

AGENDA



P O Box 747, Gisborne, Ph 06 867 2049 Fax 06 867 8076
Email service@gdc.govt.nz Web www.gdc.govt.nz

MEMBERSHIP: Her Worship the Mayor Rehette Stoltz, Deputy Mayor Josh Wharehinga, Meredith Akuhata-Brown, Bill Burdett, Andy Cranston, Shannon Dowsing, Sandra Faulkner, Larry Foster, Debbie Gregory, Isaac Hughes, Tony Robinson, Pat Seymour, Terry Sheldrake and Kerry Worsnop.

COUNCIL

DATE: Thursday 23 June 2022

TIME: 11:00AM

AT: Te Ruma Kaunihera (Council Chambers), Awarua, Fitzherbert Street, Gisborne

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Council

Chairperson:	Mayor Stoltz
Deputy Chairperson:	Cr Wharehinga
Membership:	Mayor and all Councillors
Quorum:	Half of the members when the number is even and a majority when the number is uneven
Meeting Frequency:	Six weekly (or as required)

Terms of Reference:

The Council's terms of reference include the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body which includes:

1. The power to make a rate.
2. The power to make a bylaw.
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
4. The power to adopt a Long Term Plan, Annual Plan, or Annual Report.
5. The power to appoint a Chief Executive.
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Local Governance Statement.
7. The power to adopt a remuneration and employment policy.
8. Committee Terms of Reference and Delegations for the 2019–2022 Triennium.
9. The power to approve or change a proposed policy statement or plan under clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA).
10. The power to approve or amend the Council's Standing Orders.
11. The power to approve or amend the Code of Conduct for elected members.
12. The power to appoint and discharge members of Committees.
13. The power to establish a joint committee with another local authority or other public body.

14. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation.
15. Make those decisions which are required by legislation to be made by resolution of the local authority that are not listed in 1-14 above.
16. Consider any matters referred to it from any of the Committees.
17. Authorise all expenditure not delegated to staff or other Committees.

Note: for 1-7 see clause 32(1) Schedule 7 Local Government Act 2002 and for 8-13 see clauses 15, 27, 30 Schedule 7 of Local Government Act 2002 and section 34A of Resource Management Act 1991

3.1. Confirmation of non-confidential Extraordinary Minutes 10 March 2022

MINUTES

Draft & Unconfirmed



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MEMBERSHIP: Her Worship the Mayor Rehette Stoltz, Deputy Mayor Josh Wharehinga, Meredith Akuhata-Brown, Bill Burdett, Andy Cranston, Shannon Dowsing, Sandra Faulkner, Larry Foster, Debbie Gregory, Isaac Hughes, Tony Robinson, Pat Seymour, Terry Sheldrake and Kerry Worsnop.

MINUTES of the EXTRAORDINARY MEETING GISBORNE DISTRICT COUNCIL

Held via Audio Visual Link on Thursday 10 March 2022 at 11:00AM.

PRESENT:

Her Worship the Mayor Rehette Stoltz, Deputy Mayor Josh Wharehinga, Meredith Akuhata-Brown, Bill Burdett, Andy Cranston, Shannon Dowsing, Sandra Faulkner, Larry Foster, Debbie Gregory, Isaac Hughes, Tony Robinson, Pat Seymour, Terry Sheldrake and Kerry Worsnop.

IN ATTENDANCE:

Chief Executive Nedine Thatcher Swann, Director Lifelines David Wilson, Director Internal Partnerships James Baty, Acting Director Liveable Communities De-Arne Sutherland, Director Environmental Services & Protection Helen Montgomery, Chief Financial Officer Pauline Foreman, Chief of Strategy & Science Jo Noble, Governance Advisor Tania Clarke and Committee Secretary Jill Simpson.

The meeting commenced with a karakia.

1. Apologies

There were no apologies.

2. Declarations of Interest

There were no interests declared.

3. Leave of Absence

There were no leaves of absence.

4. Acknowledgements and Tributes

There were no acknowledgements or tributes.

5. Public Input and Petitions

There were no public input or petitions

6. Extraordinary Business

There was no extraordinary business.

7. Notices of Motion

There were no notices of motion.

8. Adjourned Business

There was no adjourned business.

9. Reports of the Chief Executive and Staff for DECISION

9.1 22-70 Lease Hearing: Alfred Cox Pump Track

The following submitters attended via Audio Visual Link and spoke to their submission:

- Haimona Ngata & Ricardo Christie
- Garth Tattersfield
- Jill Smith
- Stefan Pishief
- Phil Watson
- David Newsham
- Tim White

Questions of clarification included:

- The BMX Track was relocated as it was not up to National standards.
- Some simple mitigations might be height restrictions (to ensure that the fixture does not end up impeding the privacy of neighbouring properties), planting on berms (having a positive effect on noise and privacy) and also ensuring that the design for the start/stop area is at the further most point possible from residential houses.

Officer's response covered the following points:

- The proximity to public conveniences is similar to other major sporting facilities. The public conveniences at the I-Site are open dawn to dusk and can be changed according to our arrangements with Recreational Services.
- The parking is adequate in its current form.
- The proposed pedestrian crossing will not eliminate any parks.
- A Hub is made up by people and the facilities surround them as necessary.

Discussion points included:

- Consider height restrictions for events and inclusion of permanent lighting which could be turned off at a certain time.
- Concerns around the opportunity as it stands might potentially lead Council to make decisions that are not as enduring as they could be in the long term as we have a responsibility to build solutions which are fit for purpose over the long term. Also concerns around possible further funding requirements to accommodate more parking and closer public conveniences as well as security at the site.

Chief Executive Nedine Thatcher-Swann advised the Committee that given it is an amenity reserve the activity is permitted. The track itself does require a consent. Nuances around the lease can be picked up during the resource consent processing. The Community Facilities Strategy carried out in 2018 is the strategic road map for what is being proposed. In the Strategy that was adopted by Council the area identified in the report was the preferred location for the Skatepark and the pump track. Thorough engagement with the community and with sporting hubs has been carried out. From a strategic perspective the work has been completed and Council adopted it.

Further discussion points were:

- Structures such as seating, lighting and a tower are permitted activities within a recreation reserve.
- The hubbing or clustering of activities was promoted in the Community Facilities Strategy. When it comes to parking it is good practice to maximise the parking that is already available. While we are not looking to provide off-street parking there is considerable parking along the width of Grey Street. The recommendations in front of Council today support the hubbing or clustering of activities with like sports to maximise benefits and efficiencies.
- We are in a position of recognising and promoting our community to lead in places where they have strength. A desktop exercise was carried out around other potential sites for a pump track. Site 'A' provides the length, width and scale that the Adventure Trust are looking for to provide an optimum experience.
- Lotteries have committed \$250k with Trust Tairāwhiti underwriting the total amount with the proviso that external funding is obtained.
- At least one significant tree would need to be removed to extend into the amenity reserve and use Site 'B'. Consent would also need to be granted as it does not have the same designations as a recreation reserve and does not lend itself in the same way to having a sporting facility built upon it. From a reserves standpoint we are seeing more and more the importance of good set back from our rivers, streams and oceans.

Chief Executive further advised that it is not just about the funding but also the cost of the build itself. Any delay can cause a significant price escalation. Council adopted the report at the Operations Committee in November 2021 and agreed that this was the site for the Pump Track.

Acting Director Liveable Communities De-Arne Sutherland reiterated that the Business Case for the Sports Facilities came to Council in December 2020 and the pump track was included at that point as part of the hubbings and early wins. We would not want to locate permanent structures too close to the river or riparian margin. It is also about zonings and what is considered appropriate in a recreation reserve as opposed to an amenity reserve.

Further discussions included:

- Neighbour's concerns will be covered off in the special conditions in the Lease. Council will work with the Trust to deliver on this.

MOVED by Cr Dowsing, seconded by Cr Wharehinga

That the Council:

1. Consider the contents of this report and submissions made in person at the hearing.
2. Following the Hearing, decide whether to grant a lease for Site A (as shown in Attachment 1) on Alfred Cox Park, under section 54 of the Reserves Act, for the purpose of a pump track.
3. If the decision is to grant a lease:
 - (a) Direct the Chief Executive as to the nature of any special conditions to be included in the lease, such as restrictions on timing and frequency of events, height of structures, and light installations; and
 - (b) Instruct the Chief Executive to determine the final terms of the lease for agreement.

CARRIED

10. Close of Meeting

There being no further business, the meeting concluded at 12:58 pm.

Rehette Stoltz

MAYOR

3.2. Confirmation of non confidential Minutes 31 March 2022

MINUTES

Draft & Unconfirmed



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MINUTES of the GISBORNE DISTRICT COUNCIL

Held via Audio Visual Link on Thursday 31 March 2022 at 9:00AM

PRESENT:

Her Worship the Mayor Rehette Stoltz, Deputy Mayor Josh Wharehinga, Meredith Akuhata-Brown, Bill Burdett, Andy Cranston, Shannon Dowsing, Sandra Faulkner, Larry Foster, Debbie Gregory, Isaac Hughes, Tony Robinson, Pat Seymour, Terry Sheldrake and Kerry Worsnop.

IN ATTENDANCE:

Chief Executive Nedine Thatcher Swann, Director Lifelines David Wilson, Director Internal Partnerships James Baty, Acting Director Liveable Communities De-Arne Sutherland, Director Environmental Services & Protection Helen Montgomery, Chief Financial Officer Pauline Foreman, Chief of Strategy & Science Jo Noble, Democracy & Support Services Manager Heather Kohn and Committee Secretary Jill Simpson.

The meeting commenced with a karakia.

Secretarial Note: Crs Burdett & Faulkner attended the meeting in the Chambers.

Secretarial Note: Items were heard out of order as described in the Agenda. For ease of reference the Minutes have been recorded in Agenda order.

1. Apologies

There were no apologies.

2. Declarations of Interest

There were no interests declared.

3. Confirmation of non-confidential Minutes 24 February 2022

3.1 Confirmation of non-confidential Minutes 24 February 2022

MOVED by Cr Hughes, seconded by Cr Seymour

That the Minutes of 24 February 2022 be accepted.

CARRIED

3.2 Action Sheet

Item 17.1 Earthquake strengthening: Information will be provided to Councillors.

4. Leave of Absence

There were no leaves of absence.

5. Acknowledgements and Tributes

Her Worship the Mayor acknowledged the passing of Sir Wira Gardiner and Moana Jackson and extended condolences to their families.

6. Public Input and Petitions

There were no public input or petitions.

7. Extraordinary Business

There was no extraordinary business.

8. Notices of Motion

There were no notices of motion.

9. Adjourned Business

There was no adjourned business.

10. Reports of the Chief Executive and Staff for DECISION

10.1 22-52 Appointment of Trustees to Gisborne and Districts War Memorial Trust

Points of clarification included:

- The Trust Deed can only be changed by the Trust, so appointments need to be made first. Should we wish to change the Trust Deed prior to appointing Trustees, we would need to apply to the Court.

MOVED by Cr Robinson, seconded by Cr Wharehinga

That the Council:

1. Agrees to follow the appointment process as outlined in the Gisborne District Council Board Appointments and Remuneration Policy, to appoint the required trustees to the Gisborne and District War Memorial Trust, noting that the appointment of 1 trustee must be made jointly with the Gisborne Returned Services Association.
2. Agrees that Council will pay for advertising of the positions and provide administrative support for the process.
3. Instructs the Chief Executive to use best endeavours to carry out the appointment process to enable appointments to be made at the 23 June 2022 Council meeting.

CARRIED

10.2 22-68 Draft Changes to Speed Limit Bylaw 2013

Points of clarification included:

- Council is under a strong push from Central Government to adopt the speeds that have been produced using the matrix, so any changes would need to go through the Hearings process especially if we were to decide against the broader limit.
- The Hearing process is on 29 June 2022 to align with the Dog Control Bylaw Hearings.
- Community meetings will occur during the next round of consultation.
- The limits will be introduced over a period of time. Under the National Land Transport Plan Council has 3 years to carry this work out. Some areas are more pressing than others and some align with Council's work programme. This information will be shared when community consultation occurs.

It was noted that Matokitoki Valley Road was not on the Local Roads Proposed Speed Reasoning List despite numerous Requests for Service regarding speed lowering on this road.

- Education promotion is part of the Road Safety Programme and the team are working to align their message during consultation.
- Council can only change the speeds on local roads however Waka Kotahi is planning a review for the State Highways at the same time.

Chief Executive Nedine Thatcher Swann advised that we are not likely to get to all the communities during consultation, however we will be using as many mechanisms as possible to reach all people and get the message out.

MOVED by Cr Dowsing, seconded by Cr Wharehinga

That the Council:

1. Adopts the Draft Statement of Proposal including the Draft Changes to the Speed Limit Bylaw 2013 for consultation using the special consultative procedure.

CARRIED

10.3 22-74 Reinstatement of Access to Bush Intake above the Te Arai Landslide

Points of clarification included:

- There have been significant changes from the recent rain event. The lake has now gone and there has been a loss of some totara trees which were holding back the landslide. On one side of the river there is an unstable bank and on the other side there is a very steep toe to the landslide, and it is expected that the landslide will continue to move and grow. A bridge is now the only option.

- From initial modelling the positioning of the bridge is appropriate however the exact position will be reassessed. A 10-tonne load was initially looked at however the cost difference between the 10-tonne load and one twice the capacity was not significant, so it was decided to go with the larger more robust design. At this stage it is not anticipated that the landslide will reach the pipeline. The GNS Response Team will be doing an assessment as well.
- A Hui was held on site with Patamaru Station and the key area where there was a dewatering issue, being a stock pond fed from a spring, will now be diverted away from the landslide to the adjacent slope.
- Discussions are being held with Auckland University for a graduate level student to complete a risk assessment for the entire valley extending upstream. There is no internal funding to complete long term work on this problem.

The Chief Executive advised there is likely to be more adverse weather events and damage to Council assets. Some repair works will be covered under Emergency Works and for assets, depending on remedial actions required, the Group Controller could redirect resources to repair, ultimately the cost comes back to Council. There is long-term thinking to be done in the resilience space.

MOVED by Cr Dowsing, seconded by Cr Faulkner

That the Council:

1. Approves the unbudgeted capital expenditure of \$515,000 (which includes contingencies to allow for supply constraints and engineering uncertainty).
2. Notes that \$50,000 is anticipated to be committed in this financial year with the remainder spent in the 2022-23 financial year.

CARRIED

10.4 22-75 2022 Triennial Election

MOVED by Cr Cranston, seconded by Cr Dowsing

That the Council:

1. Adopts for the 2022 triennial election:
 - a. The random order of candidate names.

CARRIED

11. Reports of the Chief Executive and Staff for INFORMATION

11.1 22-73 Chief Executive Activity Report December 2021 - February 2022

Her Worship the Mayor acknowledged the Chief Executive and staff for the work over the last 8 days during the recent rain event and extended the Councillors' thanks to the Emergency Coordination Centre team.

Discussions included:

- Submissions received in relation to Panuku Tu/Titirangi Summit are being worked through by staff. The Consent is on hold because of additional detail that is required. Staff are preparing an Operations Management Plan and Traffic Management Plan to support the issuing of the consent.
- The Groundwater Modelling Workshops are going ahead in April.
- A further review of the Freedom Camping Bylaw will not be required unless there is a need for additional areas of freedom camping.
- The pricing implications of the Agricultural Sector Emissions, while not known in specific terms, will be in the region of tens of thousands of dollars ultimately by 2030 for each farming business in its current format, unless there are significant areas of eligible plantings. In this region there are massive areas that have been deemed ineligible.
- More information is required around the implications of the Agricultural Sector Emissions as it will have a huge impact on the region if it is not viable.

Following a question from Cr Akuhata-Brown, the Chief Executive advised that with the current state of emergency, along with implications from COVID-19, staff are quite fatigued. Focus has been placed on staff wellbeing, reaching out and discussing strategies that can be used to help them cope.

MOVED by Cr Burdett, seconded by Cr Stoltz

That the Council:

1. Notes the contents of this report.

CARRIED

Secretarial Note: The meeting adjourned at 9.56am and reconvened at 10.16am.

11.2 22-48 Permanent Carbon Farming in Tairāwhiti

Senior Policy Planner Tim Stoddart attended and answered points of clarification:

- The National Policy settings have regional implications, and they vary from region to region. There has been strong interest from a variety of groups across the region. The submission process on the proposed settings to the ETS is one way to put your voice across. There will be further opportunities to represent the views of Tairāwhiti and Council.
- Important that Council gives feedback on the implications for our region.

MOVED by Cr Stoltz, seconded by Cr Seymour

That the Council:

1. Notes the contents of this report.

CARRIED

Secretarial Note: The meeting adjourned at 11.08am and reconvened at 11.15am.

11.3 22-80 Rau Tipu Rau Ora Response and Recovery Status Update

Harley Dibble, Selwyn Parata and Amohaere Houkamau attended via zoom and presented:

Questions of clarification included:

- It is an opportunity to join forces with other key organisations across the region to have greater leverage when advocating with government and to ensure the benefits are shared across the region.
- Originally Rau Tipu Rau Ora had a 3-year horizon and are now into Year 2. There will be constant need for review and recalibration. The Government will carry out an assessment at the end of the initial 3-year period around the value of Rau Tipu Rau Ora in terms of their ongoing role. Central Government investment has been secured for 3 years for the establishment of the Tu Ora which takes Rau Tipu Rau Ora beyond the 2023 period.
- Rau Tip Rau Ora received funding from Central Government for \$1.2m over three years along with in-region contributions. Budget holder of the funding is Te Runanga o Turanganui a Kiwa who provide financial reports.
- Rau Tipu Rau Ora would look to Council to provide leadership and guidance with issues like the Local Government Reforms.
- Rau Tipu Rau Ora is developing a set of metrics which will enable tracking efficacy and the impact of actions in terms of improving the wellbeing and prosperity of people. There is funding to support improved project management and monitoring of progress against priorities and actions.
- Off the back of a report being presented to the April Rau Tipu Rau Ora Governance meeting there will be further understanding of the wider addictions in terms of gambling, albeit that in the Plan focus has been on drug and alcohol addiction. The Governance Group will make determinations on whether they broaden the scope beyond drug and alcohol addiction to include gambling. The report will describe the programme and activities currently operating. It will also identify programmes that are not working. It will be a combination of providing a profile of the level of addiction across Tairāwhiti as well as some of the initiatives currently being run that are producing good results along with the gaps.

Her Worship the Mayor thanked Selwyn, Amohaere and Harley for a positive presentation.

MOVED by Cr Stoltz, seconded by Cr Sheldrake

That the Council:

1. Notes the contents of this report.

CARRIED

11.4 22-83 3-Waters Governance Working Group Recommendation- Implications for Tairāwhiti

Special Project Manager Yvette Kinsella attended.

Discussions included:

- There are many levels of bureaucracy and struggle to see accountability and how local representation will shine through.
- No representation from our region on the Working Group and lots of unanswered questions.
- There is no accountability for the cost attached to creating another bureaucracy.
- The significant issues for Tairāwhiti should be raised at the highest level. The small communities will be worse off as they will have no direct link to advocate for any particular service at all.
- Bring iwi to the table with us if they so desire to ascertain where each are on this journey with DIA and see if there are connection points or not.
- The Reforms do not deliver anything tangible for our region.
- We know it is going ahead so should be working on transition.
- Feel strongly that we need to continue to advocate on behalf of our community.
- As a Governance Group our responsibility is to give leadership to the transition.
- The initial Bill proposes a co-governance arrangement. Hapu have signed the Bill so there is a question on whether super-regional representation is going to actually give effect to hapu aspirations and mana whenua may have concerns. Determination of 'Treaty Settlements' is not clear.

Special Project Manager asked if there was an opportunity to consider some of the recommendations which go beyond what the Working Group proposed to do.

The Chief Executive asked that this be workshopped to tease out the recommendations and be clear on the messages we want to provide to our local Ministers.

MOVED by Cr Wharehinga, seconded by Cr Sheldrake

That the Council:

1. Notes the contents of this report.

CARRIED

12. Public Excluded Business

Secretarial Note: These Minutes include a public excluded section. They have been separated for receipt in Section 12 Public Excluded Business of Council.

13. READMITTANCE OF THE PUBLIC

MOVED by Cr Seymour, seconded by Mayor Stoltz

That the Council:

1. Readmits the public.

CARRIED

14. Close of Meeting

There being no further business, the meeting concluded at 12.23pm.

Rehette Stoltz

MAYOR

3.3. Action Sheet

Meeting Date	Item No.	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
30/09/21	17.3	Additional Action Item	Completed	<p>Public Input and Petitions - Roger Tichborne, Darrell Naden & David Armstrong - Strip of Foreshore from Te Mawhai to Koutunui</p> <p>Report to be brought back to Council regarding the High Court proceedings.</p> <p>Arrange a meeting to discuss matters going forward.</p>	Te Rina Whaanga	<p>17/01/2022 Te Rina Whaanga</p> <p>Information Report 21-244 Deputation of Nga Hapu o Tokomaru to Council Meeting on 13 December 2021.</p>	19/07/22
13/12/21	17.1	Additional Action Items	Completed	Council to be provided with information and timeframes around the number of buildings that still require earthquake strengthening.	Helen Montgomery, Ian Petty	<p>15/03/2022 Denise Williamson</p> <p>Ian Petty will send an email on this to councillors. Any questions to be emailed back through Democracy Services team.</p>	01/02/22
13/12/21	17.4	Additional Action Item	In progress	<p>Chief Executive's Activity Report: Provide an update report on play options for E-Tu Elgin following meetings with Sport Gisborne Tairāwhiti.</p>	Tyler Kirk	<p>14/02/2022 Tyler Kirk</p> <p>A report will be presented to Sustainable Tairāwhiti Committee on 28 July 2022.</p>	19/07/22

3.4. Governance Work Plan

COUNCIL							Meeting Dates						
Group Activity	Activity	Name of agenda item	Purpose	Significance L/M/H	Report type	Owner	31-Mar	23-Jun	11-Aug	29-Sep	27-Oct	24-Nov	15-Dec
Community Lifelines	CDEM			L	Decision (D)						INAUGURAL COUNCIL		
Community Lifelines	Journeys Infrastructure	Draft Changes to Speed Limit Bylaw 2013	The purpose of this report is to adopt the Statement of Proposal for the Draft Amended Speed Limit Bylaw 2013 for consultation.	H	Decision (D)	Tina Middlemiss							
Community Lifelines	Journeys Operations			H	Workshop								
Community Lifelines	Solid Waste	Gisborne City Council Future Recycling and Rubbish Collection Service	The purpose of this report is to identify issues with the current kerbside collection services, investigate future options to improve the level of service and separate waste streams to reduce waste going to landfill and carbon emissions.	H	Decision (D)	Chloe Howard-Lloyd							
Community Lifelines	4 Waters Infrastructure				Public Excluded (I)								
Environmental Services and Protection	Building Services	Earthquake Prone Buildings - Status Update				By email to Crs							

COUNCIL							Meeting Dates						
Group Activity	Activity	Name of agenda item	Purpose	Significance L/M/H	Report type	Owner	31-Mar	23-Jun	11-Aug	29-Sep	27-Oct	24-Nov	15-Dec
Environmental Services and Protection	Building Services	Dangerous & Insanitary Building Policy			Decision (D)	Ian Petty (to advise date)							
Environmental Services and Protection	Compliance and Enforcement	Temporary Alcohol Bans - March and April 2022	Report seeks approval for four temporary alcohol bans during the R&V at Easter Weekend this year and the Music & Arts Festival planned for early March as requested by the NZ Police.	L	Decision (D)	Julie Lloyd (Went to 27 Jan Ctee)							
Finance and Affordability	Financial Services	Rates setting report for 2022/23	Set Rate for 2022/23, Approve Rates Resolution after Annual Plan for 2022/23 approved	H	Decision (D)	Fiona Scragg							
Finance and Affordability	Planning and Performance	Annual Report and Summary			Decision (D)	Tim Breese							
Internal partnerships	Democracy and Support Services	Declaration by Mayor & Councillors			Decision (D)	Heather Kohn							
Internal partnerships	Democracy and Support Services	Trust Tairawhiti Trustee Appointment			Decision (D)	Heather Kohn							
Internal partnerships	Democracy and Support Services	Elected Members Remuneration (June Every Year)			Decision (D)	Heather Kohn							
Internal partnerships	Democracy and Support Services	GHL Director Appointment Extensions			Information (I)	Heather Kohn							

COUNCIL							Meeting Dates						
Group Activity	Activity	Name of agenda item	Purpose	Significance L/M/H	Report type	Owner	31-Mar	23-Jun	11-Aug	29-Sep	27-Oct	24-Nov	15-Dec
Internal partnerships	Democracy and Support Services	Declaration of Election Results			Information (I)	Heather Kohn							
Internal partnerships	Democracy and Support Services	Code of Conduct			Decision (D)	Heather Kohn							
Internal partnerships	Democracy and Support Services	Adoption of Meeting Schedule			Decision (D)	Heather Kohn							
Internal partnerships	Democracy and Support Services	Adoption of Standing Orders			Information (I)	Heather Kohn							
Internal partnerships	Democracy and Support Services	LGNZ Annual Conference Attendees			Decision (D)	Heather Kohn							
Internal partnerships	Legal	Update of Council Delegations	The purpose of this report is to seek amendments to the Council's statutory delegations to staff under the Local Government (Rating) Act 2022, the Resource Management Act 1991 and the delegated authority held by Sustainable Tairāwhiti.	L	Decision (D)	Jacinta Bowe							
Liveable communities	Community Projects				Decision (D)								

COUNCIL							Meeting Dates						
Group Activity	Activity	Name of agenda item	Purpose	Significance L/M/H	Report type	Owner	31-Mar	23-Jun	11-Aug	29-Sep	27-Oct	24-Nov	15-Dec
Liveable communities	Liveable Spaces	Lease Hearing - Alfred Cox Pump Track	Summarise the written submissions and seek decision on the lease following the hearing.	M	Decision (D)	Tyler Kirk (Extraordinary Council 10 March)							
Liveable communities	Principal Scientist	Reinstatement of Access to Bush Intake Above the Te Arai Landslide	Seek approval for unbudgeted expenditure of \$515,000, including a contingency to reinstate access to the Bush Intake area above the major landslide located approximately one kilometre above the water treatment plan in the Te Arai Catchment.	M	Information (I)	Dr Murray Cave							
Strategy and Science	Strategy and Science	Climate Change Update Report		L	Information (I)	Dr Magnus Abraham-Dukuma							
Strategy and Science	TRMP - FDS	Sign off on FDS for public notification		H	Decision (D)	Shane McGhie							

10. Committee Recommendations to Council



22-93

Title: 22-93 Committee Recommendations to Council - April - June 2022
Section: Democracy & Support Services
Prepared by: Heather Kohn - Democracy & Support Services Manager
Meeting Date: Thursday 23 June 2022

Legal: No

Financial: No

Significance: **Low**

Report to COUNCIL for decision

PURPOSE

The purpose of this report is for Council to approve recommendations from the Finance & Performance and Hearings Committees.

