



NOTICE OF AN ORDINARY COUNCIL MEETING

**Opotiki District Council Chambers, 108 St John Street, Opotiki
Tuesday, 29 January 2019
Commencing at 9.00am**

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – HIS WORSHIP THE MAYOR

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

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PUBLIC EXCLUDED BUSINESS

ITEM 10 CONFIRMATION OF IN-COMMITTEE MINUTES: ORDINARY COUNCIL MEETING 18 DECEMBER 2018	
ITEM 11 MINUTES – TOI-EDA MEETING 10 DECEMBER 2018	
ITEM 12 RESOLUTION TO RESTATE RESOLUTIONS AND READMIT THE PUBLIC	

Chair: His Worship the Mayor – John Forbes

Members: Cr Lyn Riesterer (Deputy Mayor)

Cr Shona Browne

Cr Barry Howe

Cr Haki McRoberts

Cr Arihia Tuoro

Cr Ken Young

Committee Secretary: Gae Newell

Quorum: 4

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

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

Aileen Lawrie

CHIEF EXECUTIVE OFFICER



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 18 DECEMBER 2018 IN THE
OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPOTIKI AT 9.00M**

PRESENT:

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

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Bevan Gray (Finance and Corporate Services Group Manager)
Ari Erickson (Engineering and Services Group Manager)
Muriel Chamberlain (Corporate Services Manager)
Jo Hunt (Library Manager)
Billy Kingi (Chief Financial Officer)
Garry Page (Reserves Manager)
Sarah Jones (Corporate Planner and Executive Officer)
Tina Gedson (Property Officer)
Gae Newell (Personal Assistant to CEO and Mayor)

MEDIA:

James Sandbrook and Mike Fletcher (Opotiki News)

PUBLIC:

Carol Quirk
Jan Willis
Janet Thompson
Gavin Cowley
Brenda Griffiths
Lola Bradbourne

Councillor Young opened the meeting with an inspirational piece titled "Judgement Inspiration" by an Irish politician.

APOLOGIES

Councillor Howe;

Councillor Tuoro for part of the meeting.

RESOLVED

(1) That the apologies be sustained.

Browne/Riesterer

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

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

PUBLIC FORUM

Carol Quirk and Jan Willis – Library Redevelopment

Carol Quirk stated that she had made a submission to Council's Annual Plan 14-15 years ago around the need for a new library. She further stated that the current temporary solution is quite inadequate for the town and asked that the library be moved back into the old building, the roof be done up and complete the project work on Te Tahuu. Council's vision is 'strong community strong future' and clearly the current situation does not meet the community's future needs.

Carol Quirk was aware that circumstances have changed since the new library was planned and accepted that rules change etc. She thought that if Council went ahead with a new library now, the community would be right behind it. She asked Council not to lose sight of the new library and not to aim for second best. She added that there is not a lot in town, particularly for children.

Jan Willis said that for children using the library, there was limited space and the school holiday programme has gone. She noted that children are now not able to use the computers. Also, the library is a second home to quite a few of the town's children. There are wonderful books in the library and the quality of the books is marvellous. All manner of people in the community use the library and there are a lot of people who would get in behind fundraising to have a new library.

His Worship the Mayor stated that Council is committed to a library. There are levels of complexity which are hard to communicate to the community so they understand. The library will be an important part of the future CBD, and we want something which will stand the test of time. We are

about 30 years behind where we should have been in relation to making the library more fit for purpose.

Carol Quirk acknowledged the work done by the fabulous librarians.

His Worship the Mayor thanked Carol Quirk and Jan Willis for coming and speaking to Council.

Janet Thompson entered the meeting at 9.05am.

The Corporate Services Manager, the Library Manager, Carol Quirk, Jan Willis, Brenda Griffiths and Lola Bradbourne left the meeting at 9.11am.

His Worship the Mayor advised that there will be a late item added to the in-committee section of the meeting – CEO Annual Market Remuneration Review and Annual Performance Review. Due to time constraints, the item was not on the agenda but there was some urgency for Council to consider the item prior to the Christmas break.

Evolution Networks

The Finance and Corporate Services Group Manager advised that after going through the tender process, Evolution Networks has been successful in its bid to Crown Infrastructure Partners to provide additional coverage around the Eastern Bay of Plenty. This will be a three year project, through to 2022, which will see a number of towers built around the Eastern Bay of Plenty.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 9 OCTOBER 2018 p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 13 November 2018 be confirmed as a true and correct record.**

Browne/Young

Carried

2. MINUTES – COAST COMMUNITY BOARD MEETING 23 OCTOBER 2018 p12

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 23 October 2018 and any recommendations therein be received.**

McRoberts/Riesterer

Carried

3. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 23 NOVEMBER 2018 p16

RESOLVED

- (1) That the minutes of the Regional Transport Committee meeting held on 23 November 2018 be received.**

Young/HWTM

Carried

4. MAYORAL REPORT 9 NOVEMBER 2018 – 13 DECEMBER 2018 p25

RESOLVED

- (1) That the report titled “Mayoral Report 9 November 2018 – 13 December 2018” be received.**

HWTM/Riesterer

Carried

The Chief Financial Officer entered the meeting at 9.16am.

5. QUARTERLY REPORT TO 30 SEPTEMBER 2018 p30

RESOLVED

- (1) That the report titled “Quarterly Report to 30 September 2018” be received.**

Tuoro/Young

Carried

The Chief Financial Officer left the meeting at 9.25am.

6. BOP CIVIL DEFENCE AND EMERGENCY MANAGEMENT FUNDING p45

RESOLVED

- (1) That the report titled “BOP Civil Defence and Emergency Management Funding” be received.**
- (2) That Council agree to allocate \$56,536 in unbudgeted expenditure for Emergency Management BOP.**

Riesterer/Tuoro

Carried

7. KERBSIDE RECYCLING COLLECTION

p50

RESOLVED

- (1) That the report titled “Kerbside Recycling Collection” be received.**
- (2) That the Council agree to proceed with Option 3 – Increasing recycling capacity using four (three additional) 40L bins, with fortnightly, alternating collection.**
- (3) That Council approves loan funding of \$104,139 for recycling bins procurement and distribution.**

Tuoro/Riesterer

Carried

Sarah Jones left the meeting at 9.50am.

8. STATE HIGHWAY 2 WASTEWATER EXTENSION

p58

RESOLVED

- (1) That the report titled “State Highway 2 Wastewater Extension” be received.**
- (2) That Council approves a loan of \$204,175 to fund the extension project.**
- (3) That Council delegate to staff the ability to negotiate and enter into an agreement with the owner of 2000 SH2 and any other owners who choose to connect, to service the interest on the loan for the project until 2026.**

Young/Browne

Carried

9. POTENTIAL SISTER CITY RELATIONSHIP – EASTERN BAY OF PLENTY WITH JIANXI PROVINCE IN CHINA

p63

His Worship the Mayor was of the opinion that Council should fund two attendees – one elected member and one from the organisation, i.e. the Chief Executive Officer.

Councillor Young agreed with the Sister City relationship but did not agree with funding a second attendee for the trip to China.

The Chief Executive Officer noted that she had received advice from Councillor Howe that he objected to the China trip being ratepayer funded.

Councillor Tuoro moved that His Worship the Mayor and the Chief Executive Officer represent Council on the trip to China. This was seconded by Deputy Mayor Riesterer.

The wording of clause 2 of the recommendations will be amended to provide that Council approves the participation and funding of the Mayor and "one other attendee", in the event that the Chief Executive Officer is unable to take the trip.

The motion was PUT and CARRIED.

