



# *Hastings District Council*

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## OPEN A G E N D A

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### OPERATIONS AND MONITORING COMMITTEE MEETING

Meeting Date: **Thursday, 27 February 2020**

Time: **1.00pm**

Venue: **Council Chamber  
Ground Floor  
Civic Administration Building  
Lyndon Road East  
Hastings**

<b>Committee Members</b>	Councillor Travers (Chair) Mayor Hazlehurst Councillors Barber, Corban, Dixon, Harvey, Kerr (Deputy Chair), Lawson, Nixon, O'Keefe, Oli, Redstone, Schollum, Siers and Watkins  <i>Quorum=8</i>
<b>Officers Responsible</b>	Group Manager: Economic Growth & Organisation Improvement – Mr C Cameron Group Manager: Asset Management – Mr C Thew Chief Financial Officer – Mr B Allan Chief Information Officer – Mr A Smith Financial Controller – Mr A Wilson
<b>Democracy &amp; Governance Advisor</b>	Mrs C Hilton (Extn 5633)

# Operations and Monitoring Committee – Terms of Reference

## Fields of Activity

The purpose of the Operations and Monitoring Committee is to ensure consolidated and complete reporting and monitoring of all financial and non-financial information and performance measures against the Annual Plan, Long-Term Plan and Council Strategies, Goals and Priorities.

## Membership

- (Mayor and 14 Councillors).
- Chair appointed by Council.
- Deputy Chair appointed by Council.
- 1 Heretaunga Takoto Noa Māori Standing Committee Member appointed by Council.

## Quorum – 8 members

## Delegated Powers

- 1) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law or otherwise delegated to another committee) in relation to all matters detailed in the Fields of Activity.
- 2) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law) at any time when the Chief Executive certifies in a report that;
  - the matter is of such urgency that it requires to be dealt with
  - the matter is required to be dealt with, prior to the next ordinary meeting of the Council.
- 3) Monitor the performance of Council in terms of the organisational targets set in the Long Term Plan and Annual Plan – both financial and nonfinancial.
- 4) Monitor operational performance and benchmarking.
- 5) Undertake quarterly financial performance reviews.
- 6) Develop the Draft Annual Report and carry forwards.
- 7) Monitor and review the performance of Council Controlled Organisations and other organisations that Council has an interest in.
- 8) Monitor and review tender and procurement processes.
- 9) Monitor major capital projects.
- 10) Recommend to Council on matters concerning project decisions where these are identified as a result of the committee's project monitoring responsibilities.
- 11) Writing off outstanding accounts for amounts exceeding \$6,000 and the remission of fees and charges of a similar sum.
- 12) Settlement of uninsured claims for compensation or damages where the amount exceeds the amounts delegated to the Chief Executive.
- 13) Guarantee loans for third parties such as local recreational organisations provided such guarantees are within the terms of Council policy.
- 14) Authority to exercise the Powers and Remedies of the General Conditions of Contract in respect of the Principal taking possession of, determining, or carrying out urgent repairs to works covered by the contract.
- 15) Grant of easement or right of way over Council property.
- 16) Approve insurance – if significant change to Council's current policy of insuring all its assets.

**HASTINGS DISTRICT COUNCIL**  
**OPERATIONS AND MONITORING COMMITTEE MEETING**  
**THURSDAY, 27 FEBRUARY 2020**

**VENUE:** Council Chamber  
Ground Floor  
Civic Administration Building  
Lyndon Road East  
Hastings

**TIME:** 1.00pm

**A G E N D A**

**1. Apologies**

At the close of the agenda no apologies had been received.

At the close of the agenda no requests for leave of absence had been received.

**2. Conflict of Interest**

Members need to be vigilant to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Democratic Support Manager (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

**3. Confirmation of Minutes**

There are no minutes to confirm

**4. Presentation - Hawke's Bay Tourism**

<b>5.</b>	<b>Financial Quarterly Report for the Six Months Ended 31 December 2019</b>	<b>7</b>
<b>6.</b>	<b>Financial Summary as at 31st December 2019</b>	<b>19</b>
<b>7.</b>	<b>Half Year Progress report</b>	<b>27</b>
<b>8.</b>	<b>Track Upgrades of Tainui, Tanner Street, Hikanui and Tauroa Road Reserves – Request for Additional Funds</b>	<b>35</b>
<b>9.</b>	<b>Building Consent Authority Accreditation Update</b>	<b>45</b>
<b>10.</b>	<b>Waste Levy Consultation Submission</b>	<b>49</b>
<b>11.</b>	<b>Annual Report Animal Control Section 10A</b>	<b>77</b>
<b>12.</b>	<b>Hawke's Bay Civil Defence Emergency Management Group - Annual Report 2018-19</b>	<b>85</b>
<b>13.</b>	<b>Requests Received Under the Local Government Official Information and Meetings Act (LGOIMA) Monthly Update</b>	<b>87</b>
<b>14.</b>	<b>Additional Business Items</b>	
<b>15.</b>	<b>Extraordinary Business Items</b>	

**REPORT TO:** OPERATIONS AND MONITORING COMMITTEE

**MEETING DATE:** THURSDAY 27 FEBRUARY 2020

**FROM:** PROJECT ADVISOR  
ANNETTE HILTON

**SUBJECT:** PRESENTATION - HAWKE'S BAY TOURISM

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**1.0 PURPOSE AND SUMMARY - *TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA***

- 1.1 The purpose of this report is to introduce Hamish Saxton, the new General Manager of Hawke's Bay Tourism to the Council.
- 1.2 Mr Saxton is an accomplished professional with broad strategic leadership, business development and brand building expertise in the tourism and marketing industries
- 1.3 Mr Saxton has a strong tourism background and more specifically has extensive experience in managing a regional tourism entity.
- 1.4 He will be updating the Council on HB Tourism and his direction for it.

**2.0 RECOMMENDATIONS - *NGĀ TŪTOHUNGA***

- A) That the Council/Committee receives the report titled Presentation - Hawke's Bay Tourism**

**Attachments:**

There are no attachments for this report.



**REPORT TO:** OPERATIONS AND MONITORING COMMITTEE

**MEETING DATE:** THURSDAY 27 FEBRUARY 2020

**FROM:** FINANCIAL CONTROLLER  
AARON WILSON

**SUBJECT:** FINANCIAL QUARTERLY REPORT FOR THE SIX MONTHS  
ENDED 31 DECEMBER 2019

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## **1.0 PURPOSE AND SUMMARY - *TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA***

- 1.1 The purpose of this report is to inform the Committee of the financial result for the six months ended 31st December 2019.
- 1.2 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.3 This report concludes by recommending that the report for the 6 Months ended 31<sup>st</sup> December 2019 be received.

## **2.0 BACKGROUND – *TE HOROPAKI***

- 2.1 The accounting operating financial result is reported on quarterly during the year and at year end a report is prepared on the financial as well as the rating result. The rating result differs from the accounting result in respect of non-cash items such as depreciation, vested assets and development contributions that are not included.
- 2.2 This financial report is governance focussed and allows significant variances to be highlighted with explanations provided in a way this is easy to read and understand through dashboard analytics and commentary.
- 2.3 **If Councillors require clarification on any points, please contact the writer prior to the meeting to ensure complete answers can be given at the meeting on the detail in these reports.**

### 3.0 DISCUSSION - TE MATAPAKITANGA

- 3.1 Set out below is a summary of the operating financial result year to date. The financial results detailed below represent the accounting view and does not reflect the potential rating result for 2019/20:

	\$'000	\$'000	\$'000	Full year Revised Budget*
2019/20	YTD Actual	YTD Revised Budget	YTD Variance	
Operating Revenue	69,207	66,971	2,235	137,044
Operating Expenditure	67,322	64,710	(2,611)	127,765
<b>Net Surplus/(Deficit)</b>	<b>1,885</b>	<b>2,261</b>	<b>(376)</b>	<b>9,279</b>

\* Revised budget includes the Annual budget, Brought Forwards and surplus allocations from 18/19 financial year

- 3.2 The result above is presented against the revised budget. The revised budget includes changes and decisions made during the year on Council budgets which includes carry forwards from 2018/19.
- 3.3 Council's overall financial performance is \$0.376m behind YTD budget for the quarter ended 31 December 2019. Revenue is favourable to budget and expenditure is unfavourable budget.
- 3.4 Overall revenue is \$2.2m ahead of YTD budget and expenditure is \$2.6m, unfavourable to YTD budget.

#### Revenue

- 3.5 Fees and charges revenue across Council are favourable by \$2.2m with the main drivers being:
- Planning and Regulatory services are favourable to budget by \$414k driven by higher environmental (\$125k), and building consents (\$260k) revenue along with higher than budgeted licences and registrations (\$43k).
  - Community services are favourable to budget by \$510k, with higher than budgeted revenue in Splash Planet (174k), along with Opera House fire insurance reimbursement of \$263k the main drivers.
  - Waste services are favourable by \$702k, with the main drivers being Council's share of Landfill revenue (582k), Transfer station (123k), due to higher than budgeted volumes.
  - Water services are favourable by \$383k, with the main drivers being increased water meter charges (242k), along with subsidy received for the Bridge Pa Booster station (204k).
- 3.6 Development contributions are unfavourable to YTD budget by \$195k. Phasing of budgets in relation to when contributions occur is difficult, and creates timing differences as it is not always known in advance in what month a payment will occur when the budget is being set.



Expenditure

- 3.7 Overall expenditure is tracking unfavourable to year to date budget as at 31st December 2019 by \$2.6m or 4.0% of total budgeted expenditure year to date. Main drivers include:
- 3.8 The negative variance to budget for non-cash entries in terms of Depreciation (\$1.3m) are driven by higher asset values due to prior year revaluations in Parks, along with increased spend in infrastructure projects in water and roading.
- 3.9 Finance costs are favourable by \$929k which is a reflection of lower levels of debt than phased in the budget and lower actual interest rates compared with those assumed in the budget.
- 3.10 Other operating costs are unfavourable to budget by \$1.66m, and are driven by:
- Asset Management group are unfavourable by \$1.29m. Areas driving this variance are:
    - Parks \$591k unfavourable driven by parks maintenance with December being the busiest month of the year, some scale back may be necessary over the second half of the year to ensure this area remains within budget.
    - Transportation \$297k unfavourable, with maintenance costs above budget year to date, however these costs along with renewals will be managed to ensure transportation comes in on budget.
    - Effluent disposal \$558k unfavourable with higher preventative maintenance costs (284k), in terms of pump and fan work and Outfall maintenance. Other additional costs were incurred with service assurance and planning expenditure.
  - Planning and Regulatory - \$404k unfavourable, with high contracted services costs in the consenting areas due to the high levels of activity.
  - Toitoti building maintenance is 254k unfavourable due to the costs associated with the Opera house fire late in the previous financial year. This is offset by the additional insurance reimbursement in the revenue line.
  - Drinking water services operational expenditure when split out shows a favourable variance to budget of \$197k. Below shows a summary table of spend to budget in this area:

Water Services		31 December 2019		
Operating Expenditure	YTD Actual	YTD Budget	Full Year Budget	Variance
Strategy & planning	126,237	475,000	950,000	348,763
Service assurance	550,376	518,000	1,036,000	(32,376)
Preventative Maintenance	351,880	374,650	749,300	22,770
Reactive maintenance	787,524	672,000	1,344,000	(115,524)
Electricity	433,797	438,300	900,000	4,503
Other Costs	97,234	65,796	131,592	(31,438)
Total	2,347,050	2,543,746	5,110,892	196,696

### Areas of Interest

#### 3.11 Craggy Range Track Project:

Council has spent \$148k in the current financial year, (\$716k in total) on the Craggy Range Te Mata Peak Track with the current years spend focused on remediation. The track remediation has now been completed with costs coming in under that estimated.

#### 3.12 Building consents:

As was highlighted in the 2018/19 year end overview to Council, this is an area that has seen a large increase in volumes, with a corresponding increase in expenditure outstripping additional revenues.

3.13 This trend has continued in this current financial year, and as previously highlighted the revenues are ahead on last year's actuals that were already very strong. The impact of the higher volumes however is also reflected in higher than budgeted expenditure as shown in the table below, with the contracted services and personnel costs the main drivers in the rating requirement budget to actuals variance deficit of (\$307K).

3.14 While Council is keeping up with demand the pressures of doing so are coming at additional cost that is not currently recoverable through the current fees and charges schedule.

YTD December	Variance to budget
Revenue	260,288
Personnel	(285,814)
Legal Advice	(58,516)
Expert Advice	(20,810)
Contracted Services	(202,372)
Rating Requirement (ex recharges)	(307,224)

### Capital Spend

- 3.15 Council's total capital budget (including carry forwards, renewals, new works, and growth projects) for 2019/20 is \$106m. This level of expenditure is a significant increase on what has been delivered previously by Council and there is some risk associated with the ability of Council to deliver on this programme. Helping to offset some of this risk is a much more detailed programme of the works budgeted.
- 3.16 Capital spend for the year to date is \$38.4m. Whilst this is behind current year to date budget of \$49.6m it is \$3m ahead of last year's actuals for the same period.
- 3.17 Projects by Activity within the three types of capital spend are shown below:

Year to date Summary of capital spend by Type				
	YTD Actuals ('000)	YTD Budgets ('000)	YTD variance	Revised Budgets ('000)
<b>RENEWALS</b>				
Stormwater Services	115,008	328,957	213,950	905,000
Wastewater Services	4,909,013	6,620,647	1,711,635	12,983,250
Water Services	567,261	1,403,681	836,420	3,926,280
Transportation RA 1	8,007,446	7,765,388	(242,058)	15,463,560
Parks	472,605	521,727	49,122	1,043,453
Building services	774,845	947,601	172,755	2,185,405
Rest of Council	7,421,370	9,570,842	2,149,473	16,477,988
	<b>22,267,546</b>	<b>27,158,843</b>	<b>4,891,296</b>	<b>52,984,936</b>
<b>NEW WORKS</b>				
Stormwater Services	351,673	1,165,738	814,064	2,259,900
Wastewater Services	371,305	176,500	(194,805)	473,000
Water Services	5,389,694	5,846,407	456,713	18,504,814
Transportation	1,554,295	1,881,200	326,905	5,215,600
Parks	2,840,318	4,128,489	1,288,171	6,321,978
Building services	437,693	387,286	(50,407)	2,321,000
Rest of Council	922,510	2,222,528	1,300,018	7,460,474
	<b>11,867,489</b>	<b>15,808,147</b>	<b>3,940,659</b>	<b>42,556,765</b>
<b>GROWTH</b>				
Stormwater Services	303,238	1,018,000	714,762	1,967,000
Wastewater Services	1,091,783	1,910,586	818,803	3,332,000
Water Services	652,144	780,603	128,459	1,111,000
Transportation RA 1	1,276,643	1,708,197	431,555	2,702,500
Parks	970,488	1,254,475	283,987	1,482,950
	<b>4,294,296</b>	<b>6,671,861</b>	<b>2,377,566</b>	<b>10,595,450</b>
<b>Total Capital</b>	<b>38,429,330</b>	<b>49,638,851</b>	<b>11,209,521</b>	<b>106,137,151</b>

3.18 Major projects currently underway within the three types of capital spend are shown below:

<b>Major Projects</b>	<b>YTD Actuals ('000)</b>	<b>YTD Budgets ('000)</b>	<b>YTD variance</b>	<b>Revised Budgets ('000)</b>
<b>Renewal projects</b>				
Opera house	6,243,995	7,257,197	1,013,202	11,640,697
Streetlight LED Upgrade	484,398	435,000	(49,398)	870,000
Wastewater Rising mains	834,604	814,322	(20,282)	5,514,000
Trunk Sewer	3,075,942	3,383,625	307,683	3,587,250
Outfall	91,565	980,000	888,435	1,225,000
<b>New Works projects</b>				
Drinking water project	4,684,392	5,455,357	770,965	17,622,714
Cornwall Park Redevelopment	1,408,779	1,500,000	91,221	1,500,000
EMO facility	479,471	465,000	(14,471)	715,000
Art Gallery Roof	-	127,286	127,286	891,000
CBD Development	759,583	450,000	(309,583)	600,000
Streetscape	313,576	875,383	561,807	1,750,766
<b>Growth projects</b>				
Omahu	1,492,689	1,822,000	329,311	1,822,000
Lyndhurst	426,207	1,982,836	1,556,629	2,578,500
Irongate	956,137	1,024,500	68,363	1,119,000
Iona/Middle	105,568	333,051	227,483	2,545,000
Howard	297,635	108,500	(189,135)	597,000

### Treasury

Council's total gross debt position is \$149.7m which includes \$22m of prefunded capital expenditure and debt refinancing which is currently held on deposit.

	<b>31-Dec-19</b>
	\$'000
Borrowing at start of year	106,241
New Loans Drawn	46,400
Loan Repayments	(2,900)
<b>Borrowings as at 31 December 2019</b>	<b>149,741</b>
Less Term Deposits held	(22,000)
<b>Total Net borrowings</b>	<b>127,741</b>

Council is currently compliant with Treasury Management Policy. The Risk and Assurance Subcommittee is responsible for reviewing Council's treasury performance and policy with advice from Bancorp Treasury Services.

#### **4.0 RECOMMENDATIONS - NGĀ TŪTOHUNGA**

- A) **That the Council/Committee receives the report titled Financial Quarterly Report for the Six Months Ended 31 December 2019.**

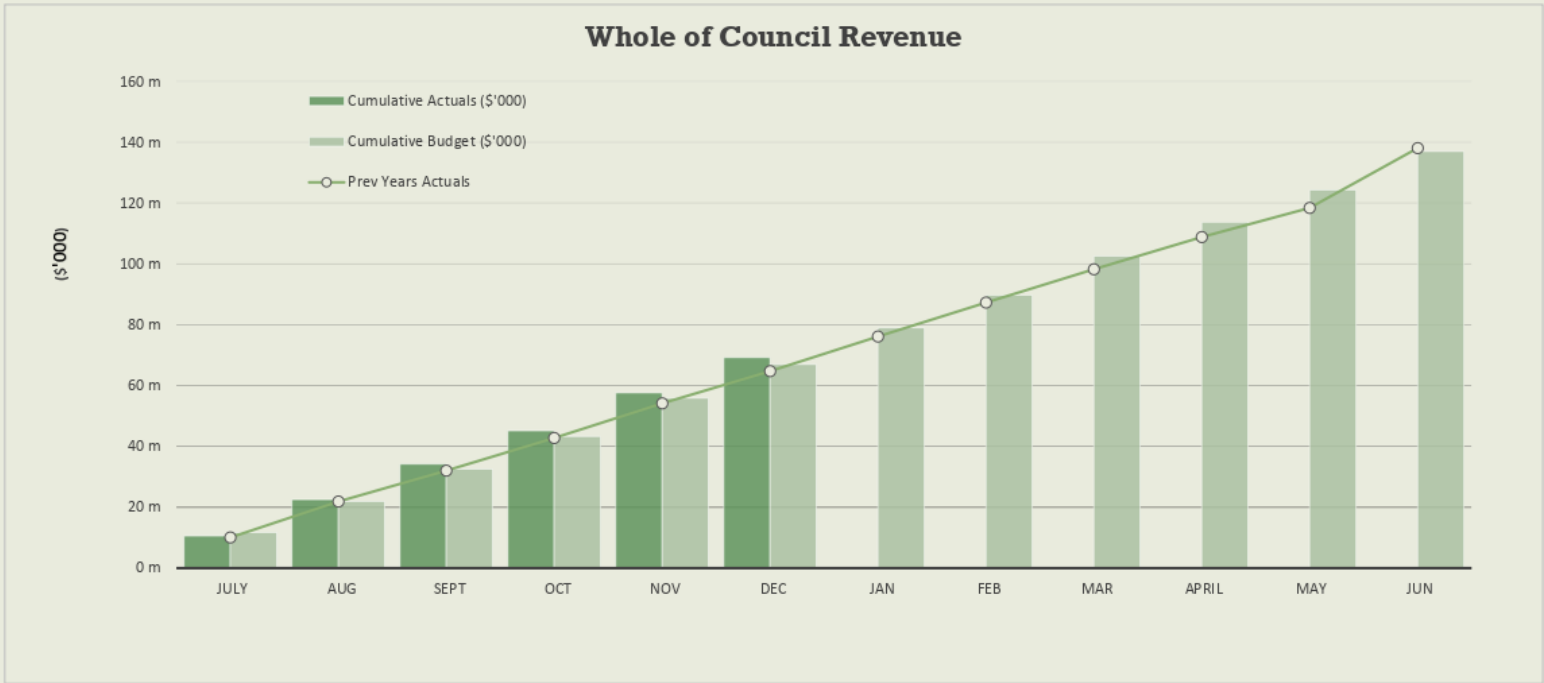
##### **Attachments:**

1 [↓](#) Quarterly Dashboard December 2019

FIN-09-01-20-184



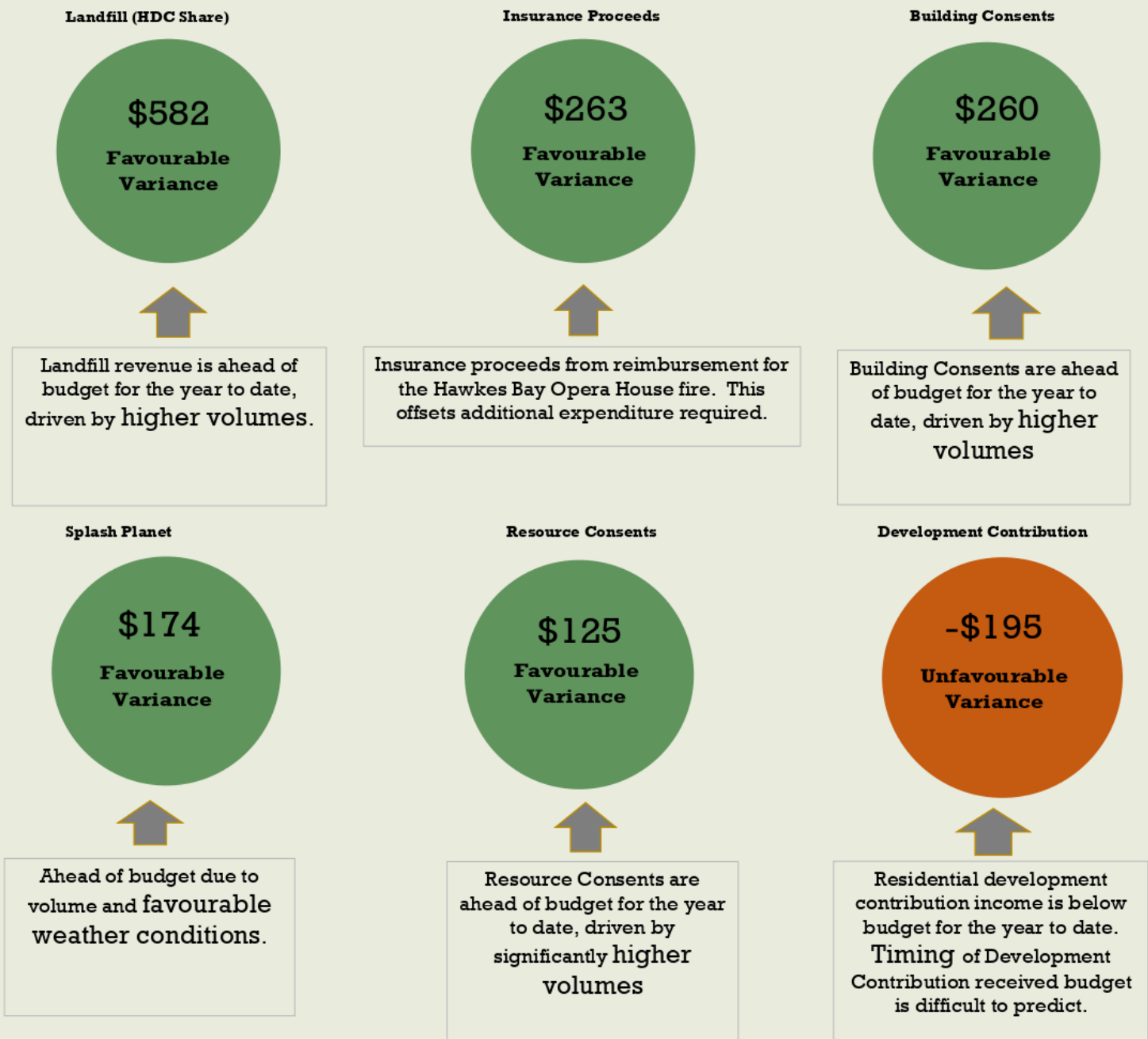
Hastings District Council Quarterly Dashboard as at  
31 December 2019



Total Revenue Streams	Actual Ytd (\$'000)	Budget Ytd (\$'000)	Variance Ytd (\$'000)
Rates (Budget)	40,918	40,824	94
Fees, charges & metered water supply charges	14,559	12,351	2,207
Subsidies and Grants	10,763	10,769	-6
Development and financial contributions	2,510	2,704	-195
Interest revenue	54	0	54
Other revenue	403	323	80
Total	69,207	66,971	2,235

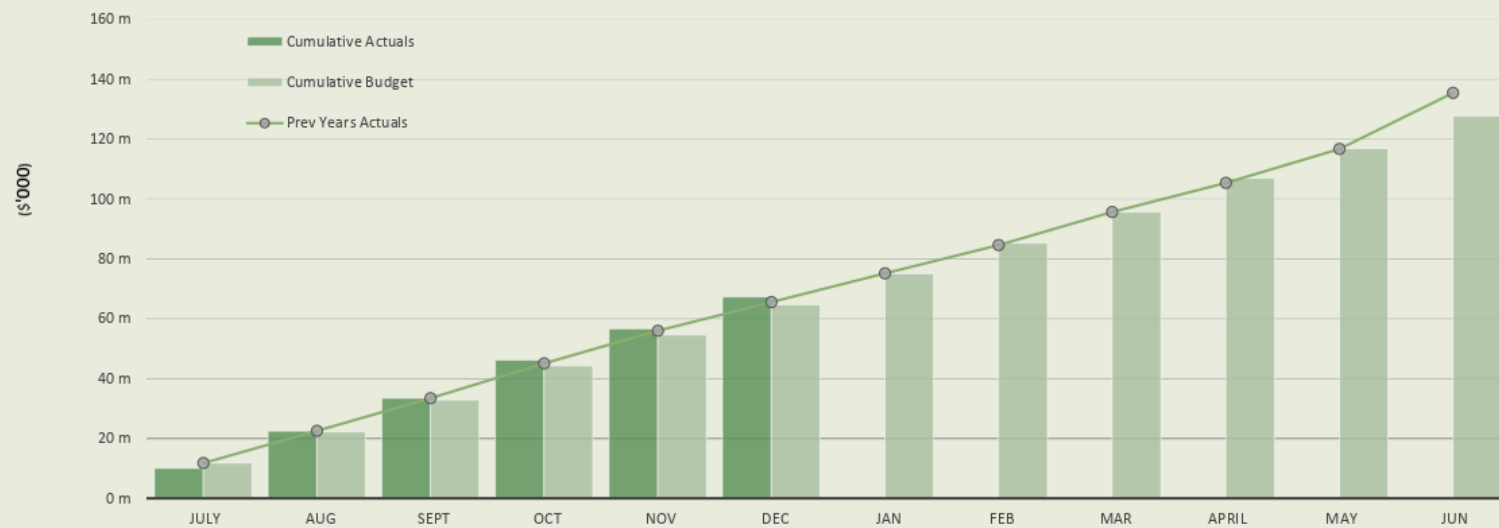
Comments: The overall revenue result has been driven by higher fees and charges across most areas of council.