SUMMARY

Finance & Performance Committee 6 April 2022

22-77 Gisborne Holdings Limited – Draft Statement of Intent

1. Recommends that Council:
 - a) Approves Gisborne Holdings 2023-2025 Statement of Intent as attached.

Hearings Committee 19 May 2022

22-105 Draft Gambling Venue Policy 2022 – Hearings Report

1. Recommends that Council:
 - a) Adopts the Gambling Venue Policy 2022.
 - b) Instructs the Chief Executive to develop an appropriate Ethics Policy at a date to be determined and pursue the non-policy initiatives as discussed in Proposal Four.

Finance & Performance Committee 1 June 2022

22.118 Fees and Charges Hearings Report

3. Recommends that Council:
 - a) Adopts the final Fees and Charges for the 2022/23 financial year but widen the definition of working dogs by removing the breeds Huntaway and Heading.
 - b) Agrees to join the Regional Shared Service Organisation.
 - c) Instructs the Chief Executive to carry out a zoning assessment and cost recovery analysis.

RECOMMENDATIONS

That the Council:

1. Adopts the recommendations from the Finance & Performance Committee:
 - a) Approves Gisborne Holdings 2023-2025 Statement of Intent as attached.
2. Adopts the recommendations from the Hearings Committee:
 - d) Adopts the Gambling Venue Policy 2022.
 - e) Instructs the Chief Executive to develop an appropriate Ethics Policy at a date to be determined and pursue the non-policy initiatives as discussed in Proposal Four.
3. Adopts the recommendations from the Finance & Performance Committee
 - a) Adopts the final Fees and Charges for the 2022/23 financial year but widen the definition of working dogs by removing the breeds Huntaway and Heading.
 - b) Agrees to join the Regional Shared Service Organisation.
 - c) Instructs the Chief Executive to carry out a zoning assessment and cost recovery analysis.

Authorised by:

James Baty - Director Internal Partnerships

ATTACHMENTS

1. Attachment 1 - Decision from Hearing Gambling Venue Policy 19 May 2022 [10.1.1 - 2 pages]

Keywords: recommendations to Council, Finance & Performance Committee, GHL Statement of Intent

DECISION



P O Box 747, Gisborne, Ph 867 2049 Fax 867 8076
Email service@gdc.govt.nz Web www.gdc.govt.nz

MEMBERSHIP: Councillors Pat Seymour (Chair), Josh Wharehinga and Larry Foster

DECISION of the HEARINGS Committee

Held in Te Rūma Kaunihera (Council Chambers), Awarua, Fitzherbert Street, Gisborne on Thursday 19 May 2022 at 9am.

HEARING for Draft Gambling Venue Policy 2022

Report 22-105 Draft Gambling Venue Policy 2022.

PRESENT

Councillors Seymour (Chair), Josh Wharehinga (via audio visual), and Larry Foster.

Hearings Committee Decision Notes:

Council is to pursue the non -policy initiatives A, B, and C from Proposal 4:

- A. Lobby the government to regulate online gambling.
- B. Engage with all central government ministries, departments and agencies concerning the long term lack of dedicated in-region gambling support services in Tairāwhiti.
- C. Prepare a remit for Local Government New Zealand concerning expansion of the powers Territorial Authorities have over gambling venues in their regions.

The Ethics Policy guidance should align with the next Revenue & Finance Policy Review 2023.

REASONS

- The Hearings Committee considered all the submissions before it and listened to submitters in person and via video link.
- The submissions generally represented the views of parties with an interest greater than the general public in the issue of the Gambling Policy. Views were both for the retention of the number of gaming machines currently in use to, total opposition.
- Having considered all the submissions before the Committee, the Committee resolved to recommend that Council adopt the Gambling Venue Policy 2022 as presented.
- The Committee did note reference to gaming machine venues in Tairāwhiti being currently in high deprivation areas. And further submissions seeking to allow movement of venues suggested it would be advantageous for the three gaming machine club venues in Tairāwhiti, which are currently close to residential areas, to move to heart of the Central Business District (CBD), namely:
 - 1. Tatapouri Fishing Club
 - 2. Gisborne Cosmopolitan Club
 - 3. Rautoria Hotel

- In response to questions, the panel was advised that this data came from the Department of Internal Affairs and noted all 11 local club venues were in the CBD. The comparison was made with Auckland CBD and the high deprivation status of dwellers in that CBD.
- The committee were of a view that the location of the venues in Gisborne CBD is appropriate.

MOVED by Cr Foster, seconded by Cr Wharehinga

That the Hearings Committee:

1. Recommends that Council:
 - a. Adopts the Gambling Venue Policy 2022.
 - b. Instructs the Chief Executive to develop an appropriate Ethics Policy at a date to be determined and pursue the non-policy initiatives as discussed in proposal four.

CARRIED

Cr Seymour

CHAIR

Title: 22-117 Rate Setting Report 2022/23
Section: Finance & Affordability
Prepared by: Fiona Scragg - Revenue Team Leader
Meeting Date: Thursday 23 June 2022

Legal: Yes

Financial: Yes

Significance: **High**

Report to COUNCIL for decision

PURPOSE

The purpose of this report is to set the rates, rates due dates, and rating penalties regime for the 2022-2023 financial year after the 2022-2023 Annual Plan (AP) has been approved.

SUMMARY

Report 22-137, being the 2022-23 Annual Plan Adopting Report, asks Council to adopt the 2022-23 Annual Plan. After the Annual Plan is adopted, Council must then set the rates for 2022-23 under Section 23 of the Local Government (Rating) Act 2002.

The rates requirement for 2022-23 is \$70.4m plus GST or \$80.9m including GST.

This report recommendation is the schedule of rates excluding GST to be set for the 2022-2023 financial year.

The decisions or matters in this report are considered to be of **High** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Council:

1. **Having adopted the 2022-2023 Annual Plan (including the 2022-23 Funding Impact Statements), resolves under Section 23 of the Local Government (Rating) Act 2002 to set the following rates for the year commencing 1 July 2022 and concluding 30 June 2023:**

Ref	Rate	Rating Category	Description	Basis	Dollar Value Excluding GST
1.1	General Rate	All Rateable Land	Under sections 13 of the Local Government (rating) Act 2002, a general rate on capital value of all rateable land in the district.	Per dollar of capital value	0.00044365
1.2	Uniform Annual General Charge	All Rateable Land	A Uniform Annual General Charge set under section 15 of the Local Government (Rating) Act 2002.	Separately Used or Inhabited Part of a Rating Unit (SUIP)	747.34
Ref	Rate	Targeted Rates Category	Under sections 16, 17, 18 (and Schedule 3 of the Local Government (Rating) Act 2002		
1.3	Animal Control	Residential DRA1, DRA1A and DRA3, DRA4 & DRA5 (Residential Townships)	A uniform targeted rate on Residential properties in DRA1 and, DRA1A, and Residential Rural Townships in DRA3, DRA4 and DRA5	Separately Used or Inhabited Part of a Rating Unit	40.16
1.4	Building Services	Inner Zone 85% Outer Zone 15%	Differential targeted rate: DRA1, DRA1A, DRA2 (Inner Zone). DRA3, DRA4, DRA5 (Outer Zone).	Per dollar of Capital Value	0.00005469
					0.00002226
1.5	Noise Control	DRA1 DRA1A Residential and DRA2	A uniform targeted rate within DRA1 DRA1A and DRA2 (Inner Zone). Residential Differential Rating Group.	Separately Used or Inhabited Part of a Rating Unit	3.41
1.6	Resource Consents & Planning	All Rateable Land	A uniform targeted rate on the land value of all land.	Per dollar of Land Value	0.00036435
1.7	Land Drainage – Contributors	Drainage Areas - Eastern Hill Catchment 8 and Western Hill Catchment F. Drainage Scheme Maps are available in LTP, Customer Services and on the Council website.	A targeted rate per hectare on all rating units within the Drainage Differential Rating Areas to fund drainage work.	Per Hectare	0.55075054

Ref	Rate	Rating Category	Description	Basis	Dollar Value Excluding GST
1.8	Land Drainage – Direct Beneficiaries:	1. Ormond 2. Eastern Taruheru 3. Western Taruheru 4. Willows 5. Waikanae Creek 6. City/Wainui 7. Taruheru, Classes A-D 8. Waipaoa 9. Patutahi 10. Ngatapa 11. Manutuke 12. Muriwai Drainage Scheme Maps are available in LTP, Customer Services and on the Council website.	A targeted rate per hectare on all rating units within the Drainage Differential Rating Areas to fund drainage works.	Per Hectare	27.95960850
1.9	Te Karaka Flood Control Residential and Non-Residential	Te Karaka Flood Control Non-Residential Area. Map of scheme area available in LTP, Customer Services and on Council Website	A differentiated targeted rate on the rateable capital value of all rating units within the defined: <ul style="list-style-type: none"> Te Karaka Flood Control Scheme is for the purpose of contributing to the cost of flood control in the respective Non-Residential area. 	Per dollar of Capital Value	0.00041875
		Te Karaka Flood Control Residential Area. Map of scheme area available in LTP, Customer Services and on Council Website.	<ul style="list-style-type: none"> Te Karaka Flood Control Scheme is for the purpose of contributing to the cost of flood control in the respective Residential area. 	Per dollar of Capital Value	0.00057770

Ref	Rate	Rating Category	Description	Basis	Dollar Value Excluding GST
1.10	Waiapu River Erosion Protection Scheme	Contributors in the defined area on map available in LTP, Customer Services and Council website	A differential targeted rate on: <ul style="list-style-type: none"> Contributors within the defined area to cover the operating costs of the scheme. 	Per hectare	0.05238078
		Direct Beneficiaries in the defined area on map available in LTP, Customer Services and Council website	<ul style="list-style-type: none"> Direct Beneficiaries within the defined area to cover the operating costs of the scheme. 	Per dollar of Capital Value	0.00034516
		Indirect Beneficiaries in the defined area on map available in LTP, Customer Services and Council website	<ul style="list-style-type: none"> Indirect Beneficiaries within the defined area to cover the operating costs of the scheme. 	Per dollar of Capital Value	0.00001209
1.11	Waipaoa River Flood Control Scheme	Waipaoa River Flood Control Scheme A-F. Maps available in LTP, Customer Services and Council website	A targeted rate on the ratable capital value of all land within the Waipaoa River Flood Control Scheme district in accordance with the classification list (classes A - F) for the purpose of payment of loan charges and maintenance costs.	Per dollar of Capital Value	0.00003272
1.12	Aquatic and Recreation Facilities	Inner Zone 1.0	Differential targeted rate on the rateable capital value of rateable properties in: <ul style="list-style-type: none"> DRA1, DRA1A and DRA2 (Inner Zone). 	Per dollar of Capital Value	0.00011815
		Outer Zone 0.3	<ul style="list-style-type: none"> DRA3, DRA4 and DRA5 (Outer Zone). 	Per dollar of Capital Value	0.00003545
1.13	Parks & Reserves	Outer Zone 15%	Differential targeted rate per rating unit to cover the costs of maintaining Parks and Reserves within: <ul style="list-style-type: none"> DRA3, DRA4, DRA5 (Outer Zone). 	Per Rating Unit	167.24
		Inner Zone 85%	<ul style="list-style-type: none"> DRA1, DRA1A, DRA2 (Inner Zone). 	Per Rating Unit	325.42

Ref	Rate	Rating Category	Description	Basis	Dollar Value Excluding GST
1.14	Animal & Plant Pests	Inner Zone 20%	A differential targeted rate on the rateable land value of all land in the Respective Differential Rating Area: <ul style="list-style-type: none"> DRA1, DRA1A, DRA2 (Inner Zone). 	Per dollar of Land Value	0.00002072
		Outer Zone 80%.	<ul style="list-style-type: none"> DRA3, DRA4, DRA5 (Outer Zone). 	Per dollar of Land Value	0.00011960
1.15	Soil Conservation – Advocacy & Land Use	DRA1, DRA1A, DRA2 20%	A differential targeted rate on all the rateable land in the respective DRA's: <ul style="list-style-type: none"> DRA1, DRA1A, DRA2 (Inner Zone). 	Per dollar of Land Value	0.00006421
		DRA3 & DRA4 30%	<ul style="list-style-type: none"> DRA3 & DRA4. 	Per dollar of Land Value	0.00017524
		DRA5 50%	<ul style="list-style-type: none"> DRA5 (50%). 	Per dollar of Land Value	0.00112127
1.16	Theatres	Inner Zone 1.0 weighting	A differential targeted rate on the rateable Capital value of rateable properties in: <ul style="list-style-type: none"> DRA1, DRA1A and DRA2 (Inner Zone) 	Per dollar of Capital Value	0.00006444
		Outer Zone 0.3 weighting	<ul style="list-style-type: none"> DRA3, DRA4, DRA5 (Outer Zone). 	Per dollar of Capital Value	0.00001933
1.17	Water Conservation	Inner Zone 70%	A Differential targeted rate on the rateable Land value of all land in: <ul style="list-style-type: none"> DRA1, DRA1A, DRA2 (Inner Zone). 	Per dollar of Land Value	0.00024573
		Outer Zone 30%	<ul style="list-style-type: none"> DRA3, DRA4, DRA5 (Outer Zone). 	Per dollar of Land Value	0.00015195

Ref	Rate	Rating Category	Description	Basis	Dollar Value Excluding GST
1.18	Flood Damage & Emergency Reinstatement	Forestry Weighting 12.0	A differential targeted rate on the rateable capital value of all land in the respective differential rating groups. <ul style="list-style-type: none"> All forestry exotic land and on Pastoral Land with 20 hectares or more of forestry. 	Per dollar of Capital Value	0.00031083
		Horticulture & Pastoral Farming weighting 1.5	<ul style="list-style-type: none"> All Horticulture and Pastoral farming land over 5 hectares. 	Per dollar of Capital Value	0.00003885
		Industrial & Commercial weighting 2.0	<ul style="list-style-type: none"> All Industrial and Commercial land. 	Per dollar of Capital Value	0.00005181
		Residential & Lifestyle weighting 1.0	<ul style="list-style-type: none"> Residential and Lifestyle land. For the purposes of the differential roading rate, horticulture, and pastoral farming units with land area less than 5 hectares will be assessed as lifestyle. 	Per dollar of Capital Value	0.00002590
1.19	Non-Subsidised Local Roading	Inner Zone 50%	Differential targeted rate on: <ul style="list-style-type: none"> DRA1, DRA1A, DRA2 (Inner Zone). 	Per dollar of Capital Value	0.00000727
		Outer Zone 50%	<ul style="list-style-type: none"> DRA3, DRA4, DRA5 (Outer Zone). 	Per dollar of Capital Value	0.00001677
1.20	Passenger Transport	DRA1 Residential	A uniform targeted rate within the DRA1 Residential differential rating Group.	Separately Used or Inhabited Part of a Rating Unit	21.59

Ref	Rate	Rating Category	Description	Basis	Dollar Value Excluding GST
1.21	Subsidised Local Roads	Forestry 12.0	<p>A differential targeted rate on the rateable capital value of all land in the respective Differential Rating Groups.</p> <ul style="list-style-type: none"> Forestry weighting of 12, on all forestry exotic land and on pastoral blocks with 20 hectares or more of forestry Land. 	Per dollar of Capital Value	0.00439942
		Horticulture & Pastoral Farming 1.5	<ul style="list-style-type: none"> Horticulture and Pastoral farming land (over 5ha) weighting of 1.5. 	Per dollar of Capital Value	0.00054993
		Industrial & Commercial 2.0	<ul style="list-style-type: none"> Industrial and Commercial weighting of 2.0. 	Per dollar of Capital Value	0.00073324
		Residential & Lifestyle Blocks 1.0	<ul style="list-style-type: none"> Residential and Lifestyle blocks weighting of 1.0 for the purposes of the differential roading rate, horticulture, and pastoral farming units with land area less than 5 hectares will be assessed as lifestyle. 	Per dollar of Capital Value	0.00036662
1.22	Commercial Recycling Charge	Non-residential properties within the Central Business District who have elected to receive the service.	A uniform targeted rates within scheme recycling collection area, being non-residential area within the CBD who have elected to receive the service.	Separately Used or Inhabited Part of a Rating Unit	53.00

Ref	Rate	Rating Category	Description	Basis	Dollar Value Excluding GST
1.23	Uniform Waste Management Charge- Gisborne District Refuse Collection	Within scheme refuse collection areas-Currently Gisborne City and Environs and Ruatoria. Map available Customer services and on Council website.	<p>A uniform targeted rate per separately used or inhabited part of a rating unit on properties for refuse collection for which the Council is prepared to provide that service.</p> <ul style="list-style-type: none"> Gisborne City (Residential and Non-Commercial). Areas of the Turanganui a kiwa/ Poverty Bay flats and Gisborne City in the south to Ormond in the north and bounded by the Waipaoa River in the west and the foothills in the east. Wheatstone Road, Sponge Bay, Wainui Okitu, Makarori, Turihaua, Makaraka, Papatu Road/SH2, Manutuke, Waihirere, Ormond, Waituhi, Patutahi and Muriwai. Ruatoria Township. 	Separately Used or Inhabited Part of a Rating Unit	105.96
1.24	Rural Transfer Stations	Within Scheme areas. Maps available LTP, Customer Services and Council website.	A uniform targeted rate to properties within the 15 km radius scheme area of a Rural Transfer Station.	Separately Used or Inhabited Part of a Rating Unit	163.20
1.25	Stormwater	DRA1 and DRA1A Residential properties including Sponge Bay, Wainui and Okitu.	<p>A differential targeted rate in the defined areas to cover the costs of maintaining stormwater in these areas.</p> <ul style="list-style-type: none"> DRA1 and DRA1A 	Separately Used or Inhabited Part of a Rating Unit.	176.66
		All Rural Townships DRA3, DRA4, DRA5 and including Manutuke and Patutahi	<ul style="list-style-type: none"> Rural Townships 	Separately Used or Inhabited Part of a Rating Unit.	91.96
		DRA1 and DRA1A all Commercial and Industrial properties.	<ul style="list-style-type: none"> DRA1 and DRA1A all Commercial and Industrial properties. 	Per dollar of Capital Value	0.00038753

Ref	Rate	Rating Group	Description	Basis	Dollar Value Excluding GST
1.26	Wastewater in Te Karaka Township	Connected properties per pan charge.	The wastewater targeted rate will be applied to every serviced property within Te Karaka Township per water closet or urinal.	Per water closet or urinal.	455.97
1.27	Wastewater in Gisborne city area	Connected properties per pan charge.	A wastewater targeted rate will be applied to every serviced property in the Gisborne District Scheme area.	Per water closet or urinal.	555.55
1.28	Water - Availability	Within scheme area-serviceable. Maps available Council Website and customer services	A uniform Targeted rate per separately used or inhabited part of a rating unit to which water can be supplied but is not supplied (being a rating unit situated within 100 metres from any part of the waterworks).	Per Separately Used or Inhabited Part of a rating unit	125.76
1.29	Water - Connection	Properties that are connected to on demand supply of Water in Rural and Urban Water Supply Area. Maps available Council Website and customer services	A uniform Targeted Rate for the ordinary and extraordinary supply of water within the Urban and Rural Water Supply area of Gisborne City, Sponge Bay Manutuke, Papatu Road, Te Arai Valley, Matawhero, Makaraka Bushmere, Te Karaka and Whatatutu.	Per Separately Used or Inhabited Part of a rating unit	251.51
1.30	Water Metering	Water by Meter	Under Section 19 of the Local Government (Rating) Act 2002, a fixed charge per unit of water consumed or supplied per cubic metre will apply for the on-demand supply of water to extraordinary users, and ordinary rural domestic users. Water by metre has 300 cubic metre no charge domestic allowance for ordinary rural domestic users.	per cubic metre	1.59

Ref	Rate	Rating Group	Description	Basis	Dollar Value Excluding GST
1.31	Business Area Patrols	Commercial Properties within the CBD Area. (Map available in Annual Plan 2022/23 FIS).	A Targeted rate on the capital value of all commercial rating units within the Central Business Area (CBD) for the cost of patrolling and monitoring the area. The defined area was confirmed by the Council on 1 June 2000.	Per dollar of Capital Value	0.00028742
1.32	Economic Development Including Tourism	All Industrial, Commercial, Retail and Accommodation Properties	A targeted rate on the rateable capital value of all rating units as classified in the District Valuation Roll of Industrial, Commercial retail and Accommodation categories to contribute to the Notes cost of economic development.	Per dollar of Capital Value	0.00029452

- Notes that the definitions of rates are set out within the Rates Funding Impact Statement included within the 2022/23 Annual Plan and the 2021-2031 Long Term Plan.
- Resolves that the rates for the year commencing 1 July 2022 and concluding 30 June 2023 are set excluding GST. The GST will be applied when rates are assessed for 2022/23.
- Resolves under section 24 of the Local Government (Rating) Act 2002 that all rates (excluding metered water) be payable in four instalments, with each instalment due on the rates due date stated in the table under resolution 4.
- Resolves under sections 57 and 58 of the Local Government (Rating) Act 2002 to add a penalty of 10% of the amount of any rates (excluding metered water) unpaid after the rates due date, on the date penalty added stated below:

Rate Instalment Dates Invoiced quarterly	Rates Due date	Date Penalty Added
Instalment 1	22 Aug 2022	26 Aug 2022
Instalment 2	21 Nov 2022	25 Nov 2022
Instalment 3	20 Feb 2023	24 Feb 2023
Instalment 4	22 May 2023	26 May 2023

6. Resolves under sections 24, 57 and 58 of the Local Government (Rating) Act 2002 to set the following due dates for the payment of metered water rates and to add a penalty of 10% of the amount of any water meter charges remaining unpaid after the due date. The penalty will be added on the respective penalty added date stated below.

