Supported using native trees combined with willow and poplar wherever possible to assist in land management practices.

In Response to Questions:

- Many areas around the harbour were smaller lifestyle blocks with less contribution to the water quality issues
- Willows were used as a land management tool for steeper land and stream bank erosion due to having the densest root fibre
- The willow and poplar nursery was in early stages and housed on unused BOPRC land in Poroporo. The nursery would be managed by BOPRC and was of a small size used for inhouse land management purposes
- The vast majority of land management plantings were indigenous, with non-native species used where required for their effectiveness in managing erosion instead of using rock or other options.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Ōhiwa FMU Land Management Update.**

**Iles/Petersen
CARRIED**

6.3 Mussel restoration project update

Presented by: Tim Senior – Contractor (Land Management Officer) and Pim de Monchy – Coastal Catchments Manager

Key Points:

- Considered that the highest expense of the project sat with the mussel and seastar population monitoring mahi, which needed to be undertaken by highly skilled scientific divers. Had now met with National Institute of Water and Atmospheric research (NIWA) who had a high level of interest in undertaking the work, which also aligned with another shellfish project they had underway. NIWA would discuss methodology with Dr. Kura-Paul Burke and costs would be provided in due course

- A renewal application for resource consent for the mussel stations/buoys had been submitted to BOPRC and put on hold pending the further work and consultation that needed to be undertaken
- At the meeting, BOPRC Science team indicated interest in taking a leadership role in the mussel restoration and monitoring, and in contributing \$10K-20K to the project annually.

Key Points - Members:

- Ngati Awa expressed support in assisting the science team if and where required in the ongoing mussel restoration mahi
- Encouraged continuing to work with young Māori scientists in this space as it was a unique and beneficial learning and research opportunity
- The Chair offered to bring relevant staff to engage with Upokorehe regarding this project and explore potential ways to work together in continuing the mussel restoration.

In Response to Questions:

- Using local divers for starfish removal was still a possibility which required further investigation, however the populations surveys needed to happen first, and other required tasks in progressing the project needed to be completed in the right order.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Mussel restoration project update.**

**Iti/Bluett
CARRIED**

6.4 Long Term Plan 2024-2034 Consultation

Presentation: BOPRC Long Term Plan 2024-2034 Consultation: Objective ID A4635005

Presented by: Cr Toi Kai Rākau Iti - BOPRC

Key Points:

- Outlined the timeline with the Long Term Plan (LTP) currently out for consultation and hearings being held in May 2024, including one being held at a marae for the first time
- Highlighted the initiative 'Friend of the submitter' - Huiarau Stewart, who offered independent assistance in writing submissions
- For the first time, the LTP had a community outcome which spoke to tangata whenua 'Te Ara Poutama' - partnering with tangata whenua and community towards a prosperous and equitable regional future
- Whāinga (LTP Goal 14) Supported enhancing Māori participation in operational activities and progressing new opportunities where they arose, within existing operations
- Whāinga (LTP Goal 16) Ensuring and equitable approach to the four wellbeings and delivery of community outcomes
- Whāinga (LTP Goal 17) Partner with Māori to enhance delivery and share decision making
- This was also the first time the LTP document would be produced in both English and Te Reo Māori

- Outlined the contents of the LTP in relation to Kōhī, regionwide projects and plans of significance to the Forum
- Māori freehold land had a complex and particular ownership structure.

Key Points - Pim de Monchy - Coastal Catchments Manager

- Noted that the most appropriate way for the Forum to submit to each Council's LTP would be for staff from each council to offer support in writing submissions to other councils, rather than to their own.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Long Term Plan 2024-2034 Consultation;**
- 2 Agrees to write submissions to the Long Term Plans of Ōpotiki District Council, Toi Moana Bay of Plenty Regional Council and Whakatāne District Council on Ōhiwa specific elements;**
- 3 Delegates final approval of the submissions to the Chair.**

**Kohunui/Iles
CARRIED**

**7. Karakia Kati
Closing Karakia**

A karakia was provided by Charlie Bluett - Ngāti Awa.

12.27 pm - the meeting closed.

CONFIRMED

Cr Toi Kai Rākau Iti
Chairperson, Ōhiwa Harbour Implementation
Forum

Bay of Plenty Civil Defence Emergency Management Group Joint Committee

Open Minutes

- Commencing:** Friday 5 April 2024, 10:00am
- Venue:** Council Chambers, Regional House, 1 Elizabeth Street, Tauranga and via Zoom (Audio Visual Meeting)
- Chairperson:** Mayor Faylene Tunui - - Kawerau District Council (KDC)
- Deputy Chairperson:** Mayor James Denyer - Western Bay of Plenty District Council (WBOPDC)
- Members:**
- Ōpōtiki District Council (ODC):**
Mayor David Moore (via Zoom)
 - Tauranga City Council (TCC):**
Commission Chair Anne Tolley
 - Whakatāne District Council (WDC):**
Mayor Victor Luca
 - Bay of Plenty Regional Council Toi Moana (BOPRC):**
Cr Malcolm Campbell, Cr Ron Scott (Alternate)
 - Rotorua Lakes Council (RLC):**
Deputy Mayor Sandra Kai Fong (Alternate) (via Zoom)
 - National Emergency Management Agency (NEMA):**
Observer Lily Foulds, Regional Emergency Management Advisor
- In Attendance:**
- By Invitation:** Hon Mark Mitchell, Minister for Emergency Management and Recovery; David Gawn, Chief Executive Officer, National Emergency Management Agency; Prof Tom Wilson, Chief Science Advisor, National Emergency Management Agency (Via Zoom); Nico Fournier - Volcanologist, Te Pū Ao - GNS Science (Via Zoom); Sandra James - Connecting People Limited
 - Emergency Management Bay of Plenty (EMBOP):** Clinton Naude - Director; Mark Crowe - Manager, Operations; Stace Tahere - Manager, Planning; Cara Gordon - Principal Advisor, Emergency Management; Lisa Glass - Team Leader, Communications and Engagement; Theo Ursum - Advisor, Planning; Julian Reweti - Principal Advisor, Recovery; Jason Wharewera - Advisor, Operations; Rob McLean - Advisor, Operations; Kieran Miller - Senior Advisor, Planning; Bruce Rutherford - Advisor, Operations; Andrea Thompson - Executive Assistant
 - Tauranga City Council (TCC):** Marty Grenfell, Deputy Chair of Coordinating Executive Group (CEG) and Chief Executive

BOPRC: Chairman Doug Leeder; Reuben Fraser – General Manager, Regulatory Services; Merinda Pansegrouw – Committee Advisor

WDC: Mike Avery, Local CDEM Controller

RLC: Bruce Horne – Lead for Emergency Capability and Resilience

KDC: Lee Barton – Manager Economic & Community Development (via Zoom).

Apologies:

Mayor Tania Tapsell, Deputy Mayor Lesley Immink (Alternate) and for early departure, Mayor James Denyer and Commission Chair Anne Tolley.

Declaration of Public Recording

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

Recording of Meeting: [Civil Defence Emergency Management - Joint Committee Meeting - 5 April 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

Opening Karakia

Provided by the Stace Tahere – Manager, Planning.

Members acknowledged the passing of Cr Richard Crawford, WBOPDC Councillor representing the Maketū-Te Puke Ward, former Te Puke Community Board Chair and former Te Puke firefighter, who would be remembered for his community spirit and service.

1. Apologies

Resolved

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

- 1 Accepts the apologies from Mayor Tania Tapsell and Deputy Mayor Lesley Immink (Alternate), and for early departure, Mayor James Denyer and Commission Chair Anne Tolley.**

**Campbell/Tolley
CARRIED**

2. Order of Business

With the agreement of members, the order of business was amended as follows:

- Item 6.1, “Confirmation of minutes”, was considered after conclusion of item 7.12.
- Item 7.8 “Bay of Plenty CDEM Group Plan 2024-2029 – Adoption of Group Plan” was considered after item 7.2.

3. Declaration of Conflicts of Interest

None.

4. Reports

4.1 Address by the Minister for Emergency Management and Recovery, Hon Mark Mitchell

Introduced by: Chair, Mayor Faylene Tunui and presented by Minister for Emergency Management and Recovery, Hon Mark Mitchell.

Key Points - Hon Mark Mitchell:

- General observations regarding emergency management/recovery matters as incoming Minister
- Important to receive feedback from regional leaders in terms of how New Zealand needed to prepare moving forward regarding emergency management capability at a national/regional/local level
- Referred to the recently released Independent Review Report undertaken by Mike Bush (Bush International Consulting Limited) into the Hawke's Bay Civil Defence Emergency Management (CDEM) Group's response to Cyclone Gabrielle. Report had identified numerous local and regional key lessons
- Government Inquiry into the response to the 2023 North Island Severe Weather Events (including Cyclone Gabrielle) headed by former Governor-General Sir Jerry Mateparae to be released 23 April 2023
- Government had decided not to proceed with the existing Emergency Management Bill (to be withdrawn from Select Committee). Intended to introduce a new substantive Bill this term, alongside considering system improvements using existing mechanisms in the Civil Defence Emergency Management Act 2002 and non-legislative levers
- Highlighted the need for developing a common operating platform/system (i.e. a comprehensive communications system)
- Possible substantive changes to be included in the new Emergency Management Bill may inter alia include clearly defining the chains of command/role clarification for community groups/recognising iwi participation in emergency responses/capability building
- Invited members to provide feedback into the next round of the new Emergency Management Bill.

Key Points - Members:

- Acknowledged particularly the following suggestions by the Independent Review Report undertaken by Mike Bush:
 - that consideration be given to reviewing the current guidance requiring declarations to be physically signed; supported that provision be made for verbal and/or online approval of emergency declarations
 - the importance of establishing reliable detection and early warning systems that were resilient to outages and provided adequate warning of potential or pending disasters
- Importance of flexibility by the New Zealand Police, to respond, adapt, have a pragmatic approach to emergency management responses, irrespective of a hierarchical system
- Highlighted the cost implications for local councils/ratepayers to provide adequate resources for training and capability building; expressed the need

for central government to consider directing funding to assist national capability building

- Importance of embedding local knowledge when incorporating recommendations from various reviews to ensure fit for purpose legislation
- Highlighted general challenges relating to insurance/processes
- Required leadership/national direction in term of spatial planning/land use as current legislative environment has limited mechanisms to prioritise risk reduction.

10:55am – Commission Chair Anne Tolley **withdrew** from the meeting.

4.2 Correspondence

Presented by: Clinton Naude, Director, Emergency Management Bay of Plenty.

Resolved

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

- 1 Receives the report, Correspondence.**
- 2 Receives the letter from the Chairperson of the Governance and Administration Committee regarding the Emergency Management Bill dated 31 January 2024, advising the deadline for the bill had been extended from March 2024 to December 2024**
- 3 Notes the letter by Mayor Faylene Tunui, Chair Bay of Plenty CDEM Group Joint Committee, addressed to the Minister for Emergency Management and Recovery, Hon Mark Mitchell, “Invitation to visit the Bay of Plenty and attend the Bay of Plenty Civil Defence Group Joint Committee” dated 7 February 2024.**

Denyer/Luca
CARRIED

4.3 Bay of Plenty CDEM Group Plan 2024-2029 - Adoption of Group Plan

Presented by Clinton Naude, Director, Emergency Management Bay of Plenty and Cara Gordon Principal Advisor, Emergency Management.

Resolved

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

- 1 Receives the report, Bay of Plenty CDEM Group Plan 2024-2029 - Adoption of Group Plan.**
- 2 Receives the letter from Hon Mark Mitchell, Minister of Emergency Management and Recovery, titled Draft Bay of Plenty CDEM Group Plan 2024-29 (Attachment 1);**
- 3 Revokes the Bay of Plenty CDEM Group Plan 2018-23 as per section 56(3) of the Civil Defence Emergency Management Act 2002;**

- 4 Approves replacing the Bay of Plenty CDEM Group Plan 2018-23 with the Bay of Plenty CDEM Group Plan 2024-2029, as per section 56(3) of the Civil Defence Emergency Management Act 2002.**

**Denyer/Luca
CARRIED**

4.4 Appointment of the Chair and Deputy Chair to the Bay of Plenty Civil Defence Emergency Management Coordinating Executive Group for the remainder of the 2022 - 2025 Triennium

Presented by: Clinton Naude, Director, Emergency Management Bay of Plenty.

Resolved

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

- 1 Receives the report, Appointment of the Chair and Deputy Chair to the Bay of Plenty Civil Defence Emergency Management Coordinating Executive Group for the remainder of the 2022 - 2025 Triennium.**
- 2 Acknowledges the appointment of Fiona McTavish, Chief Executive, Bay of Plenty Regional Council Toi Moana as Chair and Marty Grenfell, Chief Executive, Tauranga City Council, as Deputy Chair of the Bay of Plenty Civil Defence Emergency Management Coordinating Executive Group for the remainder of the 2022 - 2025 Triennium.**

**Luca/Campbell
CARRIED**

4.5 Review of the Whakaari White Island Eruption Recovery

*Presentation Whakaari White Island Review - 5th April 2024 FINAL: Objective ID
A4636812* [⇒](#)

Introduced by: Clinton Naude, Director, Emergency Management Bay of Plenty and presented by: Julian Reweti, Principal Advisor, Recovery and Sandra James, Connecting People Ltd.

Key Points – Sandra James:

- Presented the “Review of the Whakaari/White Island Eruption Recovery” Report
- Highlighted key outcomes, challenges, and lessons learnt as part of the recovery from the Whakaari/White Island eruption that occurred on 9 December 2019
- Acknowledged the severity of the event/those who passed away/those injured or still suffering ongoing trauma and pain.

Key Points - Staff:

- The review findings had identified a number of learnings that would assist in improving future recovery governance, management and operations
- Next step: Bay of Plenty CDEM Coordinating Executive Group had authorised a Whakaari/White Island recovery review action plan to be

developed to address the key learnings and manage risks identified by the report.

Key Point - Members:

- Supported psychological support for individuals that, due to the nature of their involvement in an event, were repetitively exposed/reliving a traumatic events, be incorporated as a key learning.

Resolved

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

- 1 Receives the report, Review of the Whakaari White Island Eruption Recovery.**

**Luca/Denyer
CARRIED**

4.6 Whakaari/White Island Monitoring Verbal Update - Prof Tom Wilson NEMA

Introduced by: Clinton Naude, Director, Emergency Management Bay of Plenty and presented by Prof Tom Wilson - Chief Science Advisor, NEMA, supported by Nico Fournier - Volcanologist, Te Pū Ao - GNS Science.

Key Points:

- Update on the current status of monitoring Whakaari/White Island
 - Whakaari/White Island was currently in a reasonably quiet state of activity
 - Limited ability to monitor the volcano (monitoring via instrumentation installed 24/7 on the ground/data assessed by teams of experts in real time)
 - Instrumentation on Whakaari/White Island was heavily damaged by the 2019 eruption and had degraded over time to the extent that monitoring no longer took place
 - Was unable to access Whakaari/White Island due to owners' reluctance to allow access to the Island for the purpose of maintaining equipment
 - Currently monitoring Whakaari/White Island via flights every few weeks/satellite techniques/working with partner agencies such as MetService
 - Was unable to monitor activity in real time; was however able to provide a broad indication of the general level of activity
 - Would be unable to confirm or deny any eruption/confirm the likelihood of eruptions in a timely fashion
 - Highlighted the risk associated for aviation activities, maritime operations in the area, and to a lower extent a risk to communities on the coast due to possible ash fall
- Recent work undertaken to progress management of the risk
 - GNS Science and the Civil Aviation Authority of New Zealand had escalated the risk with NEMA
 - A next step, was exploring potential options for obtaining access to Whakaari/White Island and other risk management options
 - Had convened a multi-agency group (representative of all central government agencies with roles and responsibilities) to explore in detail mechanisms/pathways of getting back on the Island; main aim was

developing a sustainable long-term risk management plan for Whakaari/White Island - this work was still in progress

- To address the current enhanced risk due to the lack of monitoring in the aviation space, as a short-term risk management measure, a NOTAM (Notice to Airmen) had been filed with the Civil Aviation Authority of New Zealand to alert aircraft pilots of the potential hazard along this flight route/location
- In terms of maritime operations, Emergency Management Bay of Plenty is coordinating with the Bay of Plenty Harbour Master and is currently developing a workstream (hazard map) in liaison with GNS Science to create awareness/educate the public accordingly.