How we are doing by key revenue streams (\$'000)



## Hastings District Council Quarterly Dashboard as at 31 December 2019

### Whole of Council Expenditure



Total Expenditure	Actual Ytd (\$'000)	Budget Ytd (\$'000)	Variance Ytd (\$'000)
Personnel Costs	17,992	17,438	-554
Depreciation	17,394	16,071	-1,323
Finance Costs	2,475	3,404	929
Other Operating Costs	29,461	27,798	-1,663
<b>Total</b>	<b>67,322</b>	<b>64,710</b>	<b>-2,611</b>

**Comments:** Higher expenditure is mainly driven through increased operational cost due to high demand in consenting activities, along with higher than budgeted depreciation impacts.

### How we are doing by key expenditure categories (\$'000)

#### Finance Costs

**\$929**

**Favourable  
Variance**

Finance Costs are under budget due to lower than expected debt and prudent treasury management

#### Water services maintenance

**-\$213**

**Unfavourable  
Variance**

Due to higher than budgeted spend mainly related to Wastewater maintenance.

#### Depreciation

**-\$1,323**

**Unfavourable  
Variance**

Depreciation costs are higher than budget and mainly relate to prior year higher capital spend and valuations completed at prior year end creating increased asset values higher than budgeted.

#### Planning and Regulatory Group

**-\$798**

**Unfavourable  
Variance**

Expenditure within the Planning & Regulatory group is higher than expected activity levels.

### Items of special interest (\$'000)

#### Building Control Rating Requirement

**-\$343**

**Unfavourable  
Variance**

Significantly higher building consents volumes have increased expenditure.

#### Craggy Range Track

**-\$148**

**Actual Year  
to Date cost**

Unbudgeted remediation costs for the Craggy Range Track. Project to date costs are \$716k. This work has NOW been completed



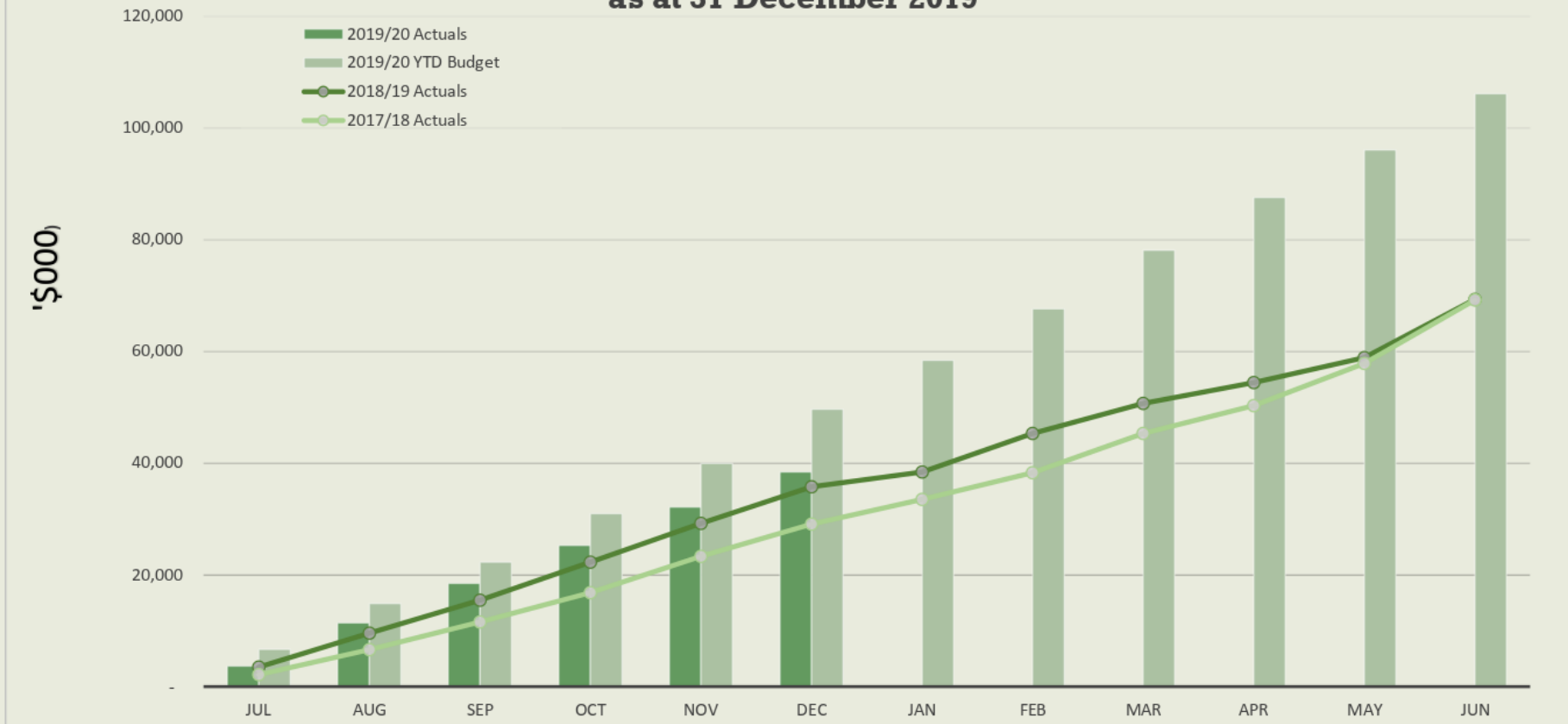
## Hastings District Council Statement of Comprehensive Revenue and Expense as at 31 December 2019

Previous YTD Actuals (\$'000)	Description	YTD Actuals (\$'000)	YTD Budgets (\$'000)	YTD Variance (\$'000)	Full Year Budget (\$'000)
	<b>Revenue</b>				
38,715	Rates	40,918	40,824	94	81,648
13,440	Fees, charges & metered water supply	14,559	12,351	2,207	25,694
10,493	Subsidies and Grants	10,763	10,769	(6)	22,648
1,658	Development and financial contributions	2,510	2,704	(195)	5,408
43	Interest revenue	54	-	54	-
431	Other revenue	403	323	80	1,646
<b>64,781</b>	<b>Total Revenue</b>	<b>69,207</b>	<b>66,971</b>	<b>2,235</b>	<b>137,044</b>
	<b>Expenditure</b>				
17,861	Personnel Costs	17,992	17,438	(554)	35,185
17,223	Depreciation & Amortisation Expense	17,394	16,071	(1,323)	32,141
2,005	Finance Costs	2,475	3,404	929	6,807
28,483	Other Operating Costs	29,461	27,798	(1,663)	53,632
<b>65,573</b>	<b>Total Expenditure</b>	<b>67,322</b>	<b>64,710</b>	<b>(2,611)</b>	<b>127,765</b>
<b>(792)</b>	<b>SURPLUS/(DEFICIT)</b>	<b>1,885</b>	<b>2,261</b>	<b>(376)</b>	<b>9,279</b>

## Hastings District Council Funding Impact Statement As At 31 December 2019

Previous YTD Actuals (\$'000)	Description	YTD Actuals (\$'000)	YTD Budgets (\$'000)	YTD Variance (\$'000)	Full Year Budget (\$'000)
	<b>Operations - Funding Source</b>				
38,715	Rates	40,918	40,824	94	81,648
4,015	Subsidies and Grants	3,409	3,512	(103)	6,949
13,240	Fees, charges metered water supply	14,369	12,151	2,218	25,294
202	Interest and dividend revenue	181	63	118	126
470	Other revenue	464	460	3	920
<b>56,643</b>	<b>Total Operating Funding</b>	<b>59,339</b>	<b>57,010</b>	<b>2,329</b>	<b>114,937</b>
	<b>Operations - Use of Funding</b>				
17,861	Personnel Costs	17,992	17,438	(554)	35,185
22,859	Supplier Costs	25,163	23,875	(1,288)	46,786
2,012	Finance Costs	2,477	3,416	940	6,833
4,311	Other Operating Costs	3,198	3,013	(185)	5,953
<b>47,044</b>	<b>Total Use of Operating Funding</b>	<b>48,831</b>	<b>47,742</b>	<b>(1,088)</b>	<b>94,755</b>
<b>9,599</b>	<b>Operating Funding Surplus/(Deficit)</b>	<b>10,509</b>	<b>9,268</b>	<b>1,241</b>	<b>20,181</b>
	<b>Capital - Funding Source</b>				
6,478	Capital Subsidies grants	7,355	7,257	98	15,699
1,586	Development financial contributions	2,417	2,569	(152)	5,138
17,222	Debt - Increase or (decrease)	18,591	25,282	(6,690)	54,234
1,266	Sale of Assets	279	239	39	422
73	Other Capital Funding	93	135	(42)	270
<b>26,624</b>	<b>Total Capital Funding</b>	<b>28,734</b>	<b>35,482</b>	<b>(6,748)</b>	<b>75,763</b>
	<b>Capital - Use of Funding</b>				
5,300	To meet additional demand (Growth)	4,573	5,717	(1,144)	9,885
12,590	To improve the level of service (New Works)	11,589	16,763	(5,174)	43,153
17,739	To replace existing assets (Renewals)	22,622	27,769	(5,147)	53,409
-1,903	To Increase or (decrease) reserves	757	(4,256)	5,013	(8,374)
-1,888	Adjustment to reserves	993	1,435	(442)	2,510
-15	To Increase or (decrease) reserves	(236)	(5,691)	5,455	(10,884)
610	To Increase or (decrease) Investments	695	191	504	383
<b>36,224</b>	<b>Total use of Capital Funding</b>	<b>39,243</b>	<b>44,750</b>	<b>(5,507)</b>	<b>95,944</b>
<b>(9,599)</b>	<b>Capital Funding Surplus/(Deficit)</b>	<b>(10,509)</b>	<b>(9,268)</b>	<b>(1,241)</b>	<b>(20,181)</b>
	<b>TOTAL FUNDING BALANCE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

### Whole of Council Capital Spend as at 31 December 2019



Key projects	Actual Ytd (\$'000)	Budget Ytd (\$'000)	Var Ytd (\$'000)	Total Budget (\$'000)
<b>Renewal Projects</b>				
Opera house	6.2 m	7.3 m	1.0 m	11.6 m
Streetlight LED Upgrade	0.5 m	0.4 m	0.0 m	0.9 m
Wastewater Rising mains	0.8 m	0.8 m	0.0 m	5.5 m
Trunk Sewer	3.1 m	3.4 m	0.3 m	3.6 m
Outfall	0.1 m	1.0 m	0.9 m	1.2 m
-	-	-	-	-
<b>New Works projects</b>				
Drinking water project	4.7 m	5.5 m	0.8 m	17.6 m
CBD Upgrades Hastings	0.8 m	0.5 m	-0.3 m	0.6 m
CBD Redevelopment	0.3 m	0.9 m	0.6 m	1.8 m
-	-	-	-	-
<b>Growth projects</b>				
Omahu	1.5 m	1.8 m	0.3 m	1.8 m
Lyndhurst	0.4 m	2.0 m	1.6 m	2.6 m
Irongate	1.0 m	1.0 m	0.1 m	1.1 m
Iona/Middle	0.1 m	0.3 m	0.2 m	2.5 m
Howard	0.3 m	0.1 m	-0.2 m	0.6 m

#### Capital - Commentary

Capital spend to 31 December 2019 is \$38.4m compared to \$49.6m budgeted for the first 6 months. The full year budget is set at \$106m and includes \$40.3m of approved carry forwards from 2018/19. Although capital spend is below budget, it remains at a historical high with a number of significant projects progressing, including the Opera House, Municipal Building, Drinking Water and sewer projects.

#### Statement of Comprehensive Revenue & Expense - Commentary

##### Revenue Variances

Revenue is \$2.35m favourable to budget for the 2019/20 year, with higher fees and charges across almost all activities of Council, along with higher interest revenue. This is offset by lower than expected Development Contributions revenue mainly due to timing of when contributions are received from developers.

Expenditure is \$2.6m above budget (unfavourable) for the 2nd quarter. Key cost drivers have been the impact of non cash items such as depreciation (\$1.3m), along with higher operational pressures in responding to some areas of Council that are experiencing significant demand pressures in meeting legislative requirements within the strong local economy.

##### Result

Council is facing real pressure to deliver increasing levels of activity, with the financial constraints of the 2019/20 budget. Revenue has increased as expected through user charges, however this has not always compensated for the increased expenditure incurred to meet Council's obligations. Savings in interest costs is helping to mitigate some of these cost pressures.

**REPORT TO:** OPERATIONS AND MONITORING COMMITTEE

**MEETING DATE:** THURSDAY 27 FEBRUARY 2020

**FROM:** CHIEF FINANCIAL OFFICER  
BRUCE ALLAN

**SUBJECT:** FINANCIAL SUMMARY AS AT 31ST DECEMBER 2019

## 1.0 PURPOSE AND EXECUTIVE SUMMARY - *TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA*

- 1.1 Attached as **Attachment 1** is the monthly financial report year to date December 2019.
- 1.2 The report provides Council with a direct link back to the Long Term Plan. The strategic framework of the 2018-28 Long Term Plan has 6 broad areas of focus and this new report is designed to link back to those 6 areas of focus which are:
1. Our Environment
  2. Moving Around
  3. Our Economy
  4. Where we Live
  5. Things to Do
  6. Our People

### Key Areas of Future Focus and Investment




- 1.3 The one page report on each area of focus concentrates on a programme of work rather than individual projects with each graph focussing on the current year expenditure. Included in the right hand column are some high level commentary. It is important to note that the scale of each programme of work varies significantly and this needs to be considered when analysing the impact of any programme spend against budget.

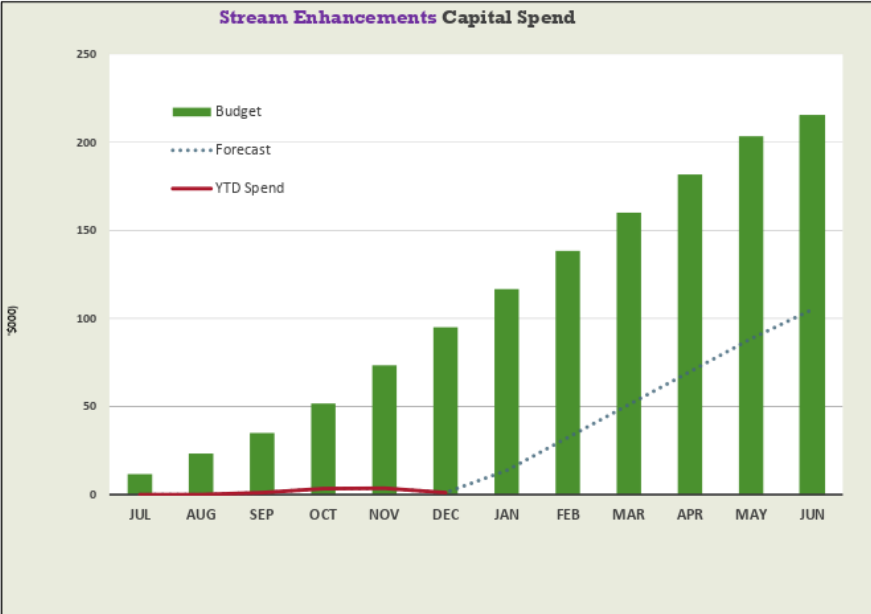
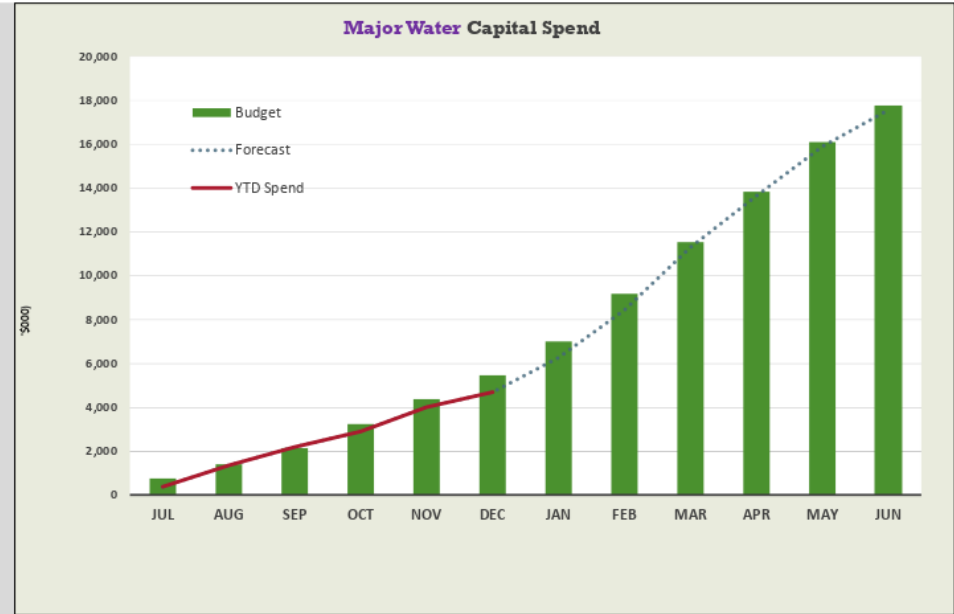
## 2.0 RECOMMENDATION - *NGĀ TŪTOHUNGA*

**That the Council receives the report titled Financial Summary as at 31st December 2019**

### Attachments:

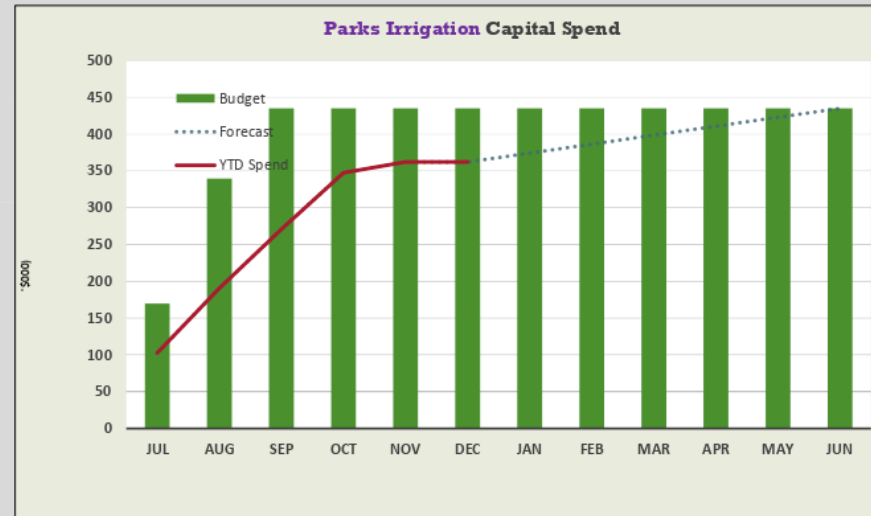
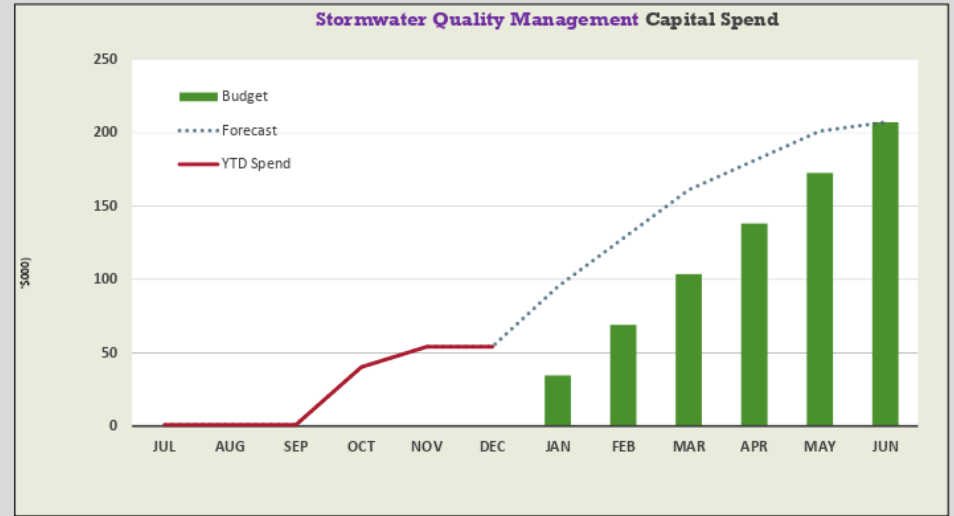
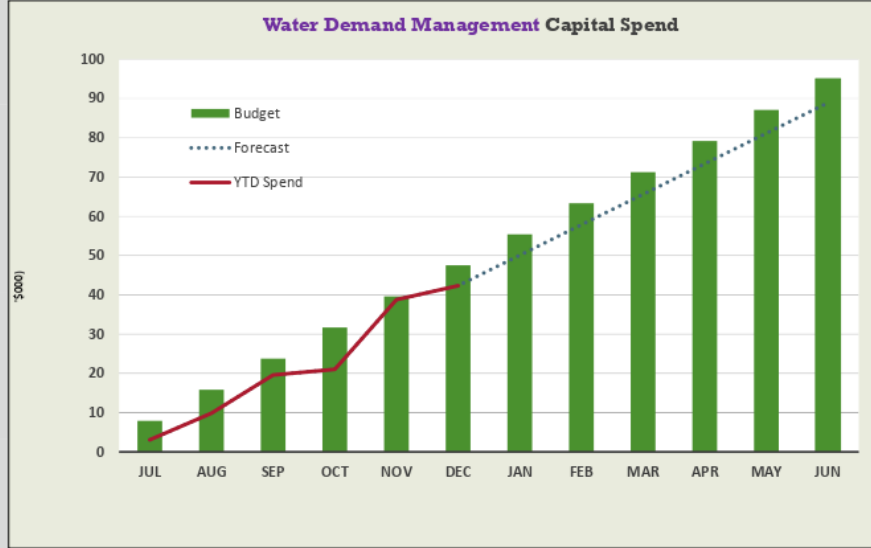
[1](#)  Financial Summary December 2019