RESOLVED

- (1) That the report titled "Potential Sister City Relationship – Eastern Bay of Plenty With Jianxi Province In China" be received.**
- (2) That the Council approve the participation and funding of the Mayor and one other attendee in the upcoming visit to Jiangxi.**
- (3) That the Council approve the signing of the Sister City relationship MOU.**

Tuoro/Riesterer

Carried

Against: Councillor Young

The meeting adjourned for a Citizenship Ceremony at 10.02am and reconvened at 10.36am. Councillor Tuoro and Gavin Cowley did not rejoin the meeting.

His Worship the Mayor advised that Item 11 would be considered next and Item 10, Rose Gardens Presentation – Options and Costs, will be considered at the end of the meeting.

10. ROSE GARDENS PRESENTATION – OPTIONS AND COSTS

Verbal Item

The Reserves Manager spoke to a power point presentation which covered the following points in relation to the Ōpōtiki Rose Garden Reserve landscape concept design:

- Design Motives
- Site Analysis Plan
- Landscape Concept Plan
- Community Consultation Outcomes
- Landscape Plan Developed Design

Copies of the Landscape Developed Design prepared by Boffa Miskell were tabled.

The Reserves Manager stated that funding already budgeted would be bolstered by Tourism Infrastructure Fund funding which could cover items such as a new toilet block, hub/café JV, cultural

elements and infrastructure upgrade. Other external funding, e.g. from Southern Trust, could cover items such as new play apparatus and a water play feature. The Eastern Bay Energy Trust is a potential source of funding for lighting.

Council acknowledged the hard work being put in by the gardening staff, noting that the town is starting to look really nice.

Following a discussion, Council were supportive of the options presented.

Councillor Browne moved that Council agree to the ongoing development of the plans for the Rose Garden Reserve. This was seconded by Deputy Mayor Riesterer.

The motion was PUT and CARRIED.

RESOLVED

- (1) That Council agrees to the ongoing development of the plans for the Rose Garden Reserve.**

Browne/Riesterer

Carried

11. SCHEDULE OF MEETINGS 2019

p69

- (1) That the report titled "Schedule of Meetings 2019" be received.**

- (2) That Council adopts the Schedule of Meetings 2019 as tabled.**

Young/Riesterer

Carried

12. CHIEF EXECUTIVE OFFICER'S UPDATE

p71

Eastern Bay regional Leadership Group

As noted in the Chief Executive Officer's Update report, at the conclusion of the public presentation of the Stakeholder Strategies Draft Report, a motion was moved from the floor to continue with the Harbour Development Project. His Worship the Mayor stated that he would like to see that sentiment endorsed by a resolution of Council.

Councillor Browne moved that Council continue with the Harbour Development Project and this was seconded by Deputy Mayor Riesterer.

The motion was PUT and CARRIED.

RESOLVED

(1) That Council continue with the Harbour Development Project.

Browne/Riesterer

Carried

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

HWTM/Browne

Carried

A replacement Resolution to Exclude the Public was tabled.

13. RESOLUTION TO EXCLUDE THE PUBLIC

p75

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

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

14. Confirmation of In-Committee Minutes – Ordinary Council Meeting 13 November 2018.

15. Toi-EDA Minutes – 5 November 2018.

16. Library Re-Roof Options.

17. 32 Elliott Street Office Re-Fit.

Extra Item: CEO Annual Market Remuneration Review and Annual Performance Review.

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

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
14.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 13 November 2018	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)

15.	Minutes – Toi-EDA Meeting 5 November 2018	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
16.	Library Re-Roof Options	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)
17.	32 Elliott Street Office Re-Fit	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)
Extra Item	CEO Annual Market Remuneration Review and Annual Performance Review	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)

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

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

Extra Item	Protect the privacy of natural persons Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(f)(ii) Section 7(2)(j)
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McRoberts/Riesterer

Carried

James Sandbrook, Mike Fletcher and Janet Thompson left the meeting at 10.49am.

The Property Officer entered the meeting at 10.50am.

Staff re-joined the meeting at 11.30am, having left during the in-committee section of the meeting for Council to consider the extra item noted at the beginning of the meeting

RESOLVED

- (1) That the in-committee minutes of the Ordinary Council meeting held at on 13 November 2018 be confirmed as a true and correct record.**

Young/Riesterer

Carried

RESOLVED

- (2) That the minutes of the Toi-EDA meeting held on 5 November 2018 be received.**

HWTM/Browne

Carried

RESOLVED

- (1) That the report titled "Ōpōtiki Library Re-Roof Options" be received.**
(2) That Council has a consultative procedure with community on the library redevelopment options.

Browne/Riesterer

Carried

RESOLVED

- (1) That the report titled "32 Elliott Street Office Re-Fit" be received.**
(2) That Council authorises the shortfall of \$140,000 to be funded by internal loan.

Browne/McRoberts

Carried

RESOLVED

- (1) That the resolutions made while the public was excluded, except for the resolutions for the extra item (CEO Annual Market Remuneration Review and Annual Performance Review).**

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

Riesterer/Browne

Carried

The Chief Executive Officer left the meeting at 11.34am.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 12.27PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 29 JANUARY
2018**

J H FORBES

HIS WORSHIP THE MAYOR

Minutes of the Civil Defence Emergency Management Group Joint Committee Meeting held in Council Chambers, Whakatāne District Council, Civic Centre, Commerce Street, Whakatāne on Friday, 7 December 2018 commencing at 10.05a.m.

Present:

Chairman: Mayor G Brownless (Tauranga City Council)

Deputy Chairman: Cr D Love (Bay of Plenty Regional Council)

Appointees: Mayor J Forbes (Opotiki District Council), Mayor M Campbell (Kawerau District Council), Deputy Mayor F Tunui (Alternate, Kawerau District Council), Mayor S Chadwick (Rotorua Lakes Council), Mayor A Bonne (Whakatane District Council)

In Attendance: Emergency Management Bay of Plenty: C Naude (Director), C Morris (Manager, Recovery and Projects), R Wallace (Senior Emergency Management Advisor), A Thompson (Personal Assistant)

Other: S O'Sullivan (Chief Executive, Whakatane District Council), R George (Chairman, CDEMG Coordinating Executive Group), J Lean (Acting General Manager, Strategy and Governance, Tauranga City Council), B Vercoe (Ministry of Civil Defence and Emergency Management), M Meads (Emergency Management Consultant, Malinda Meads Consultancy), S Duignan (Leadership Consultant and Coach, Sue Duignan Consultancy), J Durham (Committee Advisor, Bay of Plenty Regional Council)

Apologies: Mayor G Webber (Western Bay of Plenty District Council), M Taris (Chief Executive, Western Bay of Plenty District Council), M Grenfell (Chief Executive, Tauranga City Council), F McTavish (Chief Executive, Bay of Plenty Regional Council), A Lawrie (Chief Executive, Opotiki District Council)

1 Apologies

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Accepts the apologies from Mayor G Webber, M Taris, M Grenfell, F McTavish, and A Lawrie tendered at the meeting.

Brownless/Love
CARRIED

2 **Public Forum**

Nil.

3 **Acceptance of Late Items**

Nil.

4 **General Business**

An update regarding Central Government developments in relation to Civil Defence and Emergency Management.

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

Nil.

6 **Declaration of Conflicts of Interest**

Nil.

7 **Previous Minutes**

7.1 **Civil Defence Emergency Management Group Joint Committee Minutes - 28 September 2018**

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Confirms the Civil Defence Emergency Management Group Joint Committee Minutes - 28 September 2018 as a true and correct record.

Love/Campbell
CARRIED

8 **Reports**

8.1 **Bay of Plenty Civil Defence Emergency Management Group Controller Amendments**

The report was taken as read.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty Civil Defence Emergency Management Group Controller Amendments.
- 2 Rescinds the authority Louise Miller as Local Controller for the Bay of Plenty Civil Defence Emergency Management Group, Tauranga City Council, as defined under s27 of the Civil Defence Emergency Management Act 2002.