Key Point - Members:

- Supported ongoing monitoring of Whakaari/White Island; highlighted the importance of monitoring the Island as the active volcano posed an ongoing threat, both locally and regionally
- Acknowledged the owners of Whakaari/White Island not allowing access due to possible liability; as a privately owned off-shore island, Whakaari/White Island, fell under the obligations of the Health and Safety at Work Act
- Supported further conversation to pursue solutions to enable effective real-time monitoring of Whakaari/White Island.

11:57am - Mayor Denyer **withdrew** from the meeting.

Resolved

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

- 1 Receives the verbal update on Whakaari/White Island Monitoring Update - Prof Tom Wilson NEMA .**

**Luca/Campbell
CARRIED**

4.7 National Catastrophic Planning - Prof Tom Wilson NEMA

Introduced by: Clinton Naude, Director, Emergency Management Bay of Plenty, presented by Prof Tom Wilson - Chief Science Advisor, NEMA and David Gawn, Chief Executive Officer, NEMA.

Key Points:

- Provided an overview of the national catastrophic planning (CATPlan) programme
- NEMA was developing an All-of-Government Catastrophic Handbook, which would provide initial direction for the National Controller/Controllers (and partner agencies) to establish and run an effective national response
- Highlighted aspects by means of a scenario planning relevant for the Bay of Plenty Region (Hikurangi-M9.1 CATPlan Scenario)
- “Catastrophic” meant complex events, complex systems and complex decisions
 - Would be beyond current arrangements/thinking/experience/imagination

- Would overwhelm technical/social systems/resources/degrade or disable governance structures and strategic and operational decision making functions
- Differed from emergencies; they exceeded business as usual emergency management systems and capability design parameters
- Risk was compounding in hazard prone areas because hazard events were occurring more often (rising sea and more energetic climate)/continued to build and intensify development in these areas
- Relative vulnerability of people, property and infrastructure was growing
- Climate change may also lead to greater frequency of events in short succession and compounding socio-economic pressures
- Increasing number of complexity of responses and pressure on traditional risk transfer mechanism, so increasing need to focus on risk reduction
- Was critical to understand risks, in all their complexity
- Understanding how to reduce risks was essential
- Understanding and working within the complexities of communities
- Assured members of the Joint Committee that catastrophic planning was being taken seriously at Central Government level; programme was being informed by science
- Highlighted the interdependencies of regions; All-of-Government Catastrophic Handbook to serve as a guideline for all to ponder and commence associated contingency planning/understanding the science/the effect
- To support this thinking, next step - Exercise Rū Whenua 2024, a Tier 4 (national) exercise under the National CDEM Exercise Programme and a national exercise on the Interagency National Exercise Programme, to be conducted over three dates in 2024; 12 June, 26 June, and 10 July 2024.

Resolved

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

- 1 Receives the verbal update, National Catastrophic Planning - Prof Tom Wilson NEMA.**

**Luca/Campbell
CARRIED**

4.8 Update - National Emergency Management Agency (NEMA) - April 2024

Presented by Lily Foulds, Regional Emergency Management Advisor, National Emergency Management Agency.

Key Point:

- Noted that the verbal update by the Minister for Emergency Management and Recovery, Hon Mark Mitchell, on the status of the Emergency Management Bill, had superseded the information included in the report.

Resolved

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

- 1 Receives the report, Update - National Emergency Management Agency (NEMA) - April 2024.**

**Campbell/Luca
CARRIED**

4.9 Bay of Plenty Civil Defence Emergency Management Group - Local Recovery Manager Rescindment

Presented by Clinton Naude, Director, Emergency Management Bay of Plenty.

Resolved

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

- 1 Receives the report, Bay of Plenty Civil Defence Emergency Management Group - Local Recovery Manager Rescindment;**
- 2 Approves the rescindment of Anna Hayward, Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group as defined under s30(1).**

**Luca/Campbell
CARRIED**

4.10 Regional Safety and Rescue Services Funding - 2024/25 to 2026/27

Presented by: Bay of Plenty Regional Council Toi Moana General Manager, Regulatory Services, Reuben Fraser.

Key Points:

- The Regional Safety and Rescue Services (RSRS) Coordinating Executive Group Subcommittee consisted of representatives from the following agencies/councils: Emergency Management Bay of Plenty, Fire and Emergency New Zealand, Hato Hone St John, New Zealand Police, Bay of Plenty Regional Council Toi Moana, Rotorua Lakes Council and Western Bay of Plenty District Council
- Proportions recommended in the report were based on formulas applied over the past years.

Resolved

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

- 1 Receives the report, Regional Safety and Rescue Services Funding - 2024/25 to 2026/27.**
- 2 Confirms the RSRS funding allocation of the current budget of \$400,000 in the BOPRC draft Long Term Plan, specifically:**
 - (a) Surf Life Saving NZ excl. Tauranga (SLSNZ), allocate funding of \$250,000 per annum for 2024/25, 2025/26 and 2026/27.**
 - (b) Royal New Zealand Coastguard (Coastguard), allocate funding of \$71,500 per annum for 2024/25, 2025/26 and 2026/27.**

- (c) **Rotorua Mountain Bike Club (RMTBC), allocate funding of \$58,500 per annum for 2024/25, 2025/26 and 2026/27.**
- (d) **New Zealand Land Search and Rescue (LandSAR), allocate funding of \$20,000 per annum for 2024/25, 2025/26 and 2026/27.**
- 3 Recommend the Youth Search and Rescue (YSAR) application is:**
 - (a) **transferred for consideration through the BOPRC Community Initiatives Fund (CIF) in the LTP 2024-2034**
 - (b) **If YSAR are unsuccessful under CIF, recommend YSAR is allocated RSRS funding of \$8000 per annum, with each of the other four RSRS funding recipients having their funding reduced by \$2000 per annum.**
- 4 Recommends to the Bay of Plenty Regional Council that it include additional funding for RSRS through the Long Term Plan 2024-2034, based on inflation being applied to the original RSRS funding of \$400,000, starting in 2022/23 as set out in Table 1 of this report.**

Note: Inflation values may be adjusted based on BOPRC inflation value updates through the finalisation of the LTP 2024.

**Campbell/Tunui
CARRIED**

4.11 Bay of Plenty CDEM Group - Third Quarter Reporting Schedule 30 December 2023 - 30 March 2024

Presented by Clinton Naude, Director Emergency Management Bay of Plenty.

Resolved

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

- 1 Receives the report, Bay of Plenty CDEM Group - Third Quarter Reporting Schedule 30 December 2023 - 30 March 2024.**

**Tunui/Kai Fong
CARRIED**

4.12 Update - Director Emergency Management Bay of Plenty

Presented by Clinton Naude, Director Emergency Management Bay of Plenty.

Key Points:

- **New Zealand Response Team (NZRT) 16**
 - Tauranga (NZRT16) underwent their national accreditation process over the weekend of 22-24 March 2024
 - The full accreditation report had since been received and was being processed to incorporate some corrective actions
 - Commended the volunteers for their commitment and dedication, being of service to their community and working over a long-weekend, submitting their skills to a rigorous auditing process
 - Feedback regarding the re-accreditation certificate to be provided in due time.

Resolved

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

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

**Campbell/Moore
CARRIED**

5. Minutes

Minutes to be Confirmed

5.1 Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 15 December 2023

Resolved

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

- 1 Confirms the Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 15 December 2023 as a true and correct record.**

**Tunui/Luca
CARRIED**

Closing Karakia

Provided by Stace Tahere - Manager, Planning.

12:43 pm - the meeting closed.

CONFIRMED

Mayor Faylene Tunui
Chairperson, Bay of Plenty Civil Defence
Emergency Management Group Joint Committee

COUNCIL REPORT

Date : 19 April 2024
To : Ordinary Council Meeting, 30 April 2024
From : His Worship the Mayor, David Moore
Subject : **MAYORAL REPORT 27 JANUARY 2024-8 MARCH 2024**
File ID : A1221193

EXECUTIVE SUMMARY

- This report provides an update to Council on meetings and events attended by His Worship the Mayor for the period 9 March 2024 to 19 April 2024.

RECOMMENDATION

- 1) **That the report titled “Mayoral Report 9 March 2024–19 April 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 9 March 2024 I have attended or met with the following:

13 March 2024

Property Advisory Group meeting

19 March 2024

Ordinary Council meeting

20 March 2024

Bay of Plenty Regional Council Long Term Plan presentation to ODC

Catch up meeting with Bay of Plenty Regional Council Chair and CEO

21 March 2024

Zone 3 meeting, Gisborne

22 March 2024

Meeting with residents -Baird Road

Te Pou Oranga o Whakatōhea Student Graduation

25 March 2024

Council workshop

4 April 2024

Councillor/CEO catch up meeting

5 April 2024

Bay of Plenty Civil Defence Emergency Management Group Joint Committee Meeting, Tauranga

9 April 2024

Coast Community Board meeting, Te Kaha

11 April 2024

LGNZ Combined Sector meeting, Wellington

12 April 2024

LGNZ Rural Provincial Sector meeting, Wellington

17 April 2024

Councillor/CEO catch up meeting

18 April 2024

Property Advisory Group meeting

LGNZ roundtable zoom – Online Harassment and Safety

19 April 2024

Department of Internal Affairs – webinar on Maori Wards

Financial/budget considerations

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

Risks

5. There are no risks associated with this report.

Community wellbeing considerations

6. 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').
7. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
8. There are no known social, economic, environmental, or cultural considerations associated with this matter.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

9. 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.
10. 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

11. 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.

12. 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 : 15 April 2024
To : Ordinary Council Meeting, 30 April 2023
From : Group Manager Finance and Corporate Services, Peter Bridgwater and
Group Manager Planning and Regulatory Services, Gerard McCormack
Subject : **PROPOSED 2024-25 FEES AND CHARGES SCHEDULE FOR PUBLIC CONSULTATION**
File ID : A1211824

EXECUTIVE SUMMARY

- Council has undertaken its annual review of the Fees and Charges Schedule, resulting in an average of 26% increase for fees/charges under the Resource Management Act 1991, a 25% increase in water meter charges, and varying changes to solid waste charges due to the introduction of the weighbridge at the Opotiki township RRC and other adjustments to simplify and/or reflect actual costs for processing and staff time.
- For those fees/charges set under section 36 of the Resource Management Act 1991, Council is required to publicly consult in a manner giving effect to the Special Consultative Procedure, outlined in section 83 of the Local Government Act.
- This report seeks the adoption of the proposed 2024-25 Fees and Charges Schedule (Appendix 1) and the associated Statement of Proposal (Appendix 2) for public consultation. Consultation will run from 2 May 2024 to 31 May 2024.

RECOMMENDATIONS

- 1) **That the report titled "Proposed 2024-25 Fees and Charges Schedule for Public Consultation" be received.**
- 2) **That the draft 2024-25 Fees and Charges Schedule (Appendix 1) be adopted for public consultation.**
- 3) **That the Statement of Proposal (Appendix 2), prepared in accordance with section 83 of the Local Government Act 2002, be adopted.**

- 4) **That Council delegates to the Chief Executive authority to make minor amendments (e.g., punctuation, grammar, etc.) to the draft 2024-25 Fees and Charges Schedule if required before going out for public consultation.**

PURPOSE

1. This report summarises the review and update undertaken for the Fees and Charges Schedule and seeks the proposed 2024-25 Fees and Charges Schedule (Appendix 1) and related Statement of Proposal (Appendix 2) be adopted for public consultation.

STRATEGIC ALIGNMENT

2. 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

3. Council reviews its Fees and Charges Schedule every year to ensure council is adequately and appropriately recovering costs for various activities, in line with our Revenue and Financing Policy.
4. Typically, where a service or activity is intended to benefit an individual customer (for example, resource consent applications benefit the applicant, or dog registrations benefit the individual dog owner) Council will apply a fee to meet the cost of delivering that service. This is in contrast to the service being funded by the general rate.
5. The review of the Fees and Charges Schedule has been completed as part of both the annual review and the Long Term Plan process.
6. At the 30 January 2024 workshop Councillors gave the direction to increase revenue-gathering through fees and charges in order to off-set impacts on the general rate.
7. In addition to the above direction, Council's fees and charges increases related to those under the Resource Management Act have taken into account the increasing costs of software, audit, and staffing. Accordingly, these costs have increased by an average of 26%.
8. Water meter charges have been increased by 25% to simplify and otherwise more accurately reflect processing, staff time, and growing costs associated with this service.

9. Solid waste charges have been revised for the Ōpōtiki township Resource Recovery Centre (RRC) to reflect the introduction of the weighbridge system. In line with other councils, recycling at the RRC will be free and costs will be recovered through the other waste streams to encourage waste minimisation. Minor changes have been introduced at the Te Kaha and Waihou Bay RRCs to simplify the charging system. The fees and charges at all RRCs will be reviewed through the next Annual Plan process also which will benefit from the data and insights on each waste stream gathered from the weighbridges at the Ōpōtiki township RRC.
10. Other charges have been updated to reflect actual costs for processing and staff time.
11. Section 36(3) of the Resource Management Act 1991 (the RMA) requires that fees and charges set under the RMA must undergo the Special Consultative Procedure before adoption. The Special Consultative Procedure is outlined in section 83 of the Local Government Act 2002.
12. There is no legislative requirement for Council to publicly consult on fees and charges unrelated to the RMA, but it is good practice in the local government sector to provide a complete draft schedule of fees and charges when consulting on those permitted by the RMA. As such, Council will include the full draft Fees and Charges Schedule in the public consultation.

OPTIONS

13. To proceed, Council must decide upon one of the following options.

OPTION 1: Adopt the 2024-25 Fees and Charges Schedule for public consultation (recommended).	
Description	Council resolves to adopt the draft 2024-25 Fees and Charges Schedule to go out for public consultation as per the Special Consultative Procedure outlined in section 83 of the Local Government Act.
Advantages	<ul style="list-style-type: none"> • Council will demonstrate legislative compliance, as it is required to publicly consult on fees and charges related to the Resource Management Act 1991. • Council will be on track to adopt the 2024-25 Fees and Charges Schedule before the beginning of the 2024-25 financial year on 1 July 2024, enabling the new charges to be in effect on 1 July 2024.
Disadvantages	<ul style="list-style-type: none"> • There are no identified disadvantages.
Impact on mana whenua	There are some RMA-related fees/charges which may be of particular interest for mana whenua. This option will provide opportunity for submissions on these.
Strategic alignment	<i>Services and facilities meet our needs:</i> Regularly reviewing and updating Council's Fees and Charges Schedule ensures Council is appropriately and adequately recovering costs for certain activities. This plays a role in Council's legislative requirement for prudent financial management. In addition, the review and update contributes to ensuring that the cost of services which

OPTION 1: Adopt the 2024-25 Fees and Charges Schedule for public consultation (recommended).

	benefit an individual, such as a building or resource consent, are not being unduly met by the general ratepayer.
Associated risks	There are no identified risks to this option.

