

CENTRAL HAWKE'S BAY



**I hereby give notice that a Meeting of Council will be held on:**

**Date:** Thursday, 28 June 2018  
**Time:** 9.00 am  
**Location:** Council Chamber  
28-32 Ruataniwha Street  
Waipawa

# **AGENDA**

## **Council Meeting**

**28 June 2018**

**Monique Davidson  
Chief Executive**

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**1 PRAYER**

*“We dedicate ourselves to the service of the District of  
Central Hawke’s Bay/Tamatea and its people.*

*We ask for God’s help  
to listen to all  
to serve all  
and to lead wisely.  
Amen.”*

**2 APOLOGIES****3 DECLARATIONS OF CONFLICTS OF INTEREST****4 STANDING ORDERS****RECOMMENDATION**

THAT the following standing orders are suspended for the duration of the meeting:

- 20.2 Time limits on speakers
- 20.5 Members may speak only once
- 20.6 Limits on number of speakers
- THAT 21.4 Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

**5 CONFIRMATION OF MINUTES**

Ordinary Council Meeting - 31 May 2018

**RECOMMENDATION**

That the minutes of the Ordinary Council Meeting held on 31 May 2018 as circulated, be confirmed as true and correct.



**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA  
ON THURSDAY, 31 MAY 2018 AT 9.00AM**

**PRESENT:** Mayor Alex Walker  
Cr Ian Sharp (Deputy Mayor)  
Cr Shelley Burne-Field  
Cr Kelly Annand  
Cr Tim Aitken  
Cr Tim Chote  
Cr Gerard Minehan  
Cr Brent Muggeridge  
Cr David Tennent

**IN ATTENDANCE:** Monique Davidson (Chief Executive)  
Bronnda Smith (Group Manager, Corporate Support and Services)  
Doug Tate (Group Manager, Customer and Community Partnerships)  
Nicola Bousfield (People and Capability Manager)  
Gina McGrath (Customer Experience Lead)  
Harry Robinson (Utilities Engineer)  
Karen Bothwell (Wastewater Engineer)  
Lizz Jenkins (Governance and Support Officer)  
Dr Roger Maaka (Maori Consultative Representative)

**1 PRAYER**

Roger Maaka led Council in prayer

**2 APOLOGIES**

NIL

**3 DECLARATIONS OF CONFLICTS OF INTEREST**

NIL

**4 STANDING ORDERS**

**RESOLVED: 18.20**

Moved: Cr Ian Sharp

Seconded: Cr Gerard Minehan

THAT the following standing orders are suspended for the duration of the meeting:

- 20.2 Time limits on speakers
- 20.5 Members may speak only once
- 20.6 Limits on number of speakers
- THAT 21.4 Option C under section 21 General procedures for speaking and moving motions be used for the meeting

**.CARRIED**

**5 CONFIRMATION OF MINUTES****RESOLVED: 18.21**

Moved: Cr Tim Aitken  
Seconded: Cr Kelly Annand

That the minutes of the Ordinary Council Meeting held on 3 May 2018 as circulated, be confirmed as true and corrections noted.

**CARRIED**

Amendments noted and corrected. Recordings provide confirmation of discussion.

**6 Local Government Act Compliance – Planning, Decision Making and Accountability Council is required to make decisions in accordance with the requirements of Part 6 Subpart 1 of the Local Government Act 2002.****RESOLVED: 18.22**

Moved: Cr Brent Mugeridge  
Seconded: Cr Tim Chote

THAT Council has read the reports associated with items 7.1, 7.2, 8.1, 8.2, 8.3, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 10.1 and 10.2 and considers in its discretion under Section 79(1)(a) that sufficient consultation has taken place in addition to the Councillors knowledge of the items to meet the requirements of Section 82(3) in such a manner that it is appropriate for decisions to be made during the course of this meeting.

**CARRIED**

**7 CHIEF EXECUTIVE REPORT****7.1 CHIEF EXECUTIVE REPORT - APRIL/MAY 2018****PURPOSE**

The purpose of this report is to present to Council the monthly Chief Executive report.

**RESOLVED: 18.23**

Moved: Cr Ian Sharp  
Seconded: Cr Tim Aitken

That, having considered all matters raised in the report, the report be noted.

That Council authorises Mayor Walker, Councillor Annand and Councillor Chote to attend the Local Government New Zealand Conference to be held in Christchurch in July 2018.

That Council nominates Councillor Annand as the alternative to exercise Council's voting rights, should the Mayor not be in attendance at the Annual General Meeting of Local Government New Zealand in July 2018.

**CARRIED**

## 7.2 NOTICE OF MOTION - BIODIVERSITY AND CENTRAL HAWKE'S BAY

### PURPOSE

The purpose of this report is to present to Council a Notice of Motion that was received by Her Worship the Mayor and Councillor Tim Aitken seeking consideration of a financial contribution from Central Hawke's Bay District Council to Biodiversity Hawke's Bay.

### RESOLVED: 18.24

Moved: Mayor Alex Walker

Seconded: Cr Tim Aitken

In Favour: Crs Alex Walker, Ian Sharp, Shelley Burne-Field, Kelly Annand, Tim Aitken, Brent Muggeridge and David Tennent

Against: Crs Tim Chote and Gerard Minehan

**CARRIED 7/2**

That, having considered all matters raised in the report, the report be noted.

That \$10,000 from the rural fire fund is allocated for Year 1 of the Long Term Plan to support activities for protection and promotion of Biodiversity in Hawke's Bay through the Biodiversity Foundation.

That Central Hawke's Bay District Council become financial guardians of the Biodiversity foundation, which is \$1,000.00, to be funded out of existing budgets.

That financial commitment from rates, for this activity, is reconsidered during the Annual Plan 2018/2019.

**CARRIED**

- Mayor Walker spoke to the motion outlining responsibilities under RMA and the need to signal more intent. Importance of discussing concept further as we are in a Red Zone regarding Biodiversity intent with less than 10% cover.
- Councillors shared their views while clarifying points of original request and proposed support to be provided.
- Cr Sharp stated "we have an obligation.....we cannot bleat if we don't contribute"
- Cr Tennant advised "There needs to be more of a focus on what they want to achieve and does not duplicate Regional Council."
- Cr Chote is worried about costs and we end up with nothing. He is also worried about taking funds from reserves.
- Cr Annand questioned how Council staff connect to it and would like Biodiversity work to link with EnviroSchools.
- CEO advised that a senior staff member, Mrs O'Shaughnessy, has been in role of guardian. Discussion has occurred regarding CHB initiatives, forums ensuring the right level of conversation has been occurring.
- Cr Minehan is worried about double up of some actions and CHB specific issues being overlooked.
- Cr Burne-Field understands concerns regarding doubling up on bureaucracy. This action cements our place as a progressive council.
- Mayor Walker thanked everyone for their views. Invited councillors to consider finding people to apply to fill 2 vacant seats on Trust board. CHB residents already working with the Trust. This is not about them (Regional Council) or us, it is about mandating and collectively doing this as a region.

**8 REPORTS FROM COMMITTEES**

**8.1 MINUTES OF THE COUNCIL MEETING HELD ON 5 APRIL 2018**

**RESOLVED: 18.25**

Moved: Cr Shelley Burne-Field

Seconded: Cr Tim Aitken

1. That the minutes of the meeting of the Council held on 5 April 2018 are a true and accurate record.

**CARRIED**

**8.2 MINUTES OF THE COUNCIL MEETING HELD ON 26 APRIL 2018**

**RESOLVED: 18.26**

Moved: Cr Tim Chote

Seconded: Cr Gerard Minehan

1. That the minutes of the meeting of the Council held on 26 April 2018 are a true and accurate record.

**CARRIED**

Corrections noted. (Item 5 and Page 46)

**8.3 MINUTES OF THE DISTRICT PLAN SUBCOMMITTEE MEETING HELD ON 28 MARCH 2018**

**RESOLVED: 18.27**

Moved: Cr Shelley Burne-Field

Seconded: Cr David Tennent

1. That the minutes of the meeting of the District Plan Subcommittee held on 28 March 2018 be received.

**CARRIED**

**9 REPORT SECTION****9.1 HB DRINKING WATER GOVERNANCE JOINT COMMITTEE MEETING MINUTES 10 MAY 2018****PURPOSE**

The purpose of this report is to receive the minutes from the HB Drinking Water Governance Joint Committee dated 10 May 2018.

**RESOLVED: 18.28**

Moved: Cr Ian Sharp

Seconded: Cr Kelly Annand

That, having considered all matters raised in the report, the report is received.

**CARRIED****9.2 MAYORAL UPDATE****RESOLVED: 18.29**

Moved: Cr David Tennent

Seconded: Cr Brent Muggerridge

That, having considered all matters raised in the report, the report be noted.

**CARRIED**

- Mayor Walker spoke to the update.
- Cr Burne-Field asked for clarification for the process to select the mayor and acting mayor.
- Mayor Walker advised that the delegation flows from the Civil Defence Emergency Plan. There is no wider legal requirement but if it had been for a longer period there would need to be the conversation for leave of absence.
- Mayor Walker thanked Cr Muggerridge and Cr Sharp.

### 9.3 ADOPTION OF THE LONG TERM PLAN 2018-28

#### PURPOSE

The matter for consideration by the Council is the adoption of the Long Term Plan 2018-28.

#### RESOLVED: 18.30

Moved: Mayor Alex Walker

Seconded: Cr Ian Sharp

That having considered all matters raised in the report:

- a) Adopt the Financial Strategy in accordance with section 101(A) of the Local Government Act 2002
- b) Adopt the Infrastructure Strategy in accordance with section 101(B) of the Local Government Act 2002
- c) Adopt the Revenue and Financing Policy in accordance with section 102(1) of the Local Government Act 2002.
- d) Adopt the Significance and Engagement Policy in accordance with section 76AA of the Local Government Act 2002.
- e) Adopt the Statement on Maori Decision Making Policy in accordance with section 81 of the Local Government Act 2002.
- f) In accordance with Section 100 of the Local Government Act 2002, Council resolve that in 5 years of the Long Term Plan it is financially prudent to set projected operating revenue at a different level from operating expenses taking into account achieving and maintaining level of service provision, maintenance of assets and facilities and affordability.
- g) Adopt the Long Term Plan 2018-28 in accordance with section 93 of the Local Government Act 2002.
- h) Delegate responsibility to the Chief Executive and Group Manager – Corporate Support and Services to approve the final edits, including minor changes from the audit process, required to the Long Term Plan in order to finalise the documents for printing and distribution.

**CARRIED**

- Group Manager, Corporate Support and Services spoke to the report.
- Rates review and timing of such was discussed so not to hinder waste water price and to ensure ratepayers are paying the correct level of rates.
- Mayor Walker confirmed that people are paying the right rate as asked by Council.
- Cr Tennent advised that Rate Review was a holistic approach. Rates are reviewed 3 yearly, which then affects valuations which then impacts on rates. Require up to date valuations and provides a good idea of infrastructure spend.
- Cr Tennent asked for clarification for increase from \$850k to \$900k for Waipawa Pool and where are funds coming from.
- Group Manager, Corporate Support and Services advised that \$850k figure did not include insurances. Council contribution is \$650k.
- CEO advised money for community share is already coming in. \$120k has been approved by Community Trust.
- Cr Annand if the savings from the pool not being in use this year will be utilised.
- CEO confirmed yes, along with excess paint that will be sold. These funds will stay with Waipawa pool.
- Cr Tennent suggested developing a business case to grow retirement housing portfolio.
- CEO advised that a resolution has already been passed for a business case. This has been included in work programme and will be reported on quarterly.

- Mayor Walker thanked all for their patience in the process. It started in 2016 when elected and has been challenging for all. Now have a platform which is multi dimensional. Thanked Mrs Smith for her work. This is a project that everyone has bought in to.
- Cr Sharp congratulated staff and those around table. This is the most comprehensive LTP he has been involved with.
- Cr Burne-Field suggested that the front picture on the LTP should a cross roads. It is a visionary document, a bold way forward. She asked that congratulations be passed on to staff.
- Mayor Walker advised in summary. Direction has been set. Congratulations for being the first TLA in New Zealand to complete their LTP.
- Cr Burne-Field asked it be noted – “Thank you Monique. New change. Love you to bits.”

## 9.4 SETTING OF RATE FOR 2018/19

### PURPOSE

The matter for consideration by the Council is the setting of the rates for 2018/19.

### RESOLVED: 18.31

Moved: Cr David Tennent

Seconded: Mayor Alex Walker

That having considered all matters raised in the report:

- a) Pursuant to Section 23(1) of the Local Government (Rating) Act 2002, the Central Hawke's Bay District Council resolves to set the rates, due dates and penalties regime for the 2018/19 year.

#### 1. General Rate

A general rate set under section 13 of the Local Government (Rating) Act 2002 for the purposes of providing all or some of the cost of:

- All regulatory activities, including district planning, land use and subdivision consent costs, building control, public health, animal control, and compliance.
- Solid waste
- Parks and reserves, public toilets, theatres and halls, cemeteries, and miscellaneous property costs

For the 2018/19 year, this rate will be 0.11738 cents per dollar (including GST) based on the rateable capital value of all rateable land within the District.

#### 2. Uniform Annual General Charge

A rate set under section 15 of the Local Government (Rating) Act 2002 on each separately used or inhabited part of a rating unit within the District. See definition below. This rate is for the purpose of providing:

- Community leadership, including administration, cost of democracy, community voluntary support grants, and economic and social development.
- A portion of the cost of solid waste
- Libraries and swimming facilities

For the 2018/19 year, this rate will be \$383.51 (including GST).

### Targeted Rates

#### 3. District Land Transport Rate

A rate for the Council's land transport facilities set under section 16 of the Local Government (Rating) Act 2002. This rate is set for the purpose of funding the operation and maintenance of the land transport system.

For the 2018/19 year, this rate will be 0.27889 cents per dollar (including GST) based on the land value of all rateable land in the district.

## Separately Used or Inhabited Parts of a Rating Unit

Definition – for the purposes of the Uniform Annual General Charge and the targeted rates above, a separately used or inhabited part of a rating unit is defined as –

A separately used or inhabited part of a rating unit includes any portion inhabited or used by [the owner/a person other than the owner], and who has the right to use or inhabit that portion by virtue of a tenancy, lease, licence, or other agreement.

This definition includes separately used parts, whether or not actually occupied at any time, which are used by the owner for occupation on an occasional or long term basis by someone other than the owner.

Examples of separately used or inhabited parts of a rating unit include:

- For residential rating units, each self-contained household unit is considered a separately used or inhabited part. Each situation is assessed on its merits, but factors considered in determining whether an area is self-contained would include the provision of independent facilities such as cooking/kitchen or bathroom, and its own separate entrance.
- Residential properties, where a separate area is used for the purpose of operating a business, such as a medical or dental practice. The business area is considered a separately used or inhabited part.

These examples are not considered inclusive of all situations.

## 5. Water Supply Rates

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for water supply operations of a fixed amount per separately used or inhabited part of a rating unit. The purpose of this rate is to fund water supplies for Otane, Takapau, Waipukurau, Waipawa, Kairakau, Porangahau and Te Paerahi.

The purpose of this rate is to fund the maintenance, operation and capital upgrades of water supplies and treatment in those parts of the District where these systems are provided.

The rate is subject to differentials as follows:

- (a) a charge of per separately used or inhabited part of a rating unit connected in the Otane, Takapau, Waipukurau, Waipawa, Kairakau, Porangahau, and Te Paerahi Beach communities.
- (b) a half charge per separately used or inhabited part of a rating unit which is serviceable for the above locations.

For this rate:

- "Connected" means a rating unit to which water is supplied.

- "Serviceable" means a rating unit to which water is not being supplied, but the property it is situated within 100 metres of the water supply.

For the 2018/19 year these rates will be:

	<b>Charge</b>	<b>Water Rate ( incl GST)</b>
a	Connected	\$668.40
b	Serviceable, not connected	\$334.20

## 6. Metered Water Rate

A targeted rate under section 19 of the Local Government (Rating) Act 2002 per cubic metre of water supplied, as measured by cubic metre, over 300 cubic metres per year. This is applied to water users deemed 'Extraordinary' where payment of the Water Supply rate above entitles extraordinary users to the first 300 cubic metres of water without additional charge.

The rate is subject to differentials as follows:

- (a) a rate per cubic metre of water, for users consuming below 40,000 cubic metres
- (b) A rate per cubic metre of water, for users above 40,000 cubic metres, and where the land use category in the valuation database is not 'industrial'
- (c) a rate of per cubic metre of water, for users consuming above 40,000 cubic metres, and where the land use category in the valuation database is 'industrial'

For the 2018/19 year these rates will be:

	<b>Volume of water (cubic metres)</b>	<b>Rate per cubic metre (incl GST)</b>
a	Below 40,000	\$2.44
b	Above 40,000, non- industrial	\$2.44
c	Above 40,000, industrial	\$1.85

## 7 Sewerage Rates

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the Council's sewage disposal function of fixed amounts in relation to all land in the district to which the Council's sewage disposal service is provided or available, as follows:

- (a) a charge per rating unit connected.
- (b) a charge per pan within the rating unit, after the first one.

- (c) a charge per rating unit which is serviceable.

The rate is subject to differentials as follows:

- "Connected" means the rating unit is connected to a public sewerage system.
- "Serviceable" means the rating unit is not connected to a public sewerage drain but is within 30 metres of such a drain.
- A rating unit used primarily as a residence for one household is treated as not having more than one pan.
- For commercial accommodation providers, each subsequent pan will be rated at 50% of the charge.
- For those Clubs who qualify for a rebate of their General Rates under Council's Community Contribution and Club Rebate Remission Policy, and who are connected to the sewerage network, each subsequent pan will be rated at 50% of the Sewerage Charge.

The purpose of this rate is to fund the maintenance, operation and capital upgrades of sewerage collection, treatment and disposal systems in those parts of the District where these systems are provided.

For the 2018/19 year these rates will be:

	<b>Charge</b>	<b>Sewerage Rate (incl GST)</b>
a	First charge per separately used or inhabited part of a rating unit connected	\$894.62
b	Additional charge per pan after the first	\$894.62
c	Serviceable, not connected, per separately used or inhabited part of a rating unit	\$447.31
d	Additional charge per pan after the first – commercial accommodation provider, qualifying club	\$447.31

## 9. Stormwater Rates

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the purpose of funding operations and maintenance, plus improvements and loan charges on the stormwater drainage network as follows:

A uniform targeted rate on the capital value of all rateable land in the Waipukurau and

Waipawa Stormwater Catchment Areas.

For the 2018/19 year, this rate will be 0.14052 cents per dollar (including GST).

#### **8. Kerbside Recycling Rate**

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the Council's collection of household recyclables for Waipukurau and Waipawa on each separately used or inhabited part of a rating unit to which the Council provides the service.

For the 2018/19 year, this rate will be \$69.01 (including GST).

#### **9. Refuse Collection Rate**

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the collection of household and commercial refuse for Otane, Onga Onga, Takapau, Tikokino, Waipukurau, Waipawa, Porangahau, Te Paerahi, Blackhead Beach, Kairakau, Mangakuri, Aramoana and Pourerere Beach on each separately used or inhabited part of a rating unit to which the Council provides the service.

For the 2018/19 year, this rate will be \$15.16 (including GST).

#### **10. Te Aute Drainage Rate**

Te Aute Drainage rates are set on all rateable area of rateable property within the designated area subject to a graduated scale for the purpose of funding the operations, loan charges and the repayment of loans for the Te Aute Drainage Scheme area.

The amount required and the classification is set by the Te Aute Drainage Committee.

Each hectare of land in each property is classified according to the susceptibility of that hectare to flooding as follows:

A (100 points), B (80 points), C (15 points), F (3 points), and G (0 points).

The total number of points is 73614. The total amount of funding required each year determines how much each of these points are worth. In this way, the total amount required is apportioned on a pro rata basis using the weightings on each hectare.

The total amount of funding required for 2018/19 is \$16,767

The amount per point is 23.433 cents including GST.

The Te Aute drainage scheme area is defined by reference to the classification list establishing the graduated scale.

Valuation Number	Hectares in each classification				Total Points	Amount
	A (100pts)	B (80pts)	C (15pts)	F (3pts)		
1092000300	0	11.3	8.15	31.63	1,121	\$255.33
1092000800	0	32.83	74.69	23.42	3,817	\$869.39
1092001001	77.96	39.78	50.27	51.27	11,886	\$2,707.26
1092001100	78.22	0	15.28	39.73	8,171	\$1,861.03
1092001107	0	0	10.00	61.44	334	\$76.15
1092001400	0	0	0	14.16	42	\$9.57
1092001600	0	0	0	10.12	30	\$6.83
1092001700	38.74	51.06	36.24	45.12	8,638	\$1,967.47
1092002100	188.81	0	0	23.93	18,953	\$4,316.91
1092002300	125.04	9.34	21.59	29.25	13,663	\$3,111.96
1092002900	0	0	0	0.81	2	\$0.46
1092003400	0	0	8.02	6.6	140	\$31.89
1092005800	0	18.63	0	4.93	1,505	\$342.79
1092006100	0	65.81	0	15.84	5,312	\$1,209.91
<b>Total</b>	<b>508.77</b>	<b>228.75</b>	<b>224.24</b>	<b>358.25</b>	<b>73,614</b>	<b>\$16,767.00</b>

### Approach to Rating

Rates are set and assessed under the Local Government (Rating) Act 2002 on all rateable rating units on the value of the land and improvements as supplied by Quotable Value New Zealand Limited. The last revaluation was carried out effective from 1 July 2016.

The objectives of the council's rating policy is to:

- (i) spread the incidence of rates as fairly as possible
- (ii) be consistent in charging rates
- (iii) ensure all ratepayers pay their fair share for council services
- (iv) provide the income needed to meet the council's goals.

The Central Hawke's Bay District Council rating system provides for all user charges and other income to be taken into account first, with the rates providing the balance needed to meet the council's objectives.

### Rating Base

The rating base will be the database determined by the contracted rating service provider. Because this database is constantly changing due to change of ownership, subdivision, regular revaluations, change of status from rateable to non-rateable (and reverse), the rating base is not described in detail in this policy.

### Due Dates for Rate Payments

Pursuant to Section 24 of the Local Government (Rating) Act 2002, the following dates are proposed to apply for assessing the amount of each instalment of rates excluding metered water rates for the year 1 July 2018 to 30 June 2019. Each instalment will be assessed in four equal amounts, rounded.

Instalment number	Instalment Start Date	Last day of payment without additional charge	Penalty date
1	1 July 2018	20 August 2018	21 August 2018
2	1 October 2018	20 November 2018	21 November 2018
3	1 January 2019	20 February 2019	21 February 2019
4	1 April 2019	20 May 2019	21 May 2019

### Due Dates for Metered Water Rates

Pursuant to Section 24 of the Local Government (Rating) Act 2002, the following dates are proposed to apply for assessing the amount of metered water rates for the year 1 July 2018 to 30 June 2019. The assessment is applied to water users after the first 300 cubic metres of water without additional charge has been used as part of the Water Supply Rate.

Area/Users	Water Meters read during	Last day of payment
High Users	Monthly	20th month following
Waipukurau Takapau	Sep-18	20-Oct-18
	Dec-18	20-Jan-19
	Mar-19	20-Apr-19
	Jun-19	20-Jul-19
Waipawa Otane Kairakau Porangahau/Te Paerahi	Aug-18	20-Sep-18
	Nov-18	20-Dec-18
	Feb-19	20-Mar-19
	May-19	20-Jun-19

### Penalty Charges

#### (Additional Charges on Unpaid Rates)

Pursuant to Section 58(1)(a) of the Local Government (Rating) Act 2002, an additional charge of 10% will be added on the penalty date above, to all amounts remaining unpaid for each instalment excluding metered water rates.

Pursuant to Section 58(1)(b) of the Local Government (Rating) Act, a further additional charge of 10% will be added on 1 July 2019 to the amount of rates assessed in previous financial years and remaining unpaid as at 30 June 2018 (Section 58(1)(b)) excluding metered water rates.

**CARRIED**

- Group Manager, Corporate Support and Services was available to answer questions. LTP must be adopted before the Setting of Rates could be confirmed.
- Clarification was provided regarding the rating unit for residential pans being different for business. This may need to be further reviewed due to AirBnB and blurring between private and business activities.
- Cr Muggeridge highlighted difference between water, wastewater and industrial use. Consistency is required between urban, rural, industrial including pools. There should be one rate for metered water.
- Discussion as to whether a rate change could occur today for metered water.
- CEO advised that technically they could choose to change. In absence of paper around this, at present the industrial rate of \$1.85 applies to one business only.