- 3 Rescinds the authority of Eddie Grogan and Ken Tarboton as Group Controllers for the Bay of Plenty Civil Defence Emergency Management Group as defined under s26 of the Civil Defence Emergency Management Act 2002.
- 4 Approves the amendments to Schedule 1 – Appointment of Group and Local Controllers for the Bay of Plenty Civil Defence Emergency Management Group (Appendix 1).

Forbes/Chadwick
CARRIED

8.2 Recovery Manager Capacity in Bay of Plenty CDEM Group

Members raised concern for the number of vacancies and consequent difficulties in responding to an event. Clinton Naude (Director, Emergency Management Bay of Plenty) advised that the cross-delegation of controllers provided some additional support for response, however there was concern for resources in recovering from an event.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Recovery Manager Capacity in Bay of Plenty CDEM Group.
- 2 Rescinds the appointment of Emlyn Hatch as Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group, Tauranga City Council.
- 3 Rescinds the appointment of Jeff Farrell as Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group, Whakatane District Council.
- 4 Approves the amended Schedule for the Appointment of Group and Local Recovery Managers in the Bay of Plenty CDEM Group.

Chadwick/Love
CARRIED

8.3 Bay of Plenty Civil Defence Emergency Management Group Service Delivery Review 2018

Malinda Meads (Emergency Management Consultant, Malinda Meads Consultancy) and Sue Dignan (Leadership Consultant and Coach, Sue Dignan Consultancy) highlighted the key recommendations arising from the Bay of Plenty Civil Defence Emergency Management Group Service Delivery Review 2018.

Key points included:

- There was a lack of understanding and clarity of responsibilities within the Group.
- The review endorsed the shared regional model.
- Councils should collaborate with Emergency Management Bay of Plenty as a partnership, not a master/servant silo approach.

- Hazard management functioned well, but strategic risk management required focus.
- The Civil Defence Emergency Management Service Agreement (Agreement) established in 2015 would benefit from further context relating to accountability, principles and alignment with the vision.
- Rotorua Lakes Council should consider joining the Agreement.
- A comprehensive document should be drafted to clarify roles and responsibilities.
- The Group would benefit from more regular communication in order to build relationships and a consistent public interface.
- Community must be at the heart of the Group.
- The Group should have a three year plan, with an annual review and measurable time-bound KPIs. This could align with the councils' Long Term Plan reviews.
- The Group's finances and a fully targeted rate should be considered.
- A framework for post-event reviews should be developed to assist with corrective action planning.
- Community resilience activities should be strengthened.

Staff advised:

- The report had been forwarded to the Coordinating Executive Group (CEG) for further review and action planning.
- Implementation would occur as and when decisions were made.
- Progress reports would be provided to the CEG and Joint Committee, with further discussion and direction sought from the Joint Committee in 2019.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty Civil Defence Emergency Management Group Service Delivery Review 2018.**

**Forbes/Chadwick
CARRIED**

8.4 Development of the Bay of Plenty Civil Defence Emergency Management Group Annual Plan 2019-2020

The report was taken as read.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Development of the Bay of Plenty Civil Defence Emergency Management Group Annual Plan 2019-2020.**
- 2 Approves the 2019-2020 budget as set out in this report based retention of the current funding envelope for civil defence emergency management.**

**Love/Bonne
CARRIED**

8.5 **Science update on tsunami threat to the Bay of Plenty**

Clinton Naude (Director, Emergency Management Bay of Plenty) and Rowan Wallace (Senior Emergency Management Advisor) outlined developments in a recent GNS science report.

Key points included:

- Recent scientific research identified a soft sea-bed between the North Island and the off-shore Kermadec Trench-Hikurangi Trench subduction zone that might not transmit M8.5+ earthquake waves to provide the natural warning signs of a possible pending tsunami. This would mean communities from Whakatāne through to Auckland might not feel natural warning signs of a tsunami risk in line with the “long, strong, get gone” message.
- Public education strategies would need to reinforce to communities to not solely rely on one source of hazard notification/warning.
- Central Government was investing in new technology to enhance the monitoring and identification of tsunamigenic earthquake risks.
- Staff recommended the Joint Committee write to the Minister of Civil Defence advocating the need to focus on a comprehensive tsunami monitoring, identification and warning capability.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Science update on tsunami threat to the Bay of Plenty.**
- 2 Approves the Chair of the Joint Committee write to the Minister of Civil Defence advocating for an enhanced tsunami monitoring and warning system for New Zealand.**

**Forbes/Bonne
CARRIED**

8.6 **Bay of Plenty CDEM Group Recovery Management Annual Report**

Clinton Naude (Director, Emergency Management Bay of Plenty) outlined the report summarising recovery operations within the region over the 12 months previous. Members highlighted the fundamental role navigators filled in responding to an event.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty CDEM Group Recovery Management Annual Report.**

**Love/Campbell
CARRIED**

9 **General Business**

Bridget Vercoe (Ministry of Civil Defence and Emergency Management) outlined the early stages of work underway by the Ministry of Civil Defence and Emergency

Management and suggested Director, Sarah Stuart-Black, attend the next Joint Committee meeting to provide further detail.

Members agreed to extend an invitation to the Minister of Civil Defence, Hon Kris Faafoi and Sarah Stuart-Black, Director of the Ministry of Civil Defence & Emergency Management to attend the next meeting of the Bay of Plenty CDEM Group Joint Committee in 2019.

Staff follow-up

- Extend an invitation under the signature of the Chair of the Bay of Plenty CDEM Group Joint Committee to the Minister of Civil Defence, Hon Kris Faafoi and Sarah Stuart-Black, Director of the Ministry of Civil Defence & Emergency Management to attend the next meeting of the Bay of Plenty CDEM Group Joint Committee in 2019.

The meeting closed at 11.41am.

CONFIRMED 21 MARCH 2019:

Chairperson



REPORT

Date : 17 January 2019
To : Ordinary Council Meeting, 29 January 2019
From : His Worship the Mayor, J H Forbes
Subject : **MAYORAL REPORT 14 DECEMBER 20198 – 17 JANUARY 2019**
File ID : A155659

Since 14 December 2018 I have attended or met with the following:

14 DECEMBER 2018

Provincial Growth Fund announcements by Minister Shane Jones:

Opotiki

Whakatane

17 DECEMBER 2018

Met with Eastern Bay Mayors and CEs

9 JANUARY 2019

Inspiring Stories – teleconference, together with Deputy Mayor Riesterer

11 JANUARY 2019

NZ Walking Access Commission – Audit and Risk Committee meeting

SIGNIFICANCE ASSESSMENT

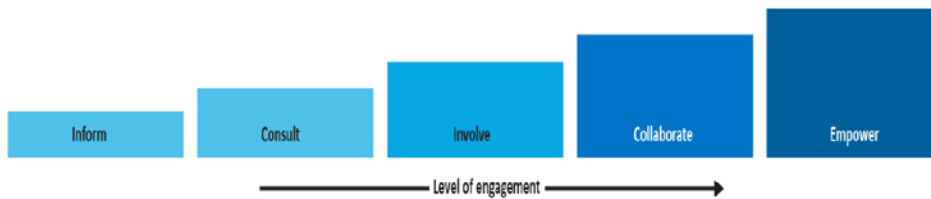
Assessment of significance

Under Council's Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of

Significance for the Mayoral Report is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements

As the level of significance for the Mayoral Report is considered to be of low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.



