

NOTICE OF AN ORDINARY COUNCIL MEETING

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

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – COUNCILLOR BROWNE

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

Erica Tingcombe – Book Club (Library)

	Page
ITEM 01 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 12 MARCH 2019	4
ITEM 02 MINUTES – COAST COMMUNITY BOARD MEETING 12 FEBRUARY 2019	12
ITEM 03 MINUTES – EASTERN BAY OF PLENTY JOINT COMMITTEE MEETING 5 MARCH 2019	17
ITEM 04 MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 15 MARCH 2019	23
ITEM 05 MINUTES – CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE MEETING 22 MARCH 2019	34
ITEM 06 MINUTES – ŌHIWA HARBOUR IMPLEMENTATION FORUM MEETING 28 MARCH 2019	41
ITEM 07 MAYORAL REPORT 1 MARCH 2019 – 9 APRIL 2019	51
ITEM 08 ŌPŌTIKI MARINE ADVISORY (OMAG) UPDATE	54
ITEM 09 2019-2020 ANNUAL PLAN INFORMATION	57
	<i>(and separate document)</i>
ITEM 10 ANNUAL COMMUNITY SURVEY RESULTS	62
ITEM 11 CONFLICT OF INTEREST POLICY	69

(Continued over page)

ITEM 12	RESOLUTION TO DECLARE HUNTING DOGS TO BE WORKING DOGS FOR THE PURPOSES OF THE DOG CONTROL ACT 1996	89
ITEM 13	MATARIKI FESTIVAL FUNDING APPLICATIONS	94
ITEM 14	LOCAL GOVERNMENT NEW ZEALAND CONFERENCE 2019	97
ITEM 15	CHIEF EXECUTIVE OFFICER'S UPDATE	99
ITEM 16	RESOLUTION TO EXCLUDE THE PUBLIC	126

PUBLIC EXCLUDED BUSINESS

- ITEM 17** CONFIRMATION OF IN-COMMITTEE MINUTES ORDINARY COUNCIL MEETING 12 MARCH 2019
- ITEM 18** RESOLUTION TO RESTATE RESOLUTIONS AND READMIT THE PUBLIC

CITIZENSHIP CEREMONY

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

Chair: His Worship the Mayor – John Forbes

Members: Cr Lyn Riesterer (Deputy Mayor)

Cr Shona Browne

Cr Barry Howe

Cr Haki McRoberts

Cr Arihia Tuoro

Cr Ken Young

Committee Secretary: Gae Newell

Quorum: 4

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

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

Aileen Lawrie

CHIEF EXECUTIVE OFFICER



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED TUESDAY, 12 MARCH 2019 IN THE
OPOTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPOTIKI AT 9.00AM**

PRESENT:

Deputy Mayor Lyn Riesterer (Chairperson)
Councillors:
Haki McRoberts
Arihia Tuoro
Ken Young

IN ATTENDANCE:

Aileen Lawrie (Chief Executive Officer)
Gerard McCormack (Planning and Regulatory Group Manager)
Ari Erickson (Engineering and Services Group Manager)
Michael Homan (Finance Systems and Property Group Manager)
Billy Kingi (Chief Financial Officer)
Gae Newell (Executive Assistant and Governance Support Officer)

MEDIA:

James Sandbrook (Opotiki News)

Councillor McRoberts took a moment to acknowledge ex-Mayor, Don Riesterer, who passed away recently. He recounted that when he first came on to Council, Don Riesterer was the Mayor and helped him immensely with the role of being a Councillor.

In the absence of Councillor Browne, Councillor McRoberts then opened the meeting with a karakia.

Deputy Mayor Lyn Riesterer extended thanks for the fantastic response when her father was brought to Council. She also thanked the staff and colleagues who attended the tangi.

APOLOGIES

His Worship the Mayor, John Forbes; Councillor Barry Howe; Councillor Browne.

RESOLVED

(1) That the apologies be sustained.

Riesterer/Young

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

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

PUBLIC FORUM

Nil.

On behalf of Council, Deputy Mayor Riesterer extended a warm welcome to Michael Homan – Finance, Systems and Property Group Manager.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING: 29 JANUARY 2019 p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 29 January 2019 be confirmed as a true and correct record.**

Young/McRoberts

Carried

2. DRAFT MINUTES – COAST COMMUNITY BOARD MEETING 4 DECEMBER 2018 p11 MEETING 7 DECEMBER 2018

RESOLVED

- (1) That the draft minutes of the Coast Community Board meeting held on 4 December 2018 and any recommendations therein be received.**

McRoberts/Riesterer

Carried

3. MAYORAL REPORT 18 JANUARY 2019 – 28 FEBRUARY 2019 p15

Councillor McRoberts extended thanks to His Worship the Mayor for attending the last meeting of the Coast Community Board.

RESOLVED

- (1) That the report titled “Mayoral Report 18 January 2019 – 28 February 2019” be received.**

Tuoro/Young

Carried

4. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE p18

RESOLVED

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

Riesterer/Young

Carried

The Chief Financial Officer entered the meeting at 9.07 am.

5. QUARTERLY REPORT TO 31 DECEMBER 2018 p21

RESOLVED

- (1) That the report titled "Quarterly Report to 31 December 2018" be received.**

Tuoro/Riesterer

Carried

The Chief Financial Officer left the meeting at 9.30am.

6. TE KAHA WATER SUPPLY SOUTHERN EXTENSION 2A FUNDING p68

RESOLVED

- (1) That the report titled "Te Kaha Water Supply Southern Extension 2A Funding" be received.**

- (2) That Council approves the loan fund of \$43,100 to complete the project.**

Riesterer/McRoberts

Carried

7. THE ŌPŌTIKI DISTRICT COUNCIL FIRE PREVENTION BYLAW 2008 p71

RESOLVED

- (1) That the report titled "The Ōpōtiki District Council Fire Prevention Bylaw 2008" be received.**

- (2) That the Ōpōtiki District Council Fire Prevention Bylaw 2008 be revoked.**

Young/McRoberts

Carried

8. DOG CONTROL REGISTRATION FEES p85

RESOLVED

- (1) That the report titled "Dog Control Registration Fees" be received.**

- (2) That the Council, in accordance with Section 37 of the Dog Control Act 1996, fix by way of resolution the following fees for dog registration for the 2019/20 registration year.

Dog Registration		
The following fees apply to registration of dogs in the Ōpōtiki District		
Discounted fee (applies if paid on or before 1 August 2019)		
Complete dog		\$110.00
Neutered dog		\$55.00
Working dog		\$40.00
Full fee (applies if paid after 1 August 2019)		
Complete dog		\$165.00
Neutered dog		\$82.50
Working dog		\$60.00

(All charges include GST)	Charges	Charges
	1 July 2018	1 July 2019
Implant of micro-chip transponder	\$25.00 – Free for dogs with annual registration for 2018/19 paid before 1 st August 2018	\$25.00 – Free for dogs with annual registration for 2018/19 paid before 1 st August 2019

Tuoro/Young

Carried

9. UPDATE ON FOOD ACT 2014 IMPLEMENTATION

p91

RESOLVED

- (1) That the report titled "Update on Food Act 2014 Implementation" be received.

Tuoro/McRoberts

Carried

10. PRE-ELECTION REPORT

Tabled

An amended report was tabled. The only amendment is the inclusion of the report from Election Services.

It was agreed that the alphabetical order of candidate names be adopted for the 2016 triennial elections.

RESOLVED

- (1) That the report titled "Pre-Election Report" be received.

- (2) That Council resolves for the 2019 triennial elections to adopt the alphabetical order of candidate names as permitted under Regulation 31 of the Local Electoral Regulations 2001.
 - (3) That Council adopts the Pre-Election Protocol for the period 12 July 2019 to 12 October 2019.
 - (4) That Council adopts the Election Signs – General Conditions Applicable to All Areas Policy.
- McRoberts/Riesterer Carried

11. REGIONAL ECONOMIC DEVELOPMENT AGENCY TRUST EXEMPTION AS A COUNCIL CONTROLLED ORGNISATION p107

RESOLVED

- (1) That the report titled “Regional Economic Development Agency Trust Exemption as a Council Controlled Organisation” be received.
- (2) That Council resolves to continue to exempt the Regional Economic Development Agency Trust from the provisions related to Council Controlled Organisations as provided under Section 7 of the Local Government Act 2002 for a period of three years.

Tuoro/Riesterer Carried

12. BOPLASS LTD STATEMENT OF INTENT FOR 2019-2022 AND HALF YEARLY REPORT p111

Council agreed that the Chief Executive Officer be asked to write a letter of thanks to BOPLASS acknowledging their ongoing work.

RESOLVED

- (1) That the report titled “BOPLASS Ltd Statement of Intent for 2019-2022 and Half Yearly Report” be received.
- (2) That the Chief Executive Officer write a letter of thanks to BOPLASS acknowledging their ongoing work.

Riesterer/Tuoro Carried

13. CHIEF EXECUTIVE OFFICER’S UPDATE p141

LGNZ Community Boards Conference 2019

It was agreed that delegation be given to the Chief Executive Officer to authorise the attendance of two Coast Community Board members at the LGNZ Community Boards Conference 2019.

Cleaning of Waioeka Bridge

Following a discussion regarding the cleaning of the Waioeka Bridge, it was agreed that the Chief Executive Officer will push forward with getting the bridge cleaned and work with the Engineering and Services Group Manager on a solution to present to Tamati Coffey.

RESOLVED

- (1) That the report titled "Chief Executive Officer's Update" be received.**
- (2) That Council gives delegation to the Chief Executive Officer to authorise the attendance of two Coast Community Board members at the LGNZ Community Boards Conference 2019.**

Tuoro/Riesterer

Carried

The meeting adjourned for morning tea at 10.28m and reconvened at 10.52am. The Finance, Systems and Property Group Manager and James Sandbrook did not rejoin the meeting.

14. RESOLUTION TO EXCLUDE THE PUBLIC

p145

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:

15. Confirmation of In-Committee Minutes – Ordinary Council Meeting 29 January 2019.

16. Infrastructure on Private Property Part 2.

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

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
15.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 29 January 2019	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)

16.	Infrastructure on Private Property Part 2	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
------------	--	---	------------------

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

15.	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)
16.	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Carry out negotiations	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i)

McRoberts/Young

Carried

RESOLVED

(1) That the resolutions made while the public was excluded, except for clauses 2, 3 and 4 of Item 17 (Infrastructure on Private Property Part 2), be confirmed in open meeting.

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

Riesterer/Tuoro

Carried

RESOLVED

(1) That the in-committee minutes of the Ordinary Council meeting held at on 29 January 2019 be confirmed as a true and correct record.

McRoberts/Young

Carried

RESOLVED

(2) That the report titled "Infrastructure on Private Property Part 2" be received.

Young/Riesterer

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.27AM.

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

J H FORBES

HIS WORSHIP THE MAYOR



MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD HELD AT TE RUNANGA O TE WHANAU OFFICES, STATE HIGHWAY 35, TE KAHA ON TUESDAY, 12 FEBRUARY 2018 AT 10.05AM

PRESENT:

Haki McRoberts (Chairperson)
Mike Collier
Allen Waenga

His Worship the Mayor John Forbes

IN ATTENDANCE:

Anthony Kirikiri (Technical Engineer – Assets)
Gae Newell (Executive Assistant & Governance Support Officer)

PUBLIC

Mark Stringfellow
Moe Turoa

The Chairperson opened the meeting with a karakia.

His Worship the Mayor acknowledged the late Len Te Moana, Tipi Stainton and Manny Mokokoko who served with him on his first term on Council in 1986. He advised the Board that he will be retiring in October this year, adding that Council is fortunate to have a representative on Council from the Coast as it is important that the Coast feeds issues back to Council.

His Worship the Mayor raised some items of interest with the Board as follows.

Roading

The road to the Coast is not the best. NZTA have had changes in leadership which has taken the decision-making away from Regional Managers. The challenge for the Coast is to get the new Regional Manager to visit the Opotiki district so they know what is important on the roads.

Water

His Worship the Mayor noted the outcome in relation to the Three Waters following the Havelock North water crisis, where the rules around potable supplies are changing.

There is a community interest around water and His Worship the Mayor advised that he is drumming up support from other Mayors.

Mark Stringfellow and Moe Turoa entered the meeting at 10.06am.

Council Staffing

His Worship the Mayor acknowledged that it is difficult to get people with expertise to come to Ōpōtiki. Councils in the region are working together in some cases to share workload and expertise. An example of this is Western Bay District Council providing assistance to our building department with processing and inspections.

His Worship the Mayor concluded by saying that it will be with great regret that he will step back from his role – this is a wonderful part of the country, a great environment with good fishing.

APOLOGIES

Gail Keepa and Jack Parata

Waenga/Collier

Carried

PUBLIC FORUM

Nil.

1. CONFIRMATION OF MINUTES – COAST COMMUNITY BOARD MEETING 23 OCTOBER 2018 **p3**

As there were not enough members present who were also at the 23 October 2018 meeting, confirmation of the minutes will be held over until the next meeting.

2. CONFIRMATION OF MINUTES – COAST COMMUNITY BOARD MEETING 4 DECEMBER 2018 **p7**

As there were not enough members present who were also at the 4 December 2018 meeting, confirmation of the minutes will be held over until the next meeting.

3. ACTION SCHEDULE

p11

Te Kaha Water Supply – Southern Extension

The Technical Engineer – Assets advised that the date for the Māori Land Court hearing will be re-confirmed and will, hopefully, be around the end of March.

Maintenance – Mowing of Reserves

Allen Waenga requested a schedule of mowings and the costs associated with that.

Coast By Nature Signs

The Board discussed placement of the Coast by Nature sign at Te Kaha, agreeing that their preference was on the road reserve at the Te Kaha Resort. The Technical Engineer – Assets will check if that is a possibility in relation to the road reserve. The Board further agreed that if the road reserve at the resort was not appropriate, then their preference would be at Schoolhouse Bay.

RESOLVED

- (1) That the Action Schedule be received.**
- (2) That the Coast by Nature Sign at Te Kaha be placed on the road reserve at the Te Kaha Resort but if that is not appropriate then at Schoolhouse Bay.**

Waenga/Collier

Carried

4. GENERAL MANAGERS' UPDATE

p13

His Worship the Mayor expanded on some of the items in the report.

The Chairperson extended his thanks to staff for introducing the General Managers' Update Report to the agenda.

RESOLVED

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

Waenga/Collier

Carried

5. COAST INITIATIVES FUND

p16

RESOLVED

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

Collier/Waenga

Carried

**6. COAST INITIATIVES FUND – FUNDING APPLICATION: ST JOHN TE WHĀNAU
A APANUI AREA COMMITTEE**

P21

His Worship the Mayor queried if the proposed building will be big enough to serve the community for the next 20-30 years. He also suggested that a DHB clinic could be incorporated into the facility.

The Board also questioned if there was enough capacity for growth built into the concept.

It was agreed to add a further clause to the recommendations that the St John Te Whānau a Apanui Area Committee be asked if capacity for future growth has been built in.

RESOLVED

- (1) That the funding application from St John Te Whānau a Apanui Area Committee be received.**
- (2) That the Board approve the application in the sum of \$20,000.**
- (3) That the St John Te Whānau a Apanui Area Committee be asked if they have built in capacity for future growth.**

Collier/Waenga

Carried

Items Raised by Board Members

Waiving of RRC Charges

The Chairperson advised that he has heard from the Te Kaha St John Ambulance group that the ambulance members in Ōpōtiki and Waihou Bay have their RRC charges waived.

The Technical Engineer – Assets and His Worship the Mayor advised that they were not aware of any such an arrangement for free dumping of rubbish.

His Worship the Mayor noted that the St John Ambulance group could write to Council with a request for fees to be waived.

Te Kaha St John Ambulance Relocation

Mike Collier advised that the St John Ambulance group at Te Kaha was planning a move to the medical centre site. There is land adjoining which may be available for the relocation.

Members of the public attending the meeting, Mark Stringfellow and Moe Turoa, raised some items with the Board. Staff noted these items as below:

- *The Te Kaha RRC is a pleasure to visit.*
- *Suggestion that Animal Control staff attend community events, e.g. the waka ama event at Maraetai Bay.*
- *Pāhāoa Marae – the Marae sign has gone.*
 - *The Chairperson offered to take this to the Eastern Bay Road Safety Committee.*
- *The access road to the Pāhāoa is very difficult; rain comes off the main road and forms a drain in the middle where the road veers; a short bit of sealing or compacting would remedy this.*
- *Whanarua Bay Stream – this is privately owned. Both the 10,000 Club book and the i-SITE website have a cell phone number showing as the contact for obtaining permission to visit but there is little cell coverage in the area.*

The Chairperson thanked the His Worship the Mayor for his attendance and closed the meeting with a karakia.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.24AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING
A TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COAST COMMUNITY BOARD HELD
ON TUESDAY, 26 MARCH 2019.**

HAKI McROBERTS

CHAIRPERSON

COAST COMMUNITY BOARD

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

Present:

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

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

Appointees: Mayor J Forbes (Opotiki District Council), Mayor M Campbell (Kawerau District Council), Mayor A Bonne (Whakatāne District Council), Councillor N Bruning (Bay of Plenty Regional Council), Councillor Sparks (Kawerau District Council), Deputy Mayor J Turner (Whakatāne District Council)

In Attendance: Bay of Plenty Regional Council (BOPRC): Chairman Doug Leeder, David Phizacklea – Regional Development Manager, Santiago Bermeo – Strategic Planner, Reuben Fraser – Consents Manager, T Nerdrum-Smith – Committee Advisor

Whakatāne District Council (WDC): Stephanie O’Sullivan – Chief Executive, Julie Gardyne - General Manager Strategy and Economic Development, Glenda Spackman – Strategic Analyst,

Ōpōtiki District Council (ODC): Aileen Lawrie – Chief Executive,

Kawerau District Council (KDC): Russell George – Chief Executive Officer

1 **Chairperson’s Introduction**

The Chairperson welcome those present to the first meeting of the Committee in 2019, and recognised the recent passing of Cr Riesterer’s father.

2 **Apologies**

Nil

3 **Public Forum**

Nil

4 **Acceptance of Late Items**

Nil

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

Noted that a verbal progress report would be provided on the postponed Public Excluded item: Proposal for Seeking Registrations of Interest for Eastern Bay Rock Supply.

6 **Declaration of Conflicts of Interest**

Nil

7 **Previous Minutes**

7.1 **Minutes - Eastern Bay of Plenty Joint Committee - 12 November 2018**

Resolved

That the Eastern Bay of Plenty Joint Committee:

- 1 Confirms the minutes of the Eastern Bay of Plenty Joint Committee - 12 November 2018.**

**Turner/Bruning
CARRIED**

8 **Reports**

8.1 **Eastern Bay Of Plenty Local Alcohol Policy - Delay of Review**

Glenda Spackman – Strategic Analyst WDC presented this item on behalf of the three Eastern Bay of Plenty District Councils.

Key Points

- All Councils were required to have a Local Alcohol Policy (LAP), which provided direction for the District Licencing Committees
- The current LAP required a review at either 18 months or three years after adoption, however by law, a review was not required until at the six year mark
- As the 2018 census data was not yet available, if a review was undertaken now, it would rely on the 2016 data, which could open the LAP to appeals
- Had commenced data collection through meetings with the Police and District Health Boards, and was working closely with the various agencies to provide robust information for the review
- Was also gathering information from Councils, e.g. when there was a noise control issue, was alcohol involved.

In Response to Questions

- A minimum of one year's worth of data was required for an effective review
- Recognised that alcohol was known to cause harm in the Eastern Bay of Plenty.

Resolved

That the Eastern Bay of Plenty Joint Committee:

- 1 **Receives the report, Eastern Bay Of Plenty Local Alcohol Policy - Delay of Review;**
- 2 **Approve Option 1: Delay the review of the joint LAP to within six years of adoption (by March 2022);**
- 3 **Recommend to Kawerau, Ōpōtiki and Whakatāne District Councils that they resolve to delay the review of the joint LAP to within six years of adoption; and**
- 4 **Notes that the joint Local Alcohol Policy working group will report back to the Eastern Bay of Plenty Joint Committee with a proposed review timeline and next step.**

**Forbes/Bonne
CARRIED**

8.2 **Freshwater-Related Opportunities and Barriers to Sustainable Economic Growth**

PowerPoint Presentation - Reference A3148350

David Phizacklea – Regional Development Manager BOPRC introduced Santiago Bermeo – Senior Planner BOPRC who presented this item.

Key Points of Presentation

- Setting Freshwater Objectives, Limits and Methods: A 2-Step Process
 - Region-wide quantity
 - Water management areas (quality & quantity)
- Information Base
- An Action from the Regional Growth Strategy
- Approach
- Key Findings
- Surface Water, Eastern Bay
- Groundwater, Eastern Bay.

In Response to Questions

- This particular study did not include an in-depth consideration of the impact of climate change
- A high level groundwater model was being developed for the Kaituna catchment and would also be done for Rangitaiki
- The National Policy Statement required regional standards to be adopted by 2030.

Key Points – Members & Attendees

- The current 'first in, first served' principle was expected to be challenged at Central Government level.

Resolved

That the Eastern Bay of Plenty Joint Committee:

- 1 **Receives the report, Freshwater-related opportunities and barriers to sustainable economic growth.**

Clark/Bruning
CARRIED

9 **Presentations/Discussion**

9.1 **Visit to China**

Stephanie O'Sullivan – Chief Executive WDC provided a verbal update on the scheduled delegation to China.

Key Points

- Following consultation with the partner Councils and Central Government, an agreement had been reached that the trip originally planned for April 2019, would be postponed until June 2019.

Key Points – Members and Attendees

- Cr Clark advised that he had withdrawn as a Regional Council delegate
- Recognised that China had an expectation of top representation as part of the delegation, i.e. Mayors/Chairpersons
- It was the responsibilities of the respective Councils to determine whether or not a delegation should be sent
- The two Bay of Plenty Regional Councillors who had been appointed as delegates had now withdrawn. A decision with regards to a third nominee and whether BOPRC would still participate in the delegation, was to be made at the next Council meeting
- Noted that the resolution of the Joint Committee and the Regional Council to send delegates to China was current at this stage.

