



NOTICE OF AN ORDINARY COUNCIL MEETING

**Opotiki District Council Chambers, 108 St John Street, Opotiki
Tuesday, 18 March 2025
Commencing at 10.00am**

This meeting will be livestreamed – the link will be available on Council’s website and Facebook page on the morning of the meeting.

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – COUNCILLOR KEMARA

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

| | Page |
|---|------------|
| ITEM 01 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 4 FEBRUARY 20245 | 4 |
| ITEM 02 CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 10 MARCH 2025 | 15 |
| ITEM 03 MINUTES – PERFORMANCE AND DELIVERY COMMITTEE MEETING 9 DECEMBER 2024 | 17 |
| ITEM 04 MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 16 DECEMBER 2024 | 20 |
| ITEM 05 DRAFT MINUTES – COAST COMMUNITY BOARD MEETING 25 FEBRUARY 2025 | 25 |
| ITEM 06 MAYORAL REPORT 25 JANUARY 2025-28 FEBRUARY 2025 | 30 |
| ITEM 07 HUKUTAIA PLAN CHANGE – PROJECT AND COMMUNICATION AND ENGAGEMENT PLAN | 34 |
| ITEM 08 2025 PRE-ELECTION REPORT AND ELECTION POLICY ADOPTION | 107 |
| ITEM 09 BOPLASS LTD STATEMENT OF INTENT FOR 2025-2028 AND HALF YEARLY REPORT | 139 |

(Continued over page)

| | | |
|----------------|---|------------|
| ITEM 10 | CHIEF EXECUTIVE OFFICER'S UPDATE | 172 |
| ITEM 11 | RESOLUTION TO EXCLUDE THE PUBLIC | 177 |

PUBLIC EXCLUDED BUSINESS

| | | |
|----------------|---|--|
| ITEM 12 | CONFIRMATION OF IN-COMMITTEE MINUTES – ORDINARY COUNCIL MEETING 4 FEBRUARY 2025 | |
| ITEM 13 | CONFIRMATION OF IN-COMMITTEE MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 24 FEBRUARY 2025 | |
| ITEM 14 | TE RANGINUI CEMETERY LEASE OF SURPLUS LAND | |
| ITEM 15 | NOTES OF COUNCIL WORKSHOPS | |
| ITEM 16 | RESOLUTION TO RESTATE RESOLUTIONS AND READMIT THE PUBLIC | |

Chair: His Worship the Mayor – David Moore

Members: Cr Shona Browne (Deputy Mayor)

Cr Tom Brooks

Cr Barry Howe

Cr Maxie Kemara

Cr Steve Nelson

Cr Dean Petersen

Committee Secretary: Gae Finlay

Quorum: 4

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

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

Stace Lewer

CHIEF EXECUTIVE OFFICER



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED, TUESDAY, 4 FEBRUARY 2025 IN THE
ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM**

PRESENT:

Mayor David Moore (Chairperson)
Deputy Mayor Shona Browne (Deputy Chairperson)
Councillors:
Tom Brooks
Barry Howe
Maxie Kemara
Steve Nelson
Dean Petersen

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager Service Delivery)
Antoinette Campbell (Group Manager Strategy and Development)
Rachael Burgess (Group Manager Business Support)
Michael Fryer (Strategy and Policy Manager)
Mercedes Neems (Executive Support Officer)
Gae Finlay (Executive Assistance and Governance Lead)

MEDIA:

Diane McCarthy (Local Democracy Reporter, The Beacon)

GUEST:

Dean Howie (Programme Manager - Regional Economic Development, Bay of Plenty Regional Council)

PUBLIC:

Richard Kemeny
Several members of the public

A karakia by His Worship the Mayor was followed by a one minute silence to acknowledge the young person who passed away in a tragic incident in town over the weekend.

Councillor Howe opened the meeting with a few words, also acknowledging the tragic death which occurred on the weekend:

This was an up-and-coming young person taken too soon. It is a massive kick in the guts; he was a family man, a hard worker and an inspirational leader in our community for the younger youth. From a Council

perspective we do all the good work to make this a better place for our tamariki and our mokopuna then a disastrous situation like this happens. It undermines what you are on the Council for at the particular time. We get knocked down but we have to get up again for the sake of our community.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

PUBLIC FORUM

Richard Kemeny (Kutarere Community Water Board) – Kutarere Water Supply

Richard Kemeny spoke on behalf of the Kutarere Community Board. He made the following points:

- Kutarere is a satellite community which has had a water scheme for approximately the last 15 years.
- The scheme applied for funding last year to bring it up to code.
- A contractor was engaged to install a system for the scheme and they are attending to the maintenance, which has increased costs.
- There are people in the community who pay \$25 per month to belong to the scheme and some find it difficult to pay.
- We have no invoicing system and just make sure there are enough funds to pay for power and maintenance.
- Parts of the scheme can be insured, but not the infrastructure.
- There is a lack of people coming forward to help with the day-to-day operation of the scheme and were wondering if Council could assist in some way.
- We have four to four and a half years until we take the physical works over.
- Could Council assist with the consumables or some relief in rates?
- There is no e-coli in the water.
- This is an ideal opportunity to get young people involved; there is someone looking to get young people NZQA qualified in relation to these types of water schemes.
- The scheme cannot afford to pay anyone; it is all voluntary.
- We do not know if the scheme is exempt from the levy Taumata Arowai are wanting to introduce.

His Worship the Mayor noted that Council is passionate about this topic and extended thanks to the Kutarere Community Water Board for the work they do.

Dean Howie entered the meeting at 10.08am.

Richard Kemeny and some members of the public left the meeting at 10.15am.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 10 DECEMBER 2024 p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 10 December 2024 be confirmed as a true and correct record.**

HWTM/Kemara

Carried

2. CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 23 DECEMBER 2024 p12

RESOLVED

- (1) That the minutes of the Extra Ordinary Council meeting held on 23 December 2024 be confirmed as a true and correct record.**

HWTM/Browne

Carried

3. MINUTES – PERFORMANCE AND DELIVERY COMMITTEE MEETING 10 OCTOBER 2024 p15

RESOLVED

- (1) That the minutes of the Performance and Delivery Committee meeting held on 10 October 2024, and any recommendations therein, be received.**

Browne/Brooks

Carried

4. MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 14 OCTOBER 2024 p18

RESOLVED

- (1) That the minutes of the Risk and Assurance Committee Meeting held on 14 October 2024, and any recommendations therein, be received.**

HWTM/Brooks

Carried

5. DRAFT MINUTES – COAST COMMUNITY BOARD MEETING 17 DECEMBER 2024 p24

RESOLVED

(1) That the draft minutes of the Coast Community Board meeting held on 17 December 2024, and any recommendations therein, be received.

HWTM/Kemara Carried

6. DRAFT MINUTES – CHIEF EXECUTIVE’S PERFORMANCE COMMITTEE MEETING 16 JANUARY 2025 p28

RESOLVED

(1) That the draft minutes of the Chief Executive’s Performance Committee meeting held on 16 January 2025, and any recommendations therein, be received.

Browne/HWTM Carried

7. MINUTES – BAY OF PLENTY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE MEETING 13 DECEMBER 2024 p32

RESOLVED

(1) That the minutes of the Bay of Plenty Civil Defence Emergency Management Group Joint Committee meeting held on 13 December 2024 be received.

HWTM/Browne Carried

8. MINUTES – REGIONAL TRANSPORT COMMITTEE MEETING 13 DECEMBER 2024 p40

RESOLVED

(1) That the minutes of the Regional Transport Committee meeting held on 13 December 2024 be received.

HWTM/Browne Carried

9. MAYORAL REPORT 30 NOVEMBER 2024-24 JANUARY 2025 p46

RESOLVED

(1) That the report titled “Mayoral Report 30 November 2024-24 January 2025” be received.

HWTM/Browne Carried

10. ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE

p50

Councillor Howe stated "where to from here?" is the biggest question for OMAG. It is not advice that is required, but going forward an entity is needed. There will be a discussion at the next OMAG meeting regarding next steps.

Councillor Howe acknowledged that OMAG has been a good committee which has kept everyone updated.

The Chief Executive Officer advised that a paper will be going to the next OMAG meeting regarding a proposed Harbour Committee.

RESOLVED

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

HWTM/Howe

Carried

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

p54

RESOLVED

- (1) That the report titled "Regional Economic Development Agency Trust Exemption as a Council Controlled Organisation" be received.**
- (2) That Council exempts the Eastern Bay of Plenty Regional Economic Development Trust (Toi EDA) from the provisions related to Council Controlled Organisations as provided under Section 7 of the Local Government Act 202, for a period of three years.**

HWTM/Browne

Carried

12. APPOINTMENT OF COMMISSIONERS TO HEAR AND DECIDE ON RESOURCE CONSENT APPLICATIONS

p60

Deputy Mayor Browne queried what Chair Endorsement referred to. The Group Manager Strategy and Planning will come back to the elected members with the clarification.

RESOLVED

- (1) That the report titled "Appointment of Commissioners to Hear and Decide on Resource Consent Applications" be received.**

(2) That the following accredited Commissioners be appointed to hear and decide resource consent applications:

- i. Belinda Messenger**
- ii. Brad Coombs**
- iii. Cam Twigley**
- iv. David Hill**
- v. David McMahon**
- vi. Elva Conroy**
- vii. Gina Sweetman**
- viii. Linda Te Aho**
- ix. Mark St Clair**
- x. Rauru Kirikiri**
- xi. Rebecca Skidmore**
- xii. Reginald Proffit**
- xiii. Robert van Voorthuysen**
- xiv. Shannon McGarry**
- xv. Vanessa Hamm.**

(3) That Todd Whittaker be removed from the list of appointed Commissioners as he is not currently accredited.

HWTM/Kemara

Carried

13. CHIEF EXECUTIVE OFFICER'S UPDATE

p68

The Chief Executive Officer highlighted the following from his report:

- A very short outstanding LGOIMA list, with acknowledgement of the staff effort in responding to LGOIMA requests.
- End of Year Staff Values Event – an opportunity to celebrate staff and exhibit the values we want in action.
 - There were 59 nominations and awards made to four of our champions.
- Engagement with Central Government and other entities – continuing to work on a number of items.

RESOLVED

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

HWTM/Kemara

Carried

14. RESOLUTION TO EXCLUDE THE PUBLIC

p72

A replacement Resolution to Exclude the Public tabled which provided for Dean Howie to remain in the meeting after the public was excluded.

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

1. **THAT the public be excluded from the following parts of the proceedings of this meeting, namely:**
 15. **Confirmation of In-Committee Minutes – Ordinary Council Meeting 10 February 2025.**
 16. **Confirmation of In-Committee Minutes – Extra Ordinary Council Meeting 23 December 2024.**
 17. **In-Committee Minutes – Risk and Assurance Committee Meeting 14 October 2025.**
 18. **Long Term Plan Management Letter and Audit Fee.**
 19. **Eastern Bay of Plenty Regional Deal Proposal.**
 20. **Chief Executive’s 12 Month Performance Review January 2024-December 2024.**
 21. **Notes of Council Workshop.**

2. **THAT the following person be permitted to remain at this meeting after the public has been excluded because of their knowledge of the subject item in relation to the following. This knowledge will be of assistance and is relevant to the matters to be discussed:**

Name: Dean Howie

Item: 19 (Eastern Bay of Plenty Regional Deal Proposal)

Business: To provide Council with detailed information and updates in relation to Item 19 relevant to the Eastern Bay of Plenty Regional Deal Proposal.

Reason: To enable the accurate presentation of sensitive information to the Council and to provide responses to queries.

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

| Item No | General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48(1) for the passing of this resolution |
|----------------|--|---|---|
| 15. | Confirmation of In-Committee Minutes – Ordinary Council Meeting 10 December 2024. | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |

| | | | |
|-----|--|---|------------------|
| 16. | Confirmation of In-Committee Minutes – Extra Ordinary Council Meeting 23 December 2024. | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |
| 17. | In-Committee Minutes – Risk and Assurance Committee Meeting 14 October 2024. | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |
| 18. | Long Term Plan Management Letter and Audit Fee | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |
| 19. | Eastern Bay of Plenty Regional Deal Proposal | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |
| 20. | Chief Executive’s 12 Month Performance Review January 2024-December 2024 | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |
| 21. | Notes of Council Workshop. | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |

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

| | | |
|-----|---|--|
| 15. | Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Prevent disclosure or use of official information Carry out negotiations Maintain legal professional privilege Carry out commercial activities | Section 7(2)(a) Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii) Section 7(2)(f)(ii) Section 7(2)(j) Section 7(2)(i) Section 7(2)(g) Section 7(2)(h) |
|-----|---|--|

| | | |
|-----|---|--|
| 16. | Protect information (commercial sensitivity) Carry out commercial activities | Section 7(2)(b)(ii) Section 2(2)(h) |
| 17. | Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities | Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h) |
| 18. | Carry out negotiations | Section 7(2)(i) |
| 19. | Carry out negotiations | Section 7(2)(i) |
| 20. | Protect the privacy of natural persons Prevent disclosure or use of official information | Section 7(2)(a) Section 7(2)(j) |
| 21. | Protection from improper pressure or harassment Prevent disclosure or use of official information | Section 7(2)(a) Section 7(2)(j) |

Browne/Kemara

Carried

Diane McCarthy left the meeting at 10.39am.

RESOLVED

- (1) **That the resolutions made while the public was excluded, except for clause 4 of Item 20, be confirmed in open meeting.**
- (2) **That the public be readmitted to the meeting.**

Brooks/Howe

Carried

RESOLVED

- (1) **That the in-committee minutes of the Ordinary Council meeting held on 10 December 2024 be confirmed as a true and correct record.**

HWTM/Browne

Carried

RESOLVED

- (1) **That the in-committee minutes of the Extra Ordinary Council meeting held on 23 December 2024 be confirmed as a true and correct record.**

HWTM/Petersen

Carried

RESOLVED

- (1) **That the in-committee minutes of the Risk and Assurance Committee meeting held on 14 October 2024, and any recommendations therein, be received.**

HWTM/Brooks

Carried

RESOLVED

- (1) That the report titled “Long-Term Plan Management Letter and Audit Fee” be received.**
- (2) That the Audit New Zealand Management Letter titled “Report to the Council on the Audit of Ōpōtiki District Council’s Long-Term Plan – For the Period 1 July 2024 to 30 June 2034” be received.**
- (3) That Council approves the additional audit cost of \$40,000, bringing the total audit fee to \$143,320 excluding GST and disbursements.**
- (4) That Council approves ‘Option 1 – Carry Forward Funding of \$21,000 from 2023/24 financial year due to the LTP adoption being deferred to the 2024/25 financial year.**

HWTM/Browne

Carried

RESOLVED

- (1) That the report titled “Eastern Bay of Plenty Regional Deal Proposal” be received.**
- (2) That the Council:**
 - a. Approves the draft Eastern Bay of Plenty Regional Deal Proposal, subject to editorial amendments, for submission to the Department of Internal Affairs by 28 February 2025.**
 - b. Delegates authority to the Chief Executive to approve editorial amendments to the Proposal.**
 - c. Notes that further approvals will be sought, including approval of Regional Deal Governance arrangements, should the region be invited to enter into a Memorandum of Understanding (MOU) with Government.**

HWTM/Howe

Carried

RESOLVED

- (1) Receive the report titled “Chief Executive’s 12 Month Performance Review – January 2024-December 2024” be received.**
- (2) That Council receives the in-committee minutes of the Chief Executive Officer’s Performance Committee dated 16 January 2025.**
- (3) That Council adopts the Key Performance Indicators for 2025 as proposed by the Chief Executive, subject to any changes made.**

HWTM/Browne

Carried

RESOLVED

- (1) That the report titled “Notes of Council Workshop” be received.**

(2) That the Council agrees to publicly release the full notes related to the 19 December 2024 workshop.

HWTM/Kemara

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.29AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 18 MARCH 2025**

D G T MOORE

HIS WORSHIP THE MAYOR



**MINUTES OF AN EXTRA ORDINARY COUNCIL MEETING DATED, MONDAY, 10 MARCH 2025 IN
THE OPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPŌTIKI AT 1.00PM**

PRESENT:

Mayor David Moore (Chairperson)
Deputy Mayor Shona Browne (Deputy Chairperson)
Councillors:
Tom Brooks
Steve Nelson
Dean Petersen

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager engineering and Services)
Antoinette Campbell (Group Manager Strategy and Development)
Rachael Burgess (Group Manager Business Support)
Michael Fryer (Strategy and Policy Manager)
Joel Hingston (Strategic Policy Analyst)
Hannah Searle (Governance Officer)
Gae Finlay (Executive Assistant and Governance Lead)

APOLOGIES

Councillor Kemara, Councillor Howe

RESOLVED

(1) That the apologies be sustained.

HWTM/Nelson

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. LOCAL EASTER SUNDAY SHOP TRADING POLICY RENEWAL

p3

RESOLVED

- (1) That the report titled "Local Eastern Sunday Shop Trading Policy Renewal" is received.**
- (2) That Council adopt the Statement of Proposal and draft Local Eastern Sunday Shop Trading Policy (attached to the agenda report).**
- (3) That Council notes the community consultation will be undertaken from 11 March 2025 to 11 April 2025.**

HWTM/Nelson

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 1.05PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 18 MARCH 2025**

D G T MOORE

HIS WORSHIP THE MAYOR



MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL PERFORMANCE AND DELIVERY COMMITTEE MEETING HELD ON MONDAY, 9 DECEMBER 2024, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 9.06AM

PRESENT:

Councillor Tom Brooks (Chairperson)
His Worship the Mayor David Moore
Councillor Dean Petersen
Councillor Steve Nelson

Deputy Mayor Shona Browne

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Antoinette Campbell (Group Manager Strategy and Development)
Nathan Hughes (Group Manager Service Delivery)
John Kerr (Consultant)
Michael Fryer (Strategic Development and Policy Manager)
Mercedes Neems (Executive Support Officer)

The Chairperson welcomed everyone to the meeting.

APOLOGIES

Nil.

DECLARATION OF CONFLICTS OF INTEREST

Nil.

1. MINUTES – PERFORMANCE AND DELVIERY COMMITTEE 10 OCTOBER 2024

p3

RESOLVED

- (1) That the minutes of the Performance and Delivery Committee meeting held on 10 October 2024 are confirmed as a true and correct record.**

HWTM/Petersen

Carried

2. OPERATIONAL AND NON-FINANCIAL PERFORMANCE REPORT

p8

The Group Manager Service Delivery highlighted the red indicator in Appendix 1 regarding waste system adequacy, noting three dry weather overflows during the period. The team will investigate to confirm the accuracy of this indicator. Operational work on infiltration issues is expected to provide insights and potential solutions. Four yellow indicators suggest some areas are below target.

The Chairperson expressed surprise at the below target KPI for Solid Waste, given community feedback on the Resource Recovery Centres. Other elected members shared this sentiment.

The Group Manager Service Delivery noted that the weighbridge would help identify waste coming from the Coast Ward and kerbside collection, enabling more accurate fees and charges

HWTM noted it would be interesting to see whether fees increase given the new fairer system. The new system also takes operational pressure off staff.

RESOLVED

(1) That the report titled "Operational and Non-Financial Performance Report" be received.

HWTM/Nelson

Carried

3. LTP YEARS 1-3 PROJECT DELIVERY PROGRAMME

p14

The Group Manager Service Delivery spoke to the report alongside the Consultant.

Key points to the discussion on this item included:

- The previous financial year showed significant year for improvement, with only 50% of the programme delivered.
- A vacancy in the Project Manager role is impacting leadership' specialist support has been engaged to address this gap. More administrative support is required for Programme Managers.
- Recommendations from the Consultant include adopting a three-year lens rather than a yearly lens approach.
- We are already well into this financial year. With the late adoption of the Long-Term Plan there is not much time left to complete Year 1 projects. Staff will look to refine the programme and find opportunities to maximise the most of Year 1 to help with successful delivery in year 2 and 3.
- ŌDC has dedicated staff who care about the community however they need to be upskilled to achieve goals of self-delivery as the inhouse knowledge is poor.
- Consultant work is to look at value and benefits reaped for each dollar spent.

- Elected members stressed focusing on the basic needs, not nice to haves.
- The Chairperson noted that communication is key and to advise ratepayers that this is a three-year programme from the get-go, not one year so there is no confusion.

RESOLVED

(1) That the report titled "LTP Years 1-3 Project Delivery Programme" be received.

Petersen/Nelson

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9.31AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING
A TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE PERFORMAMNCE AND DELIVERY
COMMITTEE HELD ON 17 FEBRUARY 2025.**

TOM BROOKS

CHAIRPERSON

PERFORMANCE AND DELIVERY COMMITTEE



MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL RISK AND ASSURANCE COMMITTEE MEETING HELD ON MONDAY, 16 DECEMBER 2024, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 1.30PM

PRESENT:

Philip Jones (Chairperson)
Mayor David Moore
Councillor Tom Brooks
Councillor Steve Nelson
Councillor Dean Petersen

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager Service and Delivery)
Rachael Burgess (Group Manager Business Support)
Antoinette Campbell (Group Manager Strategy and Development)
Carol Mio (Manager People and Culture)
Billy Kingi (Finance Manager)
Mercedes Neems (Executive Support Officer)
Gae Finlay (Executive Assistant and Governance Lead)

GUEST:

David Walker (Audit New Zealand), via Teams

The Chairperson opened the meeting.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 14 OCTOBER 2024 **p5**

RESOLVED

- (1) That the minutes of the Risk and Assurance Committee meeting held on 14 October 2024 be confirmed as a true and correct record.**

Brooks/Nelson

Carried

2. RISK AND ASSURANCE ACTION SHEET **p11**

The Group Manager Business Support will be reviewing the Risk and Assurance Action Sheet for the first meeting in the New Year. The intention is to clear any that are actioned.

David Walker advised that information from the Annual Report goes into the Management Report which can be expected about two weeks after the audit of the Annual Report. Council can also expect matters to be addressed in the Audit Plan which Council has.

In response to a query, the Chief Executive Officer advised that ongoing risk reporting regarding debt levels etc., will be brought to the Committee. The Capital Works programme is one of the biggest contributors to debt.

The Finance Manager noted that a review analysis is being done as part of going into the next Long Term Plan, as well as reporting with the Annual Report.

It was noted that the Long Term Plan Management Letter will come to the next Risk and Assurance Committee meeting.

RESOLVED

- (1) That the Risk and Assurance Action Sheet be received.**

Nelson/Petersen

Carried

3. PROGRESS UPDATE ON THE DRAFT 2023-2024 ANNUAL REPORT FOR AUDIT **p12**
and separately circulated document

Updated pages were tabled.

The Chairperson asked David Walker where Audit is at with the review of the financial report and is Audit happy with the revaluation data which has been provided?

David Walker advised that this has not been completed. In the audit dashboard we are able to see the progress of information being submitted. There is about 45%, or 49 items, outstanding. Because there is a high priority on cost and of level of fees the audit will be delayed until the items are in the audit dashboard. In the New Year, the audit dashboard will be checked and then we can say it is worthwhile commencing the audit or saying no, Council is not yet ready and we need to further delay the audit.

The Chairperson said that, from what David Walker has advised, Audit will not be doing any work on any items until they basically have all of the information.

David Walker stated "Yes, that is correct."

In response to a query from the Chairperson regarding Council's confidence in having Audit commence work on 13 January, the Chief Executive Officer advised that most of the staff are back at work on 6 January. The team has progressed and responded to a number of items and the target is to get to 90% before 13 January.

RESOLVED

- (1) That the report titled "Progress Update on the Draft 2023-2024 Annual Report for Audit" be received.**

Nelson/HWTM

Carried

The Group Manager Strategy and Development entered the meeting at 1.43pm.

4. RISK AND ASSURANCE COMMITTEE WORK PROGRAMME 2025

p16

RESOLVED

- (1) That the report titled "Risk and Assurance Committee Work Programme 2025" be received and, subject to any changes, be recommended to Council for adoption.**

Jones/HWTM

Carried

5. RESOLUTION TO EXCLUDE THE PUBLIC

p21

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

6. Confirmation of In-Committee Minutes – Risk and Assurance Committee meeting 14 October 2024.

7. Health, Safety, Wellbeing and Human Resources Report.

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

| Item No | General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48(1) for the passing of this resolution |
|----------------|---|---|---|
| 6. | Confirmation of In-Committee Minutes – Risk and Assurance Committee meeting 14 October 2024. | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |
| 7. | Health, Safety, Wellbeing and Human Resources Report. | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |

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

| | | |
|----|---|--|
| 6. | Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities | Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h) |
| 7. | Protect the privacy of natural persons Protection from improper pressure or harassment | Section 7(2)(a) Section 7(2)(f)(ii) |

Petersen/Nelson

Carried

David Walker left the meeting at 2.02pm and wished everyone a merry Christmas.

RESOLVED

- (1) That the resolutions made while the public was excluded be confirmed in open meeting.**
- (2) That the public be readmitted to the meeting.**

Nelson/Brooks

Carried

RESOLVED

- (1) That the in-committee minutes of the Risk and Assurance Committee meeting held on 14 October 2024 be confirmed as a true and correct record.**

Jones/HWTM

Carried

RESOLVED

- (1) That the report titled "Health, Safety, Wellbeing and Human Resources Report" be received.**

Nelson/Brooks

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 2.16PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE RISK AND ASSURANCE COMMITTEE
HELD ON 24 FEBRUARY 2025**

**PHILIP JONES
CHAIRPERSON**

MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD, HELD IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, COMMENCING AT 10.00 AM ON TUESDAY, 25 FEBRUARY 2025.

PRESENT:

Linda Steel (Acting Chairperson)
Maxie Kemara, via Teams
Jack Parata
Michael Collier

His Worship the Mayor David Moore

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Antoinette Campbell (Group Manager Strategy and Development)
Michael Fryer (Strategy and Policy Manager)
Annette Munday (EHO/Compliance Manager)
Joel Hingston (Strategic Policy Analyst)
Te Ataarangi Parata (Compliance Officer)
Gae Finlay (Executive Assistant and Governance Lead)

Linda Steel took the Chair as Acting Chairperson. She opened the meeting with a karakia.

APOLOGY

Allen Waenga.

RESOLVED

(1) That the apology be sustained.

Collier/Parata

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO MEETING AGENDA ITEMS

Nil.

PUBLIC FORUM

Coast Initiatives Fund Funding Application – Kohanga Reo o Hinerangi representative

The representative for Kohanga Reo o Hinerangi was unable to attend.

Coast Initiatives Fund Funding Application – Te Rūnanga o Te Whānau representative

The representative for Te Rūnanga o Te Whānau was unable to attend. A written submission was provided and tabled. A copy of the submission is attached to these minutes.

1. MINUTES – COAST COMMUNITY BOARD MEETING 17 DECEMBER 2024 **p3**

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 17 December 2024 are confirmed as a true and correct record.**

Steel/Parata

Carried

The Chief Executive Officer entered the meeting at 10.03am.

2. GROUP MANAGERS' REPORT **p7**

RESOLVED

- (1) That the report titled "Group Managers' Report" be received.**

Collier/Kemara

Carried

3. GROUP MANAGERS' REPORT UPDATE **p14**

The Group Manager Strategy and Development spoke to the report.

The following items were highlighted:

- Appointment of Commissioners to Hear and Decide on Resource Consents
Noting the appointment of additional Commissioners to give more options and mitigate the challenges around availability.
- Te Ara Tipuna Charitable Trust Submission
It looks like the walkway will end just outside of the Ōpōtiki district boundary and it is unlike an independent chair will need to be appointed.
In response to a query regarding the communications that will be going out, the Group Manager Strategy and Development advised that the amended application has not been formally lodged, therefore there will be no communications until we are certain.
- Freedom Camping Compliance and Monitoring Update

Compliance Officer, Te Ataarangi Parata, spoke to the meeting. She noted that the role has been enlightening and engaging and the importance of having a Council presence on the Coast. She knows the people and it is a face for Council.

The EHO/Compliance Manager advised that the number of freedom campers are coming back up at the Pipi Beds and on the Coast. There have been no issues or problems with the active monitoring which Council is undertaking. There have been some overstayers who have been asked to move on and a few homeless people who we have been working actively with. When we ask people to move on, we are getting no kick-backs. If they are homeless, they cannot be moved on. One homeless person took down Council's signs and threw them away. That person is now up the Coast. He was asked to move on but taken in by a local and give a place on a farm.

Spike Collier stated that the freedom camping monitoring initiative is paying dividends. Face to face encounters are good. He extended congratulations to the EHO/Compliance Manager and the Compliance Officer for the good work being done.

The Group Manager Strategy and Development advised that there is no Workforce Development report on this agenda. A report will be brought to the next meeting.

RESOLVED

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

Collier/Kemara

Carried

4. COAST INITIATIVES FUND REPORT

p13

The report was taken as read.

RESOLVED

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

Steel/Parata

Carried

5. COAST INITIATIVES FUND: FUNDING APPLICATION TE KOHANGA REO O HINERANGI

p20

Board members made the following comments in relation to the funding application:

- There appears to have been no other efforts to raise funds.
- It would be assumed that the Kohanga can get funding for these sorts of things (a shade structure).

- If this is the Kohanga based at Wairuru Marae, it could be the same entity which has previously applied for funding.

The Board agreed that the application be declined, noting that there are other funding opportunities available.

RESOLVED

- (1) That the board receives the application for funding from Te Kohanga Reo o Hinerangi.**
- (2) That the Board declines the funding application from Te Kohanga Reo o Hinerangi.**

Parata/Kemara

Carried

6. COAST INITIATIVES FUND: FUNDING APPLICATION TE RŪNANGA O TE WHĀNAU p26

A written submission from the applicant in support of the application was tabled

Jack Parata declared an interest in the item.

Comments made by the Board in relation to the funding application:

- The event is planned for two days prior to ANZAC Day
- Torere will be hosting ANZAC Day and there will be no RSA funding for that.
- Te Whānau a Apanui are a social service provider and one would think the event would be funded from the funding they receive
- Do not disagree with the event but I do have an issue with social service providers applying to the Coast Initiatives Fund.
- They should be set up as a charitable entity.
- The facilitator's and presenter's fee and contingency add up to \$2,500, although the applicant will be funding half of that.
- Love the Kaupapa, however the Coat Initiatives Fund should not be used for funding a social service provider as they should have access to other funding.

The Board agreed that the application be declined.

RESOLVED

- (1) That the Board receives the application for funding from Te Rūnanga o Te Whānau.**
- (2) That the Board declines the funding application from Te Rūnanga o Te Whānau.**

Kemara/Collier

Carried

General Business Discussion

The Acting Chairperson advised that the Board's submission to the Treaty Principles Bill was being heard today. The Representation Review appeal hearing with the Local Government Commission is also being held today.

His Worship the Mayor advised that part of the appellant's view is that Council did not consult. The appellant did not consult. Council went through a process. In hindsight there were things it could have done differently. If there is a next time, it would be better to go to the hapu and not the iwi as there was no consultation and information did not flow through. His Worship the Mayor further advised that he was fearful that the Coast could lose a voice at the table. He does not feel the appellant represents the three iwi and they have not obtained that mandate.

Michael Collier stated that he was quite happy with the process undertaken.

His Worship the Mayor gave some background information relating to what the appellant (Toirawhiti) was originally established for which was a Health Locality.

The Acting Chairperson advised that she would need to declare a Conflict of Interest for the hearing as she was part of the founding group for the original East Coast prototype, which has morphed into Taoirawhiti. Toirawhiti has now moved away from the health realm.

THERE BEING NO FURTHER BUSINESS THE ACTING CHAIRPERSON CLOSED THE MEETING AT 10.34AM WITH A KARAKIA.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING
A TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COAST COMMUNITY BOARD HELD
ON TUESDAY, 8 APRIL 2025.**

**MAXIE KEMARA
CHAIRPERSON
COAST COMMUNITY BOARD**

COUNCIL REPORT

Date : 28 February 2025
To : Ordinary Council Meeting, 18 March 2025
From : His Worship the Mayor, David Moore
Subject : **MAYORAL REPORT 25 JANUARY 2025 – 28 FEBRUARY 2025**
File ID : A1292163

EXECUTIVE SUMMARY

- This report provides an update to Council on meetings and events attended by His Worship the Mayor for the period 25 January 2025 to 28 February 2025.

RECOMMENDATION

- 1) **That the report titled “Mayoral Report 25 January 2025–28 February 2025 2025” be received.**

PURPOSE

1. To provide an update to Council on meetings and events attended by His Worship the Mayor.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opotiki District Council's Long-Term Plan 2024-2034:
 - Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

DISCUSSION

3. Since 25 January 2025 I have attended or met with the following:

28 January 2025

Mayors Taskforce for Jobs site visit Torere Macadamias (Dylan Riini)

29 January 2025

Council workshop

30 January 2025

Meeting with Election Services re Representation Review hearing, via Teams

Meeting with potential developers

Public meeting re obstetric services at Whakatāne Hospital, Whakatāne

31 January 2025

Mayors Taskforce For Jobs Q and A session for Mayors and CEs, via Teams

3 February 2025

Councillor/CEO catch up meeting

4 February 2025

Ordinary Council Meeting

10 February 2025

Citizenship Ceremony

11 February 2025

Mayors Taskforce For Jobs members meeting, via Teams

12 February 2025

Ōpōtiki Marine Advisory Group (OMA) meeting

14 February 2025

Opening event for the Rangiu Business Park Motorway Interchange, Tauranga

17 February 2025

Performance and Delivery Committee meeting

18 February 2025

Mayors Taskforce For Jobs site visits:

Shayla-Jo Hudson (MTFJ Licensing and employment support for Administration and Business course)

Muriwai Hei (MTFJ Licensing and training support – Whakaatu Whanaunga)
Ella Forbes (AusZea Café)

19 February 2025

Councillor/CEO catch up meeting
Property Advisory Group meeting

20 February 2025

Council workshop

24 February 2025

ODC Risk and Assurance Committee meeting

25 February 2025

Mayors Taskforce For Jobs site visit – Shayla-Jo Hudson (PPCS Cleaning Services)
Coast Community Board meeting
Local Government Commission Representation Review Hearing

26 February 2025

Mayors Taskforce for Jobs certificate presentations
Eastern Bay of Plenty Spatial Plan: Project Governance Group Meeting, via Teams

27 February 2025

Local Government New Zealand All of Local Government meeting, Wellington

28 February 2025

Local Government New Zealand Rural Provincial Sector meeting, Wellington

Financial/budget considerations

4. There are no financial/budget considerations associated with this report.

Risks

5. There are no risks associated with this report.

Community wellbeing considerations

6. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
7. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
8. There are no known social, economic, environmental, or cultural considerations associated with this matter.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

9. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.
10. The level of significance related to the decision in this report is considered to be **low**. Because the decision is determined to have **low** significance in accordance with the policy, the corresponding level of engagement required is **Inform**.

