

MEETING — AGENDA —

Ngā Take

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Western Bay of Plenty
District Council

COUNCIL

Te Kaunihera



C20
Thursday, 20 September 2018
Council Chambers
Barkes Corner, Tauranga
9.30am

Notice of Meeting No C20 Te Karere

Council Te Kaunihera

Thursday, 20 September 2018
Council Chambers
Barkes Corner
9.30am

His Worship the Mayor
Deputy Mayor

G J Webber (Chairperson)
M Williams

Councillors:

G Dally
M Dean
M Lally
P Mackay
K Marsh
D Marshall
M Murray-Benge
J Palmer
J Scrimgeour
D Thwaites

Media
Staff

Miriam Taris
Chief Executive Officer
Western Bay of Plenty District Council



Te Kaunihera a rohe mai i nga Kuri-a-Wharei ki Otamarakau ki te Uru

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Council Delegations

Mangai o Te Kaunihera

Quorum:

The quorum for this meeting is six members.

Role:

- To exercise all powers and functions to deal with statutory and procedural matters, to carry out civic duties and responsibilities, and to exercise all non-delegated functions.
- To delegate authorities as appropriate to Council committees and the Chief Executive Officer.
- To delegate any authorities which may be additional to the roles required under the Local Government Act 2002 to Community Boards, and to appoint Councillors to Community Boards.
- To establish Joint Committees of Council, and appoint elected members and/or others to these committees.
- To make all financial decisions not otherwise delegated or included in Council's Long Term Plan and/or Annual Plan.
- To maintain, monitor and direct an overview of Council's finances including but not limited to:
 - The financial progress of major capital works projects including those considered in the Long Term Plan and Annual Plan processes.
 - Implementation of Council's risk management.
 - Approval of new debt and/or new facilities.
 - Receiving exception reports on Council's financial performance at least quarterly.
 - Undertaking all financial monitoring of performance against the Long Term Plan and Annual Plan.
 - Ensuring treasury management within the limitations of the Treasury Policy as set by the Long Term Plan.
 - Allowing for variations from Council's key treasury policy ratios.
- To exercise all non-delegated functions being:
 - (a) The power to make a rate
 - (b) The power to make a bylaw
 - (c) The power to borrow money, purchase, or dispose of assets, other than in accordance with the Long Term Plan
 - (d) The power to adopt a long term plan, annual plan, or annual report
 - (e) The power to appoint a chief executive
 - (f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the local governance statement
 - (g) The power to adopt a remuneration and employment policy
 - (h) The power to enter into contracts otherwise than in accordance with the provisions of Section 4 of the Public Bodies Contracts Act 1959
 - (i) The power to initiate any proceedings in the High Court that are not injunctive proceedings
 - (j) The power to remove the Deputy Mayor subject to Schedule 7 (18) of the Local Government Act 2002

- (k) The power to discharge or reconstitute any committee established by the Mayor subject to Schedule 7 (30) of the Local Government Act 2002
- (l) Powers as conferred by the Minister of Conservation under the Reserves Act 1977

Procedural Matters:

- Confirmation of all Standing Committee minutes excluding the District Plan Committee, Regulatory Hearings Committee and District Licensing Committee minutes
- Receipt for information all Community Board minutes
- Receipt for information all District Plan Committee, Regulatory Hearings Committee minutes and District Licensing Committee minutes
- Adoption and amendment of Standing Orders.
- Establishment of and delegations to Joint Committees, Sub Committees and any other governance body that the Council deems necessary.
- Purchase, sell and dispose of Council property other than delegated in accordance with all of the following:
 - the Long Term Plan
 - the Significance Policy
 - Council's Asset Management Plans
 - Council's Reserve Management Plans
 - Committee or appropriate delegations
- Councillor and Council appointments to other organisations.
- Approval of elected member training/conference attendance.

Any other procedural matters as required under the Local Government Act 2002 or any other Act.

Mayor's Delegation:

Should there be insufficient time for Council to consider approval of elected member training/conference attendance that this be delegated to the Mayor/Deputy Mayor with a report back to Council at the next scheduled meeting.

Should there be insufficient time for Council to consider approval of a final submission to an external body that the signing off of the submission on behalf of Council be delegated to the Mayor/Deputy Mayor provided that the final submission be reported to Council or the relevant Committee at the next available meeting.

Mayor and Councillors' Delegations:

Pursuant to Clause 32(1) of Schedule 7 of the Local Government Act 2002, to each of the Mayor and Councillors, whether individually or collectively, the power to listen to and receive the presentation of views by people pursuant to Section 83(1)(d) of the Local Government Act 2002 in relation to any processes Council undertakes to consult on under the Special Consultative Procedure as required by the Local Government Act 2002 or any other Act.

Agenda for Meeting No. C20

Pages

**Present
In Attendance
Apologies**

Public Excluded Items

The Council may by resolution require any item of business contained in the public excluded section of the agenda to be dealt with while the public are present.

Public Forum

A period of up to 30 minutes is set aside for a public forum. Members of the public may attend to address Council for up to three minutes on items that fall within the delegations of Council provided the matters are not subject to legal proceedings, or to a process providing for the hearing of submissions. Speakers may be questioned through the Mayor by members, but questions must be confined to obtaining information or clarification on matters raised by the speaker. The Mayor has discretion in regard to time extensions.

Such presentations do not form part of the formal business of the meeting, a brief record will be kept of matters raised during any public forum section of the meeting with matters for action to be referred through the customer contact centre request system, while those requiring further investigation will be referred to the Chief Executive.

C20.1

Draft Financial Statements for the Year Ended 30 June 2018, Funding Transfer in Reserve Accounts and Adoption of the Annual Report and Summary Annual Report -2017/18

10-13

Attached is a report from the Finance Manager dated 6 September 2018. Please note that the draft Annual Report and draft Summary Annual Report will be circulated separately when available.

Representatives of Audit New Zealand will be in attendance to present their report on the Annual Report.

C20.2

Receipt of Community Board Minutes

Please refer to minutes of the meetings of the Community Boards as circulated separately with this agenda.

Recommendation

THAT the minutes of the following meetings be received:

1. *Minute no. WB15 of the Waihi Beach Community Board held on 27 August 2018*
2. *Minute no. OM15 of the Omokoroa Community Board held on 28 August 2018*
3. *Minute no. K15 of the Katikati Community Board held on 29 August 2018*
4. *Minute no. MC15 of the Maketu Community Board held on 4 September 2018*
5. *Minute no. TP15 of the Te Puke Community Board held on 6 September 2018*

C20.3

Minutes of Council and Committee Meetings for Confirmation

Please refer to minutes of the meetings of the Council and its Standing Committees as circulated separately with this agenda.

Recommendation

THAT the minutes of the following meetings as circulated separately with the agenda are confirmed and are a true and correct record:

6. *Minute no. C18 of the Western Bay of Plenty District Council held on 9 August 2018*
7. *Minute no. CC12 of the Community Committee held on 30 August 2018*
8. *Minute no. PP15 of the Policy Committee held on 4 September 2018*
9. *Minute no. OP14 of the Operations and Monitoring Committee held on 13 September 2018*

- C20.4 **Minutes for Receipt**
- Please refer to the minutes as circulated separately with this agenda.
- Recommendation**
- THAT Minute no. JG5 of the Joint Governance Committee held on 8 August 2018 as circulated separately with the agenda is received.*
- C20.5 **Information for Receipt**
- Please refer to the Minute Index and Information Pack as circulated separately with this agenda.
- Recommendation**
- THAT the information items included in the Minute Index and Information Pack dated 20 September 2018 as circulated separately with the agenda be received.*
- C20.6 **Recommendatory Report from the Operations and Monitoring Committee - Kauri Point Reserve Road Slip Update**
- Report to be circulated when available.
- C20.7 **Recommendatory Report from the Operations and Monitoring Committee - Kiwi Camp Facility**
- Report to be circulated when available.
- C20.8 **Storm Water Easement over Part of Vesey Stewart Recreation Reserve** 14-24
- Attached is a report from the Legal Property Officer Reserves and Facilities dated 2 August 2018.
- C20.9 **Storm Water Easement over Part of Moore Park, Katikati** 25-33
- Attached is a report from the Legal Property Officer Reserves and Facilities dated 4 August 2018.

C20.10	Easement to Convey Water and Associated Services over Lawrence Oliver Park, Te Puke, for the Waiari Water Supply Project	34-39
	Attached is a report from the Legal Property Officer Reserves and Facilities dated 6 September 2018.	
C20.11	Omokoroa District Sport and Recreation Society Incorporated Lease Relocation and Extension on Omokoroa Sports Ground	40-46
	Attached is a report from the Reserves and Facilities Manager dated 4 September 2018.	
C20.12	Quarterly Review of Council's Risk Profile	47-62
	Attached is a report from the Risk Specialist dated 5 September 2018.	
C20.13	Chief Executive Officer's Report to Council - September 2018	63-65
	Attached is a report from the Chief Executive Officer dated 7 September 2018.	

Local Government Official Information and Meetings Act

Exclusion of the Public

Schedule 2A

Recommendation

THAT the public be excluded from the following part of this meeting namely:

- *In Confidence Community Board Minutes for Receipt*
- *In Confidence Council and Committee minutes for Confirmation.*
- *In Confidence Minute Index and Information Pack*

The general subject to 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:

<i>General subject of each matter to be considered</i>	<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under Section 48(1) for the passing of this resolution</i>
<i>In confidence Community Board Minutes for receipt</i>	<i>THAT the public conduct of the relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist.</i>	<i>For reasons previously stated on the relevant minutes.</i>
<i>In Confidence Council and Committee minutes for Confirmation</i>	<i>THAT the public conduct of the relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist.</i>	<i>For reasons previously stated on the relevant minutes.</i>
<i>In Confidence Minute Index and Information Pack</i>	<i>THAT the public conduct of the relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist.</i>	<i>For reasons previously stated on the relevant minutes. Maintain legal professional privilege. Protect information which is subject to an obligation of confidence.</i>

Western Bay of Plenty District Council**Council****Draft Financial Statements for the Year Ended
30 June 2018, Funding Transfer in Reserve Accounts
and Adoption of the Annual Report and Summary
Annual Report 2017/18**

Purpose

The purpose of this report is to adopt the audited Annual Report 2017/18.

This report is statutory required under section 98 and 99 of the Local Government Act 2002. For each financial year, Council is required, within four months of the end of the financial year to which it relates, to prepare and adopt, by resolution, an annual report and summary annual report.

Recommendation

- 1. THAT the Finance Manager's report dated 7 September 2018 and titled 'Draft Financial Statements for the Year Ended 30 June 2018, Funding Transfers in Reserve Accounts and Adoption of the Annual Report and Summary Annual Report 2017/18' be received.**
 - 2. THAT the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.**
 - 3. THAT the Annual Report and the Summary Annual Report for the year ended 30 June 2018 be received and approved by Council.**
- AND** following receipt of the Audit Opinion from the Audit New Zealand representative in attendance.
- 4. THAT the Audit Opinion from Audit New Zealand for Western Bay of Plenty District Council's financial statements and performance information for the year ended 30 June 2018 be received.**
 - 5. THAT pursuant to Section 98 and 99 of the Local Government Act 2002, the Western Bay of Plenty District Council's audited Annual Report and Summary Annual Report for the year ended 30 June 2018 be adopted.**

Date 7 September 2018 **Open Session**
Subject Draft Financial Statements for the Year Ended 30 June 2018, Funding Transfer in Reserve Accounts and Adoption of the Annual Report and Summary Annual Report 2017/18



Ian Butler
Finance Manager



Approved Kumaren Perumal
Chief Financial Officer

1. Background

The draft Annual Report 2017/18 (to be circulated separately), including draft Financial Statements, Cost of Service Statements and Non Financial Performance Reports for each of Council's activities and draft Summary Annual Report 2017/18 (to be circulated separately), are presented for approval.