FIn-09-01-20-185



Key points

- Major Water Capital project**
- Booster Pump station substantially complete and now being commissioned.
  - Small Supplies upgrade contract let, programmed for completion February 2021
  - Design work for Eastbourne & Frimley continues with focus on new bores, reticulation, reservoir and building design. Frimley consent due for public notification in March 2020.
- Stormwater Quality Enhancements**
- Tonkin & Taylor work underway on Lowes Pit
- Parks Irrigation**
- Cornwall and Frimley park irrigation completed
  - Akina park due to go to tender in March



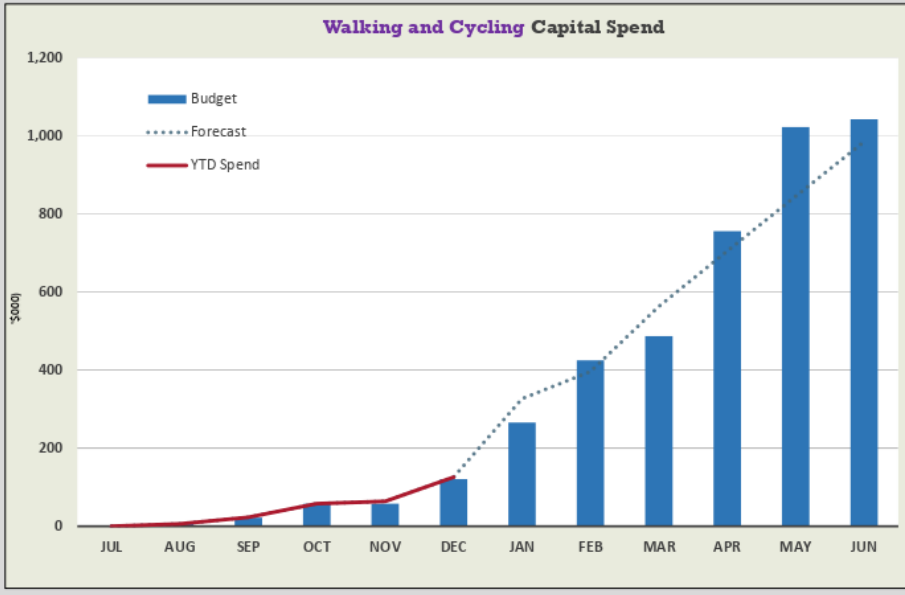
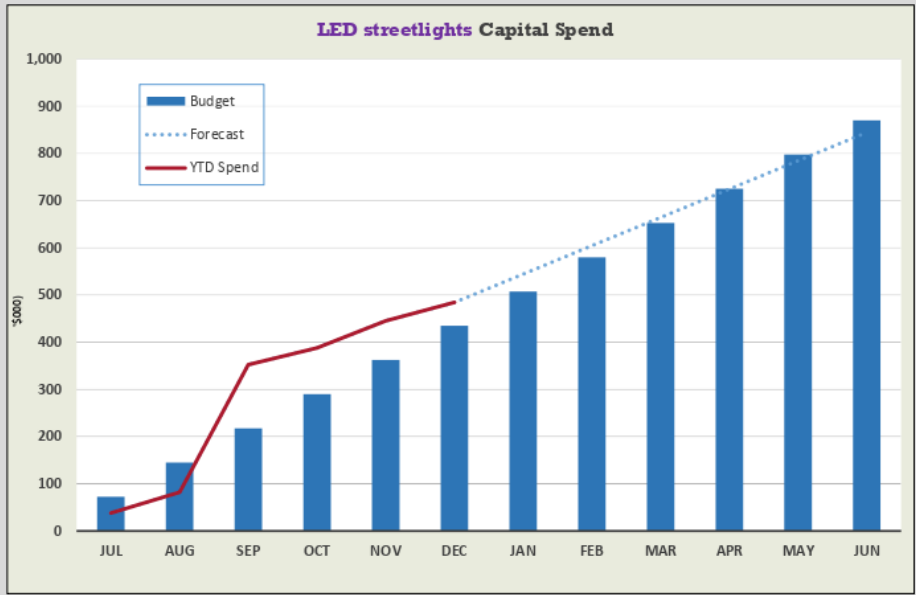
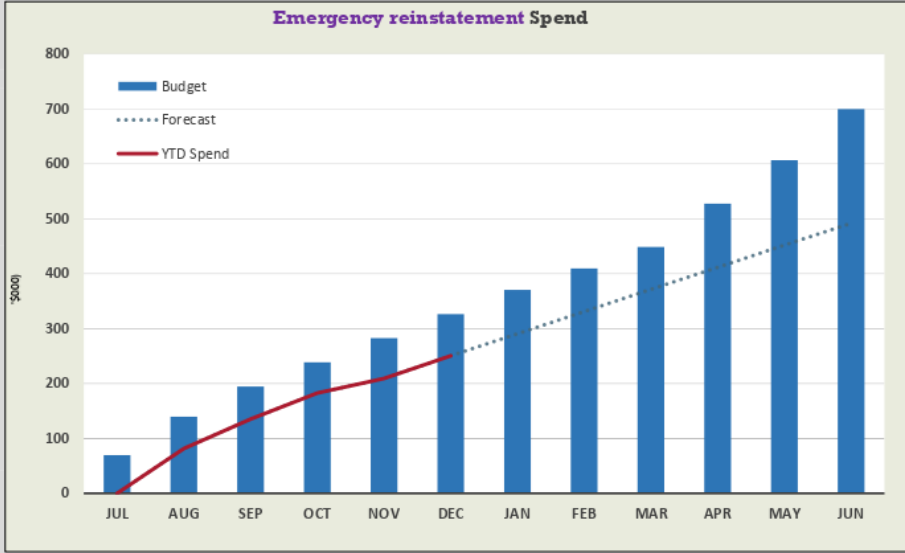
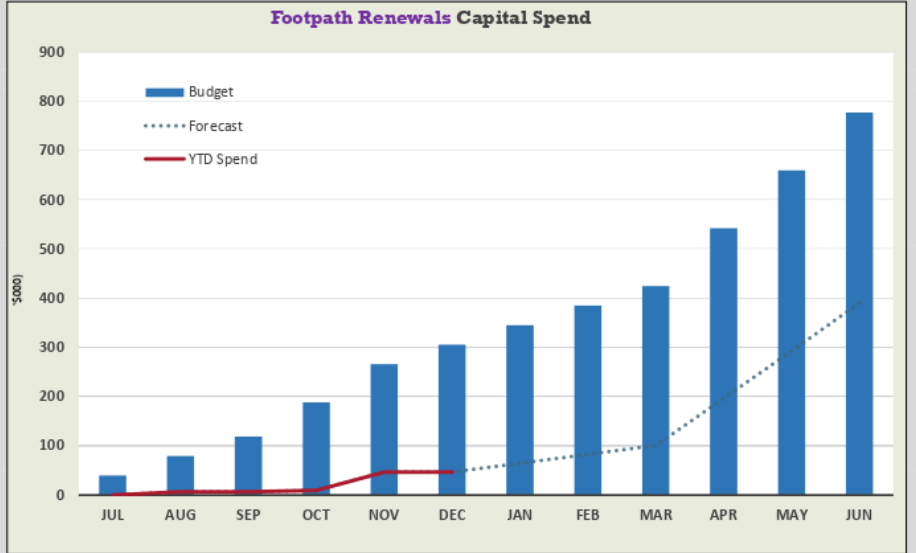
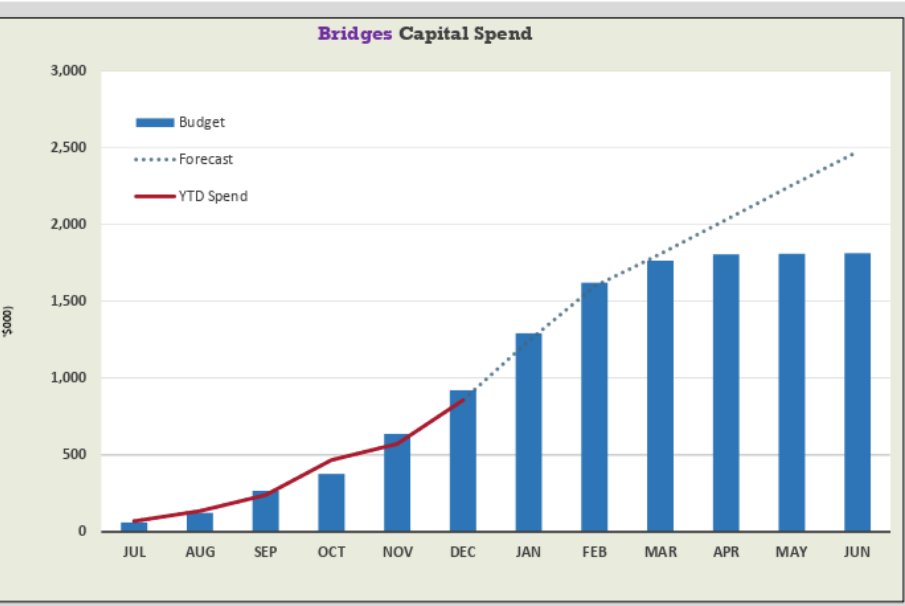
Milestones

Risks

- Major Water Capital project**
- Increase in Contractor rates could impact on the Major Water Capital project budgets.
- Lowes Pit**

Future projects:	Amount	Start date
Stormwater quality improvements	\$2.5m over 10 years	
Wastewater Treatment Plant strategy	\$1.0m over 10 years (starting 2025-26)	





Key points

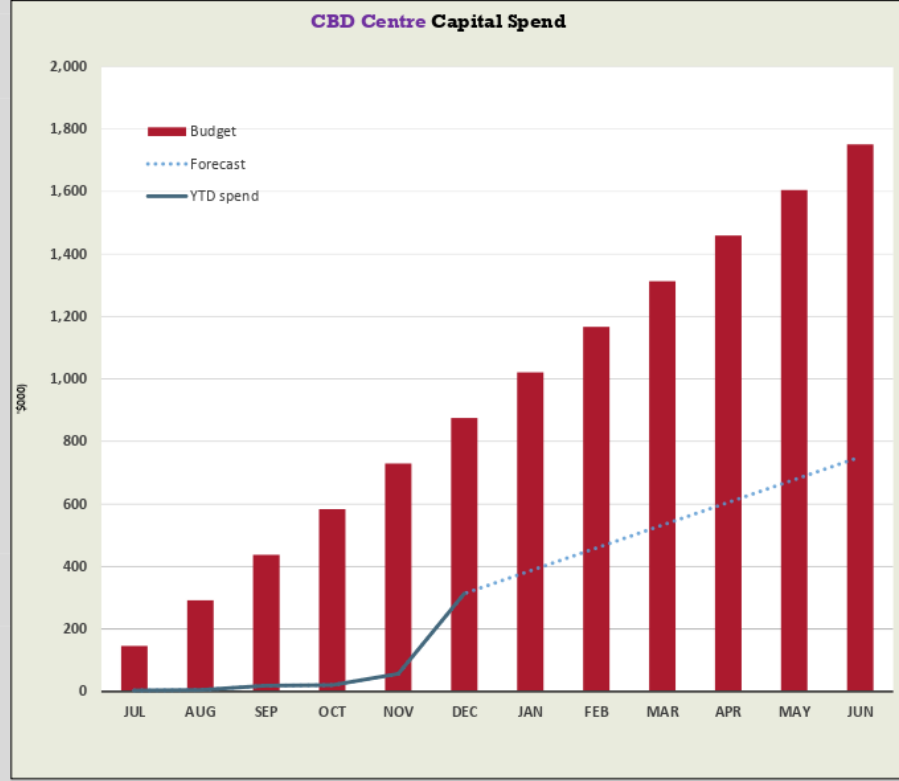
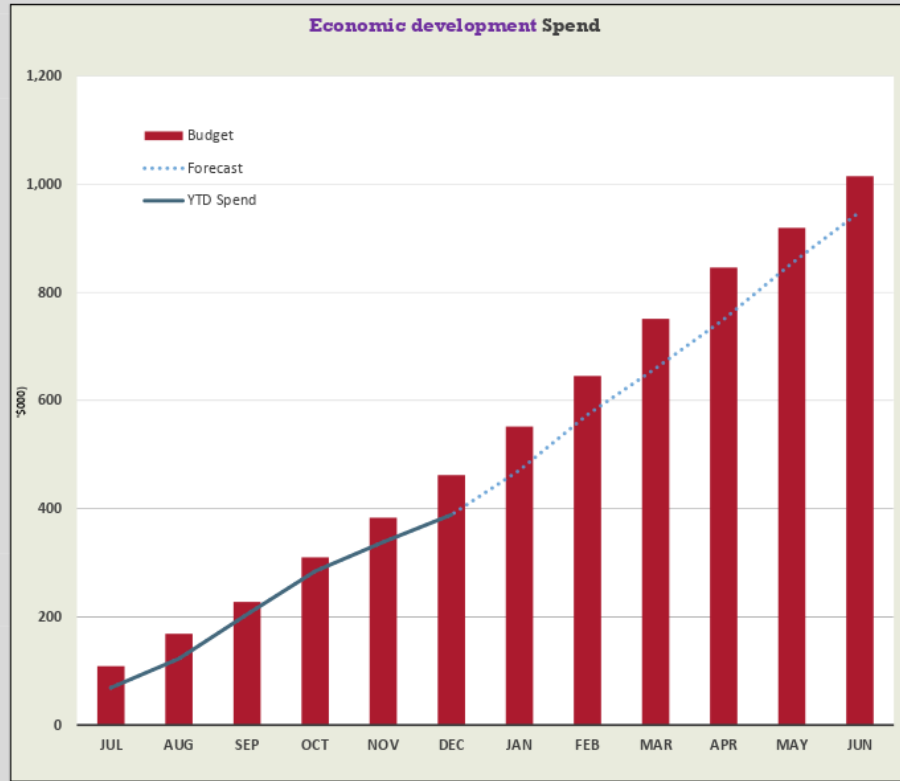
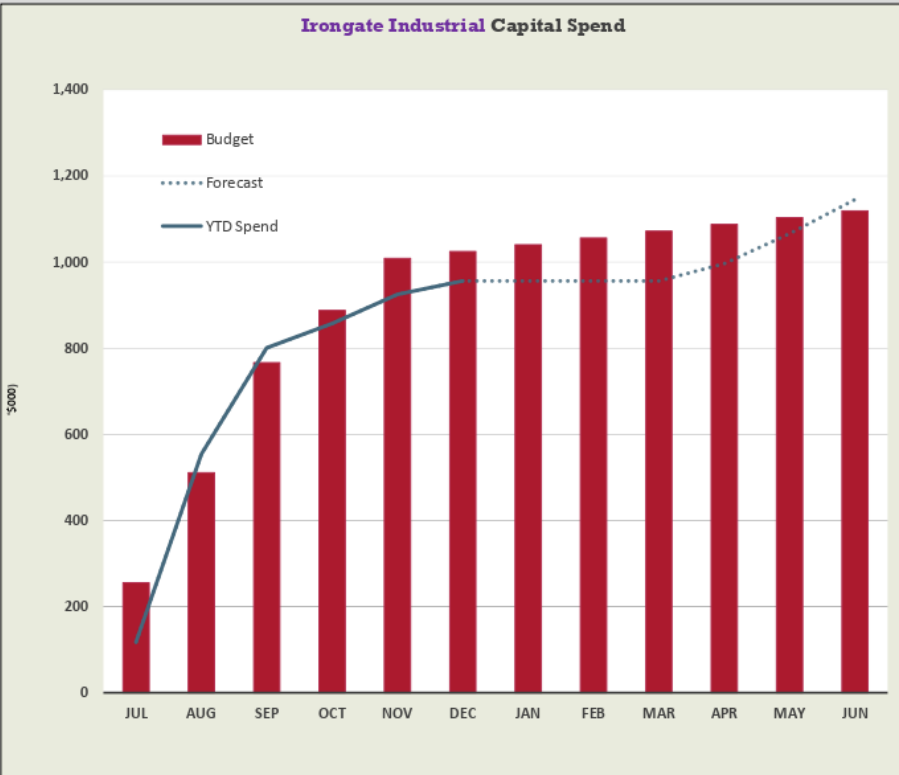
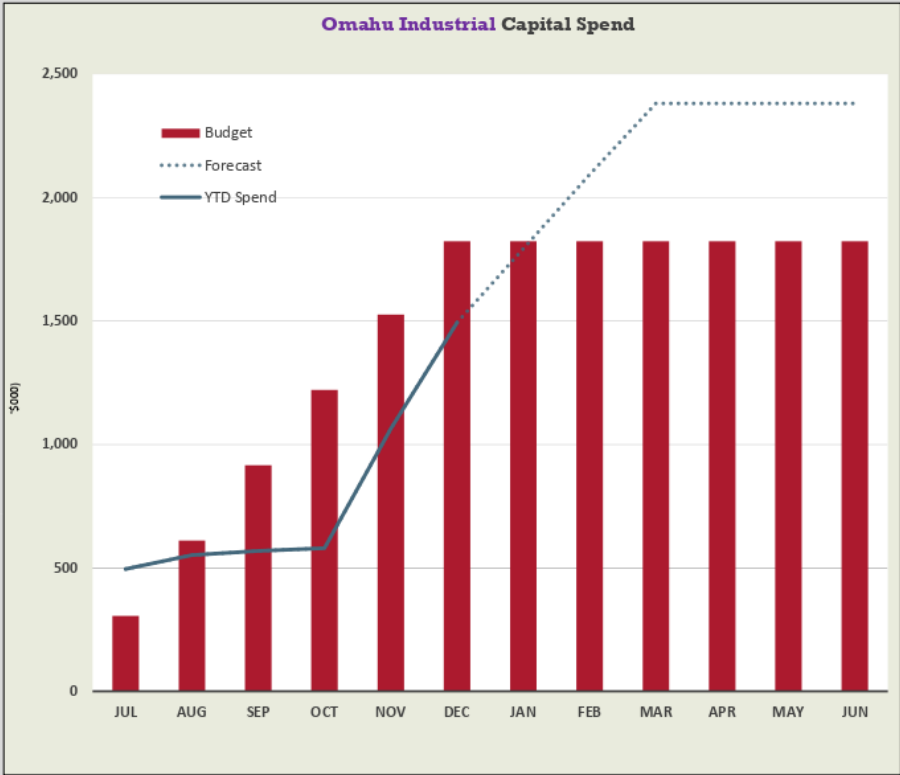
- Emergency reinstatement**
- Forecast costs for the October 2019 storm event has reduced from \$800k to \$400k.
  - The unbudgeted local share of approximately \$184k will be funded from the RA 2 flood damage reserve
- LED Streetlights**
- Ongoing programme scheduled to finish June 2021
- Walking & Cycling**
- Te Ara Kahikatea Bridge to Pakowhai rd to start December 2019
  - Southland Drain Cycleway underway
  - Napier Rd cycleway out for tender
- Roading Safety**
- Major RA 1 projects include high risk RA 1 rural roads and Pedestrian improvements.
  - Major RA 2 projects include high risk rural roads and high risk motorcycle routes.
- Footpath renewals**
- Princes Street due to start in April
- Bridges**
- NZTA money brought forward into 2019-20 as programme proceeding quicker than budgeted. This was approved by RCB.

Milestones

Risks

- LED Streetlights**
- Additional budget is required to finish the programme. Officers are calculating what this will be, plus ensuring NZTA will still subsidise .