OPTION 2: Do not adopt the 2024-25 Fees and Charges Schedule for public consultation.

Description	Council does not resolve to adopt the draft 2024-25 Fees and Charges Schedule for public consultation. Council will need to provide direction on next steps.
Advantages	<ul style="list-style-type: none"> There are no identified advantages to this option.
Disadvantages	<ul style="list-style-type: none"> Council will not be able to update its fees and charges related to the Resource Management Act 1991, as doing so requires the Special Consultative Procedure outlined in section 83 of the Local Government Act 2002.
Impact on mana whenua	There are no identified or specific impacts on mana whenua.
Strategic alignment	<i>Services and facilities meet our needs:</i> This option does not meet this community outcome.
Associated risks	There are no identified risks to this option.

DISCUSSION

14. Option one is recommended. The recommendations in this report reflect option one.
15. 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 fees and charges schedule, the consultation period, and how to make a submission.
 - Using the newspaper, Council website, Council engagement website Connect | Hono Mai, 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 have a period of approximately 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.
 - This is a minimum legislative requirement and does not prevent Council from engaging in further consultation.

16. The consultation period, as outlined in the Statement of Proposal, will run from 2 May 2024 to 31 May 2024 – a period of four weeks and one day.

Financial/budget considerations

17. 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

18. As per section 36 of the RMA, Council is legislatively required to publicly consult on any fees and charges set under the Resource Management Act 1991. Additionally, although Council is not required to publicly consult on fees and charges unrelated to the RMA, it is good practice to release the complete Fees and Charges Schedule as part of the public consultation.

Impact on mana whenua

19. As identified in option one, there are some fees and charges under the RMA which may be of particular interest to mana whenua. The public consultation will provide an opportunity for submissions on these.

Climate impact considerations

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

Risks

21. There are no identified risks associated with the matters in this report.

Community wellbeing considerations

22. 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').
23. 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

24. Public consultation on the 2024-25 Fees and Charges Schedule allows for public feedback on how the district is being economically managed. The Fees and Charges Schedule is one tool utilised to ensure Council's legislative obligation of prudent financial management.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

25. 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.
26. 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

27. 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:

CONSULT

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

28. Council will undertake the Special Consultative Procedure for the proposed 2024-25 Fees and Charges Schedule, as detailed earlier in this report and in section 83 of the Local Government Act.

CONCLUSION

29. Council has undertaken its annual review of the Fees and Charges Schedule, resulting in an average of 26% increase for fees/charges under the Resource Management Act, a 25% increase in water meter charges, varying changes to solid waste charges due to the introduction of the weighbridge at the Opotiki township RRC and other adjustments to simplify and or reflect actual costs for processing and staff time.
30. For those fees/charges under the Resource Management Act 1991, Council is required to publicly consult in a manner giving effect to the Special Consultative Procedure, outlined in section 83 of the Local Government Act.
31. This report seeks the adoption of the proposed 2024-25 Fees and Charges Schedule (Appendix 1) and the associated Statement of Proposal (Appendix 2) for public consultation.

Peter Bridgwater

GROUP MANAGER FINANCE AND CORPORATE SERVICES

Gerard McCormack

GROUP MANAGER PLANNING AND REGULATORY

APPENDIX 1



Opotiki District Council 2024/25 Fees and Charges

User fees and charges help fund the operation and maintenance of a variety of services provided to the community. User fee revenue reduces the rates revenue required to be collected from ratepayers.

Actual and reasonable costs as referred to in this document will vary but will represent staff cost plus an allowance for overheads.

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Regulation and Safety

Animal Management

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Dog Registration		
The following fees apply to registration of dogs in the Ōpōtiki District		
Discounted fee (applies if paid on or before 1 August)		
Complete dog	\$120.00	\$120.00
Neutered dog	\$58.00	\$58.00
Working dog*	\$40.00	\$40.00
Full fee (applies if paid after 1 August)		
Complete dog	\$180.00	\$180.00
Neutered dog	\$87.00	\$87.00
Working dog*	\$60.00	\$60.00
Certified disability assist dog or dogs kept for specific tasks by Government Agencies for law enforcement, security, biosecurity or civil defence purposes	Free	Free
* At the Ordinary Council meeting on 23 April 2019, Council resolved that hunting dogs that are kept solely or principally for the purposes of hunting game by a person undertaking legal hunting activities, and that have completed avian awareness and aversion training, be declared to be working dogs for the purposes of the Dog Control Act 1996.		
Dog Pound and Other Fees		
Seizure of dogs – charge per dog		
1st occasion	\$60.00	\$60.00
2nd occasion	\$100.00	\$100.00
3rd and subsequent occasions (within 12 months)	\$150.00	\$150.00
Sustenance charge – per day per dog	\$12.50	\$12.50
Destruction/euthanasia – per dog	\$50.00	\$50.00
Replacement of registration tags	\$5.00	\$5.00
Implant of microchip transponder	\$25.00	\$25.00
Hireage of dog barking collar (per fortnight)	\$15.00	\$15.00
Application for permit to have more than 2 dogs on a property	Free	Free
Droving Charges		
Collection fee and costs incurred (plus impounding cost if appropriate) in leading, driving or conveying stock from the place where it is found to the pound or to the place where it is delivered to the owner. Mileage @ 82c/km plus actual cost of staff time. Note: Costs for after-hours will be as billed.	At cost	At cost

(All charges include GST)

**Charges
1 July 2023**

**Charges
1 July 2024**

Impounding of Stock		
The fees charged will be either those charged by any contractor employed by the Council or Council officers. The charge-out rate for Council staff is calculated on time spent and is set at \$70.00 per hour.		
Impounding per day per animal		
Cattle, horses, deer	\$50.00	\$50.00
All other livestock	\$25.00	\$25.00
Sustenance charge per head of stock per day	\$15.00	\$15.00
Call-out fee	\$80.00 per officer	\$80.00 per officer
Advertisement fee	Actual cost plus 10% administration fee	Actual cost plus 10% administration fee
Droving fee minimum fee	\$25.00 plus actual cost	\$25.00 plus actual cost
Transport	95cents per km	95cents per km
Horse Float	\$200.00	\$200.00

Noise Control

(All charges include GST)

**Charges
1 July 2023**

**Charges
1 July 2024**

Return of seized equipment	\$100.00	\$180.00
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Environmental Health

(All charges include GST)

**Charges
1 July 2023**

**Charges
1 July 2024**

Registration and Verification under the Food Control Act 2014		
All fees and charges are based on an estimated time to process applications and verify (inspect). If more time is required, a further \$190 per hour will be invoiced.		
Application for registration of a new food control plan	\$280.00 (includes 2 hours of processing time)	\$380.00 (includes 2 hours of processing time)
Application for registration of a new national programme	\$140.00 (includes 1 hour of processing time)	\$190.00 (includes 1 hour of processing time)
Renewal of registration of a food control plan or national programme	\$140.00 (includes 1 hour of processing time)	\$190.00 (includes 1 hour of processing time)
Application for amendment to registration	\$140.00	\$190.00
Verification of a food control plan (including initial site visit, verification report, and any revisits)	\$140.00 per hour	\$190.00 per hour
All other services for which a fee may be set under the Food Act	\$140.00 per hour	\$190.00 per hour
A copy of template for food control plan	\$30.00	\$40.00
A copy of national programme guidance	\$30.00	\$40.00
Food Control Plan/Food Safety Training Minimum 6 people	\$60.00 per person	\$81.00 per person

OTHER

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Camping Grounds		
Application for initial registration	\$280.00	\$380.00
Application for annual renewal of registration	\$260.00	\$352.00
Certificate of exemption from Camping-Grounds Regulations 1985	\$260.00	\$352.00
Hairdressers		
Annual premises registration fee (includes 30 minute visit)	\$200.00	\$271.00
Funeral Directors		
Registration of premises	\$140.00	\$190.00
Street Stalls		
Charitable or non-commercial organisation	No charge	No charge
Commercial		
Food stalls	\$60.00 (per event)	\$81.00 (per event)
Non-food stalls	\$20.00 (per event)	\$27.00 (per event)
Hawker's Licence		
Hawker's licence (Any food sold must comply with the Food Act - refer to Environmental Health fees).	No charge	No charge
Mobile Traders		
Mobile Traders (non-food)	\$80.00 (6 months) \$160.00 (12 months)	\$108.00 (6 months) \$217.00 (12 months)
Mobile Traders (sale of food) (Compliance with the Food Act also required - refer to Environmental Health fees)	\$80.00	\$108.00
Amusement Devices (set under legislation)		
Approval to operate:		
(a) 1 device up to 7 days	\$11.50	\$11.50
(b) Additional device up to 7 days	\$2.30	\$2.30
(c) Each device for 7 day period after first 7 day period	\$1.30	\$1.30
Class 4 Gambling Venue		
Application fee	\$465.00	\$931.00
Any other certificate or amendments		
	\$140.00 per hour	\$190.00 per hour

Litter Infringements

(All charges include GST)

Offence	Charges 1 July 2023		Charges 1 July 2024	
	1st offence	2nd or subsequent offence within 1 year	1st offence	2nd or subsequent offence within 1 year
Litter, of less than or equal to 1L, left in a public place, or on private land without the occupier's consent	\$75.00	\$200.00	\$75.00	\$200.00
Litter, of more than 1L and less than or equal to 20L, left in a public place, or on private land without the occupier's consent*	\$100.00	\$400.00	\$100.00	\$400.00
Litter, of more than 20L and less than or equal to 120L, left in a public place, or on private land without the occupier's consent**	\$250.00	\$400.00	\$250.00	\$400.00
Litter, of more than 120L, left in a public place or on private land without the occupier's consent	\$400.00	\$400.00	\$400.00	\$400.00
Hazardous or offensive litter left in a public place or on private land without the occupier's consent	\$400.00	\$400.00	\$400.00	\$400.00

*20L is the approximate maximum capacity of two standard supermarket bags in normal conditions.

**120L is the approximate maximum capacity of a standard mobile garbage bin in normal conditions.

Hazardous litter refers to broken glass, barbed wire, jagged metal, medicines, and hazardous waste.

Offensive waste refers to rotting food, animal remains, faeces and discarded nappies.

Sale and Supply of Alcohol

The following risk matrix fees structure was implemented under the Sale and Supply of Alcohol (Fees) Regulations 2013 effective from 18 December 2013.

(All charges include GST)

Charges
1 July 2024

Alcohol licensing fees – set by regulation		
Temporary authority	\$296.70	
Manager's certificate application	\$316.25	
Renewal of manager's certificate	\$316.25	
Special licence	Class 1 (1 large event; more than 3 medium events; more than 12 small events)	\$575.00
	Class 2 (3 to 12 small events; 1 to 3 medium events)	\$207.00
	Class 3 (1 or 2 small events)	\$63.25
On-licence/renewal application	See below for new risk matrix fee structure	
On-licence – BYO endorsed	See below for new risk matrix fee structure	
Off-licence/renewal application	See below for new risk matrix fee structure	
Club licence/renewal application	See below for new risk matrix fee structure	
Resource management and building certificates required under the Sale and Supply of Alcohol Act 2012	See below for new risk matrix fee structure	

Definitions

Type	Class	Description
Restaurants	1	A restaurant that has or applies for an on-licence and has, in the opinion of the territorial authority, a significant bar area and operates that bar area at least one night a week in the manner of a tavern.
	2	A restaurant that has or applies for an on-licence and has, in the opinion of the territorial authority, a separate bar area and does not operate that bar area in the manner of a tavern at any time.
	3	A restaurant that has or applies for an on-licence and, in the opinion of the territorial authority, only serves alcohol to the table and does not have a separate bar area.
	BYO	A restaurant for which an on-licence is or will be endorsed under section 37 of the Act.
Clubs	1	A club that has or applies for a club licence and has at least 1,000 members of purchase age and in the opinion of the territorial authority, operates any part of the premises in the nature of a tavern at any time.
	2	A club that has or applies for a club licence and is not a class 1 or class 3 club.
	3	A club that has or applies for a club licence and has fewer than 250 members of purchase age and in the opinion of the territorial authority, operates a bar for no more than 40 hours each week.
Remote sales premises		Premises for which an off-licence is or will be endorsed under section 40 of the Act.
Enforcement holding		A holding as defined in section 288 of the Act, or an offence under the Sale of Liquor Act 1989 for which a holding could have been made if the conduct had occurred after 18 December 2013.

Latest alcohol sales time allowed for premises

Type of Premises	Latest trading time allowed (during 24 hour period)	Weighting
Premises for which an on-licence or club-licence is held or sought	2.00 am or earlier	0
	Between 2.01 and 3.00 am	3
	Any time after 3.00 am	5
Premises for which an off-licence is held or sought (other than remote sales)	10.00 pm or earlier	0
	Any time after 10.00 pm	3
Remote sales premises	Not applicable	0
On-licence	Class 1 restaurant, night club, tavern, adult premises	15
	Class 2 restaurant, hotel, function centre	10
	Class 3 restaurant, other premises not otherwise specified	5
	BYO restaurants, theatres, cinemas, winery cellar doors	2
Off-licence	Supermarket, grocery store, bottle store	15
	Hotel, tavern	10
	Class 1, 2 or 3 club, remote sale premises, premises not otherwise specified	5
	Winery cellar doors	2
Club-licence	Class 1 club	10
	Class 2 club	5
	Class 3 club	2

Number of enforcement holdings in respect of the premises in the last 18 months	Weighting
None	0
One	10
Two or more	20

Fee categories for premises

A territorial authority must assign a fees category to any premises for which an on-licence, off-licence or club licence is held or sought in accordance with the table below except that it may, in its discretion and in response to particular circumstances, assign a fee category to premises that is one level lower but no premises may be assigned a category lower than very low.

The date on which the fees category must be determined is, for the purpose of an application fee, the day on which the application is made or, for the purpose of the annual fee, the day on which the annual fee is payable.