Month of invoice	Due date	Date penalty added
Invoiced annually		
Jun-22	20 Jul 2022	26 Jul 2022
Invoiced six-monthly		
Jun-22	20 Jul 2022	26 Jul 2022
Dec-22	20 Jan 2023	26 Jan 2023
Invoiced quarterly		
Jun-22	20 Jul 2022	26 Jul 2022
Sep-22	20 Oct 2022	26 Oct 2022
Dec-22	20 Jan 2023	26 Jan 2023
Mar-23	20 Apr 2023	24 Apr 2023
Invoiced monthly		
Jun-22	20 Jul 2022	26 Jul 2022
Jul-22	22 Aug 2022	26 Aug 2022
Aug-22	20 Sep 2022	26 Sep 2022
Sep-22	20 Oct 2022	26 Oct 2022
Oct-22	21 Nov 2022	25 Nov 2022
Nov-22	20 Dec 2022	22 Dec 2022
Dec-22	20 Jan 2023	26 Jan 2023
Jan-23	20 Feb 2023	24 Feb 2023
Feb-23	20 Mar 2023	24 Mar 2023
Mar-23	20 Apr 2023	26 Apr 2023
Apr-23	22 May 2023	26 May 2023
May-23	20 Jun 2023	26 Jun 2023

Authorised by:

Pauline Foreman - Chief Financial Officer

Keywords: rates, annual plan

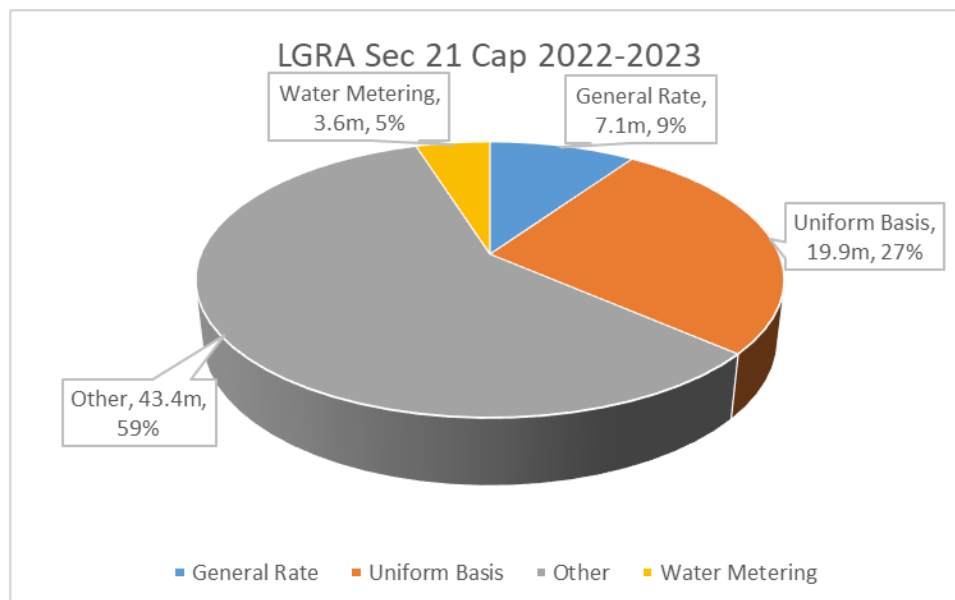
BACKGROUND

1. The 2022/23 Annual Plan (AP) must be approved before 30 June 2022. After the 2022/23 AP is approved, and under Section 23 of the Local Government (Rating) Act 2002 (LGRA), Council must set the rates by Council resolution in accordance with Council's 2022-2023 Annual Plan and the provisions of the Funding Impact Statement for 2022/23.
2. The Financial Strategy for the 2021–2031 Long Term Plan (LTP) proposed a limit of overall rate revenue increases of 6.5% (plus growth) for Years 1 to 3. The total rates revenue required for the 2022/23 AP is within the financial parameters.

DISCUSSION and OPTIONS

3. The 2022/23 Rates Funding Impact Statement budget within the 2022/23 Annual Plan is \$70.4m plus GST or \$80.9m including GST.
4. The schedule of rates charges, due dates and penalty dates is set out in the recommendation.
5. The LGRA Section 21 has a limit of 30% on the revenue sought by Council from targeted rates set on a uniform basis and the Uniform Annual General Charge (UAGC). This is referred to as the Section 21 cap.
6. The LGRA Section 21 cap for 2022/23 is 27% of the rates including water by meter rates. The cap is made up of the UAGC being \$17.0m plus GST (86%) and other fixed targeted rates of \$2.8m plus GST (14%).

Table 1



Uniform Annual General Charge

7. The UAGC for 2022/23 is \$747.34 plus GST or \$859.44 including GST. The UAGC is a fixed charge on all Separately Used or Inhabited Parts of properties in the district unless a specific remission applies. The activities funded by the UAGC are set out in the 2022/23 AP Funding Impact Statement.

ASSESSMENT of SIGNIFICANCE

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

Overall Process: Low Significance

This Report: Low Significance

Inconsistency with Council's current strategy and policy

Overall Process: Low Significance

This Report: Low Significance

The effects on all or a large part of the Gisborne district

Overall Process: High Significance

This Report: Medium Significance

The effects on individuals or specific communities

Overall Process: High Significance

This Report: Medium Significance

The level or history of public interest in the matter or issue

Overall Process: Medium Significance

This Report: Medium Significance

8. The decisions or matters in this report are considered to be of high significance in accordance with Council's Significance and Engagement Policy.

TANGATA WHENUA/MĀORI ENGAGEMENT

9. There are no significant changes to the Annual Plan rates setting that required additional Iwi/hapū engagement.

COMMUNITY ENGAGEMENT

10. There are no significant changes within the Annual Plan 2022-2023 that trigger consultation.
11. The Tairāwhiti community will be informed through a rates Calculator on our website, through our social media channels and via a media release upon adoption of the Annual Plan.

CLIMATE CHANGE – Impacts / Implications

12. Climate change affects many local authority functions and responsibilities. The Revenue and Financing Policy puts Council in a position to respond to changes. Some of the functions and responsibilities are funded from Council rates. There is a portion of rate funding for at-risk activities like water security, coastal communities, and natural ecosystems.

CONSIDERATIONS

Financial/Budget

13. The adoption of the 2022/23 Annual Plan budget enables Council to collect rates revenue to fund its operations as set out in the Funding Impact Statement and in the Revenue and Finance Policy.
14. Rate trends are consistent with LTP 2021-2031 year 2 and are included in the Annual Plan 2022-2023 under sections "About our plan: Rate changes for 2022/23" and under the "Our Finances: Rates information 2023".

Legal

15. This rates resolution is made under the local Government Act 2002 and the Local Government (Rating) Act 2002. Section 23 of the Local Government Rating Act 2002 requires Council to set the rates by Council resolution.

POLICY and PLANNING IMPLICATIONS

16. The recommendation proposed is detailed in the Funding Impact Statement for 2022/23 in the 2022-2023 Annual Plan.
17. The recommendation is consistent with the Revenue and Financing Policy in the 2021-2031 Long Term Plan.
18. The decision is not expected to directly affect any of the community outcomes or strategic challenges.

RISKS

19. The risks associated with the setting of the rates for the 2022/23 year are financial and are covered in the paragraph above.

NEXT STEPS

Date	Action/Milestone	Comments
23 June 2022	Council sets rates for 2022/23.	
July 2022	Send Ratepayers rate assessments and rates invoices for instalment one.	Due date for payment 22 August 2022.
October 2022	Send Ratepayers rate assessments and rates invoices for instalment two.	Due date for payment 21 November 2022.
January 2023	Send Ratepayers rate assessments and rates invoices for instalment three.	Due date for payment 20 February 2023.
April 2023	Send Ratepayers rate assessments and rates invoices for instalment four.	Due date for payment 22 May 2023.

Title: **22-142 Support for Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill**

Section: Strategy

Prepared by: Charlotte Knight - Strategic Planning Manager

Meeting Date: Thursday 23 June 2022

Legal: No

Financial: No

Significance: **Low**

Report to COUNCIL for decision

PURPOSE

The purpose of this report is for Council to consider endorsement of the Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, a Private Members' Bill.

SUMMARY

The harm associated with misuse of alcohol is well-documented. In 2020, the cost of alcohol harm was estimated at \$7.85 billion which includes justice, health, and welfare costs. 18% of the New Zealand Police budget is spent on alcohol incidents. 59% of people that seek addiction support list alcohol as their primary substance of abuse. Nearly 34% of the adult population in Tairāwhiti is reported to drink hazardously.

At the 2 June Sustainable Tairāwhiti meeting, Council received a presentation by Alcohol Healthwatch about a private member's bill (**Attachment 1**). The Private Member's Bill (**Attachment 2**) proposes amendments to the Sale and Supply of Alcohol Act 2012 (the Act) to provide more controls on alcohol advertising, and reform the appeals process relating to local alcohol policies made under the Act. This report presents further information related to the Bill's contents and the private member bill process.

The World Health Organisation recommends [restrictions](#) to the marketing of alcohol (including advertising and sponsorship) as one of the three most effective strategies to reduce alcohol harm.

Several councils have had their Local Alcohol Policies appealed and some have abandoned the process because the legal costs become too high. There was significant cost and delay in developing and progressing Tairāwhiti's Provisional Local Alcohol Policy. Significant in-house legal support and staff resourcing was needed to negotiate an agreeable solution that was then submitted to the Court.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Council:

1. Supports the proposed Private Members' Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, which aims to:
 - a. remove the special appeal process through Local Alcohol Policies
 - b. wind down alcohol advertising and sponsorship of sports
2. Requests the proposed Private Members' Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, is supported by the Government and/or non-Executive Members of Parliament; and,
3. Requests the New Zealand Government review the Sale and Supply of Alcohol Act 2012.
4. Instructs the Chief Executive to prepare a letter to local MPs and any other specified non-executive members requesting their support for the Bill.

Authorised by:

Joanna Noble - Chief of Strategy & Science

Keywords: Local Alcohol Policy, Sale and Supply of Alcohol Act, advocacy

BACKGROUND

1. In 2020, the cost of alcohol harm was estimated at \$7.85 billion which includes justice, health, and welfare costs. 18% of the New Zealand Police budget is spent on alcohol incidents. 59% of people that seek addiction support list alcohol as their primary substance of abuse.
2. The Salvation Army State of the Nation 2022 [reports](#) 20% of the population drinks hazardously. Concerning is that 10% of 15–17-year-olds that drink, drink hazardously and 34% of 18–24-year-olds drink hazardously.
3. In Tairāwhiti the statistics are even more alarming – nearly 34% of the population drinks hazardously.¹ This is the highest proportion reported in any region of New Zealand.
4. New Zealand has strong legislation that prohibits the advertising of tobacco and vaping products. The level of harm from alcohol and its role in social, economic and health inequities in our country demands an equally strong approach.
5. The World Health Organisation recommends [restrictions](#) to the marketing of alcohol (including advertising and sponsorship) as one of the three most effective strategies to reduce alcohol harm. Policies that restrict alcohol marketing are pro-equity.
6. In 2018, \$61 million was spent on alcohol advertising. In 2015, \$21 million was spent on alcohol sports advertising alone. Recent global statistics suggest a 5% increase in advertising spend for the alcohol sector globally, with US forecast to see an additional \$1 billion in alcohol spend over the next 12 months to \$7.7 billion.
7. University of Otago research found that more than 52% of children's exposure to alcohol advertising was from advertising outside the home.
8. Research has concluded that there is a casual relationship between alcohol marketing and youth drinking. Systematic reviews of longitudinal studies demonstrate that young people's exposure to alcohol advertising, and alcohol sponsorship of sports, is associated with higher alcohol consumption among children and adults.
9. Earlier drinking and heavier drinking set up young people for alcohol problems later in life. In New Zealand, half of alcohol abuse and dependence cases have developed by the age of 20.
10. Local Government New Zealand passed remits in 2018 (95% support) and 2019 (88% support) seeking a review of the Act, with commentary that it be more supportive of community and local involvement.

¹ Ministry of Health Manatū Hauora. Regional Results 2017-2020: New Zealand Health Survey [Internet] 2020. Available from: <https://minhealthnz.shinyapps.io/nz-health-survey-2017-20-regional-update/>

Alcohol advertising and sponsorship of sports

11. There is a longstanding, intimate relationship between sport and alcohol in New Zealand. Alcohol sponsorship reaches large, diverse audiences (including children). The brands are highly visible, on jumpers, playing grounds, etc. The brands are paired with our passion for sport, particularly rugby. In 2014 rugby union was reported to receive 75% of all alcohol sponsorship revenue. Through sport, alcohol becomes linked with excitement, success, and adventure.
12. A New Zealand Study from 2018 found that children aged 11-13 years old were exposed to alcohol marketing 4.5 times a day. 31% in the form of sports sponsorship, 25% from merchandise, and 12% at sports venues. Māori and Pacific children showing disproportionately higher levels of exposure.
13. There are countries that prohibit alcohol sponsorship and ban alcohol advertising fully. Since 1991 France has had the Evin Law that imposes strict limits on alcohol advertising. Under the law no alcohol sponsorship of cultural or sport events is permitted. The law has meant some touring football teams having to adopt playing kits without alcohol sponsors. The Heineken Cup competition is referred to as the H Cup in France. There have been amendments to the Evin Law to permit advertising at sports venues, but restrictions are in place about what form that advertising can take i.e. the Guinness logo could be displayed but not the name.

Current alcohol advertising controls

14. The Advertising Standards Authority (ASA) has developed the Alcohol Advertising and Promotion Code. It came into effect for all advertisements from 1 July 2021. To date there have been 11 complaints published by the ASA. A few complaints were linked to concerns about marketing to minors, however no complaint was upheld as companies either removed any advertising of concern or provided detail about the levels of restrictions they had in place.
15. One complaint of relevance has been published that relates to the code. The complaint was about promotion to minors by a beer brand that had partnered with the All Blacks to create an interactive game online. The ASA Chair ruled in this case there was no ground for the complaint to proceed to Committee for a decision, as the site was age-gated and had promoter statements that indicated that the game was for users 25 years and older.
16. It appears the ASA weighted toward the use of the promotor statements as evidence of code compliance, rather than a higher level of concern that All Black themed games linked to an alcohol brand may be engaging content for youth.
17. The New Zealand Medical Journal published a [piece](#) that examines in greater detail the issues around the ASA process and application of the code.

DISCUSSION and OPTIONS

18. At the 2 June Sustainable Tairāwhiti meeting, Council received a presentation by Alcohol Healthwatch about a Private Member's Bill (**Attachment 1**). They have been presenting to councils across the country to garner local body support for the Bill and to encourage councils to approach their local MPs to support the Bill being put on the Order Paper.

19. Member of Parliament for Auckland Chloe Swarbrick has a Private Member's Bill (**Attachment 2**) amending the Sale and Supply of Alcohol Act 2012 (the Act) to provide more controls on alcohol advertising and reforming the appeals process relating to local alcohol policies (LAPs) made under the Act.
20. The Bill has two distinct parts. Part 1 of the Bill abolishes appeals on LAPs to provide proper local control over alcohol regulation. Part 2 of the Bill focuses on reducing young people's exposure to messages that encourage them to drink alcohol and removing the link between sport and alcohol.
21. The Bill is waiting to be drawn through the ballot process. At least eight Members' Bills, awaiting first reading, must be on the Order Paper on each members' day. When a space becomes available, a ballot is held to decide which members' bill(s) will be introduced. However, if 61 or more non-executive members indicate support for a member's bill, it will be introduced without needing to be selected through the ballot.
22. The objective of Council passing a resolution on this matter is to indicate to all Members of Parliament that there is support for this Bill by Council, as well as indicating support that the Bill be 'drawn'. Both our local MPs are executive members; however, once the Bill is on an Order Paper could speak to how it would impact our region. Council could approach other non-executive members to ask for them to show support for the Bill.
23. The Bill largely aligns with Council's strategic direction by improving the health and wellbeing of people in Tairāwhiti through reducing harm. It also aligns with Hauora Tairāwhiti's [position statement](#) on alcohol related harm.

Removal of the LAPs special appeal process

24. There was significant cost and delay in developing and progressing Tairāwhiti's Provisional Local Alcohol Policy. There were no legal costs as the matter didn't end up in court. However, significant in-house legal and staff resourcing was needed to negotiate an agreeable solution that was then submitted to the Court.
25. Several councils have had their LAPs appealed and some have had to abandon the process as the legal costs become too high. When the Sale and Supply Act 2021 was enacted, it had promised that communities would have more control over the supply of alcohol in their neighbourhoods. What has resulted is costly and time-consuming legal challenges that are devoid of community engagement. The removal of the appeals process to the Alcohol Regulatory & Licensing Authority (ARLA) would be in line with the true intention of the legislation.

ASSESSMENT of SIGNIFICANCE

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

Overall Process: Low Significance

This Report: Low Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

Overall Process: Low Significance

This Report: Low Significance

Inconsistency with Council's current strategy and policy

Overall Process: Low Significance

This Report: Low Significance

The effects on all or a large part of the Gisborne district

Overall Process: Medium Significance

This Report: Low Significance

The effects on individuals or specific communities

Overall Process: Medium Significance

This Report: Low Significance

The level or history of public interest in the matter or issue

Overall Process: High Significance

This Report: Low Significance

26. The decisions or matters in this report are considered to be of Low significance in accordance with Council's Significance and Engagement Policy.

TANGATA WHENUA/MĀORI ENGAGEMENT

27. There has been no engagement with tangata whenua on this matter. Maori are over-represented in the statistics related to hazardous drinking. Forty-two percent of the maori population in Tairāwhiti are identified as hazardous drinkers.

COMMUNITY ENGAGEMENT

28. There has been no engagement with the community on this matter.

CLIMATE CHANGE – Impacts / Implications

29. There are no impacts for climate change.

CONSIDERATIONS

Financial/Budget

30. There are no financial implications in demonstrating support for the Bill.

Legal

31. There are no legal implications in demonstrating support for the Bill.

POLICY and PLANNING IMPLICATIONS

32. There are no policy and planning implications in demonstrating support for the Bill.
33. If the Bill was enacted, the process for reviewing Council's Local Alcohol Policy would be simpler as it would remove the appeal mechanism.

RISKS

34. There are no major risks associated with the decision to demonstrate support for the Bill.

NEXT STEPS

Date	Action/Milestone	Comments
	Letter to local MPs and any non-executive members requested indicating support for the Bill	

ATTACHMENTS

1. Attachment 1 - Alcohol Healthwatch Presentation Sustainable Tairāwhiti 2 June 2022 [**22-142.1** - 19 pages]
2. Attachment 2 - Sale and Supply of Alcohol Harm Minimisation Amendment Bill [**22-142.2** - 15 pages]

Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill

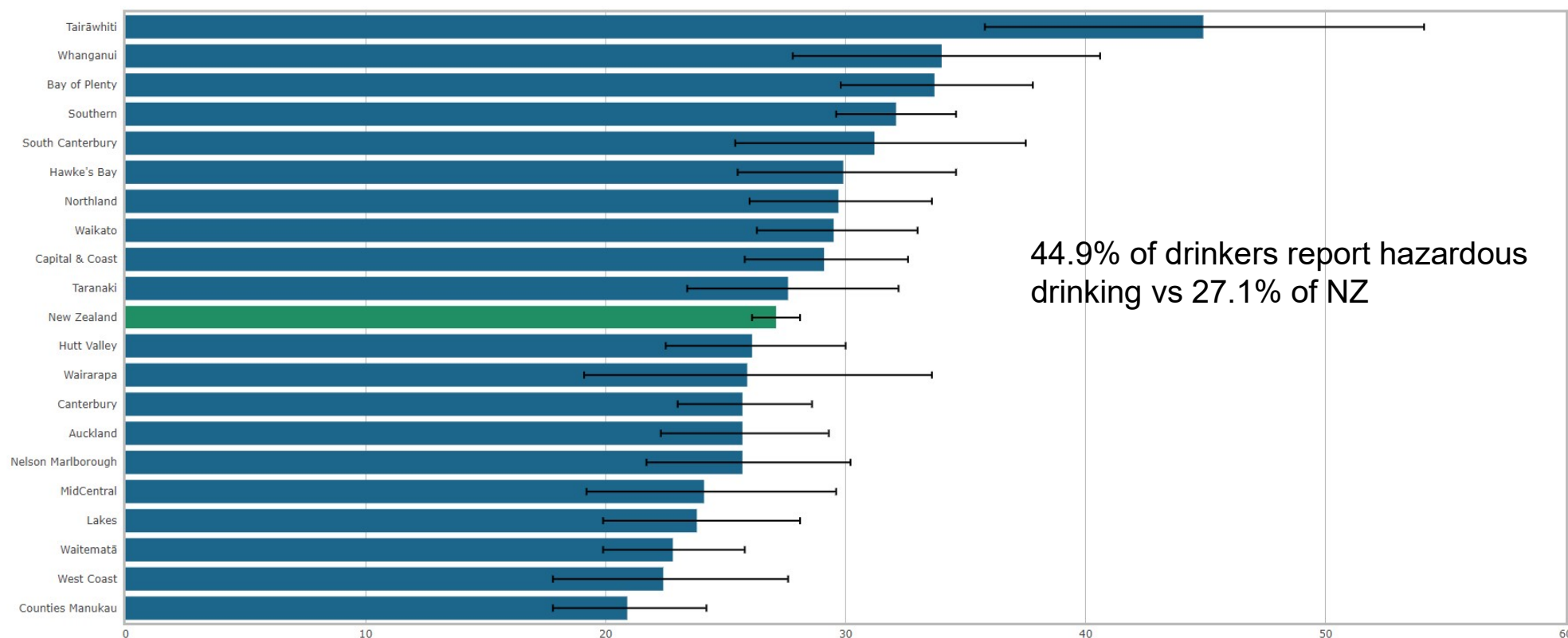


Dr Nicki Jackson

Alcohol Healthwatch

Gisborne District Council Sustainable Tairāwhiti meeting, 2 June 2022

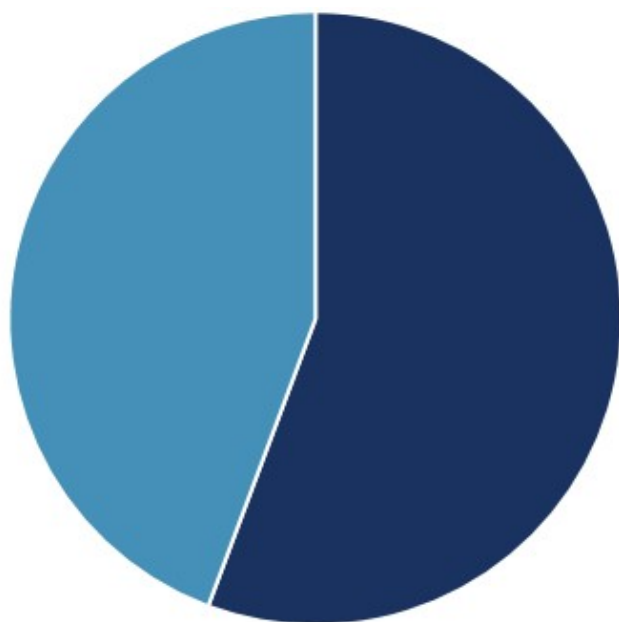
Alcohol use in Tairāwhiti DHB (2017-20)



Hazardous drinking: an established pattern of drinking that carries a high risk of future damage to physical or mental health. Measured using the 10-question Alcohol Use Disorders Identification Test (AUDIT) developed by the World Health Organization.