Future projects:	Amount	Start date
Pakowhai Road CMP	\$1.2m	2023-24
North Eastern Area Wide CMP	\$1.5m	2021-22



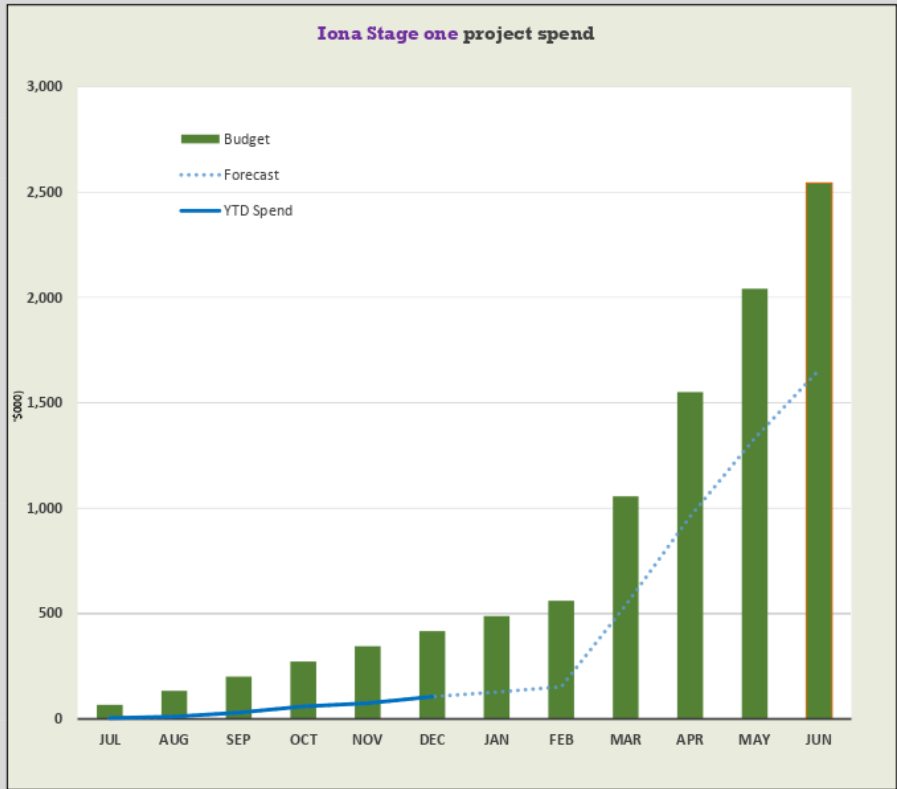
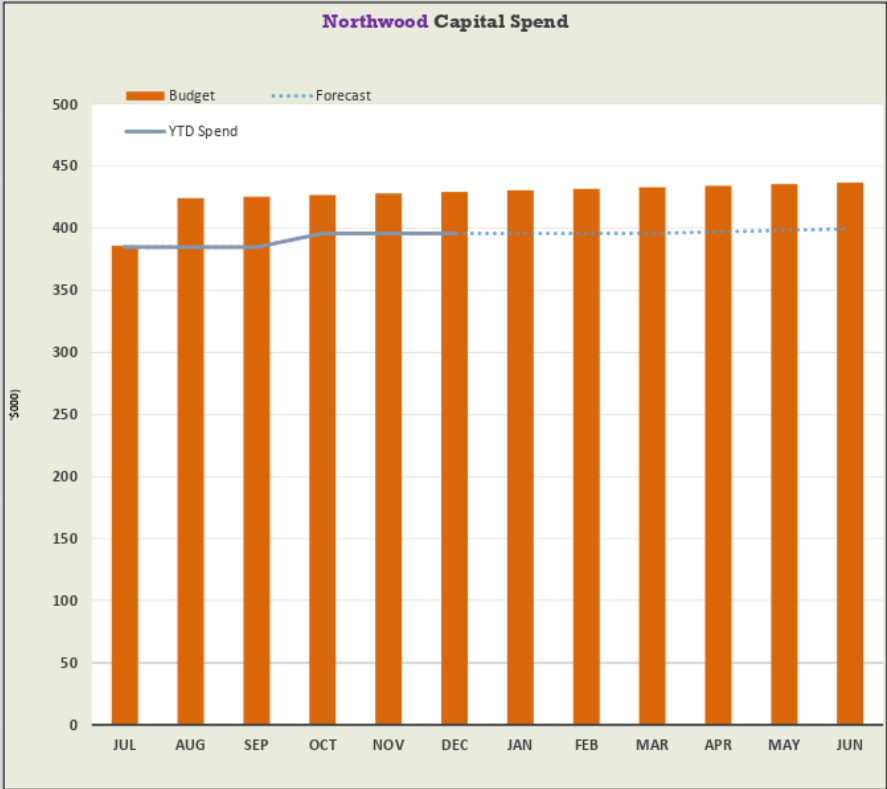
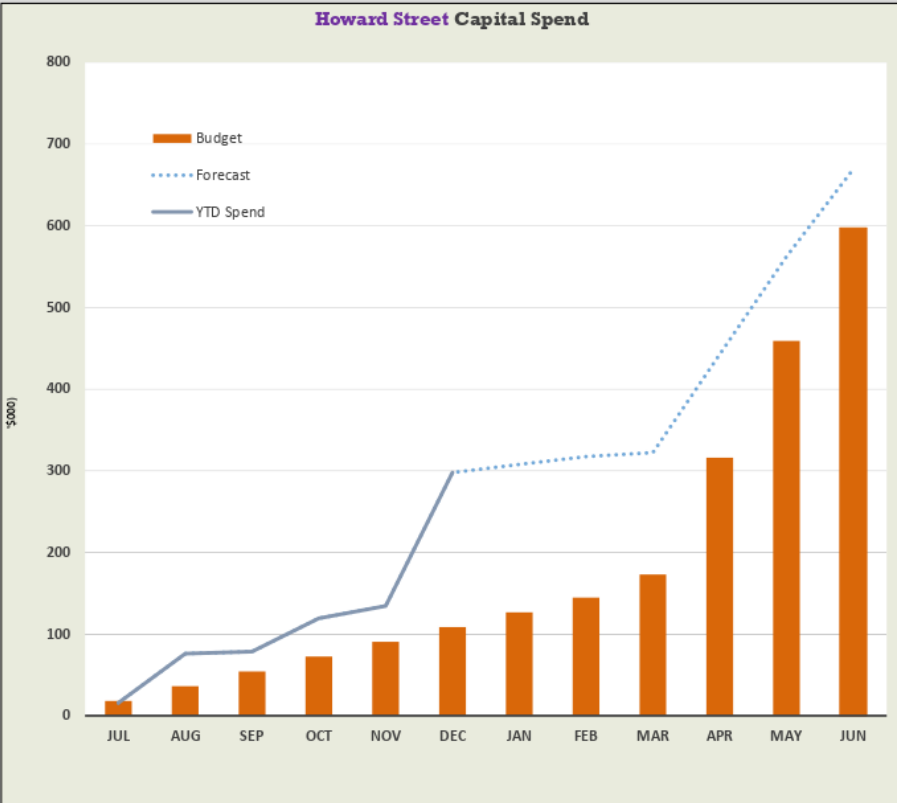
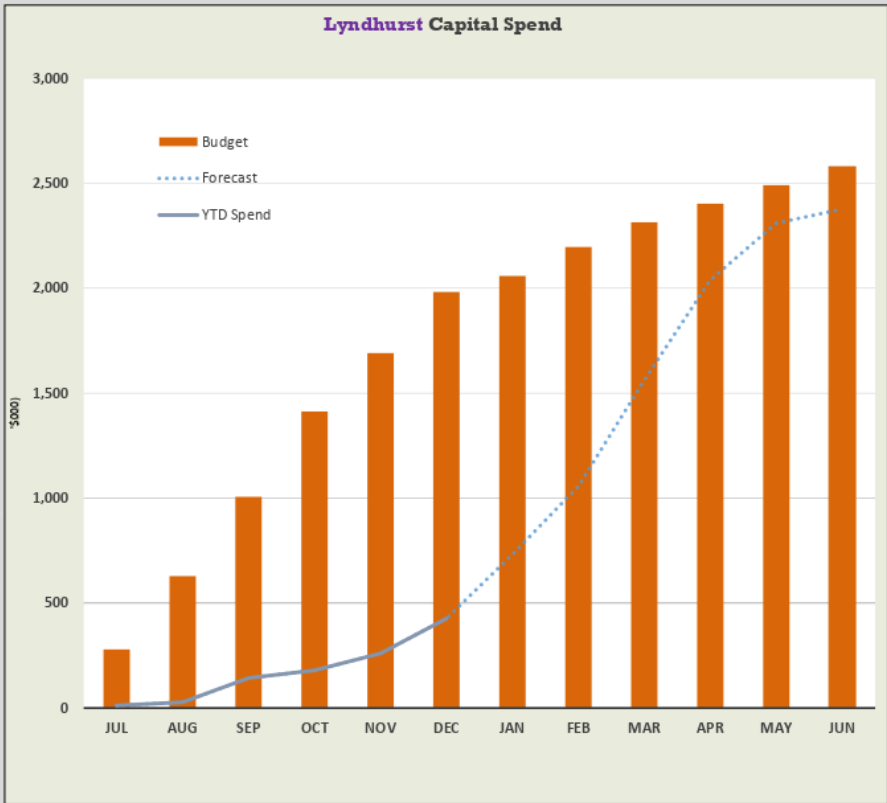
Key points

- CBD centre**
- Contractor availability is slowing progress. A carry fwd has now been signalled.
- Omahu Industrial**
- Portion 5 & 6 delayed slightly. This will be completed by March
- Irongate Industrial**
- All Construction works are complete on Irongate road.
  - Irongate Roundabout due to start in September.

Milestones

Risks

Future projects:	Amount	Start date
Tomoana Stage 1	\$4.7m	2025-26
Whakatu Stage 2	\$1.4m	2021-22



Key points

- Lyndhurst
- Portion 2 completed.
  - Portion 3. 1st half will be completed by April, 2nd part delayed due to landowner negotiations.

Howard street

Iona/Middle

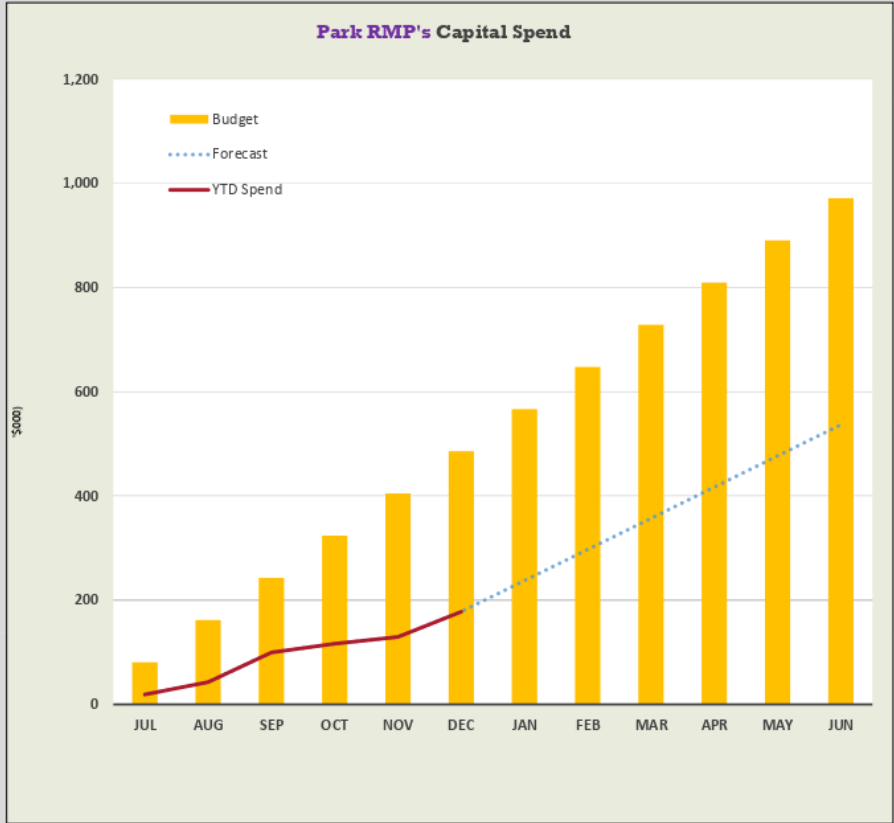
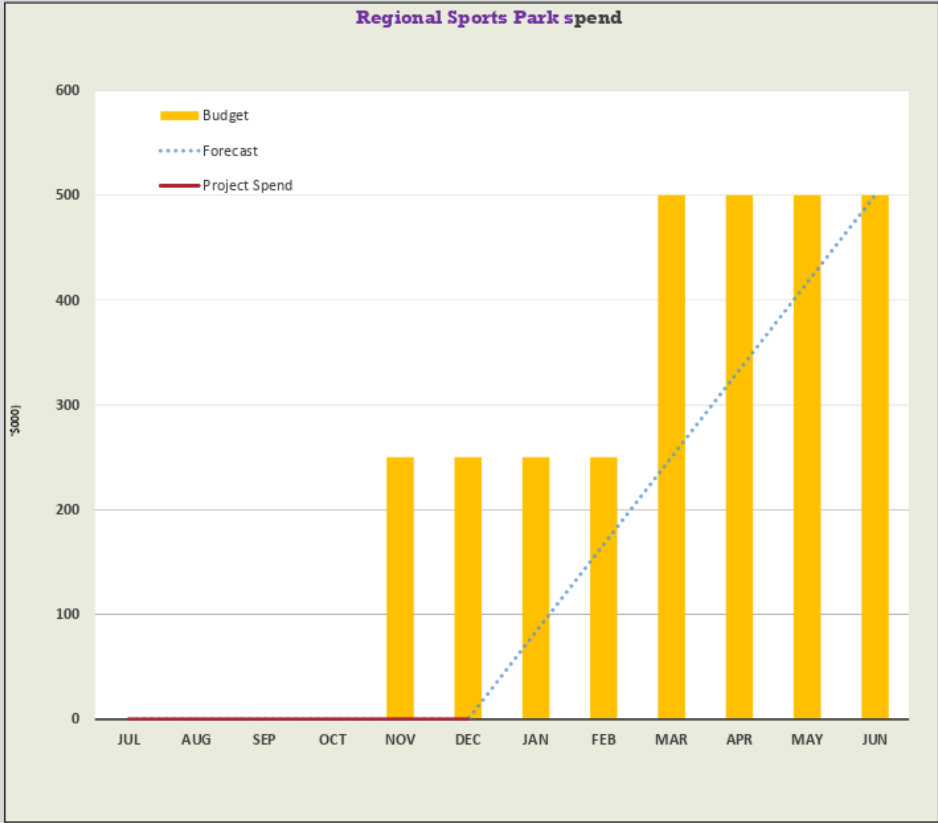
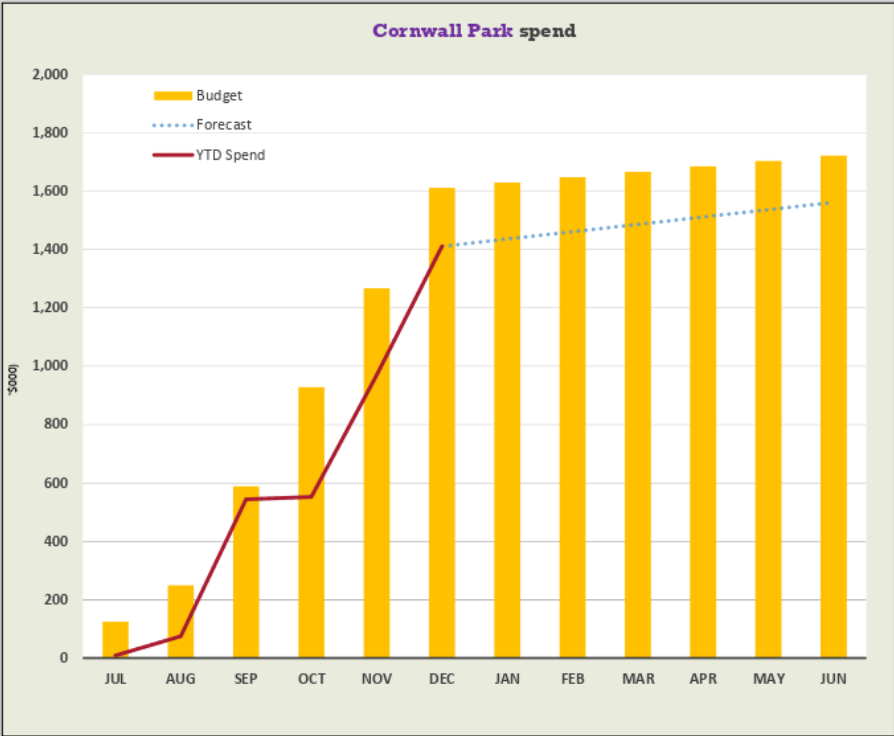
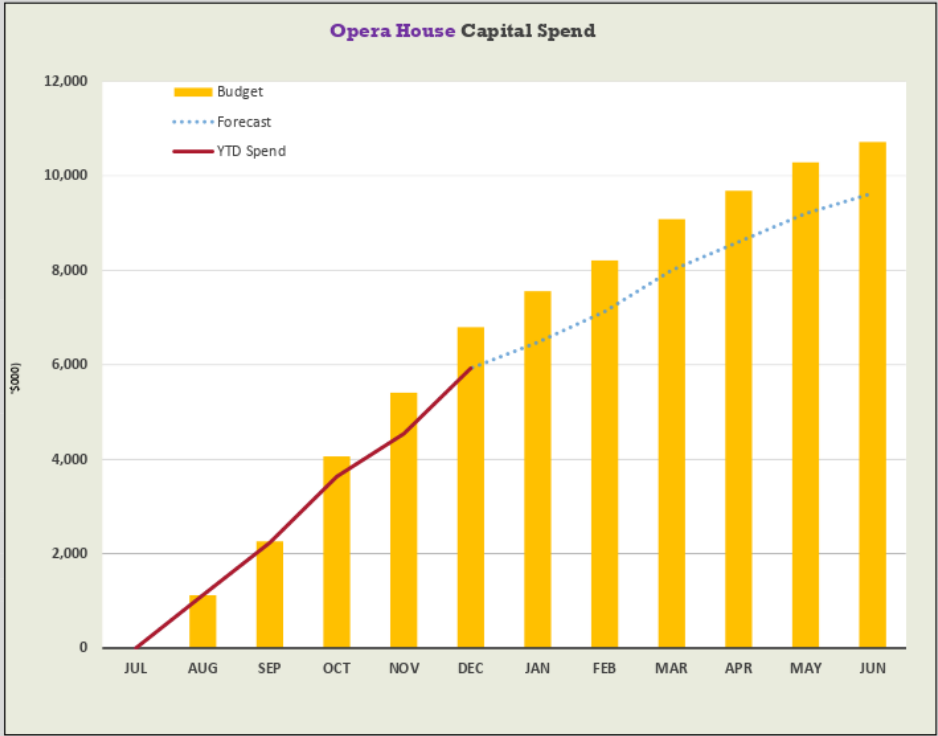
Milestones

- Lyndhurst reserve purchase completed in September 2019
- Northwood reserve purchase completed in July 2019
- Lyndhurst portion 2 now completed.

Risks

Future projects:	Amount	Start date
Brookvale Romanes stage 1	\$5.2m	2021-22
Lyndhurst Extension	\$3.3m	2023-24
Kaipō Road stage 1	\$2.0m	2024-25
Havelock Hills	\$5.0m	2018-19
Iona Stage 2	\$1.0m	2026-27
Haumoana Coastal Infrastructure	\$3.2M	2026-27





THINGS TO DO

### Key points

**Opera House**

- Plaza Re-development and Municipal strengthening construction continues on budget and on time.

**Cornwall Park Premier Playground.**

- Cornwall park playground is complete. Pond and Toilets require Council decision

**Regional Sports park**

- Regional Sports park Canoe Polo facility to commence shortly.
- Regional Sports Park Floodlight project to commence in coming months. Lottery Application outcome pending

**Park RMP's**

- Planting costs and Ebbert park playground, toilet and carpark costs yet to come in.

### Milestones

**Opera House**

- Opera House to be opened by Prime Minister on 20th February 2020

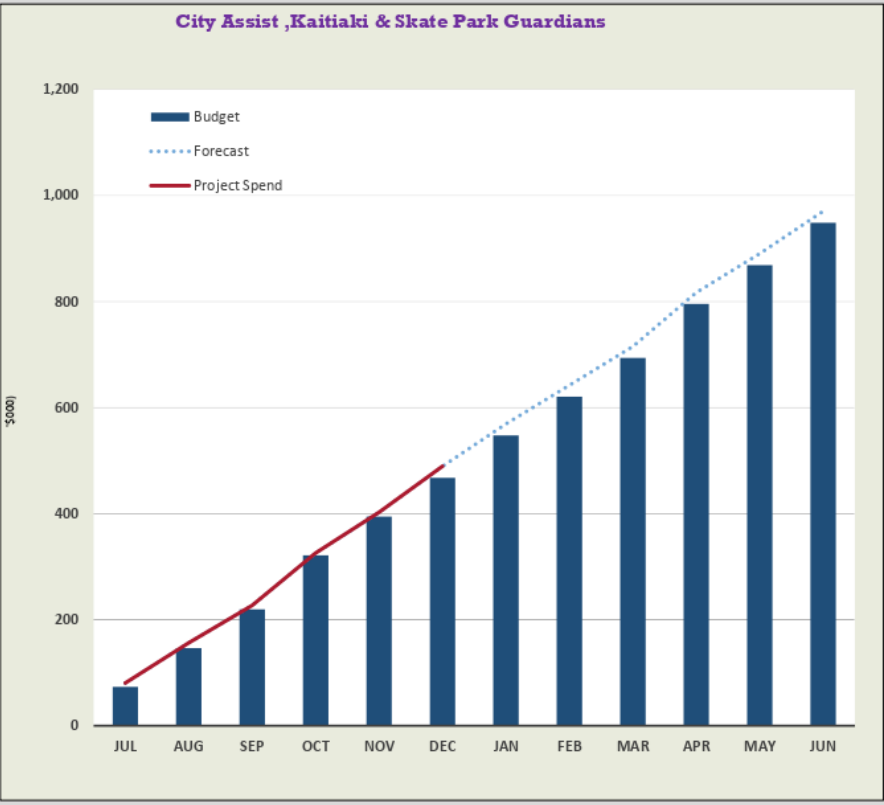
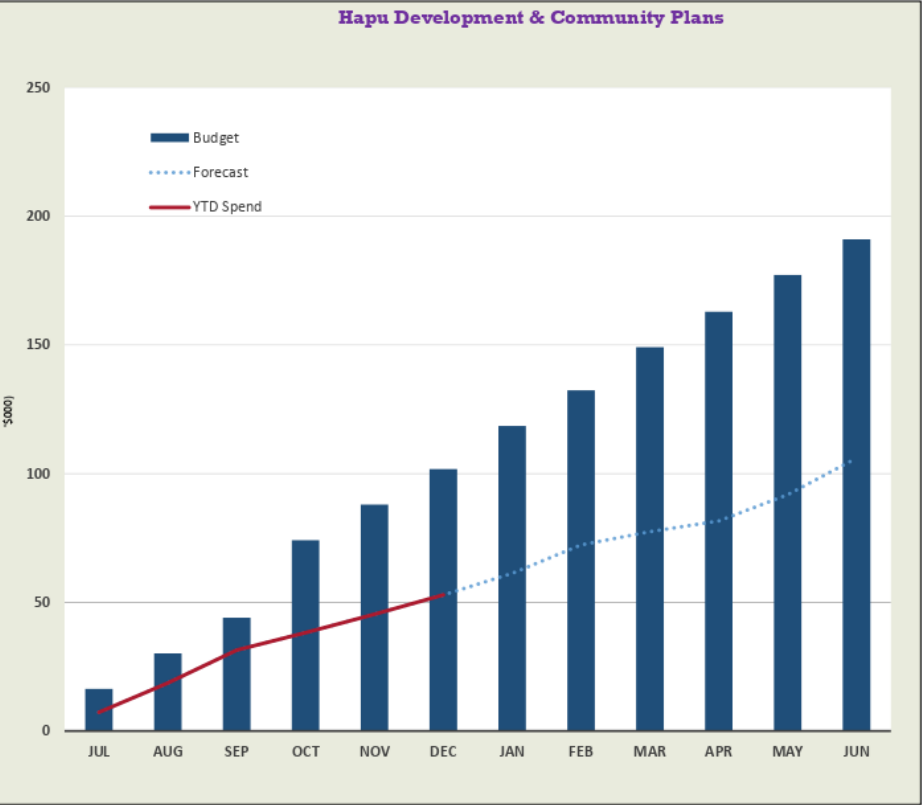
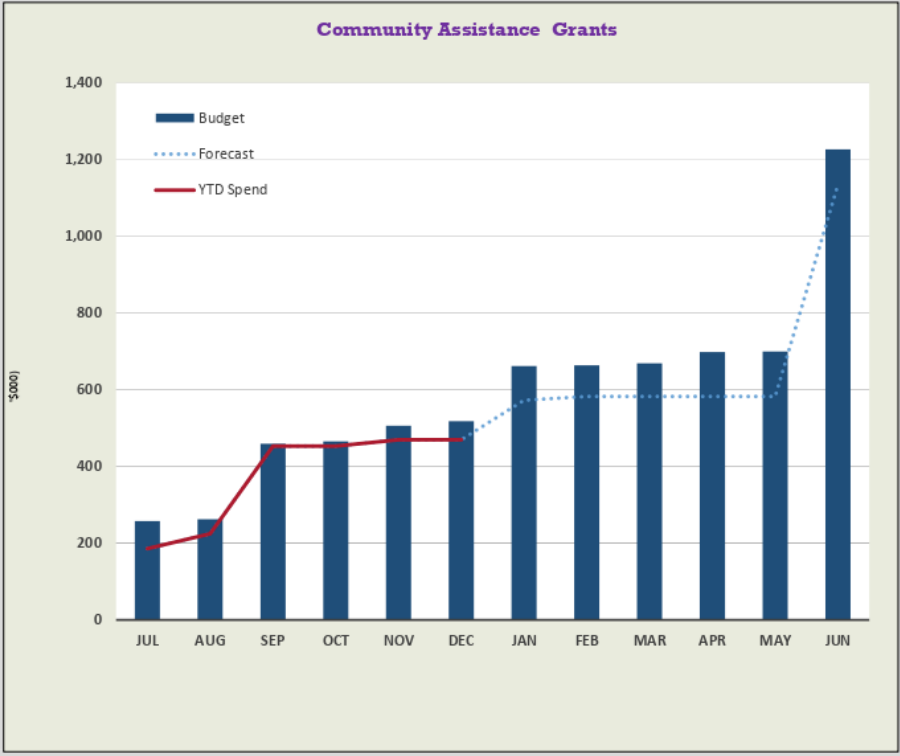
**Cornwall Park Premier Playground.**

- Cornwall park is complete..

**Park RMP's**

### Risks

Future projects:	Amount	Start date
Ongoing RMP implementation	\$5.0m	2021-22



Key points

**Youth Development**

**Community assistance Grants**

- Cranford Hospice grant now likely to be paid by end of Financial year (30 June).