9.2 **Future Direction of the Committee**

Julie Gardyne - General Manager Strategy and Economic Development WDC provided an introduction of this discussion.

Key Points

- Future work programme for the Committee and topics for discussion for 2019:
 - Local Alcohol Policy
 - Climate change
 - Freshwater management
 - Economic/workforce development
 - Presentations by other Government agencies regarding their work programmes
 - Three waters discussion
 - Activities Commission
 - Natural hazards management
- Standing items for each meeting:
 - Toi EDA update

- Climate Change
- Tourism opportunities and challenges
- Treaty settlements and Iwi partnerships.
- Regional economic development (not limited the Eastern Bay of Plenty).

Key Points – Members

- The link and interaction between the Regional Spatial Plan (Invest Bay of Plenty) vs the Eastern Bay of Plenty Spatial Plan needed to be clarified
- Population growth in the Eastern Bay of Plenty and the associated impact on infrastructure needed to be monitored and planned for
- Recognised the resources required for effective future planning
- Information reports to the Joint Committee enabled Members to report back to their respective Councils.

Staff Follow-up for the Next Meeting

- Invite Toi EDA Board and Management to next meeting of the Joint Committee
- Report/Presentation regarding the Regional Spatial Plan.

9.3 **Update by Toi EDA**

As Toi EDA was currently without a General Manager, this item was deferred to the next meeting of the Committee.

10 **Public Excluded Section**

Resolved

Resolution to exclude the public

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

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

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
Proposal for seeking registrations of Interest for Eastern Bay Rock Supply	To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Good reason for withholding exists under Section 48(1)(a)

**Bonne/ Campbell
CARRIED**

The meeting closed at 2.41 pm

Confirmed DATE

Cr Bill Clark - Chairperson
Eastern Bay of Plenty Joint Committee

Minutes of the Regional Transport Committee Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Friday, 15 March 2019 commencing at 9.30 a.m.

Present:

Chairman: S Crosby (Bay of Plenty Regional Council)

Deputy Chairman: J Nees

Appointees: Deputy Mayor D Donaldson - Alternate, Rotorua Lakes Council, Mayor A Bonne - Whakatāne District Council, Councillor T Molloy - Alternate, Tauranga City Council, Councillor R Curach - Tauranga City Council, Councillor B Julian - Alternate, Kawerau District Council, Councillor D Thwaites - Western Bay of Plenty District Council, R I'Anson - Acting Regional Director Waikato/BOP, New Zealand Transport Agency, Councillor L Thurston - Alternate, Bay of Plenty Regional Council, A Talbot - Alternate, New Zealand Transport Agency

In Attendance: J Galbraith - Freight Advisor, D Kneebone - Port Advisor/Property & Infrastructure Manager, Port of Tauranga,

BOPRC: Chairman Leeder, Cr David Love, Cr Norm Bruning, Namouta Poutasi – General Manager Strategy & Science, Bron Healey – Senior Transport Planner, T Nerdrum-Smith – Committee Advisor

Other: David Cunliffe – Stakeholder Strategies, Janeane Joyce - Channeled Planning and Contracting

Apologies: Mayor J Forbes - Ōpōtiki District Council, Councillor K Young - Alternate, Opotiki District Council, Mayor S Chadwick - Rotorua Lakes Council, Councillor A Iles - Alternate, Whakatāne District Council, Mayor M Campbell - Kawerau District Council,

1 Apologies

Resolved

That the Regional Transport Committee:

- 1 Accepts the apologies from Mayor M Campbell - Kawerau District Council, Mayor J Forbes - Ōpōtiki District Council, Councillor K Young - Alternate, Opotiki District Council, Mayor S Chadwick - Rotorua Lakes Council, Councillor A Iles - Alternate, Whakatāne District Council tendered at the meeting.

Bonne/Curach
CARRIED

2 **Public Forum**

Nil

3 **Acceptance of Late Items**

Nil

4 **General Business**

Nil

5 **Declaration of Conflicts of Interest**

Nil

6 **Previous Minutes**

6.1 **Regional Transport Committee Minutes - 23 November 2018**

Resolved

That the Regional Transport Committee:

- 1 Confirms the Regional Transport Committee Minutes - 23 November 2018

Nees/Donaldson
CARRIED

7 **Reports**

7.1 **Update from Committee Members and Advisors**

Dan Kneebone – Port of Tauranga

Key Points

- The planned expansion into Sulphur Point was progressing well, with demolition of Port sheds being the initial stage
- Had liaised with local iwi and hapū in the consenting process
- Was working with NZTA and TCC regarding traffic flow at the surrounding roading network, including the potential to change in status of Totara Street and Hull Road to State Highway.

Key Points – Members

- There was a significant process surrounding changing the status of roads and a report could be brought to the Committee for consideration of possible support, once further information was available.

Ross l'Anson – New Zealand Transport Agency

Key Points

- Introduced himself as the interim NZTA representative on the Committee, following the departure of Parekawhia McLean.

John Galbraith – Freight Advisor

Key Points

- A network of Toi Ohomai training posts for drivers and operators was being established
- The training could also include bus drivers.

Mayor Bonne – Whakatāne District Council

Key Points

- Noted the fatal accident at the Matatā straight where three road workers had been killed and Health & Safety regulations would be re-emphasised as a result
- The amount of roadwork on the roading network meant drivers no longer paid attention to the lowered speed limits
- 30km/h speed limit meant there were people working along the road.

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

Key Points

- Focus had been on public transport since December 2018 and recognised the significant issues with the implementation of the new service provider and changed routes
- Main challenge was the lack of trained bus drivers and remedial actions had been put in place, with the main priority being school buses
- Three community meetings had been held and mainly addressed concerns regarding changed routes
- Effective delivery of bus services was a national issue, with the lack of qualified drivers being the main challenge
- A report regarding a review of the entire public transport network would be presented to the Public Transport Committee meeting on 29 March 2019.

Cr Jane Nees (Deputy Chairperson) – Bay of Plenty Regional Council

Key Points

- Recognised the ongoing review of the Bay of Connections and the impact on the wider Bay of Plenty region.

Deputy Mayor Dave Donaldson – Rotorua Lakes Council

Key Points

- Supported Mayor Bonne on the roadwork signage concerns and encouraged this to be further discussed with NZTA
- Noted the improvement with regards to road signs not being left when there was no works being undertaken which had created a blasé attitude
- A new parking regime had been introduced in Rotorua CBD
- Parking and traffic flow in the CBD would be discussed at the RLC's Annual Plan Forum today.

Cr Rick Curach – Tauranga City Council

Key Points

- A new Committee (Urban Form and Transport Development) was an amalgamation of the Transport Committee and the City Transformation Committee and would provide a more strategic direction, rather than being focussed on operational issues.
- The Committee was to be chaired by Cr Larry Baldock and the change might impact on the TCC representation on the Regional Transport Committee
- Concerned regarding oversubscriptions to national funds, e.g. the enhanced FAR, and the negative impact on the RLTP and the PT Blueprint
- Concerned regarding the deteriorating relationship with NZTA
- Noted the challenges in Greerton and Welcome Bay as a result of roading changes which did not appear to meet the community's needs.

Key Points – Members

- Concerned that engineering considerations for roading projects were overly comprehensive and possibly unnecessary, which increased costs and slowed down progress.

Dr Don Thwaites – Western Bay of Plenty District Council

Key Points

- Welcomed Ross l'Anson as the new NZTA representative
- 15 road seal extensions taking place in the rural community
- About to embark on the second reconstruction of Omokoroa Road
- Omokoroa to Tauranga cycle/walkway was progressing well with a clip on bridge across the Wairoa River
- The start of the kiwi fruit season would increase congestion on the roads.

Cr Bernice Julian – Kawerau District Council

Key Points

- LED street lights had been installed
- Was in the middle of the annual roading re-seal project
- Installation of the right-hand turn on SH34 into the dairy factory was underway
- There was ongoing work relating to culverts for flood protection and the railway crossing.

Resolved

That the Regional Transport Committee:

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

**Curach/Crosby
CARRIED**

7.2 New Zealand Transport Agency Update

PowerPoint presentation – Reference A3157447

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

Key Points of Presentation

- New Road Safety Strategy
- Creating a safe network
- Travel demand management
- Re-evaluations
- Barkers Corner roundabout metering.

Presenters in Response to Questions

- The re-evaluation of projects under the new Government Policy Statement focussed on the higher volume networks
- There was currently no list of prioritised funding
- High-risk projects were oversubscribed in the national fund
- Recognised that NZTA worked within an environment of oversubscriptions at all times.

Key Points – Members

- Concern at time taken to complete the re-evaluation of projects and provide certainty on scope and timing.
- Tenders for projects were often significantly above the costs estimated by Councils and this represented a significant issue when NZTA funding was not forthcoming
- Commuters in Pyes Pa would actively avoid Barkers Corner, which increased the pressure on the surrounding local roads
- Concerned that safety barriers on the side of the road meant drivers were unable to pull over in a safe manner, e.g. if they had a puncture.

Resolved

That the Regional Transport Committee:

- 1 Receives the report, New Zealand Transport Agency Update.**

**Crosby/Thwaites
CARRIED**

7.3 Urban Form and Transport Initiative - Western Bay of Plenty

PowerPoint Presentation – Reference A3157649

David Phizacklea – Regional Development Manager introduced David Cunliffe – Stakeholder Strategies who attended the meeting to present this item.

Key Points of Presentation

- UFTI Update
- Outline/Introduction
- Potential long-term housing solutions identified, but still uncertain
- UFTI is an integrated project, aiming to deliver a fundable programme

- UFTI needs to resolve near-term housing and transport issues - and deliver an integrated, long-term, urban form and transport strategy
- At the heart of the problem are four interdependent issues
- In the next phase UFTI will develop base case answers to the questions
- The project will be undertaken in four phases
- How can UFTI benefit RTC
- Example output: EBOP freight flows may not be captured by Tauranga Traffic Model (TTM)
- Recent growth not sustainable on most Bay of Plenty State Highways
- Of the EBOP PGF projects, only water bottling has the potential to materially impact traffic
- EBOP PGF projects estimated to increase demand during summer
- Level rail crossing obstruct traffic between 1 and 15% of the time – but very few run during peak traffic hours.

Key Points of Presenters

- As the pressure on the existing roadwork increased, service would deteriorate unless remediation was undertaken urgently
- Collated data did not necessarily support the perception that the public considered single-occupancy vehicles as the preferred means of transport, rather there was an appetite for modal shift
- Recognised the importance of the KiwiRail study, which the Committee was supporting
- Upper North Island Supply Chain Strategy and the Auckland to Hamilton Corridor were recognised as crucial inputs into the work
- Involvement of iwi and the impact on Papakainga Housing were recognised as important
- An overall Project Director was important to ensure continuity of information supply.

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Urban Form and Transport Initiative - Western Bay of Plenty.**

**Curach/Donaldson
CARRIED**

11.05 am – The meeting adjourned.

11.25 am – The meeting reconvened.

7.4 Transport Planning Update

Bron Healey – Senior Transport Planner presented this item.

Key Points

- In the process of preparing for the Government Policy Statement 2021
- There had been no update regarding a possible interim review of the Government Policy Statement 2018
- The National Road Safety Strategy was currently under review.

In Response to Questions

- The toll increase letter to NZTA, included as an attachment in the agenda, was aimed specifically at the two Bay of Plenty toll roads, however also took into consideration the potential wider aspects of toll increases.

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Transport Planning Update;**
- 2 Endorse the letter to the Interim Chief Executive of NZTA regarding the Bay of Plenty toll road price increases.**

**Bonne/Donaldson
CARRIED**

7.5 Bay of Plenty Passenger and Freight Rail Phase 1 Investigation Outline

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

Key Points

- Was responsible for phase 1 of the Bay of Plenty Passenger and Freight Rail Investigation
- The change in Central Government had created a shift in the view on what a rapid transit system should look like
- Key aspect of the investigation was a collaborative partnership and co-operative approach
- Phase 1 also designed to meet NZTA's Strategic Business Case requirements.

Key Points – Members

- Positive to see this investigation underway as rail could have a significant impact on the pressurised roading networks.

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Bay of Plenty Passenger and Freight Rail Phase 1 Investigation Outline;**
- 2 Considers and endorses the planned approach for the Phase 1 Investigation.**

7.6 Role of the Regional Transport Committee

Chairperson Crosby and Bron Healey – Senior Transport Planner introduced this item, which came as a result of the Regional Transport Workshop following the last meeting of the Committee.

Key Points – Members

- The Regional Transport Committee should cement its role as a political and community transport leader
- Suggested an increased emphasis on the Regional Advisory Group's technical advice
- There would be benefits of a member or advisor on the Committee who represented an environmental/sustainability viewpoint
- Noted that the Committee had the authority to appoint Advisors

Staff Follow-up

- Regional Advisory Group (RAG) minutes be provided to the Committee
- Prepare a report for the Committee to appoint an external sustainability advisor.

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Role of the Regional Transport Committee.**

That the Regional Transport Committee recommends that the Regional Council:

- 2 Approves amendments to the Regional Transport Committee's Terms of Reference as detailed in Appendix 2 of the report.**

Julian/Curach
CARRIED

12.00 pm – Cr Nees withdrew from the meeting.

7.7 Regional Land Transport Plan Variation - State Highway 2: Wainui Road to Opotiki (Wainui Road)

Key Points – Members

- Noted that the Wainui Road provided an alternative to the State Highway route.

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Regional Land Transport Plan Variation - State Highway 2: Wainui Road to Opotiki (Wainui Road).
- 2 Approves the requested scope change to the State Highway 2: Wainui Road to Opotiki activity in the Bay of Plenty Regional Land Transport Plan 2018.
- 3 Determines that the proposed variation is not significant for the purposes of public consultation.

Mayor Bonne/Julian
CARRIED

7.8 Bay of Plenty Transport-Related Provincial Growth Fund Proposals

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Bay of Plenty Transport-Related Provincial Growth Fund Proposals.

Crosby/Thwaites
CARRIED

12.03 pm – Cr Nees entered the meeting.

7.9 Regional Land Transport Plan Implementation Report

Bron Healey – Senior Transport Planner presented this item.

Presenters in Response to Questions

- Stock effluent strategic case had been presented to NZTA and further information had been requested as a result.

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Regional Land Transport Plan Implementation Report.

Crosby/Mayor Bonne
CARRIED

7.10 Regional Land Transport Plan Annual Report Card 2017/18

PowerPoint Presentation – Reference A3157449

Bron Healey – Senior Transport Planner presented this item.

Key Points of Presentation

- A measure of progress
- Final year of RLTP 2015
- Demand Indicators
 - 12,000 more vehicles on the roads
 - State Highway traffic volumes are increasing
- Economic Performance
 - Freight volumes on ECMT rail lines are increasing
- Safety
 - Five year trend in deaths and serious injuries gradually increasing
- Resilience
 - National and regional SH routes were closed for 47 hours in 2017, 96% due to crashes

12.24 pm – Mayor Bonne **withdrew** from the meeting

- Land use and transport integration
 - Public transport trips per capita continued to decrease
- Environmental sustainability
 - 12% of all trips by more sustainable methods
 -

Key Points – Members

- Recognised the significant contribution by cars to air pollution
- Alternative means of transport, e.g. electric scooters, was anticipated to have an increasing impact on traffic movements and correspondingly on air quality
- Sought information/reporting on incidents caused by phone use/texting while driving
- In some more rural areas, single vehicle travel was the only option

In Response to Questions

- Future reporting from NZTA was expected to provide higher level of details with regards to sustainability
- Public transport transfers, i.e. use of the same or two separate tickets as part of a longer, but segmented trip, was counted as one trip if the ticket was used within the same hour.

NZTA in Response to Questions

- SH2/SH29 resilience seen in relation to the Kaimai rail tunnel, formed part of the NZTA strategic business case.

Staff Follow-up

- Cause of roading incidents to be reported to the Committee.

Resolved

That the Regional Transport Committee:

- 1 Receives the report, Regional Land Transport Plan Annual Report Card 2017/18.**

**Nees/Crosby
CARRIED**

The meeting closed at 12.36 pm

Confirmed DATE

Cr Stuart Crosby
Chairperson – Regional Transport Committee

Minutes of the Civil Defence Emergency Management Group Joint Committee Meeting held in Council Chamber, Tauranga City Council, Administration Building, 91 Willow Street, Tauranga on Friday, 22 March 2019 commencing at 10.00 a.m.

Present:

Deputy Chairman: Councillor D Love (Bay of Plenty Regional Council - BOPRC)

Appointees: Mayor J Forbes (Ōpotiki District Council - ODC), Mayor M Campbell (Kawerau District Council - KDC), Mayor A Bonne (Whakatāne District Council - WDC), Deputy Mayor J Turner (Alternate, WDC), Deputy Mayor K Clout (Alternate, Tauranga City Council - TCC), Mayor G Webber (Western Bay of Plenty District Council - WBOPDC)

In Attendance: Clinton Naude - Director, Emergency Management Bay of Plenty (EMBOP); Russell George - Chair of Coordinating Executive Group (CEG) & Chief Executive Officer, KDC; Miriam Taris - Chief Executive, WBOPDC; Fiona McTavish - Chief Executive, BOPRC; Marty Grenfell - Chief Executive, TCC; Sarah Omundsen - CEG Operations Sub Committee & General Manager, Regulatory Services, BOPRC; Dr Sharon Kletchko - CEG Member, Lakes District Health Board; Bridget Vercoe - Ministry of Civil Defence and Emergency Management; Rachel Hyde - Principal Policy Advisor - National Security Group, Department of the Prime Minister and Cabinet; Angela Reade - CEG Member, Group Welfare Manager EMBOP; Andrea Thompson - Personal Assistant to Director EMBOP and Merinda Pansegrouw - Committee Advisor, BOPRC

Apologies: Mayor G Brownless (TCC) and Mayor S Chadwick (Rotorua Lakes Council)

The meeting was chaired by Deputy Chairperson, Councillor D Love.

Opening

Two-minute silence was observed to pay respect to the victims of the Christchurch mosque shootings of Friday, 15 March 2019 and to mark one week since the attack.

1 **Apologies**

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Accepts the apology from Mayor Brownless tendered at the meeting.

Campbell/Bonne
CARRIED

Minute Note:

Mayor Chadwick had tendered her apology via email message at 08:45am on 22 March 2019, which was received after the conclusion of the meeting.

2 **Public Forum**

Nil

3 **Acceptance of Late Items**

Nil

4 **General Business**

- Bay of Plenty Regional Council Annual Plan Consultation Process for 2019/20

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 - 07 December 2018**

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Confirms the Civil Defence Emergency Management Group Joint Committee Minutes of 7 December 2018 as a true and correct record.

Bonne/Forbes
CARRIED

8 Presentations

8.1 Updated from the Ministry of Civil Defence & Emergency Management – Bridget Vercoe

Members noted an apology from the Director of the Ministry of Civil Defence & Emergency Management, Sarah Stuart-Black who was unable to attend the meeting due to her current commitments in Christchurch following the 15 March 2019 Christchurch mosque shootings.

Bridget Vercoe, representative from the Ministry of Civil Defence & Emergency Management (MCDEM), provided a brief update on the recent Christchurch event from a civil defence emergency management perspective:

Key Points:

- Since a central government response was required, the National Security System / National Crisis Management Centre had been activated after the incident
- The Officials Committee for Domestic and External Security Coordination (ODESC), a committee of chief executives, chaired by the Chief Executive of the Department of the Prime Minister of the Cabinet, which managed national security in New Zealand, had also been initiated
- Acknowledged that with the majority of MCDEM senior leadership currently focussing on supporting the Christchurch process, there might be a delay in the delivery of key projects
- A two-minute silence would be held at 1.32pm today, at Christchurch's Hagley Park to commemorate the 50 people who were killed in the terrorist attack.

Item for staff follow-up:

- Extend an invitation to the Director of the Ministry of Civil Defence & Emergency Management, Sarah Stuart-Black to attend a future meeting of the Civil Defence Emergency Management Group Joint Committee.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the verbal update by Ministry of Civil Defence & Emergency Management Representative Bridget Vercoe.**

Love/Forbes
CARRIED

8.2 Principal Policy Advisor - National Security Group, Department of the Prime Minister and Cabinet, Rachel Hyde

Refer Power Point Presentation Objective ID A3165878

Principal Policy Advisor National Security Group, Department of the Prime Minister and Cabinet, Rachel Hyde provided an overview of the legislation programme and proposals relevant to the Emergency Management System Reform and amending the Civil Defence Emergency Management Act 2002:

Key Points of Presentation:

- Following the Government's response to the Technical Advisory Group (TAG) Report "Better Responses to Natural Disasters and Other Emergencies", the Department of the Prime Minister and Cabinet (DPMC) was leading a multi-year work programme that would deliver extensive change to New Zealand's emergency response system
- In line with TAG's recommendations, the programme included a package of changes to the Civil Defence Emergency Management Act 2002 which would focus on clarifying, strengthening, modernising and professionalising the emergency management system
- Key proposals were:
 - Making it clear who was responsible for what, e.g. clarifying that Mayors declared states of local emergency and required that they consider the advice of a Controller
 - Strengthening Joint Committee governance
 - Speeding up tsunami warnings
 - Enabling iwi to participate in planning for and responding to CDEM emergencies
 - Supporting implementation of Fly-in Teams
 - Protecting volunteers from liability
 - Developing regulations to support professionalisation of the workforce and setting national standards
- Next steps involved:
 - Government's legislative programme for 2019
 - Attending local government, CDEM Group and other stakeholder meetings/workshops
 - Final policy decisions from Cabinet to enable a Bill to be drafted
 - Invited comments/input from Joint Committee members
 - Confirmed that comprehensive workshops within the Bay of Plenty would follow.