Assessment of engagement

11. As the level of significance has been determined to be **low**, the level of engagement required is **Inform** according to the Engagement Framework of the Significance and Engagement Policy:

INFORM

To provide balanced and objective information to assist understanding about something that is going to happen.

12. The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

David Moore

HIS WORSHIP THE MAYOR

COUNCIL REPORT

Date : 27 February 2025
To : Ordinary Council Meeting, 18 March 2025
From : Arsalan Karim, Planner (Project Manager, Hukutaia Plan Change)
Subject : **HUKUTAIA PLAN CHANGE – PROJECT AND COMMUNICATION AND ENGAGEMENT PLAN**
File ID : A1290071

EXECUTIVE SUMMARY

- The Opōtiki District Council has continued desktop assessments for the Hukutaia Plan Change after an unsuccessful IAF funding application. These assessments highlight the need for further technical evaluations to support the plan change.
- Staff have identified the Streamlined Planning Process (SPP) as a potential expedited pathway. If eligibility criteria are met, a formal request will be submitted to the Minister to determine the process and timeline. The SPP offers a faster plan change process with limited consultation and appeal opportunities.
- To ensure a structured and efficient approach, staff have developed the Hukutaia Plan Change – Project Plan and a Communication and Engagement Plan. These documents outline key technical assessments, stakeholder engagement strategies, regional consenting requirements, and project timelines, ensuring transparency and effective collaboration.

RECOMMENDATIONS

- 1) **That the report titled "Hukutaia Plan Change – Project and Communication and Engagement Plan", including the Annexures:**
 - a) **Hukutaia Plan Change - Project Plan**
 - b) **Hukutaia Plan Change - Communication and Engagement Plan**
 - c) **Technical Guide for Streamlined Planning Process (SPP)****be received.**
- 2) **That Council notes the eligibility criteria and processes involved in the streamlined planning process provided in the Technical Guide for Streamlined Planning Process.**
- 3) **That Council approves the Hukutaia Plan Change – Project Plan and Communication and Engagement Plan directing staff to:**

- a) **Proceed with Option 2: “Council to lead plan change. Only those works commissioned to external entity(ies) for which Council lacks the capacity and time”.**
- b) **Progress Hukutaia plan change through the Streamlined Planning Process if the pre-request meeting with the Minister and his office confirms eligibility of Hukutaia Plan change for SPP.**

PURPOSE

1. The report seeks the Council's endorsement for the Hukutaia Growth Area (HGA) Plan Change, specifically supporting Option 2, where the Council leads the process while outsourcing specialised tasks.
2. It also informs the Council about the Streamlined Planning Process (SPP), which could facilitate a more efficient plan change process.
3. The report outlines the key objectives, activities, timeframes, risks, and opportunities associated with the HGA Plan Change to ensure informed decision-making.

STRATEGIC ALIGNMENT

4. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long-Term Plan 2024-2034:
 - Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

BACKGROUND

5. The Hukutaia Growth Area (HGA) Plan Change is a strategic initiative by the Ōpōtiki District Council to rezone Hukutaia from a rural area into a vibrant residential and mixed-use zone to address the district's growing housing and infrastructure needs. The HGA is included in the Long-Term Plan (LTP) 2024-2034 and aligns with Council's community outcomes to develop and protect the natural environment and provide services and facilities to meet community needs.
6. Council decided to start preparing a plan change to the Ōpōtiki District Plan to implement the draft Structure Plan for the HGA on 21 December 2021. This decision was initially dependent on funding approval from the Infrastructure Acceleration Fund (IAF). Following the council's initial decision, several technical assessments were undertaken to inform the plan change and infrastructure concept design for HGA: Urban Design Report, Hazardous Activities and Industries (HAIL) Desktop Assessment, Ecological Desktop Assessment, Geotech Desktop Assessment,

Planning Assessment – Stormwater and Wastewater Infrastructure, Stormwater Options and Concept Design Reports.

7. The Council's IAF funding application was unsuccessful. Despite the lack of IAF funding, the council decided on 5 December 2023, to commence and progress the plan change to the Ōpōtiki District Plan to include the draft Structure Plan for the Hukutaia Growth Area.
8. The plan change is being progressed under the Resource Management Act (RMA), with a proposed Streamlined Planning Process (SPP), which enables a local authority to request a plan-making process to suit the planning issue(s) involved. Under section 80B of the RMA, clauses 1A – 3C of Part 1 of Schedule 1 plan making process are applied to the SPP, which means local authorities are required to consult with those listed below, before the proposed RPS/plan/change or variation can be notified.
9. Key stakeholders involved in this project include: Ōpōtiki District Council, Hukutaia Developers Group (landowners within HGA), affected landowners, iwi/hapū, community, developers, government and utility authorities, Bay of Plenty Regional Council (BoPRC), Minister for the Environment, Kainga Ora, infrastructure providers (Waka Kotahi (NZTA), lines company, fibre installation etc.)
10. Council plans to review the urban design elements of the Hukutaia structure plan to ensure the urban environment supports a high quality of living. To do this, Council needs to;
 - a) reassess stakeholders' interests to further align the structure plan with their aspirations
 - b) determine the relationship between spaces (the site and surrounding environment – streams, industrial area), to establish well-connected street/cycle/footpath networks, set out dwelling densities, and identify recreational and commercial spaces,
 - c) plan and conduct further technical and engineering assessments to support the plan change application to rezone the rural Hukutaia land for residential and mix use purposes.
11. The assessments and stakeholder feedback suggest changes to the structure plan and help draft new zone provisions (objectives, policy and rules) and s32 report and prepare bundled application for regional council consents.
12. The plan change application will be processed through the Streamlined Planning Process.

OPTIONS

13. The project shall change Hukutaia from Rural to Residential and Mixed Activity zones, providing a vibrant residential community, incorporating a range of housing options, mixed-use opportunities, open space and good internal connections to central Ōpōtiki. A change process under section 32 of the Resource Management Act 1991 includes engagements, assessments, changes to policies,

rules and maps in the district plan, getting required regional consents to progress development and using the SPP to progress the plan change.

14. Staff outline two options to progress with the plan change. The details of the options are below:

| OPTION 1: External consultant organization leads and processes the Hukutaia Plan Change through Streamlined Planning Process (SPP) | |
|---|---|
| Description | <i>Commission entire plan change to an external entity / consultant organisation that will also lead and process the plan change through SPP</i> |
| Advantages | <ul style="list-style-type: none"> a) <i>Plan change to progress and complete within the agreed costs and timeframe.</i> b) <i>Council provides support and technical backstopping.</i> |
| Disadvantages | <ul style="list-style-type: none"> c) <i>High costs</i> d) <i>Legislative change may enhance the scope of work leading to increased costs and extended timeframes</i> |
| Impact on mana whenua | <ul style="list-style-type: none"> e) <i>The HGA plan change process will honour Māori statutory obligations under the Treaty of Waitangi through meaningful consultation with iwi and hapū. This includes early engagement, accessible information sharing, and active input on cultural impacts, ensuring their concerns are incorporated into decision-making</i> f) <i>The SPP application ensures that required consultations with affected stakeholders has been carried out before the application is made. There is limited opportunity for public consultation after the application has been made to SPP.</i> |
| Strategic alignment | <ul style="list-style-type: none"> g) <i>The entire plan change is commissioned to an external entity through tender. The entity will initially assess the existing information and already completed tasks. The external entity will</i> h) <i>Engage with stakeholders,</i> i) <i>Carryout the required engineering, technical, natural hazard and planning assessments,</i> j) <i>Update the structure plan,</i> k) <i>Identify and process required regional consents,</i> l) <i>Draft new provisions and create maps for the district plan.</i> m) <i>Prepare all the required documents for plan change including the s32 evaluation report.</i> n) <i>Liaise with the relevant minister and process plan change through the SPP.</i> o) <i>Make changes to the application and its documents based on feedback from Council / Minister or deliberations on submission / hearings.</i> p) <i>Manage the entire plan change process through to completion in close coordination with the Council and provided directions</i> |
| Associated risks | <ul style="list-style-type: none"> q) <i>Assessments suggest additional costs for detailed assessments or additional resources / work to progress development resulting into increased cost.</i> r) <i>Engaging stakeholders results in a stalemate that delays review of structure plan and progress on plan change</i> s) <i>Minister declines the request to progress plan change through SPP.</i> |

OPTION 1: External consultant organization leads and processes the Hukutaia Plan Change through Streamlined Planning Process (SPP)

| | |
|--|---|
| | <p>t) <i>Court appeals. The SPP process allows limited appeal rights. The only decisions that can be appealed are those of the requiring authority or heritage protection authority (related to notices of requirement, designations or heritage orders).</i></p> |
|--|---|

OPTION 2: Council leads and processes the Hukutaia Plan Change through Streamlined Planning Process (SPP)

| | |
|------------------------------|---|
| Description | <p><i>Council to lead plan change. Only those works will be commissioned to external entity(ies) for which Council lacks the capacity and time.</i></p> |
| Advantages | <p>a) <i>The process, cost and timeframe of the plan change will be guided by the Council and can be controlled and adjusted depending on changes in national or regional rules or other external factors.</i></p> <p>b) <i>Council improves its working relationship with stakeholders and iwi and boosts confidence among developers for Hukutaia</i></p> |
| Disadvantages | <p>c) <i>Council to progress plan change with its own pace which may require extension of timeframe due to administrative, resource and other factors beyond staff and Council control</i></p> |
| Impact on mana whenua | <p>d) <i>The HGA plan change process will honour Māori statutory obligations under the Treaty of Waitangi through meaningful consultation with iwi and hapū. This includes early engagement, accessible information sharing, and active input on cultural impacts, ensuring their concerns are incorporated into decision-making</i></p> <p>e) <i>The SPP application ensures that required consultations with affected stakeholders has been carried out before the application is made. There is limited opportunity for public consultation after the application has been made to SPP.</i></p> |
| Strategic alignment | <p><i>Staff will manage the entire plan change process and will engage:</i></p> <p>f) <i>Stakeholders to inform changes to the structure plan. (Outsource any technical expertise required in this process)</i></p> <p>g) <i>Relevant minister and process plan change through the SPP.</i></p> <p>h) <i>BOPRC to identify and process required regional consents. (Outsource any technical expertise required in this process)</i></p> <p>i) <i>Tangata whenua and communities (If directed by the relevant minister), to make submissions and address their submission points.</i></p> <p><i>Staff will also:</i></p> <p>j) <i>Draft new provisions and create maps for the district plan. (Outsource any technical expertise required in this process)</i></p> <p>k) <i>Prepare all the required documents for plan change including the s32 evaluation report.</i></p> <p>l) <i>Manage the entire plan change process through to completion in close coordination with the Council and provided directions.</i></p> |

OPTION 2: Council leads and processes the Hukutaia Plan Change through Streamlined Planning Process (SPP)

| | |
|-------------------------|--|
| | <p><i>The remaining activities will be commissioned to external entity(ies) through tender. The entity(ies) will be responsible for:</i></p> <ul style="list-style-type: none"> <i>m) Updating the structure plan based on direction provided by Council.</i> <i>n) Carrying out the required engineering, technical, natural hazard assessments</i> <i>o) Make technical or other changes (if required) to the SPP application and supporting documents based on feedback from Council / Minister.</i> |
| Associated risks | <ul style="list-style-type: none"> <i>p) Assessments suggest additional costs for detailed assessments or additional resources / work to progress development resulting into increased cost.</i> <i>q) Engaging stakeholders results in a stalemate that delays review of structure plan and progress on plan change</i> <i>r) Minister declines the request to progress plan change through SPP.</i> <i>s) Court appeals. The SPP process allows limited appeal rights. The only decisions that can be appealed are those of the requiring authority or heritage protection authority (related to notices of requirement, designations or heritage orders).</i> |

DISCUSSION

15. Staff recommends Option 2 for the following reasons:

- t) Council will avoid incurring high costs for plan change and can utilise in-house capacity and create synergy with different projects to enable plan project plan outputs.
- u) Staff can control and adjust the project plan deliverables, and their timeframes based on any new information from assessment, engagement or expected RMA reforms and other external factors.
- v) Commissioning the entire plan change to external entity (consultant organisation) will incur high costs with the risk of those costs going higher as a result of internal / external factors leading to even a minor change of direction to achieve deliverables and results is high.

Financial/budget considerations

16. Funding to progress the Hukutaia Growth Area Plan Change has been set aside in Council's economic development reserve. There is a total reserve balance of \$634K for economic development and Hukutaia growth planning. It is estimated that the plan change will cost Council \$400K-\$500K to procure the required technical assessments if the plan change is progressed in-house as recommended.

Policy and planning implications

17. The plan change is consistent and aligns with the Ōpōtiki District Council's stated community outcomes to develop and protect the natural environment and provide services and facilities to meet community needs as outlined in the Long-Term Plan (LTP) 2024-2034. The plan change involves rezoning the Hukutaia Growth Area from Rural to Residential, incorporating the lot layout from the Structure Plan as an overlay. The key policy and planning implications include:
- a) The plan change is required to provide for long-term (30 Year) growth within the district.
 - b) The plan change addresses climate change resilience by increasing housing densities and reducing the risk of flooding and sea-level rise.
 - c) Progressing the plan change addresses the housing needs of the community, relieving the housing shortage and encouraging investment in the district, contributing to economic growth and social wellbeing.
 - d) The district plan will signal that development is subject to the availability and capacity of services. The plan change will allow the extension of services, including water, wastewater, stormwater, roads, and transport.
 - e) Rates and Rules Changes: Rates changes and new rules will not be applicable to land until subdivision stage.
 - f) Development of the structure plan area can only occur once the necessary bulk services and service upgrades are in place.

Impact on mana whenua

18. The Ōpōtiki District Council (ODC) will engage in meaningful consultation with relevant iwi and hapū throughout the HGA plan change process. This includes early notification, accessible information, and actively seeking input on potential impacts to cultural sites and values.
19. Active involvement includes consultation with tangata whenua which is early, meaningful, and in accordance with tikanga Māori and undertaken at the appropriate levels of whānau, hapū, and iwi decision-making structures.
20. Delays in adopting the plan change may compromise mana whenua's ability to maximize the potential of the Whakatōhea Hospital Site. Whakatōhea has recently settled with the Crown, and the development of their land block within the HGA is subject to infrastructure provision. The plan change would provide opportunities for mana whenua to participate in the planning and development process and realize their aspirations for the Hukutaia area.
21. Treaty of Waitangi: When progressing the HGA plan change, Māori statutory obligations under the Treaty of Waitangi will be fulfilled by engaging in meaningful consultation with relevant iwi and hapū throughout the process.

Climate impact considerations

22. HGA provides a climate-resilient option for residential growth, offering long-term capacity if managed retreat is required.
23. The New Zealand Adaptation Plan includes actions for building climate resilience in urban development and housing, and the HGA plan aligns with these actions.
24. Future growth away from areas vulnerable to tsunamis, such as the Ōpōtiki township, is a key consideration. HGA offers a safer alternative for residential growth. However, the plan change considers natural hazards and the effects of climate change by directing future growth away from high-risk areas. Areas of higher ground, like Hukutaia, are preferred due to lower natural hazard and climate change risks.
25. Changes to the wastewater network in Hukutaia may require amendment to the Onsite Effluent Treatment Plan for Ōpōtiki, overseen by the Bay of Plenty Regional Council (BoPRC). Aligning district and regional plan changes is crucial for the effective implementation of the Hukutaia plan change.

Risks

26. A more efficient, streamlined process may alienate some in the community, as they will not have the opportunity to be involved. Clear project and engagement plans could reduce this risk.
27. Limited notification of plan changes may be perceived by the public as limiting democratic rights. Ongoing engagement and consultation with key stakeholders and landowners is required to mitigate the risk.
28. Developers and landowners may not progress development if extensive resource consents are required, leaving unutilised infrastructure in place and attracting carrying costs. The plan change will be processed with bundled consents to regional council to ensure the policy and rule framework is streamlined to reduce the need for resource consents.
29. Plan change delay could undermine the Council's relationships with key stakeholders, including local iwi, landowners and developers. However, clear consultation about the process without creating unrealistic expectations would mitigate these risks.

Community wellbeing considerations

30. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four well-being's').
31. The subject matter of this report has been evaluated in terms of the four well-being's during the process of developing this report as outlined below.

32. **Infrastructure and Services:** The plan change focuses on upgrading infrastructure, including water, wastewater, stormwater systems, and transportation networks. This includes exploring opportunities to align or even combine the plan change processes with the Regional Council.

Social

33. The plan change seeks to address housing shortages by rezoning land for residential use, contributing to economic growth and social well-being. Providing sufficient housing and business land supply ensures that the goals set for the Spatial Plan are easier to meet and the benefits to the people of Eastern Bay are more likely to be realised.

Economic

34. The plan change envisions development in the Hukutaia growth area. Investments towards residential and mixed zones will contribute to the district's economic well-being.

Environmental

35. The plan change aims to develop and protect the natural environment, aligning with community outcomes. This involves considering climate change and natural hazards, managing stormwater, and protecting significant natural areas.

Cultural

36. The plan change provides opportunities for mana whenua to participate in the planning and development process and realize their aspirations for Hukutaia. Meaningful consultation with iwi and hapū is essential throughout the process.
37. The Council engages with the community, stakeholders, developers, iwi/hapū, and landowners to enable inclusive decision-making and ensure the purpose of the Resource Management Act 1991 is achieved.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

38. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.
39. The level of significance related to the decision in this report is considered to be **high**. Because the decision is determined to have **high** significance in accordance with the policy, the corresponding level of engagement required is **Inform/Consult/Involve**.

Assessment of engagement

40. As the level of significance has been determined to be **high**, the level of engagement required is **INVOLVE** according to the Engagement Framework of the Significance and Engagement Policy:

INVOLVE

Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered.

41. The tools that Council will use for the 'involve' level of engagement include face to face meetings with the stakeholders like NZTA and Te Tāwherau o Te Whakatōhea or utility / service providers to ensure cost effective and efficient feedback is processed to enable working together in the future to initiate respective on-ground development.

CONCLUSION


42. Based on the project plan and Streamlined Planning Process (SPP), the recommendation is to adopt Option 2. This option involves the Council managing the Hukutaia Growth Area (HGA) plan change process while commissioning specific works to external entities where the Council lacks technical expertise, capacity and time.

43. Key points supporting this recommendation:

- a) Option 2 allows the Council to control and adjust the process, cost, and timeframe depending on changes in national or regional rules or other external factors, ensuring a cost-effective plan change process.
- b) This option enhances the Council's working relationship with stakeholders and iwi, boosting confidence among developers for Hukutaia.
- c) Option 2 enables the Council to manage the entire plan change process in close coordination with external entities, mitigating potential risks and addressing community and cultural considerations.
- d) Utilising the SPP, as outlined in the technical guide, allows for a more efficient process with clear steps and timeframes. The SPP ensures compliance with the Resource Management Act (RMA) and enables the Council to meet its obligations in a timely manner.

Arsalan Karim

PLANNER / PROJECT MANAGER HUKUTAIA PLAN CHANGE

| | | | |
|--|--|---|--|
|  Ōpōtiki District Council <small>STRONG COMMUNITY STRONG FUTURE</small> | | Project Brief | |
| Project title: | | Hukutaia Growth Area (HGA) Plan Change | |
| Project sponsor: | | Opotiki District Council | |
| Business owner: | | Opotiki District Council | |
| Project manager: | | Arsalan Karim | |
| Date: 26/11/2024 | Group: Strategy and Development | Prepared by: Arsalan Karim | File No: A1277938 (.docx version) |

1 Executive summary

The Hukutaia Growth Area (HGA) Plan Change project is a strategic initiative by the Ōpōtiki District Council to address the district’s growing housing and infrastructure needs. Driven by regional development, population growth, and housing shortages, the plan aims to rezone Hukutaia from a rural to a vibrant residential and mixed-use zone. It includes comprehensive assessments, stakeholder engagement, and integration of national and regional rules.

Key objectives include engaging the stakeholders and landowners, conducting technical assessments, revising the Hukutaia Structure Plan and progressing the plan change application through the Streamlined Planning Process (SPP). By fostering affordable housing, mixed-use development, and improved connectivity, the project supports sustainable growth and addresses socio-economic needs. The plan aligns with broader regional goals under the Eastern Bay Spatial Plan and prioritizes cultural, environmental, and community considerations.

Through a phased, cost-effective approach, the project aims for completion in the first quarter of 2027, ensuring a collaborative process and a high-quality urban environment.

2 Background

Ōpōtiki is experiencing growth and development in key industries such as agriculture, forestry, horticulture, mānuka, aquaculture and their supporting businesses. Central government has funded and continues to support a wide range of projects (the harbour project, mussel processing factory, town centre revitalisation, footpaths, Te Tāhuhu o Te Rangi and many others) in the district. These developments are providing work opportunities and an attractive environment for people to remain in the district, return home or move to the district to take advantage of these opportunities. This increased inflow of people from other regions, cities and overseas, overcrowding of houses, as well as lack of emergency and Kāinga Ora housing, leads to a housing shortage, putting increasing pressure on families and those most in need.

Ōpōtiki District Council (Council) partnered with Bay of Plenty Regional Council, as well as Whakatāne and Kawerau District Councils to create a high-level strategic plan for the Eastern Bay of Plenty region. The Eastern Bay Spatial Plan investigates the number of dwellings required to address the residential growth over the long term and projected that if the population of Ōpōtiki continues to grow at a moderate rate of 2600 people over the next 30 years, an additional 1400 houses would be needed. However, considering other factors such as the rising trend of building and resource consents, it is estimated that up to 2280 more houses may be needed over the next 30 years.

Hukutaia has been on Council's radar as a logical next place to accommodate future growth. Patches of compact land in Hukutaia are already zoned residential which helped to meet the demand for housing in the short run. However, a large rural zoned land in Hukutaia was identified in 2021 as a potential site that can accommodate future growth and address the existing housing shortage for the following reasons:

- It is close and accessible to town services.
- It is above flooding and sea level rise risks.
- There is plenty of land and growth opportunities at scale (not occasional infill housing)
- Council already provides many services (particularly rubbish collection and water supply) to the area.
- There may also be opportunities for iwi-led investment in housing in the area.
- It provides opportunities for a wide range of affordable housing through larger scale development.
- It has the potential for staged growth.

Despite being unsuccessful in its application for funding (through the Infrastructure Acceleration Fund) to progress plan change and development in Hukutaia, Council directed staff to continue investigating other solutions and carryout preliminary assessments that will support and recommend detailed assessments to progress the plan change.

2.1 Hukutaia Structure Plan and completed assessments.

In 2022, Council carried out infrastructure assessments for stormwater, water and wastewater, which helped develop the Hukutaia Structure Plan. It is a high-level plan that outlines how Hukutaia can be developed. Other supporting desktop assessments (e.g. Geotechnical, Ecological, Contaminated Land) were conducted to identify key matters that may impact future development.

Council now plans to review the urban design elements of the Hukutaia structure plan to ensure the urban environment supports a high quality of living. To do this, Council needs to

- Engage with stakeholders (developers, landowners and authorities to reassess their interests) to further align the structure plan with their aspirations.
- Determine the relationship between spaces (the site and surrounding environment – streams, industrial area), to establish well-connected street/cycle/footpath networks, set out dwelling densities, and identify recreational and commercial spaces.
- Plan and conduct further technical and engineering assessments to support the plan change application to rezone the rural Hukutaia land for residential and mix use purposes. These assessments will also suggest changes to the structure plan and drafting new zone provisions (objectives, policy and rules). The plan change application will be processed through the Streamlined Planning Process.

In addition, Council is currently undertaking an industrial needs assessment considering the projected growth and development in the district. The assessment will help Council identify and rezone suitable land around the Ōpōtiki Township or north of Hukutaia to support the expected industrial growth for the next 30 years and cater for the projected population growth and its economic needs. Council shall decide whether industrial rezoning will become part of the Hukutaia plan change, if potential land north of Hukutaia is considered for rezoning industrial. In such a scenario, the scope of assessments and engagements will extend to include the industrial area to the structure plan and industrial plan change will be coupled with the Hukutaia plan change and processed through the SPP.

2.2 Hukutaia Growth Area (HGA) Plan Change

The HGA plan change aims to change Hukutaia rural area into residential with some mixed zones and a possible industrial zone including designated zones for purposes (drainage, access etc.) where development may not be possible. This will follow revision of the structure plan, and all the required technical and engineering assessments and regional consents that support the plan change application. Council plans to utilize the Streamline Planning Process (SPP) to progress the plan change through the responsible minister.

To progress with the HGA plan change, council initially needs to:

- Engage stakeholders.
- Carryout technical, engineering and planning assessments.
- Determine and apply for the necessary regional consents to progress plan change.
- Liaise with the minister's office to determine eligibility and then progress plan change through the SPP.

Detailed description of the above activities is included in this project plan.

3 Project description

A change to the Ōpōtiki district plan to ensure it recognises and provides for development and growth of Hukutaia as a residential zone (with a possible industrial zone). This is referred to as the Hukutaia Growth Area (HGA) Change to the district plan.

4 Project scope

The scope of the project is to ensure that Hukutaia is changed from Rural to Residential zone, providing a vibrant residential community, incorporating a range of housing options, mixed-use opportunities, open space and good internal connections to central Ōpōtiki. This will be achieved through a change process under section 32 of the Resource Management Act 1991 and includes engagements, assessments, changes to policies, rules and maps in the district plan, getting required regional consents to progress development and using the SPP to progress the plan change.

The relevant minister for SPP may require public notification of the plan change which means iwi, tangata whenua and community will be engaged and provided the opportunity to make submissions and be heard before the plan change application is approved and the plan change becomes operative.

5 Key objectives

| Objective |
|--|
| The Hukutaia Growth Area Structure plan is revised based on the aspirations of stakeholders, assessments and national and regional rules and requirements. |
| The necessary assessments are progressed in a timely manner, allowing cost-effective and efficient development, utilization of land in Hukutaia along with provision of new and upgrade of existing services (including water, wastewater, stormwater, transport, power and communications) mitigating natural hazards and applying for regional consents where necessary. |
| The plan change is progressed through the Streamline Planning Process (SPP) with the application to the minister, including new zone provisions (objectives, policy and rule) and maps, updated structure plan, changes to district plan and s32 valuation report etc. |

Stakeholders are engaged throughout the plan change process to inform the revision of the structure plan, provide input to the provision of infrastructure services and the provision of amenity and connectivity opportunities. Later, the relevant minister may provide public the opportunity to make submissions on the plan change and be heard as part of the SPP process before the plan change application is approved.

5.1 Benefits/outcomes

| Qualitative benefits | Indicator of success | Owner | Timeframe |
|--|--|--------------|------------------|
| The final Structure plan for Hukutaia is submitted as part of the plan change through SPP. | Council endorses the final structure plan for Hukutaia to be submitted as part of the SPP application for plan change. | Arsalan | 2025 |
| Council fulfils its obligation to allow cost-effective and efficient utilization of land and resources in Hukutaia to progress development | The technical, engineering, transport, planning and natural hazard assessments are complete and reported and adopted by Council allowing for extension of services and better utilization of land for development or preservation. Council is granted the required regional resource consents to enable development in Hukutaia | Arsalan | 2025/26 |
| The Hukutaia Plan change progresses through the Streamlined Planning Process (SPP) | The plan change documents and reports including the overview of technical assessment, s32 evaluation, final structure plan and the new zone provisions and maps are adopted by Council and submitted with the SPP application through the relevant minister. | Arsalan | 2026/27 |
| The stakeholders and communities perceive HGA Plan Change accommodates increased housing and infrastructure, addresses housing shortages, and supports the socio-economic growth of Ōpōtiki. | Consultations and engagements with stakeholders, landowners and developers (including community feedback and formal submissions received, if any required by the relevant Minister) demonstrate a high level of support for HGA plan change also confirming the cultural and community considerations are addressed. | Arsalan | 2025/26 |

6 Options

The Ōpōtiki District Council is required under legislation to manage growth in the region and ensure its communities have access to sustainable housing and infrastructure. The council is bound to carryout various technical, engineering, transport and natural hazard assessments before the land can be subdivided for residential purposes to allow sustainable residential development and growth. The HGA plan change includes

provisions for new residential areas, improved water, wastewater and stormwater systems, and transport infrastructure, which is tied to the broader regional development goals, including the Eastern Bay Spatial Plan, and aligns with population growth projections and infrastructure requirements. Local iwi and stakeholders are involved in the planning to ensure cultural and community considerations are addressed.