**Hapu development and Community plans**

Milestones

Risks

Future projects:	Amount	Start date
------------------	--------	------------

**REPORT TO:** OPERATIONS AND MONITORING COMMITTEE

**MEETING DATE:** THURSDAY 27 FEBRUARY 2020

**FROM:** GROUP MANAGER: ASSET MANAGEMENT  
CRAIG THEW

**SUBJECT:** HALF YEAR PROGRESS REPORT

---

**1.0 EXECUTIVE SUMMARY - TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA**

- 1.1 The purpose of this report is to provide the committee with a summary of performance for the first half of the year. This report is not intended to repeat detail provided in previous weekly and monthly updates.
- 1.2 It is expected that this report will develop as the new committee structure and specific programme focus areas are confirmed.
- 1.3 Following the meeting committee members will be provided with a brief overview and demonstration of the monthly reporting portal which is under development. This report has been structured in alignment to this tool.

**2.0 RECOMMENDATIONS - NGĀ TŪTOHUNGA**

- A) That the Committee receives the report titled Half Year Progress report.

### **3.0 BACKGROUND – *TE HOROPAKI***

- 3.1 This is the first summary report to this new committee, replacing previous reports such as works and services updates, major projects, and other council service area updates.
- 3.2 It is expected that the nature and focus of update reports to this committee will mature and adapt to specific needs and focus areas over time.
- 3.3 It is not currently intended for these reports to replicate detail such as has been provided in weekly update reports, nor to fully reproduce items included in the new monthly reporting tool.

### **4.0 DISCUSSION - *TE MATAPAKITANGA***

#### **5.0 Compliance Summary of key activity areas**

##### **5.1 Drinking Water compliance**

Updated Water Safety Plan (WSP) for the main water supply has been submitted to Health officials for assessment. The assessment by the drinking water assessors is still underway. The WSP incorporates the major improvements Council has approved as well as a significant list of smaller improvements proposed to continuously improve controls of identified hazards.

Extensive testing and monitoring continues.

##### **5.2 Council Consenting performance**

As previously reported current resourcing levels are inadequate to enable Council to meeting statutory response times during this time of high economic activity. This issue is occurring across both Building and the Regulatory consenting areas. Council's recent decision to increase resourcing will take time to reverse this situation. Further to the building and planning staff demands the increased activity also creates demands on development engineering resources. The actual scale of effect does depend on the complexity of applications and the quality/completeness of applications. We will need to monitor and adjust resourcing inputs to ensure engineering inputs can meet processing requirements as well.

- 5.2.2 **Asset Management Consent management system.** Over the first half of the year a new consent management initiative has been progressively implemented to manage, firstly consents that Council has with other entities, and secondly where Council issues consents to others (i.e. Trade Waste). To date in the order of 80 consents and their various conditions have been loaded. Progress on this business improvement initiative is being reported to the Assurance and Risk committee. The system will enable consolidated reporting across consents and to provide improved oversight performance against conditions.

#### **6.0 LTP Priorities:**

##### **6.1 *Our Environment***

- 6.1.1 Waste programme changes: The works in preparation to deliver on the changes to kerbside recycling and refuse services is well on the way with contracts let (Smart Environmental as the kerbside recycling provider, and JJ Richards as the kerbside refuse provider). The associated preparation tasks (e.g. audit of serviced area, communications strategy, funding models for annual plan) are also progressing to schedule. The Waste minimisation team are also progressing waste minimisation initiatives programmed in the plan.
- 6.1.2 Landfill: The strong economy has also seen increasing tonnages of material to the landfill. This has also included increased special waste, in particular material related to potential asbestos contamination and contaminated soil. Officers are monitoring and making operational adjustments to manage this increase. There may also be a need to have discussions with industry as to the need for some of the material to be dumped verses additional checks/cleaning.
- 6.1.3 Renewal of Leachate Pond liner: this work has been completed. The pond liner was fully renewed along with some minor improvements to aid in the operation. HBRC officers were involved as this work progressed.
- 6.1.4 Drinking Water Upgrade works: Design and contract negotiations have been progressing and Council has received recent reports on budget and contract status. Some of the key risks to the programme that the team are managing are in the areas of consenting, supplier capacity and interest, land agreements. Delivery of this programme of improvements to the schedule set in the LTP and agreed with the Drinking water assessors is critical to meeting Councils requirements under the Health Act, in particular the implementation of the remaining water treatment upgrade works at both the main urban supply bore field in the Frimley park and Eastbourne areas.
- 6.1.5 Wastewater improvements: Upgrades to the Park Road rising main continue, this is a multi-stage multi year project to increase capacity and reduce wet weather overflows in the Akina and Parkvale area. This capital works will be supported by further 'on property' inspection to reduce inflow and infiltration effects that contribute to increased wet weather flows in the wastewater system.
- 6.1.6 Lowes Pit improvements: This project was accelerated by a Council decision at the end of 2019. A budget provision to implement a suite of initiatives to reduce environmental risks has also been included in the draft 20/21 Annual plan. The actual improvement initiatives are to be finalised following further detail investigations and analysis of treatment effectiveness. Testing has been occurring, however some tests cannot be completed until there is enough rain in the area to monitor and trace source areas.
- 6.2 ***Moving Around***
- 6.2.1 Speed limit review: Officers are compiling the assessments of the draft sites to be taken through to the public consultation process assessment processes. This draft proposal is scheduled to be presented to a meeting in March. NZTA are also working to consider the speed limits on SH51 (old SH2) at a similar time.
- 6.2.2 Bridge Programme: improvement works is ahead of schedule and Council has approved the acceleration of works and funding from 2020/21.

6.2.3 Road Safety requests: There has been an increasing trend from household/community for reviews of road safety at numerous locations. The quantity of these along with delivery of business as usual is creating resourcing (staff capacity and available budget) and delivery challenges which is of increasing concern. If the level of requests continues we will need to increasingly manage expectations and priorities.

### 6.3 Our Economy

6.3.1 CBD Programme: various projects have been completed, in particular the improvement works along Eastbourne Street. What is less obvious is the work the team have been doing in preparation for further works and in discussions with adjacent and potential CBD businesses. Next key upgrade is the delivery of upgrade works to Karamu Road 100 North block (works schedule to start week of this meeting), and the enabling works for landmarks square enhancements.

6.3.2 Industrial Growth Summary – works on the delivery of infrastructure to enable industrial growth in Irongate and Omaha continues in line with the budgeted programme.

6.3.3 Irongate Industrial Growth: The capital works for water infrastructure is complete. Road improvements for Irongate Road East are effectively complete and final design for the roundabout at Maraekakaho Road is underway. Council received Development Contributions for 27.44 Ha in the second half of 2019.

GROWTH PROJECTS (As at 18 February 2020)	RISK CATEGORIES											
	Sequence	PM	Overall Project Status	Scope	Costs	Time	Quality	Planning	3 Waters	Roading	Parks	Relationships
Irongate Industrial Development		JenniferB	OK	✓	✓	✓	✓	✓	✓	⚠	✓	⚠
				✓							✓	✓

6.3.4 Omaha Industrial Growth: Contractor completed work on Separable Portion 6 and nears completion on Separable Portion 5 of the Omaha (North) infrastructure corridor. Design works are underway to address overflow issue involving swale serving a large development on Omaha Road. Acquisition of land for the roundabout at Omaha and Henderson is ongoing. The timing of the roundabouts is under review. We are >95% complete with the designed bulk water services works to date for the corridor.

GROWTH PROJECTS (As at 18 February 2020)	RISK CATEGORIES											
	Sequence	PM	Overall Project Status	Scope	Costs	Time	Quality	Planning	3 Waters	Roading	Parks	Relationships
Omaha Industrial Development		JenniferB	MANAGING	✓	✓	✓	⚠	✓	✓	✓	✓	⚠
				✓							✓	✓

## 6.4 *Where we Live*

- 6.4.1 Lyndhurst Stage 2 Residential Growth: There are numerous dwellings being built within the stage 2 development area. ~167 lots have been consented. An additional ~50 lot subdivision application has been granted. All the landowners within stage 2 have indicated their interest to develop. Portion 2 construction of bulk water services from Lyndhurst Road through to Arbuckle Road is complete. Portion 3 construction of bulk water services from Arbuckle Road through to the 3Tuahine land is under construction scheduled to be completed in the first quarter of 2020.

GROWTH PROJECTS (As at 18 February 2020)				RISK CATEGORIES										
	Sequence	PM	Overall Project Status	Scope	Costs	Time	Quality	Planning	3 Waters	Roading	Parks	Relationships	External Factors	Resourcing
ACTIVE RESIDENTIAL GROWTH AREAS														
Lyndhurst Development Stage II (270)		SamF	MANAGING											

- 6.4.2 Howard Street Residential Growth: Officers have completed developed design of the internal water infrastructure and roading network (with the exclusion of landowner vehicle crossings and manholes details). The Internal Servicing Development Contribution (ISDC) is scheduled to be adopted in May 2020. Council have met with the Tremains team to discuss the developed design estimate. Land negotiations are ongoing with one conditional agreement for land purchase signed.

GROWTH PROJECTS (As at 18 February 2020)				RISK CATEGORIES										
	Sequence	PM	Overall Project Status	Scope	Costs	Time	Quality	Planning	3 Waters	Roading	Parks	Relationships	External Factors	Resourcing
ACTIVE RESIDENTIAL GROWTH AREAS														
Howard Street (260)		SamF	MANAGING	✓	⚠	✗	⚠	✓	⚠	✗	✓	⚠	✗	⚠

- 6.4.3 Iona Residential Growth: There is currently a request from a landowner for Council to enter into an agreement (regarding adjacent landowners contributing towards internal infrastructure installation). Officers are working through this request. A Working Group has been established to progress the request to enter into a Development Agreement. The main landowner has inquired into any available 3 water capacity to allow for a small development ahead of HDC services upgrades. Officers have confirmed 20 houses can occur ahead of HDC services upgrades. Breadalbane Avenue is being designed with construction commencement of roading and associated

infrastructure for March 2020. Investigations into the realignment and closure of Iona Road have commenced.

GROWTH PROJECTS (As at 18 February 2020)				RISK CATEGORIES											
	Sequence	PM	Overall Project Status	Scope	Costs	Time	Quality	Planning	3 Waters	Roading	Parks	Relationships	External Factors	Resourcing	
ACTIVE RESIDENTIAL GROWTH AREAS															
Iona / Middle (210)		SamF	MANAGING	🟡	🟡	🔴	🟢	🟢	🟡	🟡	🟡	🟡	🔴	🟡	

- 6.4.4 **Brookvale Residential Growth:** The Environment Court has approved the Brookvale Structure Plan. A main developer is close to submitting a consent to begin earthworks in Area A (Stage1). The Stormwater Modelling Report is to be confirmed by HDC as a priority.

GROWTH PROJECTS (As at 18 February 2020)	RISK CATEGORIES													
	Sequence	PM	Overall Project Status	Scope	Costs	Time	Quality	Planning	3 Waters	Roading	Parks	Relationships	External Factors	Resourcing
ACTIVE RESIDENTIAL GROWTH AREAS														
Brookvale Road / Romanes Dr (575)	2018-2048	SamF	MANAGING	✔️	✔️	⚠️	✔️	⚠️	⚠️	⚠️	✔️	⚠️	⚠️	✔️

## 6.5 **Things To Do**

- 6.6 **ToiToi:** The construction work at the theatre and the new Functions on Hastings buildings is practically complete in readiness for the opening on the 29 February. Implementation of the strengthening work on the Municipal building continues, this includes the structural propping installed to provide safe egress from the Theatre. The design and pricing of the next stage is currently underway, when completed this will come back to Council, along with an update on funding.
- 6.7 **Parks RMPs:** various parks improvements have been completed to date, with the most significant project being the works and public opening of the Cornwall Park premier playground.

## 7.0 **Risk Assurance summary**

- 7.1 Potential Regulatory and Policy changes that could affect Council:

### 7.1.1 National :

**Solid Waste:** Changes to waste levy and Emissions trading scheme (ETS) have been signalled, these if implemented will have direct effects on council



and community costs. It may also provide additional waste minimisation funding to Council, but to what, if any, extent is unclear in current documents

#### Drinking Water:

Consultation on Drinking Water Regulator is out for submissions, the HB Drinking Water Governance group is compiling a joint submission on this from the member agencies. This regulator will have oversight over all drinking water suppliers, it will also have a role in oversight of wastewater and stormwater performance across the country.

The Water Services Bill is expected later this year, this is the Bill that will provide more detail as to the new operating environment, including responsibilities and liabilities that organisations will have. Officers expect that the detail development below this will be left for the new regulator to finalise, likely building on work completed to date by MoH and DIA.

Transportation: The Ministry of Transport has been working on a new Government position statement (GPS) for transport, and will be providing workshops across the country to discuss this proposed direction. Currently officers are not expecting a significant shift from the core focus of the current government, but will review and report on implications once this is available.

#### 7.1.2 Regional:

The TANK plan change is expected to be released by the Hawkes Bay Regional Council for consultation within the next few months. Council will need to consider the position(s) it takes over a range of issues once this is released for comment.

### 8.0 Programme Delivery Overview

#### 8.1 Significant Projects in addition to base approved plan

**Clifton beach / Landslide** – Report received but further work to increase confidence has been commissioned. GNS progressing this work with draft report due on 3 April, and final report within 2 weeks following receipt of comments from Department of Conservation and Council.

**Cape view corner**, concept design has been completed in regards to providing an increased level protection from coastal erosion to public assets and public access. Based on the concept works a budget provision to progress works in 20/21 has been included for consideration in the annual plan. This project will need agreement from a number of landowners and also will need to work through consenting processes. Officers are also assisting local property owners (H21) as they consider their collective options.

**Waipatu community plan initiatives** – Concept designs for sections of SH51 (Karamu Road) have been completed, survey and the detail design is underway. Key risks to delivery relate to existing power poles, potential complications in finding workable stormwater solutions, and securing funding. Discussions to date with NZTA are positive both on the proposed concept and in regards to State Highway funds being available to support the works. Further design work will confirm costs, and assist funding conversations. Unison are also progressing with design options in regards to the existing poles. On a related traffic matter officers are investigating potential initiatives

to reduce/remove the current issues with burnouts and racing in the Waipatu area, in particular the Otene and Ruahapia roads area.

**Attachments:**

There are no attachments for this report.

**REPORT TO:** OPERATIONS AND MONITORING COMMITTEE

**MEETING DATE:** THURSDAY 27 FEBRUARY 2020

**FROM:** PARKS AND PROPERTY SERVICES MANAGER  
COLIN HOSFORD

**SUBJECT:** TRACK UPGRADES OF TAINUI, TANNER STREET,  
HIKANUI AND TAUROA ROAD RESERVES – REQUEST  
FOR ADDITIONAL FUNDS

## **1.0 EXECUTIVE SUMMARY - *TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA***

- 1.1 The purpose of this report is to advise the Committee on the increased costs for upgrading walking tracks in the Tainui, Tauroa, Tanner and Hikanui reserves and to request additional funding to complete the adopted track improvements be considered as part of the 2021/31 Long Term Plan.
- 1.2 This decision contributes to the purpose of local government by promoting environmental and social wellbeing and more specifically through the Council's strategic objective of providing safe, fit for purpose services both now and into the future and good quality local infrastructure.
- 1.3 The reports recommends that the Committee adopts Option 1 and the allocation of an additional \$120,000 be considered alongside other priorities in the draft 2021/31 Long Term Plan.

## **2.0 RECOMMENDATIONS - *NGĀ TŪTOHUNGA***

- A) That the Committee receives the report titled Track Upgrades of Tainui, Tanner Street, Hikanui and Tauroa Road Reserves – Request for Additional Funds.
- B) That the Committee endorses an increase of \$120,000 to undertake the upgrade the walking tracks in Tainui, Tauroa and Tanner reserves to the NZ Short Walk standard, and that the additional funding be included in Years 1 and 2 of the Draft 2021/31 Long Term Plan, for consideration alongside other competing priorities.

### 3.0 BACKGROUND – *TE HOROPAKI*

- 3.1 The four Havelock North natural reserves, comprised of Tainui, Tauroa, Tanner and Hikanui reserves are increasingly popular with local residents in offering a natural park experience especially involving a challenging topography for walking. They are used by walkers, bikers and joggers as well as an off-lead area for those exercising their dogs.
- 3.2 During the reserve management planning process undertaken in 2015, the community expressed a general desire to improve the walking tracks for year round use and to improve safety.



- 3.3 The Reserve Management Plan (RMP) for Tainui, Tanner, Tauroa and Hikanui Reserves in 2015 had estimated a modest budget of \$92,000 for basic walking track upgrades and for new mountain bike tracks.
- 3.4 The Council resolved on 28<sup>th</sup> of June 2018 to upgrade of all walking tracks to meet the New Zealand Track Standards. The independent Frame Group consultancy was commissioned to review the tracks' condition and estimate the cost to upgrade them. They estimated that a total of \$152,000 was required to upgrade the tracks to the NZ Short Walk standard.
- 3.5 Council, utilising the existing Long Term Plan (LTP) funding streams has now completed approximately 650 metres of track upgrades in Tainui and Tauroa Reserves.
- 3.6 With the track building expertise now within Recreational Services Limited, Council's parks maintenance providers, the actual cost to upgrade the paths to the adopted standard are known.
- 3.7 This report seeks the Committee to consider making provision for the additional \$120,000 needed to complete the planned walking track upgrades in the 2021/31 LTP, and also consider the time frame to undertake the work.

### 4.0 DISCUSSION - *TE MATAPAKITANGA*

- 4.1 The initial estimate for track upgrades considered in the RMP back in 2017 was a modest \$94,000 and this included \$42,000 for mountain bike tracks. With the subsequent calls from the community for higher levels of service, Council made additional allocations in the 2018-2028 LTP up to a total of \$120,000.

- 4.2 The Frame Group (2018) estimates for the more recently adopted and higher specified tracks for Tainui Reserve were estimated at an average of \$50.00/lineal metre. The most recent costs charged by Recreational Services are \$70.00/metre. The lineal metre rate for tracks is at an average width of 1.5 metres.
- 4.3 Thus at the current up to date cost, the funds required to complete the upgrade of walking tracks in all four reserves, is \$220,000. This leaves a funding shortfall of \$120,000 to complete the track work.
- 4.4 Councillors also now needs to consider the timeframe for making the additional funding available. This decision necessitates the allocation of the additional \$120,000 and to decide either to extend the time taken to complete the track upgrades, or if Council is of the mind, undertake the task more quickly and accelerate the project to achieve an earlier completion.
- 4.5 Officers note that this report does specifically include any additional costs to build mountain bike tracks. Due to the sensitive nature of mountain bike activities it would seem prudent to defer any decision making until the independent RMP review for Tainui is complete next year. In addition some alternative locations may become available and further discussions with the Bennelong Mountain Bike Club may again reveal alternative funding streams. If Council of the mind it could also signal making a sum of \$25,000 available in the LTP as a placeholder to undertake work following the completion of the Tainui Reserve RMP review.
- 4.6 As mentioned earlier, Council has resolved to undertake a review of the Tainui Reserve Section of the Havelock North Reserves RMP. As this planning work will commence in the 20/21 financial year, it would seem prudent to not undertake any track improvements in Tainui Reserve until the reviewed plan is adopted by Council. On this basis it is noted that while the funding stream for 20/21 is modest, it could still be used for track work in the other three reserves.
- 4.8 There are numerous possible timelines options that can be considered that either accelerate or extend the timeline for undertaking the track work. The following table suggests three scenarios for that would achieve track upgrades with in the Council adopted timeframe of June 2018.

Options	20/21	21/22	22/23	23/24	24/25	25/26	26/27
Existing LTP track allocations	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000		
3 year project	\$20,000	\$100,000 (+\$80,000)	\$100,000 (+\$80,000)	(-\$20,000)	(-\$20,000)		
5 year project	\$20,000	\$67,000 (+\$47,000)	\$67,000 (+\$47,000)	\$67,000 (+\$47,000)	(-\$20,000)		
7 year project	\$20,000	\$35,000 (+\$15,000)	\$35,000 (+\$15,000)	\$35,000 (+\$15,000)	35,000 (+\$15,000)	(+\$35,000)	(+\$25,000)

Note; \$50,000 is in the draft 2021/22 Annual Plan for consultancy to carry out the independent RMP review.

## 5.0 OPTIONS - NGĀ KŌWHIRINGA

### Option One - Recommended Option – Upgrade the walking tracks over three years - *Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga*

- 5.1 Option 1, being the option recommended by officers, is to adopt a three year programme for upgrading all the walking tracks in the four Havelock North natural reserves.
- 5.2 The funding stream recommended is to retain the existing \$20,000 LTP budget in 2020/21. This is due to Council's adopted position to undertake the review of the Tainui Reserve's section of the RMP and that it would seem prudent to defer any work until full consultation is complete and the wider community's aspirations are known and adopted.
- 5.3 This option is however the quickest option to complete the work with years 2 and 3 being targeted to complete all of the tasks.

#### *Advantages*

- *no additional funding needed for tracks in the 2020/21 Annual Plan*
- *by advancing work after the completion of the Tainui RMP review, full consultation will likely help Council obtain stronger community buy in and support*
- *Within three years all track work will be completed and Council can turn its attention to other reserves and their pressing needs*
- *Track safety issues will be advanced more quickly leading to improved community wellbeing*

#### *Disadvantages*

- *As additional budget allocations are required, Council will need to balance advancing this track work ahead of other pressing LTP priorities.*

### Option Two – Status Quo - *Te Kōwhiringa Tuarua – Te Āhuatanga o nāiane*

- 5.4 Council has already adopted a position to upgrade the tracks to NZ Short Walk standards. The status quo does not have sufficient funds available to honour Council's commitment.

#### *Advantages*

- *By adopting the status quo, no additional funding would be needed for track upgrades*

#### *Disadvantages*

- *Council would be seen as reversing its earlier decision on committing to track upgrades and could risk losing the trust of the community.*
- *Only half of the planned track upgrades could be achieved due to lack of funding.*
- *Ongoing concerns over the safety of portions of the track networks could lead to closures of walks, especially in winter.*
- *Much of the good faith and community buy in achieved in recent years would be at risk.*

### **Option Three - Upgrade the walking tracks over five years - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga**

- 5.5 Option 3 offers a slightly more modest funding requirement than option 1, as it would fund the upgrades over five years rather than three.
- 5.6 Again, this funding stream recommends to retain the modest \$20,000 budget for 2020/21, to await any changes brought about by the review of the Tainui Reserve's RMP.

#### *Advantages*

- *no additional funding needed for tracks in 20/21 Annual Plan*
- *The track work will be advanced quicker than the current LTP funding streams allow.*
- *With the completion of the Tainui RMP review, full consultation will likely help Council obtain stronger community buy in and support for track upgrades*
- *Within five years all track work will be completed and Council can turn its attention to other reserves and their pressing needs*
- *Track safety issues will be advanced at a moderate pace leading to improved community wellbeing*
- *The funding streams required are more affordable as they can be smoothed out over a longer timeframe.*
- *The work would still be carried out within the original adopted seven year timeframe.*

#### *Disadvantages*

- *As additional budget allocations are required, Council will need to balance advancing this track work ahead of other pressing priorities.*

### **Option Four - Upgrade the walking tracks over seven years - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga**

- 5.7 Option 4 offers an even more modest funding requirement than all of the other options as it proposes carrying out the upgrades over a longer timeframe of seven years.
- 5.8 As with all the other options, this funding stream recommends to retain the modest \$20,000 budget for 2020/21 to await any changes brought about by the review of the Tainui Reserve's RMP.

#### *Advantages*

- *no additional funding needed for tracks in 20/21 Annual Plan*
- *The track work will be advanced to honour Council's commitment to undertaking work with seven years*
- *This timeline allocates a modest increase in funds in the LTP in order to upgrade all the tracks. The funding streams required are more affordable as they can be smoothed out over a longer timeframe.*
- *This option has the least impact on rates due to its extended timeline to completion.*
- *With the completion of the Tainui RMP review, full consultation will likely help Council obtain stronger community buy in and support for track upgrades*
- *Track safety issues will be advanced but at a slower pace*
- *The work would still be carried out within the original adopted seven year timeframe.*

#### *Disadvantages*

- *Council runs the risk of losing much of the current community buy in on reserve improvements if it lest lets the work drag on over seven years. The positive feedback garnered over the recent track upgrades may well falter if we take an extended time to complete the works.*
- *There will be greater concerns over the safety of portions of the track networks could lead to closures of walks, especially in winter.*

### **6.0 NEXT STEPS - TE ANGA WHAKAMUA**

- 6.1 By allocating the required additional \$120,000, Council can fulfil its commitment to the community of upgrading all the walking tracks in Tainui, Hikanui, Tauroa and Tanner Street Reserves to the NZ Short Walk standard.
- 6.2 While there is a desire to complete the track upgrades, Council's other commitment to carry out a review of the Tainui Reserve section of the adopted Reserve Management Plan will negate the need for additional funds in 2020/21.