Comments Raised by Members:

- In considering improving volunteers' protection from liability, it would be helpful to consult with fire and emergency services staff to ascertain their level of liability protection
- Noted with concern the number of rescindments listed in the report "Bay of Plenty Civil Defence Emergency Management Group Recovery Manager Amendments" under item 9.2 of the agenda, which had resulted in seven vacant Recovery Manager appointments across the Bay of Plenty Civil Defence Emergency Management Group. With only 53% of appointments in place, the Group would lack capacity in the instance of a significant event. Some of the causes were: (1) the challenges associated with the responsibility/capacity of being a Recovery Manager, especially after an event; being a volunteer all tasks would be additional to business as usual and (2) recovery could potentially take up to three years
- Emphasised the importance of role-clarification. Stressed the need for Mayors to be trained sufficiently at the commencement of a triennium and to have continuous access to resources to provide guidance where required
- In enabling iwi to participate in planning for and responding to CDEM emergencies, it would be worth noting/acknowledging the capacity/ability of Māori infrastructure to deliver in times of emergency
- Strategic communications/controls were crucial.

Items for Staff Follow-up

- Preparation of a report on the current level of vacant Recovery Manager appointments across the Bay of Plenty Civil Defence Emergency Management Group for submission to the Joint Committee at a future meeting

- Distribution of the presentation (*Objective ID A3165878*) to members of the Civil Defence Emergency Management Group Joint Committee
- Convene a workshop for members of the Civil Defence Emergency Management Group Joint Committee, to be facilitated by Rachel Hyde, enabling consultation/feedback on the key proposals relevant to the Emergency Management System Reform and amending the Civil Defence Emergency Management Act 2002, supported by a workshop paper circulated well in advance to enable Mayors to consult staff.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the PowerPoint Presentation by Principal Policy Advisor National Security Group, Department of the Prime Minister and Cabinet, Rachel Hyde providing an overview of the legislation programme and proposals relevant to the Emergency Management System Reform and amending the Civil Defence Emergency Management Act 2002.**

Love/Turner
CARRIED

9 Reports

9.1 Bay of Plenty Civil Defence Emergency Management (CDEM) Group Update, Director Clinton Naude

Refer Power Point Presentation Objective ID A3165875

Director, Emergency Management Bay of Plenty Clinton Naude presented the verbal report supported by a PowerPoint Presentation, outlining the following:

Key Points of Presentation:

- Bay of Plenty CDEM Group Service Delivery Review 2018
- Following the review of the Bay of Plenty CDEM Group Shared Service Agreement 2015, key recommendation would be submitted to the Joint Committee at its meeting scheduled for 21 June 2019
- Update on the Review of the Coordinated Incident Management Systems:
 - Was led by the Ministry of Civil Defence & Emergency Management
 - Formed the foundation framework of the national response for the entire New Zealand
 - Emergency Management Bay of Plenty staff engaged in this review on a national level: Rowan Wallace – Senior Emergency Management Advisor and Angela Reade – Manager Community Resilience/Group Welfare Manager
- Overview of New Zealand Fly In Teams:
 - The Ministry of Civil Defence & Emergency Management was in the process of establishing teams
 - In response to applications to serve in the teams – six staff members from the Bay of Plenty had applied (One from BOPRC and five from EMBOP)
- Nelson Fires Response
 - 15 offers of assistance from across councils
 - Multi-agency exercise
 - Offered excellent exposure and practical exercise/experience to staff
 - Supported by seven staff members from Bay of Plenty
- Exercise Ngatahi

- Planned Tier 2 exercise scheduled for Monday, 8 April 2019 - Group Emergency Coordination Centre and 5 Local Emergency Operations Centres would be involved – to simulate an earthquake event
- Suggested that this would be excellent exposure for Mayors to join staff
- CDEM Youth Ambassador Programme 2019
 - Held at Keswick Christian Camp, Rotorua 19 - 20 March 2019; involved 49 Year 10-12 students from 17 schools across the Bay of Plenty
 - Focused on building an increased understanding of natural hazards affecting the Bay of Plenty, including Emergency Management practices and developing a toolkit of practical actions by youth to be used to increase school and community resilience
 - Equipping youth to promote CDEM in communities.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the Bay of Plenty Civil Defence Emergency Management Group verbal update presented by Director, Emergency Management Bay of Plenty Clinton Naude.**

**Love/Forbes
CARRIED**

9.2 Bay of Plenty Civil Defence Emergency Management Group Recovery Manager Amendments

Director, Emergency Management Bay of Plenty Clinton Naude presented the report and responded to questions.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1. Receives the report, Bay of Plenty Civil Defence Emergency Management Group Recovery Manager Amendments;**
- 2. Approves the rescindment of Philip King as a Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group, Tauranga City Council, as defined under s30 of the Civil Defence Emergency Management Act 2002;**
- 3. Approves the rescindment of Andy Bell as a Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group, Rotorua Lakes Council, as defined under s30 of the Civil Defence Emergency Management Act 2002; and**
- 4. Approves the rescindment of Garry Maloney as an Alternate Group Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group, as defined under s29 of the Civil Defence Emergency Management Act 2002.**

**Webber/BONNE
CARRIED**

9.3 **Bay of Plenty CDEM Group Welfare Plan 2019/2024**

Director, Emergency Management Bay of Plenty Clinton Naude presented the report and responded to questions.

Key Points:

- The Bay of Plenty Civil Defence Emergency Management (CDEM) Group was accountable for ensuring arrangements were in place to meet the welfare requirements of people affected by an emergency within their CDEM Group area
- The draft Bay of Plenty CDEM Group Welfare Plan 2019/2024 had been endorsed by the Bay of Plenty Coordinating Executive Group on 22 February 2019.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty CDEM Group Welfare Plan 2019/2024;**
- 2 Adopts the Bay of Plenty CDEM Group Welfare Plan 2019/2024.**

**Webber/Forbes
CARRIED**

10 **Consideration of General Business**

11 **General Business**

The following matter was raised for information under General Business:

- 1 Bay of Plenty Regional Council Annual Plan Consultation Process for 2019/20**

Refer tabled item Objective ID A2854717

The meeting closed at 11:15 am.

Confirmed

Chairperson CDEMG, Mayor Greg Brownless

Date

Minutes of the Ōhiwa Harbour Implementation Forum Meeting held in Mataatua Room, Bay of Plenty Regional Council, 5 Quay Street, Whakatāne on Thursday, 28 March 2019 commencing at 9.30 a.m.

Present:

Chairman: Councillor Tīpene Marr (Bay of Plenty Regional Council)

Deputy Chairman: Deputy Mayor Lyn Riesterer - Ōpōtiki District Council

Appointees: Councillor Andrew Iles - Whakatāne District Council, Maui Manuel (Alternate) - Te Upokorehe, Rachel Kora - Te Waimana Kaaku, Ngāi Tuhoe, Charlie Bluett - Te Rūnanga o Ngāti Awa

Alternate

Appointees: Tu O'Brien (Alternate) - Te Rūnanga o Ngāti Awa, Councillor Bill Clark (Alternate) - Bay of Plenty Regional Council

In Attendance:

Bay of Plenty Regional Council Toi Moana: Chairman Doug Leeder, Pim De Monchy – Coastal Catchments Manager, Tim Senior – Land Management Officer, Kay Boreham – Marketing and Communications Advisor, Mike Houghton, Manager Places and Open Spaces – Whakatāne District Council, Gerard McCormack – Planning and Regulatory Group Manager, Ōpōtiki District Council, Josie Mortensen - Whakatōhea Māori Trust Board, Kero Te Pou - Te Waimana Kaaku, Te Upokorehe: Lance Reha, Brian Walker, Curley Keno, Shaughnessy Reha, Dawn Curtis; Dr Kura Paul-Burke – NIWA: Taihoro Nukurangi, Joe Burke – MUSA Dive Marine & Environmental Services, Megan Ranapia - Waikato University, Tanja Rother – Contractor, Amanda Namana – Committee Advisor.

Apologies: Trevor Ransfield - Te Upokorehe

1 Opening Karakia

Cr Marr opened the meeting with a karakia.

2 Apologies

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Accepts the apology from Trevor Ransfield tendered at the meeting.

Iles/Riesterer
CARRIED

3 **Public Forum**

Nil

4 **Withdrawal of Agenda Item**

It was recommended that this item be deferred to the 19 September 2019 meeting due to Department of Conservation representatives being unavailable to attend.

Resolved

That the Ōhiwa Harbour Implementation Forum:

Defer item 8.9 Verbal Update - Department of Conservation Interest in Forum Membership to 19 September 2019 meeting.

**Iles/Marr
CARRIED**

5 **Acceptance of Late Items**

Nil

6 **General Business**

- Letter from Te Upokorehe Iwi

7 **Declaration of Conflicts of Interest**

Nil

8 **Previous Minutes**

8.1 **Ōhiwa Harbour Implementation Forum Minutes - 25 September 2018**

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Confirms the Ōhiwa Harbour Implementation Forum Minutes - 25 September 2018 as a true and correct record, with the following amendment:**

- **Minute item 10.1, bullet point 13, agenda page 14 – amend sentence to read ‘Ngāti Awa issue permits for customary purposes only’.**

**Iles/Marr
CARRIED**

9:50 am – Rachel Kora and Kero Te Pou entered the meeting.

9 Reports

9.1 Change of Membership

Key points by Staff

- Clarified that informal advice of Wairata Peratiaki's appointment had been provided in November 2018 and was confirmed by Te Waimana Kaaku via a letter dated 25 January 2019.

Point raised by Members

- It was reiterated that the only instance in which alternate members were able to vote, move or second an item was when the primary member was not present at a meeting.

Item for Staff Follow-up

- A new delegate was required from the Whakatōhea Māori Trust Board, following the resignation of Gaylene Tuari-Kohunui from the Board.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Change of Membership;**
- 2 **Confirms the appointment of Wairata Peratiaki as the alternate member for Te Waimana Kaaku on the Ōhiwa Harbour Implementation Forum, replacing Kero Te Pou as stated in the letter received from Te Waimana Kaaku dated 25 January 2019.**

Marr/Riesterer
CARRIED

9.2 Ōhiwa Harbour Strategy work programme update to March 2019 and proposed 2019/20 annual work programme

Refer PowerPoint Presentations Objective IDs A3168453 and A3171102

Land Management Officer Tim Senior and Dr Kura Paul-Burke from NIWA presented the item.

Key Points

- Acknowledged all the people involved in the work for the Forum;
- Outlined the results of the 2018/19 work programme and the proposed work programme for 2019/20;
- 10 Farm Environment Plans were underway;
- Stage 1 of Ōhope Wharf Redevelopment was completed;
- Stage 1 of the Heritage Trail was complete and Stage 2 was now underway;
- The eighth year of mangrove management was underway;
- The significance of Tokitoki Historic Reserve was discovered in 1996, after being archaeologically revealed to be the oldest recorded site in the North Island with human habitation. The report detailing work completed from the 1996 independent archaeological dig was never written and the artefacts discovered went missing. Maintenance concerns over the site had arisen due to erosion;
- Kutarere stream work had been undertaken to protect the marae from flooding;

- Mussel Restoration trial update was provided by Dr Kura Paul-Burke, outlining the aims of the trial and the results thus far:
 - As of January 2019 all of the spat lines had mussels growing on them, highlighting the potential to grow mussels from Ōhiwa for Ōhiwa;
 - Cages were important in slowing predation of sea stars, but unfortunately not enough for mussels attached to the bottom to reproduce;
 - Cages with mesh fine enough to keep sea stars out caused mussels to die from being smothered by sediment;
 - Further Sea Star experimentation was to be conducted to investigate how to repel sea stars without adversely affecting mussels, ultimately it was hoped that a sea star management tool could be developed to assist in shellfish restoration;
 - Introduced Megan Ranapia - Master of Marine Science student at the University of Waikato, researching developing a Habitat Suitability Index for shellfish restoration at Ōhiwa. This was to include field sampling within the harbour and to identify the most productive and appropriate areas for restoring shellfish;
 - Two publications were now available on Ōhiwa harbour and restoration trials in terms of mussel degradation and sea star predation as part of the attempt to create a national profile to assist with further funding and support.

In Response to Questions

- The bank at Tokitoki Historical Reserve had been eroding for a long time prior to the rock wall being erected;
- The 2019/20 budget for Communications Support could be undertaken by Bay of Plenty Regional Council Communications team rather than coming from the operational budget;
- It was suggested that the Workshop topic in June could cover a longer term strategic view over the next five or ten years to accelerate the good work and positive results;
- New Regional Coastal Environment plan changes meant that the mangrove work could continue as a permitted activity after the resource consent ended in 2020, subject to some requirements which Mr Senior would discuss at the next meeting.

Points raised by Members

- Community groups and volunteers played an important part in supporting work in the environment, which enabled efficient use and allocation of funds.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Ōhiwa Harbour Strategy work programme update to March 2019 and proposed 2019/20 annual work programme;**
- 2 Endorses the 2019/20 Ōhiwa Harbour Strategy annual work programme.**

**Riesterer/lles
CARRIED**

10.47 am - The meeting **adjourned.**

11.04 am - The meeting **resumed.**

9.3 Shellfish Monitoring and Fishery Compliance in Ōhiwa Harbour

Refer PowerPoint Presentation Objective ID A3171100

Adam Watson from Ministry for Primary Industries (Fisheries New Zealand) presented the item.

Key Points

- Fisheries New Zealand conducted intertidal shellfish surveys annually, mostly on pipi and cockle in North Island harbours;
- Prioritisation occurred for areas with sustainability issues;
- Ōhiwa harbour had been surveyed 7 times since 2001, most recently last summer for which the results were not yet available therefore the information provided was from summer 2015/2016;
- Cockle population estimates were the highest recorded since 2001, however there were very few of the larger sizes;
- Outlined boundaries, sampling locations and distribution areas of cockles and pipis, including trends in sizes over time from 2009 -2016;
- Provided an update on fisheries offences for Ōhiwa harbour since January 2018;
- Of the 313 people inspected by fisheries officers, 10 people had been caught offending;
- The main offence was people taking excess amounts of pipi;
- More than 95% of people approached were adhering to the rules.

In Response to Questions

- Large size of cockle was categorised as over 3cm;
- There had been no commercial gathering of shellfish in operation in the Ōhiwa Harbour region since 2011;
- Shellfish quota management area went from Bay of Plenty to north of Auckland;
- The commercial quota system was clarified and options were discussed to address the issue of potential future operations in Ōhiwa.

11.25 am - Cr Clark **withdrew** from the meeting.

Points raised by Members

- Noted that the responsibility to report bylaw offending belonged to everyone and encouraged people to use the new Ōpōtiki District Council web application which provided GPS location and time to assist in reporting events;
- Commercial quota management system issue needed to be resolved to ensure the hard work replenishing the shellfish was not lost to commercial harvesting;
- The Forum's purpose was to make Ōhiwa Harbour sustainable for the local people rather than commercial enterprises;
- Rationale to implement a spatial closure of Ōhiwa Harbour to commercial harvesting of shellfish had to be clear. A customary tool could potentially be used by Iwi to achieve this, although it involved certain constraints;
- Iwi members would investigate the potential of creating a rohe moana over Ōhiwa Harbour, noting interest and support from the Forum.

Items for Staff Follow-up

- Staff to follow up with Ministry for Primary Industries (Fisheries New Zealand) to obtain further information for the Forum on what areas of the harbour were currently closed to commercial fishermen and for which species.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Shellfish Monitoring and Fishery Compliance in Ōhiwa Harbour;**
- 2 **Notes the intention of Ōhiwa Harbour Implementation Forum iwi members to investigate the creation of a rohe moana over Ōhiwa harbour.**

Marr/Kora
CARRIED

9.4 **Sediment Sources and Deposition in the Ōhiwa Harbour**

Refer PowerPoint Presentation (Objective ID: A3168463)

Land Management Officer, Tim Senior presented this item, detailing the nature of sedimentation of the harbour and suggested approaches to address it.

Key Points

- Sediment was the number one issue facing Ōhiwa harbour;
- To achieve accurate data, Bay of Plenty Regional Council was measuring the sediment at 11 sites in the harbour by using sediment plates to show the level of sediment build up and assess the different sediment sizes;
- Highlighted the highest risk areas for sediment generation;
- Outlined land use capability and land use in Ōhiwa catchment;
- Computer modelling undertaken estimated 14,000 tonne of sediment was entering the harbour each year, although it was unknown how much of this went directly out to sea;
- It was important to work with farmers to understand ways they could manage their farms to mitigate the risk of sediment;
- Noted that sedimentation was a natural geological process, accelerated by activities such as farming and forestry;
- More sediment generally came off pasture than from forestry removal, every time it rained;
- Work needed to be done to find a way to measure the results and benefits of all the work.

Points raised by Members

- There were many simple things that could be done by having a good understanding of the land to minimise sediment coming from farms.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Sediment Sources and Deposition in the Ōhiwa Harbour;**
- 2 **Endorses the following actions by Bay of Plenty Regional Council staff:**
 - **investigate options for more intensive stream monitoring and**
 - **focus increased effort on identifying sediment sources and work with landowners to implement mitigation actions.**

9.5 The Development of Farm Environment Plans for Fonterra Milk Suppliers in the Nukuhou River Catchment

Refer PowerPoint Presentation (Objective ID: A3169232)

Nick Doney from Fonterra presented the item, sharing photographic examples of existing farm environment management at each end of the spectrum and actions that could be taken to lower the risk of sediment run-off.

Key Points

- Farm environment plans in Bay of Plenty were voluntary as opposed to Waikato farms where they were legislated;
- Even on flat land fences needed to be back from the water at least 1 metre
- Fencing native bush regenerated it quickly;
- Sealed ponds on farms were strongly encouraged;
- Skips and recycling bins were encouraged over the use of rubbish pits.

In Response to Questions

- Risk analysis was performed to drive the changes;
- Approximately half a day onsite at the property and an additional 1-2 days was required to write a farm environment plan;
- It was voluntary for farmers to be checked to ensure the timeline of actions were being met;
- Highlighted that many of the actions that could bring about improvement would come from education and changes to habit or mind-set;
- Dairy farms were the number one risk in terms of the discharges from farms, but ideally in the future all types of farms should have a similar plan.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, The Development of Farm Environment Plans for Fonterra Milk Suppliers in the Nukuhou River Catchment with Appendix 1 – Farm Environment Plan Example.**

Iles/Riesterer
CARRIED

9.6 Black Swans in the Ōhiwa Harbour

Refer PowerPoint Presentation Objective ID A3168455

Land Management Officer Tim Senior updated the Forum on the black swan situation in Ōhiwa Harbour and potential options for resolving the issue.

Key Points

- Sea grass was one of the most important elements in the harbour environment and the black swans were diminishing it through grazing;
- Sediment also impacted upon the sea grass by reducing photosynthesis;

- Outlined areas where swans had been identified and the impact they were having on the harbour;
- Formal and regular monitoring was underway to gather further data on the swans and their movements;
- Black swans could be hunted in duck-shooting season as they were classified as a game bird.

In Response to Questions

- Fish and Game had authority to declare a special open season on the black swan in addition to any opportunities during duck shooting season.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Black Swans in the Ōhiwa Harbour.**

**Marr/Iles
CARRIED**

9.7 **Update on Port Ōhope Redevelopment Project**

Refer PowerPoint Presentation Objective ID A3169084

Manager Places and Open Spaces Mike Houghton from Whakatāne District Council provided an update on the progress of the Port Ōhope Redevelopment Project, including photographs of the finished work.

Key Points

- The Port Ōhope Wharf was a 1950's commercial structure up until the late 1960's since when it had been used primarily as a recreational space;
- The \$2.4 million project included sewage work and tree pits that collected stormwater from the carpark.

1.09 pm Cr Riesterer **withdrew** from the meeting.

- The updated wharf opened in early December 1998;
- Reconfiguring existing steps for better access to the water was proposed for Stage 2 of the project, commencing in the near future;
- An additional project would include refurbishment of the cargo shed.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Update on Port Ohope Redevelopment Project**

**Iles/Kora
CARRIED**

9.8 **Business Case for Ōpōtiki to Whakatāne Coastal Journey**

Refer PowerPoint Presentation Objective ID A3168560 and Tabled Item Objective ID A3182210.

Whakatāne District Council Manager Places and Open Spaces Mike Houghton presented this item and tabled an example brochure intended to assist in selling the proposed experience.

Key Points

- The revised Business Case for the Mōtū Trails Great Ride cycle trail extension had been completed;
- The revision requested by Ministry of Business, Innovation and Employment was to include a reviewed route, further consideration of the harbour crossing, better understanding of the trail experience and context and higher cost benefit analysis for investment;
- The extension to Thornton was not supported and therefore removed from the Business Case;
- Potential options for a link to Port Ōhope could include a shuttle service, water taxi or ferry;
- A trail experience plan had been developed focussing on the key concepts of culture, coast and conservation;
- Projected benefits included ongoing jobs, health benefits, environmental enhancement and a total regional benefit of \$4 million per annum after approximately 10 years;
- Whakatāne District Council had approved the revised Business Case and Ōpōtiki District Council approval was pending.

Comment from the Floor

- Upokorehe iwi expressed concerns for the potential option of a ferry crossing the harbour and any negative impact that could result from this.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Business Case for Ōpōtiki to Whakatāne Coastal Journey.**

**Marr/lles
CARRIED**

10 **Consideration of General Business**

10.1 **Letter from Upokorehe Iwi**

Refer Tabled Item Objective ID A3182788.

Mr Lance Reha read a letter addressed to Ōhiwa Harbour Implementation Forum received from Upokorehe iwi, dated 28 March 2019 and tabled at the meeting.

Key Points

- Affirmed how Upokorehe iwi positioned themselves within the Forum;
- Confirmed their current representation on the Forum and that Upokorehe would only recognise representation on behalf of the iwi that had been formally appointed and mandated at an Upokorehe hui-a-iwi;
- Outlined the continued kaitiaki work performed by the iwi to monitor shellfish take and compliance across Upokorehe rohe and noted resource challenges and the request made for resourcing and training from MPI;

- Expressed concern regarding lack of direct consultation with Upokorehe iwi relating to the resource consent granted for the Ōhiwa mussel research project;
- Requested Upokorehe iwi be consulted directly in future for all matters pertaining to the Ōhiwa Harbour Strategy and its implementation via a duly convened Upokorehe hui-a-iwi.

11 **Closing Karakia**

Cr Marr closed the meeting with a karakia.