The plan change is necessary to meet the housing needs of the district and suggested not to be delayed, however, Council plans to ensure a cost-effective plan change process and will strive to reduce as much cost as possible to progress and complete the plan change. The council may commission an external entity to do the entire plan change process or only commission certain works included in the plan change for which the Council lacks the capacity and time. The option analysis is below:

6.1 Option analysis

| | Option 1: | Option 2: |
|--------------------|--|---|
| Description | Commission entire plan change to an external entity that will also lead the plan change | Council to lead plan change. Only those works commissioned to external entity(ies) for which Council lacks the capacity and time. |
| Cost | <p>High</p> <p>The entire plan change is commissioned to an external entity through tender. The entity will initially assess the existing information and already completed tasks. The external entity will</p> <ul style="list-style-type: none"> - Engage with stakeholders, - Carryout the required engineering, technical, natural hazard and planning assessments, - Update the structure plan, - Identify and process required regional consents, - Draft new provisions and create maps for the district plan. - Prepare all the required documents for plan change including the s32 evaluation report. - Liaise with the relevant minister and process plan change through the SPP. - Make changes to the application and its documents based on feedback from | <p>Medium</p> <p>Staff will manage the entire plan change process and will engage:</p> <ul style="list-style-type: none"> - Stakeholders to inform changes to the structure plan. (Outsource any technical expertise required in this process) - Relevant minister and process plan change through the SPP. - BOPRC to identify and process required regional consents. (Outsource any technical expertise required in this process) - Tangata whenua and communities (If directed by the relevant minister), to make submissions and address their submission points. <p>Staff will also:</p> <ul style="list-style-type: none"> - Draft new provisions and create maps for the district plan. (Outsource any technical expertise required in this process) - Prepare all the required documents for plan change including the s32 evaluation report. |

| | | |
|-------------------|---|---|
| | <p>Council / Minister or deliberations on submission / hearings.</p> <ul style="list-style-type: none"> - Manage the entire plan change process through to completion in close coordination with the Council and provided directions | <ul style="list-style-type: none"> - Manage the entire plan change process through to completion in close coordination with the Council and provided directions. <p>The remaining activities will be commissioned to external entity(ies) through tender. The entity(ies) will be responsible for:</p> <ul style="list-style-type: none"> - Updating the structure plan based on direction provided by Council. - Carrying out the required engineering, technical, natural hazard assessments - Make technical or other changes (if required) to the SPP application and supporting documents based on feedback from Council / Minister. |
| Resources | Staff time and budget have been included in the LTP work programme. Budget for assessments, plan change process, and engagements are included in the district plan review. | Staff time and budget have been included in the LTP work programme. Budget for assessments, plan change process, and engagements are included in the district plan review. |
| Schedule | February 2025 – July 2026 | January 2025 – 1 st quarter of 2027 Timeframe may be extended to the second quarter of 2027 depending on the degree and level of submissions and hearing and deliberation process if carried out or required by the relevant minister. |
| Strengths | <ul style="list-style-type: none"> - Plan change to progress and complete within the agreed timeframe | <ul style="list-style-type: none"> - The process, cost and timeframe of the plan change will be guided by the Council and can be controlled and adjusted depending on changes in national or regional rules or other external factors. - Council improves its working relationship with stakeholders and iwi and boosts confidence among developers for Hukutaia. |
| Weaknesses | <ul style="list-style-type: none"> - High costs may limit further progress on plan change. - Any changes to the national or regional laws and rules or other external factors may lead to revision of agreement(s) with | Council to progress plan change with its own pace which may require extension of timeframe due to administrative, resource and other factors beyond staff and council control. |

| | | |
|--------------|---|--|
| | the entity(ies) leading to increased cost and extension of timeframe. | |
| Risks | <ul style="list-style-type: none"> - Assessments suggest additional costs for detailed assessments or additional resources / work to progress development resulting into increased cost. - Engaging stakeholders results in a stalemate that delays review of structure plan and progress on plan change. - Minister declines the request to progress plan change through SPP. - Court appeals. The SPP process allows limited appeal rights. The only decisions that can be appealed are those of the requiring authority or heritage protection authority (related to notices of requirement, designations or heritage orders). | |

6.2 Recommendation

Adopt Option 2: Proceed with Hukutaia Plan Change in March 2025 as per the project work plan below:

7 HGA Plan Change: Project work plan

7.1 HGA Plan change work breakdown.

| Level 1 | Level 2 | Level 3 |
|--|--|--|
| Stage 1: Project plan and communications engagement plan and resources January-March 2025 | Prepare draft Project Plan and Communication Engagement Plan (internal / external) | Consult relevant internal staff and Hukutaia Working Group on the project plan and communications and engagement plan and budget allocations. |
| | Workshop with Council | Provide summary of Hukutaia Plan Change process as provided for in draft project plan and communications strategy and details of available and / or required budget to process plan change. |
| | Project plan and Communications and Engagement Plan approved | To be approved by Council |
| Stage 2a: Assessments to revise structure plan, progress development and | Environmental assessment. | <ul style="list-style-type: none"> - Prepare RFP and commission ecological and landscape and visual effects assessment (including the need for an archaeologist for application to Heritage to seek and destroy). - Ecological assessment (including potential wetlands and the various streams identified in the desktop analysis, located within and adjacent to the project site) and |

| | | |
|--|--|--|
| <p>support plan change application.</p> <p>(March 2025– January 2026)</p> | | <p>recommendations on waterway and wetland enhancements is required.</p> <ul style="list-style-type: none"> - Landscape assessment is also required to advise on how the Structure Plan could enhance and make use of natural features and landscapes and recommendations on district plan controls to ensure quality development including making good use of open space areas and ensuring connectivity with the wider environment. |
| | <p>Geotechnical and contaminated land assessment</p> | <ul style="list-style-type: none"> - Prepare RFP and commission geotechnical and contaminated land assessment. - Preliminary or detailed site-specific geotechnical to recommend development controls. - Refresh previous HAIL assessment - Determine any need for immediate site investigation activities - Prepare site-wide Contaminated Site Management Plan (CSMP) for the plan change area. - A site-specific land rehabilitation and site management plan with relation to contaminated land will be required. - Consider contaminated land assessments of the historic landfill site at 233 Woodlands as identified in the desktop analysis and determine its land use suitability |
| | <p>Infrastructure assessment</p> | <ul style="list-style-type: none"> - Prepare RFP and commission infrastructure assessment. An infrastructure assessment incorporating the stormwater, water and wastewater management and other infrastructure (telecom and power) for the full structure plan area. - Consider staging of infrastructure, constraints and solutions. - Wastewater Assessment – align solutions in accordance with the current WWTP and disposal consent work underway. Will also need to consider the need for the development of a Council policy for the implementation of the currently preferred option of a low-pressure sewer scheme. - Stormwater and Flooding Assessment – pick up on the recommendations from the PDP Concept Stormwater Design Report (2022) and advance the development of the centralised stormwater management approach and explore interim alternative management approach to accommodate early development that can be integrated into a centralised stormwater approach over time. This assessment will also require survey of waterways and land valuation assessments to inform cost estimates for the purchase of drainage reserves and easements. The investigations will need to be sufficient to inform a |

| | | |
|--|--|--|
| | | <p>discharge consent application and inform a Council land and easement purchasing strategy.</p> <ul style="list-style-type: none"> - Water supply assessment – determine likely water supply demand for the HGA, compare with available water supply and specific focus on solutions for supply and resilience of the supply. |
| | Hazard Assessment | <ul style="list-style-type: none"> - Prepare RFP and commission a Hazard Assessment - Discussions with BOPRC to confirm extent of required hazard assessments - Assumed primary focus on hazards associated stormwater, flood and geotechnical assessments. |
| | Transport Assessment | <ul style="list-style-type: none"> - Prepare RFP and commission transport assessment - An assessment of vehicle transport and multi modal forms of transport and outline the recommended transport infrastructure improvement works required to support the Structure Plan development. - This will include identifying important enabling improvements (such as safety improvements) as well as exploring the feasibility of aspirational enhancements assessment to improve connectivity such as the previously proposed pedestrian and cycle connection across the river linking to Stoney Creek Road. |
| | Reverse Sensitivity Assessment | <ul style="list-style-type: none"> - Prepare RFP and commission reverse sensitivity assessment - Reverse sensitivity assessments to assess issues associated with new land uses - A focus on noise sensitiveness of residentially zoned land adjacent to SH and influence of development near existing land uses such as horticulture. |
| <p>Stage 2b: Engagements and consultations with stakeholders to revise structure plan. (March 2025 – March 2026)</p> | Engage and re-assess stakeholder interests | <ul style="list-style-type: none"> - Meetings with developers and affected persons and landowners (Whakatohea, Mana Whenua, Landowners retiring septic tanks, other affected landowners, Marine and Industrial Park, Network utilities, Kianga Ora, Toi EDA). Further targeted engagements may be required based the recommendations / results of assessments above. - Discussion with NZ Transport agency based on transport assessment. <p>If during stakeholder engagement the need for technical expert is realized, staff will engage specialists only as required.</p> |

| | | |
|--|--|---|
| Stage 3a: Updated Structure Plan (May 2025 – March 2026) | Urban Design and Structure plan review | <ul style="list-style-type: none"> - Prepare RFP and commission Urban Design assessment and structure plan review - Consultant to review the previously developed urban design principles and work in parallel with the development of the other technical assessments to re-inform the structure plan area layout - The consultant will accompany staff to attend engagement meetings with stakeholders and respond to technical questions where necessary. - The consultant will also review final reports of assessments mentioned in 2a as they become available. Both the results of the engagement and the recommendations of the assessment will feed revision of the structure plan. |
| | Council adopts assessment reports and stakeholder engagement results, consider recommendations, and approve revision to the structure plan | <ul style="list-style-type: none"> - Consultant finalizes the revised structure plan - Staff prepares Council report to recommend adoption of the revised structure plan. - Council adopts the revised structure plan |
| Stage 3b: Planning assessment (progress regional consents, review district plan provisions and application through SPP) (October 2025 – June 2026) | Plan Change Application through SPP | <ul style="list-style-type: none"> - Pre-application consultation with Regional Council regarding required regional consents - Assessment of effects against existing district and regional plan rules and policies. - Draft new district plan rules and policies: - Review all the technical reports - Draft s32 evaluation report - Draft application – a bundled consent to the regional council that addresses both ODC and BOPRC’s plan requirements. Staff will evaluate if using the fast-track process for regional consents will be cost and time efficient and may decide to use the fast-track process with council’s approval. - The planning assessment will also cover responding to any relevant additional technical information that may be requested by the Minister |
| Stage 4: Hukutaia Plan Change application through SPP | Council adopts plan change to progress through the SPP | <ul style="list-style-type: none"> - Prepare report for council to adopt plan change application through the SPP. - Submit plan change application with all supporting documents to the relevant minister for SPP. |

| | | |
|---------------------------------------|---|---|
| (January 2026 – January / April 2027) | Plan change application to the Minister | <ul style="list-style-type: none"> - Formal request to minister for the environment to use SPP, including process, steps and timeframes. (An informal discussion with the minister office to progress plan change application through SPP will be done in the 3rd or 4th quarter of 2025). - Minister considers and consults on request. - Minister sets out process steps, timeframes & expectations. - ODC Follows directions. - Submit plan change to minister. - Minister makes decision on plan change. - Plan change becomes operative |
|---------------------------------------|---|---|

7.2 Project milestones

| Milestone | Date |
|---|--|
| Council endorses the Hukutaia Plan Change - Project and Engagement Plan | February / March 2025 |
| Council endorses the recommendations of assessments and engagements to review structure plan | January 2026 |
| Minister gives direction to use the SPP for plan change | March 2026 |
| Council adopts the final structure plan and plan change application for the SPP. | August 2026 |
| Minister makes decision on plan change. <i>If the minister requires council to engage public for submissions, the timeframe may extend based on the degree and level of submissions and hearings and deliberations processes set forth by the Minister.</i> | 1 st (and 2 nd) quarter of 2027 |
| Hukutaia Plan change becomes operative | 1 st (and 2 nd) quarter of 2027 |

7.3 Project resources

| Role | Name | Responsibility | Period | % required | Confirmed availability |
|-----------------|---------------|---|-----------------------------|-------------------|-------------------------------|
| Project manager | Arsalan Karim | Project management, council report drafting, engagement and consultation lead, planning assessment, | January 2025 – January 2027 | 40% | Yes |

| | | | | | |
|------------------------------------|--|--|-----------------------------|------|------------------------|
| | | and SPP application processing | | | |
| Technical Inputs and reports | Multiple Consultants (TBC) | All assessment and structure plan review | January 2025 – January 2027 | 100% | TBC based on proposals |
| Project sponsor | Stace Lewer, Antoinette Campbell, Peter Edwards | Project support and backing | January 2025 – January 2027 | 1% | Yes |
| Hukutaia Plan Change Working Group | Antoinette Campbell, Peter Edwards, Nathan Hughes (supported by Operation Managers Ari Erickson and Steve Mathias), Jessica Wiseman (supported by WSP for transport input), Ella Jonker, Arsalan Karim | Project steering and input including resource and technical backstopping and expert opinion. | January 2025 – January 2027 | 10% | Yes |

8 Project Structure

The Hukutaia Plan Change working group will meet fortnightly to discuss:

- Progress against tasks and timeframes in Project Plan and the communications and engagement plan
- Options and responses to matters raised by external stakeholders and assessment consultants or their reports.
- The recommendations of the assessments and structure plan review process and results
- Council reports and decisions
- Draft district plan provisions and updated structure plan
- Progress on the SPP and response to Minister (if any)

- Budgetary considerations; and
- Risk analysis.

9 Stakeholders

| Stakeholder | Project interest |
|------------------------------|---|
| Opotiki District Council | Responsible to steer the project, provide direction and resources, make recommendations on technical information and extend council services, record submissions and provide opportunity for hearing and deliberations. |
| Councillors | Councillors approve and adopt final structure plan and plan change application for SPP |
| BOPRC | BOPRC provides consents to progress development in Hukutaia and support the plan change application for SPP |
| Landowners and Developers | Landowners and developers support plan change application and final structure plan |
| Community and General Public | General interest as ratepayers and affected parties |

10 Communication management

Refer to the Hukutaia Plan Change Communications and Engagement Plan (to be developed)

External:

Communications will be focused on the Hukutaia landowners and developers as a key stakeholder of the plan change. Other external stakeholders for targeted consultation include BOPRC, Whakatohea Maori Trust Board, NZTA, DoC, Toi EDA and Heritage NZ.

Internal:

The Hukutaia Plan Change working group will lead the change development process.

Other teams will be informed, and possibly called on to provide technical expertise as plan change progresses. The teams most likely to be involved are:

- Serve Delivery – Operations
- Building and Assets

Strategies (broad strategy of how communications will be undertaken)

1 We will always be transparent, concisely, timely and use plain English when dealing with the media.

The media is an essential tool for getting information to the public and encouraging their feedback. We will have one media spokesperson, at any one time, who is media trained and explains the plan in everyday language and works alongside communications when dealing with the media.

2 We will engage face to face with key stakeholders' groups.

Key stakeholders need to be engaged directly and given opportunity to give meaningful feedback e.g. through presentations, workshops and hui).

3 We will use our websites (internal and external) to inform and interact with key stakeholders and the public.

4 We will use all district Council publications and media resources...to raise positive awareness of plan change and to give opportunities for the public to get involved with it where appropriate and necessary.

5 We will take a staged approach to consultation if required and directed by the Minister

Communications with general public and other key stakeholders is key to managing expectations and promoting a successful plan change project.

Communications will be led by the project manager with the support from working group to ensure consistent information is provided to key stakeholders and to promote knowledge sharing, extension and feedback.

11 **Key Contact**

| Name | Position | Email | Phone |
|---------------|-----------------|--|------------------------|
| Arsalan Karim | Planner | muhammadk@odc.govt.nz | 073077626 / 0275093909 |

Communications & Engagement Plan

Hukutaia Growth Area (HGA) Plan Change to the Ōpōtiki District Plan

| | |
|-----------------------------------|---|
| Engagement start/end date: | March 2025 until the proposed HGA Plan Change becomes operative through the Streamlined Planning Process. |
| Business owner: | Stace Lewer – Chief Executive Officer, Ōpōtiki District Council |

Project Scope

The Hukutaia Growth Area (HGA) Plan Change project aims to rezone Hukutaia from a rural to a vibrant residential and mixed-use zone to accommodate future growth and address the existing housing shortage. This will involve subdividing Hukutaia into residential zone, with some mixed-use zones and a possible industrial zone.

Key elements of the project scope include:

- Engaging with stakeholders including government, developers, landowners, iwi, and the community.
- Conducting technical assessments for stormwater, water, wastewater, geotechnical, ecological, contaminated land, transportation, and noise.
- Revising the Hukutaia Structure Plan to outline how Hukutaia can be developed.
- Applying for / preparing bundled applications for all the necessary regional consents to progress development to support the plan change application for Streamlined Planning Process (SPP).
- Updating the district plan with new zone provisions (objectives, policies, and rules) and maps
- Using the SPP to progress the plan change through the responsible Minister.

The project aims to create a vibrant residential community in Hukutaia that includes a range of housing options, mixed-use opportunities, open space, and good internal connections to central Ōpōtiki. It is expected to be completed by January 2027.

Level of Significance: High

What are the desired outcomes for the project? What are the desired outcomes for community?

1. The Ōpōtiki District Council fulfils its obligation to create a vibrant residential community with a mix of housing options, integrated mixed-use opportunities, open spaces, and convenient connections to central Ōpōtiki
2. The Council successfully engages central government, community, stakeholders, developers, iwi/hapu, landowners, consultants and regional council; enabling inclusive decision making and ensuring the purpose of the Resource Management Act 1991 is achieved allowing Hukutaia to be rezoned from rural to residential and mixed activity zones providing a range of housing options and improvements to water, wastewater and storm water systems and upgraded transportation structure.
3. The Council aims to increase housing availability, support socio-economic growth, improve connectivity and enhance the quality of life of its communities
4. The project prioritizes cultural, environmental, and community considerations, with local iwi and stakeholders involved in the planning process and also provides affected community the opportunity to provide feedback on the plan change to ensure their voices are heard.

| | |
|---|--|
| <p>Why do you want to engage with your community?</p> | <ul style="list-style-type: none"> • The district plan includes objective, policies and rules and any change to the district plan must therefore ensure consultation is undertaken with communities and stakeholders before adopting the change to the plan. However, under the SPP, public consultation on the plan change may be restricted and subject to directions by the relevant minister. • If considered by the relevant minister through the SPP, community will be engaged according to the mechanism proposed by the Minister which may involve submissions, allowing residents to participate in the decision-making process promoting sense of ownership and increasing community support for the plan change while minimizing potential opposition; ultimately creating a shared vision for Hukutaia's future • Under the Local Government Act, Council is required to carry out consultation with affected communities and landowners to which the HGA plan change applies. It is important that the final structure plan for Hukutaia reflects community and landowners' aspirations. These consultations will be done by Council for finalizing the structure plan and for any feedback based on recommendation of the assessments. |
| <p>Parameters: <i>(budget, timing, legislation, what's 'off the table/on the table')</i></p> | <ul style="list-style-type: none"> • Not progressing with the HGA plan change is <u>not</u> an option in the long run. • Proposed HGA plan change must be notified no later than April 2027. • There is no additional budget allocation for marketing or promotion above that normally allocated for statutory plan changes. Consultation and engagement on HGA plan change needs to occur within the existing budgets of the 2024/2025, 2025/26 to 2026/2027 years. • The cost for this process under the Long-Term Plan 2024-2034 budget involves staff time, consultants, engagement costs, and legal fees (if any). • Project timeframes are March 2025 – January 2027 (with the possibility of extension to April 2027 depending on the level and degree of engagement or public consultation directed by the minister). • Proposed HGA plan change application will be subject to steps, procedures and processes and timeframe set by the relevant minister |
| <p>How will Māori Statutory obligations be provided for: (Treaty of Waitangi/iwi/hapū)</p> | <p>When progressing the proposed HGA plan change, Māori statutory obligations under the Treaty of Waitangi will be fulfilled by engaging in meaningful consultation with relevant iwi and hapū throughout the process, including early notification, providing information in accessible formats, actively seeking their input on potential impacts to cultural sites and values, and incorporating their concerns into the plan change where appropriate to ensure their voices are heard and considered in decision-making</p> |

| | |
|--|---|
| | <p>Active involvement must include consultation with tangata whenua which is early, meaningful and in accordance with tikanga Māori and undertaken at the appropriate levels of whānau, hapū and iwi decision making structures.</p> <p>Within a month of gaining Council’s approval to progress with the plan change, correspondence will be sent to the Māori contacts (i.e. Iwi Authorities, hapū, Māori land trusts) directly affected by plan change, providing information and inviting them to advise whether they’re interested in meeting to discuss the proposed plan. Staff will arrange to meet with anyone interested in the HGA plan change and seek feedback on any changes proposed.</p> <p>Letters/emails to be sent in May 2025. Arrange and undertake hui with interested iwi/hapū/ Māori land trusts who respond to emails/letters.</p> <p>Commence draft Section 32 report and include issues raised during consultation with tangata whenua and document how these are proposed to be addressed by proposed HGA plan change or via other mechanisms.</p> <p>Remain open and ready to engage with tangata whenua throughout the process, be genuinely open to considering information and provide sufficient information and time to enable tangata whenua to be engaged in the process and respond.</p> |
| <p>ODC Councillor involvement:</p> | <p>Councillor involvement will be through the general Council meetings and workshops held at the Council office in Ōpōtiki and provide democratic oversight to ensure accountability and that the project steers towards its logical conclusion.</p> <p>Councillor primary responsibilities shall include:</p> <ul style="list-style-type: none"> • Approve the final structure plan. This will involve review of the Hukutaia Structure Plan, considering recommendations from technical assessments and stakeholder engagements. • Approve the final plan change application for the SPP which will include the final structure plan, changes to the district plan policies and rules and maps, section 32 report and bundled regional consents. • Provide support to the SPP application where necessary to address comments or feedback from the Minister’s office (if any). • Any other project administrative, operational or financial backstopping that may fall within the authority, powers and jurisdiction of the Councillors. |
| <p>Challenges/contentious issues:</p> | <p>There is potential for project scope creep given the nature of the proposed plan change which involves many stakeholders (developers, landowners, existing residents, government and private utility entities, regional council and tangata whenua) and assessments that may require change to the project scope without adjusting the schedule, budget or resources. Some other challenges include:</p> |

| | |
|--|---|
| | <ul style="list-style-type: none"> • Technical Assessments suggest additional costs for detailed assessments or additional resources / work to progress development leading to increased costs • Engaging stakeholders results into a stalemate that delays review of structure plan and progress on the proposed plan change. • Minister declines the request to progress the proposed plan change through SPP. • Contacting and consulting with all potentially affected Māori landowners will prove challenging. • Expectations about the ability of the HGA proposed plan change to address development concerns/aspirations may be beyond the scope of changes proposed. • RMA reform may signal other related changes that could place uncertainty on the life of the project or the HGA plan change. |
|--|---|

Engage (Levels of engagement)

| | Inform | Consult | Involve |
|-----------------------------|--|--|--|
| Goal | To provide balanced and objective information to tangata whenua, government and utility authorities, affected landowners, community and developers and iwi / hapu trusts with balanced and objective information to assist them in understanding about what is happening or will happen. | To obtain feedback from tangata whenua, government and utility authorities, affected landowners, community and developers and iwi / hapu trusts about ideas on rationale, alternatives, and proposals to inform decision making. | Participatory process involving tangata whenua, government and utility authorities, affected landowners, community and developers and iwi / hapu trusts to help identify issues and views to ensure that concerns and aspirations are consistently understood and fully considered in plan change and Council's decision making. |
| Expectation created: | <p>We will keep you informed.</p> <p>We will advise you of the decisions we make.</p> | <p>We will keep you informed, listen to and acknowledge concerns.</p> <p>We will provide reasons for the decisions we make.</p> | <p>We will work with you to ensure your concerns and issues are directly reflected in the alternatives developed.</p> <p>We will provide feedback about how your input influences the decisions we make.</p> |

The table below shows how we intend to engage:

| Stakeholder | level of engagement |
|--|---|
| <p>External Stakeholders:</p> <p>Iwi and hapū and Māori land trusts, Mana Whenua, Affected landowners, Developers, Marine and Industrial Park, Infrastructure Providers, Waka Kotahi (NZTA), power and telecommunication Companies, Fibre Installation, Bay of Plenty Regional Council (BOPRC), DOC, Kainga Ora and Toi EDA</p> | <p>INVOLVE</p> <p>To work directly with external stakeholders throughout the process to ensure that their issues and concerns are consistently understood and fully considered in Council's decision making.</p> |
| <p>Internal Stakeholders:</p> <p>Staff (including engineering and services and assets) and elected members</p> | <p>CONSULT</p> <p>To obtain input or feedback from internal stakeholders and Councillors on analysis, alternatives, and /or proposed plan change structure plan, district plan policies, rules and maps.</p> |
| <p>Internal Stakeholders:</p> <p>Staff and elected members</p> <p>Other External Stakeholders:</p> <p>BOPRC, Minster for Environment, Kainga Ora, Development Community (Property Developers) Infrastructure providers (Waka Kotahi, Lines Company, Fibre Installation), community and public.</p> | <p>INFORM/CONSULT</p> <p>To provide key stakeholders and the community with balanced and objective information to assist them in understanding the HGA proposed plan change and the opportunities and challenges that may follow during and after the plan change process.</p> <p>To obtain input or feedback from key stakeholders and community about our analysis, alternatives, and /or proposed plan change documents and application.</p> |

Action Plan

| Stage 1 Actions: Draft Proposed HGA Plan Change Project Plan and Communication and Engagement Plan ready for Councils approval | | | | |
|--|---|---|--------------|---|
| | Item | Comment | Due | Status X=Closed O=Open P=Pending |
| 1 | Draft Project plan and Communication and Engagement Plan ready for Council's approval | Develop draft Project Plan and Communication and Engagement Plan. Seek input from key internal staff (Hukutaia Working Group, Engineering and Services) | January 2025 | O |

Stage 1 Actions: Draft Proposed HGA Plan Change Project Plan and Communication and Engagement Plan ready for Councils approval

| | Item | Comment | Due | Status X=Closed O=Open P=Pending |
|----------|--|---|--------------------|--|
| 2 | Project Sponsor and Business Owner buy in to Comms and Engagement Plan and Project Plan. | Obtain Project Sponsors (Antoinette Campbell and Peter Edward) and Business Owner (Stace Lewer) approval for Project Plan and Communications and Engagement Plan. | January / Feb 2025 | O |
| 3 | Obtain Councils approval for Project Plan, and Comms and Engagement Plan. | Seek formal Council's endorsement of Project Plan and Communication and Engagement Plan | Feb / March 2025 | P |

Stage 2a: Actions: Commence Assessments to revise structure plan, progress development and support plan change application.

Stage 2b: Engagements and consultations with stakeholders to revise structure plan
 (Commence development of Section 32 analysis adding feedback from stakeholders and details of the assessment reports. Any change proposed to the structure plan shall be incorporated too).

| | Item | Comment | Due | Status X=Closed O=Open P=Pending |
|----------|--|---|------------------------------|--|
| 1 | Commence structure plan review and necessary detailed assessments (environmental, geotechnical and contaminated land, infrastructure and hazard and transport and noise) | - Review completed desktop and other assessments and determine the scope and level of work required for each RFP | March 2025 | p |
| | | - Seek Proposals against RFPs for assessments, develop comparative analysis and seek approval from Hukutaia working group to commission works. | March 2025 | p |
| | | - Seek proposals against RFP to engage consultant to revise the structure plan, develop comparative analysis and seek approval from Hukutaia working group to commission works. | April 2025 | p |
| | | - Commission work to successful candidate consultants. | April / May 2025 | p |
| | | - Assessment reports finalized (after draft of the reports are discussed with internal staff and necessary revisions are made based on staff feedback. | December 2025 / January 2026 | p |
| | | - Consultant to review assessment reports to make relevant changes to the structure plan | December 2025 / January 2026 | p |

| Stage 2a: Actions: Commence Assessments to revise structure plan, progress development and support plan change application. Stage 2b: Engagements and consultations with stakeholders to revise structure plan (Commence development of Section 32 analysis adding feedback from stakeholders and details of the assessment reports. Any change proposed to the structure plan shall be incorporated too). | | | | |
|--|---|---|---|---|
| | Item | Comment | Due | Status X=Closed O=Open P=Pending |
| 2 | Engagements and reassess stakeholders' interests | <ul style="list-style-type: none"> - Engage stakeholders through letters and emails and schedule meeting dates - Provide the draft structure plan and relevant assessment reports to the stakeholders and allow adequate time and opportunity for them to consider, request further information or specific hui and provide feedback. - Consultant for urban design and structure plan review to accompany staff for the engagement and consultation meetings and record technical feedback for changes to structure plan / also discuss technical matters with stakeholders concerning their feedback based on assessment reports - Record stakeholder feedback for the Council report and Section 32 report and for making changes to the structure plan. <i>(Have regard to any feedback received and, where appropriate, consider whether further changes are warranted and in-line with project scope and plan change requirements. Update consultation record and section 32 analysis after each meeting).</i> <p>Note: staff will remain open to continuing consultation up until Council approval is sought to adopt the final structure plan. After this, the only opportunity to provide feedback will be provided by the relevant minister through the SPP process if possible).</p> | <p>March 2025</p> <p>March / April 2025</p> <p>March 2026</p> <p>Ongoing until Council approval to adopt final structure plan i.e. March 2026</p> | <p>P</p> <p>P</p> <p>P</p> <p>P</p> |
| 3 | Commence development of Section 32 evaluation report for Proposed HGA plan change | <p>Update Section 32 report and consultation record for plan change following each engagement/ consultation hui held to recognise alternatives put forward and ensure there is an accurate transparent record of those persons who responded to requests for interested persons/stakeholders and those who were consulted.</p> <p>Section 32 report to be refined and developed throughout the process of preparing plan change application</p> | Ongoing until Council approval sought to include the report in the SPP application | P |

| Stage 3a Actions: Updated Structure plan | | | | |
|---|--|--|--|--|
| Stage 3b Actions: Planning assessment (progress regional consents, review district plan provisions and application through SPP | | | | |
| | Item | Comment | Due | Status X=Closed O=Open P=Pending |
| 1 | Council adopts assessment reports and stakeholder engagement results, considers recommendations and approve revision to the structure plan | <ul style="list-style-type: none"> - The consultant prepares the draft final structure plan based on stage 2a and 2b. - Staff prepare council report based on feedback from assessment and engagement with stakeholders to revise the structure plan - Present the final structure plan to the Council and seek approval <p><u>Note:</u></p> <p>Consultant to accompany staff in Council meeting to answer technical questions on the proposed final structure plan based on the results of assessments and engagement.</p> | <p>December 2025</p> <p>January / February 2026</p> <p>February / March 2026</p> | <p>P</p> <p>P</p> <p>P</p> |
| 2 | Plan Change Application for SPP | <p>Prepare all the required and necessary documents for the SPP application for HGA plan change. This shall involve:</p> <ul style="list-style-type: none"> - Consultation with Regional Council regarding required regional consents - Assessing effects against existing district and regional plan rules and policies. - Drafting new district plan rules and policies: - Reviewing all the technical reports - Drafting s32 evaluation report <p>Prepare bundled consent application for regional council that addresses both ODC and BOPRC's plan requirements. Staff will evaluate if using the fast-track process for regional consents will be cost and time efficient and may decide to use the fast-track process with council's approval</p> | <p>June 2026</p> <p>June 2026</p> | <p>P</p> <p>P</p> |

| Stage 4 Actions: Hukutaia Plan Change application submitted through the SPP | | | | |
|--|---|--|---|---|
| | Item | Comment | Due | Status X=Closed O=Open P=Pending |
| 1 | <p>Council adopts plan change through the SPP process</p> <p><i>(Note: The type and level of engagement and timeframe may be determined by the relevant minister Minister for SPP).</i></p> | <ul style="list-style-type: none"> - Prepare report for council to adopt HGA plan change through SPP. The minister may progress with consulting public / requesting submissions through the SPP process. <p><u>Note:</u></p> <p>Stage 4 timeframes relating SPP application are intentionally broad as forecasting specific timeframes currently is difficult especially if they may be determined by the relevant minister for the SPP application. The project plan and communications and engagement plan are living documents and will be regularly reviewed and updated to reflect key directions, particularly from Council meetings which affect key project stages, actions and timeframes.</p> | 2 nd Quarter of 2026 | P |
| 2 | Plan Change Application through the SPP | <ul style="list-style-type: none"> - Formal request to minister for the environment to use SPP. - Minister considers and consults on request and sets out process steps, timeframes & expectations. - ODC Follows directions and submits proposed plan change to minister. - Minister makes decision on plan change - Plan change becomes operative | <p>1st Quarter of 2026</p> <p>1st and 2nd quarter of 2026</p> <p>3rd and 4th Quarter of 2026</p> <p>1st quarter of 2027</p> <p>1st or 2nd quarter of 2027</p> | <p>P</p> <p>P</p> <p>P</p> <p>P</p> <p>P</p> |



Ministry for the
Environment
Manatū Mō Te Taiao

Technical Guide: Streamlined Planning Process

UNDER THE RESOURCE MANAGEMENT ACT 1991

Resulting from changes made by the
Resource Legislation Amendment Act 2017

Version 2 - Incorporating changes as a result of the Resource Management Amendment Act 2020.

Disclaimer

The information in this publication is, according to the Ministry for the Environment's best efforts, accurate at the time of publication and the Ministry makes every reasonable effort to keep it current and accurate. However, users of this publication are advised that:

- the information provided does not alter the laws of New Zealand and other official guidelines or requirements
- users should take specific advice from qualified professional (with expertise in resource management) before undertaking any action as a result of information obtained from this publication
- the Ministry for the Environment does not accept any responsibility or liability whatsoever whether in contract, tort, equity or otherwise, for any action taken as a result of reading, or reliance placed on the Ministry for the Environment, because of having read, any part, or all, of the information in this publication, or for any error, inadequacy, deficiency, flaw in, or omission from the information provided in this publication
- all links and references in this publication to other websites, organisations or people not within the Ministry for the Environment are provided for convenience only and should not be taken as endorsement of those websites or information contained in those websites, nor of the organisations or people referred to.

Acknowledgements

The Ministry for the Environment would like to thank the local authorities who provided feedback on this guidance in its draft form.

This document may be cited as: Ministry for the Environment. 2020. *Technical Guide: Streamlined Planning Process under the Resource Management Act 1991*. Wellington: Ministry for the Environment.

Original version published in March 2018, Version 2 published in October 2020

Ministry for the Environment

Manatū Mō Te Taiao

PO Box 10362, Wellington 6143, New Zealand

ISBN: 978-1-98-852538-9

Publication number: ME 1344

© Crown copyright New Zealand 2020

This document is available on the Ministry for the Environment website: www.mfe.govt.nz.



Making Aotearoa New Zealand
the most liveable place in the world

Contents

| | |
|---|----|
| Part one – Introduction | 5 |
| Purpose of this guide | 5 |
| Background to the 2017 Amendments | 5 |
| SPP at a glance | 6 |
| Part 1 Schedule 1 processes that still apply | 7 |
| Part two – SPP process | 8 |
| Step 1: Local authority pre-request considerations | 9 |
| Step 2: Pre-request discussion | 12 |
| Step 3: Local authority makes a written request to use the SPP | 13 |
| Step 4: Minister considers request | 17 |
| Step 5: Minister consults on the proposed SPP | 17 |
| Step 6: Minister’s decision on the request | 17 |
| Step 7: Local authority follows direction | 18 |
| Step 8: Local authority submits proposed planning instrument to Minister | 18 |
| Step 9: Minister’s decision on proposed planning instrument | 19 |
| Step 10: Planning instrument becomes operative | 21 |
| Part three – Other matters relevant to the SPP process | 22 |
| Requesting an extension of the timeframe | 22 |
| Amending the Minister’s direction | 22 |
| Withdrawal of the proposed planning instrument | 22 |
| If the Minister revokes the direction | 22 |
| Part four – Designations, heritage orders and notices of requirement in the SPP | 23 |
| Consultation requirements pre-request | 23 |
| Consultation on request to use the SPP | 23 |
| Consultation before submitting proposed planning instrument to the Minister | 24 |
| Process following the Minister’s decision on proposed planning instrument | 24 |
| Decisions of requiring authority or heritage protection authority | 24 |
| Appeals on requiring authority/heritage protection decisions | 25 |
| Appendix 1 – Possible questions to consider before making a request to use a SPP | 26 |
| What is the proposed planning instrument? | 26 |
| What is the wider context? | 26 |
| What information are you supplying to the Minister? | 26 |
| What’s the rationale for applying to use the SPP? | 26 |
| What consultation has occurred on the process of making use of the SPP? | 27 |
| What consultation has taken place on the preparation of the proposed planning instrument? | 27 |
| What process steps do you consider are needed in SPP and why? | 27 |
| Appendix 2 – Example directions | 28 |

| | |
|---|----|
| Example 1: Direction to the Bay of Plenty Regional Council | 28 |
| Example 2: Direction to Hastings District Council | 30 |
| Appendix 3 – Considering requesting additional procedural steps | 32 |
| Additional procedural steps | 32 |
| Further submissions | 32 |
| Hearings | 32 |
| Alternative dispute resolution | 33 |
| Incorporation of information by reference | 33 |
| Conferences and expert conferences | 33 |
| Comment on draft decision documents by stakeholders before they are submitted to the Minister | 34 |
| Appendix 4 – SPP application form | 35 |
| Application for request to use a Streamlined Planning Process | 35 |
| Part IV: Description of the proposed process | 37 |
| Part V: Consultation and affected parties on the proposed planning instrument | 38 |
| Part VI: Implications of the proposal for any relevant iwi participation legislation | 38 |

Part one – Introduction

Purpose of this guide

The purpose of this guide is to help local authorities who are considering making a request for a direction to use the Streamlined Planning Process (SPP) for the preparation, change or variation of a policy statement or plan (under Part 5 of Schedule 1 of the Resource Management Act 1991 (RMA)).

Part one of this guide provides background information, summarises the SPP and sets out which requirements of the standard Part 1 Schedule 1 process will still apply.

Part two sets out the steps followed through a SPP. It particularly focuses on helping local authorities make a request to use the SPP, outlining the information required and matters to consider.

Part three details other matters relevant to making use of the new process.

Part four provides information about designations, heritage orders and notices of requirement in the SPP.

Appendices 1 to 4 inclusive contain information to assist those considering making a request to use SPP.