Ministry of Health, 2021

Alcohol use in Tairāwhiti DHB (2017-20)



55.7% of male drinkers in the Tairāwhiti DHB region are hazardous drinkers (1 in every 2 male drinkers) – compared to 34.7% total NZ males

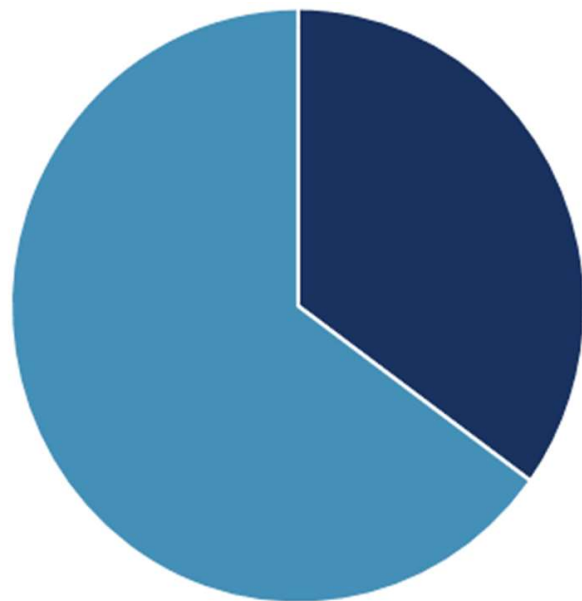
- **60.5%** of Māori men drinkers
- **51.6%** of European / other men drinkers
- 63.5% among most deprived men drinkers vs 35.2% least deprived drinkers (wide confidence intervals)

(no data on Pacific or Asian drinkers)

Hazardous drinking: an established pattern of drinking that carries a high risk of future damage to physical or mental health. Measured using the 10-question Alcohol Use Disorders Identification Test (AUDIT) developed by the World Health Organization.

Ministry of Health, 2021

Alcohol use in Tairāwhiti DHB (2017-20)



35.0% of female drinkers in Tairāwhiti DHB are hazardous drinkers (1 in every 3 drinkers) – compared to 19% in total NZ

- **47.6%** of Māori women drinkers
- **26.1%** of European / other women drinkers
- **44.1%** among most deprived women drinkers vs **9.9%** least deprived drinkers (but wide confidence intervals)

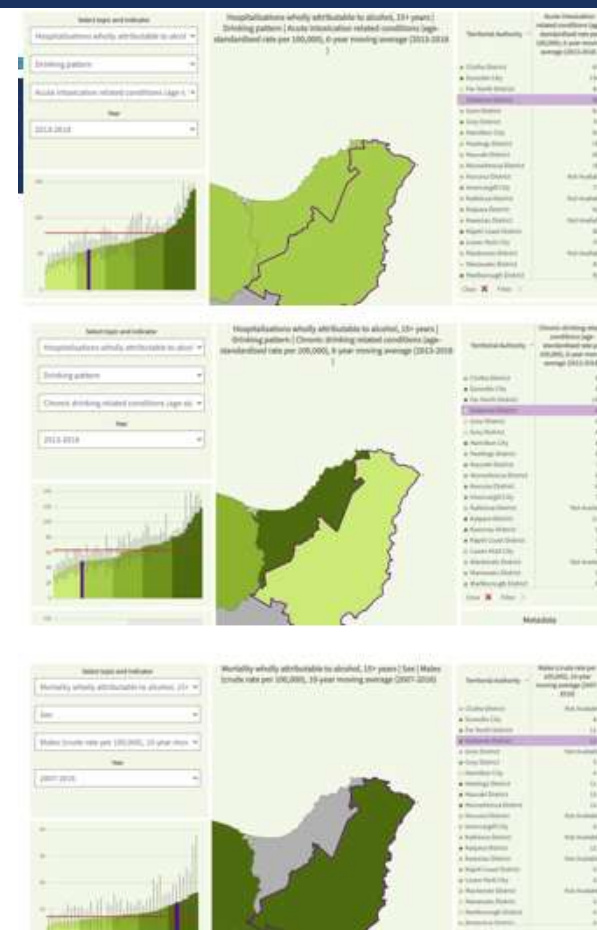
(no data on Pacific or Asian drinkers)

Ministry of Health, 2021

Alcohol harm in Gisborne

- Harms, to the drinker and others, include:
 - Violence and crime
 - Road deaths and other injuries
 - Family harm and child maltreatment
 - Alcohol abuse and dependence
 - Poor mental health, suicide, dementia
 - Cancer, heart disease, stroke
 - Fetal Alcohol Spectrum Disorder

<https://healthspace.ac.nz/health-topics/alcohol-related-harm/>



Key drivers of alcohol use & harm

PRICE

- More affordable than ever before

ADVERTISING

- Ubiquitous & uniquely targeted

AVAILABILITY

- Highly accessible, from the comfort of your couch

**Socio-economically
deprived communities
have much greater
exposure to these risk
environments**

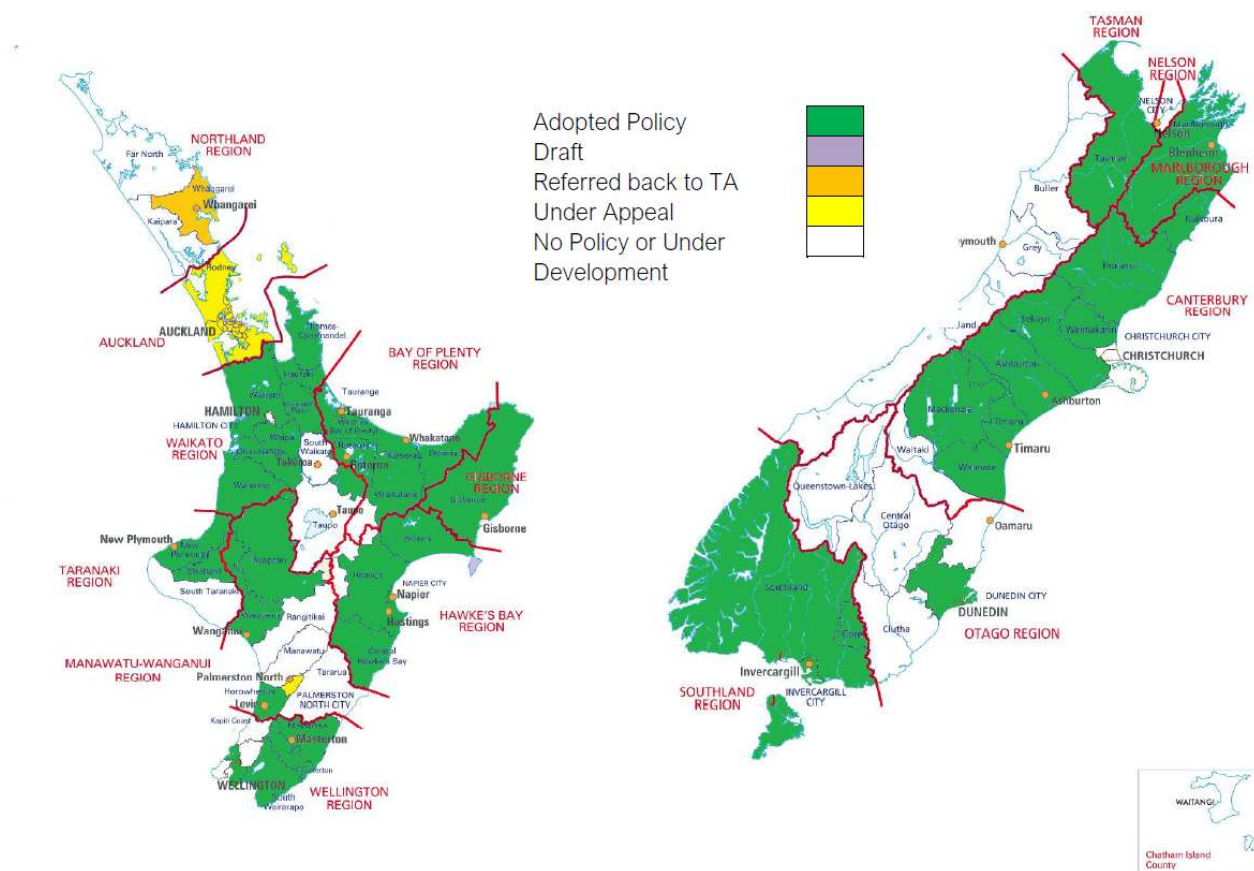
The Private Members' Bill

- Seeks to positively and permanently change our pro-drinking environment
 - supporting New Zealanders to drink less and reap the benefits
- **Availability**
 - Removes the appeals process from Local Alcohol Policies
 - Strengthens criteria for licensing committee decisions on licence applications
- **Alcohol sponsorship**
 - Ends alcohol sponsorship of broadcast sport

Local Alcohol Policies

- Priority objective our 2012 liquor laws was to **“improve community input into local alcohol licensing decisions”**
- To be achieved via:
 - Territorial Authority Local Alcohol Policies
 - Extended criteria for District Licensing Committees to consider in licensing decisions (section 105)
- Enabled in November 2013 (8 years ago)

LAPs in Aotearoa New Zealand: 35% population



No Local Alcohol Policies in:

- Auckland
- Hamilton
- Wellington
- Christchurch

86% of first LAPs appealed by supermarkets

72% of first LAPs appealed by bottle stores

Results in watered-down policies that are less effective in protecting communities from harm

Alcohol Regulatory and Licensing Authority, 2021; Alcohol Healthwatch (unpublished)

Gisborne LAP

3. POLICY PROVISIONS

3.1 Location and Density of Licensed Premises

~~3.1.1 No new licence of any type, except for restaurants or cafes, and Special Licences, to be considered for locations within 150/999 metres of sensitive sites existing at the time of the application for a licence. Relicensing under a change of ownership is not classified as a new licence under this Policy provided the licence type and scope is the same.~~

~~3.1.2 Off-licences are exempt from clause 3.1.1 where the applicant can demonstrate to the District Licensing Committee that the hours, alcohol-related signage, and/or operation of the premises will have no significant impact on sensitive sites and/or persons using sensitive sites. Provided the Applicant demonstrates how the conditions for off-licences listed in 3.4.2.1 will be achieved, the following shall be considered to have no significant impact:~~

- ~~• The hours of an off-licence where there is no external display of alcohol advertising; and~~
- ~~• The operation of an off-licence where the licensee implements an ID 25 policy.~~

~~3.1.3 Sensitive sites are defined as areas, premises or facilities that are either considered more sensitive to alcohol-related harm, or are already experiencing greater levels of alcohol related harm than other areas as determined by the District Licensing Committee. Such sites may include, but are not limited to, educational institutions, churches/spiritual facilities², marae, and recreational facilities³ and high crime areas. Relicensing under a change of ownership is not classified as a new licence under this Policy provided the licence type and scope is the same.~~

~~3.1.4 No new stand-alone bottle store Off-Licences to be approved for any location within the Cleveley district. Relicensing under a change of ownership is not classified as a new licence under this Policy provided the licence type and scope is the same. Relocation of licensed premises is permitted. The applicant must apply for a new licence. The District Licensing Committee may grant a licence if satisfied all the required licensing criteria are met including the sensitive site test in clause 3.1.1 and 3.1.2.~~

~~3.1.5 Applicants should be aware that the District Licensing Committee will consider whether an area is a high crime area when making decisions on licensing applications.~~

3.2 Maximum Licensed Operating Hours

OFF-LICENCE			
Off-Licence types	Maximum operating hours	Trading days	Location
Supermarkets, wineries, taverns, bottle stores, grocery stores, clubs	7 am – 9 pm	Monday-Sunday	district-wide
Taverns, bottle stores, across-the-bar, grocery stores, clubs	9 am – 9 pm	Monday-Sunday	district-wide

¹ Educational Facilities are defined as early-learning and child-care facilities, primary, secondary and tertiary institutions and institutions delivering educational services for vulnerable groups such as unemployed, youth or disabled groups.

² Spiritual Facilities are defined as a building or part of a building used primarily for public and private worship, or for religious purposes, including ceremonies, services, instruction or education, or for meetings or social functions directly related to the work of a religious organisation, and includes all land which is held for any of the foregoing purposes.

³ Recreational facilities are defined as including parks, reserves, skateparks, youth centres, libraries.

Local Government NZ Remit 2018: 95% support

Local alcohol policies which reflect community preferences

- Proposed by Christchurch City Council and Napier City Council
- Asked that LGNZ seeks the Government's agreement to **amend the Sale and Supply of Alcohol Act 2012 so that Local Alcohol Policies can more accurately reflect local community views and preferences.**
- It also asks that councils be given more policy levers to reduce alcohol-related harm to complement Local Alcohol Policies (LAPs).
- There is strong community concern about the effects of the increasing number of alcohol sale outlets in many communities. While the ability to establish a local alcohol licensing framework has been devolved to councils, it has not been accompanied by the required authority and resources. As a result, the majority of LAPs so far developed have been appealed by alcohol industry groups and, in most cases, have resulted in adopted LAPs which closely align with national legislation. The lack of provisions within many of the adopted LAPs creates a significant burden on communities to be involved in individual licensing decisions; and the **current ability for appellants to endlessly challenge a community's preferences regarding the sale of alcohol is untenable.**
- **The remit was passed overwhelmingly with 95% of the sector in favour.**

LGNZ, 2018

Local licensing decisions

- Alcohol licences have **not** become 'harder to get and easier to lose'
- Gisborne District Licensing Committee Annual Reports:

	2019/20	2020/21
New on-licences refused vs issued	0 / 8	0 / 10
New off-licences refused vs issued	0 / 3	0 / 8
Licence renewals refused vs issued	0 / 8	0 / 50

Gisborne District Licensing Committee, 2020, 2021

Alcohol availability: a strong community concern

New liquor store set to open

Published July 23, 2020 1:33PM

[Tweet](#) [Share 0](#)

Ka Pai Kaiti Trust disappointed after opposing liquor licence 'on good grounds'.





A controversial liquor store, long planned for the Gladstone Road/Carnavon Street corner and which had its original licence application declined, is close to opening.

The Black Bull Liquor company's branding has been painted on the building although the inside is still being renovated.

Alcohol sports sponsorship



Poverty Bay Rugby Football Union

Alcohol sports sponsorship

- \$21 million spent on alcohol sponsorship in 2014 (\$4.7million at national level)
- Normalises and glorifies alcohol use, isn't just about brand awareness or switching – it impacts overall attitudes to alcohol
 - In 2018, Auckland Transport prohibited alcohol advertising on public transport infrastructure for that reason
 - In 2022, Sky Super Rugby Aupiki teams (incl Matatū (South Island) franchise) committed to not directly use alcohol industry branding
- NZ ended tobacco sponsorship in 1995
- Ending alcohol sponsorship is recommended by:
 - the World Health Organisation / Law Commission (2010) / Ministerial Forum on Alcohol Advertising and Sponsorship (2014) / the Mental Health and Addiction Inquiry (2018) / 20 DHBs (2021) / NZ Cancer Control Agency (2022)
- End of alcohol sponsorship must be viewed as one step towards comprehensive restrictions to alcohol advertising and promotion

See Alcohol Healthwatch, 2021

Public support

UMR Independent opinion polling, February 2022

Among persons living in Aotearoa:

	Strong or somewhat support	Neither support nor oppose	TOTAL
The Government should take more effective actions to reduce the harms from alcohol use	63%	23%	86%
Children should be protected from exposure to alcohol advertising	69%	18%	87%
Sporting organisations should be supported to move away from alcohol sponsorship	55%	24%	79%
Professional sports teams should not be sponsored by or named after alcohol brands	55%	22%	77%
The alcohol industry should not be involved in developing Government policies (local or national) concerning alcohol	60%	22%	82%

Alcohol Healthwatch, 2022, margin of error +/-3%

Local Govt leading the way

- Since March, Auckland (unanimous), Christchurch City, Whanganui District and Hamilton City (unanimous) Councils have voted in support of the Private Members' Bill and are calling for our liquor laws to be reviewed
 - Are now encouraging their local MPs to show support
- I encourage you to take the vote to a full Council meeting
- You have the ability to make a huge difference to many lives (especially those disproportionately harmed), in this generation and the next

Example of recommendation

That the Council:

- a) endorses the proposed Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, which aims to:
 - i. remove the special appeal process through Local Alcohol Policies.
 - ii. wind down alcohol advertising and sponsorship of sport.
- b) requests the proposed Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, be supported by the Government and/or non-Executive Members of Parliament;
- c) requests the New Zealand Government review the Sale and Supply of Alcohol Act 2012; and
- d) delegates (an Elected Member) to advocate to central government and to the Non-Executive Members of Parliament in support of the proposed Bill.

References

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DRAFT FOR CONSULTATION

Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The objective of the Sale and Supply of Alcohol Act 2012 (**the Act**) includes that “the harm caused by the excessive or inappropriate consumption of alcohol should be minimised”. Unfortunately a number of aspects of the Act do not meet this harm minimisation or public health approach and this Bill does two things to fix this.

Part 1 of the Bill abolishes appeals on local alcohol policies in order to provide proper local control over alcohol regulation. Territorial authorities can try to develop local alcohol policies to enhance community wellbeing. However, this part of the Act has failed because large companies have used their appeal rights in the Act to largely block the development of local alcohol policies. And those that have been adopted have only rarely included regulations over the location and density of stores selling alcohol. This means that communities have not been able to develop public health approaches to the provision of alcohol in their areas.

The Health Promotion Agency, a Crown agent, recommends that the appeal process should be abolished because the appeals process is “expensive and time-consuming”, for community members it is “unfamiliar, stressful and intimidating”, and the Act already requires territorial authorities to go through a special consultative process before adopting a local alcohol policy.

Part 2 of the Bill implements a number of the recommendations of the 2014 Ministerial Forum on Alcohol Advertising and Sponsorship. The Forum’s recommendations focus on reducing young people’s exposure to messages that encourage them to drink alcohol and removing the link between sport and alcohol. The Bill implements their recommendations by banning alcohol sponsorship and advertising of all streamed and live sports and banning alcohol sponsorship at all sporting venues.

The cultural connection between sport and alcohol needs to be broken, particularly given the large number of young people who attend and watch sports games. Similar restrictions on tobacco advertising and sponsorship have contributed to reduced harm from tobacco use and falling rates of youth consumption.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause and provides for:

- *Part 1* of the Bill to come into force on the day after Royal assent; and
- *Part 2* of the Bill to come into force 6 months after Royal assent.

Clause 3 identifies the Sale and Supply of Alcohol Act 2012 as the Act being amended by the Bill (the **principal Act**).

Part 1

Amendments relating to local alcohol policies

Clause 4 amends section 79 of the principal Act to replace references to a provisional local alcohol policy with references to a final local alcohol policy.

Clause 5 replaces section 80 of the principal Act, to reflect both the removal of the procedure for producing a provisional local alcohol policy and the ability to appeal against such a policy.

Clause 6 repeals section 81 to 86 of the principal Act, to remove both the procedure for producing a provisional local alcohol policy and the ability to appeal against such a policy.

Clause 7 amends section 87 of the principal Act, to reflect both the removal of the procedure for producing a provisional local alcohol policy and the ability to appeal against such a policy.

Clauses 8 to 10 make consequential amendments to sections 88 to 90 of the principal Act.

Clause 11 amends section 105 of the principal Act to specify two further criteria that the licensing authority or the licensing committee must have regard to in deciding whether to issue a licence.

Clause 12 amends section 131 of the principal Act to require the licensing authority or the licensing committee to have regard to all the matters set out in section 105(1) in deciding whether to renew a licence.

Clause 13 replaces section 133 of the principal Act, which relates to the renewal of licences where a relevant local alcohol policy exists.

Clause 14 amends section 135 of the principal Act, which relates to decisions on renewal of licences.

Clause 15 makes a consequential amendment to section 170 of the principal Act.

Clause 16 makes a consequential amendment to section 205 of the principal Act.

Part 2

Amendments relating to alcohol advertising and sponsorship

Clause 17 inserts a new Part 4 into the principal Act. *New Part 4* inserts new sections 396A to 396K, which impose prohibitions on alcohol advertising and sponsorship:

- *new section 396A* is the interpretation section for *new Part 4*;
- *new section 396B* prohibits alcohol advertising during a broadcast sports activity;
- *new section 396C* prohibits alcohol advertising in or on a sporting venue during a broadcast sports activity;
- *new section 396D* prohibits alcohol sponsorship of a broadcast sports activity;
- *new section 396E* prohibits alcohol sponsorship of the name of a sports team or a player in a broadcast sports activity;
- *new section 396F* prohibits alcohol sponsorship of sports merchandise, uniforms, and equipment in a broadcast sports activity;
- *new section 396G* prohibits alcohol sponsorship of a sporting venue;
- *new section 396H* exempts certain international events from *new sections 396B to 396G* and authorises the Minister to grant exemptions in respect of certain international events;
- *new section 396I* authorises the Minister to grant exemptions from *new sections 396B to 396G* for certain multinational sporting events;
- *new section 396J* provides for the treatment of notices made under *new sections 396H and 396I*;
- *new section 396K* creates an offence of contravening *new sections 396B to 396G*.

Clause 18 makes a consequential amendment to the heading in Part 3, subpart 3, of the principal Act.

Chl e Swarbrick

Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill

Member's Bill

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5	Section 80 replaced (Territorial authority wishing to adopt provisional policy must give public notice)	3
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8	Section 88 amended (Territorial authority may discontinue development of local alcohol policy)	4
9	Section 89 amended (Disallowance of local alcohol policy)	4
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12	Section 131 amended (Criteria for renewal)	4
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cl 1	Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill	
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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Sale and Supply of Alcohol (Harm Minimisation) Amendment Act **2021**.

Sale and Supply of Alcohol (Harm Minimisation)
Amendment Bill

Part 1 cl 7

2 Commencement

- (1) **Part 1** of this Act comes into force on the day after the date on which this Act receives the Royal assent.
- (2) **Part 2** of this Act comes into force on the day that is 6 months after the date on which this Act receives the Royal assent.

3 Principal Act

This Act amends the Sale and Supply of Alcohol Act 2012 (the **principal Act**).

Part 1**Amendments relating to local alcohol policies****4 Section 79 amended (Territorial authority must produce provisional policy by consulting on draft policy using special consultative procedure)**

- (1) In the heading to section 79, replace “**provisional**” with “**final**”.
- (2) In section 79(1) and (2), replace “provisional” with “final”.
- (3) After section 79(2), insert:
- (3) Once a territorial authority has produced a final policy, the authority must consider whether to adopt the policy.

5 Section 80 replaced (Territorial authority wishing to adopt provisional policy must give public notice)

Replace section 80 with:

80 Territorial authority wishing to adopt final policy must give public notice

- (1) If, after producing a final policy under section 79, a territorial authority continues to wish to have a local alcohol policy, it must then give public notice of the final policy.
- (2) The public notice must be given in accordance with regulations made under this Act.

6 Sections 81 to 86 repealed

Repeal sections 81 to 86.

7 Section 87 amended (When local alcohol policy adopted)

- (1) Replace section 87(1) with:
- (1) A final local alcohol policy is adopted 30 days after its public notification.
- (2) Delete section 87(2) to (5).

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8 Section 88 amended (Territorial authority may discontinue development of local alcohol policy)

Repeal section 88(2).

9 Section 89 amended (Disallowance of local alcohol policy)

In section 89(1), replace “Once a provisional local alcohol policy has been adopted and ceased to be provisional” with “Once a final local alcohol policy has been adopted”.

10 Section 90 amended (When local alcohol policy is in force)

In section 90(1), replace “Once a provisional local alcohol policy has been adopted and ceased to be provisional” with “Once a final local alcohol policy has been adopted”.

11 Section 105 amended (Criteria for issue of licences)

After section 105(1)(g), insert:

(ga) whether (in its opinion) the current availability of alcohol for sale and supply in the locality is inadequate or insufficient:

(gb) whether (in its opinion) the issue of the licence will benefit the community and not contribute to alcohol-related harm:

12 Section 131 amended (Criteria for renewal)

In section 131(1)(a), delete “paragraphs (a) to (g), (j), and (k) of”.

13 Section 133 replaced (Renewal of licences where relevant local alcohol policy exists)

Replace section 133 with:

133 Renewal of licences where relevant local alcohol policy exists

(1) A licensing authority or licensing committee may refuse to renew a licence if, in its opinion, the renewal of the licence or the consequences of its renewal would be inconsistent with policies, on any or all of the matters set out in paragraphs (a) to (d) of section 77(1), that are contained in any relevant local alcohol policy.

(2) A licensing authority or licensing committee may impose particular conditions on any licence it renews if, in its opinion, the renewal of the licence or the consequences of its renewal without those conditions would be inconsistent with policies, on any or all of the matters set out in paragraphs (e) to (g) of section 77(1), that are contained in any relevant local alcohol policy.

14 Section 135 amended (Decision on renewal)

In section 135(1), delete “, subject to section 133,”.

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15 Section 170 amended (Functions of licensing authority)

Repeal section 170(c).

16 Section 205 repealed (Right of persons to appear in relation to appeal under section 81)

Repeal section 205.