The meeting closed at 1:47 pm

Confirmed

Chairperson

Date

REPORT

Date : 9 April 2019
To : Ordinary Council Meeting, 23 April 2019
From : His Worship the Mayor, J H Forbes
Subject : **MAYORAL REPORT 1 MARCH 2019 – 9 APRIL 2019**
File ID : A164610

Since 1 March I have attended or met with the following:

1 MARCH 2019

Zone 2 meeting, Hamilton

3 MARCH 2019

Attended funeral for ex-Mayor, Don Riesterer

4 MARCH 2019

Building Control meeting with service users

5 MARCH 2019

Whakatāne

Eastern Bay Mayors/Chair meeting with Toi-EDA Board

Eastern Bay of Plenty Joint Committee meeting

Eastern Bay of Plenty Mayors/Chair/CEs meeting

19 MARCH 2019

Meeting with Te Whanau a Maruhaeremuri Hapu Trust representatives

21 MARCH 2019

Ōpōtiki Community Health Trust meeting

22 MARCH 2019

Civil Defence Emergency Management Group Joint Committee meeting, Tauranga

25 MARCH 2019

Met with Mike Bryant, Ministry of Social Development

27 MARCH 2019

NZ Walking Access meeting with Te Araroa Trust, Auckland

28 MARCH 2019

Ōpōtiki St John Ambulance service – meeting with stakeholders re health shuttle

30 MARCH 2019

Attended Bill Maxwell's 90th birthday celebrations, Tōrere Marae

8 APRIL 2019

Regional Growth Leadership Group Committee meeting, Whakatāne

9 APRIL 2019

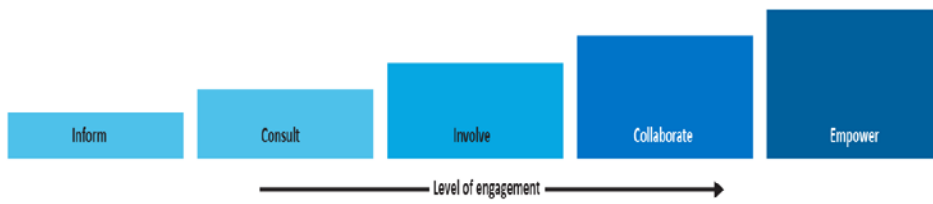
Return of taonga to Whakatohea (enroute to Te Papa), Opotiki Museum

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 1 March – 9 April 2019" be received.**

John Forbes

HIS WORSHIP THE MAYOR



REPORT

Date : 10 April 2019
To : Ordinary Council Meeting, 23 April 2019
From : Mayor John Forbes
Subject : **ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE**
File ID : A162077

EXECUTIVE SUMMARY

This report updates Council on progress advanced through the April 2019 meeting of the Ōpōtiki Marine Advisory Group.

PURPOSE

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

BACKGROUND

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

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

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

Updates from OMAG

- Peter Vitasovich provided an update from Whakatōhea Mussels (Ōpōtiki) Limited (WMO). WMO's two boats are working to seed grow out lines for the next harvesting season. The next mussel harvest is planned for late July/August. WMO's current focus is on preparing the business case for Provincial Growth Fund funding for a mussel processing factory in Ōpōtiki.
- Chris Peterson provided an update on the harbour industrial zone development. The final decision from government on funding the harbour development will determine how the industrial zone is developed. The industrial zone development will be scalable to cater for growing demand in future.
- Aileen Lawrie and John Galbraith provided an update on the harbour development project. HEB Construction and their design partner, Tonkin and Taylor, are continuing to progress redesign and costing work. Work is also continuing to confirm sources of rock and aggregate for harbour construction and other requirements around the Bay of Plenty region.
- Barbara MacLennan provided an update on the workforce development project. Refer to attachment one.

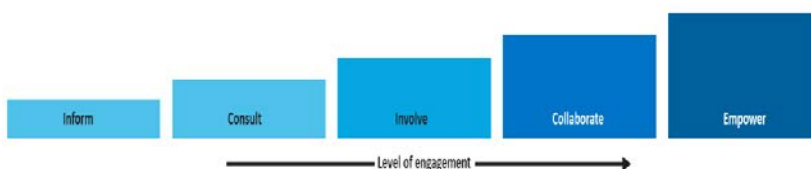
SIGNIFICANCE ASSESSMENT

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, Workforce Development Manager

1. He Poutama Rangatahi programmes are progressing:
 - Excellent hui with MBIE officials and Ōpōtiki and Whakatāne programme providers held at Ōpōtiki College. These new programmes are supporting rangatahi (right from school in Ōpōtiki's case) and helping them grow confidence, skills, direction, and determination. Some graduates of the programmes presented to the hui.
 - Learn to Earn Expo on 16 February a fantastic event. Timing (with Te Matatini so close) needs reviewing, but format and facilities were excellent, and stalls were engaging and informative.
2. Reducing barriers - driver licencing:
 - Ōpōtiki Community Driver Mentoring Programme cohort five underway. The biggest barrier is the lack of available testing slots in Whakatāne. Advocacy is being planned.
 - Revised application submitted to the Te Ara Mahi fund to establish an Eastern Bay of Plenty driver and operator training facility based in Kawerau, covering all classes of driving and freight and logistics training. The budget includes transport so that people from EBOP can access the courses. A Te Kaha-based development is also planned.
3. New Industry Exploration Course – Term 3 School Holidays:
 - Planning progressing well with OPAC, NZ Manuka, Fruition Horticulture, FLAG, NZKGI and Zespri for a five day exploration course for senior science and business students keen to progress to level 5 and 6 qualifications. Industry will recruit from the programme.
 - Discussions progressing with local government about new initiatives and programmes.
4. EBOP Workforce Development Advisory Board to Toi EDA:
 - This board guides and supports workforce development efforts and met on 9 April with a focus on He Poutama Rangatahi updates, the driver and operator training centre, a submission to the review of tertiary education, and a planned submission about forward planning by Bay of Plenty Regional Council for commuter and student transport in the Eastern Bay, within the context of the Regional Growth Plan.



REPORT

Date : 9 April 2019
To : Ordinary Council Meeting, 23 April 2019
From : Corporate Planner and Executive Officer, Sarah Jones
Subject : **2019-2020 ANNUAL PLAN INFORMATION**
File ID : A165267

EXECUTIVE SUMMARY

Work is underway on the development of the 2019-2020 Annual Plan and the public has been invited to provide feedback into this process. There are no significant or material changes between the adopted Long Term Plan and the proposed Annual Plan and no matters have been raised by the public that would necessitate a formal consultation process. On this basis, this report asks Council to formally endorse the decision not to consult on the 2019-2020 Annual Plan. In accordance with good practice guidance, an information document has been produced in order to notify the community of the intent to adopt an annual plan and this report seeks agreement to adopt and publish this.

PURPOSE

This report seeks to update Council on the progress toward the development of the 2019-2020 Annual Plan, including a summary and response to all informal feedback received from the public. This report also asks Council to formally endorse the decision not to formally consult on the 2019-2020 Annual Plan. Finally, this report seeks agreement to adopt and agree to publish the 2019-20 Annual Plan information document 'Your assets, your community, your future - our plan in action'.

BACKGROUND

The Council is in the process of preparing its 2019-20 Annual Plan (year two of the Long Term Plan 2018-28). Annual Plans support Long Term Plans and provide the basis for setting and assessing rates for the year to which they relate.

In the past, the Local Government Act has required councils to run a special consultation procedure (with submissions and hearings) as part of the Annual Plan development process. Amendments in 2014 to the Local Government Act under section 95(2A) now mean that Councils are no longer required to follow this procedure every Annual Plan year.

If Councils are not proposing any significant changes or material differences from the content in the Long Term Plan, then under the new amendments council are not required to conduct a full consultation process.

Separate to the formal consultation process outlined above, between 22 November 2018 and 19 April 2019, the public were notified of work commencing on the proposed Annual Plan and informal feedback from the public was sought. Advertising was carried out on the Council website, Facebook and LinkedIn webpages, and through the Antenna app. The feedback received in response to this exercise and a staff response to each point raised is attached to this report.

DISCUSSION

There are no significant or material changes between the adopted 2018-2028 Long Term Plan and the proposed Annual Plan. A significant amount of work went into preparing the 2018-28 Long Term Plan and Council can be confident they have built a strong foundation and can therefore, with only a few minor differences, stick to the existing programme of work and levels of service.

An informal public consultation exercise has been conducted and based on the responses received (attached). There are no issues raised that would result in a significant or material change in the position set out in the 2018-2028 Long Term Plan. On this basis, it is recommended that Council save the costs of conducting a full public consultation exercise, and simply publish the 2019-2020 Annual Plan once adopted.

Good practice guidance recommends that Councils not consulting on an Annual Plan still notify the community of their intent to adopt an Annual Plan, around the same time consultation would usually occur on a draft Annual Plan. This notification can include; a description of the differences including reasons, and why these aren't significant or material; the proposed Funding Impact Statement for the year and information on the levels of service for the year.

In response to this recommendation, staff have prepared an Annual Plan Information Document titled 'Your assets, your community, your future – our plan in action'. This draft document is circulated with

the agenda as a separate document. It is intended that this document be published and distributed from 24 April 2019.

SIGNIFICANCE ASSESSMENT

Under Council’s Significance and Engagement Policy, the level of Significance for adopting and approving the public release of the 2019-20 Annual Plan Information Document ‘Your assets, your community, your future – our plan in action’ is considered to be low therefore the level of engagement required is determined to be at the level of Inform according to Schedule 2 of the Significance and Engagement Policy.



CONCLUSION

An informal public consultation exercise has been carried out and this feedback has been taken into consideration. Any feedback received in response to the Information Document will be presented to Council for consideration when the 2017-18 Annual Plan is presented to Council for adoption. This feedback can then be considered during the development of future plans.

RECOMMENDATIONS:

- 1. That the report titled “2019-20 Annual Plan Information” be received.**
- 2. That Council formally endorses the decision not to formally consult on the 2019-2020 Annual Plan.**
- 3. That Council adopt the 2019-20 Information Document ‘Your assets, your community, your future – our plan in action’ and approve it for public release.**

Sarah Jones

CORPORATE PLANNER AND EXECUTIVE OFFICER

Feedback received from:	Feedback received:	Staff response:
Shona Hammond Boys, Ōpōtiki Children's Art House	That the plans for the Ōpōtiki youth mural project be included in the funding considerations of Opotiki District Council	Staff have met with Ms Hammond to discuss her proposals in detail and are considering whether they are eligible for a community grant.
Nora Moore	<p>Community Facilities - Playgrounds</p> <p>I would like to see playgrounds in the Ōpōtiki area upgraded. The current playgrounds at Memorial Park and Tablelands do not meet a high standard for residents and visitors to the Opotiki District - and an annual improvement programme should commence so that they meet the needs of the community. The current state of playgrounds indicate that young children in the Ōpōtiki district are not highly valued to warrant their facilities being improved.</p> <p>I raise this as an issue after talking about the state of the playgrounds with other grandparents and parents, and visitors to the district - The level of service for playgrounds is not "achieved" notably the people that I have spoken to say that it has declined especially as playground equipment has been removed.</p> <p>Please provide for planned development of playgrounds to occur annually, from 2019. visit to the playground at the Heads in Whakatane may provide some inspiration as to the level of service that would be ideal for Ōpōtiki, its residents and visitors.</p> <p>Thank you"</p>	<p>This matter has been referred to the Council's Reserves Manager for comment. He has confirmed that there is investment already planned over the Long Term Plan period in parks and reserves, with hopes to secure additional investment through external funding. At present, focus is on providing a "destination playground" in town at the Rose Gardens Reserve on Church Street. Once this upgrade is completed, the intention is to roll out improvement/renewal programs around other sites. Until that time, all existing pieces of play equipment will be maintained to the national playground safety standard. The Council is independent audited to ensure this national standard is achieved.</p>
Lynne Hickling	<p>"I am concerned with the blanket allowance of drones to be flown over council land. I am particularly concerned about this around the ohiwa harbour area. As the council is aware, there are many bird species in this area that are in need of protection. Drones have the ability to disturb these birds. I am aware that drones may be needed for possible advertising for the area etc. But at the very least, I feel it should be made a descretionary activity within the ohiwa harbour zone.</p> <p>In addition, ohiwa harbour is a particularly significant place of beauty and tranquility for those that visit the area. Allowing drones to be flown at will, disturbs this tranquility and thus the well-being of those that visit.</p> <p>Please consider the ohiwa harbour to be a drone free zone, or at least a descretionary activity in this area."</p>	<p>This matter is not related to the development of an annual plan, but has been referred to the Planning and Regulatory Group Manager for consideration.</p>

Janice Ibbetson	Speed bumps in Nelson Street sick of the speed used on our street during the day and when they think we are all asleep at night. We hear you all night.	This issue has been referred to the Council's Engineering and Services Group Manager for comment. He has confirmed that the soils in the Ōpōtiki District are not conducive to speed humps as they are likely to cause vibration nuisance to adjacent properties. Lane thinning speed control is the standard approach in these situations and will be assessed for Nelson Street as part of its next rehabilitation. As this matter can already be considered through existing processes, no changes are required to the Long Term Plan.
Carol Franklin	Wish to have ALL patches banned from town. The recruitments that are going on is frightening e.g. Barbarians 600 screen printed t shirts etc. we must put a stop to this NOW.	This matter is not related to the development of an Annual Plan, but has been referred to the Planning and Regulatory Group Manager for consideration.
Hayden Jones	"Footpaths on highly frequented walking roads (top of Grants Rd Dip Road Hukatia Rd for example and in the town itself) the tourist house just over the bridge has caused hairy situations with tourists walking across the Woodlands/SH intersection due to no footpath. Street lights in these same areas generally if there isn't one their isn't the other. Better animal control is way up there and I don't mean charge the ones paying for their registrations more for no reason that nearly encourages people to not register. That's off the top of my head bound to be plenty more."	This issue has been referred to the Councils Engineering and Services Manager for comment. He has confirmed the footpaths in urban areas are on the Land Transport upgrade programme. A footpath, with NZTA funding, to pass under Waioteka bridge connecting the bridge footpath to foot traffic and cyclists travelling from Waiotaha was expected to be constructed in the next financial year, but has recently been completed. Street lights through town and Hikutaia are not all spaced properly. New street lights are planned within the next three years, rolling out in stages. Given these matters are already addressed as part of the existing programme of works set out in the Long Term Plan, no changes are required.

REPORT

Date : 29 March 2019

To : Ordinary Council Meeting, 23 April 2019

From : Business Innovation and Communications Advisor, Tracey Dale

Subject : **ANNUAL COMMUNITY SURVEY RESULTS**

File ID : A164241

EXECUTIVE SUMMARY

Every year, Council conducts a survey to find out how satisfied the community is with the Council and the services provided. A summary of the results of the community survey undertaken in February 2019 is provided for Council's information.

PURPOSE

To provide Council with a summary of results from our February community survey.

BACKGROUND

As one of the measures of Council's success in meeting its key performance indicators set out in the Long Term Plan, Council annually undertakes a survey of community perceptions and satisfaction with its services. This is one measure of a suite of measures reported in the annual report.

A telephone survey of 302 people took place in February this year asking standard questions about Council's services. This survey uses a random selection method and meets quotas set for interviews with proportional numbers of residents in all wards and in age groups from 18/+ years.

While Council may consider conducting its annual survey by other means in future as landline usage declines, the response rate for this phone survey was 69% which is much higher than seen typically in web or mail-out surveys (often in the 5-30% range).

This survey is just one way for people to communicate with Council. Alternative contact methods include the customer contact centre, web forms and online services, direct contact with staff and councillors, public speaking times at meetings, coast meetings, and community workshops.

RESULTS

Spend emphasis

Residents were asked whether they would like more, about the same, or less spent on particular Council services/facilities, given that more cannot be spent on everything without increasing rates and/or user charges where applicable.



40% of residents want more spent on solid waste, while 39% want more spent on stormwater.

In line with last year’s survey, solid waste and stormwater were the main services residents wanted Council to spend more on. Residents also said they would like to see more spent on community facilities, council controlled roads (49% of those wanting more spent were in the Coast ward), preparedness and response to civil defence emergencies (45% wanting more spent were in the Coast ward), wastewater and water supply.

Overall 31% of residents want Council to spend more on day to day services.

Contact

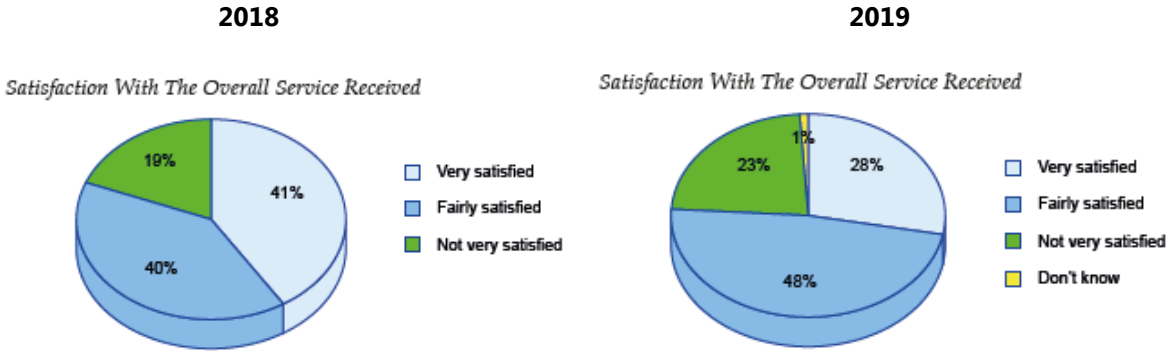
54% of residents surveyed said they had contacted the Council offices by some means in the last 12 months.



76% of residents who contacted Council offices (by phone, in person, in writing and/or by email), in the last 12 months were satisfied with the overall service received.

While the combined total of those who are very/fairly satisfied with the overall service received has not changed much over the last year, the number who are very satisfied dropped from 41% to 28%.

Council may consider requesting comments for this survey section next year to find out why the previously high level of satisfaction has declined. Steps could then be taken to improve customer experience.



Council policy and direction

Residents were asked whether there is any recent Council action, decision or management that they:

- Like or approve of; or
- Dislike or disapprove of.

This question is asked to gauge the level of community support for Council’s policies and overall direction by measuring agreement with the activity or decision and whether residents feel adequately informed about it.

The main likes or approvals in the February 2019 survey were:

- Harbour / wharf development
- Community events / programmes / activities
- Good communications / consultation / keeping community informed

Upcoming changes to the urban refuse and recycling collection service, the fixes being made under the Ōpōtiki Sewerage Upgrade Project, and decisions or actions resulting in positive changes to the town appearance also received a number of mentions.

The main dislikes or disapprovals were:

- Rubbish/recycling/transfer station issues/charges
- Appearance of District/need cleaning/tidying up/ beautification/more bins

A small percentage of disapprovals about rates increases, roading/footpath/traffic issues and expenditure were voiced as well.

Services

Perceptions of facilities including cemeteries and recreation facilities and levels of service for traffic, solid waste, stormwater, wastewater and water are all similar to last year's results.

Satisfaction with animal control was up again this year with a 4% increase in those stating they were very/fairly satisfied. However, it still tracks below peer and national averages and verbatim comments continue to list roaming animals and dangerous dogs as areas of concern.

While many said they are not very satisfied with the service, only 31% of respondents said they had actually contacted animal control in the last year. Council encourages residents to report issues so our officers can work with the community to address areas of concern. Reports can be made by phone, web form, email or through the Antenno app.

Council has introduced free microchipping for dogs registered on time, a neutering programme for dangerous dogs, and pop up shops in Te Kaha with discounted registrations and free microchipping. Plans are being put in place for school education programmes.

The library still ranks highly among residents with 76% stating they are very/fairly satisfied. There was, however, an increase in those stating they were not very satisfied this year and that amount was above the peer and national averages.

The main reasons given for not being satisfied were:

- the library needs upgrading
- it is too small
- a new library is needed
- there is no library service/mobile service available (for coast residents).

In late September 2018, Council's library service was forced to move into temporary premises due to persistent mould issues and a leaking roof in the old building. The temporary premises are smaller with

fewer books on display, and events once held in the library have had to move to other venues. These factors would account for the increase in dissatisfaction. Council is confident this trend will be reversed once the library moves to new, permanent premises.



80% of residents are satisfied that traffic services are accurate and visible.

After an 8% drop in satisfaction with the standard of footpaths last year, Council was able to complete its maintenance programme in the 2017-18 year and lift the level of satisfaction this year. In fact, many verbatim comments list the work Council has done on new footpaths, kerb, and channelling in the town area as recent actions, decisions or management by Council that they most approve of.



39% are not very satisfied with the quality of toilet facilities, improving from 49% in 2018.

After a drop of 11% in satisfaction last year, Council has been able to stop the downward trend in satisfaction with public toilet facilities. This year saw a 4% increase in those very/fairly satisfied. More importantly, the percentage who rated their satisfaction as not very satisfied reduced by 10% from 49% in 2018 to 39% this year.

The main reasons listed for not being satisfied with the quality of toilet facilities are:

- Cleanliness and smell
- Maintenance or upgrading required
- Not enough toilets throughout the district.

As the rate of satisfaction is still around 20% lower than peer and national averages, Council is continuing to focus efforts in this area. A revamp of the Church Street central business district public toilets is underway and, dependant on gaining external funding, Council is planning to include new toilets at the Church Street (Rose Garden) Reserve when proposed upgrades take place.

Representation

Positive perceptions about our elected members' performance are down slightly on last year but still on a par with peer groups and above the national average.



53% of residents rate the performance of the mayor and councillors as very good/fairly good.

Ōpōtiki District residents are similar to the Peer Group Average and on par with the National Average, in terms of feeling councillors give a fair and open-minded hearing.

48% of residents want consultation on major issues. This is similar to last year and on par with peer group averages.

When asked what they considered to be major issues, the main responses were:

- harbour development/entrance, mentioned by 12% of all residents
- items of major expenditure/major spending, 6%
- rates/rates increases/things that affect rates/other rates issues, 5%
- rubbish collection and disposal/recycling, 5%.

The number of residents who feel they have the opportunity to be involved and participate in the way Council makes decisions increased by 6%.