This guide has been written for a local authority audience. Local authorities are welcome to share this guide with the public, or use information in the guide to develop their own customer information about the SPP. Please note this guide has no legal status and is not a legal interpretation of the RMA.

Background to the 2017 Amendments

Before April 2017, the RMA had one standard process to prepare, change or vary policy statements or plans, no matter how simple or complex the proposal. The only alternative was where the Minister considered a plan change or variation was of national significance and could be heard and decided by either a Board of Inquiry or the Environment Court under Part 6AA of the RMA.

Under the Part 1 Schedule 1 plan making process, a proposed policy statement or plan can take years to develop and become operative. Even where changes to plans are minor, changes to plans usually take nine months or more to become operative, because of Part 1 Schedule 1 requirements. This is too long to allow councils to respond to urgent or unanticipated issues. Special legislation has sometimes been required so plans and plan changes can be developed more quickly for certain circumstances (eg, earthquake recovery).

The SPP was introduced by the Resource Legislation Amendment Act 2017 (RLAA), which came into effect on 19 April 2017 (new Part 5 of Schedule 1 and sections 80B and 80C of the RMA). The SPP is a new Minister directed process to prepare, change, or vary regional policy statements, regional or district plans or combined plans (together referred to as *proposed planning instruments*) under the RMA. The intent of SPP is to give flexibility in plan-making processes and timeframes, allowing these to be tailored to specific issues and circumstances.

SPP at a glance

The SPP enables a local authority (in certain circumstances, outlined in section 80C(2)) to request a plan making process to suit the planning issue(s) involved, instead of following the standard plan making process.

The local authority must apply to the relevant Minister (which is the Minister for the Environment or the Minister of Conservation in the case of a regional coastal plan, or both) for a direction to use a SPP. The local authority identifies the proposed process steps and timeframes it wants to use, as a part of its application to the Minister.

If the Minister agrees, s/he will issue a direction, setting out the process steps, timeframes and expectations for the RPS/plan/plan change/variation process. The local authority then follows the steps in the direction instead of the standard Part 1 Schedule 1 process.

Once the direction has been followed, the local authority submits its recommendations on the proposed RPS/plan/change/variation to the Minister for approval. The Minister's decision cannot be appealed. The only matters that can be appealed are the decisions of a requiring or heritage protection authority, on any notices of requirement/designations/heritage orders.

The SPP is intended to increase flexibility and speed up decision making, by providing a shortened process in certain circumstances. The RMA sets out the minimum procedural steps that must be included in any SPP (refer below). However, other steps can be added to reflect the nature of the issue(s) being addressed.

Private plan changes adopted or accepted by the local authority can be subject to a SPP process. However, only the local authority can make a request to the Minister for a SPP, with the agreement of the person who initiated the plan change request.

The following table compares the SPP and the standard Part 1 Schedule 1 processes:

| Features | SPP Part 5 Schedule 1 Process | Standard Part 1 Schedule 1 Process |
|----------------------|--|---|
| Eligibility criteria | Set entry criteria (s80C(2)). Must be appropriate in circumstances. | No set criteria. A council can develop a plan or plan change at any time to assist it to carry out its functions. |
| Initiation | Local authorities must make a request to the relevant Minister(s) for a direction to use the SPP. | Initiated by local authority. |
| Process | Can be tailored so it is proportional to nature of planning issues involved. Some Part 1 Schedule 1 processes still apply (refer below) and the process allows for further procedural steps and timeframes. | Procedural steps and timeframes set by Part 1 of Schedule 1. |
| Timeframe | Timeframes prescribed in Minister's direction. | A set timeframe of two years from notification to decision. |
| Final decision | Relevant Minister(s). | Local authority is decision maker (except in the case of a regional coastal plan or where a requiring or heritage protection authority makes decisions on any notices of requirement, designations or heritage orders). |
| Appeal rights | Limited - the only decisions that can be appealed are those of the requiring | Available to any person who has made a submission or further |

| Features | SPP Part 5 Schedule 1 Process | Standard Part 1 Schedule 1 Process |
|----------|--|---|
| | authority or heritage protection authority (related to notices of requirement, designations or heritage orders). | submission. Merit appeals to Environment Court Further appeals to Higher Courts on points of law. |

Part 1 Schedule 1 processes that still apply

Some parts of Part 1 Schedule 1 still apply to a SPP, as outlined in section 80B of the RMA. These are:

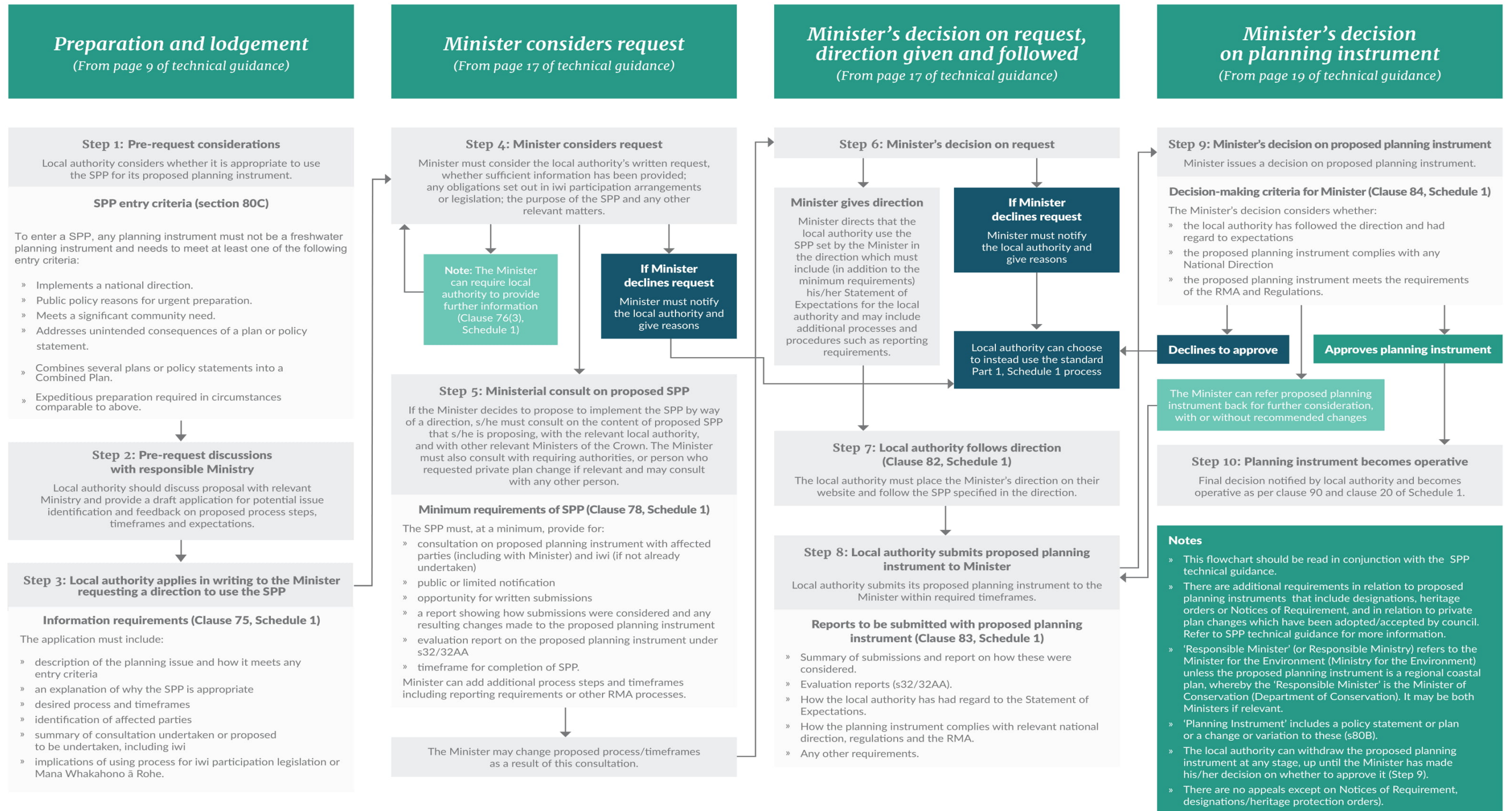
- for pre-notification preparation and consultation: clauses 1A-3C¹
- **for submissions:** clause 6 and 6A
- for amendments/corrections to proposed planning instrument: clause 16 and clause 20A
- for notices of requirement and designations: clause 4, 9 and 13
- **for private plan changes:** clauses 21–27 (except for clause 25(2)(a)(i) and (ii) and 26(1)(b)) and clause 28(2)–(6).

Note: The remainder of Part 1 does not apply, unless it is expressly applied by subpart 5 of Part 5 the RMA (Sections 80B–80C), Part 5 of Schedule 1, or a direction given under clause 78 of Schedule 1.

¹ Councils are encouraged to consider completing clause 3 consultation before making a request.

Part two – SPP process

SPP Flowchart



Step 1: Local authority pre-request considerations

The purpose of the Streamlined Planning Process is to give an “expeditious planning process that is proportionate to the complexity and significance of the planning issues being considered”². The Minister will need to consider the purpose of the SPP (among other matters) when deciding if to grant the request and make a direction.

Local authorities should start by thinking about the purpose of the SPP set out in section 80B(1) of the RMA when deciding which planning process would be preferable to use. This involves consideration if the SPP would be ‘appropriate’ for the planning issue(s) involved as an alternative to the standard Part 1 Schedule 1 process.

When local authorities are assessing which planning process is appropriate, there are certain aspects they could consider.

- The nature of the planning issue.
- What types of changes are required to the plan.
- What is the urgency for the new planning provisions and why?
- What is the best estimate for how long the Part 1 Schedule 1 process will take?
- What are the processing steps involved and the potential time savings offered by a SPP process?
- How will the community be affected by altered opportunities for public involvement and appeal rights in a SPP process?
- The number and nature of directly and indirectly affected persons.
- How adequate is the minimum SPP process for the planning issues involved?
- Are there parts of the standard plan making process the council would wish to retain in any SPP direction? This is discussed in more detail in step 3 below.

Timing

In accordance with section 80C(4), any application for a SPP process must be made before the proposed plan is notified under clause 5 or 5A of the Schedule 1. If the proposed planning instrument has already been notified, an application to use the SPP cannot be made. Once the SPP request has been submitted to the Minister, the local authority can no longer proceed with notification under clause 5 or 5A, until the Minister has decided on the request. This is because any notification would then have to be done according to any direction issued, unless the Minister declines the request. If the Minister declines, the local authority can proceed through the standard Part 1 Schedule 1 process.

Does the proposal meet the eligibility criteria in section 80C(2)?

A local authority may apply for a direction only if the planning instrument or proposed planning instrument is not a freshwater planning instrument and the local authority is satisfied that the application satisfies at least one of the following criteria:

- (a) The proposed planning instrument will implement a national direction.
- (b) As a matter of public policy, the preparation of a planning instrument is urgent.

² Section 80B(1).

- (c) The proposed planning instrument is required to meet a significant community need.
- (d) A plan or policy statement raises an issue that has resulted in unintended consequences.
- (e) The proposed planning instrument will combine several policy statements or plans to develop a combined document prepared under section 80.
- (f) The expeditious preparation of a planning instrument is required in any circumstance comparable to, or relevant to, those set out in paragraphs (a) to (e).

EXAMPLE 1 – USING SPP TO IMPLEMENT NATIONAL DIRECTION (CRITERIA 80C(2)(a))

A local authority wants to use a SPP to change its plan to implement the requirements of a National Policy Statement (NPS) or National Environmental Standard (NES). The relevant entry criterion is “the proposed planning instrument will implement a national direction”. The local authority would in this case need to provide the Minister with the following information:

- a full description of the NPS and/or NES requirement(s) met through the plan change or variation
- why the relevant plan needs to be changed to meet the national direction, including timeframes
- how using the SPP will be an appropriate and proportionate process to implement the change or variation
- if any additional steps or procedural requirements should be included in the SPP to ensure its appropriateness.

EXAMPLE 2 – USING SPP TO PREPARE A PLANNING INSTRUMENT URGENTLY (AS MATTER OF PUBLIC POLICY (CRITERIA 80C(2)(b))

An example of this criterion might be to respond to an unexpected resource management issue, such as a natural hazard event impacting on property and/or infrastructure, requiring changes to a plan as soon as possible.

In this case, the local authority would need to give sufficient information to the Minister to show:

- what the issue is, and why as a matter of public policy the issue needs to be urgently addressed
- why SPP is the appropriate and proportionate as an alternative process to Part 1 of Schedule 1
- if any additional steps or procedural requirements should be included in the SPP to ensure its appropriateness.

EXAMPLE 3 – USING SPP TO MEET A SIGNIFICANT COMMUNITY NEED (CRITERIA 80C(2)(c))

If a local authority requests a SPP be used to meet a significant community need it will need to demonstrate to the Minister:

- what the significant community need is
- how the significant need will be addressed using the SPP
- why this process is appropriate and proportionate, as opposed to the standard planning process (Part 1 of Schedule 1)
- whether any additional steps or procedural requirements should be included in the SPP to ensure its appropriateness

Will the SPP be consistent with any obligations in any relevant³ iwi participation legislation or Mana Whakahono ā Rohe?

The local authority will need to consider if the SPP application will impact any relevant iwi participation legislation, Mana Whakahono ā Rohe or other types of agreements in place about iwi participation in the RMA planning process. Any SPP cannot be inconsistent with any obligations set out in iwi participation legislation or Mana Whakahono ā Rohe. The nature of these obligations must be well understood before any application for a SPP is made. This is discussed in more detail in step 3 below.

Does the local authority need to talk to anyone about making a SPP request?

There is no requirement under the RMA to consult with the community before making a request for a SPP. However, the local authority may wish to talk to a potentially affected party (including iwi) before requesting to use the SPP. This involves explaining the implications of using the SPP process, including the fact that public participation opportunities and appeals are limited under this process.

Requiring authorities/heritage protection authorities

Under the Part 1 Schedule 1 process, territorial authorities invite requiring authorities or heritage authorities with designations or heritage orders that have not lapsed to state if they want their designations or heritage order included (with or without modification) in the proposed plan. The legislation requires that when this is done, the local authority must identify which planning track it proposes to use or request. The local authority should explain to the requiring authority or heritage protection authority how an SPP process would impact on their decision making, compared to the standard plan making process. How SPP affects the designation and heritage protection order process is discussed further in part four of this guide.

Private plan change subject of SPP process

If the local authority wishes to request a private plan change be developed through a SPP, the local authority must either:

- adopt the request under clause 25(2)(a) of Schedule 1, or
- accept the plan change under clause 25(2)(b) of Schedule 1, and get the permission of the person requesting the plan change, before applying to the responsible Minister.⁴

The local authority needs to know the time limitations specified in clauses 25 (2)(a)(i) and 26(1)(b).

Minister's decision-making timeframes

The RMA does not impose any time limits on the Minister for consideration of, consulting on and making decisions on the application. The Minister is however under a [general duty](#) to avoid all unreasonable delay.

³ "Relevant" here means applicable to the iwi of the area, to the planning matters involved and to the planning instrument being proposed.

⁴ Section 80C(3).

A number of processing steps are involved to assess applications, including pre-application discussion and consideration of a draft application. Once the application is formally received, the Ministry for the Environment (Ministry) must check the application is complete. Where the proposed planning instrument is a regional coastal plan/change or variation, the Department of Conservation (DoC) checks the application is complete. A briefing is then sent to the Minister to decide whether to accept the application and carry out consultation under Part 5 of Schedule 1. Further briefings are then required at subsequent stages of the process. Briefings take time to complete, which should be factored in to any assessment of the merits of using an SPP, compared to the standard planning process.

Step 2: Pre-request discussion

There is no statutory requirement to provide a draft application for a request, or to have pre-request discussions with the Ministry or DoC. However, initial discussion between local authorities and the Ministry or DoC may minimise the chance of requests for further information from the Minister once the formal application is made – and reduce the processing time of the application.

Discussion

We recommend the local authority discusses the option of requesting a SPP with the Ministry (and/or DoC for regional coastal plans) before making a request. This will help the local authority and Ministry or DoC understand:

- the reasons for the proposed planning instrument and what it seeks to address
- where the council is in the plan-making process and if it has done clause 3 consultation on the proposed planning instrument
- the nature of any iwi participation legislation, Mana Whakahono ā Rohe or other arrangements in place with iwi and hapū relevant to the request
- what information the local authority needs to provide to enable the Minister to make a decision
- how long each of the process steps requested is likely to take.

It will help the Ministry to understand how the planning provisions, to be progressed through the SPP, relate to any other proceedings or plan development process underway. For example, if the local authority is applying for a variation to go through the SPP, then what is the status of the proposed plan — and what stage is it at in the statutory process? Are there any appellants or section 274 parties to an associated proposed plan, plan change or other type of proceeding that could be impacted by an SPP application?

Pre-application discussion is a good opportunity to:

- ensure the SPP statutory process is properly understood
- test the proposal to apply for a SPP
- find out lessons learned in previous applications to make use of the SPP
- consider directions already issued
- discuss the Minister's consultation and other processing requirements and implications for timeframes
- discuss that the Minister's direction must include a statement of expectations, and may include reporting requirements.

Note: When you contact the Ministry or DoC, you will be advised who the key Ministry or DoC contact person for your request is. You will be given an opportunity to discuss your request and have any queries answered.

Contacts

Ministry for the Environment: Manager, RMA Practice Team
Email: info@mfe.govt.nz | Phone: 04 439 7400

Department of Conservation: Team Leader, Resource & Statutory Land Management
Email: enquiries@doc.govt.nz | Phone: 04 471 3199

Preparation and submission of a draft application to Ministry

Once the local authority has satisfied itself the proposed planning instrument is suited to a SPP, we encourage the local authority to prepare a draft application. This can be done using the application form attached in appendix 4 of this guide, or downloaded from the Ministry or DoC website and labelled “draft”.

The benefits of providing a draft application are listed below.

- It clearly identifies which process steps the local authority is seeking in a SPP and what timeframes are being considered.
- It can help to identify any additional process steps needed; for example, to ensure consistency with existing iwi participation arrangements in place, or relevant agreements being developed with iwi/hapū.
- It can help to highlight any further information the Ministry might need.

During initial conversations with the Ministry or DoC, your key contact person can discuss potential timeframes for assessing a draft application.

A list of matters local authorities could consider and cover in the pre-request discussion are set out in appendix 1 of this guide. Ministry or DoC staff may suggest other information is required and may also wish to talk to the local authority about discussing the draft application with staff from other agencies, to determine how other Ministers or agencies may be affected.

Step 3: Local authority makes a written request to use the SPP

Section 80C and clause 75 of Schedule 1 of the RMA set out the process and requirements for making an application to use the SPP.

There is no fee for making a request to use the SPP.

If a SPP is proposed for a regional coastal plan/plan change, the application should be addressed to the Minister of Conservation. In all other instances, the application should be addressed to the Minister for the Environment.

The Ministry has prepared an [SPP application form](#) to assist councils make a request. This can also be seen in appendix 4 (Please check the [Ministry’s website](#) for the most current version of this form). This form includes a table specifying the process steps and timeframes being sought. The two directions issued by the Minister and contained in appendix 2 may also offer guidance.

Information required to use the SPP

Description of the planning issue

The local authority should fully describe the planning issue. The description should identify any notices of requirement, current designations and heritage orders which the requiring authority or heritage protection authority has agreed can be included.

Although it is not a statutory requirement, it would help to understand the context for the request. This context could include the following.

- Why has it become an issue?
- How has it been addressed, or not, in the current plan?
- A description of changes or variations to relevant plans previously proposed to address the issue.
- Whether any Environment Court mediation or appeal processes underway relate to the issue, or if there are processes under other legislation relating to the request.
- Identifying if the planning instrument has been initiated by local authority, or if it was initially a private plan change request accepted under [clause 25\(2\)\(b\)](#).

The application should detail the planning instrument intended to be progressed using the SPP, and the extent the council has complied with [clause 3 of Schedule 1](#) of the RMA.

Note: Making an application to the Minister does not in itself satisfy the requirements of [clause 3\(1\)\(a\)](#). This must be a separate consultation during the preparation of a proposed policy statement or plan.

Description of why the use of the SPP is appropriate

The local authority should explain why the proposed SPP process is appropriate, compared with the standard Part 1 Schedule 1 process. The local authority may want to think about the following aspects.

- The nature of the issue.
- The extent of interests involved.
- Why the standard Part 1 process is not suitable.
- The opportunities provided in the SPP process.
- The benefits and risks of the shortened SPP process.

Description of suggested process and timeframes

A key part of the request is the desired process and timeframes that will meet the purpose of the SPP.

Every SPP direction made by the Minister must include all the minimum procedural requirements identified in [clause 78\(4\) of Schedule 1](#) as below.

- Consultation with affected parties on the proposed planning instrument, including the responsible Minister and iwi authorities, if not already undertaken.
- Public notification under [clause 5](#) or limited notification under [clause 5A](#) of the RMA.
- Opportunity for written submissions under [clause 6](#) or [6A](#) of the RMA.

- A report showing how submissions have been considered and the changes (if any) made to the proposed planning instrument.
- Evaluation reports under section 32 or 32AA of the RMA and decision makers to have particular regard to these.
- The time period within which the SPP must be completed.

Local authorities need to decide if public or limited notification should apply, where a SPP for a plan change or variation is being considered. The process for limited notification is set out in clause 5A of Part 1 schedule 1 and is explained in [fact sheet 4](#).

The suggested process may also include any other procedural steps the local authority considers necessary. This could include steps from [Part 1 of Schedule 1](#), such as further submissions, or a hearing, or any other procedural steps the local authority wishes to use. These are discussed in appendix 3. Thinking about what may be required at this stage is essential. Although a direction could be amended after it is issued to add procedural steps, if the amendment is more than minor, it will require re-consultation and new decision making — adding time to the overall process.

The request to the Minister for a SPP must include the timeframes for each of the proposed process steps.⁵ The responsible Minister will consider these timeframes. If the request is approved, the direction must set an overall time within which the planning instrument must be completed. Be realistic about the time required to complete each part of the proposed process. The Minister can extend timeframes if necessary, on application by the local authority.

Identification of people likely to be affected by the proposed planning instrument

The local authority needs to identify persons likely to be affected by the proposed planning instrument in the SPP request. This is like the concept enshrined within resource consent processing, and links to the [Local Government Act 2002](#) responsibility to:⁶

“give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter”.

When consulting, the local authority must to [have regard to](#):⁷

“the extent to which the current views and preferences of persons who will or may be affected by, or have an interest in, the decision or matter are known to the local authority; and

the nature and significance of the decision or matter, including its likely impact from the perspective of the persons who will or may be affected by, or have an interest in, the decision or matter”.

We recommend the local authority describes the process used to identify affected persons, showing the Minister who is likely to be affected by the proposed planning instrument.

Note: This information will help determine if full or limited notification of the proposed planning instrument is appropriate. It will also provide information that could assist the Minister to decide whether to consult any other person about the request.

⁵ Schedule 1, Part 5 clause 75(b)(iii).

⁶ Local Government Act section (78)(1).

⁷ Local Government Act section 82(4)(b).

Pre-notification consultation on the proposed planning instrument

Under section 80B of the RMA, clauses 1A – 3C of Part 1 of Schedule 1 plan making process are applied to the SPP. This means local authorities are required to consult with those listed below, before the proposed RPS/plan/change or variation can be notified. If this has not already occurred before the request is made, the direction will require additional time for consultation with:

- the Minister for the Environment
- other Ministers of the Crown who may be affected by the policy statement or plan
- local authorities who may be so affected
- the tāngata whenua of the area who may be so affected, through iwi authorities
- any customary marine title group in the area.

A local authority can consult anyone else during the preparation of a proposed policy statement or plan. In most cases, early, proactive and well-designed engagement with affected parties before notification leads to resolution of issues and a more efficient plan making process and plan.

There are likely to be time and process advantages of completing clause 3 of Schedule 1 of the RMA consultation before requesting a SPP, such as:

- identification of affected parties (local authorities need to demonstrate this for their request)
- informing the responsible Minister of your intention to initiate a new plan or plan change
- better understanding of the issues by the Minister and Ministry.

The local authority's request could also provide an analysis of how its development of the planning instrument has been influenced by consultation completed to date.

If the clause 3 consultation has not been done before the SPP application is made, the Minister will need to include the clause 3 notification in any direction issued. It may be easier for the local authority to proceed with clause 3 in the manner it normally would before it makes an SPP application, rather than the Minister specifying how clause 3 consultation will be done through the SPP direction.

Note: Under an SPP, [clause 4A of Part 1, Schedule 1](#) is not part of the minimum process specified in [clause 78\(4\)](#), but local authorities may wish to provide iwi authorities consulted under [clause 3\(d\)](#) with an opportunity to comment on a draft proposed planning instrument in any SPP. Local authorities can request in their application this step is included in the Minister's direction.

Implications for any relevant iwi participation legislation or Mana Whakahono ā Rohe

The Minister must ensure any SPP is consistent with obligations under any iwi participation legislation or Mana Whakahono ā Rohe. The RMA defines these terms in [section 58L](#). Iwi participation legislation means legislation (other than the RMA) providing a role for iwi and hapū in processes under the RMA, and includes any legislation listed in [Schedule 3 of the Treaty of Waitangi Act, 1975](#).

The statutory and policy basis for each local authority's arrangement for working with iwi is unique to that local authority and iwi. Local authorities (rather than the Ministry or DoC) are best placed to identify which agreements are relevant.

To help the Minister's assessment, the local authority should identify all the relevant iwi participation legislation or agreements in place or in development with the local iwi and hapū.

The local authority should think broadly about the types of arrangements in place with iwi or hapū that may be relevant. The application should include an explanation of any agreements, memorandum of understanding or arrangements, and how they relate to participation in RMA plan making processes, and how they may be affected by a SPP request.

Note: The Minister may consult with other Ministers about iwi/Crown relationships relevant to a SPP request.

Step 4: Minister considers request

Once an application is received by the relevant Minister, the Minister must consider it [under clause 76\(2\)–\(6\) of Part 5 Schedule 1](#). This consideration includes if sufficient information has been provided in support of the application, any relevant obligations set out in iwi participation legislation, [Mana Whakahono ā Rohe](#), or any other matters the Minister considers relevant, as well as the statutory purpose of SPP. Iwi participation legislation or 'any other matters' could include [Deeds of Settlement](#) or extant litigation in the area the plan/plan change relates to etc. If the Minister considers further information is needed, s/he the Minister can request this in writing.⁸

The Ministry or DoC (where relevant) will advise the Minister on these matters. To prepare this advice, the Ministry or DoC will discuss the application with other relevant government agencies (in particular, the Office of Treaty Settlements) to confirm any applicable iwi participation legislation and any other relevant matters and context the Minister should be aware of.

Step 5: Minister consults on the proposed SPP

After receiving an application, assessing it and determining that sufficient information has been provided, the Minister must consult on the Streamlined Planning Process to be implemented, by way of a direction with those parties set out in [clause 76\(4\)](#). This will always include the applicant local authority and any Ministers of the Crown the Minister considers appropriate. The Minister may also consult with any other appropriate person.

Those consulted by the Minister,⁹ including the local authority and any relevant Minister, can comment on the responsible Minister's proposed direction, including the statement of expectations. Feedback from those consulted may mean the Minister changes the proposed streamlined process steps or timeframes set out in the proposed direction.

Step 6: Minister's decision on the request

Following consultation and consideration of any issues raised, the Minister can:

- grant the request and issue the direction; or

⁸ Schedule 1, Part 5, clause 76(3).

⁹ Schedule 1, Part 5, clause 76(4) & (5).

- decline the request.

Once the consultation period is complete and the responses received from the local authority, other Ministers and any other persons, the Ministry/DoC will prepare further advice to the Minister about the results of the consultation, if any changes should be made to the proposed process/timeframes in the direction and if the request should be granted and the direction issued (or whether the application should be declined).

If the Minister declines the request, the local authority can choose to use the normal Schedule 1, Part 1 process to continue with its proposed plan change or variation.

If the Minister accepts the request, s/he will issue a direction to the local authority, following the requirements of [clause 78](#). The decision (and direction if issued) will be served on the local authority, who in turn must serve it on any relevant requiring authority, or heritage protection authority or private plan change requestor (in the case of a private plan change).

The direction will be published in the Gazette and presented to the House of Representatives. The local authority must ensure the public can access or download the direction free of charge from its website.

The direction issued may have changes from what was consulted on, reflecting the feedback received.

Step 7: Local authority follows direction

The local authority must comply with all the terms of a Minister's direction, and have regard to the 'statement of expectations' when managing and carrying out the SPP. The local authority is also responsible for ensuring other requirements of the RMA and [the Local Government Act 2002](#) are met. The local authority must notify the proposed planning instrument in accordance with the direction. There are prescribed forms for giving notice (Form 4B and 4C) in the [Resource Management \(Forms, Fees and Procedure\) Regulations 2003](#) (the Regulations). There is also a submission form (Form 5) in these Regulations which notes, in the case of SPP, a submitter can only indicate they want to be heard if the direction specifies that a hearing is to be held.

Step 8: Local authority submits proposed planning instrument to Minister¹⁰

The local authority must submit, in accordance with the direction, the proposed planning instrument, along with all of the information set out in [clause 83](#), to the responsible Minister as below.

- The proposed planning instrument including any recommendations concerning notices of requirement, designations or heritage orders.
- A summary report of written submissions.
- A report showing how submissions have been considered and the modifications (if any) made to the proposed planning instrument in the light of submissions.
- The evaluation reports under section 32 or 32AA, as may be relevant.

¹⁰ Schedule 1 Part 5 Clause 83.

- A summary document showing how the local authority has had regard to the statement of expectations.
- A summary document showing how the proposed planning instrument complies with any relevant national direction, the Act and any regulations.
- Any other information and documentation specified in the direction.

The local authority can provide additional information relating to these matters.

Note: Territorial authorities must consult the relevant requiring authority or heritage protection authority on the recommendations about any notices of requirement, designations or heritage orders before they submit the proposed planning instrument to the Minister.

See section 99 of the Urban Development Act 2020 (which requires notice of plan changes, at least 20 working days before approval, to Kāinga Ora—Homes and Communities, in certain circumstances).

Step 9: Minister’s decision on proposed planning instrument¹¹

On receipt of this material, the Minister may **approve** the proposed planning instrument, **refer it back to the local authority** for reconsideration, or **decline to approve** it. In reaching this decision, the Minister must consider:

- if the local authority has complied with the procedural requirements, including time frames, required by the direction
- how the local authority:
 - has had regard to the statement of expectations
 - has met the requirements of the RMA, regulations made under it, and any relevant National Direction.

The Minister may have regard to

- the purpose of the streamlined planning process
- any other matter relevant to the Minister’s decision.

Approval of the proposed planning instrument

If the Minister approves the proposed planning instrument, he or she must notify the local authority of his or her approval and the reasons for the decision. The Minister must send the instrument back to the local authority for it to publicly notify the Minister’s decision and the operative date of the planning instrument. The planning instrument becomes operative in accordance with clause 20 of the Schedule 1.

Recommendations on notices of requirement, designations or heritage protection orders become approved recommendations and are sent by the local authority to the requiring authority (or heritage protection authority) for a decision. [Clauses 9, 11\(2\) and \(3\)](#), and [13 of Schedule 1](#) apply, which provides for the requiring authority to make decisions on the recommendations.

¹¹ Schedule 1, Part 5, Clause 84.

The local authority must serve the public notice of the decision on all submitters and other parties specified in [clause 90 of Schedule 1](#) within five working days.

The local authority must also:

- (a) make a copy of the public notice and reports publicly available (whether physically or by electronic means) at all its offices, and all public libraries in the district (if it relates to a district plan) or region (in all other cases)
- (b) include with the notice a statement of the places where a copy of the decision is available
- (c) send or provide a copy of the decision, if requested, within three working days after the request is received.

If relevant, the requiring authority must decide on the recommendations related to notices of requirement, heritage order or designation. If the recommendations are changed, this will affect the nature of the appeal rights on these decisions. Refer to part four of this guide for more information about notices of requirements, designations and heritage orders.

Note: There is no ability for the local authority to modify the planning instrument at this point.

Reconsideration of the proposed planning instrument

If the Minister refers the document back to the local authority for further consideration, the Minister must notify the local authority of this decision, stating the reasons why, and may include any recommended changes for the local authority to consider. The local authority then must reconsider the proposed planning instrument in the light of these reasons and any recommended changes. It can make any changes it thinks appropriate before resubmitting the proposed planning instrument back to the Minister.

It must consult the requiring authority (or heritage protection authority) if the local authority has reconsidered a recommendation about the inclusion of a requirement, designation, or heritage order in the proposed planning instrument; before the proposed planning instrument is resubmitted to the responsible Minister.

When the Minister receives a revised proposed planning instrument, he or she must reconsider it and decide if it meets the requirements for approval.

Decline of the proposed planning instrument

If the Minister declines to approve the proposed planning instrument, the Minister must notify the local authority and give reasons for the decision. The local authority must give public notification of the Minister's decision to decline, with the Minister's reasons and serve a copy of the public notice to all submitters. If it is declined, the local authority cannot continue with the proposed planning instrument under the Streamlined Planning Process. If the local authority still wants to progress the proposed planning instrument, it will need to use [Part 1 Schedule 1](#) (standard planning process).

If the Minister declines the proposed planning instrument under [clause 84\(1\)\(b\)](#), any recommendation of the territorial authority approved by the Minister on a requirement, designation, or heritage order, must be treated:

- (a) in the case of a requirement, as a recommendation to withdraw the requirement
- (b) in the case of an existing designation or heritage order, as a recommendation to confirm the designation or heritage order without change.

Step 10: Planning instrument becomes operative

If the Minister approves the proposed planning instrument, the local authority makes the planning instrument operative in the manner set out in [Schedule 1 Part 5 clause 90 2\(a\) \(ii\)](#).

This requires the local authority to give at least five working days' notice of the date on which the instrument will become operative.