#### **9.10 bought forward to follow Setting of Rate 2018/19**

#### **9.10 FEES AND CHARGES 2018/19**

##### **PURPOSE**

The matter for consideration by the Council is the adoption of the Fees and Charges for 2018/19

##### **RESOLVED: 18.32**

Moved: Cr Brent Muggeridge

Seconded: Cr Tim Aitken

That having considered all matters raised in the report:

- a) That the Fees and Charges for the financial year dated 2018/19 as set out in Attachment A excluding Animal Control Fees be approved.
- b) That Council give notice pursuant to Section 103 of the Local Government Act 2002 of its intention to prescribe the fees payable for the period 1 July 2018 to 30 June 2019 in respect of certificates, authorities, approvals, consents, and services given or inspections made by the Council under the Local Government Act 2002, the Building Act 2004, the Building (Infringement Offences, Fees, and Forms) Regulations 2007, the Amusement Devices Regulations 1978, the Resource Management Act 1991, Health (Registration of Premises) Regulations 1966, Sale and Supply of Alcohol (Fees) Regulations 2013, the Gambling Act 2003, the Burial and Cremation Act 1964, and the Central Hawke's Bay District Council Bylaws as set out in the Fees and Charges Schedule 2018/19.

**CARRIED**

- Group Manager, Corporate Support and Services advised that Dog Fees have not been included as they have previously been adopted.
- Discussion on dog fee process allowing for discount if paid by 30 June, normal fee 1 July to 31 July and fee with late penalty from 1 August. Early payment of fees to receive discount will be accounted for. Excellent response from public.

**Break for morning tea 10.38am**

**Resumed 11am****9.5 LOCAL ALCOHOL POLICY UPDATE****PURPOSE**

The Central Hawke's Bay District Council has a Provisional Local Alcohol Policy (PLAP) in place. This report provides you with an update on our progress to finalise the policy so it the District Licensing Committee (DLC) can consider it in its decision-making process.

**RESOLVED: 18.33**

Moved: Cr Ian Sharp

Seconded: Cr Gerard Minehan

That, having considered all matters raised in the report, the report be noted.

**CARRIED**

- Customer Experience Lead spoke to this update
- Cr Burne-Field thanked Gina and Chase for their work
- Cr Annand stated that it is not fair for Central Government to pass on costs to rate payers.
- Cr Sharp agreed, Government pass it down with lots of their rules.

**9.6 DISTRICT LICENSING COMMITTEE UPDATE****PURPOSE**

This report provides Council with an update on the activity of the District Licensing Committee (DLC), and trends that have been identified in licensing at this stage of the financial year.

**RESOLVED: 18.34**

Moved: Cr Kelly Annand

Seconded: Cr Tim Chote

That, having considered all matters raised in the report, the report be noted.

**CARRIED**

- Customer Experience Lead spoke to this update
- Cr Annand queried the possibility of online applications
- Customer Experience Lead confirmed that new website will have this capability.
- Cr Burne-Field advised as District Licensing Committee chair do not question the morality of alcohol. Gina and Chase do good work. Thanks to Monique. Ministry of Health position on having alcohol in schools. E.g. fundraising events.

**9.7 QUARTERLY FINANCIAL REPORTING FOR MARCH 2018****PURPOSE**

Provide Council with a summary of Council's Third Quarter financial performance for the 2017/18 financial year.

**RESOLVED: 18.35**

Moved: Cr Tim Aitken

Seconded: Cr Ian Sharp

That, having considered all matters raised in the report, the report on Council's Third Quarter financial performance for the 2017/18 financial year be noted.

**CARRIED**

- Group Manager, Corporate Support and Services spoke to the report.
- Cr Muggerridge asked why no project update on roading.
- CEO advised report completed but was not attached.
- Cr Aitken questioned page 355, transformer to be replaced. Who owns them?
- GM, Corporate Support and Services advised transformers are owned by Centralines. We pay for maintenance.
- Cr Aitken noted that Maori land was missing from the pie graph on page 369.
- GM, Corporate Support and Services advised that it will be added back, however do not have the same abilities to collect this data. Forecasting will occur 2 – 3 times per year and will be referred to Council.
- Mayor Walker requested review increase from fees and charges particularly building, waste water and solid waste.

**9.8 QUARTERLY ACTIVITY REPORTING - JANUARY TO MARCH 2018****PURPOSE**

Provide Council with a summary of Council's quarterly activity reporting for the period of 1 January to 31 March 2018.

**RESOLVED: 18.36**

Moved: Cr Shelley Burne-Field

Seconded: Cr Gerard Minehan

That the quarterly activity reporting from 1 January to 31 March 2018 be received.

**CARRIED**

- CEO spoke to this report. Format of report will change

**At 11:20 am, Mayor Alex Walker left the meeting.**

**Cr Sharp took the chair.**

- Cr Burne-Field noted that it was great to see an increase in the number of submissions received.
- CEO acknowledged Building Consent Team. All of their work is now completed inhouse.
- Cr Sharp noted 10 new builds in last quarter. This shows the buoyancy and vibrancy of community. Asked CEO to pass on his thanks to the team.
- Cr Annand advised that it would be nice to visit the team.
- Cr Burne-Field received an out of region compliment regarding taste of water in Takapau. Thank you Harry.
- Cr Sharp congratulated Waste Water team. Unaware of any smell.

- CEO advised that the Team are doing a good job.
- Cr Aitken asked if misters were still required.
- Karen Bothwell advised that it is beneficial to keep the misters going.
- Cr Aitken noted a couple of days of increased figures.
- Karen Bothwell advised that the stats were affected by high rain in the past. Currently they have a clean slate.
- Cr Burne-Field noted good results for testing wastewater.
- CEO advised the focus is on solutions. Consent is being pursued for extension.
- Karen Bothwell advised Regional Council want more time but expects a response shortly.

**At 11:33 am, Mayor Alex Walker returned to the meeting and resumed chair.**

- Cr Burne-Field noted no mention of Waipukurau or Waipawa.
- CEO advised this quarterly report covers the period to 31 March 2018. Waipukurau and Waipawa resolutions were adopted at the beginning of April.
- Mayor Walker noted that the Libraries have been very active.
- Cr Annand queried no data provided for film.
- GM, Customer and Community Partnerships advised they have the information and he will make it available.
- Cr Annand noted that heating of theatre was still in solutions option and asked what is the expected timeframe for results.
- GM, Customer and Community Partnerships advised still investigating, expected timeframe 6 – 8 weeks.
- Mayor Walker noted 55% completion statistic for cemeteries.
- CEO advised that Council are using raw data which may not be accurate.
- Cr Burne-Field noted that the St John Building has not been leased out.
- Compliments and Complaints noted by Mayor Walker.
- CEO advised recording system is being reviewed. The comments noted are not the only ones received.

## **9.9 ADOPTION OF THE DELEGATIONS REGISTER**

### **PURPOSE**

The matter for consideration by the Council is adoption of the Delegations Register.

### **RESOLVED: 18.37**

Moved: Cr Tim Aitken

Seconded: Cr Kelly Annand

That having considered all matters raised in the report:

- a) That Council adopt the Delegations Register dated 31 May 2018.

**CARRIED**

- GM, Corporate Support and Services spoke to this report.
- CEO advised that the Council needs to agree on CE delegations. Officer delegations follow on from CE.
- Mayor Walker advised that previous delegations to CE were very open. The new delegations provide boundaries. They are useful to herself as they identify potential.
- Cr Sharp advised the important list is of what Council will not delegate. (page 441)
- Cr Tennent wants to clarify if this applies to management.
- CEO confirmed yes. Manual dictates delegations or sub delegation.

- Mayor Walker congratulated and thanked GM, Corporate Support and Services for work. Also asked what is the schedule of review for this document.
- GM, Corporate Support and Services advised reviewed 3 yearly or come back with best practice.
- Mayor Walker suggested get some advice on this.
- Cr Muggeridge queried write off limits.
- CEO advised have utilised best practice around Sector. Has not been discussed.
- Cr Burne-Field commented that the document requires an element of trust and that she is happy to support.
- Mayor Walker agreed. Responsibilities of Audit and Risk regarding CE Performance.

### **REQUEST TO GRANT EASEMENT - RUSSELL PARK, WAIPUKURAU**

#### **PURPOSE**

To seek Council approval as the administering body and under delegated authority from the Minister of Conservation, to approve the granting of two easements at Russell Park in favour of Centralines Limited, for the installation of power to the Centralines Multisport Turf and upgrading of power to the AW Parsons Pool in accordance with the Reserves Act 1977.

#### **RESOLVED: 18.38**

Moved: Cr Tim Chote

Seconded: Cr Ian Sharp

That having considered all matters raised in the report:

- a) That Council approve the granting of two easements in favour of Centralines Limited as set out in Attachment A on Lot 1 Deposited Plan 8652 and Lot 2 Deposited Plan 17698 - commonly known as Russell Park, in accordance with Section 48(1)d of the Reserves Act 1977, as the administering body of the Reserve;
- b) That Council approve the granting of two easements in favour of Centralines Limited as set out in Attachment A on Lot 1 Deposited Plan 8652 and Lot 2 Deposited Plan 17698 - commonly known as Russell Park, in accordance with Section 48(1)d of the Reserves Act, under delegated authority from the Minister of Conservation.
- c) That the Chief Executive be delegated authority to negotiate the specific details of the easement agreements with Centralines Limited.

**CARRIED**

Group Manager, Customer and Community Partnerships spoke to this report.

Cr Aitken asked if power lines will be above or below ground.

GM, Customer and Community Partnerships advised they will be below ground. Transformers will be above ground.

Cr Muggeridge declared a conflict of interest. However thought we should have known power would be required from the start.

CEO advised that the matter was in the hands of the Community Trust. Without dialogue there has been an assumption that this work would be done.

Cr Tennent asked for explanation of plan which was provided.

Cr Chote advised that we have got to do it.

**10 PUBLIC EXCLUDED BUSINESS****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLVED: 18.39**

Moved: Cr Kelly Annand  
 Seconded: Cr David Tennent

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

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

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>10.1 - Waipawa and District Centennial Memorial Pool Redevelopment - Approval</b>	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.2 - Ruataniwha Water Storage Scheme Intellectual Property</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons  s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information  s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**CARRIED****RESOLVED: 18.40**

Moved: Cr Tim Aitken  
 Seconded: Cr Gerard Minehan

That Council moves out of Closed Council into Open Council.

**CARRIED**

**11 DATE OF NEXT MEETING**

**RESOLVED: 18.41**

Moved: Mayor Alex Walker

Seconded: Cr Gerard Minehan

THAT the next meeting of the Central Hawke's Bay District Council be held on 28 June 2018.

**CARRIED**

**12 TIME OF CLOSURE**

The Meeting closed at 1.29pm.

The minutes of this meeting were confirmed at the Council Meeting held on 28 June 2018.

.....  
**CHAIRPERSON**

**RECOMMENDATION**

That the minutes of the Ordinary Council Meeting held on 31 May 2018 as circulated, be confirmed as true and correct.





**6 LOCAL GOVERNMENT ACT COMPLIANCE – PLANNING, DECISION MAKING AND ACCOUNTABILITY**

Council is required to make decisions in accordance with the requirements of Part 6 Subpart 1 of the Local Government Act 2002.

**RECOMMENDATION**

THAT Council has read the reports associated with items 7.1, 9.1, 9.2, 10.1 and 10.2 and considers in its discretion under Section 79(1)(a) that sufficient consultation has taken place in addition to the Councillors knowledge of the items to meet the requirements of Section 82(3) in such a manner that it is appropriate for decisions to be made during the course of this meeting

## 7 CHIEF EXECUTIVE REPORT

### 7.1 CHIEF EXECUTIVE REPORT JUNE 2018

**File Number:** COU1-100

**Author:** Monique Davidson, Chief Executive

**Authoriser:** Monique Davidson, Chief Executive

**Attachments:** 1. Council Monitoring Report 26 June 2018  

#### PURPOSE

The purpose of this report is to present the monthly Chief Executive's report.

#### RECOMMENDATION

**That, having considered all matters raised in the report, the report be noted.**

**That Council adopt the Fees and Charges for Retirement Housing for the period from 1 July 2018 as listed in table 1 of the Chief Executive Officers Report.**

#### SIGNIFICANCE AND ENGAGEMENT

This report is provided for information purposes only and has been assessed as being of some importance.

#### CHIEF EXECUTIVE UPDATES

##### Hawkes Bay Marine & Coastal Research Roadmap

Senior Staff attended the launch of the Hawke's Bay Marine and Coastal Research Roadmap held on World Oceans Day on 8 June 2018. The Hawke's Bay Marine and Coastal Group Research Roadmap was launched by Minister of Fisheries and Napier MP Stuart Nash, with more than 50 people from the groups and organisations involved in the development of the research roadmap attended the event which was a culmination of 18 months collaborative work by the Hawke's Bay Marine and Coastal Group. The group includes recreational and commercial fishers, tangata whenua, Fisheries New Zealand, the Department of Conservation and Hawke's Bay Regional Council science staff.

The Hawke's Bay Marine and Coastal Group Research Roadmap aims to achieve a healthy and functioning marine ecosystem by improving understanding of this zone. The group was established following concerns about the localised depletion of inshore finfish stocks and environmental degradation in the Hawke's Bay sea area. Part of the research would be finding out what effect activities on the land was having on the sea and the subtidal ecosystems and how these might be changing. Not enough is known about local fisheries, where the common fish species spawn and how they migrate. The group is planning a citizen science approach to gather information from recreational and commercial fishers and to use traditional knowledge.

Because different government departments and councils had different responsibilities in the marine and environmental area, the plan focusses on working neatly together and complements other work already underway including the Hawke's Bay Biodiversity Action Plan 2017 -2020 and Predator Free New Zealand 2050.

##### Weather Event – Week of 11 June 2018

The Hawke's Bay Region was affected by a heavy rainfall weather event that fell over the District on Monday and Tuesday 11 and 12 June. The rainfall resulted in a number of rural roads and coastal areas being inundated and placed heavy pressure on Councils Wastewater Treatment Plants in Otane, Waipawa and Waipukurau during high peak flow events.

While no Emergency Operating Centre was established locally or at a Regional level, both Council and the Regional Civil Defence Emergency Group had staff actively monitoring river levels and managing responses as a heightened business as usual response.

At the time of writing, teams are now in recovery mode with the roading activity the most significantly impacted network assets, with a number of small slips, undermined and river eroded road sections.

### **Harker Street Overbridge**

All work is now complete at Harker St with the access-way open for traffic and the public. An official opening of the overbridge is scheduled for Friday this week where the school and residents are invited to come down for a sausage sizzle and hear some brief words about the work that has been completed. The event will also be used to push road safety messages.

### **Peel Street**

Complexities that have arisen during the upgrade of water and storm water services during the project have delayed progress. The additional work required on water assets has seen Higgins crews removed from work at Otane for longer than anticipated and this has put pressure on timeframes for that work. The majority of water services work is now complete and the roading crews are making good progress when the weather allows with stabilising the sub-surface for new pavement. The road is scheduled to open for traffic again on the 25<sup>th</sup> of June and will be sealed following this. The original project timeframe of 9 weeks will be exceeded by approximately 3 weeks. Affected residents are being communicated with regularly and are providing positive feedback.

### **Otane Network Upgrade**

With the water services in Peel St all but complete, indications are Higgins will be back on site Thursday this week to recommence the Otane Network Upgrade. The Sewer Mains along White Road have been prioritised to ensure that the Stone development in Knorp St can connect into the sewer system. Indications are Power should be available by the end of July to have the Pump Station operational. Developers have been patient with the delay in getting the contract underway again.

### **Local Government Excellence Awards**

Central Hawke's Bay District Council has been named a finalist in the Local Government Excellence Awards for Best Practice in Governance, Strategy and Leadership for Project Thrive.

The winner will be announced in July at the Local Government New Zealand Annual Conference and AGM.

### **Three Waters Review**

The Government announced on 27 April that it will undertake a broad-ranging review of the way wastewater, stormwater and drinking water are managed in New Zealand. DIA's review of three waters services provides the platform for this review. The Government's announcement refers to the significant cost pressure that are associated with ageing waters infrastructure and variable service delivery challenges.

The Government has asked for a report back on options for meeting the challenges facing the three waters system by October 2018. They are working with us to discuss the various ways in which local government can engage with the review. The following documents have been released:

- the 9 April 2018 Cabinet paper – Three Waters Infrastructure: Findings and Next Steps;
- the Key Findings from Stage 1 of the Three Waters Review; and
- a report by BECA on 'Cost estimates for upgrading water treatment plants to meet potential changes to the New Zealand Drinking Water Standards'.

The review will look at what structures and entities are best suited for three waters provision and at

whether the existing regulatory framework for the three waters is appropriate and fit for purpose.

The Government will be engaging with councils, sector groups and others on the issues under four workstreams:

- Effective oversight, regulatory settings, and institutional arrangements relating to three waters;
- Funding and financing mechanisms, including analysis of a range of options for funding the three waters infrastructure system;
- Capacity and capability of decision makers and suppliers (including consideration of the Government Havelock North Drinking Water Inquiry's recommendations for the aggregation and licensing of drinking water suppliers); and
- Information for transparency, accountability and decision making.

### Re-Adoption of Retirement Housing Fees and Charges

Due to a formatting error, the Fees and Charges for Retirement Housing adopted by Council as part of the Long Term Plan at its meeting of 31 May 2018 were incorrect.

The adopted retirement housing fees included Goods and Services Tax (GST), when all housing fees are required to be exempt from GST. The result of this formatting error is that the adopted Retirement Housing Fees and Charges, are can only be applied less the GST component – essentially providing a 15% discount.

As a recommendation to this report, it is advised that Council adopt the correct fees and charges for Retirement Housing exclusive of GST, as listed below for implementation. In the event that Council choose not to adopt the fees and charges, expected revenue for the activity will be 15% lower than anticipated in the preparation of the Long Term Plan.

**Table 1: Retirement Housing Fees and Charges from 1 July 2018**

Retirement Housing		Excl GST
<b>Notes:</b>		
<ul style="list-style-type: none"> <li>▪ All charges shown are per week</li> <li>▪ Housing Fees are GST exempt</li> </ul>		
<b>Kingston Place Waipawa or Ruahine Place Waipukurau (per week)</b>	Single Occupancy	\$111.00
	Married Occupancy	\$121.00
With Council owned and maintained heat pump	Single Occupancy	\$125.00
	Married Occupancy	\$134.00
<b>Wellington Road Waipukurau (per week)</b>	Single Occupancy	\$127.00
	Married Occupancy	\$139.00
With Council owned and maintained heat pump	Single Occupancy	\$141.00
	Married Occupancy	\$152.00

**Long Term Plan 2018-2028**

Following the adoption of the Long Term Plan 2018-2028 a key decisions monitoring report has been developed that will formally be reported on a quarterly basis to Council to provide visibility on progress of key decisions. The report is attached and includes resolutions made by Council this year including those specifically made during the Long Term Plan 2018-2028 process.

**RECOMMENDATION**

**That, having considered all matters raised in the report, the report be noted.**

**That Council adopt the Fees and Charges for Retirement Housing for the period from 1 July 2018 as listed in table 1 of the Chief Executive Officers Report.**

## Council Resolution Monitoring Report – 2018

Key	
Completed	
On Track	
Off Track	

Item number	Council Resolution	Date of Resolution	Responsible Officer	Progress Report
18.14	<p>That Council</p> <ul style="list-style-type: none"> <li>Adopt Procurement Option 5 – Selected In-house Resources and a Professional Services Contract.</li> <li>Adopt the Supplier Selection Model – Quality Based to obtain the required services.</li> </ul>	22.02.2018	Josh Lloyd	<p>On Track.</p> <p>The current Professional Services Contract has been extended by 6 months, to run until end November 2018. This will allow Officers to consider the outcomes of the procurement process for the Community Facilities and Infrastructure Maintenance Contract when developing the new Professional Services Contract. It is the intention to create a new contract more enabling of collaboration and innovation and encompassing in some part of 3 waters infrastructure.</p> <p>The new contract will be put to market in July/August.</p>
18.24	That, the draft Solid Waste Management and Minimisation Plan is approved for consultation.	26.04.2018	Josh	<p>On Track.</p> <p>The SWMMP is being presented to Council for adoption on 28th June. This follows a period of consultation.</p>
18.28	Council considers Option 5 – Retain the current funding for drinking water and	03.05.2018	Bronda	On Track.

	wastewater with targeted rates for those connected to the network and initiate a full Rating Review only after all the information is gathered and known about the extent of the CHB drinking water and wastewater future expenditure.			CHBDC staff will facilitate a workshop with Council throughout September to begin the process for the Rating Review.
18.29	Council proceed with Option 1 as outlined in the Long Term Plan and carry out proposed works in the first 10 years such as the second supply to Waipukurau.	03.05.2018	Josh	On Track.  Delivery of the Big Water Story programme and projects remains a key operational focus. The Waipukurau second supply is being prioritised amongst the listed projects and is underway into the design and consenting phase. The recruitment of a dedicated and skilled Programme Manager internally is critical to the delivery of the Big Water Story and an appointment is hoped to be made in June.
18.30	<p>c) Council proceeds with Option three of the Draft Long Term Plan for the Waipawa Pool, being that a staged approach estimated at \$1.72 million is adopted, with Council contributing funding of \$650,000 in Year 1 of the Long Term Plan for the construction of a new 25 metre pool and learn to swim pool/playpool and filtration, at a value of \$900,000 with the remaining funds to be funded by the Central Hawke's Bay Community; and further:</p> <p>d) Council underwrites from Reserves, any community funding shortfall to ensure the development of the new 25 metre pool and learn to swim pool/playpool and filtration can be completed in the first year of the Long Term</p>	03.05.2018	Doug	On Track.  The Myrtha Pool for the Waipawa Pool has been ordered to meet the 1 December 2018 opening date.  The project reference group have met twice since the project being formally initiated at Councils 31 May 2018 meeting approving the 2018 – 2028 Long Term Plan.  This project will be a project that Council receive Key Project Status reports on in workshop.

	Plan and that phase 2 of the project not commence until the balance of community funds from phase 1 is completed.			
18.31	That Council proceeds with Option two of the Draft Long Term Plan being to develop town centre plans for Waipukurau and Waipawa and Community Plans for Tikokino, Ongaonga, Takapau, Porangahau and Otane.	03.05.2018	Doug	On Track.  A workshop item was to be presented to Council at its 13 June workshop on the approach for Town Centre and Community Planning. This is now programmed for today's Councils workshop.
18.32	That Council proceeds with Option 1 and proceeds with the costs of Civil Defence being funded by the Regional Council through Hawkes' Bay Regional Councils rate for addressing the matter.	03.05.2018	Doug	Complete.  There is no action for Council in making this resolution.
18.33	That Council maintain the UAGC rate that was consulted on in the draft Long Term Plan.	03.05.2018	Bronda	Complete. Decision made
18.36	That Council support Officers to advocate for the continued enhancement of public transport in Central Hawke's Bay through the HBRC Regional Public Transport Plan.	03.05.2018	Josh	On Track.  Public transport linkages remains a key discussion point at relevant working groups.
18.37	That the road layout of the intersection Racecourse Road/Ruataniwha road be considered to be part of the Waipukurau Town Centre Planning & Land Transport Programme.	03.05.2018	Josh	Complete.  Officers recommend this item is noted as completed.  With the timing of Town Centre Planning focussing on long term rather than short term direction, it is unlikely that this will be addressed in detail within the three year timeframe of the 2018 – 2028 Long Term Plan.