- 6.3 All the funding options align to this position as it would seem prudent to await the outcome of the review prior to committing to track work that might change due to community feedback.
- 6.4 If the review endorses the existing or some realigned track layout, Council will be able to include the required funding streams in the Draft 2021/31 LTP so they can be considered alongside the community's other priorities.
- 6.5 Officers recommend that the Committee endorse the allocation of an additional \$120,000 funding to enable the track work to be completed to meet NZ Walking Track Standard, and that the timeframe for undertaking the work be considered in Years 1 and 2 of the Draft 2021/31.
- 6.6 Officers also note that an extended timeframe is also considered acceptable, but it will lead to a protracted work programme in these sensitive areas. By finishing the work quickly Council can turn its collective attention to other priority areas.

**Attachments:**

There are no attachments for this report.

### **SUMMARY OF CONSIDERATIONS - HE WHAKARĀPOOTO WHAIWHAKAARO**

#### **Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-rohe***

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

This report contributes to the purpose of local government by primarily promoting social wellbeing

#### **Link to the Council's Community Outcomes - *E noho hāngai pū ai ki te rautaki matua***

This proposal promotes the provision of safe, healthy and liveable communities through Council's network of open spaces which provide accessible places and spaces where recreation participation is fostered and also promotes the physical well-being of communities in the present and for the future.

#### **Māori Impact Statement - *Te Tauākī Kaupapa Māori***

The upgraded tracks will provide recreation opportunities for Tangata Whenua to enjoy better physical exercise and better access to increasingly restored native

bush areas and waterways in public reserves.

### **Sustainability - *Te Toitūtanga***

The upgrade of the four natural reserves in Havelock North combines track improvements alongside ecological enhancements. The track improvement work will ensure to local environment is protected from erosion and user damage, while offering an enhanced local environment.

### **Financial considerations - *Ngā Whaiwhakaaro Ahumoni***

The proposed Walking Track Programme in Havelock Hill's reserves will require an additional \$120,000. This requested additional allocation will need to be included in the 2021/31 LTP for consideration alongside Council's other competing priorities.

Funds for RMP elements are typically loan funded which has a lower rate impact. Conversely by borrowing funds, Council's needs to be cognisant of the long term effect on ongoing borrowing in terms of Council's debt profile.

### **Significance and Engagement - *Te Hiranga me te Tūhonotanga***

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of low significance.

The extent of work recommended and funded requested does not trigger any of Council's financial significance thresholds. Land engagement policy.

### **Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto, ā-waho***

Community interest in these track networks has been strong and Council's decision to upgrade tracks to the national standard reflects how it has taken the pleas of local petitioners very seriously. Community consultation and engagement has been central to the desire to upgrade the tracks. This has occurred through a number of forums, including the 2015 reserve management plan, Council workshops, two public meetings on site with interested parties including the Tainui Care Group and petitioners.

### **Risks: Legal/ Health and Safety - *Ngā Tūrarū: Ngā Ture / Hauora me te Haumarū***

There have been safety concerns over the track network and hence the desire to improve them to a national standard. There is a strong desire to bring the unfinished tracks up to the safer standard to improve the health and safety of park users.

### **Rural Community Board - *Ngā Poari-ā-hapori***

This matter has no specific implications for the rural community board.

**Item 8**



**REPORT TO:** OPERATIONS AND MONITORING COMMITTEE

**MEETING DATE:** THURSDAY 27 FEBRUARY 2020

**FROM:** GROUP MANAGER: PLANNING & REGULATORY  
JOHN O'SHAUGHNESSY

**SUBJECT:** BUILDING CONSENT AUTHORITY ACCREDITATION  
UPDATE

## **1.0 PURPOSE AND SUMMARY - TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA**

- 1.1 The purpose of this report is to update the Council on the results of the biennial accreditation assessment of Council's Building Consent Authority (BCA) completed in November 2019.
- 1.2 The assessment was carried out by International Accreditation New Zealand (IANZ). Accreditation is required to maintain Council's status as a registered Building Consent Authority and to enable the Council to continue issuing and certifying building consents.
- 1.3 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.4 This report addresses Council's obligation to provide good quality regulatory activities.
- 1.5 This report concludes by recommending that the report be received.

## **2.0 RECOMMENDATIONS - NGĀ TŪTOHUNGA**

- A) That the Council/Committee receives the report titled Building Consent Authority Accreditation Update

## **3.0 BACKGROUND TE HOROPAKI**

- 3.1 Hastings District Council is deemed a Building Consent Authority (BCA) pursuant to the Building Act 2004, and is registered as a BCA with the Ministry of Business, Innovation and Employment.
- 3.2 The Council is required to comply with the relevant statutory controls affecting BCA's. In particular, Council is required to achieve and maintain Accreditation as a BCA, and comply with the Building (Accreditation of Building Consent Authorities) Regulations 2006 in order to issue and certify building consents.

- 3.3 BCA's are assessed by International Accreditation New Zealand (IANZ) every two years, and sometimes more frequently as each situation demands, to ensure all relevant statutory, systems and performance requirements are being complied with.
- 3.4 Hastings District Council has been registered as a BCA since 2006 and six assessments have been carried out since then.
- 3.5 The Council's BCA has maintained its accreditation as a Building Consent Authority during this time. The Council's BCA has never had its accreditation suspended or removed.

#### 4.0 DISCUSSION – *TE MATAPAKITANGA*

- 4.1 An accreditation assessment was completed in November 2019. An intensive assessment of the BCA's systems, policies and procedures took place over four days. At the end of the assessment the BCA was left with 14 general non-compliance items to resolve.
- 4.2 The next accreditation assessment is scheduled for November 2021.

##### **IANZ Review**

- 4.3 Listed below is a brief summary of the results of the biennial accreditation assessment completed in November 2019. The assessment was carried out by International Accreditation New Zealand (IANZ). Accreditation is required to maintain Council's status as a registered Building Consent Authority and to enable the Council to continue issuing building consents and code compliance certificates (CCC's). The total number of general non-compliances issued was 21. During the assessment 7 of these were cleared. At the end of the assessment the BCA was left with 14 non-compliances to clear.

5.2	<b>IANZ ASSESSMENT FINDINGS</b>		
		<b>This assessment</b>	<b>Last assessment</b>
	Total # of "serious" non-compliances:	0	1
	Total # of "general" non-compliances:	21	5
	Total # of non-compliances outstanding:	14	
	Number of recommendations:	6	10
	Number of advisory notes:	4	7
	Date clearance plan required from BCA:	27/01/2020	
	Date all non-compliances must be finally cleared:	27/03/2020	

- 4.4 5.3 The clearance plan has been provided to IANZ and MBIE and accepted 5/12/2019.

##### **Progress on Clearance Plan**

- 4.5 One general non-compliance (GNC) has been cleared since the plan was accepted. A further 11 GNC's are anticipated to be cleared on time (27/3/2020), the remaining two GNC's may require an extension of time.

- 4.6 Two GNC's in relation to compliance schedules documentation may require further time to resolve because of additional requirements being raised by IANZ advisors as at 14 February 2020.
- 4.7 This may require a formal extension request from Council's Chief Executive. In parallel with these processes the Chief Executive intends to lobby the appropriate people in central government on these GNC's.

**Attachments:**

1  IANZ Report 2019

REG-2-14-20-511

Under  
Separate  
Cover





**REPORT TO:** OPERATIONS AND MONITORING COMMITTEE

**MEETING DATE:** THURSDAY 27 FEBRUARY 2020

**FROM:** WASTE PLANNING MANAGER  
ANGELA ATKINS

**SUBJECT:** WASTE LEVY CONSULTATION SUBMISSION

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## **1.0 PURPOSE AND SUMMARY - *TE KAUPAPA ME TE WHAKARĀPOPOPOTOTANGA***

- 1.1 The purpose of the report is to obtain endorsement from the Committee for the submission to the Ministry for the Environment by officers regarding the "Reducing Waste: a more effective landfill levy".
- 1.2 This proposal contributes to the purpose of local government by primarily promoting the environmental wellbeing and more specifically through the Council's strategic objective of a community which wastes less
- 1.3 The consultation period closed on Monday 3 February and did not allow for prior endorsement by council before the deadline.
- 1.4 The submission was draft and submitted by officers, in consultation with elected members who had been involved with waste management, and based on feedback from the Joint Waste Management and Minimisation Plan consultation and national discussion with other Councils and members of the waste industry.

## **2.0 RECOMMENDATIONS - *NGĀ TŪTOHUNGA***

- A) That the Committee receives the report titled Waste Levy Consultation Submission
- B) That the Committee endorse the Reducing waste: a more effective landfill levy submissions officers made on behalf of Council.

### **Attachments:**

- 1 [↓](#) Hastings District Council Submission on waste disposal levy expansion SW-25-20-4586
- 2 [↓](#) WasteMINZ TAO Forum Reducing waste - a more effective landfill levy submission SW-25-20-4589

If calling ask for Angela Atkins

File Ref: SW-25-20-4586

27 February 2020

Waste disposal levy expansion consultation  
Ministry for the Environment  
PO Box 10362,  
Wellington 6143

[LandfillLevyConsultation@mfe.govt.nz](mailto:LandfillLevyConsultation@mfe.govt.nz)

## Hastings District Council Submission on Waste Disposal Levy Expansion - Reducing waste: a more effective landfill levy

Updated following the Hastings District Council Operations and Monitoring Committee on 27 February 2020

Company name: Hastings District Council  
Contact person: Angela Atkins, Waste Planning Manager  
Address: Private Bay 9001, Hastings 4156  
Region: Hawke's Bay/Te Matau-a-Māui  
Country: New Zealand  
Phone: 06 871 5000  
Email: [angelama@hdc.govt.nz](mailto:angelama@hdc.govt.nz)  
Submitter type: Local Government

### Overall position:

Supportive, and support the submissions presented by Local Government NZ and Waste MINZ Territorial Authority (TA) Officers Forum.

### Introductory Comments:

This submission has been prepared by Council Officers and Councillors who are involved in the Joint Waste Futures Project Steering Committee based on their knowledge and experience, and also incorporates the views of the community from the 2018 Waste Management and Minimisation Plan consultation. *This submission is yet to be endorsed by Council as meeting schedules did not fit within the consultation period. Once Council has viewed the submission, further communication will be sent to the Ministry for the Environment.*

It should be noted that the Local Government Waste Management Manifesto was compiled prior to the China National Sword Policy introduction and Emission Trading Scheme increases which have impacted the industry in recent times.

### Key Points

The reviews currently being undertaken on waste disposal levy and Emission Trading Scheme can't be treated in isolation as both will have impacts on landfill disposal fees and whilst in the long term both are trying to drive changes in behaviour for slightly different outcomes, they will have a

financial impact on the low income sector of our community who can probably least afford additional costs.

Our preference is to expand the levy to different types of landfills and then increase the levy for municipal landfills to mitigate avoidance activities and allow time for the increase in costs to be incorporated into Council budgets. More consideration would need to be given to farm dumps and whether increasing the levy rates drive more waste to farm dumps if they are exempt?

Although not directly related to the landfill levy, we believe historic landfills should be considered for levy funding. A nationwide historic landfill risk assessment will require a significant amount of investment in order to identify and mitigate the level of risk each authority holds – irrespective of whether the historic landfill sites are being monitored or not.

**Question 1:** *Do you think the current situation of increasing waste to landfill and poor availability of waste data needs to change?*

Yes, as documented in the Local Government Waste Management Manifesto (January 2018) and supported by Hastings District Council.

Since 2016, Omarunui Landfill (the only landfill for Hastings and Napier) has experienced increasing tonnages, a 25% increase in 4 years, when the previous 10 years were decreasing and/or static.

Within the manifesto, the second priority identified was “better waste data”. The current limitations that are holding New Zealand back, impacting on the development of innovative opportunities to decrease waste and improve resource recovery.

**Question 2:** *Do you have any comments on the preliminary review of the effectiveness of the waste disposal levy outlined in appendix A? If so, please specify*

No

**Question 3:** *Do you think the landfill levy needs to be progressively increased to higher rates in the future (beyond 2023)?*

In principle we are supportive of the landfill levy being increased to higher rates in the future, however we recommend that more in-depth research be undertaken into the effectiveness and opportunities for the funds raised to be used for in the waste minimisation and resource recovery sector.

**Question 4:** *Do you support expanding the landfill levy to the following landfills?*

Officers are supportive of the levy expanding to all types of landfills to mitigate avoidance activities and encourage greater resource recovery.

*i. waste disposed of at industrial monofills (class 1) - Yes*

*ii. non-hazardous construction and demolition waste (e.g. rubble/concrete/plasterboard/timber) (class 2) - Yes*

*iii. contaminated soils and inert materials (class 3 and 4) (whether requiring restrictions on future use of site or not) - Yes*

**Question 5:** *Do you think that some activities, sites, or types of waste should be excluded from the landfill levy?*

Hastings District Council supports the comments presented in the Waste MINZ TA Officers Forum submission regarding this question.

*i. cleanfills (class 5) – no further comment*

*ii. farm dumps*

With regards to “farm dumps” this is a difficult situation as there should be an incentive to reduce the use of this form of disposal and if the levy was to increase significantly and farm dumps weren’t included, they could become the “local” option for a community without robust management.

*iii. any others (e.g. any exceptional circumstances)? If so please specify*

We recommend that an exemption be made for waste removed from closed landfills (consented, monitored and unknown) that are subject to remedial work (be that due sea level rise, flooding, erosion or otherwise), be exempt from the landfill levy at a new disposal site. We also recommend that the levy be permitted to be used for the physical cost of these works.

**Question 6:** *Do you have any views on how sites that are not intended to be subject to a levy should be defined (e.g. remediation sites, subdivision works)?*

We support the views of the Waste MINZ TA Officers Forum submission for this question.

*The categories of landfill in the consultation document and that are proposed to be included or excluded from the levy are based on the descriptions in the Technical Guidelines for Disposal to Land. For the waste levy to be effectively extended it is recommended that these guidelines are formally adopted by the Ministry for the Environment prior to the expansion of coverage of the levy.*

**Question 7:** *Which of the following proposed rates for municipal (class 1) landfills do you prefer?*

*i. \$50 per tonne – we support the lower rate for the benefit of our residents who this year are incurring increased costs for waste disposal and recycling due to the introduction of new kerbside services. We are also aware of possible increases in the Emission Trading Scheme which will also impact on disposal rates for all users as mentioned in the introduction key points.*

*ii. \$60 per tonne*

*iii. Other (please specify e.g. higher/lower)*

We support the continued increase in landfill levy in gradual increments over a longer time period that is confirmed and notified well in advance and evidenced that the levy is effective. We also support the view of many other Councils for the alignment of the levy reviews with Council Long Term plans and Waste Management and Minimisation plans.

**Question 8:** *Do you think that the levy rate should be the same for all waste types?:*

From an operational perspective as a landfill operator it would increase administration processes if the levy rate was different for different waste types and could create avoidance activities. We support the levy rate being set for the type of landfill, not waste type/material.

**Question 8i:** *Should the levy be highest for municipal landfills (class 1)?*

In principle, we are also supportive of the proposed levy rates suggested in the consultation document where municipal landfills have the highest levy.

**Question 8ii:** *Should the levy be lower for industrial monofills (class 1) than municipal landfills (class 1)?*

**Question 8iii:** *Should the levy be lower for construction and demolition sites (class 2) than municipal landfills (class 1)?*

**Question 8iv:** *Should the levy be lowest for contaminated soils and other inert materials (class 3 and 4)?*

**Question 8v:** *Should a lower levy apply for specified by-products of recycling operations?*

We have no comments on questions 8ii – 8v.

**Question 9:** *Do you support phasing in of changes to the levy?*

Yes, see below

**Question 9 (continued):** *if you support phasing in of changes to the levy, which option do you prefer?*  
~~expand and increase (option B)~~

*expand then increase (option C)* – support this phasing as it mitigates the current avoidance activities and provides sufficient time to incorporate into Council's fixed costs which are set during Annual and Long Term Plan processes. Based on the proposed timeline for implementation, TA municipal landfills would not be able to implement an increase in levy fees until 1 July 2021 as gate rates are set via the Annual Plan and Long Term Plan consultations. This also gives time to educate and introduce programs to assist people with options and alternatives.

~~expand then higher increase (option D)~~

~~increase then expand (option A)~~

**Question 10:** *Do you think any changes are required to the existing ways of measuring waste quantities in the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009? If so, please specify:*

As per advice provided by WasteMINZ Disposal to Land Sector Group, Hastings District Council agree that some more specific conversion factors need to be developed, as the application of the levy across classes 1,2,3 and 4 will require more specific identification and quantification of different waste streams meaning more accurate conversion factors will be required.

We also support flexibility in application of the levy to allow for practical assessment of tonnage where weighbridges would be uneconomic, as the two cleanfills in the region do not currently have weighbridges installed.

**Question 11:** *Do you think any changes are required to the definitions in the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009?*

Yes, these need to be aligned with the definitions in the Technical Guidelines for Disposal to Land developed by Waste MINZ.

**Question 12:** *What do you think about the levy investment plan?*

We support the views of the Waste MINZ TA Officers Forum regarding this question, in particular to illegal dumping, discreet vs ongoing funding for education programmes and the 50% funding split.

Hastings District Council also supports the continued hypothecation of all levy funds to be spent on waste minimisation activities and not accessible for other general/non-related activities.

**Question 13:** *If the Waste Minimisation Act 2008 were to be reviewed in the future, what are the changes you would like a review to consider?*

- 1) Consideration needs to be given to legacy landfills. A nationwide historic landfill risk assessment will require a significant amount of investment in order to identify and mitigate the level of risk each authority holds – irrespective of whether the historic landfill sites are being monitored or not.

The work we have currently undertaken on legacy landfills is currently unbudgeted and it is not known at this stage how much investment is required to gain site assurance and possible ongoing monitoring of the sites once they are identified.

The categories will also need to be expanded to capture legacy landfills. i.e we suspect that the legacy landfills (and ones currently being monitored) would be a combination of classes 1 – 5 therefore would need their own category and risk profile.

Allocation of funding and establishing a national best practice standard on how we should manage these sites going forward, not only from a legal compliance perspective but also providing assurance to our community.

- 2) With regards to Illegal dumping, we recommend that the TAs portion of the levy funds be accessible for costs associated with illegal dumping clean up, enforcement along with education.
- 3) Affordability for residents. Recommend allowance for the TA's portion of the levy funds be able to be used to buffer/lessen the effect/impact on householders as the value of the funds increases. For example: Could it be directly used to subsidise recycling activities, therefore not increasing the overall financial burden on residents. Hawke's Bay is introducing new kerbside collection services in 2020 and this is going to have an increased financial impact on residents and we are mindful that some members of the community will struggle to afford the change, which may significantly be impacted by an increase in the waste levy value.
- 4) A significant roadblock for the establishment of community recycling and resource recovery services is the often the cost of land. We recommend that the act be amended to allow for the purchase of land to establish or extend services to the community.
- 5) Regular Solid Waste Analysis Protocol surveys are an expense that could be funded from levy funds under compliance and monitoring. This would ensure that all TA's have access to undertake the surveys regularly to inform waste assessments and waste management and minimisation plans.
- 6) As stated in Question 5 - We recommend that an exemption be made for waste removed from closed landfills (consented, monitored and unknown) that are subject to remedial work (be that due sea level rise, flooding, erosion or otherwise), be exempt from the landfill levy at a new disposal site. We also recommend that the levy be permitted to be used for the physical cost of these works.

**Question 14:** *Do you agree that waste data needs to be improved?*

Yes, as documented in the Local Government Waste Management Manifesto (January 2018) and supported by Hastings District Council.

Within the manifesto, the third priority identified was that waste data needs improvement. We also support the views of the Waste MINZ TA Officers Forum.

**Question 15:** *If the waste data proposals outlined are likely to apply to you or your organisation, can you estimate any costs you would expect to incur to collect, store and report such information? What challenges might you face in complying with the proposed reporting requirements for waste data?*

The main challenges we would face are:

Timeframes

We would require a minimum of 12 months to set up reporting requirements at landfills and transfer stations once the exact details are known. A National Waste Data Framework would need to be agreed upon before the weighbridge software requirements could be aligned.

Resourcing

With increased reporting more FTE resource would be required to meet the obligations depending on the requirements

**Question 16:** *What are the main costs and benefits for you if the proposals to increase the levy rate for municipal landfills, expand the levy to additional sites and improve waste data?*

We support the views of the Waste MINZ TA Officers Forum with regards to this question.



Angela Atkins  
Waste Minimisation Officer



## WasteMINZ TAO Forum: Submission on Reducing waste: A more effective landfill levy 2019

### 1. About WasteMINZ

WasteMINZ is the largest representative body of the waste and resource recovery sector in New Zealand. Formed in 1989 it is a membership-based organisation with over 1,000 members – from small operators through to councils and large companies.

We seek to achieve ongoing and positive development of our industry through strengthening relationships, facilitating collaboration, knowledge sharing and championing the implementation of best practice standards.

### 2. WasteMINZ Territorial Authority Forum (TAO Forum)

The TAO Forum is a WasteMINZ sector group. The vision of the forum is to facilitate a clear and cohesive voice for the local government sector in relation to waste issues in order to influence and shape the future direction of the waste industry.

This is achieved by advocacy on behalf of the local government sector, leading strategic thinking on the future of the waste industry and encouraging information and knowledge sharing.

The TAO Forum is overseen by an elected Steering Committee consisting of the following council officers.

- Alec McNeil Marlborough District Council
- David Stephenson Tasman District Council
- Donna Peterson Invercargill City Council
- Jennifer Elliot Wellington City Council
- Natasha Hickmott Palmerston North City Council
- Parul Sood Auckland Council
- Ross Trotter Christchurch City Council
- Sophie Mander Queenstown Lakes District Council

The steering committee is a representative mix of councils from throughout New Zealand, including small to large councils representing:

- North Island
- South Island

- City
- District
- Unitary
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### 3. Preparation of this submission:

This submission has been prepared by the TAO Forum steering committee, with support from WasteMINZ. The submission is a result of a survey to get the TAO Forum member views. Following completion of the survey a draft submission was circulated to all territorial authorities who are members of WasteMINZ for their comment (a list of these Territorial Authorities is attached in Appendix One).

Their comments have been included where relevant and consistent with a national picture.

It is important to note that this is a general submission exploring the key themes persistent amongst Territorial Authorities. Individual councils may also make their own submissions, as regional variation can be significant.

### 4. Introductory Comments:

The TAO Forum believes that waste management continues to be an issue of concern in New Zealand, which needs to be addressed at local, regional and national levels.

The TAO Forum supports measures to reduce the quantity of waste that is disposed to land in New Zealand. This includes disposal to levied facilities and current non-levied facilities (such as clean fills and managed fills).

In 2018 the TAO Forum released the Local Government Waste Manifesto. This set out the waste management actions the forum considers the government should prioritise. Expanding and increasing the waste levy was proposed as the number one priority as the TAO Forum believes the levy to be the single most powerful tool available to government to reduce waste and improve resource efficiency and recovery. The Waste Manifesto was adopted as a remit with 96% support at the LGNZ conference in 2018.

Despite having a \$10 levy in place on class 1 landfills, the amount of waste sent to landfill in New Zealand has grown by 48% in the last decade<sup>1</sup>. It is clear that, in its current form, the waste levy has not been effective in reducing waste to landfill and in achieving the aim of the

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<sup>1</sup> Reducing waste: a more effective landfill levy consultation document 2019 p.14

Waste Minimisation Act 2008, which is to “...encourage waste minimisation and a decrease in waste to disposal...”.

The TAO Forum believes that the main reason the levy is ineffective is its low rate, especially compared to other countries with a landfill levy. Another reason is that it is currently only charged on the waste going to Class 1 landfills, which is only relevant to about 30% of the waste that is disposed to land. The other 70% goes to Class 2 - 4 landfills or is disposed of on farms.<sup>2</sup>

International evidence demonstrates that raising the rate of the levy and extending it to cover all types of disposal substantially reduces waste to landfill and enables increased investment in waste minimisation infrastructure and opportunities.