If the Minister's decision includes recommendations to a requiring authority or heritage protection authority, those parts of the plan cannot become operative until the authority decides on those recommendations and any appeals are resolved. Local authorities are required to make the public notice and summary reports publicly available at all their offices and public libraries (if it relates to a district plan) or throughout their region in all other cases.

Part three – Other matters relevant to the SPP process

Requesting an extension of the timeframe

Local authorities can apply to the responsible Minister to extend any timeframes set by the Minister's direction.¹² The local authority must put its request to extend a timeframe in writing.

Note: The local authority's general discretion to extend or waive time frames under section 37 of the RMA does not apply in a streamlined plan making process.

Amending the Minister's direction¹³

The Minister can initiate an amendment to the direction, or can amend it, following a written request from the local authority. Such a request by the local authority must provide reasons for requesting any amendment. Unless the amendment has no more than a minor effect or corrects a technical error, the Minister will need to go back through the same consultation and decision-making process.

Withdrawal of the proposed planning instrument¹⁴

The local authority (or the requestor of a private plan change accepted by the local authority and is the subject of the SPP) can withdraw the proposed planning instrument at any stage, up until the Minister has made his or her decision whether to approve, refer back for reconsideration or decline the proposed planning instrument. In the case of a withdrawal, the direction ceases to have effect, and is revoked.

If the local authority withdraws the proposed planning instrument, it must give public notice of the withdrawal, including reasons for the withdrawal.

If the Minister revokes the direction¹⁵

The Minister is able to revoke all or part of the direction. If the direction to use a SPP is revoked, the plan is withdrawn. The Minister cannot revoke the direction, unless he or she has consulted the local authority and given the public the chance to comment on the proposal to revoke. If the Minister decides to revoke a SPP, this will be notified in the Gazette. The local authority must give public notice of the withdrawal of the proposed planning instrument.

¹² Schedule 1, Part 5, Clause 81.

¹³ Schedule 1, Part 5, Clause 80.

¹⁴ Schedule 1, Part 5, Clause 88.

¹⁵ Schedule 1, Part 5, Clause 89.

Part four – Designations, heritage orders and notices of requirement in the SPP

The following sections are only relevant if a designation, heritage order or notice of requirement is included in the proposed planning instrument. If this is the case, several consultation and notice requirements apply.

Consultation requirements pre-request

Under section 170, if a local authority has received a notice of requirement under section 168 or section 189/189A¹⁶ 40 working days before requesting the Minister use a SPP, the local authority can include this notice of requirement in the proposed planning instrument that is the subject of an application to the Minister, if the requiring authority consents to this.

If the proposed planning instrument includes existing designations or heritage orders (which have not lapsed), the local authority must give written notice to the requiring authority or heritage authority prior to making a request to the Minister¹⁷. The notice to the requiring authority or heritage protection authority must identify that the local authority intends to request a SPP¹⁸ and invite the requiring or heritage protection authority to state if it requires the designation, or heritage order, to be included, with or without modification, in the proposed planning instrument.¹⁹

If the requiring authority does not respond, or chooses not to include the designation in the proposed planning instrument, the local authority cannot include it.²⁰

If the requiring authority or heritage protection authority requires the designation or heritage order to be included within the proposed planning instrument without modification, it must be included. If they require it be included with modifications, the requiring or heritage protection authority must give reasons for the modifications and a description of modified designation or heritage order.

Consultation on request to use the SPP

In considering the request for a SPP, and before making a decision, the Minister must consult with any requiring authorities who have consented to include a requirement under [section 170 of the RMA](#).

The local authority must serve a copy of the Minister's decision to accept, or reject the request on any relevant requiring authorities and heritage protection authorities.²¹

¹⁶ Section 192(aa).

¹⁷ Schedule 1, Part 1, clause 4(1A) and 4(1C).

¹⁸ Schedule 1, Part 1, clause 4(1D).

¹⁹ Schedule 1, Part 1, clause 4 (1B).

²⁰ Schedule 1, clause 4(4).

²¹ Schedule 1, Part 5, clause 77(2)(c)(ii).

Consultation before submitting proposed planning instrument to the Minister

The local authority must include within the material submitted to the Minister:

“The proposed planning instrument, including any recommendations it contains in respect of requirements, designations, or heritage orders”²²

However, the territorial authority must consult with the relevant requiring authority or heritage protection authority on the recommendations, before submitting the proposed plan and recommendations.²³

Process following the Minister’s decision on proposed planning instrument²⁴

If the Minister approves the proposed planning instrument, then any recommendations on a notice of requirement, designation, or heritage order becomes an approved recommendation.²⁵

If the Minister declines the proposed planning instrument, recommendations on any existing designations or heritage orders become recommendations to confirm the designation/heritage order without change²⁶. Any recommendations about a new notice of requirement become a recommendation to withdraw that requirement.²⁷

The local authority must serve the approved recommendations on the requiring authority or heritage protection authority and clauses 9, 11(2), 11(3) and 13 of Part 1, Schedule 1 apply as the case requires.²⁸

If the Minister refers the proposed planning instrument back to the local authority for reconsideration, the local authority must consult the requiring authority (or heritage protection authority) if it has reconsidered a recommendation about a notice of requirement, designation, or heritage order.

Decisions of requiring authority or heritage protection authority

The requiring authority or heritage protection authority decides whether to accept or reject the approved recommendation(s) in whole or in part, in the manner set out in [Schedule 1 clause 13](#). This clause has not been amended and applies regardless of the planning process. The authority must decide within 30 working days of being notified of the Minister’s decision.

²² Schedule 1, Part 5, clause 83(1)(a).

²³ Schedule 1, Part 5, clause 83(2).

²⁴ Schedule 1, Part 5, clauses 85 and 86.

²⁵ Schedule 1, Part 5, clause 85(2).

²⁶ Schedule 1, Part 5, clause 85(3)(b).

²⁷ Schedule 1, Part 5, clause 85(3)(a).

²⁸ Schedule 1, Part 5, clause 85(4).

Appeals on requiring authority/heritage protection decisions²⁹

If the requiring authority (or heritage protection authority) in making its decision rejects the Minister's recommendation(s), the local authority or any person who has made a submission on the relevant designation or heritage order can appeal to the Environment Court. Appeals can be made against any aspect of that decision made by the requiring authority or heritage protection authority relating to the rejected recommendation. In this case there is a form (7C) for the notice of appeal to the Environment Court in the [Resource Management \(Forms, Fees and Procedure\) Regulations 2003](#).

If the requiring authority or heritage protection authority, in making its decision, accepts the Minister's approved recommendation, the local authority (or any person who has submitted on the relevant designation or heritage order) can appeal to the High Court any aspect of that decision made by the requiring authority (or heritage protection authority) on a question of law only.

²⁹ Schedule 1, Part 5, clauses 92 and 93.

Appendix 1 – Possible questions to consider before making a request to use a SPP

If local authorities have pre-application discussions and submit a draft application to the Ministry/DoC (before a formal application to request using the SPP), the application should progress more efficiently once formally lodged.

Note: the list below provides guidance on matters to discuss with the Ministry/DoC. It is not an exhaustive list. These questions are to help with discussions on the appropriateness of making an application to use the SPP — but are not mandatory requirements.

What is the proposed planning instrument?

1. What is being proposed (scope, nature and the area affected, including any relevant maps, diagrams or tables)?
2. Does the proposed planning instrument relate to a regional coastal plan?
3. Are designations or notices of requirement or heritage protection orders to be included in the proposed planning instrument?
4. Is it a private plan change adopted or accepted by the local authority? (Please specify)
5. If so, has the private plan change requestor agreed with the local authority making an application to use the Streamlined Planning Process?

What is the wider context?

6. Has the local authority formally decided to make a request for SPP?
7. Are there any issues or sensitivities the Minister should be aware of regarding this proposal?
8. What is the history related to the proposed planning instrument?
9. Are there any court (or other processes) or mediation underway or on hold relevant to this request?

What information are you supplying to the Minister?

10. Which entry criteria are relevant and why?
11. Have you any documented assessment of how the application meets the entry criteria? (Please provide).
12. Is there any relevant iwi participation legislation or Mana Whakahono ā Rohe relating to the area covered by your proposal?

What's the rationale for applying to use the SPP?

13. What is the rationale for using the SPP for this proposal – pros and cons?
14. Why do you consider the SPP is appropriate for your proposal?

What consultation has occurred on the process of making use of the SPP?

15. Have you talked to any affected parties about making a request to use the SPP?
16. What level of public understanding is there at this stage about the possibility of a SPP request?

What consultation has taken place on the preparation of the proposed planning instrument?

17. What stage in the Part 1 Schedule 1 process is the proposed planning instrument at?
18. Have you completed pre-notification consultation under clause 3 of the RMA before requesting to use SPP?
19. What information can you supply to show the extent of consultation done to date on the proposed planning instrument?

What process steps do you consider are needed in SPP and why?

20. Are you aware of the minimum process requirements for SPP?
21. Are you considering limited or public notification of the proposed plan, plan change or plan variation?
22. If limited notification, who do you consider are the directly affected groups?
23. Are you considering requesting any additional process steps. If so, what are they?
24. What timeframes are being sought for each stage of the SPP? What is the overall timeframe?
25. In what ways do you think the streamlined process proposed is expeditious and proportional to the planning matters?
26. Have you thought about possible reporting requirements?
27. Are you aware the Minister has to include a statement of expectations in the direction?

Appendix 2 – Example directions

Example 1: Direction to the Bay of Plenty Regional Council

Pursuant to clauses 78 and 79(2) of Schedule 1 of the Resource Management Act 1991, the Minister for the Environment gives the following notice.

Notice

1. Title and commencement

(1) This notice is the Resource Management (Direction to the Bay of Plenty Regional Council to Enter the Streamlined Planning Process for Regional Policy Statement – Plan Change 4) Notice 2018.

(2) This notice shall come into force on the date of gazettal.

2. Direction to enter Streamlined Planning Process

In accordance with clause 78 of Schedule 1 of the Resource Management Act 1991, the Minister for the Environment directs that the following streamlined planning process is used for proposed Change 4 to the Bay of Plenty Regional Policy Statement.

Minister for the Environment’s Direction on the Application From the Bay of Plenty Regional Council to Use a Streamlined Planning Process to Amend the Urban Limit Line at Tauriko West in its Regional Policy Statement (Plan Change 4)

The Minister for the Environment received an application from the Bay of Plenty Regional Council on 8 August 2017, pursuant to section 80C and clause 75 of Schedule 1 of the Resource Management Act 1991 (“RMA”), to use a streamlined planning process to prepare a planning instrument known as Plan Change 4 to the Bay of Plenty Regional Policy Statement.

In accordance with clause 78 of Schedule 1 of the RMA the Minister directs that the following streamlined planning process is used for proposed Plan Change 4 to the Bay of Plenty Regional Policy Statement.

| | Step | Timeframes |
|---|---|--|
| 1 | Undertake the requirements specified in clauses 3, 3A, 3B and 3C of Schedule 1 of the RMA to the extent applicable and not already undertaken. | To be completed no later than 30 working days after gazettal of the Direction. |
| 2 | Undertake further pre-notification requirements with iwi authorities in accordance with clause 4A of Schedule 1 of the RMA. | To be completed no later than 30 working days after gazettal of the Direction. |
| 3 | Publicly notify Plan Change 4 for written submissions in accordance with clause 5 of Schedule 1 of the RMA (excluding 5(3) of Schedule 1). A minimum period of 30 working days for submissions must be specified in the public notice. | To be completed no later than 30 working days after the completion of Step 2. |
| 4 | Provide an opportunity for written submissions under clause 6 of Schedule 1 of the RMA (to the extent applicable under this direction). | Public Submissions to be received no later than 30 working days after public notification (Step 3). |
| 5 | Conduct a public hearing under clause 8B of Schedule 1 (to the extent applicable under this Direction). | Hearing to commence no later than 25 working days after close of submissions (Step 4). |
| 6 | Bay of Plenty Regional Council to provide a written report showing how submissions have been considered and the changes (if any) recommended to the proposed planning instrument, including: <ul style="list-style-type: none"> a. the evaluation under section 32 and 32AA; and | To be provided to the Minister for the Environment no later than 20 working days after completion of hearing (Step 5). |

- b. a report summarising how the persons making the recommendation have had regard to the evaluation report; and
 - c. the reports and documents required by clause 83(1)
- for the Minister's consideration.

The maximum total time period within which Plan Change 4 to the Bay of Plenty Regional Policy Statement must go through the Streamlined Planning Process as outlined here and in the RMA. The process is considered to be completed when the report referred to in 6 above is submitted to the Minister for the Environment.

Steps 1–6 to be completed no later than 7 months after gazettal of the Direction.

In accordance with clause 78(5) of Schedule 1 of the RMA, the Minister directs that the hearing panel convened to hear submissions under step 5 must include at least one independent hearings commissioner.

Statement of Expectations

The Minister for the Environment's expectations for the Bay of Plenty Regional Council are that in undertaking the Streamlined Planning Process as directed it will:

- a. consult with Te Kauae a Roopu iwi/hapū and Ngāti Hinerangi; and
- b. provide identified dates on its website to match the Direction once gazetted so members of the public can be informed about the actual anticipated timeframes of the Streamlined Planning Process.

Reporting Requirements

The Bay of Plenty Regional Council shall provide a written report to the Minister within 10 working days of the completion of step 2 (pre-notification consultation) and step 4 (written submissions). The reports shall demonstrate compliance with the steps and timelines, and identify any issues which may have bearing on meeting the Minister's Direction and Statement of Expectations.

Notes

- i. This Direction must be complied with.
- ii. Section 80B(2)(a) and (b) specifies all mandatory Schedule 1 requirements in any Streamlined Planning Process (to the extent they are applicable to the particular planning instrument).
- iii. Clause 80 of Schedule 1 of the RMA provides the Minister with the ability to amend this Direction on his own initiative or following a request from the local authority.
- iv. The Local Authority may, in accordance with clause 81 of Schedule 1 of the RMA apply in writing to the Minister for an amendment to the direction or extension of timeframes.
- v. Clause 89 of Schedule 1 of the RMA provides the Minister with the ability to revoke a Direction made under clause 78 of Schedule 1 of the RMA.
- vi. Clause 89 of Schedule 1 of the RMA provides for the Council to withdraw the planning instrument at any time prior to the Minister making his/her decision on the proposed planning instrument under Clause 84 of Schedule 1 of the RMA.

Dated at Wellington this 27th day of February 2018.

Hon DAVID PARKER, Minister for the Environment.

Example 2: Direction to Hastings District Council

THE RESOURCE MANAGEMENT (DIRECTION TO HASTINGS DISTRICT COUNCIL TO ENTER THE STREAMLINED PLANNING PROCESS FOR A VARIATION TO ITS PROPOSED DISTRICT PLAN – IONA REZONING VARIATION) NOTICE 2018

Pursuant to clauses 78 and 79(2) of Schedule 1 of the Resource Management Act 1991, the Minister for the Environment gives the following notice.

Notice

1. Title and commencement

(1) This notice is the Resource Management (Direction to Hastings District Council to enter the Streamlined Planning Process for a Variation to its Proposed District Plan – Iona Rezoning Variation) Notice 2018.

(2) This notice shall come into force on the date of gazettal.

2. Direction to enter Streamlined Planning Process

In accordance with clause 78 of Schedule 1 of the Resource Management Act 1991, the Minister for the Environment directs that the following streamlined planning process is used for the Iona Rezoning Variation to the Hastings Proposed District Plan:

Minister for the Environment’s Direction on the Application From Hastings District Council to Use a Streamlined Planning Process for a Variation to its proposed district plan (Iona Rezoning Variation)

The Minister for the Environment received an application from Hastings District Council on 16 August 2017, pursuant to section 80C and clause 75 of Schedule 1 of the Resource Management Act 1991 (“RMA”), to use a Streamlined Planning Process to prepare a planning instrument known as the Iona Rezoning Variation.

In accordance with clause 78 of schedule 1 of the RMA the Minister directs that Hastings District Council uses the following Streamlined Planning Process for the proposed Iona rezoning variation:

| Step | Timeframes |
|------|---|
| 1 | Undertake pre-notification requirements with iwi authorities in accordance with clause 4A of Schedule 1 of the RMA. To be completed no later than 15 working days after gazettal of the Direction. |
| 2 | Publicly notify the Iona Rezoning Variation for written submissions in accordance with clause 5 of Schedule 1 of the RMA. A minimum period of twenty working days for submissions must be specified in the public notice. To be completed no later than 10 working days after completion of Step 1. |
| 3 | Provide an opportunity for written submissions under clause 6 of Schedule 1 of the RMA. Public Submissions to be received no later than 20 working days after public notification (Step 2). |
| 4 | Conduct a public hearing under clause 8B of Schedule 1 of the RMA (to the extent applicable under this Direction). Hearing to commence no later than 20 working days after close of submissions (Step 3). |
| 5 | Hastings District Council to provide a written report showing how submissions have been considered and the changes (if any) recommended to the proposed planning instrument: a. the evaluation report under section 32 and 32AA; and To be provided to the Minister for the Environment no later than 40 working days after completion of hearing (Step 4). |

- b. a report summarising how the persons making the recommendation have had regard to the evaluation report; and
- c. the reports and documents required by clause 83(1) for the Minister's consideration.

Total time period within which the Streamlined Planning Process for the Proposed Iona Rezoning Variation must be completed.

Steps 1–5 to be completed no later than 6 months after gazettal of the Direction.

In accordance with clause 78(5) of Schedule 1 of the RMA, the Minister directs that the hearing panel convened to hear submissions under step 5 must include at least one independent hearings commissioner.

Statement of Expectations

The Minister for the Environment's expectations for Hastings District Council are that in undertaking the Streamlined Planning Process as directed:

- a. All of the parties to the Iona Hill Appeal (ENV-2015-WLG-000061) and the Iona Triangle Appeal (ENV-2015-WLG-000062) on the Proposed Hastings District Plan should be served notice of the Proposed Iona Rezoning Variation once publicly notified.
- b. The Hawke's Bay Regional Planning Committee is served notice of the Proposed Iona Rezoning Variation once publicly notified.
- c. Submissions on the Proposed Iona Rezoning Variation should be placed on a publicly accessible website by the Council within 5 working days of submissions closing.
- d. Hastings District Council provides identified dates on its website to match the Direction once gazetted so members of the public can be informed about the actual anticipated timeframes of the Streamlined Planning Process.
- e. The Proposed Iona Rezoning Variation should provide sufficient development capacity for a housing yield of at least 390–400 dwellings.

Reporting Requirements

The Hastings District Council shall provide a written report to the Minister within 10 working days of the completion of each of steps 1 and 3 above. The report shall demonstrate compliance with the step/s and timelines and identify any issues which may have bearing on meeting the Minister's Direction and Statement of Expectations.

Notes

- i. This Direction must be complied with.
- ii. Section 80B(2)(a) and (b) specifies all mandatory Schedule 1 requirements in any Streamlined Planning Process (to the extent they are applicable to the particular planning instrument).
- iii. Clause 80 of Schedule 1 of the RMA provides the Minister with the ability to amend this Direction on his own initiative or following a request from the local authority.
- iv. The Local Authority may, in accordance with clause 81 of Schedule 1 of the RMA apply in writing to the Minister for an extension of timeframes.
- v. Clause 89 of Schedule 1 of the RMA provides the Minister with the ability to revoke a Direction made under clause 78 of Schedule 1 of the RMA.
- vi. Clause 88 of Schedule 1 of the RMA provides for the Council to withdraw the planning instrument at any time prior to the Minister making his/her decision on the proposed planning instrument under Clause 84 of Schedule 1 of the RMA.

Dated at Wellington this 26th day of February 2018.

Hon DAVID PARKER, Minister for the Environment.

Appendix 3 – Considering requesting additional procedural steps

Additional procedural steps³⁰

The request to the Minister for a SPP may also include suggested additional process steps (including timeframes) beyond the minimum requirements and timeframes. When approving a SPP, the Minister will provide a direction as to what processes, reporting requirements and timelines will be followed.

The opportunity for a local authority to request the Minister includes additional process steps within the direction gives an important and flexible mechanism, ensuring the process is expeditious and proportional to the complexity and significance of the issues involved.

The direction cannot include any appeal process not already provided through [Schedule 1, clause 93](#).

Note: Examples of additional process steps the Minister may direct could include how local authorities were to deal with seeking further details, or clarification within a written submission process. The Minister may also direct local authorities to hold a hearing, and in cases where there are complex or technical matters, the direction may also include the need for expert conferences and/or mediation.

Further submissions³¹

Further submissions are not part of the minimum process requirements. A local authority could, however, recommend further submissions be included, if they consider the potential nature of primary submissions require further input from potentially affected people.

Hearings³²

Like further submissions, hearings are not part of the minimum requirement for a SPP. The standard plan making process (Schedule 1, Part 1) has a requirement for a hearing, unless either no submissions are received, or no submitter asks to be heard.

Hearings could be appropriate where the issues and supporting information is complicated and may be contested, or where views are polarised. An evidential hearing allows for the opportunity to use expert conferencing and other issue resolution techniques.

There is opportunity to tailor the hearing process for a SPP for:

- determining timelines to be applied to the hearing process
- directions requiring evidence to be provided prior to hearings
- directions limiting the nature and presentation of submissions
- enabling mediation sessions, to establish common ground between parties to reduce hearings time

³⁰ Schedule 1, clause 78(5).

³¹ Schedule 1, clauses 8 and 8A.

³² Schedule 1, clause 8B.

- enabling expert conferencing to establish agreement of technical matters³³
- allowing or not allowing cross examination of evidence or submissions.³⁴

Alternative dispute resolution³⁵

The only provisions for alternative dispute resolution in the standard process are the “resolution of disputes” provisions of Schedule 1³⁶. These provisions allow for facilitated meetings and mediation. Both provisions are discretionary under the standard process and do not form part of the minimum process for the SPP.

Where appropriate, there is scope to include and specify in the direction a dispute resolution process to meet the circumstances of the issue raised by the proposed planning instrument. For example, the Auckland Unitary Plan (AUP) used a wide range of dispute resolution processes as part of its hearing process. These processes represent good practice for a comprehensive use of resolution process for an extremely complex plan. We consider the use of such processes reduced hearings time for many complex topics during the hearing of the AUP.

Incorporation of information by reference³⁷

The incorporation by reference of existing documents within plans is partially a content matter and partially a process, as the process for incorporation is different from the remainder of Schedule 1 processes. To incorporate material by reference, the intention must be publicly notified, comments received and considered by the local authority.³⁸

Note: Material that can be provided through external standards, processes or methods may be better incorporated through reference. If the local authority wishes to do this, the request for a SPP should include a process step addressing incorporation of material by reference. This approach is likely to be most applicable where the issue which the planning instrument addresses is technical or scientific (for example aquifer contamination).

Conferences and expert conferences

Environment Court powers include a wide ranging judicial conference power, used in conjunction with the Environment Court Practice Notes for narrowing issues in contention, establishing evidence timetables and exchange, hearing procedures and to establish expert conferences. Provisions for expert conferences are also available³⁹ for part of other processes.

These processes could be used to develop an expeditious process for highly technical and contentious plan changes, with or without the use of hearings.

³³ As used in the Auckland Unitary Plan hearings.

³⁴ Schedule 1, clause 78(6).

³⁵ Sections 268 and 268A.

³⁶ Schedule 1, Part 1, clause 8AA.

³⁷ Schedule 1, Part 3.

³⁸ Schedule 1, clause 34.

³⁹ Section 267.

Comment on draft decision documents by stakeholders before they are submitted to the Minister

The local authority could also consider if there is value in providing submitters with an opportunity to comment on the proposed planning instrument and associated documents at the end of the process, before they are submitted to the Minister for approval. Comments could be restricted to identifying any errors or technical inaccuracies and could provide a quality control check in the absence of appeals on most matters.

Appendix 4 – SPP application form

Application for request to use a Streamlined Planning Process

| | |
|---|---|
| For office use only: PO Box 10362 Wellington 6143 | Application number: Date received: |
|---|---|

This form should be used by a local authority intending to prepare, change, or vary a policy statement or plan, when applying to the responsible Minister(s) to use the Streamlined Planning Process (SPP).

We recommend you discuss the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Our contact details are at the end of this form. The Ministry has prepared technical guidance to assist local authorities prepare requests to use the SPP. See <http://www.mfe.govt.nz/publications/rma/technical-guide-streamlined-planning-process-under-resource-management-act-1991>.

If the required information is provided in an attached document, please include the page number(s) where this information is found in the attachment (e.g. Volume 1, pages 1 to 3).

All legislative references relate to the Resource Management Act 1991 (RMA), unless stated otherwise.

To complete this form, please scroll down and click in the appropriate field.

Part I: Request to the responsible Minister to use the Streamlined Planning Process

To the responsible Minister,

Applicant’s details

- Full name of the local authority making request (the applicant): Click here to enter text.
- Contact person: Click here to enter text. Job title: Click here to enter text.
- Physical address: Click here to enter text.
- Postal address (if different from above): Click here to enter text.
- Phone: Click here to enter text. Email: Click here to enter text.

This application is for a direction to use the Streamlined Planning Process for:

[Enter name of proposed planning instrument, including any notices of requirement, designations or heritage orders.]

Please provide a description of the planning issue for which the identified instrument is required:

[Enter a description of the planning issue.]

The proposed planning instrument (please tick one):

- does not relate to the coastal marine area
- relates partly to the coastal marine area
- relates wholly to the coastal marine area.

*Please note, if the matter relates wholly to the coastal marine area, references to the Minister in this form should be read as the Minister of Conservation. If the matter relates to the coastal marine area in part, references to the Minister in this form should be read as the Minister for the Environment **and** Minister of Conservation.*

Part II: Eligibility criteria

Your application must meet at least one of the following criteria. Please select all criteria that apply:

Any application to use the SPP must be submitted before notifying the proposed planning instrument in any other planning process.

- (a) The proposed planning instrument will implement a national direction.
- (b) As a matter of public policy, the preparation of a planning instrument is urgent.
- (c) The proposed planning instrument is required to meet a significant community need.
- (d) A plan or policy statement raises an issue that has resulted in unintended consequences.
- (e) The proposed planning instrument will combine several policy statements or plans to develop a combined document prepared under Section 80 of the RMA.
- (f) The expeditious preparation of a planning instrument is required in any circumstance comparable to, or relevant to, those set out in paragraphs (a) to (e).

Explain how specifically using the SPP the proposal meets the relevant criterion / criteria:

[Click here to enter text.](#)

The information provided in this application and any associated reports or documents it refers to will be used to assess the application and may contribute to the Minister's direction (including the Statement of Expectations) if the application is successful.

Part III: Why the SPP process is appropriate

Please explain why use of the SPP is appropriate as an alternative to using the standard process under Part 1 of Schedule 1 of the RMA. For example:

- (1) Why is the removal of appeals appropriate and justified in this circumstance?
- (2) How is the proposed streamlined process proportionate to the scale and significance of the issues involved in the proposed planning instrument?

[Click here to enter text.](#)

Please explain how the application and proposed process relates to the purpose of the SPP set out in section 80B(1) of the RMA. Explain how this application will achieve an expeditious planning process, proportionate to the complexity and significance of the planning issues being proposed.

[Click here to enter text.](#)

Part IV: Description of the proposed process

Please provide details of the process you will use, and the time frames proposed for the steps in that process. The proposed process must include the following **minimum steps in red**. If required, you may add additional steps before, in between, or after these mandatory steps:

| | Procedural requirement (process step) | Description | Timeframes (dates or working days if appropriate) |
|----|--|--|---|
| | Please enter the process steps you will use. You may add as many steps as required between, after, or before the minimum requirements. | Please enter a brief description of the process step proposed | Please enter working days as appropriate |
| 1. | Add steps, if required. | Click here to enter text. | Click here to enter text. |
| 2. | Consultation with affected parties on the proposed planning instrument, including any applicable Crown Agency and iwi authorities (if not already done). | (Eg, We have determined two iwi authorities and six land owners (and their potential occupiers) will be affected, and consultation will be undertaken with these parties prior to notification.) | Click here to enter text. |
| 3. | Public notification of the proposed planning instrument in accordance with clause 5 (other than clause 5(3)), or limited notification under clause 5A. | This process is the same as the Schedule 1, Part 1 process. | Click here to enter text. |
| 4. | An opportunity for written submissions under clause 6 or 6A. | A period for which written submissions will be held. | Click here to enter text. |
| 5. | The preparation of (and submission) of reports and documents required by clause 83(1) (a) to (g). | Click here to enter text. | Click here to enter text. |
| 6. | Add as many steps as needed. | Click here to enter text. | Click here to enter text. |
| 7. | Total time required for the SPP to be completed. | Please enter the total number of days, weeks or months as appropriate and the anticipated end date of the process. | Click here to enter text. |

Other additional procedural steps

Please provide a justification for each additional procedural step and the proposed timeframe. Please provide a summary in the table above. Any further details can also be provided below:

[Click here to enter text.](#)

Part V: Consultation and affected parties on the proposed planning instrument

Your application must include:

- the persons you consider likely to be affected by the proposed planning instrument, and the reasons why
- a summary of any consultation done, or intended to be done, including consultation with iwi authorities, under clauses 1A to 3C of Schedule 1 Part 1 of the RMA
- demonstration the local authority has complied with (or intends to comply with) clause 3(1) during the preparation of the proposed planning instrument.

If consultation is intended to be done, it should be included in the proposed process, set out in Part IV of this form.

Part VI: Implications of the proposal for any relevant iwi participation legislation

Your application must state the implications of using this new process for any relevant iwi participation legislation or Mana Whakahono ā Rohe: iwi participation arrangement entered into under subpart 2 of Part 5 of the RMA.

It is important for the local authority to identify in this application form all relevant⁴⁰ agreements in place with iwi or hapū, as this will:

1. enable the local authority explain how each of these relate to participation in the RMA plan making process, and identify any implications they may have on those agreements, and
2. inform the Minister of all the relevant iwi participation legislation and agreements in place.

A local authority may have entered into a Mana Whakahono ā Rohe, Deed of Settlement or other agreement with iwi which requires consultation, before making a plan change. If this is the case, the local authority will need to demonstrate it has consulted with iwi before making a request.

Checklist

Please ensure your application contains the following information, and double-click to place an “X” in each box to confirm:

- A description of the planning issue for which a planning instrument is required, with an explanation on how the proposal meets any of the criteria set out in section 80C(2).

⁴⁰ In this case, “relevant” means focused on the particular local authority concerned, on policy planning matters under the RMA to the subject matter of the proposed planning instrument.

- An explanation of why the use of the Streamlined Planning Process is appropriate as an alternative to use of process under Part 1, Schedule 1 of the RMA.
- A description of the process the local authority wishes to use, and the timeframes it proposes for the steps in that process, having regard to the relevant criteria under section 80C(2).
- The persons the local authority considers likely to be affected by the proposed planning instrument.
- A summary of any consultation(s) done by the local authority, or intended to be done, on both the planning proposal and the intention to apply to make use of the Streamlined Planning Process, including consultation with iwi authorities under clauses 1A to 3C of Schedule 1.
- The implications of the proposal for any relevant iwi participation legislation, or Mana Whakahono ā Rohe (iwi participation arrangement) entered into under subpart 2 of Part 5 of the RMA.

Signature

By typing your name in the space provided, you are electronically signing this application form and certifying the information given in this application is true and correct.

[Click here to enter text.](#)

[Click here to enter date](#)

Signature of person authorised to sign on behalf of local authority

Date

Contact details

Manager, RMA Practice
Ministry for the Environment – Manatū Mō Te Taiao
Phone: 04 439 7400
Email: info@mfe.govt.nz

Team Leader, Resource & Statutory Land Management
Department of Conservation – Te Papa Atawhai
Phone: 04 471 3199
Email: enquiries@doc.govt.nz

COUNCIL REPORT

Date : 17 February 2025
To : Ordinary Council Meeting, 18 March 2025
From : Group Manager Business Support, Rachael Burgess
Subject : **2025 PRE-ELECTION REPORT AND ELECTION POLICY ADOPTION**
File ID : A1286335

EXECUTIVE SUMMARY

- The 2025 triennial elections will occur on Saturday, 11 October 2025.
- An update on preliminary matters relating to the election is provided to Council, including a decision required on the order of candidate names to appear on the voting documents.
- This report presents the 2025 Pre-election Protocol Policy and the Election Protocols for Staff Policy for adoption.

RECOMMENDATIONS

- 1) **That the report titled "2025 Pre-Election Report and Election Policy Adoption" be received.**
- 2) **That the Council adopts the Pre-Election Policy for the period 11 July 2025 to 11 October 2025.**
- 3) **That the Council adopts the Election Protocols for Staff for the period 4 July 2025 to 11 October 2025.**
- 4) **That the Council resolves for the 2025 triennial elections, to adopt *either*:**
 - i. **The alphabetical order of candidate names; or**
 - ii. **The pseudo-random order of candidate names; or**
 - iii. **The random order of candidate names****as permitted under regulation 31 of the Local Electoral Regulations 2001.**

PURPOSE

1. To provide an update on matters relating to the upcoming Local Government elections.
2. Council to confirm the order candidate names appear on voting documents.

3. Council to adopt the Pre-Election Protocol Policy and the Election Protocols for Staff Policy.

STRATEGIC ALIGNMENT

4. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long-Term Plan 2024-2034:
 - Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

BACKGROUND

5. Attached is a report from Dale Ofsoske (Council's Electoral Officer from Election Services Ltd), that outlines matters relating to the October 2025 election and is provided for Councillors' information.
6. Election Services will publish for Council the 'Candidate Information Handbook' as a complete guide for all candidates. This will include the section of the consolidated bylaws pertaining to election signs. An excerpt of these bylaws has been included below.

6.12 Central Government and Local Body Election signs

- 6.12.1 The maximum size for election signs is 1.8 square metres.
- 6.12.2 Election signs will only be permitted on private land and the owner's consent is required.
- 6.12.3 Election signs are not permitted on Council owned or Council controlled land or roads.
- 6.12.4 Election signs must be sited so that they do not cause any obstruction to, or restrict the vision of, vehicle operators.
- 6.12.5 Election signs must not be erected within 6 metres of an intersection or on a roundabout.
- 6.12.6 The Council retains the right to require any election sign to be moved or removed due to clause 6.12.4 above.
- 6.12.7 Election signs must not be erected more than 9 weeks prior to polling day.
- 6.12.8 Election signs must be removed the day before polling day.