Cost/risk rating	Fees category	Application fee \$ incl GST	Annual fee \$ incl GST
0-2	Very low	\$368.00	\$161.00
3-5	Low	\$609.50	\$391.00
6-15	Medium	\$816.50	\$632.50
16-25	High	\$1,023.50	\$1,035.00
26 plus	Very high	\$1,207.50	\$1,437.50

(All charges include GST)

**Charges
1 July 2024**

Temporary licence	Fee payable to the territorial authority by a person applying under section 74 of the Act to sell alcohol pursuant to a licence from premises other than the premises to which the licence relates	\$296.70
Permanent Club Charter	Annual fee payable to the territorial authority in which the club's premises are located by the holder of a permanent club charter as described in section 414 of the Act	\$632.50
Extract from register	Fee payable to a licensing committee under section 66(2) of the Act for an extract from a register	\$57.50
	Fee payable to ARLA under section 65(2) of the Act for an extract from a register	\$57.50
Appeals	Fee payable to ARLA under section 154 of the Act (against a decision of a licensing committee)	\$517.50
	Fee payable to ARLA under section 81 of the Act (against a local alcohol policy)	\$57.50

Resource Management Services

(All charges include GST)

Charges
1 July 2023

Charges
1 July 2024

ALL CHARGES MINIMUM PLUS ACTUAL AND REASONABLE COSTS unless otherwise stated.		
<p>The amount stated is a fixed deposit, payable at the time of lodging an application or when making any other request for Council to perform any other function under the Resource Management Act 1991 (RMA). The below deposits are charges fixed under section 36(1) of the RMA and are payable in full at the time of lodging the application.</p> <p>A charge additional to the fixed deposit paid may be made once the application has been determined, to cover the actual and reasonable costs incurred in determining the application.</p> <p>If Council is required to bring in a consultant, these costs will be added to the application.</p> <p>Actual and reasonable costs will also be charged for applications that are withdrawn.</p> <p>Actual and reasonable costs will include costs incurred by Council in respect of staff salaries and wages (including travel time, and on-costed to cover overheads), internal analytical costs, record keeping/storage (e.g. photocopying), external analytical costs or consultant costs, vehicle usage costs and any other direct costs or disbursements (including postage, advertising costs, etc.), plus GST. The charge out rate for Council officers is \$190.00 per hour.</p> <p>Pre-application - (after the first free 30 minutes) will be charged at the Council officer's hourly rate.</p>		
Resource consent applications (see note above)		
Land use applications (non-notified)		
<ul style="list-style-type: none"> Non-notified 	\$1200.00	\$1520.00
<ul style="list-style-type: none"> Resource consent limited to non-compliance with Zone standards 	\$750.00	\$950.00
Subdivision (non-notified and includes full partitions)		
1 to 2 lots	\$1800.00	\$2280.00
3 plus lots	\$2100.00	\$2660.00
Boundary adjustment / Full partitions / Cross lease flats plan update (all inclusive)	\$1150.00	\$1456.00
All notified application (includes land use, subdivision and full partitions):		
Notified / limited notified requiring a hearing (includes private plan change, designation, and heritage order)	\$4500.00	\$5700.00
Hapū Partition and occupation orders (assessments)- up to 20 days to process	\$300.00	\$380.00
Additional urgency fee (under 5 days to process)	\$150.00	\$190.00
Deemed permitted activities and deemed permitted boundary activities	N/A (new activity)	\$380
Trimming, disturbance or removal of a Notable tree, when supported by an arborist's report, for the purpose of maintaining the health of the tree, or for protecting human life and/or property	No charge	No charge
Trimming, disturbance or removal of a Pohutukawa tree within the Coastal, Coastal Settlement and/or Ōhiwa Harbour Zones, when supported by an arborist's report, for the purpose of maintaining the health of the tree, or for	No charge	No charge

protecting human life and/or property (and where the activity is not permitted by the District Plan rules)		
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(All charges include GST)

**Charges
1 July 2023**

**Charges
1 July 2024**

Certificates and legal documents		
Section 124 – Renewal of resource consent	\$450.00	\$570.00
Section 125 – Lapsing consent application	\$300.00	\$380.00
Sections 127 – 132 Change, review or cancellation of consent conditions		
Land use	\$600.00	\$760.00
Sub division	\$450.00	\$570.00
Section 139 – Certificate of Compliance	\$525.00	\$665.00
Section 176 – Assessment of outline plan	\$675.00	\$855.00
– Outline plan waiver	\$280.00	\$354.00
Section 221 – Preparing consent notice	\$300.00+Legal Cost	\$380.00+Legal Cost
Section 221 – Change or cancellation of consent notice (221 (5))	\$375.00	\$475.00
Section 223 Survey plan	\$150.00	\$190.00
Section 224 (c) Certification including compliance with consent	\$525.00	\$665.00
Section 224 (f) Certificate	\$60.00	\$76.00
All other certificates reviewing, preparing, signing including peer review	\$300.00	\$380.00
Resource Management Plans - fixed charge		
District Plan Purchase	\$300.00	\$380.00
Or charged in components		
• Hard copy maps	\$125.00	\$158.00
• Hard copy District Plan	\$175.00	\$221.00
• Disc / USB	\$10.00	\$12.60
Resource Consent Conditions Monitoring - fixed charge		
Monitoring of resource consent conditions hourly rate Plus mileage @ 82c/km (if appropriate)	\$150.00	\$190.00
Local Government (Section 348)		
Section 348 – Easement approvals and revocation	\$300.00	\$380.00

Land Information Memorandum (LIM)

(All charges include GST)

**Charges
1 July 2023**

**Charges
1 July 2024**

The following fees are fixed fees		
Rural or residential LIM	\$360.00	\$456.00
Commercial/industrial LIM	\$700.00	\$886.00
Urgency fee (5 days)	\$200.00	\$253.00
Copy of Certificate of Title	\$30.00	\$38.00
	Plus \$5 for additional instruments	Plus \$5 for additional instruments

Building Services

(All charges include GST)

Charges
1 July 2023

Charges
1 July 2024

Project Information Memorandum (PIM)		
It is recommended an owner apply for a PIM if they are considering carrying out building work and before lodging a building consent.		
All projects valued under \$50,000	\$150.00	\$190.00
All projects valued over \$50,000	\$225.00	\$285.00
Building Consents and Code of Compliance Certificate (CCC)		
This deposit is payable for all residential and commercial consent applications and is non-refundable. All fees are deposits unless otherwise stated. All deposits are non-refundable. An assessment of total fees will be made based on actual cost (including any specialist reviews). The deposit will be deducted from the actual cost. All fees and \$190.00 hourly rate are inclusive of GST and are payable before the Code of Compliance Certificate is issued.		
Category 1 Solid fuel burners, demolitions, decks and solar systems etc.	\$300.00	\$380.00
Category 2 Carport, deck, septic tank /on-site effluent treatment disposal systems	\$385.00	\$487.00
Category 3 (\$5,001 - \$20,000) Building work such as sleep-outs, garages, farm buildings without plumbing and drainage	\$920.00	\$1165.00
Category 4 (\$5,001 - \$50,000) Building work such as sleep-outs, additions, garages and farm buildings including plumbing and drainage	\$1540.00	\$1950.00
Category 5 (\$50,001 - \$100,000) Large additions, alterations to dwellings, alterations to commercial buildings without plumbing and drainage	\$1840.00	\$2330.00
Category 6 (\$100,001 - \$300,000) New dwellings, large additions/alterations, commercial buildings with plumbing and drainage	\$3100.00	\$3926.00
Category 7 (over \$300,000 - \$500,000) New dwellings, commercial buildings	\$4500.00	\$5700.00
Category 8 (over \$500,000) New construction dwellings, commercial buildings.	\$5100.00	\$6460.00
BCA accreditation levy and software (per application) Per \$1,000 of work.	\$2.20	\$4.20
Compliance schedules Applies to new buildings with certain automatic systems that require annual maintenance.	\$280.00	\$354.00
Note: All building consent applications requiring a compliance schedule must include the compliance schedule application. The above fees do not include the costs of checks by structural engineers or Fire and Emergency New Zealand.		

(All charges include GST)

**Charges
1 July 2023**

**Charges
1 July 2024**

Government Levies		
Building research levy collected by the Council under the Building Research Levy Act 1969 to be paid to the Building Research Association (BRANZ).	\$1 per \$1,000 or part thereof of building works \$20,000 or more	\$1 per \$1,000 or part thereof of building works \$20,000 or more
Building levy collected by the Council under the Building Act 2004 to be paid to MBIE.	\$1.75 per \$1,000 or part thereafter of building works \$20,444 or more	\$1.75 per \$1,000 or part thereafter of building works \$20,444 or more
Following minimum charges plus actual and reasonable costs		
Application for change of use of a building Applies to buildings in relation to fire safety and access for persons with disabilities (includes one inspection). Plus mileage at 95c/km	\$600.00	\$600.00
Amendment to Consent Plans Minor changes Significant changes	\$230.00 \$340.00	\$230.00 \$340.00
Extension of time to start or complete building work	\$50.00	\$50.00
All other applications under the Building Act	Actual and reasonable costs, including mileage if appropriate	Actual and reasonable costs, including mileage if appropriate
Code Compliance Certificate (excludes category 1, where CCC is included in the fee)	\$110.00	\$110.00
Inspection	Actual cost (minimum charge \$150.00)	Actual cost (minimum charge \$150.00)
WOF Inspection Existing Compliance Schedules (Auditing)		
Audits and inspection fees	Actual cost (minimum charge \$150.00)	Actual cost (minimum charge \$150.00)
Building WOF annual renewal fee	\$150.00	\$150.00
Certificate of Acceptance		
Application for Certificate of Acceptance An application for a certificate of acceptance must in the case of an application under section 96(1)(a), be accompanied by any fees, charges, or levies that would have been payable had the owner, or the owner's predecessor in title, applied for a building consent before carrying out the building work.	Actual cost (minimum charge \$1,200.00)	Actual cost (minimum charge \$1,800.00)
Application for Certificate of Public Use	\$220.00	\$220.00
Mileage	82c/KM	82c/KM
Fencing of Swimming Pools Inspection of pool fence under Building Act, as required by the Building (Pools) Amendment Act 2016 (supersedes the Fencing of Swimming Pools Act 1987). Inspections include an audit every 3 years and any follow-up inspections required to ensure any identified issues are addressed.	\$150.00 first inspection 2nd inspection free if the pool has been made compliant.	\$180.00 first inspection 2nd inspection free if the pool has been made compliant.

(All charges include GST)	Charges 1 July 2023	Charges 1 July 2024
Issuing of a Notice to fix		
Service of a notice to fix	\$300.00	\$360.00
Request for Information – Regular		
Annual subscription for the regular provision of copies or summaries of building consents, or applications or ancillary information:		
• Request for 1 month	\$60.00	\$60.00
• Per year	\$220.00	\$220.00
Other Fees		
Title endorsements under s73 Building Act (includes Land Registrar fees) per lot	\$500.00	\$500.00
Note: Legal fee component may vary and is cost recoverable.		

Engineering Charges

(All charges include GST)	Charges 1 July 2023	Charges 1 July 2024
(a) Road, street, footpath and infrastructure damage		
• Bond	\$850.00	\$1500.00
• Inspection fee	\$160.00	\$190.00
(b) Water supply connection fee For Ōpōtiki, Ōhiwa, Te Kaha plus actual costs of any additional materials, plant, and labour required.	\$310.00	\$310.00
(c) Sewer connection fee For Ōpōtiki plus actual costs of any additional materials, plant, labour required.	\$350.00	\$350.00
(d) Stormwater discharge Fee for discharge to land administrated by Council	\$250.00	\$250.00
(e) Vehicle entrance		
• Application fee		\$190.00
• Inspection fee – Per Inspection	\$160.00	\$190.00
Specification	Entrance	Description
R08	1 Lot – Residential - Bond	\$3,600.00
	2 Lots – Residential - Bond	\$4,100.00
R09	Heavy Industrial Single - Bond	\$9,700.00
	Heavy Industrial Double - Bond	\$13,800.00
	Light Industrial Single - Bond	\$9,200.00
	Light Industrial Double - Bond	\$13,300.00
R10	1 Lot – Existing Residential - Bond	\$3,600.00
	2 Lots – Existing Residential - Bond	\$4,100.00
R28	1 Lot – Rural Vehicle Entrance - Bond	\$5,100.00
	2-3 Lots – Rural Vehicle Entrance - Bond	\$6,100.00
Notes:		
1. Bond refundable if approved contractor used and entrance installed to standard.		

2. Where costs exceed bond, applicants will be required to meet the difference after receiving invoice.		
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(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Three Waters Public Network Modelling		
0-4 Lot subdivision: (assume model not required to be consulted)	Free	Free
5-10 lots:	\$300 (2 hour engineer charge) + Consultant Fee (at cost)	\$380 (2 hour engineer charge) + Consultant Fee (at cost)
11+ Lots:	\$600 (4 hour engineer charge) + Consultant Fee (at cost)	\$740 (4 hour engineer charge) + Consultant Fee (at cost)
(f) Peer review of engineering specifications	At cost	At cost

Community Facilities

i-SITE Public Toilets Usage

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
i-SITE showers	\$3.00	\$3.00

Intercity

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Booking fee for Intercity bus tickets	N/A	\$3.00

Banner installation at Waioeka Bridge

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Installation fee for banners to be put up and taken down at the Waioeka Bridge.	N/A	\$50.00

Hire of Reserve Land

Leases or licence for exclusive use of reserve land shall be determined by public tender or valuation.

Community groups may be granted preferential exclusive use of reserve land where the reserve meets the group's specific requirements.

Temporary use of Council reserves for a commercial operation charged \$100.00 application fee plus \$50.00 per day. For example circus or similar.

A commercial concession may be granted for a food or beverage stall occupying less than 10 square metres to operate on reserve land - charge \$50 application fee, \$10 per day or \$50 per week.

No charge shall apply for A&P Association use of the Showgrounds for the annual show.

Hire of Sports Pavilions

	Cost / Session 1 July 2023	Cost / Hour 1 July 2023	Cost / Session 1 July 2024	Cost / Hour 1 July 2024
Community group (non-profit)	\$40.00	\$15.00	\$50.00	\$25.00
Private (i.e. family function, no entry fee)	\$100.00	\$25.00	\$150.00	\$50.00
Corporate/commercial use	\$150.00 + GST	\$50.00 + GST	\$170.00 + GST	\$60.00 + GST
* Session is defined as: 7 am – midday, midday – 5 pm, 5 pm – midnight				
* A refundable bond up to \$500 may be charged.				

Library Fees and Charges

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Loans		
Rental fees	\$0.00 - \$5.00	\$0.00 - \$5.00
Lost / damaged / unreturned items	Replacement cost	Replacement cost
Interloans (where reciprocal borrowing applies)	\$4.00	\$6.00
Interloans (where reciprocal borrowing does not apply)	\$15.00	\$16.00
Printing and Photocopying		
A4 B&W	\$0.20	\$0.20
A4 Colour	\$1.00	\$1.00
A3 B&W	\$0.40	\$0.40
A3 Colour	\$2.00	\$2.00
Scanning service		
To email/USB (using MFD scanner)	\$1.00	\$1.00
To email (using self-serve scanner)		Free
Meeting room hireage		
For Commercial/Corporate use	N/A	
Hourly rate		\$30+GST
Half day		\$60+GST
Full day		\$100+GST
For study groups/whānau gatherings		Free
For non-profits/social clubs		Koha

Cemetery Fees and Charges

(All charges include GST)

Charges
1 July 2023 **Charges**
1 July 2024

Cemetery Plots			
Purchase plot (also reserve plot)	Adult	\$1315.00	\$1,385.00
	Child	\$630.00	\$665.00
Interment fee	Adult	\$850.00	\$895.00
	Child	\$235.00	\$250.00
	Stillborn	\$235.00	\$250.00
	Out of office hours additional	\$500.00	\$525.00
	Ashes	\$115.00	\$120.00
Ashes – niche wall	Adult/Child	\$315.00	\$330.00
Ashes – cremation strip			
• Purchase plot	Adult/Child	\$370.00	\$390.00
• Interment fee	Adult/Child	\$125.00	\$130.00
Monument permit		\$48.00	\$50.00
Disinterment for bodies		N/A	\$4,500
Disinterment for ashes		N/A	\$250

Water Supply

Bulk Water Take from Hydrants

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Bulk water cost to fill tankers from hydrants from Ōpōtiki and Te Kaha water supplies	\$10.00 / m ³	\$10.00 / m ³

Water Meter Charges

Any property that is connected to the Ōpōtiki, Te Kaha or Ōhiwa Water supplies, where there is a water meter, the metered volumes of water used shall be charged to the following rates per cubic meter, for average daily use up to 2m³

	\$/m ³	\$/m ³
Ōpōtiki	\$0.70	\$0.88
Te Kaha	\$1.24	\$1.55
Ōhiwa	\$1.24	\$1.67

Additional charges for high volume use

Any property that is connected to the Ōpōtiki, Te Kaha or Ōhiwa Water supplies, where there is a water meter, the metered volumes of water used shall be charged to the following rates per cubic meter, for average daily use between the following thresholds:

	\$/m ³	\$/m ³
Ōpōtiki		
2m ³ to 3.5 m ³	\$1.06	\$1.33
3.5m ³ to 4.5m ³	\$1.41	\$1.76
4.5 ³ to 10m ³	\$1.76	\$2.20
10m ³ +		\$2.64
Te Kaha		
2m ³ to 3.5 m ³	\$1.86	\$2.33
3.5m ³ to 4.5m ³	\$2.47	\$3.09
4.5 ³ to 10m ³	\$3.10	\$3.88
10m ³ +		\$4.66
Ōhiwa		
2m ³ to 3.5 m ³	\$1.86	\$2.33
3.5m ³ to 4.5m ³	\$2.47	\$3.09
4.5 ³ to 10m ³	\$3.10	\$3.88
10m ³ +		\$4.66

Request Water Meter Reading

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Request water meter reading	\$60.00	\$90.00

Water Testing

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024

This charge covers transport, testing and reporting on private water samples from Ōpōtiki by the laboratory in Whakatāne. Test covers bacterial compliance.	\$60.00	\$190.00
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Land Transport

Temporary Road Closure Fees

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Processing fee	\$110.00	\$190.00
+ Advertising costs If full road closure under statutory requirements (road closure), two advertisements are required. If temporary road closure under statutory requirements (disruption to traffic), one advertisement is required.	\$160-\$220 per advertisement	\$160-\$220 per advertisement

Road Stopping Fees

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
+ Deposit fee: For contribution to initial evaluation – to accompany application.	\$110.00	\$190.00
+ Additional fees: The actual and reasonable costs incurred by the Council will be charged for all applications. Therefore, a charge additional to the deposit fee may be made once the application has been determined. Actual and reasonable costs will also be charged for applications that are withdrawn.	\$160-\$220 per advertisement	\$160-\$220 per advertisement

Rapid Number Assessment

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Assignment of rapid number (excludes number plates)	\$90.00	\$190.00

2023-24 Solid Waste.