It is important to note that the proposed changes to the waste levy will impact on, and be impacted by, existing legislation so it is essential there is alignment to avoid unintended consequences or perverse outcomes. In particular, the Litter Act, ETS Trading Scheme, Carbon Zero Act, Local Government Act and RMA may all be affected by and affect changes to the waste levy.

## 5. Submission

### 5.1 Rate of levy

This section addresses the questions 1, 3 and 7:

*1. Do you agree the current situation of increasing amounts of waste going to landfill needs to change?*

The TAO Forum agrees that the 48% increase of waste to landfill over the last decade is a cause for concern and needs to change. Both local and central government recognise the need to move to a circular economy to ensure that resources are used and reused effectively as in the long term our current consumption patterns are unsustainable. Many councils have aspirational goals of working towards zero waste. The levy as an economic instrument provides funding for waste minimisation activities and infrastructure and if set at a higher rate can make recycling and reusing viable financial options to landfilling.

*3. Do you think the landfill levy needs to be progressively increased to higher rates in the future (beyond 2023)?*

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<sup>2</sup> <https://www.wasteminz.org.nz/wp-content/uploads/2018/01/Local-Government-Waste-Manifesto-final-22012018.pdf> p.6

The TAO Forum also agrees that the landfill levy should be progressively increased to a point where the price differential between landfilling and recycling or other methods of diversion is eliminated. A significant progressive increase to the levy rate, alongside the expansion across landfill classifications, will better support the purpose of the levy under the Waste Minimisation Act, raising vital revenue for infrastructure and waste minimisation activities and signaling the true costs of disposal and product design choices to producers and manufacturers. In particular, construction and demolition waste and organics are significant contributors to landfill waste and alternative options and technologies such as composting, reuse and minimisation already exist, but need to be better incentivised.

7. Do you prefer the proposed rate for municipal (class 1) landfills of:

- I. \$50 per tonne
- II. \$60 per tonne
- III. other (please specify, e.g., should the rate be higher or lower?)

The TAO Forum does not have a shared view on whether the maximum rate for a class 1 landfill by 2023 should reach \$50 or \$60 a tonne. Based on international experience the Forum believes that the levy rate needs to be considerably higher than \$50 - \$60 per tonne if we are to see waste diversion and minimisation outcomes maximised. Therefore, the Forum supports a continued raising of the levy in gradual increments over a longer time period that is signaled well in advance. A 2017 Eunomia report<sup>3</sup> investigating the effectiveness of the waste levy suggests that the best practice waste levy rate for Aotearoa New Zealand would be \$140 per tonne on landfill. Whilst the levy is currently reviewed every 3 years it is noted that councils operate their long term plans on a 10-year timeframe so it would assist local government and business if the Ministry of the Environment also developed a longer term plan or forecast for waste minimisation and levy increases. Aligning the timing of the waste levy review more closely with the long-term plan process would also assist as it currently falls in Year 2 of the long-term plan process.

## 5.2 Support for extension of landfill levy

This section addresses the questions 4, 5 and 6:

3. Do you support expanding the landfill levy to more landfills, including:
  - i. waste disposed of at industrial monofills (class 1)

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<sup>3</sup> Wilson et al, Eunomia, 2017. The New Zealand Waste Disposal Levy: Potential Impacts of Adjustments to the Current Levy Rate and Structure: Final Report.

- ii. non-hazardous construction, demolition waste (e.g., rubble, concrete, plasterboard, timber) (class 2)*
- iii. contaminated soils and inert materials (class 3 and 4) (whether requiring restrictions on future use of site or not)?*

The TAO Forum supports extending the landfill levy to all class 1-4 landfills. Diversion and minimisation opportunities exist for all classes of landfills and extending the levy to all classes would reduce the risk of unintended consequences such as waste being disposed of inappropriately to avoid a levy.

- 4. *Do you think that some activities, sites, or types of waste should be excluded from being classified as disposal facilities subject to the landfill levy, including:*
  - i. cleanfills (class 5)*
  - ii. farm dumps*
  - iii. any others (e.g., any exceptional circumstances)? If so, please specify.*

The TAO Forum acknowledges that there is currently limited data available on the number and location of cleanfills, as well as limited data on the number and size of farm dumps. The TAO Forum therefore believes both should be excluded from any levy in the first instance.

## Cleanfills

In relation to Class Five cleanfills (which accept clean virgin excavated materials such as soil) these types of fills usually relate to short term works relating to the flattening of sites for subdivisions etc. or for remediation of sites like quarries. The difficulty is determining where earthworks ends and a cleanfill starts. Provided only virgin soil is accepted, there should be no environmental impact related to using these materials. However, in some instances contaminated soil has been disposed of in cleanfill sites due to the lower disposal costs.<sup>4</sup>

There needs therefore to be adequate monitoring of cleanfill sites to ensure that people aren't 'sneaking' unsuitable materials into these sites. These sites may or may not be consented depending on Regional Plan rules and if they are permitted activities there is likely to be very little if any monitoring. The TAO Forum calls for research to be undertaken to investigate the options for tracking and monitoring these sites. As the levy on other types of landfills increases, and consequently the price differential between cleanfills and other landfills increases, there will be an increasing incentive for the disposal of unsuitable

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<sup>4</sup> Taranaki Regional Council is investigating such a case at the moment.

materials at cleanfills. This is already happening due to current differences in disposal costs and may rise as a result of increases to the levy.

### Farm Dumps

The TAO Forum sees the need for a programme of work to identify and register farm dumps and their compliance status. Many farm dumps are located next to vulnerable waterways and there are concerns that chemicals may be leaching into these waterways. There are also concerns that climate change and rising sea levels, flooding and erosion may also uncover and wash away some farm dumps. Some councils have reported farm dumps comprising significant tonnages of waste. In such a situation the farm dump may be operating as an unconsented landfill on rural land.

The proposed NES for Freshwater<sup>5</sup> includes a requirement for farm plans. The plans include a mapping requirement and risk assessment (clauses 37- 41). The TAO Forum suggests that farm dumps be included in the mapping requirement and that when completing the risk assessment additional information on farm dumps be provided. This would enable a register and geographic map of farm dumps to be created. It is noted that some regional councils such as Environment Canterbury already require farms to complete a farm plan.

Some territorial authorities are supportive of levying an annual fee for farm dumps. While it would be very difficult to administer a per tonnage levy, it may be possible to apply an annual fee for any farmer with an open/active farm dump. The fee could be initially set low but with the intention of gradually increasing it as more rural waste options become available, as currently there are not many well supported solutions for dealing with rural waste. However, other territorial authorities feel that the cost of administering and collecting the fee may leave little money left for increased waste minimisation.

The TAO Forum is mindful of the need to increase and improve waste services to the rural sector in conjunction with any regulation or legislation that represents a change to current waste management practices. The TAO Forum is open to a portion of the hypothecated local government levy being allocated to regional councils on the proviso it is allocated to schemes to minimise farm and rural waste.

5. *Do you have any views on how sites that are not intended to be subject to a levy should be defined (e.g., remediation sites, subdivision works)?*

The categories of landfill in the consultation document and that are proposed to be included or excluded from the levy are based on the descriptions in the Technical Guidelines for

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<sup>5</sup> <https://www.mfe.govt.nz/sites/default/files/media/Fresh%20water/proposed-nes-for-freshwater.pdf>

Disposal to Land. For the waste levy to be effectively extended it is recommended that these guidelines are formally adopted by the Ministry for the Environment prior to the expansion of coverage of the levy. Whilst some regional councils have already aligned their definitions of cleanfills and other classes of fills to the Technical Guidelines others have not.

Taranaki Regional Council's current definition of cleanfill:

*"Cleanfill means materials consisting of any concrete, cement or cement wastes, bricks, mortar, tiles (clay, ceramic or concrete), non-tanalised timber, porcelain, glass, gravels, boulders, shingles, fibreglass, plastics, sand, soils and clays, and/or tree stumps and roots, or any other material (subject to the exclusions listed below) that when placed onto and into land does not have the potential to render that land or any vegetation grown on that land toxic to vegetation or animals consuming vegetation, or result in leachate. Unless specifically provided for otherwise through a consent issued by the Taranaki Regional Council for a cleanfill, cleanfill is free of: food wastes, paper and cardboard, grass clippings, garden wastes including but not limited to wastes containing foliage or other vegetation (other than tree stumps and roots), sawdust, textiles, steel, galvanised metals, construction materials containing paint or fillers or sealers or their containers, oils or greases or any liquids or sludges or their containers, any industrial process by-products other than as permitted above, any poisons or solvents or their containers, batteries, or general domestic refuse other than as permitted above."*

The TAO Forum supports the Technical Guidelines for Disposal to Land becoming a regulatory document for district planning purposes, as having a consistent approach to definitions of fill sites will mitigate the potential for inconsistency across the country.

The TAO Forum also calls for the definitions from the Technical Guidelines for Disposal to Land to be used in the Emission Trading Scheme (ETS) to ensure consistency across legislation.

Given that methane generated at landfills contributes significantly to carbon emissions, there is the opportunity to enhance the effectiveness of the ETS in relation to landfills by using this measure in conjunction with the levy. The TAO Forum recommends that any increases to the ETS are synchronised with the changes proposed to the landfill levy, to measurably reduce environmental impacts on both the emissions and disposal fronts.

## Exemptions

The TAO Forum notes that under the current Waste Minimisation Act waste generated due to a natural disaster such as an earthquake can qualify for an exemption. However, if a coastal landfill is exposed due to rising sea levels or flood waters such as occurred with Fox River or needs to be relocated as a preventative measure this would not qualify for an exemption as climate change is a foreseen event.



The TAO Forum view is that the Waste Minimisation Act should be amended to allow for an exemption if waste from a closed landfill is uncovered due to sea level rise, flooding or erosion due to changing river patterns and needs to be relocated due to any of these. Firstly, there is no opportunity to minimise or reduce that waste. Secondly, with changing population patterns and the drift from rural to urban living many rural councils will have a much smaller rate payer base now than they had in the past and it may place an overly high burden on existing ratepayers.<sup>6</sup> Finally, in the future in some instances the waste may have already been subject to a levy.

### 5.3 Levy rate and waste types

This section addresses the questions 8 and 9.

8. Do you think that the levy rate should be the same for all waste types? If not:

- i. should the levy be highest for municipal landfills (class 1)?
- ii. should the levy be lower for industrial monofills (class 1) than municipal landfills (class 1)?
- iii. should the levy be lower for construction and demolition sites (class 2) than municipal landfills (class 1)?
- iv. should the levy be lowest for contaminated soils and other inert materials (class 3 and 4)?
- v. should a lower levy apply for specified by-products of recycling operations?

A number of implementation options are possible for the levy with MfE outlining 4 suggested options in the consultation document with a wider number of options presented in the report *Estimates of extending and raising levy analysis* by NZIER for the Ministry for the Environment.

Views from the TAO Forum were mixed as to the preferred option. The key concerns for TAO's was their ability to implement changes in time and the potential for perverse outcomes from levy avoidance disposal behaviour.

9. Do you support phasing in of changes to the levy, and if so, which option do you prefer – increase then expand (option A); expand and increase (option B); expand then increase (option C); expand then higher increase (option D); or none of the above?

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<sup>6</sup> Westland District Council has a current population of 8,900. At its height it had a population of well over 25,000.



## Timing

If the levy is initially only increased, then most councils would be able to incorporate this into their annual and long-term planning processes by July 2021. However, if an increase was planned for July 2020 i.e. **Option A**, councils would need a minimum of 3 months' notice in order to be able to incorporate that increase into their budgetary processes.

If the levy is expanded a longer lead-in time would be needed.

Changes that some councils would need to make if the levy was expanded include:

- Redefining existing landfill classes to make sure they comply with the definitions in Technical Guidelines for Disposal to Land
- Changing or amending software used at weighbridges to comply with any data reporting requirements
- Creating reporting processes for reporting on data from transfer stations. Currently at least 15 transfer stations which process more than 1,000 tonnes per annum do not have a weighbridge so some councils may need to install weighbridges. Other councils have unmanned transfer stations and fills.

Many rural councils have only a part time FTE allocated to the waste portfolio, yet many rural councils have multiple transfer stations servicing small communities. For example, the Far North District Council has 16 transfer stations located in small communities.

A National Waste Data Framework would also need to be agreed upon to ensure that data was reported in a consistent manner.

There is concern from councils that regardless of which option is chosen the Ministry will not provide sufficient lead-in time for councils to make a smooth transition. For options **B, C, and D** most councils would need a minimum of **12 months** to implement any expansion once the Ministry had finalized the exact details i.e. reporting categories etc. and 18 months from the date of any initial announcement.

## Perverse outcomes

The TAO Forum is strongly concerned at the potential for levy avoidance behaviour, in particular inappropriate disposal of waste at landfills with cheaper disposal fees. In the TAO Forum survey 37% of councils felt there was a medium level of risk of this occurring with 30% believing there was a high level of risk. Councils who felt there was a low level of risk typically only had one landfill in their region, whereas those who felt there was a higher

likelihood of levy avoidance disposal occurring often had multiple classes of landfill in their region. Even at a rate of \$10 per tonne this behaviour is already occurring:

*“We are aware of customers enquiring about landfill pricing for special wastes (e.g. asbestos). However, the product does not arrive at the landfill and it’s the only landfill in the area consented to accept asbestos”.*

*“Taranaki Regional Council is aware of incidents where contaminated soils are being sent to cleanfills due to the higher costs of appropriate disposal and is actively pursuing one such infringement at the moment.”*

At the same time, the TAO Forum recognises that the role of the levy is to minimise waste to landfill and that there are some classes of landfill where it may be more difficult to minimise or divert waste. However, some types of waste that can only be disposed of appropriately at a class A landfill also may have no minimisation potential.

Regardless of which option is chosen the following pieces of work would need to be undertaken:

- All existing landfills realigned to the definitions in the Technical Guidelines to Land
- Monitoring, data gathering and compliance measures implemented for classes 1-4
- Research undertaken to determine what exactly are the opportunities to reduce or divert waste from the known industrial monofills, construction and demolition fills and class 3 and 4 landfills.
- Research undertaken to investigate the options for tracking and monitoring class 5 cleanfills.

Until the tonnage and types of waste handled by Classes 2-4 and industrial monofills are known in more detail, the diversion potential and opportunities understood, and compliance regimes implemented, it is impossible to determine to what extent a differentiated levy may help to reduce waste. If compliance regimes are sufficiently robust, then perverse outcomes may be able to be avoided.

#### **5.4 Changes to the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009**

This section addresses the questions 10 and 11.

*10. Do you think any changes are required to the existing ways of measuring waste quantities in the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009?*

As per advice provided by WasteMINZ Disposal to Land Sector Group, the TAO Forum agrees that some more specific conversion factors are developed, as the application of the levy across classes 1,2,3 and 4 will require more specific identification and quantification of different waste streams meaning more accurate conversion factors will be required.

The TAO Forum supports flexibility in application of the levy to allow for practical assessment of tonnage where weighbridges would be uneconomic.

*11. Do you think any changes are required to the definitions in the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009?*

Yes, these need to be aligned with the definitions in the Technical Guidelines for Disposal to Land.

## 5.5 The levy investment plan

*12. What do you think about the levy investment plan?*

The TAO Forum supports the development of a levy investment plan. Whilst it agrees with the six priorities listed in the consultation document, it notes that the following two items:

- monitoring and enforcement of the levy, including measures to combat inappropriate forms of disposal (littering, fly tipping, illegal dumping)
- data on waste quantities and composition, behaviour or economic incentives

may not strictly meet the criteria under the existing wording of the Act as Section 32 1a states that levy expenditure must be spent on matters to promote or achieve *waste minimisation*.

The TAO Forum also suggests two additional priorities:

- initiatives that have the potential to prevent waste being created in the first instance i.e. designing out waste. E.g. the redesign of products and packaging.
- education and behaviour change initiatives. For example, the funding of programs such as Para Kore Marae Incorporated and Enviroschools. Public understanding and support of waste minimisation and the circular economy is crucial to the success of other waste minimisation initiatives.

The Forum notes that the six priorities listed are very broad and could encompass almost any project and that more detailed guidance could also assist. In 2013, the Ministry

developed a framework for assessing waste streams by priority. The tool assessed different waste types using three criteria – risk of harm, quantity of waste, and benefits from minimisation – and developed a simple rating for each waste type. The creation of an investment plan could include such a framework to determine expenditure priority.

The TAO Forum is also concerned that the intent of the waste levy and the investment plan to reduce waste to landfill is not watered down or diminished by the inclusion of measures other than waste minimisation.

The TAO Forum asks the Ministry for the Environment to also consider placing a climate lens over the levy investment plan, prioritising projects and initiatives that have a clear climate change mitigation or adaptation focus in line with the Zero Carbon Act, which allows decision-makers to make specific considerations to climate impacts. In particular, both construction and demolition waste and organic waste (food and biosolids) make a significant contribution to the total tonnage of waste to landfill and contribute significantly to methane emissions from landfill. These have huge diversion potential and a combination of increasing the levy while investing in projects which aim to circularise these waste types could have very positive outcomes for waste and emissions prevention.

The TAO Forum is keen to be closely involved in developing the levy investment plan to ensure that both local, regional and national opportunities for waste minimisation are taken into account and to ensure that local and central government investment priorities are complementary.

### **Discrete v ongoing funding**

The TAO Forum notes that the consultation document suggests that levy funding should primarily be discrete rather than ongoing and that levy funding should be directed to initiatives that need capital at the start to cover setup costs that might otherwise be uneconomical, but over time can become self-sustaining.

Currently the requirement for funding to be discrete rather than ongoing is only a requirement of the Government's levy spend through the Waste Minimisation Fund and not a requirement for council expenditure as no mention of this is mentioned in the Waste Minimisation Act 2008 or in the Waste levy spending: Guidelines for territorial authorities 2013<sup>7</sup>. The TAO Forum asks for this distinction to continue.

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<sup>7</sup> <https://www.mfe.govt.nz/publications/waste/waste-levy-spending-guidelines-territorial-authorities>

A number of councils use waste minimisation funding to employ waste minimisation staff or to support educational programmes such as Enviroschools, Para Kore Marae Incorporated, and/or Waste Free Parenting workshops. Whilst the programmes remain the same the participants change, as young children and new parents learn about waste minimisation. Equally, some programmes may never become self-sustaining until compulsory product stewardship schemes are implemented. Some councils use waste levy funding for e-waste, hazardous chemical and farm chemical collections which will need to be ongoing until compulsory product stewardship schemes are introduced.

### 50% funding split

The TAO Forum strongly supports the continued hypothecation of 50% of total waste levy revenue to territorial authorities. Councils are uniquely placed to reach and understand the needs of local communities and influence behaviour, regularly consulting with and engaging ratepayers as well as working alongside industry where possible. A number of councils have set up their own waste minimisation funds allowing businesses and community groups, who may not have the resources to apply to the Government's Waste Minimisation Fund or the time to wait for approval, to apply for funding for smaller projects.

The TAO Forum notes, however, that allocating the 50% split to councils on a per head of population basis has left smaller councils at a disadvantage. Some councils such as Mackenzie with 4,158 residents have very high overseas visitor numbers and these councils are struggling to provide the infrastructure required from their rates and waste levy funding. Other smaller councils have geographical challenges in terms of distance from markets or have a number of smaller communities where they need to replicate services so do not benefit from the economies of scale applicable to larger councils. The TAO Forum is open to a review of how the 50% of council funding is shared and suggests that a more equitable approach would be to allocate a minimum level of levy funding per council with the rest allocated on a per head of population basis, thus enabling even smaller councils to implement effective programs to promote and achieve waste minimisation. As mentioned earlier, the TAO Forum is also open to a portion of the funding to be allocated to regional councils provided it is allocated to rural waste minimisation.

### The need for a national programs' agency

The TAO Forum notes that a number of other countries have national program agencies that fund ongoing national campaigns and research. WRAP in the UK is one example with ongoing work on food waste, clothing and recycling. NSW EPA is another example where

research and regional campaigns are funded at a state level e.g. Anti-littering, illegal dumping and behavioural research. The TAO Forum has funded a number of initiatives such as Love Food Hate Waste and Rethinking Rubbish and Recycling which ideally should be funded and administered by the central government. The limitation of using the waste minimisation fund as a funding vehicle for these programs is the length of time for approval processes, the restriction to a 3 year time frame for funding, the requirement for significant amounts of match funding and the inability or reluctance of some councils to contribute to the funding.

The TAO Forum urges the Ministry to consider ring-fencing funding for research, particularly behavioural insights or detailed analysis of waste streams, and to fund national communication campaigns that would benefit all councils. Examples could include research and campaigns tackling fly tipping and illegal dumping, fabric and textiles, construction and demolition, hazardous waste management and disposal etc.

### Transparency of reporting

Additionally, the TAO Forum calls for transparency from the Ministry for the Environment on what the remaining 50% of waste levy funding is invested in. The consultation document proposes mandatory reporting from local authorities to the Ministry on their levy expenditure but does not mention mandatory reporting back on Ministry expenditure. In particular, timely reporting on what projects have been funded and whether the project achieved its goals or not is suggested.

### 5.5 Future review of the WMA 2008

This section addresses question 13.

*13. If the Waste Minimisation Act 2008 were to be reviewed in the future, what are the changes you would like a review to consider?*

As noted previously, the TAO Forum view is that the Waste Minimisation Act should be amended to allow for an exemption from the levy, if waste from a closed landfill is uncovered due to sea level rise, flooding or erosion due to changing river patterns and needs to be relocated due to any of these.

Secondly, the wording of the Act may need to be amended to allow monitoring and enforcement of the levy; data on waste quantities and composition; and ongoing behaviour change and education; to be eligible to be funded by the levy.

The TAO Forum recommends an amendment of the Act to allow changes to a waste minimisation plan without the requirement to conduct a new waste assessment in

accordance with section 51 of the WMA and to allow for minor amendments without using the special consultative procedure set out in section 83 of the LGA.

As it currently stands, this is a barrier to minor amendments to a waste plan and can add significant time and additional cost. The Ministry is proposing significant changes to funding priorities and activities and councils need to be able to respond quickly to changing demands.

The TAO Forum also recommends that the scope and frequency of a waste assessment and waste management and minimisation plan be reviewed. The waste assessment provides a useful stocktake of waste activities in a district but includes a requirement for a statement of proposal, which is better included in a waste management and minimisation plan.

Finally, the waste definition in the Act needs to include diverted materials for the purposes of data collection. It's not possible currently to license collectors and operators that deal with diverted materials, so no data can be collected on recycling / reuse / recovery data through licensing.

## 5.6 Waste data

This section addresses question 14.

### *14. Do you agree that waste data needs to be improved?*

The TAO Forum called for better waste data in the Local Government Waste Manifesto and thus strongly agrees that waste data needs to be improved and a national waste data framework implemented so that data currently collected can be accurately aggregated at a national level. Better waste data will have a significant positive effect across all aspects of the sector. It will allow councils, the private and community sectors, and government to benchmark their performance, identify areas where performance could be improved, plan with greater confidence, and to monitor and measure the effectiveness of actions.

New Zealand lacks comprehensive, reliable waste data. We have good data on the quantity of material that goes to Class 1 (levied) disposal sites, and most councils hold reasonable data on the waste that they manage through their services and facilities. But there is a lack of data on the total amount of waste generated, the amount of material that goes to Class 2-4 disposal sites and farm dumps (together about 70% of all material disposed to land), material that is collected or managed by private operators, and material that is recycled and recovered. This means that our overall understanding of waste flows is severely limited.

Three key actions are required to improve waste data



- Require (under section 37 of the WMA) the Waste Data Framework to be used by TAs for compiling and reporting data.
- Develop and implement regulations under Section 86 of the WMA to provide a mechanism for requiring reporting of recovered material data.
- Establish a platform for key parties to enter data into, compile data, and make aggregated data available. Such platforms are already used by some States in Australia.<sup>8</sup>

### Establishing a baseline for illegal dumping and fly tipping

One of the concerns voiced re raising the levy is a possible increase in illegal dumping and fly tipping. The TAO Forum suggests establishing a baseline for current illegal dumping before the levy is increased and then monitoring to see whether this increases as the levy is raised. The TAO Forum is willing to work with central government to agree a process and definitions for how information on illegal dumping could be captured and to create a centralized reporting portal and strongly urges the Ministry to complete this work asap to enable a baseline to be established.