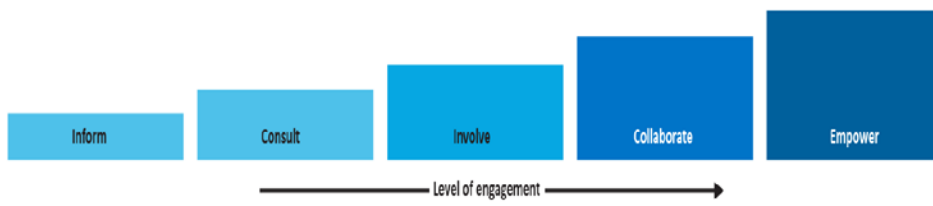
SIGNIFICANCE ASSESSMENT

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 Annual Community Survey 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 Annual Community Survey 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 "Annual Community Survey" be received.**

Tracey Dale

BUSINESS INNOVATION AND COMMUNICATIONS ADVISOR

REPORT

Date : 3 April 2019
To : Ordinary Council Meeting, 23 April 2019
From : Corporate Planner and Executive Officer, Sarah Jones Officer
Subject : **CONFLICT OF INTEREST POLICY**
File ID : A165259

EXECUTIVE SUMMARY

Audit New Zealand have recommended that the Council develop a policy to manage the way the Council deals with conflict of interest. A Conflict of Interest Policy is attached. The policy has been endorsed by the Audit and Risk Committee and staff and the staff union has been consulted and their comments incorporated. The policy is therefore recommended for adoption.

PURPOSE

To present to Council the Conflict of Interest Policy and to recommend Council adopt the policy for use.

BACKGROUND

The Interim Audit for the year ended 30 June 2018 prepared by Audit New Zealand included a recommended that the Council “update the interest register for elected members and staff to record the nature of the interest, type of conflict and the mitigating actions to manage that conflict”. This was noted as an “urgent” matter relating to a “serious deficiency that exposes the Council to significant risk”.

The recommendation was reiterated in Audit New Zealand’s final Report to Council for the year ended 30 June 2018, where they also noted that the existing interest register “only records the interests elected members and staff have. It does not provide information about:

- The nature of the interest, whether it is pecuniary or non- pecuniary
- Whether it represents an actual, potential or perceived conflict, or

- The agreed approach to managing any conflicts amongst the declared interest”.

A Conflict of Interest Policy has been put together to address the recommendations made by Audit New Zealand. The policy has been drafted based on policies that exist in other district councils that have developed a policy in response to similar recommendations from Audit New Zealand. However, it has been edited to suit our requirements and processes.

The draft Conflict of Interest Policy was reviewed by the Audit and Risk Committee on the 18 February 2019. The Audit and Risk Committee resolved that the policy be recommended to Council for adoption.

Staff were consulted on the draft policy between the 19 February 2019 and the 27 February 2019. A number of questions were received from members of staff about how the policy would work in relation to existing issues. One minor change was made in relation to the 'Breaches of Policy' section (pg. 12) to include a reference to employment contracts and the Employee Code of Conduct.

The staff union was also consulted and the PSA advisor made the following comment:

“The only comment I have is, if the Mayor has a clear conflict of interest who does he/she report it to? The Mayor appears to be exempt. Otherwise it covers the situation quite well.”

In response to this point, minor changes have been made to make it clear that should the Mayor wish to declare an interest, this would be managed by the Deputy Mayor and Chief Executive (pg. 8).

DISCUSSION

From an organisational perspective the Conflict of Interest Policy provides a clear set of principles and process for declaring and recording conflict of interest. It clearly sets out what can be expected of all those involved decision making. It will ensure a consistent approach is applied across the Council and will address the concerns raised by Audit New Zealand.

SIGNIFICANCE ASSESSMENT

Assessment of significance

Under Council's Significance and Engagement Policy, on every issue requiring a decision, Council considers the degree of significance and the corresponding level of engagement required. The level of Significance for the Conflict of Interest Policy 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 Conflict of Interest Policy is considered to be of low significance the level of engagement required is determined to be at the level of 'inform' according to Schedule 2 of the Significance and Engagement Policy.



RECOMMENDATIONS:

- 1. That the report titled "Conflict of Interest Policy" be received.
- 2. That Council adopt the Conflict of Interest Policy for use.

Sarah Jones
CORPORATE PLANNER AND EXECUTIVE OFFICER

POLICY	STATUS	AT	DATE	DOC ID
<i>Conflict of Interest Policy</i>	<i>Draft</i>	<i>Ordinary Council</i>		



Opotiki District Council
 STRONG COMMUNITY STRONG FUTURE

OPOTIKI DISTRICT COUNCIL

CONFLICT OF INTEREST POLICY

1. BACKGROUND

Elected Members, appointed representatives and all staff working for a Local Authority are obliged under the Local Authorities (Members' Interests) Act 1968 (the Act) to meet defined standards in regards to transparency and integrity in the performance of their roles.

The Act helps protect the integrity of local authority decision-making by ensuring that people are not influenced by personal motives when they participate in local authority decision-making and that they cannot use their position to obtain preferential or inappropriate access to contracts.

For the local government sector, specific rules are set out in the Act that govern requirements for disclosing and managing conflicts of interest at the governance level.

Complying with any relevant statutory requirements will not necessarily be enough to ensure that decision-making processes meet the more general public law requirements of fairness and transparency. Council must also take steps to ensure that no other aspect of the process could be tainted by a conflict of interest arising outside of those processes regulated by statute.

The responsibility for identifying and acknowledging any conflict of interest sits with the elected or appointed member, tender evaluation team member or individual staff member.

While the statutory requirements are primarily confined to the declaration and management of conflicts of interest by members of a governing board or council, conflict problems might also arise as a result of the interests or associations of staff members or other participants in any procurement process.

Council staff should be aware that the potential for conflicts of interest exists for every staff member and adviser who is directly or indirectly involved in any aspect of a procurement process. This includes governance, management, operational staff and Council as the approving authority itself.

This expectation of integrity extends beyond the Code of Conduct for Elected Members, and the detailed procurement process involving the Tender Evaluation Team. It includes the general staff of a local authority in the conduct of all day to day activities and functions.

Conflicts of Interest are common in New Zealand. Having one is not an issue in itself, once declared it will be determined whether it is material or not and how it will then be addressed. Not declaring a conflict or perceived conflict can be an issue and could jeopardise the integrity of any process.

2. PURPOSE

The purpose of this policy is to clearly explain how a conflict of interest should be dealt with by elected and appointed members, tender evaluation teams and all other staff working for Ōpōtiki District Council.

3. INTRODUCTION

For the purposes of this policy, there are three basic groups, each of which has a variation of associated risk which requires declaration of any potential conflict of interest.

- Elected or appointed members (both Council and Community Board Members)

- Tender evaluation teams
- General staff

3.1. Elected or appointed members:

Members must ensure that they maintain a clear separation between their personal interests and their role as a Member. This is to ensure that those who fill positions of authority carry on their duties free from bias (whether real or perceived). Members therefore need to familiarise themselves with the provisions of the Act which concerns financial interests, and with other legal requirements concerning non-financial conflicts of interest.

For Elected and Appointed Members the risk would be classified as high and therefore declaration of any and all conflicts of interest should be considered a high priority before any decision-making process commences.

3.2. Tender evaluation teams and tender sub-committee:

As part of a robust and transparent procurement strategy all members of any Tender Evaluation Team or Tender Sub-Committee are required to proactively declare any actual or potential conflicts of interest or risk of bias as they arise.

As with Elected and Appointed Members, the risk for Tender Evaluation Teams and the Tender Sub-Committee would be classified as high and therefore declaration of any and all conflicts of interest should be considered a high priority before any decision-making process commences.

3.3. General staff:

It is expected that all staff shall perform their duties honestly and impartially, and avoid situations which might compromise their integrity or otherwise lead to a conflict of interest. All staff are required to avoid financial or other undertakings that could directly or indirectly compromise the performance of their duties, or the standing of the Council in relationships with the public, clients or Councillors/Community Board members.

Conflict of interests are commonly lower risk, however any and all risks, regardless of severity, need to be acknowledged and therefore any potential conflict of interest should be registered. This is, in part, to reflect the fact that all general staff members are potentially involved in procurement for the Council as part of their day to day activities. This particularly applies to all staff who hold a purchase order book and/or have a delegated authority. The higher the delegated authority the higher the potential risk.

The following section set out the procedures and guidelines for managing conflict and interest in relation to each of the three groups outlined above.

4. PROCEDURES AND GUIDELINES

4.1. Elected and Appointed Members

Elected Members must ensure that they maintain a clear separation between their personal interests and their duties as an elected member. This is to ensure that those who fill positions of authority carry on their duties free from bias (whether real or perceived). Members therefore need to familiarise themselves with the provisions of the Act which concerns financial interests, and with other legal requirements concerning non-financial conflicts of interest.

The Act provides that an elected member, without the consent of the Office of the Auditor General (OAG), is disqualified from office, or from election to office, if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed \$25,000 (GST inclusive) in any financial year.

Additionally, elected members are prohibited from participating in any council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the member's spouse contracts with the authority or has a pecuniary interest. Members must declare their interests at council meetings when matters in which they have a pecuniary interest arise.

Members shall annually make a general declaration of interest as soon as practicable after becoming aware of any such interests. These declarations are recorded in a register of interests maintained by council. The declaration must notify the council of the nature and extent of any interest, including:

- Any employment, trade or profession carried on by the member or the member's spouse for profit or gain
- Any company, trust, partnership etc. for which the member or their spouse is a director, partner, trustee or beneficiary
- The address of any land in which the member has a beneficial interest greater than the public at large and which is in the Ōpōtiki District
- The address of any land where the landlord is Ōpōtiki District Council and:
- The member or their spouse is a tenant, or
- The land is tenanted by a firm in which the member or spouse is a partner, or a company of which the member or spouse is a director, or a trust of which the member or spouse is a trustee or beneficiary
- Any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member.

If the member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive immediately.

Members may also contact the Audit Office for guidance as to whether that member has a pecuniary interest. If there is a pecuniary interest, the member may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote. The Chief Executive must also seek approval from the Audit Office for contractual payments to members, their spouses or their companies that exceed the \$25,000 (GST inclusive) annual limit.

Failure to observe the requirements of the Act could potentially invalidate the particular decision made, or the action taken, by Council. Failure to observe these requirements could also leave the

elected member open to prosecution under the Act. In the event of a conviction elected members can be ousted from office.

From an agenda item:

Any Member with a conflict of interest (real or perceived) arising from an agenda item must:

- Declare the conflict verbally prior to commencement of any Council discussions and/or deliberation associated with the agenda item. The Mayor and Chief Executive will evaluate the associated risks and determine the appropriate measures required to mitigate those risks. In the event that conflict is declared by the Mayor, the Deputy Mayor and Chief Executive will evaluate the risks and mitigation measures.
- Should the item require further council discussions and/or deliberation at subsequent meetings, complete a formal written declaration (Appendix 1) prior to any future meetings.

Standing/ongoing:

Any Member with a conflict of interest (real or perceived) which will be an ongoing conflict throughout their time in office must:

- Declare the conflict verbally to the Mayor and/or Chief Executive
- Complete a formal written declaration (Appendix 1), at which time the Mayor and Chief Executive will evaluate the associated risks and determine the appropriate measures required to mitigate those risks.
- Keep the Mayor and/or Chief Executive updated should the circumstances of the conflict cease/alter/increase.
- In the event that conflict is declared by the Mayor, the Deputy Mayor and Chief Executive will evaluate the risks and mitigation measures.

4.2. Tender Evaluation Teams and Tender Sub-Committee

As part of a robust and transparent procurement strategy all members of any Tender Evaluation Team and the Tender Sub-Committee are required to proactively declare any actual or potential conflicts of interest or risk of bias as they arise.

With any procurement process, (including Registrations of Interest and Requests for Proposals) there may be stages of the process when the respondents are unknown. However, members of the Tender Evaluation Team or Tender Sub-Committee may have a reasonable idea of who the potential respondents will be. Rather than a reactive response, a proactive approach of identifying potential conflicts is recommended.

Using public scrutiny and perception as the guideline the recommended approach would be to err on the side of caution. A declared non-conflict is always preferred over a non-declared conflict.

As part of the general obligation to act fairly, councils must take care that their decision-making processes cannot be challenged on the basis of actual or potential bias and/or conflicts of interest.

Council staff should be aware of the potential for conflicts of interest for every staff member and/or adviser who is directly or indirectly involved in any aspect of the procurement process. This includes governance, management, operational staff and Council as the approving authority itself.

Prior to commencement of procurement process all members of a Tender Evaluation Team (TET) must either:

1. Complete the Tender Evaluation Team Declaration – Part 1 (Appendix 2) confirming whether there is any conflict of interest to be declared.
2. If required, declare any potential conflict of interest by completing the Tender Evaluation Team Declaration - Part 2 (Appendix 3), at which time the Tender Evaluation Team Leader will make a determination as follows:
 - a. The TET member may be permitted to remain on the team – this would occur only when the declaration is confirmed as a perceived conflict with a zero risk factor, or
 - b. The TET member may be permitted to be present for the evaluations but will not take any part in the decision making, or
 - c. The TET member may be required to withdraw from the procurement process

Please Note: Declaration of a conflict of interest and withdrawal from any procurement process does not automatically preclude that person from inclusion in another TET. Each evaluation is a stand-alone process, including the declaration of any conflict of interest.

Prior to the commencement of a Tender Sub Committee meeting, all Tender Sub Committee Members (TSCM) must either:

1. Complete the Tender Sub Committee Declaration – Part 1 (Appendix 4) confirming whether there is any conflict of interest to be declared.
2. If required, declare any potential conflict of interest by completing the Sub Committee Declaration - Part 2 (Appendix 5), at which time the Chair of the Sub Committee will make a determination as follows:
 - a. The TSCM member may be permitted to remain on the committee – this would occur only when the declaration is confirmed as a perceived conflict with a zero risk factor, or
 - b. The TSCM member may be permitted to be present for some agenda items, but not

others,

- c. The TSCM member may be permitted to be present for the evaluations but will not take any part in the decision making, or
- d. The TSCM member may be required to withdraw from the Tender Sub Committee meeting.

DRAFT

4.3. General Staff

It is expected that all staff shall perform their duties honestly and impartially, and avoid situations which might compromise their integrity or otherwise lead to a conflict of interest. All staff are required to avoid financial or other interest or undertaking that could directly or indirectly compromise the performance of their duties, or the standing of the Council in relationships with the public, clients or Councillors/Community Board members.

This may include any situations where actions taken in an official capacity may be seen to influence or be influenced by a staff member's private interest such as outside employment.

If any actual or potential conflict of interest arises during the full, effective, and impartial discharge of their official duties, staff should inform their Manager or the Chief Executive. It will then be the responsibility of the Manager or Chief Executive to determine the nature and degree of the conflict (if any) as it may relate to the official duties of the staff member making the declaration and decide upon the appropriate course of action.

Identified Conflict:

Any staff member who identifies a Conflict of Interest (real or perceived) arising from, or pertaining to the fulfilment of their role within Council must:

1. Declare the conflict verbally to their Manager and/or Chief Executive
2. Complete a formal written declaration (refer appendix 6), at which time their Manager and/or the Chief Executive will evaluate the associated risks and determine the appropriate measures required to mitigate those risks.
3. Keep their Manager and/or Chief Executive updated should the circumstances of the conflict cease/alter/increase.

Building Control Authority exemption:

The Building Control Authority function of the Council is bound by the requirements of the Building (Accreditation of Building Consent Authorities) Regulations 2006. These Regulations set out specific requirements for assuring quality (Regulation 17). Regulation 17 (2) requires a Quality Assurance system to be in place and one of the specified components of that system is a procedure for identifying and managing conflicts of interest (Regulation 17 (2)(i)).

The Ōpōtiki District Council Building Control Authority meets the requirements of this Regulation through the production and review of the Quality Manual.

Staff working for the Councils Building Control Authority are bound by the requirements of the Building Regulations and subject to the Conflict of Interest process set out in the Quality Manual, which follows a similar process to the process set out above for general staff. For that reason, and to avoid a duplication of effort, staff working for the Council's Building Control Authority, making decisions governed by the Building Regulations, are exempt from the requirements of this policy.

5. BREACHES OF THE POLICY

Should a breach of the policy be identified, the process set out below must be followed to mitigate the associated risk.

Elected and Appointed Members:

Any undeclared conflict identified during or following any Council decision making will be managed by the Mayor.

The Mayor will first discuss the conflict and its implications with the Council. Then, working in conjunction with the Chief Executive this conflict will be presented to the Office of the Auditor General for a formal decision.

The process for such a circumstance is clearly outlined in the Act, and will be adhered to.

Outcomes range from seeking consent from the Office of the Auditor General through to dismissal of the member.

Tender Evaluation Team (TET) and Tender Sub Committee (TSC) Members:

Any undeclared conflict identified during or following any procurement process will be managed by the Chief Executive and the TET Leader. The Mayor is to be informed throughout this process.

The process for such a circumstance is set out in the flowchart attached (appendix 7), and will be adhered to.

Outcomes range from exclusion from the singular tender evaluation process to dismissal of the employee.

General Staff Members:

Any undeclared conflict identified during or following any operational process will be managed by the Chief Executive and the Manager of the department concerned.

The process for such a circumstance will be dependent on the severity of the conflict and will be determined by the Chief Executive based on the requirements of the Act.

Outcomes range from risk mitigation through to dismissal of the employee. Decisions will be made in accordance with the details set out in the employees Employment Contract and the Employee Code of Conduct.

6. RELEVANT LEGISLATION AND GUIDANCE

- Local Authorities (Members' Interests) Act 1968
- Building (Accreditation of Building Consent Authorities) Regulations 2006 (Regulation 17 (2)(i))

The Office of the Auditor General has produced two guides on conflict of interest issues to assist public entities:

- Managing conflicts of interest: Guidance for public entities applies to all public entities and sets out an approach for dealing with conflict of interest issues when they arise. www.oag.govt.nz/2007/conflicts-public-entities
- Guidance for members of local authorities about the law on conflicts of interest has been developed specifically for local authorities and other entities that are subject to the Local Authorities (Members' Interests) Act 1968. www.oag.govt.nz/2010/lamia

7. REVIEW

Due 2021 (Every third year).



ELECTED AND APPOINTED MEMBER DECLARATIONS

Any elected or appointed member wishing to declare an interest should complete this form and submit
Chief Executive or Mayor

Name:	
Date raised:	
Description of actual/potential interest (to be completed by member):	
Decision/action require to mitigate conflict (to be completed by Mayor or Chief Executive):	
Review completed by:	
Signed:	
Dated:	
Date member advised of decision/action:	



TENDER EVALUATION TEAM DECLARATIONS – PART 1

All Tender Evaluation Team members to complete this form

Date:	
Contract name:	
Contract number:	
Tender Evaluation Team Member:	

Conflict of Interest Declaration – please circle which applies – (either A or B)	
A.	I declare that to the best of my knowledge, I do not have: <ul style="list-style-type: none"> Any financial interest in the supply of goods, and or services for this project Any relatives, or friends with any financial interest in the supply of goods, and or services for this project Any personal bias, inclination, personal obligations, allegiance or loyalty which would in any way affect my decisions in relation to the evaluation of the tenders/proposals.
B.	I have declared a potential conflict of interest as follows: <ul style="list-style-type: none"> I have completed a Tender Evaluation Team Declaration – Part 2, see attached. This declaration has been addressed by the Leader of the TET team and I agree to the approved method of mitigation.

Confidentiality Declaration
During the tender evaluation period and prior to the formal announcement of the successful supplier, I will not: <ul style="list-style-type: none"> Pass any information on the project to any potential suppliers for the project.

Declaration				
Tender Evaluation Team Member	Title	A or B	Date	Signature

Approval				
Tender Evaluation Team Leader	Title		Date	Signature

Appendix 3



TENDER EVALUATION TEAM DECLARATIONS – PART 2

This form needs to be completed when an interest is declared in Part 1 (Option B). If your answer is 'Yes' to any of the questions below, then you have a potential conflict that may require mitigation.

Date:				
Contract name:				
Contract number:				
Tender Evaluation Team Member:				
Potential conflict		Yes	No	Details (required when answer is yes)
1.	Have you carried out works for any tenderer (or member of its group) in the last two years?			
2.	Do you have a family and/or personal relationship with any tenderer (or member of its group)?			
3.	Are you employed by, or do you have a professional relationship with, or hold any office with any tenderer, including executive relationships such as Director or Board Member?			
4.	Are you currently involved, or about to be involved, with any tenderer in submitting another tender to Opotiki District Council or any other party?			
5.	Are you advising any party that is in a dispute with any tenderer?			
6.	Have you been a witness for or against any tenderer, or an expert witness in proceedings involving any tenderer in the past two years?			
7.	Do you have a financial or other relevant interest in any tenderer (or member of its group)?			
8.	Are you a creditor or do you hold any security over any tenderer (or member of its group)?			
9.	Does any company, trust, or other organisation in which you hold office, or over which you have any material influence, have an interest?			
10.	Without making specific enquiry, to the best of your knowledge does any member of your immediate family have an interest?			
11.	Any other conflict?			

Signature:	Date:
Agreed mitigation/method to remove potential conflict of interest:	
Approval for member to remain on team – TET Leader to sign	
Team Leader Name:	
Signature:	Date:

TENDER SUB COMMITTEE DECLARATIONS – PART 1

All Tender Sub Committee Members to complete this form prior to the commencement of the Tender Sub Committee meeting.

Tender Sub Committee Meeting Date:	
Tender Sub Committee Member:	

Conflict of Interest Declaration – please circle which applies – (either A or B)	
A.	<p>I declare that to the best of my knowledge, I do not have:</p> <ul style="list-style-type: none"> Any financial interest in the supply of goods, and or services for any project on the agenda of this meeting Any relatives, or friends with any financial interest in the supply of goods, and or services for any project on the agenda of this meeting Any personal bias, inclination, personal obligations, allegiance or loyalty which would in any way affect my decisions in relation to the evaluation of the tenders/proposals.
B.	<p>I have declared a potential conflict of interest as follows:</p> <ul style="list-style-type: none"> I have completed a Tender Sub Committee Declaration – Part 2, see attached. This declaration has been addressed by the Chair of the Tender Sub Committee and I agree to the approved method of mitigation.