18.40	That Council contributes \$60,000 in year 1 of LTP for upgraded toilets at Te Paerahi Freedom camping area, to be funded from the Rural Ward Fund with the balance being sourced from the Tourism Infrastructure fund or other external partner.	03.05.2018	Doug	<p>On Track.</p> <p>Round two funding has closed and the next round is expected to be held later in the year. No date has been given.</p> <p>Officers are however preparing background work including developing a scope for the project and costings prior to the next found of funding opening.</p>
18.41	Hawke's Bay Community Fitness Centre Trust That CHB feels that we are better to invest in our facilities in CHB to allow us to act as a feeder to the Regional Programme and are fully in support of his initiatives.	03.05.2018	Doug	<p>Complete.</p> <p>There are no actions for Officers in this resolution.</p>
18.42	That Council puts together a business case to apply to Central Government to increase social housing stock in CHB.	03.05.2018	Doug	<p>On Track.</p> <p>Officers are working through a potential application to the Provincial Growth Fund to consider a comprehensive application to consider not only Councils retirement housing, but youth employment and training opportunities and relationships with Taiwhenua to deliver social housing outcomes. An application expression of interest will be going to Ministers in September with other PGF applications.</p>

18.43	That Officers explore the status of the longest place name project and bring a report back to the Elected Council on the potential reallocation of funding to the Poranghau Hall Project.	03.05.2018	Doug	<p>On Track.</p> <p>We intend to bring a report to Council in September on the project.</p>
18.24	<p>That \$10,000 from the rural fire fund is allocated for Year 1 of the Long Term Plan to support activities for protection and promotion of Biodiversity in Hawke's Bay through the Biodiversity Foundation.</p> <p>That Central Hawke's Bay District Council become financial guardians of the Biodiversity foundation, which is \$1,000.00, to be funded out of existing budgets.</p> <p>That financial commitment from rates, for this activity, is reconsidered during the Annual Plan 2018/2019.</p>	31.05.2018	Monique	<p>On Track.</p> <p>A media release was released and the Biodiversity Foundation are aware of Council's resolution.</p> <p>In the new financial year, we will finalise arrangements with the foundation.</p>
18.30	<p>That having considered all matters raised in the report:</p> <ul style="list-style-type: none"> <li>a) Adopt the Financial Strategy in accordance with section 101(A) of the Local Government Act 2002</li> <li>b) Adopt the Infrastructure Strategy in accordance with section 101(B) of the Local Government Act 2002</li> <li>c) Adopt the Revenue and Financing Policy in accordance with section 102(1) of the Local Government Act 2002.</li> <li>d) Adopt the Significance and Engagement Policy in accordance with section 76AA of the Local Government Act 2002.</li> <li>e) Adopt the Statement on Maori Decision Making Policy in accordance with section 81 of the Local Government Act 2002.</li> <li>f) In accordance with Section 100 of the Local Government Act 2002, Council resolve that in 5 years of the Long Term Plan it is financially prudent to set projected operating revenue at a different level from operating expenses taking into account achieving and maintaining level of service</li> </ul>	31.05.2018	Bronda	<p>Complete.</p> <p>Decision made.</p>

	<p>provision, maintenance of assets and facilities and affordability.</p> <p>g) Adopt the Long Term Plan 2018-28 in accordance with section 93 of the Local Government Act 2002.</p> <p>h) Delegate responsibility to the Chief Executive and Group Manager – Corporate Support and Services to approve the final edits, including minor changes from the audit process, required to the Long Term Plan in order to finalise the documents for printing and distribution.</p>			
18.31	<p>Pursuant to Section 23(1) of the Local Government (Rating) Act 2002, the Central Hawke's Bay District Council resolves to set the rates, due dates and penalties regime for the 2018/19 year.</p> <ol style="list-style-type: none"> <li>1. General Rate</li> <li>2. Uniform Annual General Charge</li> <li>3. District Land Transport Rate</li> <li>4. Separately Used or Inhabited Parts of a Rating Unit</li> <li>5. Water Supply Rates</li> <li>6. Metered Water Rate</li> <li>7. Sewerage Rates</li> <li>8. Stormwater Rates</li> <li>9. Kerbside Recycling Rate</li> <li>10. Refuse Collection Rate</li> <li>11. Te Aute Drainage Rate</li> </ol> <p>Approach to Rating Rating Base Due Dates for Metered Water Rates Penalty Charges</p>	31.05.2018	Bronda	<p>Complete.</p> <p>Decision made.</p>
18.37	<p>That Council adopt the Delegations Register dated 31 May 2018.</p>	31.05.2018	Bronda	<p>Complete.</p> <p>Decision made.</p>

18.32	<p>That having considered all matters raised in the report:</p> <p>a) That the Fees and Charges for the financial year dated 2018/19 as set out in Attachment A excluding Animal Control Fees be approved.</p> <p>b) That Council give notice pursuant to Section 103 of the Local Government Act 2002 of its intention to prescribe the fees payable for the period 1 July 2018 to 30 June 2019 in respect of certificates, authorities, approvals, consents, and services given or inspections made by the Council under the Local Government Act 2002, the Building Act 2004, the Building (Infringement Offences, Fees, and Forms) Regulations 2007, the Amusement Devices Regulations 1978, the Resource Management Act 1991, Health (Registration of Premises) Regulations 1966, Sale and Supply of Alcohol (Fees) Regulations 2013, the Gambling Act 2003, the Burial and Cremation Act 1964, and the Central Hawke's Bay District Council Bylaws as set out in the Fees and Charges Schedule 2018/19.</p>	31.05.2018	Bronda	<p>Complete.</p> <p>Decision made.</p>
18.38	<p>That having considered all matters raised in the report:</p> <p>a) That Council approve the granting of two easements in favour of Centralines Limited as set out in Attachment A on Lot 1 Deposited Plan 8652 and Lot 2 Deposited Plan 17698 - commonly known as Russell Park, in accordance with Section 48(1)d of the Reserves Act 1977, as the administering body of the Reserve;</p> <p>b) That Council approve the granting of two easements in favour of Centralines Limited as set out in Attachment A on Lot 1 Deposited Plan</p>	31.05.2018	Doug	<p>Complete.</p> <p>These easements have now been executed by the Chief Executive and are with Centralines' Lawyers for implementation.</p>

	<p>8652 and Lot 2 Deposited Plan 17698 - commonly known as Russell Park, in accordance with Section 48(1)d of the Reserves Act, under delegated authority from the Minister of Conservation.</p> <p>c) That the Chief Executive be delegated authority to negotiate the specific details of the easement agreements with Centralines Limited.</p>			
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**8      REPORTS FROM COMMITTEES**

Nil

**9 REPORT SECTION****9.1 ADOPTION OF SOLID WASTE MANAGEMENT AND MINIMISATION PLAN 2018****File Number:** COU1-1400**Author:** Josh Lloyd, Group Manager - Community Infrastructure and Development**Authoriser:** Monique Davidson, Chief Executive**Attachments:**  
1. SWMMP [↓](#)   
2. SWMMP submissions [↓](#) **PURPOSE**

The matter for consideration by the Council is the adoption of the Solid Waste Management and Minimisation Plan (SWMMP).

**1. RECOMMENDATION FOR CONSIDERATION**

That having considered all matters raised in the report:

- a) That, the report entitled Adoption of the draft Solid Waste Management and Minimisation Plan (SWMMP) be received.
- b) That, the 11 submissions on the draft Solid Waste Management and Minimisation Plan (SWMMP) be received.
- c) That, the Solid Waste Management and Minimisation Plan (SWMMP) be formally adopted as outlined in Option 1.

**COMPLIANCE**

Significance	This matter is assessed as being significant and accordingly this report follows a process of consultation.
Options	This report identifies and assesses the following reasonably practicable options for addressing the matter:  1. That Council adopts the SWMMP.

<b>COMPLIANCE</b>	
Affected persons	<p>The persons who are affected by or interested in this matter are:</p> <ul style="list-style-type: none"> <li>• The ratepayers of Central Hawke's Bay as parties concerned with regard to the use of their rated funds for the management of solid waste.</li> <li>• The residents of Central Hawke's Bay as parties concerned about the environmental and community outcomes in the district as related to solid waste.</li> <li>• The 11 parties that made submissions during the consultation phase of the SWMMP.</li> <li>• The District Health Board as a party that has expressed interest in the next review of CHBDCs SWMMP.</li> </ul>
Recommendation	This report recommends option 1 for addressing the matter.
Long-Term Plan / Annual Plan Implications	The SWMMP sets the direction for the management of solid waste which is an activity considered in the Long Term Plan, not least of all in the funding/rating section. The SWMMP presented for adoption in this report aligns with the objectives and approaches (including rating) of the Long Term Plan.
Significant Policy and Plan Inconsistencies	There are NO significant policy or plan inconsistencies for consideration.

## BACKGROUND

### SIGNIFICANCE AND ENGAGEMENT

The SWMMP is required to be reviewed every 6 years under the Waste Minimisation Act 2008 (the Act) in order for the territorial authorities to obtain funding from the waste disposal levy. The Act states that territorial authorities must use the special consultative procedure set out in section 83 of the Local Government Act 2002.

The draft SWMMP was open for consultation, for a period of 20 days, between 26 April – 24 May 2018. We have received a total of 11 submissions, and of those, 3 will be presented orally at the 28 June Council Meeting. Noted below is the consultation plan timeframe.

<b>Key Project Stage</b>	<b>Completion Date</b>
Draft proposal developed	19 <sup>th</sup> April – workshop 5 <sup>th</sup> April
Draft approved for consultation	26 <sup>th</sup> April
Consultation	26 <sup>th</sup> April – 24 <sup>th</sup> May
Analysis of submissions	24 <sup>th</sup> – 31 <sup>st</sup> May
Oral and written submissions heard by Council	28 <sup>th</sup> June
Amendments made, proposal adopted	28 <sup>th</sup> June
Proposal published	30 <sup>th</sup> June

## OPTIONS

### Option 1

**That, the Solid Waste Management and Minimisation Plan (SWMMP) be formally adopted.**

## a) Financial and Resourcing Implications

The SWMMP presented for approval fits within the financial and resourcing limitations of CHBDC as set out in the Long Term Plan. The SWMMP provides further direction and clarity on how the Waste Levy Fund will be allocated to various initiatives thereby ensuring improved financial control and rigor in decision making.

## b) Risk Analysis

## c) Alignment to Project Thrive and Community Outcomes

## d) Statutory Responsibilities

The publication of a Solid Waste Management and Minimisation Plan (SWMMP) is a requirement under the Waste Minimisation Act 2008 (the Act) in order for territorial authorities to obtain funding from the waste disposal levy. The Act states that territorial authorities must use the special consultative procedure set out in section 83 of the Local Government Act 2002.

## e) Consistency with Policies and Plans

## Summary of Submissions

A total of 11 submissions were received for the SWMMP that is presented here for adoption. From the 11 submissions received, there was a very clear message that Council should be investing more in Solid Waste Minimisation.

Three wish to be heard and have been invited to speak to the Councillors from 9.15am to 9.30am. They are:

1. Janine Kennedy – submission number 7
2. Paula Taylor – submission number 10
3. Tyne Nelson – Para Kore – submission number 11

One area in particular that was a reoccurring theme was that there is a need to be more transparent and educate the public about where our recycling goes e.g. all cardboard/paper goes to Hawk Packaging in Whakatu, which is then broken down and made into apple trays for pack houses. Another key theme was about using more biodegradable products vs single use products. It is an expectation of our communities that Council is not a passenger but a leader and advocate in these areas.

From the submissions, the following have been incorporated / changed in the SWMMP that is presented here for adoption:

- A fund will be established to utilise some of the Waste Levy funding made available each year and currently sitting with CHBDC. The Fund will be available to all those who submit an application to receive funding assistance for any initiative aligned with the goals of the SWMMP and with criteria defined by the fund. This fund will be established and presented to the next Environment and Regulatory Committee meeting and then to Council for approval. It is the intention that the Environment and Regulatory Committee would have control of the fund and that annually the fund would not exceed \$20,000.
- The Enviro-schools Programme will receive funding of \$10,000 per year.
- Officers will begin a study into the costs and benefits of moving to paper or other biodegradable bags for refuse collection. The findings of this study will be incorporated into the 2019 SWMMP.
- Dog bag dispensers and litterbins will be placed at the start, end or relevant locations on major Council-owned walkways.
- Central Hawke's Bay College will be provided with \$2,000 to fund youth environmental projects. CHBDC will promote the 'Plastic Free July' initiative through our communications channels.

**NEXT STEPS**

Following adoption of the SWMMP, Officers will begin work as per the SWMMP and other related initiatives to manage solid waste in the district. The initial activity outlined in the SWMMP will be the establishment of a fund made available to the community for relevant initiatives.

**2. RECOMMENDATION FOR CONSIDERATION**

That having considered all matters raised in the report:

- a) That, the report entitled **Adoption of the draft Solid Waste Management and Minimisation Plan (SWMMP)** be received.
- b) That, the 11 submissions on the draft **Solid Waste Management and Minimisation Plan (SWMMP)** be received.
- c) That, the **Solid Waste Management and Minimisation Plan (SWMMP)** be formally adopted as outlined in Option 1.

CHBDC SWMMP 2018



# **CHBDC Solid Waste Management and Minimisation Plan 2018**

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**1.0 Purpose**

This Solid Waste Management and Minimisation Plan (SWMMP) provides the blueprint for the Central Hawke's Bay District Council (Council) to achieve its objectives with respect to solid waste minimisation in a structured way. In doing so, this SWMMP provides direction for other enabling documents such as Annual Plans, the Long Term Plan, Asset Management Plans and various strategies. This SWMMP is also intended to meet legislative compliance under the Waste Minimisation Act 2008 to ensure that Council is eligible for receipt of waste levy funding.

**2.0 Organisational Alignment**

This SWMMP is purposefully designed to support and enable the delivery of great Council goals and objectives outlined in Figure 1.



Figure 1 – CHBDC Business on a Page

## CHBDC SWMMP 2018



The SWMMP is aligned with Council DNA, Objectives, Values, Purpose and Focus as described in Table 1.

Group	Item	Alignment of SWMMP
Our DNA	Doing it Together	The SWMMP is a collaboratively developed document made for and with our communities. Through the consultation process relationships are formed between Council and communities and within communities.
	Customer Excellence	The SWMMP provides clarity to customers about how and why Council will work to manage and minimise waste in the District.
	Thinking Smarter	The SWMMP promotes innovation in waste management and minimisation.
Our Objectives	A Proud District	The SWMMP aims to create a district free from the negative aspects of waste that our communities can be proud of.
	Connected Citizens	The SWMMP creation and consultation process, as well as delivery of several initiatives will bring people and communities together to talk about the important issue of waste.
	Smart Growth	The SWMMP promotes innovation and delivery of initiatives to minimise waste whilst not impacting on the prosperity of the district.
	Nature Friendly	The SWMMP directly seeks to ensure the environmentally friendly management of waste in the district.
Our Values	Trust	The SWMMP creation and consultation process is open and transparent and provides evidence to residents of Council's intent.
	Honesty	The Council is honest about what it can and what it wants to achieve with respect to waste minimisation through the SWMMP.
	Respect	The SWMMP and the process to create it show respect for our environment, the district and the people within it.
Our Focus	Protecting and Promoting our Unique Landscape	The SWMMP promotes the protection and sustainable management of the landscape through effective waste management and minimisation initiatives.
	Planning for Tomorrow to Future Proof Central Hawke's Bay	The SWMMP ensures the activities of residents and Council today will positively impact on the district tomorrow.

Table 1 – SWMMP Alignment

### 3.0 Intended Audience

This document sets out the approach to be taken by CHBDC in managing, with the intention to minimise, solid waste in the district. The document is therefore a public document and will be made available to our residents as well as provided directly to regulators.

### 4.0 Document Contributors

Contributors	Name and Position	Approval
Creator	Harry Robinson – Utilities Engineer	June 2018
Authoriser	Josh Lloyd – GM Community Infrastructure and Development	June 2018
Approver	Monique Davidson - CE	June 2018

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5.0 Key Dates

Draft Date	26 April 2018
Published Date	28 June 2018
Next Review Date	2019

6.0 Legislative Context and Related Documents

Figure 1 illustrates the context of the SWMMP within the organisation and with respect to key relevant pieces of legislation. In accordance with section 50 of the Waste Management Act 2008 (WMA), a TA must complete a waste assessment and must review its operative SWMMP before 1 July 2012 and then at intervals of no more than 6 years making the latest time for the current review July 2018. As a result of the assessment and the review, this document presents Central Hawke's Bay District Council's (the Council's) proposed new SWMMP.

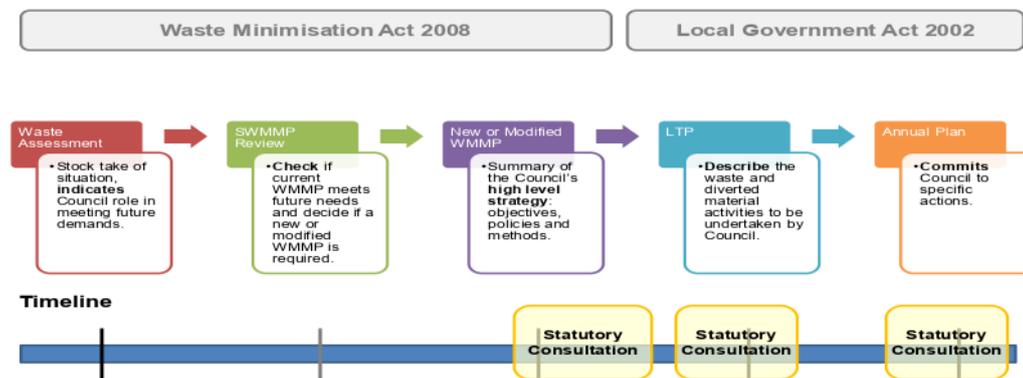


Figure 2 – Context of SWMMP

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**8.0 Definitions and Abbreviations**

<b>CHBDC</b>	Central Hawke's Bay District Council
<b>SWMMP</b>	Solid Waste Management and Minimisation Plan
<b>WMA</b>	Waste Management Act
<b>Council</b>	The Central Hawke's Bay District Council
<b>TA</b>	Territorial Authority

**9.0 Background**

**a. Scope of the Plan**

The scope of the SWMMP is given in section 43 of the WMA, which states that a SWMMP must provide for the following:

- (a) objectives and policies for achieving effective and efficient waste management and minimisation within the territorial authority's district:
- (b) methods for achieving effective and efficient waste management and minimisation within the territorial authority's district, including:
  - (i) collection, recovery, recycling, treatment, and disposal services for the district to meet its current and future waste management and minimisation needs (whether provided by the territorial authority or otherwise); and
  - (ii) any waste management and minimisation facilities provided, or to be provided, by the territorial authority; and
  - (iii) any waste management and minimisation activities, including any educational or public awareness activities, provided, or to be provided, by the territorial authority:
- (c) how implementing the plan is to be funded:



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(d) if the territorial authority wishes to make grants or advances of money in accordance with section 47, the framework for doing so.

The terms used in this SWMMP are those given in the WMA. A glossary is presented in Appendix B.

**b. Revocation**

The adopted SWMMP will supersede the existing Waste Management Plan adopted in 2012 and the solid waste policy in the Council’s Policy Manual adopted in 2014.

**10.0 Overview of the Current Waste Situation**

The waste assessment as prescribed in the WMA (section 51) plays a key role in determining the content of a SWMMP. A TA must have regard to the waste assessment in the preparation of the SWMMP (WMA section 44). The following sections provide a brief overview of the current waste situation in the Council, with the existing services provided for waste management and minimisation, information regarding waste and diverted material quantities and the forecast future demands on the services. More details of the current waste situation will be provided in a Waste Assessment that will be completed within the next 12 months.

**a. Existing Services**

The majority of waste management and minimisation services in the district are provided by the Council and intended to remain that way for the foreseeable future. Figure 2 shows an overview of the waste and diverted material flows handled by the Council. Following sections provide detail on the waste and waste activities managed by Council within the district.

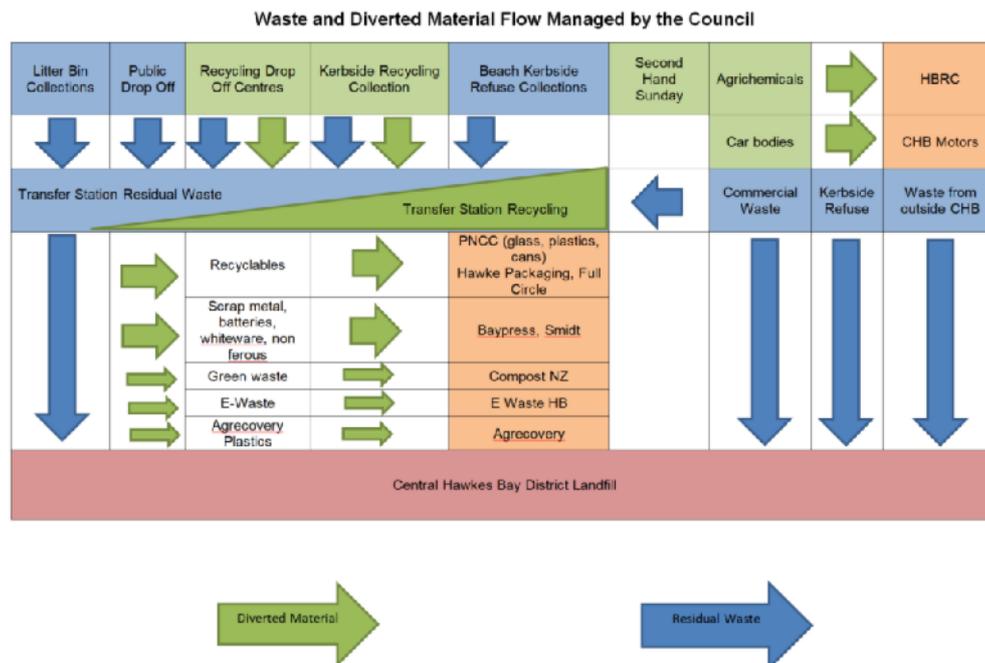


Figure 3 – Waste Flows

**b. Waste and Diverted Material Collection**

Council have established an effective waste management service that is well utilized and popular with communities. Approximately 62% of the district’s households were serviced by the kerbside refuse collection and 46% by a kerbside recycling collection over the period of the previous SWMMP. The Council also provides seven recycling drop-off centres to service households that do not receive the

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kerbside recycling collection. Recyclables from the kerbside collection and Drop-off centres are transported to the Waipukurau transfer station for consolidation. Refuse from the kerbside collection is transported directly to the landfill for disposal.

**c. Transfer Stations**

The Council owns, and operates through a contract, four transfer stations within the district at Waipukurau, Waipawa, Takapau and Porangahau.

The Waipukurau Transfer Station also acts as the main handling and consolidation facility of waste and diverted material and is essential for the Council's success to reduce the quantities of residual and hazardous waste sent to landfill. Options for diverting materials, and thereby avoiding landfilling, are offered for free or at low cost to encourage the community, where disposing the waste to landfill is a more costly option.

The transfer stations receive waste from direct refuse drop off by residential and commercial customers. The residual waste is carted to the CHB District Landfill for safe disposal.

The Transfer Stations also accept recyclables, green-waste and clean-fill / hard-fill. The green-waste is shredded and transported to a commercial composting facility within Hawke's Bay. Recyclables are consolidated and transported to various commercial recyclers for processing and marketing. Clean-fill / Hardfill is accepted in limited quantities, which is either used as cover on closed landfills or processed and used as aggregate on roads within the transfer station sites. Bulk clean-fill is accepted by arrangement as cover on closed lands

**d. Landfill**

The Council leases land on Farm Rd on which it operates a fully lined landfill approx. 14km from Waipukurau that was opened in 1996. The landfill is consented through to 2030 although the actual landfill site has capacity to take refuse for at least another 25 years at the current fill rate which is based on current local Council inputs and current contracted out of district inputs. Changes in out of district inputs would influence the predicted residual life.

There is no public access to the landfill which is by permit only. Waste entering the landfill is from large commercial customers, kerbside refuse collections, and the transfer stations. Waste from outside the district is also accepted by a commercial agreement for disposal.

**e. Quantities of Residual Waste and Diverted Material Managed by the Council**

Table 2 shows the proportion of quantities of residual waste and diverted material that are managed by the Council: in total, total recycling, greenwaste and residual waste respectively. Historic quantities of material diverted from landfill through council funded programmes, including: residential kerbside recycling, recycling drop-off centres, transfer station recycling and greenwaste processing.

Also shown is a breakdown of CHBDC's diverted material as a per capita percentage total waste received. Diversion rates have continued to rise in CHBDC currently achieving 28% diversion of waste generated. These figures do not take into consideration material diverted through home composting, clean fill sites or commercial reuse facilities.