The following table was for the 2023-24 year. The new Solid Waste fees/charges begin on page 26.

Ōpōtiki District Resource Recovery Centers (RRC)

(All charges include GST)

Household/Domestic Waste		Green Waste	Non-Recyclable	Recyclable
Small bag	less than 25 litres	n/a	\$3.50	\$2.00
Large Bag	up to 75 litres	n/a	\$7.00	\$3.00
XL Bag	over 75 litres and wheelie bins	\$4	\$10.00	\$5.00
Fadge	1.5m ³	\$27.00	\$55.00	\$25.00
Cars	0.5m ³	\$9.00	\$20.00	\$7.00
Ute, station wagon, van, small trailers	up to 1m ³	\$18.00	\$30.00	\$10.00
Large trailers	1m ³ to 2m ³	\$36.00	\$60.00	\$20.00
Commercial/Industrial/Business Waste				
Depending on ease of handling, price by negotiation, but generally \$90.00 per m ³ . For loads greater than 2m ³ , waste depositors may have to arrange for their own transport to landfill.				
Note: Council reserves the right to reject any commercial, business or industrial loads.				
Whiteware, TVs, PCs etc.		\$5.00 each		
Car bodies: empty (no fuel or oil)		\$30.00 (car bodies are only accepted at the Ōpōtiki RRC)		
Gas bottles		Empty	With gas	
Up to 9.00 kg		\$5.00	Not accepted	
Over 9.00 kg		\$10.00	Not accepted	
Tyres		Without rims	With rims ((includes \$5.00 Rim Removal fee)	
Car / van		\$7.00	\$12.00	
4x4 ute or SUV		\$10.00	\$15.00	
Truck – Light – 17.5"		\$20.00	\$25.00	
Truck – Medium – up to 18"		\$25.00	\$30.00	
Truck – Large up to 22.5"		\$35.00	\$45.00	
Tractor – Small - up to 18"		\$20.00	\$25.00	
Tractor – Medium – 19" – 30"		\$60.00	\$70.00	
Tractor – Large – 32" – 34"		\$75.00	\$85.00	
Batteries		Car & Truck \$2.00		Lithium/Small Tools \$3.00
Waste definitions				
Household / Domestic Waste	The amount of refuse that would normally be generated from a residential property up to a volume of 2m ³ load.			
Commercial / Industrial / Business Waste	Any load greater than 2m ³ in volume. Any waste generated from commercial, industrial or business activities, inclusive of forestry, orchard, farming and property rental activities.			
Green waste	Vegetation and garden waste with tree limbs up to a maximum of 100mm in diameter.			

THE RESOURCE RECOVERY CENTERS DO NOT ACCEPT:

Ōpōtiki

- Asbestos
- Explosives (including flares and bullets)
- Soil
- Hypodermic needles
- Hot fire place embers
- Vegetation other than household garden material and trees.
- Shredded Tyres or Heavy Vehicle Tracks & Tyres

Te Kaha and Waihou Bay

As for Ōpōtiki above and including:

- External and internal wall and roof linings
- Commercial quantities of timber framing/ building framing and materials
- Lawn clippings
- Agricultural chemicals and poisons.

Note: these additional categories of materials will be accepted if deposited at Ōpōtiki RRC.

Solid Waste – new charges for 2024-25

All charges include GST

Waste definitions

Household / Domestic Waste	Household domestic waste refers to the waste generated by individuals or families in their homes, including items like food packaging materials, old appliances, old furniture. It can also include contaminated recyclables, food scraps and household chemicals.
Commercial / Industrial / Business Waste	Business or industrial waste is defined as any waste generated as a result of commercial, industrial, or institutional activities. This waste can include but not limited to a wide range of materials, such as paper, cardboard, plastics, metals, chemicals, electronic equipment, and organic (green) waste. Business or industrial waste is typically produced in larger quantities compared to residential waste and may pose environmental and health risks if not properly managed and disposed of.
Green waste	Vegetation and garden waste with tree limbs up to a maximum of 100mm in diameter.

The Resource Recovery Centres do not accept

Ōpōtiki	Te Kaha and Waihou Bay
Asbestos	As for Ōpōtiki and including:
Explosives (including flares and bullets)	External and internal wall and roof linings
Soil	Commercial quantities of timber framing/ building framing and materials
Hypodermic needles	Lawn clippings
Hot fire place embers	Agricultural chemicals and poisons.
Vegetation other than household garden material and trees.	Note: these waste streams may be accepted if deposited at Ōpōtiki RRC.
Shredded Tyres or Heavy Vehicle Tracks & Tyres	

Te Kaha & Waihou Bay Resource Recovery Centres

For loads greater than 2m³, waste depositors may have to arrange for their own transport to landfill. Council reserves the right to reject any commercial, business or industrial loads.

Household/Domestic Waste	Estimated Volume	Green Waste	Non-Recyclable	Recyclable
Small bag	less than 25 litres	n/a	\$3.50	\$2.00
Large Bag	up to 75 litres	n/a	\$7.00	\$3.00
XL Bag	over 75 litres and wheelie bins	\$4	\$10.00	\$5.00
Cars	0.5m ³	\$9.00	\$20.00	\$7.00
Ute, van, small trailers	up to 1m ³	\$18.00	\$30.00	\$10.00
Hay Bale/Fadge (Compacted)	1.5m ³	\$27.00	\$55.00	\$25.00

Large trailers	1m ³ to 2m ³	\$36.00	\$60.00	\$20.00
Commercial/Industrial/Business Waste				
Single Axle Trailer	2 m ³		\$191.00	
Tandem Axle Trailer (Caged)	4 m ³		\$381.00	
Note: Prices may vary from town due to weighbridge operation and additional transport costs to transfer material to market.				
Whiteware, TVs, PCs etc.			\$5.00 each	
Gas bottles			Bottles containing gas will not be accepted	
Up to 9.00 kg			\$5.00	
Over 9.00 kg			\$10.00	
Tyres	Tyre Only	Including rims		
Motorcycle	\$6.00	\$13.00		
Passenger and 4x4	\$10.00	\$7.00		
Truck	\$32.00	\$40.00		
Agricultural	\$77.00	\$90.00		
Batteries	Car & Truck \$2.00		Lithium/Small Tools \$3.00	

Ōpōtiki Resource Recovery Centre

For loads greater than 2m³, waste depositors may have to arrange for their own transport to landfill.
Council reserves the right to reject any commercial, business or industrial loads.

Household/Domestic Waste			
	Refuse (Weighbridge)	\$5.95	per 20 kgs
	Green Waste (Weighbridge)	\$2.70	per 20 kgs
	Recycling	No Fee	
Commercial/Industrial/Business Waste			
	Refuse (Weighbridge)	\$298.00	per tonne
	Concrete (Weighbridge)	\$60.00	per tonne
	Weighbridge Scale Usage (Weighbridge)	\$10.00	per vehicle
Non Weighbridge Costs			
The following prices will only apply if the weighbridge is inoperable. Larger loads will be calculated on volume.			
Household/Domestic Waste			
	Estimated Volume	Non-Recyclable	Green Waste
Bag (Small)	25L	\$3.50	n/a
Bag (Large)	75L	\$7.00	\$4
Car/Station Wagon	0.5 m ³	\$20.00	\$9.00
Ute Van & 4x4	1 m ³	\$39.00	\$18.00
Single Axle trailer	2 m ³	\$78.00	\$36.00
Tandem Axle trailer (Caged)	4 m ³	\$155.00	\$72.00
Commercial/Industrial/Business Waste			

Single Axle Trailer	2 m ³	\$191.00	
Tandem Axle Trailer (Caged)	4 m ³	\$381.00	
Car bodies: empty (no fuel or oil)	\$30.00 (car bodies are only accepted at the Ōpōtiki RRC)		
Gas bottles	Bottles containing gas will not be accepted		
Up to 9.00 kg		\$5.00	
Over 9.00 kg		\$10.00	
Tyre Type	Tyre Only	Including rims	
Motorcycle	\$6.00	\$13.00	
Passenger and 4x4	\$10.00	\$17.00	
Truck	\$32.00	\$40.00	
Agricultural	\$77.00	\$90.00	
Batteries	Car & Truck \$2.00	Lithium/Small Tools \$3.00	

Other

Copying and Access to Records and associated Consents

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
All charges minimum plus actual and reasonable costs		
Administration cost	\$6.00	\$6.00
a) Suppling information, photocopy or digital		
A4 B/W	\$0.50	\$0.50
A4 Colour (maximum 40% coverage)	\$1.50	\$1.50
A3 B/W	\$1.00	\$1.00
A3 Colour (maximum 40% coverage)	\$5.00	\$5.00
A2 B/W	\$2.00	\$2.00
A2 Colour (maximum 40% coverage)	\$10.00	\$10.00
A1 B/W	\$4.00	\$4.00
b) Supply of digital files Plus Administration cost	10c per Mb	10c per Mb
c) Published documents Fee fixed per document to include the cost of printing, postage and may include actual and reasonable costs in preparing the document. Search fee (first 30 minutes free)	\$45.00 per hour	\$45.00 per hour

Hire of Chambers Meeting Room

Plus reasonable charges

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Government/other council use – per hour	\$69.00	\$69.00
Full day	\$414.00	\$414.00

Official Information Requests

(All charges include GST)

	Charges 1 July 2023	Charges 1 July 2024
Staff time – First hour	Free	Free
Staff time – (after the first 1 hour free) per half hour	\$38.00	\$38.00
Photocopying – first 20 pages	Free	Free
Photocopying – (additional to first 20 pages)	Current copying charges apply	Current copying charges apply
Other actual and reasonable costs	At cost	At cost

APPENDIX 2



Statement of Proposal

Fees and Charges 2024/25

2 May 2024
A1206458

Opotiki District Council would like to hear your thoughts on our draft Fees and Charges. We have reviewed and updated these as part of our Long Term Plan 2024 – 2034 process, which you can read more about here: <https://connect.odc.govt.nz/long-term-plan-2024-2034>.

Introduction

Council has reviewed our Fees and Charges schedule relating to Council's functions pursuant to:

- Building Act 2004
- Food Act 2014
- Health Act 1956
- Impounding Act 1955
- Local Government and Official Information and Meetings Act 1987
- Local Government Act 2002
- Resource Management Act 1991
- Utilities Access Act 2010
- Burial and Cremation Act 1964

The Fees and Charges Schedule also relates to:

- Dog registration and impounding fees
- Stock droving
- Registration of premises (Food/Health)
- Regulatory - Other Fees and Charges
- Resource management Fees and Charges
- Building Control fees
- Libraries and community facilities
- Water connections and bulk water charges
- Land Transport fees

- Solid Waste
- File access and information requests
- Libraries and community facilities including cemeteries.

The proposed Fees and Charges are all inclusive of GST and will take effect from 1 July 2024.

What is the Fees and Charges Schedule?

Council’s Revenue and Financing Policy provides information on the funding sources available to Council for the activities and services we deliver, and also provides the rationale for why particular funding sources are used for particular activities or services.

Fees and charges are one of those funding sources, and they are typically applied where the service or activity is for the benefit of an individual customer (such as when an individual applies for a resource consent). It is in these instances where Council applies a fee or charge to cover the cost of delivering that service/activity, as opposed to this being funded or ‘subsidised’ by the general rate that everyone pays.

Why are we consulting on this?

In making any resolution under the Food Act 2014 or the Resource Management Act 1991, Council must use the Special Consultative Procedure as outlined in section 83 of the Local Government Act 2002. This document is part of that consultation procedure. As there are fees/charges within the Schedule that relate to either the Resource Management Act 1991 or the Food Act 2014, we therefore must consult on them.

Reviewing our Fees and Charges helps ensure Council is recovering the actual and reasonable costs associated with:

1. Goods, services, or amenities provided by Council.
2. The issuing or monitoring of permits, inspections and other approvals associated with bylaws and legislation.
3. Processing and making decisions in relation to resource consents, plan changes and designations, and fulfilling certain other regulatory obligations under the Resource Management Act 1991.

Summary of proposed changes to Fees and Charges Schedule

The Resource Management Services fees and charges changes are detailed below.

Council is proposing to increase these fees by approximately 26% as software, audit, and staffing costs have increased substantially. There is more required of local government in this space to remain up to standard and this, combined with inflation, is the primary drive of the increase.

(All charges include GST)

**Charges
1 July 2023**

**Charges
1 July 2024**

ALL CHARGES MINIMUM PLUS ACTUAL AND REASONABLE COSTS unless otherwise stated.

The amount stated is a fixed deposit, payable at the time of lodging an application or when making any other request for Council to perform any other function under the Resource Management Act 1991 (RMA). The below deposits are charges fixed under section 36(1) of the RMA and are payable in full at the time of lodging the application.

A charge additional to the fixed deposit paid may be made once the application has been determined, to cover the actual and reasonable costs incurred in determining the application.

If Council is required to bring in a consultant, these costs will be added to the application.