Under section 98 of the Local Government Act 2002 for each financial year, Council is required, within four months of the end of the financial year to which it relates, to prepare and adopt, by resolution, an annual report and summary annual report.

The accounts have been audited by Audit New Zealand in accordance with Section 99 of the Local Government Act 2002. However, there may still be some minor presentation changes as a result of the final review.

The Annual Report includes explanations of major variances under Note 46 to the Financial Statements, to assist readers in their review of the information.

Council is required to maintain its reserve accounts in accordance with its policy. As a result year end appropriations to these accounts are included for approval. Refer to pages 162 – 169 of the Annual Report 2017/18.

2. Significance and Engagement

The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.

The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

In terms of the Significance and Engagement Policy this decision is considered to be of low significance because:

- This 2017/18 Annual Report is provided to compare Western Bay of Plenty District Council's actual performance for the year against what was forecast in the Long Term Plan or Annual Plan. Council's performance could be of interest to some ratepayers and residents in the District but shouldn't affect them significantly. Overall there would be no impact on the future interest of the community
- There are no identifiable cultural impacts relating to the preparation of the end of year financial accounts, other than general interest
- The subject does not affect the level of service of a significant activity.

3. Engagement, Consultation and Communication

Interested/Affected Parties	Completed/Planned Engagement/Consultation/Communication
General Public	The public to be notified of the adoption of the Annual Report 2017/18 by advertisement in the local papers and via Council website.
Internal Staff	All staff to be notified accordingly.
Local Government	As per the Local Government Act 2002, copies of the adopted Annual Report and summary are required to be sent within one month of adoption to several government departments, i.e. a) the Secretary of Local Government; and b) the Auditor-General; and c) the Parliamentary Library.

4. Issues and Options Assessment

Option A	
THAT the Funding Transfer in Reserve Accounts, Draft Annual Report and the Draft Summary Annual Report for the year ended 30 June 2018 be received and approved by Council.	
Reasons why no options are available	Legislative or other reference
Every local authority must prepare and adopt in respect of each financial year an annual report. Each annual report must be completed and adopted, by resolution, within four months after the end of the financial year to which it relates.	Section 98 of the Local Government Act 2002. Section 99 of the Local Government Act 2002.

5. Statutory Compliance

The recommendation in this report is consistent with legislative requirements as per section 98 and 99 of the Local Government Act 2002.

6. Funding/Budget Implications

Budget Funding Information	Relevant Detail
	The Annual Report provides a comparison to budget and the prior year.

Western Bay of Plenty District Council

Council

Storm Water Easement Over Part of Vesey Stewart Recreation Reserve

Purpose

This report seeks Council's consent under its delegated authority in respect of the granting of rights of easements in accordance with Section 48(1) of the Reserves Act 1977, for a storm water easement over part of Vesey Stewart Recreation Reserve (Lot 14 DPS 23757) in gross (for WBOPDC) to allow storm water discharge from a 17 lot subdivision (RC12099S) via an underground stormwater pipe to a scruffy dome outlet within the reserve.

Recommendation

- 1. THAT the Legal Property Officer – Reserves and Facilities' report dated 2 August 2018 and titled Storm Water Easement Over Part of Vesey Stewart Recreation Reserve be received.**
- 2. THAT the report relates to an issue that is not considered significant in terms of Council's Policy on Significance.**
- 3. THAT pursuant to the authority delegated by the Minister of Conservation to the Western Bay of Plenty District Council, and the provisions of Section 48 of the Reserves Act 1977, Council hereby consents to the creation of a storm water easement, in gross, with Council being both the grantor and grantee, as shown on the attached plan (Attachment A) to allow discharge of stormwater over Lot 14 DPS 23757.**
- 4. THAT in accordance with section 48(3) of the Reserves Act 1977, public consultation is not required as the reserve is not likely to be permanently altered or damaged and the rights of the public in respect of the reserve are not permanently affected as a result of the easement being in place.**



Joanne Hin
**Legal Property Officer
Reserves and Facilities**



Peter Watson
Reserves and Facilities Manager



Approved

Gary Allis
Deputy Chief Executive

1. Background

- 1.1** The landowner of Lot 2 DPS 29272 has applied for a 17 lot subdivision (RC10491S).
- 1.2** The owners have formally applied for the Western Bay of Plenty District Council's consent to the storm water easement. **Attachment B**
- 1.3** As part of the subdivision stormwater will be collected and conveyed from the site across Ministry of Education land to a discharge point, via a scruffy dome located in the Vesey Stewart Recreation Reserve. The stormwater pipe will be vested in Council and form part of the public stormwater system managed by the Council's Utilities Department. Owing to the elevation of the land it is not practical to discharge the stormwater to Beach Road. **Attachment A**
- 1.4** In order to proceed an easement would be required over Vesey Stewart Recreation Reserve. A survey plan will be required to be created to detail the proposed easement's location.
- 1.5** The land over which the storm water easement is to be created is part of the Vesey Stewart Recreation Reserve, being a recreation reserve and is subject to the provisions of the Reserves Act 1977.
- 1.6** Within Vesey Stewart Recreation Reserve, the storm water pipe is proposed to be laid underground across a small portion of land and then discharge via a scruffy dome. Mitigation planting around the scruffy dome and a riparian margin ten metres either side of the pipe will occur. This installation will not affect the public's rights to access across the reserve, nor materially alter the reserve.
- 1.7** The easement document ensures the protection of the Vesey Stewart Recreation Reserve.
- 1.8** The Department of Conservation require that in terms of the delegation of the Minister's powers under the Reserves Act 1977, any decision is to be made by Councils and recorded as such.
- 1.9** The sub divider as the applicant, is required to secure an easement in Council's favour across Ministry of Education land being Katikati College grounds.

2. Issues and Options Assessment

Option A	
THAT pursuant to the authority delegated by the Minister of Conservation to the Western Bay of Plenty District Council, and the provisions of Section 48 of the Reserves Act 1977, Council hereby consents to the creation of a storm water easement, in gross, with Council being both the grantor and grantee, as shown on the attached plan (Attachment A) to allow discharge of stormwater over Lot 14 DPS 23757.	
Benefits in terms of the present and future interests of the District taking a sustainable development approach	In order for the landowner to be able to effectively discharge storm water.
Costs (including present and future costs, direct, indirect and contingent costs)	Costs for the creation of the easement are borne by the landowner.
Assessment of cost effectiveness for households and businesses	N/A
Option B Status Quo	
Benefits in terms of the present and future interests of the District taking a sustainable development approach	If Council declines the easement, the subdivision conditions will not be satisfied and additional sections and houses to cater for growth will not be realised.
Costs (including present and future costs, direct, indirect and contingent costs)	N/A
Assessment of cost effectiveness for households and businesses	N/A

3. Statutory Compliance

Section 48(1) of the Reserves Act 1977 provides Council with the Statutory Authority to grant easements over reserves.

Section 48(3) allows Council, as the administering body for the reserve, to not undertake public consultation.

Section 48(6) provides provision for the Reserves and Facilities Department to enter into an agreement with Council's Utilities Department for the management and maintenance of the stormwater pipe where it crosses the reserve.

4. Funding/Budget Implications

Budget Funding Information	Relevant Detail
No funding required	<p>An application fee of \$307 is required from the applicant to allow the processing of the consent. No further costs will be sort from the applicant for the benefit of the easement as Council is encouraging connection into approved storm water points.</p> <p>Costs associated with installing the storm water pipe and reinstatement of the site are to be borne by the applicant.</p> <p>The stormwater pipe will vest in Council and form part of the stormwater network and will be managed by Council's Utilities Department.</p>

5. Significance Assessment

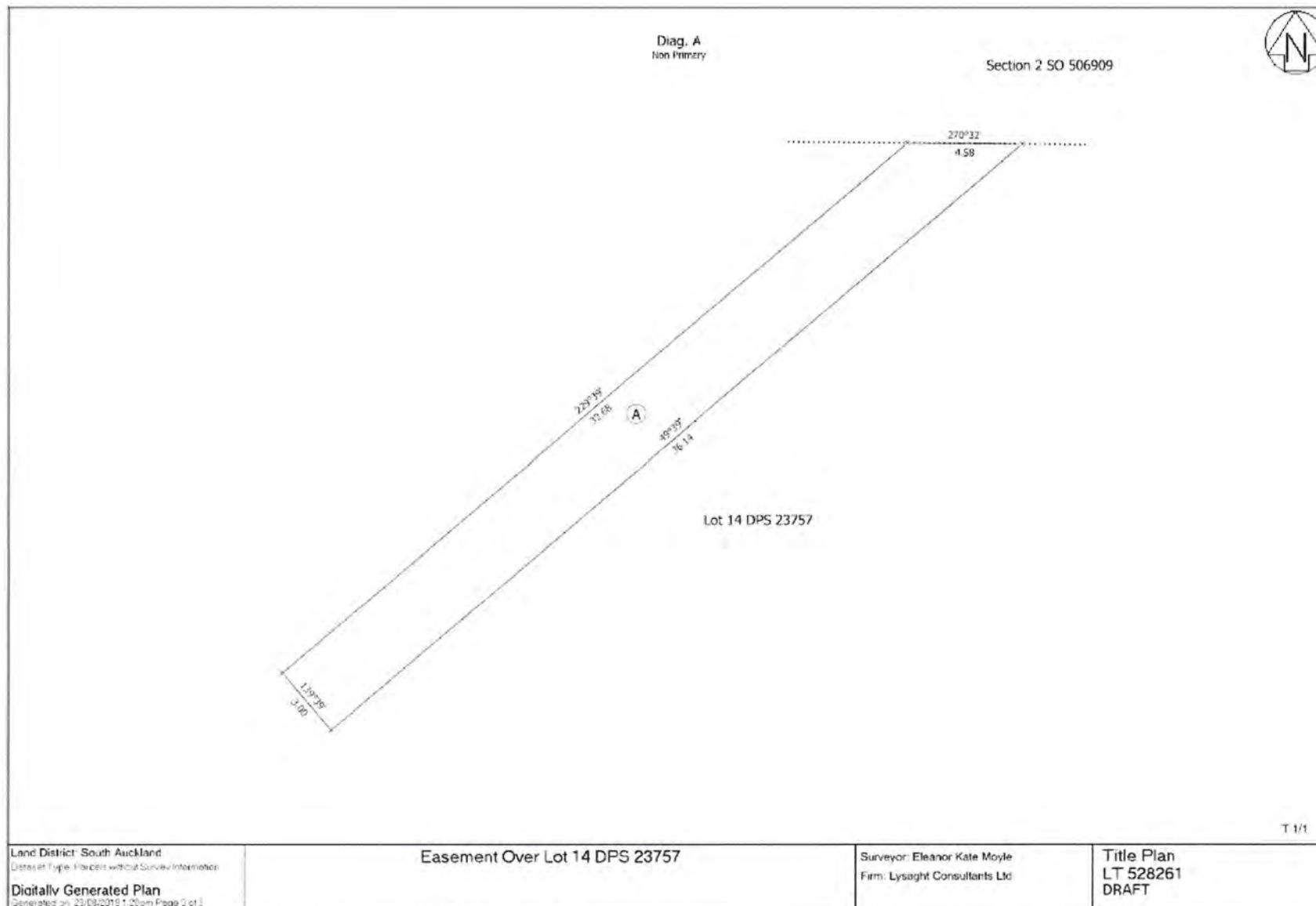
The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions in this report against Council's Significance Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.