Declaration				
Tender Sub Committee Member	Title	A or B	Date	Signature

Approval				
Chair of Tender Sub Committee	Title		Date	Signature

Appendix 5



TENDER SUB COMMITTEE DECLARATIONS – PART 2

This form needs to be completed when an interest is declared in Part 1 (Option B). If your answer is 'Yes' to any of the questions below, then you have a potential conflict that may require mitigation.

Tender Sub Committee Meeting Date:				
Tender Sub Committee Member:				
Agenda Item:				
Potential conflict		Yes	No	Details (required when answer is yes)
1.	Have you carried out works for any tenderer (or member of its group) in the last two years?			
2.	Do you have a family and/or personal relationship with any tenderer (or member of its group)?			
3.	Are you employed by, or do you have a professional relationship with, or hold any office with any tenderer, including executive relationships such as Director or Board Member?			
4.	Are you currently involved, or about to be involved, with any tenderer in submitting another tender to Opotiki District Council or any other party?			
5.	Are you advising any party that is in a dispute with any tenderer?			
6.	Have you been a witness for or against any tenderer, or an expert witness in proceedings involving any tenderer in the past two years?			
7.	Do you have a financial or other relevant interest in any tenderer (or member of its group)?			
8.	Are you a creditor or do you hold any security over any tenderer (or member of its group)?			
9.	Does any company, trust, or other organisation in which you hold office, or over which you have any material influence, have an interest?			
10.	Without making specific enquiry, to the best of your knowledge does any member of your immediate family have an interest?			
11.	Any other conflict?			

Signature:	Date:
Agreed mitigation/method to remove potential conflict of interest:	
Approval for member to remain on team – Chair of Tender Sub Committee to sign	
Chair of Tender Sub Committee:	
Signature:	Date:



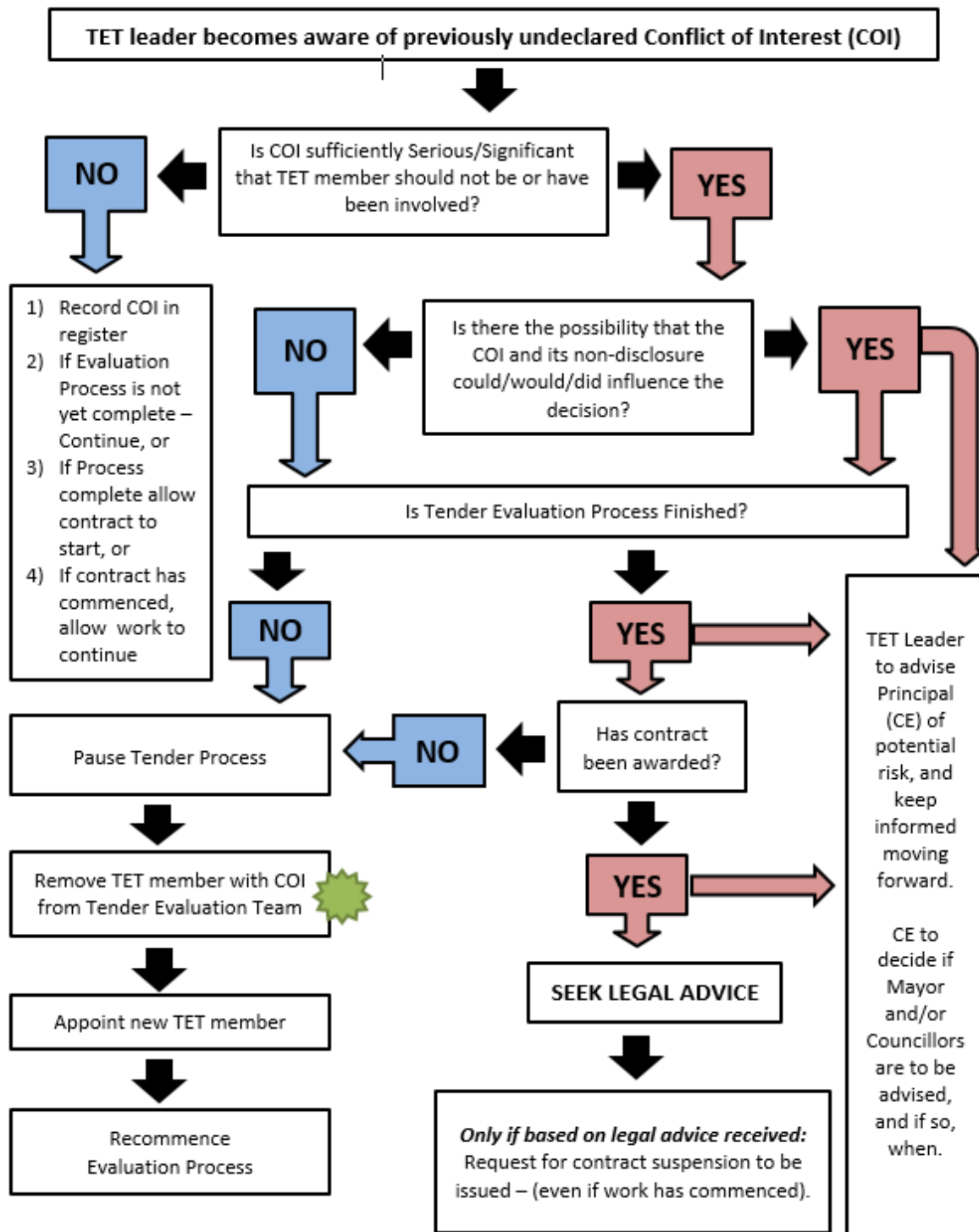
GENERAL STAFF DECLARATIONS

Subtitle here

Any staff member wishing to declare an interest should complete this form and submit to manager or Chief Executive

Name:	
Date raised:	
Description of actual/potential interest (to be completed by staff member):	
Decision/action require to mitigate conflict (to be completed by manager/CEO):	
Review completed by:	
Signed:	
Dated:	
Date staff member advised of decision/action:	

Appendix 7



At this point it would be for the TET Leader and CE to decide if the member can remain available as an expert or observer for the remainder of the evaluation process.

REPORT

Date : 8 April 2019

To : Ordinary Council Meeting, 23 April 2019

From : Planning and Regulatory Group Manager, Gerard McCormack

Subject : **RESOLUTION TO DECLARE HUNTING DOGS TO BE WORKING DOGS FOR THE PURPOSES OF THE DOG CONTROL ACT 1996**

File ID : A165248

EXECUTIVE SUMMARY

Feedback from owners of hunting dogs in coastal and rural communities in the Opotiki district indicates that one reason they do not register their dogs with Opotiki District Council is because the fee is too high and they feel it is unfair that hunting dogs fall into the same fee category as domestic dogs kept as pets. A Council resolution is sought to declare hunting dogs to be working dogs for the purposes of the Dog Control Act 1996. Hunting dogs would then be eligible for a lower registration fee. Owners of hunting dogs would be required to complete a hunting dog declaration form and provide evidence that their dog had completed avian awareness and aversion training.

PURPOSE

This report seeks a Council resolution to declare hunting dogs to be working dogs for the purposes of the Dog Control Act 1996 (the Act).

BACKGROUND

The definition of working dog according to the Act includes "any dog declared by resolution of the territorial authority to be a working dog for the purposes of this Act, or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution." The Act enables territorial authorities to fix fees for working dogs that are lower than the fee for any other dog, including fixing different fees for the various classes of working dogs.

A council resolution is sought to declare hunting dogs used to hunt game by a person undertaking legal hunting activities to be a working dog for the purposes of the Act. As a working dog, they would be eligible for a reduced registration fee and would also be exempt from some of the Act's provisions, including the requirement under section 54A for owners to carry a leash when in a public place and the requirement for dogs to be controlled on a leash in particular public places identified in bylaws made under the Act.

Owners wishing to register their hunting dog as a working dog would be required to complete a hunting dog declaration form and provide evidence that their dog had completed avian awareness and aversion training. Once a dog has been registered as a hunting dog, its owner would automatically be charged the reduced registration fee in subsequent registration years without having to resubmit the declaration form or proof of training.

In the East Coast/Hawke's Bay region, dogs are not allowed in most scenic reserves, conservation or forest parks or named conservation areas unless owners have obtained a permit from the Department of Conservation (DOC)¹. Before issuing a permit to hunt with dogs, DOC requires that the dogs have completed avian awareness and aversion training. The avian awareness and aversion training is free and was developed by DOC to teach dogs to avoid New Zealand's ground-dwelling native birds. Owners can arrange for their dogs to be trained by contacting DOC.

Another council that charges a reduced fee for hunting dogs is Ruapehu District Council (RDC), which added a new hunting dog registration fee category at its Council meeting on 10 March 2015. RDC developed the hunting dog classification in partnership with DOC to promote responsible use of local forests and ensure the protection of native wildlife. The classification applies to dogs kept solely and principally for the purpose of hunting wild pigs and deer on DOC Land but does not apply to water fowl hunting dogs. To be eligible for the hunting dog classification, an owner must supply RDC with:

- a current kiwi aversion training certificate
- a microchip number for the dog
- a completed hunting dog declaration form
- an approved digital photo of the dog.

RDC's dog registration fees for the 2018/19 year are as follows:

¹ <https://www.doc.govt.nz/parks-and-recreation/know-before-you-go/dog-access/where-can-i-take-my-dog/east-coast-hawkes-bay/>

Non-working dogs	
Entire dogs	\$142.50
Entire dogs – paid by 30 June 2018	\$95.00
Neutered dogs	\$97.00
Neutered dogs – paid by 30 June 2018	\$65.00
Responsible dog owner	\$36.00
Working dogs	
Working dog	\$30.00
Working dog – paid by 30 June 2018	\$20.00
Hunting dogs	
Hunting dog	\$30.00
Hunting dog – paid by 30 June 2018	\$20.00
Dangerous dog classification	
Registration at 150% of the level that would apply if the dog were not classified as a dangerous dog. E.g. non-working entire dog \$95.00 x 150% = \$142.50	

DISCUSSION AND OPTIONS SECTIONS

Declaring hunting dogs to be working dogs for the purposes of the Act would make them eligible for the reduced registration fee ODC has set for working dogs. The 2019/20 registration fee for working dogs is \$40 if paid on or before 1 August 2019 (versus \$110 for complete dogs and \$55 for neutered dogs) and \$60 if paid after 1 August 2019 (versus \$165 for complete dogs and \$82.50 for neutered dogs).

An alternative option is to set different fees for various classes of working dogs, as provided for in the Act. Other councils that have implemented this include Whakatāne District Council (WDC), which does not charge a registration fee for certified disability assist dogs (companion dogs, hearing dogs, and guide dogs) and dogs kept for specific tasks by government agencies for law enforcement, security, biosecurity, or civil defence purposes. WDC charged a registration fee of \$50 per dog for working dogs and dogs owned by incorporated hunt clubs if paid on or before 1 August 2018 and \$75 per dog if paid after 1 August 2018, versus \$50 for de-sexed dogs and \$75 for entire dogs if paid on or before 1 August 2018 and \$75 for de-sexed and \$112.50 for entire dogs if paid after 1 August 2018.

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 declaring hunting dogs to be a working dog for the purposes of the Dog Control Act 1996 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 declaring hunting dogs to be working dogs for the purposes of the Dog Control Act 1996 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.



COMMUNITY INPUT AND PUBLICITY

Consultation on this matter is not being undertaken as it does not meet any of the criteria in the Council’s Significance and Engagement Policy that are used to determine whether the proposal or decision being considered is significant. The matter does not involve:

- any transfer of ownership or control, or the construction, replacement or abandonment, of a strategic asset
- a decision that will have a major and long-term impact on the capacity of the Council to carry out any activity identified in the Long Term Plan
- a decision that will have a major and long-term impact on Council’s strategic direction
- a decision that will have a major and long-term impact on a wide range of people and/or groups who reflect the makeup of the District’s community
- a major and long-term impact on Council’s current level of service.

The Council already has a sound understanding of the views and preferences of the persons likely to be affected or interested in the matter. The Council has run workshops in Te Kaha since Christmas 2018 and heard the views of coastal and rural community members who consistently advised that one

of the reasons they did not register their hunting dogs was because the fee was too high and they felt it was unfair that hunting dogs fell into the same fee category as domestic dogs.

CONSIDERATIONS

Financial/budget considerations

There are no costs associated with declaring hunting dogs to be working dogs for the purposes of the Act. There may be a reduction in the total amount paid to ODC for dog registration as owners take advantage of the reduced rate for hunting dogs; however it is envisaged that this will be offset by an increase in overall number of dogs being registered particularly in coastal and rural areas.

Risks

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

Authority

Council has authority under section 2 of the Dog Control Act 1996 to declare by resolution any dog or any class of dog to be a working dog for the purposes of this Act, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution.

RECOMMENDATIONS:

- 1. That the report titled "Resolution to Declare Hunting Dogs to be Working Dogs for the Purposes of the Dog Control Act 1996" be received.**
- 2. 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.**

Gerard McCormack

PLANNING AND REGULATORY GROUP MANAGER

REPORT

Date : 9 April 2019
To : Ordinary Council Meeting, 23 April 2019
From : Events and Senior i-SITE Officer, Jakob Carter
Subject : **MATARIKI FESTIVAL FUNDING APPLICATIONS**
File ID : A165339

EXECUTIVE SUMMARY

Seeking Council resolution to support funding applications to Southern Trust, The Lion Foundation, Lottery Community Committee and Bay Trust for Opotiki's inaugural 'Matariki Festival'.

PURPOSE

To obtain resolution from council in support of funding applications.

BACKGROUND

Traditionally we have focussed on event delivery during the busy summer holiday period to cater to our visitors and local families on holiday. In response to Councillor and community feedback we will start to spread more events across the year. To enable increased events we need to source additional external funding. This year's focus is to expand our district's current events by producing a new winter event, Matariki.

The star cluster Matariki appears in our skies in the month of Pipiri (June-July), marking the start of the Māori New Year. This is the coldest time of the year and Pipiri means 'to draw close'. It is a time to come together with your friends, whānau, and communities. It is a time to share kai, reflection, fun, and to look forward to the year ahead.

Opotiki’s inaugural Matariki event aims to include a number of new and modern attractions, workshops, performances and collaboration within the community. This will build a great atmosphere and bring our community and visitors together for this historic and cultural celebration.

DISCUSSION AND OPTIONS SECTIONS

Four external funding sources have been identified as detailed below:

- The Southern Trust has funding set aside for ‘community purposes’ which include non-profit community cultural or arts festivals
- The Lions Foundation accepts applications for any charitable, philanthropic or cultural purpose that benefits the local community. A resolution is required from council to accompany these first two funding applications.
- The Lottery Community Committee accepts applications to help top up existing funding as well as projects encouraging community and/or cultural identity or understanding
- Bay Trust supports events in the Eastern Bay of Plenty in order to help build, strengthen and enhance present and future BOP communities.
- Existing operational budget will cover staff resource costs.

Progressing with the Matariki Festival, and the scope of the festival, is dependent on funding applications being successful.

SIGNIFICANCE ASSESSMENT

Under Councils 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 Matariki Festival Funding Applications 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 Matariki Funding Applications 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.



CONCLUSION

The council has two options:

1. Council resolves to support funding applications.
2. Council declines to support funding applications.

RECOMMENDATIONS:

1. **The report titled "Matariki Festival Funding Applications" be received.**
2. **That Council approves the lodging of a funding application with Southern Trust to support the 2019 Matariki Festival, subject to quotes.**
3. **That Council approves the lodging of a funding application with The Lion Foundation to support the 2019 Matariki Festival, subject to quotes.**
4. **That Council approves the lodging of a funding application with the Lottery Community Committee to support the 2019 Matariki Festival, subject to quotes.**
5. **That Council approves the lodging of a funding application with BayTrust to support the 2019 Matariki Festival subject to quotes.**

Jakob Carter

EVENTS AND SENIOR *i*-SITE OFFICER

REPORT

Date : 9 April 2019

To : Ordinary Council Meeting, 23 April 2019

From : Chief Executive Officer, Aileen Lawrie

Subject : **LOCAL GOVERNMENT NEW ZEALAND CONFERENCE 2019**

File ID : A165233

EXECUTIVE SUMMARY

The Local Government New Zealand Conference 2019 is being held in Wellington on 7-9 July 2019. A resolution of Council is required to obtain approval for attendance at the conference.

PURPOSE

To obtain a resolution of Council for attendance at the Local Government New Zealand Conference 2019 in Wellington on 7-9 July 2019.

BACKGROUND

His Worship the Mayor and two Councillors (by rotation) usually attend the Local Government New Zealand Annual Conference. The rotation is alphabetically determined, commencing at the beginning of each triennium.

Last year, Deputy Mayor Riesterer and Councillor Tuoro attended by rotation, along with His Worship the Mayor.

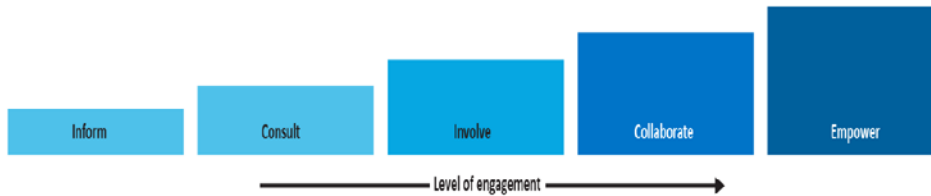
SIGNIFICANCE ASSESSMENT

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 Local Government Conference 2019 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 Local Government New Zealand Conference 2019 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

The earlybird registration fee for the conference is available until 24 May 2019 at \$1,410 per person. Travel, accommodation and some meal costs are additional to the registration fee.

The above costs will be covered for all attendees from budgeted funding.

CONCLUSION

His Worship the Mayor will attend the Local Government New Zealand Conference 2019. Councillors Young and Browne are next in rotation. Councillor Young does not wish to attend the conference. The next in rotation is Councillor Howe who is available to attend.

RECOMMENDATIONS:

- 1. That the report titled "Local Government New Zealand Conference 2019" be received.**
- 2. That His Worship the Mayor together with Councillors Browne and Howe are authorised to attend the Local Government New Zealand Conference 2019 in Wellington.**

Aileen Lawrie

CHIEF EXECUTIVE OFFICER



REPORT

Date : 9 April 2019

To : Ordinary Council Meeting, 23 April 2019

From : Chief Executive Officer, Aileen Lawrie

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

File ID : A164596

WAIOEKA BRIDGE

Council has been seeking commitment from NZTA to clean the Waioeka Bridge for some time. NZTA have advised us that there is no structural risk that arises and therefore they do not routinely clean bridges. Staff understand that cleaning in fact was part of maintenance contracts prior to (circa) 2012. In seeking to understand the barriers to cleaning, staff asked for costings to see whether Council could consider subsidising the cleaning. NZTA provided costings, asking us to keep them confidential to ensure any eventual procurement could be undertaken without those numbers being in the public arena. They also asked how much Council would be prepared to pay towards the clean. When the figures were supplied it became apparent that any meaningful contribution was beyond the affordability of the local community. They also suggested that as an alternative, the local community could take responsibility and do the cleaning. A copy of the Resource Consent was obtained and it has some relatively stringent conditions that drive costs, but also have conditions relating to the content of the paint that would create risk for any party that took on the cleaning. Our staff have engaged with NZTA with thoughts on options to clean the bridge that would be smaller scale and cheaper, but as of yet we have not heard back.

The most recent letter from NZTA to Tamati Coffey outlining the NZTA position is attached for Council's information. A member of the community has created a petition that we have held at reception and the library, and we understand Tamati Coffey has escalated the matter with the Minister of Transport (who we also spoke to last August when he was in Opotiki).

PRODUCTIVITY COMMISSION

Following on from the visit by the Productivity Commission in February, Council made a submission on their Inquiry into Funding and Financing of Local Government. This followed a workshop with the Audit and Risk Committee, and the final copy is attached.

ANIMAL CONTROL

Council staff have had some recent successes re-homing dogs and some amusing stories and great feedback to go with those re-homings.

Last year two Chihuahua's were re-homed to Christchurch amidst a story of escape and recapture by Rotorua Animal Control staff before finally making the flight. Recently, Harley spent some time being pampered by the Bay of Plenty Regional Council staff in Tauranga before catching his lift to Auckland.

The following was received from Harley's new owner via e-mail:

I write to you with a history of 30 years in business, having run a number of companies. So I know how hard it is to employ and retain quality staff at any level. I am therefore highly sensitive to quality staff and service interaction.

Occasionally I come across individuals worthy of praise and think about passing this on to their managers, but never do. However, in this case I am motivated to do so because of the exemplary interaction and service that I have received from Seth and Roimata from your animal control unit. They are obviously very caring and have gone out of their way in their own time to assist me in the adoption process, with the result that at least one life was saved. They do a difficult and heart-wrenching job and consequently I believe would get little or no positive feedback from the public that they are serving. Having also met their Manager, Gerard McCormack, I can see that the whole team reflects these high standards which have prompted me to communicate with you.

Well done for identifying the quality of all of these individuals and please let them know on my behalf, from you, how much they are valued and appreciated.

Harley and his new family are extremely grateful. Keep up the good work.