Actual and reasonable costs will also be charged for applications that are withdrawn.		
Actual and reasonable costs will include costs incurred by Council in respect of staff salaries and wages (including travel time, and on-costed to cover overheads), internal analytical costs, record keeping/storage (e.g. photocopying), external analytical costs or consultant costs, vehicle usage costs and any other direct costs or disbursements (including postage, advertising costs, etc.), plus GST. The charge out rate for Council officers is \$190.00 per hour.		
Pre-application - (after the first free 30 minutes) will be charged at the Council officer's hourly rate.		
Resource consent applications (see note above)		
Land use applications (non-notified)		
• Non-notified	\$1200.00	\$1520.00
• Resource consent limited to non-compliance with Zone standards	\$750.00	\$950.00
Subdivision (non-notified and includes full partitions)		
1 to 2 lots	\$1800.00	\$2280.00
3 plus lots	\$2100.00	\$2660.00
Boundary adjustment / Full partitions / Cross lease flats plan update (all inclusive)	\$1150.00	\$1456.00
All notified application (includes land use, subdivision and full partitions): Notified / limited notified requiring a hearing (includes private plan change, designation, and heritage order)	\$4500.00	\$5700.00
Hapū Partition and occupation orders (assessments)- up to 20 days to process	\$300.00	\$380.00
Additional urgency fee (under 5 days to process)	\$150.00	\$190.00
Deemed permitted activities and deemed permitted boundary activities	N/A (new activity)	\$380
Trimming, disturbance or removal of a Notable tree, when supported by an arborist's report, for the purpose of maintaining the health of the tree, or for protecting human life and/or property	No charge	No charge
Trimming, disturbance or removal of a Pohutukawa tree within the Coastal, Coastal Settlement and/or Ōhiwa Harbour Zones, when supported by an arborist's report, for the purpose of maintaining the health of the tree, or for protecting human life and/or property (and where the activity is not permitted by the District Plan rules)	No charge	No charge
Certificates and legal documents		
Section 124 – Renewal of resource consent	\$450.00	\$570.00
Section 125 – Lapsing consent application	\$300.00	\$380.00
Sections 127 – 132 Change, review or cancellation of consent conditions		
Land use	\$600.00	\$760.00
Sub division	\$450.00	\$570.00
Section 139 – Certificate of Compliance	\$525.00	\$665.00
Section 176 – Assessment of outline plan	\$675.00	\$855.00
– Outline plan waiver	\$280.00	\$354.00

Section 221 – Preparing consent notice	\$300.00+Legal Cost	\$380.00+Legal Cost
Section 221 – Change or cancellation of consent notice (221 (5))	\$375.00	\$475.00
Section 223 Survey plan	\$150.00	\$190.00
Section 224 (c) Certification including compliance with consent	\$525.00	\$665.00
Section 224 (f) Certificate	\$60.00	\$76.00
All other certificates reviewing, preparing, signing including peer review	\$300.00	\$380.00
Resource Management Plans - fixed charge		
District Plan Purchase	\$300.00	\$380.00
Or charged in components		
• Hard copy maps	\$125.00	\$158.00
• Hard copy District Plan	\$175.00	\$221.00
• Disc / USB	\$10.00	\$12.60
Resource Consent Conditions Monitoring - fixed charge		
Monitoring of resource consent conditions hourly rate Plus mileage @ 82c/km (if appropriate)	\$150.00	\$190.00
Local Government (Section 348)		
Section 348 – Easement approvals and revocation	\$300.00	\$380.00
Land Information Memorandum (LIM)		
The following fees are fixed fees		
Rural or residential LIM	\$360.00	\$456.00
Commercial/industrial LIM	\$700.00	\$886.00
Urgency fee (5 days)	\$200.00	\$253.00
Copy of Certificate of Title	\$30.00 Plus \$5 for additional instruments	\$38.00 Plus \$5 for additional instruments

Other fees and charges

Council reviews all fees and charges annual and, in most cases, adjusts based on inflation. You can read the entire proposed Fees and Charges Schedule on our engagement website [Connect | Hono Mai](#) (connect.odc.govt.nz) or pick up a physical copy from our main office at 108 Saint John Street.

Have your say

We're keen to hear your feedback on the proposed Fees and Charges Schedule. Your submissions directly contribute to Council's decision-making.

KEY DATES:

- 2/05/2024 Submissions open.
- 31/05/2024 Submissions close.
- 7/06/2024 Submitters opportunity to speak to Council about their submission.
Council deliberates on submissions and any changes to the draft Fees and Charges Schedule are agreed.
- 18/06/2024 Council adopts the updates Fees and Charges Schedule.

Make a submission

Online

The easiest way to make a submission is to visit our Connect | Hono Mai website: <https://connect.odc.govt.nz/2024-25-fees-and-charges-schedule>. 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.

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 email connectadmin@odc.govt.nz and an officer will get back to you.

COUNCIL REPORT

Date : 9 April 2024
To : Ordinary Council Meeting, 30 April 2024
From : Group Manager Planning and Regulatory, Gerard McCormack
Subject : **DRAFT FREEDOM CAMPING BYLAW CONSULTATION**
File ID : A1220573

EXECUTIVE SUMMARY

- In December 2023, the Council adopted the draft Freedom Camping Strategy and decided to review the Freedom Camping Bylaw accordingly. Following this, the draft Freedom Camping Bylaw, along with a consultation plan, has been prepared and is now presented to the Council for endorsement. This allows for public consultation to commence.

RECOMMENDATIONS

- 1) **That the report titled "Draft Freedom Camping Bylaw consultation" be received.**
- 2) **That Council endorse the draft Freedom Camping Bylaw and the consultation plan.**

PURPOSE

1. To gain endorsement for the draft Freedom Camping Bylaw and the plan for public consultation.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opōtiki District Councils 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 December 2023, the Council received a report outlining various freedom camping-related matters and potential management options for freedom camping in the district. Further, the review of freedom camping in the Ōpōtiki District recommended that the Council manage freedom camping through a combination of regulatory and non-regulatory measures, including the establishment of a Freedom Camping Bylaw. As such, the Council adopted the draft Freedom Camping Bylaw strategy and agreed to prepare a Freedom Camping Bylaw as per its strategy.
4. Following the direction of the Council, a draft Freedom Camping Bylaw has been prepared to address the potential effects of freedom camping in the district for the community's well-being and environmental protection.

Draft Freedom Camping Bylaw

5. The draft Freedom Camping Bylaw serves as a regulatory measure to address potential adverse effects associated with freedom camping in the Ōpōtiki District. Its primary objective is to restrict freedom camping to suitable locations by having specific exemptions as outlined in the draft Bylaw to balance environmental impact, public safety, and community wellbeing.
6. Detailed provisions of the draft Bylaw can be found in Appendix 1. Further, Appendix 2 contains the consultation plan, outlining the timeframe for engaging with the community, including mana whenua, and gathering feedback, to ensure a transparent and inclusive decision-making process.

OPTIONS

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

OPTION 1: Endorse draft Freedom Camping Bylaw and consultation plan	
Description	Council endorses the draft Freedom Camping Bylaw and consultation plan for public consultation as per section 86 of Local Government Act 2002.
Advantages	<ul style="list-style-type: none"> • The Bylaw would ensure the environment is protected whilst providing for freedom camping in suitable locations in the District where effects can be managed. • Establishment of a regulatory framework to address potential adverse effects associated with freedom camping will seek to foster a safer and more enjoyable environment for residents and visitors. • Early preparation before summer ensures proactive control of freedom camping, facilitating a smoother and more effective management process.
Disadvantages	There are no identified disadvantages to this option.
Impact on mana whenua	Public consultation will provide an opportunity to engage with mana whenua to discuss the specific needs for Māori land. Note that the Bylaw introduces

OPTION 1: Endorse draft Freedom Camping Bylaw and consultation plan

	specific freedom camping provisions for Maraetai Recreation Reserve and Ōmaio Bay Recreation Reserve, these reserves have been provided to by Council for treaty redress relating to Te Whānau-ā-Apanui settlement.
Strategic alignment	<ul style="list-style-type: none">• <i>Development and protection of the natural environment:</i> This option aims to promote and enhance our natural environmental by restricting freedom camping to locations where effects on the environment can be effectively managed.• <i>Services and facilities meet our needs:</i> This option ensures the provision of facilities and services that meet both current and future needs, ensuring accessibility for all members of the community.
Associated risks	There are no identified risks to this option.

OPTION 2: Do not endorse draft Freedom Camping Bylaw and consultation plan

Description	Council does not endorse the draft Freedom Camping Bylaw and consultation for public consultation as per section 86 of Local Government Act 2002.
Advantages	There are no identified advantages to this option.
Disadvantages	<ul style="list-style-type: none">• Without regulation to control freedom camping, there is an increased risk of unexpected environmental harm, potentially leading to the degradation of natural areas and ecosystems.• The absence of a regulatory framework means there is no effective tool to manage and address adverse effects associated with freedom camping, such as littering, noise disturbances, and other nuisances, which could negatively impact the community's well-being and safety.
Impact on mana whenua	Unregulated freedom camping may lead to environmental harm and degradation of land that is of interest to Māori.
Strategic alignment	This option is not aligned with the community outcomes defined in the Long-Term Plan.
Associated risks	There is a risk that uncontrolled freedom camping could result in environmental harm, and harm to the well-being of the community.

DISCUSSION

8. The options have been explored by ŌDC staff. The following legislation and binding documents are considered:

- Freedom Camping Act 2011
- Reserve Act 1977
- Ōpōtiki Reserve Management Plan

9. Given the considerations of community well-being, environmental protection, and regulatory compliance, it is recommended that Council endorses Option 1. This approach ensures that freedom camping in the Ōpōtiki District will be managed effectively, providing a balanced solution that addresses potential adverse effects on the environment and community within legislative requirements.

Financial/budget considerations

10. The funding for implementing the recommendation has been allocated from a \$214,500 grant provided by MBIE.

Policy and planning implications

11. The recommended option is to support the Council in managing the potential adverse effects of freedom camping in the District. This approach is consistent with and supported by the Freedom Camping Act 2011, the Reserve Act 1977 and the adopted Freedom Camping Strategy.

Impact on mana whenua

12. Given that the recommended option involves regulating freedom camping and managing potential adverse effects in the District, measures will be taken to manage the impacts on mana whenua. It is important to note that the draft bylaw was circulated to seek comments from Te Whānau a Apanui however, no feedback has been received at the time of drafting this report.

Climate impact considerations

13. There are no climate impact considerations associated with the recommended option.

Risks

14. There is no risk associated with the recommended option.

Community wellbeing considerations

15. 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').
16. 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.

Social, Economic, Environmental, and Cultural

17. Endorsing the draft Freedom Camping Bylaw and initiating public consultation facilitates community engagement and provides an opportunity to assess whether the draft Bylaw aligns with the social, economic, environmental, and cultural goals of the Ōpōtiki Community. This process

includes the opportunity from input from mana whenua and an ability to respond to and address any specific concerns related to land that is of interest to Māori.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

18. 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.
19. 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 **Consult**.

Assessment of engagement

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

CONSULT

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

21. The level of engagement required for this decision is 'Consult'. Council will use public consultation methods including receiving submissions/holding a hearing/ providing update to the public about the decision.

CONCLUSION

22. The council has undertaken a review of the Freedom Camping Bylaw as per the strategy endorsed in December 2023. Under section 86 of the Local Government Act, this draft Bylaw is required to undergo the Special Consultative Procedure as outlined in section 83 of the LGA before formal adoption. This report requests the Council's endorsement of the draft Freedom Camping Bylaw (Appendix 1) and the consultation plan (Appendix 2) for public consultation.

Gerard McCormack

GROUP MANAGER PLANNING AND REGULATORY

Appendix 1

DRAFT FREEDOM CAMPING BYLAW



Opotiki District Council
STRONG COMMUNITY STRONG FUTURE

OPŌTIKI DISTRICT COUNCIL FREEDOM CAMPING BYLAW 2024 (DRAFT)

EXPLANATORY NOTE

The Opotiki District Council makes this Bylaw under sections 10A, 11 and 11A of the Freedom Camping Act 2011, and should be read alongside that Act.

This Bylaw should also be read in conjunction with the Opotiki District Council Beach Bylaw.

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1. TITLE

This Bylaw is the Ōpōtiki District Council Freedom Camping Bylaw 2024.

2. PROCEDURE AND COMMENCEMENT –

(1) The initial resolution adopting a statement of proposal for this Bylaw was passed by the Ōpōtiki District Council at an **ordinary meeting of the Council held on [date]** and, following consideration of submissions received during the special consultative procedure, this Bylaw was made by a resolution at a subsequent meeting of the Council on **[date]**.

(2) This Bylaw comes into force on [date].

(3) This Bylaw is next due for review under section 13 of the Act by [date].

3. DEFINITIONS

(1) In this Bylaw, unless the context requires otherwise:

Act means the Freedom Camping Act 2011.

Camping ground has the same meaning as in section 5(3) of the Act.

Chief Executive means the chief executive appointed by the Council under section 42 of the Local Government Act 2002.

Council means Ōpōtiki District Council.

District means the Ōpōtiki District of the Council.

Enforcement officer means a person appointed as an enforcement officer under section 32 of the Act.

Freedom camping has the same meaning as in Section 5 of the Act.

Local authority area has the same meaning as in section 6 of the Act.

NZTA land has the same meaning as in section 6A of the Act.

Prohibited area means an area identified in Schedule 1: Prohibited Areas, in which freedom camping is prohibited.

Restricted area means an area identified in Schedule 2: Restricted Areas, in which freedom camping is permitted subject to restrictions.

Self-contained –

(a) during the Transitional period has the same meaning as in clause 1 of Schedule 1AA of the Act; and otherwise

(b) has the same meaning as in section 4 of the Act.

Transitional period is defined in clause 1 of Schedule 1AA and means the period of time that—

(a) starts on the commencement date [7 June 2023]; and

(b) ends on the later of the following:

(i) the day before the date that is 2 years after the commencement date [7 June 2025];

(ii) the latest date specified as the end date of period 4 by an Order in Council made under clause 3 [of Schedule 1AA].

(2) This bylaw contains explanatory notes, which are not part of the bylaw. The Council may add, amend, or delete explanatory notes at any time without amending the bylaw.

4. PURPOSE

The purpose of this Bylaw is to control freedom camping in the Ōpōtiki District in order to:

- (a) protect local authority areas;
- (b) protect the health and safety of people who may visit local authority areas;
- (c) protect access to local authority areas.

5. PROHIBITED AREAS

- (1) A person must not freedom camp within any area identified in Schedule 1: Prohibited Areas.
- (2) Despite subclause (1), a person may freedom camp in any prohibited area if they have obtained the prior written consent of the Council, granted under clause 8(1) of this Bylaw, and complies with any conditions on the consent.
- (3) A person may only freedom camp at a particular freedom camping site for a maximum of three nights within a 4-week period.
- (4) All waste must be disposed of at a regional or district council approved facility.
- (5) Public facilities must not be used for washing and/or drying dishes, clothes, or any other camp related items.
- (6) Vehicles must be legally parked and will not prevent others from undertaking legitimate activities in the area.
- (7) Freedom campers must comply with the request/s of an authorised enforcement officer.
- (8) No person may light any fire while freedom camping in a local authority area except in a place specifically provided by the Council for that purpose, or with the prior written permission of Council.
- (9) Additional area-specific restrictions apply.

6. RESTRICTED AREAS

- (1) A person may freedom camp in any area identified in Schedule 2: Restricted Areas, but must comply with the restrictions as detailed in Schedule 2:
- (2) Despite subclause (1), a person may freedom camp in any restricted area if they have obtained the prior written consent of the Council, granted under clause 8(1) of this Bylaw, and complies with any conditions of that consent.