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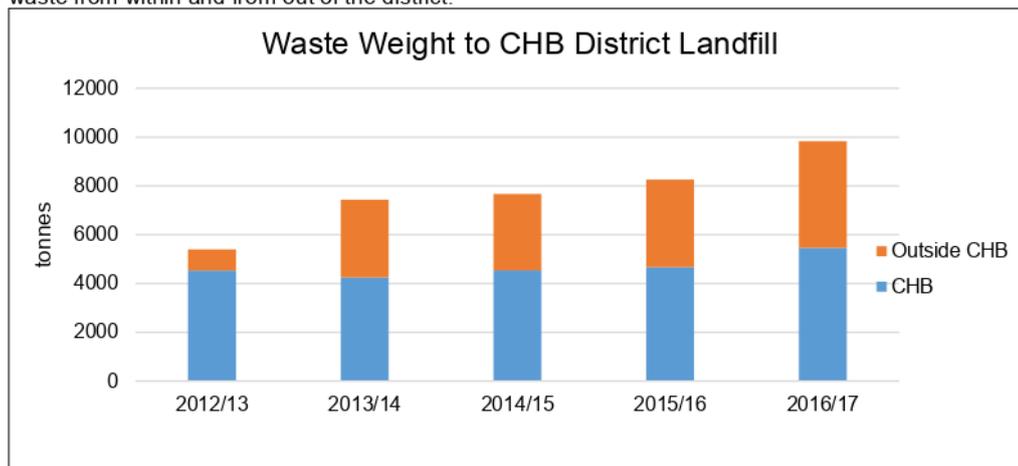
	2012/13		2013/14		2014/15		2015/16		2016/17	
Residual Waste (tonnes)	4534	59%	4247	58%	4537	71%	4668	56%	5465	61%
Recycling (tonnes)	1178	15%	1163	16%	1027	16%	1124	14%	1006	11%
Greenwaste (tonnes)	1953	25%	1967	27%	860	13%	2475	30%	2490	28%
Total Waste (tonnes)	7665		7377		6424		8267		8961	
Est District Population	13,250		13,350		13,450		13,550		13,720	
Residual waste (tonnes per capita)	0.34		0.32		0.34		0.34		0.40	
Diverted material (tonnes per capita)	0.24		0.23		0.14		0.27		0.25	

*Table 2 – Diverted Materials and Waste to Landfill per Capita*

The waste to landfill per person shown in the table above is based on CHBDC refuse inputs only and does not include the out of district waste.

The estimated national average waste to landfill is 0.73 tonnes per person per year. This is calculated using the OECD data or total waste to landfill in New Zealand divided by Statistics NZ current estimate of population.

Figure 4 shows the split between waste to landfill from within and from out of the district. The chart shows a steadily increasing total volume of waste of the reported period as well as consistent ratios between waste from within and from out of the district.



*Figure 4 – Total Waste to Landfill*

Figure 5 shows the volume of recycled materials and greenwaste per year.

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Figure 5 – Recycling and Greenwaste Volumes

**f. Total Waste Managed**

Using the data of waste disposed of at the District Landfill and the amount of diverted material, the total waste managed by the council can be calculated as: Total Waste Managed = Waste + Diverted materials. This is illustrated in Figure 6.

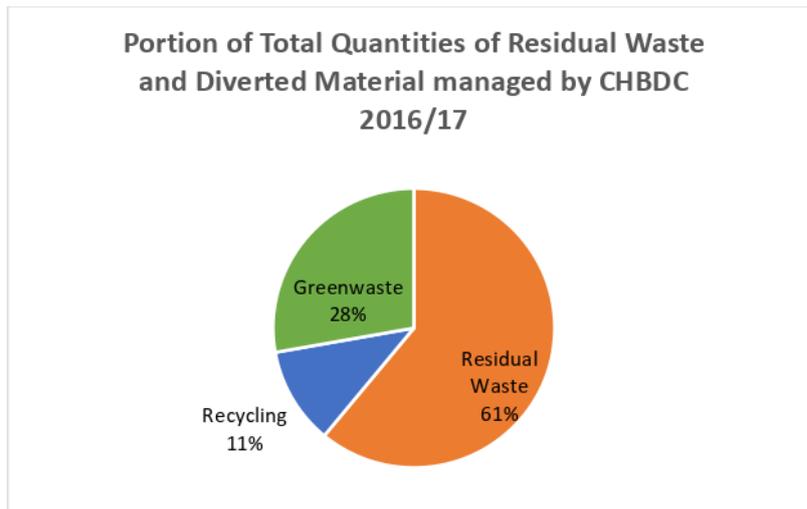


Figure 6 – Total Waste Managed

## The Waste Management and Minimisation Plan

**11.0 Vision**

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The draft LTP 2018-2028 sets out objectives for the management of solid waste in the district. The solid waste activity statement specifies levels of service for each year of the LTP. These objectives and levels of services are translated in this SWMMP into the following key statements:

- Central Hawke's Bay has an efficient and affordable waste infrastructure.
- We encourage reduction, reuse, recycling and manage the rest in a sustainable way.
- Risks to public health are identified and appropriately managed.

**a. Goals and Guiding Principles**

The New Zealand Waste Strategy (NZWS) 2010 sets two key goals that are aligned with Council's LTP vision for solid waste and form the basis of the remainder of this SWMMP. These two key goals are:

**Goal 1: Reducing the harmful effects of waste; and**

**Goal 2: Improving the efficiency of resource use.**

The aim of these two goals is to "provide direction to local government, businesses (including the waste industry), and communities on where to focus their efforts in order to deliver environmental, social and economic benefits to all New Zealanders".

This Plan adopts these as its goals.

**b. Waste Hierarchy**

In developing the waste management and minimisation plan (SWMMP), a TA must consider the waste hierarchy, which classifies methods in decreasing order of importance as outlined in Figure 7.

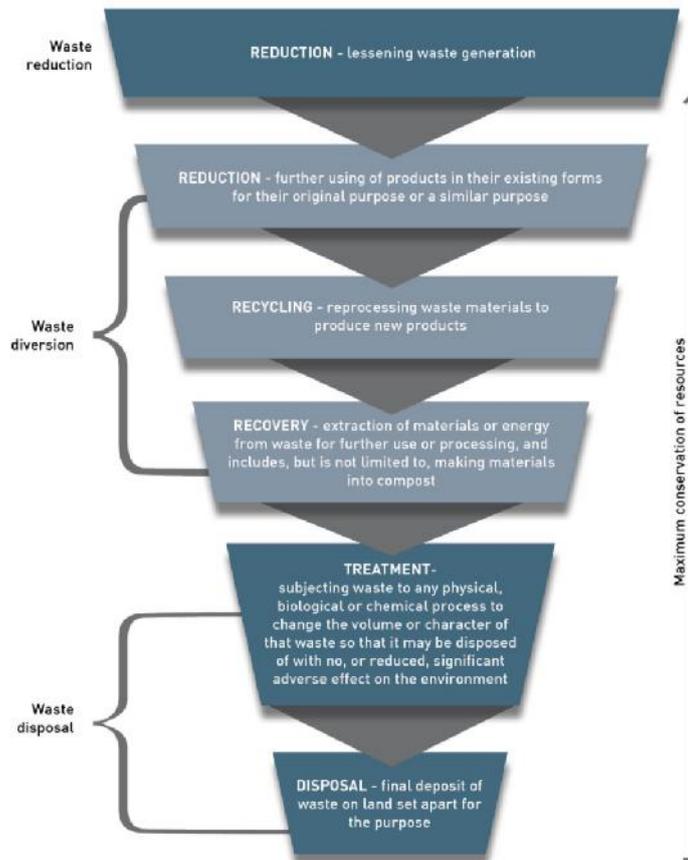


Figure 7 – Waste Hierarchy

**12.0 Forecast Future Demands**

A Waste Assessment which is intended to be completed in the next 12 months will identify future demands for waste management and minimisation services in Central Hawke’s Bay and related issues, and will state the Councils’ intended roles in meeting these demands and addressing the issues.

Roles for the Council include but are not limited to:

- Service Provider – providing or facilitating the provision of a waste management or minimisation collection service
- Governor – detailed assessment and implementation of options to meet the demands
- Regulator – utilisation of legal mechanisms to facilitate waste management and waste minimisation (bylaws)
- Community leader – providing information and promoting awareness of waste management and minimisation activities, e.g. advertising, education activities in schools and at events
- Advocate – promoting actions to address waste reduction and waste management issues at local, regional and national levels



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The demands were identified generally in terms of:

- Waste management services to prevent harm from waste and the need to maintain modify or increase these services as may be required to respond to change
- Waste minimisation services to improve the efficiency of resource use and the need to maintain these services and to modify services as may be required to respond to changes.

Activities to promote the efficient use of resources including: kerbside collection of recyclables, recycling drop-off centres, (for reusable goods and recyclable materials), targeted waste intervention programmes, organic material diversion, information/education services and lobbying.

Activities to reduce harmful effects from waste include: kerbside collection of refuse, transfer stations, waste transfer to and disposal at Central Hawke's Bay District Landfill, public litter bins, hazardous waste disposal options, aftercare of closed landfills, collection of illegally dumped material, street litter collection services, information/education services and lobbying.

Waste management is a long term issue and a 10 year view has been adopted for this plan. Key factors influencing the demand for waste and diverted material services include:

- Population growth
- The state of the national economy
- The lifestyle of the population
- The demographic profile of the population
- The size and type of dwelling
- Age profile
- The extent to which waste minimisation is carried out
- Presence of pets and domestic animals
- Seasonal influences
- Presence of laws and policies governing waste management practices
- Buy-back guarantees for used containers and packaging
- Local industrial activity
- Local commercial activity
- New technologies

Increases in waste generation results in an increased demand on existing facilities or creates demand for new facilities where capacity is constrained.

For planning purposes waste generation is generally calculated as having a direct relationship with population growth. Historically information for CHBDC has however shown that the total waste volumes continued to decline despite the fact that population has remained stable over the same period.

The Waste Assessment also identifies the following general issues across the services provided and needs to be considered as part of any future planning:

- Continue to assess the viability of different collection methods.
- Recycling options for beach communities/rural communities
- Market demand – consideration of market volatility of recyclable materials and securing markets
- Ensuring quality data collection for materials and quantities collected.
- Material destination – the environmental benefits of recycling certain materials, e.g. plastics, can largely depend on the location where the materials are processed. In some instances this can result in greater environmental and health issues rather than benefits, ensuring "duty of care" for end products.
- Maximising the ability of sites to adapt to future demands.
- Ensuring a safe environment for both staff and customers.
- Reducing noise impact.
- Improving the site layouts, ability to move around the site and how user friendly the sites are.
- Traffic management.
- Maximising the ease with which resources can be handled
- Assessing the number and distribution of litter bins.

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- Controlling windblown litter and leachate.

In addition to future demands on services, the Waste Assessment identified a number of emerging issues or “demands” that affect services. These include:

- Options for household hazardous and medical waste disposal
- Demand and allocation of public litter bins;
- Maintaining supervision of access at cleanfill disposal sites;
- Waste minimisation promotion;
- Revision of waste management and minimisation performance measures and targets.

These emerging issues are addressed in this SWMMP.

During the process of preparing the proposed new SWMMP, the solid waste policy (Council Policy 4.1) was reviewed. The policy states:

The Council will continue to provide a cost effective and efficient waste disposal service maximising opportunities to reduce residual waste.

With regard to this part of the policy, it is considered that proposed policies are better focused on the goals of the New Zealand Waste Strategy, and that the performance measures and targets in the proposed new strategy are more appropriate to monitor progress.

### 13.0 Objectives and Policies to meet Goal 1: Reducing the Harmful Effects of Waste

#### a. Objectives

The forecast future demands for waste management services that reduce the harmful effects of waste and the stated role of the Council in meeting these demands will be identified in the 2019 Waste Assessment.

The objectives for achieving effective waste management and minimisation are to:

Objective 1: Ensure that cost effective services are available for the safe, secure and affordable collection, treatment and disposal or diversion of waste; and

Objective 2: Avoid or mitigate adverse environmental effects for the storage and handling of waste and diverted material.

#### b. Policies

Policies to achieve these objectives are as follows.

- Policy 1: The Council will continue to provide waste management and minimisation services.
- Policy 2: The Council will maintain a user pays charge system for waste disposal and collection that provides cost recovery as well as incentives and disincentives to promote the objectives of the Council's waste management and minimisation plan
- Policy 3: The Council will avoid or mitigate adverse environmental, health and safety effects for the storage and handling of solid waste and diverted material.
- Policy 4: The Council will gather information about waste streams in the Central Hawke's Bay to improve waste management and minimisation planning.
- Policy 5: The Council will collaborate with other parties in the provision of waste management services and meeting future demands.
- Policy 6: The Council will raise awareness about waste issues and waste minimisation.

## CHBDC SWMMP 2018



**i. Policy 1: The Council will continue to provide waste management services.**

The Council has established effective services that are well utilized by the community. These services enable the Council to control its waste streams, respond to legislative changes, provide some economies of scale, enable competitive tendering, ensure security of contractor payment, and achieve efficient customer billing.

- Method 1: The Council will consider waste management and minimisation services together as an integral system that has regard to both the management and minimisation components.
- Method 2: The Council will provide kerbside refuse and recycling collections in Waipukurau and Waipawa and refuse collections in residential and rural township areas, and some additional areas as it may decide. The Council will procure these services from suitably qualified contractors through the correct Council processes.
- Method 3: The Council will provide kerbside refuse collection via prepaid official Council rubbish bags and kerbside recycling collection in containers that are specified in the Solid waste bylaw.
- Method 4: The Councils will continue to support the green waste / organic waste diversion and will monitor the impact of the green waste services.
- Method 5: The Council will provide public litter bins in accordance with its responsibilities under the Litter Act and Public demand
- Method 6: The Council will provide, maintain and operate the four existing Refuse Transfer Stations within the Central Hawke's Bay District Landfill catchment.
- Method 7: The Council will promote the safe disposal of household hazardous waste and agrichemicals ensuring they are affordable and complement national schemes or services.
- Method 8: The Council will investigate the provision of additional hazardous and medical waste collection services on a user pays basis.
- Method 9: The Council will fund waste management activities as described in "Funding the Plan".

**ii. Policy 2: The Council will avoid or mitigate adverse environmental, health and safety effects for the storage and handling of solid waste and diverted material.**

Resource consents are required for waste handling facilities, which should control environmental effects. On property storage of waste has been identified as an issue under certain circumstances, which could be addressed through the development and use of appropriate rules and / or methods in the District plan, and/or through enactment of a bylaw. Handling of waste and diverted materials needs to be undertaken with consideration of current health and safety requirements.

- Method 10: The Council will continue to use the CHB District Landfill for safe waste disposal. The Landfill has the capacity to accept the District's residual waste over the period of this plan and beyond.
- Method 11: The Council will continue to operate its solid waste facilities in accordance with their resource consents.
- Method 12: The Council may continue to offer cleanfill sites as demand requires.
- Method 13: The Council will work with its waste contractors to mitigate health and safety issues relating to the handling of waste and diverted materials. The Council will promote good health and safety practices as required under the Health and Safety at Work Act 2015 and industry best practice.
- Method 14: The Council will review their Solid Waste bylaw under section 56 of the WMA to address issues including those identified in this SWMMP and the proposed Waste Assessment in 2019.

**iii. Policy 3: The Council will gather information about waste streams in the District to improve waste management and minimisation planning.**

**CHBDC SWMMP 2018**

The NZWS 2010 notes that the lack of waste data hampers waste management and minimisation planning. Gathering information can contribute to improved waste management contracts, monitoring of waste and the effects of waste, and understanding of District needs.

- Method 15: The Council will monitor quantities and composition of the District's waste and diverted material streams together with origin and destination, and number of service subscribers/customers as appropriate, using Council information, and data gathered from private waste operators under bylaw provisions or by other means.
- Method 16: The Council will carry out an assessment of private sector waste management services provided in the District and review the forecast future demands and the Council's role in meeting these demands.
- Method 17: The Council will monitor the litter complaints received through the Council's request for service system.

**iv. Policy 4: The Council will collaborate with other parties in the provision of waste management services and meeting future demands.**

The Council has participated with other Hawke's Bay councils and Tararua District Council in the development and operation of solid waste management and minimisation services, which has resulted in mutual benefits.

- Method 18: Councils will foster close working relationships with all neighbouring TAs in the Hawke's Bay / Tararua / Manawatu region and HBRC to support a regional approach to waste management and minimisation. The Councils will also participate as appropriate in other waste forums.
- Method 19: The Councils through the operation of Central Hawke's Bay District Landfill will meet their obligations under the ETS.

**v. Policy 5: The Council will raise awareness about waste issues and waste minimisation.**

Personal and community awareness of the harm that waste can do contributes to effective waste management.

- Method 20: The Council will continue to support educational and promotional programmes, including a school education programme, which will raise awareness about the harmful effects of waste.

**vi. Policy 6: The Council will maintain a user pays charge system for waste disposal and collection that provides cost recovery as well as incentives and disincentives to promote the objectives of the Council's waste management and minimisation plan.**

Users of services, such as kerbside collection or drop-off at the RRP, can be clearly identified and charged the full cost of the services. Users of services, such as provision of litter bins, cannot be clearly identified but provide public good. Residual waste disposal costs are increasing at a significantly faster rate than recycling and composting costs and the Climate Change (Waste) Regulations 2010 will further increase the landfilling costs. "Generator pays" user charges send direct price signals that encourage waste minimisation.

- Method 21: The Council will maintain a user pays basis for waste services to ensure that, as far as practicable, waste generators meet the costs of the waste that they produce.

## CHBDC SWMMP 2018



## 14.0 Objectives and Policies to meet Goal 2: Improving the Efficiency of Resource Use

### a. Objectives

The forecast future demands for waste minimisation services to improve the efficiency of resource use and the stated role of the Council in meeting these demands will be identified in the WA. The objectives for improving the efficiency of resource use are to:

Objective 1: Ensure services are available for the effective and affordable collection, processing and marketing or beneficial use of diverted material;

Objective 2: Improve the opportunity for avoiding or reducing waste at source; and

Objective 3: Improve the quality of diverted material where cost effective.

### b. Policies

Policies to achieve these objectives are as follows.

- Policy 1: The Councils will continue to provide waste minimisation services.
- Policy 2: The Councils will ensure sufficient capacity exists at all recycling facilities to allow for continued growth and efficiency.
- Policy 3: The Councils will gather information about waste and diverted material streams in the District to improve waste management and minimisation planning.
- Policy 4: The Councils will recognise the benefits of collaborating with other parties in the provision of waste minimisation services and meeting future demands.
- Policy 5: The Councils will encourage waste minimisation, especially the reduction of waste, source separation and the importance of reducing the contamination of diverted material.
- Policy 6: The Councils will maintain a user pays charge system for waste disposal and collection that provides cost recovery as well as incentives and disincentives to promote the objectives of the Councils' waste management and minimisation plan.

#### i. Policy 1: The Councils will continue to provide waste minimisation services.

The Councils have established effective and efficient services that are rated highly by the community. The Council provided service enables the Councils to control their waste streams, respond to legislative or market changes, provide economies of scale, competitive tendering, security of contractor payment, and efficiency of customer billing.

- Method 1: The Councils will consider waste management and minimisation services together as an integral system that has regard to both the management and minimisation components, including recycling and green waste.
- Method 2: The Council will provide, maintain and operate waste diversion facilities at the four existing transfer stations and seven existing recycling drop-off centres, and procure services for the operation of the facilities. The Councils will improve service delivery methods and scope of activities as warranted.

#### Policy 2: The Councils will improve storage and handling of diverted material.

Adequate storage and handling of diverted material is important to maintain and increase its quality and value.

- Method 3: The Council will ensure that there is sufficient capacity to manage the increasing quantities of greenwaste and recyclables received through the transfer stations and recycling drop-off centres.



## CHBDC SWMMP 2018

- Method 4: The Council will continue to work with households, farmers and businesses to encourage separating reusable / recyclable material from the waste stream.

### ii. Policy 3: The Councils will gather information about waste and diverted material streams in the Districts to improve waste management and minimisation planning.

The NZWS 2010 notes that the lack of waste data hampers waste minimisation planning. Gathering information can contribute to improved waste minimisation contracts, monitoring of diverted material quality and market demand, and understanding of district needs.

- Method 5: The Councils will monitor quantities and composition of the districts' waste and diverted material streams together with origin and destination, and number of service subscribers/customers as appropriate, using Council information, and data gathered from private waste operators under bylaw provisions or by other means, as required under the Waste Act 2008.

### iii. Policy 4: The Councils will recognise the benefits of collaborating with other parties in the provision of waste minimisation services and meeting future demands.

The Councils have participated with other Hawke's Bay councils in the development and operation of solid waste minimisation services, which has resulted in mutual benefits.

- Method 5: The Councils will advocate that the government investigate and introduce legislation, levies, and regulations, especially in relation to problematic products, in order to encourage product stewardship schemes and further waste minimisation opportunities. The Councils will also investigate and support where economic local product stewardship initiatives for problematic products specific to the region.
- Method 7: Councils will foster close working relationships with all neighbouring TAs in the Hawke's Bay, Taranaki and Manawatu region and HBRC to support a regional approach to waste management and minimisation. The Councils will also participate as appropriate in other waste forums.

### iv. Policy 5: The Councils will encourage waste minimisation, especially the reduction of waste, source separation and the importance of reducing the contamination of diverted material.

Reduction, the preferred waste minimisation method, depends upon a change in consumer attitudes. Efficient resource recovery is also dependent upon personal commitment, to source separate diverted material and avoid contamination.

- Method 8: The Councils will promote waste minimisation by continuing to support educational and promotional programmes, including a targeted education campaigns using programmes such as Kids for Drama, Waste Awareness and Paper 4 Trees and community events.
- Method 9: The Councils will promote all aspects of waste minimisation in order to ensure the region remains informed of waste minimisation opportunities.

### v. Policy 6: The Councils will maintain a user pays charge system for waste disposal and collection that provides cost recovery as well as incentives and disincentives to promote the objectives of the Councils' waste management and minimisation plan.

Users of waste management services, such as kerbside collection or drop-off at the transfer station can be clearly identified and charged the full cost of the service to incentivise waste minimisation.

- Method 10: The Councils will maintain a user pays basis for waste services to ensure that, as far as practicable, disposal fees are fair and that waste generators meet the costs of the waste that they produce.

## CHBDC SWMMP 2018



## 15.0 Funding the Plan - Policy and Methods

### a. Policy and Overview of Funding Methods

The Council will in its provision of waste management and minimisation services:

- Maintain as far as practical a user pays charging system to provide cost recovery as well as incentives and disincentives to promote the objectives of the waste management and minimisation plan.
- Fund services from targeted rates, user charges, the waste disposal levy, or general rates. Levy money received can only be spent upon matters to promote or achieve waste minimisation in accordance with the Plan (refer to Waste Minimisation Act 2008 s32).

Table 3 provides an overview of the various funding methods for the Council's waste management and minimisation services and facilities. More details are provided in the subsequent sections regarding targeted rates and user charges

Service / Facility	Existing/ Proposed Service	Funding Methods
<b>Management and Service Delivery</b>		
In house management and control of waste streams	Existing	Rates
<b>Collection of Waste and Diverted Material</b>		
Kerbside Rubbish collection	Existing	Sale of official Council refuse bags Targeted rates
Kerbside Recycling collection	Existing	Targeted Rates
Recycling Drop-off centers	Existing	Rates
Litter Bins	Existing	Rates
Illegal dumping pick up	Existing	Rates
<b>Transfer Stations</b>		
Residual waste	Existing	User charges
Diverted material: Recyclables	Existing	User charges Rates Stewardship schemes
Diverted material: Greenwaste	Existing	User charges
Diverted material: Household Hazardous and Medical wastes	Existing / proposed	Waste levy to set up a suitable service User charges to run service
Diverted material: Clean fill	Existing / proposed	User charges
<b>Landfill</b>		
Residual waste disposal	Existing	User charges Rates
<b>Closed Landfills</b>		
Residual Waste management	Existing	Rates
Monitor waste quantities, composition and diversion	Existing / Proposed	Waste Levy
Waste education and public awareness	Existing	Waste Levy
Collaboration other Councils including joint waste minimisation and hazardous waste initiatives	Existing / Proposed	User Charges Waste Levy

Table 3 – Funding Methods

## CHBDC SWMMP 2018

**b. Funding Methods - Targeted Rates and User Charges****i. Kerbside Rubbish Collection**

Kerbside rubbish collection charges will be made up of two components, namely:

1. The sale of official Central Hawke's Bay District Council rubbish bags.
2. A targeted refuse collection rate for each separately used or inhabited portion of a property within the collection boundary that broadly covers the cost of making a service available;

**ii. Kerbside Recycling Collection**

A targeted recycling collection rate for each separately used or inhabited portion of a property within the collection boundary that broadly covers the cost of making a service available;

Note: Rates and charges are set through the Annual Plan process.