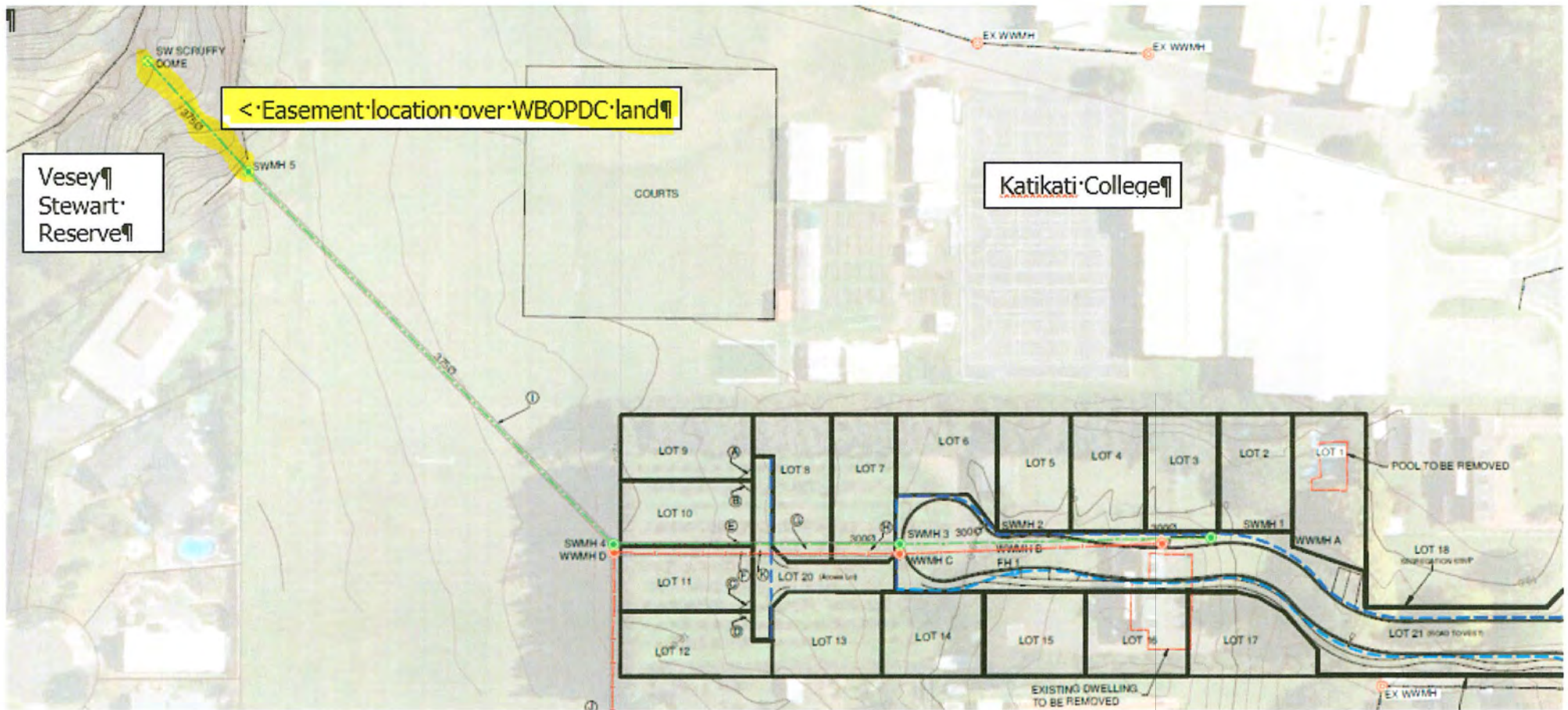
Significant / Not Significant	Reason
Not Significant	This item does not trigger Council's policy on significance.

6. Consultation and Communication

The Reserves Act 1977 Section 48(3) states that where the easement will not materially alter, or permanently damage, or impede the rights of the public in the use of the reserve, public notification is not required, as the pipeline is underground. On this basis, there is not public consultation required.

The Reserves and Facilities and Utilities Departments of Council had been consulted. All parties were satisfied with the proposed works.





**Application for Easement over
Western Bay of Plenty District Council Land**

Applicant Name(s)	Holly's Trust
Property Owner Name(s) (if different to applicant)	
Address and Legal Description of Owners property	39 Beach Road, Katikati Lot 2 DPS 29278 (CT 26D/1198)
Owner's Property Valuation No.	068176900
Applicant Postal Address	C/- Andrew Hughes 39 Beach Road Katikati
Applicant Contact Phone Number(s)	Contact agent
Applicant Email	Contact agent
Resource Consent No. (if part of a resource consent)	RC10491S - WBOPDC RM17-0122 - BOPRC
Name of Reserve and legal description (if known)	Vasey Street Reserve
Proposed works (easement type e.g. stormwater/telecommunications) – please enclose aerial plan of proposed easement area, attach any site photos, site plans and drawing. Consider alternative locations.	Easement for stormwater (drainage) purposes. See plans attached
Particulars of structure or pipe works. Please detail construction methods, transport means.	See plans attached and cover letter.
Proposed date of construction	As part of s.224 certification once consent is granted.
Will the structure or the use of the land materially or permanently affect the public's right to enter on to or use the land for recreational purposes <i>(if it is determined that such an easement or structure will affect the public's right then the administering body must advertise the proposal for a statutory period of one month)</i> Detail any engineering designs to mitigate the impact of the easement.	Refer cover letter.

Application Fee - \$307.00 GST inclusive attached

Once Council approves the Easement Application:

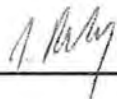
Council will identify any known significant ecological, historical or archaeological features within the Reserve. This may require mitigation measures to be undertaken to protect them at the cost of the applicant.

Council will obtain a valuation of the easement area. The applicant must pay for the cost of the valuation assessment and the assessed value of the easement area.

The applicant shall also have a survey plan prepared showing the easement area, at their cost. This must be done in consultation with Council staff.

All costs associated with the easement are payable by the applicant. By submitting this application, the applicant confirms they will pay all costs as they fall due. Council will not approve/submit the easement instrument (the document that registers the easement on the title) until all costs applicable to the easement have been paid by the applicant.

If at any time during the process the easement is unsuccessful or the applicant does not wish to continue, any costs that have been incurred in relation to obtaining the easement will require to be paid and no refund will be given.

Signed by Applicant(s):  (agent on behalf of applicant)

Date: 31 July 2018

Office Use Only:

Arch sites checked	Date: 7/8/18
Fee Paid and receipted \$307.00	Date: 1/8/18 Ref: 2019/16761
Applicant Parcel/RC No. - Condition No.	RC 104915

Easement over Lot 14 DPS 23757

Ref IP161102-EA1



31 July 2018

Reserves and Facilities
Western Bay of Plenty District Council

ATTN: Joanne Hinn, Legal Property Officer

VIA E-MAIL ONLY: joanne.hin@westernbay.govt.nz

Dear Joanne,

Application for Easement over Western Bay of Plenty District Council Land

Please find attached an application for easement over Western Bay of Plenty District Council (WBOPDC). In addition to the information outlined on the application form the following provides background and associated information relating to the application.

1. Background

The applicant has submitted an application for subdivision consent (RC10491S refers). As part of the subdivision stormwater will be collected and conveyed from the site across Ministry of Education land to a discharge point located in the Vasey Street Reserve. The scheme plan showing the proposed location of the stormwater pipe and discharge point is included as **Attachment 1**.

As part of the subdivision consent process approval was sought for the proposed discharge point from the WBOPDC Reserves and Facilities Manager. Approval was subsequently obtained¹ subject to a number of conditions which the applicant accepts. These conditions will be complied with as part of the subdivision certification process in accordance with section 224 of the RMA.

2. The Proposal

The proposal is to construct a stormwater pipe and associated scruffy dome within part of the Vasey Street Reserve. Details of the pipe and scruffy dome are included as **Attachment 2**. The part of the stormwater reticulation to which this application relates is the pipe from SWMH6 (refer Attachment 1).

The construction of the pipe and dome will be in accordance with the Council's Development Code. This requirement will be incorporated through the conditions of consent which in turn will need to be complied with as part of the subdivision certification process under the RMA.

The construction process will require machinery to enter the reserve to excavate the area required for the work. Whilst the public will be excluded from the work site during the construction process, that area of the work is within a part of the reserve where there is limited planting and no formed pedestrian access. Once the work is complete the scruffy dome will be the only visible part.

Given the limited work area, its location within the reserve and its temporary nature it is considered that there will be no adverse effect on the temporary or permanent ability of the public to enter the reserve for recreational purposes.

3. Licence to Occupy vs Easement

Section 48 of the Reserves Act 1977 outlines the process for granting rights of way and easements. In this instance it is noted that the part of the reserve where the work is to occur does not have a certificate of title. As such we request that the Council grant the proposal in accordance with section 48(5) of the Reserves Act 1977.

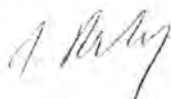
¹ Peter Watson e-mail dated 3 August 2017

Ref IP161102-EA1

We look forward to this application being placed before the Council for approval.

Please contact the undersigned in the first instance for correspondence relating to this application.

Yours Faithfully
iPLAN Ltd



James Danby
Director / Planner MNZPI MRTPI

Attachments:

- Attachment 1 – Subdivision Scheme Plan*
- Attachment 2 – Pipe and Scruffy Dome Plan*

Western Bay of Plenty District Council

Council

Storm Water Easement Over Part of Moore Park, Katikati

Purpose

This report seeks Council's consent under its delegated authority in respect of the granting of rights of easements in accordance with Section 48(1) of the Reserves Act 1977, for a storm water easement over part of Moore Park, Katikati (Section 6 SO 433028) in favour of 3 Robinson Street (Lot 11 DPS 36445), Katikati, via an underground stormwater pipe to a stormwater manhole located within the reserve.

Recommendation

- 1. THAT the Legal Property Officer – Reserves and Facilities' report dated 4 August 2018 and titled Storm Water Easement Over Part of Moore Park, Katikati be received.**
- 2. THAT the report relates to an issue that is not considered significant in terms of Council's Policy on Significance.**
- 3. THAT pursuant to the authority delegated by the Minister of Conservation to the Western Bay of Plenty District Council, and the provisions of Section 48 of the Reserves Act 1977, Council hereby consents to the creation of a storm water easement, with Council being the grantor and the owner of Lot 11 DPS 36445 (3 Robinson Street) as grantee, as shown on the attached plan (Attachment A) to allow discharge of stormwater over Section 6 SO 433028. (Moore Park).**
- 4. THAT in accordance with section 48(3) of the Reserves Act 1977, public consultation is not required as the reserve is not likely to be permanently altered or damaged and the rights of the public in respect of the reserve are not permanently affected as a result of the easement being in place.**



Joanne Hin
**Legal Property Officer
Reserves and Facilities**



Peter Watson
Reserves and Facilities Manager



Approved

Gary Allis
Deputy Chief Executive

1. Background

- 1.1 Lot 11 DPS 36445 has historically discharged stormwater from two outlets from the shed roof on the property out to the grounds of Moore Park. To improve the situation the landowner wishes to discharge via an underground pipe to a stormwater manhole located within Moore Park (Section 6 SO 433028).
- 1.2 The owner has formally applied for the Western Bay of Plenty District Council's consent to the storm water easement. **Attachment B**
- 1.3 The stormwater will be collected and conveyed from the shed at its furthest southwest corner and down to a 100mm pipe under the ground to be discharged via connection to an existing stormwater manhole. **Attachment A**
- 1.4 In order to proceed with the installation of a stormwater pipe, an easement would be required over Moore Park in favour of the owner of Lot 11 DPS 36445. A survey plan will be required to be created to detail the proposed easement's location.
- 1.5 The land over which the storm water easement is to be created is part of the Moore Park, being a recreation reserve and is subject to the provisions of the Reserves Act 1977.
- 1.6 The storm water pipe is proposed to be laid underground across a small portion of land and then discharge via an existing manhole. This installation will not affect the public's rights to access across the reserve, nor materially alter the reserve.
- 1.7 The easement document ensures the protection of the Moore Park.
- 1.8 The Department of Conservation require that in terms of the delegation of the Minister's powers under the Reserves Act 1977, any decision to be made by Councils and recorded as such.