Part 2

Amendments relating to alcohol advertising and sponsorship

17 New Part 4 inserted

After section 396, insert:

Part 4

Prohibitions on alcohol advertising and sponsorship

396A Interpretation

(1) In this Part,—

alcohol product advertisement means any words, whether written, printed, or spoken, including on film, video recording, or other medium, broadcast or telecast, and any pictorial representation, design, or device, used to encourage the use or notify the availability or promote the sale of any alcohol product or to promote the consumption of alcohol; and includes—

- (a) any depiction, in a film, video recording, telecast, or other visual medium, of an alcohol product or an alcohol product trade mark, where in return for that depiction any money is paid, or any valuable thing is given, whether to the maker or producer of that film, video recording, telecast, or visual medium or to any other person; and
- (b) the use in any advertisement or promotion to the public of an alcohol product manufacturer's company name where that name or any part of that name is used as, or is included in, an alcohol product trade mark

broadcast means any transmission of programmes, whether or not encrypted, by radio waves or other means of telecommunication for reception by the public by means of broadcasting receiving apparatus and includes—

- (a) any delayed transmission of programmes; and
- (b) any transmission of programmes streamed on the internet by a broadcaster; and
- (c) any transmission of programmes made on the demand of a particular person for reception only by that person

broadcaster means, subject to **subsection (2)**, a person who broadcasts programmes

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craft means—

- (a) an aircraft:
- (b) a ship (as defined in section 2(1) of the Maritime Transport Act 1994)

large retailer, in relation to a person that is alleged to have committed an offence in a certain accounting period, means a retailer whose total turnover in the prior accounting period exceeded \$50 million (as accounting period and turnover are defined by section 2(1) of the Commerce Act 1986, except that in those definitions body corporate is to be read as any retailer)

organised sports activity means an organised sports activity that is—

- (a) to take place, is taking place, or has taken place, in whole or in part, in New Zealand; and
- (b) to be broadcast

programme—

- (a) means sounds or visual images, or a combination of sounds and visual images, intended—
 - (i) to inform, enlighten, or entertain; or
 - (ii) to promote the interests of any person; or
 - (iii) to promote any product or service; but
- (b) does not include visual images, whether or not combined with sounds, that consist predominantly of alphanumeric text

publish means—

- (a) insert in any newspaper or other periodical publication printed, published, or distributed in New Zealand; or
- (b) send to any person, by post or otherwise; or
- (c) deliver to any person or leave upon premises in the occupation of any person; or
- (d) broadcast; or
- (e) include in any film or video recording; or
- (f) include in any disk for use with a computer; or
- (g) disseminate by means of any other electronic medium; or
- (h) distribute by any means; or
- (i) display by way of a sign, notice, poster, or other means; or
- (j) bring to the notice of the public in New Zealand in any other manner

sporting venue includes a multi-purpose venue used for sports and for other activities

streamed means transmitted over the Internet as a continuous flow of data

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trade mark includes any trade mark whether or not it is registered or registrable as such under the Trade Marks Act 2002; and also includes—

- (a) any brand name;
 - (b) any company name, where that name is used for advertising or promotional purposes;
 - (c) any name, word, or mark that so resembles any trade mark that it is likely to be taken as, or confused with, that trade mark.
- (2) For the purposes of this Part, a person who supplies transmission services to a person who broadcasts programmes is not, by reason only of the provision of those services, a broadcaster within the meaning of this Act unless the person who provides the transmission services is, where the person who broadcasts programmes is a company, in a position to exercise control, either alone or in association with any other person, of—
- (a) the operations of that company; or
 - (b) the management of any broadcasting station operated by that company; or
 - (c) the management of programmes broadcast by that company; or
 - (d) the selection or provision of programmes to be broadcast by that company.

Prohibitions on alcohol advertising

396B Alcohol advertising during broadcast sports activity prohibited

No person may publish in New Zealand, or arrange for any other person to publish in New Zealand, an alcohol product advertisement intended to be broadcast during an organised sports activity.

396C Alcohol advertising at sporting venue during broadcast sports activity prohibited

No person may publish an alcohol product advertisement in, at, or upon a sporting venue during an organised sports activity.

Prohibitions on alcohol sponsorship

396D Alcohol sponsorship of broadcast sports activities prohibited

- (1) No person who is a manufacturer, importer, distributor, or retailer of alcohol may sponsor (within the meaning of **subsection (2)**) an organised sports activity that involves the use, in the name of that activity, or on or through any thing other than an alcohol product, of all or any of the following:
- (a) an alcohol trade mark;
 - (b) all or any part of a company name included in an alcohol trade mark:

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- (c) 1 or more words, logos, colours, shapes, sounds, smells, or other elements of an alcohol product trade mark that, as those 1 or more elements are used in the name, or on or through the thing, are likely to cause a person exposed to the name or thing to believe that the 1 or more elements are used in, on, or through it only or mainly for the purpose of advertising the product.
- (2) A person sponsors an activity for the purposes of **subsection (1)** if, and only if, the person does all or any of the following:
 - (a) organises or promotes, before the activity is to take place, or during the time that it takes place, some or all of the activity;
 - (b) makes, before the activity is to take place, or during or after the time that it takes place, any financial or non-financial contribution towards some or all of the activity;
 - (c) makes, before the activity is to take place, or during or after the time that it takes place, any financial or non-financial contribution to any other person in respect of the organisation or promotion, by that other person, of, or the participation, by that other person, in, some or all of the activity.

396E Alcohol sponsorship of team or player in broadcast sports activity prohibited

- (1) No person may use an alcohol trade mark for the purpose of advertising or identifying to the public—
 - (a) any sports team participating in an organised sports activity; or
 - (b) any person playing as a member of a sports team that is participating in an organised sports activity; or
 - (c) any person participating in an organised sports activity.
- (2) **Subsection (1)** applies despite a person being licensed to use the alcohol trade mark in question for that purpose.

396F Alcohol sponsorship of sports merchandise, uniforms, and equipment in broadcast sports activity prohibited

- (1) No person may use an alcohol trade mark on a non-alcohol article that is—
 - (a) offered for sale or otherwise supplied; and
 - (b) associated with—
 - (i) any sports team participating in an organised sports activity; or
 - (ii) any person playing as a member of a sports team that is participating in an organised sports activity; or
 - (iii) any person participating in an organised sports activity.
- (2) No person may use an alcohol trade mark on a non-alcohol article that is—

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- (a) part of a uniform associated with—
 - (i) any sports team participating in an organised sports activity; or
 - (ii) any person playing as a member of a sports team that is participating in an organised sports activity; or
 - (iii) any person participating in an organised sports activity; or
- (b) an item of sports equipment used by or associated with—
 - (i) any sports team participating in an organised sports activity; or
 - (ii) any person playing as a member of a sports team that is participating in an organised sports activity; or
 - (iii) any person participating in an organised sports activity.
- (3) For the purposes of this section, **non-alcohol article** means an article that is not—
 - (a) an alcohol product; or
 - (b) a package or container in which an alcohol product is sold or shipped.

396G Alcohol sponsorship of sporting venue prohibited

No person may permit the official name of a sporting venue to include all or any of the following:

- (a) an alcohol trade mark:
- (b) all or any part of a company name included in an alcohol trade mark:
- (c) 1 or more words, logos, colours, shapes, sounds, smells, or other elements of an alcohol product trade mark that, as those 1 or more elements are used in the name, or on or through the thing, are likely to cause a person exposed to the name or thing to believe that the 1 or more elements are used in, on, or through it only or mainly for the purpose of advertising the product.

Exemptions

396H Exemptions for participants in certain events

- (1) **Sections 396B to 396G** do not apply to the display, on any craft, of any alcohol product trade mark or the company name of any alcohol product manufacturer, where—
 - (a) that craft is participating in an international race; and
 - (b) the alcohol product manufacturer who manufactures that alcohol product, or whose company name is so displayed, is sponsoring, in whole or in part, the participation of that craft in that race; and
 - (c) New Zealand is a port of call for that race.

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- (2) The Minister may, by notice in writing, grant an exemption from any or all of **sections 396B to 396G** in respect of the promotion of any international craft race where New Zealand is a port of call for that race.
- (3) The Minister may, by notice in writing, grant an exemption from any or all of **sections 396B to 396G** in respect of any participant in an organised sports activity (not being a participant who is a New Zealand resident) for the purpose of allowing that participant to fulfil any obligation imposed on that participant to acknowledge any sponsor (being an obligation incurred before that participant submitted that person's entry for that activity), provided that—
 - (a) the Minister is satisfied that the organised sports activity is of international significance; and
 - (b) any part of that activity is to take place in New Zealand.
- (4) The Minister may grant an exemption under **subsection (2) or subsection (3)** either unconditionally or subject to such conditions as the Minister thinks fit.
- (5) The Minister may from time to time, by notice in writing to the person to whom any exemption is granted under **subsection (2) or subsection (3)**, amend or revoke that exemption.

396I Exemption for multinational sporting events

- (1) In this section, **multinational sporting event** means any sporting event, or any series of sporting events,—
 - (a) in which 3 or more countries are, or will be, represented; and
 - (b) that is being held, or will be held, in 2 or more countries, including New Zealand.
- (2) The Minister may, by notice in writing, grant an exemption from any or all of **sections 396B to 396G** in respect of—
 - (a) the use, in the name of a multinational sporting event, of—
 - (i) an alcohol product trade mark; or
 - (ii) a company name, or any part of a company name, of any manufacturer, importer, or distributor of alcohol products; or
 - (b) the advertisement of—
 - (i) a multinational sporting event; or
 - (ii) the fact that a multinational sporting event is organised or promoted or sponsored, in whole or in part, by any manufacturer, importer, or distributor of alcohol products; or
 - (c) the use, on any article, of—
 - (i) an alcohol product trade mark; or

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- (ii) a company name, or any part of a company name, of any manufacturer, importer, or distributor of alcohol products—
for the purpose of advertising or promoting or identifying to the public—
 - (iii) a multinational sporting event; or
 - (iv) the fact that a multinational sporting event is organised or promoted or sponsored, in whole or in part, by any manufacturer, importer, or distributor of alcohol products.
- (3) The Minister may grant an exemption under **subsection (2)** either unconditionally or subject to such conditions as the Minister thinks fit.

396J Treatment of notices under sections 396H and 396I

A notice given under **section 396H or 396I** must, as soon as practicable after it is given, be—

- (a) published on an Internet site administered by or on behalf of the Ministry of Justice; and
- (b) notified in the *Gazette*.

Offences

396K Offence in respect of alcohol advertising and sponsorship

Every person who contravenes any or all of **sections 396B to 396G** commits an offence and is liable on conviction to,—

- (a) in the case of a manufacturer, an importer, or a distributor, to a fine not exceeding \$600,000; or
- (b) in the case of a large retailer, to a fine not exceeding \$200,000; or
- (c) in any other case, to a fine not exceeding \$50,000.

18 New part heading inserted

Replace the subpart heading and cross-heading above section 397 with:

**Part 5
Other matters**

Regulations

Title: 22-138 Update of Council Delegations

Section: Legal & Risk

Prepared by: Jacinta Bowe – Legal Counsel

Meeting Date: 23 June 2022

Legal: No

Financial: No

Significance: **Low**

Report to COUNCIL for decision

PURPOSE

The purpose of this report is to seek minor amendments to the Council's statutory delegations to staff under the Local Government (Rating) Act 2002 ("LGRA") and the Resource Management Act 1991 ("RMA").

SUMMARY

Council statutory delegations to staff need to be amended to incorporate a new position within the Environmental Services and Protection Hub, and to revoke a delegation which is now redundant due to recent business process improvements.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Council:

1. **Agrees to make the delegations and revocations specified in the Instrument of Delegation in Attachment 1 to this report.**
2. **Agrees the Mayor can sign the Instrument of Delegation in Attachment 1 of this report to confirm the delegations have been made.**

Authorised by:

James Baty - Director Internal Partnerships

Keywords: delegations, update

BACKGROUND

1. Council delegates authority to the Chief Executive and staff to enable administrative efficiency and ensure timeliness in the conduct of Council's daily business activities. Most Acts allow the Chief Executive to sub-delegate her powers to staff. The RMA and LGRA do not allow sub-delegation. Any delegations of the Council's powers to staff must be made directly by the Council.
2. Since the current Instrument of Statutory Delegation was approved in September 2021, the Council's organisation structure has had some minor alterations. This means that the existing delegations need to be updated to ensure there is certainty as to the delegated authority held by persons in newly created positions.

DISCUSSION and OPTIONS

3. An updated Instrument of Statutory Delegation to Chief Executive and Officers is included as **Attachment 1** ("New Instrument of Delegation"). The New Instrument of Delegation reflects minor changes to the existing delegations to officers under the RMA and LGRA, as outlined below. The delegation to the Chief Executive included in that Instrument remains unchanged.

Amendments to RMA delegations

4. In relation to the RMA delegations, the New Instrument of Delegation will allow the newly created position of Principal Advisor, Environmental Services and Protection, to exercise the same statutory powers as the existing position of Resource Consents Team Leader. This will enable greater efficiency in Council's RMA decision-making.

Amendments to LGRA delegations

5. The New Instrument of Delegation will also revoke the delegated authority currently held by the Senior Revenue Officer under the LGRA. This change will assist Council's Revenue Team in ensuring a separation of the roles performing the functions of decision-maker and advisor for rates remission applications.

ASSESSMENT of SIGNIFICANCE

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

Overall Process: Low Significance

This Report: Low Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

Overall Process: Low Significance

This Report: Low Significance

Inconsistency with Council's current strategy and policy

Overall Process: Low Significance

This Report: Low Significance

The effects on all or a large part of the Gisborne district

Overall Process: Low Significance

This Report: Low Significance

The effects on individuals or specific communities

Overall Process: Low Significance

This Report: Low Significance

The level or history of public interest in the matter or issue

Overall Process: Low Significance

This Report: Low Significance

6. The decisions or matters in this report are considered to be of Low significance in accordance with Council's Significance and Engagement Policy.
7. Delegations are an internal operational matter.

TANGATA WHENUA/MĀORI ENGAGEMENT

8. No Tangata Whenua or Māori engagement is required.

COMMUNITY ENGAGEMENT

9. No community engagement is required.

CLIMATE CHANGE – Impacts / Implications

10. There are no implications for climate change.

CONSIDERATIONS

Financial/Budget

11. The financial impact of making the delegations will be negligible.

Legal

12. Council has the power to delegate pursuant to Clauses 32 and 32A of Schedule 7 of the Local Government Act 2002. Exercising the power to delegate will ensure that Council staff have the legal authority necessary to perform their role.

POLICY and PLANNING IMPLICATIONS

13. Updated delegations support the strategic objective of a high performing culture.

RISKS

14. There are no major risks associated with the decision. The risk of not updating the RMA delegations is that decision-making will be unnecessarily delayed by the need to seek approval from staff currently holding the relevant delegations, or the need to seek a Council resolution.

NEXT STEPS

Date	Action/Milestone	Comments
23 June	Mayor to sign the Instrument of Delegation	

ATTACHMENTS

1. Attachment 1 - Council report delegations June 2022 [**22-138.1** - 10 pages]

Instrument of Statutory Delegation

General Delegation to Chief Executive, and Delegation to Officers under Resource Management Act 1991 and Local Government (Rating) Act 2002

By resolution at a meeting on 23 June 2022 the Gisborne District Council:

1. Delegated to its Chief Executive all responsibilities, functions and powers to act on any matter, excluding those matters in respect of which delegation is prohibited by legislation; and
2. Delegated specific powers and functions under the Resource Management Act 1991 (RMA), and the Local Government (Rating) Act 2002 (LGRA), to the officers specified alongside those powers and functions in Schedules 1 and 2 of this Instrument; and
3. Determined not to impose any conditions, limitations, restrictions or prohibitions in the delegations; and
4. Revoked all previous statutory delegations to the Chief Executive, and all delegations to other officers under the RMA and LGRA.

These delegations are made under clauses 32 and 32A of Schedule 7 of the Local Government Act 2002.

For the avoidance of doubt, the delegation to the Chief Executive includes the ability to issue warrants to enforcement officers and to affix the seal.

The General Principles of Delegation set out below apply to these delegations.

General Principles of Delegation

Acting

Functions or powers delegated to holders of an office may be exercised by a person who has been appointed to act in the office.

Changes to team or office name

A specified office or class of office includes an office that carries the same, or substantially the same responsibility as the specified office and is intended to replace, or substantially replace the specified office.

Other parties able to act

The delegation of authority does not prevent another authorised party from exercising the function, power or duty. For example, the Chief Executive may refer a matter to the Council or a Committee for decision.

Non-discretionary duties

The Schedules list only those functions, powers and duties or which involve discretionary decision-making. All staff have authority to perform non-discretionary duties (those not listed) on behalf of the Council, within the general scope of their role.

Expectations

In exercising the delegated authority, the delegates are expected to:

1. act in accordance with their Financial Delegations and within budgetary constraints.
2. comply with Council policies and procedures relating to the exercise of the functions and powers.

For the avoidance of doubt, these expectations are not intended as legal conditions or limitations in the scope of the powers delegated.

Council resolution confirmed by:

Rehette Stoltz

Mayor

Date:

Schedule 1

Delegation to Officers of powers and functions under the Resource Management Act 1991

Key

BSM	Building Services Manager
BTL	Biosecurity Team Leader
CAM	Cultural Activities Manager
CARM	Community Assets and Resources Manager
CCTL	Consents Coordination Team Leader
CM	Consents Manager
CMEM	Compliance Monitoring & Enforcement Manager
CSS	Chief of Strategy and Science
DESP	Director Environmental Services & Protection
DP	Duty Planner
EHTL	Environmental Health Team Leader
EMSM	Environmental Monitoring and Science Manager
FWIM	Four Waters Infrastructure Manager
FWOM	Four Waters Operations Manager
ICM	Integrated Catchments Manager
IRCP	Intermediate Resource Consents Planner
JIM	Journeys Infrastructure Manager
JOM	Journeys Operations Manager
LSM	Liveable Spaces Manager
MCTL	Monitoring and Compliance Team Leader
PA	Principal Advisor, Environmental Services and Protection
PP	Principal Planner
RCTL	Resource Consents Team Leader
SPM	Strategic Planning Manager
SRCP	Senior Resource Consents Planner

Note that the Council has delegated all of the powers and functions listed below to the Chief Executive, in addition to the listed officers.

Section	Summary of function or power	Delegates
s 10(2)	Decision on application for extension of existing use rights	DESP, CM, CMEM, BSM, RCTL, PA, PP
s 34A(1)	Appointment of Hearing Commissioners (not power of delegation)	DESP, CSS (Expectation of consultation with CE)
s 36(5) to (7) and 36AA	Power to set additional charges, provide estimates, and make decisions on non-performance pending payment of charge.	DESP, CSS, SPM, CM, CMEM, RCTL, PA, BSM
s 36AAB	Powers to remit the whole or part of any charge, and to not commence or continue processing resource consent applications or private plan change applications if insufficient money has been paid as required by Council's schedule of charges	DESP, DCL, CSS, SPM, CM, CMEM, RCTL, PA
s 37	Waive requirements or extend time limits.	DESP, CSS, SPM, CM, CMEM, RCTL, PA, BSM, PP, SRCP, IRCP
s 38	Authorisation and warranting of enforcement officers (including ability to affix seal)	DESP
s 41B	Directions to provide evidence within time limits	DESP, CSS, SPM, CM, CMEM, RCTL, PA, PP

s 41C	Directions and requests before hearing	DESP, CSS, SPM, CM, CMEM, RCTL, PA, PP
s 41D	Strike out a submission	DESP, CSS, SPM, CM, CMEM, RCTL, PA, PP
s 42	Order to protect sensitive information	DESP, CM, CMEM, RCTL, PA, BSM, , CSS, SPM, PP
s 42A	Require or commission a report	DESP, CM, CMEM, CSS, SPM, RCTL, PA, BSM
s 42A(5)	Waive requirement to send officer report	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 44A	Local Authority recognition of national environmental standards	DESP, CSS, DESP, SPM, RCTL, PA, PP
s 58	If so directed by a national planning standard, power to amend any planning document.	DESP, CSS
s 80A	Powers and functions relating to the Freshwater Planning Process	CSS, SPM
s 86D(2)	Make application to Environment Court for a rule to have legal effect	DESP, CSS, SPM
s 87BA	Power to decide and give notice on boundary activities	DESP, CM, CMEM CSS, SPM, RCTL, PA, PP
s 87BB	Power to decide and give notice on deemed marginal or temporary permitted activities	DESP, CM, CMEM CSS, SPM, RCTL, PA, PP, BSM
s 87E	Decision to return, decline or grant a request to transfer an application for resource consent or application for a change or cancellation of consent condition to the Environment Court	DESP
s 87F	Prepare a report and suggest conditions to the Environment Court.	DESP, CM, CMEM CSS, SPM, RCTL, PA, PP
s 88	Determine that an application for resource consent is incomplete and provide reasons	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP, SRCP, IRCP, DP, CCTL
s 88H	Power to exclude time periods relating to non-payment of administrative charges	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP, BSM
s 91	Deferral of application pending additional applications	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 91F	Return or continue to process a suspended application	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP, SRCP, IRCP, DP, CCTL
s 92(1)	Requirement for further information from applicant	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP, SRCP
s 92(2)	Commission a report in relation to an application	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 92A	Set time limit for applicants to provide information.	DESP, CM, CMEM, RCTL, PA, BSM, CSS, PP
s 95, ss 95A to 95G	Powers to make all relevant determinations	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP, BSM
s 97(4)	Adopt an earlier closing date	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP

s 99(1) to (3)	Arrange pre-hearing meetings for the purpose of clarifying, mediating or facilitating resolution of any matter or issue.	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 99(4)	The authority to decide if staff who have the power to make a decision on an application may attend and participate in a pre-hearing meeting.	DESP, CM, CMEM, CSS, SPM, RCTL, PA
s 99(8)	Decline to process an application or consider a submission.	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP
s 99A	Powers relating to mediation	DESP, CM, CMEM, CSS, SPM, RCTL, PA
s 100	Determination whether hearing necessary	DESP, CM, CMEM, CSS, SPM, RCTL, PA, BSM
s 101	Fix hearing date, time and place	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP, BSM
s 102(1)	Determination for a joint hearing	DESP, CSS
s 103	Determination not to hold a combined hearing	DESP, CSS
ss 104, 104A to 104D, 105 to 108, 405A, 406, 407, 409	Decisions on applications for resource consents that are not notified, or for which no hearing is to be held.	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP, BSM, SRCP
s 109	Make decisions in relation to bonds or covenants	DESP, CM, CMEM, RCTL, PA, BSM, , CSS, SPM,
s 110	Power to authorise refund of money when activity does not proceed	DESP, CM, CMEM, RCTL, PA, CSS, SPM,
s 114	Decisions relating to notification of decision	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 124	Decision as to whether operations can continue under original resource consent pending determination of replacement consent	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 125	Decision whether to extend period before a resource consent lapses	DESP, CM, CMEM, CSS, SPM, RCTL, PA
s 126	Cancellation of consents unexercised for more than five years	DESP, CM, CMEM, CSS, SPM, RCTL, PA
s 127 & 149Z	Decision on an application to change or cancel a resource consent condition	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP, BSM
s 128 to 132	Initiate, approve and determine review of consent conditions	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP, BSM
s 132(3) & (4)	Determine resource consent should be cancelled.	DESP
s 133A	Correct minor mistakes or defects in a resource consent	DESP, CM, CMEM, BSM, CSS, SPM, RCTL, PA, PP
s 136	Authority to approve transfer of water permits	DESP, CM, CMEM, RCTL, PA, CSS, SPM, PP, BSM
s 137	Authority to approve transfer of discharge permits	DESP, CM, CMEM, RCTL, PA, CSS, SPM, PP, BSM
s 138	Decision to accept or refuse part or full surrender of a resource consent	DESP, CM, CMEM, CSS, SPM, PP
s 138A	Consider special provisions relating to coastal permits for dumping and incineration	DESP, CM, CMEM, RCTL, PA, CSS, SPM, PP