LGOIMA REQUESTS

LGOIMA Report (20/02/2019-12/04/2019)

Month	Submitter	Subject	Due
February 2019	Auckland University	Resource Consents for quarries	Completed
	Chris Hopman	Rating matters - rubbish	Completed
March 2019	Safe for Animals Org	Chicken farming operations	Completed
	Laura Dooney	tonnage of recycling collected from kerbside collection	03/04/2019
	Kieran Hickey	Waioweka bridge maintenance correspondence	Completed
	Opus	Notified Resource Consents	Completed
April 2019	Sally gepp	Resource Consents issued with conditions to control domestic cats	Completed
	Chris Hopman	rating spreadsheet	10/05/2019

MEETINGS / EVENTS ATTENDED BY CEO – 1 MARCH 2019 – 9 APRIL 2019

1 MARCH 2019

Attended tangi for ex-Mayor, Don Riesterer

4 MARCH 2019

Building Control meeting with service users

5 MARCH 2019

Whakatāne

Eastern Bay of Plenty Joint Committee meeting

Eastern Bay of Plenty Mayors/CEs meeting

19 MARCH 2019

Meeting with Te Whanau a Maruhaeremuri Hapu Trust representatives

21 MARCH 2019

Presentation by Jo Cribb – 'Gender Pay Gap', Whakatāne

25 MARCH 2019

Met with Mike Bryant, Ministry of Social Development

26 MARCH 2019

Te Whānau a Apanui Treaty Settlement meeting with Te Arawhiti (Office For Māori Crown Relations)

8 APRIL 2019

Regional Growth Leadership Group Committee meeting, Whakatāne

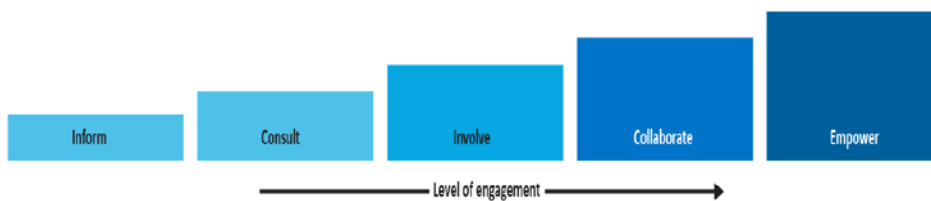
SIGNIFICANCE ASSESSMENT

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

6 March 2019

Danae Lee
Danae.Lee@parliament.govt.nz
Office of Tamati Coffey MP

Ref. NZT-3666

Dear Danae

Thank you for your email of 20 February 2019 on behalf of the constituents of Waiariki regarding the status of the bridge over the Waioweka river at the western entrance to Ōpōtiki SH2.

The NZ Transport Agency can confirm that the Regional Transport Committee have raised this issue with us and we have been in contact with the Ōpōtiki District Council. They reinforced the strong community desire to see this bridge visually improved.

The bridge in question is a concrete structure, the Transport Agency does not routinely clean concrete bridges as there is no structural reason to do so.

The Transport Agency has sought rough estimates for the upgrades are \$380,000 to wash the bridge and \$550,000 to wash and repaint. It is likely that only washing the bridge will remove a lot of paint, leaving an 'ugly' finish'. Resource consent requirements mean that any dirty water and/or loose paint must be captured to protect the water environment below. This requires a significant scaffold to capture the wash water.

As this is not considered essential structural maintenance we have submitted a funding request for the next financial year, this will be confirmed in June 2019. This project will be competing against essential maintenance funding requests, but the strength of customer interest will be recognised in the process.

If this project is funded, it will be completed next Spring/Summer, weather permitting.

If you or your constituents would like to discuss this matter further, please contact Rob Campbell, Manager System Management at rob.campbell@NZTA.govt.nz or by phone at 07 927 7925.

Yours sincerely



Wayne Oldfield
Senior manager, System management



Our Ref: A162323

31 January 2019

New Zealand Productivity Commission
PO Box 8036
The Terrace
Wellington 6143

To Whom it May Concern

**SUBMISSION ON THE ISSUES PAPER IN RELATION TO THE INQUIRY ON LOCAL GOVERNMENT
FUNDING AND FINANCING**

Thank you for providing us with the opportunity to input into the inquiry into local government funding and financing.

Attached are the detailed Opotiki District Council comments in relation to the questions in the issues paper.

Yours faithfully

Aileen Lawrie
CHIEF EXECUTIVE OFFICER

Enc. Submission

1.	<p>What other differing circumstances across councils are relevant for understanding local government funding and financing issues?</p>	<ol style="list-style-type: none"> 1. Demographics - Ability to Pay. Ōpōtiki District has among the highest levels of deprivation in New Zealand, it features at the wrong end of many statistics – unemployment, median household income, benefit numbers, rate of home ownership, health etc. Of all ratepayers in New Zealand the Ōpōtiki District has the lowest ability to pay. 2. Extent of non-rateable land. In the Ōpōtiki District, 72% of the districts land is unable to be rated because it is Crown owned and in conservation estate. Again this is one of the highest percentages of non-rateable land in New Zealand. 3. Extent of multiply owned Maori Land. The Ōpōtiki District has a high proportion of multiply owned Maori land. This creates difficulties for the multiple beneficiaries in administering the land to find a productive use, and therefore rates income is reduced, or unable to be collected because the usual sanctions for non-payment of rates cannot apply to Maori land. 4. Physical Cost Drivers. There are a range of matters that drive differing costs between councils for example environment and geology differences means the same activities can have significantly different costs e.g. costs of roading is driven both by the nature of the geology upon which the road is being built and on the ease of access to and quality of aggregate locally available. Other services can be affected by environmental circumstances e.g. nutrient rules, water quality parameters etc. 5. Availability of central government funded services in a district. In the Ōpōtiki District there is very little physical presence of government and non-government organisations. More detail is provided later in the submission but the effect is that council is under much more pressure to fund things that may in other centres be considered government functions. 6. Small and isolated population base. The Ōpōtiki District has one of the smallest populations in the country, and is relatively isolated. There are limited numbers of local contractors, and the size of our or contracts are small and are therefore attract less completion for council contracts. The costs associated with providing any service are often higher too, given there are less ratepayers contributing to the cost of the service. 7. Size restricts revenue gathering. Given the small size of our district, our ability to gather
----	--	--

		<p>revenue from regulatory activities is restricted. For example, we are aware that larger Councils gather significant revenue from parking charges. However, despite administering this service, the small number of fines we collect as penalties for parking misdemeanours is minimal and when compared with the cost of administering the service, acts as a deterrent rather than a revenue stream.</p>
2.	<p>What explains the difference between the amount that councils account for depreciation and the amount spent on renewing assets? Are changes needed to the methods councils use to estimate depreciation? If so, what changes are needed?</p>	<p>Overall the net total renewal spend should be approximately equivalent to depreciation over the life of a network of assets. There are some factors that can change this base principle, primary among which is optimisation. Optimisation occurs when new technologies, methodologies and higher design standards improve the means in which assets and services are constructed. Modern technologies and methodologies can deliver a scheme replacement for less than its original cost and higher design standards can add cost. Depreciation should as such be adjusted to best match optimisation through regular revaluation. An example of this is relining of existing wastewater pipes which extends the life of the asset by 150% for a fraction of renewal cost. Or replacement of a traditional gravity scheme with an enhanced gravity scheme which avoids expensive deep pipe replacement by utilising additional pump stations.</p> <p>When looking at renewal spend versus depreciation on an annual basis or even over decades the two numbers shouldn't balance up. When a scheme or portion of a scheme is new there shouldn't be any renewals but there will be depreciation. Depreciation is calculated on a straight line basis. Renewals occur in waves. Every scheme is comprised of a number of assets each with varying lives. A water supply scheme has pipes lasting 80-120years, hydrants lasting 30-60 and meters lasting 15-25. Renewal waves as such will differ from depreciation as they come in around these timeframes.</p> <p>Notably these timeframes are not particularly accurate and for good reason. Asset lives can be subject to a number of different life altering variables. These can include things like soil composition i.e. the presence of chemicals that degrade assets, or installation quality, many schemes were installed in the early 1900's and being underground are not easily assessed.</p> <p>Asset management practice in NZ does however provide methods for effectively reducing uncertainty, though there will always be a degree. Asset managers should implement programmes of inspection and monitoring to identify the rate at which assets are degrading and any reduction in performance, and adjust lives accordingly. This process however does not happen all at once and should begin in the latter</p>

		<p>20% of an assets estimated life, lest the cost of such assessment spiral. Assets need to be prioritised based on criticality and risk. With Asset Management practice still being reasonably young, compared to many schemes around New Zealand, most Asset Managers are still compiling the necessary data, assessing and making improvements. Time will see asset management practice improve, especially as early 1900's assets reach the end of their lives and failure modes and degradation patterns are refined. Development of new assessment technologies and the sharing of collective data will also increase the sophistication of asset management practice. There are forerunner scheme owners that are hitting the end of life milestone first and should be sharing their learnings through the process.</p> <p>A greater concern is when Councils have budget for renewals in line with depreciation but are not spending it. If the reason isn't due to cost savings through optimisation then there is more than likely a problem with the contractor market. Christchurch showed us that the national contractor market can be quickly absorbed into large scale projects. There are many small and medium sized Council's that do not have local or even regional contractor bases capable of undertaking mass renewals, especially in feasible timeframes. While asset management practice attempts to stage renewals this is not always practical and often national contractors will need to be sourced but cannot be or at least cannot be affordably. Again asset management practice can adjust revaluations to attempt to account for these premiums but this can be highly variably as it is driven at a national level. Councils can and are driving each other's costs up with competing works.</p> <p>With many Council's soon to reach and some having already reached the end of life milestone a nationally driven approach makes a good degree of sense. The ground work has already started with numerous national infrastructure surveys, but a deeper level of understanding needs to be reached and no small amount of planning undertaken. This may be supported by a Ministry of Works type thinking i.e. To ensure the best outcome for all, with limitations on the building and constructional potential of the country, assemble and utilise in the most efficient manner.</p>
3.	<p>In what ways are population growth and decline affecting funding pressures for local government? How significant are these population trends compared to other funding pressures?</p>	<p>Marginal increases and declines are manageable, only large shifts will be significant and difficult to manage.</p> <p>Our rating system is based on capital value and is not affected by population increase and decline. Notwithstanding what is reported nationally in respect of population growth and decline, we are seeing a small increase in rating units (with some incidence of absentee ratepayers). It is noted that this increase is</p>

		<p>typically marginal and related to small subdivisions and possibly holiday homes. However, although there has been no decline in the number of rateable units, and therefore technically funding is unaffected, we are aware that a reduced population base can have a real impact on the affordability of the rates levied.</p> <p>We do experience increased pressure from transient populations, in particular influxes in tourist numbers. This influx results in pressure on infrastructure, in particular our public facilities, during peak summer season. Any upgrades to infrastructure required to deal with these influxes in population have to be borne by a small rate payer base who often do not see how investment in tourism infrastructure is of benefit to them. In addition, our absentee ratepayer base increasing – some ups and down – they often seek higher levels of service, but on the other hand are reliable rate payers.</p> <p>Council is awaiting decisions on the harbour development. If this project goes ahead, there will be demand for infrastructure that does not exist at present. The decision on whether investment in infrastructure should occur before growth is a difficult one, particularly given the uncertainty around the size and timing of any growth that occurs.</p>
4.	What are the implications of demographic changes such as population ageing for the costs faced by local government?	<p>As with the question above, a key consideration for us is the affordability of our services for our residents. With an ageing population we need to consider whether our residents, many of whom are on fixed incomes (retirees included), can afford the rates we set.</p> <p>Demographic changes can also drive changes in service needs/demands. For example, demand for wider and smoother pavements vs. playgrounds. It also increases the need for health services in the community, and makes accessibility to externally provided services outside the district, St John's ambulance, helicopter services all the more important.</p> <p>We also face questions around housing need. Will this be supplied by the market – who will provide the housing, what is the cost of the housing? Is it affordable for those on fixed incomes when there is a housing shortage in general, which will drive up rental costs?</p>
5.	To what extent is tourism growth resulting in funding pressures for local government? Which councils are experiencing the greatest pressure, and	<p>Tourism results in pressure for better facilities and the cost implications of delivering this, when coupled with increasing environmental standards, makes this tough for our community to absorb. For example, the provision of public toilets in areas not served by reticulated systems. The demand for these services often comes from tourist in campervans who drive through our district, and do not stop and spend and</p>

	<p>how is this manifesting?</p>	<p>therefore make little, if any, contribution to our local economy. Additionally, the Regional Councils control and restrictions around the management of treatment of waste, driven by central government policy, make provision of these services, expensive.</p> <p>Some facilities can receive government funding. However typically these funds only cover a portion of the initial capital cost, leaving the annual operational cost to local communities to bear. The cost implications of maintaining such facilities at worst make such opportunities out of reach, or at best, limit the nature of the facilities we seek funding for. Additionally, given the extent of crown owned land in our district, many of the opportunity and growth areas in the tourism sector are fully or partially on crown owned land. Much of this land is not worth of conservation (is of low value environmentally/ecologically) and yet the cost of obtaining concessions is largely prohibitive for start-up businesses in our district.</p> <p>An additional cost arises from applying for funding. Central government funds set high thresholds for information standards and it can be a costly investment without guaranteed return. Less affluent Councils would tend to make fewer applications and therefore receive less of the grant funding available.</p> <p>For ODC, the neighbouring Council is investing heavily in tourism. The spill over effects into our district mean that we have little choice but to invest in facilities.</p>
<p>6.</p>	<p>Is an expansion of local government responsibilities affecting cost pressures for local government? If so, which additional responsibilities are causing the most significant cost pressures and what is the nature of these increased costs? To what extent do these vary across local authorities?</p>	<p>There has been an incremental expansion in the responsibilities of local government.</p> <p>Any changes made at a national level to legislation or policy trickle down and have real implications for the way we provide services. Often these changes require changes to systems and processes we use, and rolling out these changes is time consuming and resource intensive. Many of the changes are made in response to demand that does not exist in this district. For example, the Resource Legislation Amendment Act 2017 was enacted in response to issues being experience in the bigger centres. None of the issues the Act was reported to deal with were relevant in Ōpōtiki. However, as the legislative changes apply across the country, we were forced to respond to those changes. Having done our best to respond to these new legislative requirements and waded through the complexities of the changes made, it pained us to hear that the incoming government intends to repeal a number of these changes shortly.</p> <p>Our regulatory service is made up of twelve shelf reporting to one second tier manager. This team is responsible for administering multiple pieces of legislation including the following:</p>

		<ul style="list-style-type: none"> • Biosecurity Act 1993 • Building Act 2004 • Dog Control Act 1996 • Freedom Camping Act 2011 • Food Act 2014 • Forest and Rural Fire Act 1977 • Gambling Act 2003 • Impounding Act 1955 • Hazardous Substances & New Organisms Act 1996 • Health Act 1956 • Land Transport Act 1998 • Litter Act 1979 • Local Government Act 2002 • Prostitution Law Reform Act 2003 • Reserves Act 1977 • Resource Management Act 1991 • Sale and Supply of Alcohol Act 2012 • Transport Act 1962 • Various regulations, Council policies, plans and bylaws <p>Given the small size of our team, staff are often responsible for administering more than one piece of legislation and/or function. In some areas, there is insufficient work to justify having a member of staff and therefore we are reliant on consultants. Keeping up with the ongoing changes to legislation is an ongoing battle. Government needs to be more aware that the number of changes being made and the timing of those changes can have real deliverability issues at the coal face, particularly in small councils were even delivering the status quo can be a challenge.</p> <p>Additionally, worth noting here that where consultation is carried out and submissions are sought from local government, we often do not have the resources or sufficient capacity to be involved. Some of the larger councils struggle to keep up with the demands and volume of work coming out of government and so for us, it is simply unrealistic for government departments to rely on us showing up or providing comments in writing to inform their decision making. The time and cost associated with attending meetings (often in Wellington) and the small pool of people we actually employ and are therefore physically able to send, makes such involvement unachievable most of the time. For this reason there needs to be a better of understanding of difference across the country. Government should not simply respond to those that are present or shout the loudest. They have a responsibility to act on behalf of everyone, including those who do not have a voice.</p> <p>We would encourage the commission to be mindful that we have specifically chosen to be involved in this process because we think it is important and the results of the inquiry could significant implications for our district. However, given the nature of our district, we have to pick and choose the projects we get involved in and the scale of our involvement in this inquiry is rare and unlikely to be repeated any time</p>
--	--	--

		<p>soon given the resourcing required and available.</p> <p>The Government also needs to consider in more detail whether the changes they are proposing at national level, are deliverable across the country. Mandating at a national level a specific level of expertise, that is to be delivered at a local level, can be problematic. For example, given the small number of food premises in our district, we have been relying on consultants to deliver this service. There is insufficient work to support a fulltime post, nor do we have the experience locally to deliver this service. However, recent changes to the Food Act, mean it is no longer acceptable to appoint consultants. Similar issues have been experienced with the Building Control Act. We simply are unable to recruit the calibre of staff required and therefore are reliant on consultants which are operating in an environment of limited competition (see response to question 10) and therefore are able to charge disproportionate rates which have knock-on effects for the cost of development in our district. There needs to be more of an awareness that standard setting in Wellington in respect of new/amended regulations, training, database, certification, etc all comes at a cost, and often the benefits are not experienced equally (if at all).</p> <p>Coupled with all of the above, we have witnessed over the last few years a systematic withdrawal of government responsibilities from our district. In this situations we are faced with a decision of whether to subsidise the service or lose it entirely making Ōpōtiki District Council an organisation of last resort. In many scenarios, ratepayers do not appreciate the different between central and local government, government and non-government organisations. They just see a decline in the availability of services and we are the organisation they turn to, complain to, ask to advocate on their behalf, or to seek funding to continue providing the service. For this reason we end up involved in services that are well outside of the traditional remit or mandate of local government, but in the absence of anyone or anything else, we fill the void. Some recent examples include the following:</p> <p>Government</p> <ul style="list-style-type: none"> • DOC • Driver licensing service • Cleaning of NZTA bridges (\$500k) • PGF and Economic Development • Court services • Police services – CCTV and safety, not backing up of Council services, need to incur additional cost to provide our own security
--	--	---

		<ul style="list-style-type: none"> • Specification and monitoring of building product manufacturing and certification, cost of weathertightness falling on Council. More onerous regulation than prior to deregulation. • Govt sees itself as the owner of good ideas and LG as incompetent <p>NGOs'</p> <ul style="list-style-type: none"> • St Johns ambulance • Health services • Aged services • SPCA <p>Business</p> <ul style="list-style-type: none"> • Banking – eg ATM machine at library • Connectivity
7.	How is the implementation of Treaty of Waitangi settlements, including the establishment of 'co-governance' and 'co-management' arrangements for natural resources, affecting cost pressures for local government? How widespread is this issue?	<p>The settlement acts create costs for councils in terms of administration and additional work prompted from such forums.</p> <p>The majority of councils around the country are involved in the Marine and Coastal Area (Takutai Moana) Act 2011 as interested parties. The majority of councils, especially smaller councils like ourselves, are dependent on external legal advice to advise us in such matters, all of which results in increased overhead costs, borne by ratepayers.</p> <p>Another example of this is the decision by the Bay of Plenty Regional Council to establish a Māori Policy Committee at a cost of \$2 million, another cost which will need to be borne by our ratepayers.</p>
8.	How are local authorities factoring in response and adaptation to climate change and other natural hazards (such as earthquakes) to their infrastructure and financial strategies? What are the cost and funding implications of these requirements?	<p>We are doing our best to respond to the known risks from climate change, but we are aware that there is still a lot more work and investigation to go on. We also know that the costs of responding to climate change are likely to be high in our district, and so until we have more concrete information on how our ratepayers are going to be affected, it is difficult to have conversations or make decisions around investment. As much of our district is focused along the coastline, relocation is a real prospect for our communities. However, costs associated with this remain prohibitive and there is a lack of tools and frameworks available to assist with this.</p> <p>A national strategy or national policy statement would provide some certainty, consistency and direction which would be welcomed. However, as is set out in response to response to question 6 above, we would</p>

		<p>expect detailed consideration to be given to how the policy direction will play out across the country and affect all parts of our country's population, large and small, privileged and deprived. It is noted that our community is much more tolerant of risk and is likely to be able to sustain living with risk much more than communities in other parts of New Zealand.</p> <p>As is set out above, much of our district is in crown ownership. The upper reaches of most of our catchments are administered by the Department of Conservation. However, the Department of Conservation is missing when it comes to discussions about mitigating, responding or funding the management of catchments to respond to the effects of climate change.</p>
9.	<p>Why is the price of goods and services purchased by local government rising faster than the consumer price index? To what extent is this contributing to cost pressures for local government?</p>	<p>We believe that is local government is driving the costs in some respects due to requirements to adhere to our policies. For example, we are aware that our requirements to adopt appropriate health and safety practice can significantly drive up the costs to our contractors.</p> <p>Additionally, Audit New Zealand requires us to follow detailed and often unwieldy procurement processes which result in a lack of agility and inability to grab the bargain.</p> <p>More and more, local government is becoming reliant on external consultants to deliver services. This reliance may begin as a temporary fix to fill a vacancy, but in many places and in many services, becomes the status quo very quickly. Reliance on consultants reduces the robustness and resilience of local government services. Over time, and sometimes in desperation, many councils pay consultants exorbitant rates, which translates into salaries that the public sector is unable to compete with. This in turn makes it very difficult to recruit staff and creates a perpetuating problem. These costs are passed on to applicants and ratepayers, but also make staffing a council difficult. We experience this problem first, long before it appears in the major centres. Local government should have the ability to collectively cap the rates paid to contractors to address this issue.</p>
10.	<p>Do the prices of goods and services purchased by local government vary across councils? If so, what are the reasons for these differences?</p>	<p>Larger Councils can attract larger contractors and competitive pricing. Smaller Councils struggle around contracts, with few tenders, and high pricing. Joint procurement initiatives help where an agreed coordinate approach can be defined. For larger Councils there is little benefit in putting the resource to coordinate this. Some smaller tenders can get better prices than combining into a large one.</p> <p>It is also important to note that as a small relatively isolated district, the cost of carrying out work is</p>