DISCUSSION

Pre-election protocols

7. Attached is the Pre-election Protocol Policy adopted by Council on 9 March 2022. No changes have been made to this policy. This policy is now required to be reconfirmed for use in the 2025 triennial election.

Election Protocols for Staff

8. Attached is the Election Protocols for Staff Policy adopted by Council on 11 April 2019. No changes have been made to this policy. This policy is now required to be reconfirmed for use in the 2025 triennial election.

OPTIONS

Candidate name order

9. Council is required to adopt the order in which candidate names will appear on voting documents. The report from Dale Ofsoske provides a brief explanation of each of the three options that are possible and these are outlined in the options tables below.
10. Council adopted the alphabetical order for their respective 2022 triennial elections.
11. There is no price differential in printing costs between the three orders of candidate names.

| OPTION 1: Candidate Names in Alphabetical Order | |
|---|--|
| Description | <i>Alphabetical order is simply listing candidate surnames alphabetically and is the order traditionally used in local and Parliamentary elections.</i> |
| Advantages | <p><i>Comments regarding alphabetical order are:</i></p> <ul style="list-style-type: none"> ▪ <i>Voters are easily able to find names of candidates for whom they wish to vote. Some candidates and voters over the years have argued that alphabetical order may tend to favour candidates with names in the first part of the alphabet, but in practice this is generally not the case – most voters tend to look for name recognition, regardless of where in the alphabet the surname lies;</i> ▪ <i>The order of candidate names on the voting document matches the order listed in the candidate directory (candidate profile statements).</i> |
| Disadvantages | <i>Nil</i> |
| Impact on mana whenua | <i>There are no identified impacts on mana whenua in relation to the report.</i> |
| Strategic alignment | <i>Local elections ensure councils uphold the principles of democratic governance outlined in the LGA.</i> |
| Associated risks | <i>None</i> |

| OPTION 2: Candidate Names in Pseudo-Random Order | |
|--|---|
| Description | <i>Pseudo-random order is where candidate surnames are randomly selected, and the same order is used on all voting documents for that position. The names are randomly selected by a method such as drawing names out of a container.</i> |
| Advantages | <i>The selection is randomised, and therefore considered fairer for candidates.</i> |

OPTION 2: Candidate Names in Pseudo-Random Order

| | |
|------------------------------|---|
| Disadvantages | <i>Comments regarding pseudo-random order are:</i> <ul style="list-style-type: none">▪ <i>The candidate names appear in mixed order (not alphabetical) on the voting document;</i>▪ <i>Possible voter criticism/confusion as specific candidate names are not easily found, particularly where there may be many candidates;</i>▪ <i>The order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).</i> |
| Impact on mana whenua | <i>There are no identified impacts on mana whenua in relation to the report.</i> |
| Strategic alignment | <i>Local elections ensure councils uphold the principles of democratic governance outlined in the LGA.</i> |
| Associated risks | <i>None</i> |

OPTION 3: Candidate Names in Random Order

| | |
|------------------------------|---|
| Description | <i>Random order is where all candidate surnames are randomly selected and are listed in a different order on every voting document. The names are randomly selected by computer so that the order is different. Random order enables names to be listed in a completely unique order on each voting document.</i> |
| Advantages | <i>The selection is randomised, and therefore considered fairer for candidates.</i> |
| Disadvantages | <i>Comments regarding random order are:</i> <ul style="list-style-type: none">▪ <i>the candidate names appear in mixed order (not alphabetical) on the voting document;</i>▪ <i>possible voter criticism/confusion as specific candidate names are not easily found, particularly where there are many candidates;</i>▪ <i>the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).</i> |
| Impact on mana whenua | <i>There are no identified impacts on mana whenua in relation to the report.</i> |
| Strategic alignment | <i>Local elections ensure councils uphold the principles of democratic governance outlined in the LGA.</i> |
| Associated risks | <i>None</i> |

CONSIDERATIONS

Financial/budget considerations

12. Any associated costs have been budgeted for in the current LTP.

Policy and planning implications

13. The decisions being considered is not inconsistent with any of Council's policies or plans.
14. Councils Pre-election Protocol Policy and the Election Protocols for Staff Policy are now required to be reconfirmed for use in the 2025 triennial election.

Impact on mana whenua

15. There is no identified impact on Maori/Mana whenua.

Climate impact considerations

16. There are no climate related issues to consider.

Risks

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

Community wellbeing considerations

18. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
19. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
20. There are no community wellbeing considerations arising from this report.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

21. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.
22. The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

23. As the level of significance has been determined to be low, the level of engagement required is Inform:

INFORM

To provide balanced and objective information to assist understanding about something that is going to happen.

24. The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONCLUSION

25. Council is required to determine the order of names on the voting documents. If no decision is made, the order will default to alphabetical. A brief explanation of each is outlined in the Electoral Officers report. There is no price differential in printing costs between each option for the order of candidate names.

Rachael Burgess

GROUP MANAGER BUSINESS SUPPORT

Election Services
Level 2, 198 Federal Street, Auckland
PO Box 5135, Victoria Street West
Auckland 1142
Phone: 64 9 973 5212
Email: info@electionservices.co.nz

Report to the
Ōpōtiki District Council
regarding the

2025 Triennial Election

From the
Electoral Officer

13 February 2025



Table of Contents

| | |
|----------------------|----|
| Outline | 2 |
| Background..... | 2 |
| Narrative..... | 2 |
| Recommendation | 7 |
| APPENDIX 1..... | 8 |
| APPENDIX 2..... | 9 |
| APPENDIX 3..... | 11 |

Outline

The 2025 triennial local government elections will occur on Saturday 11 October 2025. An update on preliminary matters relating to the election is provided to Council, including consideration of the order of candidate names to appear on the voting documents.

Background

The 2025 triennial elections for local authorities are due to occur on Saturday 11 October 2025 and are required to be undertaken according to the Local Electoral Act 2001, the Local Electoral Regulations 2001 and, to a limited extent, the Local Government Act 2002.

Certain pre-election information and tasks are outlined in this report for Council's information and attention.

The Local Electoral Regulations 2001 provides for Council to resolve the order of candidate names to appear on the voting documents (alphabetical, pseudo-random or random order). If no decision is made, the order of names defaults to alphabetical.

Narrative

Representation Review

Following the outcome of the non-binding Māori wards poll held with the 2022 triennial election, Council resolved on 20 November 2023 to establish one or more Māori wards for the 2025 and 2028 triennial elections. Due to this, Council was required to undertake a representation arrangements review in 2024 under the Local Electoral Act 2001.

Under the legislative formula, should six councillors be retained, there would be three Māori ward councillors and three general ward councillors.

Following public consultation (including a public survey and drop-in sessions) and several Council briefings, three general ward and two Māori ward options were considered and an Initial Proposal was publicly notified on 6 August 2024.

The Initial Proposal recommended a change from the current arrangements (mayor, six councillors elected from three wards and one community board electing four members) to a model of mayor elected 'at large', seven councillors elected from two general wards and three Māori councillors elected from two Māori wards and one community board electing four members.

12 submissions were subsequently received (including two who wished to be heard) to the Initial Proposal.

After consideration of the submissions, Council resolved on 18 September 2024 to adopt the Initial Proposal as its Final Proposal.

The Final Proposal was publicly notified on 27 September 2024 and one appeal was received. As such, the matter was referred to the Local Government Commission for a determination. A hearing by the Local Government Commission is scheduled for

25 February 2025 with a determination expected by 10 April 2025.

Māori Wards and Constituencies Polls

Where a local authority has established Māori wards or Māori constituencies since 2020 **without undertaking a poll**, legislation now requires a poll to be undertaken in conjunction with the 2025 local elections (Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024).

As Council conducted a poll in 2022 they are not required to hold a poll in 2025.

Similarly, the Bay of Plenty Regional Council is exempt from holding a Māori constituencies poll in 2025 due to the Bay of Plenty Regional Council (Māori Constituency Empowering) Act 2001.

2025 Elections

Elections will be required, subject to the Local Government Commission's determination, for the following positions:

- Mayor (elected 'at large')
- Councillors (7)
 - Urban General Ward (2)
 - Rural General Ward (2)
 - Ōpōtiki Māori Ward (2)
 - Coast Māori Ward (1)
- Coast Community Board (4)
- Bay of Plenty Regional Council members (either 2 members from the Eastern Bay of Plenty General Constituency, or 1 member from the Kohi Māori Constituency).

Electoral Systems

Council has resolved to retain the FPP (First Past the Post) electoral system for the 2025 local elections.

The Bay of Plenty Regional Council has also resolved to retain the FPP (First Past the Post) electoral system for their 2025 local elections.

Legislative Changes

The Local Electoral Regulations 2001 were amended on 30 July 2024 to allow a greater period for the delivery of voting mailers (from six days to 14 days) and a longer voting period (from 22.5 days to 32.5 days).

Although election day remains the second Saturday in October every three-years (11 October 2025), the commencement of the electoral process now starts earlier with nominations opening on Friday 4 July 2025.

| | |
|---|--|
| 2025 Election Timetable | <p>With an election date of Saturday 11 October 2025, the following key functions and dates will apply:</p> <p>Nominations open/roll open Friday 4 July 2025</p> <p>Nominations close/roll closes Noon, Friday 1 August 2025</p> <p>Delivery of voting mailers Tuesday 9 to Monday 22 September 2025</p> <p>Close of voting Noon, Saturday 11 October 2025</p> <p>A more detailed timetable is attached (Appendix 1).</p> |
| 2025 Election Fact Sheet | <p>A 2025 Election Fact Sheet summarising the key functions of the election (Appendix 2) is also attached.</p> |
| Compilation of non-resident Ratepayer Roll | <p>The compilation of the 2025 non-resident Ratepayer Roll is required to commence in early-mid 2025. This will include:</p> <ul style="list-style-type: none"> • an insert detailing the qualifications and procedures for enrolment as a non-resident ratepayer elector to be included with a 2025 rates instalment notice by the end of August 2025 (Appendix 3); • a confirmation letter issued to all current non-resident ratepayer electors in March/April 2025; • a national advertising campaign on the qualifications and procedures for enrolment as a non-resident ratepayer elector during May 2025. <p>Council can undertake additional promotion of the ratepayer roll if it wishes - such as contacting (letter/email etc) all current or potential non-resident ratepayer electors encouraging their enrolment and participation in the electoral process.</p> |
| Order of Candidate Names | <p>Regulation 31 of the Local Electoral Regulations 2001 provides the opportunity for Council to choose the order of candidate names appearing on the voting documents from three options – alphabetical, pseudo-random (names drawn randomly with all voting documents printed in this order) or random order (names randomly drawn by computer with each voting document different).</p> <p>Council may determine which order the names of candidates are to appear on the voting documents, but if no decision is made, the order of names defaults to alphabetical.</p> <p>Council, and the Bay of Plenty Regional Council, both adopted the alphabetical order for their respective 2022 triennial elections.</p> |

For Council's information, Auckland Council has undertaken analysis on the effect on the order of candidate names, and research showed no observable effect of candidate order on actual election outcomes.

Alphabetical Order

Alphabetical order is simply listing candidate surnames alphabetically and is the order traditionally used in local and Parliamentary elections.

Comments regarding alphabetical order are:

- voters are easily able to find names of candidates for whom they wish to vote. Some candidates and voters over the years have argued that alphabetical order may tend to favour candidates with names in the first part of the alphabet, but in practice this is generally not the case – most voters tend to look for name recognition, regardless of where in the alphabet the surname lies;
- the order of candidate names on the voting document matches the order listed in the candidate directory (candidate profile statements).

Pseudo-Random Order

Pseudo-random order is where candidate surnames are randomly selected, and the same order is used on all voting documents for that position. The names are randomly selected by a method such as drawing names out of a container.

Comments regarding pseudo-random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;
- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there may be many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

Random Order

Random order is where all candidate surnames are randomly selected and are listed in a different order on every voting document. The names are randomly selected by computer so that the order is different.

Random order enables names to be listed in a completely unique order on each voting document.

Comments regarding random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;

- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there are many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

There is no price differential in printing costs between the three orders of candidate names.

Number of Electors

The number of electors for the 2025 triennial elections is expected to be 6,700 (as at 31 January 2025 this was 6,653). This compares to 6,378 electors for the 2022 triennial election or + 5% growth.

Pre-Election Report

Section 99A of the Local Government Act 2002 requires each local authority to prepare a pre-election report, whose purpose is to provide information to promote public discussion about the issues facing the local authority. The pre-election report is prepared by the Chief Executive, must contain financial and major project information, and should be completed by the end of June 2025.

Promotion of Election

Section 42(2) (da) of the Local Government Act 2002 requires the chief executive of a local authority to promote their elections to help increase voter participation.

As a chief executive legislative requirement (not a governance matter), such promotion should focus on an effective communications/education strategy about the council - what it does, its services and relevance to the community and the importance to stand for office and to vote/have your say to help determine the future of the district.

Pre-Election Period

The period three-months before election day, known as the pre-election period, is a time where Council must be mindful not to make any significant decisions.

Business as usual must be able to continue, but best practise is that any decisions of significance should not be made in this period (11 July 2025 to 11 October 2025).

In addition, local authorities cannot promote, or be perceived to promote, the prospects of any candidate, especially a current member. This includes restrictions on elected member official communications by Council.

Any use of Council resources (websites, social media, vehicles, phones, staff etc) by elected members during the pre-election period for re-election purposes is unacceptable and possibly unlawful. This prevents a perception of an "unfair advantage" to current elected members over other candidates.

Recommendation

It is recommended that:

Council resolves for the 2025 triennial election, to adopt *either*:

- (i) the alphabetical order of candidate names; *or*
- (ii) the pseudo-random order of candidate names; *or*
- (iii) the random order of candidate names

as permitted under regulation 31 of the Local Electoral Regulations 2001.

Author:



Dale Ofoske
Electoral Officer // Ōpōtiki District Council
Election Services

APPENDIX 1



ŌPŌTIKI DISTRICT COUNCIL



TIMETABLE | WĀTAKA

2025 LOCAL GOVERNMENT ELECTIONS
11 OCTOBER 2025



| | |
|--|--|
| May 2025 | National ratepayer roll qualifications and procedures campaign [Sec 39, LEA] |
| Monday 9 June 2025 | Electoral Commission's enrolment update campaign commences |
| Wednesday 2 July 2025 | Public notice of election, calling for nominations, roll open for inspection [Sec 42, 52, 53, LEA] |
| Friday 4 July 2025 | Nominations open / roll open for inspection |
| Friday 1 August 2025 | Nominations close [12 noon] / roll closes [Sec 5, 42, 55 LEA, Reg 21, LER] |
| Wednesday 6 August 2025 | Public notice of day of election, candidates' names [Sec 65, LEA] |
| Friday 5 September 2025 | Electoral officer certifies final electoral roll [Sec 51, LEA, Reg 22, LER] |
| Tuesday 9 September – Monday 22 September 2025 | Delivery of voting documents [Reg 51, LER] |
| Tuesday 9 September – Saturday 11 October 2025 | Progressive roll scrutiny [Sec 83, LEA] Special voting period [12 noon] [Sec 5 LEA, Reg 35, LER] Early processing period [12 noon] [Sec 80, LEA] |
| by Friday 10 October 2025 | Appointment of scrutineers [12 noon] [Sec 68, LEA] |
| Saturday 11 October 2025 | Election day [Sec 10, LEA] Close of voting [12 noon] [Sec 84, LEA] Progress and preliminary results available as soon as practicable after close of voting [Sec 85, LEA] |
| Monday 14 October – Friday 17 October 2025 | Official count [Sec 84, LEA] |
| Friday 17 October – Saturday 18 October 2025 | Declaration of result/public notice of declaration [Sec 86, LEA] |
| mid/late December 2025 | Return of electoral donations & expenses form [Sec 112A, LEA] |

LEA = Local Electoral Act 2001 LER = Local Electoral Regulations 2001 (incorporating 30 July 2024 changes)



FACT SHEET | WHĀRANGI MEKA

2025 LOCAL GOVERNMENT ELECTIONS
11 OCTOBER 2025



➔ WHAT DOES COUNCIL DO?

The District Council meets regularly to make many decisions that impact the day-to-day lives of people in the Ōpōtiki District. The Council governs a wide range of local services including roads, water systems, rubbish collection, libraries, parks, community centres, dog registration, community and economic development and district planning.

➔ BACKGROUND

Local government triennial elections are being held by postal vote on Saturday 11 October 2025 and will be undertaken by Election Services, under contract to Ōpōtiki District Council.

The first past the post (FPP) electoral system will be used for both the Ōpōtiki District Council and Bay of Plenty Regional Council elections

➔ 2025 KEY DATES

| | |
|----------------------------|---------------------------|
| Nominations open | Friday 4 July |
| Nominations close | noon, Friday 1 August |
| Delivery of voting packs | from Tuesday 9 September |
| Close of voting | noon, Saturday 11 October |
| Official results announced | Friday 17 October |

➔ WHO IS BEING ELECTED?

Elections will be required for the following positions*:

- ➔ Mayor (elected 'at large')
- ➔ Councillors (7)
 - Urban General Ward (2)
 - Rural General Ward (2)
 - Ōpōtiki Māori Ward (2)
 - Coast Māori Ward (1)
- ➔ Coast Community Board Members (4)
- ➔ Bay of Plenty Regional Council Members - either:
 - Eastern Bay of Plenty General Constituency (2), or
 - Kohi Māori Constituency (1)

* Subject to determination by the Local Government Commission, expected by 10 April 2025

➔ HOW CAN I BE NOMINATED?

Nominations for these positions open on Friday 4 July 2025 and close at noon on Friday 1 August 2025.

For online nominations go to: www.esp.electionservices.co.nz

Printed nomination papers and a candidate handbook will also be available during this period from:

- ➔ Ōpōtiki District Council offices, 108 St John St, Ōpōtiki
- ➔ or download and print at: www.odc.govt.nz.

To be eligible to stand for election, a candidate **must** be:

- ➔ a New Zealand citizen (by birth or naturalisation ceremony); **and**
- ➔ enrolled as a Parliamentary elector (anywhere in New Zealand); **and**
- ➔ nominated by two electors whose names appear on the electoral roll within the respective area that a candidate is standing for.

A candidate information handbook is available in May 2025.

➔ WHO CAN VOTE?

Those eligible to vote are all resident electors and non-resident ratepayer electors whose names appear on the electoral roll when it closes on Friday 1 August 2025. The Preliminary Electoral Roll will be available for public inspection between Friday 4 July 2025 and Friday 1 August 2025 at the following locations:

- ➔ Ōpōtiki District Council offices, 108 St John St, Ōpōtiki;
- ➔ Ōpōtiki Library, 100 Church St, Ōpōtiki;
- ➔ Whakatōhea Māori Trust Board, 122 St John St, Ōpōtiki;
- ➔ RSA Te Kaha, 6749 State Highway 35
- ➔ Ngaitai Iwi Authority, State Highway 35, Torere.

Resident Roll: All parliamentary electors, including those on the Māori Electoral Roll, are automatically enrolled on the Resident Roll, at the address where they live.

Any alterations to the Resident Roll (e.g. change of address details, including new postal addresses) should be made by:

- ➔ completing the appropriate form (available from the Electoral Commission or Council office);
- ➔ phoning 0800 36 76 56;
- ➔ accessing the Electoral Commission on www.vote.nz

Ratepayer Roll: If a person is on the parliamentary roll in one area and pays rates on a property in another area, this person may be eligible to be enrolled on the non-resident ratepayer roll. A firm, company, corporation or society paying rates on a property may nominate one of its members or officers as a ratepayer elector (provided the nominated person resides outside the area).

To check if you may be eligible or to obtain an enrolment form, go to www.ratepayer.co.nz. Ratepayer Roll enrolment forms are also available at www.odc.govt.nz.

All electors will be able to vote for the mayor. Those electors on the general electoral roll will be able to vote for the general ward councillors and those electors on the Māori electoral roll will be able to vote for the Māori ward councillors. All electors within the Coast Community Board will be able to vote for the Coast Community Board.

➔ HOW TO VOTE?

Voting packs will be posted to all those who have enrolled from Tuesday 9 September 2025.

The voting period is just over four weeks (Tuesday 9 September 2025 to noon Saturday 11 October 2025.)

Electors may post their completed voting documents back to the electoral officer using the orange prepaid envelope sent with their voting documents

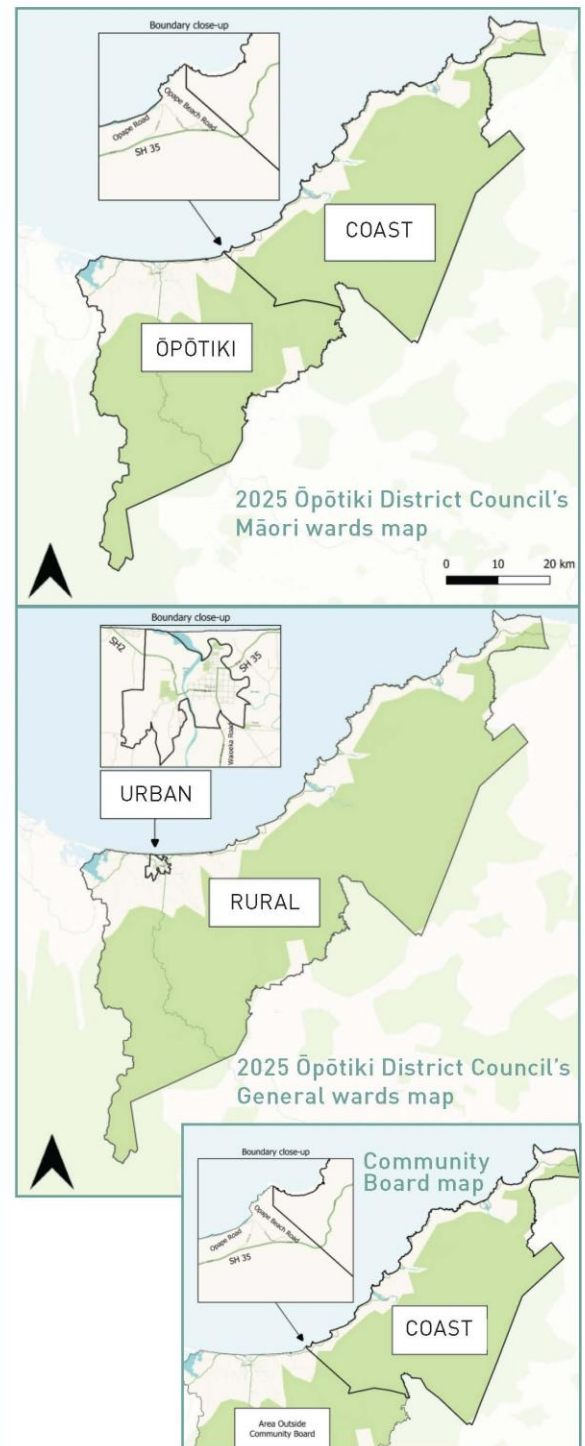
A polling place for the issuing of special voting documents and for the receiving of completed voting documents will be available from Tuesday 9 September 2025 to noon Saturday 11 October 2025 at Council's office, 108 St John St, Ōpōtiki.

In addition, votes can also be hand-delivered to a vote box at specific locations found at www.odc.govt.nz.

To be counted, all completed voting documents must be in the hands of the electoral officer or an electoral official by noon, Saturday 11 October 2025.

➔ RESULTS

Progress results will be known early afternoon on election day, and preliminary results will be known on Sunday, 12 October 2025. Final results will be known by Friday 17 October 2025, and all results will be accessible on Council's website: www.odc.govt.nz.



Dale Ofoske | Electoral Officer
Independent Election Services Ltd
Level 2, 198 Federal Street, Auckland
PO Box 5135 Victoria Street West, Auckland 1142
Email: info@electionservices.co.nz
Phone: 0800 922 822

Mercedes Neems, Deputy Electoral Officer
Ōpōtiki District Council
108 St John St, Ōpōtiki
PO Box 44, Ōpōtiki 3162
Email: mercedesn@odc.govt.nz
Phone: (07) 315 3030



**WHEREVER
YOU PAY
RATES
YOU CAN
VOTE.**

Do you live in one area and pay rates on a property in another area?

You may qualify to vote in both areas at the local authority elections in October 2025

You may like to vote in this election. Voting is a way to have your say on what happens in your local community. This information is designed to help you. It notes who you can contact to enrol, and ways you might qualify to vote.

There are two types of electors...

Residential Electors – If you are registered to vote on the electoral roll, you are automatically enrolled to vote in local authority elections. You will receive a voting document so that you can vote by post.

Ratepayer Electors – You may also be eligible to enrol as a non-resident ratepayer elector in a council district if both of these apply:

- you are on the district valuation roll and pay rates in the council district
- the address where you are registered as a Parliamentary elector is outside that council district.

Your eligibility to enrol or be nominated as a ratepayer elector may also depend on your individual circumstances as determined by criteria in the Local Electoral Act 2001 and its regulations.

Enrol now – the Ratepayer Electoral Roll closes on 1 August 2025

An organisation can nominate one of its members or officers to vote on its behalf

If a firm, company, trust, corporation, society partners, joint tenants and tenants in common collectively pay rates on a property in a council district, one of the group may be nominated to be the ratepayer elector. The person nominating and the nominated person must be registered as Parliamentary electors at addresses outside the council district where the property is located.

You can only enrol once

You can only enrol, or be nominated to enrol, once in a council district, no matter how many properties you own in that council district. Council district includes: a city, district and regional council area; a community board area if established; the area of Auckland Council and the local boards.

New Ratepayer Electors

If you think you may be eligible to enrol or to nominate someone as a ratepayer elector, get an Enrolment Form for Ratepayer Electors from the local council where you pay your rates. The Electoral Officer will be able to help you with your application.

If you want further information, please scan the QR code below.



votelocal.co.nz/information-for-voters/ratepayer-roll/



**WHEREVER
YOU PAY
RATES
YOU CAN
VOTE.**

Enrol now – the Ratepayer Electoral Roll closes on 1 August 2025

| POLICY | STATUS | AT | DATE | DOC ID |
|-------------------------------------|---------------|---|-------------|------------------------------------|
| <i>Pre-election Protocol Policy</i> | <i>Draft</i> | <i>Once adopted or approved list name of meeting e.g. Ordinary Council or Management Team meeting</i> | | <i>Enter Objective document ID</i> |



OPŌTIKI DISTRICT COUNCIL

PRE-ELECTION PROTOCOL POLICY

BACKGROUND

A local authority must not promote, nor be perceived to promote the re-election prospects of a sitting member. Therefore, the use of council resources, directly or indirectly, wittingly or unwittingly, for re-election purposes is unacceptable and possibly unlawful.

PURPOSE

To clarify Councils approved communications protocol for elected members during the pre-election period in an effort to pre-empt unacceptable and unlawful conduct.

SCOPE

Three months prior to the local body elections being 11 July to 11 October 2025.

Use of Council communications resources.

Communication by elected members relating to Council.

POLICY

Authority to authorise council communications during the pre-election period is vested solely with management.

Elected members do not have access to council communications facilities (such as stationary, postage, internet, email, telephones or those on digital devices) for campaign purposes.

Council communications, including newsletters, media releases, advertisements and regularly published columns will not feature elected members during the pre-election period.

Journalistic use of photographs or information on elected members will be discontinued for the pre-election period.

Comments attributed to elected members in their official capacities as spokespersons will, where possible, be avoided.

All comments made by elected members should be identified as personal comment unless authorised by management.

The use of staff for the purposes of information collection is limited to current issues and the day to day business of the council.

Council funded events and community activities involving elected members will be restricted to those that are absolutely necessary for Council business to continue.

Elected members are responsible for ensuring the accuracy and appropriateness of political comment during the pre-election period.

Members are collectively responsible for council decisions, for the effective operation and for the public. Politically motivated criticism of council, other members or management is not considered appropriate.

Members should be conscious of the need for Council to present a professional and businesslike corporate image and actions that misrepresent or undermine Council's position are deemed inappropriate.

Management will not publicly respond to politically motivated discussion during the pre-election period.

Elected members shall not make reference to any staff member, by name or by function at any time.

Elected members are at all times subject to the requirements of confidentiality, Standing Orders and the Council's Code of Conduct. Particular attention to these requirements should be shown during the pre- election period.

DELEGATIONS

Authority to authorise council communications during the pre-election period is vested solely with management.

RELEVANT LEGISLATION

'The Controller and Auditor-General's Good Practice for Managing Public Communications by Local Authorities' - with particular reference to Principles 12 & 13 (see Appendix 1 below).

Local Electoral Act 2001.

Employment Relations Act 2000.

Protected Disclosures Act 2022.

Standing Orders and Opotiki District Council Code of Conduct.

Appendix 1 – Office of the Controller and Auditor General ‘Good Practice for Managing Public Communications by Local Authorities’ principles 12 and 13

Communications in a pre-election period¹³

Principle 12

A local authority must not promote, nor be perceived to promote, the re-election prospects of a sitting member. Therefore, the use of Council resources for re-election purposes is unacceptable and possibly unlawful.

4.45

Promoting the re-election prospects of a sitting Member, directly or indirectly, wittingly or unwittingly, is not part of the proper role of a local authority.

4.46

A Council would be directly promoting a Member’s re-election prospects if it allowed the member to use Council communications facilities (such as stationery, postage, internet, e-mail, or telephones) explicitly for campaign purposes.

4.47

Other uses of Council communications facilities during a pre-election period may also be unacceptable. For example, allowing Members access to Council resources to communicate with constituents, even in their official capacities as members, could create a perception that the Council is helping sitting Members to promote their re-election prospects over other candidates.

4.48

For this reason, we recommend that mass communications facilities such as –

- Council-funded newsletters to constituents; and
- Mayoral or Members’ columns in Council publications –

be suspended during a pre-election period.

4.49

Promoting the re-election prospects of a sitting Member could also raise issues under the Local Electoral Act 2001. For example:

- Local elections must be conducted in accordance with the principles set out in section 4 of the Local Electoral Act – see Appendix 1 on page 27. The principles apply to any decision made by a Council under that Act or any other Act, subject only to the limits of practicality. A breach of the principles can give rise to an “irregularity” which could result in an election result being overturned.¹⁴
- The publication, issue, or distribution of information, and the use of electronic communications (including web site and e-mail communication), by a candidate are “electoral activities” to which the rules concerning disclosure of electoral expenses apply.

4.50

“Electoral expenses”¹⁵ include:

- the reasonable market value of any materials applied in respect of any electoral activity that are given to the candidate or that are provided to the candidate free of charge or below reasonable market value; and
- the cost of any printing or postage in respect of any electoral activity.

4.51

A Member's use of Council resources for electoral purposes could therefore be an "electoral expense" which the Member would have to declare – unless it could be shown that the communication also related to Council business and was made in the candidate's capacity as a Member.

Principle 13

A Council's communications policy should also recognise the risk that communications by or about Members, in their capacities as spokespersons for Council, during a pre-election period could result in the Member achieving electoral advantage at ratepayers' expense. The chief executive officer (or his or her delegate) should actively manage the risk in accordance with the relevant electoral law.

4.52

Curtailling all Council communications during a pre-election period is neither practicable nor (as far as mandatory communications, such as those required under the LGA, are concerned) possible. Routine Council business must continue. In particular:

- Some Councils publish their annual reports during the months leading up to an October election, which would include information (including photographs) about sitting Members.
- Council leaders and spokespersons need to continue to communicate matters of Council business to the public.

4.53

However, care must be taken to avoid the perception, and the consequent risk of electoral irregularity, referred to in the commentary to [principle 12](#). Two examples are:

- journalistic use of photographic material or information (see paragraph 4.42 on page 21 of the guide) that may raise the profile of a Member in the electorate should be discontinued during the pre-election period; and
- access to Council resources for Members to issue media releases, in their capacities as official spokespersons, should be limited to what is strictly necessary to communicate Council business.

4.54

Even if the Council's Communications Policy does not vest the power to authorise Council communications solely in management at normal times, it should do so exclusively during the pre-election period.

REVIEW

This policy shall be reviewed in line with the policy review plan for ŌDC.

| POLICY | STATUS | AT | DATE | DOC ID |
|-------------------------------------|--------------|----|------|----------------|
| <i>Election Protocols for Staff</i> | <i>Draft</i> | | | <i>A159000</i> |



ŌPŌTIKI DISTRICT COUNCIL

Election Protocols for Staff

Local government elections are held every three years. In 2025, the elections will be held on Saturday 11 October. The period leading up to an election is a time of increased interest and attention on council officers, particularly in their dealings with current elected members, candidates, and the general public.

These protocols provide guidance for council officers, including contractors and consultants, in relation to:

- interacting and communicating with current elected members, candidates and the public in the pre-election period which for the 2025 Local Elections is 4 July to 11 October 2025
- participating in political activity (including standing for office) during a local government election;
- balancing personal and professional interests in a politically neutral way.

SUMMARY

1. Council officers are expected to be politically neutral when performing their role at council. It is important that they should not let their personal views or interests influence their advice or behaviour at work.

2. Officers have the same political rights and freedoms as other New Zealanders. They may stand for office, research and support candidates, and vote as private individuals. However, they must remain politically neutral while working with the current council as well as any future council. Officers must talk to their manager if they are considering standing for office. They may be required to take leave. If successful, they will need to resign. This is a legal requirement.

3. The use of council resources for election purposes is not acceptable. In particular, the council must not promote, nor be perceived to promote, the election prospects of any candidate.

4. Publications, including social media, should not raise, or have the effect of raising, the profile of any current elected member or any other candidate.

5. When a candidate requests information that is not publicly available, and council supplies it, it may be appropriate to supply this information to all other candidates.

Protocol 1: Remaining politically neutral

Council officers are expected to be politically neutral when performing their role at council. They should not let their personal views or interests influence their advice or behaviour.