RECOMMENDATION:

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

John Forbes

HIS WORSHIP THE MAYOR



REPORT

Date : 16 January 2019

To : Ordinary Council Meeting, 29 January 2019

From : Mayor John Forbes

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

File ID : A155815

EXECUTIVE SUMMARY

This report updates Council on progress advanced through the December 2018 meeting of the Ōpōtiki Marine Advisory Group.

PURPOSE

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

BACKGROUND

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

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

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

OMAG met at Ōpōtiki District Council on 12 December

- Peter Vitasovich provided an update from Whakatōhea Mussels (Ōpōtiki) Limited (WMO). The mussel harvest is continuing and the Kukutai has been working well. WMO worked with the Cawthron Institute to deploy a buoy on the mussel farm. Information captured by the buoy on weather conditions, including wind direction and strength, wave heights, and water temperature, is available on Cawthron’s [website](#) and ODC’s [website](#).
- Aileen Lawrie provided an update on the harbour development project. The four active workstreams are investigation of alternative rocks sources, harbour redesign, assessing and determining the ownership and investment structure for the harbour, and updating the financial model for the harbour taking into account information from the other three workstreams.
- Barbara MacLennan provided an update on the workforce development project. Refer to attachment one.

SIGNIFICANCE ASSESSMENT

Assessment of significance

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of significance for receiving the OMAG report is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements

As the level of significance for receiving the OMAG report is considered to be low, the level of engagement required is determined to be at the level of ‘inform’ according to schedule 2 of the Significance and Engagement Policy.



RECOMMENDATION:

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

Mayor John Forbes

CHAIR, ŌPŌTIKI MARINE ADVISORY GROUP

ATTACHMENT 1

Workforce Development Update from Barbara MacLennan

1. He Poutama Rangatahi programmes are well underway locally. Metrics will be provided in the first report in 2019. In Whakatāne, a Rangatahi Hub will open in Kopeopeo over summer, with a focus on pathways to work. In Kawerau, we assisted the ISK Pathways to Work Management Group to prepare an expression of interest (EOI) to the Provincial Growth Fund (PGF) for more "on ramp" fit to learn and fit to work programmes, and further cadetships. Faylene Tunui has recently been appointed to the coordinator role for Kawerau Pathways to Work. The Chamber of Commerce report that 17 of the 20 young people on their Cadet Max programme are now in work.
2. Reducing Barriers - Driver Licencing – the Ōpōtiki Community Driver Mentoring Programme is on track with a new appointee getting up to speed and a recent media release about the partnership to support the ongoing programme. Toi EDA has prepared an EOI to the PGF for funding to enable an Eastern Bay of Plenty driver and operator training facility based in Kawerau covering all classes of driving, and freight and logistics training. The proposal includes a coordination role to collate and share all class 1 driving instruction availability, and further investment in that level. The EOI budget includes transport for trainees from across the Eastern Bay of Plenty to minimise barriers to participation.
3. Toi EDA LinkUP - Growing awareness of good jobs and industries in the Eastern Bay of Plenty - Our videos of young employees in growing industries in the region are being loaded on YouTube and will be available on Toi EDA's website. Barbara MacLennan is talking with industry leaders about the potential for co-investment in videos featuring young people and the Eastern Bay of Plenty right across the value chain, for example in primary industries, research, propagation, planting/pruning, harvesting, processing, freight and logistics, marketing, exporting etc.
4. LinkUP EBOP Principals' (plus one) Day Out held on 21 November. We are looking forward to supporting more collaboration across schools and events to build principal and school connections with industry.
5. Youth Employability Programme (YEP) - Licence to Work - Training programme went well and we anticipate the number of active sites implementing YEP in 2019 will double from four to eight.
6. EBOP Workforce Development Advisory Board to Toi EDA - This board guides and supports our workforce development efforts. Susan Impey and Louisa Erickson are members, along with John Galbraith who is the Toi EDA representative. Over the past month, Toi EDA has responded to the strong call for more detailed workforce demand and supply detail by location, skill requirements and timing. A draft proposal was submitted to the PGF for feedback.

REPORT

Date : 15 January 2019
To : Ordinary Council Meeting, 29 January 2019
From : Chief Executive Officer, Aileen Lawrie
Subject : **HARBOUR DEVELOPMENT – MBIE FUNDING**
File ID : A155956

EXECUTIVE SUMMARY

The harbour project was successful in securing funding from the Provincial Growth Fund (PGF) and proposed approach to the coming months is provided for Council's information and endorsement.

PURPOSE

To outline the proposed approach to the successful PGF application for ongoing development of the Harbour project.

BACKGROUND

Following guidance from MBIE, Council submitted an application for funding to the Provincial Growth Fund and was successful in securing \$750k. This was announced by Minister Jones in Opotiki on 14 December 2018.

Along with the ODC \$250k of co-funding, this provides a budget of \$1m to carry out a range of tasks that fall into the following work streams:

1. Rock source investigation for a closer (and less costly) rock source.
2. Harbour re-design and costing to incorporate indicative cost savings measures developed over the last nine months.
3. Due diligence in relation to the commercial case for the harbour.

MBIE has brought in Rosie Mercer, and Eastland Group, to provide expertise and to advise on the three projects. Along with BOPRC and ODC a steering group and a project group have been set up to advance the project(s).

The initial phase of the rock source project has been let to GNS, who have commenced work. Further phases of work are budgeted and will be determined by the findings of the initial phase of work. While this work has arisen from the Harbour project it is noted that additional rock sources will be beneficial to many across the Bay of Plenty.

Eastland Group are currently reviewing the proposal to contract HEB construction to firm up potential cost savings into an irrevocable offer. Once the project group is satisfied with the brief it is proposed it will be let with completion some months away.

Further work is envisaged on financial commercial modelling of the overall proposal but this is yet to be scoped.

MBIE are currently drafting a funding agreement so that each of the workstreams above can be completed.

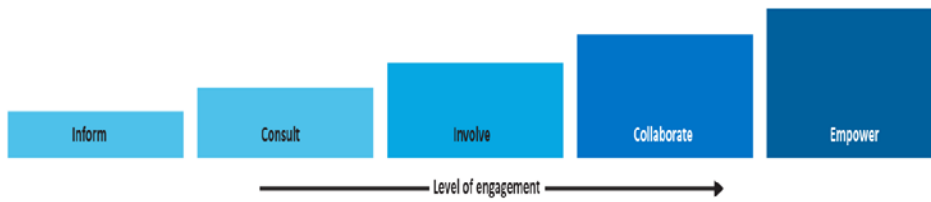
SIGNIFICANCE ASSESSMENT

Assessment of significance

Under Council's Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for receiving this report is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements

As the level of significance for receiving this report is considered to be low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.



CONSIDERATIONS

Financial/budget considerations

Guidance

ODC Costs in relation to this work is \$250k. This, and some other costs surrounding the project, is part of the \$5.4m budgeted in the LTP. It is envisaged that some of ODC's costs in managing the three workstreams will be recoverable from the MBIE funding. That is being worked through in the funding agreement.

Policy and planning implications

While further due diligence ahead of a commitment by government wasn't envisaged in our Long Term Plan there has been significant investment committed by Government to Whakataohea and the Aquaculture company. Officials, and the presentation at the Ministers announcement, also signalled strong support for the project. The work proposed is therefore considered appropriate for Council to be engaging in and continuing to lead on. It is noted that a unanimous public resolution was moved from the floor at a recent public meeting asking Council to continue with the project.

Authority

While the Council's participation in the three projects is technically an operational matter, it is a significant workload on the organisation and for the avoidance of doubt Council's endorsement of this direction is sought. It is also noted that a number of procurement decisions will be required to be made and it is the funder's preference that those decisions are made by the steering group. It is likely that the funding agreement will either name those contracting parties or will seek to have the steering group make these decisions. Staff will consider these decisions on a case by case basis for legislative and policy compliance. Given the timeframes that have been indicated there may be significant time pressure on this decision making.