2. Issues and Options Assessment

Option A	
THAT pursuant to the authority delegated by the Minister of Conservation to the Western Bay of Plenty District Council, and the provisions of Section 48 of the Reserves Act 1977, Council hereby consents to the creation of a storm water easement, with Council being the grantor and the owner of Lot 11 DPS 36445 as grantee, as shown on the attached plan (Attachment A) to allow discharge of stormwater over Section 6 SO 433028.	
Benefits in terms of the present and future interests of the District taking a sustainable development approach	In order for the landowner to be able to effectively and legally discharge stormwater from the property.

Costs (including present and future costs, direct, indirect and contingent costs)	Costs for the creation of the easement are borne by the applicant. The easement instrument protects Council from further maintenance or replacement costs of the easement facility.
Assessment of cost effectiveness for households and businesses	N/A
Option B Status Quo	
Benefits in terms of the present and future interests of the District taking a sustainable development approach	No benefits. The current discharge from the roof of the shed located at 3 Robinson Street on to the grounds of Moore Park is currently not an effective way to dispose of stormwater.
Costs (including present and future costs, direct, indirect and contingent costs)	N/A
Assessment of cost effectiveness for households and businesses	N/A

3. Statutory Compliance

Section 48(1) of the Reserves Act 1977 provides Council with the statutory authority to grant easements over reserves.

Section 48(3) allows Council, as the administering body for the reserve, to not undertake public consultation.

Section 48(6) provides provision for the Reserves and Facilities Department to enter into an agreement with Council's Utilities Department for the management and maintenance of the stormwater pipe where it crosses the reserve.

4. Funding/Budget Implications

Budget Funding Information	Relevant Detail
No funding required	<p>An application fee is required from the applicant to allow the processing of the consent. No further costs will be sort from the applicant for the benefit of the easement as Council is encouraging connection into approved storm water points.</p> <p>The easement instrument protects Council from further maintenance or replacement costs of the easement facility.</p> <p>Costs associated with installing the storm water pipe and reinstatement of the site are to be borne by the applicant.</p>

5. Significance Assessment

The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions in this report against Council's Significance Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.

Significant / Not Significant	Reason
Not Significant	This item does not trigger Council's policy on significance.

6. Consultation and Communication

The Reserves Act 1977 Section 48(3) states that where the easement will not materially alter, or permanently damage, or impede the rights of the public in the use of the reserve, public notification is not required, as the pipeline is underground. On this basis, there is not public consultation required.

The Reserves and Facilities and Utilities Departments of Council had been consulted. All parties were satisfied with the proposed works.

ATTACHMENT A

Proposed Easement shown by red line



**Application for Easement over
Western Bay of Plenty District Council Land**

Applicant Name(s)	Bruce John Lannam
Property Owner Name(s) (if different to applicant)	
Address and Legal Description of Owners property	3 Robinson Street (1104/34) Katikati Lot 11 DPS 36445
Owner's Property Valuation No.	06817 436 00
Applicant Postal Address	3 Robinson Street Katikati 3129.
Applicant Contact Phone Number(s)	07-549-1546-027473-5644
Applicant Email	bjlannam@extra.co.nz.
Resource Consent No. (if part of a resource consent)	n/a
Name of Reserve and legal description (if known)	Moore Park (1092/95) Section 6 SO 453028
Proposed works (easement type e.g. stormwater/telecommunications) – please enclose aerial plan of proposed easement area, attach any site photos, site plans and drawing. Consider alternative locations.	Stormwater
Particulars of structure or pipe works. Please detail construction methods, transport means.	a) installation of 100mm DN pipe as shown, outlet to existing SW manhole.
Proposed date of construction	shortly after approval given
Will the structure or the use of the land materially or permanently affect the public's right to enter on to or use the land for recreational purposes <i>(if it is determined that such an easement or structure will affect the public's right then the administering body must advertise the proposal for a statutory period of one month)</i> Detail any engineering designs to mitigate the impact of the easement.	No

Application Fee - \$150.00 GST inclusive attached (a receipt will be provided)

Once Council approves the Easement Application:

Council will identify any known significant ecological, historical or archaeological features within the Reserve. This may require mitigation measures to be undertaken to protect them at the cost of the applicant.

Council will obtain a valuation of the easement area. The applicant must pay for the cost of the valuation assessment and the assessed value of the easement area.

The applicant shall also have a survey plan prepared showing the easement area, at their cost. This must be done in consultation with Council staff.

All costs associated with the easement are payable by the applicant. By submitting this application, the applicant confirms they will pay all costs as they fall due. Council will not approve/submit the easement instrument (the document that registers the easement on the title) until all costs applicable to the easement have been paid by the applicant.

If at any time during the process the easement is unsuccessful or the applicant does not wish to continue, any costs that have been incurred in relation to obtaining the easement will require to be paid and no refund will be given.

Signed by Applicant(s):

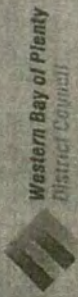


Date: 31/08/2018.

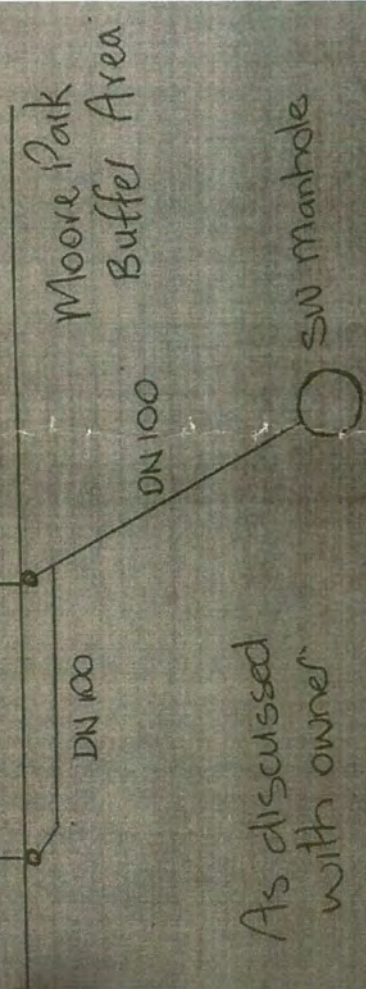
Office Use Only:

Arch sites checked	Date: 09/07/2018
Fee Paid and receipted	Date: 31/8/18 Ref: INV 278408
Applicant Parcel/RC No. – Condition No.	1092/34 Park 1104/34 3 Robinson

Services As Laid Plan



Shed
3 Robinson
St



As discussed
with owner

Moore Park fields

Proposed plan

Consent Number

Owner Name

Mr B Lannam

Western Bay of Plenty District Council

Council

Easement to convey water and associated services over Lawrence Oliver Park, Te Puke, for the Waiari Water Supply Project

Purpose

This report seeks Council's consent under its delegated authority in respect of the granting of rights of easements in accordance with Section 48(1) of the Reserves Act 1977, for a easement in gross to convey water, electricity, telecommunications and computer media through and over part of Lawrence Oliver Park (Part Lot 1 DP 31022, Lot 2 DP 11354 and Lot 1 DP 30250) in gross, in favour of Tauranga City Council.

This is to allow the progression of the Waiari Water Supply Project, where the easement will form part of the route for the water trunk main between the water treatment plant in No. 1 Road, to the existing reservoir at Poplar Lane, Te Puke.

Recommendation

- 1. THAT the Legal Property Officer – Reserves and Facilities' report dated 31 July 2018 and titled Easement to convey water and associated services over Lawrence Oliver Park, Te Puke, for the Waiari Water Supply Project be received.**
- 2. THAT the report relates to an issue that is not considered significant in terms of Council's Policy on Significance.**
- 3. THAT pursuant to the authority delegated by the Minister of Conservation to the Western Bay of Plenty District Council, and the provisions of Section 48 of the Reserves Act 1977, Council hereby consents to the creation of an easement in gross to convey water, electricity, telecommunications and computer media through and over part of Lawrence Oliver Park being Part Lot 1 DP 31022, Lot 2 DP 11354 and Lot 1 DP 30250 as shown on the attached plan (Attachment A) in favour of Tauranga City Council.**
- 4. THAT in accordance with section 48(3) of the Reserves Act 1977, public consultation is not required as the reserve is not likely to be permanently altered or damaged and the rights of the public in respect of the reserve are not permanently affected as a result of the easement being in place.**

Date: 6 September 2018
Subject: Easement to convey water and associated services over
Lawrence Oliver Park, Te Puke, for the Waiari Water Supply Project

Open Session



Joanne Hin
**Legal Property Officer
Reserves and Facilities**



Peter Watson
Reserves and Facilities Manager



Approved

Gary Allis
Deputy Chief Executive

1. Background

- 1.1** Tauranga City Council (TCC) have identified that the water demand from the future population increase in Mount Maunganui and Papamoa will exceed the supply available from existing water supply systems.
- 1.2** TCC's solution is to undertake the Waiari Water Supply Project, which will provide a long term and robust water supply for those areas.
- 1.3** The Waiari Water Supply Project had been identified in TCC's approved Long Term Plan.
- 1.4** The Waiari Water Supply Project includes three sub projects:
- the development of a new water supply intake from the Waiari Stream
 - a water treatment plant on No.1 Road, Te Puke
 - construction of water trunk mains from the plant to the existing reservoir at Poplar Lane.
- 1.5** With regard to the construction of water trunk mains the final route was selected using a quadruple bottom line assessment covering social, cultural, environmental and economic impacts. TCC are now working to secure the route through easements, agreements and resource consents.
- 1.6** The pipes will generally be buried underground, but there may be some above ground sections, for example over streams. This installation will not affect the public's rights to access across the reserve, nor materially alter the reserve.
- 1.7** TCC plans to minimise construction disruption wherever possible. The pipes will be installed by either, excavating a trench and then placing the pipes in the trench, or by directional drilling, where the pipes are thrust underground without the need to dig a trench. Sites will be fully reinstated after the pipes have been installed.
- 1.8** The pipes will be bulk supply mains, carrying large volumes of water, and therefore private connections will not be possible to the trunk main, as these can compromise the operation and integrity of the pipe.
- 1.9** TCC have applied for the Western Bay of Plenty District Council's consent to an easement over Lawrence Oliver Park to convey water and associated services being electricity, telecommunications and computer media. **Attachment A**
- 1.10** A survey plan will be required to be created to detail the proposed easement's location.
- 1.11** The land over which the easement is to be created is part of the Lawrence Oliver Park, being a recreation reserve is subject to the provisions of the Reserves Act 1977.

Date: 6 September 2018
 Subject: Easement to convey water and associated services over
 Lawrence Oliver Park, Te Puke, for the Waiari Water Supply Project

Open Session

- 1.12** The Department of Conservation require that in terms of the delegation of the Minister's powers under the Reserves Act 1977, any decision to be made by Councils and recorded as such.
- 1.13** WBoPDC have entered into an agreement with Tauranga City Council over the proposed route for the water pipe. A condition of the agreement requires the easement to be put in place.

2. Issues and Options Assessment

Option A	
THAT pursuant to the authority delegated by the Minister of Conservation to the Western Bay of Plenty District Council, and the provisions of Section 48 of the Reserves Act 1977, Council hereby consents to the creation of an easement in gross to convey water, electricity, telecommunications and computer media through and over part of Lawrence Oliver Park being Part Lot 1 DP 31022, Lot 2 DP 11354 and Lot 1 DP 30250 as shown on the attached plan (Attachment A) in favour of Tauranga City Council.	
Benefits in terms of the present and future interests of the District taking a sustainable development approach	<p>The easement is required so that the installation of a water trunk main between the water treatment plant in No. 1 Road, to the existing reservoir at Poplar Lane, Te Puke, can be progressed as part of the Waiari Water Supply Project.</p> <p>This will meet the future water demand for Mount Maunganui and Papamoa's residents and support SmartGrowth objectives.</p>
Costs (including present and future costs, direct, indirect and contingent costs)	<p>Costs for the creation of the easement are borne by the TCC.</p> <p>Council will receive compensation for the granting of the easement. The compensation is for both the easement over Lawrence Oliver Park and the easement area over the adjacent Te Puke Wastewater Plant land which is not reserve land.</p> <p>The easement instrument protects Council from further maintenance or replacement costs of the easement facility.</p>
Assessment of cost effectiveness for households and businesses	N/A
Option B Status Quo	
Benefits in terms of the present and future interests of the District taking a sustainable development approach	<p>If Council declines the easement, TCC would be required to find a less suitable route for easement.</p>

As per the existing agreement, it is recommended that the easement is granted.