In order to perform their roles as trusted advisors to council's elected members, officers need to provide advice and/or implement council decisions without bias. At all times, officers must:

- be aware that council is a political environment;
- exercise judgement about how they behave when involved in political processes, party-political activities or lobby groups;

- remain politically neutral at work and not let their personal interests or views influence their advice or behaviour.

In the lead up to an election, officers may receive a higher volume of queries (especially queries of a political nature) and should remember that there may be increased interest or attention around:

- relationships, expectations and interactions between council officers, elected members and electoral candidates; and
- how officers behave and carry out their roles.

It is more important than usual that all officers act, and are seen to act, in a politically neutral way.

Protocol 2: Standing for office or undertaking other political activities

Council officers have the same political rights and freedoms as other New Zealanders. They may stand for office, research and support candidates, and vote as private individuals. However, they must remain politically neutral while working with the current council as well as any future council.

Officers should make sure that their behaviour as a private citizen (for example, comments on social media or attendance at political meetings) does not or perceive to compromise their ability to perform their duties, or the reputation of the council.

Judgement should be used when taking part in, or assisting with, any activity in connection with the campaign of any electoral candidate (including any current elected members seeking re-election). These activities include organising meetings on behalf of any candidate, assisting with the development of campaign materials, signing election documents such as a nomination form, attending political meetings when not on leave, canvassing, or any other activity that could be seen as supporting a particular candidate.

Political activities, including researching candidates, commenting on issues and attending candidate meetings, should take place in personal time and should not use council resources (including computers and mobile phones).

It is important that officers talk to their manager if they put in a nomination to stand for office. They may be required to take leave, and if successful, they will need to resign.

Standing for office while working at council may create a conflict of interests. Officers standing for office must talk to their manager when they place their nomination. If officers feel comfortable to do this earlier, it would be appreciated.

The manager will assess each case on its merits and will seek agreement with the officer as to how any issues will be managed. This will include an agreement that, either:

- a. No serious conflict of interest exists.

b. A conflict of interests exists, but can be managed by a change in work duties beginning when the officer submits a nomination until the declaration of the preliminary result. Any change of this nature would be considered in relation to the organisation's needs, the nature of the officer's role, and the nature of the conflict of interest.

c. A serious conflict of interest exists which is incompatible with campaigning. A serious conflict of interest would be rare for most officers. In these instances the officer will take leave (annual leave or leave without pay) from the day they put in their nomination until the preliminary result is declared. During this period the officer will not be permitted to carry out any of their official duties.

Managers will consider who else in council needs to be informed of any agreements that are in place.

If agreement cannot be reached between the officer and their manager, the chief executive will consult with the officer and a decision will be made quickly. Decisions will be justified as per s103A of the Employment Relations Act 2000 and will be consistent with what a fair and reasonable employer would do in the circumstances. Officers who are considering standing for elections should be aware of these possibilities.

There are no restrictions on officers standing for elections that are not their own council elections (for example, to a district health board, or another regional authority, or another territorial authority including its community boards) so long as there is no use of council time or resources of any kind for campaigning purposes. If an officer is considering standing for another election, they should discuss this with their manager.

If elected to their own council, the officer must resign their position (in accordance with s41(5) of the Local Government Act 2002). This does not apply if the officer is elected to a community board, another local authority, or a district health board. However, if this is the case the officer should discuss this with their manager.

Protocol 3: Use of council resources

The use of council resources for election purposes is not acceptable. In particular, the council must not promote, nor be perceived to promote, the election prospects of any candidate.

During the pre-election period, council has an obligation to:

- support public engagement with the election process;
- support current elected members in their roles as the current elected members.

In the execution of these roles, council resources may only be used in ways which do not give an advantage to any candidate's electoral campaign.

An officer standing for election may not use council time or resources of any kind for campaigning purposes. "Council resources" includes, but is not limited to council's logo and branding, all council marketing and communication channels (including social media), council-supplied business cards, stationery, computers, email, mobile phones, photocopiers, cars, council venues (other than those available for hire to the general public) and council's human resources.

Protocol 4: Publications and communications during an election

Council publications, including social media, should not raise, or have the effect of raising, the profile of any current elected member or any other candidate.

Officers should make sure that council publications do not raise, or have the effect of raising, the personal profile of any current elected member or any electoral candidate. Judging what is reasonable includes taking into account ongoing business as usual roles of council, spokesperson roles of elected members, and options for minimising the personal profiles of elected members.

Council officers will manage council social media accounts to ensure current elected members are not advantaged.

Council officers should take care not to make public any information about council policies, activities or processes that are not already in the public domain, including to any current elected members. Information that is shared with one candidate should be made publicly available to all candidates.

All elected members should have access to the same communication avenues and publicity opportunities. These should relate to the council's regular pattern of activities.

Protocol 5: Providing information to candidates

When a candidate requests information that is not publicly available, and the council supplies it, it may be appropriate to supply this information to all other candidates.

Like any other individual or organisation, candidates may request information from the council under the Local Government Official Information and Meetings Act 1987. Candidates should request this information through the Information Management Officer.

If a request for information is received by another business unit (including the Contact Centre), and the requester is a candidate (including a current elected member seeking re-election), officers in that business unit should:

- respond directly if the information is already publicly available;
- follow the usual council process for information requests when a response requires collation or analysis and forward the request to the Information Management Officer;
- forward information requests about the running of the election to the Information Management Officer.

When the council provides information that is not already public, to a candidate, the council may consider if there is any broader interest in this information, and at its discretion may make this information available to all other candidates.

How to apply these protocols

As a council officer, it is your responsibility to make sure that any political or personal activity fits within these guidelines. You should communicate your active involvement in Standing for office or undertaking

other political activities with the appropriate managers. Managers should make sure they consider the provisions of the New Zealand Bill of Rights Act 1990 when providing this advice.

It is important to remember that a breach of these guidelines may constitute grounds for disciplinary action.

If you are unsure whether a particular action or request is in breach of these guidelines, you should seek advice from your manager or the chief executive.

DRAFT

Appendix 1: Definitions

Council officers includes all employees of the chief executive of a council and the chief executive of a council. Contractors or consultants employed by Council will be treated on a case by case basis dependent on the level of their interaction with Council.

Note: employees includes

- any employee who may be on leave
- any employee who is on secondment to (or from) their council from (or to) another organisation.

Council resources include, but are not limited to:

- Council's officers;
- Budgets;
- Council-owned or -controlled property and other resources including the council logo and branding, all council marketing and communication channels (including social media), council-supplied business cards, stationery, computers, email, mobile phones, photocopiers, cars, council venues (other than those available for hire to the general public).

The **pre-election period** is the three months before the local election.

Electoral candidates are individuals contesting an election (including for their own council and its community boards, or their regional council, or district health boards).

Political activity refers to both:

- the activities that elected members undertake, including their right to make policy decisions;
- the activities that individuals undertake during election year, including their right to stand for office and research electoral candidates.

Politically neutral means respecting the right of elected members to make political decisions by acting impartially when providing advice or implementing council decisions.

RELEVANT LEGISLATION

Local Government Act 2002

Bill of Rights Act 1990

REVIEW

This policy shall be reviewed in line with the policy review plan for ODC

COUNCIL REPORT

Date : 3 March 2025
To : Ordinary Council Meeting, 18 March 2025
From : Chief Executive Officer, Stace Lewer
Subject : **BOPLASS LTD STATEMENT OF INTENT FOR 2025-2028 AND HALF YEARLY REPORT**
File ID : A1292879

EXECUTIVE SUMMARY

- The BOPLASS Statement of Intent sets out the activities and intentions of BOPLASS Ltd for the coming financial year. Comment, if any, is required by 30 April 2025. The Half Yearly Report is provided for information.

RECOMMENDATIONS

- 1) **That the report titled “BOPLASS Ltd Statement of Intent for 2025-2028 and Half Yearly Report” be received.**
- 2) **That Council considers whether it wishes to comment on the Statement of Intent.**

PURPOSE

1. To have Council consider the BOPLASS Statement of Intent (SOI) and make comment if Council wishes. The Half Yearly Report is also attached for information.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opotiki District Council’s Long-Term Plan 2024-2034:
 - Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

BACKGROUND

3. BOPLASS Ltd is a Council Controlled Organisation owned in 1/9th shares by the seven Bay of Plenty Councils plus Gisborne and Taupo. The company was designed to investigate, develop and deliver shared services, joint procurement and communications for any combination of, some, or all of the Councils.
4. Since its inception in 2006, the Chief Executives of the BOPLASS Councils have acted as Directors, advised by a Company Chief Executive, who is in turn supported by advisory groups of staff with various expertise. In recent years the Directors have benefitted from the move to an independent Chair for the Board.
5. The main achievements of BOPLASS have been in joint procurement and a list of projects is attached to the Statement of Intent. As a small Council we see significant value in BOPLASS managing procurement processes, gaining savings from bulk procurement and administering contracts. We certainly see savings in financial terms but there is also value in terms of saved staff time in running the processes, and applying expertise in due diligence processes that is not available within our staffing. We also see unquantifiable efficiencies as a result of shared staff that use familiar systems.
6. All of Government Procurement contracts continue to provide alternative routes for bulk procurement. BOPLASS is recommending that Councils use these in circumstances where it makes sense, but for various reasons we are finding that the one size fits all approach of the AOG means that BOPLASS is still an appropriate vehicle to use.
7. There are a range of instances of shared services across the BOP Councils that have evolved in a "bottom up" or organic way, outside the formal BOPLASS structures. This is captured through a collaboration portal. Other Councils can find out about new collaborations through this system and then have the potential to join or at least gain some information about how similar challenges have been dealt with. We will continue to explore and promote shared service opportunities where it is seen to provide benefit.

OPTIONS

8. The BOPLASS Statement of Intent sets out the activities and intentions of BOPLASS Ltd for the coming financial year. Comment, if any, is required by 30 April 2025.

| OPTION 1: No comments provided on the Statement of Intent | |
|---|---|
| Description | <i>Council has no comments relating to the 2025-2028 BOPLASS Statement of Intent.</i> |
| Advantages | <i>No recommended changes to the SOI are required.</i> |
| Disadvantages | <i>Nil</i> |
| Impact on mana whenua | <i>There are no identified impacts on mana whenua in relation to the report.</i> |
| Strategic alignment | <i>SOI aligns with the LTP framework.</i> |
| Associated risks | <i>None</i> |

| OPTION 2: Comments provided on the Statement of Intent | |
|--|---|
| Description | <i>Council provides comments relating to the 2025-2028 BOPLASS Statement of Intent.</i> |
| Advantages | <i>Provide feedback on the SOI to the BOPLASS board.</i> |
| Disadvantages | <i>Nil</i> |
| Impact on mana whenua | <i>There are no identified impacts on mana whenua in relation to the report.</i> |
| Strategic alignment | <i>SOI aligns with the LTP framework.</i> |
| Associated risks | <i>None</i> |

DISCUSSION

9. The 2025-2028 BOPLASS Statement of Intent sets out the activities and intentions of BOPLASS Ltd for the coming financial year. Council is provided the opportunity to provide comment on the SOI by 30 April 2025.
10. Comment is optional and if not provided it is assumed that the SOI 2025-2028 is supported by Council as presented (copy attached).
11. The Half-Yearly Report is provided as an attachment for information only and provides an update on the current year's performance.

Financial/budget considerations

12. There are no financial implications in relation to this report.

Policy and planning implications

13. The SOI 2025-2028 aligns with Council's LTP framework and promotes collaboration, improved levels of service, reduced costs and improved efficiency through joint procurement and shared service opportunities.

Impact on mana whenua

14. There are no identified impacts on mana whenua in relation to the report.

Climate impact considerations

15. There is no identified impact on climate change in relation to the report.

Risks

16. There are no identified risks in relation to the report.

Community wellbeing considerations

17. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').

18. There are no identified implications on community wellbeing in relation to the report.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

19. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

20. The level of significance related to the decision in this report is considered to be **low**. Because the decision is determined to have **low** significance in accordance with the policy, the corresponding level of engagement required is **Inform**.

Assessment of engagement

21. As the level of significance has been determined to be **low**, the level of engagement required is **Inform** according to the Engagement Framework of the Significance and Engagement Policy:

INFORM

To provide balanced and objective information to assist understanding about something that is going to happen.

22. The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONCLUSION

23. BOPLASS has value for its procurement services in terms of its ability to gain savings through bulk purchase, its ability to carry out due diligence on purchases, and to manage ongoing contracts. The value is in direct and indirect savings, efficiencies and better products.
24. BOPLASS is a vehicle for shared services, but not the only one. Opotiki District Council benefits from shared services or contracting services from a range of entities that are unrelated to BOPLASS.

Stace Lewer

CHIEF EXECUTIVE OFFICER



“COUNCILS PARTNERING FOR VALUE AND SERVICE”

28 February 2025

Stace Lewer
Chief Executive Officer
Ōpōtiki District Council
PO Box 44
Ōpōtiki 3162

BOPLASS Ltd
Regional House
Elizabeth Street
Tauranga

DX HP40016
Tauranga Central
Tauranga 3141
Phone 07 577 7342
www.boplass.govt.nz

Dear Stace

The primary document setting out the company’s strategic direction is the Statement of Intent which is required to be consulted on and approved by Directors each year. Schedule 8 (9) of the Local Government Act 2002 sets out the content of the document which must cover the next three financial years.

A formal draft document has been approved by the Board for circulation to Shareholders by 1 March 2025. The Directors must consider any comments made by Shareholders and approve a final document by 30 June 2025.

The approved draft is attached and is now circulated for Shareholder comment. The council’s Chief Executive is the Shareholder representative and will be responsible for representing the views of the council to the Board in writing prior to 30 April 2025.

We believe that the document realistically deals with the challenges facing the company, identifies ways in which it can contribute value to its constituent councils and reflects an awareness of the challenges facing Local Government.

We look forward to any comments your council wishes to make.

Yours sincerely

Stephen Boyle
BOPLASS Ltd



BOPLASS Ltd

STATEMENT OF INTENT FOR 2025-2028



June 2025

“COUNCILS PARTNERING FOR VALUE AND SERVICE”

1. Introduction

This Statement of Intent (SOI), developed under Schedule 8 of the Local Government Act 2002:

- Declares a public statement of the activities and intentions of BOPLASS Ltd and the objectives to which those activities will contribute.
- Provides an opportunity for the shareholders to influence the direction of BOPLASS Ltd, and
- Provides a basis for the accountability of the Directors to the Shareholders for the performance of BOPLASS Ltd.
- Covers BOPLASS Ltd and any subsidiary company established in pursuance of the objectives herein.

2. Background and Benefits

The councils that operate within the Bay of Plenty and Gisborne Regions have formed a Council Controlled Organisation (CCO) to investigate, develop and deliver Joint Procurement and Shared Services projects where delivery is more effective for any combination of some or all of the councils.

Since inception, estimated financial savings of over \$34 million have been achieved by the participating councils through undertaking joint initiatives. BOPLASS is forecast to return in excess of \$2.5 million in savings in the 2024-25 financial year.

Other benefits that have been achieved through collaboration are:

- improved levels and quality of service;
- a co-ordinated and consistent approach to the provision of services;
- reductions in the cost of support and administrative services;
- opportunities to develop new initiatives;
- economies of scale resulting from a single entity representing many councils in procurement.

These benefits and opportunities can apply to all councils irrespective of location or size.

Business processes, information architectures and functional tools differ in each council to varying degrees. The BOPLASS strategies facilitate a journey of progressive development using the approach identified in the BOPLASS Strategy and Action Plan to:

- enhance the capability to collaborate;
- encourage the elimination of barriers to collaborative action; and
- identify services that deliver viable business cases.

A generic sequence or stages of collaboration between multiple councils is followed to develop Shared Services, as shown in *Figure 1*.

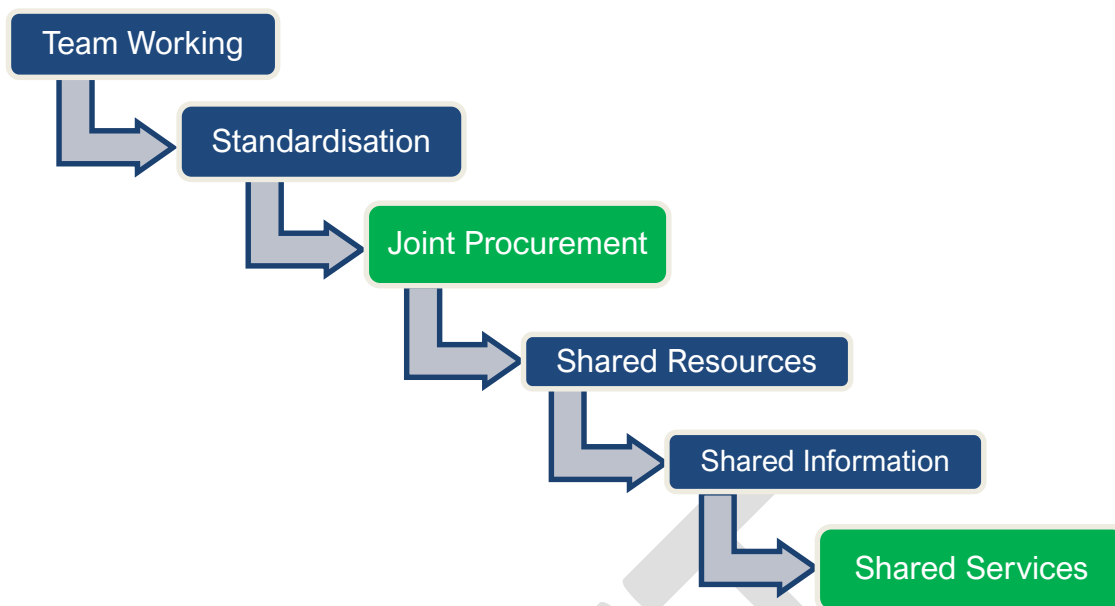


Figure 1

Many of the BOPLASS Joint Procurement projects have supported the development of standard products, services or solutions across the councils. These standards assist in creating a foundation for the delivery of collaboration within the councils.

Examples of Joint Procurement and Shared Service projects are:

- Infrastructure Insurance
- Collective Training
- Aerial Imagery and LiDAR
- Provincial Growth Fund Co-funding for LiDAR Capture
- Standardised Community Engagement App
- Lone Worker Field Solutions
- Robotic Process Automation
- Accounts Payable Automation Software
- Print Media Licencing
- Insurance Valuations
- Contractor Online Inductions
- Health and Safety Management Software
- Radio Telephony (RT) Strategy
- Solid Waste Management
- Health and Safety Inter-Council Audits
- Asbestos Protocols
- Sustainable Public Procurement
- Health and Safety Benchmarking
- Video Conferencing Services
- Archive Services
- Inter-Council Network (ICN) Review, Redesign and Renegotiation
- Debt Collections
- Collaboration Portal
- Capital Construction and Civil Works Projects
- Fortigate Firewall Services
- Wireless WAN
- Inter-LASS Collaboration
- Human Resources Information Systems
- CCTV and monitoring

A full list of projects is provided in Appendix B.

3. Our Vision

“COUNCILS PARTNERING FOR VALUE AND SERVICE”

4. Objectives of BOPLASS Ltd

Working together with the full support and involvement of staff, we will provide benefit to councils and their stakeholders through improved levels of service, reduced costs, improved efficiency and/or increased value through innovation.

These will be achieved primarily through:

Joint Procurement

Being the procurement of services or products by two or more councils from an external provider regardless of whether the service is paid for through BOPLASS or individually by participating councils.

Shared Services

Being the participation of two or more councils in the provision of a common service which may be jointly or severally hosted.

5. Nature and Scope of Activities

The principal nature and scope of the activities of BOPLASS Ltd is to:

- Use Joint Procurement to add value to goods and services sourced for its constituent councils.
- Establish the underlying technology, framework, platform and policies to enable and support collaboration.
- Facilitate initiatives that benefit councils and their stakeholders through improved levels of service, reduced costs, improved efficiency, innovation and/or increased value.
- Pursue best practice in the management of all activities to obtain best value and minimise risk.
- Demonstrate fiduciary responsibility by ensuring that its activities are adequately funded from savings achieved, levies, council contributions, or Government funding where available.
- Allow other councils or organisations to participate in its activities where this will benefit its constituent councils directly or indirectly.
- Actively monitor and engage with Shared Service developments across the public sector to identify opportunities for further development and establishing best practice.
- Represent the collective views of its Shareholders in matters with which it is associated.

6. Sustainable Future: Environmental, Social and Governance (ESG)

The board recognises the importance of ESG in BOPLASS' role and ensuring that integrated risk management, non-financial outcomes, and Te Tiriti are considered in all BOPLASS joint procurement and shared services initiatives.

The company is committed to operating all aspects of its business with a focus on protecting and enhancing our communities today and in the future through sustainable environmentally responsible business practices, social contribution, and good governance.

The company has always had a stakeholder-centric approach, ensuring the company's objectives, goals and the undertaking of business are aligned with our constituent councils, our wider communities and supporting ESG outcomes that have wide-ranging benefits.

While achieving financial savings for member councils through BOPLASS joint procurement is a key objective, the company recognises the importance and responsibility of social procurement and will continue to consider the broader environmental, social and cultural outcomes as part of all BOPLASS procurement processes.

As examples, BOPLASS is working towards satisfying ESG criteria within social procurement by:

- Increasing access to BOPLASS procurement contracts for NZ businesses and local businesses, with particular focus on those groups that may have limited access to opportunities (such as Māori and Pacific Peoples' businesses).
- Giving consideration to organisations that provide employment opportunities to targeted groups and promote inclusion and diversity within their workforce.
- Recognising vendors that will help future-proof the ability of New Zealand businesses to trade.

With a focus on *Social Sustainability*, BOPLASS ensures a balanced approach is taken with the company's activities to create positive social and cultural outcomes for the local communities it serves while also maximising positive outcomes for Māori and the broader community.

Environmental Sustainability is a priority in all BOPLASS business activities – internal and external. Through collaboration and partnership with its constituent councils, BOPLASS strives to protect and enhance our environment and biodiversity. The company is committed to operating in an environmentally responsible way and will embed sustainability considerations (including ethical considerations) within a culture of excellence across its wider business and all joint procurement and shared services initiatives.

Te Tiriti o Waitangi responsibilities and outcomes are a driver for governance and management decisions within BOPLASS, include acknowledging and involving mana whenua as Kaitiaki o Te Taiao in project decisions impacting on land or natural

resources. The company is committed to providing and improving opportunities for Māori to contribute to local government decision-making processes and establishing collaborative partnerships and processes that reflect mutual outcomes.

7. Governance Structure

BOPLASS Ltd will conduct itself in accordance with its Constitution, its annual Statement of Intent, and the provisions of the Companies Act 1993 and the Local Government Act 2002.

The Company is governed by its directors. To ensure total synergy between the Company's activities and its council shareholders' activities, nine Directors are also the current Chief Executives of their respective shareholding councils. The dual roles recognise the interdependence of BOPLASS and its councils in the undertaking of its activities.

The Board also includes an independent Chair, appointed with specific skills and knowledge to add incremental value. This appointment brings experience and specialist skills that are complementary to those held by the other Directors.

| Shareholder | Appointed Director |
|--|---------------------------|
| Bay of Plenty Regional Council | Fiona McTavish |
| Gisborne District Council | Nedine Thatcher-Swann |
| Kawerau District Council | Morgan Godfery |
| Ōpōtiki District Council | Stace Lewer |
| Rotorua Lakes Council | Andrew Moraes |
| Taupō District Council | Julie Gardyne |
| Tauranga City Council | Marty Grenfell |
| Western Bay of Plenty District Council | John Holyoake |
| Whakatāne District Council | Steven Perdia |
| Independent Director and Chair | Craig O'Connell |

Sub-groups of council subject matter experts have responsibility for regular monitoring of operational aspects of BOPLASS projects, allowing the Board to primarily focus on supporting the strategic development of the organisation.

Each activity or project is managed by an Advisory Group, nominated by the shareholding councils in that particular service. The Board retains the right to approve nominations to the Advisory Groups and all of their material decisions – there is only one Board of Directors and that remains at the umbrella or holding company level.

The Board has established a principle that participation in each initiative is decided by individual councils on an 'opt in' basis.

Services delivered are subject to a formal service level agreement between BOPLASS Ltd and the participating councils, outlining the services and activities provided, where when and how; and reflecting the capital and operational costs being met by each service shareholder.

Joint Procurement initiatives consistent with their nominated role may be undertaken by any advisory group or as approved by the Operations Committee. In considering Joint Procurement initiatives, the Company will take into account the opportunities available through All of Government (AoG) purchasing arrangements and, where there is demonstrated benefit to the Company or its constituent councils, support such initiatives. In assessing the benefits of a Joint Procurement initiative, opportunities for integration shall be considered. The Board has recognised that the availability of All of Government Procurement options has the potential to impact on BOPLASS' ability to provide procurement options in some categories.

Subject to the approval of shareholders in accordance with the shareholder agreement the Directors may decide that a particular activity is best managed as a subsidiary company and proceed accordingly. Any subsidiary company whose objectives are in accordance with the objectives set out in this Statement of Intent shall not be required to have a separate Statement of Intent.

8. Future Developments

The company recognises the importance of remaining adaptive in what is a complex and changing working environment. BOPLASS continues to look at new opportunities or alternative approaches to progressing projects that benefit our shareholding councils.

The Board recognise that the drive for change and/or collaboration in some key areas of council business will often be led by other groups, e.g., waters reform, RMA changes. Although BOPLASS may not be leading these specific projects, the organisation may be considered as one of the vehicles available to assist with managing collective regional outputs from these projects.

BOPLASS Joint Procurement opportunities will continue to be actively pursued to ensure maximum savings and benefits are delivered to the participating councils through existing and new contracts.

Joint Procurement initiatives will be considered by the Board and/or its advisory groups where there is demonstrated support from two or more member councils, with councils participating on an opt-in basis.

BOPLASS will explore opportunities for councils to develop ICT solutions using middleware and cloud technologies that allow for future sharing and the development of Shared Services without the wholesale replacement of IT systems.

Shared Services projects are approved by the board based upon identifying initiatives that will provide genuine value to all participating councils. Shared Services may be delivered by BOPLASS, partnering with a LASS, or in conjunction with multiple LASS.

The Board will be looking for commitment from councils to participate in collaborative services and to provide a lead in the identification and management of opportunities and projects.

9. Inter-Regional Collaboration

The board recognise the benefits of BOPLASS proactively partnering with other local authorities and Shared Services organisations where they are either developing or considering developing cost effective services or Joint Procurement initiatives that are of value to the BOPLASS councils. The Board is constantly looking to expand on this activity and the range of opportunities for inter-regional partnering. BOPLASS will work towards providing improved visibility of projects being undertaken in other regions that may provide opportunities for multiple councils to participate in.

Where practicable, BOPLASS will work with other LASS or councils to leverage off, or participate in, services established by other collective local government groups.

The Collaboration Portal, established by BOPLASS for the sharing of information on Shared Services or Joint Procurement opportunities, has been made available to the wider local government community to provide better visibility of common projects and to encourage further cross-regional collaboration. BOPLASS will continue to market the benefits of inter-region collaboration and assist other councils through providing support and access to the Collaboration Portal.

BOPLASS has provided substantial savings to its shareholding councils through joint procurement undertaken with neighbouring regions. The Board has tasked BOPLASS with leading further inter-regional joint procurement initiatives that will provide benefit to all parties through an aggregated approach.

Significant benefits and savings have been achieved in the placement of councils' insurance through working in conjunction with other LASS. BOPLASS is considered a leader in the development of the interLASS insurance collective. Promoting the size of the aggregated LASSes to provide critical mass and maintain our favourable position within the insurance industry will continue to be leveraged.

10. Stakeholder Engagement

BOPLASS recognises the ambitious plans our constituent councils have for their communities and endeavours to support these aspirations through:

- Regular engagement at project, management, and governance level.
- Including councils' short, medium, and long-term goals within BOPLASS planning.
- Using quality information from councils to guide our decision-making.
- Identifying and developing services that directly benefit councils and/or their communities.
- Monitoring councils' future plans and remaining agile to change to include these aspirations in our own planning.
- Ensuring there are regular communications about individual council's LTP developments to assist BOPLASS with aligning with councils' strategic direction.
- Regularly communicating to ensure stakeholders are aware of what we are doing and why we are doing it.
- Involving councils in our decision-making and planning.

11. Performance Targets

To ensure the Company continues to operate effectively in both governance and management terms over the next three years the targets are to:

| Target | How | Measure |
|--|---|---|
| Ensure supplier agreements are proactively managed to maximise benefits for BOPLASS councils. | Manage and/or renegotiate existing contracts. | Contracts reviewed annually to test for market competitiveness. New suppliers are awarded contracts through a competitive procurement process involving two or more vendors where applicable. |
| Investigate new Joint Procurement initiatives for goods and services for BOPLASS councils. | Procure from sources offering best value, service, continuity of supply and/or continued opportunities for integration. (Current identified projects are listed in Appendix B.) | A minimum of four new procurement initiatives investigated. Initiatives provide financial savings of greater than 5% and/or improved service levels to the participating councils. |
| Identify opportunities to collaborate with other LASS in Procurement or Shared Service projects where alliance provides benefits to all parties. | BOPLASS to regularly engage with other LASS to identify and explore opportunities for further inter-regional collaboration. | Quarterly reporting on engagement and a minimum of one new collaborative initiative undertaken annually. |
| Implement Shared Services demonstrating best practice and added value to participating councils and stakeholders. | Identify Shared Services projects of benefit to two or more councils and lead the implementation. | Initiate at least one new Shared Service each year and no less than two Shared Services successfully implemented within three years. |
| Communicate with each shareholding council at appropriate levels. | Actively engage in obtaining political support for identified projects. | Information provided to elected members, and feedback sought, on BOPLASS projects, benefits to local communities, and value added to each council. |
| Ensure current funding model is appropriate. | Review BOPLASS expenditure and income and review council contributions and other sources of funding. | Performance against budgets reviewed quarterly. Company remains financially viable. |

12. Balance Sheet Ratios

The Local Government Act 2002 Schedule 8 (9) requires the SOI to include the projected ratio of shareholders' funds to total assets within the Forecast Statement of Financial Position. As at 30 June 2024 the consolidated Shareholder funds comprised \$27,197 and the total assets were \$1,608,694. The resulting ratio is 1.69%.

As asset owning Shared Services are approved, the Board will, if appropriate, provide a mechanism for the recognition of each council's contribution.

13. Accounting Policies

13.1 Statement of Accounting Principles

The Company will adopt accounting practices that comply with NZ IFRS, the requirements of the LGA and the Financial Reporting Act 1993.

13.2 IPSAS Accounting Standards

As a Public Sector Public Benefit Entity (PS PBE), the Company has elected to report using International Public Sector Accounting Standards for Public Benefit Entities under Tier 3 PBE standards.

13.3 Measurement Basis

The Company will follow generally accepted international accounting principles for reporting of earnings and financial position.

13.4 Specific Accounting Principles

The following are principles which will have a significant effect on the measurement of financial position:

- Accounts Receivable are stated at their expected realisable value after writing off any known bad debts and providing for doubtful debts.
- Investments are valued at the prevailing market value.
- Fixed assets are recorded at cost, less accumulated depreciation.
- Any liability for overseas funding of equipment, systems or services is based on the prevailing exchange rate as at balance date.
- Where intangible assets are purchased, such as intellectual property, these are capitalised and written off on a straight-line basis over their expected life, but no greater than four years.
- All assets are depreciated over their expected useful lives. Depreciation is provided on a diminishing value basis over the estimated useful life, at the same rate as is allowed by the Income Tax Act 1994.
- It is not envisaged that the Company will hold inventories, other than those that might relate to providing information services to a number of parties. They will be valued at net realisable value.
- Taxation will be provided as required in line with relevant legislation.
- In accordance with the Public Audit Act 2001 and the Local Government Act 2002, the office of the Auditor General will be responsible for the audit of the Company's financial statements.

14. Distributions to Shareholders

The Company is not expected to make profits that would ordinarily be distributed by way of dividends. Any surplus funds (after tax) remaining from an activity, or the annual operations of the Company shall be carried forward to the ensuing year and may be used to reduce service costs, invest in further developing other services, and/or as the Directors may decide.

15. Information to be Provided to Shareholders

The Company will deliver the following statements to shareholders:

- On a three-monthly basis the Financial Position and Cashflow.
- Within two months of the end of the first half of the financial year: Financial Performance and Financial Position.
- Within three months of the end of the financial year the following audited statements: Financial Position, Movements in Equity, Cashflows, Service Performance plus a summary of how the Company has tracked against its objectives and prospects for the next financial year, and a report on the Company's medium to long term plans.
- Six monthly summaries of project activities included in Half Yearly and Annual Reports.

16. Procedures for the Purchase and Acquisition of Shares

The Board will give approval before BOPLASS Ltd subscribes for, purchases, or otherwise acquires shares in any company or other organisation, which is external to the group.

17. Activities for Which the Board Seeks Compensation

The ongoing activities to identify, develop, procure Shared Services will be budgeted for in advance, subject to a business case and either funded by individual councils without BOPLASS Ltd involvement, or agreed by the Board to be funded by BOPLASS Ltd with consequent recovery from participating councils.

Shareholding councils will contribute to the operational costs of the Company on an annually agreed basis.

The Company will also seek contributions by way of a levy or administration charges on services provided or administered. In determining an appropriate charge, the Directors may take into account the cost of running the Company, its future operational requirements, the nature and cost of the service provided, benefits achieved and councils' ability to pay.

The Company may provide services (at a cost recovery or a cost-plus basis) to other non-shareholding councils within or beyond the region. Any surplus from such activity will be used to either reduce service costs and/or invest in further developing of that or other services, as agreed by the Advisory Group and by the Board.

18. Value of Shareholder's Investment

The Directors estimate that, at this stage, BOPLASS Ltd has limited commercial value. As each shareholder's investment in BOPLASS Ltd is less than \$20,000, the Board believe that fairly represents the value of their investment. The Directors will reassess the value of this shareholding on or about the 1st of March each year.