CONCLUSION

Council have been successful with securing Provincial Growth Fund money for three specific tasks in relation to the harbour development. While the LTP envisaged a substantive decision by now, there is sufficient indication of Government and regional commitment for Council to continue with the project.

As the smallest funder Council needs to lead the project collaboratively with others. This includes providing for joint decision making by a steering group. Staff will monitor decisions on a case by case basis to ensure procedural compliance.

RECOMMENDATIONS:

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

Aileen Lawrie

CHIEF EXECUTIVE OFFICER

REPORT

Date : Thursday 10 January 2019

To : Ordinary Council Meeting, 29 January 2019

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

Subject : **EDUCATION SMOKEFREE OUTDOOR PUBLIC SPACES POLICY REVIEW**

File ID : A155474

EXECUTIVE SUMMARY

The current Opotiki District Council Education Smokefree Outdoor Public Spaces Policy was adopted in 2007. In response to submissions made to the Long Term Plan last year a review of the policy has been carried out. Consultation on a new policy was undertaken with the community through the Council website and at the Smokefree Community Workshops held on 25 October and 1 November 2018. This report seeks Council agreement that the new policy, as attached, be adopted to replace the existing policy.

PURPOSE

This report recommends the adoption of a new Education Smokefree Outdoor Public Spaces Policy.

BACKGROUND

The current Education Smokefree Outdoor Public Spaces Policy was adopted in December 2007. Officers have worked in collaboration with Toi Te Ora staff to review the policy and amend it following consultation with the public. The revised policy has been updated to make it simpler to read and includes the provision of additional smokefree areas within the district. In addition a smoke free symbol will be included on all Council signs positioned within designated smokefree areas, when existing signs are upgraded or new signs installed.

DISCUSSION AND OPTIONS SECTIONS

The existing policy covers Council owned public spaces, playgrounds, reserves and gardens.

The new policy includes Ōpōtiki township CBD and beaches as smokefree areas. In addition events endorsed or sponsored by the Council will also be promoted as being smokefree.

The policy is designed to be an educative policy. No fines will be applied by Council when breaches to this policy are observed. Rather, compliance with the policy will be encouraged through educating and prompting appropriate smokefree behaviour set by the Council and the community.

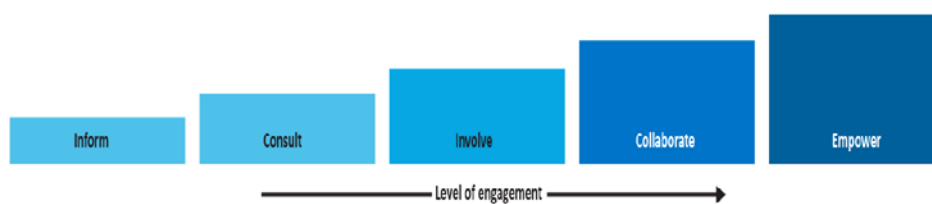
SIGNIFICANCE ASSESSMENT

Assessment of significance

Under Council's Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for Education Outdoor Smokefree Public Spaces Policy Review is considered to be *low* as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements

As the level of significance for *Education Outdoor Smokefree Public Spaces Policy Review* is considered to be of *low* the level of engagement required is determined to be at the level of *consult* according to Schedule 2 of the Significance and Engagement Policy.



COMMUNITY INPUT AND PUBLICITY

Two smokefree community workshops were held on 25 October and 1 November 2018 led by staff from Toi Te Ora and supported by the Council. Public consultation on smokefree policy was undertaken alongside the workshops. The consultation on the policy was also advertised in the Ōpōtiki News, Council website and Facebook page. This was to inform the community and to notify the public feedback could also be done online through the Council website.

The majority of the feedback received was supportive of the changes to include the CBD and beaches as smokefree. More detail in relation to the feedback received is set out in Appendix A of this report. Many of the responses referred to the value of a clean community and positive health outcomes from not smoking, particularly in relation to children. Other comments made referred to the need for more signage, concerns of people's right to freedom of choice and the impact this would have on businesses.

CONSIDERATIONS

Financial/budget considerations

Implementing the policy will require new signage which is provided to Council free of charge through Health Promotion Agency and can be applied to existing signs.

Policy and planning implications

This policy aligns with the Smoke-free Environments Amendment Act 2003 and the Government's goal of becoming a smoke-free nation by 2025. Council's that have endorsed Smokefree 2025 in the Bay of Plenty are Tauranga, Rotorua, and Kawerau. In doing so these Councils have also made extensions to designated smokefree areas to further de-normalise smoking and to help promote better health and wellbeing outcomes for their communities.

Risks

There are no associated risks with the adoption of this policy.

Authority

Council has the authority to adopt the smokefree policy proposed.

CONCLUSION

The Education Smokefree Outdoor Public Spaces has been reviewed. Community consultation was completed with the majority of the feedback being supportive of the changes.

RECOMMENDATIONS:

- 1. That the report titled "Education Smokefree Outdoor Spaces Policy Review" be received.**

2. **That the Council adopts the amended Education Smokefree Outdoor Spaces Policy attached to this report.**

Anna-Marei Kurei

RAPID NUMBERING AND ROAD NAMING ADMINISTRATION OFFICER

POLICY	STATUS	AT	DATE	DOC ID
EDUCATIONAL SMOKE FREE OUTDOOR SPACES POLICY	Draft		29.01.2019	



Opotiki District Council
STRONG COMMUNITY STRONG FUTURE

OPOTIKI DISTRICT COUNCIL

EDUCATIONAL SMOKE FREE OUTDOOR SPACES POLICY

BACKGROUND

This policy was created from the review of the Educational Smoke Free Outdoor Spaces Policy 2007.

PURPOSE

The purpose of the Educational Smokefree Policy is to promote a clean and healthy environment that improves the health and wellbeing of the Ōpōtiki community by reducing the prevalence of smoking and de-normalising smoking behaviour.

As an education policy this policy is not enforced by the Council. Compliance is encouraged through educating and prompting appropriate smokefree behaviour set by the Council and the community. It aims to utilise passive signage and public awareness to influence behaviour, supported by the community, Eastern Bay of Plenty Smoke Free Coalition and Toi Te Ora Public Health. This policy aligns with the Government's goal of becoming a smoke-free nation by 2025.

POLICY

This policy sets out the Council's position and commitment in relation to smokefree public places and events. The policy aims to:

- Reduce the visibility of smoking and normalise smokefree environments, particular around children and young people;
- Reduce the number of people smoking in public spaces;
- Promote a positive smokefree message, especially to children and young people;
- Reduce litter from cigarette butts.

SIGNAGE

Following the passing of this policy all Council owned signs in designated smokefree areas will be marked with a smoke free symbol during the next round of signage updates.

SMOKE FREE PUBLIC SPACES

Ōpōtiki District Council has designated the following public places as smoke free:

- All Ōpōtiki District Council parks, playgrounds, sportsgrounds and reserves;
- Beaches;
- CBD/Civic Spaces;
- All entrances to Council owned buildings;
- Events funded or supported by Ōpōtiki District Council will encourage a smokefree environment.

RELEVANT LEGISLATION

Smoke-free Environments Amendment Act 2003

REVIEW

This policy will be reviewed:

- Within five years after the first policy is adopted by the Council and then at intervals determined by the Council; or
- Earlier than five years at the request of the Council;
- Refer to policy index for policy owner.

Appendix A

Feedback from the Opotiki Smokefree Spaces Community Workshops Held the 25th October and 1st November 2018

Shared spaces - be good to promote smokefree policy and culture.