		<p>comparatively higher than carrying out the same works in larger districts with better connections and greater levels of competition between contractors. The cost of transporting the materials to more isolated areas is higher and the number of contractors available is reduced which leads to less competition and higher costs. In our experience, it is more costly to develop in our district than it is in neighbouring districts (Whakatāne for example) or larger urban centres (Tauranga for example). We experienced this recently when tendering for works to a Council owned building. We received three quotes for the buildings works. None of the quotes came from local businesses (they were all from contractors based in Whakatāne, a 30 minute drive away) and there was 30% difference between the highest and lowest tender price.</p> <p>Worth noting too, that the geography and geology of a place can have a marked effect on the cost of carrying out works. Roading is a good example: the cost of putting a length of road in Taupō is going to be significantly cheaper on the whole, than putting the same length of road in Ōpōtiki because the nature of the terrain is different and the resulting construction requirements differ.</p>
11.	<p>Is local government expenditure shifting away from traditional core business into activities such as economic development, sport and recreation and community development? If so, what is the rationale for this shift, and could these activities be better provided by other parties?</p>	<p>We definitely feel as if our core business has shifted and expanded into new areas over the last few years. Additionally, there is always pressure to do more in areas that are not traditional part of our core business. The reasons for this are partly to do with the withdrawal of other government and non-government agencies (see response to question 6), but also to do with expectations arising from expectations set by what larger councils are delivering in more urban areas. We are aware that our communities would like us to invest more in these areas. However, we are often unable to redirect funds to these areas because our budget is tied up delivering mandatory requirements.</p>
12.	<p>Does the scope of activities funded by local government have implications for cost pressures? If so, in what ways?</p>	<p>Yes always. Once local government picks up the provision of a service to the community it is very difficult to stop providing it. Also if Local Government starts providing some services that should be provided by central government, there is an expectation that this will continue.</p>
13.	<p>What other factors are currently generating local government cost pressures? What will be the most significant factors into the future?</p>	<p>Key areas generating cost as follows:</p> <ul style="list-style-type: none"> • Expectations and demand from national organisations - LGOIMA • Insurance • Fuel prices

		<ul style="list-style-type: none"> • Responding to mandatory requirements generated by Government and Regional Council policy • Managing waste: China not taking recycling and plastic bags withdrawal • Risk, health and safety, audit and assurance • Loss of AirNZ in Whakatane <p>Significant factors into the future:</p> <ul style="list-style-type: none"> • Climate change • Ageing population.
14.	How will future trends, for example technological advances and changes in the composition of economic activity, affect local government cost pressures?	At this stage we are unsure. We know that technological advances will make some costs cheaper, but other factors and risks will keep costs driving upwards. Community expectations are likely to keep increasing as the disparities across the local government sector continues to widen. National expectations are also likely to continue influencing internal process and procedures. We expect the growth in the number and complexity of LGOIMA requests to continue increasing and this process to become more consuming.
15.	How effective is the Long-term Plan process in addressing cost pressures and keeping council services affordable for residents and businesses?	<p>Given the demographics of our community, affordability is almost a culture within our organisation. Whilst the Long Term Plan and Financial Strategy document affordability, being a small organisation with increasing costs and demands means we need to be innovative and constantly looking to streamline processes, and improve performance. A lot of the cost increases are imposed on us, and are not made by choice. We have to offset the community wants with the legislative must haves.</p> <p>We find the Long Term Plan renewal process is too constrictive and ever-changing. Producing the Long Term Plan comes at a significant cost, in terms of opportunity costs in both staff and elected member time, audit, production, meetings and general administration. We also find that responding to Audit requirements results in significant cost, estimated at a +1% rate increase.</p>
16.	How effective are councils' Long-term Plan consultation processes in aligning decisions about capital investments and service levels with the preferences, and willingness and ability to pay, of residents, businesses and other local organisations?	<p>They are effective in theory, but in practice there is a big separation between the simple views of the community and the complex world of asset management, financial modelling and audit. We spend a lot of time and energy dealing with detailed audit concerns, and less time than we would like engaging with the community.</p> <p>In our community, engaging with ratepayers is difficult but we are actively looking to improve this through new and innovative ways to ensure we are hearing more voices. However, we are also fortunate</p>

		<p>to have elected members who know their communities well, have regular interactions with community and bring the views to the table that are not necessarily heard through a formal consultation process.</p> <p>However, we feel that the Long Term Plan process provides another example of how mandated national requirements (audit) overtake our ability to properly engage and respond to the wants and needs of our community.</p>
17.	<p>Is there scope to improve the effectiveness of Long-term Plan processes? If so, what, if any, changes would this require to the current framework for capital expenditure decision making?</p>	<p>Yes, it is a lot for a small Council to do. It would make more sense to stagger the infrastructure strategy for the year before the Long Term Plan. Given most of the Long Term Plan decisions are based around asset management and renewal it makes sense to put some robust effort into developing that first, then look at the Long Term Plan, which includes the communities "nice to haves". Larger organisations may be able to manage development of the infrastructure strategy internally, but many contract in resource for this. For smaller organisations it is all hands on deck, and it may lack the internal review and finance checks needed to truly align and inform the Long Term Plan.</p>
18.	<p>How much scope is there for local government to manage cost pressures by managing assets and delivering services more efficiently?</p>	<p>In our opinion, there is very little scope without financial contribution.</p> <p>Collaboration across Councils to attract and retain large contractors could go some way to helping mitigate cost variability for smaller councils. However, it is noted that collaboration is difficult given our size and relative isolation. Additionally, it is noted that our immediate neighbours are often struggling in similar ways to us and are therefore in no better position to provide the service. We have history of failed attempts at collaboration where one Council in the shared service model becomes the priorities to the fate of all others, and where we, as a smaller council, end up propping up the overheads associated with the provision of a service in a larger council. That said, we continue to use this model successfully in some areas.</p>
19.	<p>What practices and business models do councils use to improve the way they manage their infrastructure assets and the efficiency of their services over time? How effective are these practices and business models in managing cost</p>	<p>Practices are mandated by Audit New Zealand and we follow their models.</p> <p>It is also noted that there is a shortage of asset managers and engineers and we struggle to fill vacancies in this area.</p>

	<p>pressures? Do councils have adequate capacity and skills to use these practices and business models effectively?</p>	
<p>20.</p>	<p>How do councils identify and employ new technologies to manage their infrastructure assets and produce services more efficiently? How effective are councils in using new technologies to manage cost pressures? Please provide specific examples of the use of new technologies to manage cost pressures.</p>	<p>In our district we often turn to technology as a necessity in order to continue providing services.</p> <p>In terms of engineering, our small size and geographical isolation means we have a number of tools that allows us to manage our assets remotely. We use a range of desktop GIS and mobile capturing applications to aid in improving the integrity of our infrastructure data. Data can be captured in the field which feeds directly to office staff who can monitor the data through a cloud based mapping software. Uses could extend to 3D modelling of the township, augmented reality of infrastructure and allowing us to push live data to the web for public use. We also use Telemetry & SCADA systems to monitor and control the majority of our three water plants. This includes monitoring and control of water levels, pump operation, stages of treatment, temperatures of pumps, flow rates etc in both urban and rural sites. We also actively monitor the location of fleet including the management and booking through an online system. We have also improved our personnel safety by incorporating alert devices that will assist in locating lone workers via satellite when activated.</p> <p>Our regulatory section has recently developed a new system for receiving and dealing with planning inquiries. This system was developed in response to a period when we had no consents officer in post and inquiries were being dealt with by external consultants. To avoid having to pay a consultant to sit in the office full time (which would have been cost prohibitive) a system developed using a web based information management tool that allowed inquiries to be received (in person, over the phone or over the internet), logged, allocated to a consultant by the manager, responded to the staff member and recorded. The system is live and interactive, allowing the manager to see the progress of any response at any time. Although the system has not been received well by all members of the community (some of which prefer to be able be seen whenever they choose to visit the council office), it allowed us to continue providing an effective service, at a reasonable cost.</p> <p>We have also recently started using a new system "Antenno", a free mobile app that allows residents to send us notifications and receive alerts about things like roadworks, changes to rubbish collections and community events.</p>

21.	What incentives do councils face to improve productivity as a means to deal with cost pressures? How could these incentives be strengthened?	A good example of this is the Waste Minimisation Levy, which is hard to achieve and doesn't provide much in terms of financial incentive. In terms of strengthening the incentive consideration should be given to Government making the policy framework more robust and putting more responsibility on the producer for the residual waste associated with the product.
22.	What are the most important barriers to local government achieving higher productivity?	<ul style="list-style-type: none"> • Central Government Legislation • Audit requirements • LGOIMA • Resourcing – for ODC attracting and paying for capability • Consultation process • Appeal processes • Central government financial contribution • Complex processes and procedures
23.	How does local government measure productivity performance? Are these metrics useful? If not, what metrics would be better?	<p>We are unaware of any productivity performance measures that apply across the local government sector. There are Department of Internal Affairs Mandatory Performance Measures, although noted that these do not measure productivity, they measure prudence, and so may not be comparable. There are other timeframe related measures prescribed by government but these are only superficially useful.</p> <p>However, we wish to note that even when staff within an organisation are extremely productive, if the organisation as a whole is under resourced, then productivity in terms of specific outcomes may suffer.</p>
24.	To what extent and how do councils use measures of productivity performance in their decision-making processes?	As above, we are not aware of any specific measures of productivity performance in decision making.
25.	Do councils dedicate sufficient resources and effort toward measuring and improving productivity performance? If not, why not, and how could effort toward measuring and improving	<p>As is conveyed in the comments above, often we struggle to maintain the status quo and therefore dedicating specific resource and effort toward measuring and improving performance is not realistic or achievable within our organisation. For this reason, we would resist any attempts by government to mandate measure and/or improvement productivity performance.</p> <p>However, given the demographic of our community, affordability is almost a culture within our</p>

	productivity performance be increased?	organisation and with that comes a constant focus on how we can achieve more for less.
26.	What measures do councils use to keep services affordable for specific groups, and how effective are they?	<ul style="list-style-type: none"> • Rating tools and policies, in particular using capital value rating and seeking to use a balance of fixed charge vs rating valuation • Our community often has to go without the "nice to have" services • We "sweat" our assets – only replacing them when they fail, regardless of how old they are • We keep overheads down, minimise staffing levels and have some staff responsible for undertaking multiple roles.
27.	How do councils manage trade-offs between the ability to pay and beneficiary pays principles? What changes might support a better balance?	We find it difficult to judge ability to pay as we do not have access to the relevant information. If we were provided with that information we could make more informed decisions. At the moment we use lag measures around non-payment of rates to determine ability to pay, and feedback from ratepayers and councillors.
28.	Do councils currently distribute costs fairly across different groups of ratepayers? If not, what changes to funding and financing practices would achieve a fairer distribution of costs across ratepayers?	We seek to distribute costs fairly across different groups to the best of our ability. Our approach to this is set out in our Revenue and Financing Policy. However, there is always going to be difficulties defining what is and what is not fair. No matter what decision is made on how costs are distributed, there are always winners and losers.
29.	Do councils currently distribute the costs of long-lived infrastructure investments fairly across present and future generations? If not, what changes to funding and financing practices would achieve a fairer distribution of costs across generations?	<p>Yes, we probably do this better than other Councils through our funding policies.</p> <ul style="list-style-type: none"> - All capex is funded by loan - Loan lives are for the useful lives of the assets - Funded depreciation pays for the loan repayments - So we are not building reserves at the cost of current ratepayers - And future generations pay for the assets they use.
30.	What principles should be used to appraise current and potential new approaches to local government funding and financing, and how should	In our view, the current principals are appropriate. However, the application of them that differs, and can sometimes create inequities.

	these be applied? What are appropriate trade-offs across these principles?	
31.	How effectively is the existing range of local government funding tools being used?	Not sure, locally we think we use all available tools as effectively as possible. However, we do feel that nationally the tools available are not well understood and are not used well or in a consistent manner – see the examples in the question below. There are problems with understanding and application of the Rating Powers Act.
32.	Is there a case for greater use of certain funding tools such as targeted rates and user charges? If so, what factors are inhibiting the use of these approaches?	<p>We believe certain funding tools ought to be looked at by the Commission in detail. Difficulties experienced in our community in relation to some funding tools are detailed below:</p> <p>River Schemes River schemes are paid for by rating exacerbators and beneficiaries. In some circumstances the headwater of a river can be in another region making it impossible to collect the rate for the river scheme further down the river. For example the Waioeka River has its headwater in Gisborne but the River Scheme infrastructure in the BOP. Charges should be able to be passed onto Gisborne District Council to collect.</p> <p>Crown land as either an exacerbator or a beneficiary are exempt from paying for a river scheme and should contribute.</p> <p>There are a number of classes of beneficiaries that do not pay yet obtain significant value from a river scheme – eg. utility providers.</p> <p>Ōpōtiki District Council has been submitting to BOPRC for over a decade that their current Targeted rate is set too high at 80% local users, given the numbers of exacerbators and beneficiaries that are unable to be charged with the rating system. The consequence is that the burden of the scheme falls on the most deprived ratepayers in the country.</p> <p>Coastal Occupation Charges These arise from S64A RMA and originated from the rental levied under the Harbours Act as a rental for foreshore and seabed. It was inserted in the RMA and is generally considered an unworkable regime. There are good policy reasons for charging for exclusive use of the commons. The regime needs to be reviewed and fixes found for the following failures:</p>

		<ul style="list-style-type: none"> • Remove RMA First Schedule process to implement • Define the nature of the charge to allow methodology to be justified • Change purpose so that it is able to fund TA marine supporting infrastructure (eg wharves, marine training structure etc) • Clarify whether Ports can be charged under the S384A permits to occupy. <p>Cross boundary collection of charges Both issues discussed above are examples of cross boundary charges – where one authority should be able to gain revenue from another district or region. There are likely other examples where targeted rates are not able to access beneficiaries in another district.</p>
33.	What is the rationale underlying councils' approach to levying rates? What are the costs and benefits of shifting from a capital value system to a land value system?	We levy based on capital value. At present, we see no benefit in moving back to land value, it would create additional burden on those with inability to pay.
34.	In addition to restrictions on how targeted rates are applied and the types of services where user charges can be levied, do any other restrictions on existing funding tools unduly limit their uptake or usefulness?	Many small charges are expensive to collect and often not worth the administration – A good example of this being the costs of attempting to charge to requests for information through LGOIMA. We often find national organisations send out multiple requests to all regional and local council without giving any thought to the costs associated with those requests. In larger councils, with thousands of staff, there are teams dedicated to dealing with these requests. Those requests can be farmed out to the relevant parts of the Council and so no one individual is burdened with the request. Often the data management systems in larger councils are also much more advanced in their ability to retrieve the information requested. However, in our organisation, we have no staff dedicated to the management of these requests. They are distributed to the right people within the organisation by the staff member who is responsible for managing the influx of all incoming mail (his role also covers many other things). Given many requests relate to finances, they often fall on our chief financial officer. Dealing with these requests is resource intensive. However, whenever we seek to charge for the request (because the request would exceed the thirty minutes free we are required under the Act to allow), the requestor invariably argues and/or withdraws the request. We have attempted to engage with the organisations who make these nationalised requests most often, but to no avail. Under the relevant piece of legislation, we are limited in the hourly rate we can charge in dealing with these requests. As such, even when we do seek to recover our costs, they are not sufficiently recouped.

		In the regulatory sector, where many types of services, charges or infringements are few and far between, and the charges associated are minimal, the transaction costs exceed the charge itself, meaning it is hardly worthwhile to collect. Given the small size of our organisation, we often struggle to recoup costs associated with any fee or charge that is fixed nationally, because we do not benefit from the economies of scale experienced in other organisations.
35.	How does the timing and risk associated with future funding streams influence local authority decision making about long-term investments? What changes to the current funding and financing system (if any) are needed to address these factors?	<p>The timing of government co-funding decisions can have significant repercussions in terms of costs and resourcing. In 2012, the New Zealand Transport Agency made a last minute decision on road maintenance decision when our Long Term Plan was past point of no return. As such, it could not be factored into financial considerations.</p> <p>The processes around applying for grants are inefficient and are often out of reach of those most in need of grants. Many government funding streams require applications or businesses cases that require a significant cost to produce and are turned down. The councils with the least resources struggle to meet the application standards and tend to make fewer applications. A good example of this was our attempts to secure funding for our library. We made three failed applications, and are now aware that it will cost approximately \$100k (representing a 1% rate rise) to get an application to the standard required for submission. As such, at this stage we have abandoned attempts to secure external funding.</p>
36.	What are the pros and cons of a funding system where property rates are the dominant source of funding? Does the local government funding system rely too heavily on rates?	<p>Pros – Provides certainty of funding, and a certainty that would not exist with a user pays system. Allows us to set consistent charging across the district.</p> <p>Cons - Seen as a less equitable system. Users pays is considered by some to be fairer. Less likely to promote user awareness, for example less likely to promote conservation of water use. Ōpōtiki doesn't really have any other source of income, and no other opportunities to collect revenue. We should fund community activities based on rates, but it may mean our community may miss out on some things.</p>
37.	Under what circumstances (if any) could there be a case for greater central government funding transfers to local government? What are the tradeoffs	Funding ought to be distributed according to need and need is often better assessed at a local level. Even when need within an area is apparent, it can still be misdirected nationally. Toward the end of 2018, we wrote to the Minister for Minister for Children, Internal Affairs, Education and Seniors noting the following:

	involved?	<p>"In the last twelve months the government collected close to \$50,000 in gambling levies from gaming machine users in this District. Yet in return, during an average each year, the Ministry of Health spent less than 20 hours assisting people with gambling problems in our district. In 2016 in particular, I am aware that less than one hour was spent by the Ministry helping members of our community with gambling problems. It is concerning that the Ministry of Health's appears to be focusing their attention and funding on the bigger metropolitan areas rather than seeking to assist smaller regional communities that suffer disproportionately from the worst aspects of gambling addiction. We would encourage you to engage with this issue directly to ensure that funding is allocated more fairly and targeted appropriately at the communities most in need".</p>
38.	Do local authorities have sufficient financial incentives to accommodate economic and population growth? If not, how could the current funding and financing framework be changed to improve incentives?	<p>We feel that there that government, treasury, and the Provincial Growth Fund should play a more important role in funding growth in provincial areas where investment generally comes before demand and flow on economic return.</p> <p>Changes nationally to the development contribution policies have made collection and use of these difficult.</p>
39.	What funding and financing options would help councils to manage cost pressures associated with population decline? What are the pros and cons of these options?	<p>Population decline results in problems with community cohesiveness and business viability. Decline in population leads to less investment in small centres with this investment being redirected toward more densely populated areas. This can sometimes leave behind liabilities like earthquake prone and historic buildings where there is no viable business or appetite to invest to bring up to standard.</p> <p>The Council wishes to retain and active and vibrant town centre and is prepared to invest funds to secure this, but it is difficult to justify public investment where there is no private investment. We end up faced with question like: Should the Council invest ratepayer money at the town centre when no one else is prepared to?</p>
40.	Are other options available, such as new delivery models, that could help councils respond to funding pressures associated with a declining population? What conditions or oversight would be	<p>The Provincial Growth Fund process is all about creating economic development in the provinces. This is generally in the small towns where there is population decline. Most of the decline can be associated or linked to central government investment, or lack thereof. So potentially there is an opportunity through the PGF to help, perhaps through an amendment of the criteria.</p>

	required to make these tools most effective?	
41.	What are the pros and cons of local income and expenditure taxes?	Rich getting richer, poor getting poorer.
42.	What are the advantages and disadvantages of a local property tax as an alternative to rates?	Is there any difference in reality? Would IRD collect the tax? Ease of collection if done at source, after tax payment of rates is visible. Value for money for tax/rates. Council rates more visible than government tax Rates would become invisible, and councillors would lose some of their interactions with the community.
43.	Are there any other changes to the current local government funding and financing framework, such as new funding tools, that would be beneficial?	Fixed income pensioners, rates rebate abatement levels reviewed annually. We believe that Regional Councils should consider levying Coastal occupation charges more regularly (see response to Q32).
44.	How can the transition to any new funding models be best managed?	No comment.
45.	To what extent does the need for particular funding tools vary across local authorities?	It could differ greatly depending upon infrastructure life cycles, population, demographics, and industry.
46.	To what extent are financing barriers an impediment to the effective delivery of local infrastructure and services? What changes are needed to address any financing barriers?	Small provincial councils that need replace significant core infrastructure whilst also investing in promoting economic development growth to try to arrest the decline, will run into financial covenant constraints on the level of borrowing. This impacts affordability and prudence. Support from central government is needed to address either one or the other. Councils cannot do both without having the growth beforehand.
47.	What role could private investors play in financing local government infrastructure and how could this help address financing barriers faced by local governments? What central government policies are needed to support private investment in infrastructure?	The first question to be asked needs to be would private investment be more or less affordable to ratepayers. The problem is likely to be limited to smaller councils, or ones with significant growth and both will have different resources available. Private investment will come with internal resourcing requirements that may be able to be managed by larger organisations, but would be difficult for the smaller organisations to manage. Also need to take into account that private investors will need a return.

48.	<p>If New Zealand replaces rates on property with a local property tax, should it also adopt tax increment financing as a way to finance growth-related infrastructure investments? What are the advantages and disadvantages of tax increment financing?</p>	<p>Tax increment financing can create revenue shortfalls that need to be funded from other sources, other than the revenues from property taxes. To build a big enough reserve to develop anything significant could take a long time. This is difficult for small towns and districts where there is concentrated ratepayer bases, could almost be a district wide charge in those cases.</p> <p>Can work well if circled around an area where there is rating unit growth. Will be tied to three yearly district revaluation process, so could have a lag effect and lost revenue. Historically used for blighted areas of land and property, some unintended consequences arise from this.</p>
49.	<p>How effective are the current oversight arrangements for local government funding and financing? Are any changes required, and if so, what is needed and why?</p>	<p>DIA measures around prudence are over simplified and do not give an accurate depiction of prudence. Funding Impact Statement format has enabled better comparability between councils, but there is inconsistency around what activities are in each group. It is generally only the groups of activities that need to be reported.</p> <p>The government needs to have a better awareness around the expectations associated with new/amended legislation that then has to be picked up by territorial authorities. Government (RIS) first look is superficial and do not take into account all costs and funding requirements, nor the unintended consequences associated with such.</p>

REPORT

Date : 9 April 2019

To : Ordinary Council Meeting, 23 April 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:

17. Confirmation of In-Committee Minutes – Ordinary Council Meeting 12 March 2019.

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
17.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 12 March 2019	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)

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:

17.	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Prevent disclosure or use of official information	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)
-----	---	---

	Carry out negotiations	Section 7(2)(i)
	Maintain legal professional privilege	Section 7(2)(g)
	Carry out commercial activities	Section 7(2)(h)
	Avoid prejudice to measures protecting the health and safety of members of the public	Section 7(2)(d)
	Avoid prejudice to measures that prevent or mitigate material loss to members of the public	Section 7(2)(e)
	Commercial sensitivity	Section 7(2)(b)(ii)