W. DECLARATION THAT NZTA LAND IS A LOCAL AUTHORITY AREA

- (1) The areas of NZTA land identified in Schedule 3: NZTA Land are declared a local authority area for the purpose of the Act, which means they are local authority areas for the purpose of this Bylaw and are regulated as such under this Bylaw.

X. LOCAL AUTHORITY AREAS WHERE FREEDOM CAMPING IS PERMITTED IN MOTOR VEHICLES THAT ARE NOT SELF-CONTAINED

- (1) A person may freedom camp in a motor vehicle that is not self-contained in any area identified in Schedule 2: Restricted Areas but must comply with the restrictions and conditions listed in that Schedule.
- (2) Despite subclause (1), a person may freedom camp in a non-self-contained area contrary to any restrictions or conditions listed for that area if they have obtained the prior written consent of the Council, granted under clause 8(1) of this Bylaw, and complies with any conditions of that consent.

7. PRIOR CONSENT FROM COUNCIL

- (1) The Council may grant consent to a person to freedom camp in any prohibited area, restricted area, or non-self-contained area, contrary to any prohibition, restrictions, or conditions that apply to that area under this Bylaw.
- (2) An application for consent must be made in writing to the Chief Executive at least 4-weeks in advance of the date planned for freedom camping in the area.
- (3) If the Council grants an application, it may impose any conditions it considers appropriate that are consistent with the purpose of this Bylaw.
- (4) If the Council refuses an application, it (Council) must inform the applicant of the reasons for the decision.
- (5) An enforcement officer may revoke a consent given under clause 8(1) if any person breaches the conditions specified in the consent or the freedom camping covered by the consent otherwise breaches this Bylaw or the Act.

8. OFFENCES

- (1) Section 20(1) and 20C of the Act specifies the infringement offences applicable to local authority areas, which include that every person commits an offence who –
 - (a) freedom camps in a local authority area in breach of any prohibition or restriction in this Bylaw that applies to the area; or
 - (b) makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in this Bylaw that applies to the area.
- (2) For the purposes of section 20(1)(a) and (f) of the Act, any person who has obtained the prior written consent of the Council, granted under clause 8(1) of this Bylaw, and who complies with any conditions on the consent, is not acting in breach of any prohibition or restriction in this Bylaw.

9. PENALTIES

As specified in section 20E of the Act, every person who commits an infringement offence under the Act is liable to the infringement fine specified in regulations made under the Act, or if no regulations have been made, an infringement fee of \$400.00

SCHEDULE 1: PROHIBITED AREAS

Freedom camping is prohibited in all areas of the Ōpōtiki District except in specific locations in the Schedule 2: Restricted Areas.

Of particular note, Freedom Camping is prohibited in these areas of the ODC reserves:

Te Ahiaua Reserve (Pipi Beds), Waiotahi

Te Ahiaua Reserve is located near Waiotahi Beach, approximately 9km west of Ōpōtiki township.

It is accessed from State Highway 2. Freedom camping is prohibited in the majority of the reserve within the red outlined area in the image below.



Hikuwai Reserve, Hukuwai Beach

Hikuwai Reserve is located at Hukuwai Beach, approximately 3km east of Ōpōtiki township.

Freedom camping is prohibited in the majority of the reserve within the red outlined area in the image below.



Hoani Waititi Reserve, Omaio

Hoani Waititi Reserve is located in Omaio, approximately 55km east of Ōpōtiki township.

Freedom camping is prohibited in the unmanaged bush areas on the outer edges of the reserve within the red outlined areas in the image below.



Te Kaha Reserve, Maraetai Bay

Te Kaha Reserve is located at Maraetai Bay in Te Kaha, approximately 68km east of Ōpōtiki township.

Freedom camping is prohibited in the majority of the reserve within the red outlined area in the image below.



SCHEDULE 2: RESTRICTED AREAS

Freedom camping is prohibited in all areas of the Ōpōtiki District except in specific locations in the Schedule 2: Restricted Areas.

General restrictions that apply to all Schedule 2: Restricted Areas unless otherwise specified for that area:

1. All freedom camping in the Opotiki local authority areas is restricted.
2. A person may only freedom camp at a particular freedom camping site for a maximum of three nights within a 4-week period.
3. All waste must be disposed of at a regional or district council approved facility.
4. Public facilities must not be used for washing and/or drying dishes, clothes, or any other camp related items.
5. Vehicles must be legally parked and will not prevent others from undertaking legitimate activities in the area.
6. Freedom campers must comply with the request/s of an authorised enforcement officer.
7. No person may light any fire while freedom camping in a local authority area except in a place specifically provided by the Council for that purpose, or with the prior written permission of Council.
8. Dogs must be under control at all times.
9. Additional area-specific restrictions apply.

Te Ahiaua Reserve (Pipi Beds), Waiotahi

Te Ahiaua Reserve is located near Waiotahi Beach, approximately 9km west of Ōpōtiki township.

It is accessed from State Highway 2. Freedom camping is restricted to the southeast portion of the reserve within the green outlined area in the image below.

Additional restrictions applying to this restricted area:

- No fires are permitted



Hikuwai Reserve, Hikuwai Beach

Hikuwai Reserve is located at Hikuwai Beach, approximately 3km east of Ōpōtiki township.

It is accessed from State Highway 35. Freedom camping is restricted to the southcentral area of the reserve within the green outlined area in the image below.

Additional restrictions applying to this restricted area:

- No fires are permitted



•

Hoani Waititi Reserve, Omaio

Hoani Waititi Reserve is located in Omaio, approximately 55km east of Ōpōtiki township.

It is accessed from Omaio Pa Rd. Freedom camping is restricted to the central area of the reserve within the green outlined area in the image below.

Additional restrictions applying to this restricted area:

- The maximum period anyone can freedom camp in this area is fourteen consecutive nights in any four-week period
- Campfires are permitted but must be under control at all times



Te Kaha Reserve, Maraetai Bay

Te Kaha Reserve is located at Maraetai Bay in Te Kaha, approximately 68km east of Ōpōtiki township.

Freedom camping is restricted to the southcentral area of the reserve within the green outlined area in the image below.

Additional restrictions applying to this restricted area:

- No fires are permitted



SCHEDULE 3: NZTA LAND SUBJECT TO THIS BYLAW

The following NZTA land is a local authority area for the purposes of the Act:

NZTA Land includes the entire State Highway 2 and State Highway 35 network within the Ōpōtiki District Council territory, excluding the Restricted Freedom Camping locations in Schedule 2.

Appendix 2

CONSULTATION PLAN

Project timeline

Date	Task
<i>30th April 2024</i>	ŌDC council agree to commence public consultation on the Freedom Camping Bylaw.
<i>1st May to 7th June</i>	Consultation period for 1 month
<i>May to July</i>	Engagement with key stakeholders Potential hearing.
<i>10th June to 15th July</i>	Analysing information and finalising the Freedom Camping Bylaw.
<i>6th August</i>	ŌDC Council meeting to adopt the Freedom Camping Bylaws.

Estimate consultation timeline

Date	Task
<i>1st May</i>	Consultation period begins. Initiate consultation via social media, Antenno, and the council website.
<i>2nd May</i>	Media release referring to draft bylaw in the Ōpōtiki Newsletter Engage with key stakeholders include iwi/hapu, public and NZTA.
<i>7th June</i>	Consultation period ends

Individuals or organisations that we will engage during this consultation

- Te Whānau-ā-Apanui
- General public
- NZTA
- ŌDC Management/Comms/Parks

COUNCIL REPORT

Date : 24 April 2024
To : Ordinary Council Meeting, 30 April 2024
From : Group Manager Engineering and Services, Nathan Hughes
Subject : **ŌPŌTIKI TOWNSHIP WASTEWATER RISING MAIN DIVERSION**
File ID : A1222808

EXECUTIVE SUMMARY

- Opotiki District Council's wastewater rising main is under threat from gradual river erosion.
- The rising main needs to be diverted away from the river's edge to avoid the asset being compromised resulting in significant impact to the environment and level of service.
- Unbudgeted expenditure up to \$250,000 is required to complete the proposed works.

RECOMMENDATIONS

- 1) **That the report titled "Opotiki Township Wastewater Rising Main Diversion" be received.**
- 2) **That Council approves unbudgeted expenditure up to \$250,000 for the diversion of the wastewater rising main.**

PURPOSE

1. Opotiki District Council's wastewater rising main is under threat from gradual river erosion.
2. The rising main needs to be diverted away from the river's edge to avoid the asset being compromised resulting in significant impact to the environment and level of service.
3. The realignment of the pipe requires unbudgeted expenditure, estimated at up to \$250,000, which can only be approved by Council.

STRATEGIC ALIGNMENT

4. 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

5. All of the Ōpōtiki township wastewater converges at the primary treatment Imhoff Tank before heading north, some 1.4km, under the Otara River over to the secondary treatment Oxidation Pond before being disposed via soakage lines into the adjacent dunes.
6. From the Imhoff Tank the rising main runs northeast 500m between the township and the confluence of the Waioeka and Otara rivers before turning northwest and diving under the Otara River. It rises and continues another 500m, gradually nearing the waterway before turning away and travelling another 300m to enter the Oxidation Pond.
7. The rising main is primarily 375mm uPVC, the exception being the section under the Otara River which is 375mm HDPE, all installed in 1995.
8. When installed the line was initially over 90m away from the Pakihikura Riverbank. Over time natural meandering of the rivers has begun to deposit aggregate on the southern bank of the confluence and western bank of Pakihikura, leading to erosion of the eastern bank and encouraging the development of a bow.
9. In 2011 the rising main was 70m from the river's edge. At the time of this report the rising main is 4.5m from the river's edge. Over the past 12 years, erosion of the eastern bank has averaged approximately 5.5m per year.
10. The primary responsibility of protecting the asset sits with Ōpōtiki District Council. Therefore, costs associated with protection and the associated maintenance of any protective measure is also the primary responsibility of Ōpōtiki District Council.
11. However, staff have been in contact with BOPRC to seek support in managing the erosion. Discussions are ongoing with BOPRC with options covered in the options section of this report.

OPTIONS

12. Options to proceed are as follows:

OPTION 1: Do not realign the rising main	
Description	Council resolves not to realign the rising main away from the river's edge
Advantages	There are no identified advantages
Disadvantages	<ul style="list-style-type: none"> • Almost certain the rising main will be compromised by ongoing erosion leading to environmental and health related impacts associated with uncontrolled discharge of wastewater to water and land. • Higher costs associated with remediation and diversion. • Abatement Notice and possible enforcement action. • Reputation damage
Impact on mana whenua	Impacts associated with likely uncontrolled discharge of wastewater to water and land.
Strategic alignment	This option does not align with Council's community outcomes.
Associated risks	No further associated risks have been identified

OPTION 2: Do not realign the rising main but protect it from further erosion	
Description	<p>Council resolves not to realign the rising main but instead protect it from further erosion. Options considered are:</p> <ul style="list-style-type: none"> • Installing rock protection • Planting vegetation protection • Dredging the bow that has formed on the western bank of Pakihikura to remove river pressure of the eastern bank during all river flow conditions. • Forming an overland flow channel over the bow that has formed on the on the western bank of Pakihikura to remove river pressure of the eastern bank during high river flow events.
Advantages	There are no identified advantages
Disadvantages	<ul style="list-style-type: none"> • Installing rock protection: The river depth at the location nearest the rising main is approximately 5.5m. Any rock protection option would need to be extensive both in terms of depth and length to tie in with the existing regional council rock protection some 200m upstream. This would be required to avoid localised protection measures which might encourage localised and aggressive erosion if the localised protection became exposed. Estimates for unrelated rock protection works downstream of the site were in the order of millions of dollars per 100m before considering ongoing maintenance costs. • Planting vegetation protection: BOPRC are in the process of providing advice to ODC in helping us consider planting options. However, any

OPTION 2: Do not realign the rising main but protect it from further erosion

	<p>planting option would take time to establish and is not considered a viable option to address the immediate threat to the pipe.</p> <ul style="list-style-type: none"> • Dredging the bow that has formed on the western bank of Pakihikura to remove river pressure of the eastern bank during all river flow conditions is an option worth considering to reduce the existing rate of erosion. This option requires further time for consideration and investigation in amongst the wider Harbour development project. This is not considered a viable option to address the immediate threat to the pipe. • Forming an overland flow channel over the bow that has formed on the on the western bank of Pakihikura to remove river pressure of the eastern bank during high river flow events. This is an option BOPRC are considering. Spraying and mulching of vegetation on the bow has been undertaken. However, this is not considered a viable option to address the immediate threat to the pipe.
Impact on mana whenua	Impacts associated with likely uncontrolled discharge of wastewater to water and land.
Strategic alignment	<p>This option does not align with Council’s community outcomes.</p> <ul style="list-style-type: none"> • Development and protection of our natural environment • Services and facilities meet our needs
Associated risks	No further associated risks have been identified

OPTION 3: Divert the rising main to be at least 17m and up to 29m from the rivers edge

Description	<p>Council resolves realign the rising main to be at least 17m and up to 29m from the river’s edge.</p> <p>Assuming an erosion rate of 6m per year, the 17m setback would offer a 2 year period to plan and arrange for longer term measures to be implemented before the pipe was in a similar situation it is today. A 29m setback would offer an approximate 4 year period.</p> <p>Staff will confirm the final alignment and costs subject to landowner negotiations.</p>
Advantages	<ul style="list-style-type: none"> • Of the options presented, this option provides the most certainty with regard to effectiveness (reduced risk of the rising main being compromised by erosion) and the most cost certainty. • Avoids the disadvantages outlined in the other options. • Provides an estimated 2 to 4 years of time to explore more longer term solutions.
Disadvantages	<ul style="list-style-type: none"> • Unbudgeted expenditure estimate of \$160,000 to \$250,000, depending on the diversion alignment. • The alignment would pass through two private land parcels which would require easements and associated agreements to be set in place.

OPTION 3: Divert the rising main to be at least 17m and up to 29m from the rivers edge

Impact on mana whenua	Reduced likelihood of impacts associated with likely uncontrolled discharge of wastewater to water and land.
Strategic alignment	This option aligns with Council's community outcomes: <ul style="list-style-type: none"> • Development and protection of our natural environment • Services and facilities meet our needs
Associated risks	Staff need to complete negotiations with affected landowners with regard to the proposed alignment.

OPTION 4: Divert the rising main much further inland

Description	Council resolves to realign the rising main much further inland
Advantages	Significantly reduces the risk of the rising main being compromised by erosion.
Disadvantages	<ul style="list-style-type: none"> • A longer diversion route is currently being considered as part of Council's Long Term Plan. However, planning for the realignment and how it interfaces with the broader wastewater strategy and WWTP consent has not been completed. There is a risk of carrying out unnecessary work if we were to advance a more significant diversion of the rising main now resulting in higher costs to the community over the long term. • Unbudgeted expenditure estimate in excess of \$1M.
Impact on mana whenua	Reduced likelihood of impacts associated with likely uncontrolled discharge of wastewater to water and land.
Strategic alignment	This option aligns with Council's community outcomes: <ul style="list-style-type: none"> • Development and protection of our natural environment • Services and facilities meet our needs
Associated risks	No further associated risks have been identified

DISCUSSION

13. The recommended option is Option 3.
14. Maps and photo's showing the existing rising main alignment, the location of the issue, and the proposed realignment are appended to this report (Appendix 1).

Financial/budget considerations

15. Option 3 requires that Council approves unbudgeted expenditure up to \$250,000 for the diversion of the wastewater rising main.

16. The impact in this financial year will be an increase in debt or decrease in cash reserves up to \$250,000.
17. The works would be loan funded over a 30 year period with a rating impact of up to approximately \$17,000 per year, starting in the following financial year.