Tautoko hard.

Fresh air and no good for you.

Keep it green and clean. Mo nga tamariki, mokopuna o te ao. Asthma kills don't add to it and butts are gross.
The more smokefree the better!

The policy is great. Hope a lot of people take heed and realise the health problems that come from smoking.
Yes, wonderful. Thank you Council.

So true, sick disease. Expensive habit. Fools game, like me.

Littering fine if cigarette butts are thrown out.

Need visible signage.

As a visitor I recommend this policy to promote your clean/green reputation.

Supportive of council owned facilities and areas being smokefree but unrealistic to police beach areas.

Smoking should be banned in all public places. Food shops (bake house) should not allow smoking outside their shop.

I totally agree with no smoking where we have our breakfast (café/restaurants) or other public places like toilets when we are going to our appointments (med centre) and when people come out to do their activities.
Not healthy for us all including kids.

Just imagine an ocean of cigarette butts! No smoking in public areas, specifically CBD. Let's maintain a smokefree town to promote a smokefree NZ.

Don't like feeling ashamed about smoking or when buying cigarettes.

I believe this policy is a great tool for the future of our communities. Facilitates I believe healthier and cohesive value sets. Nga Mihi.

More rubbish bins to collect the littering of butts.

We highly support no smoking in public areas especially where kids are.

There needs to be a designated smoking area in town.

I don't understand why the Council would implement a policy like this when we are a low population. The town already has too many restrictions. As a business owner we only have a short few minutes with our buyers and that's it. I don't care if you smoke. I am not a smoker but I'm not going to stop my customers from smoking outside.

I should have the right to decide what happens in my house, car, and property. There needs to be freedom of choice.

The CBD already has too many restrictions, it will affect our business.

REPORT

Date : 10 January 2019
To : Ordinary Council Meeting, 29 January 2019
From : Planning and Regulatory Group Manager, Gerard McCormack
Subject : **PLANNING AND REGULATORY SIX MONTH REVIEW**
File ID : A148971

EXECUTIVE SUMMARY

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

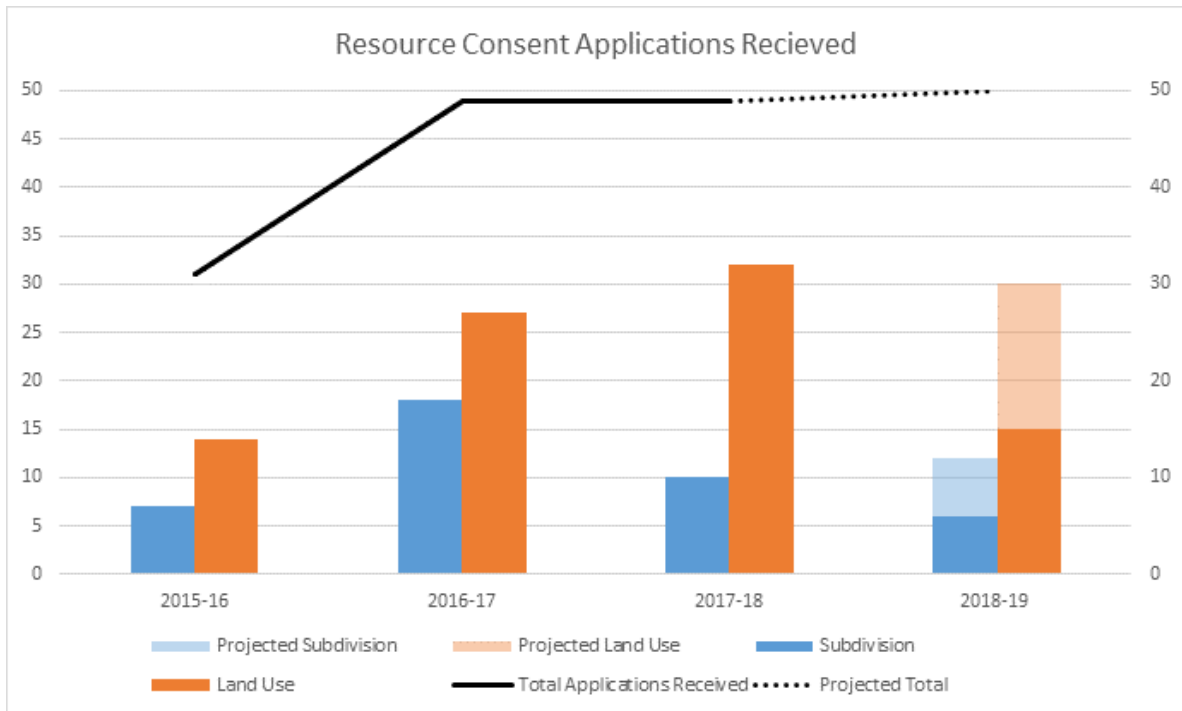
PURPOSE

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

DISCUSSION

Resource Consents

During the first six months of 2018-19 a total of 25 resource consent applications were received, consistent with the trend since 2016 with approximately 50 applications being received per annum. The number of subdivision and land use consents are on track to be similar in number to the previous two financial years.



We have received and dealt with 286 enquiries relating to resource consents between July – December 2018. This suggests that there is an increasing level of interest in developing within the district, however, to date, this has not yet resulted in an increase in the number of applications being received. At the start of 2018 a new recording system was introduced that records all resource consent enquiries received, response times and the responses provided by officers. This is proving to be a very useful tool in gathering information as to potential development activity within the district, helping with future planning and allocation of resources. It is also clear from the data that our resource consent officers spend almost the same amount of time responding to enquiries as they do processing resource consents applications.

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

Following requests from local iwi and community groups, all resource consents applications received and the decisions made in respect of those application from June 2017 have been made available on our website on the following link: <https://www.odc.govt.nz/our-services/planning-guidance-and-resource-consents/Pages/default.aspx>

A summer student has been employed between November and February to update our resource consent database and ensure that all files are scanned into our document management system. This will improve the availability of resource consent files and accuracy of the information held on property files.

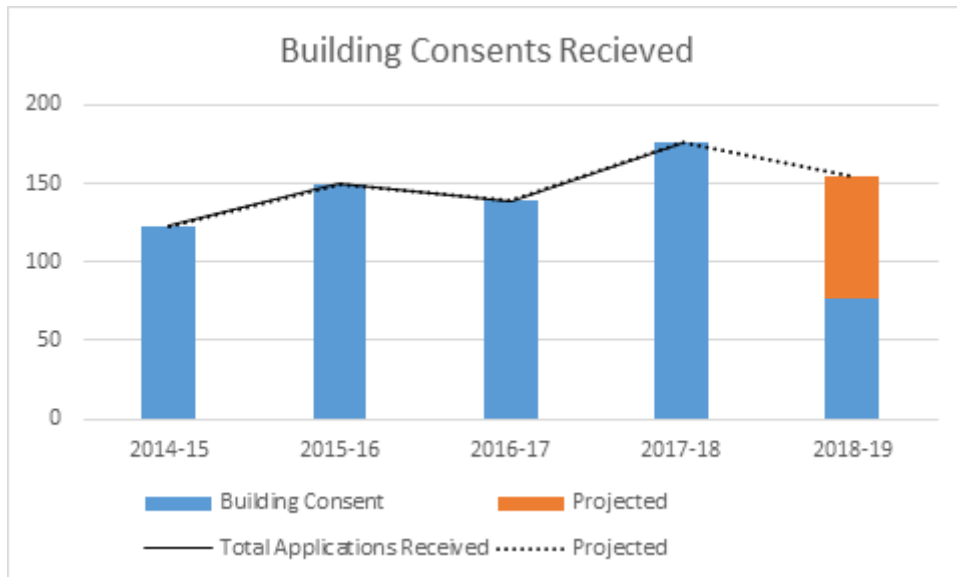
District Plan

Following the notification of decisions on the proposed District Plan in May 2018, ten appeals were lodged with the Environment Court. At the time of drafting this report three appeals have been resolved by consent order relating to telecommunications infrastructure. Over the last few months informal meetings have occurred between appellants and Council officers in an attempt to resolve the appeals and avoid the need for matters to go before the Environment Court. These negotiations are going well and further meetings have been scheduled for the end of January and beginning of February.