3. Statutory Compliance

Section 48 (1) of the Reserves Act 1977 provides Council with the Statutory authority to grant easements over reserves.

4. Funding/Budget Implications

Budget Funding Information	Relevant Detail
No funding required	<p>An application fee of \$307 is required from the applicant to allow the processing of the consent.</p> <p>Costs for the creation of the easement are to be borne by the TCC.</p> <p>Council will receive compensation for the granting the easement. The compensation is for both the easement over Lawrence Oliver Park and the easement area over the adjacent Te Puke Wastewater Plant land.</p> <p>The easement instrument protects Council from further maintenance or replacement costs of the easement facility.</p> <p>Costs associated with installing the water pipe and reinstatement of the site are to be borne by TCC.</p>

5. Significance Assessment

The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions in this report against Council's Significance Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.

Significant / Not Significant	Reason
Not Significant	This item does not trigger Council's policy on significance.

6. Consultation and Communication

The Reserves Act 1977 Section 48(3) states that where the easement will not materially alter, or permanently damage, or impede the rights of the public in the use of the reserve, public notification is not required, as the pipeline is underground. On this basis, there is not public consultation required.

The Reserves and Facilities and Utilities Departments of Council had been consulted. All parties were satisfied with the proposed works.



Section over Lawrence Oliver Park is highlighted in green

Western Bay of Plenty District Council
Council
Omokoroa District Sport & Recreation Society
Incorporated Lease Relocation and
Extension on Omokoroa Sports Ground

Purpose

At the Operations & Monitoring Committee meeting of 2 August 2018 (OP13) the Committee passed a resolution of its intent to enter into an extended and relocated lease area for the Omokoroa District Sport and Recreation Society's proposed new pavilion and undertake a one month period of public consultation, followed by hearings for any submissions or objections. **Attachment A**

Submissions closed 5pm on 3 September 2018. There were no submissions received.

Recommendation

- 1. THAT the Reserves and Facilities Manager's report dated 4 September 2018 and titled "Omokoroa District Sport & Recreation Society Incorporated Lease Relocation and Extension on Omokoroa Sports Ground" be received.**
- 2. THAT the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.**
- 3. THAT in exercise of the powers conferred on it by delegation from the Minister of Conservation under the Reserves Act 1977, the Council in its capacity as administering body, grants Omokoroa Sports and Recreation Society Incorporated a lease variation to relocate and extend the existing lease area on the Omokoroa Sportsground, being Part Lot 1 on DPS 27322, by 600m² and approve the building of a new facility.**


Peter Watson
Reserves and Facilities Manager

Approved


Gary Allis
Group Manager Engineering Services

1. Background

At the Operations & Monitoring Committee meeting on 2 August 2018 (OP13), the Committee resolved to approve in principle a lease variation to relocate and extend the existing lease area on the Omokoroa Sportsground, and approve in principle the building of a new facility.

Public Consultation

The proposal was advertised in the Weekend Sun on the 3 & 10 August 2018 and copies of the proposal were available at the Omokoroa Office. **Attachment B**

No objections to the proposal were received by the requested date.

Community Consultation

Letters were sent to a number of surrounding residential neighbours. No submissions were received by the requested date.

Iwi Consultation

The following Iwi groups were contacted by letter:

- Pirirakau Incorporated
- Ngati Taka

No submissions have been received by the requested date.

Council, in its capacity as the administering body for Omokoroa Sports Ground are required to pass a resolution once all submissions have been considered.

2. Significance and Engagement

The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions in this report against Council's Significance and Engagement Policy.

In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.

The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

In terms of the Significance and Engagement Policy this decision is considered to be of low significance because it does not reach the threshold of significance in terms of Council's significance policy.

3. Engagement, Consultation and Communication

Interested/Affected Parties	Completed/Planned/Engagement/Consultation/Communication
Tangata Whenua	Pirakau Incorporation and Ngati Taka were contacted for comment. No submissions were received by the requested date.
Neighbours	Letters were sent to a number of surrounding residential neighbours. No submissions were received by the requested date.
General Public	A one month statutory period of public consultation as required under Section 119 of the Reserves Act 1977 was undertaken. Submissions closed on 4 September 2018 and no submissions or objections were received.
Omokoroa Community Board	Omokoroa Sports and Recreation Society Incorporated did a presentation to the Te Puke Community Board on 27 June 2017. The Community Board were supportive of the need for a new facility.

4. Issues and Options Assessment

Option A	
<p>THAT in exercise of the powers conferred on it by delegation from the Minister of Conservation under the Reserves Act 1977, the Council in its capacity as administrating body, grants Omokoroa Sports and Recreation Society Incorporated a lease variation to relocate and extend the existing lease area on the Omokoroa Sportsground, being Part Lot 1 on DPS 27322, by 600m² and approve the building of a new facility.</p>	
<p>Assessment of option for advantages and disadvantages taking a sustainable approach</p>	<p>Advantages:</p> <ul style="list-style-type: none"> • Investment is made by the club into upgraded facilities • Improved functionality of the building including the public toilets • Improved security around the building • Building work contributes to local economy • Provides capacity for growth at Omokoroa
<p>Costs (including present and future costs, direct, indirect and contingent costs) and cost effectiveness for households and businesses</p>	<ul style="list-style-type: none"> • All costs involved with varying the club's lease are to be met by the club • The club's rental would be increased due to the increased area the building would occupy
Option B Status Quo	
<p>Assessment of option for advantages and disadvantages taking a sustainable approach</p>	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Improved facilities would not be realised • Security issues would remain • Local economy not supported • Lost opportunity for interim Library/Service Centre
<p>Costs (including present and future costs, direct, indirect and contingent costs) and cost effectiveness for households and businesses</p>	<ul style="list-style-type: none"> • The club will not incur any costs.

On 02 Aug 2018 the Operations Committee met and resolved the following:

OP13.6 **Omokoroa District Sports & Recreation Society Inc. - Building Relocation - Omokoroa Sports Ground**

The Operations and Monitoring Committee considered a report from the Reserves and Facilities Manager dated 18 July 2018 as circulated with the agenda.

The Reserve and Facilities Manager spoke to the report advising the intent of the Omokoroa District Sport and Recreation Society Incorporated to enter into an extended and relocated lease area for the proposed new pavilion prior to undertaking a one month period of public consultation.

Following questions the Committee was advised:

- The Omokoroa District Sport and Recreation Society leased an area of 199.6m² of reserve from the Western Bay of Plenty District Council at Omokoroa Sports Ground.
- The proposed new pavilion would occupy an area of approximately 800m² which equated to an increase of 600m² over the current lease.
- Access to the building must be a reasonable distance from the playing fields.
- Disability access would incorporated into the new pavilion design.

Concern was raised in regard to the placement of the building and the tennis courts to ensure the space between the new building and the tennis courts was not restricted.

Resolved: Webber /.Murray-Benge

1. *THAT the Reserves and Facilities Manager's report dated 18 July 2018 and titled Omokoroa District Sport and Recreation Society Incorporated building relocation and lease extension on Omokoroa Sportsground be received.*
2. *THAT the Operations and Monitoring Committee approve in principle a lease variation to relocate and extend the existing lease area on the Omokoroa Sportsground, being Part Lot 1 on DPS 27322, by 600m² and approve in principle the building of a new facility.*
3. *THAT the approval in principle must not be construed by the applicant, as a guarantee that all other consents required by any policy, by-law, regulation or statute, will be forthcoming. The applicant is responsible for obtaining all required consents at its own cost.*
4. *THAT staff be directed to publicly notify the proposal in terms of Section 119 of the Reserves Act 1977.*
5. *THAT the report relates to an issue that is not considered significant in terms of Council's policy on Significance.*

public notices

Notice Pursuant to Section 320(2) of the Companies Act 1993 Of Intention to Remove From the Register

R & S OLDFIELD LIMITED
(Solvent Liquidation)

Notice is hereby given that pursuant to section 318(1)(e) of the Companies Act 1993 the registrar will be removing the above company from the register on the grounds that the Joint and Several Liquidators have completed their duties. The Liquidators have delivered the documents referred to in section 257 of the Companies Act 1993 to the Registrar. Any objection to removal under section 321 of the Companies Act 1993 must be delivered to the Registrar by the 28 August 2018.

The registered office of the company is situated at the offices of BDO Tauranga Limited, Level 1, The Hub, 525 Cameron Road, Tauranga 3110.

Kenneth Peter Brown
Joint Liquidator

Notice Pursuant to Section 320(2) of the Companies Act 1993 Of Intention to Remove From the Register

MORRINSVILLE TROTTER CLUB INCORPORATED (In Liquidation)

Notice is hereby given that pursuant to section 318(1)(e) of the Companies Act 1993 the registrar will be removing the above incorporation from the register on the grounds that the Joint and Several Liquidators have completed their duties. The Liquidators have delivered the documents referred to in section 257 of the Companies Act 1993 to the Registrar. Any objection to removal under section 321 of the Companies Act 1993 must be delivered to the Registrar by the 28 August 2018.

The registered office of the incorporation is situated at the offices of BDO Tauranga Limited, Level 1, The Hub, 525 Cameron Road, Tauranga 3110.

Kenneth Peter Brown
Joint Liquidator

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public notices

Te Puna Hunting and Fishing Club

NOTICE OF ANNUAL GENERAL MEETING

Notice is hereby given that the Annual General Meeting will be held at **The Top Shot Bar, Te Puna on Sunday 26th August, 2018 at 1pm**
Agenda: Presidents Report, Treasurers Report, Election of Officers, General Business
All Members Welcome

funeral services

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deceased

Bereavement Notices: August 2018
NICHOLSON, Donald (Winton) passed away August 8
YOUNG, Donald George Mervin (Don) passed away August 8
OSTER, Elaine Dorothy (nee Huthnance) passed away August 6
THOMPSON, James Peebles 'Jim' passed away August 6
POWELL, Norman James (Norm) passed away August 5
O'SHEA, Michael John passed away August 5
DRAKE, David Ralph passed away August 4
DIX, Pamela Joan (Pam) passed away August 4
WESTMAAS, Gezina Margrietha Johanna (Gina) passed away August 4
GRIFFIN, David John passed away August 3
NECKLEN, Evan John passed away August 3
SMITH, Terrence David Salisbury (Terry) passed away August 2
CLARRY, Albert Daniel (Bert) passed away August 1
MARSHALL, Henry (Toby) passed away August 1
HASKEW, Edward Leonard Benjamin (Len) STEIN passed away in August
STEIN, Helen Maree (nee Evans) passed away in August
TUCK, Josephine (Joy) Mary (nee Lane) passed away in August

www.sunlive.co.nz
Click on funeral notices

OMOKOROA SPORTS GROUND - NOTICE OF INTENT TO RELOCATE AND EXTEND LEASED AREA FOR OMOKOROA DISTRICT SPORT AND RECREATION SOCIETY INC. AND FUTURE USE OF PROPOSED NEW ADJOINING COUNCIL SERVICE CENTRE AND LIBRARY

Pursuant to Section 54(2) of the Reserves Act 1977, Western Bay District Council gives public notice of its intention to grant approval for Omokoroa District Sport and Recreation Society Inc. to relocate and extend their current leased area.

An application has been received from Omokoroa District Sport and Recreation Society Inc. to build a new pavilion and public toilet facility. This is to be located to the south of the current 199.6m² pavilion within Omokoroa Sports Ground.