19. Financial Forecasts

The Forecast Financial Statements for the years 2025-2028 are included (Appendix A).

The Aerial Photography revenue/expenses reflects the flying programme determined by the participating councils which includes interim flying programmes and extensive region-wide flying programmes over the next five years.

A continued increase in Recoveries has been forecast to reflect the direct recovery of purchases made on behalf of councils through Joint Procurement projects.

It is the company's intention to always fully recover costs incurred on behalf of participating councils.

| SOI Forecast 2025/28 | Budget 2024/2025 | Forecast 2025/2026 | Forecast 2026/2027 | Forecast 2027/2028 |
|--|---------------------|-----------------------|-----------------------|-----------------------|
| REVENUE | | | | |
| Revenue - Core | 362,115 | 371,130 | 380,871 | 394,131 |
| Bank Interest Received | 1,500 | 1,500 | 2,000 | 2,000 |
| Council Contribution | 360,615 | 369,630 | 378,871 | 392,131 |
| | | | | |
| Revenue - Projects | 1,317,000 | 1,327,000 | 1,245,000 | 1,245,000 |
| Aerial Photography Income | 400,000 | 400,000 | 320,000 | 320,000 |
| Bank Interest Received | 7,000 | 10,000 | 10,000 | 10,000 |
| Collaboration Portal | 40,000 | 45,000 | 50,000 | 50,000 |
| Lease Income - ICN | 135,000 | 137,000 | 130,000 | 130,000 |
| Lease Income - Video Confer. | 15,000 | 15,000 | 15,000 | 15,000 |
| Recoveries | 720,000 | 720,000 | 720,000 | 720,000 |
| | | | | |
| Total Operating Revenue | 1,679,115 | 1,698,130 | 1,625,871 | 1,639,131 |
| | | | | |
| EXPENSES | | | | |
| Expenditure - Core | 423,436 | 444,451 | 458,992 | 469,563 |
| ACC | 950 | 950 | 950 | 950 |
| Accommodation & Travel | 5,500 | 6,000 | 5,000 | 5,000 |
| Accounting & Audit | 24,000 | 25,000 | 26,000 | 26,000 |
| Administration | 20,000 | 20,000 | 22,000 | 22,000 |
| Amortisation | 5,000 | 4,500 | 3,800 | 3,800 |
| Bank Fees | 200 | 200 | 200 | 200 |
| Conferences | 2,500 | 2,500 | 2,500 | 2,500 |
| Depreciation | 4,300 | 4,000 | 4,000 | 4,000 |
| Directors' costs | 23,000 | 23,000 | 25,000 | 25,000 |
| Fringe Benefit Tax | 4,500 | 4,500 | 4,500 | 4,500 |
| General & Catering | 1,500 | 1,500 | 1,500 | 1,500 |
| Health and Safety | 1,000 | 1,000 | 1,000 | 1,000 |
| Insurance | 14,000 | 16,000 | 17,000 | 18,000 |
| Interest Paid - TCC Loan | 0 | 0 | 0 | 0 |
| Legal | 2,500 | 2,500 | 2,500 | 2,500 |
| Salaries | 300,723 | 309,744 | 319,037 | 328,608 |
| Salaries - C'Portal Opex | -18,000 | -10,000 | -10,000 | -10,000 |
| Staff Support Costs | 19,500 | 21,000 | 22,000 | 22,000 |
| Staff Training Costs | 2,500 | 2,500 | 2,500 | 2,500 |
| Subscriptions | 4,263 | 4,057 | 4,005 | 4,005 |
| Tax Advice | 5,500 | 5,500 | 5,500 | 5,500 |
| | | | | |
| Expenditure - Projects | 1,255,679 | 1,253,679 | 1,166,879 | 1,169,569 |
| Aerial Photography Expense | 400,000 | 400,000 | 320,000 | 320,000 |
| Collaboration Portal Opex | 27,979 | 27,979 | 27,979 | 27,979 |
| Lease Expense - ICN | 129,600 | 131,600 | 124,800 | 124,800 |
| Lease Expense - Video Confer. | 14,100 | 14,100 | 14,100 | 14,100 |
| Projects - Recoveries | 684,000 | 680,000 | 680,000 | 682,690 |
| | | | | |
| Total Operating Expenditure | 1,679,115 | 1,698,130 | 1,625,871 | 1,639,132 |
| | | | | |
| Operational Surplus/ (Deficit) before Tax | 0 | 0 | 0 | 0 |

Undertaken Joint Procurement Projects

Requiring ongoing management for performance, renewal or replacement:

- Accounts Payable automation software
- Advertising services
- Aerial imagery and LiDAR
- Air travel services
- Antivirus software
- Archaeological services
- Asbestos protocols
- Banking
- Capital construction and civil works
- Cloud services
- Collective training services
- Community engagement app
- Courier services
- Cyber insurance
- Document management – EDRMS
- Document storage
- EFTPOS services
- Electricity
- Electronic purchasing
- EMA membership
- Firewall Services
- FME Server
- Fuel
- Geospatial training services
- GIS regional technical advisor
- GIS software
- GPS vehicle tracking
- Health & Safety benchmarking
- Health & Safety management software
- Health & Safety training services
- Health & Wellbeing online platform
- Historic imagery digitisation
- HR information systems
- Infrastructure as a Service
- Insurance brokerage services
- Insurance – General
- Insurance – Infrastructure
- Internet services
- IPWEA library
- Media monitoring
- N3/GSB membership
- Oblique imagery
- Office supplies
- Postal services
- Print media copyright services
- Provincial Growth Fund co-funding
- Radio telephony
- Rapid antigen tests
- Reprographic – printers/copiers
- Risk management workshops
- Security services
- Staff wellbeing portal
- Telephony – voice, data, mobile
- Tender facilitation
- Transactional banking
- Travel and accommodation services
- Valuation services provider
- Video conferencing services
- Website analytics
- Wireless WAN

Shared Services

Managed by BOPLASS or by one or more constituent councils:

- After hours call management
- Contractor H&S prequalification
- Debt recovery services
- Employee benefit schemes
- FME licensing pool
- GIS imagery data storage
- GIS support (inter-council)
- GIS web services
- Health and safety auditing
- Historic aerial imagery digitisation
- Insurance COE
- Inter-council network
- Internal audit services
- MahiTahi LG Collaboration Portal
- Media monitoring
- Occupational health services
- Radio telephony strategy
- Section 17a reviews
- Shared licence server
- Solid waste services
- Standards NZ
- Video conferencing hosting
- Waste Operator and Licensing Data System

Projects for Consideration

- Agenda management software
- Archive services
- Asset Management
- Building consents
- Business continuity planning
- CCTV monitoring
- Centralised insurance resource
- Chemicals
- Consents processing
- Contractor online inductions
- Debt Management
- Diversion of putrescible waste from landfill
- Driver training
- Drug & Alcohol testing
- Electoral Officer services
- Engineering Codes of Practice
- Fleet purchasing and management
- Geospatial services
- Health & Safety management system
- Health insurance
- High volume print
- ICT security policies
- Insurance valuations
- Inter-council secondments
- Joint software support
- LGOIMA requests
- Lone worker field solutions
- PPE & uniform
- Property valuation services
- Rates collection
- Regional contractor database
- Risk and total assurance
- Solid waste regional facilities strategy
- Staff engagement survey systems
- Vehicle monitoring
- Web services



“COUNCILS PARTNERING FOR VALUE AND SERVICE”

28 February 2025

Stace Lewer
Chief Executive Officer
Ōpōtiki District Council
PO Box 44
Ōpōtiki 3162

BOPLASS Ltd
Regional House
Elizabeth Street
Tauranga

DX HP40016
Tauranga Central
Tauranga 3141
Phone 07 577 7342
www.boplass.govt.nz

Dear Stace

The Local Government Act 2002 requires that the BOPLASS Directors deliver to the Shareholders a report within two months of the end of the first six months of the financial year. The report is required to provide information against the objectives set out in the Statement of Intent.

The attached report and accompanying Chair’s letter record the objectives of the Company and reports on performance against the performance requirements set out in the Statement of Intent.

The report was approved for presentation to Shareholder Councils by a resolution of the Board on 14 February 2025.

An electronic copy is attached.

Yours faithfully

Stephen Boyle
BOPLASS Ltd



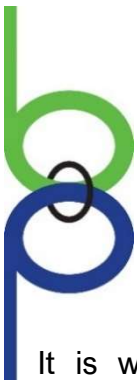
BOPLASS Ltd

HALF YEARLY REPORT TO SHAREHOLDERS



Period ended 31 December 2024

“COUNCILS PARTNERING FOR VALUE AND SERVICE”



BOPLASS Chair's Report

It is with pleasure that the Directors present their 2024/2025 Half Yearly Report to Shareholders demonstrating the continuing contribution the company makes to collaboration between councils.

With the renewal of councils' insurance through BOPLASS in November 2025, it is pleasing to report a reduction in insurance rates for key categories across the BOPLASS councils when compared with premiums for the year prior. While this partly reflects additional capital coming into the insurance markets, it also highlights the benefit of the collective insurance programme and the strong interest being generated in the BOPLASS programme through direct presentations into the insurance markets. This continued build in interest has allowed BOPLASS to further leverage established relationships to obtain very competitive pricing for member councils. The indication from our brokers and the underwriters is that the BOPLASS history and approach helps achieve a significant reduction in rate relative to similar organisations.

Although particularly good outcomes have been achieved with insurance this year, BOPLASS continues to investigate alternative risk transfer mechanisms to ensure our councils are well-positioned should the cost or availability of traditional insurance change. A project is currently underway to complete loss modelling across all the BOPLASS councils to ensure the information on councils' assets and risks is accurate and up to date to support decisions on loss limits for the group and for individual councils.

The collective aerial photography programme continues to provide financial savings for councils, with tenders awarded this year for urban and rural orthophotography covering Taupō, Rotorua, Western BOP, Gisborne, and Tauranga regions. In addition to the procurement savings, the aerial imagery programme is providing significant resource savings through councils working together to establish collaborative services. The sharing of Bay Maps is an excellent example of this, effectively forming a single hub for councils' communities to access mapping and associated data.

It is good to see increasing collaboration with MW LASS and/or Co-lab, with a number of procurement and shared services opportunities being developed which benefit a large group of councils and reduce the effort involved.

BOPLASS has a number of active procurement opportunities either in the formative stage or about to go to tender. Additionally, the board have identified shared service opportunities for BOPLASS to further investigate. Additional information about current projects is available in the attached report.

Yours faithfully

Craig O'Connell
Chair



BOPLASS Ltd

“COUNCILS PARTNERING FOR VALUE AND SERVICE”

HALF YEARLY REPORT TO SHAREHOLDERS

14 FEBRUARY 2025

1 INTRODUCTION

The Local Government Act 2002 requires that the Directors deliver to the Shareholders a report within two months of the end of the first six months of the financial year. The report is required to provide information against the objectives set out in the Statement of Intent. The following report records the objectives of the company and reports on performance against a table of specific performance requirements set out in the Statement of Intent.

2 OBJECTIVES OF BOPLASS LTD

The company exists to provide councils in the Bay of Plenty and Gisborne regions with an umbrella vehicle to investigate, procure, develop, and deliver shared services.

Working together with the full support and involvement of staff, we will provide benefit to councils and their stakeholders through improved levels of service, reduced costs, improved efficiency and/or increased value through innovation.

These will be achieved primarily through:

JOINT PROCUREMENT

Being the procurement of services or products by two or more councils from an external provider regardless of whether the service is paid for through BOPLASS or individually by participating councils.

SHARED SERVICES

Being the participation of two or more councils in the provision of a common service which may be jointly or severally hosted.

3 GOVERNANCE

The end of 2024 included a change of Chief Executive at Whakatāne District Council. BOPLASS welcomes new director Steven Perdia (Whakatāne District Council) to the BOPLASS Board.

4 NATURE AND SCOPE OF ACTIVITIES

The principal nature and scope of the activities of BOPLASS Ltd is to:

- Use joint procurement to add value to goods and services sourced for its constituent councils.
- Facilitate shared services that benefit councils and their stakeholders through improved levels of service, reduced costs, improved efficiency, innovation and/or increased value.
- Pursue best practice in the management of all activities to obtain best value and minimise risk.
- Demonstrate fiduciary responsibility by ensuring that its activities are adequately funded from savings achieved, levies, council contributions, or Government funding where available.
- Allow other councils or organisations to participate in its activities where this will benefit its constituent councils directly or indirectly.
- Represent the collective views of its shareholders in matters with which it is associated.

5 FUTURE DEVELOPMENTS

BOPLASS Ltd will continue to work on business cases for joint procurement and shared services that may be provided in the region or cross-regionally.

The Board has adjusted its strategy to ensure a greater focus on shared services opportunities, while continuing to deliver savings and value to councils through new and existing joint procurement initiatives.

Current reviews for joint procurement and shared services cover but are not limited to:

- Agenda management software
- Archive services
- Asset Management
- Building consents
- Business continuity planning
- CCTV monitoring
- Centralised insurance resource
- Chemicals
- Consents processing
- Contractor online inductions
- Debt management
- Diversion of putrescible waste from landfill
- Driver training
- Drug & Alcohol testing
- Electoral Officer services
- Engineering Codes of Practice
- Fleet purchasing and management
- Geospatial services
- Health & Safety management system
- Health insurance
- High volume print
- ICT security policies
- Insurance valuations
- Inter-council secondments
- Joint software support
- LGOIMA requests
- Lone worker field solutions
- PPE & uniform
- Property valuation services
- Rates collection
- Regional contractor database
- Risk and total assurance
- Solid waste regional facilities strategy
- Staff engagement survey systems
- Vehicle monitoring
- Web services

Other collaborative opportunities may be progressed after the Board has considered individual business cases and formally agreed to take on and deliver (or host/procure etc.) the project.

Joint procurement opportunities will continue to be identified and developed with individual councils engaging under the opt-in principle established by the Board. Joint procurement initiatives will be considered by the Board and/or its advisory groups where there is demonstrated support from two or more member councils.

The Board supports BOPLASS continuing to develop collaboration opportunities outside of the regional boundaries. BOPLASS will continue to proactively explore opportunities to partner with other Local Authorities and shared services organisations within New Zealand where they are developing, or considering developing, cost effective shared services and products that are of value to the Bay of Plenty and Gisborne councils.

BOPLASS development of the Collaboration Portal for the sharing of information on joint procurement or shared services opportunities within the constituent councils has identified a number of duplicate projects across councils which present an opportunity for further collaboration. The BOPLASS Collaboration Portal has become more widely used by other LASS, councils, and local government organisations and provides an opportunity to assist with the identification and management of inter-regional collaboration opportunities. BOPLASS will continue to develop the Collaboration Portal and make it available to the wider local government community.

6 PERFORMANCE TARGETS

To ensure the company continues to operate effectively in both governance and management terms over the next three years the current SOI targets are to:

- Ensure supplier agreements are proactively managed to maximise benefits for BOPLASS councils.
- Investigate new joint procurement initiatives for goods and services for BOPLASS councils.
- Identify opportunities to collaborate with other LASS in Procurement or Shared Service projects where alliance provides benefits to all parties.
- Further develop and extend the Collaboration Portal for access to, and sharing of, project information and opportunities from other councils and the greater Local Government community to increase breadth of BOPLASS collaboration.
- Communicate with each shareholding council at appropriate levels.
- Ensure current funding model is appropriate.

The Board believes that all targets are being achieved or are on-track to be achieved, as is demonstrated by the following list of current initiatives.

7 CURRENT INITIATIVES

The following initiatives have been under consideration or operating during the first part of the year:

HIGHLIGHTS

- Electoral Officer services – BOPLASS has engaged with electoral services companies to investigate potential benefits of shared electoral officer services and/or joint procurement of services. Any service would be established subsequent to 2025 local body elections.
- Cyber risk management – All councils have again been able to achieve full cyber insurance cover through the BOPLASS programme. Insurers requirements remain stringent and continued cover is dependent on high standards of cyber security being maintained by all BOPLASS councils. To assist with this, BOPLASS recently facilitated an information session for the BOPLASS councils' IT managers, where a cyber insurance expert provided information on insurers' new requirements, new threats, and how to manage an incident to ensure compliance with insurers expectations.
- Risk management services – Every year the BOPLASS insurance underwriters become more demanding in the levels of data they require and the accuracy of the data. This has created challenges for some of the smaller councils. BOPLASS has worked with Aon to develop a risk management service to assist our councils with this specific skillset. The service has been established to, particularly, provide risk management support and expertise to our smaller councils that may not have a risk management skillset inhouse as a dedicated resource.
- Occupational health services – BOPLASS is managing a tender in conjunction with Co-Lab for occupational health services across the greater region.
- Bay Maps open data – Bay Maps has been established as a shared portal for Bay of Plenty mapping services and is utilised by the BOPLASS GIS group. Having a single portal negates the requirement for councils to develop and maintain individual mapping services.
- LGOIMA requests – BOPLASS is facilitating a collaborative project between councils to share information on LGOIMA processes and help ensure consistent responses to requests. Working in conjunction with the other two LASS, a shared platform is being developed to share information between councils to assist with establishing consistency and best practice.
- Artificial Intelligence (AI) – AI technology is moving fast with the integration now embedded in a multitude of platforms and software solutions. BOPLASS facilitated a seminar delivered by Houston Technology specifically to member councils to provide awareness in preparing for AI using Microsoft Office 365. BOPLASS continues to identify opportunities for councils to share learnings as they adopt AI.

- Inter-LASS collaboration – Multiple projects continue to be identified by LASS leads that would benefit from inter-regional collaboration and could leverage shared services across LASS groups. This collective approach aims to streamline procurement processes and achieve superior outcomes through aggregated volumes. The recent joint tender by BOPLASS and Co-Lab for Occupational Health Services, covering Waikato, Gisborne, and Bay of Plenty councils, highlights the tangible benefits of such collaborative efforts.
- Crime Prevention/CCTV Monitoring – Working in conjunction with NZ Police, BOPLASS is investigating establishing three regional hubs for CCTV monitoring across BOPLASS councils. The establishment of these three centres of excellence will assist in providing coordinated police monitoring within each region.
- Insurance renewals – In the first half of the financial year, BOPLASS led insurance renewals of behalf of the collective group of councils and achieved improved outcomes for all councils across a range of policies. Of particular note was the below-ground infrastructure insurance, with a decrease in rates achieved this year. In addition to the reduced premium rates, benefits also included improved insurance terms, increased coverage limits, and renewed underwriter interest in our programme. Our continued proactive approach and direct presentations into the markets has helped build strong relationships with underwriters and favourable outcomes for all councils involved.
- Waste Operator and Licensing Data System (WOLDS) – The rollout of WOLDS is being phased across the BOPLASS and Waikato councils, with six councils in the initial tranche. The balance of councils will move at a later date, with some still to complete changes to their bylaw to allow external management of these services. WOLDS will allow centralised management of waste contractor licensing, significantly reducing the workload for councils, while also providing improvements in waste data.
- Aerial Imagery – Tenders have been awarded for urban and rural orthophotography covering Taupō, Rotorua, Western BOP, Gisborne and Tauranga regions, with aerial capture to be undertaken during the summers of 2024-25.
- Contours from LiDAR – A project is underway to produce contours for the entire Bay of Plenty region using the LiDAR data BOPLASS councils procured collectively for the region. The contours will provide an important complete topography layer for councils' mapping. The collective agreement offers councils a cost-effective solution and improved efficiency for the region under a single process.
- Oblique Imagery – BOPLASS is investigating a collective agreement across the BOP region for oblique imagery – aerial imagery collected at an angle to the horizon. Oblique imagery helps provide a much higher level of understanding of landscapes, which is particularly helpful for wetlands or biodiversity work. BOPLASS has successfully negotiated a free trial of oblique software and imagery, allowing councils an opportunity to experiment with the technology and develop use cases.

- Contractor and Employee H&S Inductions – A project continues to be investigated to develop a common platform and standard for the development and management of H&S inductions – for both staff and contractor purposes.
- GIS Software and Services – A number of key contracts for councils’ geospatial software have been reviewed and renewed through collective BOPLASS agreements.
- MahiTahi Collaboration Portal – Further growth has been achieved with the MahiTahi Collaboration Portal with additional councils joining and using it as a collaboration tool for sharing information across councils.
- Health insurance – A project is underway to explore benefits of establishing a group scheme across the BOPLASS group.
- Media Copyright Agency (MCA) – A collective contract providing savings for all BOPLASS councils has been renegotiated with MCA.
- Institute of Public Works Engineering Australasia (IPWEA) – BOPLASS has renewed the single BOPLASS membership covering all councils and providing membership savings.
- Media Monitoring Service – A collective contract continues to provide BOPLASS councils with a more cost-effective broader service including print, online, broadcast media, social media and ‘social listening’ services that analyse social media feedback or sentiment.
- Debt Management Services – BOPLASS is working with MW LASS to provide debt management as a shared service to BOPLASS councils.
- Driver Training – BOPLASS continues to investigate options for appointing a preferred provider for driver training services.
- Lone worker field solutions – BOPLASS is investigating technologies and solutions to support council staff in lone worker situations.
- Communication – BOPLASS continues to regularly engage with our constituent councils, senior management and shareholders to ensure opportunities continue to be developed to the benefit of all stakeholders. Additionally, advisory groups, comprising subject matter experts from each council, meet regularly to identify and lead specific projects to provide benefits to all councils through collaboration.
- Viability of Current Funding Model – The sources of BOPLASS funding and the viability of the funding model are regularly reviewed with financial reporting provided to the BOPLASS Board.

8 FINANCIAL REPORTS

8.1 Financial Support and Accounting Services

Accountancy services and support continue to be provided by Tauranga City Council.

8.3 Accounting Policies

The company is compliant with the accounting policies stated in the Statement of Intent.

8.4 Tier 2 PBE Accounting Standards Applied

The financial accounts are prepared with application of Tier 2 accounting standards.

8.5 Financial Reports

Financial Reports for the period to 31 December 2024 are attached.

8.6 Variations

Aerial photography revenue and expenditure are slightly behind target but this is simply a timing issue with progress payments, with imagery capture often being at the mercy of the weather.

Project revenue is reported as \$25,310 ahead of budget. This is due to contributions being received at the commencement of projects and will balance in the second half of the year.

9 STAFFING, ACCOMMODATION AND SUPPORT

Staff

Staffing levels are unchanged with a part-time administrator continuing to provide additional project support and management of existing activities.

Accommodation and Support

We continue to appreciate the office space provided to us by BOP Regional Council and the support that is offered for IT and Accounting services by Tauranga City Council.

BOP LASS LTD
STATEMENT OF COMPREHENSIVE INCOME
FOR THE MONTH ENDED 31 DECEMBER 2024

| | Actual YTD | Budget YTD | Total Budget | YTD Variance |
|---|----------------|----------------|------------------|-----------------|
| REVENUE | | | | |
| Revenue - Core | 189,700 | 183,808 | 367,615 | 5,893 |
| Bank Interest Received | 9,845 | 3,500 | 7,000 | 6,345 |
| Council Contribution | 179,855 | 180,308 | 360,615 | (453) |
| Revenue - Projects | 754,520 | 765,750 | 1,311,500 | (11,230) |
| Bank Interest Received | 2,029 | 750 | 1,500 | 1,279 |
| Aerial Photography Revenue | 114,813 | 150,000 | 400,000 | (35,187) |
| Collaboration Portal Revenue | 30,000 | 20,000 | 40,000 | 10,000 |
| Lease Revenue - ICN | 72,505 | 67,500 | 135,000 | 5,005 |
| Lease Revenue - Video Conference | 13,104 | 7,500 | 15,000 | 5,604 |
| Projects - Recoveries Revenue | 522,069 | 520,000 | 720,000 | 2,069 |
| | | | | |
| | | | | |
| TOTAL OPERATING REVENUE | 944,220 | 949,558 | 1,679,115 | (5,337) |
| EXPENSES | | | | |
| Expenditure - Core | 223,576 | 223,104 | 423,436 | 472 |
| ACC | 595 | 500 | 950 | 95 |
| Accommodation & Travel | 7,932 | 5,500 | 5,500 | 2,432 |
| Accounting & Audit | 10,185 | 12,000 | 24,000 | (1,815) |
| Administration | 8,655 | 10,000 | 20,000 | (1,345) |
| Amortisation | 631 | 2,500 | 5,000 | (1,869) |
| Bank Fees | 1 | 100 | 200 | (99) |
| Conferences | 4,296 | 2,500 | 2,500 | 1,796 |
| Depreciation | 1,889 | 2,150 | 4,300 | (261) |
| Directors Costs | 11,754 | 10,111 | 23,000 | 1,643 |
| Fringe Benefit Tax | 1,732 | 2,250 | 4,500 | (518) |
| General & Catering | 0 | 750 | 1,500 | (750) |
| Health & Safety | 0 | 500 | 1,000 | (500) |
| Insurance | 13,066 | 13,000 | 14,000 | 66 |
| Interest Paid - TCC Loan | 0 | 0 | 0 | 0 |
| Legal | 0 | 1,250 | 2,500 | (1,250) |
| Salaries | 149,795 | 150,362 | 300,723 | (567) |
| Salaries - Projects OpEx | (3,527) | (9,000) | (18,000) | 5,473 |
| Staff Support Costs | 10,554 | 9,750 | 19,500 | 804 |
| Staff Training Costs | 535 | 1,250 | 2,500 | (715) |
| Subscriptions | 533 | 2,132 | 4,263 | (1,598) |
| Tax Advice | 4,950 | 5,500 | 5,500 | (550) |
| Expenditure - Projects | 720,203 | 726,454 | 1,255,679 | (6,251) |
| Aerial Photography Expense | 114,813 | 150,000 | 400,000 | (35,187) |
| Collaboration Portal OpEx | 6,562 | 13,990 | 27,979 | (7,428) |
| Lease Expense - ICN | 73,123 | 64,800 | 129,600 | 8,323 |
| Lease Expense - Video Conference | 16,830 | 14,100 | 14,100 | 2,730 |
| Projects - Recoveries Expenditure | 508,874 | 483,564 | 684,000 | 25,310 |
| | | | | |
| TOTAL OPERATING EXPENDITURE | 943,778 | 949,558 | 1,679,115 | (5,779) |
| OPERATIONAL SURPLUS / (DEFICIT) BEFORE TAX | 442 | 0 | 0 | 442 |

**BOP LASS LTD
STATEMENT OF FINANCIAL POSITION
AS OF 31 DECEMBER 2024**

| | Actual YTD |
|---|------------------|
| Bank | |
| Cheque Account | 1,038,841 |
| Trust A/c Aerial Photography | 83,242 |
| Crime Prevention | 1,139 |
| | |
| Total Bank | 1,123,222 |
| Current Assets | |
| Trade Debtors | 89,763 |
| Accrued Revenue | 57,318 |
| Tax Payable (Tax Receivable) | 28,837 |
| Prepayments | 3,907 |
| Total Current Assets | 179,824 |
| | |
| Non-current assets | |
| Intangible - Computer Software | 79,175 |
| Intangible - Amortisation | (74,440) |
| Computer Equipment at cost | 4,516 |
| Less Accumulated Depreciation on Computer Equipment | (4,653) |
| Inter Council Network | 25,097 |
| Accumulated Depreciation Inter Council Network | (14,289) |
| Total Non-current assets | 15,407 |
| | |
| TOTAL ASSETS | 1,318,453 |
| | |
| Current Liabilities | |
| Business Credit Card | 935 |
| Trade Creditors | 13,129 |
| Accrued Expenses | 4,537 |
| TCC Loan | 0 |
| GST Collected, Paid, Payments (Refunds) | (11,627) |
| Retentions | 11,893 |
| Income in Advance | 1,257,469 |
| PAYE Accruals Payable | 14,477 |
| | |
| Total Liabilities | 1,290,813 |
| | |
| NET ASSETS | 27,639 |
| | |
| Equity | |
| Current Year Earnings | 99,002 |
| Retained Earnings | (71,805) |
| Share capital | 442 |
| TOTAL EQUITY | 27,639 |

COUNCIL REPORT

Date : 28 February 2025
To : Ordinary Council Meeting, 10 March 2025
From : Chief Executive Officer, Stace Lewer
Subject : **CHIEF EXECUTIVE OFFICER'S UPDATE**
File ID : A1291724

EXECUTIVE SUMMARY

- To provide an update to Council on LGOIMA requests and meetings attended by the Chief Executive Officer.

RECOMMENDATIONS

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

PURPOSE

1. To provide an update to Council on LGOIMA requests and meetings attended by the Chief Executive Officer.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opōtiki District Council's Long-Term Plan 2024-2034:
 - Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

DISCUSSION

3. LGOIMA Requests

LGOIMA Tracking (12/03/2024-13/03/2025)

| Month | Submitter | Subject | Due |
|---------------|-----------------------------|--------------------------|------------|
| November 2024 | Sam Vernon | development GIS datasets | 19/12/2024 |
| March 2025 | THEN Histories of Pamutana | THPetitions 2015-2024 | 31/03/2025 |
| | New Zealand Taxpayers Union | Annual Report PDFs | 03/04/2025 |

Meetings / Events Attended by the Chief Executive Officer – 25 January 2025 – 28 February 2025

28 January 2025

Tauranga

Presentation to Quayside Holdings Ltd

Meeting with CEO of Quayside Holdings Ltd

BOP CEs Local Water Done Well online meeting

29 January 2025

Eastern Bay of Plenty Chief Executive's and Regional Deals Working Group meeting, via Teams

Council workshop

30 January 2025

Meeting with Election Services re Representation Review hearing, via Teams

Meeting with potential developers

Weekly catch-up meeting with Audit New Zealand, via Teams

31 January 2025

Mayors Taskforce For Jobs Q and A session for Mayors and CEs, via Teams

3 February 2025

Councillor/CEO catch up meeting

4 February 2025

Ordinary Council meeting

5 February 2025

Meeting with Audit NZ, via Teams

12 February 2025

Eastern Bay of Plenty Chief Executive's and Regional Deals Working Group meeting, via Teams

Ōpōtiki Marine Advisory Group (OMAG) meeting

14 February 2025

Tauranga

Opening event for the Rangiuru Business Park Motorway Interchange

BOPLASS Board meeting

Bay of Plenty CEs Forum

17 February 2025

ODC Performance and Delivery Committee meeting

18 February 2025

Leadership workshop for Executive Leadership Team

19 February 2025

Eastern Bay of Plenty Chief Executive's and Regional Deals Working Group meeting, via Teams

Councillor/CEO catch up meeting

Property Advisory Group meeting

20 February 2025

Council workshop

Met with Te Tāwharau o Te Whakatōhea CEO, Dickie Farrar

Taituarā Online CEs meeting

21 February 2025

Meeting with MBIE re Ōpōtiki Harbour Development Project, via Teams

24 February 2025

ODC Risk and Assurance Committee meeting

25 February 2025

Coast Community Board meeting

Local Government Commission Representation Review Hearing

26 February 2025

Met with Kāinga Ora Regional Director, Darren Toy, via Teams

Bay of Plenty Civil Defence Emergency Management Co-ordinating Executive Group Meeting, via Teams

EBOP Spatial Plan: Project Governance Group Meeting

27 February 2025

WorkWell programme launch for staff

Local Government Chief Officer's Group (LGCOG) meeting, Tauranga (Australian and New Zealand Chief Executives)

28 February 2025

Local Government Chief Officer's Group (LGCOG) meeting, Tauranga (Australian and New Zealand Chief Executives)

Met with Chair of Ngai Tai, Anaru Vercoe, Whakatāne

Financial/budget considerations

4. There are no financial/budget considerations associated with this report.

Risks

5. There are no risks associated with this report.

Community wellbeing considerations

6. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
7. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
8. There are no known social, economic, environmental, or cultural considerations associated with this matter.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

9. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.
10. The level of significance related to the decision in this report is considered to be **low**. Because the decision is determined to have **low** significance in accordance with the policy, the corresponding level of engagement required is **Inform**.

Assessment of engagement

11. As the level of significance has been determined to be **low**, the level of engagement required is **Inform** according to the Engagement Framework of the Significance and Engagement Policy:

INFORM

To provide balanced and objective information to assist understanding about something that is going to happen.

12. The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

Stace Lewer

CHIEF EXECUTIVE OFFICER

REPORT

Date : 28 February 2025

To : Ordinary Council Meeting, 18 March 2025

From : Chief Executive Officer, Stace Lewer

Subject : **RESOLUTION TO EXCLUDE THE PUBLIC**

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

- 1. THAT the public be excluded from the following parts of the proceedings of this meeting, namely:**
- 12. Confirmation of In-Committee Minutes – Ordinary Council Meeting 4 February 2025.**
 - 13. In-Committee Minutes – Risk and Assurance Committee Meeting 16 December 2024.**
 - 14. Te Ranginui Cemetery Lease of Surplus Land.**
 - 15. Notes of Council Workshops.**

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

| Item No | General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48(1) for the passing of this resolution |
|----------------|---|---|---|
| 12. | Confirmation of In-Committee Minutes – Ordinary Council Meeting 4 February 2024. | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |
| 13. | In-Committee Minutes – Risk and Assurance Committee Meeting 16 December 2024. | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |

| | | | |
|-----|---|---|------------------|
| 14. | Te Ranginui Cemetery Lease of Surplus Land | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |
| 15. | Notes of Council Workshops | That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. | Section 48(1)(a) |

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

| | | |
|-----|---|--|
| 12. | Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Prevent disclosure or use of official information Carry out negotiations Maintain legal professional privilege Carry out commercial activities | Section 7(2)(a) Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii) Section 7(2)(f)(ii) Section 7(2)(j) Section 7(2)(i) Section 7(2)(g) Section 7(2)(h) |
| 13. | Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities | Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h) |
| 14. | Carry out negotiations | Section 7(2)(i) |
| 15. | Protection from improper pressure or harassment Prevent disclosure or use of official information | Section 7(2)(a) Section 7(2)(j) |