**iii. Transfer Stations**

Transfer Station charges will be set through the Annual Plan process or by separate Council resolution.

**iv. Landfill**

Landfill charges will be set through the annual plan process or by a separate commercial agreement for disposal.

**c. Waste Disposal Levy Spending**

Council utilises funds made available through the waste levy to promote waste minimisation activities and education in the district. Council utilises and allocates the funds on several initiatives at its discretion based on alignment to the following drivers:

- Improvement of public awareness
- Education benefits
- Collaboration with other TAs
- Collaboration and partnership with industry and community groups
- Programmes to promote the safe disposal or re-use of hazardous waste
- Programmes to monitor and control waste

As part of the development of this SWMMP and the consultative process, the following initiatives have been identified for the 2018/19 year:

- A fund will be established to utilise a portion of the Waste Levy funding made available each year and currently sitting with CHBDC. The Fund will be available to all those who submit an application to receive funding assistance for any initiative aligned with the goals of the SWMMP and with criteria defined by the fund. This fund will be established and presented to the next Environment and Regulatory Committee meeting and then to Council for approval. It is the intention that the Environment and Regulatory Committee would have control of the fund and that annually the fund would not exceed \$20,000.
- The Enviro-schools Programme will receive funding of \$10,000 per year.
- Officers will begin a study into the costs and benefits of moving to paper or other biodegradable bags for refuse collection. The findings of this study will be incorporated into the 2019 SWMMP.
- Dog bag dispensers and litterbins will be placed at the start, end or relevant locations on major Council-owned walkways.
- Central Hawke's Bay College will be provided with \$2,000 to fund youth environmental projects.
- CHBDC will promote the 'Plastic Free July' initiative through our communications channels.

These initiatives are intended to support the key policies listed previously in this SWMMP and will supplement additional workstreams and initiatives for future years following the Section 17(a) review and the next iteration of the SWMMP.

**CHBDC SWMMP 2018****d. Grants**

The Waste Minimisation Act 2008 s47 allows a council if authorized to do so by its SSWMMP to make grants or advances of money to any person, organisation, group, or body of persons for the purpose of promoting or achieving waste minimisation.

Under this plan Council has developed additional infrastructure to enhance waste minimisation and promoted waste minimisation through education programmes. Council will continue to support organizations proposing new projects to provide waste minimisation or hazardous waste services within Central Hawke's Bay, or the surrounding Hawke's Bay area, which would both benefit the community and support or compliment this SSWMMP. Council will encourage and support any worthy application to the MfE for waste minimisation fund.

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## 16.0 Levels of Service and Performance Targets

Council are proposing a number of performance measures to monitor their effectiveness in achieving the goals set out in this SWMMP.

Goal	Performance Measure	Comments	Proposed Annual Target
Reducing the Harmful Effect of Waste	Number of notices from Environmental Health Officer on the Council for causing nuisance (s55 of WMA)		Zero notices
	The quantity (kg) of residential waste per property handled by Council and number of properties participating in the service.	The survey will require the weighing of each bag collected.	Monitor and report on quantities and participation of Council kerbside rubbish collection services through a triennial survey based on SWAP guidelines
	Compliance is achieved with all legislative requirements for all Council facilities and services.	No fines are received.	Sites have the necessary consents. No more than minor breaches of consent conditions are reported.
	Customer satisfaction in relation to Council waste and recycling services.	Services contracted out by the Councils, e.g. kerbside collections.	A regular customer satisfaction survey is conducted.
	Number of litter and illegal disposal of refuse complaints received through the Councils' service request systems relating to roads and reserves.		Record and report on number of complaints and monitor trends through the Request for Service System.
	Total Waste to landfill.		Record and report on total waste to the District Landfill and monitor trends.
	Waste management facilities are accessible and well maintained.		Facilities are open during advertised hours.
	The waste composition of residual waste is assessed following the Solid Waste Analysis Protocol (SWAP).		A 3 yearly SWAP study is completed.
Improving the Efficiency of Resource Reuse	The quantity (kg) of recycling per property handled by Council and number of properties participating in the kerbside service.	Survey to note actual properties participating and the total weight of the materials collected on the run.	Monitor and report on quantities (kg) and participation (%) through an annual survey of minimum 250 properties.
	Customer Satisfaction at Refuse Transfer Stations and Recycling Depots.	Council Owned and Operated Facilities	The diversion rate; regional (%) of waste stream diverted from landfill. A regular customer satisfaction survey is conducted and monitor trends.

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	Total quantity of diverted material through Council facilities and operations; <ul style="list-style-type: none"> <li>• Recyclables</li> <li>• Greenwaste</li> </ul>		Record and report on diverted materials and monitor trends.
	Schedule of diverted material types and actual and potential services available.	Number of items marked in a schedule. Gradually shift these from non-diverted to diverted.	Review and report on diverted material types and new developments in the industry and monitor trends.
	Waste minimisation and education programmes reach the community.		Record and report on programmes and activities undertaken.

The Councils will report annually on these performance measures. These measures will be reviewed as part of the next statutory SWMMP review, which should occur at least every six years (section 50 (1) (b) of WMA).

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**17.0 Appendices****a. Appendix A - The Waste Minimisation Act 2008: Waste management and minimisation plans****Section 43 Waste management and minimisation plans**

- (1) For the purposes of section 42, a territorial authority must adopt a waste management and minimisation plan.
- (2) A waste management and minimisation plan must provide for the following:
- (a) objectives and policies for achieving effective and efficient waste management and minimisation within the territorial authority's district;
  - (b) methods for achieving effective and efficient waste management and minimisation within the territorial authority's district, including—
    - (i) collection, recovery, recycling, treatment, and disposal services for the district to meet its current and future waste management and minimisation needs (whether provided by the territorial authority or otherwise); and
    - (ii) any waste management and minimisation facilities provided, or to be provided, by the territorial authority; and
    - (iii) any waste management and minimisation activities, including any educational or public awareness activities, provided, or to be provided, by the territorial authority;
  - (c) how implementing the plan is to be funded;
  - (d) if the territorial authority wishes to make grants or advances of money in accordance with section 47, the framework for doing so.
- (3) A territorial authority may amend its waste management and minimisation plan or revoke it and substitute a new plan.
- (4) A waste management plan adopted under Part 31 of the Local Government Act 1974 as at the commencement of this section must be treated as if it were a waste management and minimization plan adopted under this section, and this Part applies to the plan accordingly.

**Section 44 Requirements when preparing, amending, or revoking plans**

In preparing, amending, or revoking a waste management and minimisation plan, a territorial authority must—

- (a) consider the following methods of waste management and minimisation (which are listed in descending order of importance):
  - (i) reduction;
  - (ii) reuse;
  - (iii) recycling;
  - (iv) recovery;
  - (v) treatment;
  - (vi) disposal; and
- (b) ensure that the collection, transport, and disposal of waste does not, or is not likely to, cause a nuisance; and
- (c) have regard to the New Zealand Waste Strategy, or any government policy on waste management and minimization that replaces the strategy; and
- (d) have regard to the most recent assessment undertaken by the territorial authority under section 51; and

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- (e) use the special consultative procedure set out in section 83 of the Local Government Act 2002 and, in doing so, the most recent assessment undertaken by the territorial authority under section 51 must be notified with the statement of proposal.

**Section 45 Joint plans**

Two or more territorial authorities may jointly prepare and adopt a waste management and minimisation plan for the whole or parts of their districts, and sections 43 and 44 apply accordingly, with all necessary modifications.

**Section 46 Funding of plans**

- (1) A territorial authority is not limited to applying strict cost recovery or user pays principles for any particular service, facility, or activity provided by the territorial authority in accordance with its waste management and minimisation plan.
- (2) Without limiting subsection (1), a territorial authority may charge fees for a particular service or facility provided by the territorial authority that is higher or lower than required to recover the costs of the service or facility, or provide a service or facility free of charge, if—
- (a) it is satisfied that the charge or lack of charge will provide an incentive or disincentive that will promote the objectives of its waste management and minimization plan; and
- (b) the plan provides for charges to be set in this manner.

**Section 47 Grants**

- (1) If authorised to do so by its waste management and minimization plan, a territorial authority may make grants or advances of money to any person, organisation, group, or body of persons for the purpose of promoting or achieving waste management and minimisation.
- (2) A grant or advance of money may be made on any terms or conditions that the territorial authority thinks fit, including that an advance of money is free of interest.

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## b. Appendix B – Glossary of Terms

Where available, definitions have been taken from the Waste Minimisation Act 2008<sup>1</sup> or the European Union Landfill Directive<sup>2</sup> or CHBDC Solid Waste Bylaw 2018.

1 2008 Parliament of New Zealand, *Waste Minimisation Act 2008 No 89*

2 1999 European Union, *Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste*

**Cleanfill / cleanfill material:** means: inert materials disposed of into or onto land, at a consented cleanfill. Materials typically include construction and demolition waste such as concrete, uncontaminated soil and rock.

**Commercial Waste:** means: waste from premises used wholly or mainly for the purposes of trade or business, recreation or entertainment, excluding, mines, quarries and agricultural waste. May also include some household waste collected by commercial operators.

**Disposal:** means:

- (a) the final (or more than short-term) deposit of waste into or onto land set apart for that purpose; or
- (b) the incineration of waste.

**Disposal facility:** means:

- (a) a facility, including a landfill; -
  - (i) at which waste is disposed of; and
  - (ii) at which the waste disposed of includes household waste; and
  - (iii) that operates, at least in part, as a business to dispose of waste; and
- (b) any other facility or class of facility at which waste is disposed of that is prescribed as a disposal facility.

**Diverted Material:** means: anything that is no longer required for its original purpose and, but for commercial or other waste minimisation activities, would be disposed of or discarded.

**Hazardous Waste:** means: waste that is potentially harmful to human and /or environmental health. It typically has one or more of the following hazard properties: explosive, flammable, oxidising, corrosive, radioactive, toxic or ecotoxic. Or it may react with air or water to have one of these properties. Hazardous waste includes used oil, unwanted agriculturals, paint and vehicle batteries.

**Household Waste:** means: waste from a household that is not entirely from construction, renovation, or demolition of the house.

**Industrial Waste:** means: waste from industrial sites, produced or arising from manufacturing or industrial activities or processes.

**Medical Waste:** means: any solid waste generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals, excluding hazardous waste, and any infectious agents such as human pathological wastes, human blood and blood products, used or unused sharps (syringes, needles, and blades), certain animal waste, and certain isolation waste

**Recovery:** means:

- (a) extraction of materials or energy from waste or diverted material for further use or processing; and
- (b) includes making waste or diverted material into compost.

**Recycling:** means: the reprocessing of waste or diverted material to produce new materials

**Reduction:** means:

- (a) lessening waste generation, including by using products more efficiently or by redesigning products; and
- (b) in relation to a product, lessening waste generation in relation to the product.

**Resource Recovery Park (RRP):** means: a site where waste is collected to be processed, sorted and transferred for disposal or processing. A site may have separate collections for different waste types,

**CHBDC SWMMP 2018**

and either storage and transfer to other sites for processing or disposal and/ or storing, processing, or composting on site.

**Residual Waste:** applied in a domestic sense means: household rubbish not able to be recycled, reused or composted. Also referred to as refuse in this report.

**Reuse:** means: the further use of waste or diverted material in its existing form for the original purpose of the materials or products that constitute the waste or diverted material, or for a similar purpose.

**Solid Waste Analysis Protocol (SWAP):** means: a study to determine the composition of residual waste, carried out

**Treatment:** means:

- (a) subjecting waste to any physical, biological, or chemical process to change its volume or character so that it may be disposed of with no or reduced adverse effect on the environment; but
- (b) does not include dilution of waste.

**Waste:** means:

- (a) anything disposed of or discarded; and
- (b) includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste); and
- (c) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded.

**Waste Disposal Levy:** means: A government levy imposed on waste disposed of at a disposal facility.

**Waste Management** means: waste minimisation activities, and collection, treatment **Minimisation:** and disposal of waste.

**Waste Minimisation:** means:

- (a) the reduction of waste; and
- (b) the reuse, recycling and recovery of waste and diverted material.

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Monday, 14 May 2018 10:24 AM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#1]

Name \* Linda Blythe

Address \*   
46 Higginson Street  
Otane 4202  
New Zealand

Day 0279499773

Phone: \*

Email \* [577nitro@gmail.com](mailto:577nitro@gmail.com)

Do you wish to present your comments to Council in person at a hearing? \*

My submission is

Was taken aback to see that the council don't use biodegradable rubbish sack, I now have a household of no plastic bags and yet in my draw I have half dozen council refuse sacks that are against the environment, with Countdown taking a leading role in banning plastic shopping bags, the councils of NZ should be one step ahead as a community representative and not using non biodegradable sacks.

When we lived in Christchurch, we could buy council stickers and place them on cardboard boxes for refuse collection we thought this was a great idea, and would like to submit this idea to the council so the people have an option between buying council plastic refuse bags or council stickers, the other submission is to provide the people of CHB with small to large plastic wheelie bins just to be used for landfill only, with the instruction on the lid of what is allowed in the bin, this way the council will do away with plastic sacks altogether, and can still collect the

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Monday, 14 May 2018 1:57 PM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#2]

**Name \*** Karen Mooney

**Organisation – if your submission is on behalf of an organisation** Animal Control CHBDC

**Address \***   
 7 Carruthers Street  
 Otane, Central Hawkes Bay 4202  
 New Zealand

**Day Phone: \*** 027 4272404

**Night Phone:** 06 8568660

**Mobile:** 027 4274204

**Email \*** [karen.mooney@chbdc.govt.nz](mailto:karen.mooney@chbdc.govt.nz)

**Do you wish to present your comments to Council in person at a hearing? \*** No

**My submission is** On behalf of several members of the public all of whom are dog owners I would like to request :  
 1.)dog bag dispensers and litter bins be placed at the beginning and end of our major walkways.  
 Biodegradable bags are the first choice as the use of plastic bags is viewed as being non environmentally friendly.  
 2.)'No Dogs' signage on fences at enclosed children's parks.

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Thursday, 17 May 2018 9:25 AM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#3]

**Name \*** Kathryn Bayliss

**Address \*** 

116 Maharakeke Road RD 1  
Waipukurau 4281  
New Zealand

**Day** 06 8589900

**Phone: \***

**Email \*** [kall@xtra.co.nz](mailto:kall@xtra.co.nz)

**Do you** No

**wish to**

**present**

**your**

**comments**

**to Council**

**in person**

**at a**

**hearing? \***

**My submission is**

I agree with most of the Solid Waste Management and Minimisation Plan, except for the selling of landfill space to other councils and allowing rubbish from other areas to fill up CHB's landfill.

I think selling landfill space to other councils should be stopped. CHB shouldn't be a dumping ground for other districts rubbish.

The main reasons for opposing the selling landfill space to other councils and allowing rubbish from other areas to fill up CHB's landfill are :

Selling landfill space to other councils and bringing in rubbish from other areas conflicts with the aim of minimisation of solid waste in CHB.

As CHBDC promotes and funds waste minimisation it's hypocrisy to then take waste from outside the district for

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Friday, 18 May 2018 9:00 PM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#4]

Name \* Cheryl Paul

Address \*   
9 McGreevy Street  
Waipawa 4210  
New Zealand

Day 027542761

Phone: \*

Mobile: 0272542761

Email \* [cherylpaul.nz@gmail.com](mailto:cherylpaul.nz@gmail.com)

Do you wish to present your comments to Council in person at a hearing? \*

My submission is

Change the recycling collection day in Waipawa from Friday to Monday. This may encourage more recycling as it will be collected before the normal rubbish which is collected on a Wednesday. It may also prevent the mess at recycling centres from weekend drinking. Help promote the drive to introduce the bottle deposit banks and similar efforts. Educate the community on where their recycling ends up. It is common for locals to think their recycling ends up in the landfill anyway. Encourage the 2nd hand depot at the transfer station in Waipukurau. This needs better access so locals can 'shop' easier. Perhaps items could help those in need. Accessible by budget advise and other community services. Recycle reuse etc. Does our greenwaste get composted locally? Is this compost available for use by our gardening contractors? I think the transfer station location is very limited for space. Perhaps there should be small recycling options in both Waipukurau and Waipawa. Perhaps recycling could be collected twice a

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Friday, 25 May 2018 3:01 PM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#5]

Name \* Abel King

Organisation Young enterprise CHBC

- if your  
submission  
is on behalf  
of an  
organisation

Address \* 

478 Blackburn road RD1  
Ongaonga, Central Hawkes Bay 4278  
New Zealand

Day Phone: \* 0221236853

Night 068566877

Phone:

Mobile: 068566877

Email \* [rorekayes@gmail.com](mailto:rorekayes@gmail.com)

Do you wish No  
to present  
your  
comments  
to Council in  
person at a  
hearing? \*

My submission is

Kia ora, I am asking on behalf of the young enterprise scheme at Central Hawkes Bay College for a fund to support youth with environmental projects. Both of our groups (Rōreka and Empressa Central) are looking at promoting sustainability and how we can reduce waste within our community. We are doing this by starting up a business in

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Monday, 28 May 2018 2:48 PM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#6]

Name \* Louise Phillips

Address \*   
1351 Highway 50  
Ongaonga 4278  
New Zealand

Day 027 8765085

Phone: \*

Email \* [louisephillips799@gmail.com](mailto:louisephillips799@gmail.com)

Do you No

wish to

present

your

comments

to Council

In person

at a

hearing? \*

My submission is

I am unavailable to speak to my Submission on the 18th June but will welcome any questions by phone or email

Our waste is a worldwide problem of which we are now seeing the negative affects on our land, water and air. My generation has grown up with a throw away mentality. The costs are so often hidden. For example, a sandwich wrapped in glad wrap has used oil at so many stages of its production, that much of the pollution has happened before the plastic ends up in land fill. Oil and its products have historically been so cheap that incentives to reduce their use or reuse them do not exist.

There will be those in the community that do not care about these issues, but I believe that the majority want to do the right thing. An example of this is the mounting pressure for businesses to reduce their use of plastic bags and

needs to include waste minimisation goals and awareness at work. And make sure the community know about it. Some of the school programmes could be useful here.

I support the council putting money towards the enviro schools programme as I believe this programme fulfils a range of environmental education outcomes including waste reduction. I believe the public would also benefit from links, and opportunities to see what schools are doing. Seeing our children doing it can be a huge incentive and may also encourage other schools to get on board.

Much of what could be done does not need to be costly but does require a positive attitude. An open mind and a willingness to learn.

Groups/ links/ websites:

- Sustainable Ewe: this is a CHB Facebook group and website set up to facilitate the sharing, and swapping of ideas, information, recipes, produce and much more on all things to do with sustainability. [www.facebook.com/groups/572498399569695](http://www.facebook.com/groups/572498399569695) The website provides the public with information and links as well. [www.sustainewe.org.nz](http://www.sustainewe.org.nz). On all sustainable topics relevant to CHB residents. Last count the group had 440 members. Neen Kennedy is the main overseer of this group and website, I am also an administrator.

- CHB Permaculture group: The Hawkes bay group has been going for over ten years. There is a google group which keeps everyone connected. The local branch has regular seasonal gatherings through the year, and will run various workshops, outings etc as arise. For example, over the last year there were workshops on preserving, composting, and seed saving. The local group has set up a Facebook page to help facilitate the advertising of these events. [www.facebook.com/CHBPermacultureGroup/](http://www.facebook.com/CHBPermacultureGroup/) or contact: Donna Hossack 0275887756, Maureen Skilton 8577267, or Louise Phillips 0278765085

- Boomerang bags: This is an Initiative to both reduce the use of plastic bags and divert fabric from landfill. Members of the CHB community have been busy over the last 8 months getting enough bags made for the launch in CHB (Hastings and Napier are launched already) the contact person for CHB is Dee at "De's Cavern" Ruataniwha st Waipukurau 0224228374

- The food basket: This initiative is helping to feed those in need. It also diverts food waste from landfill. [www.facebook.com/TheFoodBasketCHB/](http://www.facebook.com/TheFoodBasketCHB/)

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Monday, 28 May 2018 3:01 PM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#7]

Name \* Janine Kennedy

Address \*   
32 Racecourse Road  
Waipukurau 4200  
New Zealand

Day 06 858 6336

Phone: \*

Mobile: 022 468 6336

Email \* [neen@neen.co.nz](mailto:neen@neen.co.nz)

Do you wish to present your comments to Council in person at a hearing? \*

My submission is

Preamble

Just over two years ago we formed Sustainable Ewe, a Facebook group and website for CHB residents. At that time we approached the council with our ideas. We were told – and I quote – “sustainability is not sexy”. We would be better off, and gain more members, if we devoted our group to CHB roads. As of 25 May 2018 we have 444 members, all of whom beg to differ. Sustainability is very sexy. It is my hope that the new and enlightened council will feel the same way.

Submission

The focus of this submission will be on waste minimisation rather than waste management. It is my feeling that managing waste is closing the stable door after the horse has bolted.

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Tuesday, 29 May 2018 1:36 PM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#8]

Name \* Clint Deckard

Address \*   
184 Tukituki Road Ashley Clinton  
Takapau, CHB 4286  
New Zealand

Day 8556886

Phone: \*

Mobile: 021 2075004

Email \* [clint.deckard@frontiers.co.nz](mailto:clint.deckard@frontiers.co.nz)

Do you wish to present your comments to Council in person at a hearing? \*

My submission is

1. There should be greater opportunity for the disposal of e-waste at no or low cost.

The success of the last free e-waste disposal day held at the Waipukurau Transfer station shows that there is a significant need within the community. The increase of e-waste and amount of dangerous and poisonous materials contained in e-waste present a significant risk to the environment if not recycled or disposed of appropriately.

2. Council could provide leadership in this area by reducing the amount of waste it produces.

It was noticed during the Long Term Plan hearings that councillors had enormous printed copies of submissions

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Tuesday, 29 May 2018 3:13 PM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#9]

Name \* Melanie King

Organisation The Food basket CHB. (Food rescue organisation)  
- if your  
submission  
is on behalf  
of an  
organisation

Address \*   
478 blackburn Rd RD1 Ongaonga CHB 4278  
RD1 Ongaonga, Central Hawkes Bay 4278  
New Zealand

Day Phone: \* 027 3344039

Night  
Phone: 06 8566877

Mobile: 027 3344039

Email \* [ongaongazoo@hotmail.com](mailto:ongaongazoo@hotmail.com)

Do you wish No  
to present  
your  
comments  
to Council in  
person at a  
hearing? \*

My submission is

Tena koutou,

thank you for this opportunity to submit on behalf of 'The Food Basket', our local food-rescue initiative in CHB. Our goal is to create a more connected, sustainable community.

**Lizz Jenkins**

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**From:** CHBDC <no-reply@wufoo.com>  
**Sent:** Tuesday, 29 May 2018 4:11 PM  
**To:** Governance  
**Subject:** CHBDC - Submission Form [#10]

Name \* Paula Taylor

Address \*   
21 Porangahau Road Waipukurau  
Hawkes Bay, Hawkes Bay 4200  
New Zealand

Day Phone: \* 0224345832

Mobile: 0224345832

Email \* [phreerasabird03@gmail.com](mailto:phreerasabird03@gmail.com)

Do you wish to present your comments to Council in person at a hearing? \* Yes

My submission is  
Setting up a fund for groups to apply to that are doing what they can to reduce and minimize waste. As a mother I would like to see more sustainable practices for the next generation. This would be accomplished in many ways that would not cost a fortune to implement and would be sustainable far into the future.



Submission to:

**Solid Waste Management and Minimisation Plan  
Central Hawkes Bay District Council  
2018**

Submission by:

*Tyne Nelson - kaiārahi (waste advisor) for Para Kore ki Kahungunu*

*Jacqui Forbes - Kaihautū Matua (General Manager) for Para Kore Marae Incorporated*

YES - PARA KORE WOULD LIKE TO SPEAK TO THEIR SUBMISSION

*Riro Taonga Mai, Hoki Taonga Atu*

*We receive valuable resources from Papatūānuku, we return valuable resources to her*

Tēnei te mihi nui ki a koutou katoa, koutou ngā mema o te Te Kaunihera-ā-Rohe o Ruapehu, koutou ngā kaimahi - nei rā te mihi, nei rā te tangi!