This presents an opportunity to additionally construct an adjacent interim library amenity and service centre to bridge the gap for the community until Council builds a permanent centre and library in the future commercial area of Omokoroa. Once that occurs the entire building can then be used as a multi-use community facility.

To ensure the future right for the Omokoroa District Sport and Recreation Society Inc. to use the entire building a lease footprint of 800m², more or less, will need to be granted. This is 600m² in addition to the current lease area.

Copies of plans showing the proposal can be viewed at WBOPDC's Omokoroa Office or emailing reserves@westernbay.govt.nz

Any person wanting to submit on or object to the proposed extension may do so in writing giving details of their submission or objection to:

Joanne Hin
Legal Officer Reserves and Facilities
Western Bay District Council
Private Bag 12803
Tauranga 3143 or email reserves@westernbay.govt.nz
Submissions or objections are to be received no later than 5pm on Monday 3 September 2018.

Miriam Taris
Chief Executive Officer

 **Western Bay of Plenty District Council** 5402
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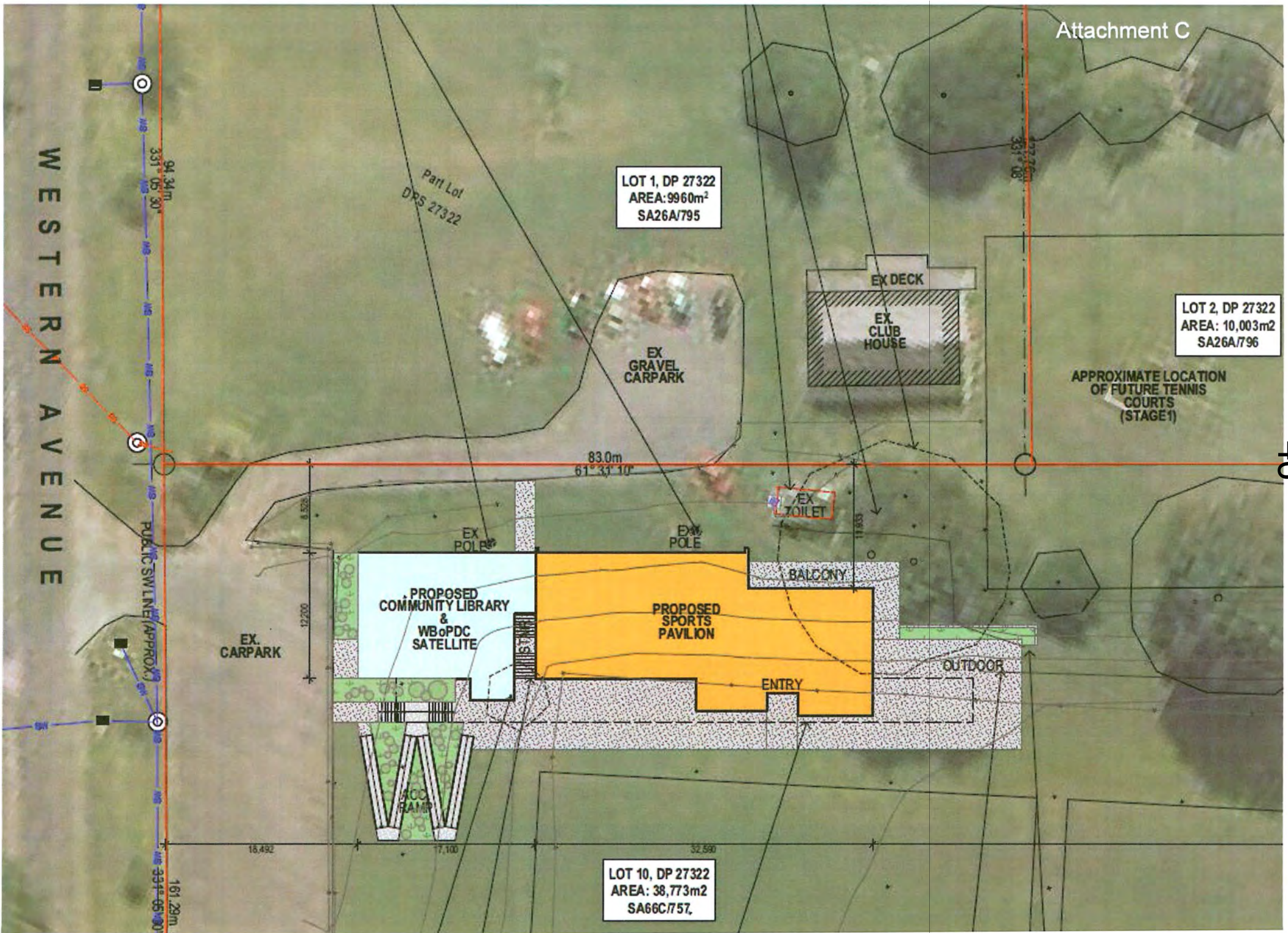
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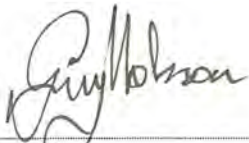
Western Bay of Plenty District Council**Council****Quarterly Review of Council's Risk Profile**

Purpose

The purpose of this report is to present the quarterly update of the Risk Profile to the Elected Members (**Attachment A**).

Recommendation

1. ***THAT the Risk Specialist's report dated 5 September 2018 and titled 'Quarterly Review of Council's Risk Profile' be received.***
2. ***THAT the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.***
3. ***THAT Council reviews Council's Risk Profile and if required make the following amendments***



Guy Hobson
Risk Specialist



Approved Kumaren Perumal
Chief Financial Officer

1. Background

The updated Risk Profile (**Attachment A**) is provided to the Elected Members for review. Following consultation with risk owners, updates have been added in the detail of many activities, mitigations and planned mitigations where relevant, to reflect their current status.

Update on growth and impact on infrastructure planning

There is a slight change made to the level of Current Assessed Residual Risk for risks around "Growth and Impact on Infrastructure Planning", where the risk level was previously Medium/Low and is now Medium. This is due to the continued uncertainty over Government spending plans for roading, especially with regards to State Highway 2 and improvements to allow better access to and from Omokoroa. The three-year plans issued at the end of August by the NZTA still do not provide detail of future spending. Continued uncertainty, and the possibility of a major change in Government priority, could impact on future development plans.

2. KPMG Internal Audit: Risk Management Framework Maturity

In late-May, 2018 KPMG conducted an internal audit of Council's Risk Management Framework maturity. They interviewed the CEO, Group Managers and a selection of third tier managers, as well as conducting an online survey, in order to provide a wider view of how Council views risk activities. The finalised audit report was not available at the time of the last risk report to Council.

This audit was conducted at the same time as work is being undertaken to renew and refresh the Council's Risk Policy. That work will include consideration of all our risk reporting needs and the need for greater risk awareness and training across the organisation. The audit results have been incorporated into our work plans and suggestions from KPMG, who have undertaken similar audits across a number of other Councils, have helped us to refine our planning. As a result of the audit, we have added the tasks of developing a risk strategy document, developing and agreeing risk appetite for each Group and incorporating a communications plan into our approach for the next six to twelve months.

The overall result of the Audit was to give us a rating of 'Sustainable', but also suggested that over the next twelve months we seek to move to an overall rating of "Mature". Given the nature of the changes planned for our risk policy, we would expect to see an improvement in this rating once the next 12 months of work is complete.

3. Emerging Risks

The issue of Climate Change is gaining increased attention from a number of directions, including the newly emerging international debate over how local government makes disclosures of climate related risks. At present Climate Change would fall under a number of the risks identified in the Risk Profile – Growth and Impact on Infrastructure Planning, External Macroeconomic and other Events and

even Crisis Management. It will also impact Community Engagement, as we have more discussions on this topic with Western Bay residents. As further work is undertaken in this area, Council may wish to separate Climate Change from the other risks in the Risk Profile.

4. Significance and Engagement

The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.

The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

In terms of the Significance and Engagement Policy this decision is considered to be of low significance for the following reasons;

- Residents and ratepayers are not affected by the review. Ratepayers and residents would only be affected if a significant risk occurs.

The top three risks for Council and the District being;

- Health and safety compliance
- Crisis management
- External macroeconomic and other events (inc. policy change).

If one of the top three risks does occur the impact on ratepayers and residents would be high as lives, homes, services will be affected. Residents and ratepayers would not feel secure. The likelihood would be a significant impact to the District.

5. Engagement, Consultation and Communication

Interested/Affected Parties	Completed/Planned Engagement/Consultation/Communication
Western Bay of Plenty District Council's Senior Management & Finance Team	Appropriate staff to be notified accordingly.

6. Issues and Options Assessment

<i>THAT Council reviews Council's Risk Profile and if required make the following amendments</i>	
Reasons why no options are available	Legislative or other reference
<p>Council has agreed to regularly review its strategic risk as part of good governance and best practice.</p> <p>Emerging issues and changes in the operational environment necessitate a regular review of Council's strategic risk.</p> <p>As a result it is likely that risks will be reprioritised and changed over time in response to environmental influences, legislative changes, government policy and the like.</p>	

7. Statutory Compliance

The recommendation in this report complies with Council's current Risk Management Policy. Risk assessment is integral to all of Council's operations.

8. Funding/Budget Implications

Budget Funding Information	Relevant Detail
Not currently applicable	If changes to the risk priorities result in risk mitigation actions there may be budget implications.

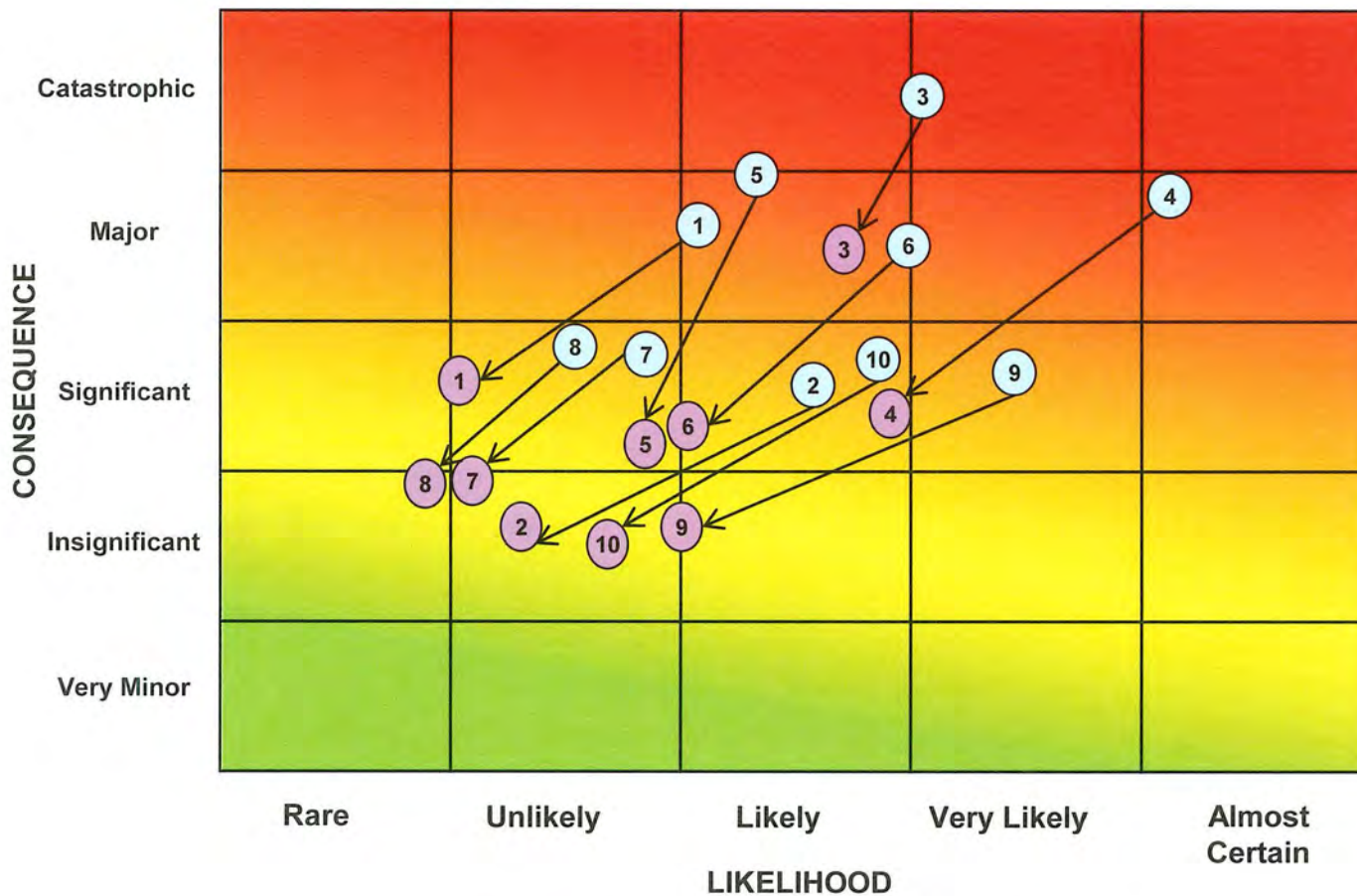
**WESTERN BAY OF PLENTY
DISTRICT COUNCIL**

DRAFT RISK PROFILE

7 September 2018

Summary of Key Risks

The following are the top risks to the achievement of WBOPDC’s business objectives. Detail on each risk, associated mitigations and monitoring mechanisms are set out on subsequent pages.