s 139	Issue of certificate of compliance	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP, BSM
s 139A	Issue existing use certificate	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP, BSM
s 142 to 149ZD	All powers and function of the Council in Part 6AA Proposals of National Significance Request Minister call in a matter lodged with the Council	DESP
s 149G	Prepare a report on the key planning issues on a resource consent application that has been called in	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 165D	Refuse to receive an application for a coastal permit	DESP, CM, CMEM, RCTL, PA, CSS, SPM, PP
s 165E(2)	Determination of an application for a coastal permit	DESP
s 165L	Request Minister to approve allocations of authorisations for space	DESP
s 165O	Request Minister to revoke or amend an approval to use a public tender	DESP
ss 165X to 165ZFE	Powers relating to authorisations and applications for coastal permits	No delegation to officers
ss 168A & 149Z	Determine whether to notify notice of requirement for designation	DESP, CM, CMEM, RCTL, PA, BSM,, CSS, SPM, PP
s 169	Process Notice of Requirement to Council.	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 171	Recommendation on Notice of Requirement to Council when:	DESP, CM, CMEM, CSS, SPM, RCTL, PA, PP, BSM
	• No submissions have been received, or	
	• No request is made for a hearing, or	
	• The need for a hearing has been averted by all submitters giving written agreement with conditions of consent proposed, and therefore they no longer want to be heard	
s 174	Appeal decisions on Notices of Requirement (not Councils)	DESP, CSS, CM, SPM
s 176A	Powers in relation to Outline Plan	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
ss 181 & 149Z	Alteration of designation	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 182(5)	Decline to remove part of a designation	DESP, CM, CMEM, RCTL, PA, BSM, PP, CSS, SPM
s 184	Determination that lapsing time for designation can be extended beyond five years	DESP, CM, CMEM, RCTL, PA, BSM, PP, CSS, SPM
s 184a	Determination that lapsing time for Council's own designation can be extended beyond five years	DESP, CM, CMEM, RCTL, PA, BSM, PP, CSS, SPM
s 186(4)	Consent for setting apart of Council held land for work of a network utility operator – (asset management)	DESP, CSS
ss 189A, 190, 191, 149Z	Powers relating to notice of requirement for a heritage order.	DESP, CM, CMEM, RCTL, PA, PP, BSM
s 193	Consent to do anything that would wholly or partly nullify the effect of a heritage order (where Council is the relevant heritage protection authority)	No delegation to officers

s 195A & 149Z	Alter heritage order (applies to both applications to and those by Council)	DESP, CM, CMEM, RCTL, PA, BSM, PP, CSS, SPM
s 198C	Determine request	DESP, CM, CMEM, RCTL, PA, BSM, PP, CSS, SPM
s 198D	Prepare and serve report on requirement	DESP, CSS, SPM, CM
s 198E(4)	File s 274 notice in respect of a notice of motion lodged with the Environment Court	DESP, CSS, SPM, CM
s 198H	Decision to refer a requirement to the Environment Court for decision	DESP, CSS, SPM, CM
s 198J & 198M	Determine requirement; Prepare report and suggested conditions; and Serve submitters	DESP, CSS, SPM, CM
s 198K	Lodge and serve notice of motion and supporting affidavit with the Environment Court	DESP, CSS, SPM, CM
s 205	Authority to make submissions on a proposed water conservation order	DESP, CSS
s 209	Authority to make submissions to the Environment Court on a proposed water conservation order	DESP, CSS
S 217K	Appoint a certifier or auditor	DESP, CM, CSS, EMSM
s 221	Issue, vary or cancel consent notice	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 222	Allowing a bond binding the owner to complete work or make a financial contribution as required by condition of subdivision consent	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 223, 237, 240, 243	Approval or declining of survey plan Issue a certificate that a survey plan has been approved under this s	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 224(c)	Issue a completion certificate that all conditions of a subdivision consent are complied with	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 224(f)	Sign certificate for purpose of s 224(f)	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 226(1)(e)	Issue a certificate confirming allotments are in accordance with provisions of district plans and statutory documents	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 234	Vary or cancel instrument creating esplanade strip	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
s 235	Creation of esplanade strip by agreement	DESP, CM, CMEM, RCTL, PA, BSM,, CSS, SPM, PP
s 237	Approval of survey plans where esplanade reserves or esplanade strips required	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 237B	Agreement to acquire easement for access strip	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 237C	Closure of strips to public	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 237D	Transfer of esplanade reserve to the Crown	CE only
s 237H(2)	Acceptance or objection to registered valuer's determination of compensation	DESP
s 240, 241, 243	Powers relating to conditions as to amalgamation of land and easements	DESP, CM, CMEM, RCTL, PA, BSM, PP
s 245	Approve survey plans for reclamation	DESP, CM, CMEM, BSM, RCTL, PA, PP

s 274	Give notice of intention to become party to proceedings	DESP, CSS (Expectation of consultation with CE)
s 294	Application to Environment Court to order a rehearing of proceedings by the Court	DESP, CSS (Expectation of consultation with CE)
s 299, 300	Initiate and file notice of appeal to High Court	DESP, CSS (Expectation of consultation with CE)
s 308G	Commence proceedings for declaration person/persons in contravention of Part 11A	DESP, CSS (Expectation of consultation with CE)
s 308I	Commence proceedings for damages in the High Court	DESP, CSS (Expectation of consultation with CE)
s 311	Application to Environment Court for declaration	DESP, CSS
s 316	Application to Environment Court for enforcement order	DESP, CMEM
s 320	Application to Environment Court for interim enforcement order	DESP, CMEM
s 325A	Cancellation or change of Abatement Notice	DESP, CMEM, MCTL
s 329	Issue of water shortage directions	DESP, CM, CMEM
s 330	Authority to take preventative or remedial action where adverse environmental effects, or a sudden event likely to cause loss of life, injury or serious damage to property, threatens any public work for which Council has financial responsibility, or any natural or physical resource or areas	DESP, CM, CMEM, RCTL, PA, BSM,, CSS, SPM, DLC, DCL, ICM, FWIM, FWOM, JIM, JOM, CARM, LSM, CAM, MCTL, SRCP
s 331	Seek an enforcement order from Environment Court to recover costs	DESP
s 332	Authorise entry by enforcement officer	DESP, CM, CMEM, CMTL, RCTL, PA, BSM,
s 334	Application for warrant for entry for search	DESP, CM, CMEM, RCTL, PA, BSM, CMTL, Enforcement Officers
s 336(2)	Determination on return of property seized under ss 323 and 328	DESP, CM, CMEM, MCTL, EHTL
s 338	Decide whether to commence a prosecution for an offence	DESP, CMEM (Expectation of consultation with CE)
s 343C	Decide whether or not to commence proceedings for an infringement offence	DESP, CMEM
s 353	Extension of period fixed	DESP, CM, CMEM, RCTL, PA, BSM,, CSS, SPM
s 355	Application for vesting of reclaimed land in Council	DESP, CSS
s 357 & 357D	Authority to consider any objection to an officer's decision when the objection can be wholly upheld or agreement is reached with applicant on partial upholding of the objection.	DESP, CM, CMEM, BSM, RCTL, PA
s 388	Request for information regarding exercise of resource consent	DESP, CM, CMEM, RCTL, PA, BSM, CSS, SPM, PP
1st sch cl 3	Determining who to consult	CSS, SPM
1st sch cl 4	Respond as to whether the Council requires the designation to be included in that district's proposed plan, with or without modification.	CSS, SPM
1st sch cl 4a	Power to provide copies of planning documents to iwi and determine time for advice	CSS, SPM
1st sch cl 6	Make a submission	CSS, SPM

1st sch cl 5, 5A and 11	Determining which persons are directly affected and so need to be notified	CSS, SPM
1st sch cl 7	Power to summarise submissions made in respect of a policy statement or plan or a change or variation thereto.	CSS, SPM
1st sch cl 8	Make a further submission	CSS, SPM
1st sch cl 8AA	Resolution of disputes	CSS, SPM
1st sch cl 10A	Power to apply for extension of time if local authority is unable, or likely to be unable, to meet decision making obligations under Clause 10(4)(a)	CSS, SPM
1st sch cl 11	Power to decide which landowners or occupiers are directly affected by the Council's decisions under Clause 9(2).	CSS, SPM
1st sch cl 16	Minor amendment of proposed policy statement or plan	CSS, SPM
1st sch cl 20A	Minor correction of operative policy statement or plan	CSS, SPM
1st sch cl 23	Requirement to provide further information and commissioning of reports (private plan changes)	CSS, SPM
1st sch cl 24	Modify request for plan change	CSS, SPM
1st sch cl 32	Power to certify as correct material incorporated by reference into plan following decision	CSS, SPM
1st sch cl 43, 45, and 49	Power to give public notice if Council decides to establish a collaborative group and to notify any report from a collaborative group, and any proposed planning instrument as determined under clause 46.	CSS, SPM
1st sch cl 57	Power to publicly notify a local authority decision	CSS, SPM
1st sch cl 64	Power to establish a review panel to consider submissions arising from a collaborative planning process.	CSS
1st sch cl 88 and 90	Power to publicly notify Minister's decisions under the streamlined planning process	CSS, SPM
Regional Plan	Powers and functions relating to Farm Environment Plans	DESP, CM, CSS, EMSM

Schedule 2

Delegation to Officers under the Local Government (Rating) Act 2002

Key

CFO	Chief Financial Officer
FM	Finance Manager
RTL	Revenue Team Leader
RA	Revenue Accountant

Note that the Council has delegated all of the powers and functions listed below to the Chief Executive, in addition to the listed officers.

Section	Summary of function or power	Delegates
s 28(3)	Determine a fee for being supplied a copy of Rating Information Database data.	CFO, FM, RTL
s 63	Power to commence court proceedings for the recovery of rates that are in default	CE only
s 67	Power to commence rating sale or lease provisions	CE only
s 72	Consent to sell or lease by private treaty.	CE only
ss 77 to 83	Powers relating to the sale of abandoned land	CE only
s 85	Remit rates	CFO, FM, RTL, RA
s 87	Postpone requirement to pay rates	CFO, FM, RTL, RA
s 90(1) and (4)	Register a notice of charge or notice of release of charge on a rating unit if requirement to pay rates has been postponed under s 87(1)	CE only
ss 99 and 108	Apply to the Maori Land Court to obtain a charging order to administer the land for the purpose of recovering the rates. Conditional on consultation with the Chief Executive.	CE only
s 114	Remit rates on Maori freehold land	CFO, FM, RTL, RA
S 114A	Remit rates on Māori freehold land under development	CFO, FM, RTL
s 115	Postpone requirement to pay rates on Maori freehold land	CFO, FM, RTL, RA
s 117N(2)	Power to cancel election for lump sum contribution payment or recover amount owing in a situation of late or non-payment	CFO, FM, RTL
s 135	Power to sign documents as correct copies for legal proceedings.	CFO, FM, RTL

12. Reports of the Chief Executive and Staff for INFORMATION



22-135

Title: Chief Executive Activity Report June 2022
Section: Chief Executive's Office
Prepared by: Theresa Zame - Planning and Performance Advisor
Meeting Date: Thursday 23 June 2022

Legal: No	Financial: Yes	Significance: Low
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Report to COUNCIL for information

PURPOSE

The purpose of this report is to provide elected members with an update of Council activities from March – May 2022.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Council:

1. **Notes the contents of this report.**

Authorised by:

Nedine Thatcher Swann - Chief Executive

Keywords: list of keywords,

ATTACHMENTS

1. Attachment 1 - CE Report for Council - June 2022 [**22-135.1** - 32 pages]



Chief Executive's Report on Council Activities

June 2022

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INTRODUCTION FROM THE CHIEF EXECUTIVE

Kia ora koutou

This report provides high-level updates of Council activities from March through to May 2022, and further provides elected members with an opportunity to discuss progress on Council activities.

Over the last three months the region has dealt with community transmission of COVID-19 and a surge in positive cases. We expect COVID-19 will continue to be present within our workplaces and communities for the foreseeable future. The shift to getting the country operating again with less constraints has allowed direct engagement with stakeholders and community groups to resume. COVID-19 continues to be a key factor in GDC's approach to health and safety and we are continuing to adapt COVID-19 guidance based on public health advice, completing a review of our risk assessment and supporting affected staff working from home.



The Government's Three Waters Reform is continuing at pace. The latest milestone is the release of the Water Services Bill for consultation on June 2, which includes a number of recommendations to government from the March Working Group to strengthen governance, representation and accountability for local communities. A separate report on this Council agenda provides an opportunity for Councillors to consider the content of a submission on the Bill. The Government has also started to establish a Local Transition Team for each Water Services Entity to guide the shape and initial functioning of the new entities.

We remain engaged with the Ministry for the Environment, regional sector special interest groups, Taituarā and Local Government New Zealand to stay updated on the Government's Resource Management Reforms, the next stage of which will be the introduction of the full Natural and Built Environments Bill and the Spatial Planning Bill to Parliament later this year.

March and April saw significant adverse weather events with a Civil Defence emergency brought about by a week of constant rain that exceeded one in 100-year levels in late March, followed only two weeks later by a cyclone. The district suffered heavy damage, including to private property and community facilities, as well as roading and bridge infrastructure leading to several coastal communities becoming isolated. Recovery efforts, in partnership with a number of local and central government agencies, are ongoing.

Our journey towards being a better Treaty partner continues to gather momentum and has now progressed into the next phase. Following the tangata whenua/Council partnership hui on May 10 it was decided that a steering group would be formed to advance the establishment of a co-governance forum. The TRMP review will most likely be a foundational focus for that co-governance group with the scope to include other work as shared priorities are defined.

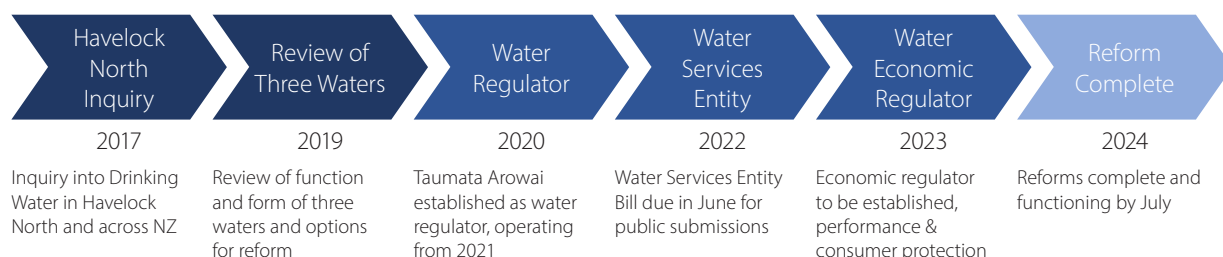
Ngā mihinui

Nedine

2 CENTRAL GOVERNMENT UPDATES

THREE WATERS REFORM

Government continues to make steady progress on its three waters reform programme and is nearing the next major milestone – to enact legislation establishing four super-regional Water Services Entities to manage the delivery of three waters services in Aotearoa New Zealand.



Water Services Entity Bill

In March 2022, a Working Group, comprised of councils and iwi, presented 47 recommendations to government to strengthen governance, representation and accountability for local communities. (Refer Council report 22-83 for a discussion of the Working Group recommendations).

The key recommendations were around:

- protecting public ownership of three waters assets by establishing a public shareholding structure where councils hold shares on behalf of their communities (one per 50,000 rounded up) and require unanimous support to divest major assets.
- strengthening representation and accountability for strategic three waters decisions through bolstering the role of the Regional Representative Group (RRG) and ensuring each Water Services Entity has the flexibility to decide its own arrangements.

Government has agreed in principle with the majority of the Working Group recommendations (including those above) and committed to including them into the final Water Services Bill (the Bill) that was released for consultation on 2 June 2022.

Report 22-145 provides detail on the Bill and the opportunity for Councillors to consider the content of a submission on the Bill.

Funding

Government has two packages of funding for councils to support Three Waters Reform:

- Better Off Funding of \$28m (where \$7m is available in 2022 and the remainder in 2024 for Tairāwhiti) so councils can carry out key projects that support government's agenda around regional resilience, urban growth and place-making – Tranche 1 applications close in September 2022
- No Worse Off Funding (\$7m for Tairāwhiti) to ensure councils are no worse off from the reforms.

Staff will provide a full report for decision to Council at a later date. This will include proposed priority projects and any contractual fishhooks.

Government is in the process of identifying further funding arrangements to support the transition of functions to the new Water Services Entities.

It is important to note that legal advice from Local Government New Zealand and advice from government directly has stated that accessing the funding does not preclude councils from taking an opposition stance to the reform process.

There is also He Pukenga Wai funding available to support iwi to participate in the Three Waters programme with the first round open now and offering up to \$18,000 per annum to mandated iwi authorities. Further funding is to be announced in the future.

Local Transition Teams

Government has started to establish a Local Transition Team (LTT) for each Water Services Entity to guide the shape and initial functioning of the new entities. The Chief Executive will represent Council in the LTT for Entity C. The first steps will be to develop a clear terms of reference and working arrangements between councils.

RESOURCE MANAGEMENT REFORM

The Ministry for the Environment (MfE) concluded its latest round of engagement on reform of the resource management system in February 2022. LGNZ is running a series of monthly webinars on resource management reform specifically for councillors. The first session was held on 14 June 2022.

Ministers have made the significant decisions on the shape of the RM reform and delegated other decisions to specific Ministers. Officials are preparing for the introduction of the full Natural and Built Environments Bill and the Spatial Planning Bill to Parliament later this year.

Submitting on the Bills is the next opportunity for the local government sector to have input. However, MfE is continuing to work with the Local Government Steering Group (LGSG) and a group of senior local government practitioners (including a representative from Gisborne District Council) to test policy as it is developed.

The Transition and Implementation work programme is engaging with local government through the LGSG, and some detailed matters are also being worked through with some senior local government practitioners. Staff expect further communication regarding the model region project this month.

ENVIRONMENT AOTEAROA 2022

The Ministry for the Environment (MfE) and Statistics New Zealand (Stats NZ) report on the state of Aotearoa New Zealand's environment every three years.

[Environment Aotearoa 2022](#), published in April 2022, integrates mātauranga Māori, qualitative data, economics and scientific literature to report on the health of our environment.

The report uses Te Kāhui o Matariki as its guiding framework, with each star in the cluster representing an environmental domain and how it connects to our well-being. Some of the domains covered include Tupuānuku (land and soil), Tupuārangi (biodiversity and land ecosystems), Waiti (freshwater), Waitā (marine), Waipunarangi (rain and frosts) and Ururangi (air, winds and sky).

Environment Aotearoa 2022 puts environmental change in the context of our lives as individuals, whānau, and communities. It explores how our values and actions place pressure on the environment, the impact of environmental change on the well-being of people and communities, and the state and condition of the environment.

While the environmental indicators have not registered much change since 2019, the report highlights several key findings related to ongoing pressures on species and ecosystems, loss of productive land, impacts on fresh and coastal waters, and climate change.

Te Tairāwhiti is referenced for having the highest levels of sediment movement into waterways in the North Island (40 million tonnes/year). The region was also noted for increases in extreme winds, and native forest area net change between 2012 and 2018.

WASTE LEGISLATION AND STRATEGY UNDER DEVELOPMENT

There is a lot of [work](#) happening in 'waste' across a variety of issues.

A new Aotearoa New Zealand Waste Strategy is expected to be in place soon. New legislation is expected to go through the House in 2023 to have a more comprehensive approach to the regulation of the management of waste, and products and materials circulating in our economy. The new legislation would replace the Waste Minimisation Act 2008 and the Litter Act 1979.

No decisions on the [proposed product stewardship regulations for tyres and large batteries](#) have been announced.

Government recently consulted on [three proposals](#) to transform recycling in New Zealand:

- Container return scheme
- Improvements to kerbside recycling
- Separation of business food waste

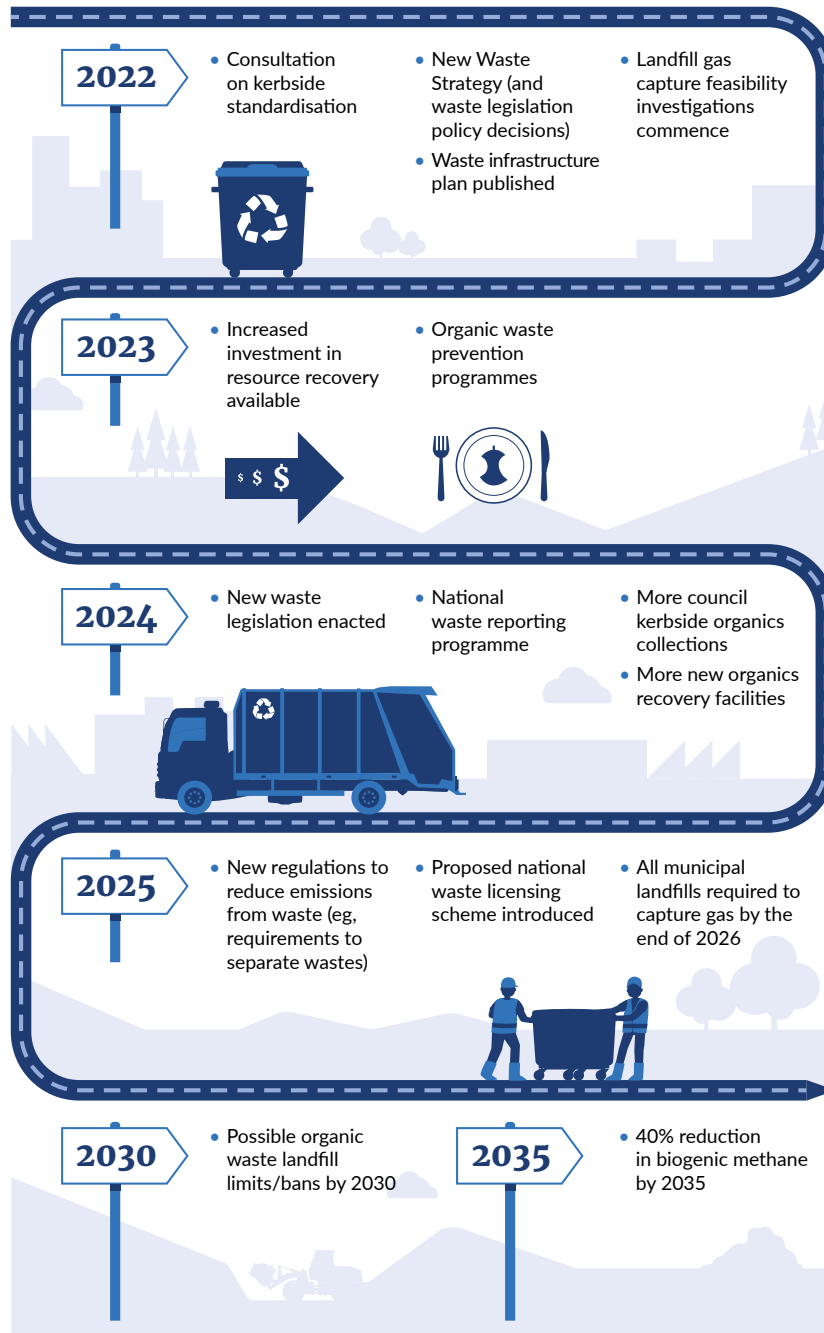
The proposed improvements to kerbside recycling included:

1. Core proposals
 - a. Collect a standard set of materials in household kerbside recycling across New Zealand.
 - b. Provide urban households with food scraps collections.
2. Supporting proposals
 - a. Require reporting for both council and private-sector household kerbside collections.
 - b. Set councils a minimum baseline performance and a high achieving target for household kerbside diversion.
 - c. Consider requiring the separation of glass or cardboard and paper.
 - d. Require all councils to provide a kerbside dry recycling collection to urban households.

If these proposals are adopted, Council will have new requirements for kerbside recycling services. These requirements align with work Council is already doing to reduce the amount of waste heading to landfill.

More information on the proposals is on the [MfE website](#).

The [National Emissions Reduction Plan](#) was released recently and includes a focus on waste and several actions around waste and circular economy.



OTHER NATIONAL DIRECTION INSTRUMENTS

This table provides a list of resource management matters the Government is developing national direction on.