**Background**

We are making this submission on behalf of Para Kore Marae Incorporated. Para Kore is all about Zero Waste on marae and within Māori communities. In 2009, we started with a pilot project of three marae. We are now supporting over 275 marae, kura, kōhanga reo and community groups across Aotearoa to reduce waste through refuse, reduce, reuse, recycling and composting.

*'Riro taonga mai, hoki taonga atu'*

*We receive valuable resources from Papatūānuku, we return valuable resources to her*

**Support for the Para Kore kaupapa**

We encourage you to consider Para Kore in your Solid Waste Plans. Several councils across the country refer to our waste education programme in their plans.

In the last year we have had an increasing number of marae, kōhanga reo, kura, community organisations, and workplaces ask us to support them in working towards zero-waste. This means

**Soft plastic recycling**

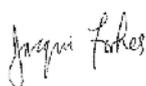
We note that there is no soft plastic recycling services in Central Hawkes Bay District and recommend that this be addressed. We do however understand that this requires the cooperation of the Packaging Forum and other providers. Soft plastics make up a huge and unnecessary part of landfill waste.

In saying that Para Kore recognises and provides messaging that recycling is not a solution, and we promote moving up the waste hierarchy to refuse, reduce and reuse. China's ban on recycling is creating stockpiles of recycling throughout NZ. Recycling is a last line of defence though and a starting point for many people as they learn to manage waste responsibly.

**Recommendations:**

1. We recommend that your plan acknowledges tangata whenua as kaitiaki of the land and waterways and the special interest Māori have in protecting the environment from pollution from landfills and littering for future generations.
2. We encourage you to financially support the Para Kore kaupapa into the future, supporting Para Kore annually with \$4,000 for the next ten years for the implementation of the Para Kore waste education programme throughout the district.
3. To set up a contestable fund to seed community projects/initiatives.
4. We encourage the development of resource recovery centres and of organic food waste infrastructure.
5. We encourage council to lobby for product stewardship.
6. Consider ways to remove organic waste from the landfill such as;
  - Setting up local infrastructure such as biodigesters or windrow composting and other alternatives
  - Connecting to the Hastings District Council and Napier City Council food waste collection initiative
  - Utilising BioRich Commercial Composting Facilities in Maraekakaho
7. Provide soft plastic recycling services throughout the district.

Ka nui ngā mihi



Jacqui Forbes | Kaihautū Matua  
Para Kore Marae Incorporated

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F [facebook.com/parakore](https://www.facebook.com/parakore)

**9.2 LOCAL GOVERNMENT NEW ZEALAND REMITS****File Number:** COU1-1400**Author:** Monique Davidson, Chief Executive**Authoriser:** Monique Davidson, Chief Executive**Attachments:** 1. 2018 AGM Remits [↓](#) **PURPOSE**

The purpose of this report is to obtain a decision from Council on the Local Government New Zealand Annual General Meeting Remit proposals.

**RECOMMENDATION**

**That, Council supports/does not support the following remit:**

1. That, LGNZ works with central government to develop a nationally consistent regime of waste water testing, to enable a solid basis for testing drug use in our communities.

**That, Council supports/does not support the following remit:**

2. That, LGNZ pursue investigation of a Road Pricing Policy Statement for Land Transport to incentivise route selection for HCV's that encourages the most economically efficient use of the transport network over both Local Road and the State Highway network.

**That, Council supports/does not support the following remit:**

3. That, LGNZ lobbies for greater support for, and protection of, heritage buildings via the following mechanisms:
  - Revision of the Building (Earthquake-Prone Buildings) Amendment Act to change the '25% work' clause instead to trigger earthquake strengthening once a threshold of "25% of the Capital Value or \$200,000, whichever is greater" is reached to make this a more equitable provision for regional centres.
  - An increase in the heritage fund.
  - Provision of tax relief for heritage building upgrades

**That, Council supports/does not support the following remit:**

4. That LGNZ, consistent with the Local Government Position Statement on Climate Change 2017 and the Local Government Leaders' Climate Change Declaration 2017, advocate to all major banks that they transition away from investments in fossil fuel industries, and consider opportunities for long-term investments in low or zero carbon energy systems.

**That, Council supports/does not support the following remit:**

5. That, following on from the findings and recommendations of the Climate Change Adaptation Technical Working Group, that LGNZ calls on central government to establish a Climate Change Adaptation Fund to improve local level and community participation in responding to climate change.

**That, Council supports/does not support the following remit:**

6. That, LGNZ seeks the Government's agreement to:
  - Amend the Sale and Supply of Alcohol Act 2012 so that Local Alcohol Policies can more accurately reflect local community views and preferences.
  - Review policy levers it can apply to reduce alcohol-related harm that will complement LAP provisions established by TLAs and include consideration

of mechanisms for addressing the density and location of off-licensed premises.

**That, Council supports/does not support the following remit:**

7. That, LGNZ encourages the Government to investigate options to support the use of biodiesel such as financial incentives; tax offsets; subsidies to bio-diesel manufacturers; and/or subsidies to renewable fuel manufacturers; and/or subsidies at the pump, in order to support the valuable New Zealand industries developing alternative and low carbon fuels.

**That, Council supports/does not support the following remit:**

8. That, LGNZ asks central government to urgently develop and implement a plan to eliminate the use of single-use plastic bags and plastic straws.

That, LGNZ encourage member councils take steps to phase out the use of single-use plastic bags and straws at council facilities and events.

**Council supports/does not support the following remit:**

9. That, LGNZ acknowledges the potentially fatal risks posed by legionella bacteria in industrial water cooling towers used for air conditioning and manufacturing

That LGNZ asks central government to resume its work related to reducing the risks posed by legionella bacteria in industrial water cooling towers.

**This could include:**

- a. Amending the Building Act 2004 and/or the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005 to collect information for a mandatory register of cooling towers and a mandatory testing and reporting regime.
- b. Providing enforcement powers to councils to address the risks associated with cooling towers such as requiring regular testing, reporting and compliance with specified standards under Building Warrant of Fitness certification.
- c. Requiring medical professionals to report cases of legionellosis (Legionnaires Disease) to local District Health Boards' Medical Officers of Health (as required with Campylobacter outbreaks).

**Council supports/does not support the following remit:**

10. That, LGNZ calls for central government to introduce legislation to limit or eliminate the copper content of vehicle brake pads to reduce contaminants in our urban waterways.

**Council supports/does not support the following remit:**

11. That, LGNZ asks central government to address the China National Sword issue (action 1) and implement the local government waste manifesto (actions 2-6), to reduce New Zealand's waste by:

1. Adopting a New Zealand-wide strategic approach to the collection, and processing of recyclable materials within New Zealand;
2. Reviewing the New Zealand Waste Strategy and align, where practicable, with the "Local Government Waste Management Manifesto" to set a clear programme for action;
3. Expanding the Waste Disposal Levy and progressively raise the levy rate in order to reduce total waste to landfills;
4. Officially adopting the National Waste Data Framework and oversee its implementation to enable better planning and monitoring;
5. Establishing a container deposit scheme in consultation with local government in order to lift recycling rates; and

**6. Declaring tyres, e-waste, agricultural chemicals and plastics, as priority products under the Waste Minimisation Act 2008, to address the problem waste streams.**

**Council supports/does not support the following remit:**

**12. That, LGNZ requests that the Government urgently implements a comprehensive and mandatory product stewardship programme for tyres.**

## **DISCUSSION**

Councils have the opportunity to put remits forward to the LGNZ AGM each year. Remits must be relevant to local government as a whole rather than exclusively relevant to a single council, zone or sector group, should be of a major policy nature and have formal support from at least one zone or sector group meeting, or five councils prior to being submitted.

A remits committee reviews and assesses proposed remits against criteria before they are forwarded to Councils.

Remits discussed at the AGM will be presented in the AGM Business Papers.

There are 12 remits proposed for the 2018 LGNZ AGM, detailed information **is attached** to the report.

## **FINANCIAL IMPLICATIONS**

There are no financial or resourcing implications for Council. Decisions are for Council to make based on information attached.

## **NEXT STEPS**

Following adoption of the above recommendations the remits will be presented to the LGNZ AGM held in July 2018.

Who's  
putting local  
issues on  
the national  
agenda?

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# 2018 Annual General Meeting

## Remits

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# 1

## Drug testing in the community

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**Remit:** That LGNZ works with central government to develop a nationally consistent regime of waste water testing, to enable a solid basis for testing drug use in our communities.

**Proposed by:** Tasman District Council

**Supported by:** Waitomo District Council  
Ruapehu District Council  
Bay of Plenty Regional Council  
Nelson City Council  
Upper Hutt City Council  
Far North District Council

### Background information and research

#### 1. Nature of the issue

- a. The technology exists now to test wastewater for the use of drugs which gives a very straight forward comprehensive picture on the drug use in respective communities. This has been trialled currently with three communities in New Zealand and in each community a different drug has shown as the major issue. Where councils or communities would like to apply these tests, a consistent methodology will enable decision makers within those communities to determine the best course of action.
- b. This will allow for the best utilisation of resources within the community to test for drugs. The aim is to provide all relevant services with the ability to identify the use of illegal and harmful substances and identify the practices to reduce harm.

#### 2. Background to its being raised

- a. We are all familiar that from time to time, issues with the use of illegal drugs cause particular problems within our communities. Currently one drug that is causing significant concern is methamphetamine. However, we shouldn't assume that this is the only problem drug or in the future the problem drug may be different.
- b. Testing wastewater is a straightforward and effective way to demonstrate the scale and nature of problems with illegal drugs within our communities.

**We are.  
LGNZ.**

- c. The impacts of drivers being affected by methamphetamine have been raised within our community recently. However, there is wide spread evidence of this drug causing significant harm to families and communities. The simple straightforward test of this nature would be highly beneficial for use in communities when wanting to identify the scale and nature of this problem.

**3. New or confirming existing policy**

This is a new policy.

**4. How the issue relates to objectives in the current Work Programme**

This does not relate to the current work programme.

**5. What work or action on the issue has been done on it, and the outcome**

Three communities have trialled the technology and the primary drugs they detected are Christchurch (MDMA), Rosedale, North Shore (cocaine) and Whangarei (methamphetamine).

**6. Any existing relevant legislation, policy or practice**

Not that I am aware of.

**7. Outcome of any prior discussion at a Zone or Sector meeting**

This has not been discussed at Zone or Sector meetings.

**8. Evidence of support from Zone/Sector meeting or five councils**

This has the support of the six mayors listed above.

**9. Suggested course of action envisaged**

Developing nationally consistent regime for testing wastewater for illegal or harmful drugs.

**We are.  
LGNZ.**

# 2

## HCV – Rural roads policy

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**Remit:** That LGNZ pursue investigation of a Road Pricing Policy Statement for Land Transport to incentivise route selection for HCV's that encourages the most economically efficient use of the transport network over both Local Roads and the State Highway network.

**Proposed by:** Ruapehu District Council

**Supported by:** Zone Three

### Background information and research

#### 1. Nature of the issue

The following issues have been identified:

- a) The current Road User Fees and Charges regime incentivises the shortest transport distance from Gate to Port or processing plant of primary produce without assessment of the most economic, efficient and sustainable transport route.
- b) This does not enable efficiency in the use of the transport network nor take into account resilience and safety.

#### 2. Background to its being raised

The cost of maintaining and renewing local road infrastructure has a significant impact on a territorial authority's budget decisions within its LTP. The consumption of low strength pavements on low volume rural road networks is not well considered by HCV fleet managers when route planning and pricing for harvesting aggregates, forests or other high intensity produce from the primary sector.

The Road Controlling Authorities Forum made up of NZTA and representatives from TA's and associated NGO's have funded Research and produced Guidelines to assist Funding Policy Decision makers in Local Government. It is considered that more can be done at a National Funding Policy level to promote efficient and effective use of limited resources for Land Transport.



**3. New or confirming existing policy**

New - Policy goal – That price incentives are in place to ensure the most economic use of the transport network.

**4. How the issue relates to objectives in the current Work Programme**

This issues relates to LGNZ's strategic priority one<sup>1</sup> regarding infrastructure and specifically around the policy priorities, actions and projects for transport. These include:

- Government Policy Statement for Land Transport 2018 and National Land Transport Programme presented to councils in an integrated manner for LTPs which addresses sector needs including freight, regional growth and tourism.
- Ongoing advocacy for new funding models for transport.
- Integrate policy positions from Mobilising the Regions including: integrated transport planning and decision making models into the above.

**5. What work or action on the issue has been done on it, and the outcome**

A large proportion of pavement consumption on local roads occurs on low volume roads, caused almost entirely from commodity cartage. The Special Interest Group – Low Volume Roads (SIG-LVR) of the Road Controlling Authorities Forum (NZ) (RCA Forum) has sought to provide a process for:

- Calculating pavement consumption on low volume roads caused by industrial land-use.
- Allocating the cost to industrial ratepayers, in an equitable way, using rules prescribed by local government legislation.

This work is now in circulation is being considered as one of the tools to equitably fund transport demands on Local Roads.

References

[http://rcaforum.org.nz/sites/public\\_files/images/160429-Notes%20of%20290416%20forum.pdf](http://rcaforum.org.nz/sites/public_files/images/160429-Notes%20of%20290416%20forum.pdf)

[https://rcaforum.org.nz/sites/public\\_files/images/Guidelines\\_equitable\\_funding\\_pavement\\_maintenance\\_LVR-July\\_2017.pdf](https://rcaforum.org.nz/sites/public_files/images/Guidelines_equitable_funding_pavement_maintenance_LVR-July_2017.pdf)

**6. Any existing relevant legislation, policy or practice**

Land Transport Management Act 2003

- This governs the issuing of the GPS, the requirement that NZTA report annually on the use of funds from the land transport fund (including the contribution to the GPS outcomes and objectives) and the compliance of RLTP with the GPS.

**We are.  
LGNZ.**

Local Government Act 2002

- This specifies the LTP process and the inclusion of key roading funding and planning information as a mandatory activity.

**7. Suggested course of action envisaged**

That LGNZ pursue investigation of a Road Pricing Policy Statement for Land Transport to incentivise route selection for HCV's that encourages the most economically efficient, safe and resilient use of the transport network over both Local Roads and the State Highway networks.

**8. Discussion and conclusion**

For example; The full cost of government afforestation incentives are not taken into full account when calculating Return on Investment. In the case of forest harvest today, the incentives for investment were made in the 1990's in the national interest (primary exports and carbon agendas) and in many cases the costs today largely fall on property with higher capital values.

A potential exists to introduce road pricing to incentivise the best use of transport resources and provide for economic growth and productivity in the rural provincial sector.

In order to allow for more informed and effective decisions, the transport sector needs to be incentivised to use the best possible transport routes that are proven the safest most efficient and sustainable use of the network.

It is therefore recommended that LGNZ pursue an investigation into Road Pricing that can inform NZTA and the Ministry of Transport when considering any review of funding tools for New Zealand's transport infrastructure.

**We are.  
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# 3

## Heritage buildings

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- Remit:** That LGNZ lobbies for greater support for, and protection of, heritage buildings via the following mechanisms:
- Revision of the Building (Earthquake-Prone Buildings) Amendment Act to change the '25% building work' clause instead to trigger earthquake strengthening once a threshold of "25% of the Capital Value or \$200,000, whichever is the greater" is reached to make this a more equitable provision for regional centres.
  - An increase in the heritage fund.
  - Provision of tax relief for heritage building upgrades
- Proposed by:** Whanganui District Council
- Supported by:** Zone Three

### 1. Background information and research

#### 1. Nature of the issue

The following issues have been identified:

- a. The current Building (Earthquake-Prone Buildings) Amendment Act (the Act) contains a clause where any work that reaches 25% of the current Capital Value (CV) of the building subsequently triggers the need to earthquake strengthen the entire building. This has a significant impact on smaller centres with low CVs (e.g. where values can be below \$100,000). This poses an imminent and real threat to heritage buildings and the future character of New Zealand's town centres.
- b. Earthquake strengthening deadlines are approaching and regional centres in particular may struggle to undertake this work. This is because there is not the same economic return for these improvements. More funding is required to ensure that this can be delivered on time.
- c. There is no tax relief available for earthquake strengthening costs. This is a deterrent for delivering on this important safety and preservation work.

#### 2. Background to its being raised

New Zealand's heritage buildings are a critical reminder of our past. Regardless of size or splendour even unassuming pubs and shops in the smallest of towns are slowly earning respect



and recognition for their reflection of our heritage and their important historical insight. This is true irrespective of whether this is a nostalgic nod to memories of youth or a more significant need for heritage preservation. If we lose these then we lose the valuable visual reminders which mark our unique identity as a country – and once these are gone, they are gone. This recognition has been the impetus for successful rejuvenation efforts throughout the country, for example, along the Otago Rail Trail where redundant buildings have been given a new lease of life – which has translated into economic benefit for new business ventures, while adding significantly to the tourism experience. These opportunities should be encouraged and incentivised by government and strongly supported by LGNZ.

#### Amendment to the Act

- Whanganui's Earthquake-Prone Buildings Community Taskforce (the Taskforce) submitted on the Proposals for Earthquake-Prone Buildings Regulations in 2016.
- Part of this submission focused on the trigger point for earthquake strengthening of an entire building. This had been set at 25% of the current CV – meaning that in instances where a building has had an 'earthquake strength assessment' carried out then once the 25% threshold is reached through building work of any kind then complete earthquake strengthening is required.
- As a result, despite the legislation not requiring earthquake strengthening for many years, once this point is reached then the building owner or tenant is effectively penalised for what might amount to just a minor upgrade.
- The Taskforce challenged this clause and instead recommended that it be reworded so that work that reaches 25% of the CV, or a value of \$200,000 (whichever was the greater) become the trigger point instead.
- This is because most buildings outside of the major cities have low CVs. This is largely due to the age of the buildings and the nature of small town demand for retail and upper-storey living (with many of these CVs being below \$100,000).
- As a result, even small scale building work such as \$25,000 for a new bathroom or internal wall construction could enact this clause.
- Although the Taskforce's submission received support from other communities it did not result in the requested changes to the legislation being made.
- The Taskforce has suggested that if the clause remains in its current form then it could cause a large number of heritage buildings (particularly in regional centres) to become dilapidated, and ultimately lost. This runs counter to the intent of the legislation and an urgent review of the determination is requested.

#### Increase in the heritage fund

- Heritage EQUIP provides grants for both retrofitting and major works<sup>2</sup>.
  1. Retrofit grants are designed to support smaller scale seismic strengthening projects. These are to address specific aspects of the building or to provide retrofit solutions for common hazards. They provide up to 50% of costs – up to a maximum of \$25,000.



2. Major works grants are for comprehensive seismic strengthening solutions including large-scale or staged projects. These provide up to 50% of costs, with no upper limit to the grant application.
- In 2016 the government announced a new \$12M fund to support earthquake strengthening work on privately owned heritage buildings where seismic upgrades were required.
  - Although this was initially limited to only Category 1 and 2 listed buildings, this has since been broadened to other buildings on local council heritage registers.
  - While the initial \$12M pool was a welcome funding mechanism for building owners, it is claimed that additional support will be required as earthquake strengthening deadlines approach.

#### Tax relief

- It is considered that commercial building owners should be allowed tax relief for earthquake strengthening costs.
- IRD currently provides no tax relief for expenditure.
- It is claimed that this discourages investment – especially for older buildings.
- The government could assist with the affordability of strengthening costs by allowing building owners to expense their construction costs by one of two ways:
  1. Allowing the cost of strengthening to be treated as an expense in the year in which the costs occur, with the deduction ring-fenced to rental income activity. This would allow owners to claim the tax benefit of the expenditure and would provide a real incentive to owners to carry out the strengthening.
  2. In lieu of the above option not being adopted then building owners should be allowed to capitalise the strengthening costs separately – with those costs depreciated or amortised over a period of, for example, 10 years. Although the first option is preferred and offers more benefit to owners, the second option would still allow the recovery of some tax relief over a defined period.

#### **3. New or confirming existing policy**

These changes would build on and support existing policy. Tax relief advantages would require new provisions.

#### **4. How the issue relates to objectives in the current Work Programme**

The current LGNZ work programme identifies the implementation of earthquake prone buildings regulations as a strategic policy priority under *Housing and Building*.

#### **5. What work or action on the issue has been done on it, and the outcome**



The Taskforce has advocated strongly for the needs of regional New Zealand in relation to heritage and earthquake strengthening. Supplementary research alongside its submission suggests that the following outcomes are possible without intervention:

- Buildings will not be renovated until the very last moment. As a result, deterioration in the integrity of the building is likely to be significant and could lead to the building becoming unsalvageable.
- Buildings will slowly deteriorate – becoming even less attractive to rent. This will have an impact on regional town centres.
- Buildings are likely to be abandoned once the earthquake strengthening deadline is reached – particularly in the case of overseas landlords where the cost of either clearing the site or strengthening will far exceed the value left in the property.
- The 25-year strengthening timeframe allowed in the legislation for Zone B areas (such as Whanganui) is now seriously reduced in efficacy because of the '25%' clause.

**6. Any existing relevant legislation, policy or practice**

- Building (Earthquake-Prone Buildings) Amendment Act
- Income Tax Act 2007

**7. Outcome of any prior discussion at a Zone or Sector meeting**

This remit was presented to the Zone Three meeting on 20 April 2018. It was moved by Cr Helen Craig (Whanganui) and seconded by Mayor Don Cameron (Ruapehu). It was supported by all member councils:

- Central Hawke's Bay District Council
- Hastings District Council
- Hawke's Bay Regional Council
- Horizons Regional Council
- Horowhenua District Council
- Manawatu District Council
- Napier City Council
- New Plymouth District Council
- Palmerston North City Council
- Rangitikei District Council
- Ruapehu District Council
- South Taranaki District Council
- Stratford District Council
- Taranaki Regional Council
- Tararua District Council
- Wairoa District Council

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In addition, Rangitikei District Council has acknowledged its specific endorsement of this remit.

**8. Suggested course of action envisaged**

It is recommended that:

- a) The Act be amended to allow for work up to 25% of the CV, or \$200,000, whichever is the greater.
- b) The Heritage Fund be increased to adequately meet demand.
- c) That IRD reviews its provisions in relation to tax relief for earthquake strengthening of heritage buildings with a view to introducing this assistance.

**9. Discussion and conclusion**

***“Heritage buildings keep our history alive, telling the story of our past and giving perspective for today. Heritage buildings provide both private and public value throughout New Zealand.”***

(credit Heritage Equip website: [heritageequip.govt.nz](http://heritageequip.govt.nz))

These recommendations are based on the value of heritage and the importance of ensuring that the rules are applied in a fair and equitable way, regardless of whether you live in a major city or a smaller regional centre. The current Act does not offer this even-handedness – meaning that those in smaller centres with low CVs can be charged with responsibility for full earthquake strengthening as a result of only small scale building works. A minor reframing of the Act to set a cost threshold of up to \$200,000 would ensure that a more equitable approach could be applied nationwide, without unduly penalising regional New Zealand where the economics of building conversion are not the same. By not addressing this discrepancy heritage buildings may miss out on investment and upgrades – eventually becoming rundown and potentially lost.

The value of heritage preservation is further championed through a request to increase the Heritage Fund. This boost would provide greater opportunity for more building owners to receive a subsidy so that requisite strengthening work can be undertaken. It would also mean that government could better manage the influx of applications that are likely to be submitted as deadlines approach. It is considered that this assistance will be particularly important for regional New Zealand where there is not the same economic return for this kind of work. Although building owners are generally passionate about restoration, with costs being so high and returns so low it is possible that many buildings will be left abandoned and ultimately demolished due to a lack of financial viability. Related to this is the concern that councils will then be burdened with the cost of demolition and rates arrears. Furthermore, removal of heritage buildings will irreparably impact on town streetscapes – resulting in less attractive replacement structures (or building gaps) and generating a loss of character, community and cultural identity.

Investment can similarly be encouraged through the provision of tax relief to support heritage building owners. Although this would have minimal financial impact on the government it would

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have a significant effect on the retention and strengthening of earthquake-prone heritage buildings. It is recommended that this review occur as soon as possible to mitigate the size of this issue as a growing number of older buildings increasingly require investment.