KEY ● Inherent Risk ● Residual Risk ● Target Risk level (tbd)

#	Strategic Risk Areas
1	Health & safety compliance
2	Attraction, retention and engagement of key staff
3	Crisis management
4	External macroeconomic and other events e.g. horticulture disease and central government policy change
5	Digital ecosystem - reliability, cyber security, delivery, knowledge management
6	Renewals and maintenance of infrastructure
7	Project delivery management
8	Community engagement (general community and key stakeholders)
9	Regulatory compliance
10	Growth and impact on infrastructure planning

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
1. Health & safety compliance	High	Medium	Low

WBOPDC is committed to providing a safe and healthy workplace for employees, contractors and the general public. The introduction of the Health and Safety at Work Act 2015 has increased leadership accountability and placed an onus on the Senior Management Team (SMT) to be more aware and have greater involvement in all H&S matters. Using representation on the H&S Committee and regular reporting to SMT and Elected Members, there has been an increased visibility in all areas of internal Health & Safety. WBOPDC has joined other Bay of Plenty and Waikato Councils to use the SHE Software for Contractor pre-qualification, helping to ensure that all contractors who are employed by the Council meet a similar set of standards and requirements.

Risk Appetite Rationale

- Compliance with health and safety is important in terms of upholding Council’s reputation and public perception.
- Safety and well-being of people is one of Council’s primary concerns.
- Focussed on the ‘right thing to do’

Key Mitigations

The following actions have been taken:

- Training on the Health & Safety at Work Act has been given to all current employees.
- Hazard Registers have been developed for all Council work sites. 20 registers have now been signed off by the Management Team and the Top 14 hazards presented to SMT.
- Each area has appointed a representative to sit on the Health & Safety Committee.
- The Vault Reporting system has been implemented to ensure all accidents, injuries and near misses are reported. These are discussed by the H&S Committee & reported upwards.
- WBOPDC has joined the Contractor Pre-Qualification Scheme run using the SHE Software. This establishes a level of consistency across contractors used by local authorities, but only in respect to basic H&S training and capabilities. New Contractor inductions have been developed, including a small test to confirm understanding. These are on the intranet.
- H&S is reported to SMT and Council on a monthly and quarterly basis respectively. H&S Committee minutes are circulated to all staff monthly.
- There are currently two H&S positions - Health & Safety Advisor and Health & Safety Specialist.
- Staff engagement is achieved through the monthly ORA newsletters, competitions, topic of the month and ORA nominations for modelling good H&S behaviours.
- WSMP Audit - this only runs until 2018, but WBOPDC did achieve a high standard in the accreditation.

Significant Planned Additional Mitigations

	Owner(s)	Timing	Status
• Evidence of H&S meetings with Contractors is filed in locations that can be easily found, including evidence that any remedial actions have been taken and checked	H&S/Contract managers	2017-18	Ongoing
• Policy 112 on H&S for Contractors to be updated	Lynne Herring	2018/19	Ongoing
• New Regulations on Asbestos Management - plan for each location where it is present	Mike Inglis		Almost complete
• Hazardous substance inventory - complete for all sites	Mike Inglis	Starts 1 Dec 2017	Complete
• SMT & H&S team visits to worksites	Jan Pedersen	Ongoing	In progress

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
2. Attraction, retention and engagement of key staff	Medium	Medium	Low

There are threats to WBOPDC due to its small size in the regional economy and its ability to attract and retain specialist staff in a small job pool. We may lose staff to other neighbouring Councils, or not be able to attract staff of the right calibre or capability because of either our small size or the lack of other opportunities in the local area.

There are also issues of succession planning for some roles and the potential to lose knowledge and intellectual capital with the loss of key staff. In the Utilities area there will be a high percentage of retirees over the next five years.

Staff numbers have increased with growth in the region and associated workloads, presenting issues around accommodation and conditions.

Risk Appetite Rationale

- Key staff are required to support Council’s operations and drive achievement of strategic objectives.
- Difficulty in finding qualified individuals for specific roles.
- Developing the right culture.
- Individual risk appetites for different sub-categories: e.g. Building inspector: Moderate, Regulatory staff: Low, Leadership: Low.

Key Mitigations

Working closely with other Councils to find innovative solutions in some areas - such as using Building Control staff from other Councils.

Investigation of training opportunities at local tertiary institutions to help meet certain skill shortages.

Increased use of graduate positions, trainees and cadets to fill positions in areas with shortages or threats from larger proportion of retirees.

Monitoring of staff attrition rates combined with Remuneration and Benefits strategy to compare with our neighbours annually. Flexible working Policy being developed.

Staff retention planning - use of training, MBAs, extension programme as means to retain staff.

Ability to find skilled contractors in the local market.

A Succession Planning exercise has been completed for all key roles down to specialist level.

Work is underway to investigate additional office accommodation due to the expansion of the workforce. Additional car parking has been provided.

Internal planning as part of the latest Corporate Plan to ensure that priority is given to the most important activities and planning is put into resource management in order to complete those activities identified as priority (“Tame the Beast”)

Significant Planned Additional Mitigations

Workforce Planning workshops held, work continues on outcomes

Formal Succession Planning - identify potential candidates & training needs

Further staff workshops on Diversity & Unconscious bias

Owner(s)

Jan Pedersen

Jan Pedersen

Jan Pedersen

Timing

2017-18

2017-18

2018-19

Status

Ongoing

Completed

Ongoing

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
3. Crisis management	Extreme	High	Medium/High

All 4 of the Natural Hazard risks from the previous Risk Register are included under this risk (major earthquake, major flood, tsunami and moderate sized volcanic eruption). The response includes Civil Defence and Emergency Management activities, which are run within the WBOPDC premises and co-ordinated between WBOPDC, TCC and the Emergency Management staff of the BOPRC. Other risks covered here include those around the information given to residents about the risks to their property from flooding, sea inundation and coastal erosion, and also the Crisis Management and Business Continuity planning within the Council itself.

Risk Appetite Rationale

- Higher risk appetite due to many of these factors being outside of Council’s control.
- There’s a focus on particular areas, where risks and vulnerabilities are seen as higher (e.g. Waihi Beach, Maketu, Pukehina Beach).
- Individual risk appetites for different sub-categories: Civil Defence: Moderate, Non-Civil Defence: High.

Key Mitigations

WBOPDC plays a key role in any disaster response and post event recovery. Staff are trained for such events and our buildings & systems are made available to staff from neighbouring Councils. We have staff trained as Controllers and Recovery managers within the EOC. Council staff are involved in close liaison between Emergency Management & other regional Lifeline organisations.

WBOPDC work closely with Insurance broker Aon to assess the correct level of insurance to cover damage to our infrastructure, buildings and facilities. This includes an annual revaluation of our infrastructure assets, properties and contents. The Government has now published advice on coastal hazards & climate change (See paper on ‘Coastal Hazards and Climate Change’). This is being consulted as we seek to formulate our own responses across the district. GIS mapping for impacts from hazards and natural disasters - tsunami & tidal flooding, etc. These can then be reflected on LIM reports for residents and on our website.

For internal response to any crisis or disaster, there is a Crisis Management Plan available and further more detailed plans are being developed for all areas of Council. Within the IT environment there is a detailed Business Continuity plan and increasing use of cloud based technology to allow for more remote working options. Council systems are well protected from external threats.

Significant Planned Additional Mitigations

Work with Aon and Tonkin & Taylor to estimate damage to underground infrastructure in the event of either earthquake, liquefaction or tsunami events.

Business Continuity Planning

Owner(s)	Timing	Status
GM1	2017-18	Ongoing
Guy Hobson	2018-19	Ongoing

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
4. External macroeconomic and other events e.g. horticulture disease and central government policy change	Extreme	Medium	Medium

Significant changes to Central Government policy or funding (e.g. call to combine services with other Councils leading to stranded assets)
 Environmental factors which have a devastating impact on the economy of the region and make it uneconomic for horticulture or dairy production.
 Changes to the wider economic activity in New Zealand (e.g. further financial crisis, collapse of markets & end of growth)

Currently there are uncertainties regarding Transport Policy, and we await updates on which projects will be funded and if this will have a direct impact on development within our district. Also 3 Waters are being discussed and LGNZ and WaterNZ are being used for advocacy on the future of water management in negotiations with Government.

Risk Appetite Rationale

- Council’s aim is to get visibility to the best of their ability.

Key Mitigations

The significance of these risks is that all of them are beyond the control of WBOPDC, and therefore there is little that can be done to prevent them from happening. The importance of the response and mitigations comes in how they are dealt with if they were to eventuate.
 Keeping abreast and being well informed about emerging issues and having strategies to deal with them.

Lobby government on important issues and align with sector groups to influence the government (e.g. LGNZ, SOLGM).
 Develop contacts with local business and industry groups in order to understand vulnerabilities and to seek better long term outcomes.

Priority One economic briefings for the local regional economy.
 Bay of Connections Forum - 6 monthly summits.
 All local Government legislation changes - “Inside Wellington” subscription service.
 PWC Money market & economic briefings.

Significant Planned Additional Mitigations

	Owner(s)	Timing	Status
Relationships Framework - database of all external relationships.	All	Ongoing	In progress
Corporate Plan initiative - sharing of leading indicators for future activity not past performance.	Corp Dev Team	Ongoing	In progress

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
5. Digital ecosystem - reliability, cyber security, delivery, knowledge management	High	Medium	Low

Risk to WBOPDC from a major systems failure which could prevent work from being undertaken, or the loss of vital records. Risk from cyber attacks on electronic records or the threat of malicious damage.

Risks from reliance on Datacom for the provision of the Ozone system, leading to delays in development or risk from end of life software. Replacement of Ozone software and shift to new software may not provide the current level of functionality, and may require a huge amount of time from staff to test, check and migrate to new systems.