The majority of the appeals relate to minor issues (around wording of policy) which officers are confident can be resolved. One more substantive appeal has lodged by the Regional Council in relation to Indigenous Vegetation. A number of other parties have also lodged an interest in this appeal. Officers are currently working with the Regional Council and are looking to identify options that will be presented to Council at a later Council meeting.

Building consents

The number of building consents received in the first six months of the financial year is tracking slightly above application numbers submitted in previous years as illustrated in the graph below. However, numbers are down by just over 10% when compared against last year, which was a record for the number of consents received.



The unexpected surge in building consent application numbers in the 2017-2018 period caused a backlog in the level of service we were able to provide over the past 18 months. As a result we have been working hard to improve systems and processes within Council's building service to ensure the level of service we provide remains high. Our strategy for improvement has included the following:

- Online application*

Building consent applications can now be submitted, managed and tracked from anywhere at any time through our online service page.
- Call back and appointment request online*

Service users can now submit call back and appointment requests online.
- We have added more resources and improved communication with our customers*

A staff member has moved into the team to assist with processing consents and we have called in additional support to assist in carrying out site inspections to get us over the spike. We are also checking in with building contractors to let them know about the changes and to get their feedback on potential areas of future improvement.

Within the team currently we have one full time administrator, one full time senior building control officer and one full time building control officer undertaking training to achieve their competency levels. Western Bay of Plenty District Council (WBOP) have agreed to process consents on our behalf where required and are also providing officers to assist with site inspections. We are working closely with WBOP to improve our resilience and ability to respond to spikes in application numbers. This relationship is also assisting us to fill the gaps in technical knowledge that arise in a small team. We

will continue to monitor application numbers and if the trend continues to rise then further consideration will be given to recruiting additional members of staff.

The International Accreditation New Zealand (IANZ) accreditation inspection was carried out in August 2018 and a number of non-compliances were highlighted. These were all addressed before Christmas and a letter has been received confirming the Council's continued accreditation. A follow up visit from IANZ inspectors will be carried out at the end of April.

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

Reason for notice to fix	Number of notices issued
Swimming pool fencing does not comply	3
Ground floor of commercial building being used as residential accommodation	1

We are becoming increasingly aware of building works being undertaken within the district without building or resource consent. As a result, it is expected that the number of notices issued in relation to unconsented works will increase in the future.

Environmental health

The number of food premises registered within the district has increased to 64 and we are on track to inspect all food premises, operating under food control plan templates, within the financial year, with 28 having already been visited. Our inspectors are reporting continued improvement in operating practices and compliance with the Food Act requirements.

Premises type	Number registered	Inspection carried out (Revisits not included)
Food (operating under food control plan template)	50	28
Food (Operating under national programmes)	14	n/a*
Campground	10	0
Hairdressers	5	0
Mobile Traders/Hawkers	8	n/a**

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

**Council does not proactively visit mobile traders or hawkers operating in the district

*** Excludes Hāwai Farms Camping Ground, which was invoiced for renewal of certificate of registration but has not paid (reminders have been sent by finance)

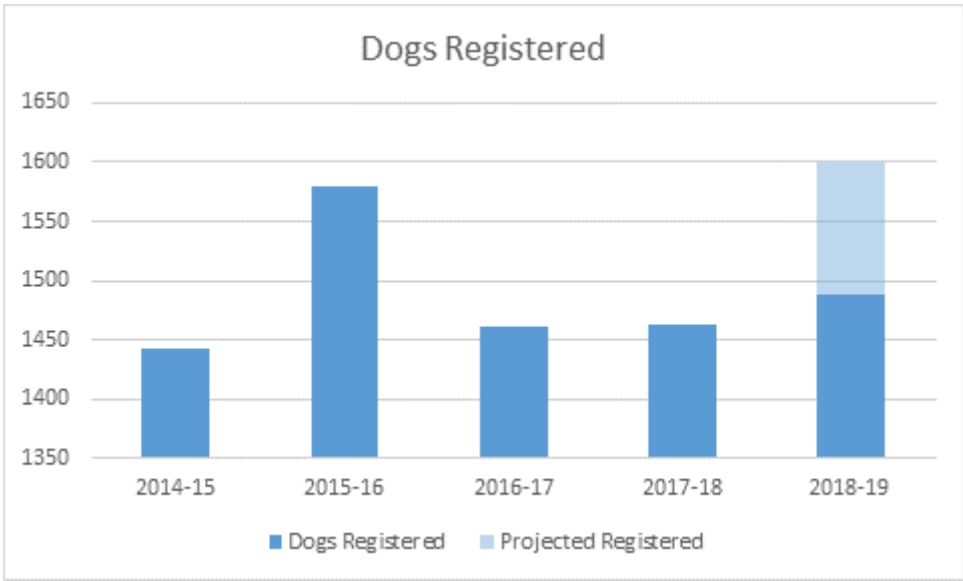
In October Council held two half-day training sessions for food operators to assist them with their understanding and implementation of food control plan templates. If demand arises, further training sessions will be arranged in the next financial year to assist operators.

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

The annual inspection of all campgrounds and hairdressers is scheduled to be completed by 1 March 2019.

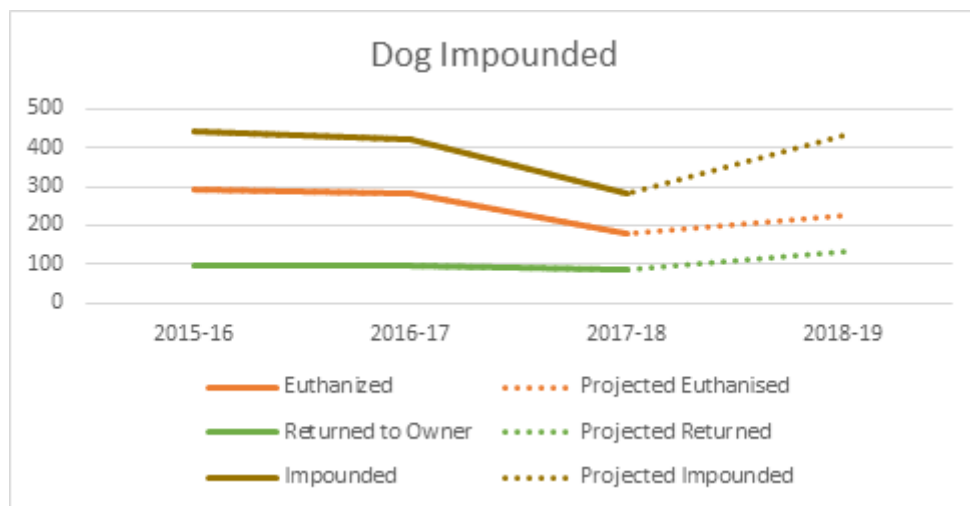
Animal Control

This year 1,494 dogs have already been registered, which is the second highest number of dogs ever registered in a financial year. New initiatives that have been put in place have improved registration rates, particularly around the Te Kaha area, at it is likely that this year may surpass all previous years for the number of dogs registered.