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# 4

## Climate change – advocate to banks

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**Remit:** That LGNZ, consistent with the Local Government Position Statement on Climate Change 2017 and the Local Government Leaders' Climate Change Declaration 2017, advocate to all major banks that they transition away from investments in fossil fuel industries, and consider opportunities for long-term investments in low- or zero-carbon energy systems.

**Proposed by:** Greater Wellington Regional Council

**Supported by:** Greater Wellington Regional Council

Porirua City Council

Carterton District Council

Masterton District Council

Kapiti Coast District Council

Palmerston North City Council

### Background information and research

#### 1. Nature of the issue

Climate change has been described as “a slow motion disaster that will change our lives, the economy, and our planet for ever”. The previous Parliamentary Commissioner for the Environment Dr Jan Wright said that climate change is “by far New Zealand’s worst environmental problem”. The effects of climate change are already being felt globally and in New Zealand through: increased frequency of extreme weather events including storms, cyclones, tornadoes and droughts; wildfires; and rising sea levels.

Climate Change will have major impacts on areas of responsibility of local government. Over the next few decades, tens of thousands of New Zealanders will be displaced from their homes by threatened inundation by rising sea levels. Local government has the responsibility to manage, at regional, city and district levels, land use planning including requirements for coastal protection or managed retreat to ensure future residential and business development and infrastructure is located away from areas that will be inundated. Local government therefore has a very high interest in measures being taken to reduce emissions of greenhouse gases, in accordance with NZ’s commitments under the Paris Agreement of 12 December 2015, and subsequent commitments by the Government.



## 2. Background to its being raised

Greater Wellington Regional Council has recently updated its Treasury Risk Management Policy and has included a section:

**“5.3 Investments in fossil fuels** The Council has a policy to divest from any direct investment in fossil fuel extraction industries and investigate existing non direct investment, with a view to preventing future investment where practical”.

The Council’s Treasurer has taken the opportunity to advise banks of this policy as part of Council’s on-going commitment to reducing carbon emissions and promoting this to the wider community. It has also advised the banks that as part of its on-going due diligence into this matter, it will continue to monitor the banks it transacts with to ascertain what they are doing to assist with reducing and discouraging the on-going use and investment in fossil fuel industries.

## 3. New or confirming existing policy

Local Government recognises, as stated in the Local Government Position Statement on Climate Change, 2017, and the Local Government Leaders’ Climate Change Declaration, 2017, that we must act on climate change now to avoid future risk. Local authorities have accepted that they are at the frontline of climate change adaptation and have a role to play in mitigation, and that their responsibilities will grow in addressing climate change as both anticipated and unforeseen problems are revealed. Local government has a strong interest in the impacts of climate change and what can be done to mitigate those impacts.

Support for this remit will reinforce the Local Government Leaders’ Climate Change Declaration 2017, which included: “A clear and consistent pathway toward a low carbon and resilient future needs to provide certainty for successive governments, businesses and communities to enable transformative decisions and investments to be made over time”.

## 4. How the issue relates to objectives in the current Work Programme

LGNZ has climate change as a project in its Work Programme.

This remit relates to the following objectives of the project:

- a. Climate Change Action: “Actions to reduce emissions”
- b. A Collaborative Approach: “A collaborative and joint response to climate change, including a clear pathway to a low carbon economy”
- c. Key work streams: “Mitigating the impacts of climate change”
- d. Supporting work: “The sector will contribute to the Productivity Commission’s inquiry into NZ’s transition to a low-emissions economy”.



**5. What work or action on the issue has been done on it, and the outcome**

On 19 October 2016, the NZ\$30 billion NZ Super Fund announced changes to become more resilient to climate change investment risk under a new strategy announced by the Guardians of New Zealand Superannuation.

CEO Adrian Orr said climate change was a material investment issue with risks for long-horizon investors. "In coming years the global energy system will transition away from fossil fuels. Some assets we invest in today may become uneconomic, made obsolete or face a dwindling market."

"Climate change, and the coming transition to a low-carbon energy system, also present investment opportunities for long-term investors that we intend to capture". Mr Orr said the strategy represented a significant and fundamental shift for the NZ Super Fund.

The New Zealand Super Fund has set an example for banks and other investment fund managers. The effect of this remit will be to reinforce to major banks the strategic importance and benefits of a shift of investments away from fossil fuel industries and towards long-term investments in low- or zero-carbon energy systems.

The banks that Council deals with have a range of appetites in terms of dealing with climate change issues, with them all formally acknowledging the issues of climate change.

The four Australian banks that Council deals with all have exposures in the billions of dollars to the coal mining sector. They all have some statement on environmental/climate/sustainability on their websites and in their financial statements. They all support the position on climate change and the need to reduce greenhouse gases.

Westpac is a leader having been recognised as the world's most sustainable bank in 2016 for the ninth time and has a focus on energy efficient lending, and is the only bank to publish its exposures to both the fossil fuel and clean tech/environmental service sectors.

Kiwibank has little or no exposure to direct lending to fossil fuel industries as its focus is primarily on residential lending. They provide sustainable energy loans and their guiding principles espouse an ethical approach to their products and services.

The LGFA, while having not having a formal policy on climate change, is presently considering one as part of its work programme. They have no investments in fossil fuel industries.

**6. Any existing relevant legislation, policy or practice**

The current Government announced shortly after it took office in November 2017 that it will introduce a Zero Carbon Bill with the objective of NZ becoming a net zero-emissions economy by 2050. It will also establish an independent Climate Commission to set five-yearly carbon budgets and a Green Investment Fund to direct investment towards low-emission industries.

This remit could make an important contribution to assisting the Government to meet the objective of a net zero-emissions economy by 2050, by encouraging banks to divest from



investments in fossil fuel industries and instead direct investment to low- or zero-carbon energy systems.

**7. Outcome of any prior discussion at a Zone/Sector meeting**

The proposal for this Remit was discussed at the first Greater Wellington Region Climate Change Working Group meeting on Friday 16 March 2018, which included representatives of all 9 councils within the Greater Wellington Region. There was strong support for the remit from the councils. The next Zone 4 Meeting is not until after the deadline for submission of remits for the 2018 AGM of LGNZ, so it was agreed that Greater Wellington Regional Council will send the proposed remit to all councils within Zone 4 seeking their support. (Note: this paragraph will be updated once replies have been received from all councils and before the date for submission of 21 May 2018)

**8. Evidence of support from Zone/Sector meeting or five councils**

Can be found in folder in I drive.

**9. Suggested course of action envisaged**

The following action is envisaged, if this remit is passed:

- e. The President of LGNZ will write to the NZ Local Government Funding Agency, and all major banks in NZ which manage investment funds on behalf of local authorities, to advocate that they transition away from investments in fossil fuel industries and consider opportunities for long term investments in low- or zero-carbon energy systems.

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# 5

## Climate Change Adaptation Fund

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<b>Remit:</b>	Following on from the findings and recommendations of the Climate Change Adaptation Technical Working Group, that LGNZ calls on central government to establish a Climate Change Adaptation Fund to improve local level and community participation in responding to climate change.
<b>Proposed by:</b>	Christchurch City Council
<b>Supported by:</b>	Metro Sector Hutt City Council Selwyn District Council

### Background information and research

#### 1. Nature of the issue

The impacts of climate change will be experienced New Zealand-wide with increased frequency and intensity of extreme events such as flooding, droughts, and increased coastal inundation. Over the past year this has been felt particularly keenly by local government in coastal areas. Adaptation to climate change is a necessary and ongoing process for decisions relating to infrastructure, urban development, biodiversity and land and water management.

The cost and affordability of adaptation for communities, businesses and councils is a significant issue. Some of the rationale for establishing an Adaptation Fund are as follows:

1. Responding to climate change is a significant and nation-wide issue  
Climate change will touch all communities and impact on all councils throughout New Zealand. It will impact on many council roles, services and infrastructure. For some communities and councils these impacts will be significant.
2. Disproportional impacts and costs  
The impacts and costs of adapting to climate change will not be felt evenly across the county. Often the most vulnerable communities are hardest hit. Many councils will have limited ability to adequately anticipate and respond to changes brought on by climate change, further raising inequalities. For some councils the costs will be beyond their means.
3. Cost is a barrier to proactive responses

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For many communities and councils the cost of proactively responding to climate change is a significant barrier. While it is often more cost-effective to adopt proactive solutions, the up-front costs mean that only reactive, higher cost responses are taken. New Zealand will miss opportunities to save costs and be more exposed to higher cost recovery pathways.

In their Stocktake Report (2017), the Climate Change Adaptation Technical Working Group identified the cost and/or funding of adaptation is a key barrier for councils, and communities, in being able to implement adaptation measures in their areas.

4. Cost can be a barrier to fulfilling legal responsibilities

Councils have specific roles and legal responsibilities under the Resource Management Act 1991 and the Local Government Act 2002 to consider the impacts of climate change and the needs of future generations that may not adequately be fulfilled, or fulfilled in a timely manner, because of cost. Up-front costs can be barrier to long-term decision making and costs on future generations are heavily discounted, meaning future costs are poorly recognised and rarely managed. The impact is that we have an “adaptation deficit” where future generations will disproportionately carry the cost of the impacts of climate change.

5. Complementary to other approaches

A Climate Change Adaptation Fund is complementary to other actions and proposals of Local Government New Zealand and the Government, described below in the New or Confirming Existing Policy section. The Fund would help unlock opportunities to collaborate and share learnings across communities and could leverage other private and public investments in adaptation research and the practical implementation of solutions.

Funding can provide an incentive for communities to adapt and ensure that costs of adaptation are equitable. It will also enable more effective conversations to be had with communities around adaptation as funding is a significant barrier in willingness to adapt.

**2. New or confirming existing policy**

A useful precedent for this is the International Adaptation Fund, which helps developing nations better understand and proactively respond to climate risks. This fund provides a way for relatively well-resourced countries and organisations to support those most at risk. In a similar way a New Zealand Climate Change Adaptation Fund could also leverage support from private and public organisations to help our most vulnerable communities.

A useful example is the Civil Defence and Emergency Management Resilience Fund, which was established by the Government in 2011. This well-subscribed fund supports worthwhile education, capacity building and monitoring projects across the spectrum of natural hazards, but mostly, earthquake, flood, tsunami related projects. However, climate change adaptation is currently poorly resourced through this fund as the fund itself has a limited scope and very limited resources, especially considering that New Zealand’s economy is one of the most



vulnerable economies in the world to natural hazards. Consequently, current funds are insufficient and limited in focus to support critical and large scale adaptation projects needed to adequately prepare New Zealand for climate change. A contestable New Zealand Climate Change Adaptation Fund would be an important way to address these barriers and vulnerabilities.

**3. How the issue relates to objectives in the current Work Programme**

This remit supports and confirms LGNZ's specific policy priority on seeking clarification from central government on funding for climate change adaptation.

More generally, climate change is a key area of work for LGNZ. For example, LGNZ's Policy Statement (2017) and its Climate Change Plan on a Page stated 'All local authorities (city, regional, district and unitary councils) are at the front line of climate change adaptation'. In addition, LGNZ has catalogued the pervasive impacts of climate change for local government roles and responsibilities, with a key focus on adaptation.

Supporting the development of a Climate Change Adaptation Fund will encourage dialogue on funding options, which LGNZ seeks through its Environmental policy priority. This would help to support the critical need for proactive collaboration between central and local government, and between city, district and regional councils.

The remit also supports the LGNZ Climate Change Project which promotes a collaborative approach to address the risks, challenges and opportunities of climate change. This includes local government requiring central government to establish adaptation funding for councils to access.

**4. What work or action on the issue has been done on it, and the outcome**

As noted above, the Government's Climate Change Adaptation Technical Working Group has recently completed its Stocktake Report, focusing on how New Zealand can build resilience to rising sea levels, a warmer climate, extreme weather and other impacts of climate change. We understand a second report is underway, which will consider how New Zealand can effectively adapt to the impacts of climate change, in which recommendations will be made to central government. The report was expected to be completed in March 2018 but at the time of writing, had not yet been released publicly.

A research paper has also recently been completed on The Case for new Climate Change Adaptation Funding Instruments, which outlines some guiding principles and design issues in establishing an adaptation fund. The paper has key linkages with the work carried out by the Technical Working Group, and identified further areas for investigation in subsequent research.

In July 2017, the former Parliamentary Commissioner for the Environment, Dr Jan Wright, released the report Stepping stones to Paris and beyond: Climate change, progress and predictability. Amongst its many recommendations, the report calls for the government to focus on adapting to climate change, noting its inevitability. It states that 'New Zealanders have an expectation that central government will provide financial assistance for those affected by



natural disasters' and notes 'it is not too soon to consider the economic and fiscal risks of sea level rise, and to include the forward liability into planning and investment decisions.' Dr Wright's report was well-received, however at the time the Government opted not to action its recommendations.

At a regional level, councils are considering adaptation funding as part of their own individual climate change policies. For example:

- f. Hawke's Bay Regional Council has completed initial work on developing a contributory fund for adaptation actions in the Clifton to Tangoio Coastal Hazard Strategy 2120.
- g. Christchurch City Council is in the early stages of engaging with the Southshore and South New Brighton communities around responding to the effects of climate change. Funding of adaptation actions will be a critical component of the project.

Although work is happening at a regional level, central government leadership and action is required.

**5. Any existing relevant legislation, policy or practice**

As noted above, local councils are primarily acting alone with respect to climate change adaptation funding, with some guidance from LGNZ's policy work in this space. Central government action may stem from the Technical Advisory Group's second report, which is expected to be publicly released soon.

**6. Outcome of any prior discussion at a Zone/Sector meeting**

Supported

Moved/Seconded: A.Turner/R. Wallace

**7. Evidence of support from Zone/Sector meeting or five councils**

Can be found in folder in I drive.

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# 6

## Local Alcohol Policies

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- Remit:** That LGNZ seeks the Government's agreement to:
- amend the Sale and Supply of Alcohol Act 2012 so that Local Alcohol Policies can more accurately reflect local community views and preferences.
  - review policy levers it can apply to reduce alcohol-related harm that will complement LAP provisions established by TLAs and include consideration of mechanisms for addressing the density and location of off-licensed premises.
- Proposed by:** Christchurch City Council and Napier City Council
- Supported by:** Metro Sector  
Hutt City Council

### Background information and research

#### 1. Nature of the issue

Strong community concern about the effects of the increasing number of alcohol sale outlets in many communities resulted in changes to the Sale and Supply of Alcohol Act in 2012 which devolved responsibility for alcohol policy-making from a central body to local government. The 2012 legislation enables each territorial authority to develop a Local Alcohol Policy (LAP) in order to control where and when alcohol can be sold. As designed, LAPs can:

- restrict the granting of new licences in a community (or across the district);
- restrict the location of new premises with respect to proximity to other premises or sensitive sites;
- set maximum trading hours of alcohol sales from outlets e.g. pubs, night clubs, restaurants, sports clubs, supermarkets and bottle stores;
- identify conditions able to be placed on licences to minimise alcohol-related harm.

However, a LAP is only one of 11 criteria that a District Licensing Committee must have regard to in its decision-making and currently the provisions do not apply to existing licenses (apart from provisions reducing the maximum trading hours). Whilst a District Licensing Committee could impose conditions on a new licence to reflect the provisions of LAP, the LAP provisions do not automatically apply.



The biggest difficulty is the wide ground on which a LAP can be appealed and the costs councils face in defending appeals and subsequent legal avenues available to appellants. The promises of increased community input through the adoption of a LAP is largely to be realised.

The “reasonableness” test able to be applied to LAP provisions via an appeal, largely renders local preferences ultra vires. Community preferences need to be based on robust foundation evidence, which can be difficult to obtain. There is also no ability to include a “sinking lid” provision as there is with regard to Class 4 Gaming policies.

While the ability to establish a local alcohol licensing framework has been devolved to councils, it has not been accompanied by the required authority and resources. As a result, the majority of LAPs so far developed have been appealed by alcohol industry groups and, in most cases, have resulted in adopted LAPs which closely align with national legislation.

As Alcohol Healthwatch states, ‘the devolution of policy-making to local governments with limited financial and personnel resources to fight appeals appears to have been, in the most part, an impossible ask’. The lack of provisions within many of the adopted LAPs (and the requirement for District Licensing Committees to only have regard to an LAP in decision-making) creates a significant burden on communities to be involved in individual licensing decisions.

No council would advocate for a LAP process that is not fair, appropriate and robust, but the current ability for appellants to endlessly challenge a community’s preferences regarding the sale of alcohol is untenable.

## 2. Background to its being raised

From 2012 to 2017, the Christchurch City Council followed the current provisions of the Sale and Supply of Alcohol Act 2012 to introduce a LAP in Christchurch. Once a provisional LAP was adopted and notified, 19 appeals were filed. There were also eight interested parties. At considerable expense, the Council entered into a mediation process with all 19 appellants and eventually resolved 17 of the 19 appeals. Following conclusion of the mediation process, one appellant filed judicial review proceedings against the Council in relation to the failure to take into account an implied planning consideration. Ultimately the judicial review proceedings were successful. Following those proceedings, with the effluxion of time and no end date in sight, the Council decided to abandon its LAP process.

Overall, the Council’s costs were in the order of \$1.1 million. The majority of costs were incurred during the mediation process, judicial review proceedings and during the preparation for the appeals.

Suggested actions are as follows:

1. Review the Sale and Supply of Alcohol Act to ensure community views are able to be reflected in a LAP
  - repeal or review section 81 of the Sale and Supply of Alcohol Act 2012; and/ or
  - add a new subclause to section 4 of the Sale and Supply of Alcohol Act 2012 (the Object of the Act) “the views and preferences of communities regarding local alcohol licensing matters are appropriately responded to”.
2. Request the Government explore policy levers to address alcohol-related harm that are available to it but that aren’t able to be included in a LAP. These include:
  - review of the minimum age for purchasing alcohol
  - consideration of minimum pricing
  - consideration of changes to the taxing of alcohol



- consideration of providing funding to local authorities to offset the cost of LAP development

### **3. How the issue relates to objectives in the current Work Programme**

This issue relates to LGNZ's Social Issues portfolio, which is:

*Working alongside central government and iwi to address social issues in our communities including an ageing population, disparity between social groups, housing (supply and quality) and community safety.*

It can be said that good alcohol policy plays a strong role in preserving and improving community safety.

The issues with establishing LAPs have been identified by other councils, which we understand are also planning on submitting draft remits to the LGNZ Annual General Meeting on this issue.

### **4. Any existing relevant legislation, policy or practice**

The Sale and Supply of Alcohol Act 2012 provides for councils to develop a LAP if they wish. The Act details the matters able to be addressed through a LAP, which are limited to maximum opening hours and location of licensed premises as well as providing for the requirement of one-way-door provisions for on-license premises and special conditions to apply.

The Sale and Supply of Alcohol (Renewal of Licences) Amendment Bill (No 2) is currently before the House. This Bill addresses an anomaly in the current Act that effectively provides existing use rights for licences in place before a LAP is adopted and makes the introduction of amended trading hours through a LAP problematic. The Alcohol Regulatory and Licensing Authority (ARLA) has overturned the introduction of amended trading hours via LAPs on the basis they can't be applied to all licenses on an equal basis - due to existing licenses not being covered until renewal is required.

The Bill will address the practical issue of introducing new maximum trading hours but does not address the lack of weight able to be given to community preferences in an LAP or the seemingly low bar for reasonableness being applied by ARLA when considering appeals.

### **5. What work or action on the issue has been done on it, and the outcome**

As noted above, the Sale and Supply of Alcohol (Renewal of Licences) Amendment Bill (No. 2) is currently before the House. However, from the Christchurch City Council's point of view, the Bill doesn't adequately address the lack of weight that can be given to community preferences in an LAP or the definition of 'reasonableness' of appeals.

### **6. Outcome of any prior discussion at a Zone/Sector meeting**

Supported – suggested wording amended to ensure any changes to the Act deal with the proliferation of off-licenses as the LAP is not working. This amendment has been made.

Moved/Seconded: A.Turner/R.Wallace

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# 7

## Biofuels

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**Remit:** That LGNZ encourages the Government to investigate options to support the use of biodiesel such as financial incentives; tax offsets; subsidies to bio-diesel manufacturers; and/or subsidies to renewable fuel manufacturers; and/or subsidies at the pump, in order to support the valuable New Zealand industries developing alternative and low carbon fuels.

**Proposed by:** Christchurch City Council

**Supported by:** Metro Sector  
Hutt City Council  
Selwyn District Council

### Background information and research

#### 1. Nature of the issue

With the decrease of global oil prices, and All-of-Government contracts negotiated on behalf of councils for the supply of diesel, the price councils now pay for diesel is substantially lower than the price of alternative fuels, such as biodiesel. While the lower cost of diesel is beneficial to councils and other consumers in the short- to medium-term, it is at the expense of the development of alternative fuels and associated technologies, and is acting against councils' activities in other areas to reduce emissions.

#### 2. Background to its being raised

In November 2017, Christchurch City Council's Infrastructure, Transport and Environment Committee received a deputation from a biofuel supplier in New Zealand, which raised concerns about the impact of lower diesel prices on the alternative fuels industry. Following the deputation, the Committee requested that the Council write to the Minister for Greater Christchurch Regeneration, Hon Dr Megan Woods, to raise the issue. The letter invited the Government to consider potential solutions to support the use of bio-diesel and alternative fuels through mechanisms such as tax offsets, financial incentives for using bio-diesel, a subsidy to bio-diesel manufacturers, and or subsidies at the pump.

At the time of writing, the Christchurch City Council had not received a response from the Minister. Further interest from LGNZ in this area may stimulate further discussion or action in this area.



**3. How the issue relates to objectives in the current Work Programme**

This issue is very connected with LGNZ's Climate Change Project, as increasing the amount of alternative fuels used will meaningfully contribute to the reduction of emissions. The proposed remit is also aligned with the 2017 Local Government Leaders' Climate Change Declaration, where signatories committed to 'encourage Government to be more ambitious with climate change mitigation measures.'

**4. What work or action on the issue has been done on it, and the outcome**

The most recent work carried out by central government organisations relating to biofuels relates to information provision. The Energy Efficiency and Conservation Authority has a repository of information on its websites relating to biofuel and bioenergy, providing information for drivers, businesses, researchers and biofuel producers on its website. In addition, the Ministry of Business, Innovation and Employment publishes standards for biofuel quality requirements on its website.

**5. Any existing relevant legislation, policy or practice**

There is no existing relevant legislation, policy or practice on this matter, likely driven by the perceived lack of need and therefore the diminished commercial viability of biofuels at this stage.

Previously, the Biodiesel Grants Scheme ran from 1 July 2009 to 30 June 2012. The Scheme aimed to kick start the biodiesel production industry in New Zealand. With the decreased cost of diesel, the commercial viability of biofuels was diminished, and the fund was discontinued.

**6. Outcome of any prior discussion at a Zone/Sector meeting**

Remit supported as package that dealt with Climate Change

Moved/Seconded: A.Turner/G.Brownless

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# 8

## Walking the talk – single use plastics

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### Remit:

- That LGNZ asks central government to urgently develop and implement a plan to eliminate the use of single-use plastic bags and plastic straws.
- That LGNZ encourage member councils take steps to phase out the use of single-use plastic bags and straws at council facilities and events.

**Proposed by:** Christchurch City Council

**Supported by:** Metro Sector

### Background information and research

#### 1. Nature of the issue

The environmental impact of single-use plastics has been well-traversed. Many studies and media reports have documented the risk to birds and sea-life and the proliferation of plastic-derived toxins and micro-particles in the seas, lakes and rivers from plastic bags that have been improperly disposed of.

It is estimated that New Zealanders use 1.6 billion single-use plastic bags each year, with each bag used for an average of 12 minutes before being disposed of. Plastic straws are similarly ephemeral, with an estimated 541 million straws thrown away by New Zealanders each year.

The extent of the issues posed by single-use plastic bags and plastic straws is such that a multi-pronged approach is required from central government, local councils, and citizens and should focus on limiting the use of single-use plastics and promoting responsible recycling.

#### 2. How the issue relates to objectives in the current Work Programme

This issue relates to LGNZ's third policy priority, Environment:

*Leading, in collaboration with others, the challenge of enhancing environmental qualities, protecting freshwater resources and biodiversity and addressing the impacts of climate change and other threats.*

As noted above, single-use plastics present real risks to New Zealand's water quality, biodiversity, and water-based fauna in particular. Reducing the use of single-use plastics, even



in a non-regulatory sense, will go a long way to reduce the volume of plastic waste that ends up in our waterways.