### Data reporting platforms

Any data platform created to enter in waste data from levied fills should include the ability to enter other waste data that is non-levy related but needs to be captured nationally. Collecting national data on illegal dumping is one such example. The TAO Forum also notes that the waste levy submission from the Organic Materials Sector Group includes a willingness from commercial composters to voluntarily report the tonnages of waste streams they receive. Over time other types of waste data could also be added such as data from resource recovery or recycling. It is vital that any data platform created has the ability to expand in the future to capture data from other types of waste infrastructure and not just levied fills.

## 5.7 Costs relating to waste data proposals

This section addresses question 15.

*15. If the waste data proposals outlined are likely to apply to you or your organisation, can you estimate any costs you would expect to incur to collect, store and report such information? What challenges might you face in complying with the proposed reporting requirements for waste data?*

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<sup>8</sup> Eg Sustainability Victoria



The main challenges and concerns that TAs have are:

- Implementing changes in short time frames
- Complying with reporting requirements without funding or resource support
- Some councils have no or only a part time FTE to complete this work
- A lack of necessary infrastructure such as software or weighbridges
- Levy spend reporting is challenging to use

### Timeframes

As mentioned previously the main challenge relating to complying with the proposed reporting requirements is the implementation time period. Councils would require a minimum of 12 months to set up reporting requirements at landfills and transfer stations once the exact details are known. A National Waste Data Framework would need to be agreed on before the weighbridge software requirements could be aligned. Comments from TA's that support this include:

*"I have been trying to implement the WDF in our reporting. The main problem has been in trying to get the weighbridge software to match the WDF protocols. Implementing the system and making changes to reporting such as council reports etc. is very time consuming."*

*"We would likely require a change in data categories for the weighbridge facilities – we are currently using Landfill3000. Significant changes to the software may require added software developer costs. As this programme is used by a number of transfer station operators, there may be a timing issue to booking in the software developer to help with the changeover."*

### Resourcing

Some councils indicated that they may need to employ additional staff:

*"Our Council doesn't have an allocated person dedicated to solid waste; therefore it would need to fund additional capacity to comply."*

Most councils have a minimum of 3 transfer stations, with others having between 10-16 transfer stations. Of 106 transfer stations surveyed, 37 process more than 1000 tonnes per year, with 15 of those not having weighbridges. Some councils would probably need to purchase and install a weighbridge:

*“Two of the transfer stations in our region do not currently have weighbridges. Currently the waste from these facilities is combined and weighed at another transfer station before it is sent to landfill. If this data had to be reported separately, we would have to change this process and possibly install a weighbridge at the larger transfer station.”*

*“Our landfills weighbridge is also currently not being used (as the ground it is on is uneven and it does not currently give accurate data).”*

### **Reporting requirements**

For councils operating shared services, implementing reporting requirements would also have specific challenges:

*“As a shared contract with two other TA's the data we get is amalgamated & it takes quite some time to extract & analyse this, indeed this has not been tracked for over two years. To receive separate reports, we have been advised there will be an extra cost from our contractor. Our preference would be to install online real-time data reporting from our weighbridges. The preference would be to upgrade from a single weighbridge at each site to a 'pair' of weighbridges & this is expected to be in the order of \$200k but would provide for the most accurate reporting with the lowest ongoing costs with data being reported in real time.”*

In a TAO Forum survey of councils 32% found the existing reporting format unsatisfactory and a number commented that the current spreadsheet format could be improved. The following suggestions were made:

*“The levy spend categories used do not necessarily match up with how the Council reports or collects that data. Therefore, the data has to be analysed differently (and sometimes not easily) to meet the MfE requirements.”*

*“The current system is not that user friendly. I think there are opportunities to separate out differing types of projects/spends and have the reporting more relevant to that project type. For example, there is no easy way to add qualitative feedback on education workshops.”*

*“Where funding is used for a range of regional initiatives we cannot report on total waste diversion as we have to select a specific waste type (e.g. funding medical waste re-use, mattress recycling, battery recycling trial, event waste trials, etc.); how we report on uptake of education programmes (number pupils vs. number schools vs. number attendees); and classification (no space for reduce, reuse, recycling as a whole). Detail has to be added to the last text box at the bottom of the sheet.”*

In summary, every council will face its own unique challenges in complying with the data reporting requirements. If the current National Waste Data Framework is adopted it will reduce the cost and implementation time as many councils have already begun to implement this framework. If an alternative framework is created, this will increase the implementation time required. Some councils may need additional funding in terms of staff resource or to purchase weighbridges or to upgrade existing reporting systems”

## 5.8 Costs and benefits of increasing the waste levy

This section addresses question 16.

*16. What are the main costs and benefits for you of the proposals to increase the levy rate for municipal landfills, expand the levy to additional sites and improve waste data?*

The TAO Forum believes that at the proposed rates of increasing the levy the main benefit would be the corresponding increased revenue which would allow the funding of additional waste minimisation projects, enable onshore processing of recyclables and fund the capital infrastructure needed to sort more waste before it is sent to landfill i.e. construction and demolition materials recovery facilities. International experience suggests that the levy may need to be raised to a level even higher than what is proposed before substantial diversion from landfill takes place.

Improved data collection will also be a significant benefit as it will improve the accuracy of future waste assessment reporting and allow better investment decisions to be made. Although the cost of disposal will be higher for the community, councils are confident that this can be offset with improved recycling opportunities.

## 5.9 Additional comments

This section addresses question 17.

### *17. Additional Comments*

#### *Alignment across Legislation*

As previously noted, it is important that there is alignment across legislation. In particular, the TAO Forum has concerns over the effectiveness of the Litter Act given that an increase in illegal dumping and fly tipping may occur. Many councils have found it very difficult to

enforce the provisions of the Litter Act as it currently stands, as there is a high threshold for the evidence required to issue an infringement, and the cost of chasing fines often outweighs the fine itself. On this basis, the TAO Forum believes it is necessary to review the Litter Act in line with the introduction of the expanded waste levy to enable more effective enforcement.

Furthermore, councils will need to be well resourced to carry out the regular monitoring that will be necessary to minimise instances of illegal dumping. While the Ministry's proposals suggest that enforcement activities can be funded through the council allocation of the WMF, bylaws this type of enforcement would generally be carried out by councils under the Litter Act, not the Waste Management Act 2008 (WMA) to which the fund relates.

As mentioned earlier definitions for different types of disposal facilities from the Technical Guidelines for Disposal to Land should be adopted by the Emission Trading Scheme (ETS) to ensure consistency across legislation.

**REPORT TO: OPERATIONS AND MONITORING COMMITTEE**

**MEETING DATE: THURSDAY 27 FEBRUARY 2020**

**FROM: REGULATORY SOLUTIONS MANAGER  
JOHN PAYNE**

**SUBJECT: ANNUAL REPORT ANIMAL CONTROL SECTION 10A**

## **1.0 EXECUTIVE SUMMARY - *TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA***

- 1.1 The purpose of this report is to update the committee on the dog control statistics for the annual Dog Control Report for the year 1 July 2018 to 30 June 2019
- Section 10A of the Dog Control Act 1996 requires Council adopt and publish an annual report on the administration of Council's Dog Control Policy and Practises
- 1.2 This report contributes to the purpose of local government by primarily promoting regulatory performance and more specifically through the Council's strategic objective of community safety.
- 1.3 Statistical trends:
- Despite the increase in dog numbers there has been a decrease in reported attacks and rushing complaints towards people
  - The 15 prosecutions relate to either multiple offences or multiple dogs owned by six dog owners
    - 3 x persons attacked
    - 4 x stock attacked
    - 5 x failed to keep under proper control
    - 2 x unregistered
    - 1 x dog attacked dog
  - There has been a decrease in the percentage of dogs claimed from the pound. All unclaimed dogs deemed suitable for adoption are home placed
  - There has been a 10 percent increase in the number of complaints, however this is not significant given there was a decrease in the previous year

## **2.0 RECOMMENDATIONS - *NGĀ TŪTOHUNGA***

- A) **That the Committee receives the report titled Annual Report Animal Control Section 10A**
- B) **That the report be adopted**

### 3.0 BACKGROUND – *TE HOROPAKI*

3.1 Annually Council adopts the animal control statistics Report. The report must include information relating to:

- The number of registered dogs
- The number and type of dog and dog owner classifications
- The number infringements
- The number and nature of dog related complaints

### 4.0 OPTIONS - *NGĀ KŌWHIRINGA*

There are no options with regard to this report as it is information only:

### 5.0 NEXT STEPS - *TE ANGA WHAKAMUA*

5.1 Once the report is adopted it must be:

- Publically notified (Website & Newspaper)
- A copy sent to the Secretary for Local Government

#### Attachments:

1 [↓](#) Annual Report 2018-2019

REG-1-01-19-9625

#### **SUMMARY OF CONSIDERATIONS - *HE WHAKARĀPOOTO WHAIWHAKAARO***

##### **Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-rohe***

Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

Regulatory

##### **Link to the Council's Community Outcomes - *E noho hāngai pū ai ki te rautaki matua***

Reducing public nuisance and threats to public health and safety
<b>Māori Impact Statement - <i>Te Tauāki Kaupapa Māori</i></b> N/A:
<b>Sustainability - <i>Te Toitūtanga</i></b> N/A:
<b>Financial considerations - <i>Ngā Whaiwhakaaro Ahumoni</i></b> None:
<b>Significance and Engagement - <i>Te Hiranga me te Tūhonotanga</i></b> This report does not trigger the threshold of Council's Significance and Engagement Policy.
<b>Consultation – internal and/or external - <i>Whakawhiti Whakaaro-ā-roto, ā-waho</i></b> Not required as the report is information only:
<b>Risks: Legal/ Health and Safety - <i>Ngā Tūraru: Ngā Ture / Hauora me te Haumarū</i></b>  N/A:
<b>Rural Community Board - <i>Ngā Poari-ā-hapori</i></b> Damage to stock from stray dogs.

10A Report 2018/2019

Item 11

**Report on the Administration of  
Hastings District Council's  
Policy and Practices in Relation to the  
Control of Dogs for the year  
1 July 2018 to 30 June 2019**

Pursuant to:  
(Section 10A of the Dog Control Act 1996)

Attachment 1





## 1 Background

The policy is made under section 10 of the Dog Control Act 1996. Council adopted the “Dog Control” Policy 2009. The policy underwent a review and public consultation in conjunction with the Dogs Bylaw and was submitted to Council for adoption on 25 August 2016.

The purpose of the policy is to provide a framework for the care and control of dogs throughout Hastings District with regard to:

- a) *“the need to minimise danger, distress and nuisance to the community generally; and*
- b) *the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and*
- c) *the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and*
- d) *the exercise and recreational needs of dogs and their owners”*

The anticipated outcomes of the policy are:

- 1. Minimising the potential for danger, distress and nuisance to the community from dogs;
- 2. Promoting responsible dog ownership;
- 3. Promoting effective dog control, particularly in public places where children or families are present;
- 4. Minimising the risk of intimidation and attacks by dogs;
- 5. Promoting positive interaction between dog owners and members of the community;
- 6. Providing for the exercise and recreational needs of dogs and their owners.

Section 10A of the Dog Control Act 1996 requires Territorial Authorities to publically report each financial year on the administration of their dog control policy and practices.

## 2 Dog Prohibited Areas

Dogs are prohibited from the following areas:

1. Hastings District Council Civic Building
2. Hastings District Council Public Libraries
3. Hastings District Council Swimming Pools
4. Children's playing areas under the control of Hastings District Council
5. All areas under the control of Hastings District Council set aside for organised games or sports and all other areas zoned as sports parks in the Hastings District
6. Rangaiika Beach at Ocean Beach / Cape Kidnappers.

Prohibited areas are established to prevent conflict with other users, or areas with sensitive ecological value. Very few complaints are received regarding non-compliance as the majority of dog owners are responsible people and comply with the requirements.

Under the review no additional dog prohibited areas were added.

## 3 Dog Exercise and Leash Control

There are currently areas where dogs are required to be leashed and areas where they may free run (under control of the owner). Council does not provide specific dog exercise areas. Again, the majority of dog owners are responsible and considerate.

## 4 Dog Aggression

A focus is on encouraging dog owners to understand the true nature of dogs, to recognise the potential that all dogs have and to comply with their obligations under the Dog Control legislation, in particular Section 5(f) –

*to take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person.*

All complaints of aggression reported to Council are given priority and are thoroughly investigated. Action ranges from written warning, infringements, dangerous dog classification or prosecution.

There were a number of stock worrying complaints which started June 2019. Stock worrying can be common at this time of the year when the orchards are no longer in production and animals are brought in to graze on the periphery of the urban areas.

This coupled with a full moon and lambing creates the conditions for dogs to get up to mischief, especially when they are not adequately restrained.

## 5 Dog Control Statistics

Year	Active Dogs	Dog % increase	Registered Dogs	% Reg	Impound	Claimed
<b>2018/19</b>	<b>13,368</b>	<b>1.6%</b>	<b>12,640</b>	<b>94.5</b>	<b>1,131</b>	<b>64%</b>
2017/18	13,166	4.1%	12,561	95.4	1,041	76%
2016/17	12,634	3.1%	12,366	97.8	1,082	76%
2015/16	12,243	3.2%	11,722	95.7	982	79%

NB: Impounded does not include dogs relinquished

Compliant Type	15/16	16/17	17/18	<b>18/19</b>
Person Attacked	66	60	53	<b>52</b>
Person Rushed	115	127	118	<b>90</b>
Animal Attacked	92	124	106	<b>135</b>
Roaming	1,499	1,793	1,806	<b>2,033</b>
Barking	600	633	558	<b>604</b>
Fouling	8	7	1	<b>2</b>
Other	272	265	226	<b>262</b>
Total	2,652	3,009	2,868	<b>3,178</b>

Owner Classification	15/16	16/17	17/18	<b>18/19</b>
Probationary owners s21	0	0	0	<b>0</b>
Disqualified owners s25	7	4	4	<b>5</b>
Menacing s33A 1b(i) – (Behaviour)	14	26	27	<b>27</b>
Menacing s33A 1b(ii) – (Breed Characteristics)	0	0	0	<b>0</b>
Menacing s33C – (Government listed breeds)	256	198	200	<b>190</b>
Dangerous s31 (1)(a) – (Conviction under s57)	1	1	0	<b>0</b>
Dangerous s31 (1)(b) – (Sworn evidence)	2	9	9	<b>11</b>
Dangerous s31 (1)(c) – (Owner admits in writing)	6	5	7	<b>22</b>

	Infringements	Prosecutions
<b>2018/2019</b>	<b>691</b>	<b>15</b>
2017/2018	511	0
2016/2017	622	2
2015/2016	323	7

### Registration category

Category	15/16	16/17	17/18	<b>18/19</b>
Urban	5,857	6,323	6,690	<b>6,828</b>
Rural	6,372	6,295	6,458	<b>6,524</b>
Other	14	16	18	<b>16</b>
Total	12,243	12,634	13,166	<b>13,368</b>

## 6 Fees

Dog registration fees are set by Council resolution.

Dog registration fees, fines and impound fees are used to fund dog control.

A reduced dog registration fee is offered to those who register their dogs before 1 August and a reduced fee is offered to those owners on the Selected Owner Scheme.

27% of the dog control activity is funded from the general fund in recognition of the public good benefit.

## 7 Education

Education is offered to all offenders by way of one-on-one consultation and a series of educational brochures are available.

Dog bite prevention and responsible dog ownership addresses are undertaken, free of charge to schools, kindergartens and any other community groups. This training is also offered internally to HDC staff.

A copy of Council's dog control policy is available on our website together with other educational material.

Copy to:

Secretary for Local Government  
Department of Internal Affairs  
PO Box 805  
Wellington 6140

**REPORT TO:** OPERATIONS AND MONITORING COMMITTEE

**MEETING DATE:** THURSDAY 27 FEBRUARY 2020

**FROM:** MANAGER STRATEGIC PROJECTS & PARTNERSHIPS  
RAOUL OOSTERKAMP

**SUBJECT:** HAWKE'S BAY CIVIL DEFENCE EMERGENCY  
MANAGEMENT GROUP - ANNUAL REPORT 2018-19

## **1.0 PURPOSE AND SUMMARY - *TE KAUPAPA ME TE WHAKARĀPOPOPOTOTANGA***

- 1.1 The purpose of this report is to present for information the Hawke's Bay Civil Defence Emergency Management Group Annual Report 2018/19 which is attached for your information.
- 1.2 This report outlines the significant activities of the Hawke's Bay Civil Defence and Emergency Management Group over the 2018/19 period. In 2017 the group was centralised and funded by a regional targeted rate, with the aim of supporting an adaptable and efficient organisation which better meets the changing needs of the region.
- 1.3 On 5 March 2020 there will be a session for new Councillors on the work of emergency management, which is open to all councillors to update and refresh their knowledge.

## **2.0 RECOMMENDATIONS - *NGĀ TŪTOHUNGA***

- A) That the Council/Committee receives the report titled Hawke's Bay Civil Defence Emergency Management Group - Annual Report 2018-19

a.

### **Attachments:**

1 ➡ Hawke's Bay Civil Defence Emergency  
Management - Annual report 2018/19 FINAL

CG-16-4-00003

Under  
Separate  
Cover



**REPORT TO:** OPERATIONS AND MONITORING COMMITTEE

**MEETING DATE:** THURSDAY 27 FEBRUARY 2020

**FROM:** MANAGER: DEMOCRACY AND GOVERNANCE  
JACKIE EVANS

**SUBJECT:** REQUESTS RECEIVED UNDER THE LOCAL  
GOVERNMENT OFFICIAL INFORMATION AND MEETINGS  
ACT (LGOIMA) MONTHLY UPDATE

## **1.0 EXECUTIVE SUMMARY - TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA**

- 1.1 The purpose of this report is to inform the Council of the number of requests under the Local Government Official Information Act (LGOIMA) 1987 received in December 2019 and January 2020.
- 1.2 This issue arises from the provision of accurate reporting information to enable effective governance.
- 1.3 This is an administrative report to ensure that the Council is aware of the number and types of information requests received and to provide assurance the Council meeting its legislative obligations in relation to the Local Government Official Information and Meetings Act (LGOIMA).
- 1.4 This report concludes by recommending that the report be noted.

## **2.0 RECOMMENDATIONS - NGĀ TŪTOHUNGA**

- A) That the Council receives the report titled Requests Received Under the Local Government Official Information and Meetings Act (LGOIMA) Monthly Update.
- B) That the LGOIMA requests received in December 2019 and January 2020 as set out in Attachment 1 (IRB-2-01-19-1832) of the report be noted.

### 3.0 BACKGROUND – *TE HOROPAKI*

- 3.1 The LGOIMA allows people to request official information held by local government agencies. It contains rules for how such requests should be handled, and provides a right to complain to the Ombudsman in certain situations. The LGOIMA also has provisions governing the conduct of meetings.

#### **Principle of Availability**

- 3.2 The principle of whether any official information is to be made available shall be determined, except where this Act otherwise expressly requires, in accordance with the purposes of this Act and the principle that the information shall be made available unless there is good reason for withholding it.

#### **Purpose of the Act**

- 3.4 The key purposes of the LGOIMA are to:

- Progressively increase the availability of official information held by agencies, and promote the open and public transaction of business at meetings, in order to:
- enable more effective public participation in decision making; and
- promote the accountability of members and officials; and
- so enhance respect for the law and promote good local government; and
- protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.
- City, district and regional councils, council controlled organisations and community boards are subject to LGOIMA and official information means any information held by an agency subject to the LGOIMA.
- It is not limited to documentary material, and includes material held in any format such as:
- written documents, reports, memoranda, letters, notes, emails and draft documents;
- non-written documentary information, such as material stored on or generated by computers, including databases, video or tape recordings;
- information which is known to an agency, but which has not yet been recorded in writing or otherwise (including knowledge of a particular matter held by an officer, employee or member of an agency in their official capacity);
- documents and manuals which set out the policies, principles, rules or guidelines for decision making by an agency;
- the reasons for any decisions that have been made about a person.

- 3.5 It does not matter where the information originated, or where it is currently located, as long as it is held by the agency. For example, the information



could have been created by a third party and sent to the agency. The information could be held in the memory of an employee of the agency.

### 3.6 **What does a LGOIMA request look like?**

3.7 There is no set way in which a request must be made. A LGOIMA request is made in any case when a person asks an agency for access to specified official information. In particular:

- a request can be made in any form and communicated by any means, including orally;
- the requester does not need to refer to the LGOIMA; and
- the request can be made to any person in the agency.

3.8 The Council deals with in excess of 14,000 service requests on average each month from written requests, telephone calls and face to face contact. The LGOIMA requests dealt with in this report are specific requests for information logged under formal LGOIMA procedure, which sometimes require collation of information from different sources and/or assessment about the release of the information requested.

### **Key Timeframes**

3.9 An agency must make a decision and communicate it to the requester 'as soon as reasonably practicable' and no later than 20 working days after the day on which the request was received.

3.10 The agency's primary legal obligation is to notify the requester of the decision on the request 'as soon as reasonably practicable' and without undue delay. The reference to 20 working days is not the de facto goal but the maximum unless it is extended appropriately in accordance with the Act. Failure to comply with time limit may be the subject of a complaint to the ombudsman.

3.11 The Act provides for timeframes and extensions as there is a recognition that organisations have their own work programmes and that official information requests should not unduly interfere with that programme.

## **4.0 DISCUSSION - TE MATAPAKITANGA**

### **Current Situation**

4.1 Council has requested that official information requests be notified via a monthly report.

## **5.0 OPTIONS - NGĀ KŌWHIRINGA**

Not applicable

### **Attachments:**

1  Monthly Report to Council December 2019 / January 2020

IRB-2-01-19-1832

**SUMMARY OF CONSIDERATIONS - HE WHAKARĀPOPOTO WHAIWHAKAARO**
**Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-rohe***

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

N/A

**Link to the Council's Community Outcomes - *E noho hāngai pū ai ki te rautaki matua***

N/A

**Māori Impact Statement - *Te Tauākī Kaupapa Māori***

N/A

**Sustainability - *Te Toitūtanga***

N/A

**Financial considerations - *Ngā Whaiwhakaaro Ahumoni***

N/A

**Significance and Engagement - *Te Hiranga me te Tūhonotanga***

N/A

**Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto, ā-waho***

N/A

**Risks: Legal/ Health and Safety - *Ngā Tūraru: Ngā Ture / Hauora me te Haumaru***

N/A

**Rural Community Board - *Ngā Poari-ā-hapori***

N/A

## LGOIMA – Monthly Report to Council – December 2019/January 2020

	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Requests resulting in a complaint to Ombudsman
December 2019 / January 2020	16	9	8	1	0	5	0

## Requests - received since those last reported to Council

Completed			
Outstanding			
Month	From	Subject	Total
December	Radio NZ	Spending on election promotion and voter engagement	
	Treecology Tree Consultancy	Trees protected by the District Plan	
	Stephen Goodman	Approaches to Police by Council regarding safety issues at shooting ranges	
	Jaime McSorley	Sport and recreational funding and strategy	
	Freshco	Work in Trotter Road	
	Mediaworks	Pool Regulations	
	University of Otago – Dr Dinithi Ranasingh	Annual Reports dating back to 2014/15	

	Susan Hur, Solicitor – Baldwins Law Ltd	Naming of the HB Arts & Events Centre “Toitoi”	16
	Principal – Havelock North Primary School	Parking schedule for schools in past 12 months	
	Stefan Browning – Soil & Health Association of NZ	Glyphosate-based Herbicides used in public places	
January	P Chamberlain	Noise Complaint	
	University of Otago, Wellington	Nitrates in drinking water	
	C Dolley	Waipatiki Water Safety Plan	
	A Austin	Information on water enquiry	
	J Walker	Information relating to a Paki Paki subdivision	
	National MP	Compliance, complaints/concerns regarding a property in Havelock North	

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Attachment 1