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

The table below shows the numbers of dogs impounded overall, the number of dogs returned to their owner, and the number of dogs euthanised.



In the reporting period, twelve menacing or dangerous dogs have been de-sexed under the Council funded de-sexing programme.

Unfortunately the pound continues to be broken into and dogs stolen. It is hoped that this will be addressed with the upgrade of the pound facilities in 2019-20 as proposed in the Long Term Plan.

Liquor Licensing

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

Application type	Number received	Number processed
Specials	11	11
Clubs	2	1
ONS	4	4
OFF	3	2
Manager Certificate	29	27
Total	49	45

Other regulatory activities

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

In response to community concerns about inconsiderate motorists parking on pavements or in spaces reserved from mobility card holders, work was undertaken to upgrade our database to enable parking infringement notices to be issued. This work was completed in December and since then 24 infringement notices have been issued for parking offences and vehicles not having a valid WOF or registration.

SIGNIFICANCE ASSESSMENT

Assessment of significance

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of significance for Planning and Regulatory Six Month Review is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements

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



CONCLUSION

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

With further positive announcements in relation to the harbour development and other funding for projects within the Eastern Bay, it is envisaged that more applications will be received over the next 1-3 years. This will put pressure on our small team. However, with improved use of IT, continued development of relationships with other Councils and consultants, we should have sufficient capacity to deal with a small uplift in application numbers in the short term. If larger numbers of applications are received over a longer term, consideration will be given to the recruitment of additional staff.

RECOMMENDATION:

1. That the report titled "Planning and regulatory six month review" be received.

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER

REPORT

Date : 17 January 2019

To : Ordinary Council Meeting, 29 January 2019

From : Chief Executive Officer, Aileen Lawrie

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

File ID : A155662

OPOTIKI DRIVER MENTORING PROGRAMME

There has been a slowdown in numbers going through this programme as REAP has been recruiting for a new co-ordinator. In November, Naipolioni 'Nams' Vunivesilevu took up the role in conjunction with taking on the AA Driver Licensing function to be delivered by REAP. This is a fantastic outcome for Opotiki and Nams will be known to many from his time on ODC reception and at the *i*-SITE. The programme is encountering some additional constraints that we have asked NZTA to help us address:

- (a) The availability of driver testing is increasingly slow.
- (b) The Restricted Licence Test booking policy does not allow reservations of multiple test places, and for instructors to work towards those dates with groups of people, putting forward those that are definitely ready on the day. The implications on cost and time are prohibitive – especially when individual learners have to travel 1.5 hours (three hours return) to Whakatāne to practice, and to sit tests.
- (c) The cost and inconvenience of all Tests having to be sat in Whakatāne.

MOTU TRAILS EXTENSION

Council has secured an additional \$20k from MBIE to respond to their questions about the business case for funding the Motu Trails extension. There are a number of matters in the Whakatāne portion of the proposed extension being worked on. In the Opotiki district MBIE are seeking more information on the Harbour crossing and the revised business case is proposing an extension of the trail from the Ōhiwa boat ramp to the Kutarere wharf to strengthen the case in providing an alternative if the harbour crossing is not operating. Staff are working on costing for a roadside trail. Other discussions

are ongoing with NZTA about their contribution to SH parts of the proposed extension and a review of the trails cost benefit analysis is being undertaken.

BUILDING CONTROL IANZ ACCREDITATION

This week Council received a Certificate of Accreditation from International Accreditation New Zealand (IANZ) which confirms Council's accreditation as a Building Consent Authority. Council is continuing to implement improvements to its Building Control function and IANZ inspectors will be undertaking a further assessment and review at the end of April.

FIXED TERM ROLE

Bevan Gray has now commenced his period of extended leave to travel with his family. Council has contracted Michael Homan in the fixed term role of Finance, Systems and Property Group Manager. Michael has extensive experience in a number of roles in Local Government - Tauranga and Nelson City Councils and has, more recently, been managing a very large portfolio of properties for Housing NZ. Bevan will retain responsibility for some limited tasks in his time away and we expect him back in January 2020.

LGOIMA REQUESTS

December 15/1/2019 16:44 LGOIMA Report - 6 weeks			
Month	Count	Submitter - Subject - Status	Due
		Dawne Brown - number of public toilet buildings cleaned by Council	21/12/2018
November 2018	13	Amber Aramoana – Ōpōtiki Harbour Development and customary use of marine or foreshore resources of tangata whenua	Completed
		Remuneration Authority - Delegations, Budget & Coast for review of Community Boards	Completed
		Alex Dobie - Request for a copy of the lease document of the land currently leased to Gavin Young	25/01/2019
		Albie Aubrey - Survey on rates and charges made by Councils on Retirement Villages	Completed
		Housing New Zealand - Soak Pit Enquiry HNZ properties	Completed
		Peta Berry - Chicken Egg and Chicken Meat Bird Farm Resource Consent Applications	Completed
		Office of Stuart Smith MP - Pool Inspections - Urgent	Completed
		Karyn Ward - Considerations tangible and intangible New Zealand culture and heritage in relation to natural hazards and human instigated emergencies	Completed
		SEANZ - Consent Required For Solar Power Systems	Completed

December 2018	8	Stuff news - Dogs spend Christmas in the shelters - required by 11am tomorrow	Completed
		Daniel Wairua - Rates – Maungaroa No 1 sec 2B 2 Block - 7660-337-00-E	13/02/2019
January 2019	2	Water Safety New Zealand - Funding	13/02/2019

MEETINGS / EVENTS ATTENDED BY CEO – 14 DECEMBER 2018 – 17 JANUARY 2019

14 DECEMBER 2018

Provincial Growth Fund announcements by Minister Shane Jones:

Ōpōtiki

Whakatāne

17 DECEMBER 2018

ODC Tenders Sub-Committee meeting

Met with Eastern Bay Mayors and CEs

14 JANUARY 2019

Ōpōtiki Harbour Development meeting with Eastland Group and MBIE

17 JANUARY 2019

Meeting with BOPRC re various

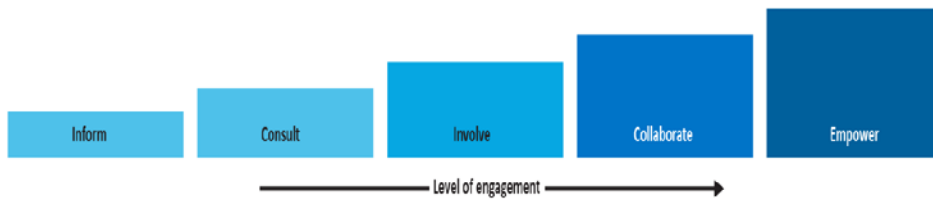
SIGNIFICANCE ASSESSMENT

Assessment of significance

Under Council’s Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for the Chief Executive Officer’s Update is considered to be low as determined by the criteria set out in section 12 of the Significance and Engagement Policy.

Assessment of engagement requirements

As the level of significance for the Chief Executive Officer’s Update is considered to be of low the level of engagement required is determined to be at the level of inform according to Schedule 2 of the Significance and Engagement Policy.



RECOMMENDATION:

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

Aileen Lawrie

CHIEF EXECUTIVE OFFICER

REPORT

Date : 17 January 2019

To : Ordinary Council Meeting, 29 January 2019

From : Chief Executive Officer, Aileen Lawrie

Subject : **RESOLUTION TO EXCLUDE THE PUBLIC**

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

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

- 10. Confirmation of In-Committee Minutes – Ordinary Council Meeting 18 December 2018.**
- 11. Toi-EDA Minutes – 10 December 2018.**

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

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
10.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 18 December 2018	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
11.	Minutes – Toi-EDA Meeting 10 December 2018	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)

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

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