### **3. What work or action on the issue has been done on it, and the outcome**

It is noted that a number of Mayors and Councillors from across the country were signatories to the aforementioned petition delivered to Parliament in February 2018.

Prior to this, in July 2017, LGNZ wrote to the previous Associate Minister for the Environment, Hon Scott Simpson, calling for the Government to introduce a levy on single use plastic bags. The letter was based on a remit to the 2015 LGNZ Annual General Meeting, which was supported by 89 percent of councils. This was intended to deter people from using single-use plastic bags, and was intended to, in time, reduce the number of bags that needed to be produced.

At the time, the then Associate Minister maintained his stance against a legislative approach, and instead undertook to establish a working group to explore options for reducing plastic bag consumption.

It is apparent that the plan to establish the working group was overtaken by the subsequent Foodstuffs and Progressive Enterprises announcements that they would be phasing out single-use plastic bags by the end of 2018.

At a local level, the Christchurch City Council received a staff report in 2016, further to a 1,500+ signature strong local petition that called on the Council to ban single-use plastic bags. The staff recommendations, later resolved by Council, encouraged the Council to champion non-regulatory initiatives, such as:

- a. Taking a leadership role by reducing where the Council itself uses plastic bags, such as in libraries and at Council-run events
- b. Expanding community education about alternatives
- c. Advocating to central government for a national response

Staff advice was that non-regulatory initiatives were preferable to a regulatory approach due to the limitations of the bylaw-making powers available to the Council and the practical difficulties of enforcing any bylaw banning single-use plastic bags. It was also determined that if regulatory reform was to occur, broader, nationwide action would be more appropriate as the issue is a matter of concern for the whole country.

### **4. Any existing relevant legislation, policy or practice**

#### Single-use plastic bags

The Associate Minister for the Environment, Eugenie Sage, has recently requested advice from officials on banning plastic bags, after a 65,000 signature-strong petition was delivered to Parliament in February 2018. The timeframe for when the Minister will consider this advice is

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not yet known, nor are the options or next steps. It is suggested that LGNZ continues to push for central government action in this space, to maintain the momentum that has gathered to date.

New Zealand's two largest supermarket chains, Foodstuffs and Progressive Enterprises, are leading non-regulatory efforts to reduce the use of single-use plastic bags, announcing last year that they plan to phase out all single-use plastic bags in their respective New World and Countdown supermarkets by the end of 2018. Other large retailers, such as Bunnings, have adopted similar approaches by choosing to phase out plastic bags based on community interest.

In conjunction with the Packaging Forum, supermarkets are also continuing to promote a soft plastics recycling scheme, initiated in 2015 with support from the Government's Waste Minimisation Fund.

Following a Council decision in 2016, the Christchurch City Council has opted to take a non-regulatory approach to reducing the use of single-use plastic bags in Christchurch by:

- a. reducing the number of plastic bags it uses itself at Council-run events and at libraries;
- b. expanding its community education about waste minimisation;
- c. working proactively with retailers; and
- d. including more environmental considerations in its procurement policy.

#### Plastic straws

It's estimated that over 800 straws are given out weekly by some bars and restaurants, and Sustainable Coastlines has stated previously that straws, or parts of straws, are one of the top five items found during beach clean ups.

Non-regulatory approaches are underway to reduce the use of plastic straws. Examples include:

- a. Wellington City Council, which has been working with local communities and Sustainable Coastlines to raise awareness of the impact of plastic straws, with the aim of reducing usage overall.
- b. Mackenzie District Council, which has been driving a change of habit by encouraging local hospitality operators to provide straws only on-request.
- c. Industry-led initiatives, such as that led by Hospitality NZ, which is encouraging bars and restaurants to stop offering straws automatically with every drink; and switch to biodegradable paper or reusable straws where possible.

#### **5. Outcome of any prior discussion at a Zone/Sector meeting**

Remit supported as package that dealt with Climate Change

Moved/Seconded: A.Turner/G.Brownless

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# 9

## A mandatory register of cooling towers

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### Remit:

1. That LGNZ acknowledges the potentially fatal risks posed by legionella bacteria in industrial water cooling towers used for air conditioning and manufacturing;
2. That LGNZ asks central government to resume its work related to reducing the risks posed by legionella bacteria in industrial water cooling towers.

This could include:

- Amending the Building Act 2004 and/or the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005 to collect information for a mandatory register of cooling towers and a mandatory testing and reporting regime.
- Providing enforcement powers to councils to address the risks associated with cooling towers such as requiring regular testing, reporting and compliance with specified standards under Building Warrant of Fitness certification.
- Requiring medical professionals to report cases of legionellosis (Legionnaires Disease) to local District Health Boards' Medical Officers of Health (as is required with Campylobacter outbreaks)..

**Proposed by:** Christchurch City Council

**Supported by:** Metro Sector  
Hutt City Council  
Selwyn District Council

### Background information and research

#### 1. Nature of the issue

Every few years Legionnaires' disease dominates headlines for a period as another "outbreak" occurs. In order to assist preventing such outbreaks we propose a mandatory nation-wide register of cooling towers to be updated annually, and overseen by the Ministry of Health via District Health Boards.

Regulatory action is required to help combat instances of legionellosis from water-based sources. Mandatory testing and reporting regimes will help building owners and authorities to ascertain the health of specific water cooling towers and will enable early intervention if



unacceptable levels of legionella bacteria are found to be present. A mandatory register of water cooling towers' locations will help healthcare professionals to isolate sources of legionellosis outbreaks, and will aid them to reach potentially affected individuals and communities in a timely manner.

## **2. Background to its being raised**

Legionella bacteria from the wet surfaces of water cooling towers, evaporative condensers (cooling plant) and scrubbers can cause a pneumonia called Legionnaires' disease, which is often severe and can be fatal. Although this is a nationwide issue, this issue is of particular concern to Christchurch City Council after in 2005, an outbreak of 19 cases of Legionnaires' disease (legionellosis) led to the deaths of three Christchurch citizens. The subsequent coronial investigation into their deaths in 2007 recommended better regulation of industrial, water-based cooling towers, with monthly testing and a mandatory register of cooling towers' locations to help pin-point sources of legionella bacteria more readily. The Ministry of Business, Innovation and Employment undertook to act on these recommendations at the time. However work to establish a testing regime and register seems to have been paused recently.

Outbreaks of legionellosis in New Zealand are sporadic but the disease's impact is often severe. Approximately 240 people contract legionellosis each year. This figure includes people who contract legionellosis from soil or potting mix, as well as those who contract the disease from water-based sources. One-third of patients with legionellosis become unwell enough to warrant admission to intensive care units<sup>1</sup>. The medical and social cost of the disease is consequently high.

Citizens are becoming increasingly aware of the risks posed by handling soil or potting mix after a number of well-publicised cases of legionellosis. However, the spread of the disease from water-based sources is more difficult to avoid or mitigate against, due to the comparatively 'invisible' nature. The spread of legionella from water-based sources is more insidious than cases caused by exposure to potting mix. This is because the source of the bacteria is not as readily identifiable by health professionals during a routine examination and patients can sometimes be misdiagnosed with other respiratory infections.

## **3. What work or action on the issue has been done on it, and the outcome**

As noted above, the Coroner made a number of recommendations to the Ministry of Health, District Health Boards and to the Government as part of their 2007 investigation into the deaths of three Christchurch residents from legionellosis:

*To the Ministry of Health and District Health Boards:*

- (i) *That the Legionellosis case definition for New Zealand be reviewed in light of the testing methods now available.*

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<sup>1</sup> <https://www.nzdoctor.co.nz/in-print/2014/november-2014/5-november-2014/legionnaires%E2%80%99-disease-likely-not-just-a-canterbury-phenomenon.aspx>

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- (ii) *That appropriate samples where clinically indicated be collected for Legionella culture and PCR testing from suspected Legionellosis cases. Bronchial washing, bronchoalveolar washing lavage, pleural fluid, sputum, or lung tissue specimens are regarded as appropriate samples for Legionella culture and PCR testing. All these clinical samples where available should be forwarded to the Legionella Reference Laboratory for purposes of national surveillance of the disease.*
- (iii) *That if they have not already done so, District Health Boards consider including the urinary antigen test in the range of tests for Legionellosis.*

*To the Government through it appropriate Departments and Ministries: - that it gives consideration to legislation and/or regulatory amendments to achieve the following outcomes:*

- (i) *That the owners and/or operators of all cooling towers be required to register the towers with their Territorial Authorities.*
- (ii) *That Territorial Authorities create and maintain a single database of all cooling towers for heating and ventilating systems for both commercial and industrial processes.*
- (iii) *That all cooling towers, whether commercial or industrial, be brought within the Compliance Schedule/Building Warrant of Fitness regime administered by Territorial Authorities.*
- (iv) *That cooling towers be classified as a separate class of specified system for the Compliance Schedule/Building Warrant of Fitness regime.*
- (v) *That it be mandatory for all new and existing cooling towers to comply with AS/NZS 3666 or other comparable standard and that NZS 4303 no longer be optional for any towers, with pre 2004 towers that do not now comply being required to up-grade within a specified period.*
- (vi) *That testing for Legionella be undertaken at least monthly to AS/NZS 3896 and AS 4276.3.1 by an IANZ biologically accredited laboratory.*
- (vii) *That it be mandatory for the laboratories to notify Legionella test results greater than, or equal to, 100 cfu/ml within 48 hours to the local Medical Officer of Health, and the required control strategy from Table 3.1 of AS/NZS 3666.3 be implemented by the owner or operator.*
- (viii) *That Territorial Authorities and Medical Officers of Health be given powers to audit testing and test results and to ensure that appropriate corrective action is taken following results that do not meet the standard.<sup>2</sup>*

From our understanding, these recommendations have not been substantively addressed by central government in the 10 years since the Coroner's findings were released. In 2015, the Ministry of Business, Innovation and Employment stated that cooling towers were covered by Health and Safety guidelines and that it was up to councils to create their own registers<sup>3</sup>.

<sup>2</sup> FINDING OF CORONER T L SAVAGE IN THE MATTER of Inquests into the Death of ROSS ANDREW HERN, PETER RUSSELL JONES, VALMAI MARJORIE FINLAYSON (April 2008)

<sup>3</sup> <https://www.radionz.co.nz/news/national/290386/still-no-action-on-coroner-s-legionnaires-call>

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In 2015 Auckland Council introduced its own bylaw that requires all industrial cooling towers to be registered, tested and regularly maintained. One of the purposes of the [Property Maintenance and Nuisance Bylaw](#) is to:

*c) protect, promote and maintain public health and safety by requiring all industrial cooling tower water systems in Auckland to be registered with the council and regularly tested and where appropriate maintained to mitigate against the risk of exposure to Legionella bacteria often linked to outbreaks of Legionnaire's disease.*

Given the bylaw was introduced relatively recently, its efficacy is not yet widely known. It must be noted that for some councils, the cost and resource required to introduce a bylaw to address the risks of industrial cooling towers may be prohibitive. In addition, councils will need to ensure that any bylaws are consistent with and do not supercede the requirements of the relevant legislation (e.g. the Building Act 2004 or the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005).

**4. Any existing relevant legislation, policy or practice**

The Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005 refer to mechanical ventilation and air conditioning systems in the definition of 'specified systems'. Under the Regulations, if a building has a 'specified system', the relevant Building Consent Authority will issue a Compliance Schedule that sets out the inspection, testing and maintenance requirements for the system. Building owners must maintain the systems in accordance with the Compliance Schedule, issuing a Building Warrant of Fitness to the Territorial Authority each year confirming that this has been done. The Regulations go some way in addressing the risks of ventilation and air conditioning systems harbouring bacteria, such as legionella, however industrial cooling towers are not included as a specified system and are therefore not subject to a compliance schedule. Industrial cooling towers are instead governed by Health and Safety at Work legislation, which is less prescriptive in its approach and does not require Compliance Schedules to be adhered to in the same way.

**5. Outcome of any prior discussion at a Zone or Sector meeting**

Remit supported as package that dealt with Climate Change

Moved/Seconded: A.Turner/G.Brownless

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# 10

## Copper in brake pads

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<b>Remit:</b>	That LGNZ calls for central government to introduce legislation to limit or eliminate the copper content of vehicle brake pads to reduce contaminants in our urban waterways.
<b>Proposed by:</b>	Environment Canterbury
<b>Supported by:</b>	Regional Sector

### 1. Background information and research

#### 1. Nature of the issue

Many urban centres have some level of waterway degradation as a result of urbanisation. Stormwater runoff is the major source of copper and other metals.

A necessary part of any water quality measurement strategy is to reduce or eliminate contaminants at the source. Some sources can be managed at a regional or local level with bylaws and district plans, however, the control mechanisms available to a local authority are not sufficient to tackle copper. The remit seeks central government action.

#### 2. Background to its being raised

Research and modelling from various parts of New Zealand indicates that brake pads are the dominant source of copper in urban waterways. Many brake linings contain copper or bronze chips or powder to improve braking properties and provide mechanical strength. The debris worn from brake linings may be retained within the brake pad housing or released onto the road. Brake pad dust is frequently washed from wheels into the storm water network when a vehicle is cleaned.

Research shows that end-of-pipe stormwater treatment practices such as treatment basins, swales and filters are insufficient to achieve the outcomes sought. Therefore, councils across New Zealand see a need for national-scale mechanisms to take the most effective action to remove copper from stormwater.

#### 3. New or confirming existing policy



In 2010, both Washington and California passed legislation requiring brake pads sold or installed to have reduced levels of copper and other heavy metals. There is no such legislation in New Zealand.

**4. How the issue relates to objectives in the current Work Programme**

The issue fits under LGNZ's priority 3 – Environment: leading, in collaboration with others, the challenge of enhancing environmental qualities, protecting freshwater resources and biodiversity and addressing the impacts of climate change and other threats.

The issue fits within water 2050 Work stream 2: Water Quality.

**5. What work or action on the issue has been done on it, and the outcome**

The Christchurch City Council, Environment Canterbury and the Canterbury Water Management Strategy's Christchurch Melton Zone Committee are closely collaborating to improve water quality outcomes. These groups have worked together to investigate the issue and possible solutions. More detailed analysis is available should it be required.

Wet weather data that is available – from limited monitoring that has occurred during wet weather and from research by NIWA, Canterbury University and other centres – indicated that copper concentrations in storm water runoff are two to ten times in Canterbury land and water regional plan water quality standard. Research elsewhere suggests that is will be the case for most large urban centres.

Modelling software developed at the University of Canterbury was used in a study of urban catchment in Christchurch. It defined large carparks and highly trafficked roads as primary contributors of total suspended solids, and highly trafficked roads and industrial carparks as primary contributors of copper. Modelling also showed:

- Removal of copper contributors onto roads and carparks via implementation of copper-free brake pads is predicted to have significant reduction (78%) on catchment copper loads.

Copper free and low-copper brake pads are available for sale in New Zealand but there is no one source of information in New Zealand and there are varying prices and quality for all brake pads. Unlike in the US and Europe there is no requirement for labelling. As an importer of brake pads, New Zealand could easily achieve a 'quick win' for water quality by restricting imports to low copper or copper free brake pads with no significant implications for New Zealand industries. The United States Environment Protection Agency (in 2015) committed to reduce copper in brake pads to less than 0.5 percent by 2025.

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**6. Evidence of support from Zone/Sector meeting or five councils**

Environment Canterbury proposed the remit at the 4 May Regional Sector meeting and sought support from members. The remit is:

LGNZ calls for central government to introduce legislation to limit or eliminate the copper content of vehicle brake pads.

The remit was supported unanimously by the members present.

**7. Suggested course of action envisaged**

That LGNZ work with central government to raise the issue and advocate for legislation change.

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# 11

## Reducing the waste stream

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- Remit:** That LGNZ asks central government to address the China National Sword issue (action 1) and implement the local government waste manifesto (actions 2 - 6), to reduce New Zealand's waste by:
1. adopting a New Zealand-wide strategic approach to the collection, and processing of recyclable materials within New Zealand;
  2. reviewing the New Zealand Waste Strategy and align, where practicable, with the "Local Government Waste Management Manifesto" to set a clear programme for action;
  3. expanding the Waste Disposal Levy and progressively raise the levy rate in order to reduce total waste to landfills;
  4. officially adopting the National Waste Data Framework and oversee its implementation to enable better planning and monitoring;
  5. establishing a container deposit scheme in consultation with local government in order to lift recycling rates; and
  6. declaring tyres, e-waste, agricultural chemicals and plastics, as priority products under the Waste Minimisation Act 2008, to address problem waste streams.
- Proposed by:** Wellington City Council and Christchurch City Council
- Supported by:** Zone Four

### Background information and research

#### 1. Nature of the issue

On 1 January 2018, a Chinese ban on foreign waste came into effect, meaning that all plastic, slag, unsorted waste paper and textile products that were once sent to China for processing needed to be sent somewhere else. The change in policy, made by the Chinese government for environmental reasons, has had a significant impact on global recycling processing companies, which have had to find alternative processing facilities (generally shifting operations to South East Asia). The issue being the low prices paid for the product

In the New Zealand context, it is estimated that seven of the 41 million kilograms of plastic waste exported from New Zealand to other countries in 2017 was sent to China (with the



balance being sent Hong Kong (13.5m kilogram), Indonesia, Thailand, Malaysia and Vietnam (19 million kilograms))[1].

At the time, the Ministry for the Environment provided a statement noting that options included finding alternative markets for these materials overseas, or improving on-shore processing. While committed to the idea of increasing processing of recyclable materials in New Zealand, the Associate Minister for the Environment, Hon Eugenie Sage, has so far declined the suggestion of using Ministry for the Environment funds to build a recycling processing facility in New Zealand, suggesting instead that funding other companies that are already doing this work would be preferable. However, processing recyclables is a low margin business built on the economies of scale, which cannot readily be achieved in New Zealand.

With a council-by-council approach to solid waste collection, processing and disposal, it is unlikely that the necessary economies of scale needed to profit from recyclables processing in New Zealand can be achieved. Central government direction is required to develop a New Zealand-wide approach to recyclables processing.

## **2. How the issue relates to objectives in the current Work Programme**

Waste minimisation, including through recycling and reduction in waste to landfill, is a key aspect of addressing the risks of climate change, which is a key area of work for LGNZ.

LGNZ Climate Change Project promotes a collaborative approach between local and central government to address the risks, challenges and opportunities of climate change. As noted above, local government is unlikely to achieve the required economies of scale to improve the volume of recyclables processed in New Zealand, given the council-by-council model of contracting services relating to recyclables. Therefore, a national approach is warranted.

## **3. What work or action on the issue has been done on it, and the outcome**

Some smaller scale recyclables processing plants are already operating in New Zealand, such as Flight Plastics in Lower Hutt, which processes PET plastic from plastic bottles, recycling it into punnets for fruit and other similar products. The \$12 million plant was opened in August 2017 with the aid of a \$4 million grant from the Government's Waste Minimisation Fund, which made it a more feasible proposal. Smaller operators have contested the economic realities of establishing similar infrastructure for other types of plastics.

WasteMINZ, New Zealand's largest representative body of the waste, resource recovery, and contaminated land sectors is working with councils and the Ministry for the Environment to understand the impact of the Chinese policy change; the availability of other markets for recyclables processing; and the potential for increasing recyclables processing in New Zealand. Christchurch City Council's Solid Waste Manager has been invited to a summit on the issue, held in May, which may inform the next steps and an approach to central government.

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**4. Any existing relevant legislation, policy or practice**

Collecting solid waste is a core requirement for councils, set out in the Local Government Act 2002. However, how waste is collected; whether recyclables are separated; and how waste is processed is up to councils to decide.

**5. Outcome of any prior discussion at a Zone/Sector meeting**

Remit supported as package that dealt with Climate Change

The following documents may be requested from LGNZ for further background:

- Local Government Waste Manifesto (WasteMINZ)
- Rebooting Recycling – What Can Aotearoa Do? (WasteMINZ)

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# 12

## Tyres stewardship

<b>Remit:</b>	That LGNZ requests that the Government urgently implements a comprehensive and mandatory product stewardship programme for tyres.
<b>Proposed by:</b>	Palmerston North City Council
<b>Supported by:</b>	Metro Sector

### Background information and research

#### Proposal

The proposal put forward is “that LGNZ requests that the Government urgently implements a comprehensive and mandatory product stewardship programme for tyres”.

#### Background

Under the Waste Minimisation Act 2008, the Minister for the Environment can declare a product to be a priority product. When this happens, a product stewardship scheme becomes mandatory and the priority product must be managed through accredited product stewardship schemes. No products have been designated as priority products by any Minister for the Environment, and thus far only voluntary product stewardship schemes exist in New Zealand.

There are three criteria which must be met for the Minister to declare a priority product:

- the product will or may cause significant environmental harm when it becomes waste, or
- there are significant benefits from reduction, reuse, recycling, recovery, or treatment of the product, and
- the product can be effectively managed under a product stewardship scheme.

In 2012 an industry-led Tyrewise initiative was developed to provide a framework for the development of a stewardship programme. In 2018 the Tyrewise model was broadly endorsed by the Local Government Waste Management Manifesto, developed by the Territorial Authority Forum, a local government group representing 64 city and district councils.

In 2014 the Ministry for the Environment consulted on *Priority waste streams for product stewardship intervention: A discussion document*. In the Foreword to this document, the then Minister for the Environment, Hon Amy Adams noted that:

[s]ince passing the WMA five years ago, the Government has encouraged voluntary product stewardship efforts as a first priority. Over this time, 11 voluntary product stewardship schemes have been accredited by the Minister for the Environment. Nearly 34,000 tonnes of waste per year is being diverted from landfill for recycling or safe destruction under these schemes. This is an excellent start,



but in quantity is equivalent to only 1.4 per cent of the total waste stream going to disposal facilities which pay the waste disposal levy. There is an opportunity to foster greater progress in waste minimisation and resource reuse through improved producer responsibility. In my view, the time has come to consider appropriate mandatory approaches for selected priority waste streams.”

The priority products proposed in the discussion document were:

1. electrical and electronic equipment
2. tyres
3. agricultural chemicals and farm plastics
4. refrigerants and other synthetic greenhouse gases.

Pages 19-22 of the Government’s 2014 discussion document, addressing the proposed tyre scheme, are attached to this report. Around 70% of submitters on the discussion document were in favour of tyres being a priority for the Government to consider regulatory interventions.

In 2015, the Waste Minimisation Fund was targeted at applications that would help solve the end-of-life tyre problem in New Zealand. Nine projects received \$18.7 million from the Waste Minimisation Fund, for a variety of projects aiming to collect, shred, and recycle tyres.

No further action was taken by the 2014-2017 National-led Government towards the declaration of tyres as a priority product under the Waste Minimisation Act.

The establishment of a tyre stewardship fund is included in the Coalition agreement between Labour and New Zealand First. In January 2018 Hon Eugenie Sage, the Associate Minister for the Environment, confirmed the new government’s intention to consider product stewardship schemes as part of a review of the implementation of the Waste Minimisation Act.

#### **Discussion**

The Ministry for the Environment has shown that there is both the demonstrated need for measures to address the tyre problem, and also widespread industry support for a mandatory product stewardship scheme. The Tyewise initiative makes a strong case for the viability of a mandatory scheme, and this approach is endorsed by local government experts.

Under the Waste Minimisation Act 2008, the Government is able to declare tyres as a priority product. This declaration would require the development of a mandatory product stewardship scheme. A mandatory stewardship scheme would provide a comprehensive approach to tyre waste, and be a significant development for New Zealand.

While the mechanism for a mandatory product stewardship scheme currently exists under the Waste Minimisation Act 2008, the Council notes that a review of the implementation of this Act has been signalled by the Government. The current remit proposal, therefore, simply requests that the Government urgently develops a comprehensive and mandatory product stewardship programme for tyres.

This remit proposal meets the LGNZ requirement of relevance to local government as a whole. It also meets the second LGNZ requirement as it addresses a major policy issue.

**10 PUBLIC EXCLUDED BUSINESS****RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

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

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

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>10.1 - Appointment of Council Representative to Central Hawke's Bay Community Trust</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.2 - Procurement Plan for Landfill, Kerbside Collection, Recycling and Transfer Station Management</b>	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**11 DATE OF NEXT MEETING****RECOMMENDATION**

THAT the next meeting of the Central Hawke's Bay District Council be held on 9 August 2018.

**12 TIME OF CLOSURE**