Risk Appetite Rationale

- Continuous monitoring and improvement is important to the community and in achieving Council’s objectives and thus significant investments have been made in this area.
- ‘Way of the future’

Key Mitigations

We are shifting to a “software as a service” approach to IT management as a means to reduce on site risk. This will lead to better version control practices & upgrades and lead to a reduced amount of maintenance. This approach is being used as we procure & renew all our corporate systems. Core elements of our technology infrastructure are kept on site but data is being backed up in the cloud. The Tauranga Data Centre is now located here at WBOPDC and has robust security and back up capability. We are one of the best protected Councils in the country compared with those operating on a realistic budget, according to AuditNZ, who have recommended us to speak to other ALGIM members. We have installed firewalls in a central location, allowing us to perform regular penetration testing and health checks. This makes us very resistant to malware and not just virus attack. IT have a disaster recovery plan and have built resilience into the current operations, providing mirrored servers which are shared with TCC as a way to ensure data is always retained and can be accessed in a short time frame and using mobile technology.

Contracts with Datacom to provide ongoing system maintenance and upgrades.

We are compliant with Information Management legislation, for example Privacy Act and Public Records Act. Digitisation of historical subdivision files continues.

Significant Planned Additional Mitigations

	Owner(s)	Timing	Status
Planning for migration to “software as a service” approach to digital management	Marion Dowd		Ongoing
Security review of hardware is underway along with software to monitor threats & maintain firewalls.	Richard Gilligan		Completed

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
6. Renewals and maintenance of infrastructure	High	Medium	Medium/Low

Is the current infrastructure fit for purpose and does it meet the needs of the current population? Will it remain adequate for its remaining estimated lifetime or will developments or expansion mean that it has to be replaced sooner than predicted? Are our growth estimates accurate?

Unplanned asset failure. Impact on residents and businesses, who are unable to function.

Risks encountered during the purchase or construction of new assets.

Contractors unwilling to tender for the work that Council needs to get done (due to the amount of available work, or the perception that working with Councils is hard).

Proper procurement policies are not followed due to the lack of parties tendering for work.

Proposed State Highway upgrades could impact on water pipes and lead to additional expenditure.

Risk Appetite Rationale

- Need to ensure our infrastructure is always fit for purpose
- Individual risk appetites for different sub-categories:
 - 1) Bridges: Low
 - 2) Renewals: Moderate

Key Mitigations

Structure Plans are in place which estimate the future needs to replace or repair assets when required.

Asset Management Plans for all infrastructure activities are in place and up to date, to ensure assets are fit for purpose, adequately maintained and replaced in the most cost effective manner.

Asset managers and staff are appropriately qualified and trained to manage those plans.

Asset Management Plans and replacement planning reviewed every three years with each new LTP.

A new Asset Management system is being implemented & populated with data to ensure that there are accurate records of all assets and allow for better management and planning of asset life times.

Approval for spending on all capital projects is undertaken as part of the Annual Plan process. Tenders have gone out for the Capital Works Programme.

Procurement processes are being reviewed as part of the refresh of the Procurement procedures & Manual in order to achieve the right balance between tendering and the employment of good quality contractors while achieving best possible price outcomes for ratepayers.

Significant Planned Additional Mitigations

Implementation of the new Asset Management System will bring standardisation to our AMPs. Version 4 is up and running, although some bugs still need to be resolved.

Owner(s)

Timing

Status

2017-19

Ongoing

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
7. Project delivery management	Medium	Medium	Medium

At the present time the WBOPDC has a shortage of both project management skill and resources. There is no standard methodology available for the delivery or running of projects within WBOPDC. There is a dependence on existing job holders with certain technical skills to fill the role of project manager on a number of initiatives. While this is needed to some extent, the lack of project management skills may result in delays or inefficiencies within the projects.

Contractor Management - there are risks around inconsistent record keeping & lack of documentation

Risk Appetite Rationale

- Scope/quality are the most important factors, timeliness is not as important compared against scope/quality
- There are tension/constraints in terms of capability
- Individual risk appetites for different sub-categories: For example with Cycleways appetite is low but for new services it is moderate

Key Mitigations

The new Corporate Plan strategy has helped WBOPDC focus on what is being done. Project prioritisation activities have been undertaken by the Corporate Development Team in order to determine which projects can be delivered and to allocate priorities to those. Retention of a full time project manager within the IT department. Development of some project management materials.

Where there is implementation and development activity we now ensure that there is a project team formed where there is ownership by the business and elements that are managed and delivered by IT. We now look to include a team member from Finance in order to ensure that all financial elements are included from an early stage. A more agile business methodology has been adopted when working with Datacom on our systems.

Significant Planned Additional Mitigations

	Owner(s)	Timing	Status
Asset Management Module, to bring consistency across multiple asset activities	Chris Shaw	2017 - 2019	Ongoing
Roll-out of the PROMAPP system to capture & update all process information	Jaqui Watkins	2018-2020	Ongoing

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
8. Community engagement (general community and key stakeholders)	Medium	Medium/Low	Low

WBOPDC has an obligation to engage with residents and the community on matters which affect them. We have undertaken a number of initiatives to ensure there are good levels of local discussion about matters which impact the community, and we can demonstrate that residents views have been gathered and taken into consideration. The Community and also the Environmental strategies are both being reviewed and will need further engagement. With increasing numbers of matters requiring engagement, there is a need to be smarter about ways of doing this.

Risk Appetite Rationale

- Council is very careful on external communications
- Customer service is important to us

Key Mitigations

WBOPDC has recruited new staff in the Communications and Engagement team in order to ensure a much higher degree of resident participation in community matters.

There are Community Boards, Bang the Table community events and also online forums to respond to questions and discussion papers (e.g. on coastal erosion)

Greater efforts are being focussed on getting residents to take part in Open Day events and give views - Omokoroa Planning Open Days, Roding Plan Open Days & Te Puke residents.

A Community Engagement Framework and Toolkit has been developed and is being used.

Staff are now trained to standards set by International Association of Public Participation for best practice.

WBOPDC are part of a regional network of engagement practitioners and take a lead in this network.

There are also Auditor General guidelines on public participation which are followed.

The Council has run and sponsored a number of Community Events. Connector Groups in Te Puna and Omokoroa set up to develop their own Community Plans with Council support.

With the running of events on Council land, the New Health & Safety at Work Act demands there are comprehensive risk plans in place. These are being produced but further work is now required to ensure these are properly monitored and complied with. Legal advice has been sought to clarify the Council position.

Significant Planned Additional Mitigations

Significance and Engagement Policy to be updated with the LTP

Owner(s)

Emily Watton

Timing

2018

Status

Ongoing

H&S Plan monitoring at Events run on Council property or by Council sponsored organisations.

Frank Begley

Ongoing

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
9. Regulatory compliance	High	Medium	Low

Risks in this area include:

- Loss of regulatory compliance accreditation from IANZ and MBIE.
- Difficulties finding enough staff with the appropriate skills and qualifications. Also the current age of a number of inspectors is high & retirements are expected.
- Lack of local training opportunities to provide the flow of newly trained workers in this field for WBOPDC and TCC.
- Need to employ outside firms to complete this work on behalf of Council, pushing up costs.
- Potential failure to provide accurate Codes of Compliance which leads to legal cases against Council or claims for compensation.
- Delays to development and building work. Loss of reputation. Stress caused to staff due to work pressures.

Risk Appetite

- These risks are within Council’s control and is important to Council’s reputation of high quality service delivery

Key Mitigations

A position of Quality & Systems Specialist has been established in order to ensure continuity of accreditation. Move to use PROMAP has aided work & audit preparation. Continuous improvement meetings are held within the team to review/fix/change any problems or issues that emerge.

A robust procurement process was followed for the renewal of contract for external contractors. This led to a saving on hourly rates, better insurance cover in place for WBOPDC and also more clarity over expectations about work load and timings. All decisions around this process are clearly documented. As a result a Contractor Panel is now in place to move work between supplier and keep parties honest over timings and costs.

Young staff are being recruited as cadets to boost the compliance team. All new staff are being trained towards a nationally recognised qualification and are being enrolled at Toi Ohomai in a Construction Management Diploma. Ongoing training in place.

A new earthquake prone buildings policy is under development - this will ensure that schools, hospitals, CD buildings etc, are all checked. All old records & Code Compliance certificates stored in the Lundia are processed on a needs basis when requested by members of the public.

Significant Planned Additional Mitigations

	Owner(s)	Timing	Status
Change to case law around 10 year liability timeframe for leaky building claims may lead to new work or reopening of cases. (Only 1 property has emerged for reassessment)	Chris Nicholson	2018	Ongoing
Work Programme developed using the suggested improvements from the QC’s report on Bella Vista	Chris Nicholson et al	2018-19	Ongoing

	Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
10. Growth and impact on infrastructure planning	Medium	Medium	Low

Incorrect growth assumptions - these would impact on estimated costs and revenues and may lead to incorrect decisions about the needs for infrastructure.

Current rates burden is one of the highest in the country. Failure to allow, or get the benefit from, increased new housing development may lead to the region becoming more unaffordable for some rate payers.

The cost of infrastructure required by new developments is high when weighed against the potential new revenues.

Uncertainty around the funding for major roading projects, such as SH2 to Omokoroa, could lead to drying up of new housing development in that area.

Difficulties of finding land for development in and around Katikati.

Housing affordability within the planned Special Housing Area.

Rising cost of Council staff bill to allow sufficient resources to deal with activities needed by residents.

Risk Appetite Rationale

Out of council's control but has a big impact on infrastructure planning

Key Mitigations

Most estimates for population growth are conservative, and would therefore not lead to an overestimate of budget revenues.

Delays to the building process or sudden economic downturn could lead to slower development and subdivision and therefore lower than expected revenues.

SmartGrowth is used for developmental planning purposes. 30 year plans look at where we are positioning additional housing.

Priority One provides information about economic trends in both Tauranga and the Western Bay areas.

Growth estimates are peer reviewed by the Strategic Advisor

Strategic Property options have been developed and a workspace planning & optimisation survey has been conducted to gather requirements.

Significant Planned Additional Mitigations

Boundary changes relating to Tauriko West

Owner(s)

Phillip Martelli

Timing

2018-19

Status

Ongoing

Climate change impacts on planning, future development & financial reporting

Various

Ongoing

Ongoing

Western Bay of Plenty District Council

Council

Chief Executive Officers Report – *Aug 2018*

1. Chief Executive Officer and Group Managers' Update Report

1.1. Purpose

To provide the Mayor and Council with timely advice on current projects and issues via an information report.

The Mayor has requested this report be based on topics and that the Chief Executive and Group Managers speak to items. A similar report is included in the confidential section of the agenda for confidential items.

1.2. Report

The topics and issues are set out in areas of responsibility. Detail is not provided in the written report as the detail is generally contained in the Committee reports where the topics are debated and direction provided.

The report is to provide current and timely briefings on significant topics and issues that potentially or currently are a risk item or could impact council or the community.

1.3. Chief Executive Office

- SmartGrowth update

1.4. Infrastructure Services

- Nothing to report

1.5. Financial Services

- Annual Plan Review – First workshop scheduled for 25 September 2018.
- Chief Financial Officer's Exception Report (**Attachment A**)

1.6. Policy, Planning and Regulatory Services

- Nothing to report

1.7. Technology, Customer and Community Services

- Nothing to report

Recommendation

THAT the Chief Executive Officer's report dated 07 September 2018 and titled "Chief Executive Officers Report" be received.



Miriam Taris
Chief Executive Officer

Date 6 September 2018 **Open Session**
Subject Chief Financial Officer's Exception Report Briefing – September 2018

Western Bay of Plenty District Council

Council

Chief Financial Officer's Exception Report Briefing – September 2018

Purpose

This report is to inform Councillors on important issues in relation to Council's finances. Reporting is on an exception basis and includes both positive and negative variances to Council plans, projects and business operations.

Key Financial Performance Indicators and Financial Issues for the Two Months Ended 31 August 2018

Due to timing of the 2017/18 Annual Report adoption at the September Council meeting, the accounting systems could not be rolled over in time for the preparation of the Key Financial Performance Indicators and Financial Issues reports. As a result financial reports against budget have not been prepared for the two month period ending 31 August 2018.

Financial reporting will resume in October 2018 following finalisation of the annual reporting process.



Kumaren Perumal
Chief Financial Officer