Policy and planning implications

18. The recommended decision being considered is not significantly inconsistent with and is not anticipated to have consequences that are significantly inconsistent with any of Council's policies or plans.

Impact on mana whenua

19. The proposed realignment of the pipe will require work within two private land parcels.
20. One of the land parcels is included in the deed of settlement between Whakatōhea and the Crown.
21. The work would require an amendment to a right to drain sewage easement.

Climate impact considerations

22. There is no identified impact on climate change in relation to this report.

Risks

23. There are no identified risks further to those captured within the options section of this report.

Community wellbeing considerations

24. 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').
25. The recommended option of this report seeks to ensure the 4 well beings are not significantly impacted by an uncontrolled discharge of wastewater to water and land.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

26. 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.

27. The level of significance related to the decision in this report is considered to be **high**. However, because the works are considered to be 'emergency works' the corresponding level of engagement required is **Inform**.

Assessment of engagement

28. As the level of significance has been determined to be **high**. However, because the works are considered 'emergency works' 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.

29. 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

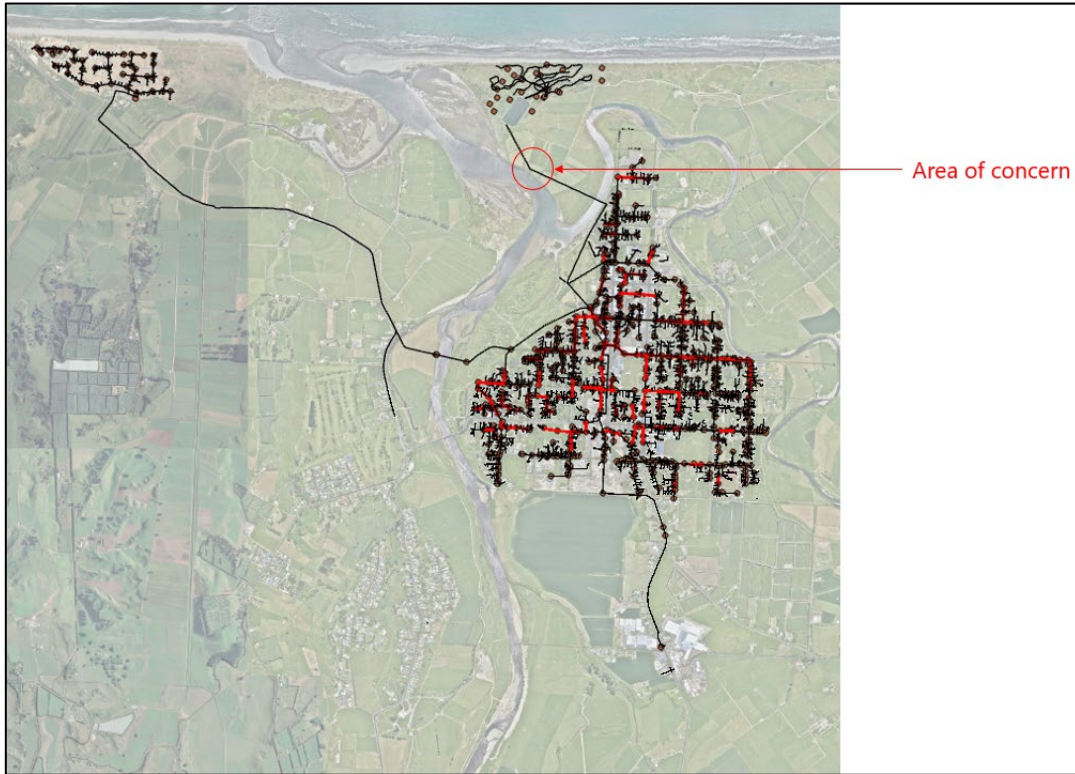
30. Opotiki District Council's wastewater rising main is under threat from gradual river erosion.
31. The rising main needs to be diverted away from the river's edge to avoid the asset being compromised resulting in significant impact to the environment and level of service.
32. Staff will confirm the final alignment and costs subject to landowner negotiations. The recommended option would allow for the rising main to be at least 17m and up to 29m from the river's edge.
33. Staff recommend that Council approve unbudgeted expenditure, estimated at up to \$250,000, to divert the rising main.

Nathan Hughes

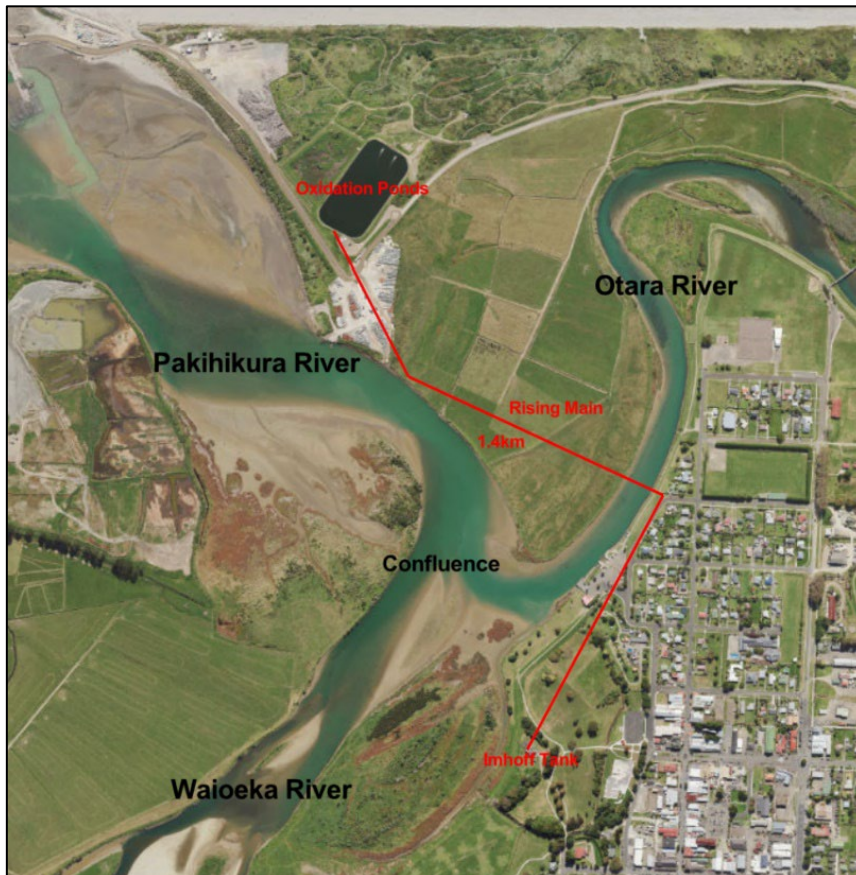
GROUP MANAGER ENGINEERING AND SERVICES

APPENDIX 1

Opotiki Township Wastewater Network



Imhoff Tank to Oxidation Pond



COUNCIL REPORT

Date : 17 April 2024
To : Ordinary Council Meeting, 30 April 2024
From : Chief Executive Officer, Stace Lewer
Subject : **LGNZ CONFERENCE 2024**
File ID : A1221932

EXECUTIVE SUMMARY

- The Local Government New Zealand Conference 2024 is being held in Wellington on 21-23 August 2024.
- A resolution of Council is required to obtain approval for attendance at the conference.

RECOMMENDATIONS

- 1) **That the report titled "LGNZ Conference 2024" be received.**
- 2) **That His Worship the Mayor together with Councillor Tom Brooks and Councillor Maxie Kemara are authorised to attend the LGNZ Conference 2024 in Wellington.**
- 3) **That Council authorises the Chief Executive Officer to attend the LGNZ Conference 2024.**

PURPOSE

1. To obtain a resolution of Council for attendance at the Local Government New Zealand Conference 2024 in Wellington on 21-23 August 2024.

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 Mayor and two Councillors (by rotation) usually attend the Local Government New Zealand Annual Conference. Council's practice has been for attendance to be determined alphabetically, commencing at the beginning of each triennium.
4. The Chief Executive Officer usually attends the LGNZ Conference.

OPTIONS

5. Council needs to decide on one of the following three options.

OPTION 1: That Council authorise attendance at the LGNZ Conference 2024 by His Worship the Mayor and the Chief Executive Officer and using the current rotation method for elected members. (recommended)

Description	<i>That Council authorises the attendance of His Worship the Mayor and two Councillors, by rotation, and the Chief Executive Officer at the LGNZ Conference 2024 in Wellington.</i>
Advantages	<ol style="list-style-type: none"> 1. <i>A learning opportunity to keep abreast of changes within the Local Government Sector and networking with elected members and staff from other Councils, along with Government representatives.</i> 2. <i>All Councillors are given the opportunity to attend the Local Government New Zealand Conferences.</i>
Disadvantages	<i>There are no known disadvantages in relation to this option.</i>
Impact on mana whenua	<i>There is no known impact on mana whenua.</i>
Strategic alignment	<i>Fair and Efficient Leadership. An opportunity to strengthen leadership skills. Purposeful work and learning opportunities. The Conference provides an opportunity to be updated on legislative changes affecting Local Government, along with gaining knowledge from others in the sector.</i>
Associated risks	<i>There are no known risks associated with this option.</i>

OPTION 2: That Council adopts a different method of selecting who attends the annual Local Government New Zealand Conferences.

Description	<i>That Council formulates a new method of choosing the attendees for the Annual Local Government New Zealand Conferences.</i>
Advantages	<i>There are no known advantages with this option.</i>
Disadvantages	<i>A new method of selecting attendees may not provide the same fairness as the current rotation.</i>
Impact on mana whenua	<i>There is no known impact on mana whenua.</i>

OPTION 2: That Council adopts a different method of selecting who attends the annual Local Government New Zealand Conferences.

Strategic alignment	<i>Any change in the selection method for attendees would not change impact of Fair and Efficient Leadership and Purposeful Work and Learning Opportunities.</i>
Associated risks	<i>There is a risk that a new method of selection is not fair to all.</i>

OPTION 3: Do not attend the annual Local Government New Zealand Conference.

Description	<i>That Council does not authorise delegates to attend the Local Government New Zealand Conference 2024.</i>
Advantages	<i>There are no known advantages with this option.</i>
Disadvantages	<i>Learning and networking opportunities will be lost.</i>
Impact on mana whenua	<i>There is no known impact on mana whenua.</i>
Strategic alignment	<i>This option does not meet the strategic alignment of Fair and Efficient Leadership and Purposeful Work and Learning Opportunities.</i>
Associated risks	<i>There is a risk that Council will lose a valuable learning and leadership opportunity.</i>

DISCUSSION

6. The preferred option is Option 1.
7. Attending the annual Local Government New Zealand Conference provides Council with opportunities to learn, grow in leadership skills and create networks and contacts within the sector.

Financial/budget considerations

8. The earlybird registration fee for the conference is available until 12 July 2024 at \$1,395 per person. Travel, accommodation and some meal costs are additional to the registration fee.
9. The above costs will be covered for the nominated and authorised attendees from budgeted funding. If any other Councillors wish to attend the Conference, it will be at their own cost.

Policy and planning implications

10. There are no policy and planning implications identified in relation to this report.

Impact on mana whenua

11. There is no identified impact on mana whenua in relation to this report.

Climate impact considerations

12. There is no identified impact on climate change in relation to this report.

Risks

13. There are no risks identified in relation to this report.

Community wellbeing considerations

14. 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').
15. 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.

Social, Economic, Environmental, Cultural Wellbeings

16. Attending the LGNZ Conference provides learning opportunities which support and promote the 4 wellbeings.

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:

INFORM

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

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. His Worship the Mayor will attend the Local Government New Zealand Conference 2024. Councillors Brooks and Kemara are next in rotation to attend. As Councillor Brooks was unable to

attend last year's conference he is eligible under the rotation method to attend this year.

Stace Lower

CHIEF EXECUTIVE OFFICER

COUNCIL REPORT

Date : 19 April 2024
To : Ordinary Council Meeting, 30 April 2024
From : Chief Executive Officer, Stace Lewer
Subject : **CHIEF EXECUTIVE OFFICER'S UPDATE**
File ID : A1221940

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 (01/02/2024-19/04/2024)

Month	Submitter	Subject	Due
February 2024	Kainga Ora	Non-publicly shared data Datasets	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	Completed
	Doug Wheeler	Zoning and Consents	Completed
	Radio NZ	Three waters spending implications for the LTP	Completed
	Carol Quirk	Request for conflicts of interests register	Completed
	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	Completed
	Nicola Page	Building Consents	Completed
	Labour Leaders Office	Rating request	10/04/2024
	Mark Stringfellow	Internal Document - Whanarua Lot 66	Completed
	Antony DeGreat	Hosted Rainbow Storytime dates & costs	Completed
	The Campaign Company	Payments to SOLGM	25/04/2024
April 2024	Mario Puente Sierra	Öpötiki drinking water assets - data request	03/05/2024
	Antony DeGreat	LGBTQI+ type events	Completed
	Chris Lord	Council/public owned swimming pool data	Completed
	Fair Go - Media Request	Parking fines data	Completed

4. Meetings / Events Attended by the Chief Executive Officer – 9 March 2024 – 19 April 2024

11 March 2024

Öpötiki Harbour Project meeting with MBIE, via Zoom

13 March 2024

Property Advisory Group meeting

14 March 2024

Live call with NZTA leadership team, via Zoom

19 March 2024

Ordinary Council meeting

20 March 2024

Bay of Plenty Regional Council Long Term Plan presentation to ODC

Catch up meeting with Bay of Plenty Regional Council Chair and CEO

21 March 2024

Taituara CEs meeting, via Zoom

25 March 2024

Eastern Bay of Plenty Spatial Plan – Chief Executives' meeting, via Teams

Council workshop

Eastern Bay of Plenty Spatial Plan – Project Leadership Group meeting, via Teams

Ōpōtiki Harbour Project meeting with MBIE, via Zoom

27 March 2024

Meeting with Whakatōhea Reo Rua team

4 April 2024

Councillor/CEO catch up meeting

Catch up meeting with CEOs of Whakatāne District Council and Kawerau District Council

8 April 2024

Eastern Bay of Plenty Strategy Refresh – Executive Committee meeting, via Teams\

Ōpōtiki Harbour Project meeting with MBIE, via Zoom

9 April 2024

BOP Local Water Done Well CEs online meeting

10 April 2024

Ōpōtiki Harbour Steering Group meeting

12 April 2024

Eastern Bay of Plenty Road Safety Operations Group meeting

Road Safety Programme catch up with Junine Stewart, NZTA Area Programme Manager (Waikato/Bay of Plenty), Speed and Infrastructure Programme

15 April 2024

Wastewater Project Governance Group meeting, via Teams

Met with Whakatōhea and Bay of Plenty Regional Council representatives re harbour western access

16 April 2024

Eastern Bay of Plenty Strategy Refresh meeting, via Teams

17 April 2024

Met with Lyndon Settle, CEO Quayside Holdings Ltd

18 April 2024

Property Advisory Group meeting

Taituara CEs meeting, via Zoom

19 April 2024

Department of Internal Affairs – webinar on Maori Wards

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 : 19 April 2024
 To : Ordinary Council Meeting, 30 April 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:

- 12. Confirmation of In-Committee Minutes – Ordinary Council Meeting 19 March 2024.**
- 13. Notes From Council Workshop.**

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

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
12.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 19 March 2024.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
13.	Notes From Council Workshop.	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:

12.	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)
13.	Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(f)(ii) Section 7(2)(j)