NATIONAL DIRECTION INSTRUMENT	LEAD AGENCY	COMMENT	STATUS
Natural and Built Environment Bill	Environment Select Committee	First of two Bills giving effect to RMA reform. This focuses the setting of environmental limits, environmental and land use planning, and the governance of those activities.	Bill into House 3rd quarter 2022 (September 2022)
Strategic Planning Bill	Environment Select Committee	Second of two Bills giving effect to RMA reforms. This one focuses on regional spatial strategies and the governance of these activities	Bill into House 3rd quarter 2022 (September 2022)
National Direction on industrial greenhouse gas emission	Ministry for the Environment (MfE) and Ministry of Business, Innovation and Employment (MBIE)	The proposals include banning new low and medium temperature coal boilers, phasing out coal in existing sites by 2037 for low and medium temperature process heat, and requiring some industrial sites to have emission reduction plans.	Officials intend to seek approval to release exposure drafts for consultation in the second half of 2022 to test the workability of the provisions, before seeking final Cabinet approval to gazette the national direction later this year.
Proposed National Policy Statement for Highly Productive Land (NPS-HPL)	Ministry for Primary Industries (MPI) with support from Ministry for the Environment (MfE)	The proposed NPS-HPL aims to improve the way highly productive land is managed under the Resource Management Act 1991	Officials undertook further targeted engagement in April 2022 to test possible amendments in relation to mapping, activities to be provided for on specified Māori land and involvement of tangata whenua. Officials are currently refining the policy based on the discussions and feedback from these workshops. We expect final advice will be provided to the Cabinet in mid-2022 and the NPS-HPL to take effect in August/September 2022.
Proposed National Policy Statement for Indigenous Biodiversity (NPS-IB)	MfE with support from Department of Conservation (DoC)	The Government is proposing an NPS-IB. This builds on a draft created by the Biodiversity Collaborative Group	An exposure draft of the NPSIB will be released in June 2022. The exposure draft responds to feedback from submissions and hui and will help test the workability of updated proposals. A final NPS is expected by the end of 2022.

NATIONAL DIRECTION INSTRUMENT	LEAD AGENCY	COMMENT	STATUS
National Environmental Standards for Plantation Forestry (NES-PF)	MfE with support from MPI	Officials are considering changes to the NES-PF. Matters under consideration are expanding the scope to include permanent exotic forest; whether rules and policies around the location of permanent carbon forests are required; and implementing the year one review findings on aligning the NES-PF with the NPS-Freshwater, sediment management and other aspects.	Targeted engagement currently underway. Timeframes to be confirmed.
Freshwater Farm Plan regulations	MfE supported by MPI	MfE consultation on freshwater farm plans ran from July until late October 2021. MfE officials are working with regional councils on the system design. Commitment from MPI/MfE to involve the sector in the drafting process.	<p>A regional sector implementation group has been stood up to help determine what sector needs to be ready come 2023; and to prioritise where MfE should provide support to the sector to deliver.</p> <p>Timeframe for 2022:</p> <ul style="list-style-type: none"> • Drafting regulations July-Oct/Nov 2022 • Exposure draft Oct/Nov 2022. • Regulations finalised in late 2022/early 2023.
Resource Management (Infringement Offences) Regulations	MfE	The review focuses on infringement fees payable now that the primary regulation been amended to allow for higher fees.	MfE expects to release a consultation document in August, with amended regulations finalised and gazetted early in 2023.

SUPPORTING SUSTAINABLE FREEDOM CAMPING IN AOTEAROA

On 30 November 2021, the Minister of Tourism announced substantial changes to freedom camping in New Zealand.

They will have an impact on what vehicles can be certified as self-contained, how certification will be undertaken and where uncertified vehicles can be used for freedom camping. A detailed summary of these changes along with useful FAQ's can be found on the Ministry of Business Innovation and Employment's [website](#). While no specific dates are available, MBE's website states the legislation will be active for the 2022-23 summer season, with a phased introduction over the next several years.

HEALTH (FLUORIDATION OF DRINKING WATER) AMENDMENT BILL

In 2016, Cabinet agreed to proposed legislative changes to allow district health boards (DHBs) to direct local authorities to fluoridate community water supplies in their areas. After the announcement of the review of the health system, the bill was amended so the power lies with the director-general of health, instead of DHBs.

The proposed Health (Fluoridation of Drinking Water) Amendment Bill was introduced into the House to implement these changes. The Bill passed its third reading and received royal assent on 15 November¹. Changes to the Health Act come into force on 13 December 2021. Consultation with the local authority is required before the Director General directs a local authority to add fluoride to drinking water.

3 LOCAL GOVERNMENT AND POLICY UPDATES

UPDATE ON TE WHĀNAU A KAI APPEAL ON PROPOSED REGIONAL FRESHWATER PLAN

The High Court hearing on the appeal made by Te Whānau a Kai against the Environment Court decision on the Regional Freshwater Plan was held on 4 and 5 April 2022.

Te Whānau a Kai argued that the Environment Court had erred in law by not including provisions in the Freshwater Plan that:

- Directly recognise that Te Whānau a Kai has native title over the freshwater resources in its rohe.
- Would specifically require the council to provide funding to Te Whānau a Kai.

At the hearing, counsel for Te Whānau a Kai framed the argument as being about 'proprietary rights' in a very broad and general sense, rather than particularly about native title over waterways.

Counsel for Te Whānau a Kai made very little reference to native title, which was significant because the native title reference in the Environment Court was the most problematic part of Te Whānau a Kai's case for the Council and the Court.

Our legal counsel emphasised the core elements of the case at the Environment Court, including:

- Te Whānau a Kai was seeking specific recognition of its claimed native title over waterways.
- The RMA does not allow for planning instruments to recognise and provide for proprietary interests including native title.
- The RMA does not allow for planning instruments to require the Council to provide specific funding, with funding being a matter for Local Government Act processes.

The Attorney-General joined the appeal as an 'intervener' given the implications of any finding that planning instruments could recognise native title rights in freshwater. Counsel for the Attorney-General gave submissions that supported the Council's case.

Justice Grice listened carefully to the legal submissions for all parties. It is difficult to predict how long it will take to receive a decision, but the High Court does have an expectation that most decisions will be made within three months after the substantive hearing.

TE AROTAKE I TE ANAMATA MŌ NGĀ KAUNIHERA | THE FUTURE FOR LOCAL GOVERNMENT REVIEW

Broader public engagement, alongside research and policy development, is now underway.

Key dates are:

Late 2022 (date tbc)	Report to the Minister of Local Government with draft findings and recommendations.
Late 2022/2023	Public consultation on draft recommendations.
30 April 2023	Review panel presents final report to the Minister of Local Government.

CLIMATE CHANGE

Consultation on Options to Price Agricultural Sector Emissions

Late in April 2022, Government released the [draft National Adaptation Plan \(NAP\)](#) and initial thoughts on [managed retreat](#) for consultation. The draft NAP captures current/ongoing and planned measures to manage the climate change risks New Zealand faces, with an immediate focus on 10 of the 43 priority risks identified by the first [National Climate Change Risk Assessment \(NCCRA\)](#). The document on managed retreat summarises Government's initial thoughts on managing the complex governance and funding issues associated with managed retreat, and seeks public feedback on costs, risks, and roles of multiple stakeholders in managed retreat. Staff worked on a submission on the draft NAP and managed retreat document, which was presented to Council for approval [Report 22-112].

National Emissions Reduction Plan and Emissions Budget

In May 2022, Government announced New Zealand's [first set of emissions budgets](#) for 2022-2025 (290 mega tonnes), 2026-2030 (205 mega tonnes), and 2031-2035 (240 mega tonnes). These mean that the national average emissions for 2022-2025 must stay around 72.4 mega tonnes; 61 mega tonnes for 2026-2030; and 48 mega tonnes for 2031-2035.

Government also recently released the national [Emissions Reduction Plan \(ERP\)](#) for meeting the first emissions budget (2022-2025) and building momentum to meet New Zealand's long-term emissions reduction targets. The ERP contains actions, ongoing and proposed policies for emissions reduction across all sectors of the economy. Staff are working to understand specific roles and impacts on Council, and how we align our organisational ERP with Government's climate goals.

Work Programme Updates

Regional Climate Change Risk Assessment — Work on the Tairāwhiti Climate Change Risk Assessment (TCCRA) started in May. This is a key piece of work in our climate change work programme, and a fundamental step for our regional climate change adaptation planning. Tonkin & Taylor have been contracted deliver the TCCRA. Staff will update Council on the progress of this work.

Our Climate Change Roadmap — Staff have progressed the development of our climate change roadmap. This is a high-level document that captures the critical milestones and timeframes for Council's organisational climate change action and how we support regional climate action. A decision report will go to the Sustainable Committee meeting in July 2022.

Organisational Emissions Reduction Plan — Staff have worked with MyImprint to map out emissions reduction actions across Council's entire organisational chain. Staff will provide an update to the Sustainable Committee meeting in July 2022 to coincide with the decision on our climate change roadmap to 2050.

GAMBLING VENUE POLICY 2019 REVIEW

Council's draft Gambling Venue Policy 2022 was adopted for consultation on 27 January (Report 22-23). Consultation occurred between 17 February and 17 March 2022. Twenty-eight (28) submissions were received. The majority of which were supportive of Council's proposals.

The Regulatory Hearings Committee met on 19 May where eight submitters made presentations. The Committee recommendations scheduled for Council consideration on 23 June 2022.

DOG CONTROL POLICY AND BYLAW REVIEW 2010

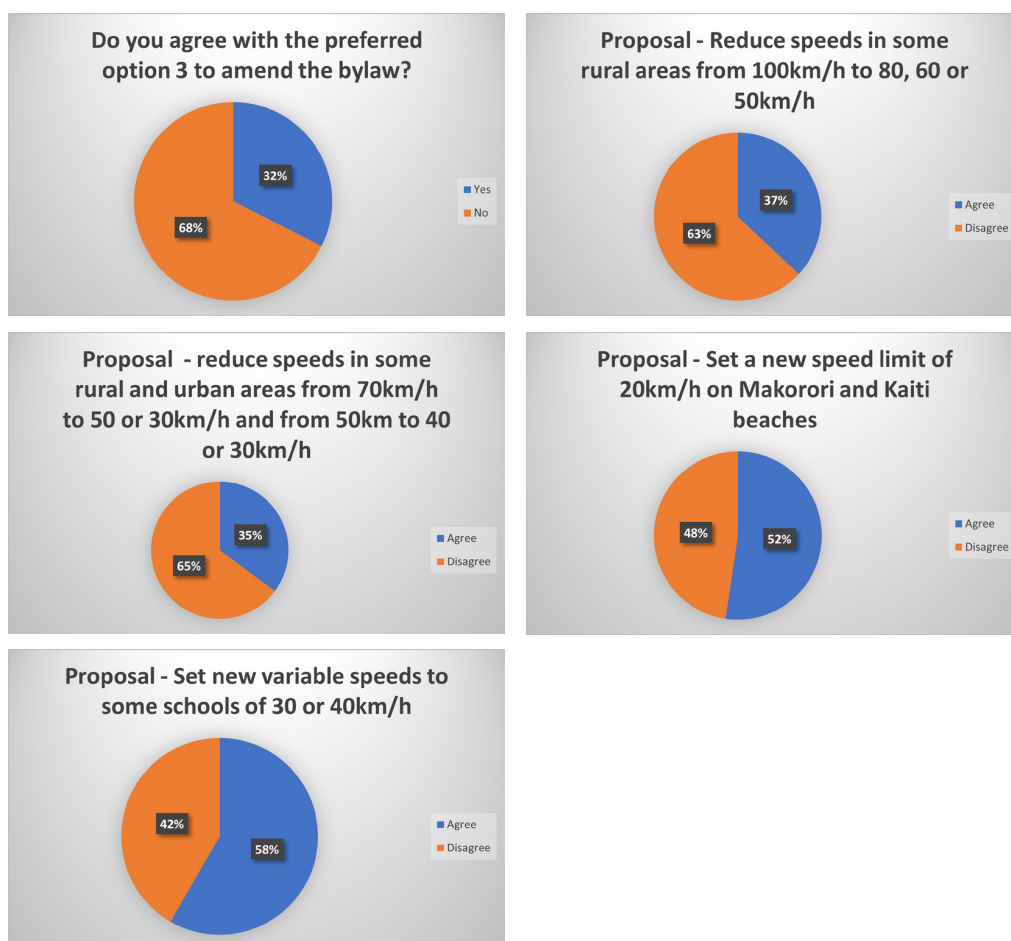
At its 28 October 2021 meeting, Sustainable Tairāwhiti approved review of Council's Dog Control Policy and Bylaw 2010. Staff review and discussions with stakeholders found the current policy and bylaw were compliant with the legislation and largely effective at meeting Council's objectives.

A new draft Dog Control Policy and Bylaw is being developed in line with Council's feedback and is scheduled to be considered for adoption and consultation following the local government elections.

REGIONAL SPEED MANAGEMENT PLAN

Consultation on the region's amended 2013 Speed Limit Bylaw was carried out from 6 April till 9 May 2022. Media coverage ranged across various local radio networks, social media and the Gisborne Herald. 152 submissions were received via the submission form made available on the GDC website. The 3 Facebook posts had a total reach of 30,073, with 6,069 engaging, 357 reactions, 418 comments, and 30 shares.

Speed Limits to schools and beaches gained majority support with themes from comments mainly around increasing safety and modeshift. Although the lower speeds proposed in rural and urban areas did not gain majority support there was a 15% improvement on the engagement results from last year on the broader brush approach. Comment themes were similar to those at engagement. The most common theme being for council to just 'fix the roads' instead. New themes from comments included the potential for lower speeds to increase living costs, lower productivity and slow growth with congestion, making more separated cycleways instead, a preference for no vehicles on beaches, and people feeling there weren't enough walkers and cyclists to warrant the changes. There was also a level of awareness of the 'Road to Zero' marketing campaign by Waka Kotahi although mainly with scepticism about it.



Several additional locations were requested for speed reductions to be included. A full report on the consultation analysis with recommendations is currently being drafted for the hearings committee on 29 June 2022.

REPRESENTATION REVIEW

On 7 April 2022 the Local Government Commission (the Commission) announced its decision on the Gisborne District Council's membership and representation arrangements for the 2022 and 2025 local authority elections.

The Commission determined under Section 19R of the Local Electoral Act 2001 that for the election of the Gisborne District Council to be held on 8 October 2022 the following representation arrangements will apply:

- a. Gisborne District, as delineated on Plan LG-028-2022-W-1 deposited with the Local Government Commission, will be divided into two wards.
- b. Those two wards will be:
 - (i) the Tairāwhiti General Ward, comprising the area delineated on Plan LG028-2022-W-2 deposited with the Local Government Commission
 - (ii) the Tairāwhiti Māori Ward, comprising the area delineated on Plan LG028-2022-W-3 deposited with the Local Government Commission.
- c. The Council will comprise the Mayor and 13 Councillors elected as follows:
 - (i) 8 councillors elected by the electors of the Tairāwhiti General Ward
 - (ii) 5 councillors elected by the electors of the Tairāwhiti Māori Ward.

As required by Section 19T(b) of the Local Electoral Act 2001, the boundaries of the above wards coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

TAIRĀWHITI REGIONAL SKILLS LEADERSHIP GROUP

The Tairāwhiti CARE Regional Skills Leadership Group (CARE-RSLG) of which Council staff are members, has been established to identify and support better ways of meeting future skills and workforce needs in our region.

This group is one of 15 Regional Skills Leadership Groups (RSLGs) in Aotearoa, set up by the Government to be part of a joined-up approach to labour market planning which will see our workforce, education and immigration systems working together to better meet the differing skills needs across the country.

The designation of CARE as the RSLG for Tairāwhiti recognises that CARE is the regional umbrella for all workforce matters in Tairāwhiti and the RSLG is a subset of CARE. CARE is the Tairāwhiti Regional Workforce forum and is a part of the Rau Tipu Rau Ora regional infrastructure, established to promote and deliver regional priorities.

CARE-RSLG are working towards producing the next Regional Workforce Plan (RWP), the initial sectors of focus are Vertical Construction, Manufacturing and Digital, and Technology with consideration of support for NEETs and the impacts of COVID-19.

As part of the development of their initial Regional Workforce Plan, the group has outlined the focus areas for the plan in our region.

GISBORNE RAIL REINSTATEMENT ASSESSMENT

A noting report was provided to Sustainable Tairāwhiti Committee on 2 June (22-136) providing the final assessment paper submitted to Ministers on 25 May. The updated Assessment Report on the potential reopening of the Napier to Gisborne Rail Line was developed by an independent team of consultants. Commissioned jointly by Gisborne District Council and Hawke's Bay Regional Council, the report serves to provide Ministers with information to make a decision on whether to fund and proceed to a detailed business case on:

- the work and associated investment required to reinstate/reopen the line from Wairoa to Gisborne; and
- to assess any works needed for greater resilience of the reinstated Napier to Wairoa line;
- or to declare the Wairoa to Gisborne line closed and lift the rail designation.

The Project Group are awaiting a response from Ministers for a decision or to undertake further discussion. If the proposal is successful in moving to a next stage business case a working group with a wide membership of iwi/hapū and stakeholders will be established for engaging in its development.

4 CIVIL DEFENCE UPDATES

COVID-19

The national COVID-19 strategy now reflects there will be community transmission of COVID-19, with risks to vulnerable communities and pressure on the health system. As such, Tairāwhiti Hauora remain the lead agency for clinical management of COVID-19 which still has the Takatu Hub providing the welfare and manaaki support.

COVID-19 will continue to be present within workplaces and communities for the foreseeable future. The shift to getting the country operating again without the restrictive constraints is allowing for direct engagement with stakeholders and community groups to resume.

TAIRĀWHITI SEVERE WEATHER EVENT

23 March to 1 April 2022 (nine day) Severe Weather Event (Declared Event):

On 23 March 2022 heavy rain and flooding occurred when a subtropical low to the northeast of the North Island dumped rain that exceed the one in 100-year levels across the entire Tairāwhiti region, for over a week (nine days). Intense rain fell at high elevation, running down the slopes of the ranges and filling up rivers and streams which spilled their banks and flooded low-lying areas. Many houses and tracts of rural land were damaged, and a considerable number of roads were either closed or had limited access, because of slips, washouts and rock falls. Bridge infrastructure failures, particularly on State Highway 35, isolated several communities, particularly on the coast. Around day 9 of the event, flooding was concentrated around the communities of Te Puia Springs, Tokomaru Bay, Tolaga Bay and Anaura Bay. This severe weather event compounded the impacts of the last significant rain events of June 2021 and November 2021. With an active COVID-19 pandemic response underway in the region, this added complexity for response planning as the severe weather coincided with what is considered the peak of the Omicron outbreak in Tairāwhiti.

13-14 April 2022 Cyclone FILI:

Following closely on the previous severe weather event, another weather system brought further heavy rain and gale force wind across the Tairāwhiti region as ex-tropical Cyclone Fili hurtled towards the East Coast of the North Island. A 'red warning' was issued by Met Service for the region that included "heavy rain and severe gales" and "very large waves and coastal inundation". The impact of this weather system created dangerous river conditions and significant flooding in some areas. Slips and floodwaters disrupted travel with some roads becoming impassable resulting in communities being isolated. The high winds resulted in several households having to deal with power outages in some parts of the region.

CDEM REGULATORY FRAMEWORK REVIEW PROGRAMME UPDATE

The enactment of new CDEM legislation will be delayed allowing more time for policy development and for local government participation in both policy development and the Select Committee process. There are a number of other substantial reforms affecting local government in play currently. The Bill will be introduced after the local government elections in 2022 with select committee hearings expected in early 2023

Programme elements	Q1 2022	Q2 2022	Q3 2022	Q4 2022	Q1 2023
Enact new legislation	Engagement on Bill content			Call for submissions	Select committee hearing
Review National CDEM Plan	CDEM Group Managers coordinating local feedback into CDEM Plan review.				
Map NDRS implementation	Engagement on development of roadmap				

5 RELATIONSHIPS

TREATY RESPONSIBILITIES PILOT PROGRAMME

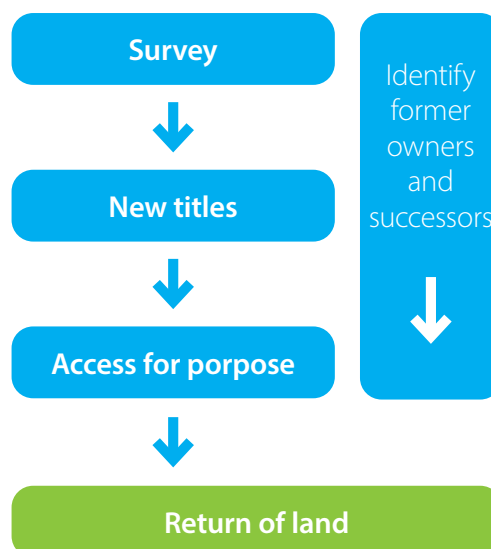
This work has now progressed into the next phase. Following the tangata whenua/Council partnership hui on May 10 it was decided that a steering group would be formed to advance the establishment of a co-governance forum.

The TRMP review will most likely be a foundational focus for that co-governance group with the scope to include other work as shared priorities are defined. A desired state of co-governance was presented by tangata whenua which focused on a response to the RMA reforms. This will be worked through along with other shared priorities.

This update can now be renamed 'co-governance with tangata whenua' to reflect the change in scope.

POTENTIAL JOINT MANAGEMENT AGREEMENT/MOU WITH NGĀ HAPŪ O TOKOMARU ĀKAU

Council issued its statement of intent to pursue the return of land to all affected parties on 9 May 2022. A process will be developed which is likely to involve the following steps:



The High Court case to determine mandate between applicant groups in Tokomaru Bay is scheduled for September 2022. The outcome of this case will determine who Council progresses these conversations with.

TE KAHUI PATU KAIKIRI | ANTI RACISM WORKING GROUP

For several reasons, the group has not met for over 12 months. In that time a large amount of related work has been undertaken through the Chief Advisor Culture & Development role and Māori Responsiveness team.

Options have been prepared for the ARWG to consider and decide in what capacity the group would like to operate moving forward.

JOINT MANAGEMENT AGREEMENT FORUM (JMAF)

The project team (consisting of Ngāti Porou and Council representatives) is meeting regularly (at least every six weeks) to discuss and work through technical aspects of the Waiapu Catchment Plan. The project group has developed a workplan and meeting schedule for 2022/2023.

WAIAPU KOKA HUHUA / RESTORING THE WAIAPU CATCHMENT

The Project Working Group are in the final stages of recruiting a Programme Manager who will report to the Joint Governance Group (JGG). This appointment will ensure progress continues to be made towards the goals of 'Restoring the Waiapu Catchment'.

TE MATAPIHI

Continued enhancement to our inhouse system to enable staff support for Māori Responsiveness is ongoing. Council has been in discussions with web developers. Part of our future enhancements will be looking at enabling Te Matapihi to be available to Councillors and aligning with our Tairāwhiti Piritahi policy as Council continues to grow in this area.

6 GENERAL MANAGEMENT

PERSONNEL MANAGEMENT

Employee Assistance Programme (EAP) awareness and support for staff to assist with wellbeing has been a key focus over the month of May. This comprised of promotion on Naumai (intranet), staff 10@10 sessions on EAP services run by our dedicated EAP account manager. We also follow this with a manager specific 10@10 session on the further support that EAP can provide directly to managers to support them in their roles.

Recruitment and retention in a very tight labour market continues to be a core focus. We have completed the project to optimise and update our recruitment branding and recruitment strategy. There are new videos and advert content throughout several national digital platforms, increasing our reach and appeal to the labour market.

With the new financial year approaching renewed staff strategic objectives and key performance indicators will be rolled out.

The People and Capability team are heavily involved in the Enterprise Solution Project to replace our existing core systems (Ozone, Objective, Silk Road and Datapay) to one new cloud-based solution. The team have started their workshops with TechOne to design and sign-off on parts of the new system

HEALTH AND SAFETY

COVID-19 continues a key factor in GDC's approach to health and safety controls and includes wellbeing support, with a number of staff continuing to work from home. We continue to adapt COVID-19 guidance for staff based on public health advice, more recently with Omicron strain community spread. Our risk assessment has been reviewed and we are undergoing staff consultation on our policy. The key changes that triggered this assessment are the opening of our public facilities to the community without vaccination checking or mandatory use of QR codes for contact tracing, and the change to orange traffic light settings.

Increased focus on staff health and wellbeing as a result of ongoing COVID-19 situation creating challenges for staff wellbeing. Teams implemented their business continuity plans and continue to work from home seamlessly.

The Home Safe team continues to support teams across Council through the business partnership model with a focus on assessing and reviewing health and safety risk using the Vault platform.

Collaborating with contractors with a focus on project works including Wastewater Treatment Plant, Kiwa Pools and stormwater projects to ensure due diligence by all parties.

Review of Health & Safety Plan for 2022, which includes work on approach to drug and alcohol policy and guidance review.

A list of 28 outstanding critical risks identified have now all been successfully closed off, leaving only identified operational critical risks to be managed.

Incident Type	Incident Description	July 2021 Events*	Rolling 12 Months
Near miss	An event or incident that someone has been exposed to that could have caused injury.	2 x moderate	36
Injury	Someone has been physically hurt and reported.	6 x minor	41
Incident	An event or incident that has caused damage to equipment, property or environment and includes threats and abuse to staff members.	5 x minor 2 x moderate	108
Notifiable event	Any of the following events that arise from work: death, notifiable illness or injury or notifiable incident that trigger requirements to preserve the site and notify WorkSafe NZ.	nil	2
Illness	Someone has seen or been involved in an event or exposed to a situation that has resulted in someone becoming ill or unwell, e.g., lung disease, asbestosis, legionnaires disease; this is from workplace exposure and does not include common illness such as personal illness, cold and flu.	Nil	4

FINANCIAL REPORTING

At the time of preparing this report the financial results for May 2022 were not finalised and available to be reported upon. April 2022 Year to Date (YTD) results were reported to Finance and Performance committee on 1 June [Report 22-127].

While the May 2022 YTD results are unavailable at the time of the report, the financial performance is tracking along similar trends of the April 2022 YTD results.

May 2022 YTD with high level forecast full year results will be presented to Finance and Performance 3 August 2022.

The summary below is for 30 April 2022, as taken from report [22-127].

For the ten months ending 30 April 2022, Council has a net surplus of \$48m, \$2.7m lower than the Annual Plan due mainly to timing of capital grant funding. The receiving of capital grants is dependent of when projects will be completed. Initially several projects were planned to be completed by 30 June 2022 but will now be completed beginning of 2022/23. These projects include Roothing Provincial Growth Fund (PGF) capital works (\$5m) and Kiwi Pools timing of grants (\$1.8m) as a result the grants and the expenditure will transfer to next year, meaning that there are no adverse impacts to Council.

7 FOCUS PROJECTS

PROJECT STATUS KEY:



PROPOSE



INITIATE



PLAN



DELIVER



CLOSE



ONGOING

RESOURCE RECOVERY CENTRE

Milestone Three of the Resource Recovery Centre Feasibility Study has been completed. The final milestone which includes providing a recommendation report to Council, is due to be completed by July 2022.

COMMUNITY FACILITIES

The facilities business case was submitted to Minister Grant Robertson in March. This followed meetings and advocacy on our behalf from our local Ministers the Honorable Kiritapu Allan and Meka Whaitiri. Both Minister Robertson and his office have responded. These responses have:

- Commended the business case and reaffirmed the importance of facilities for community well-being.
- Suggested the names of government officials we should work with to talk through the detail/economic elements of the case.
- Highlighted existing funding streams that could support parts of this case (these funds could only cover a small percentage of what we are asking for).

The amount being sought from the business case is not insignificant. Staff continue to carry out briefings, lobbying and funding strategies and applications.

The 'early win' projects are underway thanks to the allocation of \$15m towards this work from Trust Tairāwhiti. The first project to be completed is the Tairāwhiti Adventure Trust's Pump Track in Alfred Cox Park with the redeveloped Skate Park not too far behind. Work continues in the planning and development stages of the 'early win' projects.

In December 2021, Council made a decision to research and develop a more future-focused position on the management of our woody debris across the region's beaches. A project manager has now been appointed into this role and background research is now underway. Over the coming months our project manager will be reaching out to key stakeholders to inform the work being undertaken. The project is anticipated to be completed by May 2023..

DEVELOPMENT OF KIWA POOL

The Kiwa Pools project is now reaching an exciting stage in its construction, with the commencement of the first stage of the steel structure last month. Despite weather bombs and material delays due to COVID-19, our agile contractor, Apollo Projects, has continued to keep the project on track for opening in late March 2023.

The concrete base for the 50-metre and the learn to swim pools have been poured, and blockworks for the front of house and the plant room are now clearly visible on site.

A cross-discipline Council team has been developing the operational model for Kiwa Pools. This will ensure we deliver an outstanding customer experience from opening day. Recruitment for two key new roles, the Aquatics Manager and the Programming team lead, were advertised in May. RFPs for the pool's operational and management system and the café operator are being advertised in June and July respectively.



PUBLIC CONVENIENCES

Tokomaru Bay Wharf toilet installation is underway with delivery of facility in early June, a blessing took place at the site with local community on Monday 7 June 2022.

Resource consent for the new Waihou Beach toilet is currently being processed.

TOWNSHIP UPGRADES

Given the lack of registrations in the last round of procurement, the team reviewed and re-released the procurement document. One registration of interest was received from a local provider. Other local providers shared that because of the March / April weather events, they were too busy to do this work.

Discussions are also underway with the successful local contractor to take onboard two tuakana taura - senior students from Te Waha o Rerekohu School and two from Te Kura Kaupapa o Kawakawa mai Tawhiti. Employing and supporting locals is a key part of our procurement process.

Below is the revised timeframes for each township:

Te Araroa

- Playground equipment install booked for end of June 2022.
- The new toilet block is awaiting approval of the building consent.

Wharekahika:

- Toddler playground equipment to be installed July 2022 which will signal the completion of the Wharekahika Township.

Tikitiki/Rangitukia;

- Footpath replacement on State Highway 35 and the installation of a new footpath from the Rangitukia Papakainga to Te Kura Kaupapa o Whatonga to be completed by June 30, 2022, weather permitting.
- Installation of playground shade sail, lighting, and basketball court refurbishment in partnership with Basketball New Zealand to be installed in the new financial year.
- RSA Memorial Gate to be designed and built by October 2022.

Tiniroto

- A local Tiniroto builder has become SHE approved and is contracted to replace the decking area that leads to the Playground. This work is to be completed by June 30, 2022.
- Playground equipment and safety matting to be installed and completed by July 30, 2022.

PROJECT STATUS KEY:



PROPOSE



INITIATE



PLAN



DELIVER



CLOSE



ONGOING

Ruatoria

- The Ruatoria community representatives confirmed their township upgrade aspirations.
- Civil Assist to cost out and complete designs for upgrade.
- Final design approval from the Ruatoria community representatives expected September 2022.
- Procurement documentation released November 2022, registrations of interest closing December 2022.
- Work commences in February 2023

PĀNUKU TŪ/TITIRANGI SUMMIT

Resource consent for Te Pānuku Tū project was submitted late last year and was fully notified. Several submissions have been received. The application is now on hold while further information is provided and discussions with submitters are undertaken.

TAIRĀWHITI RESOURCE MANAGEMENT PLAN

The review of Te Papa Tipu Taunaki o te Tairāwhiti, the Tairāwhiti Resource Management Plan (TRMP), has been underway for one year.

The Regional Policy Statement (RPS) workstream provides the overarching direction and set the scene for the rest of the TRMP. We've been focusing on identifying significant resource management issues (yet to be tested by iwi and the community), prioritising procurement for the established Panel of Suppliers to procure technical scopes of work and preliminary research and options analysis – including issues and options papers to inform the development of the RPS. Of critical importance is determining how our iwi partners will assist with the RPS review process. This includes establishing a model of engagement that ensures mana whenua can meaningfully engage across all the TRMP workstreams.

The current focus of the Urban Growth and Development (UGD) workstream continues to be on development of the Tairāwhiti Future Development Strategy (FDS). The approval of the FDS has been extended post local government elections to allow for meaningful iwi engagement. Workshops with iwi, community, and councillors are planned up until August 2022, with public consultation on the draft FDS planned for December to February 2023.

The Freshwater Planning workstream continues to work towards the review of the regional freshwater plan, with progress made on the Motū, Waimata-Pakarae and Waipū catchment plans. Also refer to information **[Report 22-134]** for an update on the Motū Catchment Plan.

ENVIRONMENTAL SCIENCE UPDATE

The Science and Environmental Monitoring teams continue to make progress with delivering the science programme, with a particular focus on freshwater and providing evidence for the Tairāwhiti Resource Management Plan (TRMP) review.

The Science team has developed a groundwater model for the Poverty Bay flats aquifers. This development involved input from iwi, councillors, and groundwater abstractors. The model, along with other analysis has identified areas to investigate increases in salinity in groundwater. Ten sites have been identified in the first period of investigations in the Makauri aquifer and Te Hapara Sands aquifer.

The Science team has worked with representatives from Tarere Marae and Parihimanhi Marae to undertake a watercourse assessment of the upper Taruheru. The assessment identifies areas of environmental and cultural interest and highlights pressures on the catchment which may be affecting these areas.

The Environmental Monitoring team continues to carry out regular monitoring of the environment as required by Government regulations and for Council business needs. The team's hydrologists undertook analysis to ensure that Council's hydrology equipment met the needs of Council and in particular CDEM during the November 2021 and March 2022 flood events. This includes rain gauges, flow monitoring and real-time video footage of river levels.

TŪRANGANUI ESTUARY RESTORATION PROJECT

This \$4.95 million project jointly funded by the Ministry for the Environment and Council is being delivered in collaboration with the Wastewater Management Committee, KIWA Group (tangata whenua technical reference group) and mana whenua. The project will run until June 2026.

Detailed project plans for the 32 sub-projects within the overall project are progressing well. These plans need to be completed by July 2022. Locations for planting to begin in Winter 2022 have been identified.

BIODIVERSITY

Waingake Transformation Programme

In May a signing ceremony was held with Maraetaha Incorporation to acknowledge and formalise our partnership through a Memorandum of Understanding (MOU) on Waingake and Pamoā. The Joint Steering Group established under the MOU met the same day and will now oversee the development of a Joint Action Plan to steer us towards achieving our shared vision and objectives.

A Heads of Agreement is being prepared with eLandNZ for the replanting of the 29% land and we are working closely with both eLandNZ and JNL to facilitate planting this season around harvest operations. There is highly advanced wilding pine and woody species regrowth in some areas which potentially require two rounds of aerial spray to create a clean and plantable site. To allow for this, some mānuka replanting originally planned for this season will be scheduled for Autumn 2023 to achieve the best balance between managing ETS liabilities and ensuring successful establishment and survival of planted mānuka.

In the 71% restoration area, planting contractors began pre-plant preparations at the end of April and have been progressing well with this work. Planting will begin in early June and is expected to be completed by the end of August, with 140-150ha to be planted this season (dependent on final plant numbers from suppliers). Wilding pine control has been completed in all planting areas and is ongoing through priority areas.

The Jobs for Nature funded Ngahere Ora restoration team have been focused on the installation of internal traplines within the Waingake Waterworks (QEII) Bush. The network consists of six traplines containing DOC200 and Trapinator Possum Traps to target rodents, mustelids, and possums. The team is also deploying tracking tunnel monitoring lines so that results of control can be measured on a regular basis.

Integrated Catchment Management (ICM)

Land Management staff continue to assist landowners with existing ECFP (Erosion Control Funding Programme) grants alongside MPI to complete LO3A (land overlay 3A) requirements of Sustainable Hill Country Plans. Opportunities through the ETS (Emission Trading Scheme) are being promoted to further address soil erosion where the ECFP and ETS are both available to landowners. The ETS was not however available for the first six years of the 1 Billion Trees programme, if landowners were part of that.

Conversion of land to exotic forestry continues within the district, inclusive of both plantation forestry and permanent carbon farming. Plantation forestry has controls for afforestation, harvesting and replanting through the NES-Plantation Forestry however there are no environmental controls for Permanent Carbon Farming. ICM and wider Council staff have assisted in developing a Position Statement on the Regional Impacts of Permanent Carbon Farming in Tairāwhiti. Concern continues locally that Land Use Classes 6, 7 and 8 are considered "marginal land" when all our hill country falls into these classes.

PROJECT STATUS KEY:



PROPOSE



INITIATE



PLAN



DELIVER



CLOSE



ONGOING

Staff assisted in a submission to MPI on Managing Exotic Afforestation Incentives. A stance of retaining exotic species in permanent establishment regimes where specific environmental benefits provide protection to eroding land was highlighted.

Staff continue to participate in the Freshwater Farm Environment Plan initiatives being developed by MfE and assisting landowners with formation of Catchment Groups throughout the district. This includes Land Use Capability mapping for landowners in the Hangaroa, Waihuka, Waimata and Pakarae Catchments.

Assistance to the Whakaoratia Trust project continues with 475 sediment dams installed. Flume and bank protection works have slowed in this quarter. Digital recording of sites providing a record over time is invaluable.

Maintenance of the Council pole nurseries is ongoing.

Protection Management Area (PMA) assessments have continued across a range of sites. Serious damage from feral animals and infestations of plant pests are a regular occurrence in areas where grazing animals have been removed. An internal Biodiversity Action Plan is nearing completion. The Pānui Taiao, formerly Conservation Quorum, is gaining traction across the district. Biodiversity staff provide ongoing support across Liveable Communities with an ecological assessment of the dune system at Makorori.

Farm Environmental Plans (FEPS)

FEPs are required under the Tairāwhiti Resource Management Plan (TRMP) by growers and farmers whose activities meet certain criteria. A FEP outlines the sustainable management of soil, water and nutrient resources on farms and is individually designed to identify and manage environmental risks. The FEPs are being assessed by a robust panel approach which includes staff from across Council.

BIOSECURITY

Animal and Plant Pests

Possum baiting along the Hawkes Bay buffer zone boundary was completed and expanded onto adjacent Landcorp property. Biosecurity staff attended the Gisborne OSPRI committee with northern national representatives regarding TB control operations in Hawkes Bay, the Gisborne region remains free of TB.

Staff met with Upper Waimata Catchment group regarding possum control opportunities to support wider pest animal management. Looking at identifying populations, undertaking initial possum knockdown with farmers then carrying out regular possum control.

Rook numbers have increased near Te Puia Springs and ongoing monitoring continues into the nesting season. Wider awareness efforts in the Waiapu have been initiated.

Further work focuses on pest plant eradication species, including the emergence of two new infestations.

A Riverside Road corridor pest plant survey has been carried out recording target plants and their distribution and density for discussion with Council's roading team for control purposes.

8 GRANT FUNDING

COUNCIL-ADMINISTERED GRANTS

Creative Communities Grant funding has been paid out to nine successful applicants, with a balance carried forward of \$7145.99 to the new financial year. To date we have received two completion reports from the active projects.

Sport NZ Rural Transport fund had only three applicants who requested 20k between them for the Winter funding round which closed at the end of April. Funding of \$13,410 has been allocated and applicants, Hikurangi, Ngatapa & Uawa Sports Clubs, have been notified of their allocation amounts.

EXTERNAL FUNDING SECURED FOR ACTIVITIES DELIVERED DURING 2020/21

Table 1 below provides an overview of income from external funds granted for activities that are in progress or have been completed in the 2021/22 financial year.

Table 1

Activity/Project	Awarded	Funder	Total Rewarded
IN PROGRESS 2020/2021			
Marae emergency resilience	February 2021	Phase 1 – Te Puni Kokiri	\$964,938
		Phase 2/3 – Toitu Tairāwhiti	\$596,058
Tūranganui Estuary Restoration	February 2021	MfE Freshwater Improvement Fund	\$2,250,000
Land use characterisation for SoE soil quality monitoring and reporting	October 2021	Manaaki Whenua LandCare	\$39,760
Impact of forestry slash on Kai Moana Tolaga	August 2021	EnviroLink	\$35,000
Economic utilisation of woody debris research	August 2021	EnviroLink	\$35,000
Active Fault Delineation for Tairāwhiti	August 2021	CDEM Resilience Fund	\$120,000
Tairāwhiti Haumaru Moana – recreational boating safety activities	August 2021	Maritime NZ - Fuel Exercise Duty fund	\$38,000
Tairāwhiti 'No excuses on water' Campaign	August 2021	Maritime NZ	\$5,000
Environmental impact of Tokomaru Bay legacy landfill	August 2021	Massey University	\$30,000
Tokomaru Bay Wharf Toilet	July 2021	MBIE Tourism Infrastructure Fund	\$203,200
1000 Year Bridge	June 2021	Lotteries Significant Projects Fund	\$1,750,000
Te Tairāwhiti Arts Festival	June 2021	Creative New Zealand	\$50,000
Library – Digital services, databases, managed services	July 2020 – June 2022	New Zealand Libraries Partnership programme #	\$117,495
Library – Resource capacity to support community digital learning	May 2021	New Zealand Libraries Partnership programme	\$117,224
Library – Digital preservation projects	May-July 2021	New Zealand Libraries Partnership programme	\$16,540
Waingake Transformation – Planting Year 2,3,4	May 2021	One Tree Planted	US\$740,000
Waingake Transformation – Weed/Pest control Year 2,3,4	March 2021	DOC –Kaimahi for Nature	\$2,000,000
Waingake Transformation – Planting Year 2,3,4	March 2021	MPI - One Billion Trees Fund	\$1,860,000
Tsunami Taumaruru project	March 2021	CDEM Resilience Fund	\$20,000
Feasibility study for Regional Resource Recovery Centre	February 2021	MfE Waste Minimisation Fund	\$90,000
Wastewater Treatment Upgrade Options for water amalgamation Rural townships water supply	August 2020	3-Waters Reform Economic Stimulus	\$7,500,000 \$250,000 \$3,290,000

Activity/Project	Awarded	Funder	Total Rewarded
Olympic Pool Redevelopment	July 2020	COVID-19 Recovery Fund	\$40,000,000
Waipaoa River Flood Control Scheme	July 2020	COVID-19 Recovery Fund	\$7,500,000
Poverty Bay Flood Hazard Mapping	December 2019	EQC Contestable Grant	\$50,000
Big Belly Bins and Dry Vault Toilet	September 2019	Tourism Infrastructure Fund	189,000
Midway to Waipaoa Cycle and Walkway	October 2018	Trust Tairāwhiti	\$1,000,000
Waiapu Phase 2 Erosion Control -ECFP Fund Administrator***	October 2016	MPI Erosion Control Funding Programme	\$2,100,000
COMPLETED 2020/21			
Assessment of Waipaoa LiDAR data	December 2020	Envirolink	\$25,000
Waingake Restoration – Science and Monitoring strategy	September 2020	Envirolink	\$24,400
Waingake Restoration – Sediment Monitoring and Geomorphological Change	April 2021	Envirolink	\$8,800
Responsible Camping initiatives	September 2020	MBIE Responsible Camping Fund	\$300,000
Titirangi Summit	May 2020	Provincial Growth Fund	\$1,067,000
Project Review of water allocation tool	August 2021	Envirolink	\$8,000

***The ECFP Fund role is now complete, while the work for the Phase 2 Erosion Control continues.

New Zealand Libraries Partnership Programme is government fund to support librarians and library services to be retained, developed and to assist them to support community recovery

EXTERNAL FUNDING APPLICATIONS

Table 2 below provides an overview of funding applications awaiting decision.

While Council received \$1,750,000 from the Lotteries Significant Projects fund for construction of the 1000-year walkway bridge in June 2021, work is still ongoing to gain further funding from Trust Tairāwhiti to complete the cultural heritage elements and a viewing platform at the Te Maro sculpture for a total of \$343k.

The recreational activity components of the Te Araroa township upgrades valued at \$1-\$1.5m are included in the Tairāwhiti Sports and Recreation Facilities Business Case submitted to Central Government. An application to NZCT to support components of township plan upgrades has currently been deferred for decision.

Table 2

Activity/Project	Awarded	Funder	Total Rewarded
Advice on economic utilisation of woody debris	December 2021	University of Canterbury	\$18,000
Right Plant, Right Place	December 2021	University of Canterbury	\$30,000
1000-year Walkway Bridge cultural component and Te Maro platform	TBC – July	Trust Tairāwhiti	\$343,000
Township upgrades	February 2022	NZCT (advise deferral of application awaiting decision on Council's sinking lid policy - gambling)	\$361,000
Waiapu Koka Huhua 2021-2025	TBC	MfE – Kaimahi for Nature	\$4,375,000
Enabling infrastructure for housing supply - Taruheru catchment	2 May 2022: In negotiation	Kāinga Ora - Infrastructure Acceleration Fund	\$3,954,182
Enabling infrastructure for housing supply – Kaiti catchment	2 May 2022: Declined	Kāinga Ora - Infrastructure Acceleration Fund	\$30,377,000

9 REGIONAL ROADING ACTIVITIES

EAST CAPE ROAD

The March and April weather events made their presence felt on the Te Araroa township, particularly East Cape Road. The rainfall intensity on this type of geology is going to be a costly and on-going problem.

On Monday 23 May a blessing was conducted at East Cape Road, a walk-through briefing of the significance of the area was given by local historian Mr Hal Hovell. The service was conducted by Mr Campbell Dewes and supported by 15 senior students.

15,000t of rock will be delivered over the next 3 months to the site. The physical works contract is being descoped to meet the budget and a tender recommendation by 10 June

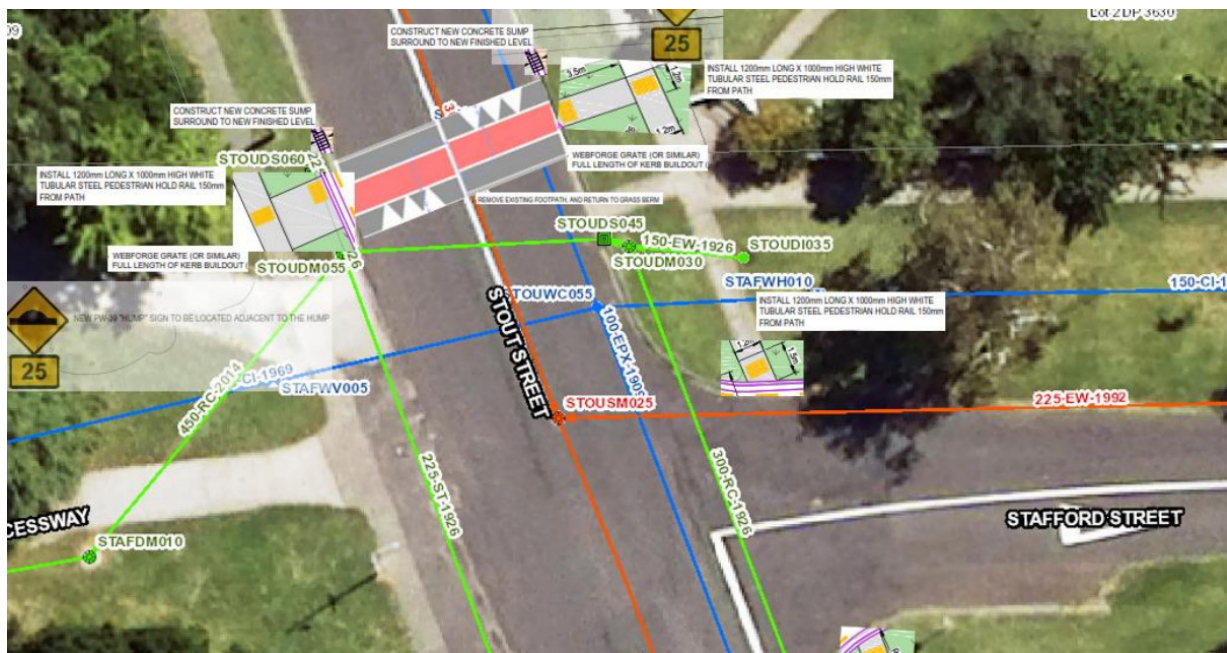
PEEL STREET/PALMERSTON ROAD

The team of Currie Construction Ltd are due to complete work at this intersection in June. The new roundabout accommodates heavy vehicles and caters for pedestrians with speed tables on each leg. The two existing traffic lanes at the Peel Street intersection are combined into one lane into the roundabout which also increases turning capacity for road users.

STOUT STREET SPEED TABLES

Construction work is due to begin 13 June 2022 and will take approximately 6 weeks to complete (weather and COVID dependant). Letter drops have been made to nearby residents with maps below and details to advise them of the effects of the new speed tables at Hall and Stafford Streets on Stout Street.







Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

13. Public Excluded Business

RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, LOCAL GOVERNMENT OFFICIAL INFORMATION and MEETINGS ACT 1987

That:

1. The public be excluded from the following part of the proceedings of this meeting, namely:

Confirmation of Confidential Minutes

Item 4.1 Confirmation of Confidential Extraordinary Council Minutes 3 March 2022

Item 4.2 Confirmation of Public Excluded Minutes 31 March 2022

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

Items 4.1 & 4.2	7(2)(j)	Prevent the disclosure or use of official information for improper gain or improper advantage.
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